

RESOLUTION CLOSING A PORTION OF TWO 10-FOOT ALLEYWAYS LOCATED OFF OF CLEMENT 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 two 10-foot alleyways located off of Clement 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 two 10-foot alleyways located off of Clement Avenue to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to Duke Energy, AT&T, and all other owners of existing underground and telecommunications utilities to maintain their facilities as shown on the attached map marked Exhibit A; and,

WHEREAS, the public hearing was held on the 10<sup>th</sup> day of December, 2012, and City Council determined that the closing of a portion of two 10-foot alleyways located off of Clement Avenue is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

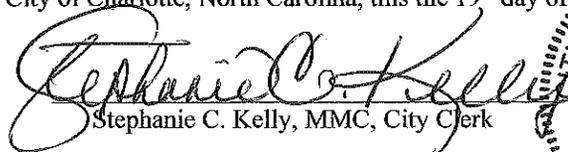
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of December 10, 2012, that the Council hereby orders the closing of a portion of two 10-foot alleyways located off of Clement Avenue in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in the documents marked "Exhibit B-1 & B-2", 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 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Pages (87-90).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December, 2012.

  
Stephanie C. Kelly, MMC, City Clerk

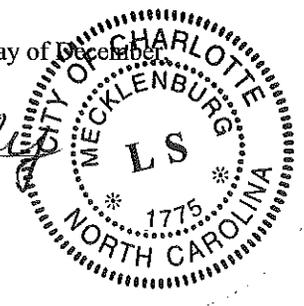
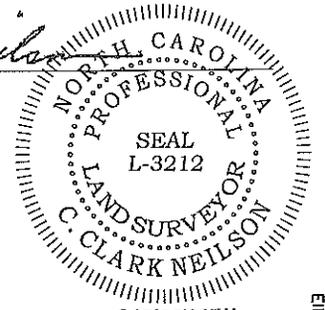


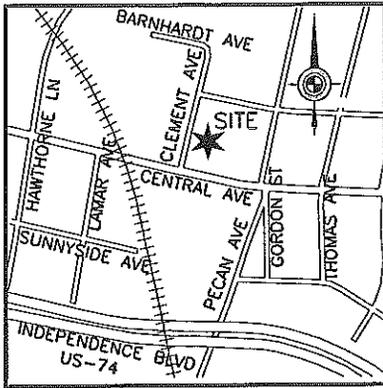
EXHIBIT A

THIS IS TO CERTIFY THAT ON THE 20TH DAY OF APRIL, 2012 THIS EXHIBIT MAP WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES WERE PLOTTED FROM INFORMATION PROVIDED BY OTHERS, AND THE IMPROVEMENTS, UNLESS OTHERWISE INDICATED, ARE PROPOSED. NO ACTUAL FIELD SURVEY WAS PERFORMED IN THE PREPARATION OF THIS MAP.

