

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 9th day of October, 2000 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 10th day of October, 2000, the reference having been made in Minute Book 115, and recorded in full in Resolution Book 36, Page(s) 523-524.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of October, 2000.

Brenda R. Frazer, CMC for
Nancy S. Gilbert, CMC, Deputy City Clerk

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

October 10, 2000
Resolution Book 36, Page 524

A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES

<u>Name</u>	<u>Amount of Refund</u>
	<u>Clerical Error</u>
General Electric Capital Corp	\$ 808.93
Golden National Mortgage	137.48
Bost Gladys T Mrs B A	104.84
First Citizens Bank	137.75
First Citizens Bank	120.98
First Citizens Bank	120.10
Hynes Sales Co Inc	124.30
NationsBanc Leasing Corp	10,848.41
Piedmont Financial Group Inc	107.55
Piedmont Financial Group Inc	218.06
Total	<u>\$12,726.40</u>

CERTIFICATION

I, Nancy S. Gilbert, Mayor of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 10th day of October, 2000, the reference having been made in Minute Book 112, and recorded in full in Resolution Book 36, Page(s) 523-524.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 10th day of October 2000.


Nancy S. Gilbert, Mayor, City of Charlotte

**A RESOLUTION AUTHORIZING THE REFUND OF
CERTAIN BUSINESS PRIVILEGE LICENSES**

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 9th day of October, 2000 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 10th day of October, 2000, the reference having been made in Minute Book 115, and recorded in full in Resolution Book 36, Page(s) 525-526.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of October, 2000.

Brenda R. Fray, CMC for
Nancy S. Gilbert, CMC, Deputy City Clerk

**BUSINESS PRIVILEGE LICENSE
REFUNDS REQUESTED**

<u>Name</u>	<u>Amount of Refund</u>
Dolly King-Weathersbee	\$ 50.00
Mechanical Equipment Company	5,079.05
Rare Hospitality International for Longhorn Steaks	45.66
Service Distributing Co, Inc.	447.51
Adams Distributing Co.	247.80
Total	<u>\$5,870.00</u>

WHEREAS, the City Council of the City of Charlotte, North Carolina, in regular session assembled this 9th day of October, 2000, did pass a resolution to the effect that the schedule of "Taxpayers and Refunds Requested" be returned to the amount therein set up on the schedule and this resolution be placed 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 9th day of October, 2000, the reference having been made in Minute Book 112, and recorded in full in Resolution Book 36, pages 525-526.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12th day of October, 2000.


Nancy S. Gilbert, CMC, Deputy City Clerk

COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

A motion was made by Councilmember Burgess and seconded by
Councilmember Wheeler for the adoption of the following

Resolution, and upon being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation has plans to eliminate unnecessary at-grade railroad crossings statewide in order to promote safer and more efficient traffic operations; and,

WHEREAS, the City of Charlotte, through its Metropolitan Transit Commission, is investigating plans to upgrade the Charlotte North Transit Corridor between Charlotte and Mooresville for rail passenger transit, more commonly known as the Norfolk Southern "O-Line," with the Department providing funding through TIP Project P-4403; and,

WHEREAS, the Department and the City of Charlotte, have agreed that a comprehensive railroad crossing evaluation would benefit the traffic circulation and improve safety along the Charlotte North Transit Corridor between railroad Milepost O-0.0 Charlotte and railroad Milepost O-29.2 in Mooresville; and,

WHEREAS, the Department will pay for a portion of the study, representing the actual cost of evaluations pertaining to the public crossings (approximately 65% of the total project cost), to be reimbursed upon completion of the study; and,

WHEREAS, the City shall make a "best faith" effort to implement the overall recommendations of the study; and,

WHEREAS, if the City fails to make a "best faith" effort to implement the overall recommendations of the study, the Department shall not be required to reimburse the Municipality for the State's portion of the study costs.

NOW, THEREFORE, BE IT RESOLVED that said project in Mecklenburg County, is hereby formally approved by the City Council of the City of Charlotte and that the Director of Public Transit and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, Nancy S. Gilbert, Deputy, Clerk of the City of Charlotte, do hereby certify that the foregoing is a true and correct copy of Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 10th day of October, 2000.

WITNESS, my hand and the official seal of the City of Charlotte on this the 12th day of October, 2000.

The reference having been made in Minute Book 115, and recorded in full in Resolution Book 36, Page(s) 527.

(SEAL)

Attachment - North Corridor Traffic Separation Study

Brenda K. Freeze, CMC for

Nancy S. Gilbert, CMC, Deputy City Clerk

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
CONCERNING PROCUREMENT OF ARCHITECTURAL AND/OR ENGINEERING SERVICES
FOR NORTH TRANSIT CORRIDOR ('O' LINE) TRAFFIC SEPARATION STUDY (TSS)**

WHEREAS, the 1987 General Assembly enacted House Bill 277 (Ch. 102) which establishes a general public policy that procurement of engineering and architectural services for state and local construction projects should normally be based upon a merit selection process with later negotiation on the fee, rather than through a competitive bidding process based primarily on the fee; and

WHEREAS, the act allows a governing body to deviate from the general public policy and use estimated costs as a factor in the selection process, if the particular project is exempted in the sole discretion of the local governing body; and

WHEREAS, the City Council of the City of Charlotte has determined that it is desirable and in the best interests of the City of Charlotte to exempt the North Transit Corridor Traffic Separation Study project from the requirements of the act.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that:

(1) For the following reasons, the City Council of the City of Charlotte hereby finds that the North Transit Corridor Traffic Separation Study project shall be exempt from the general public policy requirements concerning the selection of architectural and engineering services:

The North Transit Corridor Traffic Separation Study project was to be originally performed by the NCDOT Rail Division (NCDOT) beginning mid to late 2001 through an existing service contract it has with Gannett Fleming, Inc. (GF). The schedule for beginning the study has been moved to October 2000 so results can be used by the staff / consultant team preparing the North Corridor Major Investment Study and by the Metropolitan Transit Commission as they evaluate a possible early implementation of commuter rail to mitigate impacts of the I-77 widening project scheduled to begin in early 2003. Due to staff limitations by the NCDOT, it has agreed that the City of Charlotte be the lead Agency and enter into a contract directly with GF in order to meet the accelerated schedule. GF is a pre-qualified firm with the NCDOT. The NCDOT has recommended to the City of Charlotte it use GF due to its experience in preparing Traffic Separation Studies. In conclusion, the North Transit Corridor Traffic Separation Study project is a high priority project with very severe schedule constraints. NCDOT already went through the requisite qualification process and there is no need for the City to duplicate that process.

