A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

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

1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.

2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.

3. The amounts listed on the schedule were collected through either a clerical or assessor error.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 12th day of January, 2009 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Stephanie C. Kelly, 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 12th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (823-824).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 2009.
### TAXPAYERS AND REFUNDS REQUESTED

*(Clerical Error)*

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<td><strong>TOTAL</strong></td>
<td><strong>$ 9,343.29</strong></td>
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RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE Allen A Brown Road in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, Young's Pond, LLC has filed a petition to close Allen A Brown Road in the City of Charlotte; and

Whereas, the portion of Allen A Brown Road to be closed lies within the Mallard Creek Community beginning from Brown Road continuing approximately 1200 feet west to its terminus as shown in the map marked "Exhibit A" and is 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 procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring it's 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 it’s regularly scheduled session of January 12th, 2009 that it intends to close Allen A Brown Road and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 9th day of February, 2009 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

CERTIFICATION

I, Stephanie C. Kelly, 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 12th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 825.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of January, 2009.

[Signature]

Stephanie C. Kelly, CMC, City Clerk
January 12, 2009  
Resolution Book 41, Page 826

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a residual portion of right-of-way abutting E. Independence Boulevard in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, Burt Family Limited Partnership has filed a petition to close a residual portion of right-of-way abutting E. Independence Boulevard in the City of Charlotte; and

Whereas, the residual portion of right-of-way abutting E. Independence to be closed lies within the Elizabeth Community beginning at Lamar Avenue continuing approximately 377-feet eastwardly to its terminus as shown in the map marked “Exhibit A” and is 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 procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring it’s 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 it’s regularly scheduled session of January 12th, 2009 that it intends to close a portion residual portion of right-of-way abutting E. Independence and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 9th day of February, 2009 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

CERTIFICATION

I, Stephanie C. Kelly, 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 12th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 826.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12th day of January, 2009.

[Signature]
Stephanie C. Kelly, CMC, City Clerk
RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON JANUARY 12, 2009

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

WHEREAS, Safe Routes to School (SRTS) is a national program of the U.S. Federal Highway Administration and the North Carolina SRTS program is making $3.5 million available for infrastructure grants to better enable children to walk and bicycle to school; and

WHEREAS, funds are available to implement projects and promote activities that will improve pedestrian safety, reduce traffic congestion, fuel consumption, and air pollution in the vicinity (approximately 2 miles) of primary and secondary schools;

WHEREAS, the infrastructure grants will be competitive and awarded on a cost-reimbursement basis; and

WHEREAS, in 2005, the City received partial funding through NCDOT to hold the National Safe Routes to School course, which was held at Merry Oaks Elementary School and Sedgefield Elementary School; and

WHEREAS, the City staff have met with the County's Safe Routes to School Coordinator and a committee representing various agencies to discuss candidate schools for the infrastructure grant and choose Sedgefield Elementary; and

WHEREAS, Sedgefield was chosen because the school staff continue to support the safe routes initiative and are eager to apply for these federal funds; and

WHEREAS, the City concurs that this school is an appropriate candidate that will benefit from safety enhancements and a greater sidewalk network to encourage walking and biking to school; and

WHEREAS, Given that the City supports the Safe Routes to School initiative, the City supports the application of an infrastructure grant application for Sedgefield Elementary School; and

NOW, THEREFORE, BE IT RESOLVED, that this resolution authorizes the endorsement of the submittal of a North Carolina Safe Routes to School Infrastructure Grant Application for Sedgefield Elementary School.
CERTIFICATION

I, Stephanie C. Kelly, 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 12th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (827-828).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 2009.

[Signature]
Stephanie C. Kelly, CMC
City Clerk
N85°-15'-45”E 778.91 feet, passing an Existing iron rebar at 624.64 feet being a Northeastern lease area corner (Deed Book 779 Page 692), to a New iron rebar being the Northeastern Property corner of Southern Spindle and the Southeastern Property corner of Latour Properties on the Western property line of Thomas Ertel and Candice Ertel (Tax Pin 11515101, Deed Book 16516 Page 158, Map Book 3 Page 587); thence continuing along the common Property line of Southern Spindle and Ertel S04°-55'-27”W 122.81 feet to a New iron rebar, a bend in the line; thence continuing along the common Property line of Southern Spindle and Ertel S04°-52'-39”W 427.34 feet to an Existing iron pipe being a Southeastern Property corner of Southern Spindle, the Southwestern Property corner of Ertel, and a Northern Property corner of Edwin R. McCoy, III and Gary McCoy and H. Michael McCoy (Tax Pin 11515121, Deed Book 5311 Page 625); thence along the common Property line of Southern Spindle and McCoy S70°-46'-50”W 140.41 feet to an Existing iron pipe on the Northern Public Right-of-way of Josh Birmingham Parkway; thence along the Northern Public Right-of-way of Josh Birmingham Parkway for the following Three (3) courses: 1) N55°-09'-37”W 248.46 feet to an Existing Right-of-way monument; 2) N54°-44'-43”W 449.03 feet to an Existing Right-of-way monument; 3) N23°-31'-55”W 87.73 feet to an Existing Right-of-way monument in said Eastern Public Right-of-way of Harlee Avenue; thence along said Eastern Public Right-of-way of Harlee Avenue N10°-11'-05”E 49.35 feet to the Point of Beginning; containing 293,278 Square feet (6.73 Acres) as shown on Plat of Survey for Charlotte Douglas International Airport prepared by Earth Tech, Inc. (Raleigh, NC) dated June 06, 2008.