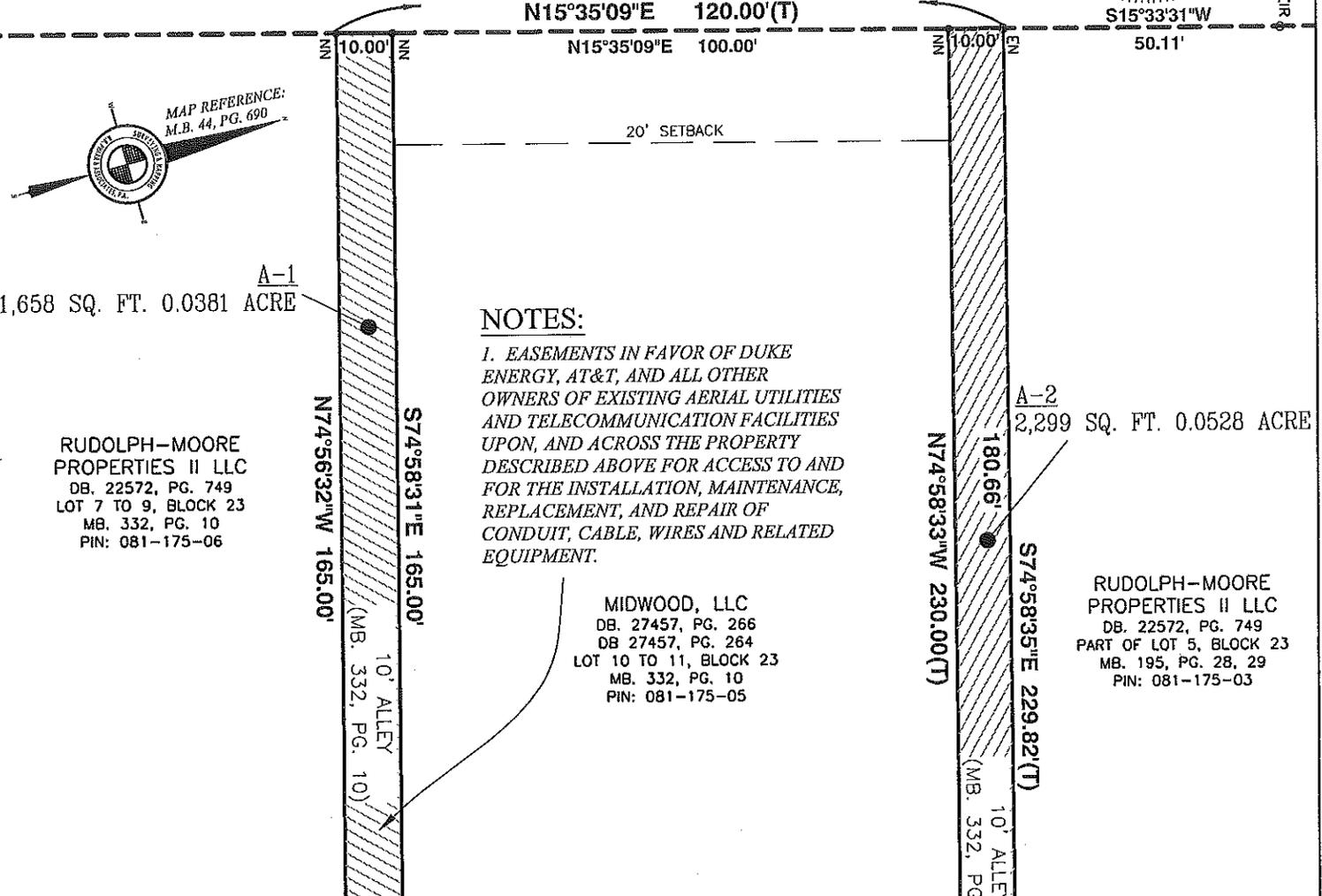
SIGNED *C. Clark Neilson*



CLEMENT AVENUE  
(50' PUBLIC R/W)  
(MB. 44, PG. 690)



VICINITY MAP - NTS



NOTES:

1. EASEMENTS IN FAVOR OF DUKE ENERGY, AT&T, AND ALL OTHER OWNERS OF EXISTING AERIAL UTILITIES AND TELECOMMUNICATION FACILITIES UPON, AND ACROSS THE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE, WIRES AND RELATED EQUIPMENT.

MIDWOOD, LLC  
DB. 27457, PG. 266  
DB 27457, PG. 264  
LOT 10 TO 11, BLOCK 23  
MB. 332, PG. 10  
PIN: 081-175-05

RUDOLPH-MOORE PROPERTIES II LLC  
DB. 22572, PG. 749  
PART OF LOT 5, BLOCK 23  
MB. 195, PG. 28, 29  
PIN: 081-175-03

RUDOLPH-MOORE PROPERTIES II LLC  
DB. 22572, PG. 749  
LOT 7 TO 9, BLOCK 23  
MB. 332, PG. 10  
PIN: 081-175-06

1,658 SQ. FT. 0.0381 ACRE

2,299 SQ. FT. 0.0528 ACRE

EXHIBIT B-1

That certain 10 foot Alley, lying and being in the City of Charlotte, County of Mecklenburg, State of North Carolina and being more particularly described as follows:

BEGINNING at a point on the easterly margin of Clement Avenue (50 foot public right-of-way), said point also being the northwest corner of the Rudolph-Moore Properties II LLC property as described in Deed Book 22572, Page 749, Mecklenburg County Registry; Thence with the said easterly margin of Clement Avenue North  $15^{\circ}35'09''$  East a distance of 10.00 feet to a point, said point being the southwest corner of the Midwood LLC property as described in Deed Book 27457, Pages 264 and 266, Mecklenburg County Registry; Thence with the southerly line of said Midwood LLC property South  $74^{\circ}58'31''$  East a distance of 165.00 feet to a point; Thence South  $15^{\circ}33'51''$  West a distance of 10.10 feet to an existing iron rod, said point being the northeast corner of the said Rudolph-Moore Properties II LLC property; Thence with the northerly line of the said Rudolph-Moore Properties II LLC property North  $74^{\circ}56'32''$  West a distance of 165.00 feet to the point of BEGINNING;

having an area of 1,658 square feet or 0.0381 acre, as shown on a exhibit map entitled "A-1" prepared by R. B. Pharr & Associates, p.a. dated April 20, 2012 (Job No. 78123).

EXHIBIT B-2

That certain 10 foot Alley, lying and being in the City of Charlotte, County of Mecklenburg, State of North Carolina and being more particularly described as follows:

BEGINNING at a point on the easterly margin of Clement Avenue (50 foot public right-of-way), said point also being the northwest corner of the Midwood LLC property as described in Deed Book 27457, Page 264 and 266, Mecklenburg County Registry; Thence with the said easterly margin of Clement Avenue North 15°35'09" East a distance of 10.00 feet to a point being the southwest corner of the Rudolph-Moore Properties II LLC property as described in Deed Book 22572; Page 749, Mecklenburg County Registry; Thence with the southerly line of said Rudolph-Moore Properties II LLC property and continuing with the southerly line of the Chris Walldorf and Alexia Walldorf property as described in Deed Book 27443, Page 788, Mecklenburg County Registry South 74°58'35" East a distance of 229.82 feet; Thence South 14°32'16" West a distance of 10.00 feet to a point being the southeasterly corner of aforesaid Midwood LLC property; Thence with the northerly line of said Midwood LLC property North 74°58'31" West a distance of 230.00 feet to the point of BEGINNING;

having an area of 2,299 square feet or 0.0528 acre, as shown on a exhibit map entitled "A-2" prepared by R. B. Pharr & Associates, p.a. dated April 20, 2012 (Job No. 78123).

RESOLUTION CLOSING A RESIDUAL PORTION OF E. 12<sup>TH</sup> STREET AND N. CALDWELL STREET 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 residual portion of E. 12<sup>th</sup> Street and N. Caldwell 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 residual portion of E. 12<sup>th</sup> Street and N. Caldwell Street to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to Charlotte-Mecklenburg Utilities, Charlotte Department of Transportation, Duke Energy, AT&T, and all other owners of existing underground and telecommunications utilities to maintain their facilities as shown on the attached map marked Exhibit A; and,

WHEREAS, the public hearing was held on the 10<sup>th</sup> day of December, 2012, and City Council determined that the closing of a residual portion of E. 12<sup>th</sup> Street and N. Caldwell 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 his or its property.

