

RESOLUTION CLOSING AN UNOPENED PORTION OF E. WORTHINGTON AVENUE 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 an unopened portion of E. Worthington 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 an unopened portion of E. Worthington 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 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 conduit, and related equipment, as shown on the attached maps marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 28th day of March, 2016, and City Council determined that the closing of an unopened portion of E. Worthington 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 March 28, 2016, that the Council hereby orders the closing of an unopened portion of E. Worthington 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 document 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.

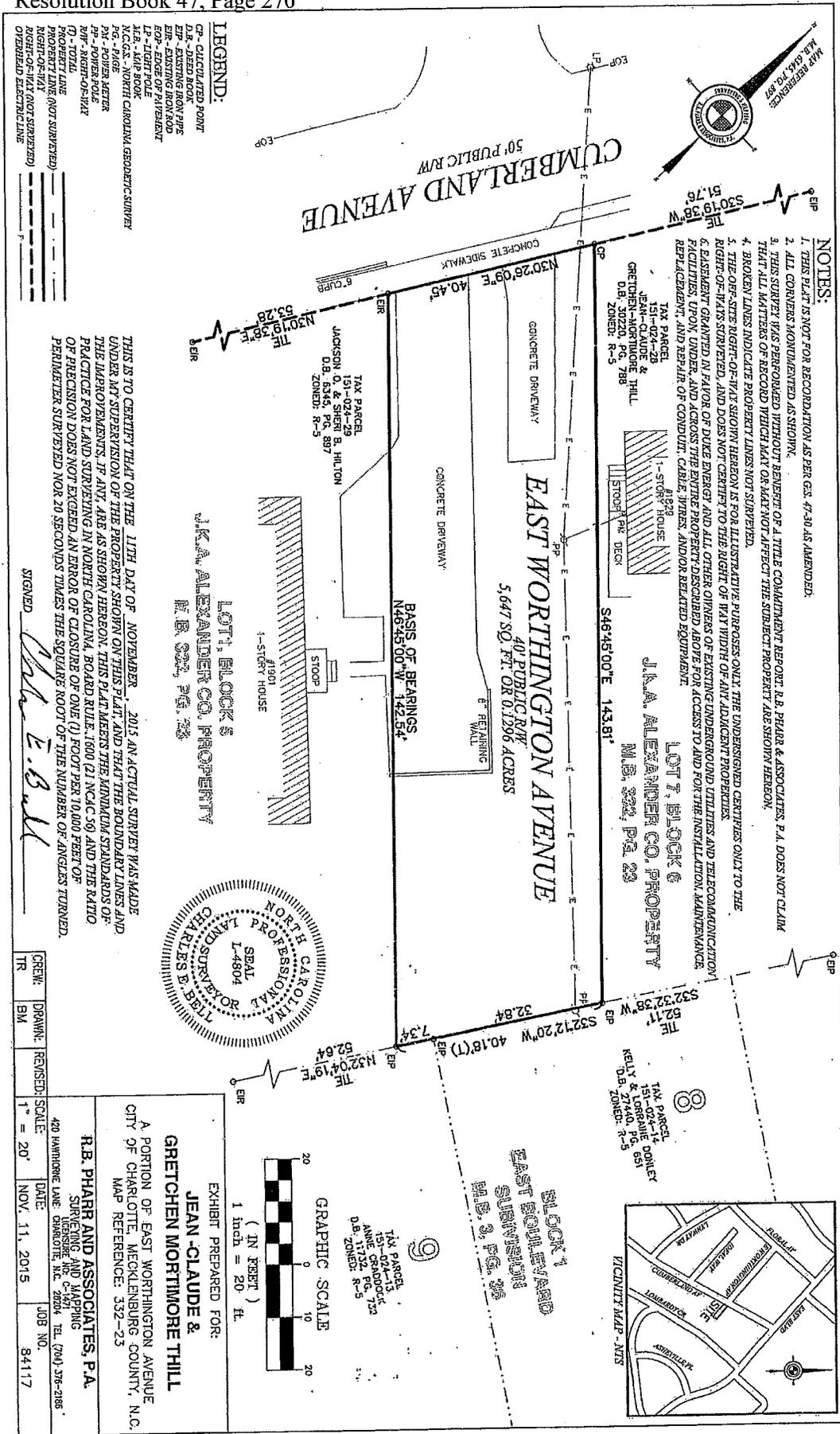
CERTIFICATION

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 28th day of March, 2016 the reference having been made in Minute Book 140 and recorded in full in Resolution Book 47, Page(s) 268-271.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 28th day of March, 2016.



