

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE CHARLES STREET LOCATED BETWEEN TAX PARCEL NOS. 131-025-02 AND 131-024-05 AND TO ABANDON AND CLOSE AN UNNAMED STREET LOCATED BETWEEN TAX PARCELS NOS. 131-024-01 AND 131-071-01, BOTH STREETS RUNNING FROM NORLAND ROAD, IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, IEC Acquisition Company and SMS Catering Service, Inc. have filed a Petition to close Charles Street and the said Unnamed Street in the City of Charlotte; and

WHEREAS, Charles Street petitioned to be closed runs from Norland Road, Cedar Hills Subdivision, in the City of Charlotte, Mecklenburg County as shown on a map marked "Exhibit A1," and is more particularly described by metes and bounds in a document marked "Exhibit B1," both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

WHEREAS, the said unnamed street petitioned to be closed runs from Norland Road, Cedar Hills Subdivision, in the City of Charlotte, Mecklenburg County as shown on a map marked "Exhibit A2," and is more particularly described by metes and bounds in a document marked "Exhibit B2," 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 consecutive 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, and its regularly scheduled session of October 13, 1997, that it intends to close Charles Street lying between Tax Parcel Nos. 131-025-02 and 131-024-05 and it intends to close an unnamed street lying between Tax Parcel Nos. 131-024-01 and 131-071-01, both streets running from Norland Road, said streets being more particularly described on maps and by 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 10th day of November, 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 consecutive weeks next preceding the date fixed here for such hearing, as required by N.C.G.S. 160A-299.

I, Nancy S. Gilbert, CERTIFICATION
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 13th day of October, 1997, the reference having been made in Minute Book 111, page _____, and recorded in full in Resolution Book 34, page 779-783.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of October, 1997.

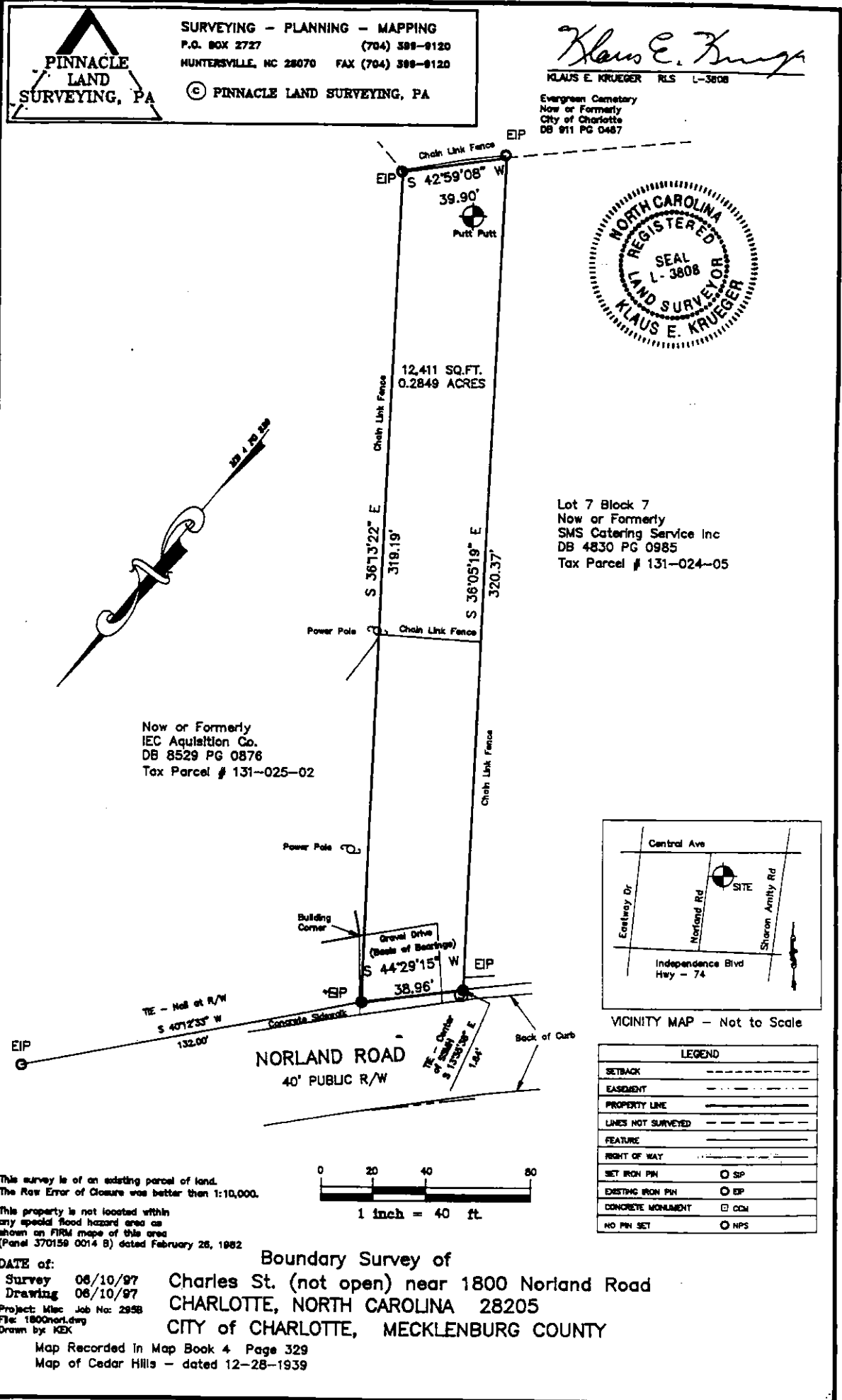
Nancy S. Gilbert, Deputy City Clerk

October 13, 1997
 Resolution Book 34
 Page 780

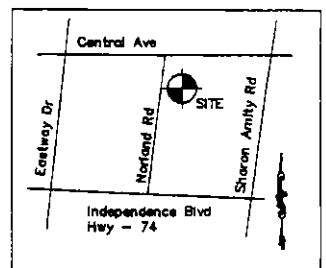
PINNACLE LAND SURVEYING, PA
 SURVEYING - PLANNING - MAPPING
 P.O. BOX 2727 (704) 398-8120
 HUNTERSVILLE, NC 28070 FAX (704) 398-8120
 © PINNACLE LAND SURVEYING, PA

