RESOLUTION CLOSING AN UNOPENED PORTION OF MADERIA 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 an unopened portion of Madera Avenue, which calls for a public hearing on the question; and,

WHEREAS, the petitioners have caused a copy of the Resolution of Intent to close an unopened portion of Madera 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, 2015, and City Council determined that the closing of an unopened portion of Madera 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, 2015, that the Council hereby orders the closing an unopened portion of Madera 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 the document marked “Exhibit B”, all of which are attached hereto and made a part hereof.

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

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, 2015 the reference having been made in Minute Book 137, and recorded in full in Resolution Book 46, Page(s) 495-497.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 2015.

[Signature]

Stephanie C. Kelly, MMC NCCMC, City Clerk
EXHIBIT B
METES & BOUNDS DESCRIPTION
MADERIA AVENUE RIGHT OF WAY ABANDONMENT

BEING ALL OF THAT 40 FOOT WIDE (PLUS OR MINUS) MADERIA AVENUE RIGHT OF WAY SHOWN AS "PROPOSED STREET" ON THAT PLAT TITLED "SECTION NO. 2 – WASHBURN HEIGHTS" RECORDED IN MAP BOOK 3, PAGE 161, MECKLENBURG COUNTY REGISTRY (HENCE MCR), MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT NCGS STATION "NC77" HAVING NC GRID COORDINATES IN U.S. SURVEY FEET OF NORTH 505,067.08 AND EAST 1,427,047.66;

THENCE, N 52°20'49" E, A HORIZONTAL GROUND DISTANCE OF 46,449.49 FEET (COMBINED GRID FACTOR: 0.99984039) TO A FOUND #5 REBAR ON THE SOUTHEASTERLY LINE OF THAT CITY OF CHARLOTTE 20.97 ACRE TRACT (TAX NO. 159-028-01) KNOWN AS BOJANGLES ARENA, RECORDED IN BOOK 1469, PAGE 62 AND IN BOOK 1649, PAGE 49 (MCR) AND THE MOST NORTHERLY CORNER OF THAT CITY OF CHARLOTTE 2.25 ACRE TRACT (TAX NO. 159-026-21) RECORDED IN BOOK 3315, PAGE 01 (MCR), THE POINT OF BEGINNING;

THENCE, IN A CLOCKWISE DIRECTION, N 44°05'13" E, 38.28 FEET TO A FOUND PK NAIL IN CONCRETE RETAINING WALL, THE MOST WESTERLY CORNER OF THAT 6.839 ACRE CITY OF CHARLOTTE TRACT RECORDED IN BOOK 28958, PAGE 727, (MCR);

THENCE, WITH SAID TRACT'S SOUTHWESTERLY LINE, S 45°42'54" E, 280.55 FEET TO A FOUND #4 REBAR IN THE NORTHWESTERLY LINE OF THAT CANDACE S. HOXWORTH TRACT (LOT 1, BLOCK 2, MAP BOOK 1166, PAGE 535) RECORDED IN BOOK 10874, PAGE 772 (MCR);

THENCE, WITH SAID LINE, S 64°28'26" W, 39.92 FEET TO A SET #5 REBAR WITH CAP INSCRIBED "THE SURVEY COMPANY", THE MOST EASTERLY CORNER OF THAT AFOREMENTIONED 2.25 ACRE CITY OF CHARLOTTE TRACT;

THENCE, WITH SAID TRACTS NORTHEASTERLY LINE, N 45°53'24" W, 266.64 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.238 ACRES (10,359 SQUARE FEET OF LAND, MORE OR LESS, AS SHOWN ON THAT PLAT TITLED "MADERIA AVENUE R/W ABANDONMENT" PREPARED BY THE SURVEY COMPANY, INC., DATED OCTOBER 23, 2014 AND SIGNED BY CHARLES S. LOGUE, NCPLS NO. L-4212.
RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON January 12, 2015

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

WHEREAS, a Municipal Agreement between the City of Charlotte and the North Carolina Department of Transportation (NCDOT) will allow the City to be reimbursed for the preliminary engineering costs for the Michael Baker Place bridge replacement project; and,

WHEREAS, the Municipal Agreement provides for reimbursement of $247,268 which is a portion of the total cost of the project; and,

WHEREAS, the format and cost sharing philosophy is consistent with past Municipal Agreements: and,

WHEREAS, NCDOT and The City will fund this project.

