

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a residual portion of East 16<sup>th</sup> Street** in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Leeper, Martin, Farris, LLC** has filed a petition to close a **residual portion of East 16<sup>th</sup> Street** in the City of Charlotte; and

Whereas, the residual portion of East 16<sup>th</sup> Street to be closed lies within the Belmont Community beginning approximately 73 feet from Parkwood Avenue continuing off East 16<sup>th</sup> Street southwest approximately 30 feet then turning east approximately 40 feet then turning northeast approximately 30 feet to its terminus at East 16<sup>th</sup> Street 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

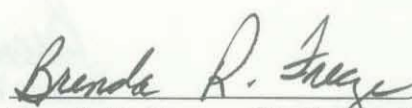
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of May 23, 2005 that it intends to close a residual portion of East 16<sup>th</sup> Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 13<sup>th</sup> day of June, 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 Charlotte Observer 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 23<sup>rd</sup> day of May, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 664.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31<sup>st</sup> day of May, 2005.

  
Brenda R. Freeze, CMC, City Clerk

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of Clarkson Street** in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **The Charlotte Rescue Mission** has filed a petition to close a portion of Clarkson Street in the City of Charlotte; and

Whereas, the portion of Clarkson Street to be closed lies within the Third Ward Community beginning from West First Street continuing southwest approximately 246 feet to its terminus at the NCDOT railroad 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 May 23, 2005 that it intends to close a portion of Clarkson Street 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 13<sup>th</sup> day of June, 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 Charlotte Observer 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 23<sup>rd</sup> of May, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 665.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31<sup>st</sup> day of May, 2005.

  
\_\_\_\_\_  
Brenda R. Freeze, CMC, 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 23rd day of May, 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, 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 23rd day of May, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 666-667.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of May, 2005.

  
Brenda R. Freeze, CMC, City Clerk

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

<b>Name</b>	<b>Refund Amount</b>
SHOWMARS - PINEVILLE, INC	\$ 224.25
ULRICH DAVID	27.72
MILAM MARGARET A	20.97
MILAM MARGARET A	20.97
MILAM MARGARET A	20.97
MILAM MARGARET A	21.42
MILAM MARGARET A	21.42
HEMBSTEAD HOMEOWNERS ASSOC	112.08
HEMBSTEAD HOMEOWNERS ASSOC	112.08
HEMBSTEAD HOMEOWNERS ASSOC	112.08
HEMBSTEAD HOMEOWNERS ASSOC	745.85
HEMBSTEAD HOMEOWNERS ASSOC	745.85
HENBSTEAD HOMEOWNERS ASSOC	745.85
HEMBSTEAD HOMEOWNERS ASSOC	2,065.98
CHASE STAFFING SERVICES	43.13
SAVE A LOT # 283	270.81
SAVE A LOT #284	324.66
REGINALD A HARTWELL	71.40
KANIA FRANK A	8.82
KANIA FRANK A	8.82
PULTE HOME CORP	168.00
MCELMOYLE KAREN	51.24
BOSE DOUGLAS A	370.44
ANGEL IRVIN G	166.74
GANN TRACI B	1,336.50
COSTON DENNIS E	19.45
<b>Total</b>	<b>\$ 7,837.50</b>

RESOLUTION TO AUTHORIZE THE EXCHANGE OF REAL PROPERTY  
BELONGING TO THE CITY OF CHARLOTTE FOR OTHER REAL PROPERTY  
BELONGING TO R. T. GODLEY INVESTMENTS LLC

WHEREAS, the City of Charlotte owns a parcel of real property, totaling .562 acres and valued at \$43,700.00. The tract is part of tax parcel 141-011-16 and its address is 8000 Byrum Drive, Charlotte, North Carolina; and

WHEREAS, R. T. Godley Investments LLC owns a tract, totaling .016 acres and valued at \$1,250. The property is part of tax parcel 141-011-33 and its address is 7924 Byrum Drive, Charlotte, North Carolina; and

WHEREAS, the City desires to exchange its property, which has a value of \$43,700, for the property owned by R. T. Godley Investments LLC, which has a value of \$1,250, plus \$42,450 in cash; and

WHEREAS, the City also desires to grant R. T. Godley Investments, LLC a stormwater easement, 30 feet in width and 184 feet in length, across tax parcels 141-011-42 and 141-011-43; and

WHEREAS, notice of Council's intent to authorize the exchange was published at least 10 days before the adoption of this resolution as required by North Carolina General Statute Section 160A-271.

NOW, THEREFORE, BE IT RESOLVED that the Charlotte City Council hereby authorizes the exchange of real property as heretofore described.

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 23rd day of May, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 668.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of May, 2005.

  
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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: NEW BERN SIDEWALKS 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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: NEW BERN SIDEWALKS PROJECT** and estimated to be approximately **401 square feet (.009 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. 145-133-01, said property currently owned by **MOSTAFA FARAHMAND and wife, MONICA C. FARAHMAND; JAMES L. MASON, JR., Trustee; JOE B. WILLIAMS and wife, FAYE F. WILLIAMS, Beneficiary, 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, 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 23rd day of May, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 669.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of May, 2005.

