

RESOLUTION CLOSING A RESIDUAL PORTION PAPER BIRCH 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 Paper Birch 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 Paper Birch 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 city may reserve its right, title, and interest in any utility improvement or easement within a street closed pursuant to G.S. 160A-299; and

WHEREAS, an easement shall be reserved in favor of Charlotte-Mecklenburg Utilities, Duke Energy, and AT&T over, upon, and under the area petitioned to be abandoned for ingress, egress, and regress to access its existing facilities for the installation, maintenance, replacement, and repair of water lines, sewer lines, cable, conduit, and related equipment, as shown on the attached maps marked "Exhibit A"; and

WHEREAS, an easement for storm water shall be reserved in favor of the City of Charlotte to provide storm water conveyance, as shown on the attached map marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 27th day of May, 2014, and City Council determined that the closing of a portion of Paper Birch 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 27, 2014, that the Council hereby orders the closing of a portion of Paper Birch 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 the document marked "Exhibit B", all 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

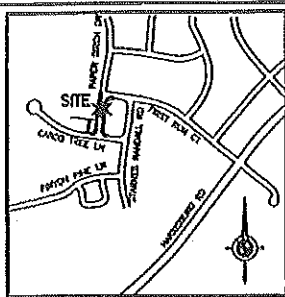
I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of May, 2014, the reference having been made in Minute Book 136, and recorded in full in Resolution Book 45, Page(s) 406-409.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of May, 2014.

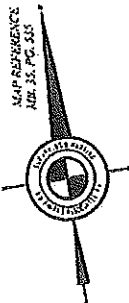



Stephanie C. Kelly, MMC NCCMC, City Clerk

EXHIBIT A



VICINITY MAP - NTS



NOTES:

1. THE PURPOSE OF THE STORM DRAINAGE EASEMENT (SDE) IS TO PROVIDE STORM WATER CONVEYANCE. BUILDINGS ARE NOT PERMITTED IN THE EASEMENT AREA. ANY OTHER OBJECTS WHICH IMPEDE STORM WATER FLOW OR SYSTEM MAINTENANCE ARE ALSO PROHIBITED.

2. EASEMENT IN FAVOR OF DUKE ENERGY, AT&T AND ALL OTHER OWNERS OF EXISTING UNDERGROUND UTILITIES AND TELECOMMUNICATIONS FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, WIRES, AND/OR RELATED EQUIPMENT.

3. SURVEY INFORMATION SHOWN ON THIS EXHIBIT TAKEN FROM MAP BOOK 37, PAGE 449. NO FIELD SURVEY CONDUCTED IN THE PREPARATION OF THIS EXHIBIT.



C. Clark Neilson

PAPER BIRCH DR.
 VARIABLE PUBLIC R/W
 MB. 35, PG. 535

FIRST RUN CT.
 60' PUBLIC RIGHT-OF-WAY
 MB. 35, PG. 535

THE MULVANY GROUP, LTD
 FUTURE DEVELOPMENT
 MB. 39, PG. 745
 DB. 11882, PG. 133

THE KINGSTREE RESIDENTIAL ASSOC.
 COMMON OPEN SPACE
 KINGSTREE
 MB. 35, PG. 835
 PHASE 1, MAP 1

LOT 13B
 KINGSTREE
 MB. 35, PG. 835
 PHASE 1, MAP 1

4,774.00 SQ. FT.
 0.1093 ACRES

LOT 13A
 KINGSTREE
 MB. 35, PG. 835
 PHASE 1, MAP 1

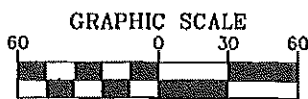
820.55'
 638.00'
 638.00'
 628.37'

CAROB TREE LANE

50' PUBLIC RIGHT-OF-WAY
 MB. 35, PG. 535

STARNES RANDALL ROAD
 60' PUBLIC RIGHT-OF-WAY
 MB. 35, PG. 535

- AREA A = 3,036 SQ. FT.
OR 0.0697 ACRES
- AREA B = 4,775 SQ. FT.
OR 0.1096 ACRES
- AREA C = 7,775 SQ. FT.
OR 0.1785 ACRES
- TOTAL AREA
15,586 SQ. FT.
0.3578 ACRES



(IN FEET)
 1 inch = 60 ft.

