

RESOLUTION CLOSING A PORTION OF DARBY 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 Darby 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 Darby 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 city may reserve its right, title, and interest in any utility improvement or easement within a street closed pursuant to G.S. 160A-299; and

WHEREAS, an easement shall be reserved in favor of Charlotte-Mecklenburg Utilities, Duke Energy, Piedmont Natural Gas, and AT&T over, upon, and under the area petitioned to be abandoned for ingress, egress, and regress to access its existing facilities for the installation, maintenance, replacement, and repair of water lines, sewer lines, cable, conduit, and related equipment, as shown on the attached map marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 9<sup>th</sup> day of February, 2015, and City Council determined that the closing of a portion of Darby 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.

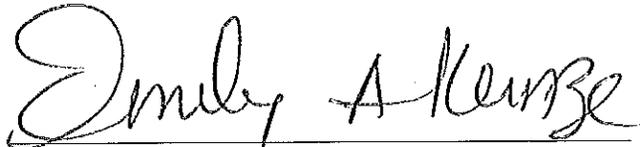
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of February 9, 2015, that the Council hereby orders the closing of a portion of Darby Avenue in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in the documents marked "Exhibit B", 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, Emily A. Kunze, Deputy 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 9th day of February, 2015 the reference having been made in Minute Book 138 and recorded in full in Resolution Book 46, Page(s) 519-521.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of February, 2015.

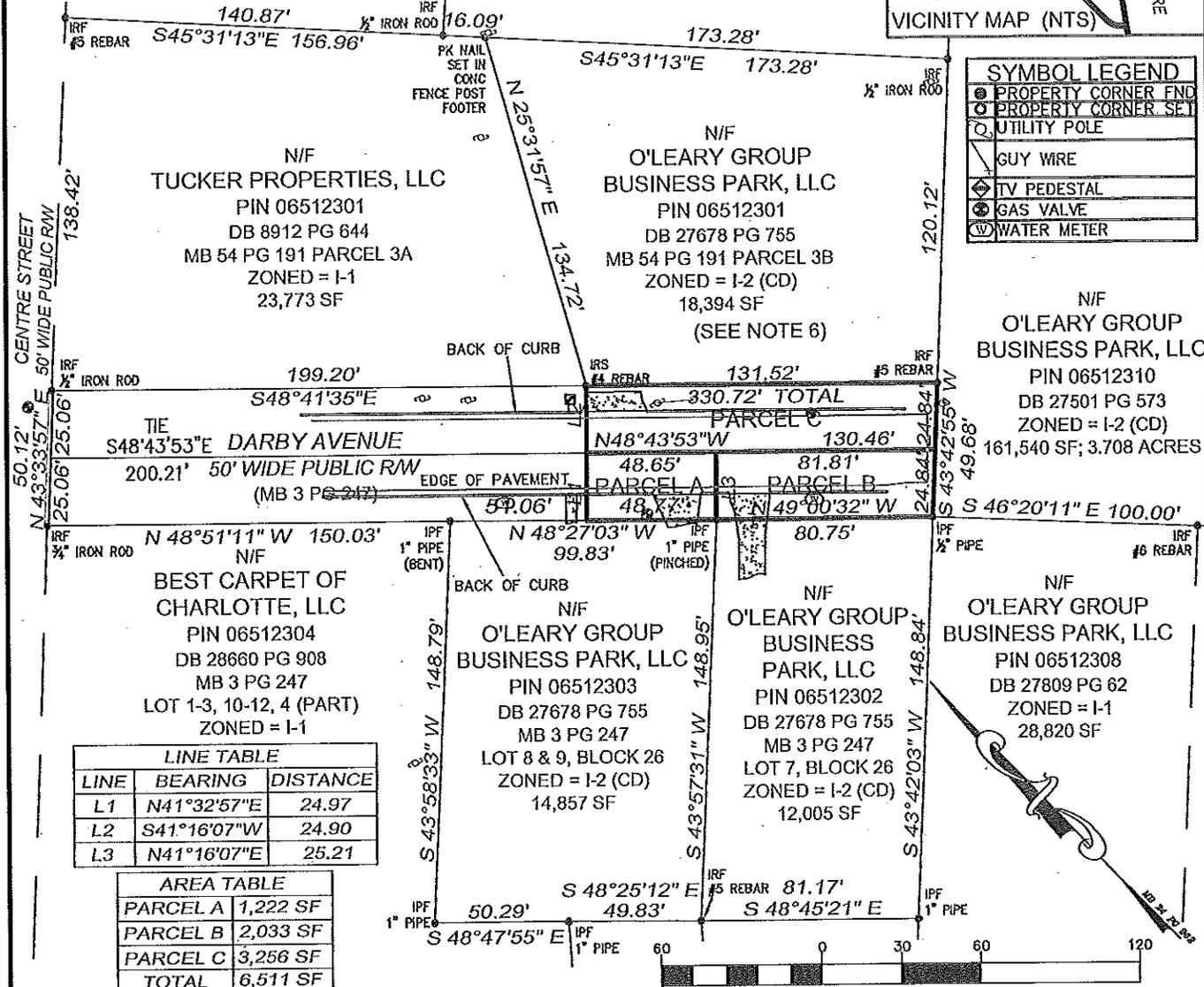
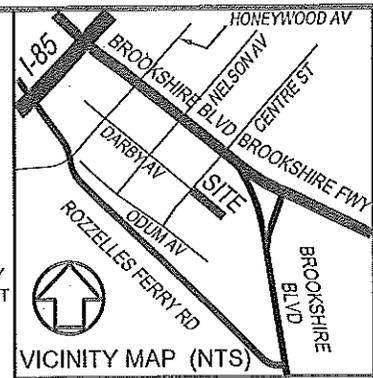