NOW, THEREFORE, BE IT RESOLVED that this resolution from the City of Charlotte authorizing the Transportation Director of the Charlotte Department of Transportation to execute a Supplemental Agreement with the NCDOT for NCDOT to reimburse the City $1,588,000 for preliminary engineering, property acquisition, utility relocation, and construction work for replacement of the Michael Baker Place bridge is hereby formally approved by the City Council of the City of Charlotte and the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the aforementioned groups.

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, 2015 the reference having been made in Minute Book 137, and recorded in full in Resolution Book 46, Page(s)498.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 2015.

[Signature]
Stephanie C. Kelly, MMC NCCMC, City Clerk

[Seal]
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 2015 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, 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, 2015 the reference having been made in Minute Book 137, and recorded in full in Resolution Book 46, Page(s) 499-500.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 2015.

Stephanie C. Kelly, MMC NOCMC City Clerk
## Property Tax Refund Requests

<table>
<thead>
<tr>
<th>Address</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1030 MICALWAY ROAD LLC</td>
<td>$276.66</td>
</tr>
<tr>
<td>1030 MICALWAY ROAD LLC</td>
<td>$187.47</td>
</tr>
<tr>
<td>ALEXANDER, DONALD H</td>
<td>$127.72</td>
</tr>
<tr>
<td>BARRON, MICHAEL E</td>
<td>$49.80</td>
</tr>
<tr>
<td>BARRON, MICHAEL E</td>
<td>$27.09</td>
</tr>
<tr>
<td>BARRON, MICHAEL E</td>
<td>$21.53</td>
</tr>
<tr>
<td>BARRY, JULIE MARIE</td>
<td>$91.26</td>
</tr>
<tr>
<td>BARRY, JULIE MARIE</td>
<td>$91.26</td>
</tr>
<tr>
<td>BISSELL MILLER LLC</td>
<td>$2,470.99</td>
</tr>
<tr>
<td>BRODSKY, DAVID A</td>
<td>$67.02</td>
</tr>
<tr>
<td>CONSOLIDATED ELECTRICAL DISTRIBUTORS</td>
<td>$41.27</td>
</tr>
<tr>
<td>CONSOLIDATED ELECTRICAL DISTRIBUTORS</td>
<td>$38.98</td>
</tr>
<tr>
<td>CONSOLIDATED ELECTRICAL DISTRIBUTORS</td>
<td>$34.96</td>
</tr>
<tr>
<td>CONSOLIDATED ELECTRICAL DISTRIBUTORS INC</td>
<td>$32.77</td>
</tr>
<tr>
<td>CONSOLIDATED ELECTRICAL DISTRIBUTORS INC</td>
<td>$32.80</td>
</tr>
<tr>
<td>COSMETIC &amp; FAMILY DENTISTRY CENTER</td>
<td>$1,858.10</td>