LEGEND:

- DB - DEED BOOK
- MB - MAP BOOK
- PG - PAGE
- R/W - RIGHT-OF-WAY
- PROPERTY LINE
- RIGHT-OF-WAY
- RIGHT-OF-WAY (NOT SURVEYED)
- EASEMENT

ABANDONMENT MAP FOR:
MULVANEY GROUP, LTD.
 OF:
PORTION OF PAPER BIRCH DRIVE
 CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.

R.B. PHARR AND ASSOCIATES, P.A.
 SURVEYING AND MAPPING
 LICENSE NO. C-1071
 470 HAWTHORSE LANE CHARLOTTE, N.C. 28204 TEL (704) 376-2165

| | | | | | |
|--------------|---------------|----------|--------------------|-------------------------|------------------|
| CREW: N/A | DRAWN: BZM | REVISED: | SCALE: 1" = 60' | DATE: MARCH 14, 2014 | JOB NO. 81052 |
|--------------|---------------|----------|--------------------|-------------------------|------------------|

EXHIBIT B

BEGINNING at a point located in the northern right-of-way of Carob Tree Lane, said point located in the southwesterly corner of the Kingstree Residential Association property, now or formerly (recorded in Map Book 25, Page 535); thence from said point of beginning with the northern margin of Carob Tree Lane North 81-14-40 West a distance of 93.42 feet to a point located in the southeasterly corner of lot 13A, Kingstree (recorded in Map Book 35, Page 535; thence with the easterly line of said Lot 13A with a curve turning to the left with an arc length of 29.55', with a radius of 30.00', with a chord bearing of North 36-58-36 East, with a chord length of 28.37' to a point on the easterly line of said Lot 13A; thence with the easterly line of lot 13A and the Mulvany Group, LTD. Property, now or formerly (recorded in Map Book 39, Page 133) North 08-45-20 East a distance of 221.58 feet to a point on the easterly line of said Mulvany Group, LTD, property; thence with the easterly line of said Mulvany Group, LTD. property North 03-40-31 East a distance of 56.47 feet to a point on the easterly line of said Mulvany Group, LTD. property; thence South 81-14-40 East a distance of 57.68' feet to a point in the northwesterly corner of said Kingstree Residential Association property; thence with the westerly line of said Kingstree Residential Association property with a curve turning to the left with an arc length of 12.77', with a radius of 30.00', with a chord bearing of South 20-57-12 West, with a chord length of 12.68' to a point on the westerly line of said Kingstree Residential Association property; thence with the westerly line of said Kingstree Residential Association property South 08-45-20 West a distance of 260.43 feet to a point on the westerly line of said Kingstree Residential Association property; thence with a curve turning to the left with an arc length of 47.12', with a radius of 30.00', with a chord bearing of South 36-14-40 East, with a chord length of 42.43' to the PLACE OF BEGINNING. Having an area of 15,585 square feet or 0.36 acres of land as shown on an Exhibit Map prepared by R.B. Pharr and Associates P.A. Dated March 14, 2014. (Job #81052)

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF
CHARLOTTE, NORTH CAROLINA ON MAY 27, 2014**

A motion was made by May Pro Tem Barnes and seconded by Councilmember Howard for the adoption of the following Resolution and upon being put to a vote was duly adopted:

WHEREAS, a Three-Party Reimbursement Agreement among UNC-Charlotte, the City, and the North Carolina Department of Transportation (NCDOT) for \$1,500,000 divided equally among parties to construct roadway improvements at the intersections of NC 49 and Cameron Boulevard, and W. T. Harris Boulevard and Alumni Way, and

WHEREAS, roadway improvements are needed at the above intersections to improve traffic safety and access to and from the UNC-Charlotte main campus, and

WHEREAS, the NCDOT is requesting \$500,000 from State Contingency funds toward NCDOT's one-third portion of the \$1,500,000 estimated cost, and

WHEREAS, the Reimbursement Agreement will provide for the City's reimbursement to NCDOT not to exceed \$500,000 towards the total cost of the project, and

WHEREAS, the format and cost sharing philosophy is consistent with past Municipal Agreements and will be equally divided among UNC-Charlotte, the City, and NCDOT for \$500,000 each.