Emily A. Kunze, Deputy City Clerk



**SURVEY NOTES:**

1. AREA COMPUTED BY THE COORDINATE METHOD.
2. PROPERTY SUBJECT TO ANY & ALL EASEMENTS AND RESTRICTIONS OF RECORD.
3. NO NGS OR NCGS CONTROL WAS FOUND WITHIN 2000' OF SUBJECT PROPERTY.
4. PROPERTY LIES WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2 % ANNUAL CHANCE FLOODPLAIN, AREAS OUTSIDE FUTURE CONDITIONS 1 % ANNUAL CHANCE FLOODPLAIN, ACCORDING TO FIRM MAP NUMBER 3710454500J, PANEL 4545, EFFECTIVE DATE MARCH 2, 2009.
5. THIS SURVEY WAS DONE WITHOUT BENEFIT OF A TITLE REPORT AND DOES NOT PURPORT TO SHOW ALL MATTERS OF TITLE WHETHER OF RECORD OR NOT.
6. THERE IS AN EASEMENT IN FAVOR OF CHARLOTTE-MECKLENBURG UTILITIES (CMU), DUKE ENERGY, PIEDMONT NATURAL GAS, AT&T AND ALL OTHER OWNERS OF EXISTING UNDERGROUND UTILITIES AND TELECOMMUNICATION FACILITIES, UPON, UNDER AND ACROSS THE ENTIRE PROPERTY DESCRIBED AND SHOWN HEREON AS RIGHT OF WAY OF DARBY AVENUE TO BE ABANDONED, FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT AND REPAIR OF CONDUIT, CABLE, WIRES, WATER LINES AND/OR RELATED EQUIPMENT.



**SYMBOL LEGEND**

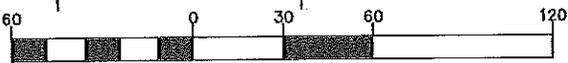
- PROPERTY CORNER FND
- PROPERTY CORNER SET
- UTILITY POLE
- GUY WIRE
- ◆ TV PEDESTAL
- ⊕ GAS VALVE
- ⊕ WATER METER

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N41°32'57"E	24.97
L2	S41°16'07"W	24.90
L3	N41°16'07"E	25.21

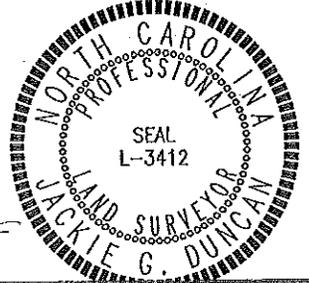
**AREA TABLE**

PARCEL	AREA (SF)
PARCEL A	1,222 SF
PARCEL B	2,033 SF
PARCEL C	3,256 SF
TOTAL	6,511 SF



REVISED 11/10/2014 - ADDED EASEMENT NOTE AND UTILITY APPURTENANCES.

I, JACKIE G. DUNCAN, CERTIFY THAT THIS EXHIBIT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (IN ACCORDANCE WITH THE DEEDS AND PLATS REFERENCED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS SUCH; THAT THIS EXHIBIT MAP IS FOR ATTACHMENT TO ABANDONMENT DOCUMENTS. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 10th DAY OF NOVEMBER, A.D., 2014.



JACKIE G. DUNCAN, PLS L-3412

**EASEMENT EXHIBIT A**

RIGHT-OF-WAY ABANDONMENT SURVEY, A PORTION OF:  
**DARBY AVENUE - 50' WIDE PUBLIC RIGHT-OF-WAY**  
 CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

*Jackie G. Duncan, PLS*

540 DOGWOOD STREET SE  
 CONCORD, NC 28025  
 PHONE: (704) 788-1407 - FAX: (704) 788-1540  
 www.jackieduncanpls.com

SCALE: 1" = 60'	DATE: 9/18/2014	FILE: 12-022
DRAWN BY: JGD	CHECKED BY: JGD	SHEET: 1/1

**EXHIBIT B**

**PARCEL A DESCRIPTION**

Lying and being in the City of Charlotte, Mecklenburg County, State of North Carolina and more particularly described by metes and bounds as follows:

COMMENCING at a point in the centerline of Darby Avenue, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being in the southeasterly margin of Centre Street, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being the POINT OF COMMENCING;

Thence along the centerline of Darby Avenue S 48°43'53" E, a distance of 200.21 feet to the POINT OF BEGINNING; Thence continue southeasterly along said line, a distance of 48.65 feet; Thence S 41°16'07" W, a distance of 25.21 feet to a 1" iron pipe (pinched) found at the common corner of two properties now or formerly of O'Leary Group Business Park, LLC as recorded in Deed Book 27678, at Page 755 in the Mecklenburg County Register of Deeds, said point being in the southwesterly margin of Darby Avenue; Thence along the margin of Darby Avenue and property of O'Leary Group Business Park, LLC N 48°27'03" W, a distance of 48.77 feet to a point; Thence N 41°32'57" E, a distance of 24.97 feet to the POINT OF BEGINNING.

