

RESOLUTION CLOSING ALL OF CHAMBERLAIN STREET, THE PORTION OF HEYWOOD AVENUE BETWEEN LINDBERGH STREET AND ALLEGHANY STREET AND THE PORTION OF THE 10-FOOT ALLEYWAY RUNNING APPROXIMATELY PARALLEL TO ASHLEY ROAD BETWEEN LINDBERGH STREET AND ALLEGHANY STREET IN THE CITY OF CHARLOTTE, COUNTY OF MECKLENBURG, 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 All of Chamberlain Street, the Portion of Heywood Avenue Between Lindbergh Street and Alleghany Street and the Portion of the 10-foot Alleyway Running Approximately Parallel to Ashley Road Between Lindbergh Street and Alleghany 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 All of Chamberlain Street, the Portion of Heywood Avenue Between Lindbergh Street and Alleghany Street and the Portion of the 10-foot Alleyway Running Approximately Parallel to Ashley Road Between Lindbergh Street and Alleghany Street to be sent by registered or certified mail to all owners of property adjoining the said streets and prominently posted a notice of the closing and public hearing in at least two places along said streets and alleyway, all as required by G.S. 160-299; and

WHEREAS, the public hearing was held on the 23rd day of October, 1989, and City Council determined that the closing of said streets and alleyway 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 October 23, 1989, that the Council hereby orders the closing of all of Chamberlain Street, the portion of Heywood Avenue between Lindbergh Street and Alleghany Street and the portion of the 10-foot alleyway running approximately parallel to Ashley Road between Lindbergh Street and Alleghany Street in the City of Charlotte, Mecklenburg County, North Carolina as described below:

(a) All of Chamberlain Street:

Beginning at the point of intersection of the southerly right-of-way margin of Chamberlain Street (40 foot right-of-way) with the westerly right-of-way margin of Ashley Road (60 foot right-of-way); running thence along the southerly right-of-way margin of Chamberlain Street and the northerly boundary of Blocks 9 and 11 as shown on plat of City View Heights as recorded in Map Book 3 at Page 414 of the Mecklenburg County Public Registry, N 88-15 W 442.42 feet to a point; thence with property of T. M. McMillan (now or formerly) N 2-34 E 40 feet to a point; thence with the northerly right-of-way margin of Chamberlain Street and the southerly boundary lines of Blocks 12 and 10 as shown on said plat

of City View Heights, S 88-15 E 441.85 feet to a point; thence with the westerly right-of-way margin of Ashley Road S 01-45 W 40 feet to the point and place of beginning, all as shown on survey entitled part of Heywood Avenue, Chamberlain Street and a 10 foot alley dated June 16, 1989 and prepared by R. B. Pharr & Associates, Registered Surveyors.

- (b) A portion of Heywood Avenue between Lindbergh Street and Alleghany Street:

Beginning at the point of intersection of the easterly right-of-way margin of Heywood Avenue (40 foot right-of-way) with the northerly margin of Alleghany Street (60 foot right-of-way); running thence along the said northerly margin of Alleghany Street along the arc of a curve to the left have a radius of 775.05 feet, an arc distance of 40.8 feet to a point; thence along the westerly right-of-way margin of Heywood Avenue and the easterly boundary lines of Blocks 11 and 12 as shown on plat of City View Heights recorded in Map Book 3 at Page 414 of the Mecklenburg County Public Registry, the following three courses and distances: (1) N 9-14 E 33.61 feet to a point; (2) along the arc of a circular curve to the left having a radius of 726.19 feet, an arc distance of 95.14 feet to a point; and (3) N 01-45 E 677.14 feet to a point in the southerly right-of-way margin of Lindbergh Street; thence with the southerly margin of Lindbergh Street S 88-15 E 40.0 feet to a point; thence with the easterly right-of-way margin of Heywood Avenue and with the westerly boundary line of Blocks 10 and 9 as shown on the aforesaid plat of City View Heights, the following three courses and distances: (1) S 01-45 W 677.14 feet to a point; (2) with the arc of a circular curve to the right having a radius of 766.19 feet, an arc distance of 100.38 feet to a point; and (3) S 9-14 W 25.61 feet to the point and place of beginning, all as shown on survey entitled part of Heywood Avenue, Chamberlain Street and a 10 foot alley dated June 16, 1989 and prepared by R. B. Pharr & Associates, Registered Surveyors.

