

January 9, 2017

Resolution Book 47, Page 783

RESOLUTION CLOSING A PORTION OF W. PALMER STREET, PENMAN STREET, AND AN ALLEYWAY OFF OF W. PALMER 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 W. Palmer Street, Penman Street, and an alleyway off of W. Palmer 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 W. Palmer Street, Penman Street, and an alleyway off of W. Palmer 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, 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 A1, A2, and A3"; and

WHEREAS, the public hearing was held on the 10th day of October 2016, and City Council determined that the closing of a portion of W. Palmer Street, Penman Street, and an alleyway off of W. Palmer 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 October 10, 2016, that the Council hereby orders the closing of a portion of W. Palmer Street, Penman Street, and an alleyway off of W. Palmer Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the maps marked "Exhibit A1, A2, and A3", and is more particularly described by metes and bounds in the documents marked "Exhibit B1, B2, and B3", 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 9th day of January, 2017 the reference having been made in Minute Book 142 and recorded in full in Resolution Book 47, Page(s) 783-790.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of January, 2017.



Emily A. Kunze

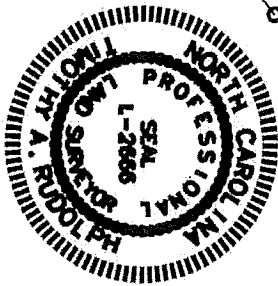
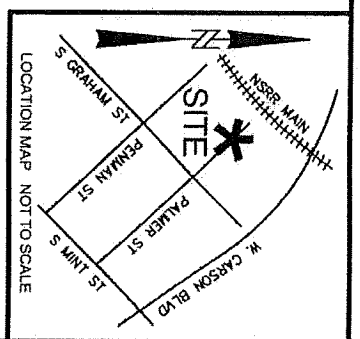
Emily A. Kunze, Deputy City Clerk

Exhibit A-1

STATE OF NORTH CAROLINA
 COUNTY OF MECKLENBURG
 REVIEW OFFICER OF MECKLENBURG COUNTY,
 CERTIFY THAT THE MAP OR PLAN TO WHICH THIS
 CERTIFICATION IS ATTACHED MEETS ALL STATUTORY
 REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | N 50°37'57" E | 35.92' |
| L2 | S 39°21'52" E | 42.34' |
| L3 | S 50°28'46" W | 35.75' |

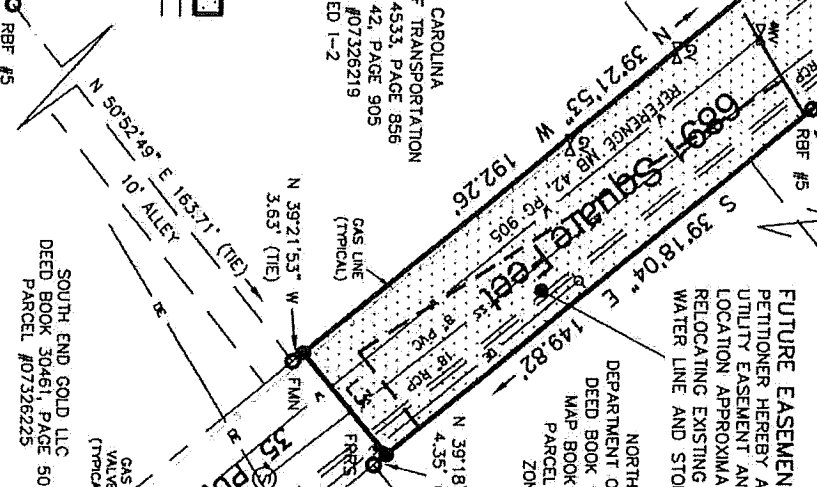


NOTE: PROPERTY CORNERS SHOWN CIRCLED WERE LOCATED BY ACTUAL FIELD SURVEY. BEARINGS ARE BASED ON N.C. STATE GRID NORTH. THIS MAP WAS PREPARED FOR THE PURPOSE OF RIGHT-OF-WAY AND/OR EASEMENT ACQUISITION ONLY AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN. THIS MAP WAS PREPARED UNDER MY SUPERVISION.

TIMOTHY A. RUDOLPH LICENSE L-2666
 NOVEMBER 11, 2016 DATE

LEGEND

- RIGHT OF WAY TO BE ABANDONED
- RIGHT OF WAY ADJOINING
- ADJACENT PROPERTY LINE
- FIELD LOCATED PROPERTY IRON
- NO IRON FOUND OR SET COMBINED GRID FACTOR
- RAILROAD
- MAP BOOK/PAGE
- FOUND REBAR
- FOUND MAGNAIL/RAILROAD SPIKE
- RESERVED EASEMENT (APPROX)
- REVISIONS
- 08-02-2016 BAR SCALE REVISED
- 11-14-2016 ADDED EASEMENT NOTE



REVISIONS

08-02-2016 BAR SCALE REVISED
 11-14-2016 ADDED EASEMENT NOTE

REVISIONS

08-02-2016 BAR SCALE REVISED
 11-14-2016 ADDED EASEMENT NOTE

Dewberry
 Engineers Inc.
 6135 LAKEVIEW ROAD
 SUITE 150
 CHARLOTTE, NC 28269-2609
 PHONE: (704) 509-9916
 FAX: (704) 509-9937
 LICENSE # F-0929

PALMER STREET
 STREET ABANDONMENT EXHIBIT
 CHARLOTTE, MECKLENBURG COUNTY
 NORTH CAROLINA
 -PREPARED FOR-
 NORTH CAROLINA DEPARTMENT
 OF TRANSPORTATION

NC DOT PROJECT P-2918F
 50069922
 JOB NO. SCALE 1"=50'
 02/24/16 M. DENNIS
 DATE PREPARED BY
 50090536-PALMER.DWG
 FILENAME

BARSCALE 1"=50'
 50 100 150
 SHEET 1 OF 2

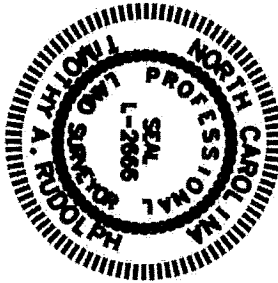
REVISIONS
08-02-2016 BAR SCALE REVISED
11-14-2016 ADDED EASEMENT NOTE

Exhibit B-1

- GENERAL NOTES
1. THE RIGHT OF WAY TO BE ABANDONED IS SHOWN ON A PLAT RECORDED IN MAP BOOK 42, PAGE 905.
 2. UTILITIES SHOWN HEREON ARE TAKEN FROM PREVIOUS SURVEY DATA GATHERED BY DEWBERRY ENGINEERS.
 3. TOTAL AREA TO BE ABANDONED IS 6,891 SQUARE FEET AS COMPUTED BY THE COORDINATE METHOD.