Containing 1,222 square feet or 0.028 acres, more or less.

END OF PARCEL A DESCRIPTION.

**EXHIBIT B**

**PARCEL B DESCRIPTION**

Lying and being in the City of Charlotte, Mecklenburg County, State of North Carolina and more particularly described by metes and bounds as follows:

COMMENCING at a point in the centerline of Darby Avenue, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being in the southeasterly margin of Centre Street, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being the POINT OF COMMENCING;

Thence along the centerline of Darby Avenue S 48°43'53" E, a distance of 248.86 feet to the POINT OF BEGINNING; Thence continue southeasterly along said line, a distance of 81.81 feet to a point in the northwesterly line of the property now or formerly of O'Leary Group Business Park as recorded in Deed Book 27501, at Page 573 in the Mecklenburg County Register of Deeds; Thence along the property of O'Leary Group Business Park S 43°42'55" W, a distance of 24.84 feet to a ½" iron pipe found at the common corner of two properties now or formerly of O'Leary Group Business Park, LLC as recorded in Deed Book 27678, at Page 755 in the Mecklenburg County Register of Deeds and Deed Book 27809, at Page 62 in the Mecklenburg County Register of Deeds, said point being in the southwesterly margin of Darby Avenue; Thence along the margin of Darby Avenue and property of O'Leary Group Business Park, LLC N 49°00'32" W, a distance of 80.75 feet to a 1" iron pipe (pinched) found at the common corner of another parcel now or formerly of O'Leary Group Business Park, LLC as recorded in Deed Book 27678, at

Page 755 in the Mecklenburg County Register of Deeds; Thence N 41°16'07" E, a distance of 25.21 feet to the POINT OF BEGINNING.

Containing 2,033 square feet or 0.047 acres, more or less.

END OF PARCEL B DESCRIPTION.

#### EXHIBIT B

#### PARCEL C DESCRIPTION

Lying and being in the City of Charlotte, Mecklenburg County, State of North Carolina and more particularly described by metes and bounds as follows:

COMMENCING at a point in the centerline of Darby Avenue, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being in the southeasterly margin of Centre Street, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being the POINT OF COMMENCING;

Thence along the centerline of Darby Avenue S 48°43'53" E, a distance of 200.21 feet to the POINT OF BEGINNING; Thence N 41°16'07" E, a distance of 24.90 feet to a #4 rebar set at the common corner of Tucker Properties, LLC and property now or formerly of O'Leary Group Business Park, LLC as recorded in Deed Book 27678, at Page 755 in the Mecklenburg County Register of Deeds, said point being in the northeasterly margin of Darby Avenue; Thence along the margin of Darby Avenue S 48°41'35" E, a distance of 131.52 feet to a #5 rebar found at the southeasterly corner of O'Leary Group Business Park, LLC in the northwesterly line of the property now or formerly of O'Leary Group Business Park as recorded in Deed Book 27501, at Page 573 in the Mecklenburg County Register of Deeds; Thence along the line of O'Leary Group Business Park, LLC S 43°42'55" W, a distance of 24.84 feet to a point in the centerline of Darby Avenue; Thence along the centerline of Darby Avenue N 48°43'53" W, a distance of 130.46 feet to the POINT OF BEGINNING.

Containing 3,256 square feet or 0.075 acres, more or less.

END OF PARCEL C DESCRIPTION.

RESOLUTION CLOSING A PORTION OF ISENHOUR 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 portion of Isenhour Street, which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of Isenhour 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 city may reserve its right, title, and interest in any utility improvement or easement within a street closed pursuant to G.S. 160A-299; and

WHEREAS, an easement shall be reserved in favor of AT&T and Duke Energy over, upon, and under the area petitioned to be abandoned for ingress, egress, and regress to access its existing facilities for the installation, maintenance, replacement, and repair of cable, conduit, and related equipment, as shown on the attached map marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 9<sup>th</sup> day of February, 2015, and City Council determined that the closing of a portion of Isenhour 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 February 9, 2015, that the Council hereby orders the closing of a portion of Isenhour 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 documents marked "Exhibit B", all of which are attached hereto and made a part hereof.

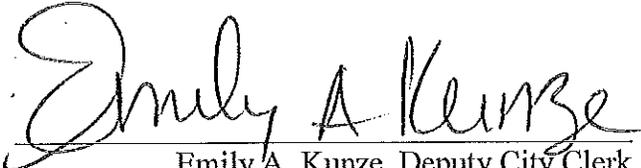
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

CERTIFICATION

I, Emily A. Kunze, Deputy 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 9th day of February, 2015 the reference having been made in Minute Book 138 and recorded in full in Resolution Book 46, Page(s) 522-525.