(2) The City Council hereby authorizes the City Manager to use whatever method or procedure is most manageable and likely to result in the acquisition of competent, professional architectural or engineering services at a reasonable cost for said project.

Adopted this 10th day of October, 2000.

* The decision to exempt a particular project is "in the sole discretion" of the governing body, but the act does require that the governing body state the reasons and the circumstances for the exemption.

CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA
RESOLUTION CLOSING A PORTION OF BOMAR DRIVE IN THE

WHEREAS, pursuant to the provisions of Chapter 160A-399 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of intent to close a portion of Bomar Drive 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 Bomar Drive 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-292; and

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

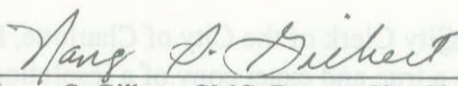
WHEREAS, the public hearing was held on the 10th day of October, 2000, and the City Council determined that the closing of the portion of Bomar Drive is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable 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 October 10, 2000, that the Council hereby orders the closing of the portion of Bomar Drive in the City of Charlotte, Mecklenburg County, North Carolina as shown in a map now on file in the City of Charlotte, North Carolina as shown in a map now on file in the City of Charlotte, North Carolina, described by

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 10th day of October, 2000, the reference having been made in Minute Book 115, and recorded in full in Resolution Book 36, Page(s) 528-529.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of October, 2000.


Nancy S. Gilbert, CMC, Deputy City Clerk



RESOLUTION CLOSING A PORTION OF BOMAR DRIVE 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 Bomar Drive 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 Bomar Drive 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 BellSouth Telecommunications, Inc. to maintain their proposed facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 10th day of October, 2000, and City Council determined that the closing of the portion of Bomar Drive 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 October 10, 2000, that the Council hereby orders the closing of the portion of Bomar Drive 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, 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 10th day of October, 2000, the reference having been made in Minute book 115, and recorded in full in resolution book 36, page(s) 530-535.

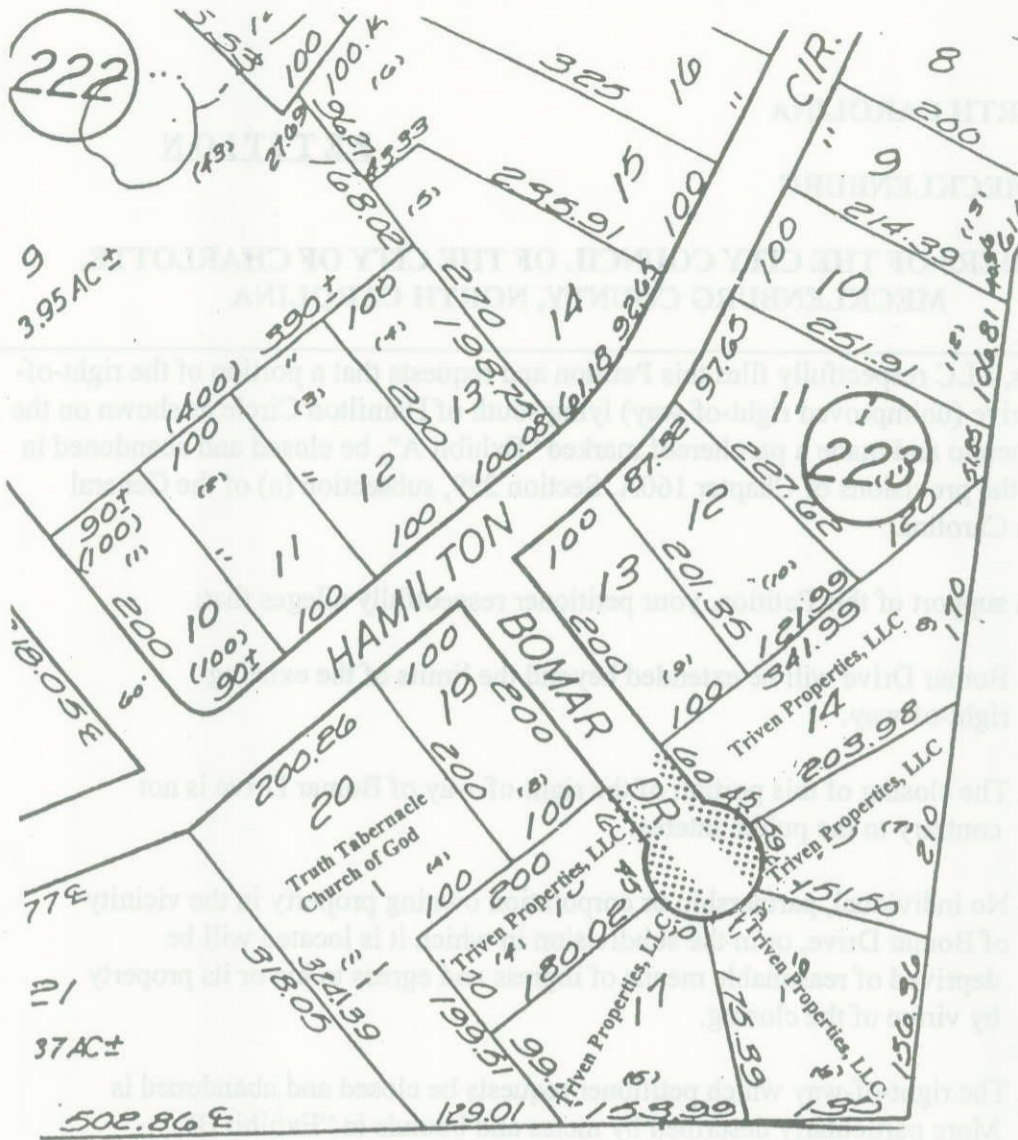
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of October, 2000.

