

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 Beatties Ford Road Left Turn Lane; 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 locate all the parties in interest, and has, therefore, 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:

Parties in Interest

James K. Fowler; Eugenia O. Fowler; Dotson G. Palmer, Co-Trustee; Thomas C. Ruff, Co-Trustee; James L. Carter, Jr., Co-Trustee; Robert W. Bradshaw, Jr., Co-Trustee; Robert W. Bradshaw, Jr., Co-Trustee; Mutual Savings and Loan Association (or successor in interest), Beneficiary; Paul H. Efird, III, Trustee; James F. Fowler, Beneficiary; HTL Enterprises, Inc., Lessee; **Newcomb Properties, Inc., Sub-Lessee, Any Other Parties in Interest.**

Property Description

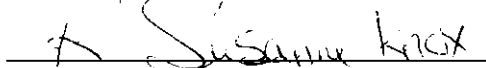
2,078 square feet for fee-simple; 2,352 square feet for a temporary construction easement; and any additional property or interest as the City may determine to complete the project, as it relates to Tax Parcel No. 069-172-36.

Appraised Value

\$ 18,475.00 or such appraised value as may be determined based upon the takings required by the final construction plans.

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:

  
Assistant City Attorney

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 9th day of October, 1995, the reference having been made in Minute Book 108 and recorded in full in Resolution Book 34, Page(s) 29-30.

WITNESS my hand and corporate seal of the City of Charlotte, North Carolina, this the 10th day of October, 1995.

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Nancy S. Gilbert, Deputy City Clerk

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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 Beatties Ford Road Left Turn Lane; 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 locate all the parties in interest, and has, therefore, 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:

Parties in Interest

Petro Associates of South Carolina; Conoco, Inc., Lessee; Bankers Trust Company, Assignee; Any Other Parties in Interest.

Property Description

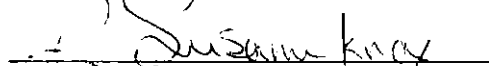
1,960 square feet for fee-simple; 74 square feet for permanent utility easement; 1,433 square feet for a temporary construction easement; and any additional property or interest as the City may determine to complete the project, as it relates to Tax Parcel No. 069-172-27.

Appraised Value

\$ 18,000.00 or such appraised value as may be determined based upon the takings required by the final construction plans.

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:

  
Assistant City Attorney

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WITNESS my hand and corporate seal of the City of Charlotte, North Carolina, this the 10th day of October, 1995.

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Nancy S. Gilbert, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

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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 locate all the parties in interest, and has, therefore, 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:

Parties in Interest

W.A.L. Investors, Inc.; A. Grant Whitney, Jr., Trustee;  
Johnny A. Williams and wife, Felecia H. Williams, Beneficiary;  
Felix A. Truesdale, Lessee; Any Other Parties in Interest.

Property Description

296 square feet for fee-simple; 462 square feet 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. 075-039-02.

1,049 square feet for permanent sidewalk easement; 22 square feet for a permanent utility easement; and 3,193 square feet for 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. 075-039-01.

Appraised Value

\$ 17,650.00 or such appraised value as may be determined based upon the takings required by the final construction plans.

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:

  
Assistant City Attorney

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WITNESS my hand and corporate seal of the City of Charlotte, North Carolina, this the 10th day of October, 1995.

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Nancy S. Gilbert, Deputy City Clerk

JUDITH A GIBSON REG OF DEEDS MECK NC  
FILED FOR REGISTRATION 11/16/95 10:48

**RESOLUTION CLOSING**

the Portion (one block) of Kemp Street  
between Owen Boulevard and Gray Drive  
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 the portion (one block) of Kemp Street between Owen Boulevard and Gray Drive which calls for a public hearing on the question; and

Whereas, the petitioner has caused a copy of the Resolution of Intent to Close the portion (one block) of Kemp Street between Owen Boulevard and Gray Drive 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 Kemp Street, as required by N.C.G.S. 160A-299; and

Whereas, the public hearing was held on the 9th day of October, 1995, and City Council determined that the closing of this portion of Kemp Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his, her, or its property,

Whereas we are requesting the closure of this portion of Kemp Street easements are granted as follows:  
1) Right of Way Easement to Duke Power - 30ft easement (15ft on either side of existing power line).  
2) Easement in favor of BellSouth Telecommunications, Inc. d/b/a Southern Bell Telephone and Telegraph Company upon, under and across the entire property described above for access to and for the installation, maintenance, replacement and repair of poles, cable, wires, and related equipment, including the right to trim trees and vegetation as required.