</tr>
<tr>
<td>COSMETIC &amp; FAMILY DENTISTRY CENTER</td>
<td>$1,724.34</td>
</tr>
<tr>
<td>COSMETIC &amp; FAMILY DENTISTRY CENTER</td>
<td>$2,200.97</td>
</tr>
<tr>
<td>DE LAGE LANDEN OPERATIONAL SVC LLC.</td>
<td>$934.55</td>
</tr>
<tr>
<td>DE LAGE LANDEN OPERATIONAL SVC LLC.</td>
<td>$139.45</td>
</tr>
<tr>
<td>ENVIRO-EQUIPMENT INC DENES L CHEW</td>
<td>$94.19</td>
</tr>
<tr>
<td>ENVIRO-EQUIPMENT INC DENES L CHEW</td>
<td>$107.51</td>
</tr>
<tr>
<td>ENVIRO-EQUIPMENT INC DENES L CHEW</td>
<td>$130.26</td>
</tr>
<tr>
<td>ENVIRO-EQUIPMENT INC DENES L CHEW</td>
<td>$162.73</td>
</tr>
<tr>
<td>FONTENOT, DONALD</td>
<td>$84.20</td>
</tr>
<tr>
<td>GARNES, AISHA</td>
<td>$200.60</td>
</tr>
<tr>
<td>GARNES, AISHA K</td>
<td>$111.86</td>
</tr>
<tr>
<td>HIGBEE COMPANY</td>
<td>$39,531.39</td>
</tr>
<tr>
<td>HIGBEE COMPANY</td>
<td>$37,803.09</td>
</tr>
<tr>
<td>HIGBEE COMPANY</td>
<td>$38,711.69</td>
</tr>
<tr>
<td>IH2 PROPERTY NORTH CAROLINA LP</td>
<td>$230.92</td>
</tr>
<tr>
<td>IVEY J B CO</td>
<td>$67,489.64</td>
</tr>
<tr>
<td>IVEY J B CO</td>
<td>$64,538.75</td>
</tr>
<tr>
<td>IVEY J B CO</td>
<td>$66,690.04</td>
</tr>
<tr>
<td>JOHNS, LOUISE ALEXANDER</td>
<td>$633.45</td>
</tr>
<tr>
<td>JOHNS, LOUISE ALEXANDER</td>
<td>$107.80</td>
</tr>
<tr>
<td>MAY CENTERS ASSOCIATES CORP %</td>
<td>$21,693.76</td>
</tr>
<tr>
<td>MAY CENTERS ASSOCIATES CORP %</td>
<td>$22,685.60</td>
</tr>
<tr>
<td>MAY CENTERS ASSOCIATES CORP % PRUDENTIAL INS CO</td>
<td>$22,215.21</td>
</tr>
<tr>
<td>MAY DEPARTMENT STORES CO</td>
<td>$34,663.69</td>
</tr>
<tr>
<td>MAY DEPARTMENT STORES CO</td>
<td>$35,397.67</td>
</tr>
<tr>
<td>MAY DEPARTMENT STORES CO</td>
<td>$33,850.05</td>
</tr>
<tr>
<td>PATTON, WAYNE B</td>
<td>$259.93</td>
</tr>
<tr>
<td>PISTONE, TOM</td>
<td>$333.79</td>
</tr>
<tr>
<td>POFF, MICHAEL K</td>
<td>$225.50</td>
</tr>
<tr>
<td>QUALITY COACHING</td>
<td>$2.12</td>
</tr>
<tr>
<td>STOREY, FREDERICK B</td>
<td>$208.10</td>
</tr>
<tr>
<td>STOREY, FREDERICK B</td>
<td>$201.89</td>
</tr>
<tr>
<td>STOREY, FREDERICK B</td>
<td>$206.75</td>
</tr>
<tr>
<td>T &amp; T SALON LLC</td>
<td>$32.22</td>
</tr>
<tr>
<td>TAYLOR DATA SYSTEMS INC.</td>
<td>$15.07</td>
</tr>
<tr>
<td>WHEELAN, ADA S</td>
<td>$189.59</td>
</tr>
<tr>
<td>WOK #3 THE</td>
<td>$303.33</td>
</tr>
<tr>
<td>WRIGHT, JESSIE L</td>
<td>$227.92</td>
</tr>
</tbody>
</table>

