

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 24th day of June, 1996 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set ut and that the schedule and this resolution be spread upon the minutes of this meeting.

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 24th day of June, 199 6, the reference having been made in Minute Book 109, and recorded in full in Resolution Book 34, Page(s) 201-202.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 199 6.

Nancy S. Gilbert, Deputy City Clerk

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

| <u>Name</u> | <u>Amount of Refund</u> |
|----------------|-------------------------|
| Charlotte NC I | \$ 6,973.75 |
| Charlotte NC I | 6,973.75 |
| Total | <u>\$13,947.50</u> |

**RESOLUTION DECLARING AN INTENT TO ABANDON AND
CLOSE BEECH STREET
LOCATED BETWEEN MULBERRY CHURCH ROAD
AND SLOAN DRIVE IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA**

WHEREAS, Mulberry Associates, a North Carolina limited partnership has filed a Petition to close Beech Street in the City of Charlotte; and

WHEREAS, Beech Street petitioned to be closed lies between Mulberry Church Road and Sloan Drive as shown in 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 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 June 24, 1996, that it intends to close Beech Street lying between Mulberry Church Road and Sloan Drive, said street being more particular 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 22nd day of July, 1996, in the CMGC Meeting Chamber, 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, 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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Resolution Book 34, Page(s) 203.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 1996.

Nancy S. Gilbert, Deputy City Clerk

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
AUTHORIZING THE CHARLOTTE AVIATION DIRECTOR TO ACCEPT FEDERAL
AVIATION ADMINISTRATION (FAA) GRANT AIP 3-37-0012-26

WHEREAS, the City of Charlotte has been offered Federal Aviation Administration Grant AIP 3-37-0012-26 during Federal Fiscal Year 96; and

WHEREAS, the above-referenced grant must be accepted during Federal Fiscal 96 (no later than July 22, 1996); and

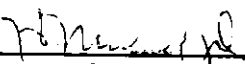
WHEREAS, the June 24, 1996 meeting is the last regularly scheduled Council business meeting prior to July 22, 1996; and

WHEREAS, the Charlotte City Council desires to authorize the City's Director of Aviation to accept the above-referenced FAA Grant on behalf of the City.

NOW, THEREFORE, be it resolved by the City Council of the City of Charlotte, in regular session duly assembled, as follows:

Pursuant to N.C.G.S. 160A-12, the Charlotte Director of Aviation is hereby authorized to accept on behalf of the City of Charlotte FAA Grant AIP 3-37-0012-26.

Approved as to form:



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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Resolution Book 34, Page(s) 205.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 1996.

Nancy S. Gilbert, Deputy City Clerk

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
AUTHORIZING THE CHARLOTTE AVIATION DIRECTOR TO ACCEPT FEDERAL
AVIATION ADMINISTRATION (FAA) GRANT AIP 3-37-0012-27

WHEREAS, the City of Charlotte expects to be offered Federal Aviation Administration Grant AIP 3-37-0012-27 during Federal Fiscal 96; and

WHEREAS, the above-referenced grant must be accepted during Federal Fiscal 96 (no later than July 22, 1996); and

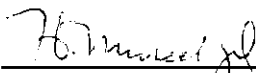
WHEREAS, the June 24 1996 meeting is the last regularly scheduled Council business meeting prior to July 22, 1996; and

WHEREAS, the Charlotte City Council desires to authorize the City's Director of Aviation to accept FAA Grant AIP 3-37-0012-27 on behalf of the City.

NOW, THEREFORE, be it resolved by the City Council of the City of Charlotte, in regular session duly assembled, as follows:

Pursuant to N.C.G.S. 160A-12, the Charlotte Director of Aviation is hereby authorized to accept on behalf of the City of Charlotte FAA Grant AIP 3-37-0012-27.

Approved as to form:



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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Resolution Book 34, Page(s) 206.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 1996.

Nancy S. Gilbert, Deputy City Clerk

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AMENDING THE FIVE YEAR CAPITAL INVESTMENT PLAN FOR FISCAL YEARS 1996 TO 2000.

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

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

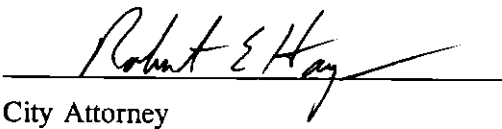
WHEREAS, the City of Charlotte has a five year Capital Investment Plan based on policy assumptions, so stated in the FY96-2000 Capital Investment Plan that balances the potential physical development planning with long-range financial capacity; and

WHEREAS, the City of Charlotte has determined a need to begin the Town of Matthews Water Mains - Phase II capital project by utilizing Matthews Water Bonds to design and construct water mains in the Town of Matthews in Fiscal Year 1996.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its session duly assembled, that it does hereby amend the Capital Investment Plan for fiscal years 1996 to 2000.

This 24th day of June, 1996.

Approved as to form:


Asst. 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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Resolution Book 34, Page(s) 206 A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 1996.

