

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE two alleyways bounded by Lasalle, Cummings, Augusta, and Custer Streets in the city of Charlotte, Mecklenburg county, North Carolina

Whereas, **Isaac Heard, Jr., AICP** has filed a petition to close **two alleyways bounded by Lasalle, Cummings, Augusta, and Custer Streets** in the city of Charlotte; and

Whereas, portions of the two alleyways bounded by Lasalle, Cummings, Augusta, and Custer Streets to be closed lies, alleyway 1: from Custer Street to Augusta Street, approximately 360 feet, alleyway 2: from Lasalle Street to Cummings Avenue, approximately 400 feet as shown in a map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B", both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

Whereas, the procedure for closing streets and alleys as outlined in North Carolina general statutes, Section 160A-299, requires that 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 and

Now, therefore, be it resolved, by the city council of the city of Charlotte, at its regularly scheduled session of February 22, 1999, that it intends to close **two alleyways bounded by Lasalle, Cummings, Augusta, and Custer Streets**, and that the said street (or portion thereof) being more particularly described on a map and by a metes ad bounds description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7:00pm on Monday, the 22nd day of March, 1999 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

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

CERTIFICATION

I, Nancy S. Gilbert, Dep. 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 22nd day of February 1999, the reference having been made in minute book 113, and recorded in full in Resolution Book 35, page(s) 479.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of February, 1999.



Nancy S. Gilbert, CMC, Deputy City Clerk

PRELIMINARY ASSESSMENT RESOLUTION TO ASSESS CURB AND GUTTER IMPROVEMENTS TO THE WILLIAMSBURG NEIGHBORHOOD; PETITION SW98-01 IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, the North Carolina General Statutes, Article 10, Section 160A-216, et seq., allows cities to make special assessments against benefited properties for improvements thereto, including storm sewers, drainage systems, and curb and gutter, and the City Council is authorized to order the improvements requested herein and levy assessments thereof in accordance with the several provisions of said law; and

WHEREAS, the City Engineering Department has funded and planned a flood control project ("City's Project") to improve the existing roadway drainage system in the Williamsburg Neighborhood; and

WHEREAS, 74.73% of the property owners in the Williamsburg Neighborhood whose properties abut directly upon streets currently lacking curb and gutter have presented a valid petition to City Council requesting an upgrade to the City's Project, where this upgrade includes the installation of curb and gutter and associated drainage infrastructure as well as regrading, reconstruction, and alteration of existing roadway features to accommodate the new curb and gutter; and

WHEREAS, the location of the proposed improvements include all portions of City maintained roadway within the boundaries of the Williamsburg Neighborhood as shown on Exhibit A, which do not currently have curb and gutter; and

WHEREAS, the total cost of the project, including the requested improvements for curb and gutter is estimated to be \$1,913,000, and of this amount \$853,000 (44.6%) represents the estimated cost of the curb and gutter improvements; and

WHEREAS, the assessment amount for each individual property is based upon a combination of footage of frontage and lot size (distributed as a percentage of these two bases of 28% and 72% respectively), and will not exceed the amount shown as the maximum assessment on the Williamsburg Petition Signature Sheets, so that if final construction cost is less than the amount estimated, the assessment amount will be adjusted downward; and

WHEREAS, payment of the special assessments may be made in full within thirty (30) days of the date the Assessment Roll has been confirmed by Council, or in not more than ten (10) annual installments bearing interest of eight (8) percent annually, the first installment of which shall become due and payable sixty (60) days after the date the assessment roll has been confirmed by Council, and one subsequent installment and interest shall be due and payable on the same day of the month in each successive year until the assessment is paid in full;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Charlotte, North Carolina does intend to fund the property owners' cost of curb and gutter improvements in the

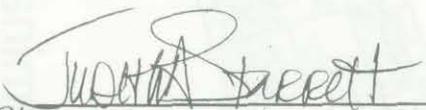
Williamsburg Neighborhood by a private contractor on the assessment basis and pursuant to the procedure specified herein, and as required by statute does hereby set a public hearing on this Preliminary Assessment Resolution for 7:00 p.m., March 22, 1999, in the Meeting Chamber of the Charlotte-Mecklenburg Government Center (600 East Fourth St., Charlotte NC), and does hereby instruct the City Clerk to cause to be published at least ten (10) days prior to the date of the hearing in a newspaper of general circulation in the City a notice that this Preliminary Assessment Resolution has been adopted, and that a public hearing on it will be held at the time and place specified herein. The Engineering & Property Management Project Manager is hereby instructed to mail or cause to be mailed a copy of this Preliminary Assessment Resolution by first-class mail to each property owner abutting the proposed project as shown on the County tax records, at least ten (10) days before the date set for the public hearing, and further, to certify to the City Clerk that the resolutions were mailed by first-class mail, and the date on which they were mailed. The Engineering & Property Management Project Manager is hereby instructed to transmit a copy of this resolution along with a list of the effected properties and property owners to the Charlotte-Mecklenburg Tax Collector for inclusion in the assessment book.

