

RESOLUTION TO CLOSE A PORTION OF ALLEYWAY BETWEEN 1609 AND 1615 MATHESON AVENUE 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 between 1609 and 1615 Matheson Avenue which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a Portion of Alleyway between 1609 and 1615 Matheson Avenue 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 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, the public hearing was held on the 25<sup>th</sup> day of November 2024, and City Council determined that closing a Portion of Alleyway between 1609 and 1615 Matheson 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 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 November 25, 2024, that the Council hereby orders the closing a Portion of Alleyway between 1609 and 1615 Matheson 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 25<sup>th</sup> day of November 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 382-384.

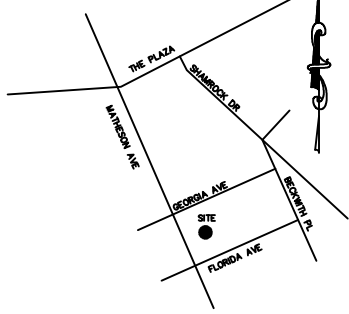
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 25<sup>th</sup> day of November 2024.



*Stephanie C. Kelly*

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Stephanie C. Kelly, City Clerk, MMC, NCCMC



LOCATION MAP  
NOT TO SCALE

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

AREA OF ABANDONMENT

LINE TABLE	
L1	S 30°26'00" E 4.95'
L2	S 30°26'00" E 4.95'
L3	S 51°20'56" W 58.69'
L4	S 38°35'33" E 4.84'
L5	S 51°22'13" W 30.52'
L6	N 38°40'00" W 4.82'
L7	S 51°23'26" W 19.47'
L8	S 38°33'09" E 4.80'
L9	S 51°22'12" W 50.23'
L10	S 35°47'07" E 4.73'
L11	N 35°47'07" W 4.73'
L12	S 51°06'14" W 49.99'
L13	S 35°58'09" E 4.90'
L14	N 36°00'48" W 4.90'
L15	S 51°16'38" W 150.38'
L16	S 38°34'10" E 4.98'
L17	N 38°34'10" W 4.98'

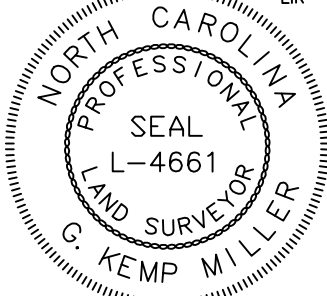
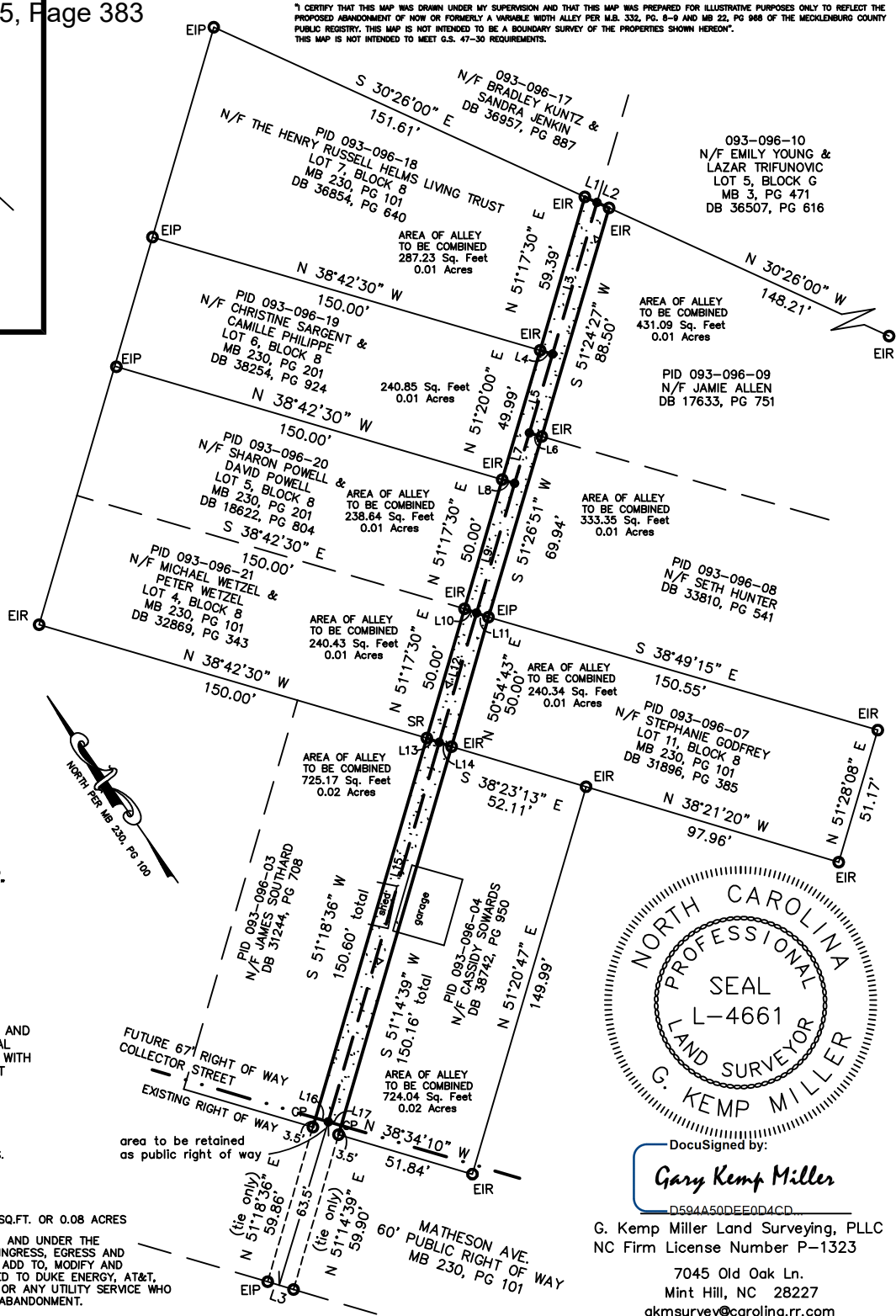
"THIS MAP IS INTENDED FOR ILLUSTRATIVE PURPOSES ONLY AND IS NOT TO BE USED FOR OR CONSIDERED A BOUNDARY SURVEY."