Klaus E. Krueger
 KLAUS E. KRUEGER RLS L-3808

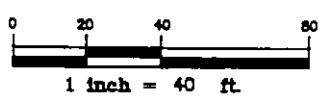
Evergreen Cemetery
 Now or Formerly
 City of Charlotte
 DB 911 PG 0487



Lot 7 Block 7
 Now or Formerly
 SMS Catering Service Inc
 DB 4830 PG 0985
 Tax Parcel # 131-024-05



LEGEND	
SETBACK	-----
EASEMENT	-----
PROPERTY LINE	—————
LINE NOT SURVEYED	-----
FEATURE	—————
RIGHT OF WAY	-----
SET IRON PIN	○ SIP
EXISTING IRON PIN	○ EIP
CONCRETE MONUMENT	□ CCM
NO PIN SET	○ NPS



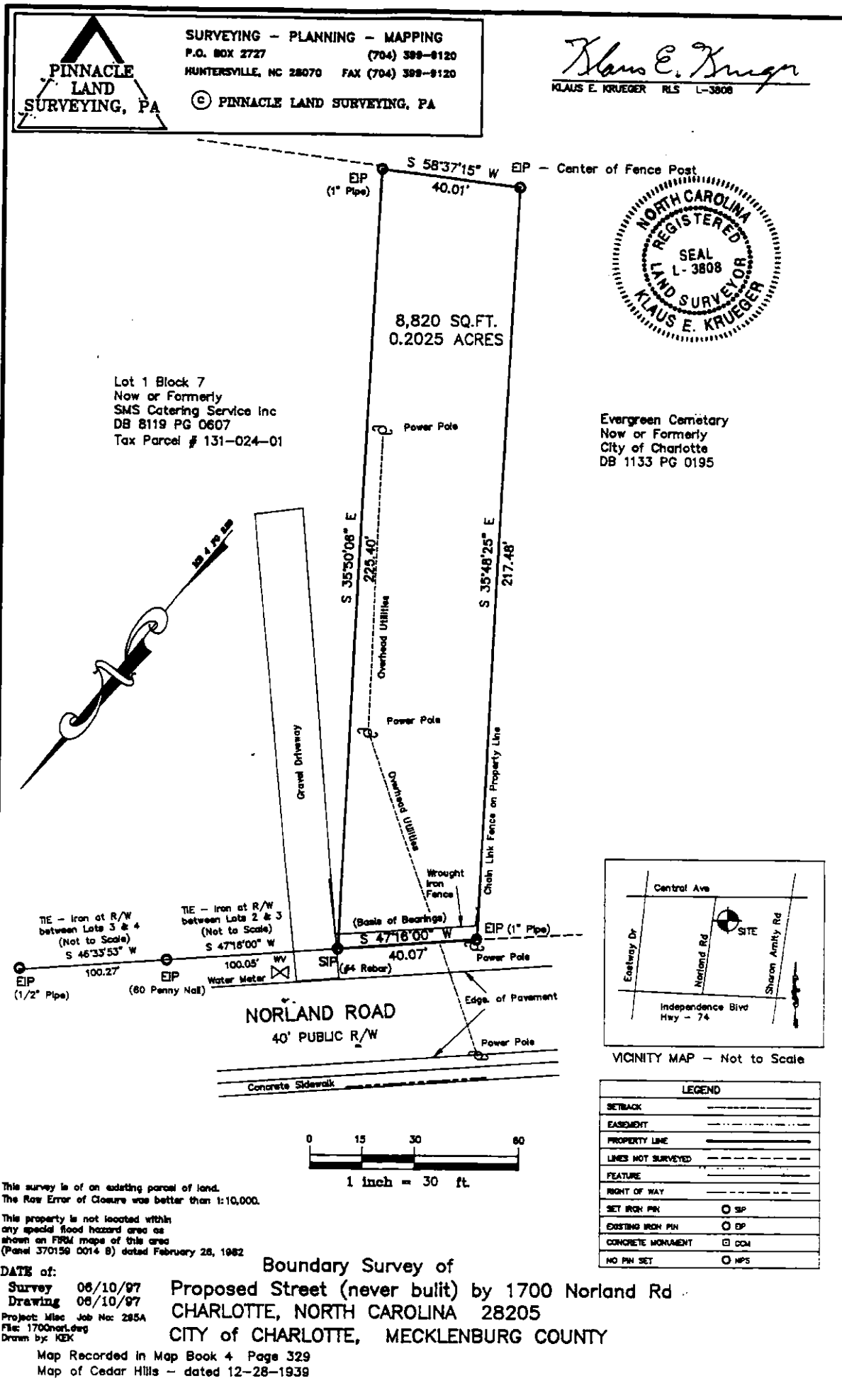
This survey is of an existing parcel of land.
 The Row Error of Closure was better than 1:10,000.
 This property is not located within
 any special flood hazard area as
 shown on FIRM maps of this area
 (Panel 370159 0014 B) dated February 28, 1982

DATE of:
 Survey 06/10/97
 Drawing 06/10/97
 Project: Misc Job No: 2958
 File: 1800nor1.dwg
 Drawn by: KDK

Boundary Survey of
Charles St. (not open) near 1800 Norland Road
CHARLOTTE, NORTH CAROLINA 28205
CITY of CHARLOTTE, MECKLENBURG COUNTY

Map Recorded in Map Book 4 Page 329
 Map of Cedar Hills - dated 12-28-1939

October 13, 1997
 Resolution Book 34
 Page 781



October 13, 1997
Resolution Book 34, Page 782

EXHIBIT B1

Legal Description for Charles Street (Not Open)
Located between Tax Parcels No. 131-025-02 and 131-024-05
City of Charlotte, Mecklenburg County, North Carolina