IT IS FURTHER RESOLVED that the additional amount of $409,000 is hereby authorized to be deposited in the office of the Clerk of Superior Court, Mecklenburg County, North Carolina.

CERTIFICATION

I, Stephanie C. Kelly, 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 12th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (829-829a).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 2009.

Stephanie C. Kelly, CMC, City Clerk
A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte previously authorized condemnation proceedings against the property described below ("Property") utilizing the procedures of Article 9 of Chapter 136 of the North Carolina General Statutes as authorized by 7.81 of the Charter of the City of Charlotte, and otherwise under the authority and procedures of the laws of the State of North Carolina, and

WHEREAS, the City did condemn the Property by filing a Complaint, Declaration of Taking and Notice of Deposit on December 3, 2008 by depositing $1,191,000 with the Clerk of Court for Mecklenburg County; and

WHEREAS, the City and all persons with an interest in the property have reached an agreement with regard to settling the condemnation suit, which settlement would require the City to pay a total of $1.6 million for the property, which is an additional $409,000 over and above the $1,191,000 that the City has already deposited with the Clerk of Court;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that the settlement of this condemnation proceeding of the terms stated herein is hereby authorized.

Parties in Interest

The Southern Spindle and Flyer Company
Adams Outdoor Advertising of Charlotte
Ferguson Fire & Fabrication, Inc.
Duke Power Company, Easements
Department of Transportation, Easements
City-County Tax Collector

Property description


Beginning at an Existing Right-of-way monument on the Eastern Public Right-of-way of Harlee Avenue being the Northwestern Property corner of Southern Spindle and Flyer Co. Inc. Property (Tax Pin 11515116, Deed Book 2593 Page 257, Back Deeds; Deed Book 1012 Page 36 and Deed Book 165 Page 224) and the Southwestern Property corner of Latour Properties LLC., (Tax Pin 11515115, DB 21566 PG 50); said Point of beginning being located N84°54'10"E 10.27 feet from another Existing Right-of-way monument on the Eastern Public Right-of-way of Harlee Avenue; thence from the Point of beginning along the common Property line of Southern Spindle and Latour Properties
RESOLUTION CLOSING A RESIDUAL PORTION OF BELLE TERRE 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 a residual portion of Belle Terre 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 a residual portion of Belle Terre 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 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to City of Charlotte, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 12th day of January, 2009 and City Council determined that the closing of a residual portion of Belle Terre Avenue 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 January 12, 2009, that the Council hereby orders the closing of a residual portion of Belle Terre Avenue 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 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, Stephanie C. Kelly, 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 12th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (830-882).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12th day of January, 2009.

Drawn By: City of Charlotte
Return to: City of Charlotte-Box

Stephanie C. Kelly, CMC, City Clerk
North Carolina

I, SCOTT ALAN TIERNEY, certify that this plot was drawn under my supervision from an actual survey made under my supervision and this map and the survey upon which it is based conform to the standards of practice for land-surveying in North Carolina (section 1600 of board rules).

SCOTT ALAN TIERNEY
Registration No. L-3166

CURVE TABLE

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Notes:
1. All distances shown hereon are surface horizontal distances (unless otherwise indicated).
2. Bearing computations are computed by the coordinate IP computation method.
3. Basis of bearings is N Grid (CORB) per field tie to NCGS Station MB56.

Legend

- EP: Existing Iron Pin
- IP: New Iron Pin
- CP: Computed Point
- LN: Line Not Surveyed
- R/W: Right of Way
- N/F: Now or formerly

EXHIBIT A

RIGHT-OF-WAY ABANDONMENT

TAX ID 081-193-27, 28 AND 29
TERRE VILLAGE LLC DB 21770 Pg 432, 435
CITY OF CHARLOTTE
MECKLENBURG COUNTY, NORTH CAROLINA

DATE: 10/08/08
SCALE: 1" = 50'
CADD FILE: CHC50326 Belle terre Exhibit

GEOSCIENCE GROUP, INC.
500-K Clanton Road
Charlotte, NC 28217
704.325.2903
info@geoscienceng.com
METES AND BOUNDS DESCRIPTION:

Being all of a 0.026 acre parcel of land situated in the City of Charlotte, Mecklenburg County, North Carolina said tract being part of Belle Terre Avenue and, more particularly described by metes and bounds as follows:

BEGINNING at a new iron pin on the southerly right of way line of Belle Terre Avenue, the northwesterly corner of Delores Fries McCove as recorded in Deed Book 13917 Page 165, Mecklenburg County Register of Deeds, said iron being the following two courses from NCGS station "M 056", having North Carolina Grid coordinates of N. 539,232.68 E. 1,461,226.80.

1. N 29°53'57" W, 4,338.12 feet to an existing iron pin on the northerly right of way line of Belle Terre Avenue, said iron pin having North Carolina Grid coordinates of N. 542,992.82 E. 1,459,064.70.

2. S 13°27'52" E, 42.07 feet to said existing iron pin on the southerly right of way line of Belle Terre Avenue, the POINT OF BEGINNING.

Thence, from said beginning point, with the westerly property line of said McCove tract, S 13°27'52" W, 27.30 feet to an existing iron pin, said pin being the northeasterly corner of the Terre Village tract as recorded in Deed Book 21770 Page 432, Mecklenburg County Register of Deeds.