  
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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: NEW BERN SIDEWALKS 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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: NEW BERN SIDEWALKS PROJECT** and estimated to be approximately **5,142 square feet (.118 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. 147-014-01, said property currently owned by **JERRY ROBERT LAHR AS TRUSTEE FOR VORTEX; JERONE C. HERRING, Trustee; BRANCH BANKING AND TRUST COMPANY (a/k/a BB&T), Beneficiary; BRANCH BANKING AND TRUST COMPANY, Possible Judgment Creditor; ENTERPRISE LEASING COMPANY-SOUTHEAST, d/b/a Enterprise Rent A Car, Possible Judgment Creditor, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

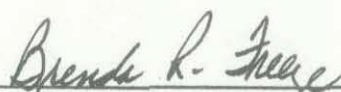
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, 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 23rd day of May, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 670.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of May, 2005.

  
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 **SOUTH BOULEVARD/INWOOD DRIVE STORM WATER PROJECT-PHASE II**; 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 **SOUTH BOULEVARD/INWOOD DRIVE STORM WATER PROJECT-PHASE II** and estimated to be approximately **5,502 square feet (.126 acre) of storm drainage easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 171-011-76, said property currently owned by **CATHLEEN J. KAHLER and spouse, if any, 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, 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 23rd day of May, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 671.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of May, 2005.

  
Brenda R. Freeze, CMC, City Clerk



RESOLUTION CLOSING SAMUEL STREET BETWEEN NEWLAND ROAD AND DOUBLE OAKS 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 of Intent to close Samuel Street between Newland Road and Double Oaks Road which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close Samuel Street between Newland Road and Double Oaks Road 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 City of Charlotte, Charlotte-Mecklenburg Utilities, Duke Power Company, BellSouth Telecommunications, Inc., and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 23<sup>rd</sup> day of May, 2005 and City Council determined that the closing of Samuel Street between Newland Road and Double Oaks 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 reasonable means of ingress and egress to his or its property.

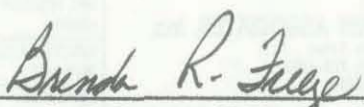
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of May 23, 2005, that the Council hereby orders the closing of Samuel Street between Newland Road and Double Oaks Road in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in document marked "Exhibit B", both of which are attached hereto and made a part hereof.

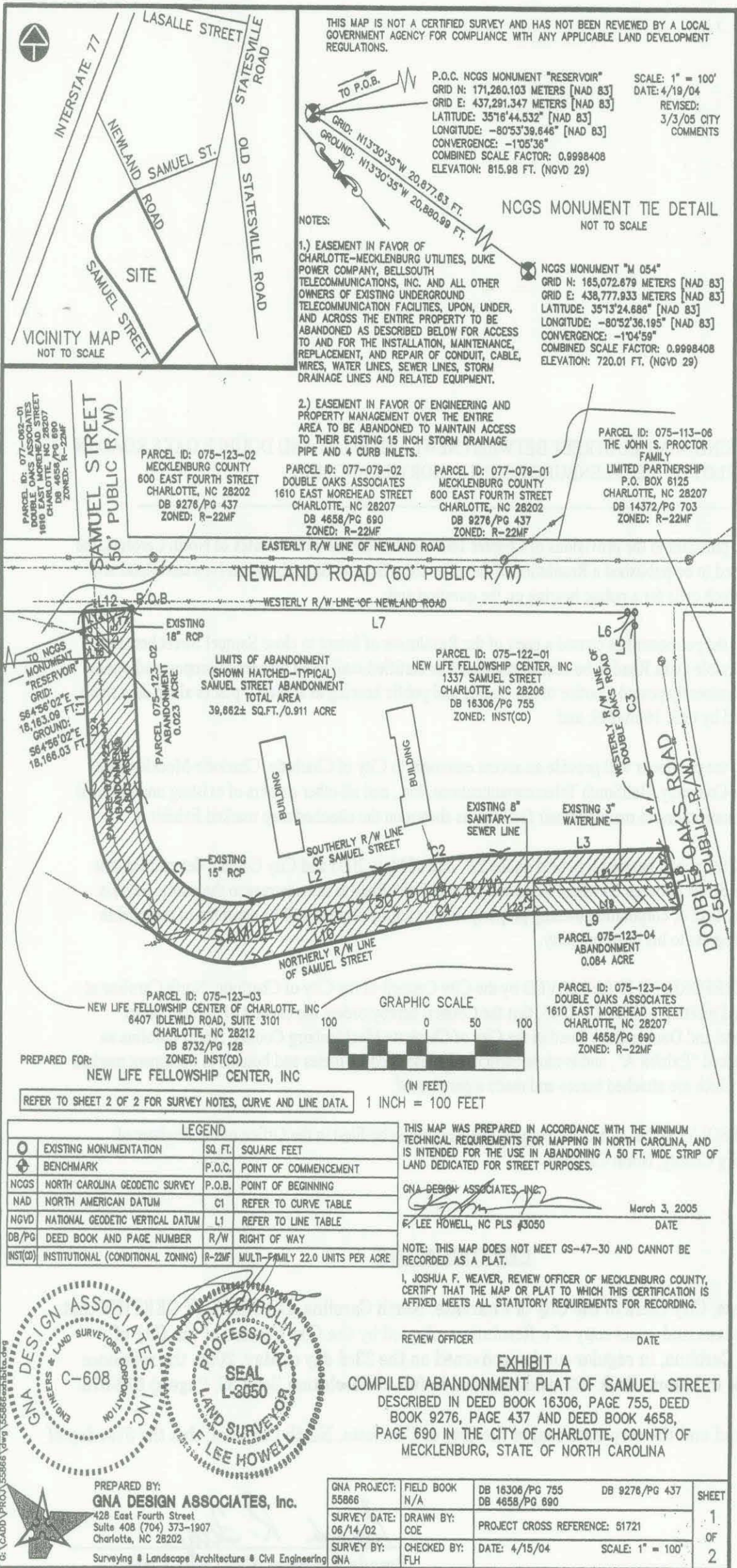
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

