

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF  
CHARLOTTE, NORTH CAROLINA ON JANUARY 8, 2018**

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

**WHEREAS**, Julius Chambers advanced the rights of minorities and low-income people through his tireless advocacy in the forms of litigation, scholarly research, and grassroots activism, and enhanced racial equality throughout the nation from his home state of North Carolina.

**WHEREAS**, Julius Chambers was born in 1936 in Mount Gilead, North Carolina and graduated summa cum laude from what is now North Carolina Central University. After obtaining a master's degree in history from the University of Michigan, Julius Chambers returned to his native North Carolina to study law at the University of North Carolina at Chapel Hill. He graduated first in his class and served as Editor-in-Chief of the Law Review.

**WHEREAS**, Julius Chambers was one of the first two NAACP Legal Defense Fund scholarship recipients and was the Legal Defense Fund's first Legal Fellow. After working as an intern and lawyer, cooperating attorney, board member and board chair, Julius Chambers served as Director-Counsel of the Legal Defense Fund from 1984 to 1993.

**WHEREAS**, Julius Chambers founded the first integrated law firm in the State of North Carolina, where he worked to advance civil rights and litigated landmark civil rights cases in the United States Supreme Court. While his home and car were firebombed and his office was burned to the ground on separate occasions through the height of some of his most contentious civil rights trials, Julius Chambers' composed refrain of 'just keep fighting' resounded across the State and the nation. Julius Chambers won numerous cases before the United States Supreme Court, including *Swann v. Charlotte-Mecklenburg Board of Education* and *Griggs v. Duke Power Company*.

**NOW, THEREFORE, BE IT RESOLVED** that this resolution is adopted by the Charlotte City Council in acknowledgement of the importance of Julius Chambers to the advancement of civil rights and the practice of law in the State of North Carolina and in support of the North Carolina Department of Transportation in the designation of "I-85 from the I-77 interchange to the I-85 Connector" in the State of North Carolina of the National System for Interstate and Defense Highways as the "Julius Chambers Memorial Highway."

January 8, 2018


Resolution Book 48, Page 544

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of January, 2018, the reference having been made in Minute Book 144 and recorded in full in Resolution Book 48, Page(s) 543-544.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of January, 2018.



  
Stephanie C. Kelly, City Clerk, MMC, NCCMC

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF  
CHARLOTTE, NORTH CAROLINA ON JANUARY 8, 2018.**

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

WHEREAS, The Federal Government requires that all bridge structures 20 feet or greater that carry vehicular traffic on public roads be inspected every two years; and,

WHEREAS, The NCDOT will share the cost (80%) of inspecting qualifying bridges; and,

WHEREAS, The City's portion (20%) is estimated to be \$104,724.58 and is included in the budget; and,

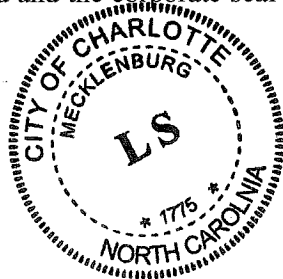
WHEREAS, City Council is asked to approve a Municipal Agreement between the City and NCDOT related to the inspection of City maintained bridges.

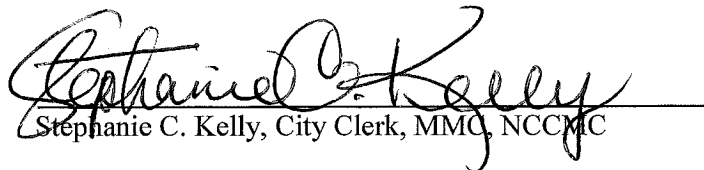
NOW, THEREFORE, BE IT RESOLVED that this resolution authorizing the City Manager to execute a municipal agreement with the NCDOT to share the cost (80%) of inspecting qualifying bridges on public roads every two years, is hereby formally approved by the City Council of the City of Charlotte and the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the aforementioned groups.

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of January, 2018, the reference having been made in Minute Book 144 and recorded in full in Resolution Book 48, Page(s) 545.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of January, 2018.



  
Stephanie C. Kelly, City Clerk, MMC, NCCMC

January 8, 2018

Resolution Book 48, Page 546

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

Whereas, **Charlotte-Mecklenburg Schools** has filed a petition to close a portion of Township Road in the City of Charlotte; and

Whereas, a portion of Township Road is an unopened right-of-way that currently separates a property currently or formerly owned by Dean F. Bassett and Kitty B. Bassett (Deed Book 3831, PG 351) from another property currently or formerly owned by George Ray Casper and Mary B. Casper (Deed Book 5867, PG 439), and said right-of-way consists of 35,716, 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.