Thence, with the northerly line of said Terre Village tract, the following five courses:

1. N 76°13'26" W, 30.00 feet to a computed point.
2. With the arc of a circular curve to the to the right having a radius of 10.00 feet, an arc length of 7.63 feet, and a chord which bears N 53°47'33" W, 7.63 feet to a computed point.
3. Continuing with the arc of a circular curve to the to the right having a radius of 10.00 feet, an arc length of 7.68 feet, and a chord which bears N 08°47'33" W, 7.68 feet to a computed point.
4. N 13°46'34" E, 19.92 feet to a new iron pin.
5. With the arc of a circular curve to the to the right having a radius of 40.00 feet, an arc length of 1.30 feet, and a chord which bears N 14°42'32" E, 1.30 feet to a new iron pin.

Thence, through the right of way of Belle Terre Avenue S 70°36'11" E, 40.02 feet to the POINT OF BEGINNING and containing within these metes and bounds 1,147 square feet, or 0.026 acres of land, more or less as shown on the "Exhibit Map - Right of Way Abandonment", by Geoscience Group, Inc., dated: October 8, 2008, and signed and sealed by Scott Alan Tierney, NCPLS L-3166 to which reference is hereby made.

"EXHIBIT B"

RIGHT-OF-WAY ABANDONMENT

TAX ID 081-193-27,28 AND 29
TERRE VILLAGE LLC D.B.K. 21770 PG. 432. 435
CITY OF CHARLOTTE
MECKLENBURG COUNTY, NORTH CAROLINA

DATE: 10/08/08 SHEET: 2 OF 2
SCALE: 1" = 50' CADD FILE: CH050326 Belle terre Exhibit

GEOSCIENCE
GROUP, INC.

500 K-Clayton Blvd
Charlotte, NC 28201
704-533-2003
800-457-2003

Drawn By: City of Charlotte
Return To: City of Charlotte-Box
RESOLUTION CLOSING A PORTION OF MAIN 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 Main 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 Main 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 petitioner will provide an access easement to City of Charlotte, Duke Energy, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 8th day of December, 2008 and City Council determined that the closing of a portion of Main 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 February 9, 2009, that the Council hereby orders the closing of a portion of Main 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 document marked “Exhibit B”, both of which are attached hereto and made a part hereof. This action shall be effective on the date that the right-of-way for the proposed realignment of Main Street is conveyed, recorded, constructed and accepted by the City of Charlotte for maintenance. The abandonment approval shall be void if the above conditions are not met within one year of this date.

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

CERTIFICATION

I, Stephanie C. Kelly, 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 12th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (833-835).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of January, 2009.

[Signature]

Stephanie C. Kelly, CMC, City Clerk
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON THE MAP BOOK __, PAGE __ OF __.

MAP BOOK __, PAGE __

DEED BOOK __, PAGE __

TAX NO. __

JOB NO. __

R & J PHARR & ASSOCIATES, PROFESSIONAL SURVEYORS

18.987 SQ. FT. OR 0.4359 ACRE

EASEMENT NOTE

EASEMENT IN FAVOR OF CHARLOTTE-MECKLENBURG UTILITIES, TIME WARNER CABLE, DUKE ENERGY, BELL SOUTHERN TELECOMMUNICATIONS, INC. AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF SEWER LINES, WATER LINES, CONDUIT, CABLE, WIRES, AND RELATED EQUIPMENT.

LEGEND

EP - EXISTING IRON PIPE
ER - EXISTING IRON ROD
NIP - NEW IRON PIPE
NIR - NEW IRON ROD
ECM - EXISTING CONCRETE MONUMENT
RW - RIGHT-OF-WAY
SQFT - SQUARE FEET

FLOOD CERTIFICATION

THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON THE MAP BOOK __, PAGE __ OF __.

MAP BOOK __, PAGE __

DEED BOOK __, PAGE __

TAX NO. __

JOB NO. __
EXHIBIT "B"

LEGAL DESCRIPTION

[PORTION OF MAIN STREET TO BE ABANDONED]

THAT CERTAIN PARCEL OR TRACT OF LAND, SITUATED, LYING AND BEING IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NGS MONT M055, HAVING NC GRID COORDINATES OF N:539,784.43', E:1,449,530.96'; THENCE S 41°35'54" E A DISTANCE OF 5,377.71 FEET TO A POINT LOCATED AT THE INTERSECTION OF THE WESTERLY R/W LINE OF MAIN STREET (50' PUBLIC RIGHT OF WAY) AND THE EASTERLY RIGHT OF WAY OF AVANT STREET (VARIABLE PUBLIC RIGHT OF WAY); THE POINT OF BEGINNING; HAVING, NC GRID COORDINATES OF N:535,768.55', E:1,453,098.27';