- (c) That portion of the 10 foot alleyway running approximately parallel to Ashley Road between Lindbergh Street and Alleghany Street:

Beginning at a point in the northerly right-of-way margin of Alleghany Street (60 foot right-of-way), said point being located approximately 150 feet in a westerly direction from the intersection of the northerly right-of-way margin of Alleghany Street with the westerly right-of-way margin of Ashley Road (60 foot right-of-way); thence with the northerly margin of Alleghany Street N 88-15 W 10 feet to a point; thence with the westerly margin of the 10 foot alleyway and with the easterly boundary lines of Lots 2-15 and part of Lot 1, Block 9 and Lots 1-16 of Block 10 as shown on plat of City View Heights as recorded in Map Book 3 at Page 414 in the Mecklenburg County Public Registry, N 01-45 E 802 feet to a point; thence with the southerly right-of-way margin of Lindbergh Street S 88-15 E 10 feet to a point; thence with the easterly margin of the 10 foot alleyway and the

westerly boundary of Lots 17-32 of Block 10 and Lots 17-30 and part of Lot 16 of Block 9 as shown on the aforesaid plat of City View Heights, S 01-45 W 802 feet to the point and place of beginning, all as shown on survey entitled part of Heywood Avenue, Chamberlain Street and a 10 foot alley dated June 16, 1989 and prepared by R. B. Pharr & Associates, Registered Surveyors.

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

CERTIFICATION

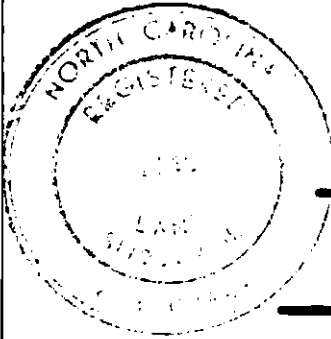
I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of October, 19 89, the reference having been made in Minute Book 93, Page         , and recorded in full in Resolution Book 25, Page 453.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 25th day of October, 1989.

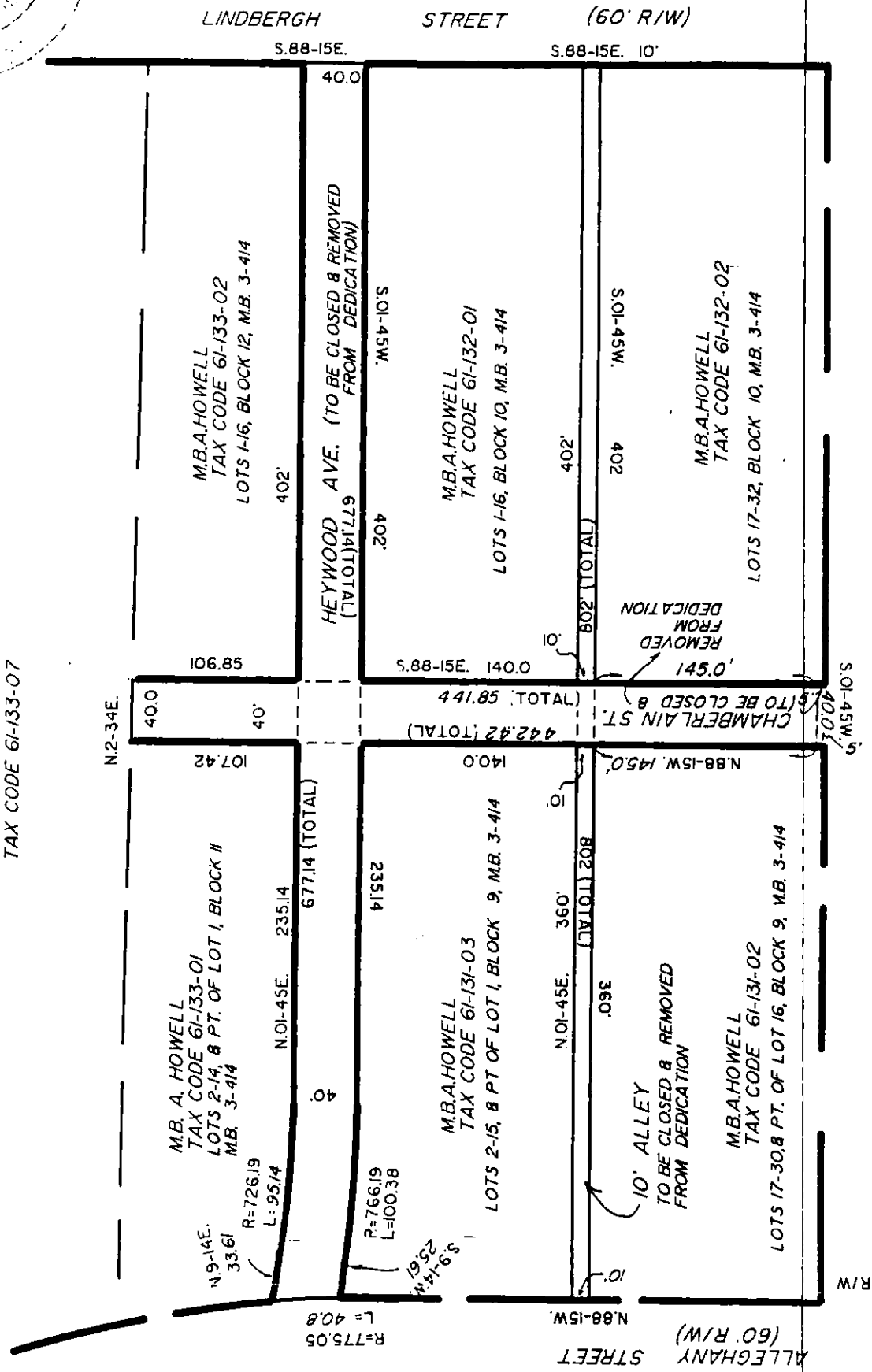
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Pat Sharkey, City Clerk