Emily A. Kunze
Emily A. Kunze, Deputy City Clerk



NOTES:
 1. THIS PLAT IS NOT FOR RECORDATION AS PER GEN. STAT. § 47-30 AS AMENDED.
 2. ALL CORNERS MENTIONED AS SHOWN.
 3. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT, R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
 4. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
 5. THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAY SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT FRONTAGES.
 6. EASEMENT GRANTED IN FAVOR OF DUKE ENERGY AND ALL OTHER OWNERS OF EXISTING UNDERGROUND UTILITIES AND TELECOMMUNICATION FACILITIES UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE, WIRES, AND/OR RELATED EQUIPMENT.

LEGEND:
 CP - CALCULATED POINT
 D.B. - DEED BOOK
 E.P. - EXISTING FROM PREVIOUS SURVEY
 EOP - EDGE OF PAVEMENT
 I.E. - LIGHT POLE
 M.E. - MAP BOOK
 N.C.G.S. - NORTH CAROLINA GEODETIC SURVEY
 P.G. - PAGER LETTER
 P.P. - POWER POLE
 R.W. - RIGHT-OF-WAY
 T - TOTAL
 PROPOSED LINE (NOT SURVEYED)
 RIGHT-OF-WAY (NOT SURVEYED)
 OVERHEAD ELECTRICAL LINE

LOT 1, BLOCK 5
J.K.A. ALEXANDER CO. PROPERTY
 R.B. 322, PG. 23

LOT 7, BLOCK 6
J.K.A. ALEXANDER CO. PROPERTY
 M.B. 322, PG. 23

TAX PARCEL 151-024-28
 JEAN-CLAUDE & GRETCHEN MORTIMORE THILL
 D.B. 6345, PG. 788
 ZONED: R-3

TAX PARCEL 151-024-29
 JACKSON O. & SHERI B. HILTON
 D.B. 6345, PG. 897
 ZONED: R-3

TAX PARCEL 151-024-13
 1ST GRADDOCK AVE #1132 PG. 752
 D.B. ZONED: R-3

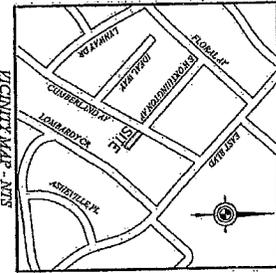
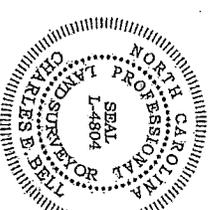
TAX PARCEL 151-024-14
 KELLY & 27440 PG. 651
 D.B. ZONED: R-3

THIS IS TO CERTIFY THAT ON THE 11TH DAY OF NOVEMBER, 2015 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1.600 (2) N.C.A.C. 30 AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

EXHIBIT PREPARED FOR:
JEAN-CLAUDE & GRETCHEN MORTIMORE THILL
 A PORTION OF EAST WORTHINGTON AVENUE
 CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.
 MAP REFERENCE: 332-23