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG
REVIEW OFFICER OF MECKLENBURG COUNTY,
CERTIFY THAT THE MAP OR PLAT TO WHICH THIS
CERTIFICATION IS ATTACHED MEETS ALL STATUTORY
REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

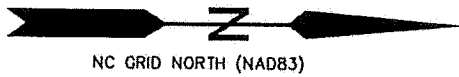


NOTE: PROPERTY CORNERS SHOWN CIRCLED WERE LOCATED BY ACTUAL FIELD SURVEY. BEARINGS ARE BASED ON N.C. STATE GRID NORTH. THIS MAP WAS PREPARED FOR THE PURPOSE OF RIGHT-OF-WAY AND/OR EASEMENT ACQUISITION ONLY AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN. THIS MAP WAS PREPARED UNDER MY SUPERVISION.

TIMOTHY A. RUDDOLPH NC PLST L-2686
NOVEMBER 11, 2016
DATE

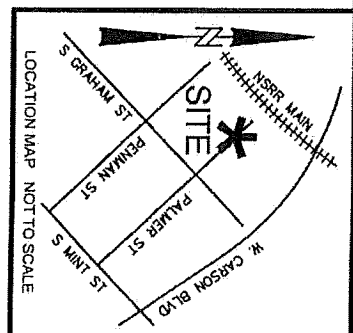
LEGEND

- RIGHT OF WAY TO BE ABANDONED
- RIGHT OF WAY ADJOINING
- ADJACENT PROPERTY LINE
- FIELD LOCATED PROPERTY IRON
- NO IRON FOUND OR SET COMBINED
- GRID FACTOR
- RAILROAD
- MAP BOOK/PAGE
- FOUND REBAR
- FOUND MAGNAIL/RAILROAD SPIKE
- RESERVED EASEMENT (APPROX)



Property Description

Commencing at that found rebar having NC State Plane Coordinates Northing 541,503.89 and Easting 1,445,125.16, located in the centerline of a 200' Norfolk Southern Railroad easement and being the Northernmost corner of that North Carolina Department of Transportation (NCDOT) property described in deed book 14533, page 856 and a point in the Western line of Palmer Street. Said point being located S 28-28-39 W 9748.30' (ground distance) from NC Grid Monument M044. Thence, with the common line of the NCDOT property and Palmer Street, S 39-21-53 E 62.07' to a computed point, the Northwest corner of Subject street right of way to be Abandoned, the POINT OF BEGINNING. Thence, crossing the right of way of Palmer Street, N 50-37-57 E 35.92' to a point in the Eastern right of way of Palmer Street and the Western line of that NCDOT property described in deed book 16757, page 807, thence, with the common line of Palmer Street and NCDOT, two calls as follow: (1) S 39-21-52 E 42.34' to a found rebar and (2) S 39-18-04 E 149.82' to a point (said point being located N 39-18-04 W 4.35' from a found railroad spike), thence, crossing the right of way of Palmer Street, S 50-28-46 W 35.75' to a point in the Western right of way of Palmer Street and the Eastern line of the NCDOT property described in deed book 14533, page 856 (said point being located N 39-21-53 W 3.63' from a found magnetic nail), thence with the common line of Palmer Street and NCDOT, N 39-21-53 W 192.26' to the POINT OF BEGINNING, containing 6,891 square feet and being shown on that survey entitled, "Street Abandonment Exhibit Palmer Street," dated February 24, 2016 as prepared by Dewberry Engineers, Inc.



Dewberry
Engineers Inc.
6135 LAKEVIEW ROAD
SUITE 150
CHARLOTTE, NC 28269-2609
PHONE: (704) 509-9918
FAX: (704) 509-9937
LICENSE # F-0828

STREET ABANDONMENT EXHIBIT
PALMER STREET
CHARLOTTE, MECKLENBURG COUNTY
NORTH CAROLINA
PREPARED FOR
NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION

NCDOT PROJECT P-2918F
50089322
JOB NO. 02/24/16
DATE 50080536-PALMER DWG
FILE NAME
1"=50'
SCALE
M. DENNIS
PREPARED BY



BARSCALE 1" = 50' SHEET 2 OF 2

PER VAL MAP V-10A #25 F.M.
200' EASEMENT
NORFOLK SOUTHERN
RAILROAD

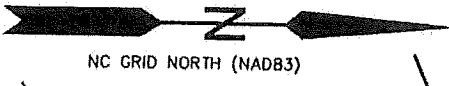
Exhibit A-2

S 29° 01' 42" W
 10087.31' (GROUND) 10085.74' (GRID)
 COMBINED SCALE FACTOR: 0.99984393

N.C.G.S. MONUMENT
 M024
 N 550,071.36
 E 1,449,772.53

NOTE: PROPERTY CORNERS SHOWN CIRCLED WERE LOCATED BY ACTUAL FIELD SURVEY. BEARINGS ARE BASED ON N.C. STATE GRID NORTH. THIS MAP WAS PREPARED FOR THE PURPOSE OF RIGHT-OF-WAY AND/OR EASEMENT ACQUISITION ONLY AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN. THIS MAP WAS PREPARED UNDER MY SUPERVISION.

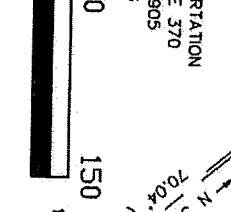
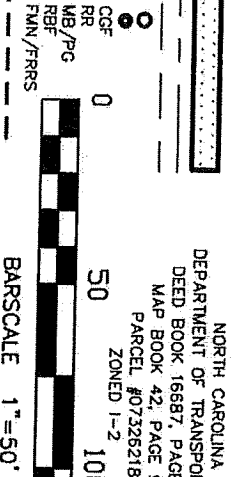
REVISIONS
 08-02-2016 BAR SCALE REVISED
 11-14-2016 ADDED EASEMENT NOTE



NC GRID NORTH (NAD83)

LEGEND

- RIGHT OF WAY
- TO BE ABANDONED
- RIGHT OF WAY ADJOINING
- ADJACENT PROPERTY LINE
- FIELD LOCATED PROPERTY LINE
- NO IRON FOUND OR SET COMBINED
- GRID FACTOR
- RAILROAD
- MAP BOOK /PAGE
- FOUND REBAR
- FOUND MAGNAIL/RAILROAD SPIKE
- RESERVED EASEMENT (APPROX)

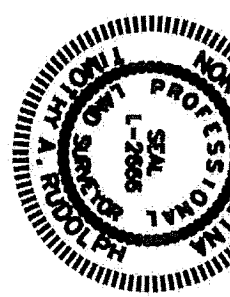


FUTURE EASEMENT NOTE
 PETITIONER HEREBY AGREES TO RESERVE PERMANENT UTILITY EASEMENTS, LOCATIONS APPROXIMATED HEREON, FOR THE PURPOSE OF RELOCATING EXISTING 18" SANITARY SEWER LINE AND SPRINT UNDERGROUND TELECOMMUNICATION LINES.

