

RESOLUTION CLOSING A PORTION OF AN ALLEYWAY NORTH OF SUNNYSIDE AVENUE BETWEEN HAWTHORNE AND LAMAR AVENUES 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 a portion of an alleyway north of Sunnyside Avenue between Hawthorne and Lamar Avenues which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of an alleyway starting at Sunnyside Avenue and ending at an alleyway between Hawthorne and Lamar Avenues 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 petitioner will provide an access easement to Duke Power Company and BellSouth Telecommunications, Inc. to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was opened on the 22nd day of February, 1999, and continued to the 1st day of March, 1999, and concluded on that date at which time city council determined that the closing of the portion of the alleyway north of Sunnyside Avenue between Hawthorne and Lamar Avenues 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 March 1, 1999, that the council hereby orders the closing of the portion of the alleyway north of Sunnyside Avenue between Hawthorne and Lamar Avenues 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 1st day of March, 1999, the reference having been made in Minute book 113 and recorded in full in resolution book 35, page(s) 491-493.

WITNESS my hand and the Corporate Seal of the City of Charlotte, North Carolina, this the 3rd day of March, 1999.

Brenda R. Freeze 

Division of City of Charlotte
Return to: City of Charlotte - Box

THIS IS TO CERTIFY THAT ON THE 28 DAY OF October 1998 AN ACTUAL SURVEY WAS DONE UNDER MY SUPERVISION OF THE PROPERTY SHOWN HEREON. THIS MAP IS NOT INTENDED TO MEET GS 47-30 RECORDING REQUIREMENTS.

March 1, 1999
Resolution Book 35, Page 492

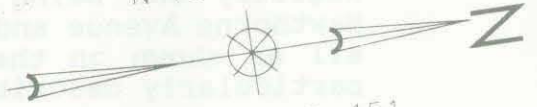
SIGNED Matthew F. Baucum

BAUCUM-DAVIS & ASSOCIATES, REGISTERED SURVEYORS
5100-12 NORTH I-85 SERVICE ROAD
CHARLOTTE, N.C. 28206
PHONE (704) 596-6088