R.B. PHARR AND ASSOCIATES, P.A.
 SURVEYING AND MAPPING
 420 HANNOVER LAKE, CHARLOTTE, N.C. 28204 TEL: (704) 376-2166

CREW: [] **DRAWN:** [] **REVISIONS:** []
TR: [] **BM:** [] **SCALE:** 1" = 20'
DATE: NOV. 11, 2015 **JOB NO.:** 84117



SIGNED: *Charles E. Terry*

March 28, 2016

Resolution Book 47, Page 271

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

*BEGINNING at an existing iron rod situated at the intersection of the southeasterly margin of the right of way of Cumberland Avenue and the southwesterly margin of the right of way of East Worthington Avenue; said iron being the northerly most corner of Lot 1, Block 5 of the J.K.A. Alexander Co. Subdivision as shown on Map Book 332, Page 23 of the Mecklenburg County Public Registry; thence with the southeasterly margin of the right of way of Cumberland Avenue N 30°26'09" E a distance of 40.45 feet to a calculated point situated at the intersection of the southeasterly margin of the right of way of Cumberland Avenue and the northeasterly margin of the right of way of East Worthington Avenue; said point being the westerly most corner of Lot 7, Block 6 of the aforesaid J.K.A. Alexander Co. Subdivision; thence with the southwesterly margin of the aforesaid Lot 7, Block 6 S 46°45'00" E a distance of 143.81 feet to an existing iron pipe; said iron being on the westerly boundary line of Lot 8, Block 1 of the East Boulevard Subdivision as shown on Map Book 3, Page 36 of the Registry; thence with the rear lines of Lots 8 and 9, Block 1 of the aforesaid East Boulevard Subdivision S 32°12'20" W crossing an existing iron pipe at a distance of 32.84 feet for a total distance of 40.18 feet to an existing iron pipe situated at the easterly most corner of the aforesaid Lot 1 Block 5; thence with the aforesaid Lot 1, Block 5 N 46°45'00" W a distance of 142.54 feet back to the point and place of beginning. Containing 5,647 square feet or 0.1296 acres according to a survey by R. B. Pharr & Associates, P. A. dated November 11, 2015.
Job No. 84117*

**RESOLUTION RATIFYING AN INTERLOCAL AGREEMENT FOR THE BUSINESS
PERMITTING SOFTWARE APPLICATION BETWEEN THE
CITY OF CHARLOTTE AND MECKLENBURG COUNTY**

WHEREAS, the City of Charlotte (the “City”) and Mecklenburg County (the “County”) desires to enter into an interlocal agreement (“Interlocal Agreement”) in order to develop a joint undertaking project for the design, implementation, licensing and maintenance of a business permitting software application (the “Application”).

WHEREAS, the Interlocal Agreement names the City as lead agency in managing contracts for the Application, with the cost of maintaining the Application shared 50% by the City and 50% by the County.

WHEREAS, the Application will improve customer access to information pertaining to land development and building plan approvals and permits for commercial projects.

WHEREAS, North Carolina General Statutes 153A-445(a)(1) and 160A-460 *et. seq.* authorize the City and the County to enter into an interlocal agreement to undertake joint funding and operation of projects; and

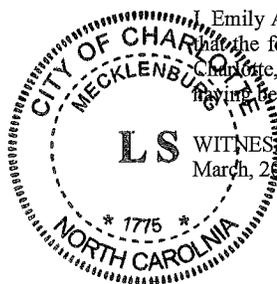
WHEREAS, N.C. Gen. Stat. 160A-461 requires that this agreement “be ratified by resolution of the governing board of each unit spread upon its minutes.”

NOW THEREFORE BE IT RESOLVED that the City Council for the Charlotte City Council, pursuant to Section 8-124 of the City of Charlotte Charter, hereby authorizes the City to enter into an interlocal agreement with the County as follows:

CITY AND COUNTY will jointly undertake development and funding of design, implementation, licensing, and maintenance of a business permitting software application. The City Manager or his/her designee is authorized to negotiate the terms and execute an interlocal agreement and any subsequent amendments necessary to complete the Application as described in this resolution.

THIS THE 28th DAY OF MARCH, 2016.

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 an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of March 2016 the reference having been made in Minute Book 140, and recorded in full in Ordinance Book 59, Page(s) 272.

LS WITNESSE my hand and the corporate seal of the City of Charlotte, North Carolina, the 28th day of March, 2016.

Emily A. Kunze, Deputy City Clerk

March 28, 2016

Resolution Book 47, Page 273

RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE an unopened portion of Poinsett Street in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, the **Charlotte-Mecklenburg Housing Partnership** has filed a petition to close an unopened portion of Poinsett Street in the City of Charlotte; and

Whereas, an unopened portion of Poinsett Street is a 50-foot wide right-of-way that begins at its intersecting point with Norris Avenue and continues south for approximately 191 feet to its terminus at an intersecting point with a Duke Energy right-of-way, and consists of 9,507 square feet, as shown in the maps marked "Exhibit A" and is more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

Whereas, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley.

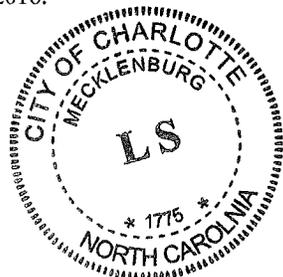
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of March 28, 2016, that it intends to close an unopened portion of Poinsett Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 25th day of April 2016, in CMGC meeting chamber, 600 East 4th Street, Charlotte, North Carolina.