THIS IS TO CERTIFY THAT ON THE 16 DAY OF JUNE 19 89 I SURVEYED THE PROPERTY SHOWN ON THIS PLAN AND THAT THE LINES AND THE WALLS OF THE BUILDINGS IF ANY ARE AS SHOWN HEREON

SIGNED: *R. B. Pharr*  
 R. B. PHARR & ASSOCIATES REGISTERED SURVEYORS  
 272 EAST INDEPENDENCE BLVD.  
 CHARLOTTE, N.C. 28204



T.M. McMILLAN  
 D.B. 4425 - 293  
 TAX CODE 6I-133-07



MAP SURVEY

PART OF HEYWOOD AVE, CHAMBERLAIN ST., & A 10' ALLEY

1" = 100'

CHANDLER, INC.

MARY ALEXANDER HOWELL ESTATE

RESOLUTION OF THE CHARLOTTE CITY COUNCIL AUTHORIZING THE CITY  
MANAGER TO EXECUTE CERTAIN DOCUMENTS WITH RESPECT TO THE CITYFAIR  
PROJECT.

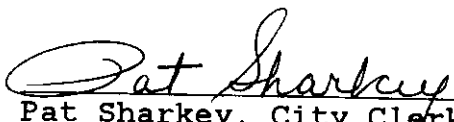
BE IT RESOLVED by the City Council of the City of Charlotte, in  
regular session duly assembled, that it does hereby authorize  
O. Wendell White, Charlotte City Manager to execute the settlement  
agreement and any settlement documents contemplated thereby in  
connection with the settlement reached by Chemical Bank, Cityfair  
Holding Corp., Denmont Holding Corp., and the City of Charlotte  
with respect to the Cityfair Project.

This 23rd day of October, 1989.

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina,  
do hereby certify that the foregoing is a true and exact copy of a  
Resolution adopted by the City Council of the City of Charlotte,  
North Carolina, in regular session convened on the 23rd day of  
October, 1989, the reference having been made in Minute Book 93  
and recorded in full in Resolution Book 25, at page 457.

WITNESS my hand and the corporate seal of the City of Charlotte,  
North Carolina, this the 25th day of October, 1989.