Nancy S. Gilbert, Deputy 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 **Stoney Creek Tributary to Mallard Creek Road 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 **Stoney Creek Tributary to Mallard Creek Project**, estimated to be approximately 51,192 square feet for a sanitary sewer easement and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 029-041-08, said property currently owned by: UNKNOWN HEIRS AT LAW OF SIMON ALEXANDER; FRANK ALEXANDER; BENNIE BOGER; ROBERTA BOGER; DAVID ANTHONY BOGER; DOROTHY ELIZABETH BOGER; RUTH NAOMI BOGER; SAMUEL BOGER; BERNICE BOGER; WILLIAM BOGER; EVELYN JOYCE BARRINGER; HORACE BARRINGER; CLEO LYERLY; MARY B. WEBB; WILLIAM WEBB; ADELIA BOGER; CALVIN BOGER; JAMES MONROE BOGER; BERNARD BOGER; JERRY BOGER; LAVERNE GODLETT; ROY GODLETT; DARLENE BOGER; IRIS BOGER; MAXINE BOGER; REGINA BOGER; SHEILA BOGER; HOWARD BOGER, JR.; JAMES MCKENZIE; JACQUELINE MCKENZIE; VIVIAN MCKENZIE; JOSEPHINE GILBERT; LORETTA GOODRUM; FRANK GOODRUM, or the owners' successors-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, 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 24th day of June, 1996, the reference having been made in Minute Book 109, and recorded in full in Resolution Book 34, Page(s) 207.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 1996.

Nancy S. Gilbert, Deputy City Clerk

**RESOLUTION CLOSING SHADY HILLS CIRCLE
LOCATED ON HIGHWAY 49
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 SHADY HILLS CIRCLE which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to Close SHADY HILLS CIRCLE 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 SHADY HILLS CIRCLE all as required by G. S. 160A-299; and

WHEREAS, the public hearing was held on the 24th day of June, 1996, and City Council determined that the closing of SHADY HILLS CIRCLE 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 June 24, 1996, that the Council hereby orders the closing of SHADY HILLS CIRCLE in the City of Charlotte, Mecklenburg County, North Carolina as described below:

A 60' Right-of-Way known as Shady Hills Circle being located in Mecklenburg Co., North Carolina and being described as follows:

Commencing at a corner, said corner being the Southwest corner of Lot 9 of the Shady Hills Subdivision, said property being described in Deed Book 3389 Page 460 of the Mecklenburg County Register of Deeds, said corner being located at the intersection of the easterly Right of Way of N.C. Highway #49, (University City Boulevard), and the Northerly Right of Way of Shady Hills Circle, thence with the following calls:

- S 26-50-00 E 268.00' to a point thence,
- S 43-18-00 E 68.30' to a point thence,
- S 34-08-00 E 100.00' to a point thence,
- S 30-44-00 E 116.51' to a point thence,
- S 06-42-00 W 100.00' to a point thence,
- S 34-29-00 W 99.29' to a point thence,
- S 62-58-55 W 94.79' to a point thence,
- S 80-36-36 W 103.00' to a point thence,
- N 72-03-04 W 99.41' to a point thence,
- N 53-27-53 W 100.01' to a point thence,
- N 44-53-00 W 200.00' to a point thence,
- N 53-08-00 W 50.00' to a point thence,

DRAWN BY AND RETURN TO
CITY OF CHARLOTTE - BOX

AND RETURN TO
CITY OF CHARLOTTE - BOX

JUDITH A GIBSON REG OF DEEDS MECK NC
FILED FOR REGISTRATION 07/08/97 09:12

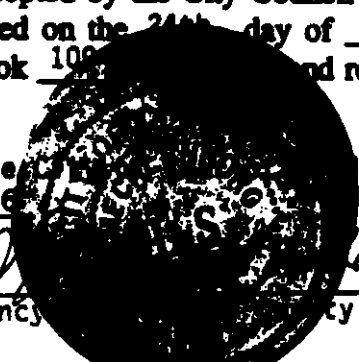
N 64-33-00 W 50.00' to a point thence,
N 74-48-00 W 50.00' to a point thence,
S 81-58-00 W 50.00' to a point thence,
S 81-12-00 W 90.00' to a point thence,
N 67-13-00 W 57.00' to a point thence,
N 30-02-33 W 34.77' to a point thence,
N 52-01-30 E 60.58' along the Easterly
Right of Way of Highway #49 to a point thence,
S 30-02-33 E 22.95' to a point thence,
S 67-13-00 E 19.85' to a point thence,
N 81-12-00 E 73.43' to a point thence,
N 81-58-00 E 62.74' to a point thence,
S 74-48-00 E 67.72' to a point thence,
S 64-33-00 E 61.38' to a point thence,
S 53-08-00 E 60.32' to a point thence,
S 44-53-00 E 199.83' to a point thence,
S 53-27-53 E 85.69' to a point thence,
S 72-03-04 E 75.00' to a point thence,
N 80-36-36 E 79.10' to a point thence,
N 62-58-55 E 70.25' to a point thence,
N 34-29-00 E 69.22' to a point thence,
N 06-42-00 E 64.83' to a point thence,
N 30-44-00 W 96.18' to a point thence,
N 34-08-00 W 95.19' to a point thence,
N 43-18-00 W 71.88' to a point thence,
N 26-50-00 W 280.14' to a point thence,
N 66-12-00 E 60.00' along the easterly
Right of Way of N.C Highway #49 to the
place and point of beginning containing
2.26 Acres and being more specifically
described on a plat of Shady Hills Subdivision
recorded in Map Book 7 at Page 363 of the
Mecklenburg County Registry.