Adopted on February 22, 1999



Deputy City Clerk
Nancy S. Gilbert, CMC

Approved as to form:


Asst. City Attorney

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of February, 1999.


Nancy S. Gilbert, CMC, Deputy City Clerk

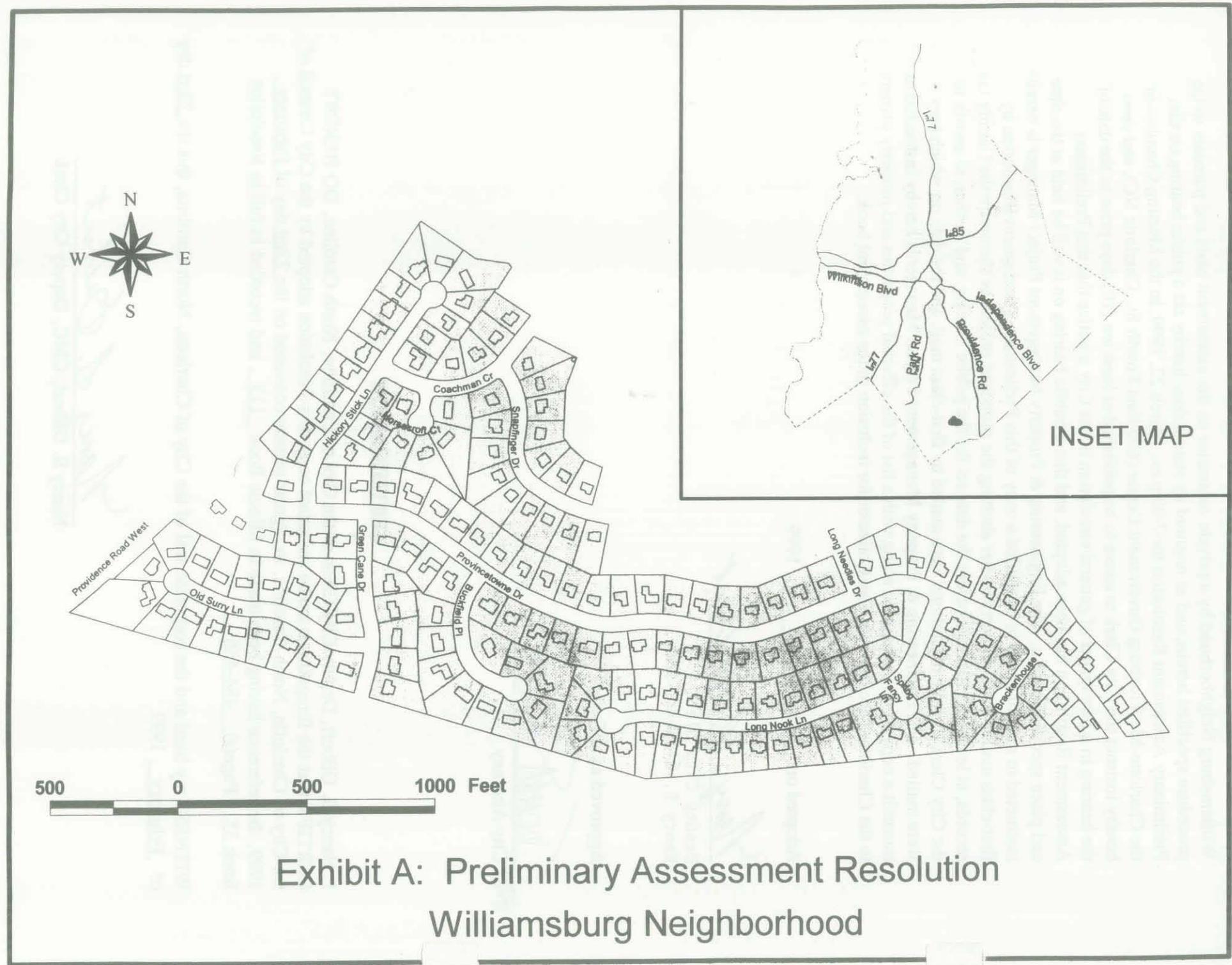


Exhibit A: Preliminary Assessment Resolution
Williamsburg Neighborhood

Charlotte City Council

Resolution Authorizing Sale of Surplus Personal Property To Another Governmental Unit

