

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:

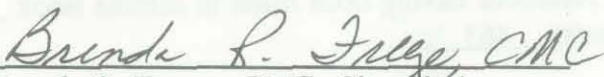
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time 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 8th day of February, 1999 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, 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 8th day of February, 1999, the reference having been made in Minute Book 113, and recorded in full in Resolution Book 35, Page(s) 464-465.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of February, 1999.


Brenda R. Freeze, CMC, City Clerk

TAXPAYERS AND REFUNDS REQUESTED

MORE THAN \$100

<u>Name</u>	<u>Amount of Refund</u>
<u>Clerical Error</u>	
Jefferson Pilot	\$ 1,274.04
First Citizens Bank & Trust	3,645.29
Scandura Inc	25,128.71
Countrywide Funding Corp	332.89
Stamp Source	805.40
Dest & Faulk Drs PA	414.01
Dest & Faulk Drs PA	597.58
Ace High Enterprises	118.91
Sbarro America Inc	313.40
Sbarro America Inc	313.97
Total	<u>\$32,944.20</u>

CERTIFICATION

I, _____, 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 _____ day of _____, 1999. The reference number shown in minute book _____ and recorded in full in resolution book _____.

WITNESSE my hand and the Corporate Seal of the City of Charlotte, North Carolina, this _____ day of _____, 1999.



City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE
A portion of Linwood Road in the City of
Charlotte, Mecklenburg county, North Carolina

Whereas, **Paul B. and Angela Renee Taylor, Charles D. And Porter M. Pruitt** has filed a petition to close **a portion of Linwood Road** in the City of Charlotte; and

Whereas, a portion of Linwood Road to be closed lies from Harris Road northeastwardly approximately 250 feet to its terminus 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, 600 East 4th Street, 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 February 8, 1999, that it intends to close **a portion of Linwood Road**, and that the 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 7:00pm on Monday, the 22nd day of March, 1999 in CMGC Meeting Chamber, 600 East 4th Street, Charlotte, North Carolina.

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 8th day of February, 1999, the reference having been made in Minute book 113, and recorded in full in resolution book 35, page(s) 466.

WITNESS my hand and the Corporate Seal of the City of Charlotte, North Carolina, this the 9th day of February, 1999.

Brenda R. Freeze, CMC
Brenda R. Freeze, CMC, 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 **1997 ANNEXATION-DAVIS LAKE 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 **1997 ANNEXATION-DAVIS LAKE PROJECT** and estimated to be approximately **41,892 square feet (.962 acre) for a permanent sanitary sewer easement and 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. 043-082-14 said property currently owned by **JP REALTY PARTNERS, INC.**, 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, 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 8th day of February, 1999, the reference having been made in Minute Book 113, and recorded in full in Resolution Book 35, Page(s) 467-468.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of February, 1999.

Brenda R. Freeze, CMC
Brenda R. Freeze, CMC, City Clerk

RESOLUTION CLOSING PORTIONS OF TWO ALLEYWAYS NORTH OF EAST
INDEPENDENCE BOULEVARD IN THE CITY OF
CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

WHEREAS, pursuant to the provisions of Chapter 160AA-299 of the general statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close portions of two alleyways north of East Independence Boulevard which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close portions of two alleyways north of East Independence Boulevard to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along two alleyways, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to BellSouth Telecommunications, Inc., and Duke Power Company to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 8th day of February, 1999, and city council determined that the closing of the portions of two alleyways north of East Independence Boulevard 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 it's property.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Charlotte, North Carolina at it's regularly assembled meeting of February 8, 1999, that the council hereby orders the closing of the portions of two alleyways north of East Independence Boulevard in the City of 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 attached hereto and made a part hereof.

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 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 8th day of February, 1999, the reference having been made in Minute book 113, and recorded in full in resolution book 35, page(s) 469-472.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of February, 1999.

