

**RESOLUTION DECLARING AN INTENT TO ABANDON
AND CLOSE A PORTION OF WEST SUMMITT AVENUE
LYING BETWEEN INTERSTATE SEVENTY-SEVEN AND
SOUTH CLARKSON STREET IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA**

WHEREAS, Charlotte Pipe & Foundry Company, Inc. has filed a Petition to Close a Portion of West Summitt Avenue in the City of Charlotte; and

WHEREAS, the Portion of West Summitt Avenue petitioned to be closed lies between Interstate Seventy-Seven and South Clarkson Street in Charlotte, Mecklenburg County, North Carolina 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; and

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;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, at its regularly scheduled session of October 28, 1996, that it intends to close the portion of West Summitt Avenue lying between Interstate Seventy-Seven and South Clarkson Street, said street or portion thereof being more particularly 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 25th day of November, 1996, in the CMGC Meeting Chamber, 600 E. Fourth Street, 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 28th day of October, 1996, the reference having been made in Minute Book 110, and recorded in full in Resolution Book 34, Page(s) 436.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of October, 1996.

Nancy S. Gilbert, Deputy City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND
CLOSE AN UNDEVELOPED STREET (50' R/W) LOCATED
BETWEEN 634 LANSDOWNE ROAD AND 700 LANSDOWNE
ROAD IN THE CITY OF CHARLOTTE, MECKLENBURG
COUNTY, NORTH CAROLINA

WHEREAS, Harold G. Gibson, Helen L. Gibson, Peter M. Sauvain and Deborah F. Sauvain have filed a Petition to close the undeveloped street (50' R/W) located between their properties known as 634 Lansdowne Road and 700 Lansdowne Road in the City of Charlotte; and

WHEREAS, the undeveloped street petitioned to be closed lies between Lot 1 in Block 16 of LANSDOWNE and Lot 24 in Block 1 of LANSDOWNE 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; and

WHEREAS, the procedure for closing streets and alleys as outline 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 (2) 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 record, and a notice of the closing and public hearing shall be prominently posted in at least two (2) 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 October 28, 1996, that it intends to close the undeveloped street (50' R/W) lying between the properties located at 634 Lansdowne Road and 700 Lansdowne Road, said undeveloped street being more particularly 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 25th day of November, 1996, in the CMGC Meeting Chamber, 600 E. Fourth Street, Charlotte, NC.

The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two (2) 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 28th day of October, 1996, the reference having been made in Minute Book 110, and recorded in full in Resolution Book 34, Page(s) 437.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of October, 1996.

Nancy S. Gilbert, Deputy City Clerk

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 28th day of October, 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 28th day of October, 1996, the reference having been made in Minute Book 110, and recorded in full in Resolution Book 34, Page(s) 438-439.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of October, 1996.

Nancy S. Gilbert, Deputy City Clerk

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

<u>Name</u>	<u>Amount of Refund</u>
Hidell Willis J	\$ 1,769.44
Davis Donald	720.07
Charlotte Office Building	294.42
Charlotte Office Building	294.42
Charlotte Office Building	2,446.65
Charlotte Office Building	2,446.65
Airport Center LTD	142.48
Airport Center LTD	196.11
Airport Center LTD	451.20
Airport Center LTD	2,192.99
Airport Center LTD	471.31
Airport Center LTD	1,618.61
Airport Center LTD	465.15
Airport Center LTD	428.34
Airport Center LTD	957.35
Lanier Grading Company Inc.	127.00
Lanier Grading Company Inc.	130.48
Lanier Robert Eric - LSD Equip	1,773.49
Lanier Robert Eric - LSD Equip	820.11
Lanier Robert Eric - LSD Equip	976.96
Connecticut Mutual Life	23,546.57
Connecticut Mutual Life	23,546.57
Southeast Hotel Prop	991.46
Budget Motels Inc.	991.46
Touchstone Assoc LTD Ptnrsp	597.36
Nisbet Business Center	121.39
Garrett Blake P	2,111.88
Total	<u>\$70,629.92</u>

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AMENDING
THE FIVE YEAR CAPITAL INVESTMENT PLAN FOR FISCAL YEARS 1997 TO 2001.**

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

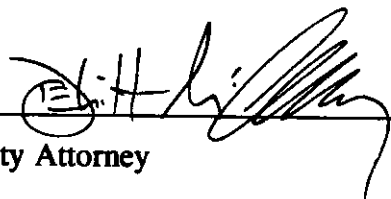
WHEREAS, the City of Charlotte has a five year Capital Investment Plan based on policy assumptions, so stated in the FY97-2001 Capital Investment Plan that balances the potential physical development planning with long-range financial capacity; and

WHEREAS, the City of Charlotte has determined a need to include an additional unfunded water project for the extension of a new 16-inch water main along Rozzells Ferry Road from Mt. Holly-Huntersville Road to Mountain Island Lake.

