

May 22, 2017

Resolution Book 48, Page 240

RESOLUTION CLOSING A PORTION OF BOOKER AVENUE IN THE CITY OF CHARLOTTE,  
MECKLENBURG COUNTY, NORTH CAROLINA

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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 Booker Avenue, 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 Booker Avenue 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

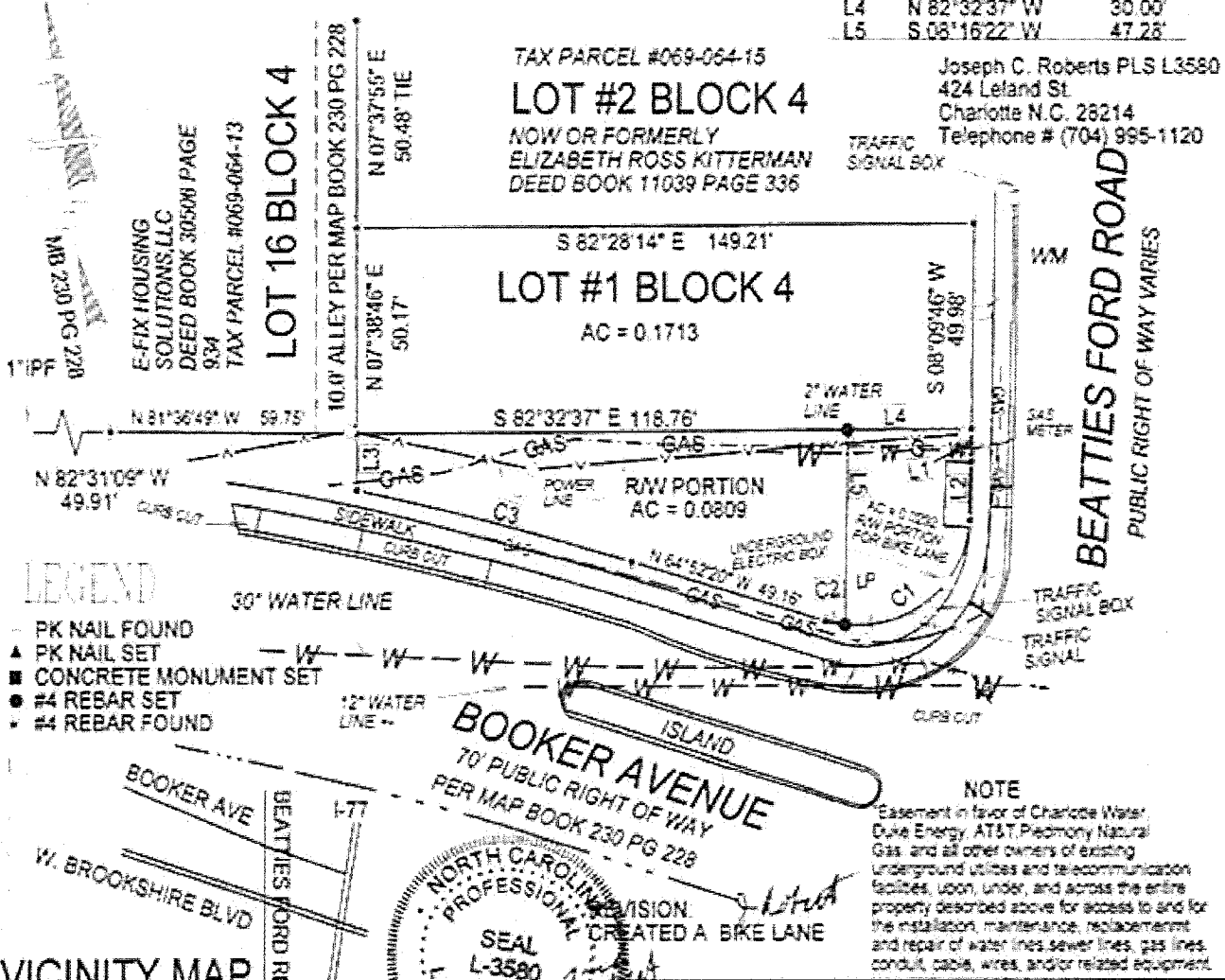
WHEREAS, the public hearing was held on the 22<sup>nd</sup> day of May, 2017, and City Council determined that the closing of a portion of Booker Avenue is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable 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 22, 2017; that the Council hereby orders the closing of a portion of Booker Avenue 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.

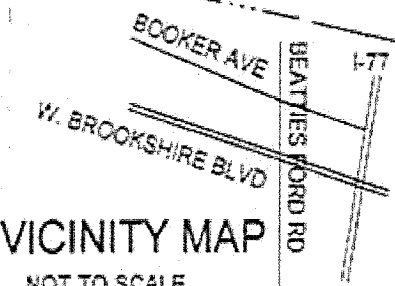
Exhibit  
"A"

CURVE TABLE					LINE TABLE		
Id	Radius	Arc Length	Chord	Ch Bear	Id	Bearing	Distance
C1	26.68'	44.16'	39.29'	N 57°35'36" E	L1	S 07°54'00" W	7.96'
C2	26.68'	4.74'	4.74'	N 72°15'38" W	L2	S 09°10'12" W	14.17'
C3	760.65'	68.94'	68.92'	N 67°28'51" W	L3	N 07°20'53" E	13.59'
					L4	N 82°32'37" W	30.00'
					L5	S 08°16'22" W	47.28'



**LEGEND**

- PK NAIL FOUND
- ▲ PK NAIL SET
- CONCRETE MONUMENT SET
- #4 REBAR SET
- #4 REBAR FOUND

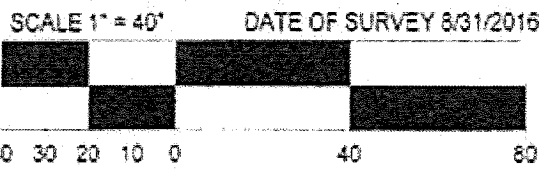


**NOTE**  
Easement in favor of Charlotte Water, Duke Energy, AT&T, Piedmont Natural Gas, and all other owners of existing underground utilities and telecommunication facilities, upon, under, and across the entire property described above for access to and for the installation, maintenance, replacement and repair of water lines, sewer lines, gas lines, conduit, cables, wires, and/or related equipment.