DEPARTMENT OF TRANSPORTATION
 DEED BOOK 16687, PAGE 370
 MAP BOOK 42, PAGE 905
 PARCEL #07326218
 ZONED I-2

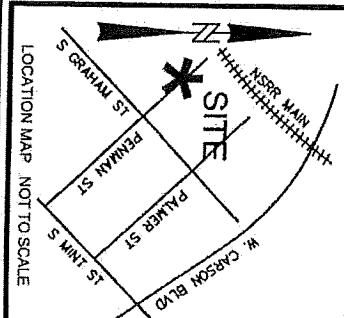
DEPARTMENT OF TRANSPORTATION
 DEED BOOK 14533, PAGE 856
 MAP BOOK 42, PAGE 905
 PARCEL #07326219
 ZONED I-2

STATE OF NORTH CAROLINA
 COUNTY OF MECKLENBURG I,
 REVIEW OFFICER OF MECKLENBURG COUNTY,
 CERTIFY THAT THE MAP OR PLAN TO WHICH THIS
 CERTIFICATION IS ATTACHED MEETS ALL STATUTORY
 REQUIREMENTS FOR RECORDING.



TIMOTHY A. RUDOLPH, NC PLS L-2696
 NOVEMBER 14, 2016
 DATE

| CURVE | RADIUS | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
|-------|----------|------------|---------------|--------------|
| C1 | 3541.81' | 50.22' | N 64°22'28" E | 50.22' |



Dewberry

Engineers Inc.
 8135 LAKEVIEW ROAD
 SUITE 150
 CHARLOTTE, NC 28269-2609
 PHONE: (704) 509-9918
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PENMAN STREET
 STREET ABANDONMENT EXHIBIT
 CHARLOTTE, MECKLENBURG COUNTY
 NORTH CAROLINA

NODOT PROJECT P-2918F
 JOB NO. 50089322
 DATE 02/24/16
 SCALE 1"=50'
 PREPARED BY M DENNIS
 FILE NAME 50089322-PENMAN.DWG

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
 PREPARED FOR

HAL H. CONROY DEED
 BOOK 6732, PAGE 517
 PARCEL #07326217

REVISIONS
 08-02-2016 BAR SCALE REVISED
 11-14-2016 ADDED EASEMENT NOTE

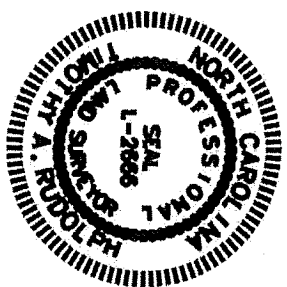
Exhibit B-2

Property Description

Being all that certain tract or parcel of land located in the City of Charlotte, Mecklenburg County, North Carolina, and being shown as a portion of Penman Street on a plat recorded in Map Book 42, Page 905 and more particularly described as follows:

Commencing at that found magnetic nail, located in the centerline of a 200' Norfolk Southern Railroad easement and being the Northeastern corner of that North Carolina Department of Transportation (NCDOT) property described in deed book 16687, page 370 and a point in the Western line of Penman Street. Thence, with the common line of the NCDOT property and Penman Street, S 39-06-27 E 102.33' to a computed point on the railroad right of way line, the Northwest corner of Subject street right of way to be Abandoned, the POINT OF BEGINNING. Thence, with the railroad right of way line and crossing the right of way of Penman Street, with the arc of a 3541.81' radius circular curve to the left, having a chord bearing of N 64-22-28 E, a chord distance of 50.22' and an arc length of 50.22' to a point having NC State Plane Coordinates Northing 541,251.22 and Easting 1,444,877.74 in the Eastern right of way of Penman Street and the Western line of that NCDOT property described in deed book 14533, page 856 (Said point being located S 29-01-42 W 10,087.31' ground distance from NC Grid Monument M0044), thence, with the common line of Penman Street and NCDOT, S 39-33-22 E 214.75' to a point (said point being located N 39-33-22 W 5.00' from a found rebar), thence, crossing the right of way of Penman Street, S 50-31-37 W 50.52' to a point in the Western right of way of Penman Street and the Eastern line of the NCDOT property described in deed book 16687, page 370 (said point being located N 39-06-27 W 70.04' from a found iron pipe), thence with the common line of Penman Street and NCDOT, N 39-06-27 W 226.78' to the POINT OF BEGINNING, containing 10,955 square feet and being shown on that survey entitled, "Street Abandonment Exhibit Penman Street," dated February 24, 2016 as prepared by Dewberry Engineers, Inc.

NOTE: PROPERTY CORNERS SHOWN CIRCLED WERE LOCATED BY ACTUAL FIELD SURVEY. BEARINGS ARE BASED ON N.C. STATE GRID NORTH. THIS MAP WAS PREPARED FOR THE PURPOSE OF RIGHT-OF-WAY AND/OR EASEMENT ACQUISITION ONLY AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN. THIS MAP WAS PREPARED UNDER MY SUPERVISION.



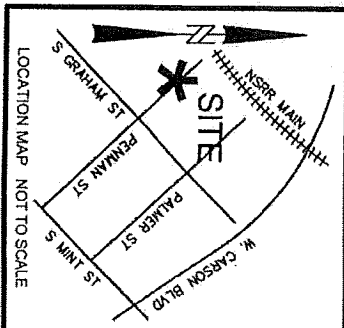
[Signature]
 TIMOTHY A. RUDOLPH, NC PLS # 2666

NOVEMBER 14, 2016
 DATE

LEGEND

RIGHT OF WAY TO BE ABANDONED
 RIGHT OF WAY ADJOINING
 FIELD LOCATED PROPERTY LINE
 NO IRON FOUND OR SET COMBINED
 GRID FACTOR
 RAILROAD
 MAP BOOK/PAGE
 FOUND REBAR
 FOUND MAGNAIL/RAILROAD SPIKE
 RESERVED EASEMENT (APPROX)

CGF
 RR
 MB/P/C
 RBF
 FMN/FRRS



STATE OF NORTH CAROLINA
 COUNTY OF MECKLENBURG
 REVIEW OFFICER OF MECKLENBURG COUNTY,
 CERTIFY THAT THE MAP OR PLAT TO WHICH THIS
 CERTIFICATION IS ATTACHED MEETS ALL STATUTORY
 REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

Dewberry
 Engineers Inc.
 LICENSE # F-0929

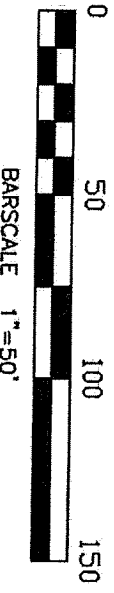
6135 LAKEVIEW ROAD
 SUITE 150
 CHARLOTTE, NC 28269-2699
 PHONE: (704) 569-9918
 FAX: (704) 569-9967