Brenda R. Freeze

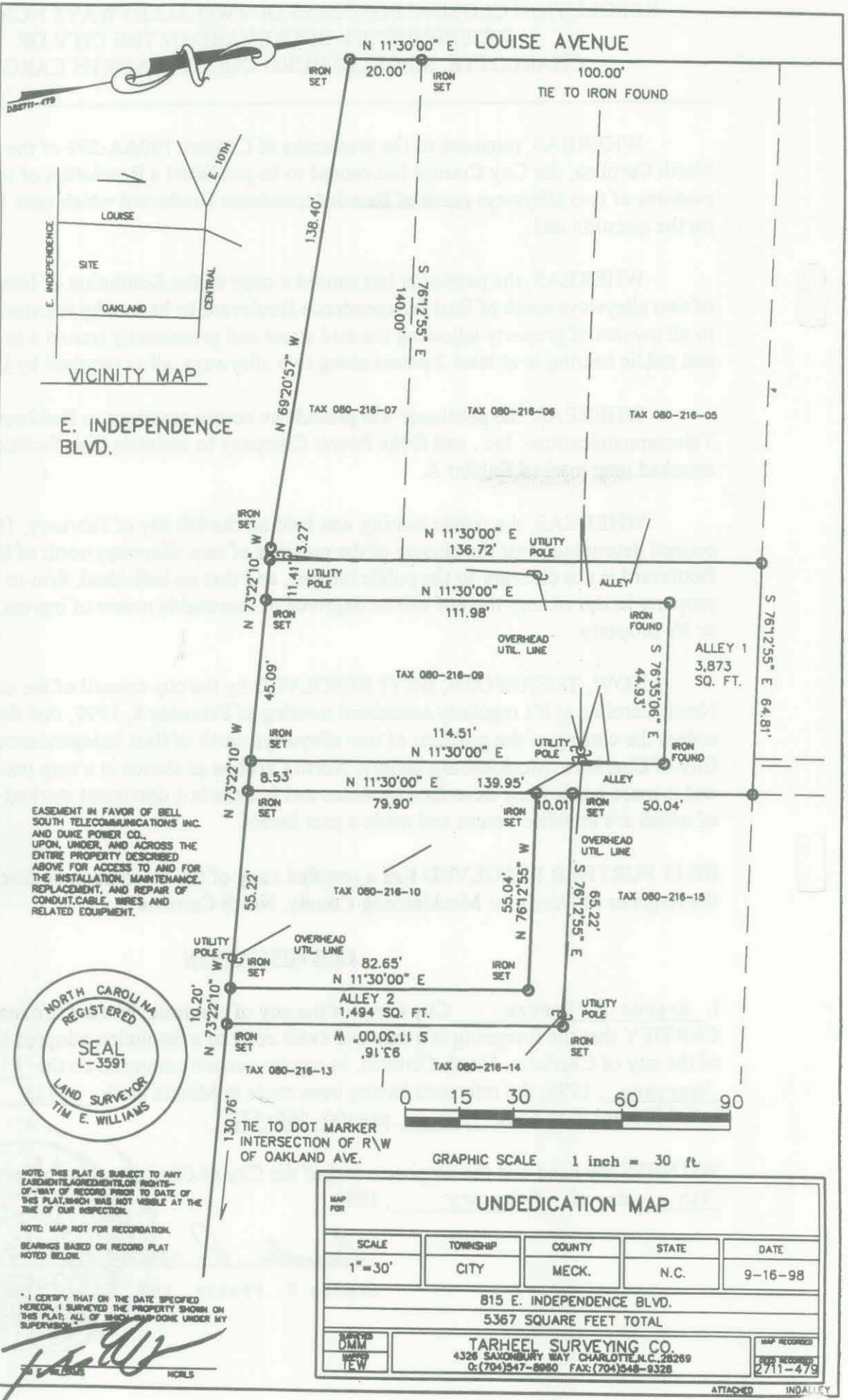
Brenda R. Freeze, CMC



MECKLENBURG COUNTY, NC
1999 MAR 02 03 25 PM
BOOK 10295 PAGE 411-415 FEE \$12.00
INSTRUMENT # 1999035955

City of Charlotte
Instrument to: City of Charlotte - Box

[Handwritten mark]



