

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE ALLEYWAY LOCATED BEHIND AND BETWEEN 32 THROUGH 37, AND LOTS 17 THROUGH 22 OF PIEDMONT PARK SUBDIVISION, AS SHOWN ON MAP RECORDED IN BOOK 202, PAGE 485 IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, Seigle Avenue Presbyterian Church has filed a Petition to close the alleyway running behind and between lots 32 through 37, and lots 17 through 22 of the Piedmont Park Subdivision, as shown on map recorded in Book 202, Page 485 of the Mecklenburg Public registry, which property is located in the City of Charlotte; and

WHEREAS, the alleyway petitioned to be closed lies behind and between lots 32 through 37, and lots 17 through 22, as shown in a map marked "Exhibits A and B" and is more particularly described by metes and bounds in a document marked "Exhibit C," all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and,

WHEREAS, the petitioner will provide easements to Duke Power Company and Bellsouth Telecommunications, Inc. to maintain their facilities as shown on the map attached hereto and made a part hereof marked "Exhibit A;" 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 or alley; and

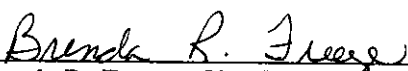
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, at its regularly scheduled session of May 12, 1997, that it intends to close the alleyway lying behind and between lots 32 through 37, and lots 17 through 22 on the said map or plat, said alleyway and metes and bounds description 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 9th day of June, 1997, 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, Brenda R. Freeze, 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 12th day of May, 1997, the reference having been made in Minute Book 110, and recorded in full in Resolution Book 34, Page(s) 651.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of May, 1997.

  
Brenda R. Freeze, City Clerk

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE  
TWO ALLEYS, ONE RUNNING OFF OF WEST SIXTH  
STREET AND LOCATED BETWEEN 237 NORTH TRYON  
STREET AND 109 WEST SIXTH STREET AND  
ONE RUNNING OFF OF WEST FIFTH STREET  
AND LOCATED BETWEEN 203 NORTH TRYON STREET  
AND 108-112 WEST FIFTH STREET IN THE  
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.**

WHEREAS, 201 North Tryon, LLC has filed a Petition to close the two above-described alleys in the City of Charlotte; and

WHEREAS, the two alleys petitioned to be closed lie southeast of North Church Street and northwest of North Tryon Street between West Sixth Street and West Fifth Street, as more particularly described herein as shown on maps attached hereto and made a part hereof marked Exhibit A-1 and Exhibit A-2, respectively, and as more particularly described by metes and bounds in documents marked as Exhibit B-1 and Exhibit B-2, respectively, attached hereto and made a part hereof, 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 or 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 or alley 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 the property adjoining the street or alley 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, North Carolina, at its regularly scheduled session of May 12, 1997, that it intends to close portions of the two alleys running off of West Fifth Street and West Sixth Street, respectively, both lying southeast of North Church Street and northwest of North Tryon Street, said alleys being more particularly described on maps and by metes and bounds descriptions 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 the 9th day of June, 1997, 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, Brenda Freeze, 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 12th day of May, 1997, the reference having been made in Minute Book 110, page 1053, and recorded in full in the Resolution Book 34, page 652.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of May, 1997.

  
Brenda R. Freeze, City Clerk

ACTION A

**RESOLUTION**

EXTRACT FROM THE MINUTES OF A regular  
MEETING OF THE Charlotte City Council  
HELD ON May 12, 1997

The following resolution was introduced by Councilmember Scarborough  
seconded by Councilmember Cannon, read in full, considered  
and adopted.

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND  
RATIFYING THE EXECUTION OF THE GRANT AGREEMENT FOR PROJECT  
NUMBER 3-37-0012-28 BETWEEN THE UNITED STATES OF  
AMERICA AND THE CITY OF CHARLOTTE, NORTH CAROLINA

BE IT RESOLVED, by the CITY COUNCIL of  
THE CITY OF CHARLOTTE, NORTH CAROLINA

SECTION 1. That said City Council hereby  
authorizes, adopts, approves, accepts and ratifies the execution of  
Grant Amendment between the Federal Aviation Administration on  
behalf of the United States of America and  
the City of Charlotte, North Carolina

SECTION 2. That the Execution of said Grant Agreement in  
quadruplicate on behalf of said City Council  
by T. J. Orr, Aviation Director  
and the impression of the official seal of the City of Charlotte  
and the attestation by Brenda Freeze; City Clerk is  
hereby authorized, adopted, approved, accepted and ratified.

SECTION 3. That the Aviation Director is hereby  
authorized to execute payment requests under this Grant Agreement  
on behalf of said City of Charlotte.