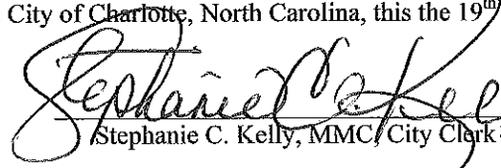
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of December 10, 2012, that the Council hereby orders the closing of a residual portion of E. 12<sup>th</sup> Street and N. Caldwell Street in the City of Charlotte Mecklenburg 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", both of which are attached hereto and made a part hereof.

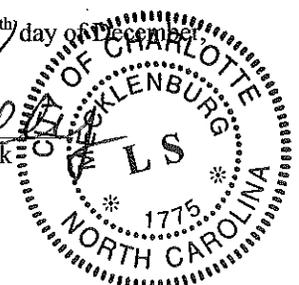
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

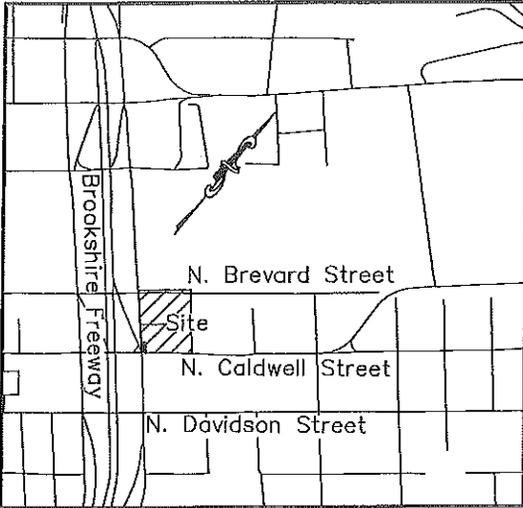
**CERTIFICATION**

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 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Pages (91-93).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December 2012.

  
Stephanie C. Kelly, MMC City Clerk





Vicinity Map - Not to Scale

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	45.00'	39.44'	38.19'	S 69°19'45" E
C2	45.00'	22.39'	22.16'	N 71°18'19" E

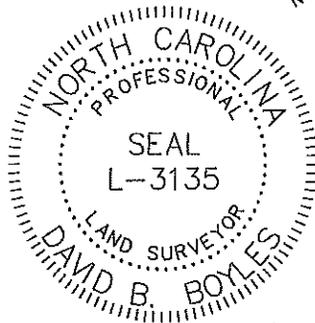
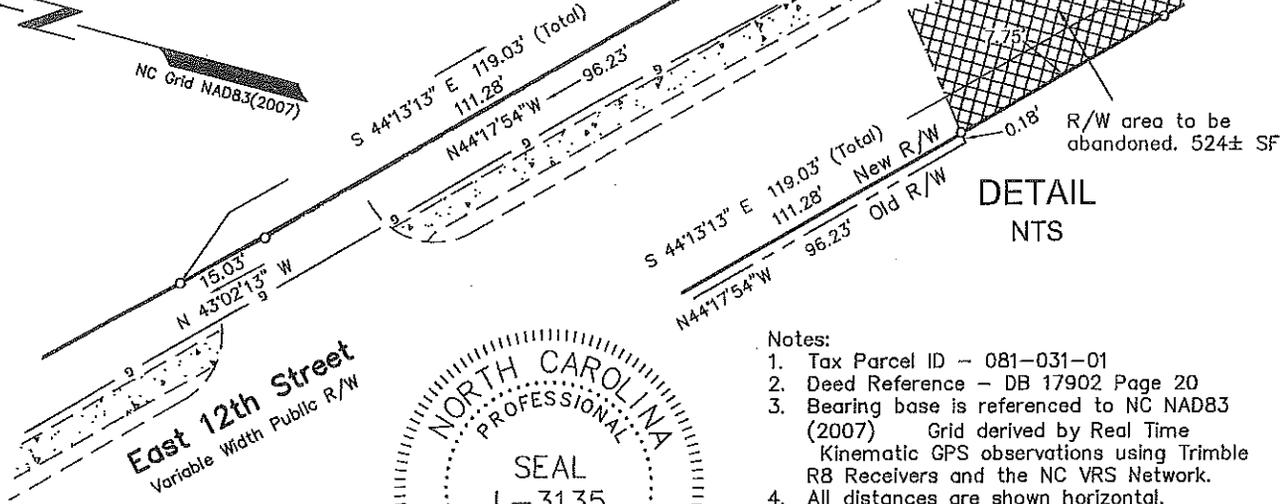
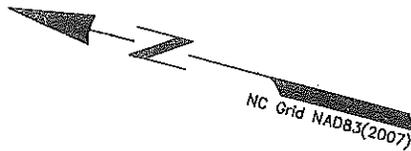
**Legend**

- EIR Existing Iron Rod
- PT Calculated Point
- R/W Right-of-Way
- N/F Now or Formerly
- DB Deed Book
- MB Map Book

08103101  
Housing Authority of The City of  
Charlotte, NC  
now or formerly  
Deed Book 17902-20  
±1.994 Acres

Existing Iron Pin  
Grid Coords.  
N: 543,744.95  
E: 1,453,419.03

NCGS Monument  
"Seigle"  
N: 542,524.60  
E: 1,455,413.70  
CGF: 0.99984422



**Notes:**

1. Tax Parcel ID - 081-031-01
2. Deed Reference - DB 17902 Page 20
3. Bearing base is referenced to NC NAD83 (2007) Grid derived by Real Time Kinematic GPS observations using Trimble R8 Receivers and the NC VRS Network.
4. All distances are shown horizontal.
5. Grid distance = Horizontal distance x Combined Grid Factor (0.99984422)
6. Area of R/W to be Abandoned - 524 sf.