"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."

NOTES:

1. THE PURPOSE OF THIS MAP IS TO SHOW THE ABANDONMENT OF THE 10' ALLEY OFF MATHESON AVE. AS RECORDED IN MB 230, PG 101 OF THE MECKLENBURG COUNTY REGISTER OF DEEDS.
2. AREA COMPUTED BY COORDINATE METHOD
3. ALL DISTANCES SHOWN ARE HORIZONTAL FEET.
4. TOTAL AREA OF ALLEY ABANDONMENT 3495.97 SQ.FT. OR 0.08 ACRES
5. AN EASEMENT SHALL BE RESERVED 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 ANY UTILITIES OWNED BY, BUT NOT LIMITED TO DUKE ENERGY, AT&T, PIEDMONT NATURAL GAS, THE CITY OF CHARLOTTE OR ANY UTILITY SERVICE WHO CURRENTLY HAVE FACILITIES WITHIN THE AREA OF ABANDONMENT.

"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."



DocuSigned by:  
**Gary Kemp Miller**

D594A50DEE0D4CD  
 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

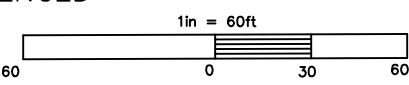
EXHIBIT A

**EXHIBIT SURVEY** OF  
 10' ALLEY ABANDONMENT SURVEY  
 BLOCK 8 OF HOME PLACE

ALLEY RECORDED IN MB 230, PG 101, BLOCK 8  
 SCALE: 1" = 60' CHARLOTTE, MECK CO., NC  
 AS RECORDED IN: DEEDS REFERENCED

DATE: 5/10/2024  
 TAX# as shown  
 EOC ≥ = 1:10,000

FILE # 06107\_Sowards



November 25, 2024

Resolution Book 55, Page 384

EXHIBIT B

Legal Description of proposed alley abandonment

BEGINNING at a point in the easterly margin of Matheson Ave. and being the southeast corner of PID 093-096-03 and being the property of James Southard now or formerly as recorded in DB 31244, PG 708, said point also being located N 51-18-36 E 59.86' from a 1" pipe in the westerly margin of Matheson Ave, said pipe being the northeast corner of lot 3 in MB 44, PG 427, thence from said beginning point with the northerly edge of a 10' alley as shown in block 8, MB 230, PG 101 of Home Place, N 51-18-36 E 150.60' to a point, thence continuing with the northerly edge of the alley 4 calls, N 51-17-30 E 50.00' to a point, thence N 51-17-30 E 50.00' to a point, thence N 51-20-00 E 49.99' to a point, thence N 51-17-30 E 59.39' to a point being the southeast corner of 093-096-18 and being the property of The Henry Russell Helms Living Trust now or formerly as recorded in DB 36854, PG 640, thence S 30-26-00 E 9.89' to a point on the southerly edge of the alley and being the corner of PID 093-096-09 and being the property of Jamie Allen now or formerly as recorded in DB 17633, PG 751, thence with the southerly edge of the 10' alley 4 calls, S 51-24-27 W 88.50' to a point, thence S 51-26-51 W 69.94' to a point, thence S 50-54-43 W 50.00' to a point, thence S 51-14-39 W 150.16' to a point in the northerly margin of Matheson Ave. and being the southwest property corner of PID 093-096-04 and being the property of Cassidy Sowards now of formerly as recorded in DB 38742, PG 950, thence with the margin of Matheson Ave. N 38-34-10 W 9.96' to the point and place of BEGINNING. The total proposed area of abandonment being 0.08 acres and all being shown on a survey titled EXHIBIT SURVEY of 10' ALLEY ABANDONMENT SURVEY, BLOCK 8 OF HOME PLACE, DATED 5/10/2024, Prepared by G. Mi



DocuSigned by:  
*Gary Kemp Miller*  
 D594A50DEE0D4CD...