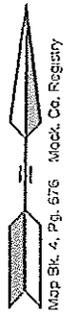
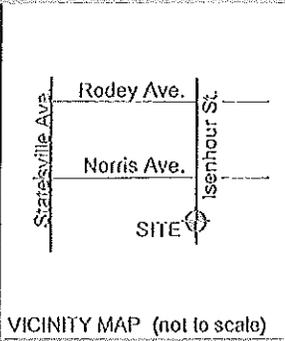
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of February, 2015.



  
Emily A. Kunze, Deputy City Clerk

**EXHIBIT A**

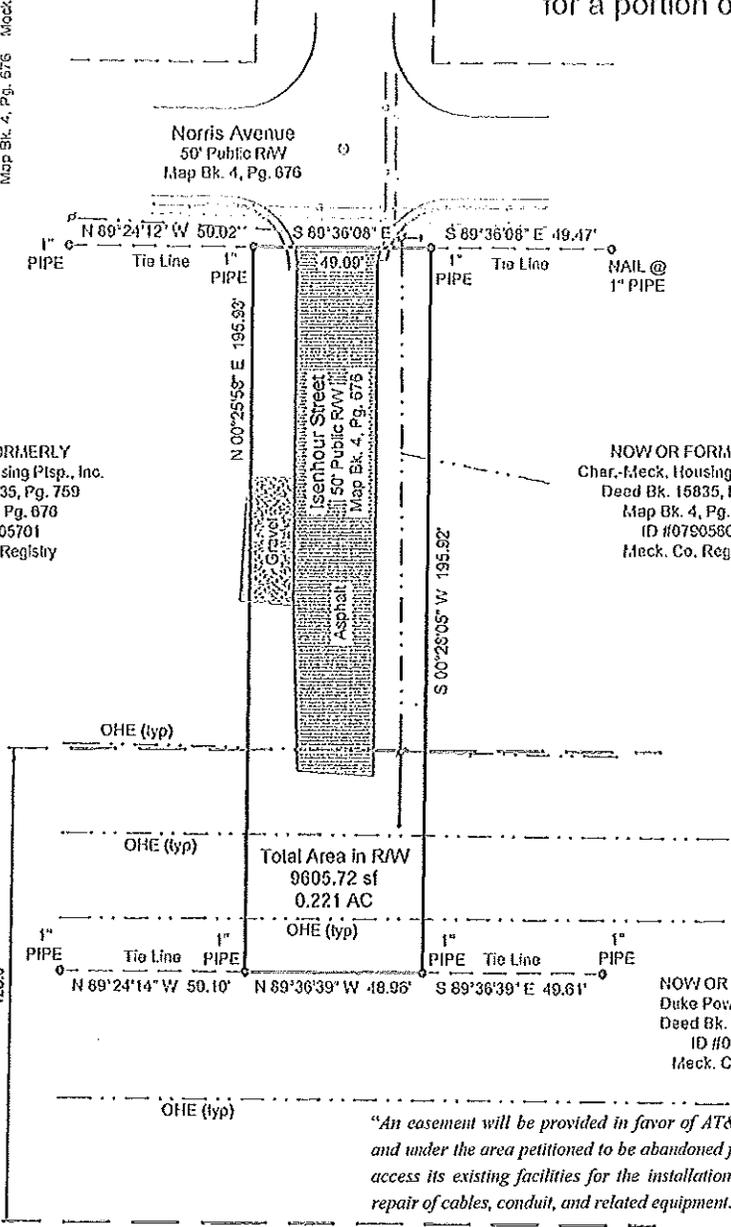
**Right of Way Abandonment Survey  
 for a portion of Isenhour Street**



**LEGEND**  
 RW - RIGHT OF WAY  
 OHE - OVERHEAD ELECTRIC  
 // - POWER POLE  
 - - GUYWIRE

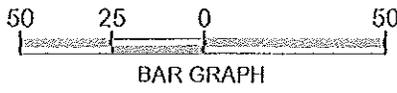
NOW OR FORMERLY  
 Char.-Meck. Housing Plsp., Inc.  
 Deed Bk. 15835, Pg. 759  
 Map Bk. 4, Pg. 676  
 ID #07905701  
 Meck. Co. Registry

NOW OR FORMERLY  
 Char.-Meck. Housing Plsp., Inc.  
 Deed Bk. 15835, Pg. 750  
 Map Bk. 4, Pg. 676  
 ID #07905809  
 Meck. Co. Registry



NOW OR FORMERLY  
 Duke Power Company  
 Deed Bk. 6861, Pg. 00  
 ID #07905431  
 Meck. Co. Registry

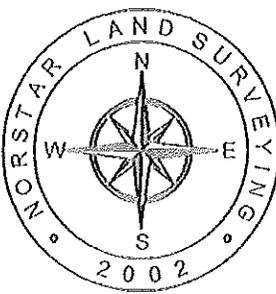
*"An easement will be provided in favor of AT&T and Duke Energy over, upon, and under the area petitioned to be abandoned for ingress, egress, and ingress to access its existing facilities for the installation, maintenance, replacement, and repair of cables, conduit, and related equipment."*



**NOTES:**  
 \* Map Reference - Statesville Ave. Terrace Dated January 14, 1945  
 Map Bk. 4, Pg. 676 Recorded in Mecklenburg Co. Registry  
 Performed by Jerry Reshess, Surveyor  
 \* Property subject to Duke Power Esmt. recorded in Deed Bk. 1025, Pg. 299.