**Existing Utility Note**

Easement in favor of Charlotte Department of Transportation, Charlotte-Mecklenburg Utilities, Duke Energy, AT&T and all other owners of existing underground utilities and telecommunication facilities, upon, under, and across the entire property described above for access to and for the installation, maintenance, replacement, and repair of conduit, cable, wires, water lines, sewer lines, gas mains and related equipment.

I, David B. Boyles, certify that this map was drawn under my supervision from an actual survey made under my supervision; that the boundaries not surveyed are indicated as drawn from information in Book See Map, page See Map; that the ratio of precision is 1:10,000±; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600).

This 18th day of October, 2012

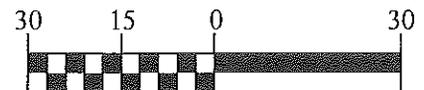
**LDSI**

Phone: (704) 337-8329  
Fax: (704) 376-2448  
508 West 5th St., Suite 125  
Charlotte, NC 28202  
License No.: C-1925

**R/W Abandonment  
12th Street & Caldwell Street**

Mecklenburg County, North Carolina

Current Owner: Housing Authority of the City of Charlotte  
Deed Reference: DB 17902 PG 20



**Exhibit B**

Commencing at North Carolina Geodetic Survey Monument "Seigle", with North Carolina Grid Coordinates of N: 542,524.60 & E: 1,455,413.70, THENCE N 58°32'29" W a grid distance of 2338.37' to an existing #3 iron pin with North Carolina Grid Coordinates of N: 543,744.95 & E: 1,453,419.03, the POINT OF BEGINNING of the right-of-way to be abandoned along East 12<sup>th</sup> Street, Charlotte, North Carolina; thence S 50°39'59" W a distance of 17.25' to a new point on the right-of-way of East 12<sup>th</sup> Street; thence a new line S 44°13'13" E a distance of 7.75' to a new #5 iron pin; thence a new line with a curve turning to the left with an arc length of 39.44', with a radius of 45.00', with a chord bearing of S 69°19'45" E, with a chord length of 38.19' to a new #5 iron pin on the existing right-of-way of East 12<sup>th</sup> Street; thence N 42°50'45" W a distance of 40.88' to the POINT OF BEGINNING, having an area of 524+/- square feet or 0.012+/- acres.

8/08/2012  
NORTH CAROLINA  
PROFESSIONAL  
SEAL  
L-3195  
LAND SURVEYOR  
DAVID B. BOYLES  
*David B. Boyles*

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF  
CHARLOTTE, NORTH CAROLINA ON DECEMBER 10, 2012**

A motion was made by Councilmember Cannon and seconded by Councilmember Kinsey 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 NCDOT to manage the North Carolina Railroad Double Track Project with the Charlotte Corporate Limits: and,

WHEREAS, The Municipal Agreement provides for the City to reimburse NCDOT up to \$8,100,000; and,

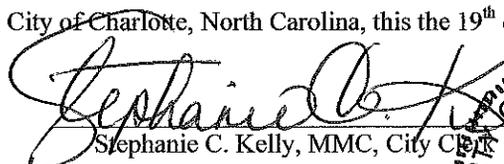
WHEREAS, The format and cost sharing philosophy is consistent with past municipal agreements; and,

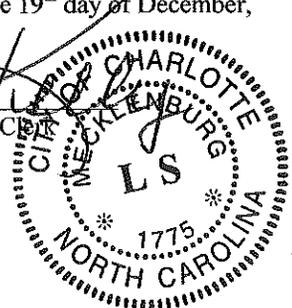
NOW, THEREFORE, BE IT RESOLVED that this resolution authorizing the Director of the City of Charlotte Department of Transportation to execute a municipal agreement with the NCDOT for the City to reimburse the NCDOT up to \$8,100,000 for the North Carolina Railroad Project, is hereby formally approved by the City Council of the City of Charlotte and the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the aforementioned groups.

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, Do HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page 94.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December, 2012.

  
Stephanie C. Kelly, MMC, City Clerk



**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF  
CHARLOTTE, NORTH CAROLINA ON DECEMBER 10, 2012**

A motion was made by Councilmember Cannon and seconded by Councilmember Kinsey 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 the signalization of the intersection of I-85 Northbound Ramp and Mallard Creek Church Road; and,

WHEREAS, the Municipal Agreement provides for reimbursement not to exceed \$125,500 of the total cost of the project; and,

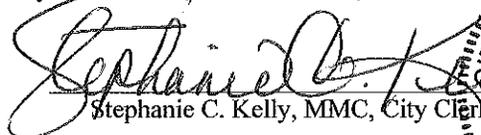
WHEREAS, the format and cost sharing philosophy is consistent with past Municipal Agreements; and,

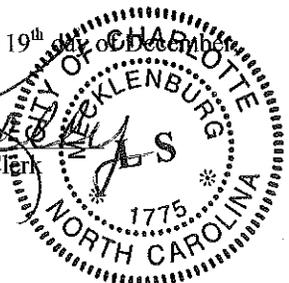
NOW, THEREFORE, BE IT RESOLVED that this resolution authorizing the Director of the Charlotte Department of Transportation (Transportation) to execute a municipal agreement with the NCDOT for NCDOT to reimburse the City up to \$125,500 for the signalization of the intersection of I-85 Northbound Ramp and Mallard Creek Church Road, is hereby formally approved by the City Council of the City of Charlotte and the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the aforementioned groups.

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, Do HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page 95.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December 2012.