Beginning at an existing iron pin located in the margin of Norland Road being the northwestern corner of a 2.329 acre parcel now or formally owned by IEC Acquisition Company (see Deed Book 8529, at Page 876 of the Mecklenburg County Public Registry) being Tax Parcel no. 131-025-02 and being the northeastern corner of the within described parcel, THE TRUE POINT OR PLACE OF BEGINNING; thence leaving the margin of Norland Road running with the boundary of the said property now or formally owned by IEC Acquisition Company, S.36-13-22 E. 319.19 feet to an existing iron pin; thence running with the boundary of Evergreen Cemetery now or formally owned by the City of Charlotte (see Deed Book 919, at Page 467 of the Mecklenburg County Public Registry), S.42-59-08 W. 39.90 feet to an existing iron pin; thence running with the boundary of property now or formally owned by SMS Catering Service, Inc. being Tax Parcel no. 131-024-05 (see Deed Book 4830, at Page 985 of the Mecklenburg County Public Registry), N. 36-05-19 W. 320.37 feet to an existing iron pin in the margin of Norland Road; thence running with the margin of Norland Road, N. 44-29-15 E. 38.96 feet to THE TRUE POINT OR PLACE OF BEGINNING; and containing 0.2849 acres all as shown on a survey titled "Boundary Survey of Charles St. (not open) near 1800 Norland Road, Charlotte, North Carolina 28205," made by Klaus E. Kreuger, Registered Land Surveyor (Seal L-3808), dated June 10, 1997, to which survey specific reference is hereby made for a more particular description of the above described property.

October 13, 1997
Resolution Book 34, Page 783

EXHIBIT B2

Legal Description for Unnamed Street
Located between Tax Parcels No. 131-024-01 and 131-071-01
Running from Norland Road
City of Charlotte, Mecklenburg County, North Carolina

Beginning at a set iron pin in the margin of Norland Road which is the northwestern corner of Lot No. 1, Block 7, Cedar Hills Subdivision, being Tax Parcel no. 131-024-01 now or formally owned by SMS Catering Service, Inc. (see Deed book 8119, at Page 607 of the Mecklenburg County Public Registry) and being the northeastern corner of the within described property, THE TRUE POINT OR PLACE OF BEGINNING; thence leaving the margin of Norland Road and running with the said boundary of property now or formally known as SMS Catering Service, Inc., S. 35-50-06 E. 225.40 feet to an existing iron pin; thence running with Evergreen Cemetery now or formally owned by the City of Charlotte (see Deed Book 1133, at Page 195 of the Mecklenburg County Public Registry), S. 58-37-15 W. 40.01 feet to an existing iron pin; thence continuing with the boundary of Evergreen Cemetery, N. 35-48-25 W. 217.48 feet to an existing iron pin in the margin of Norland Road; thence running with the margin of Norland Road, N. 47-16-00 E. 40.07 feet to THE TRUE POINT OR PLACE OF BEGINNING; containing 0.2025 acres all as shown on a survey titled "Boundary Survey of Proposed Street (never built) by 1700 Norland Road, Charlotte, North Carolina 28205", made by Klaus E. Kreuger, Registered Land Surveyor (Seal L-3808), dated June 10, 1997, to which survey specific reference is hereby made for a more particular description of the above described property.

October 13, 1997
Resolution Book 34, Page 784

**RESOLUTION DECLARING AN INTENT TO ABANDON AND
CLOSE THE RIGHT-OF-WAY LOCATED BETWEEN 1501 LYON
COURT AND 1429 LYON COURT IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA**

WHEREAS, Margaret Earney Smith has filed a Petition to close all of the right-of-way located between 1501 Lyon Court and 1429 Lyon Court in the city of Charlotte; and

WHEREAS, said right-of-way petitioned to be closed lies between 1501 Lyon Court and 1429 Lyon Court 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 street 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, a copy thereof to 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 October 13, 1997, that it intends to close said right-of-way lying between 1501 Lyon Court and 1429 Lyon Court said right-of-way 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 10th day of November, 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

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 13th day of October, 1997, the reference having been made in Minute Book 111, page , and recorded in full in Resolution Book 34, page 784-786.