$ 499,229.05
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 12th day of January 2015 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, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th of January, 2015, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 501-502.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 12, 2015.

[Signature]
Stephanie C. Kelly, MMC NCCMC City Clerk
Business Privilege License Tax Refund Requests

<table>
<thead>
<tr>
<th>Business Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>HMS HOST INC - BAD DADDY'S BURGER</td>
<td>$2,714.78</td>
</tr>
<tr>
<td>HMS HOST INC - BAD DADDY'S BURGER</td>
<td>1,072.09</td>
</tr>
<tr>
<td>HMS HOST INC - BEAUDEVIN WINE BAR</td>
<td>244.99</td>
</tr>
<tr>
<td>HMS HOST INC - BROOKWOOD FARMS</td>
<td>166.84</td>
</tr>
<tr>
<td>HMS HOST INC - BROOKWOOD FARMS</td>
<td>87.50</td>
</tr>
<tr>
<td>HMS HOST INC - BROOKWOOD FARMS</td>
<td>91.65</td>
</tr>
<tr>
<td>HMS HOST INC - CHILIS BAR &amp; BITES</td>
<td>905.12</td>
</tr>
<tr>
<td>HMS HOST INC - CHILIS BAR &amp; BITES</td>
<td>1,056.57</td>
</tr>
<tr>
<td>HMS HOST INC - CHILIS BAR &amp; BITES</td>
<td>1,050.17</td>
</tr>
<tr>
<td>HMS HOST INC - CIAO GOURMET MARKET</td>
<td>962.98</td>
</tr>
<tr>
<td>HMS HOST INC - CIAO GOURMET MARKET</td>
<td>499.54</td>
</tr>
<tr>
<td>HMS HOST INC - FIRST IN FLIGHT</td>
<td>477.09</td>
</tr>
<tr>
<td>HMS HOST INC - GREAT AMERICAN BAGEL D</td>
<td>595.49</td>
</tr>
<tr>
<td>HMS HOST INC - JOSE CUREVO TEQUILERIA</td>
<td>1,548.80</td>
</tr>
<tr>
<td>HMS HOST INC - JOSE CUREVO TEQUILERIA</td>
<td>2,203.80</td>
</tr>
<tr>
<td>HMS HOST INC - JOSE CUREVO TEQUILERIA</td>
<td>1,629.70</td>
</tr>
<tr>
<td>HMS HOST INC - PHILLIPS SEAFOOD</td>
<td>870.41</td>
</tr>
<tr>
<td>HMS HOST INC - PHILLIPS SEAFOOD</td>
<td>1,025.73</td>
</tr>
<tr>
<td>HMS HOST INC - RUM BAR &amp; GRILL</td>
<td>913.14</td>
</tr>
<tr>
<td>HMS HOST INC - RUM BAR &amp; GRILL</td>
<td>949.61</td>
</tr>
<tr>
<td>HMS HOST INC - RUM BAR &amp; GRILL</td>
<td>962.91</td>
</tr>
<tr>
<td>HMS HOST INC - SALSA RITA'S</td>
<td>107.44</td>
</tr>
<tr>
<td>HMS HOST INC - SALSA RITA'S</td>
<td>84.72</td>
</tr>
<tr>
<td>HMS HOST INC - SALSA RITA'S</td>
<td>57.66</td>
</tr>
<tr>
<td>HMS HOST INC - SPEEDWAY GRILL</td>
<td>3,506.70</td>
</tr>
<tr>
<td>HMS HOST INC - SPEEDWAY GRILL</td>
<td>3,900.27</td>
</tr>
<tr>
<td>HMS HOST INC - SPEEDWAY GRILL</td>
<td>58.63</td>
</tr>
<tr>
<td>HMS HOST INC - STOCK CAR CAFÉ</td>
<td>944.59</td>
</tr>
<tr>
<td>HMS HOST INC - STOCK CAR CAFÉ</td>
<td>1,001.50</td>
</tr>
<tr>
<td>HMS HOST INC - TASTE OF CAROLINAS</td>
<td>846.49</td>
</tr>
<tr>
<td>HMS HOST INC - TASTE OF CAROLINAS</td>
<td>867.37</td>
</tr>
<tr>
<td>HMS HOST INC-FIRST IN FLIGHT</td>
<td>662.39</td>
</tr>
<tr>
<td>JL &amp; COMPANY</td>
<td>50.00</td>
</tr>
<tr>
<td>MORRIS SOUTH-MACHINE TOOL SYSTEMS LLC</td>
<td></td>
</tr>
<tr>
<td></td>
<td>9,572.98</td>
</tr>
</tbody>
</table>

$ 41,679.65
RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE a portion of Darby Avenue in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, the O’Leary Group Waste Systems, LLC has filed a petition to close a portion of Darby Avenue in the City of Charlotte; and

Whereas, a portion of Darby Avenue is a 50-foot wide right-of-way that begins approximately 199.20 feet southeast from Centre Street, continuing approximately 131 feet in a southeasterward direction to its terminus at a property currently or formerly owned by O’Leary Group Business Park, LLC (Deed Book 27501, Page 573), and consists of 6,509 square feet, as shown in the map marked “Exhibit A” and is more particularly described by metes and bounds in the documents marked “Exhibit B” all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

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 its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley.

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of January 12, 2014, that it intends to close a portion of Darby Avenue 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 2015, 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, 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, 2015 the reference having been made in Minute Book 137, and recorded in full in Resolution Book 46, Page(s) 503-506.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 2015.

