

A RESOLUTION PROVIDING FOR PUBLIC HEARING ON PETITION NO. 97-99
FOR ZONING CHANGES.

WHEREAS, the City Council has determined that there might be an
issue pertaining to whether or not the City has complied with
G.S. Section 160A-384.

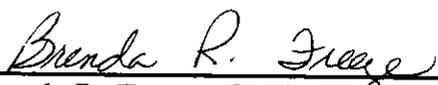
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
Charlotte that a new public hearing will be held on petition no.
97-99 in the Meeting Chamber located in the Charlotte Mecklenburg
Government Center, Lobby Level, at 600 East Fourth Street
beginning at six o'clock, or as soon as thereafter as scheduled
on the agenda, on Monday the 16th day of February, 1998, on
petition no. 97-99.

BE IT FURTHER RESOLVED that notice of the said hearing on
petition no. 97-99 be published as required by law and other
applicable statutory notice requirements be met.

CERTIFICATION

I, Brenda R. Freeze, 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 12th day of January, 1998, the reference having
been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 854.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of
January, 1998.



Brenda R. Freeze, CMC, City Clerk

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE A PORTION OF
HANOVER ROAD LOCATED BETWEEN BAY STREET AND LABURNUM AVENUE IN
THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA**

WHEREAS, James Payseur has filed a Petition to close a portion of Hanover Road in the City of Charlotte; and

WHEREAS, that portion of Hanover Road petitioned to be closed lies between Bay Street and Laburnum Avenue shown on a map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B," all of which are available for inspection in the Office of the City Clerk, Charlotte-Mecklenburg Government Center, 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 January 12, 1998, that it intends to close a portion of Hanover Road lying between Bay Street and Laburnum Avenue, said street (or portion thereof) being more particularly described on a map and by a metes and bounds description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7:00 p.m., on Monday the 9th day of February, 1998, in the Council's Meeting Chamber, Charlotte-Mecklenburg Government Center, 600 E. Fourth St., Charlotte, NC.

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, **Brenda Freeze**, 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 12th day of January, 1998, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 855-856.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 1998.



Brenda R. Freeze, City Clerk

RESOLUTION AUTHORIZING EXECUTION BY THE MAYOR OF A NINETY-NINE YEAR LEASE WITH 120 WEST MOREHEAD, LLC FOR THE GRANITE "HORSE TROUGH" FOUNTAIN STORED IN ELMWOOD CEMETERY.

WHEREAS, the City owns a granite fountain commonly referred to as the "horse trough fountain" (hereinafter the "Fountain"), which was donated to the City in 1911 by the National Humane Alliance of New York to provide drinking water for horses and was originally located at the center of East Morehead Street and South Boulevard;

WHEREAS, the Fountain was moved to and stored in Elmwood Cemetery in the late 1920's and has remained in that location to date, suffering from neglect and disrepair;

WHEREAS, the City received an offer from 120 West Morehead, LLC to restore and display the Fountain in exchange for a long-term lease with the City, the terms and conditions of which are set out in that document entitled "Lease Agreement" attached hereto as Exhibit A;

WHEREAS, it is in the public interest to have the Fountain restored and displayed to the public; and

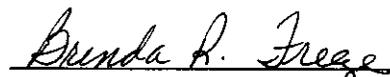
WHEREAS, public notice of the City's intent to authorize execution of the Lease Agreement was advertised in The Mecklenburg Times on December 23, 1997.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session duly assembled, that the Mayor of the City is hereby authorized and directed, in accordance with the provisions and authority of N.C.G.S. §160A-272, to execute and deliver, on behalf of the City, a Lease Agreement between the City of Charlotte and 120 West Morehead, LLC for the rental of the Fountain as set out in the terms and conditions of said Lease Agreement.

CERTIFICATION

I, Brenda R. Freeze, 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 12th day of January, 1998 and the reference having been made in Minute Book 111, Page , and recorded in full in Resolutions Book 34, Page 857.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 1998.



Brenda R. Freeze, CMC, City Clerk

A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN 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 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 12th day of January, 1998 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, Brenda R. Freeze, 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 12th day of January, 1998, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 858-859.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 1998.



Brenda R. Freeze, CMC, City Clerk

**TAXPAYERS AND REFUNDS REQUESTED
MORE THAN \$100**

<u>Name</u>		<u>Amount of Refund</u>
	<u>Clerical Error</u>	
Hendrix Lexus		\$1,381.82
Hendrix Lexus		1,173.86
General Electric Capital Corp		1,230.48
Two Brats Production Inc		474.46
Back Yard Burgers		321.44
Back Yard Burgers		423.85
Back Yard Burgers		336.41
Chick-Fil-A		1,700.60
	<u>Board of Equalization Review Adjustment</u>	
Helms Louis M., Jr.		343.82
Image Plus Inc		107.31
Total		<u>\$7,494.05</u>

EXTRACT FROM MINUTES OF
MEETING OF THE CITY COUNCIL OF
THE CITY OF CHARLOTTE

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, in Charlotte, North Carolina, the regular place of meeting, at 7:00 p.m. on January 12, 1998.

Present: Mayor Pat McCrory presiding, and
Councilmembers Autrey, Baker, Cannon, Greene, Jackson, Majeed,
Reid, Roussso, Sellers, Spencer, and Wheeler

Absent: None

Also Present: Pam Syfert, City Manager, DeWitt McCarley, City Attorney,
and Brenda R. Freeze, City Clerk

* * * * *

Councilmember Roussso introduced the following resolution, a summary of which had been provided to each Councilmember, a copy of which was available with the City Clerk and which was read by title:

RESOLUTION APPROVING INSTALLMENT CONTRACT FINANCING FOR EQUIPMENT IN AN AGGREGATE PRINCIPAL AMOUNT UP TO \$11,750,000 AND THE SALE OF CERTIFICATES OF PARTICIPATION THEREIN AND AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS IN CONNECTION THEREWITH

WHEREAS, by resolution adopted on June 23, 1997, the City Council (the "City Council") of the City of Charlotte (the "City") approved in principle installment contract financing for certain of the City's general equipment requirements (the "Equipment") in an

aggregate principal amount up to \$12,500,000 and authorized the City staff to proceed with plans and to investigate and negotiate the selection and terms for such financing;

WHEREAS, there have been submitted to this meeting forms of the following documents (the "Financing Documents") with respect to the financing for the Equipment:

(1) Installment Payment Contract, to be dated as of January 15, 1998 (the "Contract"), between the City and New Charlotte Corporation (the "Corporation"), as counterparty, pursuant to which the Corporation will advance moneys to the City for the purchase of the Equipment and the City agrees to make periodic installment payments (the "Installment Payments") to repay the moneys so advanced, with interest;