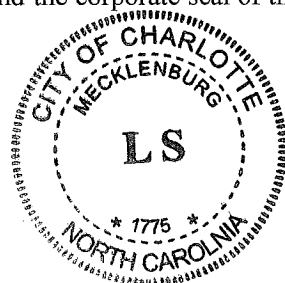
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of January 8, 2018, that it intends to close a portion of Township Road and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 12<sup>th</sup> day of February, 2018, 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.

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of January, 2018, the reference having been made in Minute Book 144 and recorded in full in Resolution Book 48, Page(s) 546.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of January, 2018.



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

**NOTES**

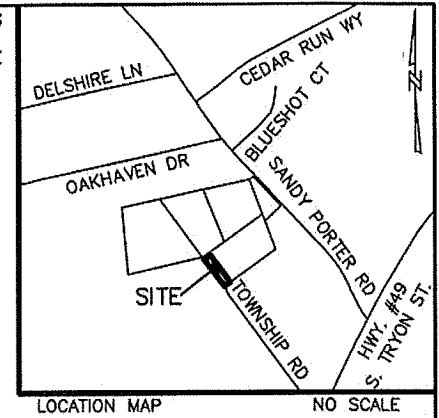
SUBJECT TRACT PLAT REFERENCE: BOUNDARY/TOPOGRAPHIC SURVEY BY ESP ASSOCIATES, FOR CHARLOTTE-MECKLENBURG SCHOOLS. DATED 3/3/2017.

60' RESERVED ROAD RIGHT OF WAY, AS SHOWN HEREON PLOTTED FROM INFORMATION TAKEN FROM SAID PLAT AND ORIENTED TO FOUND MONUMENTATION. RECORDED CONVEYANCE FOUND FOR THIS 60' RESERVED RIGHT OF WAY IN MAP BOOK 9 PAGE 537.

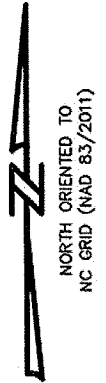
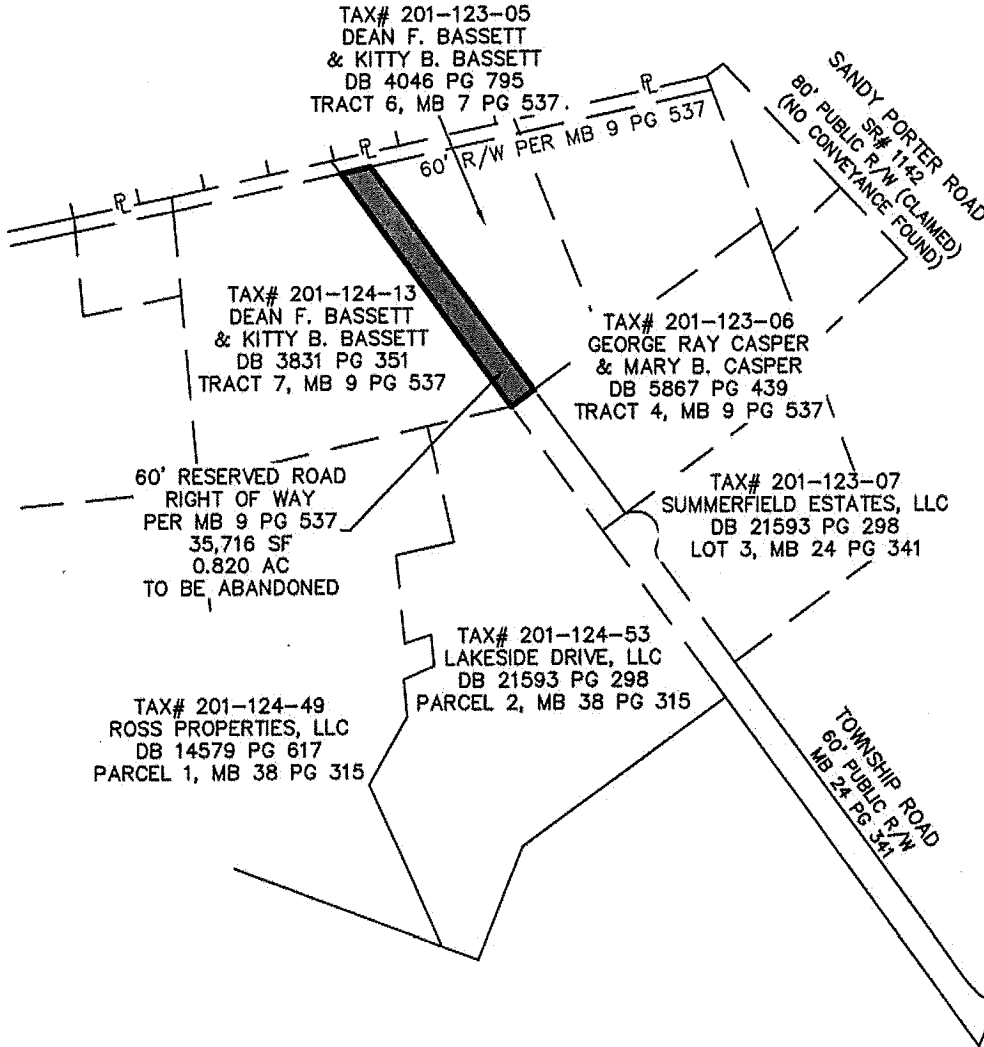
TAX PARCELS: A PORTION OF 201-123-05, 201-123-06.