THENCE WITH A NEW LINE CROSSING THE RIGHT OF WAY OF MAIN STREET N 37°58'52" E A DISTANCE OF 55.09 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY MARGIN OF MAIN STREET; THENCE WITH THE EASTERLY RIGHT OF WAY LINE OF MAIN STREET, FOUR (4) COURSES AND DISTANCES (1) S 27°06'19" E A DISTANCE OF 21.92 FEET TO A POINT; (2) S 27°06'19" E A DISTANCE OF 24.50 FEET TO A POINT; (3) S 27°39'06" E A DISTANCE OF 58.43 FEET TO A POINT; (4) S 17°31'14" E A DISTANCE OF 314.94 FEET TO A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY OF BAXTER STREET (50' PUBLIC RIGHT OF WAY) AND THE WESTERLY RIGHT OF WAY ELLI STREET (36' PUBLIC RIGHT OF WAY); THENCE WITH A NEW LINE CROSSING THE RIGHT OF WAY OF MAIN STREET N 64°53'20" W A DISTANCE OF 66.49 FEET TO A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY OF BAXTER STREET (50' PUBLIC RIGHT OF WAY) AND THE WESTERLY RIGHT OF WAY MAIN STREET (50' PUBLIC RIGHT OF WAY); THENCE FIVE (5) COURSES AND DISTANCES WITH THE WESTERLY RIGHT OF WAY OF MAIN STREET (1) N 18°27'45" W A DISTANCE OF 67.35 FEET TO A POINT; (2) N 17°28'45" W A DISTANCE OF 99.87 FEET TO A POINT; (3) N 17°28'45" W A DISTANCE OF 99.11 FEET TO A POINT; (4) N 27°39'06" W A DISTANCE OF 70.48 FEET TO A POINT; (5) N 27°39'06" W A DISTANCE OF 6.40 FEET TO THE POINT OF BEGINNING; CONTAINING 18,987 SQUARE FEET OR 0.4359 ACRES AS SHOWN ON A MAP BY R.B. PHARR AND ASSOCIATES P.A., DATED APRIL 18, 2008 (JOB NUMBER 73415).
RESOLUTION CLOSING A 10-FOOT ALLEYWAY RUNNING OFF OF W. WORTHINGTON 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 a 10-foot alleyway running off of W. Worthington 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 a 10-foot alleyway running off of W. Worthington 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 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the public hearing was held on the 12th day of January, 2009 and City Council determined that the closing of a 10-foot alleyway running off of W. Worthington Avenue 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 January 12, 2009, that the Council hereby orders the closing of a portion of a 10-foot alleyway running off of W. Worthington Avenue 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 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, Stephanie C. Kelly, 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 12th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (836-838).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12th day of January, 2009.

Drawn By: City of Charlotte
Return to: City of Charlotte-Box

Stephanie C. Kelly, CMC, City Clerk
RECOMBINATION SURVEY

FOR: CHARLIE ALLEN & PATRICIA MOORE GORDON

LOTS 1, 2, 36 & 10' ALLEY
WILMOORE
CHARLOTTE
MECKLENBURG COUNTY, NORTH CAROLINA

V.C.S.
8238 MOORES CHAPEL ROAD
CHARLOTTE, N.C. 28214
PHONE: (704) 393-8040
FAX: (704) 391-0450

FLOOD CERTIFICATION:
1. THIS PROPERTY DOES NOT LIE WITHIN A F.E.Z.A.A. SPECIAL FLOOD HAZARD AREA.

GENERAL NOTES:
1. MEASUREMENTS ON THIS MAP ARE IN FEET AND DECIMALS THEREOF.
2. ALL SET CORNERS ARE 1/8 IRON REBAR UNLESS OTHERWISE NOTED.
3. THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS NOT DISCLOSED BY OBSERVATION AT THE TIME OF SURVEY OR "AS MAN MAY PERceive.

REFERENCES:
1. DEED BOOK 7246, PAGE 819 & 617, RECORDED AT THE MECKLENBURG CO., NC, REGISTER OF DEEDS.
2. RECORD OF A PORTION OF WILMOORE DATED MAY 1928, RECORDED IN MAP BOOK 3, PAGE 287, MECKLENBURG CO., NC, REGISTER OF DEEDS.

THIS IS TO CERTIFY THAT THIS SURVEY IS A RECOMBINATION OF EXISTING PARCELS OF LAND. THE AREA OF THIS PROPERTY IS 0.327 ACRES AS CALCULATED BY COORDINATE COMPUTATION METHOD AND THAT THE ERROR OF CLOSURE IS GREATER THAN 110,000.

JUL 1 2008

THOMAS D. VON CANON L-3088

GRAPHIC SCALE

1 INCH = 40 FEET
LYING AND BEING in the City of Charlotte, County of Mecklenburg, State of North Carolina and being more particularly described as follows:

BEGINNING at an iron rod found located in the southwesterly margin of the right-of-way of Worthington Avenue (a 60’ public right-of-way), said iron rod found being located at the easterly corner of Lot 35 as shown on plat of a Portion of Wilmore (the “Plat”) recorded in Map Book 3, Page 267 in the Mecklenburg County Public Registry, and said iron rod found being also located the following two (2) courses and distances from an iron rod found located at the intersection of the southwesterly margin of the right-of-way of Worthington Avenue with the northerly margin of the right-of-way of South Tyron Street: (1) North 42-53-27 West 168.80 feet, and (2) North 43-07-12 West 10.00 feet to the POINT OR PLACE OF BEGINNING; thence leaving the margin of the right-of-way of Worthington Avenue and running with the southeasterly line of said Lot 35, South 47-06-33 West 61.75 feet to an iron rod found located at the southerly corner of said Lot 35; thence South 00-30-57 East 11.54 feet to an iron rod found; thence North 47-04-26 East 69.08 feet to an iron rod found located in the southwesterly margin of the right-of-way of Worthington Avenue; thence with the southwesterly margin of the right-of-way of Worthington Avenue, North 43-07-12 West 10.00 feet to an iron rod found, the POINT OR PLACE OF BEGINNING.
It is part of the recorded document, and must be submitted with original for re-recording and/or cancellation.

