

December 11, 2017

Resolution Book 48, Page 530

RESOLUTION CLOSING A PORTION OF N. BREVARD 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 a portion of N Brevard Street, 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 N. Brevard Street 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 Water, AT&T, Piedmont Natural Gas, and Duke Energy 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 line, water mains, sewer lines, conduit, gas lines, gas mains, and related equipment, as shown on the attached map marked "Exhibit A"; and

WHEREAS, as easement shall be reserved in favor of the City of Charlotte over, upon, and under the area petitioned to be abandoned for ingress, egress, and regress to access, maintain, and/or replace the existing storm water culvert system; and

WHEREAS, the petitioner is subject to the obligations and conditions outlined in the approved Highland Park Mill rezoning petition (#2016-029); and

WHEREAS, the public hearing was held on the 11th day of December, 2017, and City Council determined that the closing of a portion of N. Brevard Street 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.

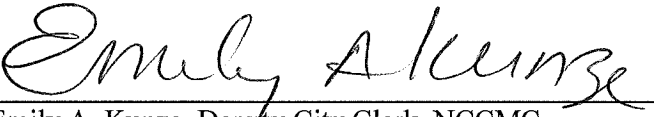
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of December 11, 2017, that the Council hereby orders the closing of a portion of N. Brevard Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the 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.

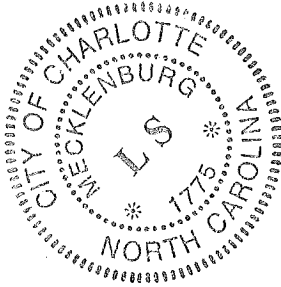
CERTIFICATION

I, Emily A. Kunze, 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 11th day of December, 2017, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 530-533.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of December, 2017.

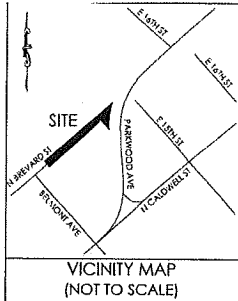


Emily A. Kunze, Deputy City Clerk, NCCMC



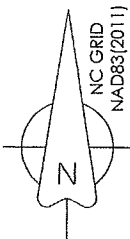
SURVEY NOTES:

1. THIS SURVEY IS OF EXISTING PARCELS OF LAND.
2. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
3. AREA COMPUTED BY THE COORDINATE METHOD.
4. REFERENCE(S): AS SHOWN.
5. PHYSICAL IMPROVEMENTS MAY EXIST ON THIS PROPERTY WHICH ARE NOT SHOWN HEREON.
6. THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT. THIS PLAT/PROPERTY 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 THE DATE OF THIS SURVEY.
7. UNDERGROUND UTILITIES ARE NOT LOCATED AT THE TIME OF SURVEY.
8. PROPERTY DOES NOT LIE IN A SPECIAL FLOOD HAZARD AREA. (FIRM MAP NO. 3710455400K, EFFECTIVE ON 02/19/2014).
8. THIS ABANDONMENT OF RIGHT OF WAY DOES NOT AFFECT ANY CURRENT AND VALID EASEMENT FOR UTILITY FACILITIES, UPON, UNDER AND ACROSS THE ENTIRE PROPERTY DESCRIBED AND SHOWN HEREON.