RESOLUTION TO CLOSE A PORTION OF CECIL STREET IN THE CITY OF CHARLOTTE,  
MECKLENBURG COUNTY, NORTH CAROLINA

---

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a Portion of Cecil Street which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a Portion of Cecil Street 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 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, the public hearing was held on the 25th day of November 2024, and City Council determined that closing a Portion of Cecil Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to 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 November 25, 2024, that the Council hereby orders the closing a Portion of Cecil Street in the City of Charlotte, Mecklenburg County, North Carolina as shown in the map marked "Exhibit A," and is more particularly described by metes and bounds in 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 25<sup>th</sup> day of November 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 385-388.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 25<sup>h</sup> day of November 2024.



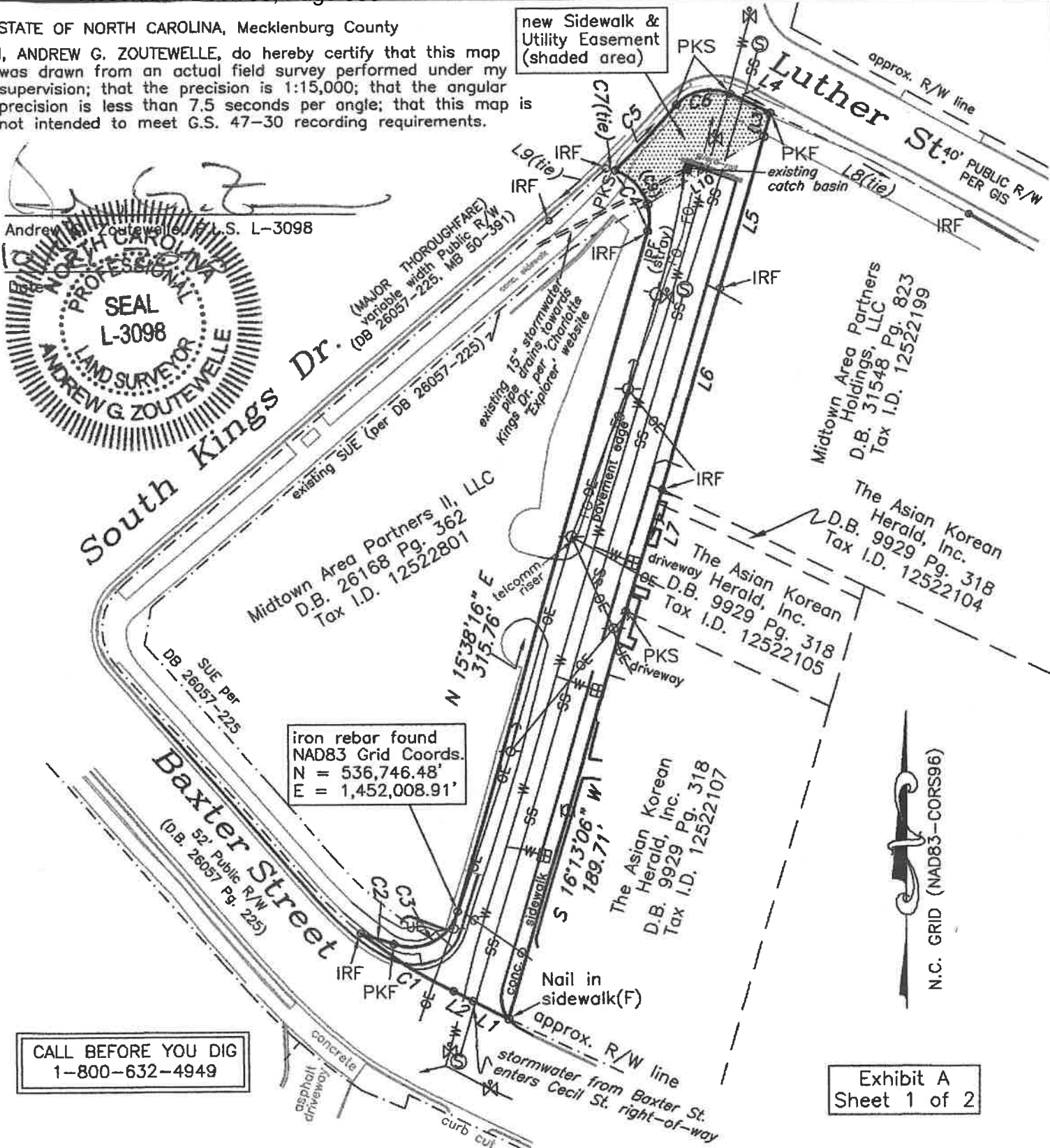
*Stephanie C. Kelly*

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Stephanie C. Kelly, City Clerk, MMC, NCCMC

STATE OF NORTH CAROLINA, Mecklenburg County  
 I, ANDREW G. ZOUTEWELLE, do hereby certify that this map was drawn from an actual field survey performed under my supervision; that the precision is 1:15,000; that the angular precision is less than 7.5 seconds per angle; that this map is not intended to meet G.S. 47-30 recording requirements.