(2) Trust Agreement, to be dated as of January 15, 1998 (the "Trust Agreement"), between the Corporation and First Union National Bank, as trustee (the "Trustee"), pursuant to which there are to be executed and delivered Certificates of Participation, Series 1998A (FY1998 Equipment Acquisition Project) (the "Certificates") representing interests in rights to receive the Installment Payments under the Contract;

(3) Preliminary Official Statement to be dated on or about January 13, 1998 (the "Preliminary Official Statement") which, as supplemented with certain pricing information, is to be the Official Statement to be dated on or about January 22, 1998 (the "Official Statement"), pursuant to which the Certificates are to be offered and sold to the public;

(4) Contract of Purchase to be dated on or about January 22, 1998 (the "Purchase Contract") between First Union Capital Markets Corp., NationsBanc Montgomery Securities, Inc. and Interstate/Johnson Lane Corporation, (collectively, the "Underwriters") and the Corporation, pursuant to which the Underwriters agree to purchase the Certificates for sale to the public; and

(5) Letter of Representation to be dated on or about January 22, 1998 (the "Letter of Representation"), which is an exhibit to the Purchase Contract, from the City to the Underwriters regarding certain matters in connection with the financing and information about the City in the Official Statement;

WHEREAS, the obligations of the City to make Installment Payments and other payments pursuant to the Contract shall constitute limited obligations of the City payable solely from currently budgeted appropriations of the City and shall not constitute a pledge of the faith and credit of the City within the meaning of any constitutional debt limitation;

WHEREAS, no deficiency judgment may be rendered against the City in any action for breach of a contractual obligation under the Contract, and the taxing power of the City is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract;

WHEREAS, as security for repayment of the moneys advanced to the City and the other obligations of the City under the Contract, the City will grant to the Corporation a security interest in the

Equipment pursuant to the Contract which the Corporation will assign to the Trustee under the Trust Agreement; and

WHEREAS, the City Council desires to approve the Financing Documents and to authorize other actions in connection therewith;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City, as follows:

Section 1. All actions of the City to effectuate the proposed financing, including the selection of the Underwriters, are hereby ratified, approved and authorized pursuant to and in accordance with the transactions contemplated by the Financing Documents.

Section 2. The acquisition of the Equipment, the financing thereof and the granting of security interests all as provided in the Financing Documents and described in this Resolution and the agreements and documents referenced herein are hereby ratified and approved.

Section 3. The City Council hereby finds and confirms that (i) financing of the Equipment by installment contract, under the circumstances, is preferable to a bond issue due to time constraints and (ii) the proceeds of the financing will be used exclusively for the acquisition of the Equipment and the costs and expenses of such financing and for no other capital projects of the City.

Section 4. Each of the Contract, the Purchase Contract and Letter of Representation is hereby approved in substantially the form submitted to this meeting, and each of the Mayor or the City Manager is hereby authorized to execute

and deliver each of those documents in the name and on behalf of the City, with such changes, insertions or omissions as the persons executing such documents may approve, their execution and delivery thereof to constitute conclusive evidence of such approval. The City Clerk is hereby authorized to affix the seal of the City to each of said documents as may be appropriate and to attest to the same.

Section 5. Each of the Trust Agreement (including the form of Certificate) and the Purchase Contract is hereby approved in substantially the form submitted to this meeting, with such changes, insertions or omissions as appropriate and as the officers of the City executing the Contract may approve, the execution and delivery of the Contract to constitute conclusive evidence of such approval.

Section 6. Each of the Preliminary Official Statement and the Official Statement in the form of the Preliminary Official Statement submitted to this meeting, is hereby approved in substantially such form, with such changes, insertions and omissions as appropriate, and the use thereof by the Underwriters in connection with the public offering and sale of the Certificates is hereby authorized. Each of the Mayor or the City Manager is hereby authorized to execute and deliver in the name and on behalf of the City the final Official Statement in substantially such form, with such changes, insertions and omissions as the person executing the final Official Statement may approve, the execution and

delivery thereof to constitute conclusive evidence of such approval.

Section 7. Each of the Mayor, the City Manager and the Director of Finance are authorized to approve all details of the financing of the Equipment, including, without limitation, the amount advanced under the Contract (which shall not exceed \$11,750,000), the maturities, the principal amounts and the interest amounts of the Installment Payments (which annual principal amounts shall not exceed \$3,000,000 and which interest amounts (calculated with respect to the Certificates) shall not exceed 6.50% per annum on a true interest cost basis), the term of the Contract (which shall not be less than two years and shall not equal or exceed five years from its date), and the Underwriters' discount (exclusive of any original issue discount) (which shall not exceed 1.5% of the principal amount of the Certificates). Execution of the Contract by the Mayor or the City Manager shall conclusively evidence such approval of all such details of said financing.

Section 8. The Mayor, the City Manager, the Director of Finance, the City Treasurer and the City Attorney are hereby authorized to take any and all such further action, including approval of modifications to the Financing Documents, and to execute and deliver for and on behalf of the City such other documents and certificates (including, without limitation, agreements with securities depositories, financing statements, appropriate tax certificates and agreements and other documents and agreements (including repurchase agreements)

relating to the investment of the proceeds from the execution and delivery of the Certificates) as they may deem necessary or advisable to carry out the intent of this resolution and to effect the installment financing pursuant to the Contract and the other Financing Documents. The City Clerk is hereby authorized to affix the seal of the City to such documents and certificates as may be appropriate and to attest to the same and to execute and deliver such certificates as may be needed. In addition, said officers are hereby authorized to cooperate with the Underwriters in preparing and filing such filings under state securities or "blue sky" laws (including special consents to service of process) as the Underwriters may request and as the Mayor, the City Manager or the Director of Finance shall determine.

Section 9. This Resolution shall become effective immediately upon its adoption.

Thereupon, upon motion of Councilmember Rousso, seconded by Councilmember Wheeler, the foregoing resolution entitled "RESOLUTION APPROVING INSTALLMENT CONTRACT FINANCING FOR EQUIPMENT IN AN AGGREGATE PRINCIPAL AMOUNT UP TO \$11,750,000 AND THE SALE OF CERTIFICATES OF PARTICIPATION THEREIN AND AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS IN CONNECTION THEREWITH" was adopted and passed by the following vote:

AYES: Unanimous

NOES: None

* * * * *

I, Brenda R. Freeze, _____ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the recorded proceedings of the City Council of said City at a regular meeting held on January 12, 1998, as relates in any way to the authorization of an installment contract financing by said City and that references regarding said proceedings are recorded in Minute Book No. 111 of said City Council, beginning at page ___ and ending at page ___, and a full copy of the foregoing resolution is recorded in Resolution Book No. 34 of said City Council, beginning at page 860 and ending at page 868.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held (with certain exceptions not applicable to said meeting) at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, in Charlotte, North Carolina, in the Conference Center on the first Monday of each month at 5:00 P.M. (workshop); and in the Meeting Chamber on the second Monday of each month at 7:00 P.M., the third Monday of each month at 6:00 P.M. (zoning), and the fourth Monday of each month at 7:00 P.M., has been on file in the office of the City Clerk as of a date not less than seven days before the date of said meeting in accordance with G.S. § 143-318.12.