**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 23rd day of May, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 672-678.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of May, 2005.

  
Brenda R. Freeze, CMC, City Clerk



**GNA DESIGN ASSOCIATES, INC.**  
 ENGINEERS & LAND SURVEYORS  
 C-608

**SEAL**  
 L-3050  
 F. LEE HOWELL  
 PROFESSIONAL LAND SURVEYOR

PREPARED BY:  
**GNA DESIGN ASSOCIATES, Inc.**  
 428 East Fourth Street  
 Suite 408 (704) 373-1907  
 Charlotte, NC 28202

Surveying • Landscape Architecture • Civil Engineering

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

NOTE:

EASEMENT IN FAVOR OF CHARLOTTE-MECKLENBURG UTILITIES, BELLSOUTH TELECOMMUNICATIONS, INC., AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE, WIRES, WATER LINES, SEWER LINES, STORM DRAINAGE LINES, AND RELATED EQUIPMENT.

SURVEYOR'S NOTES:

1. NORTH ORIENTATION AND VERTICAL DATUM BASED ON NC GRID USING GPS OBSERVATIONS ON NCGS MONUMENTS "RESERVOIR" AND "M 054" (NAD 83) HORIZONTAL COORDINATES FROM PREVIOUS SURVEY BY US GNA PROJECT #51231. BEARINGS ARE NC GRID (NAD 83) AND DISTANCES ARE HORIZONTAL GROUND DISTANCES, UNLESS SPECIFIED OTHERWISE. VERTICAL IS NGVD 29.
2. THIS PARCEL SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
3. THE PURPOSE OF THIS SKETCH IS TO SHOW ABANDONMENT OF A 50 FT. WIDE STRIP OF LAND FORMERLY USED FOR STREET PURPOSES.
4. NO ADDITIONAL FIELD WORK OR RESEARCH THIS DATE.
5. ALL IMPROVEMENTS NOT SHOWN HEREON.
6. THIS IS NOT A BOUNDARY SURVEY.
7. ZONING INFORMATION SHOWN HEREON WAS OBTAINED FROM CHARLOTTE-MECKLENBURG COUNTY ZONING MAP.
8. TITLE INFORMATION SUPPLIED BY CLIENT.
9. THIS MAP IS NOT FOR RECORDING AS A PLAT PER GS-47-30 AS AMENDED.
10. THIS MAP IS BASED ON PRIOR SURVEYS BY THIS GNA DESIGN ASSOCIATES, INC. AND WAS NOT FIELD SURVEYED THIS DATE.
11. THIS MAP INVALID UNLESS IT BEARS THE ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.

LINE TABLE		
LINE	LENGTH	BEARING
L1	154.56	S42°56'41"W
L2	133.94	S54°53'39"E
L3	170.48	S45°47'49"E
L4	64.26	S31°14'21"W
L5	10.82	S46°17'11"W
L6	7.75	S43°42'49"E
L7	508.17	S43°42'49"E
L8	51.50	N30°20'19"E
L9	182.82	N45°47'49"W
L10	133.94	N54°53'39"W
L11	154.97	S42°56'41"W
L12	50.00	N48°34'47"W

LINE TABLE		
LINE	LENGTH	BEARING
L13	39.80	N42°56'41"E
L14	25.00	S46°34'47"E
L15	39.48	N42°56'41"E
L16	25.00	S47°19'19"E
L17	25.00	S46°34'47"E
L18	25.75	S30°20'19"W
L19	150.04	S45°47'49"E
L20	25.00	S44°17'32"W
L21	143.83	N45°47'49"W
L22	25.75	S30°20'19"W
L23	32.78	S45°47'49"E
L24	115.17	N42°56'41"E