Brenda R. [Signature] CMC for
Nancy S. Gilbert, CMC, Deputy City Clerk



Drawn by: City of Charlotte
Return to: City of Charlotte - Box

9

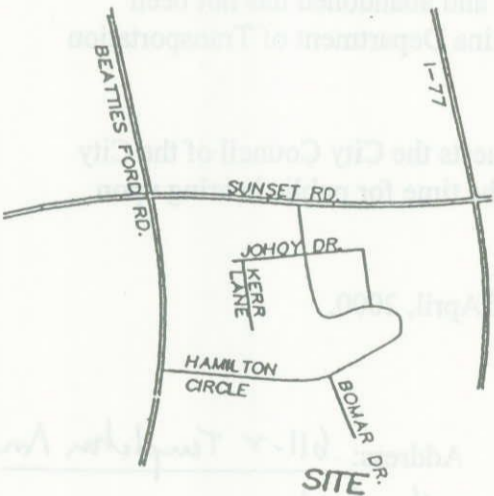


I, LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.


Linda B. Poissant
 Review Officer

11/3/00
 Date

Drawn by: City of Charlotte
 Return to: City of Charlotte - Box



Vicinity Map

 Right-of-Way to be Abandoned	
CITY OF CHARLOTTE DEPARTMENT OF TRANSPORTATION TRANSPORTATION ENGINEERING DIVISION	
Right-of-Way Abandonment Petition:00-9	
Portion of Bomar Drive	
RQS / PROJECT NO.	FILE NO.

STATE OF NORTH CAROLINA

PETITION

COUNTY OF MECKLENBURG

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

Triven Properties, LLC respectfully files this Petition and requests that a portion of the right-of-way of Bomar Drive (unimproved right-of-way) lying south of Hamilton Circle as shown on the survey attached hereto and made a part hereof marked "Exhibit A", be closed and abandoned in accordance with the provisions of Chapter 160A, Section 299, subsection (a) of the General Statutes of North Carolina.

In support of this Petition, your petitioner respectfully alleges that:

1. Bomar Drive will be extended beyond the limits of the existing right-of-way.
2. The closing of this portion of the right-of-way of Bomar Drive is not contrary to the public interest.
3. No individual, partnership or corporation owning property in the vicinity of Bomar Drive, or in the subdivision in which it is located will be deprived of reasonable means of ingress and egress to his or its property by virtue of the closing.
4. The right-of-way which petitioner requests be closed and abandoned is More particularly described by metes and bounds in "Exhibit B", attached hereto and made a part hereof.
5. The right-of-way requested to be closed and abandoned has not been Previously accepted by the North Carolina Department of Transportation for maintenance.

WHEREFORE, petitioner respectfully requests the City Council of the City of Charlotte consider this Petition and set the time for public hearing upon this matter as required by law.

Respectfully submitted the 18th day of April, 2000.

Triven Properties, LLC

by: APJurcomb

telephone: 704 376-2207

Address: 611-r Templeton Ave.
Charlotte, NC 28203

Drawn by: City of Charlotte
Return to: City of Charlotte - Box

Apr 04 00 02:35p

Greg Flowe

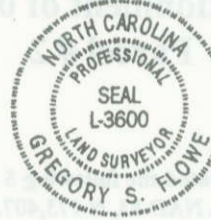
704-573-1564

p.1

"EXHIBIT A-1"

October 10, 2000
Resoluton Book 36, Page 533

Surveyed By: Ben M. Flowe & Son;
11316 Brief Road
Charlotte, N.C.
28227
(704) 545-3060