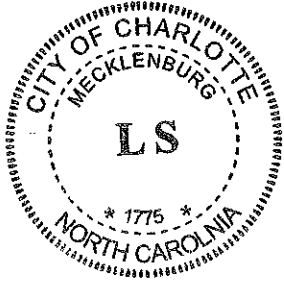
NOW, THEREFORE, BE IT RESOLVED that the City of Charlotte supports the efforts of the NCDOT to secure \$500,000 from State Contingency funds as needed for the construction of these improvements, and

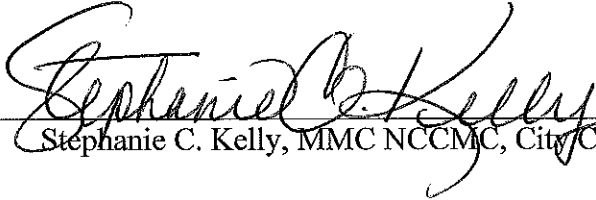
FURTHERMORE, BE IT RESOLVED to authorize the City Manager to execute a Three-Party Agreement with the NCDOT and UNC-Charlotte for the City of Charlotte to reimburse NCDOT up to \$500,000 for roadway improvements at the intersections mentioned above. The City Manager and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the aforementioned groups.

CERTIFICATION

I, Stephanie C. Kelly, 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 27th day of May, 2014, the reference having been made in Minute Book 136, and recorded in full in Resolution Book 45, Page(s) 410-411.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of May, 2014.




Stephanie C. Kelly, MMC NCCMC, 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 27th day of May 2014 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, 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 27th day of May, 2014, the reference having been made in Minute Book 136, and recorded in full in Resolution Book 45, Page(s) 412-414.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of May, 2014.



Stephanie C. Kelly
Stephanie C. Kelly, MMC NCCMC, City Clerk

Property Tax Refund Requests

| | | |
|--------------------------|----|----------|
| 1927 TRYON INVESTORS LLC | \$ | 492.66 |
| ACT NOW PROPERTIES LLC | | 192.31 |
| ACT NOW PROPERTIES LLC | | 199.75 |
| ALFAOURI, RASGA | | 31.23 |
| BB&T MORTGAGE | | 50.82 |
| BITTLE, YVONNE | | 73.23 |
| BITTLE, YVONNE | | 62.65 |
| BITTLE, YVONNE | | 68.71 |
| BLAKE, ROBERT A JR | | 116.49 |
| BOWE, IDA | | 37.82 |
| BOWE, IDA | | 3.75 |
| BOWE, IDA | | 4.90 |
| BROWN, KEVIN | | 47.58 |
| C-5 PROPERTIES LLC | | 21.82 |
| C-5 PROPERTIES LLC | | 10.43 |
| CALIBER HOME LOANS | | 96.66 |
| CARWILE, DENNIS W | | 71.82 |
| CARWILE, DENNIS W | | 70.23 |
| CARWILE, DENNIS W | | 80.88 |
| CHENETTE, BARBARA J | | 186.37 |
| CITIMORTGAGE | | 240.89 |
| COTTEN, CAMERON WARD | | 114.11 |
| CURRY, CHARLES A | | 697.88 |
| DECONTI, R STEVEN | | 173.05 |
| DECONTI, R STEVEN | | 160.12 |
| DECONTI, R STEVEN | | 153.21 |
| DECONTI, R STEVEN | | 266.20 |
| DECONTI, R STEVEN | | 346.46 |
| DECONTI, R STEVEN | | 366.19 |
| DECONTI, STEVEN R | | 333.35 |
| DECONTI, STEVEN R | | 318.37 |
| DECONTI, STEVEN R | | 192.47 |
| DECONTI, STEVEN R | | 246.10 |
| DECONTI, STEVEN R | | 232.23 |
| DECONTI, STEVEN R | | 148.89 |
| DREYER, DENNIS W | | 157.05 |
| DREYER, DENNIS W | | 167.65 |
| DREYER, DENNIS W | | 160.12 |
| FOSTER, JOHN R | | 1,349.65 |
| GSN, SAIRAM | | 15.86 |
| GUTNICK, FREDRIC | | 26.80 |
| HAIGLER, STEVEN C | | 108.06 |
| HALL, JAMES V | | 108.06 |
| HOLT, JOHN WILLIAM III | | 19.42 |
| HSU, JOSEPH R | | 326.14 |
| HU, ZHENGZHENG | | 149.69 |