**CERTIFICATION**

I, Brenda R. Freeze, 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 12th day of May, 1997, the reference having been  
made in Minute Book 110, and recorded in full in Resolution Book 34, Page(s) 653.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day  
of May, 1997.

Brenda R. Freeze  
Brenda R. Freeze, City Clerk

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

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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 **Four Mile Creek Relief Sewer 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 **Four Mile Creek Relief Sewer Project**; and estimated to be approximately 2,413.25 square feet (.0554 acre) for a 25-foot permanent sanitary sewer easement and 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. 225-371-31, said property currently owned by **KELLY GWIN and spouse, if any**; or the owners' 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.

May 12, 1997  
Resolution Book 34, Page 655

**CERTIFICATION**

I, Brenda R. Freeze, 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 12th day of May, 1997, the reference having been made in Minute Book 110, and recorded in full in Resolution Book 34, Page(s) 654-655.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of May, 1997.

  
Brenda R. Freeze, City Clerk

May 12, 1997  
Resolution Book 34, Page 656

RESOLUTION CLOSING BAKER ROAD, LOCATED BETWEEN  
YORKMOUNT ROAD AND LAND OWNED ENTIRELY BY  
IVAN C. HINRICHS, 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 Baker Road which calls for a public hearing on the question; and

WHEREAS, the Petitioner has caused a copy of the Resolution of Intent to Close Baker Road 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 Baker Road, all as required by G.S. 160A-299; and

WHEREAS, the public hearing was held on the 12th day of May, 1997, and City Council determined that the closing of Baker Road 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 May 12, 1997, that the Council hereby orders the closing of Baker Road in the City of Charlotte, Mecklenburg County, North Carolina as described below:

BEGINNING at a new iron pin in the westerly margin of Yorkmount Road, said point being the northeast corner of the Ivan C. Hinrich's property as described in Deed Book 7296, Page 882, of the Mecklenburg County Public Registry and runs thence with the lines of the aforesaid Hinrich's property in two (2) courses and distances as follows: (1) S. 65-46-08 E. 547.31 feet to a new iron pin; (2) N. 24-13-52 W. 35.00 feet to an existing iron pin, said point being a corner of a second parcel conveyed to the aforesaid Ivan C. Hinrich's as described in Deed Book 7425, Page 869, of said Registry; thence with two (2) more lines of the aforesaid Hinrich's property as follows: (1) N. 24-13-52 W. 25.00 feet to a new iron pin; (2) N. 65-46-08 E. 531.31 feet to a new iron pin in the westerly margin of Yorkmount Road; thence with the westerly margin of Yorkmount Road S. 39-09-30 E. 62.10 feet to the point and place of BEGINNING. Containing 32,359 square feet or 0.743 acre parcel of land as shown on a survey prepared by R. B. Pharr & Associates, P.A., dated December 19, 1996.

BK: 09143 PG: 0105/0107 \$-0001 10.00  
JUDITH A GIBSON REG OF DEEDS MECK NC  
FILED FOR REGISTRATION 07/08/97 09:12

May 12, 1997  
Resolution Book 34, Page 657

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 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 12th day of May, 1997, the reference having been made in Minute Book 110, Page \_\_\_\_\_, and recorded in full in Resolution Book 34, Page 656-658.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of May, 1997.

*Brenda R. Freeze*  
Brenda R. Freeze, City Clerk



THIS IS TO CERTIFY THAT ON THE 18 DAY OF DECEMBER 19 95, AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAN, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAN MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1800 (21 NCAC 86) AND THE ERROR OF CLOSURE FOR THIS PARCEL DOES NOT EXCEED ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED FOR 30 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

