

RESOLUTION TO CLOSE A PORTION OF ALLEYWAY OFF KENSINGTON DRIVE IN  
THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

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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 Alleyway off Kensington Drive 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 Alleyway off Kensington Drive to be sent by registered or certified mail to all owners of property adjoining said right-of-way and prominently posted a notice of the closing and public hearing in at least two places along said street or alleys, 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 AT&T over, upon, and under the area petitioned to be abandoned to access (ingress, egress, and regress), maintain, install, protect, operate, add to, modify, and replace AT&T facilities, the existing facilities are noted on the attached map marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 26<sup>th</sup> day of August 2024, and City Council determined that closing a Portion of Alleyway off Kensington Drive is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to their 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 August 26, 2024, that the Council hereby orders the closing a Portion of Alleyway off Kensington Drive 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**

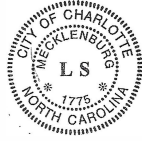
I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26<sup>th</sup> day of August 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 303-306.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 26<sup>th</sup> day of August 2024.

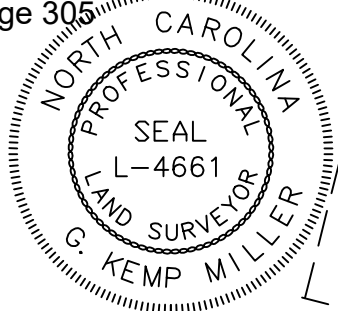


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Stephanie C. Kelly, City Clerk, MMC, NCCMC



August 26, 2024



I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION AND THAT THIS MAP WAS PREPARED FOR ILLUSTRATIVE PURPOSES ONLY TO REFLECT THE PROPOSED ABANDONMENT OF NOW OR FORMERLY A VARIABLE WIDTH ALLEY PER M.B. 332, PG. 8-9 AND MB 22, PG 968 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY. THIS MAP IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON\*. THIS MAP IS NOT INTENDED TO MEET G.S. 47-30 REQUIREMENTS.

Exhibit A  
Kensington Dr



LOCATION MAP  
NOT TO SCALE

NOTES:

1. THE PURPOSE OF THIS MAP IS TO SHOW THE ABANDONMENT OF THE 10' ALLEY OFF KENSINGTON DR. AS RECORDED IN MB 332, PG 9 AND MB 22, PG 968 OF THE MECKLENBURG COUNTY REGISTER OF DEEDS AND TO SHOW THE PORTIONS OF THE ALLEY TO BE CONVEYED TO THE ADJOINING PARCELS.
2. AREA COMPUTED BY COORDINATE METHOD
3. ALL DISTANCES SHOWN ARE HORIZONTAL FEET.
4. TOTAL AREA OF ALLEY ABANDONMENT 2642.92 SQ.FT. OR 0.06 ACRES

LEGEND:

- PROPERTY LINE = - - - - -
- PROPOSED PROPERTY LINE = - - - - -
- LINE NOT SURVEYED = - - - - -
- OVERHEAD UTILITY = - - - - -
- UP = UTILITY POLE
- EIR = EXISTING REBAR
- EIP = EXISTING IRON PIPE
- SR = SET REBAR
- SN = SET NAIL
- N/F = NOW OR FORMERLY