I, R. Scott Dyer, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 15835, page 759, etc.); that the boundaries not surveyed are clearly indicated as drawn from information found in Book n/a, page n/a; that the ratio of precision as calculated exceeds 1:10,000; and that this map meets the requirements for The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56. 1600). Witness my original signature, registration number and seal this 19th day of June, A.D., 2014.

*R. Scott Dyer*  
 R. Scott Dyer, PLS #4444



**NORSTAR LAND SURVEYING, INC**  
 552-B Newell Street NW  
 Concord, NC 28025  
 Ph 704 721 6651  
 Fax 704 721 6653  
 Firm Lic. # C-2294

Prepared for:  
 Charlotte-Mecklenburg  
 Housing Partnership, Inc.

City of Charlotte      Mecklenburg County, NC

DRAWN BY: S. Dyer      NLS NO.: 14039  
 DATE: May 1, 2014      SCALE: 1" = 50'

**EXHIBIT B**

BEGINNING at an existing 1" pipe on the southerly R/W of Norris Avenue (50' public R/W) at its intersection with the westerly R/W of Isenhour Street (50' public R/W); thence with the said southerly R/W of Norris Avenue, S 89 36' 08" E, 49.09 feet to an existing 1" pipe at the intersection of the easterly R/W of said Isenhour Street and the southerly R/W of Norris Avenue; thence by the said easterly R/W of Isenhour Street and lands now or formerly of Charlotte-Mecklenburg Housing Partnership (CMHP) (Meck. Co. Tax Parcel 079-056-09) S 00 28' 05" W, 195.92 feet to an existing 1" pipe on the property line of Duke Power Co. (Meck. Co. Tax Parcel 079-054-31); thence by the said northerly property line of Duke Power Co. N 89 36' 39" E, 48.96 feet to an existing 1" pipe; thence with the westerly R/W of Isenhour Street and lands now or formerly of CMHP (Meck. Co. Tax Parcel 079-057-01) N 00 25' 58" E, 195.93 feet to the POINT OF BEGINNING, CONTAINING 0.221 AC.

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

**WOODFIELD NORTHLAKE II AREA**

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

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

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

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

Section 1. A public hearing on the question of annexation of the area described herein will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 E. Fourth Street, Charlotte, N.C. at 7:00 p.m. on February 23, 2015.

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

**LEGAL DESCRIPTION**

All those certain tract of land lying and being in Long Creek Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at a point located on the westerly right-of-way margin of Northlake Centre Parkway (a variable width public right-of-way) as shown on plat recorded in Map Book 43 at Page 55) in the Mecklenburg County Registry, said point also being on the city limits line of the City of Charlotte and having N.C. NAD-83 Grid Coordinates (N: 589,890.7102 ft., E: 1,447,060.0790 ft.); thence with the City limits with an arc of a circular curve to the left having a radius of 2,410.63 feet, an arc distance of 55.15' feet (Chord Bearing = N 37-52-16 E 55.14 feet) to a point; thence N 47-58-39 W 63.48 feet to a point; thence N 60-39-28 W 75.17 feet to a point; thence N 47-58-39 W 373.75' feet to a point; thence N 55-25-53 E 29.19 feet to a point; thence with the arc of a circular curve to the left having a radius of 235.50 feet, an arc distance of 55.11 feet (Chord Bearing = N 48-43-37 E 54.99 feet) to a point; thence N 42-01-21 E 224.80 feet to a point; thence N 47-57-56 W 35.50 feet to an existing #4 rebar, said point also being on the city limits line of the City of Charlotte; thence S 42-01-21 W 350.02 feet to an existing #4 rebar; thence with the arc of a circular curve to the right having a radius of 60.00 feet, an arc distance of 21.18 feet (Chord Bearing = S 58-05-31 E 21.07 feet) to an existing #4 rebar; thence S 47-58-39 E 516.12 feet to an existing # 4 rebar, the point and place of BEGINNING containing 0.75 acres more or less.

**PORTIONS OF TAX PARCELS 025-103-01, 025-103-02, 025-103-03, 025-081-23**

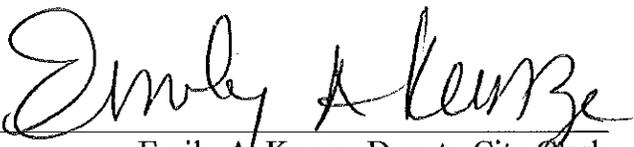
Section 3. Notice of the public hearing shall be published in the *Mecklenburg Times*, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of the public hearing.