Filed For Registration: 02/09/2009 09:48:10 AM
Book: RE 24434 Page: 720-723
Document No.: 2009015563
Recorder: LYVANH PHETSARATH

RESOL 4 PGS $18.00
RESOLUTION CLOSING AN UNOPENED STREET RUNNING OFF OF CLARK 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 an unopened street running off of Clark Boulevard which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close an unopened street running off of Clark Boulevard 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 public hearing was held on the 12th day of January, 2009 and City Council determined that the closing of an unopened street running off of Clark Boulevard 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 January 12, 2009, that the Council hereby orders the closing an unopened street running off of Clark Boulevard 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 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, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 12th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (839-842).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12th day of January, 2009.

[signature]
Stephanie C. Kelly, Clerk, City Clerk

Drawn By: City of Charlotte
Return to: City of Charlotte-Box 227
1. Traverse adjusted by least squares adjustment method. Raw error of closure: 0.000004.
2. Area computed by coordinate computations.
3. All distances shown are horizontal ground distances unless otherwise noted.
4. District properties located in zone X (areas determined to be either close to annual chance floodplain or floodplain determined to be outside future floodplains) as per FEMA Panel 37119C0148, Effective date February 6, 2004.

5. Subject properties located 1/11 zone (areas exterior) to be outside 0.2% annual chance floodplain areas determined to be outside future floodplains as per FEMA Panel 37119C0148, Effective date February 6, 2004.

6. Right-of-way to be abandoned with tax no. 047-451-01 0.059 acres

7. Crescent Resources, LLC

8. Tax No. 047-451-01

9. Tax No. 047-452-02

10. Crescent Resources, LLC

11. Tax No. 047-452-07

12. Exhibit A

13. Crescent Resources, LLC

14. Crescent Resources, LLC

15. Crescent Resources, LLC
LEGAL DESCRIPTION

1.465 ACRES TO BE ABANDONED & COMBINED WITH TAX NO. 047-461-01

LYING AND BEING IN THE MALLARD CREEK TOWNSHIP, CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, BEING A PORTION OF 60' PUBLIC RIGHT-OF-WAY FOR CLARK DRIVE SOUTH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO GET TO THE TRUE POINT OF BEGINNING, BEGIN AT N.C.G.S. MONUMENT "ROCKY" HAVING NORTH CAROLINA NAD 83(2001) GRID COORDINATES OF N= 563,172.794' E= 1,475,765.313' AND RUN N 04°31'22" W 2901.67' (GROUND, 2901.20' GRID, C.G.F. 0.99984026) TO AN EXISTING #5 REBAR HAVING NORTH CAROLINA NAD 83(2001) GRID COORDINATES OF N= 568,064.964' E= 1,475,536.543', AND THEN N 24°12'45" E 199.94' TO AN EXISTING PK NAIL FOUND IN THE BASE OF AN 18" OAK BEING TREE ON THE SOUTHERN 60' PUBLIC RIGHT-OF-WAY LINE OF CLARK DRIVE SOUTH AND BEING THE TRUE POINT OF BEGINNING.

RUNNING THENCE FROM THE TRUE POINT OF BEGINNING WITH THE 60' PUBLIC RIGHT-OF-WAY LINE OF CLARK DRIVE SOUTH THREE (3) COURSES AND DISTANCES AS FOLLOWS:
1. N 65°52'57" W 1119.23' TO AN EXISTING #5 REBAR.
2. N 02°17'25" W 66.99' TO AN EXISTING #7 REBAR, SAID POINT BEING LOCATED N 56°11'21" W 14.33' OF AN EXISTING #4 REBAR. AND
3. S 65°52'57" E 1008.73' TO AN EXISTING 1" PIPE BEING ON THE SOUTHWEST PROPERTY CORNER OF CRESCENT RESOURCES, LLC (DB. 22837, PG. 342; MECKLENBURG COUNTY REGISTRY).

THENCE WITH NEW LINES ACROSS THE LAND OF THE 60' PUBLIC RIGHT-OF-WAY FOR CLARK DRIVE SOUTH THREE (3) COURSES AND DISTANCES AS FOLLOWS:
1. S 24°07'03" W 30.00' TO A COMPUTED POINT.
2. S 65°52'57" E 140.29' TO A COMPUTED POINT. AND

Drawn By: City of Charlotte
Return to: City of Charlotte-Box
LEGAL DESCRIPTION

CLARK DRIVE SOUTH ~ 1.810 ACRES TO BE ABANDONED

LYING AND BEING IN THE MALLARD CREEK TOWNSHIP, CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, BEING ALL OF THE 60' PUBLIC RIGHT-OF-WAY FOR CLARK DRIVE SOUTH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO GET TO THE TRUE POINT OF BEGINNING, BEGIN AT N.C.G.S. MONUMENT "ROCKY" HAVING NORTH CAROLINA NAD 83(2001) GRID COORDINATES OF N= 565,172.794' E= 1,475.765.313' AND RUN N 04°31'22" W 2901.67' (GROUND, 2901.20' GRID, C.G.F. 0.99984026) TO AN EXISTING #5 REBAR HAVING NORTH CAROLINA NAD 83(2001) GRID COORDINATES OF N= 568,064.964' E= 1,475,536.543', AND THEN N 24°12'45" E 199.94' TO AN EXISTING PK NAIL FOUND IN THE BASE OF AN 18" OAK BEING TREE ON THE SOUTHERN 60' PUBLIC RIGHT-OF-WAY LINE OF CLARK DRIVE SOUTH AND BEING THE TRUE POINT OF BEGINNING.