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

CERTIFICATION

I, 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 28th day of March, 2016 the reference having been made in Minute Book 140 and recorded in full in Resolution Book 47, Page(s) 273-275.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 28th day of March, 2016.



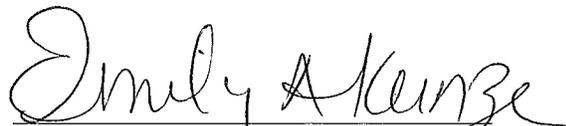
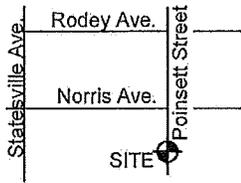

Emily A. Kunze, Deputy City Clerk

EXHIBIT A

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

Total Area In R/W
9507.46 sf
0.218 AC



VICINITY MAP (not to scale)

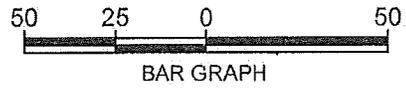
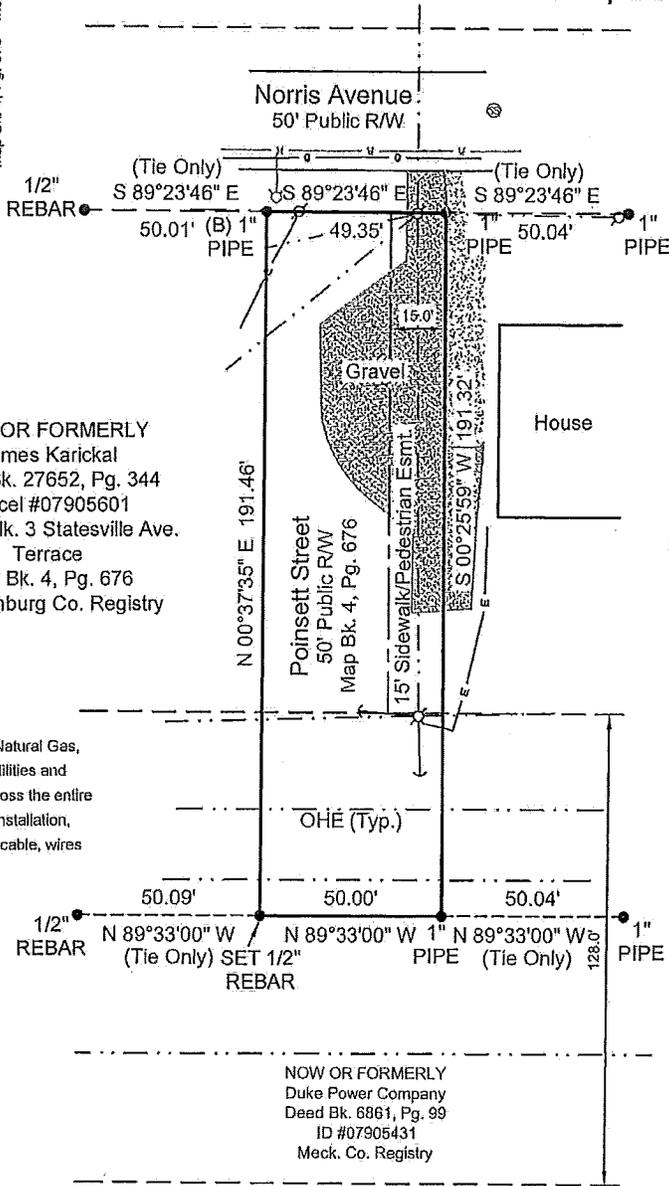


- LEGEND**
- R/W - RIGHT OF WAY
 - OHE - OVERHEAD ELECTRIC
 - ⊕ - POWER POLE
 - ⊕ - GUYWIRE
 - ⊙ - SANITARY SEWER MANHOLE
 - ⊕ - FIRE HYDRANT

NOW OR FORMERLY
James Karickal
Deed Bk. 27652, Pg. 344
Parcel #07905601
Lot 10, Blk. 3 Statesville Ave.
Terrace
Map Bk. 4, Pg. 676
Mecklenburg Co. Registry

NOW OR FORMERLY
Charlotte Meck. Housing
Partnership, Inc.
Deed Bk. 11850, Pg. 915
Parcel #07905510
Lot 1, Blk. 4 Statesville Ave.
Terrace
Map Bk. 4, Pg. 676
Mecklenburg Co. Registry

Easement in favor of Duke Energy, Piedmont Natural Gas,
and all other owners of existing underground utilities and
telecommunication facilities, upon, under & across the entire
property described hereon for access to & for installation,
maintenance, replacement & repair of conduit, cable, wires
and/or 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 27652, page 344, 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 17th day of July, A.D., 2015.

