

October 29, 1973
Resolutions Book 9 - Page 328

RESOLUTION CLOSING PORTION OF LOCKWOOD AVENUE IN
THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, a petition has been filed and received in accordance with the provisions of the General Statutes of North Carolina, Chapter 153, Section 9-17, and Chapter 160A, Section 299, requesting the closing of a portion of Lockwood Avenue in the City of Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, the City Council has caused to be published once a week for four consecutive weeks in a newspaper published in Mecklenburg County, N. C. a notice of public hearing on said petition, and has in all other respects complied with the provisions of said Statutes with regard to the giving of notice and holding of public hearing; and

WHEREAS, said public hearing was held on the 29th day of
October, 1973; and

WHEREAS, the petitioners, Guilford B. Martin and wife, Johnnie E. Martin; Margaret H. Mullis; James R. Hagler and wife, Della T. Hagler; and Charnoca Corporation, own all of the land abutting upon said portion of Lockwood Avenue, or the affected portions thereof; and

WHEREAS, no persons or parties in interest have appeared in opposition to the closing of said street or the portion thereof; and

WHEREAS, it has been made to appear to the satisfaction of the City Council that the closing and abandonment of said portion of Lockwood Avenue is not contrary to the public interest and that no individuals, firms, or corporations 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, that the City Council hereby orders the

closing and abandonment of that portion of **Lockwood Ave.** located in the City of Charlotte, Mecklenburg County, North Carolina, designated in the aforesaid petition and more particularly described as follows:

BEGINNING at the point of intersection of the Easterly margin of Clemson Avenue (formerly Charles Avenue) with the Northerly margin of Lockwood Avenue, said point of beginning also being the Southwesterly corner of Lot No. 1 in Block 26 as shown on map recorded in Map Book 967, page 431, of the Mecklenburg County Public Registry, and running thence from said beginning point as thus established N. 81-00 E. along the northerly margin of Lockwood Avenue a distance of 399.06 feet to a point in the Westerly margin of Holt Street (formerly Whiting Ave. and formerly Johnston Avenue), said point also being the intersection of the Northerly margin of Lockwood Avenue with the Westerly margin of Holt Street, and also being the Southeasterly corner of Lot 16 in Block 26, as shown on map recorded in Map Book 967, page 431, of the Mecklenburg County Public Registry; thence S. 9-00 E. 50 feet to a point in the Westerly margin of Holt Street, said point being the intersection of the Westerly margin of Holt Street with the Southerly margin of Lockwood Avenue and also being the Northeasterly corner of Lot 19 in Block 27 as shown on map recorded in Map Book 230, pages 140 and 141 of the Mecklenburg County Public Registry; thence running S. 81-00 E. along the Southerly margin of Lockwood Avenue a distance of 399.06 feet to a point in the Easterly margin of Clemson Avenue, said point being the intersection of the Southerly margin of Lockwood Avenue with the Easterly margin of Clemson Avenue, and also being the Northwesterly corner of Lot 14 in Block 27 as shown on map recorded in Map Book 230, pages 140 and 141, of the Mecklenburg County Public Registry; thence running North 9-00 West 50 feet to the point of intersection of the Easterly margin of Clemson Avenue with the Northerly margin of Lockwood Avenue, the point or place of BEGINNING.

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

APPROVED AS TO FORM:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 29th day of October, 1973, the reference having been made in Minute Book 59, and recorded in full in Resolutions Book 9, beginning on Page 328.

Ruth Armstrong, City Clerk

October 29, 1973
Resolutions Book 9 - Page 330

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO ROBERT HENRY SMATHERS AND WIFE, MARGARET BROWN SMATHERS, AND KATHERINE LEWIS BUNDY, LOCATED IN STONEHAVEN DEVELOPMENT BETWEEN LIDO AVENUE AND SARDIS ROAD, IN MECKLENBURG COUNTY, IN CONNECTION WITH THE STONEHAVEN LIFT STATIONS.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Robert Henry Smathers and wife, Margaret Brown Smathers, and Katherine Lewis Bundy, located in Stonehaven Development between Lido Avenue and Sardis Road, in Mecklenburg County, for a perpetual easement for a sanitary sewer line which is a sewer line necessary to eliminate the Stonehaven Lift Stations; 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, being the Charter of the City of Charlotte, as amended by Chapter 216, 1967 Session Laws, Chapter 384, 1969 Session Laws and Chapter 432, 1973 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of Robert Henry Smathers and wife, Margaret Brown Smathers, and Katherine Lewis Bundy, located in Stonehaven Development between Lido Avenue and Sardis Road, in Mecklenburg County, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that \$2,300.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the office of the Clerk of Superior Court of 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, Ruth Armstrong, 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 a regular session convened on the 29th day of October, 1973, the reference having been made in Minute Book 59, page _____, and recorded in full in Resolutions Book 9, page 330.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 30th day of October, 1973.

Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE AC-
QUISITION OF PROPERTY BELONGING TO KATHERINE LEWIS BUNDY AND
HUSBAND, CHARLES W. BUNDY, LOCATED IN STONEHAVEN DEVELOPMENT
NORTHEAST OF SARDIS ROAD, IN MECKLENBURG COUNTY, IN CONNECTION
WITH THE STONEHAVEN LIFT STATIONS.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Katherine Lewis Bundy and husband, Charles W. Bundy, located in Stonehaven Development near Burlwood Drive northeast of Sardis Road and Chevron Drive, in Mecklenburg County, for a perpetual easement for a sanitary sewer line which is a sewer line necessary to eliminate the Stonehaven Lift Stations; 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, being the Charter of the City of Charlotte, as amended by Chapter 216, 1967 Session Laws, Chapter 384, 1969 Session Laws and Chapter 432, 1973 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of Katherine Lewis Bundy and husband, Charles W. Bundy, located in Stonehaven Development near Burlwood Drive northeast of Sardis Road and Chevron Drive, in Mecklenburg County, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that \$2,950.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the office of the Clerk of Superior Court of 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, Ruth Armstrong, 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 a regular session convened on the 29th day of October, 1973, the reference having been made in Minute Book 59, page _____, and recorded in full in Resolutions Book 9, page 331.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 30th day of October, 1973.

Ruth Armstrong, City Clerk