  
Stephanie C. Kelly, MMC, City Clerk



RESOLUTION PASSED BY THE CITY COUNCIL  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON DECEMBER 10, 2012

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

WHEREAS, the Municipality will reimburse NCDOT for the relocation and adjustment of municipally-owned water and sewer lines along US 74 from Albemarle Road to Idlewild Road, and,

WHEREAS, the Utility Department will reimburse NCDOT for actual costs not to exceed \$4,750,803; and

WHEREAS, the Utility Department has programmed funding for said Water and Sewer Construction under Project U-0209B; and,

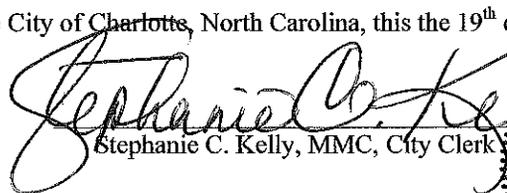
WHEREAS, under the proposed Agreement and subject to the Agreement provisions, the Municipality shall reimburse the Department for actual construction costs at the conclusion of the project.

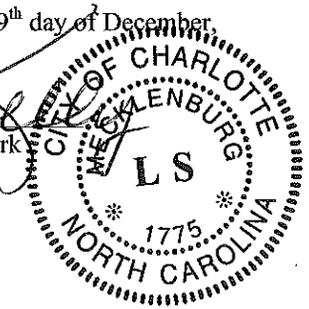
NOW, THEREFORE, BE IT RESOLVED that the Municipal Agreement between the North Carolina Department of Transportation and the City of Charlotte Department of Transportation, is hereby formally approved by the City Council of the City of Charlotte and the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

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 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page 96.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December, 2012.

  
Stephanie C. Kelly, MMC, City Clerk



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE ADOPTING AND APPROVING THE EXCHANGE OF LAND RIGHTS IN THE LYNX RAIL CORRIDOR WITH H. B. REAL ESTATE INVESTMENTS, LLC (OR ITS SUCCESSORS AND ASSIGNS).**

WHEREAS, the City of Charlotte (the "City") purchased the 130-foot wide Charter right-of-way, formerly owned by the Norfolk Southern Railroad; and

WHEREAS, in 2005, the City, through the action of its Council, adopted the South End Transit Station Area Plan to guide the development along the buffer area of the right-of-way; and

WHEREAS, staff is working with H. B. Real Estate Investments, LLC regarding property adjacent to the right-of-way having tax I. D. numbers 12103104 and 12103105; and

WHEREAS, the buffer area in the right-of-way in which Stiles Corporation is interested lies outside of that portion of the right-of-way used for public transit; and

WHEREAS, in order to proceed with the development of the for mentioned property, the City of Charlotte agrees to exchange property rights for full and fair compensation, as provided by the North Carolina General Statutes; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, as follows:

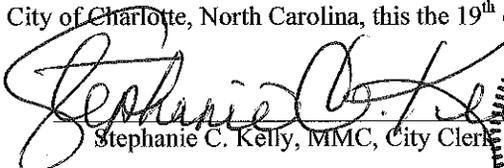
- A. The City shall receive from Stiles Corporation (or its successors and assigns), the following, which is a full and fair compensation for the exchange of property rights:
  1. "Fee" title and rights to approximately 19,000 square feet of underlying fee simple interest that will remain in use as part of the rail corridor.
  2. Installation of streetscape improvements including decorative fence, new multi-use path/sidewalk, planting strips, irrigation and pedestrian lights to enhance rail corridor.
  3. Maintenance of the streetscape improvements.
- B. The City shall release its charter rights to approximately 6,800 square feet for use by H. B. Real Estate Investments, LLC (or their successors and assigns) and shall grant easement and license agreements as needed to H. B. Real Estate Investments, LLC (or its successors and assigns) in order to construct and maintain future improvements.

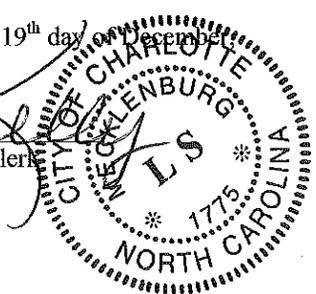
FURTHER RESOLVED, that the City Council for the City of Charlotte authorizes the City Manager (or his designee) to execute the necessary legal documents to complete the exchange of the land rights between the City and H. B. Real Estate Investments, LLC, or its successors and assigns,

**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 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page 97.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December, 2012.

  
Stephanie C. Kelly, MMC, City Clerk



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE ADOPTING AND APPROVING THE EXCHANGE OF LAND RIGHTS IN THE LYNX RAIL CORRIDOR WITH CAMDEN/FUND SOUTHLINE, LLC (OR ITS SUCCESSORS AND ASSIGNS).**

WHEREAS, the City of Charlotte (the "City") purchased the 130-foot wide Charter right-of-way, formerly owned by the Norfolk Southern Railroad; and

WHEREAS, in 2005, the City, through the action of its Council, adopted the South End Transit Station Area Plan to guide the development along the buffer area of the Right of Way; and

WHEREAS, staff is working with Camden/Fund Southline, LLC (the "Developer") regarding property adjacent to the right-of-way having tax I. D. numbers 12104120 and 12103103; and

WHEREAS, the buffer area in the right-of-way in which the Developer is interested lies outside of that portion of the right-of-way used for public transit; and

WHEREAS, in order to proceed with the development of the for mentioned property, the City of Charlotte agrees to exchange property rights for a full and fair compensation, as provided by the North Carolina General Statutes; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, as follows:

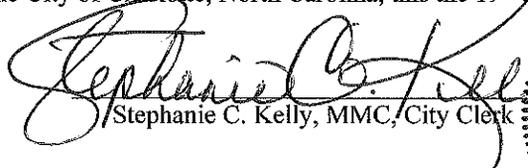
- A. The City shall receive from the Developer (or its successors and assigns), the following, which is a full and fair compensation for the exchange of property rights:
  1. "Fee" title and rights to approx. 15,000 square feet of underlying fee simple interest that will remain in use as part of the rail corridor.
  2. Installation of streetscape improvements including decorative fence, new multi-use path/sidewalk, benches, planting strips, irrigation and pedestrian lights to enhance rail corridor.
  3. Maintenance of the streetscape improvements.
- B. The City shall release its charter rights to approximately 5,300 square feet for use by the Developer (or its successors and assigns) and shall grant easement and license agreements as needed to the Developer (or its successors and assigns) in order to construct and maintain future improvements.