Andrew G. Zoutewelle, P.S. L-3098



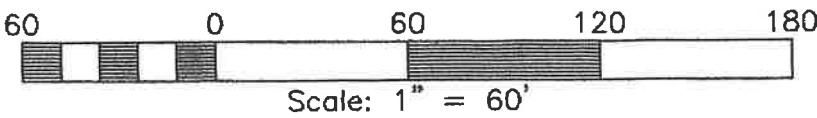
iron rebar found  
 NAD83 Grid Coords.  
 N = 536,746.48'  
 E = 1,452,008.91'

CALL BEFORE YOU DIG  
 1-800-632-4949

Exhibit A  
 Sheet 1 of 2

**A.G. ZOUTEWELLE**  
**SURVEYORS**  
 1418 East Fifth St. Charlotte, NC 28204  
 Phone: 704-372-9444 Fax: 704-372-9555  
 Firm Licensure Number C-1054

ABANDONMENT SURVEY  
**Cecil Street**  
 CHARLOTTE, MECKLENBURG COUNTY, N.C.  
 for MIDTOWN AREA PARTNERS II, LLC  
 Date of Map: April 24, 2020

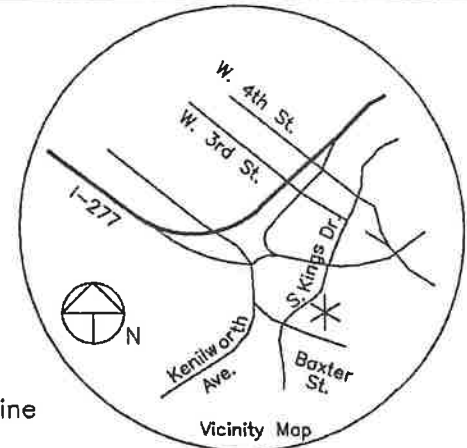


April 12, 2021

Resolution Book 51, Page 391

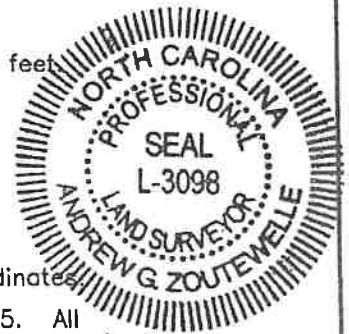
**LEGEND**

- |                              |                                |   |
|------------------------------|--------------------------------|---|
| square feet (by coordinates) |                                |   |
| MB,DB                        | record map and deed references |   |
| IPF                          | iron pipe found                | ⊙ |
| IRF                          | iron pin found                 | ⊙ |
| IRS                          | iron pin set (1/2" rebar)      | ⊙ |
| PKF/S                        | P.K. nail found/set            | ⊙ |
| ⊙                            | guy anchor                     | ⊙ |
| ⊙                            | utility pole                   | ⊙ |
| ⊙                            | light pole                     | ⊙ |
| ⊙                            | water valve                    | ⊙ |
| ⊙                            | fire hydrant                   | ⊙ |
| ⊙                            | catch basin                    | ⊙ |
| ⊙                            | water meter                    | ⊙ |
| ⊙                            | gas valve                      | ⊙ |
| ⊙                            | sanitary sewer manhole         | ⊙ |
| ⊙                            | storm drain manhole            | ⊙ |
| ⊙                            | water meter                    | ⊙ |
| -SS-                         | sanitary sewer                 |   |
| -W-                          | water line                     |   |
| -G-                          | gas line                       |   |
| -x-                          | fence line                     |   |
| -OE-                         | overhead utilities             |   |
| -UE-                         | underground electric line      |   |
| -FO-                         | underground fiber optic line   |   |



**GENERAL NOTES**

- Cecil Street is shown on GIS as 40 feet in width, but based on the existing field monumentation it varies in width from 35 feet to 38.2 feet.
- Utilities shown hereon have been located based on: (1) observed surface indications, (2) Charlotte Water Customer Service maps, and (3) paint designation markings by the North Carolina One-Call Utility Locating Center. Additional utilities may exist. Contractors should contact the North Carolina ONE-CALL Center at 1-800-632-4949 before any digging or excavation is begun.
- Total area of abandonment is 16,293 S.F. (or 0.3740 ac.), by coordinates.
- Grid ties provided by Survey and Mapping Control, Pineville, N.C., in 2005. All distances shown hereon are horizontal ground distances. Horizontal datum is NAD83(CORS96). Combined Grid Factor = 0.99984619.
- Per the CRTPO Thoroughfare Map, South Kings Drive is a Major Thoroughfare and may be subject to an 80' proposed thoroughfare right-of-way (40' from from centerline). Prior to any design the City of Charlotte DOT should be consulted to determine the location and/or applicability of said R/W. No thoroughfare right-of-way is shown on this map.
- Utility easements reserved for those utility service providers with existing lines located within the abandoned right-of-way area as referenced on the attached resolution.



*Andrew G. Zoutewelle*  
4/21/2020

NUMBER	DIRECTION	DISTANCE
L1	N 63°22'44" W	17.79'
L2	N 63°09'23" W	9.59'
L3	NOT USED	
L4	S 64°18'20" E	20.15'
L5	S 16°14'10" W	81.59'
L6	S 16°10'50" W	93.80'
L7	S 16°16'44" W	56.18'
L8	S 62°52'43" E	99.88'
L9	S 47°41'53" W	34.39'

NUMBER	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD DIST.
C1	208.18	48.64	N 57°32'33" W	48.53
C2	1279.70	15.40	S 71°37'50" E	15.40
C3	21.64	35.74	N 62°57'24" E	31.81
C4	22.30	33.82	N 28°30'40" W	30.67
C5	528.00	40.48	N 43°22'32" E	40.47
C6	20.00	26.01	N 78°26'13" E	24.22
C7	22.30	4.18	N 77°19'35" W	4.17

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.