EXISTING ASPHALT DRIVE

Sheet 1 of 3  
Exhibit A

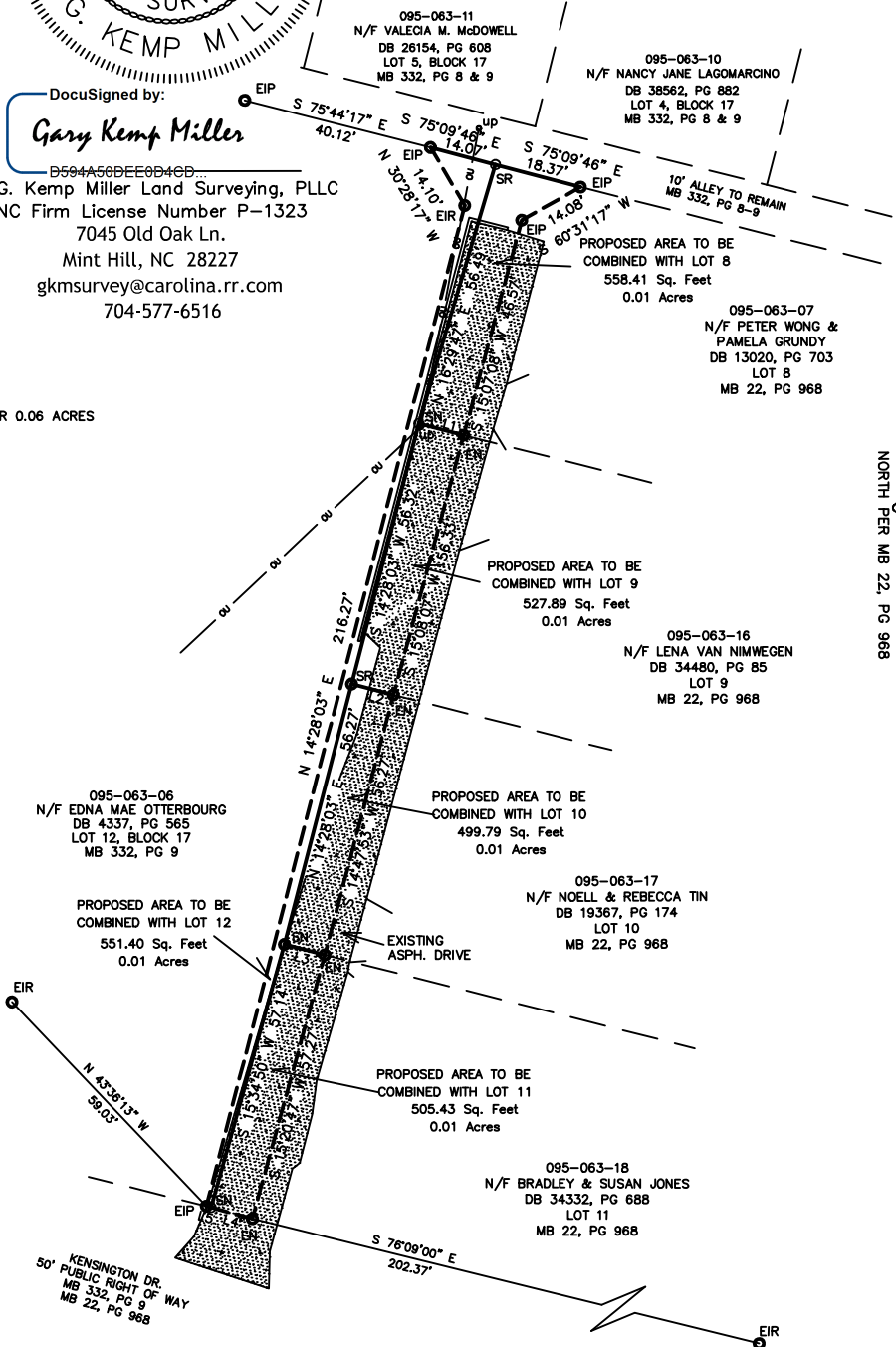
LINE TABLE

L1	S	75°31'57"	E	9.70'
L2	S	75°31'57"	E	9.04'
L3	S	75°31'57"	E	8.72'
L4	N	74°42'23"	W	8.95'
L5	N	74°42'23"	W	1.00'

\*THIS MAP IS INTENDED FOR ILLUSTRATIVE PURPOSES ONLY AND IS NOT TO BE USED FOR OR CONSIDERED A BOUNDARY SURVEY.\*

\*THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.\*

DocuSigned by:  
**Gary Kemp Miller**  
D594A50DEE0D4CB...  
G. Kemp Miller Land Surveying, PLLC  
NC Firm License Number P-1323  
7045 Old Oak Ln.  
Mint Hill, NC 28227  
gkmsurvey@carolina.rr.com  
704-577-6516



**EXHIBIT SURVEY** OF  
VARIABLE WIDTH ALLEY TO BE ABANDONED  
survey prepared for OWNER OF LOT 8, 9, 10, 11 AND 12 AS SHOWN

