RESOLUTION CLOSING AN UNOPENED PORTION OF E. 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 an unopened portion of E. 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 an unopened portion of E. 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 city may reserve its right, title, and interest in any utility improvement or easement within a street closed pursuant to G.S. 160A-299; and

WHEREAS, an easement shall be reserved in favor of Duke Energy over, upon, and under the area petitioned to be abandoned for ingress, egress, and regress to access its existing facilities for the installation, maintenance, replacement, and repair of conduit, and related equipment, as shown on the attached maps marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 28th day of March, 2016, and City Council determined that the closing of an unopened portion of E. 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 March 28, 2016, that the Council hereby orders the closing of an unopened portion of E. 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 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, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of March, 2016 the reference having been made in Minute Book 140 and recorded in full in Resolution Book 47, Page(s) 268-271.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 28th day of March, 2016.

Emily A. Kunze, Deputy City Clerk
Being that certain parcel of land lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron rod situated at the intersection of the southeasterly margin of the right of way of Cumberland Avenue and the southwesterly margin of the right of way of East Worthington Avenue; said iron being the northerly most corner of Lot 1, Block 5 of the J.K.A. Alexander Co. Subdivision as shown on Map Book 332, Page 23 of the Mecklenburg County Public Registry; thence with the southeasterly margin of the right of way of Cumberland Avenue N 30°26'09" E a distance of 40.45 feet to a calculated point situated at the intersection of the southeasterly margin of the right of way of Cumberland Avenue and the northeasterly margin of the right of way of East Worthington Avenue; said point being the westerly most corner of Lot 7, Block 6 of the aforesaid J.K.A. Alexander Co. Subdivision; thence with the southwesterly margin of the aforesaid Lot 7, Block 6 S 46°45'00" E a distance of 143.81 feet to an existing iron pipe; said iron being on the westerly boundary line of Lot 8, Block 1 of the East Boulevard Subdivision as shown on Map Book 3, Page 36 of the Registry; thence with the rear lines of Lots 8 and 9, Block 1 of the aforesaid East Boulevard Subdivision S 32°12'20" W crossing an existing iron pipe at a distance of 32.84 feet for a total distance of 40.18 feet to an existing iron pipe situated at the easterly most corner of the aforesaid Lot 1 Block 5; thence with the aforesaid Lot 1, Block 5 N 46°45'00" W a distance of 142.54 feet back to the point and place of beginning. Containing 5,647 square feet or 0.1296 acres according to a survey by R. B. Pharr & Associates, P. A. dated November 11, 2015.

Job No. 84117
RESOLUTION RATIFYING AN INTERLOCAL AGREEMENT FOR THE BUSINESS PERMITTING SOFTWARE APPLICATION BETWEEN THE CITY OF CHARLOTTE AND MECKLENBURG COUNTY

WHEREAS, the City of Charlotte (the “City”) and Mecklenburg County (the “County”) desires to enter into an interlocal agreement ("Interlocal Agreement") in order to develop a joint undertaking project for the design, implementation, licensing and maintenance of a business permitting software application (the “Application”).

WHEREAS, the Interlocal Agreement names the City as lead agency in managing contracts for the Application, with the cost of maintaining the Application shared 50% by the City and 50% by the County.

WHEREAS, the Application will improve customer access to information pertaining to land development and building plan approvals and permits for commercial projects.

WHEREAS, North Carolina General Statutes 153A-445(a)(1) and 160A-460 et. seq. authorize the City and the County to enter into an interlocal agreement to undertake joint funding and operation of projects; and

WHEREAS, N.C. Gen. Stat. 160A-461 requires that this agreement “be ratified by resolution of the governing board of each unit spread upon its minutes.”

NOW THEREFORE BE IT RESOLVED that the City Council for the Charlotte City Council, pursuant to Section 8-124 of the City of Charlotte Charter, hereby authorizes the City to enter into an interlocal agreement with the County as follows:

CITY AND COUNTY will jointly undertake development and funding of design, implementation, licensing, and maintenance of a business permitting software application. The City Manager or his/her designee is authorized to negotiate the terms and execute an interlocal agreement and any subsequent amendments necessary to complete the Application as described in this resolution.

THIS THE 28th DAY OF MARCH, 2016.

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of March 2016 the reference hereto made in Minute Book 140, and recorded in full in Ordinance Book 59, Page(s) 272.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 28th day of March, 2016.

[Signature]
Emily A. Kunze, Deputy City Clerk
RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE an unopened portion of Poinsett Street in the City of Charlotte, Mecklenburg County, North Carolina

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

Whereas, an unopened portion of Poinsett Street is a 50-foot wide right-of-way that begins at its intersecting point with Norris Avenue and continues south for approximately 191 feet to its terminus at an intersecting point with a Duke Energy right-of-way, and consists of 9,507 square feet, as shown in the maps 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 March 28, 2016, that it intends to close an unopened portion of Poinsett 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 25th day of April 2016, 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, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of March, 2016 the reference having been made in Minute Book 140 and recorded in full in Resolution Book 47, Page(s) 273-275.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 28th day of March, 2016.

Emily A. Kunze, Deputy City Clerk
EXHIBIT A

Right of Way Abandonment Survey
for a portion of Poinsett Street

Total Area In R/W
9507.46 sf
0.218 AC

NOW OR FORMERLY
James Karickal
Deed Blk. 7752, Pg. 344
Parcel #07906301
Lot 10, Blk. 3 Statesville Ave.
Terraces
Map Bk. 4, Pg. 676
Mecklenburg Co. Registry

NOW OR FORMERLY
Charlotte Meck. Housing Partnership, Inc.
Deed Blk. 11850, Pg. 915
Parcel #07905510
Lot 1, Blk. 4 Statesville Ave.
Terrace
Map Bk. 4, Pg. 676
Mecklenburg Co. Registry

Easement in favor of Duke Energy, Piedmont Natural Gas, and all other owners of existing underground utilities and telecommunication facilities, upon, under & across the entire property described herein for access to & for installation, maintenance, replacement & repair of conduit, cable, wires and/or related equipment.

NOTES:
* Map Reference - Statesville Ave. Terrace  Dated January 14, 1945
  Map Blk. 4, Pg. 676  Recorded in Mecklenburg Co. Registry
* Property subject to Duke Power Esmt. recorded in Deed Blk. 1026, Pg. 299.

1, R. Scott Dyer, certify that this plot was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 2752, page 344, etc.); that the boundaries not surveyed are clearly indicated as drawn from information found in Book n/a, page n/a; that the ratio of precision as calculated exceeds 1:10,000; and that this map meets the requirements for The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56. 1002). Witness my original signature, registration number and seal this 17th day of Jul., A.D., 2016.

DRAWN BY: S. Kinney  NLS NO.: 14139
DATE: December 30, 2014  SCALE: 1" = 50'

NorStar LAND Surveying, Inc
552-B Newell Street NW
Concord, NC 28025
Ph 704-721-6651
Fax 704-721-6653
Firm Lic. # C-2234

Prepared for:
Charlotte-Mecklenburg Housing Partnership, Inc.
City of Charlotte  Mecklenburg County, NC
BEGINNING at a 1" pipe on the southern right-of-way of Norris Avenue (50' Public R/W) and the eastern right-of-way of Poinsett Street (50' Public R/W), said iron being a common corner with Lot 1, Blk. 4 of Statesville Ave. Terrace, thence with the eastern right-of-way of Poinsett Street and Lot 1, Blk. 4 Statesville Ave. Terrace, S 00°25'59" W 191.32 feet to a 1" pipe, said 1" pipe being a common corner of Lot 1, Blk. 4 Statesville Ave. Terrace and Now or Formerly of Duke Power Company (Deed Bk. 6861, Pg. 99), said pipe being located N 89°33'00" W 50.04 feet from a 1" pipe, thence crossing said Poinsett Street N 89°00'00" W 50.00 feet to a set ½" rebar on the western right-of-way of Poinsett Street, said rebar being located S 89°33'00" E 50.09 feet from a ½" rebar, thence with the western right-of-way of Poinsett Street and the property of Lot 10, Blk. 3 Statesville Ave. Terrace, N 00°37'35" E 191.46 feet to a bent 1" pipe at the intersection of the western right-of-way of Poinsett Street and the southern right-of-way of Norris Ave., said pipe being located S 89°23'46" E 50.01 feet from a ½" rebar, thence with the southern right-of-way of Norris Avenue S 89°23'46" E 49.35 feet to the POINT AND PLACE OF BEGINNING AND CONTAINING 0.218 AC.
RESOLUTION AUTHORIZING THE SALE OF 8508 IDLEWILD ROAD BY THE UPSET BID PROCESS

WHEREAS, North Carolina General Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer to purchase the property; and

WHEREAS, the City has received an offer to purchase the property described above in the amount of $10,500, submitted by Jose P. Sanchez ("Mr. Sanchez"); and

WHEREAS, Mr. Sanchez has paid the required five percent (5%) deposit on his offer:

THEREFORE, THE CITY COUNCIL OF THE CITY OF CHARLOTTE RESOLVES THAT:

1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute §160A-269 and accepts the offer by Mr. Sanchez as the initial offer.

2. A notice of the proposed sale shall be published in accordance with the statute. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.

3. Any person may submit an upset bid to the office of the City of Charlotte Real Estate Manager in the Charlotte Mecklenburg Government Center by 5:00 PM on the 10th day after the notice is published or on the date and at the time indicated in the notice. If a qualifying higher bid is received, that bid will become the new offer.

4. If a qualifying higher bid is received, a new notice of upset bid shall be published, and this process shall be repeated until a 10-day period has passed without any qualifying higher bid having been received.

5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first $1,000 of that offer and five percent (5%) of the remainder of that offer, and equals or exceeds all other material terms of the previous offer to the advantage of the City.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The bid may be made in cash, cashier's check, certified check, or wire transfer. The City will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder pursuant to the terms of the purchase contract.

7. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted, and the appropriate City officials are authorized to execute all instruments necessary to convey the property to Jose P. Sanchez.

Adopted March 28, 2016
March 28, 2016
Resolution Book 47, Page 277

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of March, 2016 the reference having been made in Minute Book 140 and recorded in full in Resolution Book 47, Page(s) 276-277.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 28th day of March, 2016.

Emily A. Kunze, Deputy City Clerk