

**Resolution of Charlotte City Council For Endorsement of Mecklenburg Livable Communities Plan Process**

**WHEREAS**, the City of Charlotte joined with other jurisdictions in Mecklenburg County and The Foundation For The Carolinas to prepare a Mecklenburg Livable Communities Plan ("the Plan"), intended to establish a common vision for the future of these communities and identify opportunities for collaborative action to help achieve that vision; and

**WHEREAS**, work has been underway throughout 2014, involving local governments, organizations, businesses, residents, and stakeholders throughout the County to prepare the 2015 Mecklenburg Livable Communities Plan; and

**WHEREAS**, the Plan articulates a community-wide Vision and set of Guiding Principles for broader Mecklenburg County, identifies specific strategies and actions to be pursued, identifies community partners to be engaged with implementation of the actions, and includes performance measures to monitor progress toward achievement of the stated actions, creating an actionable plan for helping to achieve the Vision;

**NOW, THEREFORE, BE IT RESOLVED** that the Charlotte City Council hereby endorses the 2015 Mecklenburg Livable Communities Plan Process.

Adopted this 23<sup>rd</sup> day of February, 2015.

APPROVED AS TO FORM:



Charlotte City Attorney

**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 23rd day of February, 2015 the reference having been made in Minute Book 138, and recorded in full in Resolution Book 46, Page(s) 535.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 23rd day of February, 2015.



Stephanie C. Kelly, MMC, NCCMC, 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:

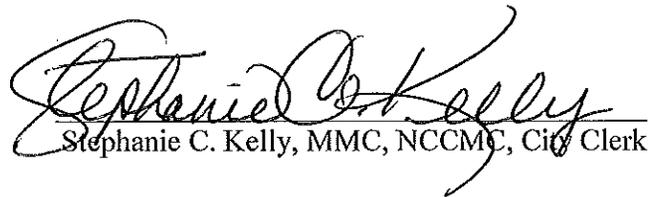
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time 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 23rd day of February 2015 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 23rd day of February, 2015 the reference having been made in Minute Book 138, and recorded in full in Resolution Book 46, Page(s) 536-537.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 23rd day of February, 2015.

  
Stephanie C. Kelly, MMC, NCCMC, City Clerk



**Property Tax Refund Requests**

BALCHUNAS, FRANCES	\$	361.17
BORUM, JOHN R, JR		583.34
CAMPAGNA, DANIEL SCOTT		78.13
CORNWELL, ERIC VINSON		218.29
COSMETIC & FAMILY DENTISTRY CENTER		1,740.16
JIMENEZ, ALBERTO PATINO		174.15
JORDAN, ALPHONSO		218.29
LAWLOR, SVETLANA R		100.77
MARTIN, THOMAS I		36.37
MARTIN, THOMAS I		422.28
MULLIS, VIRGINIA		9.18
MULLIS, VIRGINIA		8.74
MULLIS, VIRGINIA		9.37
PARSELL, ALICE G		283.29
SIRJANE, CHRISTOPHER W		378.51
SMITH, JEFFREY H		48.00
STIRLING, SUSAN A		659.28
TANNER, OLLIE M		221.93
US BANK N.A.-DISTRICT 5		52.41
	<b>\$</b>	<b>5,603.66</b>

**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:

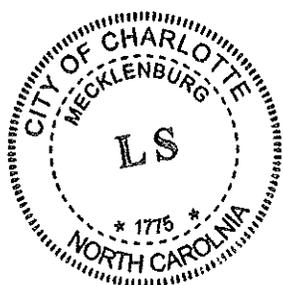
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

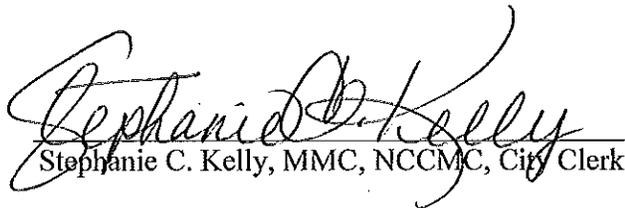
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 23rd day of February 2015 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule 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 23rd day of February, 2015 the reference having been made in Minute Book 138, and recorded in full in Resolution Book 46, Page(s) 538-539.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 23rd day of February, 2015.