Now Therefore, be it resolved by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of October 9, 1995 that the Council hereby orders the closing of the portion (one block) of Kemp Street between Owen Boulevard and Gray Drive in the City of Charlotte, Mecklenburg County, North Carolina as described below.

Description of Right of Way to be Abandoned:

SEE NEXT PAGE FOR DETAILED DESCRIPTION  
of all FOUR PARCELS

CERTIFICATION

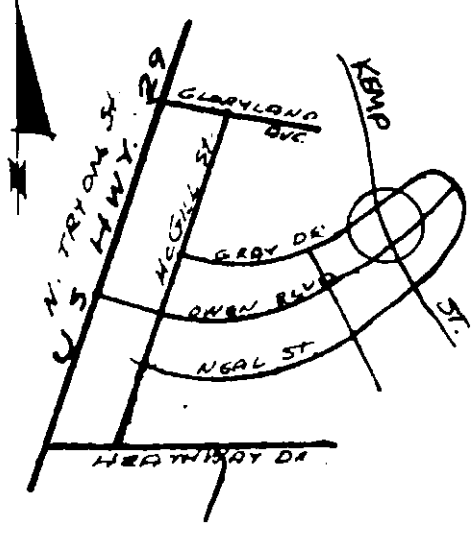
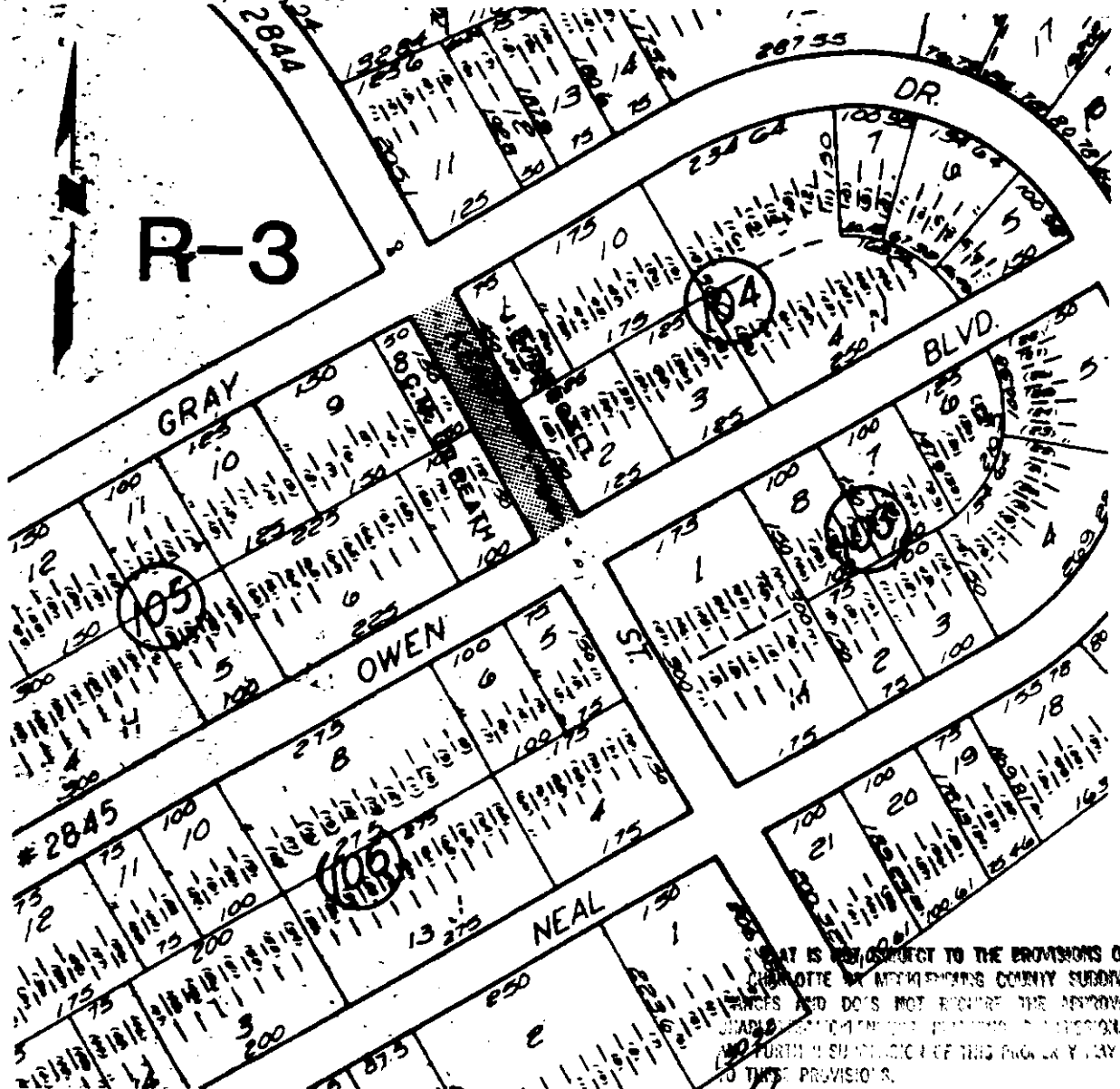
I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 9th day of October, 1995. the reference having been made in Minute Book 108 and recorded in full in Resolution Book 34 Page(s) 35-37