I, _____ 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 _____

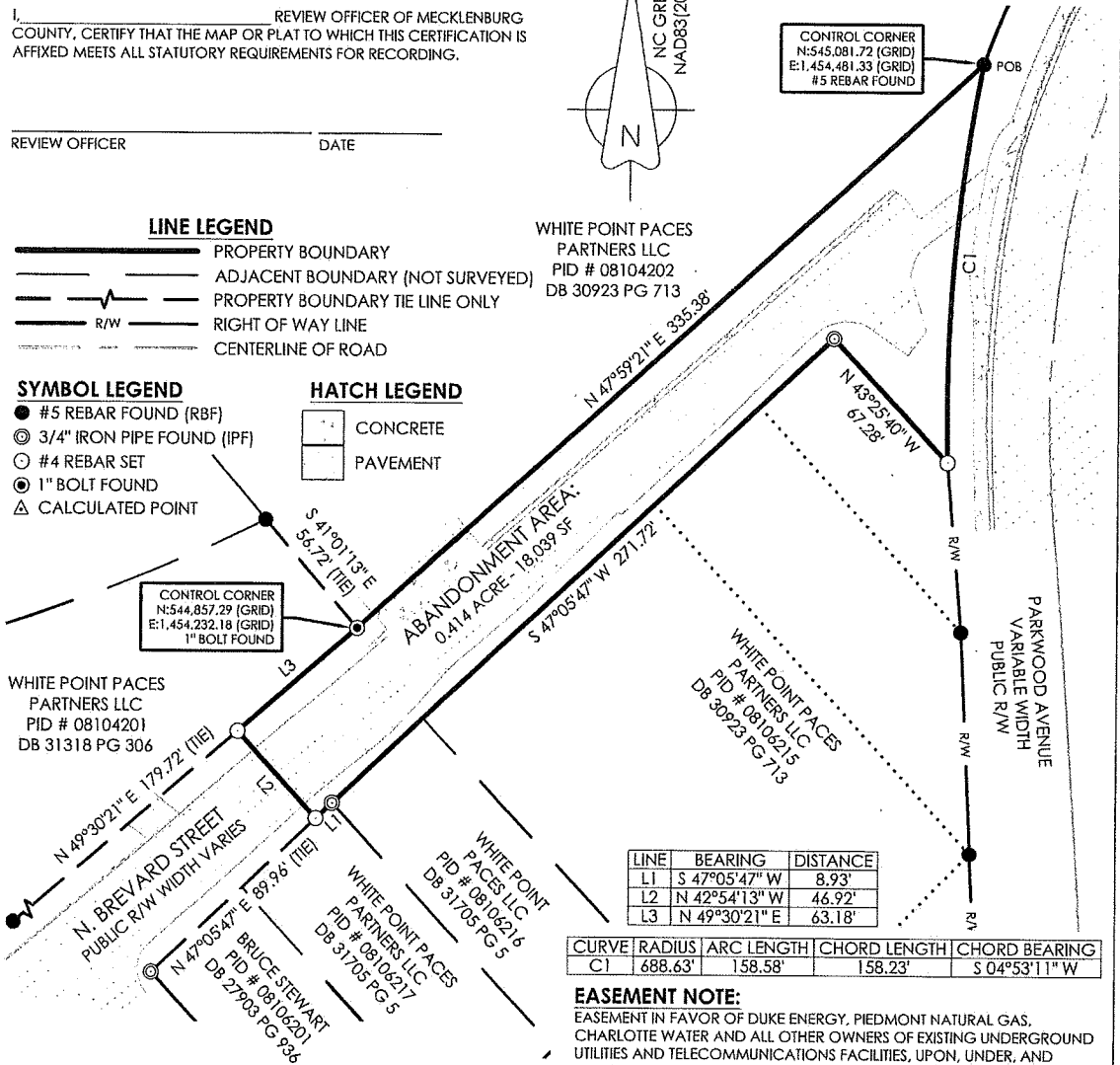


CONTROL CORNER
N:545,081.72 (GRID)
E:1,454,481.33 (GRID)
#5 REBAR FOUND

- LINE LEGEND**
- PROPERTY BOUNDARY
 - - - ADJACENT BOUNDARY (NOT SURVEYED)
 - - - PROPERTY BOUNDARY TIE LINE ONLY
 - - - R/W RIGHT OF WAY LINE
 - - - CENTERLINE OF ROAD

- SYMBOL LEGEND**
- #5 REBAR FOUND (RBF)
 - ⊙ 3/4" IRON PIPE FOUND (IPF)
 - #4 REBAR SET
 - ⊙ 1" BOLT FOUND
 - △ CALCULATED POINT

- HATCH LEGEND**
- [Hatched Box] CONCRETE
 - [Dotted Box] PAVEMENT



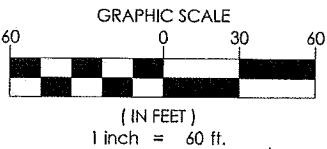
LINE	BEARING	DISTANCE
L1	S 47°05'47" W	8.93'
L2	N 42°54'13" W	46.92'
L3	N 49°30'21" E	63.18'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	688.63'	158.58'	158.23'	S 04°53'11" W

EASEMENT NOTE:
EASEMENT IN FAVOR OF DUKE ENERGY, PIEDMONT NATURAL GAS, CHARLOTTE WATER 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 GAS MAINS, GAS LINES, CONDUIT, CABLE, WIRES, AND/OR RELATED EQUIPMENT.