WITNESS my hand and the seal of said City, this 15th day of
January, 1998.

(SEAL)

Brenda R. Freeze
City Clerk

Brenda R. Freeze, CMC

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
AMENDING THE FIVE-YEAR CAPITAL INVESTMENT PLAN FOR FISCAL YEARS
1998 TO 2002 TO INCLUDE AN ADDITIONAL WATER MAIN PROJECT UNDER
CMUD'S FIVE YEAR REIMBURSABLE CONTRACT.**

WHEREAS, the City of Charlotte recognizes the importance of developing long-range capital investment planning to maintain the growth and vitality of the community; and

WHEREAS, the City of Charlotte continuously develops and reviews the policy, financial and planning assumptions and impacts of capital investment projects for the City; and

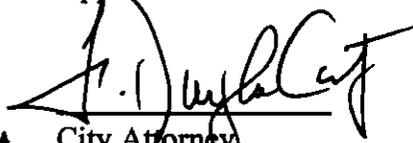
WHEREAS, the City of Charlotte has a five-year Capital Investment Plan based on policy assumptions, so stated in the FY98-02 Capital Investment Plan that balance the potential physical development planning with long-range financial capacity; and

WHEREAS, the five-year Capital Investment Plan requires amendment from time to time to account for planning changes and changes resulting from financial resource availability.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, that it does hereby amend the Capital Investment Plan for fiscal years 1998 to 2002 to add the Eastfield Road Water Main project to the Charlotte Mecklenburg Utility Department's five year reimbursable contract.

This 12th day of January, 1998

Approved as to form:

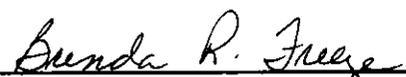


J. A. Cant . City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 12th day of January, 1998, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 869.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 1998.



Brenda R. Freeze, CMC, 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 **1997 ANNEXATION-STEELE CREEK WEST 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 **1997 ANNEXATION-STEELE CREEK WEST PROJECT**; and estimated to be approximately 9,995 square feet (0.230 acre) for a permanent sanitary sewer easement and 7,955 square feet (0.183 acre) for a 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. 199-212-13, said property currently owned by **KALTEZES PARTNERSHIP**, 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, Brenda R. Freeze, 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 12th day of January, 1998, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 870-871.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 1998.



Brenda R. Freeze, CMC, 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 **MILTON ROAD WIDENING IMPROVEMENTS 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 **MILTON ROAD WIDENING IMPROVEMENTS PROJECT** and estimated to be approximately 2,350 square feet (0.05 acre) for fee-simple and 2,522 square feet (0.06 acre) for a 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. 107-011-10, said property currently owned by **D. C. PATEL and wife, TARA D. PATEL**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

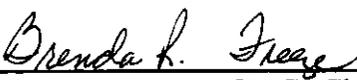
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Brenda R. Freeze, 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 12th day of January, 1998, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 872-873.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 1998.



Brenda R. Freeze, CMC, City Clerk

BK: 09479 PG: 0912/0923 #:0027 28.00

RESOLUTION CLOSING PORTIONS OF OLD WILMOUNT ROAD LOCATED WEST OF OAK LAKE BOULEVARD AND NORTH OF NEW WILMOUNT ROAD MECKLENBURG COUNTY, NORTH CAROLINA.

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to Close a portion of old WILMOUNT Road which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to Close a portion of old WILMOUNT Road to be sent by registered or certified mail to all owners of property adjoining the said street (or portion thereof), and prominently posted a notice of the closing and public hearing in at least two places along portions of old WILMOUNT Road, as required by N.C.G.S. 160A-299; and

WHEREAS, the public hearing was held on the 12th day of January, 1998, and City Council determined that the closing of old WILMOUNT Road is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property. An easement will be provided by Frank S. Spratt and wife, Margaret H. Spratt to the State of North Carolina as reflected in "Exhibit B", attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of January 12, 1998 that the Council hereby orders the closing of old WILMOUNT Road in the City of Charlotte, Mecklenburg County, North Carolina as described below:

(Metes and Bounds Description)

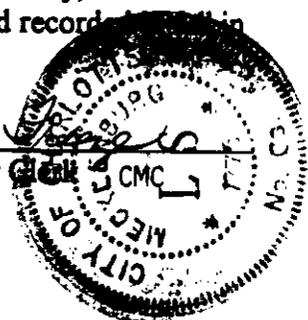
See attached Exhibit A which is incorporated herein by reference.

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, Brenda Freeze, 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 12th day of January, 1998 the reference having been made in Minute Book 111, page _____, and recorded in Resolution Book 34, page 874-883.

Brenda R. Freeze
Brenda R. Freeze, City Clerk



Drawn by: City of Charlotte
Return to: City of Charlotte - Box

REC'D FOR REGISTRATION 02/03/98 09:05
BK: 09479 PG: 0912/0923 #0027 28.00

V. 12/1

EXHIBIT A

(Includes the attached 2A, 2B, 2C, 3A, 4A, and 4B Tracts)

TRACT 2A

A certain tract or parcel of land lying and being in the City of Charlotte, Mecklenburg County, NC, and being a portion of that larger tract as described in Deed Book 7135 Page 856 of the Mecklenburg County Registry, and being further described as follows:

Beginning at a concrete monument at the intersection of the northern right-of-way of Yorkmont Road and the eastern right-of-way of Oak Lake Boulevard, thence with said right-of-way of Oak Lake Boulevard for four calls: first call being N. 29-59-42 W. 121.97 feet; second call being N. 16-06-35 E. 33.55 feet to a point; third call being along a curve to the left with an arc of 13.03 feet and a radius of 711.50 feet (chord bearing N. 15-33-14 E. with a chord distance of 13.03 feet) to a point; fourth call continuing along said curve with an arc 11.67 feet and a radius of 711.50 feet (chord bearing N. 14-35-31 E. with a chord distance of 11.67 feet) to a point, the True Point and Place of Beginning. Thence continuing along said curve an arc of 33.40 feet and a radius of 711.50 feet (chord bearing N. 12-46-37 E. with a chord distance of 33.40 feet) to a point; thence along a curve to the left with an arc of 424.81 feet and a radius of 978.05 feet (chord bearing N. 63-50-26 E. with a chord distance of 421.47 feet) to a point; thence N. 52-52-10 E. 246.12 feet to a point; thence S. 49-36-16 E. 30.73 feet to a point; thence S. 52-52-10 W. 252.34 feet to a point; thence along a curve to the right with an arc of 452.35 feet and a radius of 1008.05 feet (chord bearing S. 64-16-30 W. with a chord distance of 448.57 feet) to a point; the True Point of Beginning and containing approximately 0.474 acres.