WITNESS my hand and corporate seal of the City of Charlotte, North Carolina, this the 10th day of October, 1995.

  
*Nancy S. Gilbert*  
Nancy S. Gilbert, Deputy City Clerk

*MLC*

*Drawn By & Mail To:  
City of Charlotte Box*



VICINITY MAP

THIS MAP IS SUBJECT TO THE PROVISIONS OF THE CITY OF CHARLOTTE AND MECKLENBURG COUNTY SUBDIVISION ORDINANCES AND DOES NOT REQUIRE THE APPROVAL OF THE MECKLENBURG COUNTY PLANNING COMMISSION. ANY FURTHER SUBDIVISION OF THIS PROPERTY MAY BE SUBJECT TO THESE PROVISIONS.

CHARLOTTE-MECKLENBURG PLANNING COMMISSION  
*Richard B. Walker* M.P.V.  
 PLANNING COMMISSION STAFF

ROADWAY TO BE ABANDONED

CITY OF CHARLOTTE  
 DEPARTMENT OF TRANSPORTATION  
 TRANSPORTATION ENGINEERING DIVISION

ROADWAY ABANDONMENT

A PORTION OF  
 KEMP STREET

ROB/PROJECT NO. FILE NO.

THIS MAP IS NOT A CERTIFIED SURVEY AND NO RELIANCE MAY BE PLACED IN ITS ACCURACY.



EXHIBIT B

Description of Area & Adjoining Properties  
for RESOLUTION CLOSING  
of the Portion (one block of Kemp Street  
between Owen Boulevard & Gray Drive

**PARCEL A:** BEGINNING at the southeasterly corner of Lot 72, at its intersection with Owen Boulevard as shown in Block H of Charcon Heights in Map Book 6 at Page 89 in the Mecklenburg County Public Registry; thence from said beginning point, N. 30-42 W. 150 feet to a point; thence a new line, N. 59-18 E. 30 feet to a point in the middle of Kemp Street; thence a new line with the middle of Kemp Street S. 30-42 E. 150 feet to a point in the middle of Kemp Street with its intersection with Owen Boulevard; thence S. 59-18 W. 30 feet to the point and place of BEGINNING, all as shown on a survey by Robert Earl Stephenson, N.C.L.R.S., dated May 31, 1994.