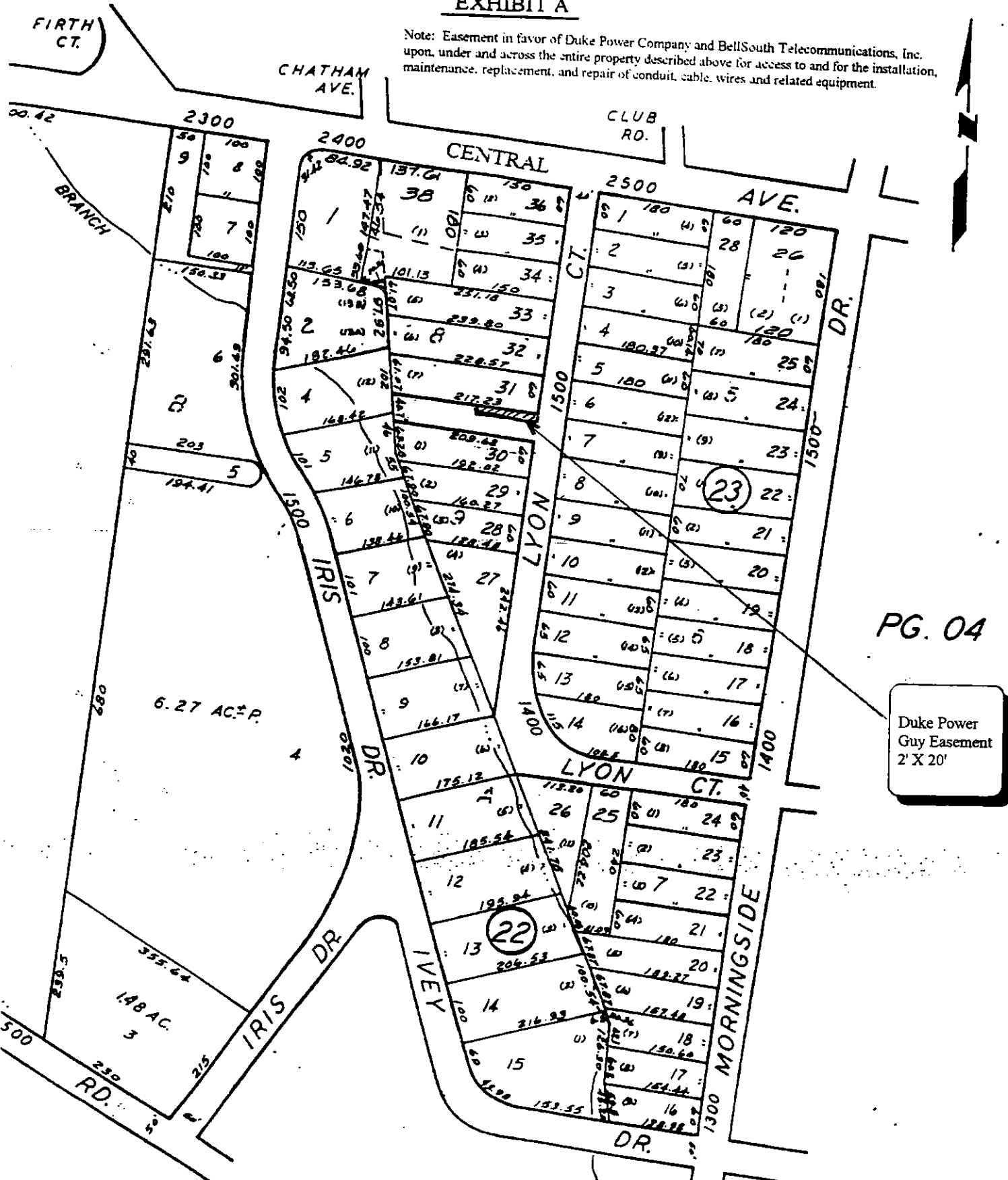
Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of October, 1997.

Nancy S. Gilbert, Deputy City Clerk

BK. 95

EXHIBIT A

Note: Easement in favor of Duke Power Company and BellSouth Telecommunications, Inc. upon, under and across the entire property described above for access to and for the installation, maintenance, replacement, and repair of conduit, cable, wires and related equipment.



PG. 04

Duke Power
Guy Easement
2' X 20'

METES AND BOUNDS

EXHIBIT B

**TOTAL AREA ABANDONED UNNAMED STREET RIGHT-OF-WAY
ADJOINING LYON COURT**

Beginning at a point on the westerly right-of-way of Lyon Court intersected by the right-of-way of unnamed street said point being 360 feet south of the intersection of the southwesterly right-of-way of Central Avenue and Lyon Court; thence from said beginning point in southerly direction along the said Lyon Court street right-of-way 40 feet to a point; thence in a westerly direction 209.68 feet to a point; thence in a northwesterly direction 40.7 feet to a point; thence in a easterly direction 217.23 feet to the point and place of beginning as recorded in Map Book 6, Page 403 of the Mecklenburg County Registry.

**UNNAMED ROAD RIGHT-OF-WAY ABANDONED TO TAX PARCEL
129-022-31**

Beginning at a point intersected by the western right-of-way line of Lyon Court with the unnamed street right-of-way said point being 360 feet south of the intersection of the southwesterly right-of-way of Central Avenue and Lyon Court; thence in a southerly direction 20 feet to a point; thence in a westerly direction 213.45 feet to a point; thence in a northerly direction 20.35 feet to a point on the right-of-way of said unnamed road right-of-way; thence in an easterly direction 217.23 feet along unnamed road right-of-way to the point and place of beginning.

**UNNAMED ROAD RIGHT-OF-WAY ABANDONED TO TAX PARCEL
129-022-30**

Beginning at a point on the westerly right-of-way line of Lyon Court intersected by the southerly right-of-way line of unnamed road of right-of-way said point being 400 feet south of the intersection of the southwesterly right-of-way of Central Avenue and Lyon Court; thence from said beginning point in a northerly direction continuing along Lyon Court right-of-way 20 feet to a point; thence in a westerly direction 213.45 feet to a point; thence in a southerly direction 20.35 feet to a point; thence in an easterly direction 209.68 feet to the point and place of beginning.

October 13, 1997
Resolution Book 34, Page 787

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 13th day of October, 1997 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up 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 13th day of October, 1997, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 787-788.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of October, 1997.

Nancy S. Gilbert, Deputy City Clerk

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

<u>Name</u>	<u>Amount of Refund</u>
	<u>Clerical Error</u>
Central Carolina Bank	\$ 212.04
Lions Services Inc.	1,028.76
Bartex Recycling Corp	473.73
MI Schottenstein Homes Inc.	455.43
M/I Schottenstein Homes Inc.	340.30
MI Schottenstein Homes Inc.	340.30
MI Schottenstein Homes Inc.	340.30
Charlotte Ob/Gyn Associates PA	614.50
John S. Miller OR	3,566.85
	<u>Board of Equalization Review Adjustment</u>
Arrowpoint Associates	2,251.75
Faison Arrowood	875.52
Faison Arrowood	2,680.01
Sinkoe Brothers	927.13
Total	<u>\$14,106.62</u>

October 13, 1997
Resolution Book 34, page 789

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
AMENDING THE FIVE-YEAR CAPITAL INVESTMENT PLAN FOR FISCAL YEARS
1998 TO 2002 TO ACCELERATE THE PLANNED PURCHASE OF REPLACEMENT
TRANSIT BUSES.**

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

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

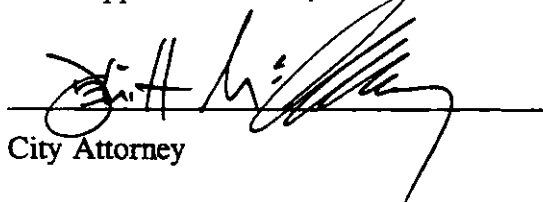
WHEREAS, the City of Charlotte has a five-year Capital Investment Plan based on policy assumptions, so stated in the FY98-02 Capital Investment Plan that balance the potential physical development planning with long-range financial capacity; and

WHEREAS, the five-year Capital Investment Plan requires amendment from time to time to account for planning changes and changes resulting from financial resource availability.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, that it does hereby amend the Capital Investment Plan for fiscal years 1998 to 2002 to accelerate the purchase of replacement buses from fiscal years FY99 and FY00 to the current fiscal year FY98.