Whereas, North Carolina General Statutes 160A-274 authorizes the City to sell personal property belonging to the City of Charlotte to another governmental agency by private sale upon adoption of a resolution by the City of Charlotte Council Members to dispose of the property; and,

Whereas, City of Charlotte owns these nineteen (19) 1982 Flexible buses proposed for sale which were acquired in 1983 for city use,

Whereas, the buses are no longer in fleet service, and

Whereas, the City of Gastonia, North Carolina has offered to purchase two (2) of these buses at a price of \$1000.00 each, the City of Greensboro, North Carolina has offered to purchase thirteen (13) and the City of Wilmington, North Carolina has offered to purchase four (4) of these buses at a price of \$1000.00 each; and

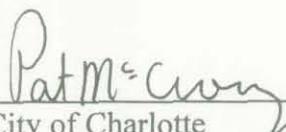
Whereas, the Charlotte City Manager has recommended that these buses be sold to the City of Gastonia, North Carolina, the City of Greensboro, North Carolina and the City of Wilmington at current market value. Now, therefore,

Be it resolved by the Charlotte City Council that the City Manager or her designee is authorized to sell at private sale to the City of Gastonia, North Carolina, the City of Greensboro, North Carolina and the City of Wilmington, North Carolina the surplus described on the attached "Exhibit" which is hereby declared to be surplus consisting of :

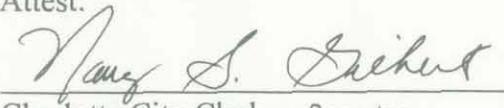
Nineteen (19) 1982 Flexible Buses

Said surplus property is to be sold in accordance with G.S. 160A-274 in compliance with City of Charlotte policies.

Adopted on this 22nd day of February, 1999.



Mayor, City of Charlotte
Pat McCrory

Attest:


Charlotte City Clerk , Deputy
Nancy S. Gilbert, CMC

EXHIBIT

SALE OF TRANSIT BUSES

<u>Charlotte Inventory Number</u>	<u>Vehicle Identification Number</u>	<u>Recommended Purchaser</u>
144	1GF4BA6KXCD094639	Gastonia
158	1GF4BA6K4CD094653	Gastonia
137	1GF4BA6K7CD094632	Greensboro
138	1GF4BA6K9CD094633	Greensboro
139	1GF4BA6K0CD094634	Greensboro
142	1GF4BA6K6CD094637	Greensboro
151	1GF4BA6K7CD094646	Greensboro
152	1GF4BA6K9CD094647	Greensboro
154	1GF4BA6K2CD094649	Greensboro
160	1GF4BA6K8CD094655	Greensboro
162	1GF4BA6K1CD094657	Greensboro
164	1GF4BA6K5CD094659	Greensboro
165	1GF4BA6K1CD094660	Greensboro
166	1GF4BA6K3CD094661	Greensboro
174	1GF4BA6K8CD094669	Greensboro
136	1GF4BA6K5CD094631	Wilmington
146	1GF4BA6K8CD094641	Wilmington
167	1GF4BA6K5CD094662	Wilmington
172	1GF4BA6K4CD094667	Wilmington

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 8th day of March, 1999.



Nancy S. Gilbert, CMC, Deputy 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 **BILLY GRAHAM/WILKINSON BOULEVARD 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 **BILLY GRAHAM/WILKINSON BOULEVARD PROJECT** and estimated to be approximately **14,834 square feet (0.34 acre) for permanent sidewalk, utility, and 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. 115-091-05 and 115-091-06, said property currently owned by **F. D. GODLEY NUMBER TWO, L.L.C.; JERONE C. HERRING, Trustee; BRANCH BANKING & TRUST COMPANY, Beneficiary**; or the owner's successor-in-interest.

ESTIMATED JUST COMPENSATION:

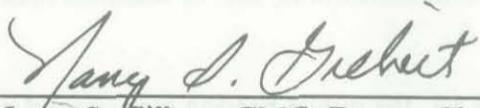
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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.

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of February, 1999.



Nancy S. Gilbert, CMC, Deputy City Clerk