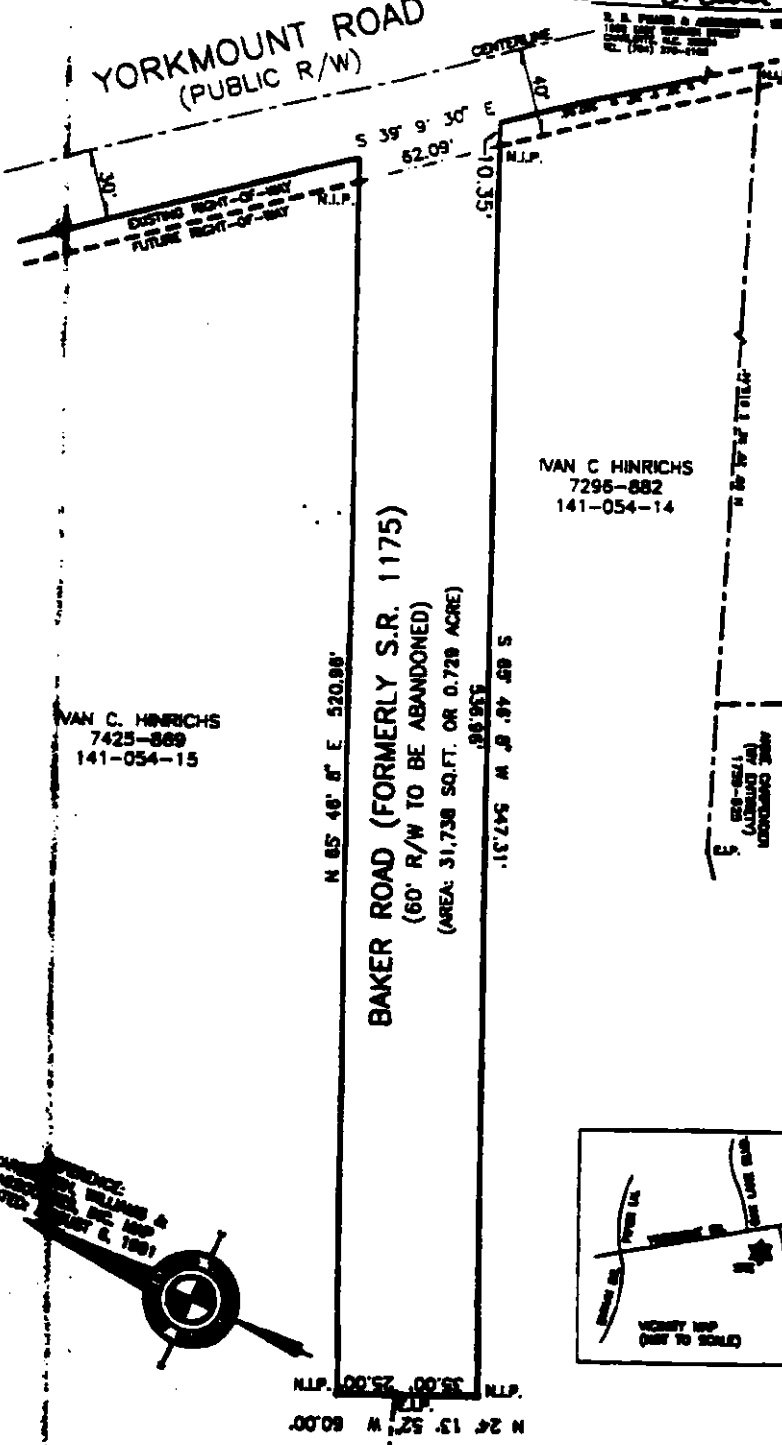
08-21-87 - UPDATE

SIGNED

*C. Clark Neilson*

N. C. BOARD OF SURVEYING & MAPPING  
 100 WEST GARDEN STREET  
 RALEIGH, N.C. 27601  
 REG. NO. \_\_\_\_\_ EXPIRES \_\_\_\_\_

YORKMOUNT ROAD  
 (PUBLIC R/W)

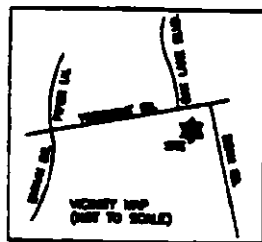
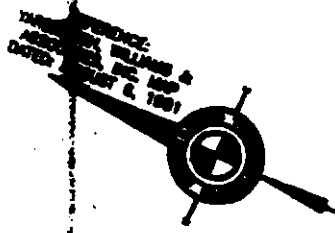


VAN C HINRICHS  
 7295-882  
 141-054-14

VAN C. HINRICHS  
 7425-889  
 141-054-15

BAKER ROAD (FORMERLY S.R. 1175)  
 (60' R/W TO BE ABANDONED)  
 (AREA: 31,738 SQ. FT. OR 0.729 ACRE)

THIS MAP IS NOT A CERTIFIED SURVEY AND  
 RELIANCE MAY BE PLACED IN ITS ACCURACY



N.L.P. 00'52" 00'52" N.L.P.  
 00'09" N 26'13" 57" W 60.00'

MAP OF  
 BAKER ROAD TO BE REMOVED FROM DEDICATION

CHARLOTTE N.C.  
 VAN C. HINRICHS

THE PROPERTY OF \_\_\_\_\_  
 SCALE 1" = 60'  
 MAP BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 MAP BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

FLOOD CERTIFICATION  
 THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT  
 LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS SHOWN ON  
 MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT  
 AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED  
 FEBRUARY 3, 1983

EXHIBIT A