RUNNING THENCE FROM THE TRUE POINT OF BEGINNING WITH THE 60' PUBLIC RIGHT-OF-WAY LINE FOR SAID CLARK DRIVE SOUTH SIX (6) COURSES AND DISTANCES AS FOLLOWS:

1. N 65°52'57" W 1119.23' TO AN EXISTING #5 REBAR.
2. N 02°17'25" W 66.99' TO AN EXISTING #7 REBAR, SAID POINT BEING LOCATED N 56°11 '21" W 14.33' OF AN EXISTING #4 REBAR. AND
3. S 65°52'57" E (PASSING AN EXISTING 1" PIPE AT A DISTANCE OF 1008.73'; PASSING AN EXISTING #4 REBAR AT A DISTANCE OF 1108.54') FOR A TOTAL DISTANCE OF 1149.02' TO A COMPUTED POINT.
4. A CIRCULAR CURVE TO THE LEFT HAVING AN ARC LENGTH OF 131.77', A RADIUS OF 348.62' AND A CHORD OF S 76°42'39" E 130.99' TO A COMPUTED POINT.
5. S 87°32'21" E 16.94' TO A COMPUTED POINT. AND
6. A CIRCULAR CURVE TO THE LEFT HAVING AN ARC LENGTH OF 29.18', A RADIUS OF 20.00' AND A CHORD OF N 50°39'54" E 26.66' TO A COMPUTED POINT ON THE WESTERN 60' PUBLIC RIGHT-OF-WAY LINE FOR CLARK BOULEVARD.

THENCE WITH THE WESTERN 60' PUBLIC RIGHT-OF-WAY LINE FOR SAID CLARK BOULEVARD A CIRCULAR CURVE TO THE LEFT HAVING AN ARC LENGTH OF 95.83', A RADIUS OF 438.07' AND A CHORD OF S 02°36'09" W 95.63' TO A COMPUTED POINT ON THE SOUTHERN 60' PUBLIC RIGHT-OF-WAY LINE FOR CLARK DRIVE SOUTH.

THENCE WITH THE SOUTHERN 60' PUBLIC RIGHT-OF-WAY LINE FOR SAID CLARK DRIVE SOUTH THREE (3) COURSES AND DISTANCES AS FOLLOWS:

1. A CIRCULAR CURVE TO THE LEFT HAVING AN ARC LENGTH OF 29.28', A RADIUS OF 20.00' AND A CHORD OF N 45°36'06" W 26.73' TO A COMPUTED POINT.
2. N 87°32'21" W 16.69' TO A COMPUTED POINT. AND

EXHIBIT B
LEGAL DESCRIPTION

0.069 ACRE TO BE ABANDONED & COMBINED WITH TAX NO. 047-451-01

LYING AND BEING IN THE MALLARD CREEK TOWNSHIP, CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, BEING A PORTION OF 60' PUBLIC RIGHT-OF-WAY FOR CLARK DRIVE SOUTH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO GET TO THE TRUE POINT OF BEGINNING, BEGIN AT N.C.G.S. MONUMENT "ROCKY" HAVING NORTH CAROLINA NAD 83(2001) GRID COORDINATES OF N= 565,172.794' E= 1,475,765.313' AND RUN N 04°31'22" W 2901.67' (GROUND, 2901.20' GRID, C.G.F. 0.99984026) TO AN EXISTING #5 REBAR HAVING NORTH CAROLINA NAD 83(2001) GRID COORDINATES OF N= 568,064.964' E= 1,475,536.543', AND THEN N 24°12'45" E 199.94' TO AN EXISTING PK NAIL FOUND IN THE BASE OF AN 18" OAK TREE BEING ON THE SOUTHERN 60' PUBLIC RIGHT-OF-WAY LINE OF CLARK DRIVE SOUTH, THEN N 24°07'03" E 30.00' TO A COMPUTED POINT, AND THEN N 65°52'57" W 40.48' TO A COMPUTED POINT BEING THE TRUE POINT OF BEGINNING.

RUNNING THENCE FROM THE TRUE POINT OF BEGINNING WITH NEW LINES ACROSS THE LAND OF THE 60' PUBLIC RIGHT-OF-WAY FOR CLARK DRIVE SOUTH TWO (2) COURSES AND DISTANCES AS FOLLOWS:
1. N 65°52'57" W 99.81' TO A COMPUTED POINT, AND
2. N 24°07'03" E 30.00' TO AN EXISTING 1" PIPE BEING ON THE SOUTHWEST PROPERTY CORNER OF CRESCENT RESOURCES, LLC (DB. 22837, PG. 342; MECKLENBURG COUNTY REGISTRY) AND BEING ON THE NORTHERN 60' PUBLIC RIGHT-OF-WAY LINE OF CLARK DRIVE SOUTH.

THENCE WITH THE NORTHERN 60' PUBLIC RIGHT-OF-WAY LINE OF SAID CLARK DRIVE SOUTH S 65°52'57" E 99.81' TO AN EXISTING #4 REBAR BEING ON THE SOUTHEAST PROPERTY CORNER OF SAID CRESCENT RESOURCES, LLC.