STREET ABANDONMENT EXHIBIT
PENMAN STREET
 CHARLOTTE, MECKLENBURG COUNTY
 NORTH CAROLINA

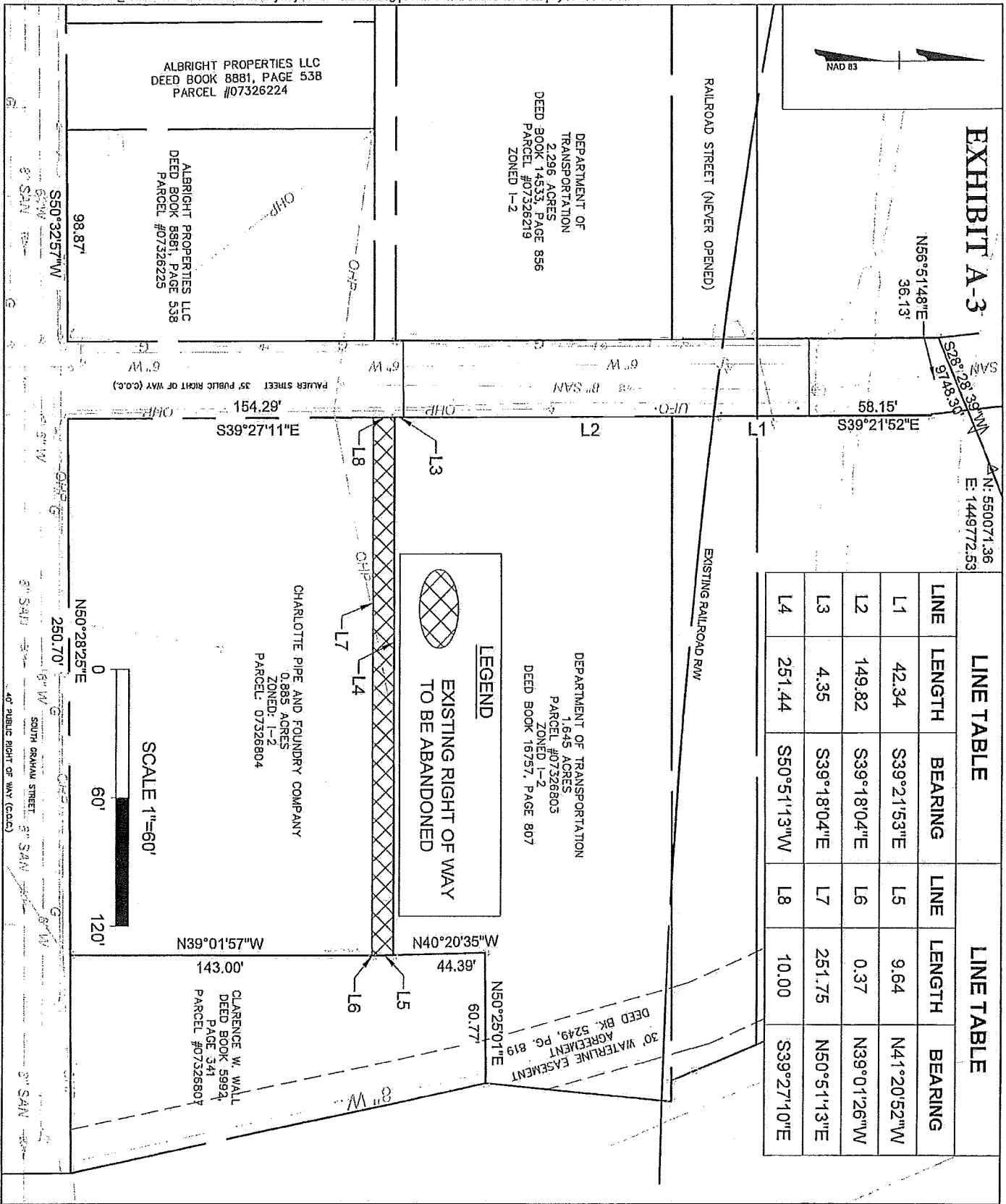
- PREPARED FOR -
 NORTH CAROLINA DEPARTMENT
 OF TRANSPORTATION

NCDOT PROJECT P-2918F

50089322
 JOB NO. SCALE 1"=50'
 02/24/16
 DATE M. DENNIS
 PREPARED BY
 50089326-PENMAN.DWG
 FILE NAME



R:\104137464-Charlotte_LRMFDWGS\Sheet\Exhibit\Valleyway Abandonment.dwg | Plotted on 4/4/2016 9:55 AM | by Robbia White



| LINE TABLE | | | | LINE TABLE | | | |
|------------|--------|-------------|------|------------|-------------|--|--|
| LINE | LENGTH | BEARING | LINE | LENGTH | BEARING | | |
| L1 | 42.34 | S39°21'53"E | L5 | 9.64 | N41°20'52"W | | |
| L2 | 149.82 | S39°18'04"E | L6 | 0.37 | N39°01'26"W | | |
| L3 | 4.35 | S39°18'04"E | L7 | 251.75 | N50°5'13"E | | |
| L4 | 251.44 | S50°51'13"W | L8 | 10.00 | S39°27'10"E | | |



YOUR VISION ACHIEVED THROUGH OURS.

THIS DRAWING PREPARED AT THE
 CHARLOTTE OFFICE
 2012 S. Incon Street, Suite 200, Charlotte, NC 28203
 TEL 704.376.1019 FAX 704.376.1076 www.timmons.com

LOCOMOTIVE & RAILCAR MAINT. FACILITY
 HECKLEBURG COUNTY - CHARLOTTE, NORTH CAROLINA
ALLEY ABANDONMENT

These plans and associated documents are the exclusive property of TIMMONS GROUP and may not be reproduced in whole or in part and shall not be used for any purpose whatsoever, inclusive, but not limited to construction, bidding, and/or construction staking without the express written consent of TIMMONS GROUP.

EXHIBIT B-3

ROAD ABANDONMENT LEGAL DESCRIPTION

Situated, lying and being all that certain piece or parcel of land located in the City of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows; beginning at a found rod located at the northeast corner of the intersection of South Graham Street and Palmer Street; thence along the eastern right of way line of Palmer Street North 39 degrees 27 minutes 11 seconds West a distance of 154.29 feet to a point, said point lying at the intersection of the eastern right of way line of Palmer Street and an existing 10 foot wide alleyway and being the POINT OF BEGINNING; thence along said alleyway the following courses:

- * North 39 degrees 27 minutes 10 seconds West a distance of 10.00 feet to a found rod,
- * North 50 degrees 51 minutes 13 seconds East a distance of 251.54 feet to a found rod,
- * South 41 degrees 20 minutes 52 seconds East a distance of 9.64 feet to a point,
- * South 39 degrees 01 minutes 26 seconds West a distance of 0.37 feet to a found rod,
- * South 50 degrees 51 minutes 13 seconds West a distance of 251.75 feet to a point,

Said point being the POINT OF BEGINNING and containing 2,516.02 square feet or 0.058 acres of land more or less.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE APPROVING AND AUTHORIZING THE DIRECTOR OF CHARLOTTE WATER TO EXECUTE A MODIFICATION OF AGREEMENTS FOR TREATMENT OF WASTEWATER BY AND BETWEEN THE CITY OF CHARLOTTE AND LANCASTER COUNTY WATER AND SEWER DISTRICT FOR THE SPECIFIC PURPOSE OF INCREASING THE QUANTITY OF WASTEWATER SERVICES PROVIDED BY THE CITY.