[Signature]

Stephanie C. Kelly, MMC NCCMC, City Clerk
SURVEY NOTES:
1. AREA COMPUTED BY THE COORDINATE METHOD.
2. PROPERTY SUBJECT TO ANY & ALL EASEMENTS AND RESTRICTIONS OF RECORD.
3. NO VGS OR VCCS CONTROL WAS FOUND WITHIN 2000 OF SUBJECT PROPERTY.
4. PROPERTY LIES WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2 % ANNUAL CHANCE FLOODPLAIN, AREAS OUTSIDE FUTURE CONDITIONS 1 % ANNUAL CHANCE FLOODPLAIN, ACCORDING TO FIRM MAP NUMBER 3164545600, PANEL 4545, EFFECTIVE DATE MARCH 2, 2009.
5. THIS SURVEY WAS DONE WITHOUT BENEFIT OF A TITLE REPORT AND DOES NOT PURPORT TO SHOW ALL MATTERS OF TITLE WHETHER OF RECORD OR NOT.
6. THERE IS AN EASEMENT IN FAVOR OF CHARLOTTE-MECKLEBSSN GUTILITIES (CMG), DUKE ENERGY, FIEDMONT NATURAL GAS, AT&T AND ALL OTHER OWNERS OF EXISTING UNDERGROUND UTILITIES AND TELECOMMUNICATION FACILITIES, UPON, UNDER AND ACROSS THE ENTIRE PROPERTY DESCRIBED AND SHOWN HEREOF AS RIGHT OF WAY, TO BE ABANDONED, FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT AND REPAIR OF CONDUIT, CABLE, WIRES, WATER LINES AND/OR RELATED EQUIPMENT.

SYMBOL LEGEND
- PROPERTY CORNER MARK
- PROPERTY CORNER SET
- UTILITY POLE
- GUY WIRE
- TV PEDESTAL
- GAS VALVE
- WATER METER

VICTORY MAP (ENTS)

NIF TUCKER PROPERTIES, LLC
PIN 06512301
DB 8912 PG 644
MB 54 PG 191 PARCEL 3A
ZONED = I-1
23,773 SF

O'LEARY GROUP BUSINESS PARK, LLC
PIN 06512301
DB 27678 PG 755
MB 54 PG 191 PARCEL 3B
ZONED = I-2 (CD)
18,394 SF
(SEE NOTE 6)

BEST CARPET OF CHARLOTTE, LLC
PIN 06512304
DB 28660 PG 908
MB 3 PG 247
LOT 1-3, 10-12, 4 (PART)
ZONED = I-1

NIF O'LEARY GROUP BUSINESS PARK, LLC
PIN 06512303
DB 27678 PG 755
MB 3 PG 247
LOT 6 & 8, BLOCK 26
ZONED = I-2 (CD)
14,857 SF

NIF O'LEARY GROUP BUSINESS PARK, LLC
PIN 06512302
DB 27678 PG 755
MB 3 PG 247
LOT 7, BLOCK 26
ZONED = I-2 (CD)
12,005 SF

AREA TABLE
PARCEL A 1,222 SF
PARCEL B 2,033 SF
PARCEL C 3,256 SF
TOTAL 6,511 SF

REVISED 11/10/2014 - ADDED EASEMENT NOTE AND UTILITY APPURTENANCES.

EASEMENT EXHIBIT A
RIGHT-OF-WAY ABANDONMENT SURVEY, A PORTION OF:
DARBY AVENUE - 50' WIDE PUBLIC RIGHT-OF-WAY
CHARLOTTE, MECKLEBSSN COUNTY, NORTH CAROLINA

Janet G. Duncan, PLS
540 DOGWOOD STREET SE
CONCORD, NC 28025
PHONE: (704) 788-1407 - FAX: (704) 788-1540
www.jackieguduncanpl.com

Scale: 1" = 60' DATE: 9/16/2014 FILE: 12-022
DRAWN BY: JGD CHECKED BY: JGD SHEET: 111
EXHIBIT B

PARCEL A DESCRIPTION

Lying and being in the City of Charlotte, Mecklenburg County, State of North Carolina and more particularly described by metes and bounds as follows:

COMMENCING at a point in the centerline of Darby Avenue, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being in the southeasterly margin of Centre Street, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being the POINT OF COMMENCING;

Thence along the centerline of Darby Avenue S 48°43'53" E, a distance of 200.21 feet to the POINT OF BEGINNING; Thence continue southeasterly along said line, a distance of 48.65 feet; Thence S 41°16'07" W, a distance of 25.21 feet to a 1" iron pipe (pinched) found at the common corner of two properties now or formerly of O'Leary Group Business Park, LLC as recorded in Deed Book 27678, at Page 755 in the Mecklenburg County Register of Deeds, said point being in the southwesterly margin of Darby Avenue; Thence along the margin of Darby Avenue and property of O'Leary Group Business Park, LLC N 48°27'03" W, a distance of 48.77 feet to a point; Thence N 41°32'57" E, a distance of 24.97 feet to the POINT OF BEGINNING.

Containing 1,222 square feet or 0.028 acres, more or less.

END OF PARCEL A DESCRIPTION.

EXHIBIT B

PARCEL B DESCRIPTION

Lying and being in the City of Charlotte, Mecklenburg County, State of North Carolina and more particularly described by metes and bounds as follows:

COMMENCING at a point in the centerline of Darby Avenue, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being in the southeasterly margin of Centre Street, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being the POINT OF COMMENCING;

Thence along the centerline of Darby Avenue S 48°43'53" E, a distance of 248.86 feet to the POINT OF BEGINNING; Thence continue southeasterly along said line, a distance of 81.81 feet to a point in the northwesterly line of the property now or formerly of O'Leary Group Business Park as recorded in Deed Book 27501, at Page 573 in the Mecklenburg County Register of Deeds; Thence along the property of O'Leary Group Business Park S 43°42'55" W, a distance of 24.84 feet to a ½" iron pipe found at the common corner of two properties now or formerly of O'Leary Group Business Park, LLC as recorded in Deed Book 27678, at Page 755 in the Mecklenburg County Register of Deeds and Deed Book 27809, at Page 62 in the Mecklenburg County Register of Deeds, said point being in the southwesterly margin of Darby Avenue; Thence along the margin of Darby Avenue and property of O'Leary Group Business Park, LLC N 49°00'32" W, a distance of 80.75 feet to a 1" iron pipe (pinched) found at the common corner of another parcel now or formerly of O'Leary Group Business Park, LLC as recorded in Deed Book 27678, at
Page 755 in the Mecklenburg County Register of Deeds; Thence N 41°16’07” E, a distance of 25.21 feet to the POINT OF BEGINNING.  
Containing 2,033 square feet or 0.047 acres, more or less.

END OF PARCEL B DESCRIPTION.

EXHIBIT B

PARCEL C DESCRIPTION

Lying and being in the City of Charlotte, Mecklenburg County, State of North Carolina and more particularly described by metes and bounds as follows:

COMMENCING at a point in the centerline of Darby Avenue, a 50’ public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being in the southeasterly margin of Centre Street, a 50’ public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being the POINT OF COMMENCING;

Thence along the centerline of Darby Avenue S 48°43’53” E, a distance of 200.21 feet to the POINT OF BEGINNING; Thence N 41°16’07” E, a distance of 24.90 feet to a #4 rebar set at the common corner of Tucker Properties, LLC and property now or formerly of O’Leary Group Business Park, LLC as recorded in Deed Book 27678, at Page 755 in the Mecklenburg County Register of Deeds, said point being in the northeasterly margin of Darby Avenue; Thence along the margin of Darby Avenue S 48°41’35” E, a distance of 131.52 feet to a #5 rebar found at the southeasterly corner of O’Leary Group Business Park, LLC in the northwesterly line of the property now or formerly of O’Leary Group Business Park as recorded in Deed Book 27501, at Page 573 in the Mecklenburg County Register of Deeds; Thence along the line of O’Leary Group Business Park, LLC S 43°42’55” W, a distance of 24.84 feet to a point in the centerline of Darby Avenue; Thence along the centerline of Darby Avenue N 48°43’53” W, a distance of 130.46 feet to the POINT OF BEGINNING.
Containing 3,256 square feet or 0.075 acres, more or less.

END OF PARCEL C DESCRIPTION.
RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE a portion of Isenhour Street in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, The Charlotte-Mecklenburg Housing Partnership has filed a petition to close a portion of Isenhour Street in the City of Charlotte; and

Whereas, a portion of Isenhour Street is a 50-foot wide right-of-way that begins at its intersecting point with Norris Avenue, continuing approximately 195 feet south to its terminus at a property currently or formerly owned by Duke Power Company (Deed Book 6861, Page 99), and consists of 9,605 square feet, as shown in the map marked “Exhibit A” and is more particularly described by metes and bounds in the document marked “Exhibit B” all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

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 its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley.