| | |
|---|--------------|
| HUNTLEY, ARCHIE DEAN | 74.98 |
| JAMISON, JAMES KENNEDY | 857.47 |
| KINGSWAY REALTY CO INC | 43.54 |
| KINGSWAY REALTY CO INC | 44.53 |
| KUZNIAR, RENE H | 49.56 |
| LE SR, JAMES | 95.66 |
| MCDONOUGH, SUSAN M | 298.87 |
| MORRIS, WILLIAM B | 168.54 |
| NATIONAL TAX SEARCH LLC | 13,962.64 |
| PHILLIPS, NICOLE | 176.59 |
| PINECREST MANOR APARTMENTS | 2,624.72 |
| PROVIDENT FUNDING ASSOCIATES, L.P. | 127.37 |
| PUCKETT, STEPHEN R | 1,417.06 |
| QUALITY PROPERTY ASSET MANAGEMENT COMPANY | 287.27 |
| QUICKEN LOANS | 31.23 |
| R & G CONSTRUCTION COMAPNY | 9.71 |
| RECLAY PARTNERS | 115.68 |
| ROBINSON, JACK E II | 955.12 |
| RUFF, MICHAEL A (TRUSTEE) U/T/A | 995.76 |
| SIMPSON, DEIDRE H | 45.59 |
| SIX FORKS HOLDINGS LLC | 56.50 |
| THOMASON, JAMES A | 8.73 |
| THOMASON, JAMES A | 10.03 |
| THOMPSON-RICHARDSON R E INVESTMENTS LLC | 1,887.27 |
| THOMPSON-RICHARDSON R E INVESTMENTS LLC | 2,002.05 |
| THR NORTH CAROLINA II LP | 6.71 |
| VULLO, JOHNF | 299.87 |
| WALSER, ANDREA R | 823.77 |
| WATKINS, CURTIS | 114.00 |
| WATSON, JEFFREY C | 428.24 |
| WELLS FARGO HOME MORTGAGE | 373.72 |
| WINGE, GARY L | 569.51 |
| WINTON, VIOLET S | 296.14 |
| | <hr/> |
| | \$ 37,756.54 |
| | <hr/> |

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

Reference is made to the schedule of "Business Privilege License 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.

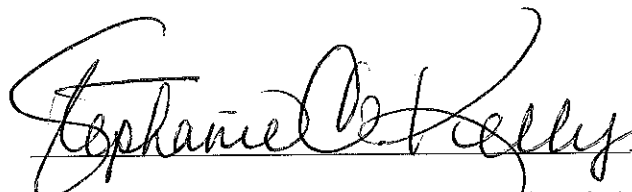
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 27th day of May 2014 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Stephanie C. Kelly, 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 27th day of May, 2014, the reference having been made in Minute Book 136, and recorded in full in Resolution Book 45, Page(s) 415-416.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of May, 2014.




Stephanie C. Kelly, MMC NCCMC, City Clerk

Business Privilege License Tax Refund Requests

| | |
|---|--------------------|
| PAR LABORATORIES INC | \$ 5,880.39 |
| SHARON TOWERS BEAUTY SALON | 194.40 |
| THE CATO CORPORATION | 1,707.50 |
| TUCKER-KIRBY CO | 256.75 |
| VENTURI STAFFIN PARTNERS - CBS PERSONNEL SERVICES | 1,440.67 |
| | <u>\$ 9,479.71</u> |