WHEREAS, in 1998 Charlotte City Council approved an Agreement for Treatment of Wastewater between the City of Charlotte (the "City") and Lancaster County Water and Sewer District (the "District"), and a subsequent amendment thereto, (collectively referred to as the "Agreements") under which the City provided and District purchased a specified quantity of wastewater services within a designated treatment area;

WHEREAS, terms of the said agreements provided that District could request an increase in the quantity of wastewater services purchased from City.

WHEREAS, District has requested an increase in the quantity of wastewater services to be purchased from City and it has been determined that Charlotte Water has the ability to provide increased wastewater services to District under the existing capacity at the Clem Branch Pump Station located near the treatment area and with future improvements planned for the Pump Station.

WHEREAS, the City and District desire to enter into a Modification of Agreements for Treatment of Wastewater in the form attached to this Resolution setting out their respective rights and responsibilities in connection with the provision and purchase of increased wastewater services.

NOW, THEREFORE, be it resolved by the City Council of the City of Charlotte, in regular session duly assembled that the attached Modification of Agreements for Treatment of Wastewater between the City of Charlotte and Lancaster County Water and Sewer District is hereby approved and ratified and the Director of Charlotte Water is authorized to execute same.

Approved as to form:



City Attorney

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 9th day of January, 2017 the reference having been made in Minute Book 142 and recorded in full in Resolution Book 47, Page(s) 791-792.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of January, 2017.



Emily A. Kunze, Deputy City Clerk



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE APPROVING AND AUTHORIZING THE DIRECTOR OF CHARLOTTE WATER TO EXECUTE A MODIFICATION TO AGREEMENTS FOR SALE OF WATER BY AND BETWEEN THE CITY OF CHARLOTTE AND LANCASTER COUNTY WATER AND SEWER DISTRICT FOR THE SPECIFIC PURPOSE OF INCREASING THE QUANTITY OF TREATED WATER PROVIDED BY THE CITY.

WHEREAS, in 1998 Charlotte City Council approved a Water Sale Agreement between the City of Charlotte (the "City") and Lancaster County Water and Sewer District (the "District" or "LCW&SD") under which the City furnished and District purchased a specified quantity of treated water from the City's water supply distribution system.

WHEREAS, in 2006 Charlotte City Council approved an Agreement for Charlotte to Sell Water to LCW&SD at Dorman Road under which City furnished and District purchased a specified quantity of treated water through a meter located at the State line between Lancaster and Mecklenburg Counties.

WHEREAS, District has requested an increase in the quantity of treated water to be purchased from the City and it has been determined that Charlotte Water has the ability to furnish the increased treated water to District.

WHEREAS, the City and District desire to enter into a Modification to Agreements for Sale of Water in the form attached to this Resolution setting out their respective rights and responsibilities in connection with the provision and purchase of an increased quantity of treated water.

NOW, THEREFORE, be it resolved by the City Council of the City of Charlotte, in regular session duly assembled that the attached Modification to Agreements for Sale of Water between the City of Charlotte and Lancaster County Water and Sewer District is hereby approved and ratified and the Director of Charlotte Water is authorized to execute same.

Approved as to form:

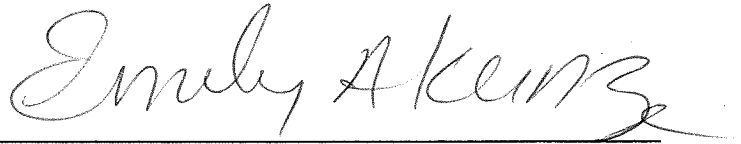


City Attorney

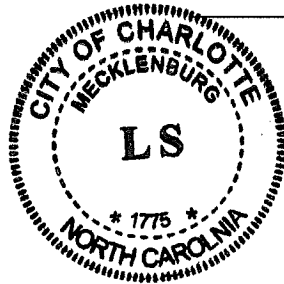
CERTIFICATION

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 9th day of January, 2017 the reference having been made in Minute Book 142 and recorded in full in Resolution Book 47, Page(s) 793-794.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of January, 2017.



Emily A. Kunze, Deputy City Clerk



RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE a portion of Auten Avenue in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **JDSI, LLC** has filed a petition to close a portion of Auten Avenue in the City of Charlotte; and

Whereas, a portion of Auten Avenue is a 60-foot wide right-of-way that begins approximately 1,000 feet southwest from its intersecting point with Statesville Road, continuing 200 +/- feet to its terminus at a property currently or formerly owned by Prologics North Carolina, LP C/O Deloitte and Touche, LLP (DB 07724, PG 035), and consists of 0.2429 Acres, as shown in the maps marked "Exhibit A" and is more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

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 its 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.

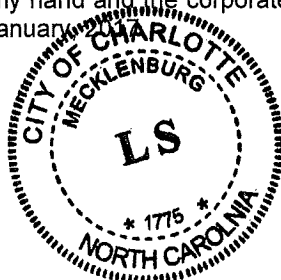
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of January 9, 2017, that it intends to close a portion of Auten Avenue and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 13th day of February 2017, in CMGC meeting chamber, 600 East 4th 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, 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 9th day of January, 2017 the reference having been made in Minute Book 142 and recorded in full in Resolution Book 47, Page(s) 795-797.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of January,



Emily A. Kunze, Deputy City Clerk

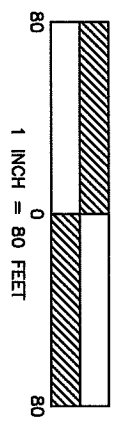
MAP SHOWING

AUTEN AVENUE ABANDONMENT & RECOMBINATION

CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.

MAP PREPARED FOR: JDSI, LLC

DATE OF SURVEY: NOVEMBER 16, 2016



TAX NO: 041-031-01
PROLOGIS-NORTH CAROLINA, LP
DB 7724-35

- LEGEND:**
- NGCS - NORTH CAROLINA GEODETIC SURVEY
 - DB - DEED BOOK
 - R/W - RIGHT OF WAY
 - SSMH - SANITARY SEWER MANHOLE
 - SS - SANITARY SEWER
 - EX. - EXISTING

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

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

REVIEW OFFICER _____ DATE _____

NOTES:

1. THE PURPOSE OF THIS MAP IS TO ABANDON AUTEN AVENUE AND RECOMBINE THE PROPERTY AS SHOWN.
2. EASEMENT IN FAVOR OF CHARLOTTE-MECKLENBURG UTILITIES, AT&T, AND DUKE ENERGY OVER, UPON, AND UNDER THE SPECIFIED 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, CABLES, CONDUIT, AND RELATED EQUIPMENT.
3. POINTS NOT LABELED WITH MONUMENTATION ARE CALCULATED POINTS.
4. THE PARCEL AREAS SHOWN DO NOT INCLUDE THE ABANDONED R/W AREA.