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.

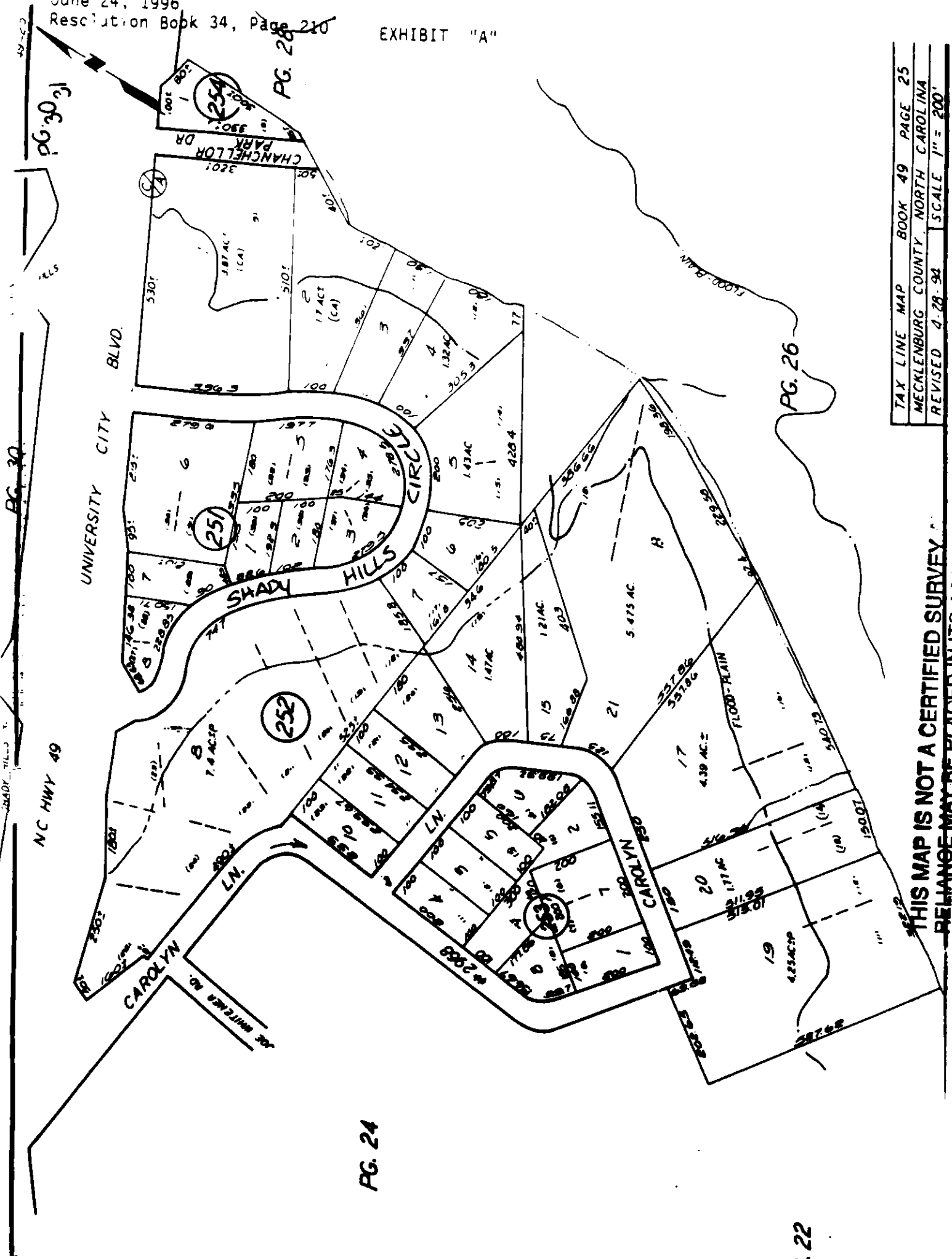
CERTIFICATION

I, Brenda Freeze, City Clerk of the City of Charlotte, North Carolina do hereby certify that the foregoing in 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 24th day of June, 1996, the reference having been made in Minute Book 108 and recorded in full in Resolution Book 34, page 208-210.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of June, 1996.



[Signature]
Nancy _____
City Clerk



| | | |
|------------------------------------|---------|-----------------|
| TAX LINE MAP | BOOK 49 | PAGE 25 |
| MECKLENBURG COUNTY, NORTH CAROLINA | | |
| REVISED | 4-28-94 | SCALE 1" = 200' |

THIS MAP IS NOT A CERTIFIED SURVEY.
RELIANCE MAY BE PLACED IN ITS AC.

PG. 24

3.22