**PARCEL B:** BEGINNING at an old iron at the northeasterly corner of Lot 1 at its intersection with Gray Drive as shown in Block H of Charcon Heights in Map Book 6 at Pages 87 and 89 in the Mecklenburg County Public Registry; thence from said beginning point, N. 59-18 E. 30 feet to a point in the middle of Kemp Street at its intersection with Gray Drive; thence with a new line S. 30-42 E. 150 feet to a point in the middle of Kemp Street; thence with a new line, S. 59-18 W. 30 feet to a point; thence, with the dividing line of Lot 1 and Kemp Street, N. 30-42 W. 150 feet to the point and place of BEGINNING, all as shown on a survey by Robert Earl Stephenson, N.C.L.R.S., dated May 31, 1994.

**PARCEL C:** BEGINNING at an old iron which marks the southwesterly corner of Lot 29 at its intersection with Owen Boulevard in Block N of Charcon Heights in Map Book 6 at Page 275 in the Mecklenburg County Public Registry; thence from said beginning point, S. 59-18 W 30 feet to a point in the middle of Kemp Street; thence with a new line along the middle of Kemp Street N. 30-42 W. 150 feet to a point in the middle of Kemp Street; thence with a new line, N. 59-18 E. 30 feet to a point; thence with the dividing line of Lot 29 and Kemp Street, S. 30-42 E. 150 feet to the point and place of BEGINNING, all as shown on a survey by Robert Earl Stephenson, N.C.L.R.S., dated May 31, 1994.

**PARCEL D:** BEGINNING at an old iron which iron marks the northwesterly corner of Lot 28 at its intersection with Gray Drive and Kemp Street as shown in Block N of Charcon Heights Subdivision in Map Book 6 at Page 275; thence from said beginning point, S. 30-42 E. 150 feet along the dividing line of Lot 28 and Kemp Street to a point; thence a new line, S. 59-18 W 30 feet to a point in the middle of Kemp Street; thence a new line, N. 30-42 W. 150 feet to a point in the middle of Kemp Street at its intersection with Gray Drive; thence N. 59-18 E. 30 feet to the point and place of BEGINNING, all as shown on survey by Robert Earl Stephenson, N.C.L.R.S., dated May 31, 1994.

BK: 08365 PG: 0732/073  
JUDITH A GIBSON REG OF DEEDS MECK NC  
FILED FOR REGISTRATION 11/16/95 10:48

**RESOLUTION CLOSING TWO ALLEYWAYS  
LOCATED BETWEEN N. TRYON STREET, W. LIDDELL STREET, N. CHURCH  
STREET AND THE RIGHT OF WAY OF SEABOARD AIRLINE RAILROAD  
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 two unnamed and unused alleyways which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to Close the two unnamed right of ways to be sent by registered or certified mail to all owners of property adjoining the said streets. The petitioners own all the land surrounding the two alleyways. The petitioners have prominently posted a notice of the closing and public hearing in at least two places, along North Tryon Street and West Liddell Street, all as required by G.S. 160A-299; and

WHEREAS, the public hearing was held on the 9th day of October, 1995, and City Council determined that the closing of the two alleyways 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 since petitioners own the entire block.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly assembled meeting of October 9, 1995, that the Council hereby orders the closing of the two alleyways, one off North Tryon Street and the other off West Liddell Street in the City of Charlotte, Mecklenburg County, North Carolina as described below:

One alleyway located off the 1000 block of North Tryon Street and bounded by tax parcels 078-094-01, 02, 03, 04, 05, 06, 12, 13 and 14. The second alleyway is located off the 100 block of West Liddell Street bounded by tax parcels 078-094-06, 07, 08, 09, 10 and 11.

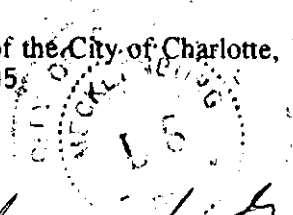
(See attached tax map for a description)