Exhibit A  
Sheet 2 of 2

ABANDONMENT SURVEY  
**Cecil Street**

CHARLOTTE, MECKLENBURG COUNTY, N.C.  
for MIDTOWN AREA PARTNERS II, LLC  
Date of Map: April 24, 2020

**A.G. ZOUTEWELLE**  
**SURVEYORS**

1418 East Fifth St. Charlotte, NC 28204  
Phone: 704-372-9444 Fax: 704-372-9555  
Firm Licensure Number C-1054



Scale: 1" = 60'



LEGAL DESCRIPTION

*BEING all that certain road right-of-way tract known as Cecil Street as shown on the City of Charlotte Powell Bill Map and as shown on Mecklenburg County's Geographic Information System map ("GIS"), and being located between South Kings Drive, Luther Street and Baxter Street and being more particularly described as follows:*

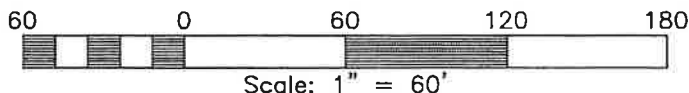
*BEGINNING at an existing iron rebar ("Beginning Point") located at the northeasterly terminus of the intersection curve connecting the northerly right-of-way margin of Baxter Street, said right-of-way having a width of 52 feet as described in Deed Book 26057 Page 225 of the Mecklenburg County Registry, and the westerly right-of-way margin of Cecil Street, said right-of-way having a width which varies from 35 feet to 38.2 feet, said existing iron rebar Beginning Point having North Carolina State Plane coordinates of Northing = 536,746.48 feet and Easting = 1,452,008.91 feet as based on the CORS96 realization of the North American Horizontal Datum of 1983, said datum having a combined grid factor of 0.99984619 to convert from the ground distances noted herein, and running thence from said POINT AND PLACE OF BEGINNING along the westerly right-of-way margin of the said Cecil Street, said right-of-way margin also being the common boundary line with Midtown Area Partners II, LLC, as described in Deed Book 26168 Page 362 of the Mecklenburg County Registry, the following two (2) calls: (1) North 15-38-16 East 315.76 feet to an existing iron rebar and (2) following along a circular curve to the left having a radius of 22.30 feet and an arc length of 33.82 feet (chord bearing North 28-30-40 West 30.67 feet) to a new surveyor's pk nail; thence the following three (3) new calls: (1) along the new southeasterly right-of-way margin of South Kings Drive following along the arc of a circular curve to the left having a radius of 528.00 feet and an arc length of 40.48 feet (chord bearing North 43-22-32 East 40.47 feet) to a new surveyor's pk nail, (2) following along the arc of a circular curve to the right having a radius of 20.00 feet and an arc length of 26.01 feet (chord bearing North 78-26-13 East 24.22 feet) to a new surveyor's pk nail and (3) South 64-18-20 East 20.15 feet to an existing surveyor's pk nail; thence along the easterly right-of-way margin of the said Cecil Street, said right-of-way margin also being the common boundary line with Midtown Area Partners Holdings, LLC, as described in Deed Book 31548 Page 823 of the Mecklenburg County Registry, the following two (2) calls: (1) South 16-14-10 West 81.59 feet to an existing iron rebar and (2) South 16-10-50 West 93.80 feet to an existing iron rebar; thence continuing along the easterly right-of-way margin of the said Cecil Street, said right-of-way margin also being the common boundary line with The Asian Korean Herald, Inc., as described in Deed Book 9929 Page 318 of the Mecklenburg County Registry, the following two (2) calls: (1) South 16-16-44 West 56.18 feet to a new surveyor's pk nail and (2) South 16-13-06 West 189.71 feet to an existing nail in the public sidewalk; thence along the northerly right-of-way margin of the aforesaid Baxter Street the following three (3) new lines: (1) North 63-22-44 West 17.79 feet to a point, (2) North 63-09-23 West 9.59 feet to a point and (3) following along the arc of a circular curve to the right having a radius of 208.18 feet and an arc length of 48.64 feet (chord bearing North 57-32-33 West 48.53 feet) to an existing iron rebar; thence along the common boundary lines with the aforesaid Midtown Area Partners II, LLC, the following two (2) calls: (1) following along the arc of a circular curve to the left having a radius of 1,279.70 feet and an arc length of 15.40 feet (chord bearing South 71-37-50 East 15.40 feet) to an existing surveyor's pk nail and (2) following along the arc of a circular curve the left having a radius of 21.64 feet and an arc length of 35.74 feet (chord bearing North 62-57-24 East 31.81 feet) to the point and place of BEGINNING, containing 0.3740 acre, more or less, as shown on an Abandonment Survey prepared by Andrew G. Zoutewelle, North Carolina Professional Land Surveyor No. L-3098, dated April 24, 2020.*

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.