Metes and Bounds for Alley 1

Beginning at a point on the northerly R/w of Independence Blvd which is two calls from the intersection of the easterly R/W of Louise Ave and the northerly R/W of Independence Blvd as follows:

1. s69-20-57e 138.40'
2. s73-22-10e 3.27'

from said point of beginning n11-30-00e 136.72' to a point, thence s76-12-55e 64.81' to a point, thence s11-30-00w 139.95' to a point on the northerly R/W of Independence Blvd, thence with said R/W n73-22-10w 8.53' to a point thence leaving said R/W n11-30-00e 114.51' to a point, thence n76-35-06w 44.93' to a point, thence s11-30-00w 111.98' to a point on the northerly R/W of Independence Blvd thence with said R/W n73-22-10w 11.41' to said point of beginning.

Metes and Bounds for Alley 2

Beginning at a point on the northerly R/W of Independence Blvd which is two calls from the intersection of the easterly R/W of Louise Ave and the northerly R/W of Independence Blvd as follows:

1. s69-20-57e 138.40'
2. s73-22-10e 123.52'

from said point of beginning n11-30-00e 82.65' to a point thence n76-12-55w 55.04' to a point, thence n11-30-00e 10.01' to a point, thence s76-12-55e 65.22' to a point, thence s11-30-00w 93.16' to a point on the northerly R/W of Independence Blvd, thence with said R/W n73-22-10w 10.20' to said point of beginning.

RESOLUTION CLOSING PORTIONS OF OCKLAWANA STREET, EAST AND WEST HOLLY VISTA DRIVES, AND ALL OF CEDAR STREET IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

WHEREAS, pursuant to the provisions of Chapter 160AA-299 of the general statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close portions of Ocklawana Street, East and West Holly Vista Drives, and all of Cedar 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 portions of Ocklawana Street, East and West Holly Vista Drives, and all of Cedar Street to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the public hearing was held on the 8th day of February, 1999, and city council determined that the closing of the portions of Ocklawana Street, East and West Holly Vista Drives, and all of Cedar 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 or it's property.


NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Charlotte, North Carolina at it's regularly assembled meeting of February 8, 1999, that the council hereby orders the closing of the portions of Ocklawana Street, East and West Holly Vista Drives, and all of cedar Street in the City of 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 attached hereto and made a part hereof.

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 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 8th day of February, 1999, the reference having been made in Minute book 113, and recorded in full in resolution book 35, page(s) 473-476.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 9th day of February, 1999.


Brenda R. Freeze, CMC,



2

Example A

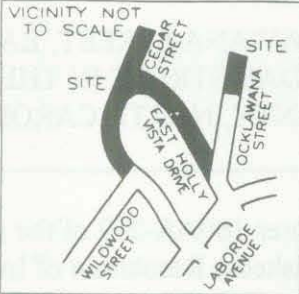
February 8, 1999
Resolution Book 35,
Page 474

THIS IS TO CERTIFY THAT ON THE 06 DAY OF OCTOBER 19 98 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1600 (21 NCAC 56) AND THE ERROR OF CLOSURE FOR THIS PARCEL DOES NOT EXCEED ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