CURVE TABLE						
CURVE	CENTRAL ANGLE	RADIUS	TANGENT	CHORD	CHORD BEARING	LENGTH
C1	97°50'32"	96.91	111.17	146.10	S05°58'23"E	165.49
C2	9°05'50"	778.96	61.97	123.55	S50°20'44"E	123.68
C3	15°02'50"	479.21	63.29	125.49	S38°45'45"W	125.85
C4	9°05'50"	728.96	57.99	115.62	N50°20'44"W	115.74
C5	97°50'32"	146.91	168.53	221.48	N05°58'23"W	250.87

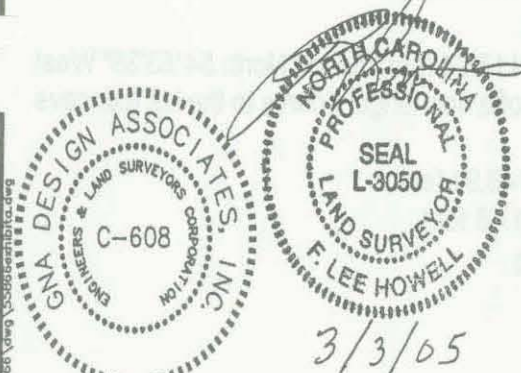
PREPARED FOR:  
NEW LIFE FELLOWSHIP CENTER, INC

I, JOSHUA F. WEAVER, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_

EXHIBIT A

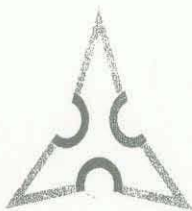
COMPILED ABANDONMENT PLAT OF SAMUEL STREET DESCRIBED IN DEED BOOK 16306, PAGE 755, DEED BOOK 9276, PAGE 437 AND DEED BOOK 4658, PAGE 690 IN THE CITY OF CHARLOTTE, COUNTY OF MECKLENBURG, STATE OF NORTH CAROLINA



PREPARED BY:  
**GNA DESIGN ASSOCIATES, Inc.**  
428 East Fourth Street  
Suite 408 (704) 373-1907  
Charlotte, NC 28202

GNA PROJECT: 55866	FIELD BOOK N/A	DB 16306/PG 755 DB 4658/PG 690	DB 9276/PG 437	SHEET 2
SURVEY DATE: 06/14/02	DRAWN BY: CCE	PROJECT CROSS REFERENCE: 51721		OF 2
SURVEY BY:	CHECKED BY:	DATE: 4/15/04	SCALE: 1" = 100'	

GNA DESIGN ASSOCIATES, INC.



WRITTEN DESCRIPTION  
 PARCEL 075-122-01 ABANDONMENT

SAMUEL STREET (RIGHT OF WAY 50 FEET)

A portion of that certain parcel of land, lying and being situated in the City of Charlotte, County of Mecklenburg, State of North Carolina, being a portion of Samuel Street, a public street having a right of way width of 50 feet, said parcel containing 0.803 acre, more or less, and being shown on an Abandonment Plat of Samuel Street by GNA Design Associates, Inc., dated April 19, 2004, revised March 3, 2005, and being more fully described as:

Commencing at North Carolina Geodetic Monument "Reservoir", said monument having coordinates on the North Carolina State Plane Grid System (NAD 83), based on the North American Datum of 1983 of:

Grid Northing: 171,260.103 meters    Grid Easting: 437,291.347 meters  
 Convergence Angle -01°05'36"    Combined Scale factor: 0.9998408

thence the following grid bearings and horizontal ground distances South 64°56'02" East for 18,166.03 feet (Grid distance 18,163.09 feet) to a point of intersection of the westerly right of way line of Newland Road (60 foot Public Right of Way) and the southerly right of way line of Samuel Street (50 foot Public Right of Way) and the POINT OF BEGINNING; thence South 42°56'41" West leaving said intersection with said southerly right of way for a distance of 154.56 feet to the point of curvature of a non tangent curve to the right (concave southeasterly) having the following parameters:

Central Angle: 97°50'32"    Radius: 96.91 feet  
 Tangent: 111.17 feet    Chord: 146.10 feet  
 Chord Bearing: South 05°58'23" East;

thence along arc of said curve for an arc distance of 165.49 feet; thence South 54°53'39" East for a distance of 133.94 feet at the point of curvature for a curve to the right (concave southeasterly) having the following parameters:

Central Angle: 09°05'50"    Radius: 778.96 feet  
 Tangent: 61.97 feet    Chord: 123.55 feet  
 Chord Bearing: South 50°20'44" East;

thence along arc of said curve for an arc distance of 123.68 feet; thence South 45°47'49" East for a distance of 170.48 feet to a point of intersection of the westerly right of way line of Double Oaks Road (50 foot Public Right of Way) and the southerly right of way line of Samuel Street; thence South 30°20'19" West along said westerly right of way line for a distance of 25.75 feet; thence leaving said westerly right of way line with the centerline of said Samuel Street North 45°47'49" West for a distance of 143.83 feet; thence South 44°17'32" West for a distance of 25.00 feet to a point on the northerly right of way line of Samuel Street (50 foot Public Right of Way) and the northwesterly line of property of Double Oaks Associates, as described in Deed book 4658 at page 690; thence with said northerly right of way line, North 45°47'49" West for a distance of 32.78 feet at the point of curvature for a curve to the left (concave northwesterly) having the following parameters:

