

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE Samuel Street between Newland Road and Double Oaks Road in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, **New Life Fellowship Center of Charlotte** has filed a petition to close **Samuel Street between Newland Road and Double Oaks Road** in the City of Charlotte; and

Whereas, Samuel Street between Newland Road and Double Oaks Road to be closed lies within the Double Oaks Community beginning from Newland Road continuing southwestwardly approximately 320 feet then turning east and continuing approximately 428 feet to its terminus at Double Oaks Road as shown in the 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 streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring it's 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 it's regularly scheduled session of April 25, 2005 that it intends to close Samuel Street between Newland Road and Double Oaks Road and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 23<sup>rd</sup> day of May, 2005 in CMGC meeting chamber, 600 East 4<sup>th</sup> 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, Stephanie C. Kelly, 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 25th day of April, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 629.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of April, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE an unopened street right-of-way off of Carolyn Drive** in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Stuart Wallace** has filed a petition to close **an unopened street right--of-way off of Carolyn Drive** in the City of Charlotte; and

Whereas, the unopened street right-of-way off of Carolyn Drive to be closed lies within the Chantilly Community beginning from Carolyn Drive continuing south approximately 489 feet to its terminus at the property line of Carl L. King as shown in the 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 streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring it's 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

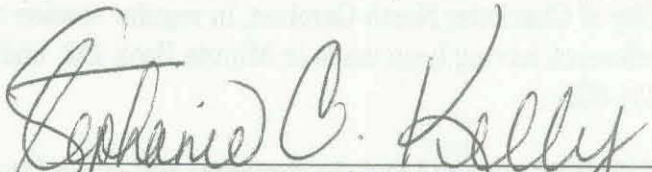
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of April 25, 2005 that it intends to close an unopened street right-of-way off of Carolyn Drive and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 23<sup>rd</sup> day of May, 2005 in CMGC meeting chamber, 600 East 4<sup>th</sup> 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, Stephanie C. Kelly, 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 25<sup>th</sup> day of April, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 630.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of April, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

**A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY 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:

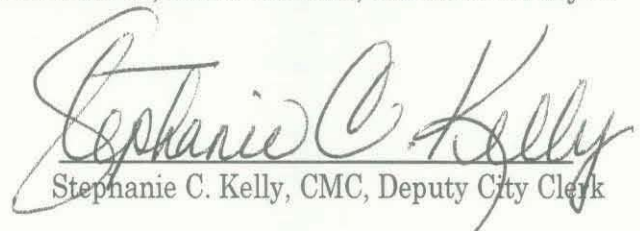
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time 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 25th day of April, 2005 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, Stephanie C. Kelly, 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 25th day of April, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 631-632.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of April, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



**TAXPAYERS AND REFUNDS REQUESTED  
(Clerical Error)**

<b>Name</b>	<b>Refund Amount</b>
CAMDEE LAND COMPANY LLC	\$ 126.00
CAMDEE LAND COMPANY LLC	252.00
ROYAL REALTY ASSOCIATES LLC	310.04
ROYAL REALTY ASSOCIATES LLC	310.04
ROYAL REALTY ASSOCIATES LLC	524.16
ROYAL REALTY ASSOCIATES LLC	93.24
BAEHL ROBERT J	126.00
CENTEX HOMES	147.00
CHANDLER J MICHAEL	40.40
CHANDLER J MICHAEL	40.40
CHANDLER J MICHAEL	40.40
CHANDLER J MICHAEL	48.30
CHANDLER J MICHAEL	48.30
SUTTON JERRY B	74.34
HOWARD MILTON L	82.74
GILETA STEVEN W	532.20
GILETA STEVEN W	147.00
POPP JOSEPH C	42.00
<b>Total</b>	<b>\$ <u>2,984.56</u></b>

**RESOLUTION PASSED BY THE CITY COUNCIL  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON APRIL 25, 2005**

A motion was made by Councilmember Burgess and seconded by  
Councilmember Mitchell for the adoption of the following Resolution, and upon being put  
to a vote was duly adopted: unanimously.