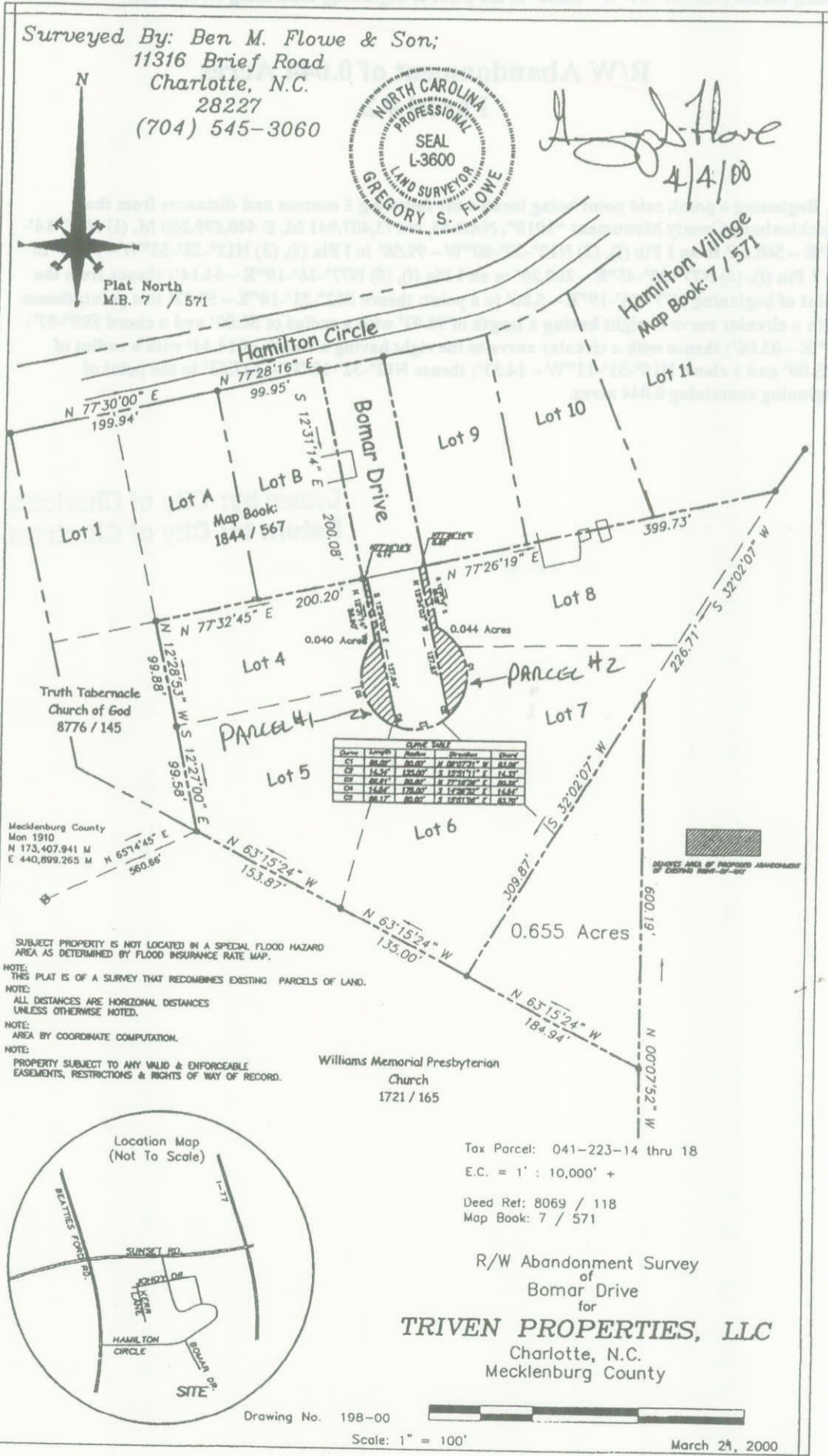


Greg Flowe
4/4/00



Plat North
M.B. 7 / 571

Hamilton Village
Map Book: 7 / 571



Curve	Length	Radius	Chord	Area
C1	88.00'	20.00'	N 89°29'21" E 16.00'	8.80
C2	14.37'	123.00'	N 77°12'11" E 14.37'	0.14
C3	14.62'	123.00'	N 77°12'11" E 14.62'	0.14
C4	14.62'	123.00'	S 77°12'11" E 14.62'	0.14
C5	88.17'	20.00'	S 89°29'21" E 16.00'	8.80

SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY FLOOD INSURANCE RATE MAP.

NOTE: THIS PLAT IS OF A SURVEY THAT RECOMBINES EXISTING PARCELS OF LAND.

NOTE: ALL DISTANCES ARE HORIZONTAL DISTANCES UNLESS OTHERWISE NOTED.

NOTE: AREA BY COORDINATE COMPUTATION.

NOTE: PROPERTY SUBJECT TO ANY VALID & ENFORCEABLE EASEMENTS, RESTRICTIONS & RIGHTS OF WAY OF RECORD.



Tax Parcel: 041-223-14 thru 18
E.C. = 1' : 10,000' +
Deed Ref: 8069 / 118
Map Book: 7 / 571

R/W Abandonment Survey
of
Bomar Drive
for
TRIVEN PROPERTIES, LLC
Charlotte, N.C.
Mecklenburg County

W. B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

W. B. Poissant
11/3/00
Date
Review Officer

Drawn by: City of Charlotte
Return to: City of Charlotte - Box

"EXHIBIT B"

October 10, 2000
Resoluton Book 36, Page 534

R/W Abandonment of 0.040 Acres Parcel #1

Beginning at an I Pin (f), said I Pin being the northeast corner of Lot #4 in the Hamilton Village subdivision recorded in Map Book 7 Page 571 recorded in the Mecklenburg County Register of Deeds and being located the following 4 courses and distances from the Mecklenburg County Monument "1910"NAD 83, N 173,407.941 M, E 440,899.265 M, (1) N65°-14'-45" - 560.66' to an I Pin (f), (2) N12°-27'-00"W - 99.58' to an I Pin (f), (3) N12°-28'-53"W - 99.88' to an I Pin (f), (4) N77°032'-45"E - 200.20' ; thence from the point of beginning N77°-26'-19"E - 4.14' to a point; thence S12°-34'-03"E - 127.64' to a point; thence with a circular curve to the left having a length of 14.54' with a radius of 175.00' and a chord S14°-58'-52"E - 14.54'; thence with a circular curve to the right having a length of 99.17' with a radius of 50' and a chord N15°-51'-06"W - 83.70' to a point; thence N12°-31'-14"W - 58.60' to the point of beginning, containing 0.040 acres.

R/W Abandonment of 0.044 Acres Parcel # 2

Beginning a point, said point being located the following 5 courses and distances from the Mecklenburg County Monument "1910", NAD 83, N 173,407.941 M, E 440,899.265 M, (1) N65°-14'-45"E - 560.66' to an I Pin (f), (2) N12°-27'-00"W - 99.58' to I Pin (f), (3) N12°-28'-53"W - 99.88' to an I Pin (f), (4) N77°-32'-45"E - 200,20' to an I Pin (f), (5) N77°-26'-19"E - 54.14'; thence from the point of beginning N77°-26'-19"E - 5.86' to a point; thence S12°-31'-14"E - 59.02' to a point; thence with a circular curve to right having a length of 98.02' with a radius of 50.00' and a chord S09°-07'-31"E - 83.06'; thence with a circular curve to the right having a length of 14.34' with a radius of 125.00' and a chord N15°-51'-11"W - 14.33'; thence N12°-32'-13"W - 127.63' to the point of beginning containing 0.044 acres.