THENCE WITH A NEW LINE ACROSS THE LAND OF THE 60' PUBLIC RIGHT-OF-WAY LINE FOR CLARK DRIVE SOUTH S 24°07'03" W 30.00' TO A POINT, THE TRUE POINT OF BEGINNING, CONTAINING 0.69 ACRE AS SHOWN ON A PLAT OF SURVEY BY CESI LAND DEVELOPMENT SERVICES ON FEBRUARY 11, 2008, CESI JOB NO. 060619_030.

Drawn By: City of Charlotte
Return to: City of Charlotte-Box
It is part of the recorded document, and must be submitted with original for re-recording and/or cancellation.
RESOLUTION CLOSING TWO ALLEYWAYS BOUNDED BY N. ALEXANDER STREET, E. 36TH STREET, N. DAVIDSON STREET AND MERCURY 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 two alleyways bounded by N. Alexander Street, E. 36th Street, N. Davidson Street and Mercury 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 two alleyways bounded by N. Alexander Street, E. 36th Street, N. Davidson Street and Mercury 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 4 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the public hearing was held on the 12th day of January, 2009 and City Council determined that the closing of two alleyways bounded by N. Alexander Street, E. 36th Street, N. Davidson Street and Mercury 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 January 12, 2009, that the Council hereby orders the closing of two alleyways bounded by N. Alexander Street, E. 36th Street, N. Davidson Street and Mercury Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked “Exhibit A-1 and A-2” and is more particularly described by metes and bounds in document marked “Exhibit B-1 and B-2”, both of which are attached hereto and made a part hereof.

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

CERTIFICATION

I, Stephanie C. Kelly, 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 12th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (843-847).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of January, 2009.

Drawn By: City of Charlotte
Return to: City of Charlotte-Box

Stephanie C. Kelly, CMC, City Clerk

[Stamp]
NOTES:
1. This survey does not reflect a complete title examination, which may reveal restrictions, easements or other matters of title.
2. This survey does not reflect complete underground utility locations. Contact the NC One-Call Utility Locating Service at 1-800-632-4948 before any digging or excavation is begun.
3. Areas are computed by coordinates.
4. This alley is shown on plat recorded in Deed Book 230 Page 14 and Map Book 6 Page 903 of Mecklenburg County Public Registry.
5. The subject property is zoned O-2, R-0 or R-2 as per Mecklenburg County GIS.

This survey does not reflect a zoning or plat.
Exhibit B

Legal Description

North Davidson & North Alexander Street Alley

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being known as the North Davidson & North Alexander Street Alley, and being more particularly described as follows:

BEGINNING at an existing iron pipe located on the northwesterly margin of the right-of-way of North Alexander Street, said right-of-way having a width of 50 feet as shown on those plats recorded in Map Book 230 Page 14 and Map Book 6 Page 903 of the Mecklenburg County Registry, said existing iron pipe being also located on that block of North Alexander Street lying between East 36th Street and Mercury Street, said existing iron pipe being also located at the southwesterly corner of Lot 12 as shown on the aforesaid plat recorded in Map Book 6 Page 903 of the Mecklenburg County Registry, and running thence from said POINT AND PLACE OF BEGINNING along the northwesterly margin of the right-of-way of the said North Alexander Street South 47-38-32 West 10.19 feet to an existing iron pipe; thence along the westerly margin of the aforesaid North Davidson and North Alexander Street Alley as said alley margin follows the easterly boundary line of North Davidson Acquisitions, LLC as recorded in Deed Book 22032 Page 201 of the Mecklenburg County Registry the following two (2) calls: (1) North 25-10-09 West (passing an existing iron pipe at 60.52 feet) a total distance of 250.79 feet to an existing iron pipe and (2) North 25-10-09 West 236.72 feet to a new iron pin, said new iron pin being South 25-10-09 East 5.18 feet from an existing iron pipe located on the southeasterly margin of the right-of-way of North Davidson Street, said right-of-way having a width of 55 feet as shown on the aforesaid plat recorded in Map Book 230 Page 14 of the Mecklenburg County Registry; thence North 56-39-15 East 9.83 feet to a new iron pin; thence along the easterly margin of the aforesaid North Davidson and North Alexander Street Alley as said alley margin follows the westerly boundary lines of Lots 17, 16, 15, 14, 13 and 12 of the aforesaid plat recorded in Map Book 6 Page 903 of the Mecklenburg County Registry the following three (3) calls: (1) South 25-10-09 East 12.22 to an existing iron pin located in the centerline of Norfolk-Southern Railroad, said Railroad having a right-of-way width of 100-feet as shown on the aforesaid plat recorded in Map Book 6 Page 903 of the Mecklenburg County Registry, (2) South 25-10-09 East (passing an existing iron pin at 156.24 feet and an existing iron pipe at an additional 69.64 feet) a total distance of 290.58 feet to an existing iron pipe and (3) South 25-10-09 East 183.09 feet to the point and place of BEGINNING, containing 4,735 square feet as shown on a survey prepared by Andrew G. Zoutewelle dated January 23, 2008.

I, Alex Rodriguez, Review Officer
Of Mecklenburg County, certify that the map or plat to which this certificate is affixed meets all statutory requirements for recording.