EX. 3/4" IRON PIPE AT SURFACE

TAX NO: 041-042-02
JDSI, LLC
DB 30340-419

S47°58'13"E 219.02

EX. 1.25" IRON PIPE 7" ABOVE SURFACE

TAX NO: 041-042-23
JDSI, LLC
DB 29922-332

S48°12'37"E 160.35

EX. 3/4" IRON PIPE 3.5' ABOVE SURFACE

TAX NO: 041-042-24
JDSI, LLC
DB 29922-332
1.3403 ACRES

S46°07'29"E 216.70

TAX NO: 041-042-44
JDSI, LLC
DB 29914-464
0.5521 ACRES

S30°52'20"W 100.00

TAX NO: 041-031-01
PROLOGIS-NORTH CAROLINA, LP
DB 7724-35

NGCS THE 1616-14-09"E
1423.67 GROUND DISTANCE
1423.44

TAX NO: 041-042-44
JDSI, LLC
DB 29914-464
0.5521 ACRES

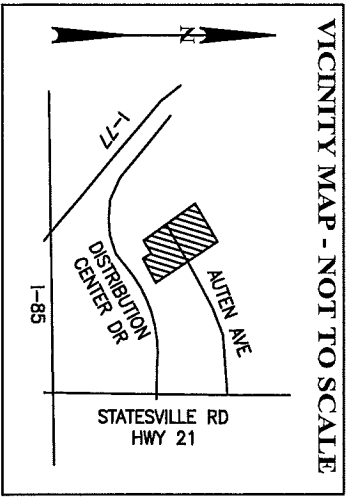
S46°07'29"W 276.92

January 9, 2017
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EXISTING 60' R/W TO BE ABANDONED
(TOTAL AREA ABANDONED: 0.2429 ACRES)

AUTEN AVENUE

60' PUBLIC R/W, MB 8-149



VICINITY MAP - NOT TO SCALE

NGCS MONUMENT "LAYTON"
N.C. GRID COORDINATES
N: 599,165.07 USFT-NAD 83(2011)
E: 1,451,778.26 USFT-NAD 83(2011)

THE COMBINED GRID FACTOR FOR THE SITE IS 0.99984116

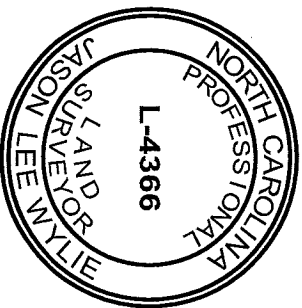


EXHIBIT B

LEGAL DESCRIPTION AUTEN AVENUE ABANDONMENT 0.2429 ACRES

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

BEGINNING at an existing #4 rebar located on the northeast property line of the Prologis-North Carolina, LP property as described in Deed Book 7724, Page 35; said rebar also marking the southernmost point of the existing right-of-way of Auten Avenue; thence with the Prologis-North Carolina, LP property and the existing southwest terminus of Auten Avenue North 45-00-57 West 63.87 feet to a point marking the southernmost corner of the JDSI, LLC property as described in Deed Book 29922, Page 332 (tax parcel 041-042-01); thence with the JDSI, LLC property and the following the existing northwest margin of Auten Avenue North 65-02-18 East 185.47 feet to a point marking the new terminus of Auten Avenue; thence with the new terminus following the arc of a circular curve to the left having a radius of 41.00 feet an arc length of 84.16 feet (chord South 56-09-28 East 70.14 feet) to a point lying on the southeast margin of Auten Avenue in the JDSI, LLC property as described in Deed Book 29922, Page 332 (tax parcel 041-042-24); thence with the JDSI, LLC property South 65-02-18 West 95.42 feet to a point lying on the southeast margin of Auten Avenue in the JDSI, LLC property as described in Deed Book 29914, Page 464; thence with the JDSI, LLC property South 65-02-18 West 104.48 feet to the Point or Place of **BEGINNING**; containing 0.2429 acres of land.

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:

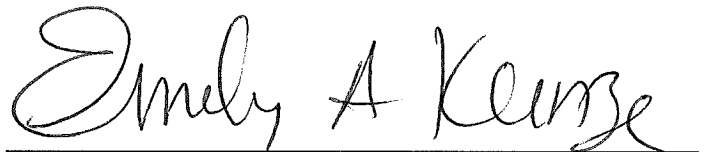
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time 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 9th day of January 2017 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.

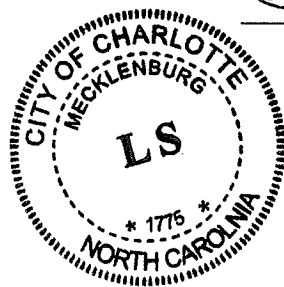
CERTIFICATION

I, 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 9th day of January, 2017 the reference having been made in Minute Book 142 and recorded in full in Resolution Book 47, Page(s) 798-800.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of January, 2017.



Emily A. Kunze, Deputy City Clerk



Taxpayers and Refunds Requested

| | | |
|---|----|-----------|
| ALDRICH, ANDREW C | \$ | 65.26 |
| ALDRICH, ANDREW C | \$ | 85.04 |
| BOATWRIGHT, KELLY & CAROLINA | \$ | 134.64 |
| BOATWRIGHT, KELLY & CAROLINA | \$ | 154.50 |
| CAROLINA WATERPROOFING INC | \$ | 43.22 |
| CAROLINA WATERPROOFING INC | \$ | 52.20 |
| CHESHIRE CHASE APARTMENTS | \$ | 31.15 |
| CLINE, BEN LEWIS & BETTY W | \$ | 293.68 |
| DAUGHTRY, CHRISTOPHER ADAM & DEANNA KAREN | \$ | 618.97 |
| DENNARD, THOMAS S & MARY JO | \$ | 85.22 |
| DENNARD, THOMAS S & MARY JO | \$ | 102.55 |
| DEVECCHI, ALESSANDRA | \$ | 70.78 |
| HAMER, ROBERT F | \$ | 65.26 |
| HAMER, ROBERT F | \$ | 85.04 |
| INDECOMM GLOBAL SERVICES | \$ | 63.42 |
| INDECOMM GLOBAL SERVICES | \$ | 70.77 |
| INDECOMM GLOBAL SERVICES | \$ | 103.52 |
| INDECOMM GLOBAL SERVICES | \$ | 110.76 |
| JACKSON, SPENCER SCOTT | \$ | 9.72 |
| LONG, CHARLES W JR & SANDRA W | \$ | 248.89 |
| LONG, CHARLES W JR & SANDRA W | \$ | 248.89 |
| MANER, JEFFREY PAUL | \$ | 22.50 |
| MURPHY, CALVIN | \$ | 133.41 |
| MURPHY, CALVIN | \$ | 137.84 |
| MURPHY, CALVIN | \$ | 149.65 |
| MURPHY, CALVIN | \$ | 154.95 |
| MYERS, STEPHEN EARLE | \$ | 190.91 |
| NORMAN GENE ROACH | \$ | 14.32 |
| PHILLIPS, MICHAEL D | \$ | 9.69 |
| POWER DISTRIBUTORS LLC | \$ | 135.51 |
| RED CLASSIC TRANSIT LLC | \$ | 3,016.21 |
| RED CLASSIC TRANSIT LLC | \$ | 6,769.62 |
| RED CLASSIC TRANSIT LLC | \$ | 10,194.64 |
| RED CLASSIC TRANSIT LLC | \$ | 44,210.78 |
| SEALAND CONTRACTORS CORP | \$ | 1,577.09 |
| SECHREST, HARRY R & WANDA C | \$ | 25.00 |
| SECHREST, HARRY R & WANDA C | \$ | 47.00 |
| SEVERSVILLE APARTMENTS | \$ | 14.97 |
| SHIELDS, WALLACE H & DEBORAH B | \$ | 365.44 |
| SMITH, MICHAEL P | \$ | 29.29 |
| STONE, JOSEPH B | \$ | 65.26 |
| STONE, JOSEPH B | \$ | 85.04 |
| WARTERS, RITA | \$ | 158.25 |

January 9, 2017
Resolution Book 47, Page 800

| | | |
|---------------------|----|------------------|
| WARTERS, RITA | \$ | 167.86 |
| WARTERS, RITA | \$ | 169.73 |
| WARTERS, RITA | \$ | 169.73 |
| WINDSWEPT FARMS LLC | \$ | 48.18 |
| WOODBURY, TONIA M | \$ | 254.62 |
| | \$ | <u>71,060.97</u> |

**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:

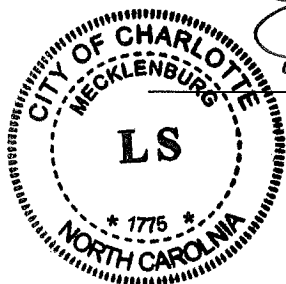
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time 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 9th day of January 2017 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, 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 9th day of January, 2017 the reference having been made in Minute Book 142 and recorded in full in Resolution Book 47, Page(s) 801-802.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of January, 2017.



A handwritten signature in black ink that reads "Emily A. Kunze". The signature is written in a cursive style and is positioned above a horizontal line.

Emily A. Kunze, Deputy City Clerk

Business Privilege License Tax Refund Requests

| | |
|--|------------------|
| CHUCK E CHEESE - CEC ENTERTAINMENT INC | \$ 640.00 |
| 7 ELEVEN STORE 35555H - 7 ELEVEN INC | \$ 37.50 |
| 7 ELEVEN STORE 35578H - 7 ELEVEN INC | \$ 1.50 |
| 7 ELEVEN STORE 35591H - 7 ELEVEN INC | \$ 7.50 |
| 7 ELEVEN STORE 35587H - 7 ELEVEN INC | \$ 7.50 |
| 7 ELEVEN STORE 35573H - 7 ELEVEN INC | \$ 7.50 |
| 7 ELEVEN STORE 35555H - 7 ELEVEN INC | \$ 9.00 |
| 7 ELEVEN STORE 35554H - 7 ELEVEN INC | \$ 12.00 |
| 7 ELEVEN STORE 35563H - 7 ELEVEN INC | \$ 13.50 |
| 7 ELEVEN STORE 35543H - 7 ELEVEN INC | \$ 16.50 |
| 7 ELEVEN STORE 35566H - 7 ELEVEN INC | \$ 19.50 |
| 7 ELEVEN STORE 35560H - 7 ELEVEN INC | \$ 19.50 |
| 7 ELEVEN STORE 35559H - 7 ELEVEN INC | \$ 21.00 |
| 7 ELEVEN STORE 35571H - 7 ELEVEN INC | \$ 21.00 |
| 7 ELEVEN STORE 37007H - 7 ELEVEN INC | \$ 24.00 |
| 7 ELEVEN STORE 37107H - 7ELEVEN INC | \$ 24.00 |
| 7 ELEVEN STORE 30348H - 7 ELEVEN INC | \$ 27.00 |
| 7 ELEVEN STORE 35577J - 7 ELEVEN INC | \$ 58.50 |
| 7 ELEVEN STORE 37282H - 7 ELEVEN INC | \$ 13.50 |
| | <u>\$ 980.50</u> |

RESOLUTION AUTHORIZING THE LEASE OF 720 SQUARE FEET OF
PROPERTY AT 101 SOUTH TRYON STREET TO EDDIE V'S HOLDINGS, LLC

WHEREAS, the City of Charlotte owns property more particularly identified as tax parcel number 125-012-01 at the corner of South Tryon Street and East Trade Street in Charlotte and being the site of Independence Square Plaza (the "Property"); and

WHEREAS, the Property contains approximately 0.129 acres, and a portion of approximately 720 square feet on the Property's northeast border (the "Premises") has been leased to Eddie V's Holdings, LLC, a Florida Limited Liability Company since 2016; and

WHEREAS, North Carolina General Statute §160A-272 and Charlotte City Charter §8.131 give the City the right and option to lease the Premises for its own benefit upon such market terms and conditions as it determines; and

WHEREAS, the proposed lease would be for a five year term with four additional five-year options, to extend through January 9, 2042, at a rental rate of \$8,460 per year with two percent annual rental rate increases; and

WHEREAS, the required notice has been published and Council is convened in a regular meeting;

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to §8.131 of the City of Charlotte Charter, that it hereby authorizes the lease of the above referenced Premises as follows:

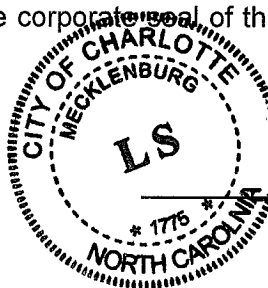
The City Council hereby approves the lease of the city property described above to Eddie V's Holdings, LLC upon the terms and conditions set forth herein, and authorizes the City Manager or his Designee to execute all instruments necessary to the lease.

THIS THE 9th DAY OF JANUARY, 2017.

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 9th day of January, 2017 the reference having been made in Minute Book 142 and recorded in full in Resolution Book 47, Page(s) 803.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of January, 2017.




Emily A. Kunze, Deputy 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 **ARROWOOD/NATIONS FORD ROAD INTERSECTION IMPROVEMENTS 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 **ARROWOOD/NATIONS FORD ROAD INTERSECTION IMPROVEMENTS PROJECT** and estimated to be **1,725 square feet (.04 acre) of sidewalk/utility easement; 2,507 square feet (.058 acre) of temporary construction easement, and 1,052 square feet (.024 acre) of utility easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 203-189-09, said property currently owned by **SHREEJI GROUP LLC; JSS HOLDINGS LLC; DEV MOHAN LLC, and MARUTI CONSTRUCTION CO. LLC; CVS NATIONS FORD CHARLOTTE, INC.**, Lessee, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

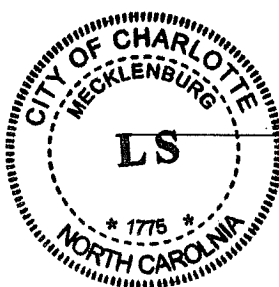
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 9th day of January, 2017 the reference having been made in Minute Book 142 and recorded in full in Resolution Book 47, Page(s) 804.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of January, 2017.