Drawn by: City of Charlotte
Return to: City of Charlotte - Box

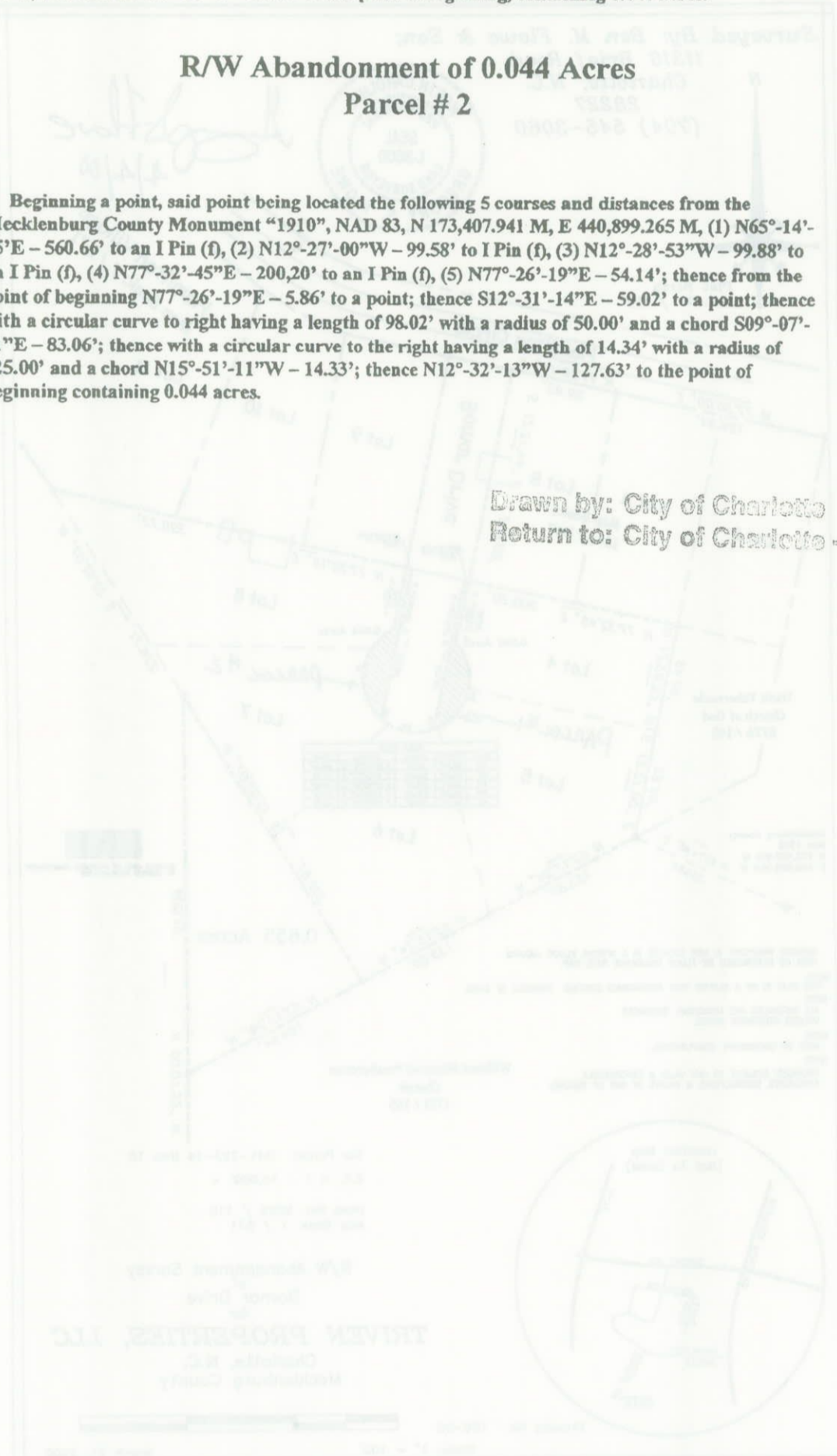
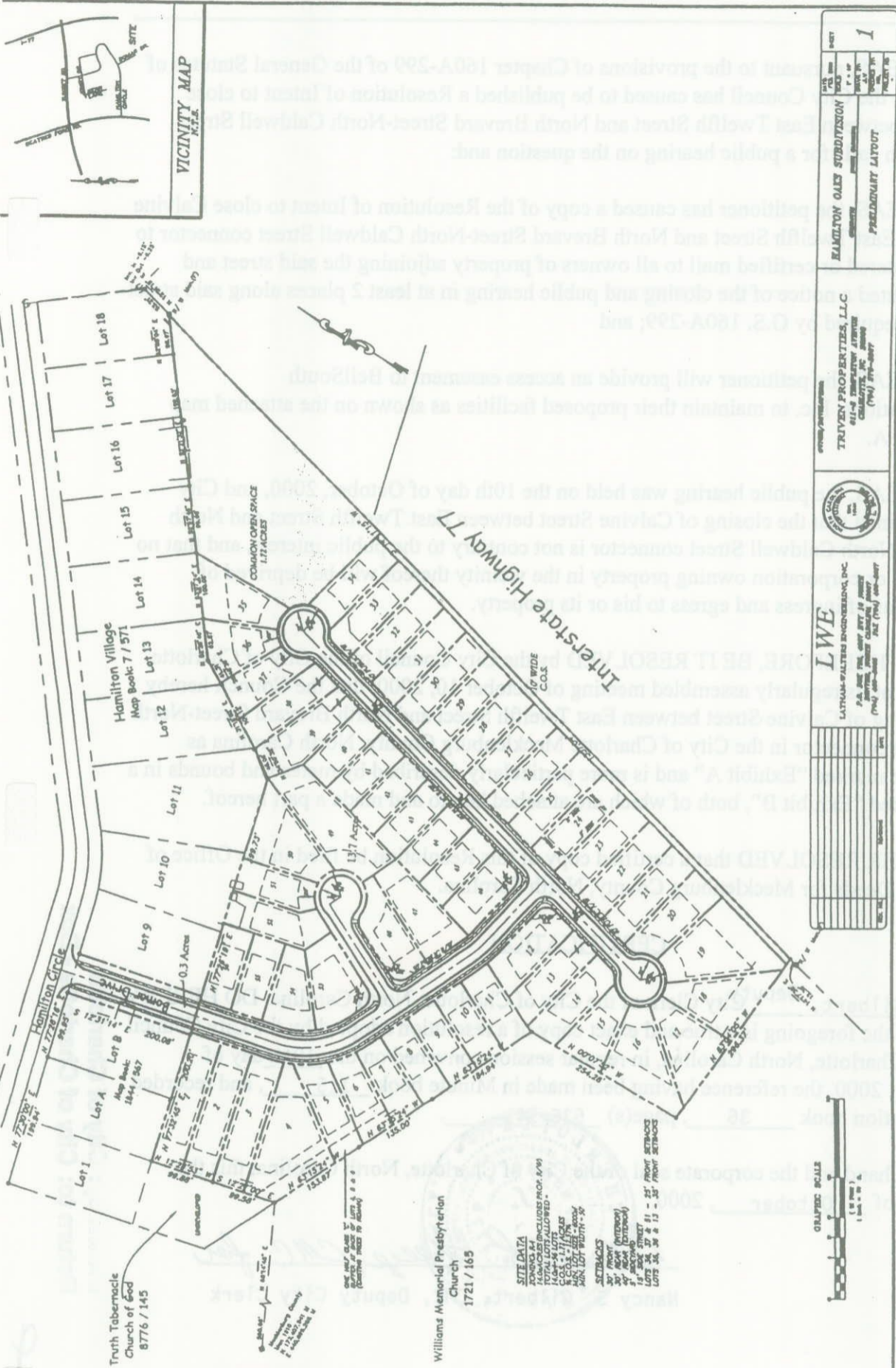