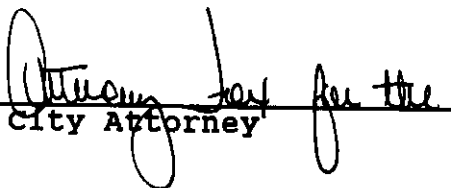
  
Pat Sharkey, City Clerk

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT AGREEMENT BETWEEN CSX TRANSPORTATION, INC. AND THE CITY OF CHARLOTTE, AND AN AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND ALVIN E. LEVINE INVOLVING THE DEDICATION OF RIGHT-OF-WAY ALONG OLD MONROE ROAD.**

BE IT RESOLVED, by the City Council of the City of Charlotte that the Mayor is hereby authorized to execute an Easement Agreement between CSX Transportation, Inc. and the City of Charlotte and an Agreement between the City of Charlotte and Alvin E. Levine for the dedication of a new road right-of-way from Old Monroe Road and into the interior of the Levine property.

This the 23rd day of October, 1989 upon its adoption.

APPROVED AS TO FORM:

  
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of October, 1989, the reference having been made in Minute Book 94, and is recorded in full in Resolution Book 25, at page(s) 458.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 1989.

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Pat Sharkey, 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 Beatties Ford Road Widening Project; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to locate all the parties in interest, and has, therefore, 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:

Parties in Interest

James E. Palmer; Lonnie C. Palmer; Lowell Thomas, Trustee; North Carolina National Bank, Beneficiary, Any Other Parties in Interest

Property Description

9,253 square feet (0.189 acre) for fee-simple; 611 square feet (0.014 acre) for permanent drainage easement, temporary construction easement; and any other interest as shown on the Plat attached and incorporated herein by reference for Tax Parcel No. 039-122-01.

Appraised Value

\$ 62,400.00

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

Approved as to form:

Henry W. Underhill, Jr.  
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of October, 1989, the reference having been made in Minute Book 93, and is recorded in full in Resolution Book 25, at page(s) 459.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 1989.

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Pat Sharkey, 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 Proposed 54-Inch Water Main Right-of-Way 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 locate all the parties in interest, and has, therefore, 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:

Parties in Interest

Heirs of Willie Oliver Wilson and wife; Any Other Parties in Interest

Property Description

14,136 square feet (.324 acre) for fee-simple; temporary construction easement; and any other interest as shown on the Plat attached hereto and incorporated herein by reference for Tax Parcel No. 065-131-627.

Appraised Value

\$ 10,000.00

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

Approved as to form:

  
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of October, 1989, the reference having been made in Minute Book 93, and is recorded in full in Resolution Book 25, at page(s) 460.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 1989.

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Pat Sharkey, 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 Sanitary Sewer Trunk to McDowell Creek 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 locate all the parties in interest, and has, therefore, 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:

Parties in Interest

James R. Carmichael; Shirley Ann Carmichael; Joseph M. Griffin, Trustee; Piedmont Production Credit Association, Beneficiary; Joe Mauney, Trustee; The Federal Land Bank of Columbia, Beneficiary; Harry J. Nicholas, Trustee; First Citizens Bank and Trust Company, Beneficiary; Any Other Parties in Interest

Property Description

503.43 square feet fee-simple; 651.20 square feet for temporary construction easement; and any other interest as shown on the Plat attached hereto and incorporated herein by reference for Tax Parcel No. 015-051-03

Appraised Value

\$ 50.00

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

Approved as to form:

  
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of October, 1989, the reference having been made in Minute Book 93, and is recorded in full in Resolution Book 25, at page(s) 461.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 1989.

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Pat Sharkey, 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 Sanitary Sewer Trunk to McDowell Creek 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 locate all the parties in interest, and has, therefore, 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:

Parties in Interest

B. J. Burgess; Esther F. Burgess; Any Other Parties in Interest

Property Description

9,655.79 square feet (0.22 acre) fee-simple; 9,655.78 square feet for temporary construction easement; and any other interest as shown on the Plat attached hereto and incorporated herein by reference for Tax Parcel No. 015-051-05

Appraised Value

\$1,400.00

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

Approved as to form:

  
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of October, 1989, the reference having been made in Minute Book 93, and is recorded in full in Resolution Book 25, at page(s) 462.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of October, 1989.

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Pat Sharkey, City Clerk