ALLEY RECORDED IN MB 22, PG 968 & MB 332, PG 9, BLOCK 17

SCALE: 1" = 40'  
AS RECORDED IN: DEEDS REFERENCED

DATE: 2/3/2024  
TAX# as shown

FILE # 06002\_Jones

EOC >= 1:10,000

Legal Description of proposed alley abandonment off Kensington Dr

Petition # 2024-000140

Sheet 2 of 3  
Exhibit B

Being a portion of the alley as recorded in Map book 22, Page 968 and Map Book 332, Page 9 and being more particularly described as follows, BEGINNING at a 1" pipe in the northerly margin of Kensington Drive and being the southeast corner of lot 12, block 17 of Map Book 332, Page 19, thence with the easterly line of lot 12 N 14-28-03 E 216.27' to a #4 rebar, thence N 30-28-17 W 14.10' to a 1" pipe, thence S 75-09-46 E 32.44' to a 1" pipe marking the northwest corner of lot 8 of Map Book 22, Page 968, thence with the westerly lines of lots 8, 9, 10 and 11 of Map Book 22, Page 968, 5 calls as follows 1) S 60-31-17 W 14.08' to a 1" pipe, 2) S 15-07-08 W 46.57' to nail, 3) S 15-08-07 W 56.33' to a nail, 4) S 14-47-53 W 56.27' to a nail, 5) S 15-20-47 W 57.27' to a nail in the northerly margin of Kensington Dr. and being the southwest corner of lot 11 of Map Book 22, Page 968, thence with the northerly margin of Kensington Dr. N 74-42-23 W 9.95' to the point and place of beginning. Being 2642.92 sq.ft. or 0.06 acres of a proposed alley abandonment and all being shown on a plat prepared by G. Kemp Miller Land Surveying, PLLC dated 2/3/2024.

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF  
CHARLOTTE, NORTH CAROLINA ON AUGUST 26, 2024**

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

WHEREAS, A Municipal Agreement between the City and the North Carolina Department of Transportation (NCDOT) will allow the City to be reimbursed for work associated with the design and construction of Intelligent Transportation System (ITS) projects; and,

WHEREAS, the Municipal Agreement provides for reimbursement not to exceed \$3,917,562 of the total cost of the project; and,

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

**NOW, THEREFORE, BE IT RESOLVED** that this resolution authorizing the City Manager to execute a Municipal Agreement with the NCDOT to reimburse the City up to \$3,917,562 for the design and construction of Intelligent Transportation System (ITS) projects, is hereby formally approved by the City Council of the City of Charlotte and the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the Municipal Agreement with the NCDOT.

**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 26<sup>th</sup> day of August 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 307.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 26<sup>th</sup> day of August 2024.



*Stephanie C. Kelly*

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Stephanie C. Kelly, City Clerk, MMC, NCCMC

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF  
CHARLOTTE, NORTH CAROLINA ON AUGUST 26, 2024**

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

WHEREAS, A Municipal Agreement between the City and the North Carolina Department of  
Transportation (NCDOT) will allow the City to be reimbursed for work associated with the  
installation of a new traffic signal at South Tryon Street and General Drive and York Center  
Drive; and,

WHEREAS, the Municipal Agreement provides for reimbursement not to exceed \$18,183.26 of  
the total cost of the project; and,

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

NOW, THEREFORE, BE IT RESOLVED that this resolution authorizing the City Manager to  
execute a Municipal Agreement with the NCDOT for NCDOT to reimburse the City up to  
\$18,183.26 for the installation of a new traffic signal at South Tryon Street and General Drive  
and York Center Drive, is hereby formally approved by the City Council of the City of Charlotte  
and the City Manager 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 26<sup>th</sup> day  
of August 2024, the reference having been made in Minute Book 159 and recorded in full in  
Resolution Book 55, Page(s) 308.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 26<sup>th</sup>  
day of August 2024.



*Stephanie C. Kelly*

Stephanie C. Kelly, City Clerk, MMC, NCCMC

RESOLUTION AUTHORIZING THE LEASE  
LOCATED AT 940 N. DAVIDSON STREET  
TO MCGILL ROSE GARDEN

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WHEREAS, the City of Charlotte ("City") owns property located at 940 N. Davidson Street, in Charlotte, North Carolina (the "Premises"), commonly known the McGill Rose Garden, and identified as Tax ID# 081-086-02. The Premises consists of a public garden with two (2) parking areas, a building, and several related outbuildings;

WHEREAS, McGill Rose Garden, a North Carolina non-profit corporation ("Lessee") desires to lease the Premises to operate and maintain as a public park that serves as a garden sanctuary, as well as a venue for weddings, private parties, educational programming, community events and activities that support the operations of the park known as the McGill Rose Garden (the "Permitted Use");

WHEREAS, the City has determined that the Premises will not be needed for a period of five (5) years and desires to lease the Premises to the Lessee for said five (5) year period. Lessee shall pay \$1.00, annually, for use of the Premises during the term of the Lease and shall be responsible for operating and maintaining the Premises;

WHEREAS, the proposed lease is conditioned on McGill using the Premises for the Permitted Use and should the Premises cease to be used for those purposes, the City shall have the option to terminate the lease;

WHEREAS, thirty (30) days' public notice was provided in accordance with North Carolina General Statute §160A-272, and the City Council is convened at a regular meeting; and

WHEREAS, Sec. 8.131 of the City Charter provides the City the authority to lease City owned property for such terms and upon such conditions as the City Council may determine.