This 13th day of October, 1997

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 13th day of October, 1997, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 789.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of October, 1997.

Nancy S. Gilbert, Deputy City Clerk

October 13, 1997
Resolution Book 34, page 790

RESOLUTION TO AUTHORIZE THE EXCHANGE OF REAL PROPERTY BELONGING TO THE CITY OF CHARLOTTE FOR OTHER REAL PROPERTY BELONGING TO DUKE ENERGY COMPANY

WHEREAS, The City of Charlotte owns a certain parcel of real property located on the south side of West Boulevard, further described as Tax Parcel 143-101-01; and

WHEREAS, Duke Energy owns a certain parcel of real property located on Little Rock Road, further described as Tax Parcel 113-012-12; and

WHEREAS, the City desires to exchange 7.93 acres of its property described above which has been appraised by MAI Appraisers as having a value of \$58,000 per acre for a total value of \$460,000 for 7.36 acres of the Duke Energy property described above which has been appraised by MAI Appraisers as having a value of \$62,500 per acre for a total value of \$460,000; and

WHEREAS, notice of Council's intent to authorize the exchange was published at least ten days before the adoption of this resolution as required by N.C.G.S. 160A-271;

NOW, THEREFORE, BE IT RESOLVED that the Charlotte City Council hereby authorizes the exchange of real property as heretofore described in compliance with N.C.G.S. 160A-271.

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 13th day of October, 1997, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 790.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of October, 1997.

Nancy S. Gilbert, Deputy City Clerk

RESOLUTION CLOSING A PORTION OF THE FORMER RIGHT-OF-WAY OF
TYVOLA ROAD LOCATED NEAR THE NORTHEASTERLY CORNER OF TYVOLA
ROAD AND NATIONS FORD ROAD 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 Declaring an Intent to Abandon and Close a portion of the former right-of-way of Tyvola Road (the "Resolution") which calls for a public hearing on the question; and

WHEREAS, the City has caused a copy of the Resolution to be sent by registered or certified mail to all owners of property adjoining said street, and prominently posted a notice of the closing and public hearing in at least two places along said street, all as required by N.C.G.S. §160A-299; and

WHEREAS, the public hearing was held on the 13th day of October, 1997, and City Council determined that the closing of said portion of the former right-of-way of Tyvola 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 a reasonable means in ingress and egress to his, her or its property;

BE IT FURTHER RESOLVED, by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of October 13, 1997, that the Council hereby orders the closing of a portion of the former right-of-way of Tyvola Road in the City of Charlotte, Mecklenburg County, North Carolina as described below:

BEGINNING AT A POINT on the easterly margin of the right-of-way of Nations Ford Road, said Beginning Point being located N. 32-10-49 E. 107.41 feet from a Concrete Monument marking the intersection of the easterly margin of the right-of-way of Nations Ford Road and the northerly margin of the right-of-way of Tyvola Road; thence from said Beginning Point leaving the right-of-way of Nations Ford Road S. 56-32-27 E. 213.35 feet to a point; thence with the arc of a circular curve to the left having a radius of 2277.24 feet and a chord bearing and distance of S. 58-28-11 E. 153.28 feet, an arc distance of 153.30 feet to a point on the northerly margin of the right-of-way of Tyvola Road; thence with the northerly margin of the right-of-way of Tyvola Road the following two (2) courses and distances: (1) N. 73-41-07 W. 58.43 feet to a Concrete Monument, and (2) N. 86-38-52 W. 95.47 feet to a point; thence leaving the northerly margin of the right-of-way of Tyvola Road with the arc of a circular curve to the right having a radius of 2337.24 feet in a chord bearing and distance of N. 56-42-14 W. 14.77 feet, an arc distance of 14.77 feet to a point; thence N. 56-32-27 W. 212.01 feet to a point on the easterly margin of the right-of-way of Nations Ford Road; thence with the easterly margin of the right-of-way of Nations Ford Road N. 32-10-49 E. 60.01 feet to the point or place of BEGINNING, containing .392 acre, more or less, as shown on a survey entitled "R/W Abandonment Survey of 0.392 Acre as Shown" prepared by Hugh E. White, Jr., N.C.R.L.S., Dated June 11, 1992, to which survey reference is made for a more particular description of the above described property.