**A PHYSICAL SURVEY & ABANDONED RW ACQUISITION**

OF  
LOT 1, BLOCK 4, WASHINGTON HEIGHTS  
MAP BOOK 230, PAGE 228  
AND  
A PORTION OF BOOKER AVENUE RIGHT OF WAY

OWNER: CGE VENTURE GROUP, LLC  
DEED BOOK 31052 PAGES, 289,291  
LOCATION: CITY OF CHARLOTTE,  
MECKLENBURG COUNTY N.C.



NOTE: AREA BY COMPUTER  
NOTE: SURVEY IS AN EXCEPTION TO CITY OF CHARLOTTE SUBDIVISION ORDINANCE

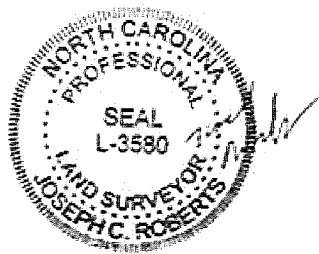
I, Joseph C. Roberts, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 31052 page 289, ect) (other), that the boundaries not surveyed are clearly indicated as drawn from information found in Book \_\_\_\_\_ page \_\_\_\_\_ of other reference source, DB 3028, Pg. 73, that the ratio of precision or positional accuracy is 1: 10,000, and that this map meets the requirements of the Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600.)

This 20th day of March 2017 Seal  
*Joseph C. Roberts*  
Professional Land Surveyor L-3590

Exhibit "D"

Meets and Bounds Description for  
Right of way abandonment for a  
Portion of Booker avenue

Commencing at the 4RBF, said point being the POINT OF BEGINNING  
; thence N.W.64°52'20" , a distance of 49.16' to a #4 rebar found the point of curvature of a  
non-tangent curve, concave to the left, having a radius of 760.66' a central angle of 05°11'35" ,  
and a chord distance of 68.92' and a bearing NW.67°28'51" to a #4 rebar found; then thence  
N.E.07°20'58" , a distance of 13.59' to a #4 rebar found; thence S.E.82°32'37" , a distance of  
148.76' to a #4 rebar found; thence S.W.07°54'00" , a distance of 7.96' to a #4 rebar found; thence  
S.W.09°10'12" , a distance of 14.17' to a #4 rebar found the point of curvature of a non-tangent  
curve, concave to the right having a radius of 26.68' , a central angle of 105°32'28" , and a chord  
distance of 42.49' and a bearing SW.62°33'56" to a #4 rebar found the POINT OF BEGINNING;  
said described tract containing 0.11 Acres, more or less. Excepting from the forgoing meets and  
bounds description, a new right of way for a bike lane thus described as beginning at an existing  
#4 rebar in the western right of way of Beatties Ford Road also being the southeast corner of Lot  
1 Block 4 Washington heights map book 230 page 228, thence with a new line having a bearing  
of NW 82d 32' 37" and a distance of 30.00' to a new iron pin, thence with a new line having a  
bearing of SW 8d 16' 22" and a distance of 47.28' to a new iron pin marking the right of way of  
booker avenue, thence with a curve concave to the left having a radius of 26.68' and a arc length  
of 44.16, also having a chord bearing of NE 57d 39' 38" and a chord distance of 39.39' to an  
existing #4 rebar in the western right of way of Beatties Ford Road, thence with said right of way  
of Beatties Ford road the following two courses and distances, (1) NE 9d 10' 12" 14.17' to an  
existing iron pin, (2) NE 7d 54' 00" 7.96' to an existing rebar being the point of beginning, of said  
described bike lane containing 0.0292 acres more or less .

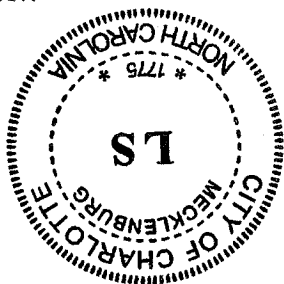


*Joseph C. Roberts*  
Signature PLS

**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 22<sup>nd</sup> day of May, 2017, the  
reference having been made in Minute Book 143, and recorded in full in Resolution Book 48, Page(s)  
240-242.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22<sup>nd</sup> day  
of May, 2017.



*Emily A. Kunze*

Emily A. Kunze, Deputy City Clerk

May 22, 2017

Resolution Book 48, Page 243

RESOLUTION CLOSING A PORTION OF AN ALLEYWAY OFF OF KEETER DRIVE IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

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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 an alleyway off of Keeter 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 an alleyway off of Keeter 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 public hearing was held on the 22<sup>nd</sup> day of May, 2017, and City Council determined that the closing of a portion of an alleyway off of Keeter 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.

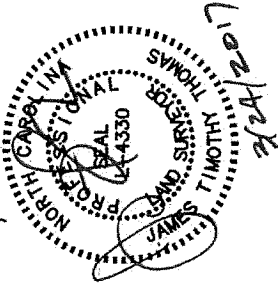
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of May 22, 2017, that the Council hereby orders the closing of a portion of an alleyway off of Keeter Drive in the City of Charlotte Mecklenburg County, North Carolina as shown 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.

**SURVEYOR CERTIFICATION**

THIS MAP WAS PREPARED FROM AN ACTUAL FIELD SURVEY PERFORMED FOR THE PURPOSE OF EASEMENT ACQUISITION ONLY, AND IS NOT TO BE CONSTRUED AS A BOUNDARY SURVEY OF THE PROPERTY SHOWN