FURTHER RESOLVED, that the City Council for the City of Charlotte authorizes the City Manager (or his designee) to execute the necessary legal documents to complete the exchange of the land rights between the City and the Developer, or its successors and assigns

**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 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page 98.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December, 2012.

  
Stephanie C. Kelly, MMC, City Clerk



RESOLUTION AUTHORIZING SALE OF PROPERTY AT 5335 LILA WOOD  
CIRCLE BY UPSET BID

---

WHEREAS, the City of Charlotte owns a .397-acre property more particularly identified as being Tax Parcel Number 175-113-40, located at 5335 Lila Wood Circle in Charlotte, Mecklenburg County, North Carolina (the "Property"); and

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

WHEREAS, the property was acquired for a capital project of the City which is now finished and the property is no longer needed by the City for any purpose; and

WHEREAS, the City received an offer to purchase the property described above in the amount of \$375,000, and a deposit in the amount of \$3,750, submitted by Mr. and Mrs. James Oliver Warren, III; and

WHEREAS, the offer was published on 11/16/2012 in a notice of sale by upset bid which included a description of the property, the amount of the offer, and the terms under which the offer might be upset; and

WHEREAS, the terms of the final sale are that Council must approve the sale; the property is being sold "as is, where is"; the buyer must pay cash at closing; and the property will be sold subject to the City's reservation of a 3,205 sewer easement across the property; and

WHEREAS, a ten-day period has passed without any qualifying upset bid having been received;

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

Sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269, and upon the terms as set forth in the public notice described above, is authorized; and

No qualifying upset bid having been received after the public notice, the offer described above is hereby accepted, and the Manager or his Designee is authorized to execute the Purchase Contract and such other documents necessary to complete the sale of the Property to Mr. and Mrs. James Oliver Warren, III in accordance with the terms and conditions as advertised.

THIS THE 10<sup>th</sup> DAY OF DECEMBER, 2012.

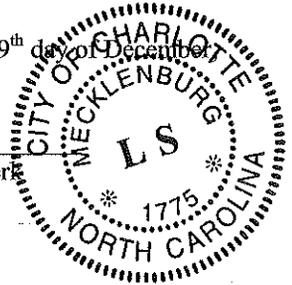
**CERTIFICATION**

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 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Pages (99-100).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December, 2012.

*Stephanie C. Kelly*

Stephanie C. Kelly, MMC, City Clerk



**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a residual portion Steele Creek Road in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, **Ms. Georgia Ann Freeman and LJW Land, LLC** has filed a petition to close a residual portion of Steele Creek Road in the City of Charlotte; and,

Whereas, a residual portion of Steele Creek Road begins approximately 440 feet north of Shopton Road West, continuing north for approximately 496 feet on the western most edge of the old Steele Creek alignment to its terminus, and consists of 17,364 square feet, as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and,

Whereas, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley.

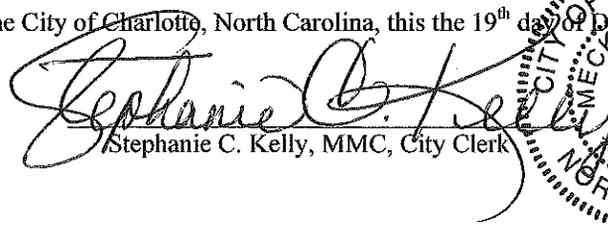
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of December 10, 2012, that it intends to close a residual portion of Steele Creek Road and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 14<sup>th</sup> day of January 2013, in CMGC meeting chamber, 600 East 4<sup>th</sup> Street, Charlotte, North Carolina.

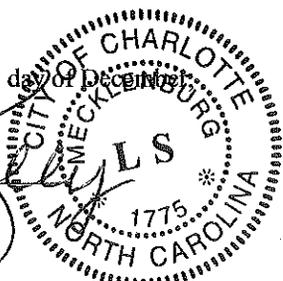
The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, Do HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page 101.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December, 2012.

  
Stephanie C. Kelly, MMC, City Clerk



**A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES**

Reference is made to the schedule of "Taxpayers and Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

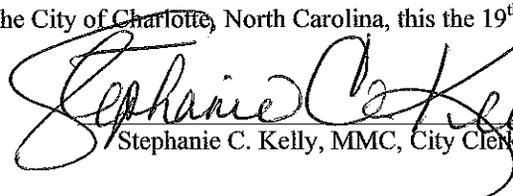
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.
3. The amounts listed on the schedule were collected through either a clerical or assessor error.

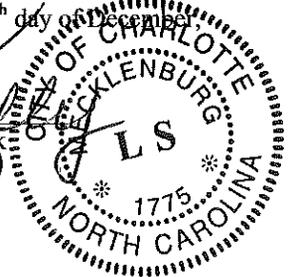
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 10th day of December 2012 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this 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 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Pages (102-103).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December 2012.