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

CERTIFICATION

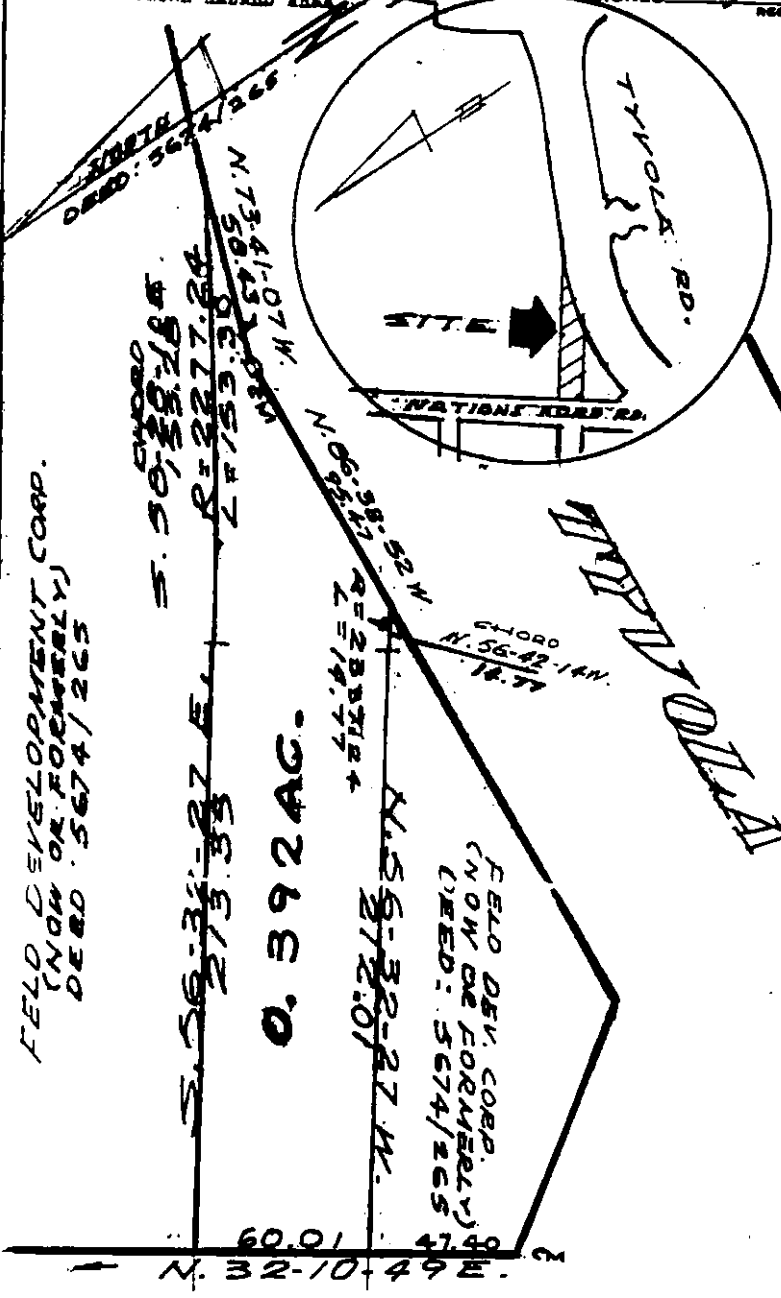
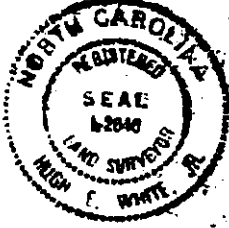
I, Nancy S. Gilbert, the Deputy City Clerk of the City of Charlotte, North Carolina do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session and being on the 13th day of October, 1997 the reference having been made in Minute Book 111, Page and recorded in full and Resolution Book 34, Page 791-792

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of October, 1997.

Nancy S. Gilbert, Deputy City Clerk

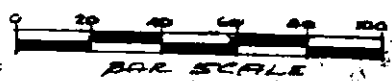
Exhibit A

THIS IS TO CERTIFY THAT ON THE 11TH DAY OF JUNE 1992 I SURVEYED THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE TITLE LINES AND THE WALLS OF THE BUILDINGS ARE AS SHOWN HEREON.
 THIS PROPERTY DOES NOT LIE WITHIN ANY FLOOD PRONE HAZARD AREA.
 SIGNED: [Signature]
 REGISTERED SURVEYOR



I, Michael E. White, certify that this plat was drawn under my supervision from an actual survey made under my supervision (and description recorded in Book 5674 Page 265) if that the boundaries not surveyed are clearly indicated as drawn from information found in Book Page . The ratio of precision as calculated is 1:10,000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature and registration number and seal this 11th day of June A.D. 1992.
Michael E. White
 Registered Land Surveyor No. 42646

NATIONS FORD RD.



E/W
ABANDONMENT SURVEY
 OF
0.392 AC. AS SHOWN.

SCALE 1" = 50' CHARLOTTE, N. C. CAROLINA SURVEYORS INC.
 P. O. BOX 107
 PINEVILLE, N. C. 28134
 THE PROPERTY OF FELD DEVELOPMENT CO.
 MAP RECORDED IN BOOK AT PAGE DEED RECORDED IN BOOK 5674 PAGE 265
 DRAWN BY RR FIELD WORK FIELD BOOK

TORMENCE B. LUSKPRINT 31818A

October 13, 1997
Resolution Book 34, Page 793

**RESOLUTION CLOSING A PORTION OF LOCH LEVEN STREET IN THE CITY OF
CHARLOTTE, MECKLENBURG COUNTY, 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 Loch Leven Street which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to Close Loch Leven Street to be sent by registered 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 Loch Leven Street, all as required by G.S. 160A-299; and

WHEREAS, the petition will provide an easement to Duke Power Company to maintain their facilities as shown on the map attached hereto and made a part hereof marked "Exhibit A;" and,

WHEREAS, the public hearing was held on the 13th day of October, 1997, and City Council determined that the closing of Loch Leven Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived or 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 October 13, 1997, that the Council hereby orders the closing of Loch Leven Street in the City of Charlotte, Mecklenburg County, North Carolina as described in a metes and bounds description marked "Exhibit B."