*[Signature]*  
JAMES TIMOTHY THOMAS, PLS L-4330



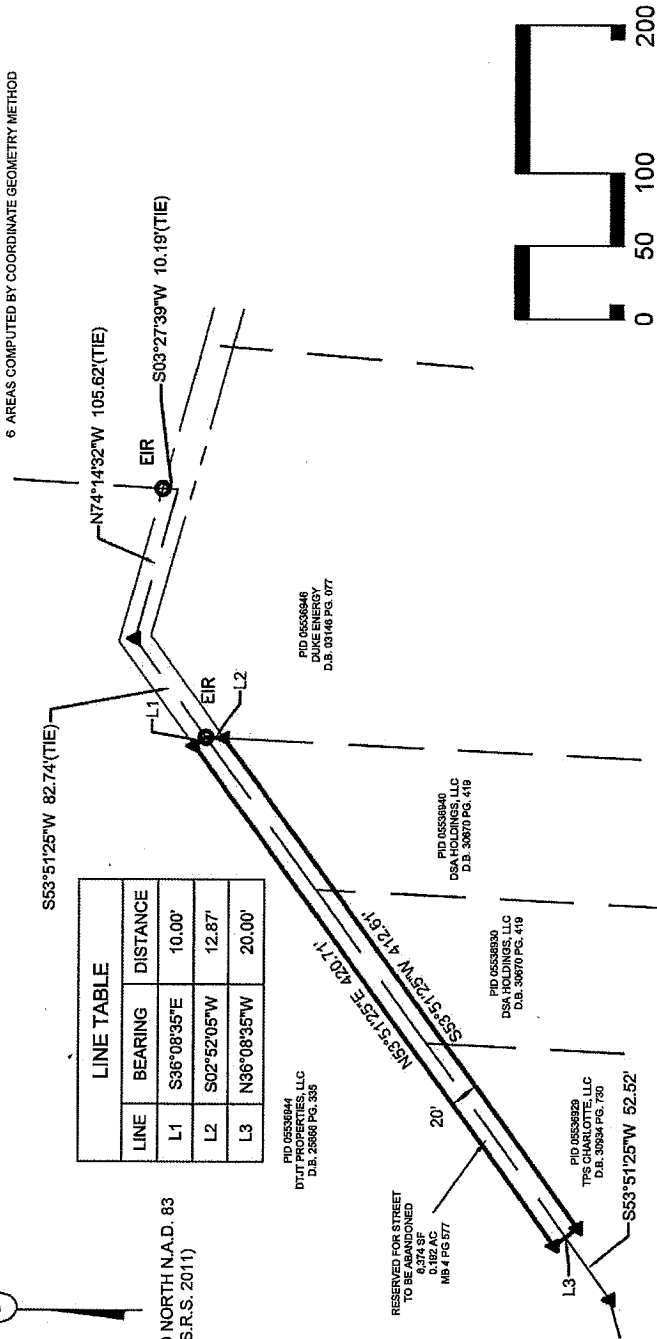
**GENERAL NOTES**

- TAX PARCEL NUMBERS: 05536944, 05536929, 05536930 & 05536940
- THIS PLAT DOES NOT COMPLY WITH GS-47.30
- ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED
- THIS MAP WAS PREPARED FROM AN ACTUAL FIELD SURVEY PERFORMED BY STEWART FOR THE PURPOSES OF EASEMENT ACQUISITION ONLY, AND IS NOT TO BE CONSTRUED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN
- ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES AND ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED
- AREAS COMPUTED BY COORDINATE GEOMETRY METHOD

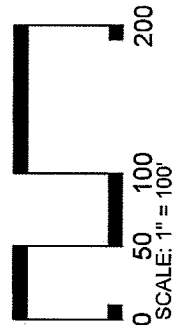
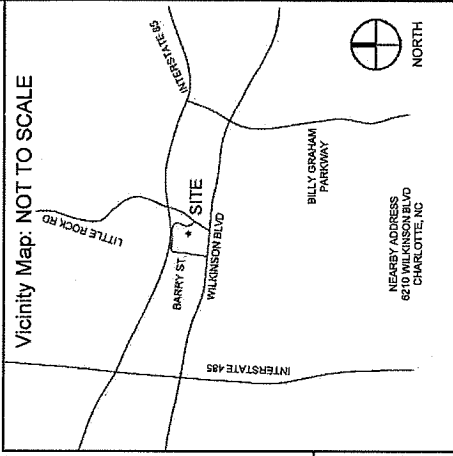
**LEGEND**


- EXISTING IRON ROD
- ▲ COMPUTED POINT
- BOUNDARY
- BOUNDARY (NOT SURVEYED)
- TIE LINE
- R/W LINE

LINE	BEARING	DISTANCE
L1	S36°08'35"E	10.00'
L2	S02°52'05"W	12.87'
L3	N36°08'35"W	20.00'



N.C. GRID NORTH N.A.D. 83  
(N.S.R.S. 2011)





**STEWART**

**EXHIBIT MAP:**  
20' RESERVED FOR STREET TO BE ABANDONED MB 4 PG 577

CITY OF CHARLOTTE,  
MECKLENBURG COUNTY, NC

Project No:	X15066	Ref No:	
Scale:	1" = 100'	Date:	03/22/17
Drawn By:	SAT	Drawing No:	X15066-EXHIBITRW/DWG
Checked By:	JTT		

**SURVEY BY:**  
STEWART ENGINEERING  
101 NORTH TRYON STREET  
SUITE 1400  
CHARLOTTE, NC 28202  
T 704-909-3636  
FIRM LICENSE # C-1051

May 22, 2017

Resolution Book 48, Page 245

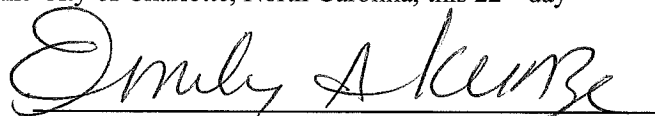
**LEGAL DESCRIPTION**

BEGINNING AT AN EXISTING IRON ROD, SAID IRON ROD BEING THE NORTHWEST CORNER OF THE DUKE ENERGY PROPERTY DESCRIBED IN DEED BOOK 03146 ON PAGE 077 IN THE MECKLENBURG COUNTY REGISTER OF DEEDS, THENCE S 02° 52' 05" W 12.87 FEET TO A COMPUTED POINT. THENCE S 53° 51' 25" W 412.61 FEET TO A COMPUTED POINT, THENCE N 36° 08' 35" W 20.00 FEET TO A COMPUTED POINT, THENCE N 53° 51' 25" E 420.71 FEET TO A COMPUTED POINT, THENCE S 36° 08' 35" E 10.00 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 8,374 SQUARE FEET OR 0.192 ACRES.

**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 22<sup>nd</sup> day of May, 2017, the reference having been made in Minute Book 143, and recorded in full in Resolution Book 48, Page(s) 243-245.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22<sup>nd</sup> day of May, 2017.

  
Emily A. Kunze, Deputy City Clerk



RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AUTHORIZING THE CITY MANAGER AND/OR HIS DESIGNEE TO NEGOTIATE AND EXECUTE A COOPERATIVE (GRANT) AGREEMENT AND SUPPORTING DOCUMENTS WITH THE U.S. DEPARTMENT OF TRANSPORTATION (U.S. DOT), ACTING THROUGH THE FEDERAL RAILROAD ADMINISTRATION (FRA), TO FURTHER THE CHARLOTTE GATEWAY STATION PROJECT.

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

WHEREAS, the Charlotte Gateway Station Project (CGS Project) will be a future multi-modal transportation center in Uptown Charlotte and will be located in the general vicinity of Graham and Trade Streets and the Norfolk Southern Railroad (NSR) tracks in uptown Charlotte; and

WHEREAS, due to the availability of funding, the CGS Project will be completed in phases, using grant funding as much as possible; and

WHEREAS, the following phases have been currently identified and may be further revised or refined as necessary:

- Phase 1a: The Track, Structures and Signals/TS&S;
- Phase 1b: The Platform, Canopy and supporting Improvements;
- Phase 2a: The future multi-modal Passenger Station in Uptown Charlotte and commencement of Amtrak passenger service at the new Station;
- Phase 2b: The future removal/decommissioning of certain improvements at the existing Amtrak Station. These improvements are located on right of way owned by NSR; and
- Phase 3: The future bus facilities and the future transit oriented development.

WHEREAS, the City of Charlotte (City) and the North Carolina Department of Transportation (NCDOT) have been working in partnership to advance the CGS Project and have both separately, as well as jointly, taken actions to advance the CGS Project including applying for federal, state and local funding; and

WHEREAS, the CGS Project has been awarded \$30 million in TIGER Discretionary Funding to pay for a portion of the cost to construct Phases 1a and 1b of the CGS Project; and

WHEREAS, in order to secure the \$30 million in TIGER funding, the City must sign the Cooperative (Grant) Agreement and supporting documents by no later than June 1, 2017;

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

1. Authorizes the City Manager and/or his designees to negotiate and execute the Cooperative (Grant) Agreement and supporting documents including but not limited to a Memorandum of Agreement (MOA), all consistent with the terms as presented to City Council with such technical corrections and modifications as may be necessary to effect the spirit and intent of the Agreements;
2. Authorizes the Chief Executive Officer of the Charlotte Area Transit System to undertake all activities and measures necessary to fulfill the obligations of the City pursuant to the Cooperative (Grant) Agreement and supporting documents;
3. Directs that this resolution and its adoption be reflected in the minutes of the Charlotte City Council.

May 22, 2017

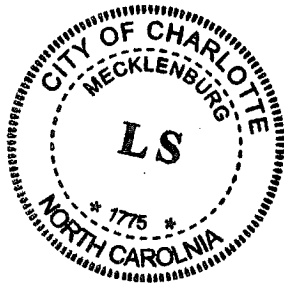
Resolution Book 48, Page 247

**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 22<sup>nd</sup> day of May, 2017, the reference having been made in Minute Book 143, and recorded in full in Resolution Book 48, Page(s) 246-247.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22<sup>nd</sup> day of May, 2017.

  
Emily A. Kunze, Deputy City Clerk





RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AUTHORIZING THE CITY MANAGER AND/OR HIS DESIGNEES TO NEGOTIATE AND EXECUTE A FRAMEWORK AGREEMENT WITH THE NORFOLK SOUTHERN RAILWAY COMPANY AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO FURTHER THE CHARLOTTE GATEWAY STATION PROJECT.

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

WHEREAS, pursuant to Section 136-18 of Chapter 136 of the North Carolina General Statutes, as amended, the North Carolina Department of Transportation (the Department) and units of local government of this State are authorized to enter into agreements with each other in order further transportation infrastructure in this State; and

WHEREAS, the Department and the City of Charlotte (City) have plans to jointly advance the property acquisition and construction of an intermodal transportation facility known as the Charlotte Gateway Station Project (CGS Project). The Project will be located in the general vicinity of Graham and Trade Streets adjacent to the right of way and tracks owned and operated by the Norfolk Southern Railway (NSR) in Uptown Charlotte; and

WHEREAS, due to the availability of funding, the CGS Project will be completed in phases, using grant funding as much as possible; and

WHEREAS, the following phases have been currently identified and may be further revised or refined as necessary:

- Phase 1a: The Track, Structures and Signals/TS&S;
- Phase 1b: The Platform, Canopy and supporting Improvements;
- Phase 2a: The future multi-modal Passenger Station in Uptown Charlotte and commencement of Amtrak passenger service at the new Station;
- Phase 2b: The future removal/decommissioning of certain improvements at the existing Amtrak Station. These improvements are located on right of way owned by NSR; and
- Phase 3: The future bus facilities and the future transit oriented development

WHEREAS, completion of Phase 1a and 1b requires access to NSR's right of way, construction of signal improvements and coordination with NSR relative to its existing freight operation adjacent to the CGS Project.

WHEREAS, a Framework Agreement is required relative to NSR's continued participation in the design, review and approval of Phase 1a and 1b. The Framework Agreement anticipates that the Parties will negotiate and execute future Construction and Maintenance Agreements that address specific construction and maintenance responsibilities. Those Agreements will be submitted to Council as required.

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

1. Authorizes the City Manager and/or his designees to negotiate and execute the Framework Agreement consistent with the terms as presented to City Council with such technical corrections and modifications as may be necessary to effect the spirit and intent of the Framework Agreement;
2. Authorizes the Chief Executive Officer of the Charlotte Area Transit System to undertake all activities and measures necessary to fulfill the obligations of the City pursuant to the Framework Agreement;

May 22, 2017


Resolution Book 48, Page 249

3. Directs that this resolution and its adoption be reflected in the minutes of the Charlotte City Council.

**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 22<sup>nd</sup> day of May, 2017, the reference having been made in Minute Book 143, and recorded in full in Resolution Book 48, Page(s) 248-249.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22<sup>nd</sup> day of May, 2017.

  
Emily A. Kunze, Deputy City Clerk



May 22, 2017

Resolution Book 48, Page 250

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AUTHORIZING THE CITY MANAGER AND/OR HIS DESIGNEES TO NEGOTIATE AND EXECUTE A MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO FURTHER THE CHARLOTTE GATEWAY STATION PROJECT.