**WHEREAS**, The City accepts State-maintained streets upon request and mutual agreement and / or  
when the streets are within an annexed area and not part of the NCDOT primary road system; and,

**WHEREAS**, The streets included on this list are located in the 2005 Annexation areas approved by  
City Council and are currently maintained by NCDOT; and,

**WHEREAS**, These streets are not on NCDOT's primary road system and qualify for maintenance  
under the City's Street Maintenance Policy; and,

**WHEREAS**, This resolution requests NCDOT transfer maintenance responsibility for the attached  
list of 94 streets to the City; and,

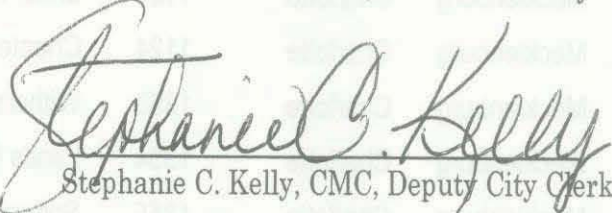
**WHEREAS**, The transfer will take place on June 30, 2005; Upon completion of the transfer, the  
City will receive Powell Bill funding for the newly maintained streets

**NOW, THEREFORE, BE IT RESOLVED** that the transfer of maintenance of 94 streets from the  
North Carolina Department of Transportation and the City of Charlotte Department of Transportation,  
are hereby formally approved by the City Council of the City of Charlotte and Clerk of this  
Municipality are hereby empowered to sign and execute the Agreements with the NCDOT.

**CERTIFICATION**

I, Stephanie C. Kelly, 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 25th day of April, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 633-638.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of April, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



**NCDOT Streets ABANDONED to the City of Charlotte via Annexation**

Division	County	Municipality	SR #	Street Name	Termini	Length
10	Mecklenburg	Charlotte	1107	Smith Boyd Rd	FROM SR 1106 TO END OF ROAD	0.16
10	Mecklenburg	Charlotte	1117	Winget Rd	FROM SR1119 TO CITY LIMIT	0.72
10	Mecklenburg	Charlotte	1118	Sam Neely Rd	FROM 375'W OF KRYSLIN WOODS DR TO END OF ROAD	1.05
10	Mecklenburg	Charlotte	1120	Erwin Rd	FROM NC49 TO NC160	0.85
10	Mecklenburg	Charlotte	1122	Moss Rd	FROM NC49 TO SR1124	1.18
10	Mecklenburg	Charlotte	1123	Smith Rd	EXISTING SMITH RD TO SR1106	0.82
10	Mecklenburg	Charlotte	1124	Choate Cr	FROM NC49 TO SR1441	2.2
10	Mecklenburg	Charlotte	1353	Withers Rd	FROM SR1116 TO END OF ROAD	0.57
10	Mecklenburg	Charlotte	1354	Lands End	FROM SR1353 TO END OF ROAD	0.12
10	Mecklenburg	Charlotte	1355	Springpoint Ln	FROM SR1353 TO END OF ROAD	0.19
10	Mecklenburg	Charlotte	1416	Saw Mill Rd	FROM SR1145 TO END OF ROAD	0.71
10	Mecklenburg	Charlotte	1482	Steele Trace Ct	FROM SR1145 TO END OF ROAD	0.09
10	Mecklenburg	Charlotte	1840	Susanna Dr	FROM SR2200 TO SR2200 (LOOP)	0.75
10	Mecklenburg	Charlotte	1918	Monarch Dr	FROM SR2373 TO END OF ROAD	0.3
10	Mecklenburg	Charlotte	2001	Pump Station Rd	FROM EXISTING SR2001 TO END OF ROAD	0.68
10	Mecklenburg	Charlotte	2002	Abernathy Rd	FROM EXISTING SR2002 TO END OF ROAD	0.41
10	Mecklenburg	Charlotte	2381	Mountain Park Dr	FROM 272'NW OF SR2385 TO END OF MAINTENANCE	0.16
10	Mecklenburg	Charlotte	2382	Mountain Island Brook Ln	FROM NC16 TO END OF ROAD	0.26
10	Mecklenburg	Charlotte	2385	Mt Isle Harbor Dr	FROM NC16 TO SR2381	0.04
10	Mecklenburg	Charlotte	2985	Timber Ridge Rd	FROM SR2827 TO END OF ROAD	0.65
10	Mecklenburg	Charlotte	3001	Hood Dr	FROM SR2802 TO SR4509	0.24
10	Mecklenburg	Charlotte	3002	Center Dr	FROM SR2802 TO SR3003	0.07
10	Mecklenburg	Charlotte	3003	Oak Ln	FROM SR3001 TO SR3004	0.2
10	Mecklenburg	Charlotte	3004	Whispering Oaks Dr	FROM SR2802 TO SR2801	0.74
10	Mecklenburg	Charlotte	3005	Spring Ln	FROM FROM SR3004 TO SR3006	0.19
10	Mecklenburg	Charlotte	3006	Woodwind St	FROM SR2802 TO CITY LIMITS	0.29
10	Mecklenburg	Charlotte	3170	S J Lawrence Rd	FROM SR1106 TO END OF ROAD	0.3
10	Mecklenburg	Charlotte	3476	Withers Cove Park Dr	FROM WESTINGHOUSE BV TO END OF RD	0.23
10	Mecklenburg	Charlotte	3631	Dickie Ross Rd	FROM SR3630 TO END OF ROAD	0.09
10	Mecklenburg	Charlotte	4509	Creemore Dr	FROM 273'W OF SR3001 TO END OF ROAD	0.27