Central Angle: 09°05'50"    Radius: 728.96 feet  
 Tangent: 57.99 feet    Chord: 115.62 feet  
 Chord Bearing: North 50°20'44" West;

thence along arc of said curve for an arc distance of 115.74 feet; thence North 54°53'39" West for a distance of 133.94 feet to the point of curvature of a non tangent curve to the left (concave northwesterly) having the following parameters:

Central Angle: 97°50'32"    Radius: 146.91 feet  
 Tangent: 168.53 feet    Chord: 221.48 feet  
 Chord Bearing: North 05°58'23" West;

GNA DESIGN ASSOCIATES, INC.  
 428 East Fourth Street  
 Suite 408 (704) 373-1907  
 Charlotte, NC 28202  
 Fax (704) 358-0766

Principals  
 Teresa L. Hawkins, ASLA  
 Landscape Architecture

Jeff D. Oden, PE  
 Civil Engineering

F. Lee Howell, PLS  
 Surveying

# GNA DESIGN ASSOCIATES, INC.


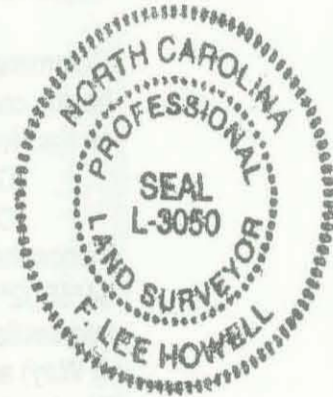


thence along arc of said curve for an arc distance of 250.87 feet; thence North 42°56'41" East for a distance of 115.17 feet to an intersection with the westerly property line of Mecklenburg County as described in Deed book 9276 at page 437; thence South 47°19'19" East for a distance of 25.00 feet to the centerline of said Samuel Street; thence with said centerline North 42°56'41" East for a distance of 39.48 feet to a point in the westerly right of way line of said Newland Road; thence South 46°34'47" East along said right of way line for a distance of 25.00 feet to the POINT OF BEGINNING.

Said parcel being subject to easements and restrictions of record.

Prepared: April 19, 2004  
Revised: March 03, 2005  
Prepared by: GNA Design Associates, Inc.  
428 East Fourth Street, Suite 408  
Charlotte, NC 28202

GNA Design Associates, Inc.

  
F. Lee Howell, NC PLS #3050

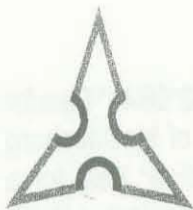
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Faint text in the bottom right corner, possibly a date or reference number.

GNA DESIGN ASSOCIATES, INC.



WRITTEN DESCRIPTION  
PARCEL 075-123-02 ABANDONMENT

SAMUEL STREET (RIGHT OF WAY 50 FEET)

A portion of that certain parcel of land, lying and being situated in the City of Charlotte, County of Mecklenburg, State of North Carolina, being a portion of Samuel Street, a public street having a right of way width of 50 feet, said parcel containing 0.023 acre, more or less, and being shown on an Abandonment Plat of Samuel Street by GNA Design Associates, Inc., dated April 19, 2004, revised on March 3, 2005, and being more fully described as:

Commencing at North Carolina Geodetic Monument "Reservoir", said monument having coordinates on the North Carolina State Plane Grid System (NAD83), based on the North American Datum of 1983 of:

Grid Northing: 171,260.103 meters      Grid Easting: 437,291.347 meters  
Convergence Angle -01°05'36"      Combined Scale factor: 0.9998408

thence the following grid bearings and horizontal ground distances; South 64°56'02" East for 18,166.03 feet (Grid distance 18,163.09 feet) to a point of intersection of the westerly right of way line of Newland Road (60 foot Public Right of Way) and the southerly right of way line of Samuel Street (50 foot Public Right of Way) thence along said westerly right of way line of Newland Road North 46°34'47" West for a distance of 25.00 feet to the POINT OF BEGINNING; thence leaving said westerly right of way line and with the centerline of Samuel Street South 42°56'41" West for a distance of 39.48 feet; thence North 47°19'19" West for a distance of 25.00 feet to a point on the northerly right of way line of Samuel Street an also being on the westerly property line of Mecklenburg County as described in Deed book 9276 at page 437; thence North 42°56'41" East along said right of way line for a distance of 39.80 feet to the intersection with said westerly right of way line of Newland Road; thence along said right of way line of Newland Road South 46°34'47" East for a distance of 25.00 feet to the POINT OF BEGINNING.

Said parcel being subject to easements and restrictions of record.

Prepared: April 19, 2004  
Revised: March 3, 2005  
Prepared by: GNA Design Associates, Inc.  
428 East Fourth Street  
Suite 408  
Charlotte, NC 28202

GNA Design Associates, Inc.