Exhibit B

ABANDONMENT SURVEY  
**Cecil Street**

CHARLOTTE, MECKLENBURG COUNTY, N.C.  
for MIDTOWN AREA PARTNERS II, LLC  
Date of Map: April 24, 2020



**A.G. ZOUTEWELLE**  
**SURVEYORS**  
1418 East Fifth St. Charlotte, NC 28204  
Phone: 704-372-9444 Fax: 704-372-9555  
Firm Licensure Number C-1054

RESOLUTION TO CLOSE A PORTION OF SENTRY POST ROAD 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 Sentry Post Road 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 Sentry Post Road 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 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, the public hearing was held on the 25th day of November 2024, and City Council determined that closing a Portion of Sentry Post Road 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 November 25, 2024, that the Council hereby orders the closing a Portion of Sentry Post Road 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 25<sup>th</sup> day of November 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 389-391.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 25<sup>h</sup> day of November 2024.

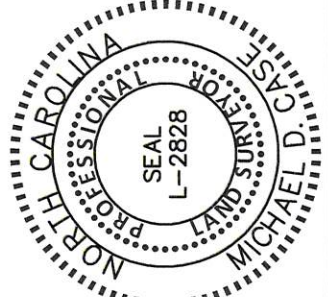
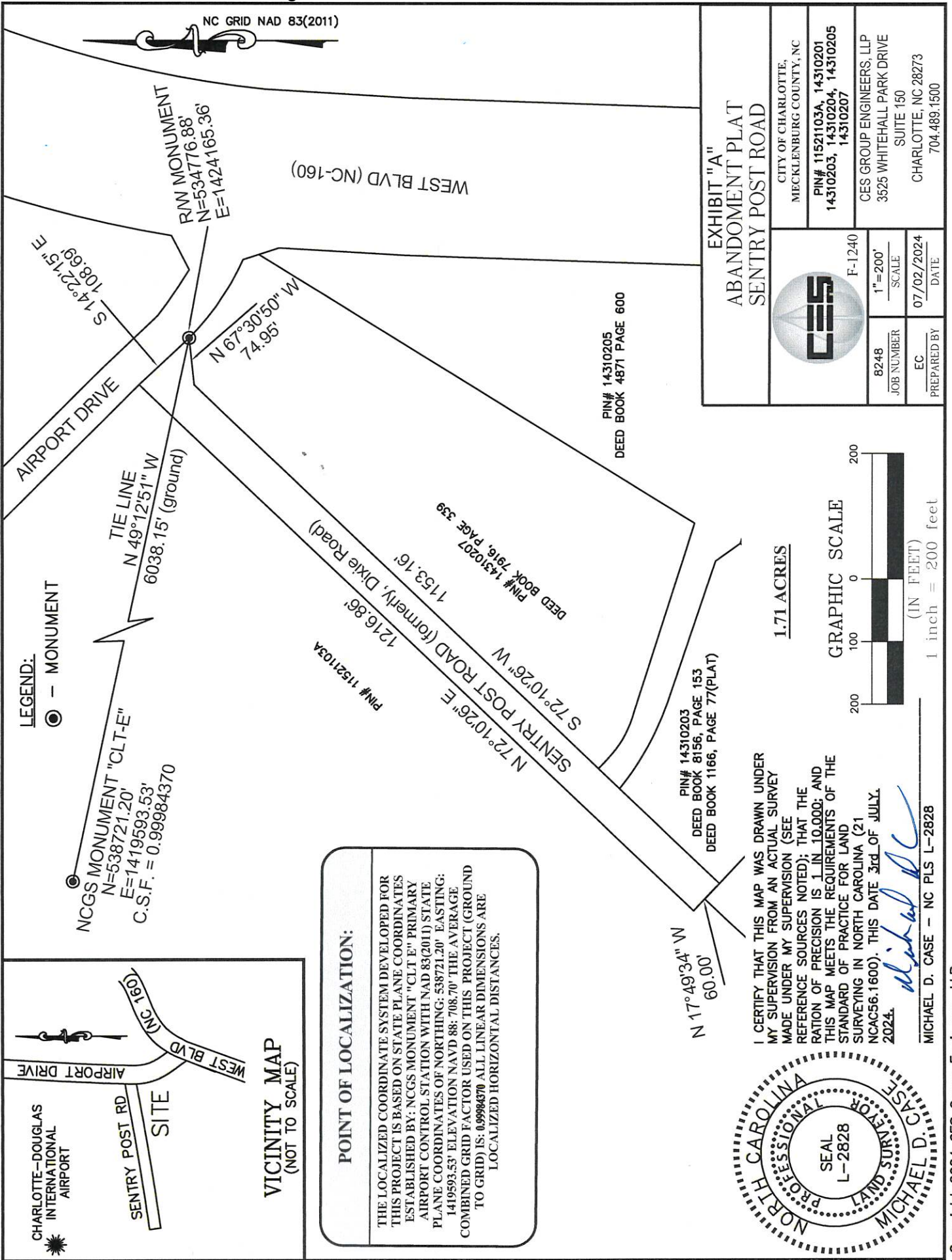


*Stephanie C. Kelly*

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Stephanie C. Kelly, City Clerk, MMC, NCCMC





I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (SEE REFERENCE SOURCES NOTED); THAT THE RATION OF PRECISION IS 1 IN 10,000; AND THIS MAP MEETS THE REQUIREMENTS OF THE STANDARD OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC56.1600). THIS DATE 3rd OF JULY, 2024.