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

DRAWN BY: S. Kimrey	NLS NO.: 14139
DATE: December 30, 2014	SCALE: 1" = 50'

Prepared for:
**Charlotte-Mecklenburg
Housing Partnership, Inc.**
City of Charlotte Mecklenburg County, NC

March 28, 2016

Resolution Book 47, Page 275

EXHIBIT B

BEGINNING at a 1" pipe on the southern right-of-way of Norris Avenue (50' Public R/W) and the eastern right-of-way of Poinsett Street (50' Public R/W), said iron being a common corner with Lot 1, Blk. 4 of Statesville Ave. Terrace, thence with the eastern right-of-way of Poinsett Street and Lot 1, Blk. 4 Statesville Ave. Terrace, S 00°25'59" W 191.32 feet to a 1" pipe, said 1" pipe being a common corner of Lot 1, Blk. 4 Statesville Ave. Terrace and Now or Formerly of Duke Power Company (Deed Bk. 6861, Pg. 99), said pipe being located N 89°33'00" W 50.04 feet from a 1" pipe, thence crossing said Poinsett Street N 89°00'00" W 50.00 feet to a set ½" rebar on the western right-of-way of Poinsett Street, said rebar being located S 89°33'00" E 50.09 feet from a ½" rebar, thence with the western right-of-way of Poinsett Street and the property of Lot 10, Blk. 3 Statesville Ave. Terrace, N 00°37'35" E 191.46 feet to a bent 1" pipe at the intersection of the western right-of-way of Poinsett Street and the southern right-of-way of Norris Ave., said pipe being located S 89°23'46" E 50.01 feet from a ½" rebar, thence with the southern right-of-way of Norris Avenue S 89°23'46" E 49.35 feet to the POINT AND PLACE OF BEGINNING AND CONTAINING 0.218 AC.

March 28, 2016

Resolution Book 47, Page 276

**RESOLUTION AUTHORIZING THE SALE OF 8508 IDLEWILD ROAD BY THE UPSET BID
PROCESS**

WHEREAS, North Carolina General Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer to purchase the property; and

WHEREAS, the City has received an offer to purchase the property described above in the amount of \$10,500, submitted by Jose P. Sanchez ("Mr. Sanchez"); and

WHEREAS, Mr. Sanchez has paid the required five percent (5%) deposit on his offer:

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

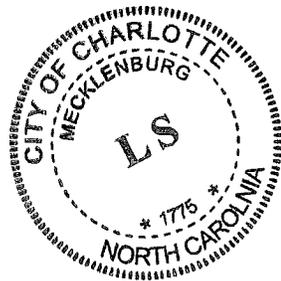
1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute §160A-269 and accepts the offer by Mr. Sanchez as the initial offer.
2. A notice of the proposed sale shall be published in accordance with the statute. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Any person may submit an upset bid to the office of the City of Charlotte Real Estate Manager in the Charlotte Mecklenburg Government Center by 5:00 PM on the 10th day after the notice is published or on the date and at the time indicated in the notice. If a qualifying higher bid is received, that bid will become the new offer.
4. If a qualifying higher bid is received, a new notice of upset bid shall be published, and this process shall be repeated until a 10-day period has passed without any qualifying higher bid having been received.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000 of that offer and five percent (5%) of the remainder of that offer, and equals or exceeds all other material terms of the previous offer to the advantage of the City.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The bid may be made in cash, cashier's check, certified check, or wire transfer. The City will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder pursuant to the terms of the purchase contract.
7. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted, and the appropriate City officials are authorized to execute all instruments necessary to convey the property to Jose P. Sanchez.

Adopted March 28, 2016

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 28th day of March, 2016 the reference having been made in Minute Book 140 and recorded in full in Resolution Book 47, Page(s) 276-277.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 28th day of March, 2016.




Emily A. Kunze, Deputy City Clerk