TRACT 2B

A certain tract or parcel of land lying and being in the City of Charlotte, Mecklenburg County, NC, and being a portion of that larger tract as described in Deed Book 5218 Page 507 of the Mecklenburg County Registry, and being further described as follows:

Beginning at a concrete monument at the intersection of the northern right-of-way of Yorkmont Road and the eastern right-of-way of Oak Lake Boulevard, thence with said right-of-way of Oak Lake Boulevard for three calls: first call being N 29-59-42 W. 121.97 feet; second call being N. 16-06-35- E. 33.55 feet to a point; third call being along a curve to the left with an arc distance of 13.03 feet and a radius of 711.50 feet (chord bearing N. 15-33-14 E. with a chord distance of 13.03 feet) to a point, the True Point of Beginning. Thence continuing along said curve with an arc of 11.67 feet and a radius of 711.50 feet (chord bearing N. 14-35-31 E. with a chord distance of 11.67 feet) to a point; thence along a curve to the left with an arc of 452.35 feet and a radius of 1008.05 feet (chord bearing N. 64-16-30 E. with a chord distance of 448.57 feet) to a point; thence N. 52-52-10 E. 335.24 feet to a point; thence N. 37-07-51 W. 30.00 feet to a concrete monument; thence. N. 52-52-10 E. 128.28 feet to a point; thence S. 49-33-53 E. 7.39 feet to a point; thence S. 34-17-09 W. 165.64 feet to a point; thence S. 52-52-10 W. 307.76 feet to a point; thence along a curve to the right with an arc of 289.30 feet and a radius of 1038.05 feet (chord bearing S. 59-25-30 W. with a chord distance of 288.37 feet) to a point; thence S. 78-39-19 W. 180.69 feet to a point, the True Point of Beginning and containing approximately 0.582 acres.

TRACT 2C

A certain tract or parcel of land lying and being in the City of Charlotte, Mecklenburg County, NC, and being further described as follows:

Beginning at a concrete monument at the intersection of the northern right-of-way of Yorkmont Road and the eastern right-of-way of Oak Lake Boulevard, thence with said right-of-way of Oak Lake Boulevard for two calls: first call being N. 29-59-42 W. 121.97 feet; second call being N. 16-06-35 E. 24.56 feet to a point, the True Point of Beginning. Thence continuing along said right-of-way for two calls: first call being N. 16-06-35 E. 8.99 feet; second call being along a curve to the left with an arc of 13.03 feet and a radius of 711.50 feet (chord bearing N. 15-33-14 E. with a chord distance of 13.03 feet) to a point; thence N. 78-39-19 E. 180.69 feet to a point; thence along a curve to the right with an arc of 179.56 feet with a radius of 1038.05 feet (chord bearing S. 72-21-52 W. with a chord distance of 179.33 feet) to a point, thence S. 78-33-35 W. 12.52 feet to a point the True Point of Beginning, and containing approximately 0.054 acres.

TRACT 3A

A certain tract or parcel of land lying and being in the City of Charlotte, Mecklenburg County, NC, and being a portion of that larger tract as described in Deed Book 664 Page 255 of the Mecklenburg County Registry, and being further described as follows:

Beginning at a point at N.C.G.S. Monument "Ditch" N=529,885.33, E=1,423,324.62, grid factor 0.9998393 (1927 datum); thence two courses and distances as follows: (1) N. 79-17-45 E., a ground distance of 2,499.82 feet and grid distance of 2,499.42 feet to a #5 rebar in the easterly margin of Meadow Oak Drive and (2) S. 49-36-16 E. 340.82 feet to a point being the intersection of the northerly margin of Old Wilmont Road and the southwestern most point of the corner of Frank S. Spratt (now or formerly), the True Point of Beginning. Thence N. 52-52-10 E. 89.53 feet to a concrete monument; thence S. 37-07-51 E. 30.00 feet to a point; thence S. 52-52-10 W. 82.90 feet to a point; thence N. 49-36-16 W. 30.73 feet to a point; the True Point of Beginning and containing approximately 0.059 acres.

TRACT 4A

A certain tract or parcel of land lying and being in the City of Charlotte, Mecklenburg County, NC, and being a portion of that larger tract as described in Deed Book 5218 Page 507 of the Mecklenburg County Registry, and being further described as follows:

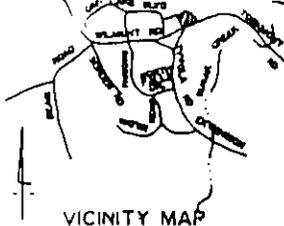
Beginning at a point at N.C.G.S. Monument "Ditch" N=529,885.33, E=1,423,324.62, grid factor 0.9998393 (1927 datum); and thence from said point three courses and distances as follows: (1) N. 79-17-45 E., a ground distance of 2,499.82 feet and grid distance of 2,499.42 feet to an existing #5 rebar in the easterly margin of Meadow Oak Drive; (2) S. 49-36-16 E. 340.82 feet to a point being the intersection of the northerly margin of Old Wilmont Road and the southwestern most point of the corner of Frank S. Spratt (now or formerly) and (3) N. 52-52-10 E. 89.53 feet to a concrete monument the True Point of Beginning. Thence N. 32-18-37 E. 77.39 feet to a concrete monument; thence N. 16-45-38 W. 84.63 feet to a point; thence along a curve to the left with an arc distance of 2.86 feet and a radius of 87.00 feet (chord bearing N. 51-45-56 E. with a chord distance of 2.86 feet) to a point; thence S. 49-33-53 E. 109.13 feet to a point; thence S. 52-52-10 W. 128.28 feet to a concrete monument, the True Point of Beginning and containing approximately 0.103 acres.

TRACT 4B

A certain tract or parcel of land lying and being in the City of Charlotte, Mecklenburg County, NC, and being a portion of that larger tract as described in Deed Book 5218 Page 507 of the Mecklenburg County Registry, and being further described as follows:

Beginning at a point at N.C.G.S. Monument "Ditch" N=529,885.33, E=1,423,324.62, grid factor 0.9998393 (1927 datum); and thence from said point five courses and distances as follows: (1) N. 79-17-45 E., a ground distance of 2,499.82 feet and grid distance of 2,499.42 feet to an existing #5 rebar in the easterly margin of Meadow Oak Drive; (2) S. 49-36-16 E. 340.82 feet to a point being the intersection of the northerly margin of Old Wilmont Road and the southwestern most point of the corner of Frank S. Spratt (now or formerly); (3) N. 52-52-10 E. 89.53 feet to a concrete monument; (4) N. 32-18-37 E. 77.39 feet to a concrete monument; and (5) N. 16-45-38 W. 84.63 feet to a point, the True Point of Beginning. Thence N. 16-45-38 W. 5.18 feet to a point; thence S. 49-33-53 E. 4.92 feet to a point; thence along a curve to the right with an arc of 2.86 feet and a radius of 87.00 feet (chord bearing S. 51-45-56 W. with a chord distance of 2.86 feet to a point, the True Point of Beginning and containing approximately 6.89 square feet.