Division	County	Municipality	SR #	Street Name	Termini	Length
10	Mecklenburg	Charlotte	4523	Middle Stream Rd	FROM SR4509 TO SR4686	0.21
10	Mecklenburg	Charlotte	4664	Bob White Ct	FROM SR3001 TO END OF ROAD	0.11
10	Mecklenburg	Charlotte	4686	Rolling Acres Rd	FROM SR2827 TO END OF ROAD	0.28
10	Mecklenburg	Charlotte	4687	Red Berry Ct	FROM SR4583 TO END OF ROAD	0.06
0	Mecklenburg	Charlotte	4919	Community House Rd	FROM EXISTING COMMUNITY HOUSE RD TO CITY LIMITS	0.38
10	Mecklenburg	Charlotte	5090	Pimpernel Rd	FROM EXISTING CITY LIMITS TO END OF ROAD	0.21
10	Mecklenburg	Charlotte	5422	South Point Bv	FROM NC49 TO SR1441	0.86
10	Mecklenburg	Charlotte	5423	South Ridge Dr	FROM SR5422 TO SR5424	0.54
10	Mecklenburg	Charlotte	5424	South Lakes Dr	FROM SR1124 TO SR5422	0.75
10	Mecklenburg	Charlotte	5425	Woodspring Ct	FROM SR5424 TO END OF ROAD	0.07
10	Mecklenburg	Charlotte	5437	Walkers Crossing Dr	FROM SR1123 TO END OF ROAD	0.26
10	Mecklenburg	Charlotte	5438	Cypress Park Ln	FROM SR5437 TO END OF ROAD	0.06
10	Mecklenburg	Charlotte	5439	Carriage Lake Dr	FROM SR1123 TO SR5437	0.24
10	Mecklenburg	Charlotte	5440	Forest Mist Wy	FROM SR5439 TO END OF ROAD	0.25
10	Mecklenburg	Charlotte	5441	Karina Falls Ct	FROM SR5440 TO END OF ROAD	0.04
10	Mecklenburg	Charlotte	5452	Wiltshire Manor Dr	FROM SR1106 TO END OF ROAD	0.43
10	Mecklenburg	Charlotte	5454	Kensal Green Dr	FROM SR5457 TO END OF ROAD	0.3
10	Mecklenburg	Charlotte	5455	Orkney Ct	FROM SR5454 TO END OR ROAD	0.02
10	Mecklenburg	Charlotte	5457	Hatton Cross Dr	FROM SR5452 TO END OF ROAD	0.52
10	Mecklenburg	Charlotte	5458	Osterley Ct	FROM SR5457 TO END OF ROAD	0.03
10	Mecklenburg	Charlotte	5459	Blackfriars Ct	FROM SR5454 TO END OR ROAD	0.06
10	Mecklenburg	Charlotte	5460	Arrowgrass Wy	FROM SR5457 TO END OF ROAD	0.04
10	Mecklenburg	Charlotte	5461	Bath Abbey Ct	FROM SR5452 TO END OF ROAD	0.06
10	Mecklenburg	Charlotte	5461	Ashlight Dr	FROM SR5457 TO END OF ROAD	0.24
10	Mecklenburg	Charlotte	5462	Chambray Ln	FROM SR5461 TO END OF ROAD	0.07
10	Mecklenburg	Charlotte	5463	Arbroath Ct	FROM SR5457 TO END OF ROAD	0.09
10	Mecklenburg	Charlotte	5464	Copper Ridge Tl	FROM SR5439 TO END OF ROAD	0.21
10	Mecklenburg	Charlotte	5465	Lavender Trace Ct	FROM SR5464 TO END OF ROAD	0.06
10	Mecklenburg	Charlotte	5466	Southbridge Forest Dr	FROM SR1123 TO SR5475	0.55
10	Mecklenburg	Charlotte	5467	Archgate Ct	FROM SR5466 TO END OF ROAD	0.05
10	Mecklenburg	Charlotte	5470	Chelsea Bay Dr	FROM SR1145 TO END OF ROAD	0.11
10	Mecklenburg	Charlotte	5471	Quiet Bay Ct	FROM SR1145 TO END OF ROAD	0.14
10	Mecklenburg	Charlotte	5472	Rolling Sky Dr	FROM SR5466 TO SR5475	0.23