Emily A. Kunze

Emily A. Kunze, Deputy 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 **PROVIDENCE ROAD SIDEWALK PROJECT**;

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 **PROVIDENCE ROAD SIDEWALK PROJECT** and estimated to be **5,879 square feet (.136 acre) of fee-simple area within existing right-of-way; 1,537 square feet (.035 acre) of sidewalk/utility easement; 5,542 square feet (.127 acre) of temporary construction easement, and 27 square feet (.001 acre) of utility easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 187-061-35, said property currently owned by **JOSEPH R. ROTUNDA and wife, CHRISTINE S. ROTUNDA; DITECH FINANCIAL, LLC, Lender; MORTGAGE ELECTRONIC REGISTRATION SYSTEM, Nominee/Beneficiary; SUNTRUST BANK, Beneficiary; WARREN L. TADLOCK, Bankruptcy Trustee for United States Bankruptcy Court, Western District of North Carolina, or the owners' successor-in-interest.**

ESTIMATED JUST COMPENSATION:

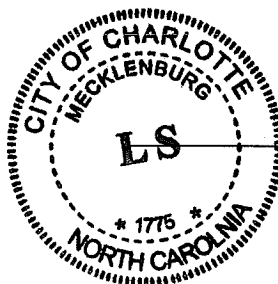
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 9th day of January, 2017 the reference having been made in Minute Book 142 and recorded in full in Resolution Book 47, Page(s) 805.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of January, 2017.



A handwritten signature in cursive script that reads "Emily A. Kunze".

Emily A. Kunze, Deputy 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 **PROVIDENCE ROAD SIDEWALK PROJECT**;

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 **PROVIDENCE ROAD SIDEWALK PROJECT** and estimated to be **14,094 square feet (.324 acre) of fee-simple within existing right-of-way; 7,365 square feet (.169 acre) of sidewalk/utility easement; 12,852 square feet (.295 acre) of temporary construction easement, and 16 square feet of utility easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 187-062-01, said property currently owned by **TRUSTEES OF THE CHURCH OF CHRIST ON THE PLAZA; CHURCH DEVELOPMENT FUND, INC., Beneficiary**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

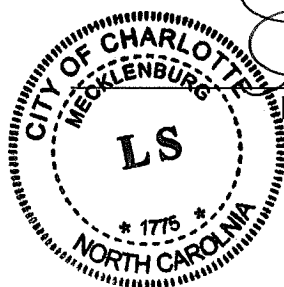
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 9th day of January, 2017 the reference having been made in Minute Book 142 and recorded in full in Resolution Book 47, Page(s) 806.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of January, 2017.



Emily A. Kunze

Emily A. Kunze, Deputy 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 **PROVIDENCE ROAD SIDEWALK PROJECT**;

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 **PROVIDENCE ROAD SIDEWALK PROJECT** and estimated to be **4,270 square feet (.098 acre) of fee-simple area within existing right-of-way; 2,174 square feet (.05 acre) of sidewalk/utility easement; 3,510 square feet (.081 acre) of temporary construction easement, and 43 square feet (.001 acre) of utility easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 187-123-23, said property currently owned by **PROVIDENCE ROAD CHURCH OF CHRIST; CHURCH DEVELOPMENT FUND, INC.**, 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 9th day of January, 2017 the reference having been made in Minute Book 142 and recorded in full in Resolution Book 47, Page(s) 807.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of January, 2017.



Emily A. Kunze, Deputy 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 **PROVIDENCE ROAD SIDEWALK PROJECT**;

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 **PROVIDENCE ROAD SIDEWALK PROJECT** and estimated to be **6,009 square feet (.138 acre) of fee-simple area within existing right-of-way; 3,124 square feet (.072 acre) of sidewalk/utility easement, and 6,544 square feet (.15 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.: 187-123-22, said property currently owned by **MARIAM A. GHAZI and spouse, if any; COUNTRYWIDE HOME LOANS, INC., Lender; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS (MERS), Nominal Beneficiary**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

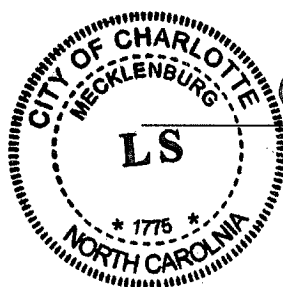
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 9th day of January, 2017 the reference having been made in Minute Book 142 and recorded in full in Resolution Book 47, Page(s) 808.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of January, 2017.



Emily A. Kunze
Emily A. Kunze, Deputy 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 **PROVIDENCE ROAD SIDEWALK PROJECT**;

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 **PROVIDENCE ROAD SIDEWALK PROJECT** and estimated to be **2,055 square feet (.047 acre) of sidewalk/utility easement and 3,114 square feet (.071 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.: 187-123-20, said property currently owned by **WILLIAM T. SELLERS, IV and wife, SYLVIA DIANN SELLERS; SUN WEST MORTGAGE COMPANY, INC., Lender; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, Nominal Beneficiary**, or the owner's successor-in-interest.

ESTIMATED JUST COMPENSATION:

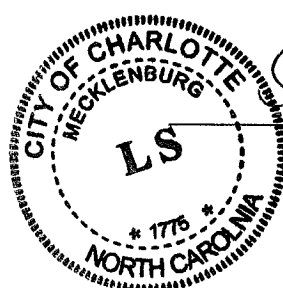
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 9th day of January, 2017 the reference having been made in Minute Book 142 and recorded in full in Resolution Book 47, Page(s) 809.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of January, 2017.



Emily A. Kunze

Emily A. Kunze, Deputy 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 **PROVIDENCE ROAD SIDEWALK PROJECT**;

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 **PROVIDENCE ROAD SIDEWALK PROJECT** and estimated to be **2,100 square feet (.048 acre) of sidewalk/utility easement and 3,331 square feet (.076 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.: 187-123-19, said property currently owned by **2014-2 IH BORROWER L. P.; GERMAN AMERICAN CAPITAL CORPORATION, Beneficiary**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

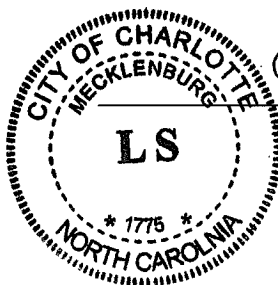
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 9th day of January, 2017 the reference having been made in Minute Book 142 and recorded in full in Resolution Book 47, Page(s) 810.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of January, 2017.



Emily A. Kunze

Emily A. Kunze, Deputy 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 **PROVIDENCE ROAD SIDEWALK PROJECT**;

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 **PROVIDENCE ROAD SIDEWALK PROJECT** and estimated to be **2,249 square feet (.052 acre) of sidewalk/utility easement and 3,093 square feet (.071 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.: 187-123-18, said property currently owned by **PAUL R. HOLMES and wife, JANET S. HOLMES; FIRST-CITIZENS BANK & TRUST COMPANY, Beneficiary**, 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.

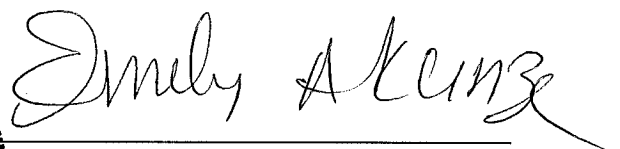
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 9th day of January, 2017 the reference having been made in Minute Book 142 and recorded in full in Resolution Book 47, Page(s) 811.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 9th day of January, 2017.




Emily A. Kunze, Deputy City Clerk