TRACT 2-A LAKEPOINT BUSINESS LAND
7135 - 856
TRACT E-B CITY OF CHARLOTTE
5218 - 307
TRACT 3-A FRANK S. SPRATT
664 - 255
TRACT 4-A CITY OF CHARLOTTE
5218 - 307
TRACT 4-B CITY OF CHARLOTTE
5218 - 307



VICINITY MAP

not to scale
RICHARD B. HOBBS, REVIEW OFFICER OF MECKLENBURG COUNTY CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS ATTACHED MEETS ALL REQUIREMENTS FOR RECORDING.

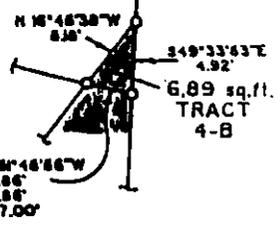
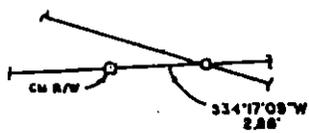
Richard B. Hobbs 1/22/98
Review Officer Date

- NOTES:
1. RAW RATIO OF PRECISION 1:10,000. ENCLOSURE WAS DISTRIBUTED BY THE COMPASS RULE ADJUSTMENT METHOD.
 2. AREA DETERMINED BY COORDINATE COMPUTATION.
 3. THIS MAP IS PREDICATED ON THE POSSESSION LINES AND EXISTING CORNERS FOUND IN THE FIELD AS SHOWN.
 4. SUBJECT PROPERTY IS LOCATED IN ZONE 'C' (area of minimal flooding) AS PER FIRM COMMUNITY PANEL No. 370158 0220 A & 370158 0210 A (E11, Date: JUNE 1, 1988)
 5. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND.

- REFERENCES:
1. PLAT TITLED "BOUNDARY SURVEY FOR FRANK S. SPRATT & CROW-CHILDRESS-KLIEN" BY CONCORD ENGINEERING & SURVEYING INC. (Date: 8-28-90, JOB #90-08-40)
 2. PLAT TITLED "MAP THREE FINAL PLAT OF LAKE PONTE BUSINESS PARK" BY CONCORD ENGINEERING & SURVEYING, INC. (Date: 4-89 (JOB #89-02-37) (MAP BOOK 24 - PAGE 399)
 3. PROPOSED R/W FOR TYVOLA RD. EXTENSION & CHANGES FOR WILMONT RD. TAKEN FROM CITY OF CHARLOTTE ENGINEERING DEPARTMENT MAPS; JOB #512-88-083, SHEETS 58, 60 A-D, 62, 63, 70 A-B, 75, 78 AS REVISED.

- LEGEND:
- EXIST. IRON PIN (as described)
 - SET IRON PIN (as REBAR)
 - NO POINT SET
 - CONC. R/W MONUMENT
 - RIGHT OF WAY LINE
 - ==== PROPERTY LINE
 - ==== ADJACENT PROPERTY LINE
 - TIE LINE

This is not a certified survey and no reliance may be placed in its accuracy.



CERTIFY THAT THIS MAP WAS DRAWN FROM A PLAT OR PLATS MADE UNDER MY SUPERVISION, THAT THE ERRORS IN CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000. THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN O.S. NO. _____ AS AMENDED; AND THAT THE ANGULAR ERROR WAS _____ PER TURN.

WITNESSETH, AND OFFICIAL SEAL THIS _____ DAY OF FEB. 1998.

R. Lunsford
REGISTERED LAND SURVEYOR

Richard A. Lunsford
A NOTARY PUBLIC OF THE COUNTY AND STATE ADDRESSAM, CERTIFY THAT *R. DALE FUNK* A REGISTERED SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT ON THESE DATES AND AN OFFICIAL STAMP OR SEAL, THIS _____ DAY OF FEB. 1998.

FEB. 12, 1998
MY COMMISSION EXPIRES _____

REVISOR 7-13-98 ADDED WILMONT ROAD ABANDONMENT TRACTS.

R/W ABANDONMENT SURVEY OF LOT IN _____ TWP. MECKLENBURG CO., N.C. IN THE CITY OF CHARLOTTE ON W. TYVOLA RD. HOUSE NO. _____ IN BLOCK NO. _____ ON MAP OF _____ MAP RECORDED IN BOOK _____ PG. _____ DEED RECORDED IN BOOK _____ PG. _____ OFFICE OF THE REGISTER OF DEEDS FOR MECKLENBURG COUNTY, N.C. (FIELD BOOK NOS. _____) THE PROPERTY OF _____

SCALE: 1" = 100 FT. DATE: JAN. 23, 1998

CONCORD ENGINEERS - SURVEYORS - PLANNERS
45 Spring Street S.W. Concord (704) 786-6400
Concord, N.C. 28026 • Charlotte (704) 332-9934
Fax (704) 788-7464

JOB #A3-02-37 DISG B-66 LAKPT2PRV
DISC 93-06-43

CONCORD ENGINEERING & SURVEYING INC. 1992

This page not used

JUDITH A GIBSON REG OF DEEDS MECK NC
FILED FOR REGISTRATION 01/21/98 12:35
BK: 09457 PG: 0485/0487 #:0174 10.00

RESOLUTION CLOSING A PORTION OF OVERHILL ROAD LOCATED BETWEEN HARRIS ROAD AND THE REAR OF LOTS FRONTING ON CASSAMIA PLACE IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

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

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of Overhill Road to be sent by registered mail to all owners of property adjoining the said street (or portion thereof), and prominently posted a notice of the closing and public hearing in at least two places along said portion of Overhill Road, all as required by G.S. 160A-299; and

WHEREAS, the petition will provide an easement to Duke Power Company and BellSouth Telecommunications, Inc. to maintain their facilities as shown on the map attached hereto and made a part hereof marked "Exhibit A-2," and,

WHEREAS, the public hearing was held on the 8th day of December, 1997, and City Council determined that the closing of said portion of Overhill Road is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived or 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 January 12, 1998 that the Council hereby orders the closing of said portion of Overhill Road in the City of Charlotte, Mecklenburg County, North Carolina as described in a metes and bounds description marked "Exhibit B."

BE IT 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, Brenda Freeze, 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 12th day of January, 1998. The reference having been made in Minute Book 111, page , and recorded in full in Resolution Book 34, page 885-887.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 1998.