EXHIBIT C



Drawn by: City of Charlotte
 Return to: City of Charlotte - Box

I, LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Linda B. Poissant
 Review Officer
 11/3/00
 Date

RESOLUTION CLOSING CALVINE STREET 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 Calvine Street between East Twelfth Street and North Brevard Street-North Caldwell Street connector which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close Calvine Street between East Twelfth Street and North Brevard Street-North Caldwell Street connector 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 BellSouth Telecommunications, Inc. to maintain their proposed facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 10th day of October, 2000, and City Council determined that the closing of Calvine Street between East Twelfth Street and North Brevard Street-North Caldwell Street connector 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 October 10, 2000, that the Council hereby orders the closing of Calvine Street between East Twelfth Street and North Brevard Street-North Caldwell Street connector 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, 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 10th day of October, 2000, the reference having been made in Minute book 115, and recorded in full in resolution book 36, page(s) 536-541.

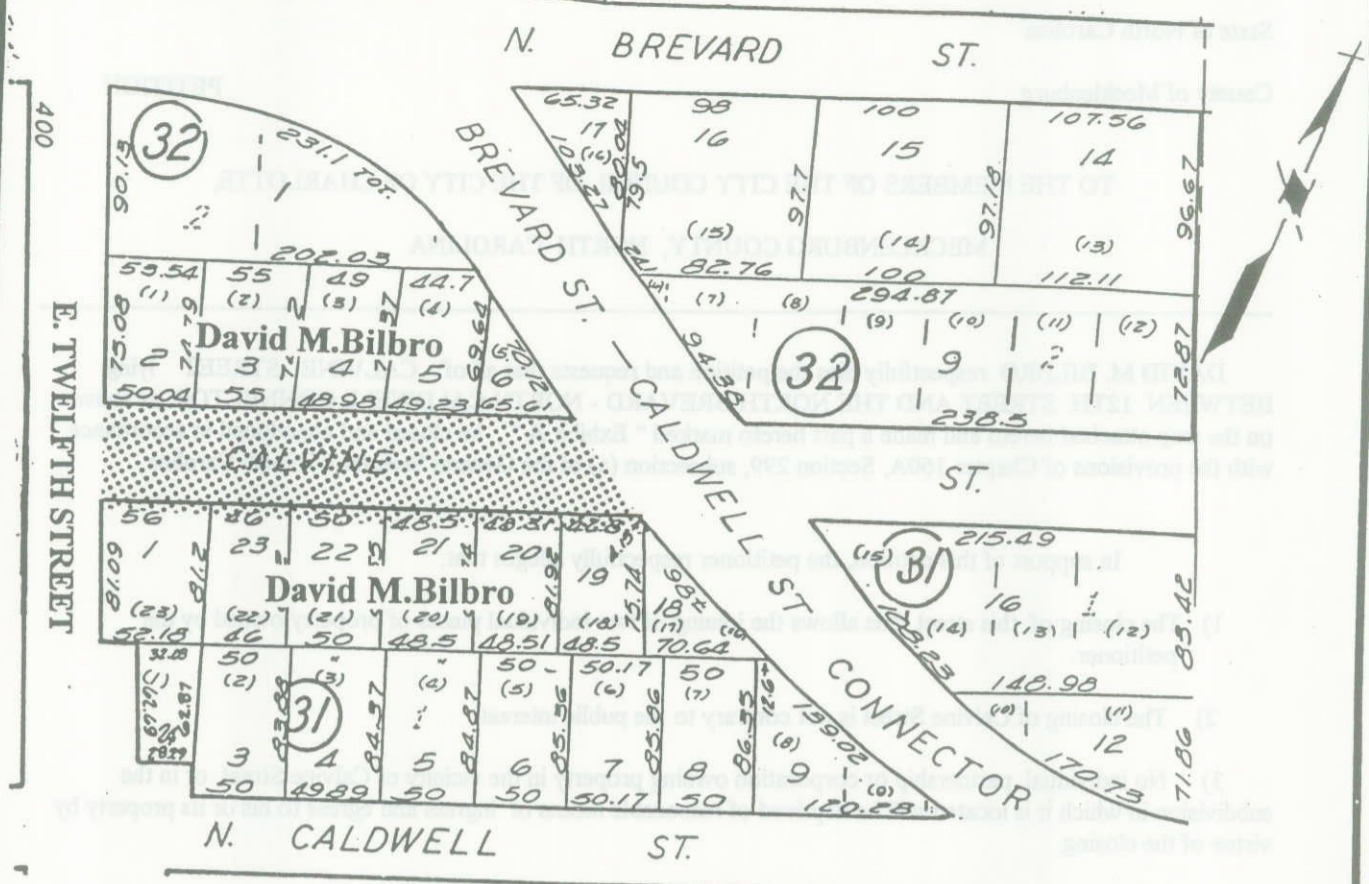
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of October, 2000.


Nancy S. Gilbert, CMC, Deputy City Clerk



Delivered by: City of Charlotte
Return to: City of Charlotte - Box

9

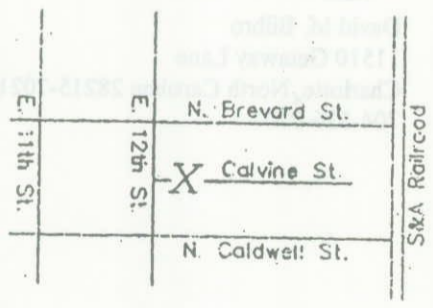


Drawn by: City of Charlotte
 Return to: City of Charlotte - DCU

I, LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Linda B. Poissant
 Review Officer

11/3/05
 Date



Vicinity Map



Right-of-Way to be Abandoned

CITY OF CHARLOTTE
 DEPARTMENT OF TRANSPORTATION
 TRANSPORTATION ENGINEERING DIVISION

Right-of-Way Abandonment Petition:00-12

Calvine Street

RQS/PROJECT NO.

FILE NO.

State of North Carolina

County of Mecklenburg

PETITION

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

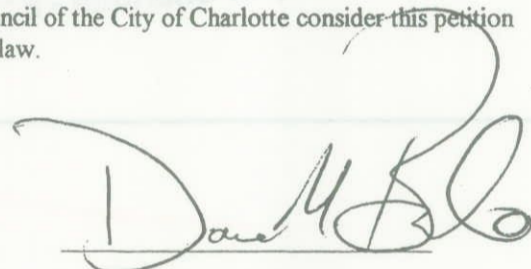
DAVID M. BILBRO respectfully files the petition and requests that all of CALVINE STREET lying BETWEEN 12TH STREET AND THE NORTH BREVARD - NORTH CALDWELL CONNECTOR as shown on the map attached hereto and made a part hereof marked "Exhibit A", be closed and abandoned in accordance with the provisions of Chapter 160A, Section 299, subsection (a) of the General Statutes of North Carolina.

In support of this petition, the petitioner respectfully alleges that:

- 1) The closing of this street thus allows the joining of two individual pieces of property owned by the petitioner.
- 2) The closing of Calvine Street is not contrary to the public interest.
- 3) No individual, partnership or corporation owning property in the vicinity of Calvine Street, or in the subdivision in which it is located will be deprived of reasonable means of ingress and egress to his or its property by virtue of the closing.
- 4) The street which petitioner requests be closed and abandoned is more particularly described by metes and bounds in "Exhibit B", attached hereto and made a part hereof.
- 5) The street requested to be closed and abandoned has not been previously accepted by the North Carolina Department of Transportation for maintenance.

WHEREFORE, petitioner respectfully requests the City Council of the City of Charlotte consider this petition and set the time for public hearing upon this matter as required by law.

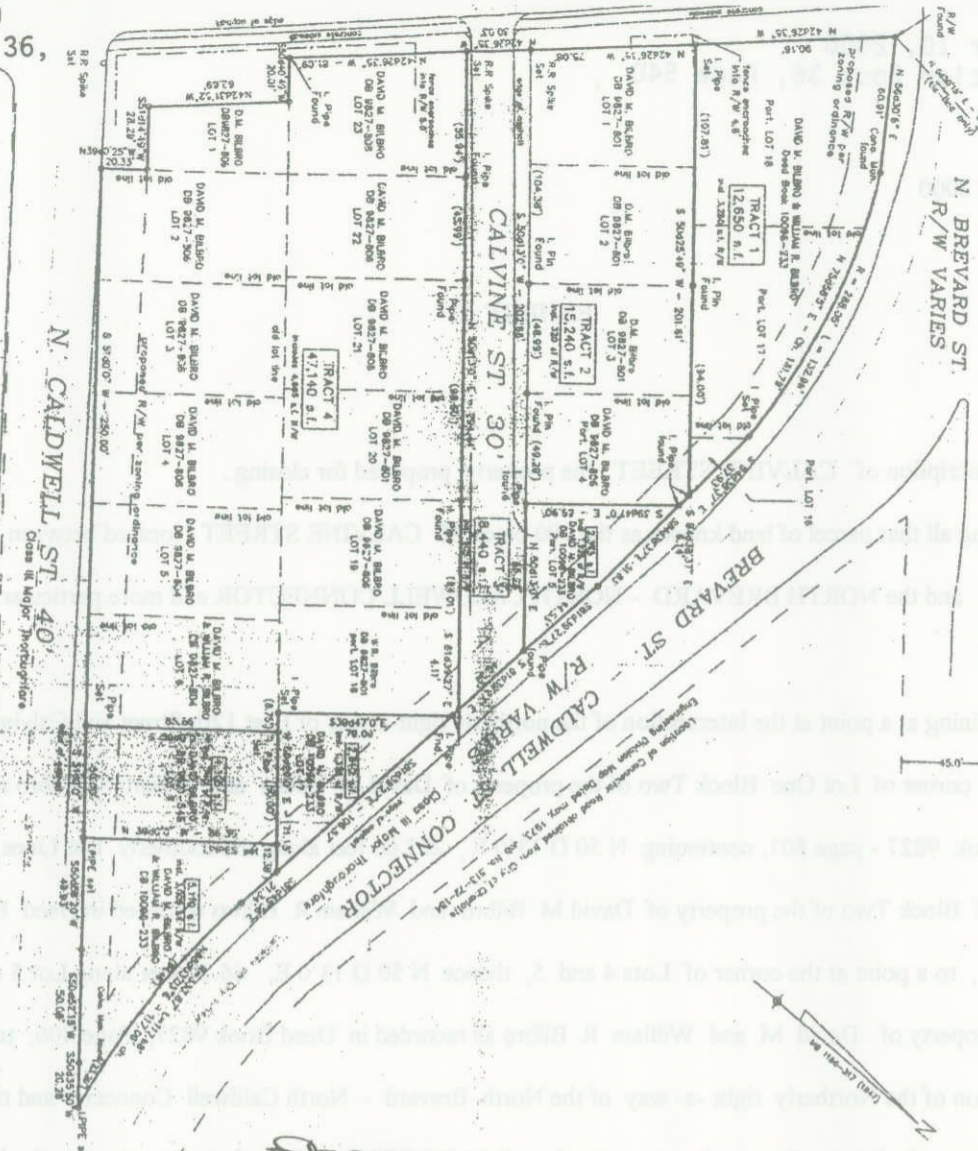
Respectfully submitted the Nineteenth day of April, 2000.