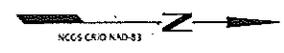
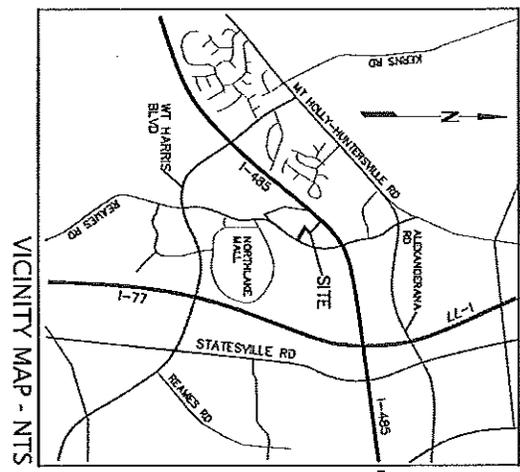
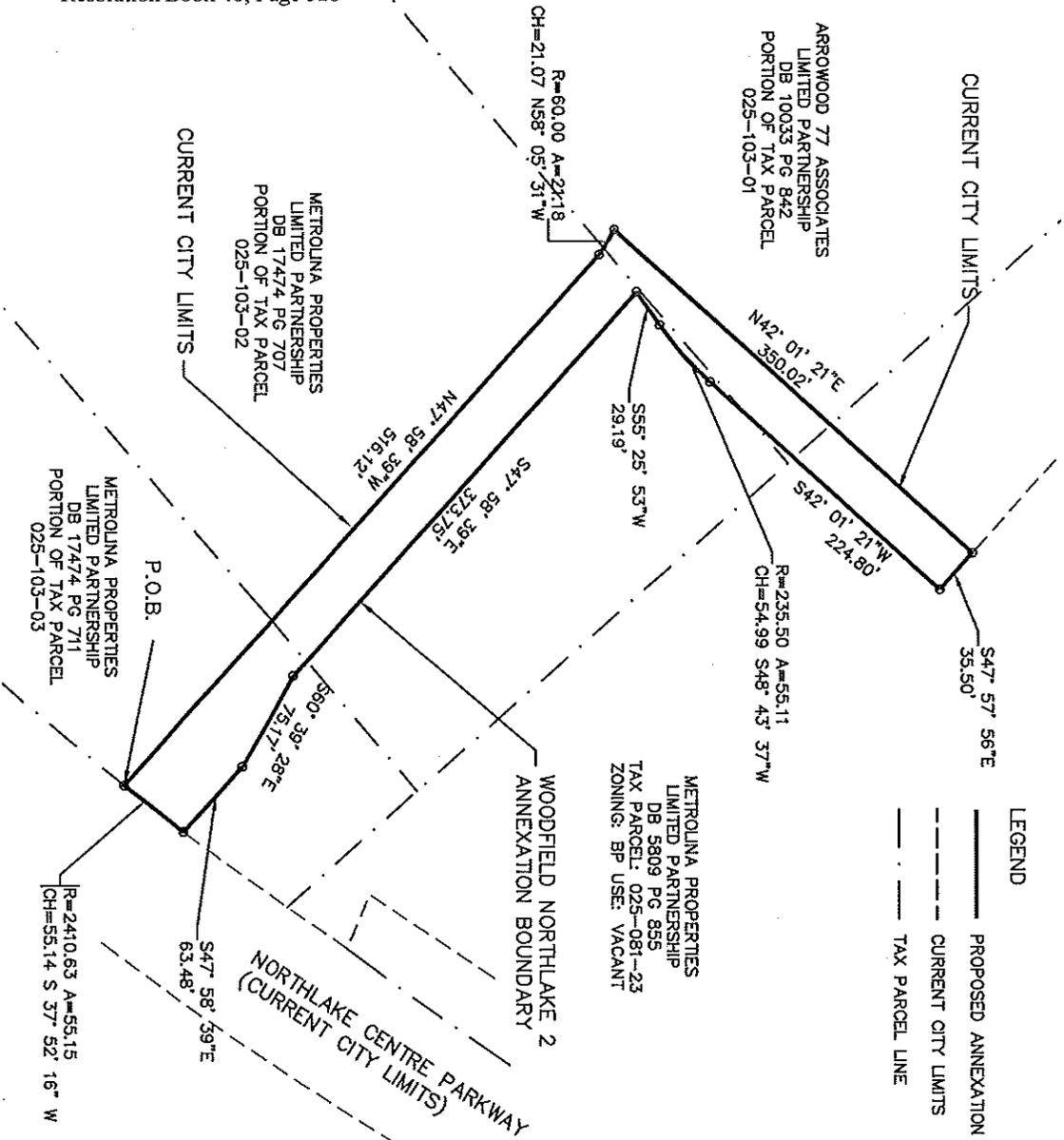
**CERTIFICATION**

I, Emily A. Kunze, Deputy 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 9th day of February, 2015 the reference having been made in Minute Book 138 and recorded in full in Resolution Book 46, Page(s) 526-528.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of February, 2015.