Brenda R. Freeze CMC
Brenda R. Freeze, CMC, City Clerk

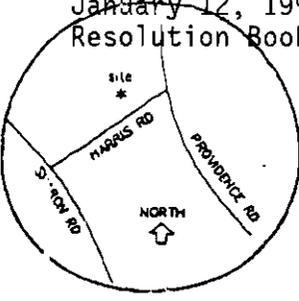


Drawn by: City of Charlotte
Return to: City of Charlotte - Box

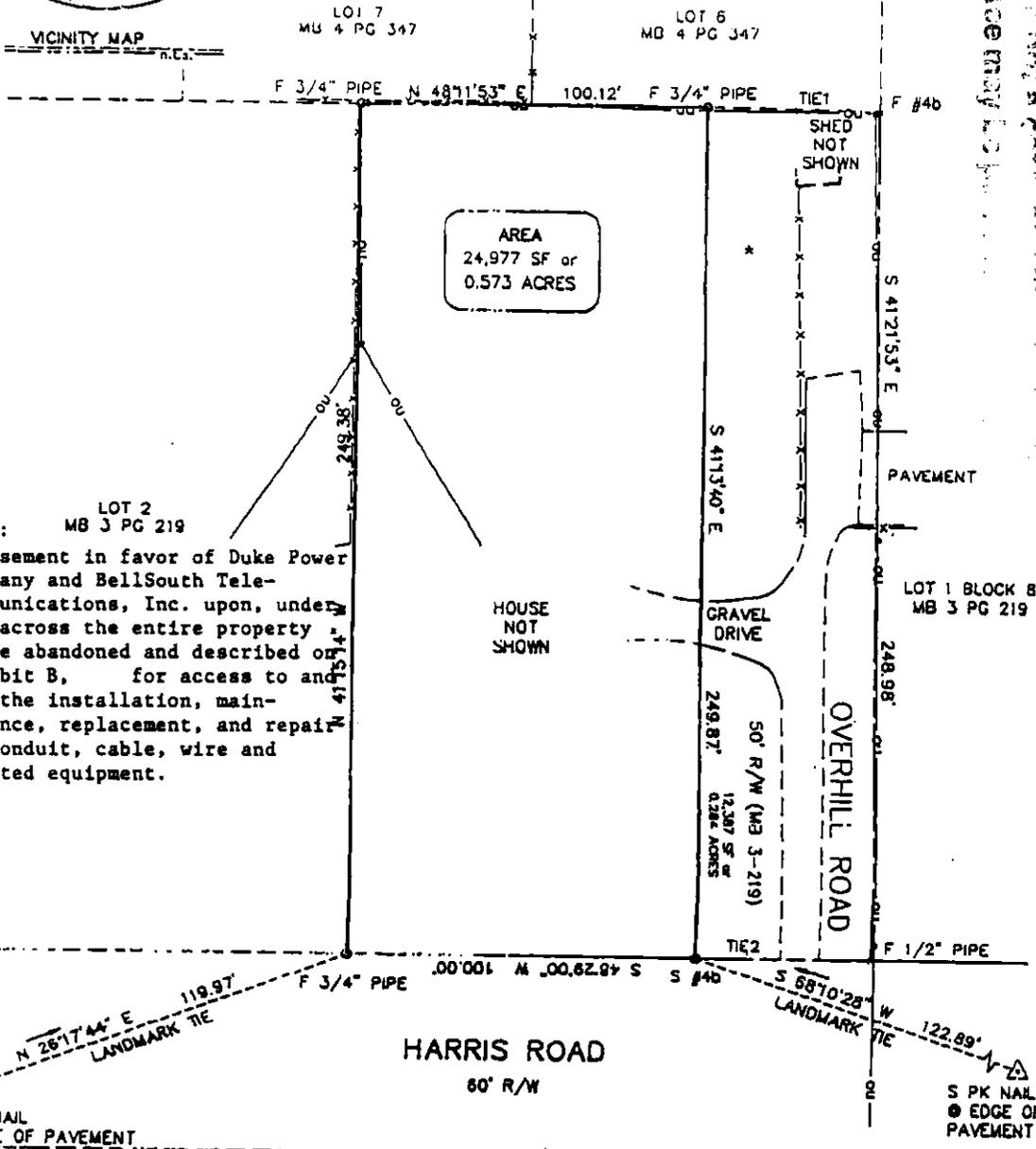
Exhibit B

Being a strip of land representing the unopened portion of Overhill Road, and being more particularly described as follows: Beginning at an old iron located in the northwesterly margin of the sixty foot right of way of Harris Road, said iron also marking the easternmost corner of Lot 1 in Block 9 of Pharr Acres, as shown on map thereof recorded in Map Book 3, page 219, Mecklenburg Registry; thence with said northwesterly margin of Harris Road, N 48-29-16 E 49.96 feet to an iron marking the southernmost corner of Lot 1 in Block 8 of Pharr Acres, as shown on the above map; thence with the southwesterly side line of said lot N 41-21-53 W 248.98 feet to an old iron, the northwesterly rear corner of said lot; thence S 49-31-16 W 49.37 feet to an iron marking the northeasterly rear corner of Lot 1 in Block 9 of Pharr Acres as shown on the above map; thence with the northeasterly side line of said Lot 1 in Block 9, S 41-13-40 E 249.87 feet to the point of beginning, as shown on a survey prepared by Michael S. Miller, Registered Surveyor, dated August 18, 1997.

THIS PROPERTY MAY BE SUBJECT TO EASEMENTS AND/OR RIGHTS-OF-WAY EITHER RECORDED OR IMPLIED.



LINE	DIRECTION	DISTANCE
TIE1	S 49°31'16" W	49.37'
TIE2	S 48°29'16" W	49.96'



***NOTE:**
Easement in favor of Duke Power Company and BellSouth Telecommunications, Inc. upon, under and across the entire property to be abandoned and described on Exhibit B, for access to and for the installation, maintenance, replacement, and repair of conduit, cable, wire and related equipment.

Easement may be for...

RICHARD B. THOMPSON, SURVEYOR OF MECKLENBURG COUNTY, NORTH CAROLINA, TO WHOM THIS DEED IS REFERRED BY WHICH THIS PROPERTY WAS ACQUIRED, HAS REVIEWED THIS SURVEY AND STATUTORY REQUIREMENTS.

1/20/98

Date
Review Officer

FLOOD STATEMENT THIS IS TO CERTIFY THAT THE LOCATION OF THE SUBJECT PROPERTY HAS BEEN CHECKED AGAINST AREA FEMA/FIRM MAPS AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA A OR B.		F.E.M.A. - F.I.R.M. INFORMATION COMBASTY-PANEL NUMBER 376198 0850 B ZONE C1 MAP REVISED: FEBRUARY 26, 1982		LEGEND O PROPERTY CORNER F FOUND S SET X EVIDENCE #4# No. 4 REBAR --- FENCE LINE -ou- OVERHEAD UTILITIES R/W RIGHT OF WAY o UTILITY POLE	
BOUNDARY SURVEY of 1900 HARRIS ROAD Charlotte, Mecklenburg County, N.C.		LOT 1 BLOCK 8 MAPBOOK 3 PAGE 219 SUBDIVISION PHARR ACRES DEED REFERENCE: DB 2203 PG 0042 for RANKIN CONSTRUCTION COMPANY		SEAL L-3677 LAND SURVEYOR MICHAEL S. MILLER	
Lucas-Forman Incorporated Land Surveying Planning & Engineering 4000 Stuart Andrew Boulevard Charlotte, North Carolina 28217 P.O. Box 11386 28220-0386 (704) 527-6626 Fax 527-9640		SURVEYED: L.E. THOMPSON DATE: 8-18-97 REV. 0 DRAWN: M.S. WICKS UPDATE:		JOB# 97290 FILE# 53	

RESOLUTION CLOSING PORTIONS OF COLLINGWOOD DRIVE AND APPLGATE ROAD LYING BETWEEN THE 4400 BLOCK OF COLLINGWOOD DRIVE AND THE 4500 BLOCK OF APPLGATE ROAD IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

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

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close portions of Collingwood Drive and Applegate Road to be sent by registered mail to all owners of property adjoining the said streets (or portion thereof), and prominently posted a notice of the closing and public hearing in at least two places along said portions of Collingwood Drive and Applegate Road, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to the Charlotte Mecklenburg Utility Department to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 8th day of December, 1997, and City Council determined that the closing of said portions of Collingwood Drive and Applegate Road is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived or 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 January 12, 1998 that the Council hereby orders the closing of said portions of Collingwood Drive and Applegate Road in the City of Charlotte, Mecklenburg County, North Carolina as described in a metes and bounds description marked "Exhibit B."

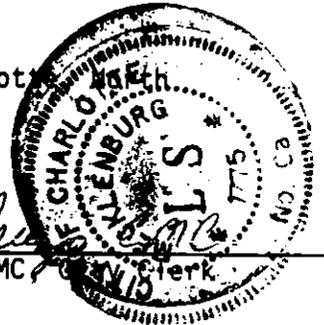
BE IT RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

CERTIFICATION

I, Brenda Freeze, 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 12th day of January, 1998. The reference having been made in Minute Book 111, page , and recorded in full in Resolution Book 34, page 888-890.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 1998.

Brenda R. Freeze
Brenda R. Freeze, CMC



Drawn by: City of Charlotte
Return to: City of Charlotte - Box

FILED FOR REGISTRATION 02/13/98 10:56
BK: 09496 PG: 0247/0249 #:0174 10.00

V. White

EXHIBIT B

LEGAL DESCRIPTION

PORTIONS OF APPLGATE ROAD AND COLLINGWOOD DRIVE RIGHTS-OF-WAY TO BE ABANDONED:

Being a parcel of property located in Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at a point marking the northeast corner of Lot 28 of Map Book 7 Page 259, and running thence from said point with two (2) lines of the Charlotte Park & Recreation Commission (Deed Book 1719 Page 0391) the following calls:

(1) N 36-03-00 W 41.17 feet to a point;

(2) with the arc of a circular curve to the right having a radius of 164.19 feet an arc distance of 242.71 feet (chord: N 06-17-51 E 221.21 feet) to a point, the southwest corner of Lot 61 of Map Book 7 Page 483; thence S 36-03-00 E 50.31 feet to a point, the northwest corner of Lot 60 of Map Book 7 Page 483; thence with two (2) lines of the Charlotte Park & Recreation Commission (Deed Book 1719 Page 0391) the following two calls:

(1) with the arc of a circular curve to the left having a radius of 114.19 feet an arc distance of 164.14 feet (chord: S 05-07-49 W 150.37 feet) to a point;

(2) S 36-03-00 E 45.70 feet to a point, the westernmost corner of Lot 27 of Map Book 7 Page 259; thence S 59-07-40 W 50.20 feet to THE POINT AND PLACE OF BEGINNING, containing 0.283 acres or 12,343 square feet, as shown on map by Lucas-Forman, Inc., dated September 4, 1997.



9/4/97

EXHIBIT A

R/W	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	164.19'	242.71'	221.21'	S 06°17'51" W	84°41'42"
C2	114.19'	164.14'	150.37'	S 05°07'49" W	82°21'38"



R/W	DIRECTION	DISTANCE
B1	N 36°03'00" W	41.17'
B2	S 36°03'00" E	50.31'
B3	S 36°03'00" E	45.70'
B4	S 59°07'40" W	50.20'

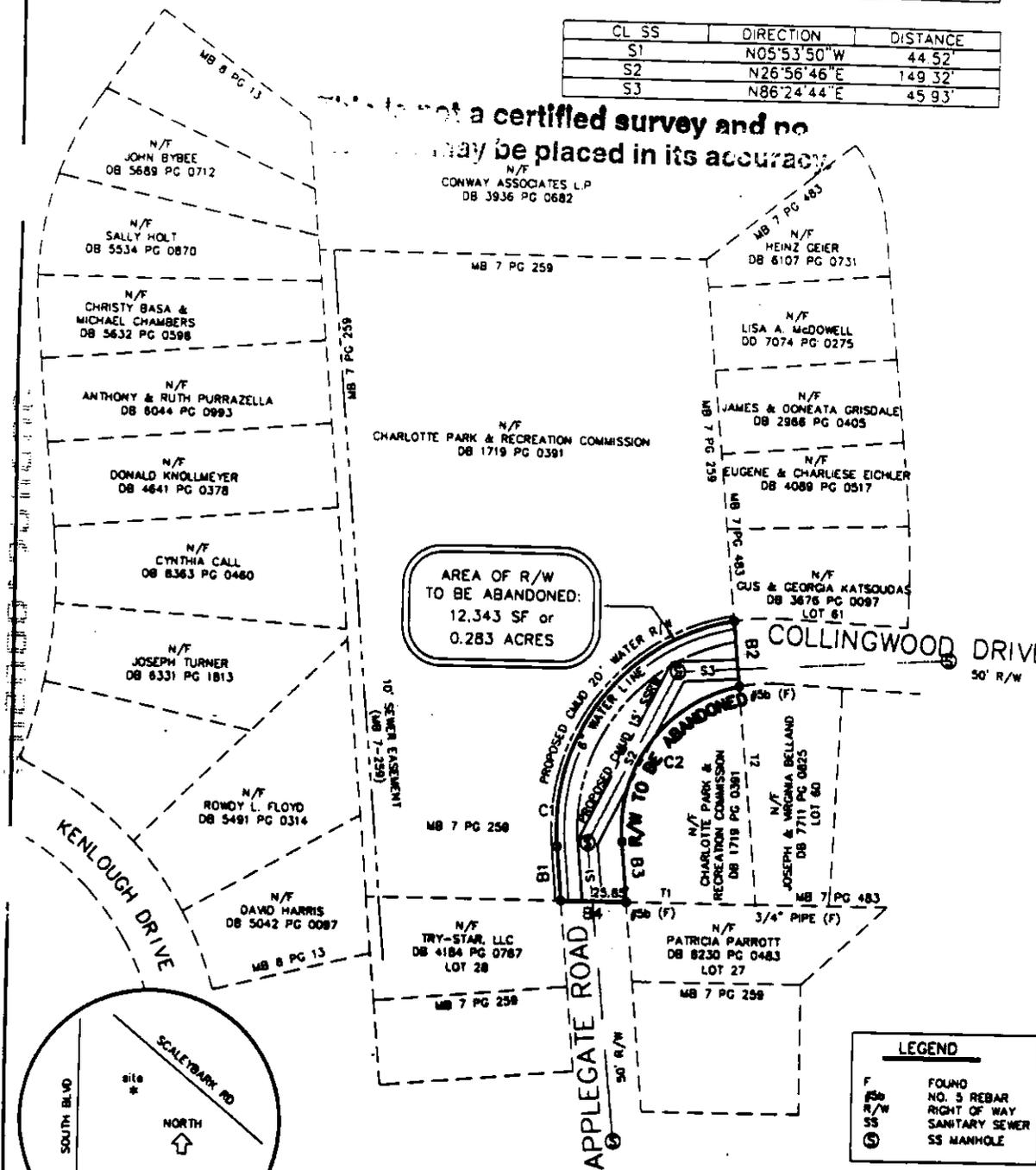
TIE	DIRECTION	DISTANCE
T1	S89°55'47"E	99.05'
T2	S05°03'01"E	167.94'

CL SS	DIRECTION	DISTANCE
S1	N05°53'50"W	44.52'
S2	N26°56'46"E	149.32'
S3	N86°24'44"E	45.93'

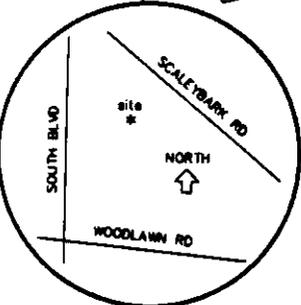
This is not a certified survey and no reliance may be placed in its accuracy.

RICHARD B. HOPPS, REVIEW OFFICER OF MECKLENBURG COUNTY, NORTH CAROLINA, HAS REVIEWED THIS MAP AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MECKLENBURG COUNTY ZONING ORDINANCES. ALL SIGNATURES REQUIRE NOTARIZATION.

Richard B. Hopps
1/29/98
Date
Review Officer



This is not a certified survey and no reliance may be placed in its accuracy.



LEGEND	
F	FOUND
NO. 5 REBAR	
R/W	RIGHT OF WAY
SS	SANITARY SEWER
SS	SS MANHOLE

THIS MAP WAS DRAWN FROM THE FOLLOWING EXISTING PUBLIC RECORDS:
MAP BOOK 7 PAGE 259; MAP BOOK 7 PAGE 483; MAP BOOK 8 PAGE 013
REVISED 12-5-97: SHOW PROPOSED CMUD 15' SANITARY SEWER R/W;
SHOW PROPOSED CMUD 20' WATER R/W

Note: Easement in favor of the Charlotte Mecklenburg Utility Department upon, under, and across the entire property described above for access to and for the installation, maintenance, replacement, and repair of conduit, cable, wire, pipes and related equipment.

Lucas-Forman Incorporated
Land Surveying
Planning & Engineering
4000 Stuart Andrew Boulevard
Charlotte, North Carolina 28217
P.O. Box 11386 28220-0386
704) 527-6626 Fax 527-9640

R/W ABANDONMENT
of
Portions of Applegate Road & Collingwood Drive
Charlotte, Mecklenburg County, N.C.
LOT _____ BLOCK _____ MAPBOOK 7 PAGE 259
SUBDIVISION SELWYN PARK
DEED REFERENCE: DB 1719 PG 0391
for
Mecklenburg County Park & Recreation Department

SEAL
NORTH CAROLINA
L-3246
LAND SURVEYOR
MATTHEW J. LUCAS

REVIEWED BY: M.J. LUCAS	DATE: 9-4-97	REV. U
DRAWN: M.S. LUCAS	UPDATE: 12-5-97	JOB# 97311 FILE# 30

CITY OF CHARLOTTE

RESOLUTION APPROVING THE MECKLENBURG COUNTY
SOLID WASTE MANAGEMENT 10-YEAR PLAN
DATED JULY 1, 1997

WHEREAS, better planning for solid waste will help protect public health and the environment, provide for an improved solid waste management system, better utilize our natural resources, control the cost of solid waste management; and

WHEREAS, NC General Statute 130A-309.09A(b) requires each unit of local government, either individually or in cooperation with other units of local government, to develop a 10-year comprehensive solid waste management plan; and

WHEREAS, the City of Charlotte entered into the Solid Waste Management Plan Interlocal Agreement with Mecklenburg County wherein the City approved the Mecklenburg County Solid Waste Management Plan dated September 1988(the "Plan"); and

WHEREAS, the City adopted a Resolution on October 8, 1990 approving changes to the Plan reflected in the document entitled "Mecklenburg County Solid Waste Management Plan Proposed 1990 Revisions"; and

WHEREAS, the City adopted a Resolution on July 27, 1992 approving amendments to the Plan in the document entitled "Mecklenburg County Solid Waste Management Plan" dated January 8, 1992; and

WHEREAS, the Mecklenburg County Board of Commissioners, upon advice of its Waste Management Advisory Board, on September 2, 1997 approved revisions to the Plan as reflected in the attached document entitled "Mecklenburg County Solid Waste Management 10-Year Plan" dated July 1, 1997; and

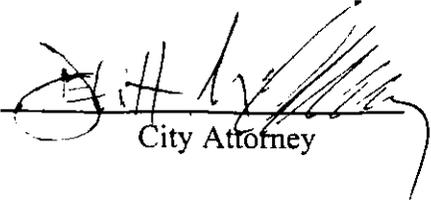
WHEREAS, Mecklenburg County has requested that the City also approved the revised Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that the City does hereby approve the revisions to the Mecklenburg County Solid Waste Management Plan as outlined in the attached document entitled "Mecklenburg County Solid Waste Management 10-Year Plan" dated July 1, 1997.

This Resolution shall be effective immediately upon its adoption.

Approved the 12th day of January, 1998.

APPROVED AS TO FORM:

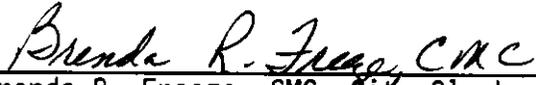


City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 12th day of January, 1998, the reference having been made in the Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 891-892.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 1998.



Brenda R. Freeze, CMC, City Clerk