[Signature]
Review Officer

[Date]
This survey is certified to only North Davidson Acquisitions, LLC.

This survey is based upon my best knowledge, information and belief.

This survey does not reflect a complete title examination of titles, precision is greater than 1 ft.

[Signature]
Andrew G. Zoutewelle
N.C. PLS L-3098
1418 East Fifth Street
Charlotte, NC 28204

ABANDONMENT SURVEY OF
N. DAVIDSON & 36TH STREET ALLEY
CHARLOTTE, MECKLENBURG COUNTY, N.C.
For NORTH DAVIDSON ACQUISITIONS, LLC

Scale 1" = 40' January 23, 2008

ANDREW G. ZOUTEWELLE N.C. PLS L-3098

LEGEND
SF. square feet (by coordinates)
EDP existing iron stake found
IRS iron pin set
concrete
handicap-accessible parking space

Vicinity Map (not to scale)

[Diagram of the area with annotations and measurements]
Exhibit B - 2
Legal Description
North Davidson & 36th Street Alley

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being known as the North Davidson & 36th Street Alley, and being more particularly described as follows:

BEGINNING at an existing pk nail located on the northeasterly margin of the right-of-way of East 36th Street, said right-of-way having a width of 60 feet as shown on that plat recorded in Map Book 230 Page 14 of the Mecklenburg County Registry, said existing pk nail being located at the southerly or southwesterly corner of North Davidson Acquisitions, LLC as described in Deed Book 22032 Page 201 (Tract 5) in the Mecklenburg County Registry, said existing pk nail being also located South 41-41-34 East 181.96 feet from an existing pk nail located at the intersection of the northeasterly right-of-way margin of the said East 36th Street with the southeasterly right-of-way margin of North Davidson Street, said right-of-way having a width which varies from 55 feet as shown on the aforesaid plat recorded in Map Book 230 Page 14 of the Mecklenburg County Registry, and running thence from said POINT AND PLACE OF BEGINNING along the westerly margin of the said North Davidson & 36th Street Alley the following two (2) calls: (1) North 56-31-02 East 124.99 feet to an existing pk nail and (2) North 41-41-27 West 177.08 feet to a new iron pin, said new iron pin being located South 41-41-27 East 4.85 feet from an existing pk nail located in the southeasterly right-of-way margin of the aforesaid North Davidson Street; thence North 56-39-27 East 10.10 feet to a new iron pin; thence along the easterly margin of the aforesaid North Davidson & 36th Street Alley the following two (2) calls: (1) South 41-39-45 East 187.14 feet to an existing iron pipe and (2) South 56-30-59 West 135.00 feet to an existing iron pin located on the northeasterly right-of-way margin of the aforesaid East 36th Street; thence along the northeasterly right-of-way margin of the aforesaid East 36th Street North 41-40-00 West 10.11 feet to the point and place of BEGINNING, containing 3,110 square feet as shown on a survey prepared by Andrew G. Zoutewelle dated January 23, 2008.
RESOLUTION STATING THE INTENT OF THE CITY OF CHARLOTTE TO PAY ECONOMIC LOSS TO QUALIFIED SOLID WASTE COLLECTION FIRMS UNDER G. S. 160-49.3

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

Section 1. That the City of Charlotte intends to pay the economic loss, as defined by G.S. §160A-49.3 (f), to those solid waste collection firms operating within areas proposed for annexation, as described in resolutions adopted July 28, 2008, including any subsequent amendments thereto, for the Eastfield North and Eastfield South annexation areas.

Section 2. That such firms have substantially satisfied the requirements of G. S. 160A-49.3.

Section 3. That such economic loss shall not be paid until the annexation which gives rise to such loss becomes effective.

Section 4. That the names of such firms and the total amount of such economic loss are set forth below:

<table>
<thead>
<tr>
<th>Firm</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allied Waste Services, LLC</td>
<td>$302,082.52</td>
</tr>
<tr>
<td>Choice Sanitation, Inc.</td>
<td>$37,558.60</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$339,641.12</strong></td>
</tr>
</tbody>
</table>

CERTIFICATION

I, Stephanie C. Kelly, 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 12th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 848.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 2009.

Stephanie C. Kelly, CMC, City Clerk
A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN BUSINESS PRIVILEGE LICENSES

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

1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.

2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.

3. The amounts listed on the schedule were collected through either a clerical or assessor error.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 26th day of January 2009 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Stephanie C. Kelly, 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 26th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 849.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January, 2009.

Stephanie C. Kelly, CMC, City Clerk
### Mecklenburg County
Business Tax Collections
City Refunds

<table>
<thead>
<tr>
<th>BUSINESS PRIVILEGE LICENSE</th>
<th>NAME</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>REFUNDS REQUESTED</td>
<td>Arkon Janitorial Supplies</td>
<td>$5.40</td>
</tr>
<tr>
<td></td>
<td>Contech Construction Inc</td>
<td>$4,592.35</td>
</tr>
<tr>
<td></td>
<td>Decision Support</td>
<td>$3,315.82</td>
</tr>
<tr>
<td></td>
<td>Malak Jewelers</td>
<td>$50.47</td>
</tr>
<tr>
<td></td>
<td>University Place Hilton</td>
<td>$1,726.85</td>
</tr>
<tr>
<td></td>
<td>Zaxby's - BNB Foods LLC</td>
<td>$490.00</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>$10,175.49</strong></td>
</tr>
</tbody>
</table>