I, ZACHERY R. ROGERS, PLS, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GNSS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- (1) CLASS OF SURVEY: A
- (2) POSITIONAL ACCURACY: DOES NOT EXCEED 0.10'
- (3) TYPE OF GPS FIELD PROCEDURE: GNSS RTK NETWORK (VRS)
- (4) DATE(S) OF SURVEY: 7/14/2015
- (5) DATUM/EPOCH: NAD83(2011)
- (6) PUBLISHED/FIXED-CONTROL USED: NC49
- (7) GEOID MODEL: GEOID12A
- (8) COMBINED GRID FACTOR: CGF = 0.99984457
- (9) UNITS: US SURVEY FEET



- ABBREVIATIONS**
- DB DEED BOOK
 - MB MAP BOOK
 - PG PAGE
 - POB POINT OF BEGINNING
 - R/W RIGHT-OF-WAY
 - SF SQUARE FEET

I, ZACHERY R. ROGERS, PLS, CERTIFY THAT THIS EXHIBIT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, FROM DEEDS REFERENCED AS SHOWN; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DASHED LINES, DRAWN FROM DEEDS REFERENCED AS SHOWN; THAT THE RATIO OF PRECISION EXCEEDS 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; THAT THIS PLAT MEETS THE REQUIREMENTS OF G.S. 47-30 SECTION F-11D; THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION; WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER & SEAL THIS 5TH DAY OF SEPTEMBER, 2017.

RIGHT OF WAY ABANDONMENT EXHIBIT
A PORTION OF N. BREVARD STREET
0.414 ACRES
CHARLOTTE, NC 28206
MECKLENBURG COUNTY

SURVEY EXHIBIT FOR:
WHITE POINT PACES PARTNERS, LLC

ZACHERY R. ROGERS, PLS
N.C. REG. NO.: L-5194
PROFESSIONAL LAND SURVEYOR

Rogers
LAND SURVEYING
1421 Cyrus Drive Charlotte, NC 28205
p: 704.450.4779 | www.Rogerstlandsurveying.com
NC FIRM LICENSE #: C-4342




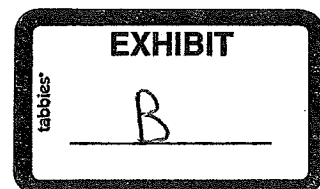
LEGAL DESCRIPTION

Being that certain parcel of land lying and being situated in the City of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

COMMENCING at an existing #5 rebar located at the northern right of way intersection of Parkwood Avenue & N. Brevard Street, said point having North Carolina Grid Coordinates (NAD83/2011) of N: 545,081.72' and E: 1,454,481.33'; thence with the westerly right of way of Parkwood Avenue along a curve to the left having a radius of 688.63', for an arc length of 158.58', said curve having a chord bearing and distance of S04°53'11"W 158.23' to a #4 rebar set on the southerly right of way line of N. Brevard Street; thence with the southerly right of way of N. Brevard Street the following three (3) calls: (1) N43°25'40"W 67.28' to an existing ¾" iron pipe at the northerly corner of White Point Paces Partners, LLC., as described in Book 30923, Page 713; (2) S47°05'47"W 271.72' to an existing ¾" iron pipe, (3) S47°05'47"W 8.93' to a #4 rebar set, said point being located N47°05'47"E 89.96' from an existing ¾" iron pipe at the westerly corner of Bruce Stewart, as described in Book 27903 Page 936; thence N42°54'13"W 46.92' to a #4 rebar set on the northerly right of way line of N. Brevard Street; said #4 rebar being located N49°30'21"E 179.72' from an existing #5 rebar at the easterly corner of White Point Paces Partners, LLC., Book 31372, Page 698; thence with the northerly right of way of N. Brevard Street the following two (2) calls: (1) N49°30'21"E 63.18' to an existing 1" bolt at the easterly corner of White Point Paces Partners, LLC., as described in Book 31318, Page 306; (2) N47°59'21"E 335.38' to the POINT OF BEGINNING, containing 18,039 square feet, 0.414 acres, more or less, all shown on a plat of survey captioned "Right of Way Abandonment Exhibit," prepared by Rogers Land Surveying, P.C. and signed by Zachery R. Rogers, NCPLS No. L-5194, dated April 17th, 2017.




NC Licensed Land Surveyor #L-5194
Zachery Rogers



**RESOLUTION FIXING DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31**

SUTTON FARMS AREA

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the area described herein will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 E. Fourth Street, Charlotte, N.C. at 7:00 p.m. on January 8th 2018.

Section 2. The area proposed for annexation is described as follows:

LEGAL DESCRIPTION

All that certain parcel of land, situated, lying and being in the Paw Creek Township, Mecklenburg County, State of North Carolina, and more particularly described as follows:

BEGINNING at a Found Rebar (POINT OF BEGINNING), being on the Right of Way of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) being a common corner of property owned Now or Formerly by Elenora Abernethy (subject property) as recorded in DB: 1501 PG 185 & MB: 52 PG. 39 recorded in the Mecklenburg County Register of Deeds & Walter C. & Jacqueline M. Abernethy as recorded in DB: 2095 PG. 389 recorded in the Mecklenburg County of Register of Deeds, thence with the common property line S 26-34-24 W 260.71' to the base of a Bent Pipe, thence N 61-27-36 W 150.00' to a Set Rebar, being a common corner of the subject property, Walter C. & Jacqueline M. Abernethy property, and property owned Now or Formerly by W. H. Keistler & Dorothy R. Keistler as recorded in DB: 4222 PG. 746 recorded in the Mecklenburg County Register of Deeds, thence with the common property line of the subject property and the Keistler property for two (2) calls (1) S 26-35-01 W 383.20' to a Found Iron Rod in pile of stones, (2) S 03-24-45 W 1728.01' to a Set Rebar being a common property corner of the subject property, the Keistler property and property owned Now or Formerly by Ronald A. Vargas as recorded in DB: 25068 PG. 829 recorded in the Mecklenburg County Register of Deeds and being the common property line of the subject property and the property line of the Oakdale Forest Subdivision as recorded in MB: 8 PG. 217 recorded in the Mecklenburg County Register of Deeds, thence S 87-58-08 E 818.30' to a Found Rebar being a common corner of the subject property, the Oakdale Forest Subdivision and property owned Now or Formerly by the Glenhaven Owners Association INC. as recorded in DB: 20839 PG. 324 & MB: 40 PG. 335 recorded in the Mecklenburg County of Register of Deeds, thence with the common property line of the subject property and the Glenhaven Subdivision as recorded in MB: 34 PG. 180, MB:

45 PG. 83, MB: 42 PG. 591, & MB: 40 PG. 335 all recorded in the Mecklenburg County Register of Deeds for five (5) calls, (1) N 85-16-19 E 24.99' to a Set Rebar, (2) N 81-00-22 E 734.87' to a Point, (3) N 81-32-28 E 83.34' to a Point, (4) N 81-12-36 E 315.65' to a Found Rebar, (5) N 81-12-40 E 597.30' to a Found iron Pipe being a common corner of the subject property, the Glenhaven Subdivision, and property owned Now or Formerly by John Loyd McCall & Sarah T. McCall as recorded in DB: 3145 PG. 82 recorded in the Mecklenburg County register of Deeds, thence departing the Glenhaven line and following the John Loyd McCall & Sarah T. McCall line N 02-04-09 E 20.58' to a Found Rebar in a 15' CMUD sanitary sewer Right of Way as recorded in DB: 5735 PG. 141 recorded in the Mecklenburg County Register of Deeds also being the common property line of the subject property and property owned Now or Formerly by Pleasant Grove Presbyterian Church as recorded in DB: 8080 PG. 422 & DB: 8744 PG. 515, thence with the common property line of the subject property and the Pleasant Grove Presbyterian Church property for eight (8) calls, (1) N 80-49-50 W 85.97' to a Found Rebar, (2) N 32-41-07 W 403.91 to a Set Rebar, (3) N 69-58-05 W 373.57' to a Set Rebar, (4) S 79-46-30 W 282.06 to a Found Rebar, (5) N 35-53-19 W 725.52' to a Found Rebar, (6) N 31-16-06 E 200.02' to a Found Rebar, (7) N 22-13-13 W 21.98' to a Found Rebar, (8) N 32-32-23 E 329.15' to a Point in the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) passing through a Found Rebar at Station 2+99.29 of this line, thence with the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) N 61-25-45 W 455.43' to a Point in the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) being a common corner of the subject property and property owned Now or Formerly by Walter C. & Gwendolyn B. Abernethy as recorded in DB: 6720 PG. 798 recorded in the Mecklenburg County Register of Deeds, thence with the Walter C. & Gwendolyn B. Abernethy property line for three (3) calls, (1) S 28-34-15 W 322.67' to a Nail at the base of Found Bent Rebar passing through a Found Rebar at station 0+30.04 of this line, (2) N 61-25-45 W 135.00' to a Found Rebar, (3) N 28-34-15 E 322.67' to a Point in the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) passing through a Found Rebar at station 2+92.66' of this line, thence with the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) N 61-31-53 W 135.08' to a point in the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) being a common property corner of the subject property and property owned Now or Formerly by Derek A. Harkey as recorded in DB: 15867 PG. 378 recorded in the Mecklenburg County Register of Deeds, thence with the Derek A. Harkey property line for three (3) calls, (1) S 28-24-57 W 335.00' to a Found Rebar in a pile of stones passing through a Found Rebar at station 0+29.80 of this line, (2) N 61-57-49 W 130.88' to a Found Rebar, (3) N 28-24-57 E 335.00' to a Point in the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) passing through a Rebar Set at station 3+05.87 of this line, thence with the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890) N 61-07-35 W 206.18' to a point in the center line of Pleasant Grove Road (Existing 60' Public Right of Way Per DB: 11101 Pg. 890), thence S 26-34-24 W 30.29' to a Found Rebar being the POINT AND PLACE OF BEGINNING.

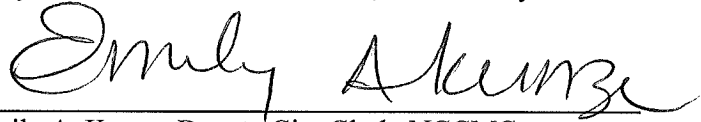
Containing 71.853 Acres.

Section 3. Notice of the public hearing shall be published in the *Mecklenburg Times*, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of the public hearing.

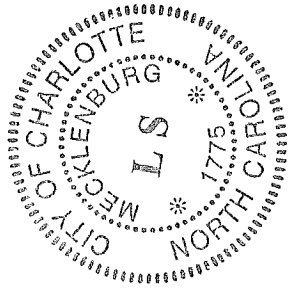
CERTIFICATION

I, Emily A. Kunze, 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 11th day of December, 2017, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 534-536.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of December, 2017.



Emily A. Kunze, Deputy City Clerk, NCCMC



RESOLUTION

RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE,
NORTH CAROLINA ON DECEMBER 11, 2017

A motion was made by Mitchell and seconded by Ajmera
for the adoption of the following Resolution and upon being put to a vote was duly
adopted:

WHEREAS, the City of Charlotte owns five (5) transit buses, purchased with local, State,
and Federal Transit Administration (FTA) funds; and

WHEREAS, the transit buses have reached the end of useful life as defined by the FTA;
and

WHEREAS, the FTA allows a grantee to dispose of buses pursuant to locally authorized
methods if the buses have reached the end of their useful life and have a fair market value
(FMV) less than \$5,000; and

WHEREAS, with prior FTA approval, a grantee may transfer personal property to
another FTA grantee, and

WHEREAS, North Carolina General Statute §160A-280 authorizes a city to donate
personal property that the governing board deems to be surplus, obsolete, or unused to
another governmental unit (as defined in N.C.G.S. §160A-274(a)); and

WHEREAS, North Carolina General Statute §160A-274(a) defines a governmental unit
as “a city, county, school administrative unit, sanitary district, fire district, the State, or
any other public district, authority, department, agency, board, commission, or
institution”; and

WHEREAS, the City Manager has recommended that the five buses be declared as
surplus; and

WHEREAS, the City Manager recommends that the five buses be donated to the City of
Oxford, Mississippi; and

WHEREAS, the City gave public notice of the proposed donation at least five (5) days
prior to the adoption of this resolution.

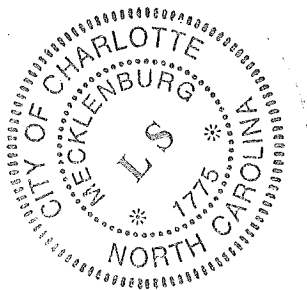
NOW THEREFORE, be it resolved, by the Charlotte City Council that the five buses are
declared surplus and that the City Manager or his designee is authorized to donate such
buses to the City of Oxford, Mississippi.

CERTIFICATION

I, Emily A. Kunze, 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 11th day of December, 2017, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 537-538.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of December, 2017.