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

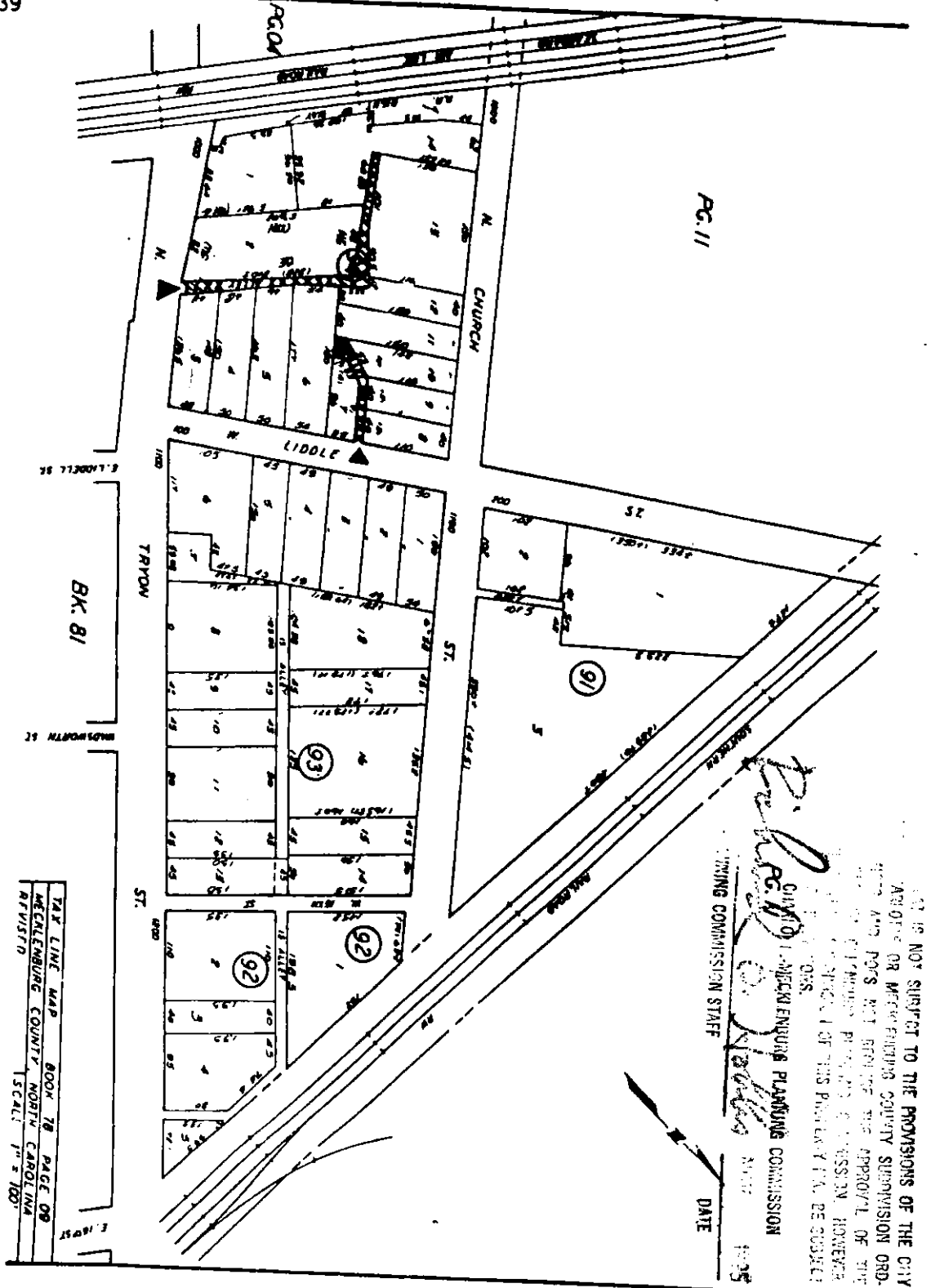
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WITNESS my hand and corporate seal of the City of Charlotte, North Carolina, this the 10th day of October, 1995.

  
*Nancy S. Gilbert*  
Nancy S. Gilbert, Deputy City Clerk

*Bmc*

DRAWN BY ? RETURN TO:  
CITY OF CHARLOTTE BOX



Anthony R. Combs and Karen C. Combs own all of the property which could be affected by the closing of the abandoned and unnamed alleyways, including tax parcels 078-094-01,02,03,04,05,06,07,08,09,10,11,12,13, and 14.

THIS MAP IS NOT A CERTIFIED SURVEY AND NO LIABILITY MAY BE PLACED IN ITS ACCURACY.