  
Emily A. Kunze, Deputy City Clerk



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

EXHIBIT 1-1

**WOODFIELD NORTHLAKE 2**  
 CHARLOTTE ETJ, NORTH CAROLINA

**WOODFIELD INVESTMENTS, LLC**  
 3328 LANDERWOOD DRIVE  
 CHARLOTTE, NC 28210  
 704.560.2793

**design resource group**

- landscape architecture
- civil engineering
- urban design
- land planning
- traffic engineering
- transportation planning

2459 wilkinson boulevard, suite 200  
 charlotte, nc 28208  
 p 704.330.0177  
 www.drgpa.com



0 50 100'

SCALE 1:100 XREF

PROJECT #: 217-025

DRAWN BY: JL

CHECKED BY: JL

NOVEMBER 11, 2014

REVISIONS:

**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.

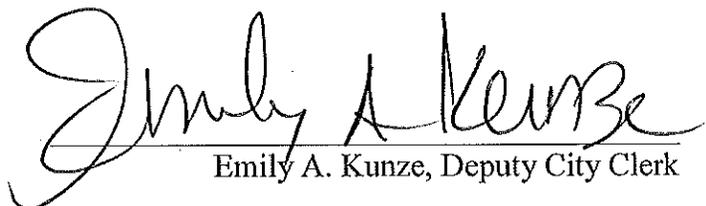
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 26th day of January 2015 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

**CERTIFICATION**

I, Emily A. Kunze, Deputy 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 9th day of February, 2015 the reference having been made in Minute Book 138 and recorded in full in Resolution Book 46, Page(s) 529-530.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of February, 2015.



  
Emily A. Kunze, Deputy City Clerk

**Property Tax Refund Requests**

BENNETT, HENRY W	\$ 124.91
HINTZ, STEVEN D	17.04
NMHG FINANCIAL SERVICES INC	125.64
NMHG FINANCIAL SERVICES INC	144.44
SOLOW, ERIC C	14.60
VLAHOS, GEORGE	137.65
VLAHOS, GEORGE	147.64
WRIGHT, BOYD	1.24
WRIGHT, BOYD	1.24
WRIGHT, BOYD	1.24
WRIGHT, BOYD	1.18
	<u>\$ 716.82</u>

**RESOLUTION AUTHORIZING THE SALE OF 1.495 ACRES ON BEAUMONT AVENUE (TAX PARCELS 080-201-14, 080-201-15, 080201-17) TO DELRAY VENTURES, LLC**

WHEREAS, on September 8, 2014 City Council authorized sale of this property through the upset bid procedure; and

WHEREAS, the City received an initial offer to purchase the property in the amount of \$781,466, and thereafter published notice of the proposed sale, including the terms under which the offer could be upset; and

WHEREAS, a qualified higher bid was received and the upset bid process was repeated until a ten-day period passed without any qualifying higher bid having been received; and

WHEREAS, the last high qualified bid in the amount of \$1,095,000, and a deposit in the amount of 5% of the bid, was received from Delray Ventures, LLC, a North Carolina limited liability company.

THEREFORE, THE CITY COUNCIL OF THE CITY OF CHARLOTTE RESOLVES THAT:

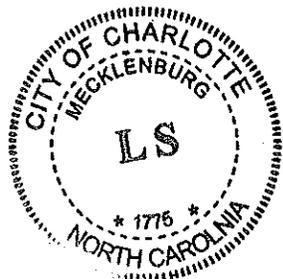
No qualifying upset bid having been received after the last public notice, the offer described above is hereby accepted, and the Manager or his designee is authorized to execute the Purchase Contract and such other documents necessary to complete the sale of the property to Delray Ventures, LLC in accordance with the terms and conditions as advertised.

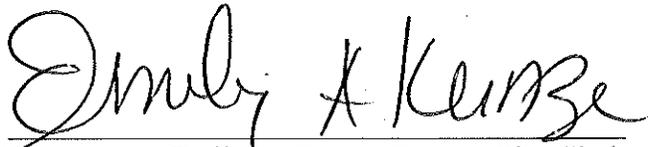
Adopted February 9, 2015.