  
Stephanie C. Kelly, MMC, NCCMC, City Clerk

**Business Privilege License Tax Refund Requests**

KUEHNE NAGEL INC	\$	10,000.00
YGM XTRIM CARPENTRY		62.50
DAT-A-SYST LLC		440.24
SINE TIME FLOOR CARE LLC		25.00
FRANKLIN FAST STOP- C AND D FRANKLIN, INC		81.25
ESSENTIALLY PERFECT		62.50
	<u>\$</u>	<u>10,671.49</u>

**RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE a portion of Woodard Street and Eli Street in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, **Laurel Street Residential** has filed a petition to close a portion of Woodard Street and Eli Street in the City of Charlotte; and

Whereas, a portion of Woodard Street is a 50-foot wide right-of-way that begins at its intersecting point with Baxter Street, continuing approximately 352 feet in a southeastward direction to its terminus at Eli Street, and consists of 17,319 square feet; and a portion of Eli Street begins at its intersecting point with Woodard Street as a 50-foot wide right-of-way curving in a northeastern direction for approximately 700 feet, while varying in width to its terminus at its intersecting point with Baxter Street, and consists of 22,799 square feet, as shown in the maps marked "Exhibit A-1, and A-2" and are more particularly described by metes and bounds in the documents marked "Exhibit B-1 and B-2" 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 February 23, 2015, that it intends to close a portion of Woodard Street and Eli Street 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 23<sup>rd</sup> day of March, 2015, 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 23rd day of February, 2015 the reference having been made in Minute Book 138, and recorded in full in Resolution Book 46, Page(s) 540-545.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 23rd day of February, 2015.



*Stephanie C. Kelly*  
Stephanie C. Kelly, MMC, NCCMC, City Clerk

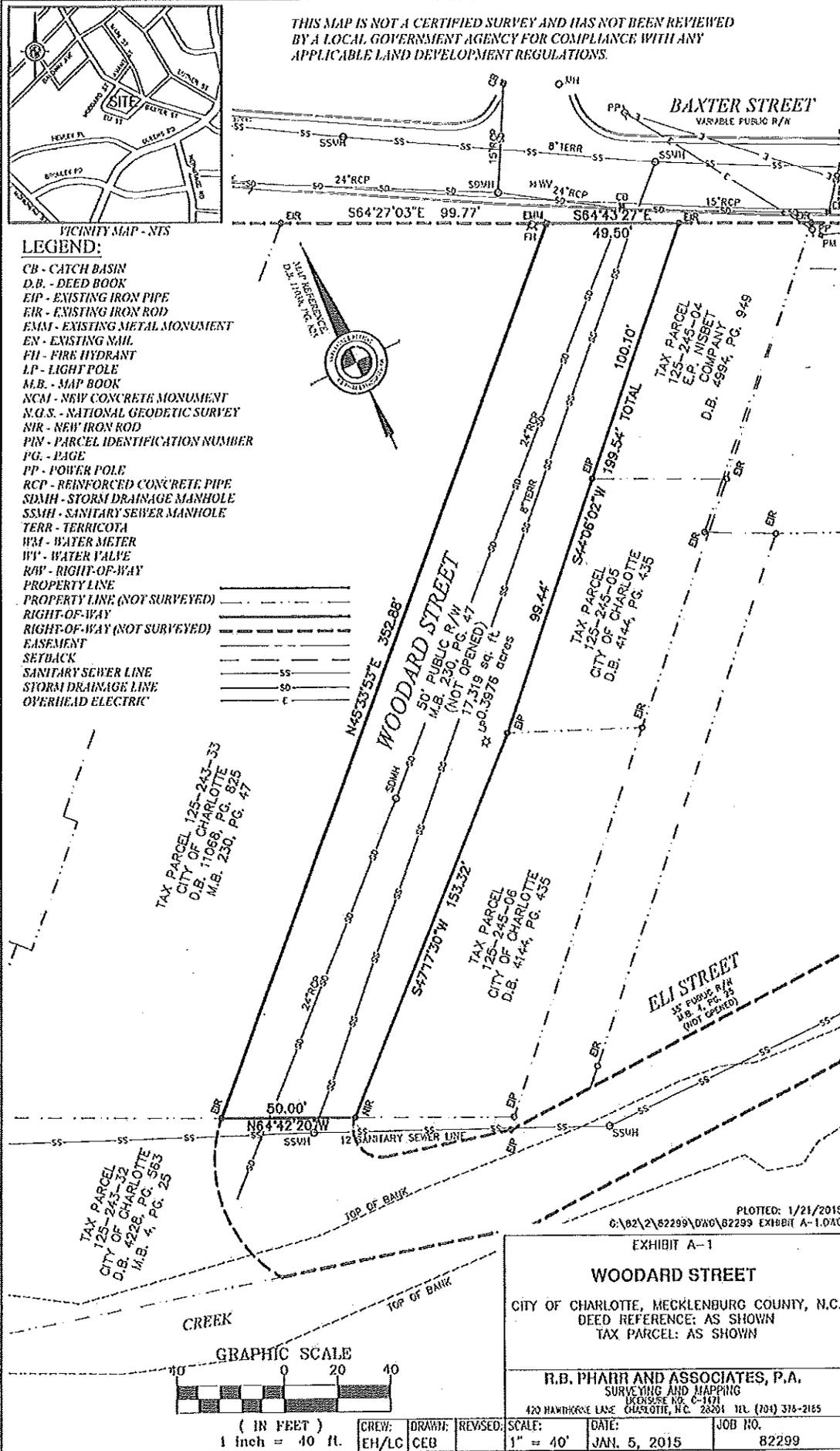




Exhibit B-1

Being that certain parcel of land lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron rod located at the intersection of the southern margin of the right of way of Baxter Street (a variable width public right of way) and the eastern margin of the right of way of Woodard Street (a 50 ft unopened public right of way), said iron rod also being located at the northwest corner of the E.P. Nisbet Company Property as described in Deed Book 4994, Page 949 of the Mecklenburg County Registry; thence with the aforesaid E.P. Nisbet Company Property and with the City of Charlotte Property as described in Deed Book 4144, Page 435 S 44°06'02" W crossing an existing iron pipe at a distance of 100.10 feet for a total distance of 199.54 feet to an existing iron pipe, said iron pipe being located at a northwest corner of the aforesaid City of Charlotte Property; thence continuing with the aforesaid City of Charlotte Property S 47°17'30" W a distance of 153.32 feet to a new iron rod; thence with the terminus of the right of way of Woodard Street and Eli Street (a 35' unopened public right of way) N 64°42'20" W a distance of 50.00 feet to an existing iron rod, said iron rod being located at a southern corner of the City of Charlotte Property as described in Deed Book 11068, Page 825 of the Mecklenburg County Registry; thence with the aforesaid City of Charlotte Property N 45°33'53" E a distance of 352.88 feet to an existing metal monument, said metal monument being located on the southern margin of the right of way of Baxter Street; thence with the southern margin of the right of way of Baxter Street S 64°43'27" E a distance of 49.50 feet to the point and place of beginning. Containing 17,319 sq. ft, (0.3976 acres) according to a survey by R.B. Pharr & Associates, P.A. dated January 5, 2015. Job No. 82299

Exhibit B-2

Being that certain parcel of land lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron rod located at the intersection of the southern margin of the right of way of Baxter Street (a variable width public right of way) and the southeastern margin of the right of way of Eli Street (a 35 ft unopened public right of way), said iron rod also being located at a northern corner of the E.P. Nisbet Company Property as described in Deed Book 1555, Page 147 of the Mecklenburg County Registry; thence with the aforesaid E.P. Nisbet Company Property S 44°55'46" W a distance of 237.42 feet to a calculated point, said point being located in a northern line of the E.P. Nisbet Company Property as described in Deed Book 7328, Page 591 of the Mecklenburg County Registry; thence with the aforesaid E.P. Nisbet Company Property and with the E.P. Nisbet Company Property as described in Deed Book 2874, Page 485 of the Mecklenburg County Registry the following 2 courses and distances: 1) S 87°49'29" W a distance of 294.70 feet to a calculated point; 2) N 75°54'49" W a distance of 95.49 feet to a calculated point, said point being located at an eastern corner of the City of Charlotte Property as described in Deed Book 4228, Page 563 of the Mecklenburg County Registry; thence with the aforesaid City of Charlotte Property with a curve turning to the right with an arc length of 68.24 feet, with a radius of 49.83 feet, with a chord bearing of N 04°26'50" E, with a chord length of 63.03 feet, to an existing iron rod; thence with the terminus of Eli Street and Woodard Street S 64°42'20" E a distance of 50.00 feet to a new iron rod, said iron rod being located at a western corner of the City of Charlotte Property as described in Deed Book 4144, Page 435 of the Mecklenburg County Registry; thence with the aforesaid City of Charlotte Property and with the E.P. Nisbet Company Property as described in Deed Book 2132, Page 60 of the Mecklenburg County Registry the following 4 courses and distances: 1) with a curve turning to the left with an arc length of 22.88 feet, with a radius of 10.78 feet, with a chord bearing of S 13°30'43" E, with a chord length of 18.82 feet, to a calculated point; 2) S 76°33'52" E a distance of 47.68 feet to an existing iron pipe; 3) N 87°49'29" E a distance of 271.37 feet to a calculated point; 4) N 44°55'46" E a distance of 213.41 feet to a calculated point, said point being located on the southern margin of the right of way of Baxter Street; thence with the southern margin of the right of way of Baxter Street S 61°24'51" E a distance of 36.47 feet to the point and place of beginning. Containing 22,799 sq. ft. (0.5234 acres) according to a survey by R.B. Pharr & Associates, P.A. dated January 5, 2015. Job No. 82299.

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 CHARLOTTE WATER-8" SANITARY SEWER-SERVE 11725 HAMBRIGHT ROAD 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 CHARLOTTE WATER-8" SANITARY SEWER-SERVE 11725 HAMBRIGHT ROAD PROJECT and estimated to be 6,162 square feet (.141 acre) of sanitary sewer easement and 11,763 square feet (.27 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.: 017-062-05, said property currently owned by THEODORE C. DELLINGER and spouse, if any; DAISY LOU DELLINGER COBB and spouse, if any; WILLIAM JOSEPH DELLINGER and spouse, if any; BRENDA DELLINGER and spouse, if any; JOHNNY WATT DELLINGER and spouse, if any; A. SCOTT DELLINGER and spouse, if any; LAURA ROBERTA DELLINGER (a/k/a Laura Roberta Meyer) and spouse, if any; DANA DELLINGER MINSHEW (f/k/a Dana M. Dellinger) and spouse, if any; WILLIAM JOSEPH DELLINGER, JR. and spouse, if any; WALTER JASON DELLINGER and spouse, if any; Any Heirs at Law of the ESTATE OF ROBERT C. DELLINGER, 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.

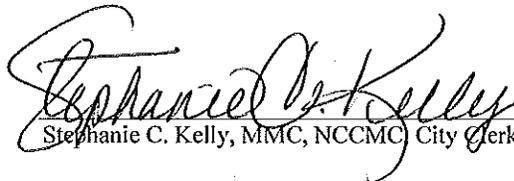
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 23rd day of February, 2015 the reference having been made in Minute Book 138, and recorded in full in Resolution Book 46, Page(s) 546.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 23rd day of February, 2015.



  
Stephanie C. Kelly, MMC, NCCMC, 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 **PRESSLEY ROAD 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 **PRESSLEY ROAD EXTENSION PROJECT** and estimated to be 17,546.6 square feet (.403 acre) of fee-simple area; 6,834.15 square feet (.157 acre) of fee-simple within existing right-of-way; 1,951.79 square feet (.045 acre) of storm drainage easement and 9,863.09 square feet (.226 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.: 035-121-11, said property currently owned by **CANDY DAVIS GATEWOOD** and spouse, if any; **ANY HEIRS AT LAW OF THE ESTATE OF JAMES E. DAVIS**; **CAROLINA FIRST BANK**, Beneficiary; **NAVIENT SOLUTIONS, INC./ROCKHURST UNIVERSITY**, Possible Judgment Creditor; **DCM SERVICES**, Possible Judgment Creditor; **MECKLENBURG COUNTY TAX COLLECTOR**, 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.

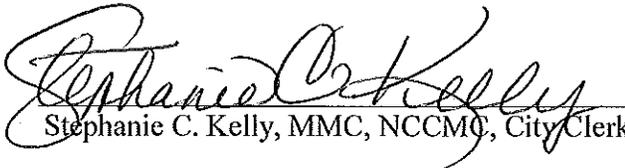
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 23rd day of February, 2015 the reference having been made in Minute Book 138, and recorded in full in Resolution Book 46, Page(s) 547.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 23rd day of February, 2015.



  
Stephanie C. Kelly, MMC, NCCMO, City Clerk