David M. Bilbro
11510 Getaway Lane
Charlotte, North Carolina 28215-7021
704-536-0707

Drawn by: City of Charlotte
Return to: City of Charlotte - Box

"EXHIBIT A"



STATE OF NORTH CAROLINA, Mecklenburg County
 I, Linda B. Poissant, Review Officer of Mecklenburg County, certify that the map or plat to which this certificate is affixed meets all statutory requirements for recording.
 Date: 11/3/00
 Linda B. Poissant
 Review Officer

F 11th St.	N. Brevard St.
F 12th St.	N. Caldwell St.
X Calvine St.	
N. Caldwell St.	

S&A Railroad

- Notes:
1. See source of this plat in Deed Book 9627 Page 346
 2. This survey does not reflect any easements, encroachments, or other interests that may exist on the property.
 3. This survey does not reflect any utility lines, easements, or other interests that may exist on the property.
 4. This survey does not reflect any other interests that may exist on the property.

BOUNDARY SURVEY OF
 A PORTION OF CALVINE VILLAGE
 CHARLOTTE, MECKLENBURG COUNTY, N.C.
 for DAVID M. BILBRO & WILLIAM R. BILBRO
 Description taken from Map Book 1166 Page 317
 Scale 1" = 30'
 Andrew G. Zoutewelle, L-5098
 1914 Brunswick Avenue
 Charlotte, NC 28207

Drawn by: City of Charlotte
 Return to: City of Charlotte - Box

April 18, 2000

EXHIBIT B

Legal Description of CALVINE STREET the property proposed for closing .

Being all that parcel of land known as the 900 block of CALVINE STREET located between EAST 12th STREET and the NORTH BREVARD - NORTH CALDWELL CONNECTOR and more particularly described as follows:

Beginning at a point at the intersection of the northerly right-a-way of East 12th Street and Calvine Street and the southerly corner of Lot One Block Two of the property of David M. Bilbro and William R. Bilbro recorded in Deed Book 9827 - page 801, continuing N 50 D 13'0 E, 202.66 feet along the southerly Lot Lines of Lots 1, 2, 3 and 4 of Block Two of the property of David M. Bilbro and William R. Bilbro recorded in Deed Book 9827, Page 801, to a point at the corner of Lots 4 and 5, thence N 50 D 13'0 E, 66.28 feet along Lot 5 of Block Two of the property of David M. and William R. Bilbro as recorded in Deed Book 9827, Page 806, to a point at the intersection of the Northerly right -a- way of the North Brevard - North Caldwell Connector and the Northerly right -a- way of Calvine Street, thence continuing S 81 D 39'27 E, 40.29 feet along the Southerly right -a- way of the North Brevard - North Caldwell Connector to a point at the Northerly corner of Lot 18 of the property of David M. Bilbro and William R. Bilbro recorded in Deed Book 9827 - page 801, thence continuing S 50 D 13'0' W, 294.44 feet along the northerly lot lines of Lots 18, 19, 20, 21, 22 and 23 of Deed Book 9827, Page 806, of the property of David M. Bilbro and William R. Bilbro, to a point at the southerly right -a- way of 12th Street and Calvine Street, thence continuing N 42 D 26'35' W, 30.03 feet Northerly across Calvine Street to a point and the place of beginning, the parcel described contains 8440 square feet or 0.194 acres of land.

Drawn by: City of Charlotte
Return to: City of Charlotte - Box

**RIGHT - OF - WAY ABANDONMENT
 AGREEMENT OF UNDERSTANDING**

The following property owners have parcels that adjoin the public right-of-way of CALVINE STREET. They hereby indicate, by signature, that they agree with the proposal to abandon that right-of-way. They further understand that once abandoned, a portion of that right-of-way becomes their property. The owners will then be responsible for maintenance and any additional property taxes that may result from the increase of the size of their original parcel.

I understand the statement above and agree with the proposed abandonment.

Name/ Address of Property	Signature	Tax Code Number
David M. Bilbro / William R. Bilbro 900 Calvine St.	<i>David M. Bilbro</i> <i>William R. Bilbro</i>	081 - 31 - 01
David M. Bilbro / William R. Bilbro 904 Calvine Street	<i>David M. Bilbro</i> <i>William R. Bilbro</i>	081 - 31 - 23
David M. Bilbro / William R. Bilbro 908 Calvine Street	<i>David M. Bilbro</i> <i>William R. Bilbro</i>	081 - 31 - 22
David M. Bilbro / William R. Bilbro 912 Calvine Street	<i>David M. Bilbro</i> <i>William R. Bilbro</i>	081 - 31 - 21
David M. Bilbro / William R. Bilbro 916 Calvine Street	<i>David M. Bilbro</i> <i>William R. Bilbro</i>	081 - 31 - 20
David M. Bilbro / William R. Bilbro 920 Calvine Street	<i>David M. Bilbro</i> <i>William R. Bilbro</i>	081 - 31 - 19
David M. Bilbro / William R. Bilbro 901 Calvine Street	<i>David M. Bilbro</i> <i>William R. Bilbro</i>	081 - 32 - 02
David M. Bilbro / William R. Bilbro 905 Calvine Street	<i>David M. Bilbro</i> <i>William R. Bilbro</i>	081 - 32 - 03
David M. Bilbro / William R. Bilbro 909 Calvine Street	<i>David M. Bilbro</i> <i>William R. Bilbro</i>	081 - 32 - 04
David M. Bilbro / William R. Bilbro 913 Calvine Street	<i>David M. Bilbro</i> <i>William R. Bilbro</i>	081 - 32 - 05
David M. Bilbro / William R. Bilbro 917 Calvine Street	<i>David M. Bilbro</i> <i>William R. Bilbro</i>	081 - 32 - 06

Drawn by: City of Charlotte
 Return to: City of Charlotte - Box