SIGNED *C. Clark Neilson*

R. B. PHARR & ASSOCIATES, REGISTERED SURVEYORS
420 HARTHORNE LANE
CHARLOTTE, N.C. 28204
TEL. (704) 378-2188

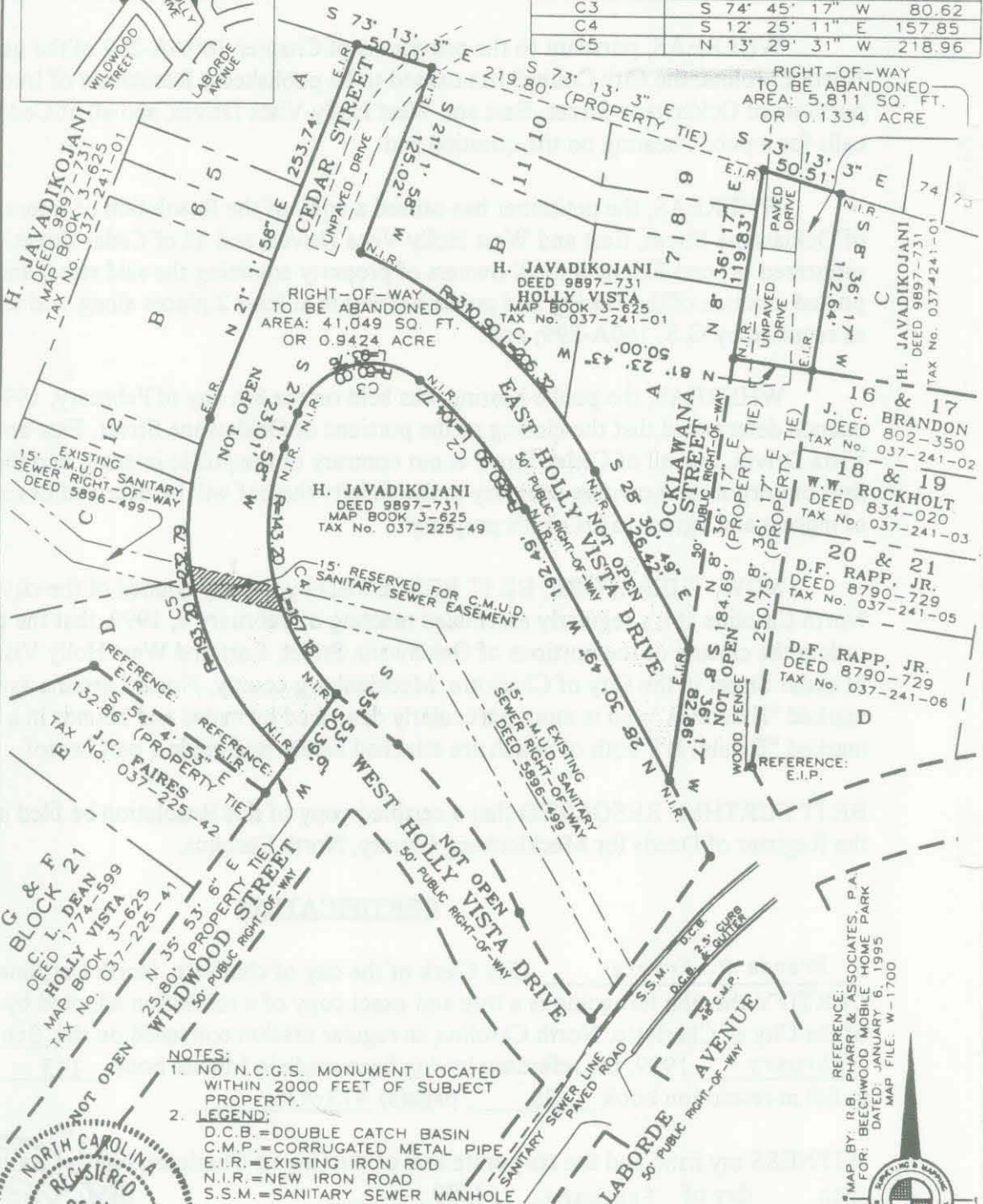
CREW	DRAWN	REVISED
AP	TC	



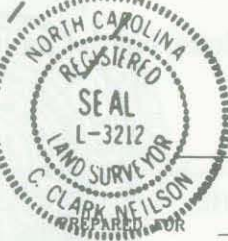
H. JAVADIKOJANI
DEED 9897-731
TAX No. 037-241-01

CHORD No.	CHORD BEARING & DISTANCE
C1	S 47° 31' 29" E 202.55
C2	N 40° 1' 6" W 104.07
C3	S 74° 45' 17" W 80.62
C4	S 12° 25' 11" E 157.85
C5	N 13° 29' 31" W 218.96

This is not a certified survey and no reference may be placed in its accuracy.