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte that:

The City Council hereby approves the lease of the above described Premises to McGill Rose Garden, a North Carolina non-profit corporation, upon the terms and conditions set forth herein, and authorizes the City Manager, or his designee, to execute all instruments necessary to lease said Premises.

THIS THE 26<sup>th</sup> DAY OF AUGUST 2024.

**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 26<sup>th</sup> day of August 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 309-310.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 26<sup>th</sup> day of August 2024.



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Stephanie C. Kelly, City Clerk, MMC, NCCMC





**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE,  
NORTH CAROLINA ON AUGUST 26<sup>TH</sup>, 2024**

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

WHEREAS, North Carolina General Statute §160A-461 authorizes units of local government to enter into agreements with each other in order to execute an undertaking by one unit of local government on behalf of another unit of local government; and

WHEREAS, The City of Charlotte and the Mecklenburg Soil and Water Conservation District (the "District") share the goal of educating citizens about the storm drainage system and non-point source pollution in order to influence the behaviors of citizens to positively impact water quality in Mecklenburg County; and

WHEREAS, the City is willing to provide funding for the Urban Cost-Share Program until June 30, 2025;

WHEREAS, The City of Charlotte and the District wish to enter into an agreement for the City of Charlotte to provide funding to assist with the District's Urban Cost-Share Program.

**NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:**

That the Agreement for the Urban Cost-Share Program between the City of Charlotte and the Mecklenburg Soil and Water Conservation District is hereby approved and ratified and the Director of Charlotte Water and any successor so titled, or her designees, is authorized to execute same.

Adopted this the 26<sup>th</sup> day of August, 2024 at Charlotte, 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 26<sup>th</sup> day of August 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 311.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 26<sup>th</sup> day of August 2024.



A handwritten signature in cursive script that reads "Stephanie C. Kelly".

Stephanie C. Kelly, City Clerk, MMC, NCCMC

**A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE COUNTY OF MECKLENBURG PERTAINING TO THE PROVISION OF YOUTH DIVERSION PROGRAMS BY THE CITY OF CHARLOTTE.**

**WHEREAS**, General Statute § 160A-461, “Interlocal cooperation authorized,” authorizes units of local government to enter into agreements with each other in order to execute an undertaking by one unit of local government on behalf of another unit of local government; and

**WHEREAS**, the County of Mecklenburg and the City of Charlotte wish to enter into an Interlocal Agreement, by which the City has agreed to provide certain youth diversion program services funded by Mecklenburg County’s Juvenile Crime Prevention Council through funds received from the North Carolina Division of Juvenile Justice, pursuant to the attached Interlocal Agreement;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Charlotte does hereby ratify the attached Interlocal Agreement between the City of Charlotte and the County of Mecklenburg. The City Manager or an Assistant City Manager of the City of Charlotte is hereby authorized and directed to execute the attached Interlocal Agreement, and any amendments thereto, and this resolution shall be spread upon the minutes.

**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 26<sup>th</sup> day of August 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 312-312\_\_\_\_\_.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 26<sup>th</sup> day of August 2024.



A handwritten signature in cursive script that reads "Stephanie C. Kelly".

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Stephanie C. Kelly, City Clerk, MMC, NCCMC

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE,  
NORTH CAROLINA ON August 26, 2024**

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

WHEREAS, the City of Charlotte will reimburse the North Carolina Department of Transportation (NCDOT) for the replacement of and improvements to the Charlotte Water owned water and sanitary sewer lines located within the NCDOT C-5613J roadway improvements project, located along Northcross Drive between approximately Forest Shadow Circle and Westmoreland Road within Mecklenburg County; and

WHEREAS, Charlotte Water will reimburse the NCDOT for actual costs of the project estimated to be \$340,000.00; and

WHEREAS, Charlotte Water has programmed funding for said water and sanitary sewer construction; and,

WHEREAS, under the proposed Agreement and subject to the Agreement provisions, the City of Charlotte shall reimburse the NCDOT for actual construction costs.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:**

That the Municipal Agreement between the NCDOT and the City of Charlotte and Charlotte Water, is hereby formally approved by the City Council of the City of Charlotte and that the Director of Charlotte Water and Clerk of the City of Charlotte are hereby empowered to sign and execute the Municipal Agreement with the NCDOT.