  
Stephanie C. Kelly, MMC, City Clerk



## Property Tax Refund Requests

ARMSTRONG, FRED M	\$ 93.47
AUGEROT, WILLIAM J	1,801.91
CASSADA, GARLAND S	139.72
HARRILL, MARTHA PAULA	276.86
HILL, TRACY MADISON	34.70
JOHNSON, LESLIE H	45.00
KEMP, LOUIS WILLIAM III	138.09
MINTON, MORRIS	297.19
MINTON, MORRIS	309.34
MYERS PARK COUNTRY CLUB INC	1,158.71
NEWDOMINION BANK	1,353.39
OLIVER, BRENDA HOLCOMB	31.86
SUTHERLAND, FREDERICK SCOTT	283.77
TAX ADVANTAGE PROPERTY SERVICE	3,182.24
WELLS FARGO HOME MORTGAGE	136.21
WELLS FARGO HOME MORTGAGE	136.21
WINIGER, HANS	173.45
YFP LLC .	2,875.33
	\$ 12,467.45

**A RESOLUTION AUTHORIZING THE REFUND OF  
CERTAIN BUSINESS PRIVILEGE LICENSES**

Reference is made to the schedule of "Business Privilege License Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

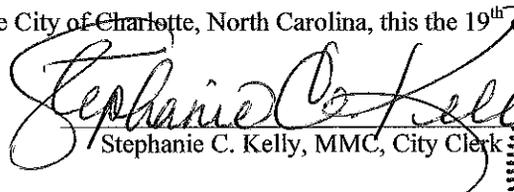
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.
3. The amounts listed on the schedule were collected through either a clerical or assessor error.

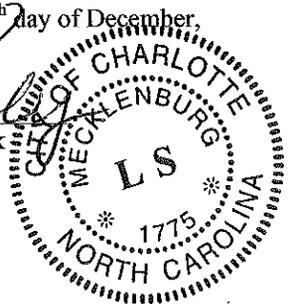
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 10th day of December 2012 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, Do HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Pages (104-105).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December, 2012.

  
Stephanie C. Kelly, MMC, City Clerk



### **Business Privilege License Tax Requests**

Commercial Industrial Products Co, Inc	\$ 102.50
Siser USA, LLC	100.00
Southeast Commercial Corp	221.28
Jewell Treats	162.50
Philosophers Stone	341.22
Hale Trailer Brake & Wheel, Inc	546.85
Walkers Exxon Express -- BBI Enterprise, Inc	298.12

\$ 1,772.47

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 **FIRE STATION #5 EXPANSION 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 **FIRE STATION #5 EXPANSION PROJECT** and estimated to be **4,898 square feet (.112 acre) of fee-simple area**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 071-017-05; said property currently owned by **228 HEIGHTS ASSOCIATES, LLC; BRANCH BANKING AND TRUST COMPANY, Beneficiary; CITY OF CHARLOTTE, Lienholder; NEW DOMINION BANK, Judgment Creditor**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

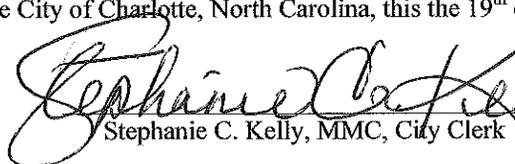
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

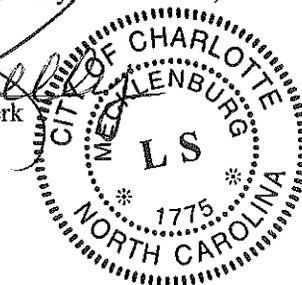
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, Do HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page 106.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December, 2012.

  
Stephanie C. Kelly, MMC, 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-PHASE 2 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 **BEATTIES FORD ROAD WIDENING-PHASE 2 PROJECT** and estimated to be **11,380 square feet (.261 acre) of fee-simple area; 10,415 square feet (.239 acre) of fee-simple area within existing right-of-way; 336 square feet (.008 acre) of storm drainage easement; 11,563 square feet (.265 acre) of temporary construction easement; 86 square feet (.002 acre) of utility easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 041-221-08; said property currently owned by **SHO PROPERTIES, INC.**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

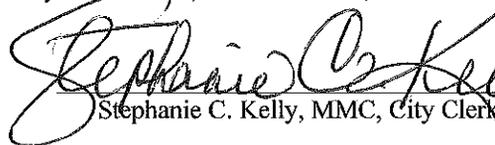
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

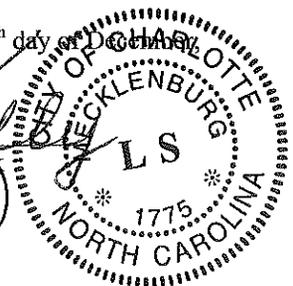
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, Do HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page 107.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December, 2012.

  
Stephanie C. Kelly, MMC, 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-PHASE 2 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 **BEATTIES FORD ROAD WIDENING-PHASE 2 PROJECT** and estimated to be **4,957 square feet (.114 acre) of fee-simple area; 12,052 square feet (.277 acre) of fee-simple area within existing right-of-way; 397 square feet (.009 acre) of storm drainage easement and 7,395 square feet (.17 acre) of 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.: 037-372-06; said property currently owned by **JAMES H. PRICE and spouse, if any**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

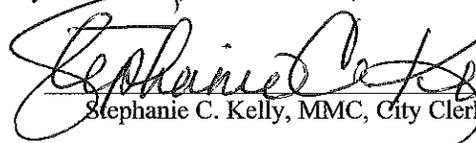
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

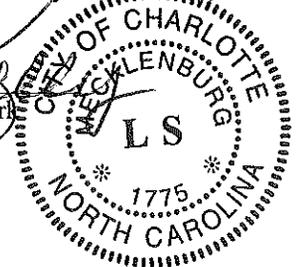
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, Do HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page 108.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December, 2012.