  
F. Lee Howell, NC PLS #3050



GNA DESIGN ASSOCIATES, INC.  
428 East Fourth Street  
Suite 408 (704) 373-1907  
Charlotte, NC 28202  
Fax (704) 358-0766

Principals  
Teresa L. Hawkins, ASLA  
Landscape Architecture

Jeff D. Oden, PE  
Civil Engineering

F. Lee Howell, PLS  
Surveying

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GNA DESIGN ASSOCIATES, INC.



WRITTEN DESCRIPTION  
PARCEL 075-123-04 ABANDONMENT

SAMUEL STREET (RIGHT OF WAY 50 FEET)

A portion of that certain parcel of land, lying and being situated in the City of Charlotte, County of Mecklenburg, State of North Carolina, being a portion of Samuel Street, a public street having a right of way width of 50 feet, said parcel containing 0.084 acre, more or less, and being shown on an Abandonment Plat of Samuel Street by GNA Design Associates, Inc., dated April 19, 2004, revised on March 3, 2005, and being more fully described as:

Commencing at North Carolina Geodetic Monument "Reservoir", said monument having coordinates on the North Carolina State Plane Grid System (NAD 83), based on the North American Datum of 1983 of:

Grid Northing: 171,260.103 meters Grid Easting: 437,291.347 meters  
Convergence Angle -01°05'36" Combined Scale factor: 0.9998408

thence the following grid bearings and horizontal ground distances; South 64°56'02" East for 18,166.03 feet (Grid distance 18,163.09 feet) to a point of intersection of the westerly right of way line of Newland Road (60 foot Public Right of Way) and the southerly right of way line of Samuel Street (50 foot Public Right of Way); thence South 42°56'41" West leaving said intersection with said southerly right of way for a distance of 154.56 feet to the point of curvature of a non tangent curve to the right (concave southeasterly) having the following parameters:

Central Angle: 97°50'32" Radius: 96.91 feet  
Tangent: 111.17 feet Chord: 146.10 feet  
Chord Bearing: South 05°58'23" East;

thence along arc of said curve for an arc distance of 165.49 feet; thence South 54°53'39" East for a distance of 133.94 feet at the point of curvature for a curve to the right (concave southeasterly) having the following parameters:

Central Angle: 09°05'50" Radius: 778.96 feet  
Tangent: 61.97 feet Chord: 123.55 feet  
Chord Bearing: South 50°20'44" East;

thence along arc of said curve for an arc distance of 123.68 feet; thence South 45°47'49" East for a distance of 170.48 feet to a point of intersection of the westerly right of way line of Double Oaks Road (50 foot Public Right of Way) and the southerly right of way line of Samuel Street; thence South 30°20'19" West along said westerly right of way line for a distance of 51.50 feet to the intersection of said right of way line and northwesterly line of property of Double Oaks Associates as described in Deed book 4658 at page 690 and the POINT OF BEGINNING; thence North 45°47'49" West along said northerly right of way line and said northwesterly line of property of Double Oaks Associates for a distance of 150.04 feet; thence leaving said northerly right of way line North 44°17'32" East for a distance of 25.00 feet; thence South 45°47'49" East along the centerline of Samuel Street for a distance of 143.83 feet to a point along the westerly right of way line of Double Oaks Road; thence South 30°20'19" West along said westerly right of way line for a distance of 25.75 feet to the POINT OF BEGINNING.

Said parcel being subject to easements and restrictions of record.

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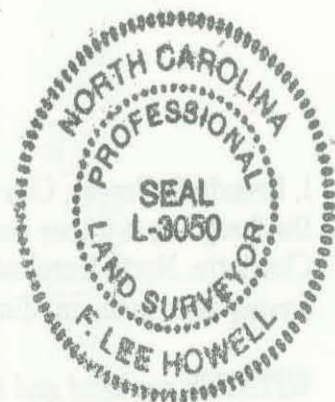
F. Lee Howell, PLS  
Surveying

Prepared: April 19, 2004  
Revised: March 3, 2005  
Prepared by: GNA Design Associates, Inc.  
428 East Fourth Street  
Suite 408  
Charlotte, NC 28202

GNA Design Associates, Inc.

F. Lee Howell, NC RLS #3050

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RESOLUTION CLOSING AN UNOPENED STREET RIGHT-OF-WAY OFF OF CAROLYN 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 an unopened street right-of-way off of Carolyn 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 an unopened street right-of-way off of Carolyn 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 City of Charlotte, Charlotte-Mecklenburg Utilities, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 23<sup>rd</sup> day of May, 2005 and City Council determined that the closing of an unopened street right-of-way off of Carolyn 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 May 23, 2005, that the Council hereby orders the closing of an unopened street right-of-way off of Carolyn Drive in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in 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 23<sup>rd</sup> day of May, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 679-681.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31<sup>st</sup> day of May, 2005.