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

CERTIFICATION

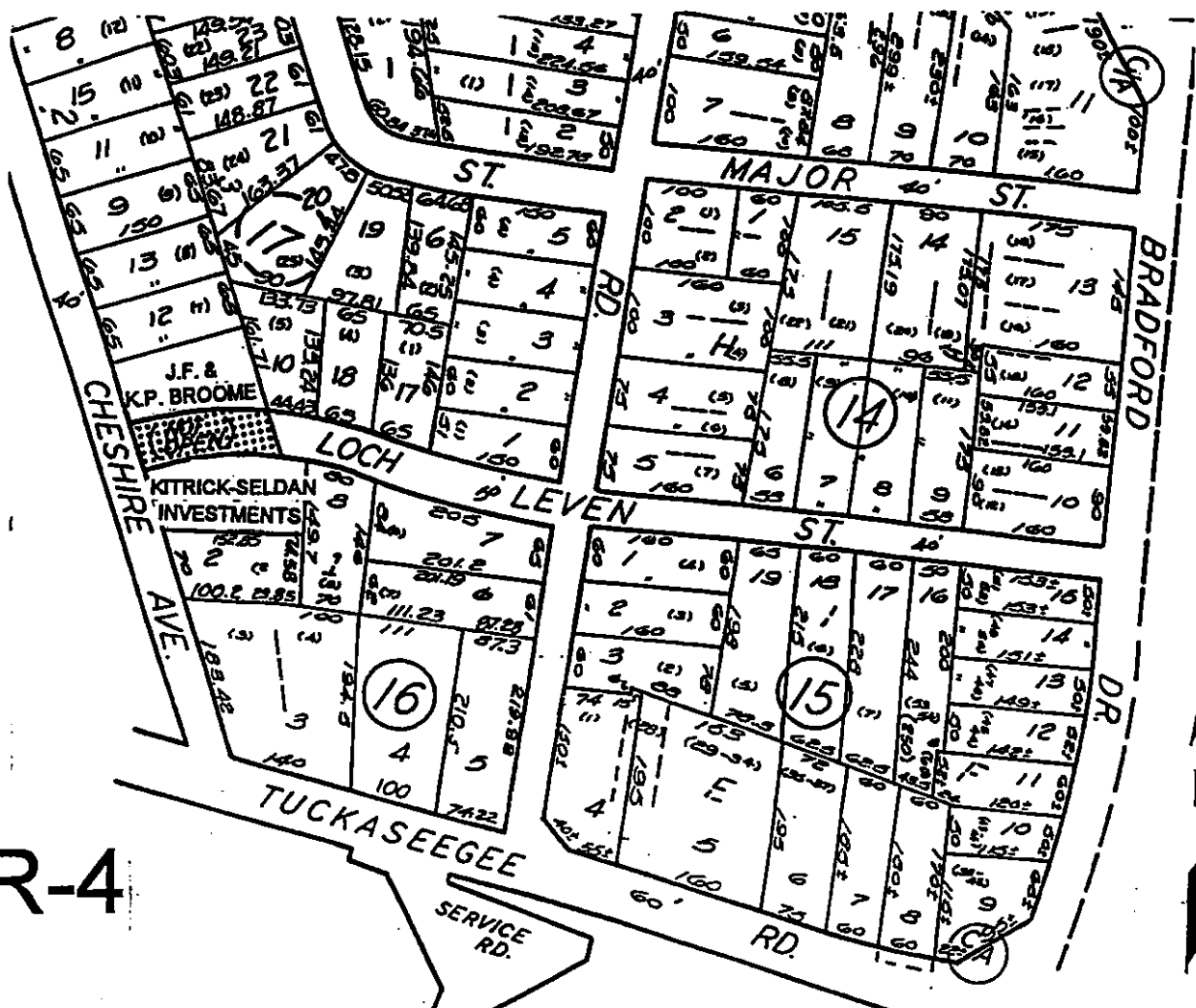
I, Nancy S. Gilbert,
Deputy City Clerk _____ of the City of Charlotte, North Carolina do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of October 1997. The reference having been made in Minute Book 111, page _____, and recorded in full in Resolution Book 34, page 793-794

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of October, 1997.

Nancy S. Gilbert, Deputy City Clerk

October 13, 1997

Resolution Book 34, Page 794



R-4



Right-of-Way to be Abandoned

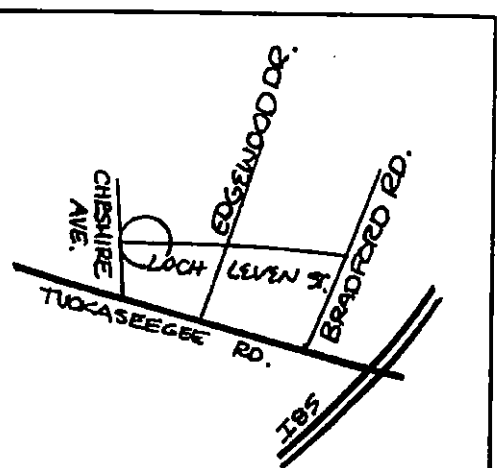
CITY OF CHARLOTTE
 DEPARTMENT OF TRANSPORTATION
 TRANSPORTATION ENGINEERING DIVISION

Right-of-Way Abandonment

A PORTION OF
LOCH LEVEN STREET

RQS/PROJECT NO.

FILE NO. 47-13



Vicinity Map

October 13, 1997

Resolution Book 34, Page 795

RESOLUTION CLOSING A PORTION OF MURRAY STREET LOCATED NORTH OF OAKWOOD DRIVE IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, 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 Murray Street which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to Close Murray Street to be sent by registered 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 Murray Street, all as required by G.S. 160A-299; and

WHEREAS, the petition will provide an easement to 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 public hearing was held on the 13th day of October, 1997, and City Council determined that the closing of Murray Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived or 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 October 13, 1997, that the Council hereby orders the closing of Murray Street in the City of Charlotte, Mecklenburg County, North Carolina as described in a metes and bounds description marked "Exhibit B."

BE IT 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, Nancy 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 13th day of October, 1997. The reference having been made in Minute Book 111, page , and recorded in full in Resolution Book 34, page 795-797

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of October, 1997.

Nancy S. Gilbert, Deputy City Clerk

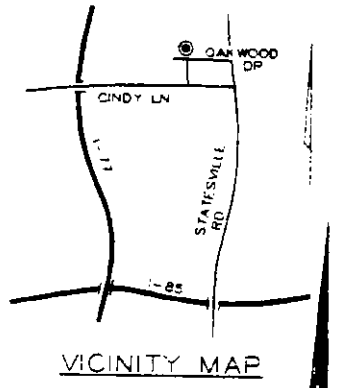
EXHIBIT A

THIS IS TO CERTIFY THAT ON THE 18TH DAY OF JUNE, 1997, I SURVEYED THE PROPERTY SHOWN ON THIS PLAN, AND THAT THE EASEMENTS AND IMPROVEMENTS THEREON ARE SHOWN HEREON.