- NOTES:
- NO N.C.G.S. MONUMENT LOCATED WITHIN 2000 FEET OF SUBJECT PROPERTY.
 - LEGEND:
D.C.B. = DOUBLE CATCH BASIN
C.M.P. = CORRUGATED METAL PIPE
E.I.R. = EXISTING IRON ROD
N.I.R. = NEW IRON ROAD
S.S.M. = SANITARY SEWER MANHOLE



ABANDONMENT MAP OF:
PORTIONS OF EAST & WEST HOLLY VISTA DRIVE,
OCKLAWAHA STREET & CEDAR STREET
LONG CREEK TOWNSHIP, MECKLENBURG COUNTY
CHARLOTTE N.C.
HOSSEIN JAVADIKOJANI & WIFE, SHIRLEY JAVADIKOJANI

SCALE 1" = 80'
MAP BOOK 3 PAGE 625
DEED BOOK 9897 PAGE 731

FLOOD CERTIFICATION
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 3, 1993.
COUNTY COMMUNITY PANEL No. 370158 0055 B 46307

Drawn by: City of Charlotte
Return to: City of Charlotte, Planning Department
I, RICHARD B. HOBBS, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
Reviewed Officer: *R.B. Hobbs*
Date: 2/19/99

Example B

LEGAL DESCRIPTION

A Portion of East & West Holly Vista Drive
And Cedar Street to be Removed
From Dedication

Being located in the City of Charlotte, Mecklenburg County, North Carolina, and being a portion of the rights-of-way of East and West Holly Vista Drive and Cedar Street to be removed from dedication, said portion of the rights-of-way to be abandoned being more particularly described as follows:

BEGINNING at a new iron rod at the intersection of the westerly margin of Wildwood Street (50-foot right-of-way) with the southerly margin of West Holly Vista Drive (50-foot right-of-way), and runs thence with the margin of West Holly Vista Drive, and continuing along the westerly margin of Cedar Street (50-foot right-of-way), the following two (2) courses and distances: 1.) with the arc of a circular curve to the right having a radius of 193.20 feet for an arc distance of 232.79 feet (chord: North 13-29-31 West 218.96 feet) to an existing iron rod; 2.) North 21-01-58 East 253.74 feet to an existing iron rod at the northerly terminus of Cedar Street; thence South 73-13-03 East 50.10 feet to an existing iron rod on the easterly margin of Cedar Street; thence with the easterly margin of Cedar Street South 21-01-58 West 125.02 feet to a new iron rod on the margin of East Holly Vista Drive; thence with the margin of East Holly Drive the following two (2) courses and distances: 1.) with the arc of a circular curve to the right having a radius of 310.90 feet for an arc distance of 206.32 feet (chord: South 47-31-29 East 202.25 feet) to a new iron rod; 2.) South 28-30-49 East 126.42 feet to an existing iron rod on the westerly margin of Ocklawana Street (50-foot right-of-way); thence with the westerly margin of Ocklawana Street, if extended, and crossing East Holly Vista Drive, South 08-36-17 West 82.86 feet to a new iron rod on the southwesterly margin of East Holly Vista Drive; thence with the margin of East Holly Vista Drive, and continuing along the margin of West Holly Vista Drive, the following five (5) courses and distances: 1.) North 28-30-49 West 192.49 feet to a new iron rod; 2.) with the arc of a circular curve to the left having a radius of 260.90 feet for an arc distance of 104.77 feet (chord: North 40-01-06 West 104.07 feet) to a new iron rod; 3.) with the arc of a circular curve to the left having a radius of 50.00 feet for an arc distance of 93.76 feet (chord: South 74-45-17 West 80.62 feet) to a new iron rod; 4.) South 21-01-58 West 23.01 feet to a new iron rod; 5.) with the arc of a circular curve to the left having a radius of 143.20 feet for an arc distance of 167.18 (chord: South 12-25-11 East 157.58 feet) to a new iron rod at the intersection of the northerly margin of West Holly Vista Drive with the westerly margin, if extended, of Wildwood Street; thence with the westerly margin of Wildwood Street, if extended, South 35-53-06 West 50.39 feet to the point and place of **BEGINNING**, containing 41,049 square feet or 0.9424 acre as shown on a map prepared by R. B. Pharr and Associates, P.A., dated October 6, 1998, and being a portion of the rights-of-way of East and West Holly Vista Drive and Cedar Street as recorded in Map Book 3, Page 625 of the Mecklenburg County Public Registry.

Example C

LEGAL DESCRIPTION

A Portion of Ocklawana Street
To Be Removed From Dedication

Being located in the City of Charlotte, Mecklenburg County, North Carolina, and being a portion of the right-of-way of Ocklawana Street to be removed from dedication; said portion of the right-of-way to be abandoned being more particularly described as follows:

BEGINNING at an existing iron rod on the easterly margin of Ocklawana Street (50-foot right-of-way), said iron being the northwesterly corner of Lot 16, Holly Vista, as recorded in Map Book 3, Page 625 of the Mecklenburg County Public Registry, and runs thence with a line crossing Ocklawana Street North 81-23-43 West 50.00 feet to a new iron rod on the westerly margin of Ocklawana Street; thence with the westerly margin of Ocklawana Street North 08-36-17 East 119.83 feet to an existing iron rod at the northerly terminus of Ocklawana Street; thence South 73-13-03 East 50.51 feet to a new iron rod on the easterly margin of Ocklawana Street; thence with the easterly margin of Ocklawana Street South 08-36-17 West 112.64 feet to the point and place of **BEGINNING**, containing 5,811 square feet or 0.1334 acre as shown on a map by R. B. Pharr and Associates, P.A., dated October 6, 1998; and being a portion of the right-of-way of Ocklawana Street as recorded in Map Book 3, Page 625 of said Registry.

CITY OF CHARLOTTE

**RESOLUTION APPROVING A
TRANSIT GOVERNANCE INTERLOCAL AGREEMENT**

WHEREAS, N.C.Gen. Stat. 160A-460, *et seq.*, authorizes units of local government to jointly exercise any function which they have been granted the power to exercise alone, or to contract with the other for the exercise of any governmental function which they have been granted the power to exercise alone, and to enter into contracts and agreements to specify the details of these joint undertakings; and

WHEREAS, the County of Mecklenburg, the City of Charlotte, and the Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville have developed a Transit Governance Interlocal Agreement to provide the relationships and mechanisms that will guide the planning, financing, and implementation of an effective, efficient, responsive, and accountable integrated regional transit system; and

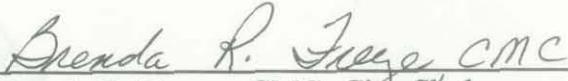
WHEREAS, N.C.Gen. Stat. 160A-461 requires that such an Agreement "... shall be ratified by resolution of the governing board of each unit spread upon its minutes"; now, therefore,

BE IT RESOLVED by the City Council of the City of Charlotte that the Mayor of the City of Charlotte is hereby authorized and directed to execute the Transit Governance Interlocal Agreement in substantially the form attached to this resolution, with any necessary minor additions, deletions, or changes, and that this resolution shall be spread upon the minutes.

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 8th day of February, 1999, the reference having been made in Minute Book 113, and recorded in full in Resolution Book 35, Page(s) 477.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of February, 1999.


Brenda R. Freeze, CMC, City Clerk