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

WHEREAS, pursuant to Section 136-18 of Chapter 136 of the North Carolina General Statutes, as amended, the North Carolina Department of Transportation (the Department) and units of local government of this State are authorized to enter into agreements with each other in order to further transportation infrastructure in this State; and

WHEREAS, the Department and the City of Charlotte (City) have plans to jointly advance the property acquisition and construction of a multi-modal transportation facility known as the Charlotte Gateway Station Project (CGS Project). The CGS Project will be located in the general vicinity of Graham and Trade Streets and the Norfolk Southern Railroad (NSR) tracks in uptown Charlotte; and

WHEREAS, this proposed Municipal Agreement outlines an understanding of the Department, doing business through its Public Transportation Division and Rail Division, and the City, doing business through its public transit department, the Charlotte Area Transit System ("CATS"), (hereinafter referred to as the "Parties") concerning the planning, design, construction and operation of the Project; and

WHEREAS, this proposed Municipal Agreement supersedes and replaces in total the Municipal Agreement(s) signed by the Parties in May 2009 and in May 2015 as well as modified by an Addendum signed by the Parties in October 2016;

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

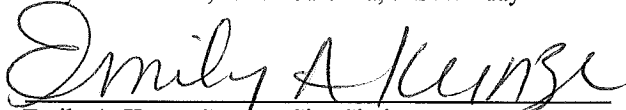
1. Authorizes the City Manager and/or his designees to negotiate and execute the Municipal Agreement consistent with the terms as presented to City Council with such technical corrections and modifications as may be necessary to effect the spirit and intent of the Municipal Agreement;
2. Authorizes the Chief Executive Officer of the Charlotte Area Transit System to undertake all activities and measures necessary to fulfill the obligations of the City pursuant to the Municipal Agreement;
3. Directs that this resolution and its adoption be reflected in the minutes of the Charlotte City Council.

#### 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 22<sup>nd</sup> day of May, 2017, the reference having been made in Minute Book 143, and recorded in full in Resolution Book 48, Page(s) 250.

WITNESS my hand and the official seal of the City of Charlotte, North Carolina, this 22<sup>nd</sup> day of May, 2017.



  
Emily A. Kunze, Deputy City Clerk

May 22, 2017

Resolution Book 48, Page 251

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

Whereas, **Novant Health** has filed a petition to close a portion of Barnette Place in the City of Charlotte; and

Whereas, a portion of Barnette Place is a 40-foot wide right-of-way that begins at its intersecting point with E. 4<sup>th</sup> Street and continues approximately 374+/- feet southwest to its terminus at a property currently or formerly owned by Novato Health, INC. (DB 05671, PG 733), and consists of 14,974 square feet, 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 May 22, 2017, that it intends to close a portion of Barnette Place 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 6:30 pm on Monday, the 26<sup>th</sup> day of June 2017, in CMGC meeting chamber, 600 East 4<sup>th</sup> Street, Charlotte, North Carolina.

The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.



**BARNETTE PLACE ABANDONMENT AREA:**

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

**COMMENCING** at *NCGS Monument "570"*, having NC GRID NAD83 coordinates of N:537,253.14 ft, E:1,454,483.74 ft; thence S 30°44'52" E a horizontal ground distance of 349.66 feet to a *new iron rod* said point being located at the intersection of the western margin of the right-of-way of East Fourth Street and the northern margin of the right-of-way of Barnette Place; which is the **POINT OF BEGINNING**; having NC GRID NAD83 coordinates of N:536,952.68 ft, E:1,454,662.47 ft, said point also being located at an eastern corner of the Novant Health, Inc. property as described in Deed Book 11637, Page 490 of the Mecklenburg County Registry; thence with aforesaid East Fourth Street S 47°29'16" E a distance of 76.06 feet to a *new iron rod*, said point being located at an eastern corner of the Novant Health, Inc. property as described in Deed Book 5814, Page 537; thence with the northerly line of the aforesaid Novant Health, Inc. property the following two (2) courses and distances: 1) S 89°31'16" W a distance of 27.04 feet to a *new nail*; 2) S 47°22'31" W a distance of 217.72 feet to a *new nail*, said point being located at the northeast corner of the Novant Health, Inc. property as described in Deed Book 5671, Page 733; thence with the northerly line of the aforesaid Novant Health, Inc. property the following two (2) courses and distances: 1) S 47°22'31" W a distance of 144.96 feet to a *new iron rod*; 2) N 51°05'01" W a distance of 42.04 feet to a *new iron rod*, said point being the southwest corner of the Novant Health, Inc. property as described in Deed Book 10406, Page 457; thence with the southerly line of the aforesaid Novant Health, Inc. property N 47°51'09" E a distance of 103.10 feet to a *new iron rod*, said point being the southwest corner of the Novant Properties, LLC property as described in Deed Book 24144, Page 923; thence with the southerly line of the aforesaid Novant Properties, LLC property N 47°51'09" E a distance of 96.75 feet to an *existing iron rod*, said point being the southwest corner of the Novant Health, Inc. property as described in Deed Book 11637, Page 490; thence with the southerly line of the aforesaid Novant Health, Inc. property the following two (2) courses and distances: 1) N 47°51'09" E a distance of 167.83 feet to a *new iron rod*; 2) N 04°52'14" W a distance of 24.17 feet to the **POINT OF BEGINNING**; containing 15,622 square feet or 0.3586 acres of land, as shown on a survey by R.B. Pharr and Associates P.A. dated April 8, 2005 (File No. W-3154).

May 22, 2017

Resolution Book 48, Page 254

**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 22<sup>nd</sup> day of May, 2017, the reference having been made in Minute Book 143, and recorded in full in Resolution Book 48, Page(s) 251-254.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22<sup>nd</sup> day of May, 2017.

  
Emily A. Kunze, Deputy City Clerk



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

Whereas, **Mr. Michael Overstreet** has filed a petition to close a portion of Myrtle Avenue in the City of Charlotte; and

Whereas, a portion of Myrtle Avenue begins at an Iron Pipe found at the southwesterly intersection between the westerly margin of Myrtle Avenue (being a 60' Public R/W) and the southerly margin of Lexington Avenue (being a 50' Public R/W); thence with the westerly margin of said Myrtle Avenue S 52-31-09 W a distance of 32.28 feet to an Iron Pin set at the Point of Beginning; thence with a new line S 40-04-10 E a distance of 2.28 feet to an Iron Pin set; thence with a new line S 49-55-50 W a distance of 18.40 feet to an Iron Pin set; thence with a new line N 40-04-10 W a distance of 3.11 feet to an Iron Pin set on the westerly margin of said Myrtle Avenue; thence with the westerly margin of said Myrtle Avenue N 52-31-09 E a distance of 18.42 feet to the Point and Place of Beginning, containing 50 square feet more or less, 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

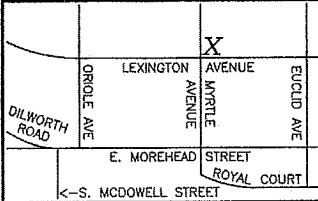
Whereas, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution 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 May 22, 2017, that it intends to close a portion of Myrtle 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 6:30 pm on Monday, the 26<sup>th</sup> day of June 2017, in CMGC meeting chamber, 600 East 4<sup>th</sup> Street, Charlotte, North Carolina.

The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.



**EXHIBIT A**



I certify that this map was drawn under my supervision from an actual survey made under my supervision (record description recorded in Deed Book or Map Book as shown); that the boundaries not surveyed are indicated as drawn from information in Deed Books and Map Books as shown; that the ratio of precision is better than 1:10,000; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 58.1600). This 20th day of February, 2017.

This revision on April 19, 2017 is to describe a portion of Myrtle Avenue that is being petitioned to be abandoned.

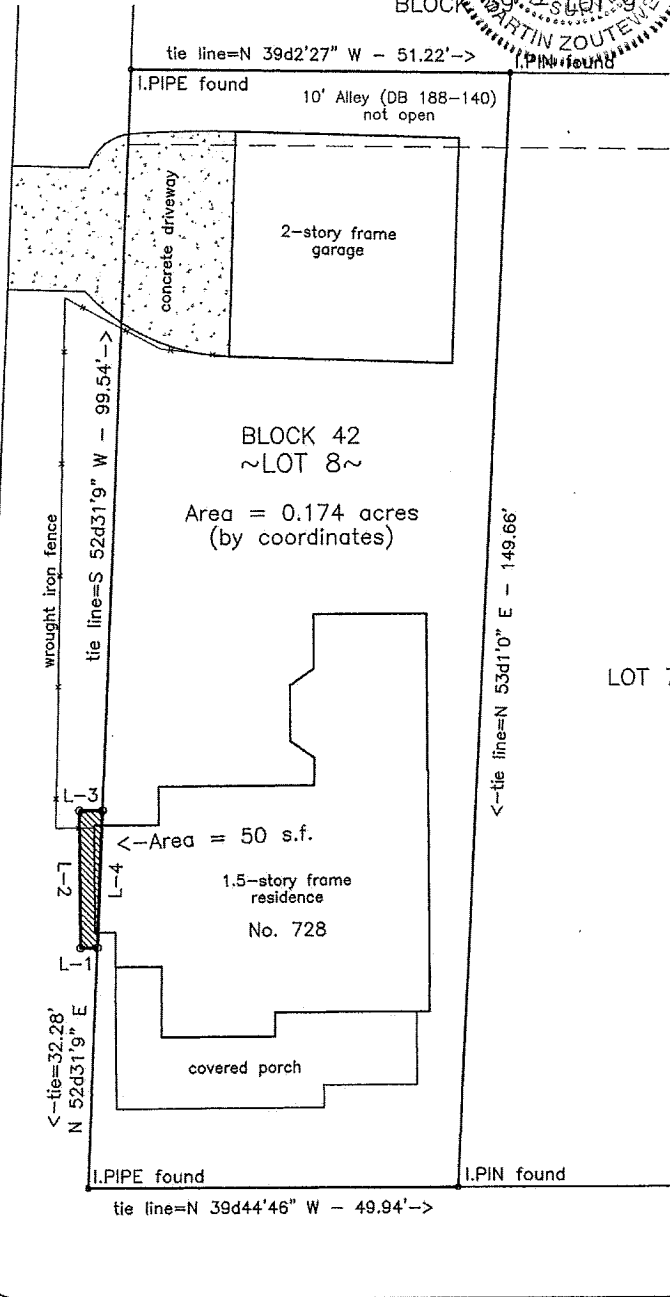
J. Martin Zoutewelle, PLS. L-3498  
 April 19, 2017  
 SEAL  
 L-3498  
 MB 3-10  
 BLOCK 42 - LOT 8  
 J. MARTIN ZOUTEWELLE  
 PIN FOUND

**Line Data:**

- L-1: S 40-04-10 E - 2.28'
- L-2: S 49-55-50 W - 18.40'
- L-3: N 40-04-10 W - 3.11'
- L-4: N 52-31-09 E - 18.42'

**Notes:**

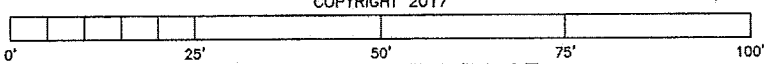
Parcel is subject to City of Charlotte R-8 zoning standards.  
 Restrictions recorded in DB 188-140.  
 Building measurements taken to outside walls at main floor level.  
 This survey does not benefit from a complete examination of title.  
 The purpose of this revision is to show a portion of Myrtle Avenue that is being petitioned to be abandoned due to the location of the residence on Lot 8.  
 Area of Myrtle Avenue being petitioned to be abandoned is 50 s.f.



**MYRTLE AVENUE**  
 60' Public R/W

**LEXINGTON AVENUE**

50' Public R/W



**PHYSICAL SURVEY OF**  
 LOT 8 BLOCK 42 of DILWORTH  
 CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.  
 certified to:

**JOHN W. BURGER & DANIELLE C. BURGER**  
 Description Taken From Map Book 1763, Page 346

Scale 1" = 20' Initial Survey: February 20, 2017 Revised: April 19, 2017  
 J. Martin Zoutewelle L-3498, Zoutewelle Land Surveyors, PC C-3764, 1123 Shadowbrook Lane, Charlotte, NC 28211 704-910-2329


EXHIBIT B

A Portion of Myrtle Avenue abutting  
728 Lexington Avenue

Being located in the City of Charlotte, Mecklenburg County, N.C. and being a portion of Myrtle Avenue (being a 60' Public R/W) abutting Lot 8 Block 42 of Dilworth as recorded in Map Book 1763, Page 346 in the Mecklenburg County Public Registry; said Lot 8 Block 42 being the same as described in Deed Book 8808, Page 898 as recorded in said Registry. Being more particularly described as follows:

To find the true point of Beginning, commence at an Iron Pipe found at the southwesterly intersection between the westerly margin of Myrtle Avenue (being a 60' Public R/W) and the southerly margin of Lexington Avenue (being a 50' Public R/W); thence with the westerly margin of said Myrtle Avenue **S 52-31-09 W** a distance of **32.28 feet** to an Iron Pin set at the Point of Beginning; thence with a new line **S 40-04-10 E** a distance of **2.28 feet** to an Iron Pin set; thence with a new line **S 49-55-50 W** a distance of **18.40 feet** to an Iron Pin set; thence with a new line **N 40-04-10 W** a distance of **3.11 feet** to an Iron Pin set on the westerly margin of said Myrtle Avenue; thence with the westerly margin of said Myrtle Avenue **N 52-31-09 E** a distance of **18.42 feet** to the Point and Place of Beginning, containing 50 square feet more or less. All as shown on a survey dated February 20, 2017 and revised on April 19, 2017 by J. Martin Zoutewelle, PLS.

This metes and bounds description prepared by J. Martin Zoutewelle, based upon above referenced survey, on April 19, 2017.

  
J. Martin Zoutewelle, PLS L-3498  
April 19, 2017

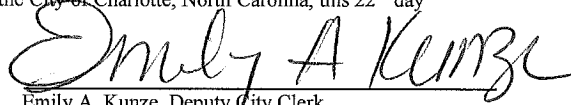


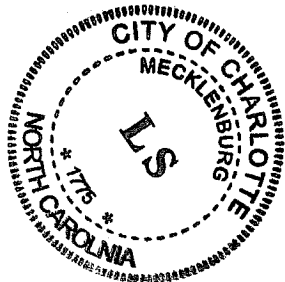
J. Martin Zoutewelle, PLS L-3498, Zoutewelle Land Surveyors, PC C-3764  
1123 Shadowbrook Lane, Charlotte, NC 28211 704-906-2329

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 22<sup>nd</sup> day of May, 2017, the reference having been made in Minute Book 143, and recorded in full in Resolution Book 48, Page(s) 255-257.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22<sup>nd</sup> day of May, 2017.

  
Emily A. Kunze, Deputy City Clerk



May 22, 2017

Resolution Book 48, Page 258

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

Whereas, **GSLH Charlotte Realty Holdings, LLC** has filed a petition to close a portion of Poplar Street in the City of Charlotte; and

Whereas, a portion of Poplar Street is a 40-foot wide right-of-way that begins at its intersecting point with W. Stonewall Street and continues approximately 205+/- feet southwest to its terminus at a property currently or formerly owned by GSLH Charlotte Realty Holdings c/o Goldman Sachs (DB 31199, PG 794), and consists of 8,603 square feet, 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.

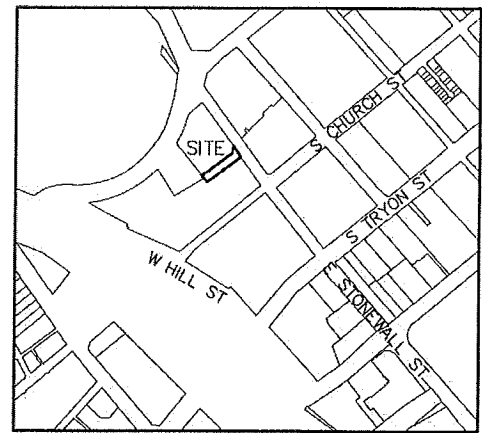
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of May 22, 2017, that it intends to close a portion of Poplar Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 6:30 pm on Monday, the 26<sup>th</sup> day of June 2017, in CMGC meeting chamber, 600 East 4<sup>th</sup> Street, Charlotte, North Carolina.

The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

I, Seth F. Martin, certify that this map was drawn from an actual survey made under my supervision. The ratio of precision as calculated is 1/10,000+. I hereby affix my hand and seal this 26th day of April, 2017.

*Seth F. Martin*

Registration No.: L-4719

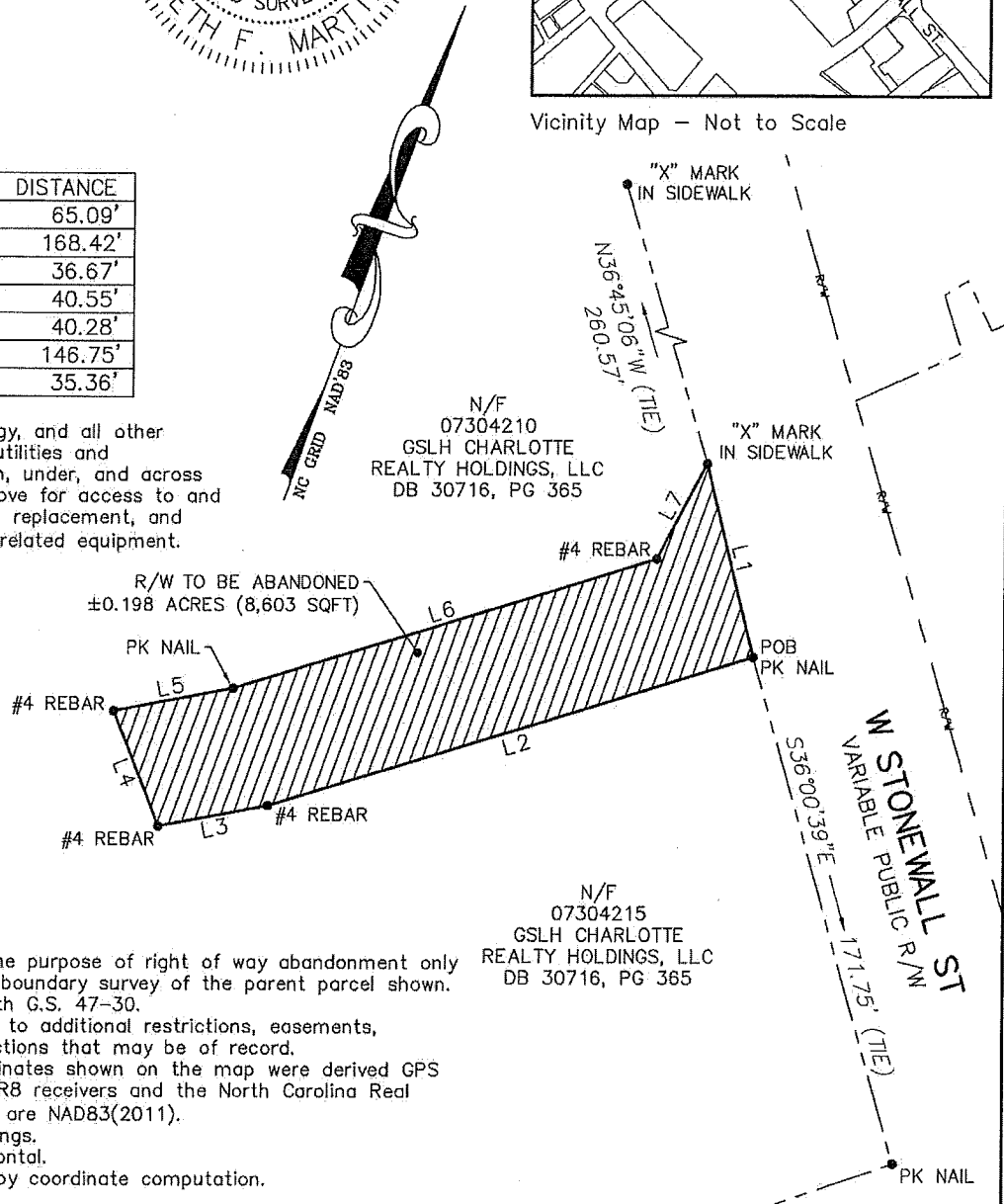


Vicinity Map - Not to Scale

- Legend**
- EIP Existing Iron Pin
  - IPS #5 Rebar Set
  - R/W Right-of-Way
  - N/F Now or Formerly
  - DB Deed Book
  - MB Map Book

LINE	BEARING	DISTANCE
L1	S33°57'41"E	65.09'
L2	S53°06'09"W	168.42'
L3	S59°23'44"W	36.67'
L4	N41°57'58"W	40.55'
L5	N59°23'44"E	40.28'
L6	N53°06'09"E	146.75'
L7	N08°06'09"E	35.36'

Easement in favor of Duke Energy, and all other owners of existing underground utilities and telecommunication 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.



**Notes:**

1. This map was prepared for the purpose of right of way abandonment only and is not intended to be a boundary survey of the parent parcel shown.
2. This plat does not comply with G.S. 47-30.
3. This property may be subject to additional restrictions, easements, utilities, covenants and restrictions that may be of record.
4. The North Carolina grid coordinates shown on the map were derived GPS observations utilizing Trimble R8 receivers and the North Carolina Real Time Network. All coordinates are NAD83(2011).
5. All bearings are NC grid bearings.
6. All distances shown are horizontal.
7. Areas have been determined by coordinate computation.

**LDSI**

Phone: (704) 337-8329  
 Fax: (866) 661-1277  
 508 W 5th St., Suite 125  
 Charlotte, NC 28202  
 License No.: C-1925

**Right of Way Abandonment Exhibit for  
 608 South Poplar St.**

City of Charlotte, Mecklenburg County, North Carolina

Current Owner: City of Charlotte  
 Deed Reference:



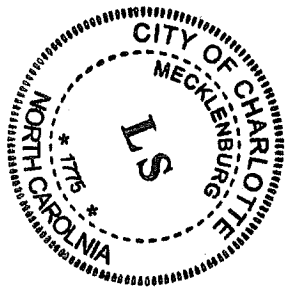
BEGINNING at a PK Nail set on the western right of way of W Stonewall Street, a variable width public right of way, said point also being the northeast corner of GSLH Charlotte Realty Holdings, LLC, now or formerly, as described in Deed Book 30716, page 365; THENCE with line of GSLH Charlotte Realty Holding, LLC as described in Deed Book 30716, page 365 and Deed Book 31199, page 794 the following six (6) courses and distances: 1) South 53 degrees 06 minutes 09 seconds West a distance of 168.42 feet to an existing #4 Rebar; 2) THENCE South 59 degrees 23 minutes 44 seconds West a distance of 36.67 feet to an existing #4 Rebar; 3) THENCE North 41 degrees 57 minutes 58 seconds West a distance of 40.55 feet to an existing #4 Rebar; 4) THENCE North 59 degrees 23 minutes 44 seconds East a distance of 40.28 feet to an existing PK Nail set; 5) THENCE North 53 degrees 06 minutes 09 seconds East a distance of 146.75 feet existing #4 Rebar; 6) THENCE North 08 degrees 06 minutes 09 seconds East a distance of 35.36 feet to an existing "X" Mark in the sidewalk, said point being the western right of way of W Stonewall Street; THENCE with the western right of way line South 33 degrees 57 minutes 41 seconds East a distance of 65.09 feet to the POINT OF BEGINNING, having an area of 0.198 Acres (8,603 SqFt), more or less.

**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 22<sup>nd</sup> day of May, 2017, the reference having been made in Minute Book 143, and recorded in full in Resolution Book 48, Page(s) 258-260.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22<sup>nd</sup> day of May, 2017.

  
\_\_\_\_\_  
Emily A. Kunze, Deputy City Clerk



**A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES**

Reference is made to the schedule of "Taxpayers and Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

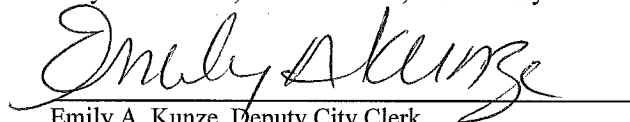
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.
3. The amounts listed on the schedule were collected through either a clerical or assessment error.

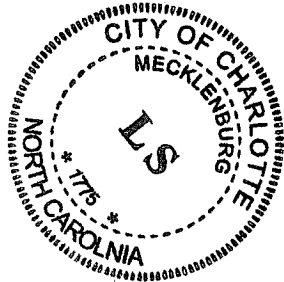
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 22nd day of May 2017 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution 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 22<sup>nd</sup> day of May, 2017, the reference having been made in Minute Book 143, and recorded in full in Resolution Book 48, Page(s) 261-262.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22<sup>nd</sup> day of May, 2017.

  
Emily A. Kunze, Deputy City Clerk



**Taxpayers and Refunds Requested**

AYRSLEY HOTEL ASSOCIATES II LLC .	\$	5,654.35
DDR CAROLINA PAVILION LP	\$	32,737.34
GREER, PHILIP DAVID	\$	15.51
MCDOWELL WILLIE L & DONNA	\$	215.41
NETTA, MAMIE	\$	48.02
WESTIN HOTEL	\$	19,681.09
	\$	<u>58,351.72</u>