  
Stephanie C. Kelly, MMC, 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-PHASE 2 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 **BEATTIES FORD ROAD WIDENING-PHASE 2 PROJECT** and estimated to be **1,250 square feet (.029 acre) of fee-simple area; 1,352 square feet (.031 acre) of storm drainage easement; 1,449 square feet (.033 acre) of slope easement; 5,430 square feet (.125 acre) of temporary construction easement, and 108 square feet (.002 acre) of utility easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel Nos.: 041-081-11 and 041-081-10; said property currently owned by **MINISTERIO INTERNACIONAL LIRIO DE LOS VALLES; MECKLENBURG COUNTY TAX COLLECTOR; BONDHOLDERS OF IGLESIA PENTECOSTAL LIRIOS DE LOS VALLES, Beneficiary**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

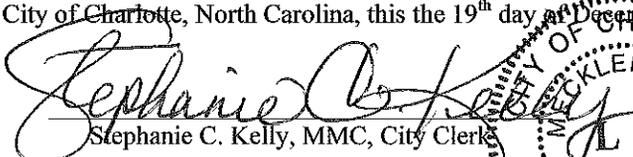
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

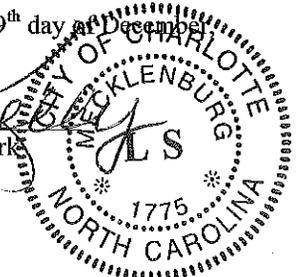
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, Do HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page 109.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December, 2012.

  
Stephanie C. Kelly, MMC, 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 **BLUE LINE EXTENSION 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 **BLUE LINE EXTENSION PROJECT** and estimated to be **7,545 square feet (.173 acre) of fee-simple area; 10,121 square feet (.232 acre) of fee-simple area within existing right-of-way; 7,234 square feet (.166 acre) of temporary construction easement, and 1,757 square feet (.04 acre) of utility easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel Nos.: 091-112-29; 091-112-30; 091-112-32 and 091-112-42; said property currently owned by **HERRIN BROTHERS COAL AND ICE COMPANY; MECKLENBURG COUNTY TAX COLLECTOR; NORTH CAROLINA DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES, Judgment Creditor**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

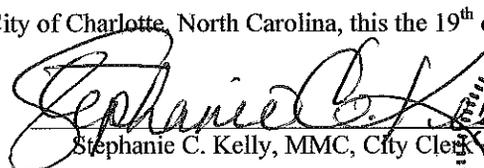
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

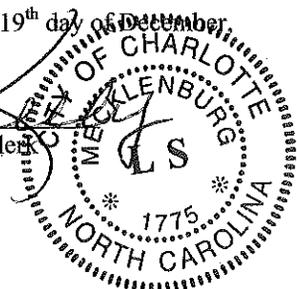
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, Do HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page 110.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December, 2012.

  
Stephanie C. Kelly, MMC, 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 **SHAMROCK GARDENS NEIGHBORHOOD IMPROVEMENT 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 **SHAMROCK GARDENS NEIGHBORHOOD IMPROVEMENT PROJECT** and estimated to be **404 square feet (.009 acre) of storm drainage easement and 1,024 square feet (.024 acre) of 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.: 093-086-08, said property currently owned by **W. D. AUSTIN, JR. and wife, INGA-LISA AUSTIN; BANK OF AMERICA, N. A., Beneficiary**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

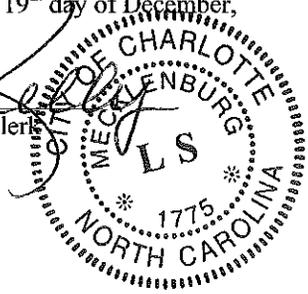
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, Do HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page 114.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December, 2012.

  
Stephanie C. Kelly, MMC, 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 **STREETCAR STARTER PROJECT**;

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 **STREETCAR STARTER PROJECT** and estimated to be **1,846 square feet (.048 acre) in fee-simple area and 663 square feet (.015 acre) of 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.: 080-052-09, said property currently owned by **G. HOWARD WEBB, JR.; BETTY ANN MCCALL WEBB**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

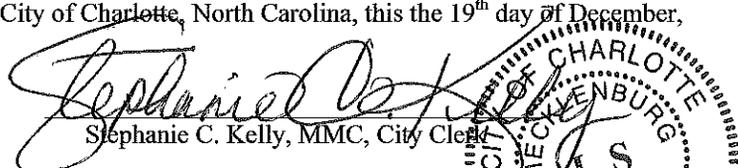
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

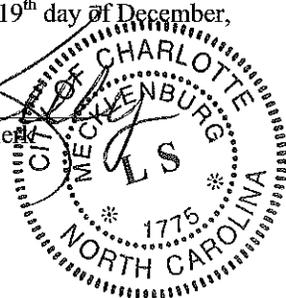
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, Do HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page 112.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19<sup>th</sup> day of December, 2012.

  
Stephanie C. Kelly, MMC, 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 **STREETCAR STARTER PROJECT**;

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 **STREETCAR STARTER PROJECT** and estimated to be **2,969 square feet (.068 acre) of fee-simple area, and 1,256 square feet (.029 acre) of 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.: 080-052-12, said property currently owned by **PREFERRED PARKING SERVICES, LLC; NEW AMERICANA INVESTMENTS, LLC**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

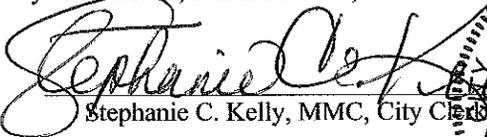
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, Do HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the city of Charlotte, North Carolina, in regular session convened on the 10<sup>th</sup> day December, 2012, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page 113.

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