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

January 8, 2018  
Resolution Book 48, Page 547



LOCATION MAP NO SCALE



\*\*\*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, CABLE, WIRES, AND/OR RELATED EQUIPMENT

**LEGEND**

- SF - SQUARE FOOT
- AC - ACRES
- DB - DEED BOOK
- PG - PAGE
- RL - PROPERTY LINE
- R/W - RIGHT OF WAY
- TM - TAX MAP
- - #5 REBAR FOUND, UNLESS OTHERWISE NOTED
- - COMPUTED POINT
- — — — — SUBJECT TRACT BOUNDARY LINE
- — — — — ADJOINING BOUNDARY LINE
- - - - - RIGHT OF WAY LINE
- ▨ - R/W TO BE ABANDONED

I, ROBERT D. BARTLETT, CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION AND IS FOR ROAD ABANDONMENT PURPOSES ONLY

**NOTES**

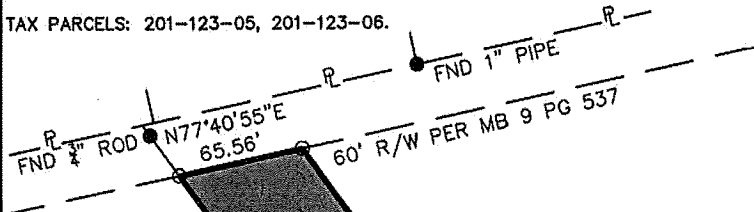
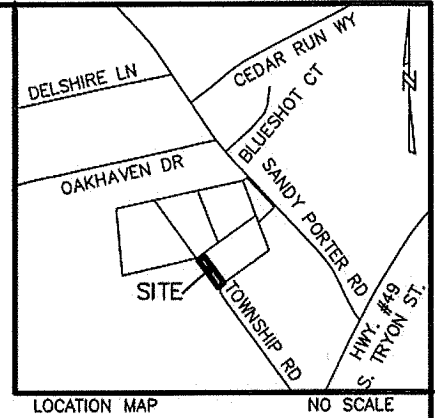
SUBJECT TRACT PLAT REFERENCE: BOUNDARY/TOPOGRAPHIC SURVEY BY ESP ASSOCIATES, FOR CHARLOTTE-MECKLENBURG SCHOOLS. DATED 3/3/2017.

60' RESERVED ROAD RIGHT OF WAY, AS SHOWN HEREON PLOTTED FROM INFORMATION TAKEN FROM SAID PLAT AND ORIENTED TO FOUND MONUMENTATION. RECORDED CONVEYANCE FOUND FOR THIS 60' RESERVED RIGHT OF WAY IN MAP BOOK 9 PAGE 537.

TAX PARCELS: 201-123-05, 201-123-06.

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

January 8, 2018  
Resolution Book 48, Page 548



TAX# 201-123-05  
DEAN F. BASSETT  
& KITTY B. BASSETT  
DB 4046 PG 795  
TRACT 6, MB 9 PG 537

TAX# 201-123-04  
DEWARD E. SHELTON  
& CARRIE B. SHELTON  
DB 2293 PG 539  
TRACT 5, MB 9 PG 537



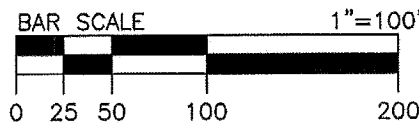
TAX# 201-124-13  
DEAN F. BASSETT  
& KITTY B. BASSETT  
DB 3831 PG 351  
TRACT 7, MB 9 PG 537

60' RESERVED ROAD  
RIGHT OF WAY  
PER MB 9 PG 537  
35,716 SF  
0.820 AC  
TO BE ABANDONED

TAX# 201-123-06  
GEORGE RAY CASPER  
& MARY B. CASPER  
DB 5867 PG 439  
TRACT 4, MB 9 PG 537

TAX# 201-124-53  
LAKESIDE DRIVE, LLC  
DB 21593 PG 298  
PARCEL 2, MB 38 PG 315

TAX# 201-124-49  
ROSS PROPERTIES, LLC  
DB 14579 PG 617  
PARCEL 1, MB 38 PG 315



**LEGEND**

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I, ROBERT D. BARTLETT, CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION AND IS FOR ROAD ABANDONMENT PURPOSES ONLY

January 8, 2018

Resolution Book 48, Page 549

COMMENCING AT A FOUND  $\frac{3}{4}$ " ROD A COMMON CORNER WITH GEORGE RAY CASPER AND MARY B. CASPER AS RECORDED IN BOOK 5867 PAGE 439 AND TRACT 4 OF MAP BOOK 9 PAGE 537 OF THE MECKLENBURG COUNTY REGISTRY, LAKESIDE DRIVE, LLC AS RECORDED IN BOOK 21593 PAGE 298 AND PARCEL 2 OF MAP BOOK 38 PAGE 315 OF THE MECKLENBURG COUNTY REGISTRY AND DEAN F. BASSETT AND KITTY B. BASSETT AS RECORDED IN BOOK 3831 PAGE 351, AND BEING TRACT 7 OF MAP BOOK 9 PAGE 537 OF THE MECKLENBURG COUNTY REGISTRY, THENCE WITH THE COMMON LINE WITH BASSETT N 36-04-39 W 608.47' TO A POINT ON THE SOUTHERN MARGIN OF THE 60' RIGHT-OF-WAY AS RECORDED IN MAP BOOK 9 PAGE 537 THENCE WITH THE SOUTHERN MARGIN OF THE AFFOREMENTIONED RIGHT-OF-WAY N 77-40-55 E 65.56' TO A POINT, THENCE LEAVING THE SOUTHERN RIGHT-OF-WAY LINE AND FOLLOWING THE EASTERN LINE OF THE 60' RESERVED ROAD RIGHT-OF-WAY AS RECORDED IN MAP BOOK 9 PAGE 537, S 36-04-39 E 582.06' TO A POINT, A COMMON CORNER WITH THE AFFORMENTIONED CASPER PROPERTY, THENCE WITH THE COMMON LINE WITH CASPER S 53-55-19 W 60.00' TO THE POINT OF BEGINNING CONTAINING 0.820 ACRES MORE OR LESS.



10/26/17

January 8, 2018

Resolution Book 48, Page 550

**RESOLUTION AUTHORIZING THE SALE OF LAND ON TOOMEY AVENUE BY THE  
UPSET BID PROCESS**

WHEREAS, the City of Charlotte owns certain property located at 2700 Toomey Avenue in Charlotte, North Carolina (tax parcel # 145-018-02); and

WHEREAS, North Carolina General Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer to purchase the property; and

WHEREAS, the City has received an offer to purchase an 11,300-square foot portion of the property described above, consisting of an irregular strip fronting 28 feet along Remount Road and running approximately 242 feet along the northwest boundary of Toomey Ave. (the "Property"), in the amount of \$35,000, submitted by Jonathan Tee ("Mr. Tee"); and

WHEREAS, Mr. Tee has paid the required five percent (5%) deposit on his offer:

THEREFORE, THE CITY COUNCIL OF THE CITY OF CHARLOTTE RESOLVES THAT:

1. The City Council authorizes sale of the Property described above through the upset bid procedure of North Carolina General Statute §160A-269 and accepts the offer by Mr. Tee as the initial offer.
2. A notice of the proposed sale shall be published in accordance with the statute. The notice shall describe the Property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Any person may submit an upset bid to the office of the City of Charlotte Real Estate Manager in the Charlotte Mecklenburg Government Center within 10 days after the notice is published (by the date and time indicated in the notice). At that time, the bids shall be opened, and the highest qualifying bid will become the new offer.
4. If a qualifying higher bid is received, a new notice of upset bid shall be published, and this process shall be repeated until a 10-day period has passed without any qualifying higher bid having been received. At that time, the amount of the final high bid shall be reported to City Council.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000 of that offer and five percent (5%) of the remainder of that offer, and includes terms which do not materially differ, to the City's disadvantage, from the terms of the existing offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The bid may be made in cash, cashier's check, certified check, or wire transfer. The City will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder pursuant to the terms of the purchase contract.
7. The City reserves the right to withdraw the Property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.



January 8, 2018

Resolution Book 48, Page 551


8. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted, and the appropriate City officials are authorized to execute all instruments necessary to convey the property to Mr. Tee.

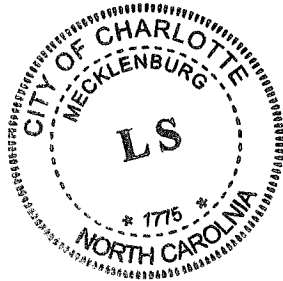
Adopted January 8, 2018

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of January, 2018, the reference having been made in Minute Book 144 and recorded in full in Resolution Book 48, Page(s) 550-551.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of January, 2018.

  
Stephanie C. Kelly, City Clerk, MMC, NCCMC



January 8, 2018

Resolution Book 48, Page 552

**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.

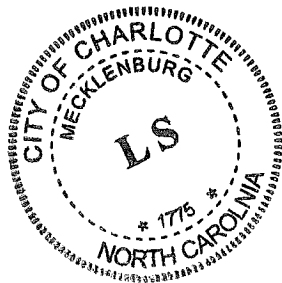
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 8th day of January 2018 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of January, 2018, the reference having been made in Minute Book 144 and recorded in full in Resolution Book 48, Page(s) 552-553.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of January, 2018.

  
Stephanie C. Kelly, City Clerk, MMC, NCCMC



**Taxpayers and Refunds Requested**

ALL-TYPE SHEET METAL FABRICATION INC	\$	1,863.57
ANIMAL EYE CLINIC PLLC	\$	64.15
ARGOS USA LLC	\$	309.68
ARGOS USA LLC	\$	380.56
ARGOS USA LLC	\$	527.96
ARGOS USA LLC	\$	308.49
CHOPT CREATIVE SALAD LLC	\$	17.97
EXPRESS LUBE %RICHARAD A BEAUCHEMIN CPA	\$	2.15
HALLMARK RETAIL	\$	400.01
HALLMARK RETAIL LLC	\$	86.33
HALLMARK RETAIL LLC	\$	4.80
HALLMARK RETAIL LLC	\$	7.87
HALLMARK RETAIL LLC	\$	0.57
HALLMARK RETAIL LLC	\$	36.99
JONES, TODD DEAN	\$	65.09
LASERSHIP INC	\$	218.26
LAW OFFICES OF DOUGLAS H KIM	\$	6.39
MONBARREN FAMILY PARTNERSHIP LTD, .	\$	1,711.63
SMITH, SHIRLINE B	\$	335.57
	\$	<u>6,348.04</u>

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 **REA ROAD SIDEWALK 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 **REA ROAD SIDEWALK PROJECT** and estimated to be **425 square feet (.01 acre) of sidewalk and utility easement and 310 square feet (.007 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. 211-311-82, said property currently owned by **ROSEMARY K. EVANS and spouse, KELLY T. EVANS; SOUTH STATE BANK, 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.

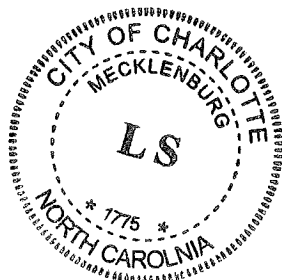
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of January, 2018, the reference having been made in Minute Book 144 and recorded in full in Resolution Book 48, Page(s) 554.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of January, 2018.

  
Stephanie C. Kelly, City Clerk, MMC, NCCMC



January 8, 2018

Resolution Book 48, Page 555

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 **REA ROAD SIDEWALK 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 **REA ROAD SIDEWALK PROJECT** and estimated to be **533 square feet (.012 acre) of sidewalk and utility easement and 526 square feet (.012 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. 211-311-23, said property currently owned by **ALTON B. CRAVER and spouse, JANE H. CRAVER; FIRST NATIONAL BANK, Beneficiary; SECRETARY OF HOUSING AND URBAN DEVELOPMENT**, 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, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of January, 2018, the reference having been made in Minute Book 144 and recorded in full in Resolution Book 48, Page(s) 555.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of January, 2018.



  
Stephanie C. Kelly, City Clerk, MMC, NCCMC

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 **REA ROAD SIDEWALK 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 **REA ROAD SIDEWALK PROJECT** and estimated to be **267 square feet (.006 acre) of sidewalk and utility easement and 389 square feet (.009 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. 211-311-83, said property currently owned by **LYNNE M. BOOTH and spouse, CLIFF BOOTH (a/k/a "Clifford A. Booth")**; **COLDWELL BANKER MORTGAGE, 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, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of January, 2018, the reference having been made in Minute Book 144 and recorded in full in Resolution Book 48, Page(s) 556.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of January, 2018.



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