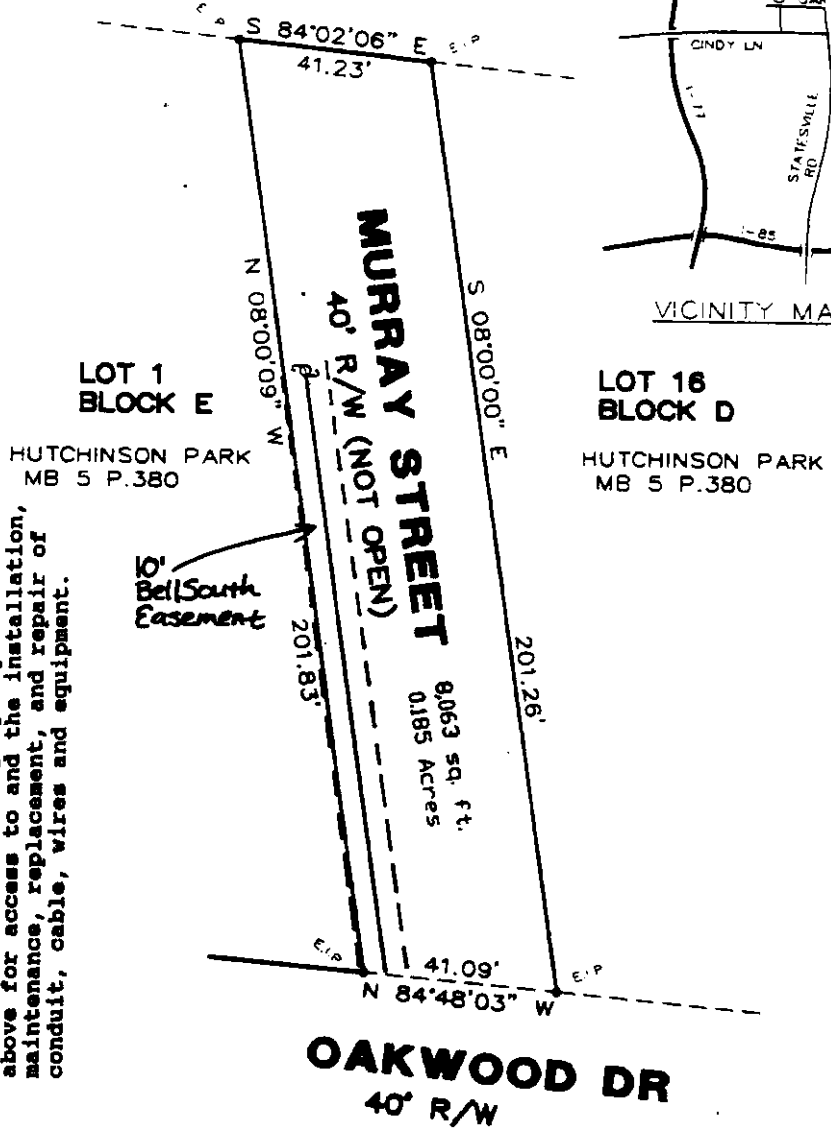


Jack R. Christman
 REGISTERED LAND SURVEYOR
 JACK R. CHRISTMAN & ASSOCIATES
 611 CENTRAL AVENUE, 4TH FLOOR, CHARLOTTE, N.C.
 PHONE: 704-333-4767
 OAKWOOD DP
 FB DC

LULA F. CHRISTENBURY
 BY WILL



VICINITY MAP



Note: Easement in favor of BellSouth Telecommunications, Inc. upon, under and across the entire property described above for access to and the installation, maintenance, replacement, and repair of conduit, cable, wires and equipment.

10' BellSouth Easement



SURVEY

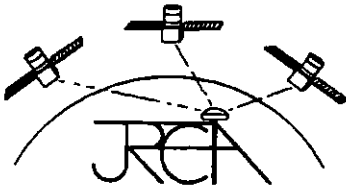


STREET CLOSING - PORTION OF MURRAY STREET

SCALE 1" = 30' CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA
 THE PROPERTY OF: ROBERT D. MOORE
 MAP RECORDED IN BOOK 5 AT PAGE 380 DEED RECORDED IN BOOK ___ PAGE ___

October 13, 1997
Resolution Book 34,
Page 797

EXHIBIT B



**JACK R. CHRISTIAN & ASSOCIATES
SURVEYING**
811 CENTRAL AVENUE SUITE 6
CHARLOTTE, NORTH CAROLINA, 28204
PHONE: 704-332-4763, FAX: 704-376-0127

LEGAL DESCRIPTION – PORTION OF MURRAY STREET

BEING A STREET IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING A PORTION OF MURRAY STREET (UNOPENED) AS SHOWN ON A MAP OF HUTCHINSON PARK AS RECORDED IN MAPBOOK 5 PAGE 380 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING IRON PIN THE SOUTHEASTERN CORNER OF LOT 1 BLOCK E HUTCHINSON PARK AND CONTINUING WITH THE EASTERN LINE OF SAID LOT 1 N.8°00'09" W 201.83 FEET TO A EXISTING IRON PIN THE NORTHEASTERN CORNER OF LOT 1 AND A POINT IN THE LINE OF PROPERTY OWNED BY LULA F. CHRISTENBURY BY WILL; THENCE WITH CHRISTENBURY'S SOUTHERN LINE S 84°02'06" E 41.23 FEET TO AN EXISTING IRON PIN THE NORTHWESTERN CORNER OF LOT 16 BLOCK D OF HUTCHINSON PARK; THENCE WITH THE WESTERN LINE OF LOT 16 S.8°00'00"E 201.26 FEET TO AN EXISTING IRON PIN THE SOUTHWESTERN CORNER OF LOT 16 BLOCK D AND ALSO A POINT IN THE NORTHERN RIGHT OF WAY OF OAKWOOD DRIVE (40' RIGHT OF WAY); THENCE N 84°48'03"W 41.09 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 8.063 SQUARE FEET OR 0.185 ACRES ALL AS SHOWN ON A SURVEY BY JACK. R. CHRISTIAN AND ASSOCIATES DATED JUNE 19, 1997 TO WHICH REFERENCE IS HEREBY MADE