Adopted this the 26th Day of August, 2024 in Charlotte, North Carolina.

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**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 26<sup>th</sup> day of August 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 313-313\_\_\_\_\_.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 26<sup>th</sup> day of August 2024.



*Stephanie C. Kelly*

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Stephanie C. Kelly, City Clerk, MMC, NCCMC

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION  
OF ANNEXATION PURSUANT TO G.S. 160A-31  
HUDSPETH AREA ANNEXATION**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held during a meeting at the Charlotte-Mecklenburg Government Center at 6:30 p.m. on September 9, 2024.

Section 2. The area proposed for annexation is described as follows:

**LEGAL DESCRIPTION**

Beginning at a disk on boulders found along the Mecklenburg and Cabarrus County line; being described as point 3029 as shown on Map Book 39, Page 199 in the Mecklenburg County Registry; having a North Carolina State Plane Coordinate (NAD83) of N:585,302.92 E:1,495,158.46; thence along the Mecklenburg and Cabarrus County line with a bearing of S 14°00'55" E and a distance of 234.44' to a rebar set; thence with a bearing of S 00°24'03" E and a distance of 543.94' to a rebar found; thence with a bearing of N 62°44'07" E and a distance of 131.54' to a rebar set; thence along the Mecklenburg and Cabarrus County line with a bearing of S 14°00'55" E and a distance of 1761.94' to a rebar set; thence along the common line with MECK29 APT LLC, as recorded in deed book 37842, page 162 (now or formerly) with a bearing of N 78°56'34" W and a distance of 202.95' to a rebar found; continuing with a bearing of N 87°52'53" W and a distance of 415.95' to a pinched iron pipe found; continuing with a bearing of N 87°11'30" W and a distance of 42.30' to an iron pipe found; thence along the common line with Peggy Dean Love Taylor as recorded in deed book 8381, page 293 with a bearing of N 02°09'34" E and a distance of 707.49' to a rebar found; continuing with a bearing of N 87°50'17" W and a distance of 476.42' to a calculated point within a creek; thence twenty-two (22) calls with the creek with a bearing of N 12°39'12" W and a distance of 60.45' to a point; continuing with a bearing of N 28°13'36" W and a distance of 70.97' to a point; continuing with a bearing of N 07°05'07" W and a distance of 60.94' to a point; continuing with a bearing of N 16°43'09" E and a distance of 29.89' to a point; continuing with a bearing of N 13°43'14" W and a distance of 37.13' to a point; continuing with a bearing of N 22°28'31" E and a distance of 22.27' to a point; continuing with a bearing of N 03°50'13" W and a distance of 76.94' to a point; continuing with a bearing of N 06°21'03" W and a distance of 28.39' to a point; continuing with a bearing of N 06°27'06" E and a distance of 75.52' to a point; continuing with a bearing of N 49°53'58" E and a distance of 31.63' to a point; continuing with a bearing of N 06°05'38" W and a distance of 68.78' to a point; continuing with a bearing of N 01°39'11" W and a distance of 33.40' to a point; continuing with a bearing of N 36°22'34" E and a distance of 39.36' to a point; continuing with a bearing of N

42°14'28" E and a distance of 40.46' to a point; continuing with a bearing of N 27°22'24" E and a distance of 52.47' to a point; continuing with a bearing of N 51°10'28" E and a distance of 22.57' to a point; continuing with a bearing of N 25°56'10" E and a distance of 39.45' to a point; continuing with a bearing of S 77°37'13" E and a distance of 11.41' to a point; continuing with a bearing of N 39°00'03" E and a distance of 96.61' to a point; continuing with a bearing of N 83°41'02" E and a distance of 23.54' to a point; continuing with a bearing of N 41°00'02" E and a distance of 46.51' to a point; continuing with a bearing of N 10°39'23" E and a distance of 9.93' to a point; thence leaving said creek with a bearing of S 86°41'53" W and a distance of 254.34' to a nail at base of rebar found; thence along the common line with Jimmy Franklin Love and Ginger Nicholson as recorded in deed book 6745, page 155 (now or formerly) with a bearing of N 32°33'25" W and a distance of 442.31' to a rebar set; thence along the southerly margin of N Tryon Street with a bearing of N 51°12'46" E and a distance of 672.02' to a point; continuing with a curve to the left with a radius of 5790.00' and an arch length of 169.24', being chorded with a bearing of N 50°23'12" E and a chord distance of 169.24' to a rebar set; thence along the Mecklenburg and Cabarrus County line with a bearing of S 54°22'11" E and a distance of 163.31' the point of beginning; containing 37.040 acres; more or less.