Division	County	Municipality	SR #	Street Name	Termini	Length
10	Mecklenburg	Charlotte	5473	Planters Knob Ln	FROM SR5472 TO END OF ROAD	0.13
10	Mecklenburg	Charlotte	5474	Rocky Trace Wy	FROM SR5473 TO END OF ROAD	0.05
10	Mecklenburg	Charlotte	5475	Cane Field Dr	FROM SR5466 TO END OF ROAD	0.33
10	Mecklenburg	Charlotte	5479	Weatherstone Cr	FROM SR5457 TO END OF ROAD	0.06
10	Mecklenburg	Charlotte	5481	Gower Ct	FROM SR5454 TO END OR ROAD	0.03
10	Mecklenburg	Charlotte	5482	Ladbroke Ct	FROM SR5452 TO END OF ROAD	0.04
10	Mecklenburg	Charlotte	5482	Derwent Ct	FROM SR5457 TO END OF ROAD	0.03
10	Mecklenburg	Charlotte	5483	Asheford Woods Ln	FROM NC160 TO END OF ROAD	0.24
10	Mecklenburg	Charlotte	5484	Wright's Ferry Rd	FROM NC49 TO SR5487	0.39
10	Mecklenburg	Charlotte	5485	Christian Tyler Ct	FROM SR5484 TO END OF ROAD	0.02
10	Mecklenburg	Charlotte	5486	Michael Shane Ct	FROM SR5484 TO END OF ROAD	0.02
10	Mecklenburg	Charlotte	5487	Michael Lynn Rd	FROM 422'N OF SR5489 TO END OF ROAD	0.4
10	Mecklenburg	Charlotte	5488	Kirsten Nicole Rd	FROM SR5487 TO END OF ROAD	0.12
10	Mecklenburg	Charlotte	5489	Anderson Page Rd	FROM SR5487 TO END OF ROAD	0.03
10	Mecklenburg	Charlotte	5845	Katie Creek Ct	FROM SR5090 TO END OF ROAD	0.16
10	Mecklenburg	Charlotte	5902	White Barn Ct	FROM SR5905 TO END OF ROAD	0.03
10	Mecklenburg	Charlotte	5903	Flowing Brook Ct	FROM SR5905 TO END OF ROAD	0.03
10	Mecklenburg	Charlotte	5904	Vista Verde Ct	FROM SR5914 TO END OF ROAD	0.03
10	Mecklenburg	Charlotte	5905	Hamilton Green Dr	FROM NC160 TO SR5914	0.24
10	Mecklenburg	Charlotte	5907	Bubbling Branch Ln	FRMOM SR5914 TO END OF ROAD	0.08
10	Mecklenburg	Charlotte	5908	Falling Meadows Ln	FROM SR5910 TO COUNTY LINE	0.22
10	Mecklenburg	Charlotte	5909	Wandering Brook Dr	FROM SR5910 TO END OF ROAD	0.1
10	Mecklenburg	Charlotte	5910	Greencreek Dr	FROM SR5914 TO SMITH BOYD RD	0.25
10	Mecklenburg	Charlotte	5911	Green Lea Ct	FROM SR5910 TO END OF ROAD	0.02
10	Mecklenburg	Charlotte	5912	Quiet Stream Ct	FROM SR5914 TO END OF ROAD	0.07
10	Mecklenburg	Charlotte	5912	Grove Creek Ln	FROM SR5914 TO END OF ROAD	0.17
10	Mecklenburg	Charlotte	5913	Emerald Branch Ln	FROM SR5908 TO END OF ROAD	0.05
10	Mecklenburg	Charlotte	5914	Circlegreen Dr	FROM SR5914 TO END OF ROAD	0.74
10	Mecklenburg	Charlotte	5915	Trickling Water Ct	FROM SR5914 TO END OF ROAD	0.02
10	Mecklenburg	Charlotte	5916	Arbor Tree Ln	FROM SR5905 TO END OF ROAD	0.05

**Total Miles: 26.21**

Division	County	Municipality	SR #	Street Name	Termini	Length
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**Additional NCDOT Streets ABANDONED to the City of Charlotte**

Division	County	Municipality	SR #	Street Name	Termini	Length
Mecklenburg	Charlotte	1884	Riverside Dr	FROM EXISTING SR1884 TO END OF ROAD	0.59	

Total Miles: 0.59

Total number of miles  
 ABANDONED to City: 26.80





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 **STATESVILLE AVENUE STREETScape 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 **STATESVILLE AVENUE STREETScape PROJECT** and estimated to be approximately **1,853 square feet (.043 acre) of sidewalk and utility 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. 079-051-01, said property currently owned **BISHOP S. C. MADISON, TRUSTEE FOR THE UNITED HOUSE OF PRAYER FOR ALL PEOPLE OF THE CHURCH OF THE APOSTOLIC FAITH; LANE GINSBERG d/b/a Impact Judgment Recovery, Possible Judgment Creditor, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:


Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, 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 25th day of April, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 639.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of April, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk