

January 26, 1987  
Resolution Book 23 - Page 143

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE A 15' WIDE UNNAMED ALLEY LOCATED OFF OF THE 100 BLOCK OF NORTH PINE STREET, SAID BLOCK BEING BOUNDED BY NORTH PINE STREET, WEST TRADE STREET, NORTH GRAHAM STREET AND WEST 5TH STREET IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

WHEREAS, West Trade Street Associates, a North Carolina General Partnership, has filed a Petition to close a 15' wide unnamed alley located off the 100 Block of North Pine Street in the City of Charlotte; and

WHEREAS, the 15' wide unnamed alley petitioned to be closed lies off of the 100 Block of North Pine Street, in the block bounded by North Pine Street, West Trade Street, North Graham Street and West 5th Street in the City of Charlotte, as shown on a map marked "Exhibit A", and is more particularly described by metes and bounds in a document marked "Exhibit B", both of which are available for inspection in the Office of the City Clerk, City Hall, Charlotte, North Carolina.

WHEREAS, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that Council first adopt a resolution declaring its intent to close the alley and calling a public hearing on the question; said Statute further requires that the resolution shall be published once a week for four 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 alley; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly scheduled session of January 26, 1987, that it intends to close the above described 15' wide unnamed alley, said alley being more particularly described on a map and by 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 7:30 p.m., on Monday, the 9th day of March, 1987, at West Mecklenburg Senior High School. The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for four successive weeks next preceding the date fixed here for such hearing, as required by N.C.G.S. 160A-299.

#### CERTIFICATION

I, PAT SHARKEY, 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 26th day of January, 1987, the reference having been made in Minute Book 87, and recorded in full in Resolution Book 23, at Page(s) 143.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 2nd day of February, 1987.

PAT SHARKEY, CITY CLERK

January 26, 1987  
Resolution Book 23 - Page 144

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 purpose of a sanitary sewer right-of-way easement as well as a temporary construction easement; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, as amended, being the Charter of The City of Charlotte, condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended:

<u>Parties in Interest</u>	<u>Property Description</u>	<u>Appraised Value</u>
Charles A. Stevens and wife, Patricia G. Stevens	3,602.95 s.f., plus 1,916.97 s.f. temporary construction easement of <u>Tax Code No. 213-021-11</u>	\$ 3,320.00
John B. Fisher, Trustee	(Same)	(Included)
Security Bank & Trust Company, Beneficiary	(Same)	(Included)

IT IS FURTHER RESOLVED that the appraised value of 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.

Approved as to form:

Henry W. Underhill Jr.  
City Attorney

CERTIFICATION

I, Pat Sharkey, 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 26th day of January, 1987, and the reference having been made in Minute Book 87, Page     , and recorded in full in Resolutions Book 23, Page 144.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 27th day of January, 1987.

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City Clerk