2733

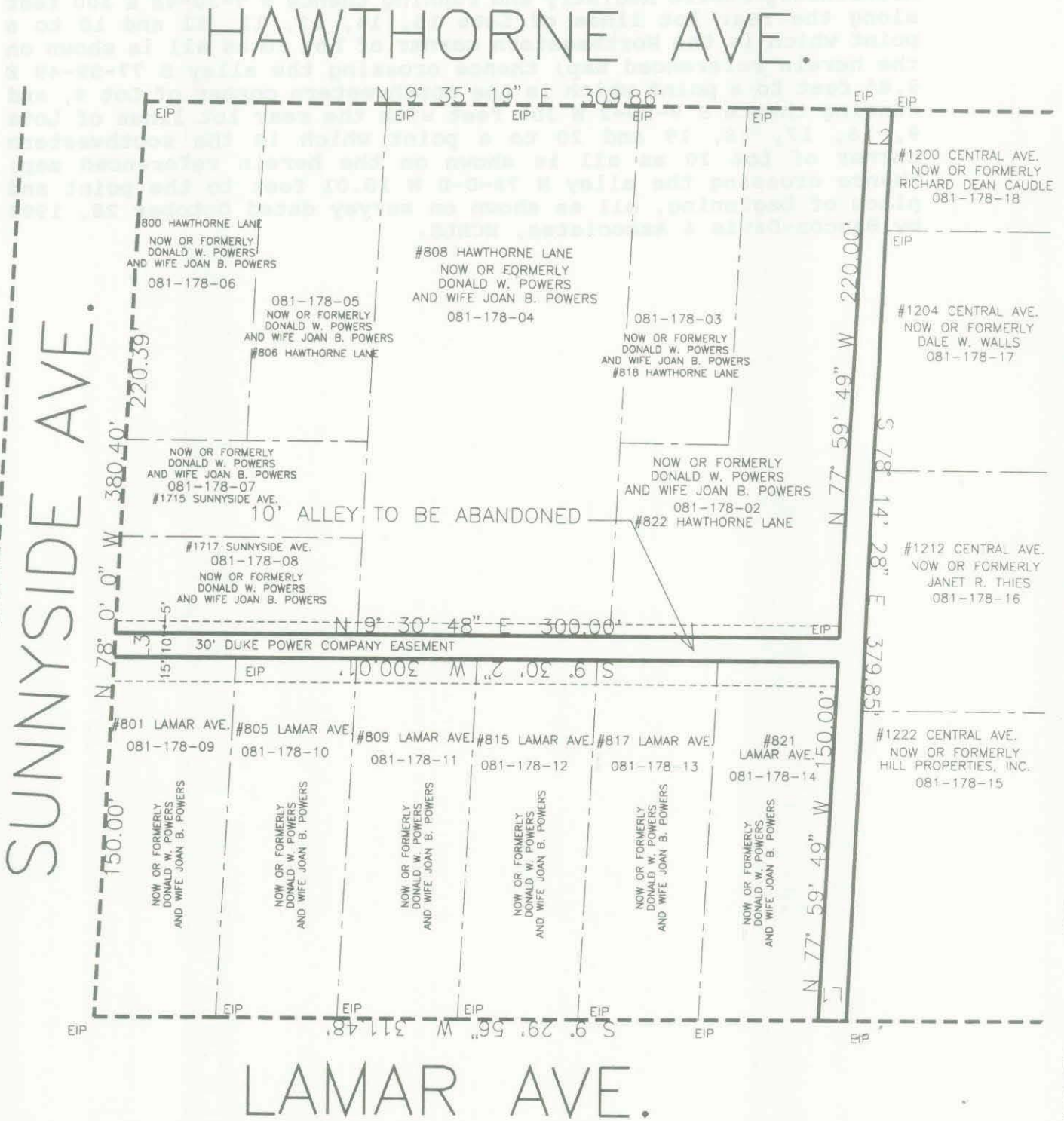
SURVEYOR

(SCALED FROM NORTH ARROW)
N 78° 0' 0" W



M.B. 230 PG. 151

NOTE:
EASEMENT IN FAVOR OF DUKE POWER COMPANY AND BELL SOUTH 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.



Abandonment SURVEY
OF

Line	Bearing	Distance
L1	S 9° 26' 44" W	11.48'
L2	N 9° 33' 48" E	9.86'
L3	N 78° 0' 0" W	10.01'

Property As Shown, Oakhurst Subdivision, Map 2
Charlotte, Mecklenburg County, N.C.

SCALE 1" = 60'

THE PROPERTY OF Don Powers

MAP RECORDED IN BOOK 230 AT PAGE 151 DEED RECORDED IN BOOK _____ PAGE _____

EXHIBIT B

Metes and bounds description of alleyway to be closed; said alley is approximately 10' wide and approximately 300' long and is shown on a map of a portion of Oakhurst Subdivision as said map is recorded in Map Book 230 at page 151 in the Mecklenburg Public Registry and being situated between Lots 10-15 which front on Hawthorne Avenue and Lots 9 and 16-20 which front on Lamar Avenue, all as shown on the aforesaid map and which said alley is more particularly described as follows:

Beginning at a point which is the southeastern corner of Lot 15 as shown on a map of Oakhurst Subdivision, Map 2, as same is shown on map thereof recorded in Map Book 230 at page 151 in the Mecklenburg Public Registry and running thence N 9-30-48 E 300 feet along the rear lot lines of Lots 15, 14, 13, 12, 11 and 10 to a point which is the Northeastern corner of Lot 10 as all is shown on the herein referenced map; thence crossing the alley S 77-59-49 E 9.85 feet to a point which is the northwestern corner of Lot 9, and running thence S 9-30-2 W 300 feet with the rear lot lines of Lots 9, 16, 17, 18, 19 and 20 to a point which is the southwestern corner of Lot 20 as all is shown on the herein referenced map; thence crossing the alley N 78-0-0 W 10.01 feet to the point and place of beginning, all as shown on survey dated October 28, 1998 by Baucom-Davis & Associates, NCRLS.