Section 3. Notice of the public hearing shall be published in the *Mecklenburg Times*, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of the public hearing.

**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 26<sup>th</sup> day of August 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 314-315.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 26<sup>th</sup> day of August 2024.



Stephanie C. Kelly, City Clerk, MMC, NCCMC



RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE A PORTION OF  
JIMMY OEHLER ROAD in the City of Charlotte, Mecklenburg County, North Carolina.

Whereas, Wilkes Asset Management, LLC has filed a petition to close a Portion of Jimmy Oehler Road in the City of Charlotte; and

Whereas, an Portion of Jimmy Oehler Road containing 46,411 square feet or 1.065 acres a Portion of Jimmy Oehler Road as shown in the map marked "Exhibit A" and are 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, CMGC, 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 August 26, 2024, that it intends to close a Portion of Jimmy Oehler Road and that said right-of-way (or portion thereof) is more particularly described on a map. The public will take notice that, pursuant 160A-299 of the General Statutes of North Carolina, the City Council of the City of Charlotte has called a public hearing on the closure of a Portion of Jimmy Oehler Road, to be conducted at 6:30 p.m., or as soon thereafter as practicable, on Monday, the 14 day of October 2024 at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street; Charlotte, North Carolina 28202. All interested parties are invited to present comments at the public hearing regarding the closure of a Portion of Jimmy Oehler Road. To speak at the public hearing, please all the City Clerk's office at 704-336-2248 or sign up online at <https://charlottenc.gov/CityClerk/Pages/Speak.aspx>, or sign up in-person with the City Clerk prior to the start of the public hearing. Anyone requiring special accommodations or information in an alternative format, please email [charlotteada@charlottenc.gov](mailto:charlotteada@charlottenc.gov) or call 704-336-5271.

The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks 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 26<sup>th</sup> day of August 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 316-317.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 26<sup>th</sup> day of August 2024.



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Stephanie C. Kelly, City Clerk, MMC, NCCMC



**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 assessment error.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 26<sup>th</sup> day of August 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 26<sup>th</sup> day of August 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 318-319.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 26<sup>th</sup> day of August 2024.



*Stephanie C. Kelly*

Stephanie C. Kelly, City Clerk, MMC, NCCMC



**Taxpayers and Refunds Requested**

Name	Amount
BOULEVARD PHASE II LLC	6,229.55
KALRA, BENJAMIN AARON	109.19
KALRA, BENJAMIN AARON	105.38
LANIER, FELICIA SPRINGS	189.35
LANIER, FELICIA SPRINGS	176.55
LANIER, FELICIA SPRINGS	176.55
LANIER, FELICIA SPRINGS	68.25
MARRONE, JONATHAN WYNNE	168.88
MARRONE, JONATHAN WYNNE	168.88
MARRONE, JONATHAN WYNNE	165.66
POFF, E COY JR AND POFF, JULIE A	372.63
POLLARO, KAYLA MARIE AND KNOX, VIRGINIA ISON	16.67
WILHELM, LINDA AND WILHELM ROLF L	257.89
	<hr/> <hr/> <b>8,205.43</b>

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 **MONROE ROAD MULTI-USE 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 **MONROE ROAD MULTI-USE PROJECT** and estimated to be:

1,474 sq. ft. (0.034 ac.) **Sidewalk Utility Easement**  
1,872 sq. ft. (0.073 ac.) **Temporary Construction Easement**

and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 161-063-01 said property currently owned by **EP 5101, LLC**, or their owners' successors 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 26<sup>th</sup> day of August 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 320.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 26<sup>th</sup> day of August 2024.



*Stephanie C. Kelly*

Stephanie C. Kelly, City Clerk, MMC, NCCMC

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 **SOUTH BLVD AT LONGLEAF PHB**; 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 **SOUTH BLVD AT LONGLEAF PHB** and estimated to be:

140 sq. ft. (0.003 ac.) **Utility Easement**

and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 207-012-01 said property currently owned by **SCM CHARLOTTE REALTY, LLC**, or their owners' successors 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 26<sup>th</sup> day of August 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 321.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 26<sup>th</sup> day of August 2024.



A handwritten signature in cursive script that reads "Stephanie C. Kelly".

Stephanie C. Kelly, City Clerk, MMC, NCCMC