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of January 12, 2014, that it intends to close a portion of Isenhour Street 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 2015, 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, 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, 2015 the reference having been made in Minute Book 137, and recorded in full in Resolution Book 46, Page(s) 507-509.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 2015.

[Signature]
Stephanie C. Kelly, MMC NCCMC, City Clerk
EXHIBIT B

BEGINNING at an existing 1" pipe on the southerly R/W of Norris Avenue (50' public R/W) at its intersection with the westerly R/W of Isenhour Street (50' public R/W); thence with the said southerly R/W of Norris Avenue, S 88° 36' 08" E, 49.09 feet to an existing 1" pipe at the intersection of the easterly R/W of said Isenhour Street and the southerly R/W of Norris Avenue; thence by the said easterly R/W of Isenhour Street and lands now or formerly of Charlotte-Mecklenburg Housing Partnership (CMHP) (Meck. Co. Tax Parcel 079-056-09) S 00° 28' 05" W, 195.92 feet to an existing 1" pipe on the property line of Duke Power Co. (Meck. Co. Tax Parcel 079-054-31); thence by the said northerly property line of Duke Power Co. N 89° 36' 39" E, 48.96 feet to an existing 1" pipe; thence with the westerly R/W of Isenhour Street and lands now or formerly of CMHP (Meck. Co. Tax Parcel 079-057-01) N 00° 25' 58" E, 195.93 feet to the POINT OF BEGINNING, CONTAINING 0.221 AC.
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 ARROWOOD/NATIONS FORD ROAD INTERSECTION IMPROVEMENTS 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 ARROWOOD/NATIONS FORD ROAD INTERSECTION IMPROVEMENTS PROJECT and estimated to be 1,725 square feet (.04 acre) of sidewalk and utility easement; 2,507 square feet (.058 acre) of temporary construction easement, and 1,052 square feet (.024 acre) of utility easement and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 203-189-09, said property currently owned by WEC 2000B-CLF-7 LLC, CAPITAL LEASE FUNDING, L.P., Beneficiary; CVS NATIONS FORD CHARLOTTE, INC., Tenant/Lessee; ECKERD DRUGS OF NORTH CAROLINA, INC., Lessee, 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, 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, 2015 the reference having been made in Minute Book 137, and recorded in full in Resolution Book 46, Page(s) 510.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 2015.

[Signature]
Stephanie C. Kelly, MMC NCCMC, 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 ARROWOOD/NATIONS FORD ROAD INTERSECTION
IMPROVEMENTS 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 ARROWOOD/NATIONS FORD ROAD INTERSECTION IMPROVEMENTS
PROJECT and estimated to be 1,260 square feet (.029 acre) of sidewalk and utility easement; 6,351
square feet (.148 acre) of temporary construction easement; 3,447 square feet (.079 acre) of utility
easement, and 3,392 square feet (.078 acre) of miscellaneous easement and any additional property or
interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 169-941-06, said
property currently owned by SAMS MART, LLC; WELLS FARGO BANK, NATIONAL ASSOCIATION,
Lender/Beneficiary; 7-ELEVEN, INC., Lessee; JOSHUA MICAH RECTOR, Possible Judgment
Creditor, 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, 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, 2015 the reference having been made in Minute Book 137, and recorded in full in
Resolution Book 46, Page(s) 511.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day
of January 2015.

[Signature]
Stephanie C. Kelly, MMC NCCMC, 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 ARROWOOD/NATIONS FORD ROAD INTERSECTION IMPROVEMENTS 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 ARROWOOD/NATIONS FORD ROAD INTERSECTION IMPROVEMENTS PROJECT and estimated to be 1,010 square feet (.023 acre) of fee-simple area; 1,759 square feet (.04 acre) of sidewalk and utility easement; 3,910 square feet (.09 acre) of temporary construction easement, and 266 square feet (.006 acre) of utility easement and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 169-241-08, said property currently owned by BWN INVESTMENTS, LLC, 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, 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, 2015 the reference having been made in Minute Book 137, and recorded in full in Resolution Book 46, Page(s) 512.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 2015.

Stephanie C. Kelly, MMC NCCMC, City Clerk