  
\_\_\_\_\_





**ROBINSON & SAWYER, INC.**  
CONSULTING ENGINEERS & LAND SURVEYORS

EST. 1962 707 EAST SECOND AVENUE -- GASTONIA, NC -- (704)864-2201

I, DAVID J. SKIBA, JR. HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION USING DEED DESCRIPTIONS, AND REFERENCES AS SHOWN HEREON: THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED USING DEED DESCRIPTIONS AND SHOWN AS BROKEN LINES; THAT THIS SURVEY MEETS THE REQUIREMENTS AS DEFINED WITHIN THE NORTH CAROLINA ADMINISTRATIVE CODE, TITLE 21, CHAPTER 56, SECTION .1600 "STANDARDS OF PRACTICE FOR LAND SURVEYING."

THE RATIO OF PRECISION WAS PERFORMED TO A MINIMUM LINEAR PRECISION RATIO OF 1:

MURE WAS DISTRIBUTED BY LEAST SQUARE ADJUSTMENT.

A... SHOWN WERE CALCULATED BY COORDINATE COMPUTATION.

THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

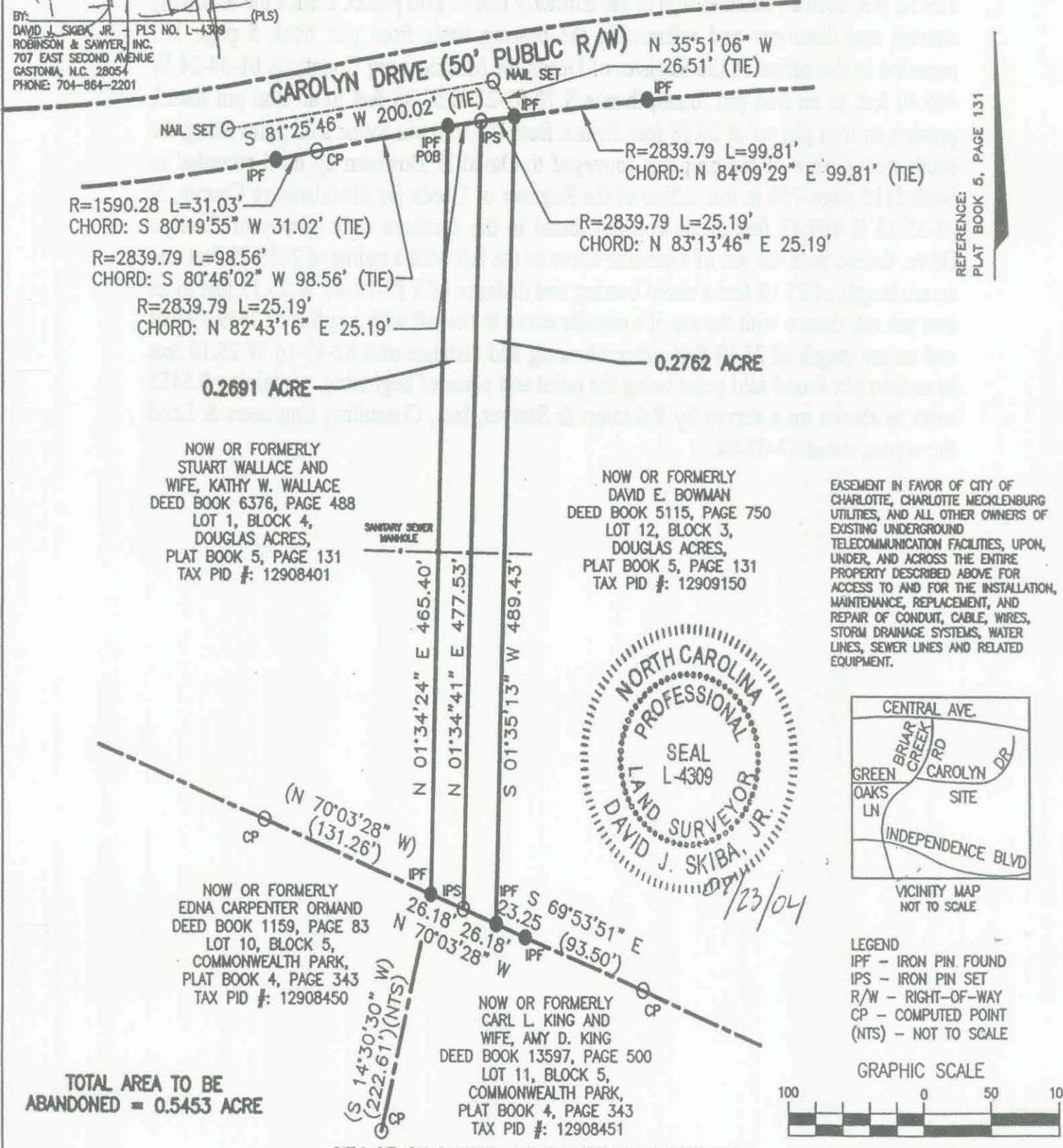
WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS

DATE: 07/23/04

BY:  (PLS)  
DAVID J. SKIBA, JR. - PLS NO. L-4309  
ROBINSON & SAWYER, INC.  
707 EAST SECOND AVENUE  
GASTONIA, N.C. 28054  
PHONE: 704-864-2201

NOTES:

1. EXHIBIT MAP MADE USING EXISTING PHYSICAL EVIDENCE OBSERVED ON DATE OF SURVEY.
2. THIS PLAT IS SUBJECT TO ANY AND ALL RIGHTS-OF-WAY, UTILITY EASEMENTS, DEED RESTRICTIONS, RESTRICTIVE COVENANTS OR AGREEMENTS WHICH MAY OR MAY NOT BE OF RECORD AND APPLICABLE HERE TO AND MAY OR MAY NOT BE FOUND BY LEGAL TITLE SEARCH PRIOR TO THE DATE OF THIS SURVEY.
3. BASED ON GRAPHIC DETERMINATION THIS PROPERTY DOES NOT LIE IN A FEMA/FIRM FLOOD HAZARD AREA PER COMMUNITY PANEL NO. 3701590014B DATED MARCH 03, 1993.
4. ALL DISTANCES ARE HORIZONTAL GROUND (GEODETIC) UNITED STATES SURVEY FEET UNLESS OTHERWISE NOTED.
5. SUBJECT PROPERTY IS NOT WITHIN 2000 FEET OF A NCGS MONUMENT.
6. THIS MAP DOES NOT CONFORM TO GS 47-30.
7. BEARINGS AND DISTANCES SHOWN IN PARENTHESES, AND ITS PROPERTY LINE WERE TAKEN FROM DEEDS, MAPS OR OTHER PUBLIC RECORD. THEY ARE SHOWN FOR ORIENTATION PURPOSES ONLY.
8. PROPERTY CORNERS SHOWN IN SOLID CIRCLE WERE LOCATED BY ACTUAL FIELD SURVEY.
9. COMPUTED POINTS ARE SHOWN AS OPEN CIRCLES.
10. IRON REBAR (30" x 1/2") SET AT CORNERS UNLESS OTHERWISE NOTED.
11. UNDERGROUND UTILITIES NOT LOCATED AT TIME OF SURVEY.

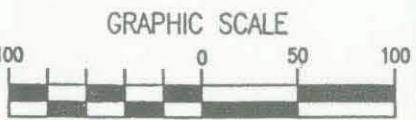


REFERENCE:  
PLAT BOOK 5, PAGE 131

EASEMENT IN FAVOR OF CITY OF CHARLOTTE, CHARLOTTE MECKLENBURG UTILITIES, AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE, WIRES, STORM DRAINAGE SYSTEMS, WATER LINES, SEWER LINES AND RELATED EQUIPMENT.



LEGEND  
 IPF - IRON PIN FOUND  
 IPS - IRON PIN SET  
 R/W - RIGHT-OF-WAY  
 CP - COMPUTED POINT  
 (NTS) - NOT TO SCALE



1 inch = 100 ft.

TOTAL AREA TO BE ABANDONED = 0.5453 ACRE

CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.  
 EXHIBIT MAP "A" SHOWING CLOSING OF DEDICATED STREET FOR:  
**STUART WALLACE**

DEED BOOKS 6376-488 & 5115-750 TAX PID #: 12908401 & 12909150 PLAT BOOK 5, PAGE 131

EXHIBIT B

LEGAL DESCRIPTION

Lying and being in Mecklenburg County, North Carolina, and being more particularly described as follows:

Beginning at an iron pin found at the southern edge of a 50 foot public road right-of-way known as Carolyn Drive and further described as the north east corner of the property conveyed to Stuart Wallace by deed recorded in Book 6376 at Page 488 in the office of the Register of Deeds for Mecklenburg County, said point being N 80-39-47 E 129.58 feet from an existing iron in the northerly line of said parcel. thence the following courses and distances and referencing the bearing basis from plat book 5 page 131 recorded in the office of the Register of Deeds for Mecklenburg County, S 01-34-24 W 465.40 feet to an iron pin found, thence S 70-03-28 E 52.36 feet to an iron pin found, passing an iron pin set at 26.18 feet, thence from the iron pin found said point being the south west corner of the property conveyed to David E. Bowman by deed recorded in book 5115 page 750 in the office of the Register of Deeds for Mecklenburg County, N 01-35-13 E 489.43 feet to an iron pin found in the southern right-of-way of Carolyn Drive, thence with the arc of a circular curve to the left with a radius of 2839.79 feet and an arc length of 25.19 feet a chord bearing and distance of S 83-13-46 W 25.19 feet to an iron pin set, thence with the arc of a circular curve to the left with a radius of 2839.79 feet and an arc length of 25.19 feet a chord bearing and distance of S 82-43-16 W 25.19 feet to an iron pin found said point being the point and place of beginning, containing 0.5453 acres as shown on a survey by Robinson & Sawyer, Inc., Consulting Engineers & Land Surveyors, dated 07-07-04.