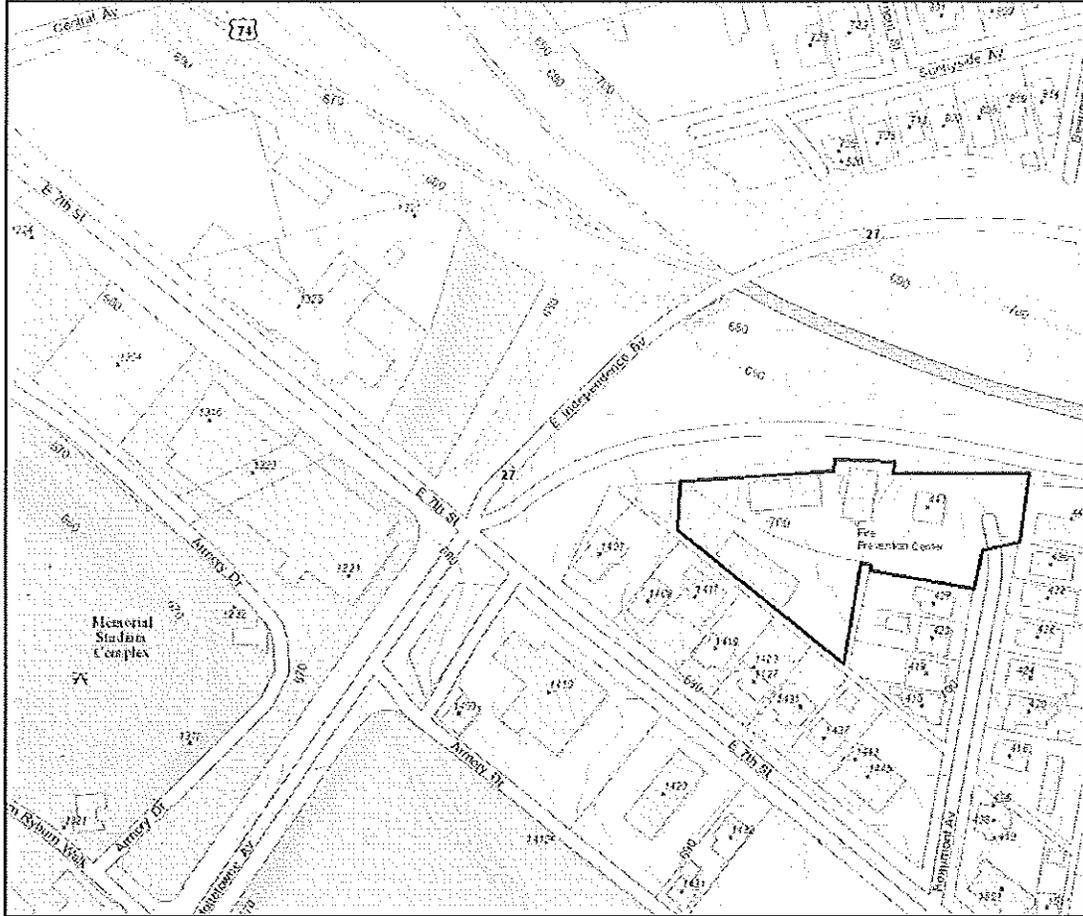
**CERTIFICATION**

I, Emily A. Kunze, Deputy 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 9th day of February, 2015 the reference having been made in Minute Book 138 and recorded in full in Resolution Book 46, Page(s) 531-532.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of February, 2015.



  
Emily A. Kunze, Deputy City Clerk



**Location Map: Sale of Property at 441 Beaumont Avenue  
(Council District 1)**

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-MATTHEWS-MINT HILL 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-MATTHEWS-MINT HILL PROJECT** and estimated to be 4,572 square feet (.015 acre) of natural channel easement and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 095-064-20, said property currently owned by **ARTHUR C. OKOLI and wife, RHONDA S. OKOLI; COMMUNITY CREDIT UNION**, Lender, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

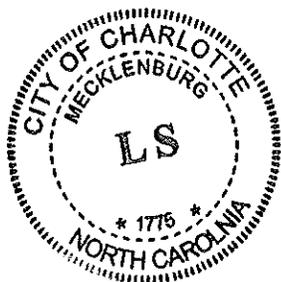
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

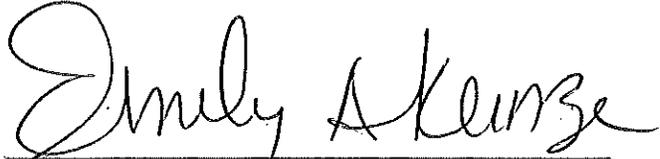
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Emily A. Kunze, Deputy 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 9th day of February, 2015 the reference having been made in Minute Book 138 and recorded in full in Resolution Book 46, Page(s) 533.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of February, 2015.



  
Emily A. Kunze, 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 LYON COURT STORM DRAINAGE 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 LYON COURT STORM DRAINAGE IMPROVEMENT PROJECT and estimated to be 1,594 square feet (.037 acre) of sanitary sewer easement and 5,687 square feet (.131 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.: 197-037-07, said property currently owned by McEWEN ASSOCIATES LLC; McDOWELL/COCHRANE LLC; CARL M. ELLINGTON, SR.; ANNE B. ELLINGTON; JEAN LAMB and spouse, if any; CARL M. ELLINGTON, JR.; VALERIE JEAN BOST McEWEN; JANET E. HALL; STEVEN KENT HALL; MARY E. ELLINGTON; MARK GREGORY SAILORS, 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.

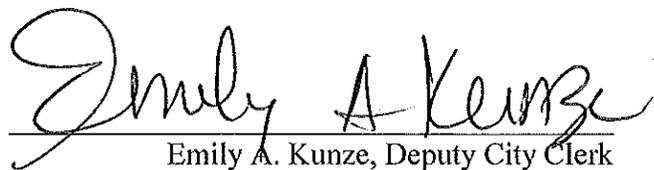
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Emily A. Kunze, Deputy 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 9th day of February, 2015 the reference having been made in Minute Book 138 and recorded in full in Resolution Book 46, Page(s)534.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of February, 2015.



  
Emily A. Kunze, Deputy City Clerk