Emily A. Kunze, Deputy City Clerk, NCCMC



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
ADOPTING AND APPROVING THE EXCHANGE OF LAND RIGHTS IN THE
LYNX RAIL CORRIDOR WITH 1515 Camden Road, LLC (OR ITS
SUCCESSORS AND ASSIGNS).**

WHEREAS, the City of Charlotte (the “City”) purchased the 130 foot wide Charter Right-of-Way, formerly owned by the Norfolk Southern Railroad; and

WHEREAS, in 2005, the City, through the action of its Council, adopted the South End Transit Station Area Plan to guide the development along the buffer area of the Right of Way; and

WHEREAS, the Staff is working with 1515 Camden Road, LLC (the “Property Owner”) regarding property adjacent to the Right of Way having tax I. D. number 12304112; and

WHEREAS, the buffer area in the Right of Way in which the Property Owner is interested lies outside of that portion of the Right of Way used for public transit; and

WHEREAS, in order to proceed with the development of the for mentioned property, the City of Charlotte agrees to exchange property rights for a full and fair compensation, as provided by the North Carolina General Statutes; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, as follows:

- A. The City shall receive from the Property Owner (or its successors and assigns), the following, which is a full and fair compensation for the exchange of property rights:
 1. Deed to approx. 11,697 square feet of underlying fee simple interest that will remain in use as part of the rail corridor.
 2. Installation of new streetscape improvements.
 3. Maintenance of the streetscape improvements.
- B. The City shall release its charter (i.e. easement) rights to approx. 13,563 square feet for use by the Property Owner (or its successors and assigns) and shall grant a license agreement to the Property Owner (or its successors and assigns) in order to construct and maintain the streetscape improvements.

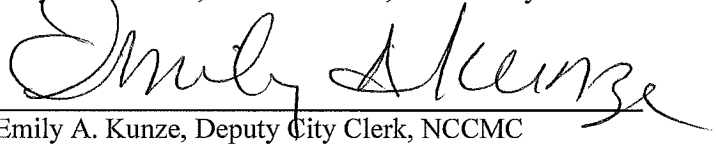
FURTHER RESOLVED, that the City Council for the City of Charlotte authorizes the City Manager (or his designee) to execute the necessary legal documents to complete the exchange of the land rights between the City and the Developer, or its successors and assigns,

ADOPTED this 11th day of December, 2017.

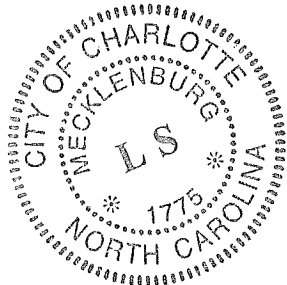
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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of December, 2017.



Emily A. Kunze, Deputy City Clerk, NCCMC



December 11, 2017

Resolution Book 48, Page 541

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 **8" SANITARY SEWER-SERVE 8215 HOOD ROAD 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 **8" SANITARY SEWER-SERVE 8215 HOOD ROAD PROJECT** and estimated to be **5,410 square feet (.124 acre) of sanitary sewer easement; 5,550 square feet (.127 acre) of 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. 111-011-11, said property currently owned by **AMERICAN TOWER ASSET SUB, LLC; TORONTO DOMINION (TEXAS), INC., Beneficiary; AMERICAN TOWER DEPOSITOR SUB, LLC; Beneficiary; CINGULAR WIRELESS, Successor to AT&T WIRELESS PCS, INC.; SPRINTCOM, INC.; DUKE ENERGY CORPORATION; VERIZON WIRELESS**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

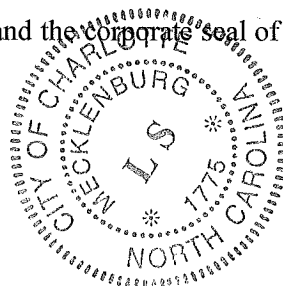
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

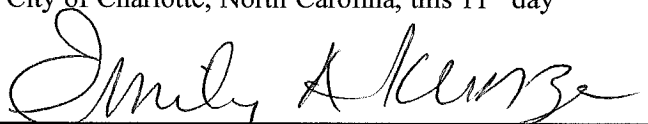
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Emily A. Kunze, 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 11th day of December, 2017, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 541.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of December, 2017.




Emily A. Kunze, Deputy City Clerk, NCCMC

December 11, 2017

Resolution Book 48, Page 542

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 **GUM BRANCH SANITARY SEWER 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 **GUM BRANCH SANITARY SEWER PROJECT** and estimated to be **2,300 square feet (.053 acre) of sanitary sewer easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 031-073-02, said property currently owned by **FREDERICK E. BARWICK, III and wife, ALBERTA M. BARWICK**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

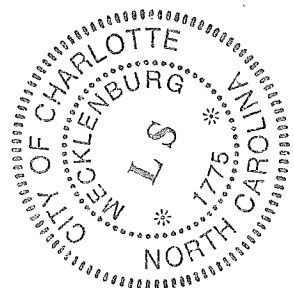
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Emily A. Kunze, 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 11th day of December, 2017, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 542.

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