*Michael D. Case*  
 MICHAEL D. CASE — NC PLS L-2828

**EXHIBIT B**

**SENTRY POST ROAD - ABANDONMENT**

COMMENCING at the Primary Airport Control Monument "CLT-E" having North Carolina Grid Coordinates of N=538721.20'; E=1419593.53' (combined scale factor 0.99984370); thence a tie line, S 49°12'51" E 6,038.15' to an existing right-of-way monument located at the southeastern intersection of Sentry Post Road and Airport Drive, The Point of Beginning, and having North Carolina Grid Coordinates of N=534776.88'; E=1424165.36'; thence with aforesaid right-of-way of Sentry Post Road the following 4 courses: (1) N 67°30'50" W 74.95' to a computed point, (2) S 72°10'26" W 1,153.16' to a computed point, (3) N 17°49'34" W 60.00' to a computed point, (4) N 72°10'26" E 1,216.86' to a point on the western right-of-way of Airport Drive, thence with aforesaid Drive S 14°22'1015" E 108.69' to The POINT OF BEGINNING, containing 1.71 acres, more or less .

**RESOLUTION AUTHORIZING THE LEASE OF  
RESTAURANT SPACE AT THE  
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER**

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**WHEREAS**, the City of Charlotte (“City”) owns the Charlotte-Mecklenburg Government Center (“CMGC”) located at 600 E. Fourth Street, in Charlotte, North Carolina and identified as Tax ID# 125-026-01;

**WHEREAS**, the City desires to lease the portion of the CMGC containing 4,380 square feet of first floor restaurant space and 350 square feet of basement storage space for a total leasable area of 4,730 square feet (the “Restaurant Space”);

**WHEREAS**, the City issued a request for proposals for operation of a restaurant in the Restaurant Space and selected the proposal of Pita Boy, Inc. to operate a Kostas Kitchen (the “Kitchen”) at the Restaurant Space;

**WHEREAS**, the sole owner and operator of Pita Boy, Inc., a North Carolina corporation, established Govt. Restaurant, LLC (“Govt. Restaurant”), a North Carolina limited liability company, for purposes of operating the Kitchen at the Restaurant Space;

**WHEREAS**, the City and the Govt. Restaurant negotiated the terms of a lease of the Restaurant Space (the “Lease Agreement”);

**WHEREAS**, the term of the Lease Agreement shall be for an initial period of five (5) years and be subject to the option of Govt. Restaurant to extend the term for one additional five (5) year period. Under said lease, the initial annual rent shall be \$30,035.50 and said rent shall increase at a rate of three percent (3%) per annum;

**WHEREAS**, Govt. Restaurant shall execute an unsecured Promissory Note in the principal amount of \$45,572.53, with interest at the rate of 2%, per annum, payable in monthly installments of \$419.33, for One Hundred Twenty (120) months, beginning January 1, 2025, and ending December 1, 2034. Should Govt. Restaurant choose not to exercise its option to renew the lease term for the additional five year period or, if said lease is otherwise terminated early, the full balance of the Promissory Note, including interest accrued thereon, shall be due and payable within thirty days of termination of the lease, without demand; and

**WHEREAS**, this lease is being authorized pursuant to Section 8.131 of the City of Charlotte Charter and pursuant thereto, 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;

**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 Restaurant Space to Govt. Restaurant, LLC, upon the terms and conditions set forth herein and the terms and conditions set forth in the Lease Agreement, incorporated herein by reference, and authorizes the City Manager, or his designee, to execute the Lease Agreement to effectuate the lease of said property in conformity herewith.

THIS THE 25<sup>TH</sup> DAY OF NOVEMBER 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 25<sup>th</sup> day of November 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 392-393.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 25<sup>h</sup> day of November 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**

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

**WHEREAS**, the North Carolina Department of Transportation (NCDOT) and the North Carolina Turnpike Authority (NCTA) developed the NC Toll Project Development Policy Handbook, which designates the applicable transportation planning organization as the Project Sponsor for submitting tolling study requests; and

**WHEREAS**, the NCDOT and NCTA conducted a Preliminary Submittal Assessment (PSA), the results of which found that the bypass on its own would not cover maintenance and operations cost. However, it was determined that outdated traffic counts were used and that the Monroe Expressway was not included in the analysis; and

**WHEREAS**, it was recommended that further analysis be conducted in the form of a Traffic and Revenue Study to determine the project's viability as a tolled facility; and

**WHEREAS**, the Charlotte Regional Transportation Planning Organization (CRTPO) Board approved an amendment to the FY 2025 Unified Planning Work Program (UPWP) to identify further analysis of the Marshville Bypass under the UPWP Planning Process task code where sufficient funds in the amount of \$50,000 exist to support the study.