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 1997 to 2001.

This 28th day of October, 1996.

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 28th day of October, 1996. the reference having been made in Minute Book 110, and recorded in full in Resolution Book 34. Page(s) 440.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of October, 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 **Shamrock at Eastwood-Transit Radius 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 **Shamrock at Eastwood-Transit Radius Project** and estimated to be approximately 147 square feet for fee-simple and 147 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. 093-073-03, said property currently owned by PRISCILLA R. BROWN and spouse, if any; H. PARKS HELMS, Trustee; CITY OF CHARLOTTE, Beneficiary; BARRY S. BURKE, Successor Guardian; or the owner's successor-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 28th day of October, 1996, the reference having been made in Minute Book 110, and recorded in full in Resolution Book 34, Page(s) 441-442.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of October, 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 **Druid Hills Neighborhood Storm Drainage Improvements 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 **Druid Hills Neighborhood Storm Drainage Improvements Project** estimated to be approximately 1,704 square feet for a permanent storm drainage easement and 429 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. 077-073-03, said property currently owned by SANDRA LEE THOMAS and spouse, if any; SOL A. JAFFA, Trustee; MICHAEL I. JAFFA, Trustee; BEARER, Beneficiary of Deed of Trust; ROBERT B. BLYTHE, Substitute Trustee; PEACHTREE APARTMENTS, Possible Judgment Creditor; or the owner's successor-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 28th day of October, 1996, the reference having been made in Minute Book 110, and recorded in full in Resolution Book 34, Page(s) 443-444.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of October, 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 **Druid Hills Neighborhood Storm Drainage Improvements 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 **Druid Hills Neighborhood Storm Drainage Improvements Project** estimated to be approximately 1,085 square feet for a permanent storm drainage easement and 2,802 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. 077-197-01, said property currently owned by MARY NEAL and spouse, if any; or the owner's successor-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 28th day of October, 1996, the reference having been made in Minute Book 110, and recorded in full in Resolution Book 34, Page(s) 445-446.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of October, 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 **Milton Road Widening**; 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 **Milton Road Widening** estimated to be approximately 5,224 sq. ft. of fee simple acquisition and 6,491 sq. ft. 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 Nos. 107-031-66; 107-027-01; 107-027-02; 107-027-03, said property currently owned by SHEFFIELD FARMS ASSOCIATES; KEMP M. CAUSEY, Trustee; NORTH CAROLINA SAVINGS AND LOAN ASSOCIATION, Beneficiary; SOLON AUTOMATED SERVICES, INC.; Possible Lessee; PAULINE BARR, Judgment Creditor; 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 28th day of October, 1996, the reference having been made in Minute Book 110, and recorded in full in Resolution Book 34, Page(s) 447-448.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of October, 1996.

Nancy S. Gilbert, Deputy City Clerk

**CHARLOTTE CITY COUNCIL
RESOLUTION
AUTHORIZING AMENDMENT TO
CONSOLIDATED SHARED PROGRAMS JOINT UNDERTAKING AGREEMENT
TO AUTHORIZE THE CITY AND THE COUNTY
ENGINEERING DEPARTMENTS TO OFFER RECIPROCAL
PLAN REVIEW AND LAND DEVELOPMENT SERVICES**

WHEREAS, the City and the County are required by ordinance to review and approve building design and development project plans prior to construction and their respective Engineering Departments are directly responsible for that portion of the review process which verifies compliance with City and County engineering design and construction requirements; and

WHEREAS, the plan review and land development services performed by the City and the County Engineering Departments will use the same checklists for these review processes; and

WHEREAS, the City and the County Engineering Departments have experienced, or may on occasion experience, situations in which they are unable to meet the City and County review deadline objectives because the volume of work exceeds available personnel; and

WHEREAS, the City and the County Engineering Departments are able to provide these services to each other at a cost that is significantly lower than either Department could obtain them from the private sector;

WHEREAS, an Amendment has been proposed to the City's Consolidated Shared Programs Joint Undertaking Agreement with Mecklenburg County which would authorize the City and County Engineering Departments to offer and provide to each other plan review and other related land development services, at an hourly rate mutually agreed upon by the City and the County Engineers, when and as time and schedules permit to assist each other in handling excess workloads and to ensure that review deadline objectives may be consistently met; now, therefore, be it

RESOLVED that the Charlotte City Council approves and authorizes the execution of the "Amendment to Consolidated Shared Programs Joint Undertaking Agreement Authorizing the City and the County Engineering Departments to Offer Reciprocal Plan Review and Land Development Services" which is attached hereto as Exhibit A.

ADOPTED the 28th day of October, 1996.

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 28th day of October, 1996, the reference having been made in Minute Book 110, and recorded in full in Resolution Book 34 Page(s) 449.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day October, 1996.

Nancy S. Gilbert, Deputy City Clerk