**WHEREAS**, this Municipal Agreement is to provide for the undertaking of public transportation studies described in each cycle of the United Planning Work Program; and,

**WHEREAS**, the NCDOT will reimburse the City up to \$50,000 for FY 2025; and,

**WHEREAS**, the format and cost sharing philosophy are consistent with past municipal agreements; and,

**WHEREAS**, the City Manager, and City Clerk are hereby empowered to sign and execute the Agreement with the North Carolina Department of Transportation.

**NOW, THEREFORE, BE IT RESOLVED** that the Municipal Agreement between the North Carolina Department of Transportation and the City of Charlotte is hereby formally approved by the City Council of the City of Charlotte.

**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 25<sup>th</sup> day of November 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 394-395.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 25<sup>h</sup> day of November 2024.



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Stephanie C. Kelly, City Clerk, MMC, NCCMC



RESOLUTION PROVIDING APPROVAL OF INLIVIAN'S ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$26,000,000 FOR THE FINANCING OF A MULTIFAMILY HOUSING FACILITY TO BE KNOWN AS SYCAMORE STATION II APARTMENTS IN THE CITY OF CHARLOTTE, NORTH CAROLINA

WHEREAS, the City Council (the "City Council") of the City of Charlotte (the "City") met in Charlotte, North Carolina at 6:30 p.m. on the 25<sup>th</sup> day of November, 2024; and

WHEREAS, INLIVIAN (the "Issuer") has tentatively agreed to issue its multifamily housing revenue bonds in an amount not to exceed \$26,000,000 (the "Bonds"), for the purpose of financing the acquisition, construction and equipping by Sycamore Station II LLC, a North Carolina limited liability company, or an affiliated or related entity (the "Borrower"), of a qualified residential rental project to be known as Sycamore Station II Apartments (the "Development"); and

WHEREAS, the Development will consist of approximately 168 units and related facilities, located at approximately 6010 Calle Lumina Drive at the intersection of Milton Road and Barrington Drive in the City of Charlotte, North Carolina; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that any bonds issued by the Issuer for the Development may only be issued after approval of the plan of financing by the City Council of the City following a public hearing with respect to such plan; and

WHEREAS, on October 29, 2024, the Issuer held a public hearing with respect to the issuance of the Bonds to finance, in part, the Development, as evidenced by the Certificate and Summary of Public Hearing attached hereto, and has requested the City Council to approve the issuance of the Bonds as required by the Code; and

WHEREAS, the City has determined that approval of the Issuer's issuance of the Bonds is solely to satisfy the requirements of Section 147(f) of the Code and shall in no event constitute an endorsement of the Bonds or the Development or the creditworthiness of the Borrower, nor shall such approval in any event be construed to obligate the City for the payment of the principal of or premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Issuer, or to constitute the Bonds or any of the agreements or obligations of the Issuer an indebtedness of the City within the meaning of any constitutional or statutory provision whatsoever;

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

1. The issuance of the Issuer's multifamily housing revenue bonds for the proposed housing development consisting of the acquisition, construction and equipping of the Development described above in the City of Charlotte, North Carolina by the Borrower and in an amount not to exceed \$26,000,000 are hereby approved for purposes of Section 147(f) of the Code.

2. This resolution shall take effect immediately upon its passage.

\* \* \* \* \*

Council member **Anderson** moved the passage of the foregoing resolution and Council member **Bokhari** seconded the motion, and the resolution was passed by the following vote:

Ayes: Council members **Ajmera, Anderson, Bokhari, Brown, Graham, Johnson, Molina, Watlington**

Nays: **None**

Not voting: **Driggs, Mayfield, Mitchell**

**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 25<sup>th</sup> day of November 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 396-399.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 25<sup>h</sup> day of November 2024.



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Stephanie C. Kelly, City Clerk, MMC, NCCMC

**Exhibit A**

**Certificate and Summary of Public Hearing**

(Attached)

**CERTIFICATE AND SUMMARY**

The undersigned designated hearing officer of INLIVIAN hereby certifies as follows:

1. Notice of a public hearing (the "Hearing") to be held on October 29, 2024, with respect to the issuance of bonds by INLIVIAN for the benefit of Sycamore Station II LLC, a North Carolina limited liability company, or an affiliate or subsidiary thereof (the "Borrower") was published on October 21, 2024, in *The Charlotte Observer*.
2. I was the hearing officer for the Hearing.
3. The following is a list of names and addresses of all persons who spoke at the Hearing:  

None
4. The following is a summary of the oral comments made at the Hearing:  

None

IN WITNESS WHEREOF, my hand this 29<sup>th</sup> day of October, 2024.

By: Allen Gong  
Name: Allen Gong  
Title: Hearing Officer

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 **CHESTNUT HILL DR 11133**; 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 **CHESTNUT HILL DR 11133** and estimated to be:

293 sq. ft. (0.007 ac.) **Existing Easement to be accepted as Storm Drainage Easement**  
1,060 sq. ft. (0.024 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. 231-127-04 said property currently owned by **HOWARD J. POLLINO AND CYNTHIA G. POLLINO**, 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 25<sup>th</sup> day of November 2024, the reference having been made in Minute Book 159 and recorded in full in Resolution Book 55, Page(s) 400.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 25<sup>th</sup> day of November 2024.



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

Stephanie C. Kelly, City Clerk, MMC, NCCMC