

RESOLUTION CLOSING AN UNOPENED ALLEYWAY OFF OF DRUMMOND AVENUE AND CATAWBA AVENUE 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 an unopened alleyway off of Drummond Avenue and Catawba 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 an unopened alleyway off of Drummond Avenue and Catawba 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, the public hearing was held on the 8th day of April, 2019, and City Council determined that the closing of a portion of an alleyway off of Drummond Avenue and Catawba 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 April 8, 2019, that the Council hereby orders the closing of a portion of an alleyway off of Drummond Avenue and Catawba 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.

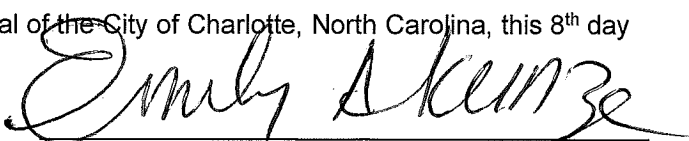
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

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 8th of April, 2019, the reference having been made in Minute Book 147 and recorded in full in Resolution Book 49, Page(s) 443-445.

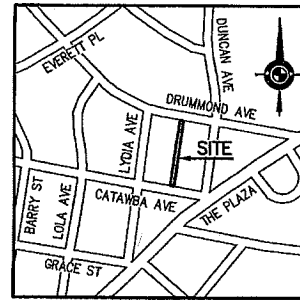
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8th day of April, 2019.



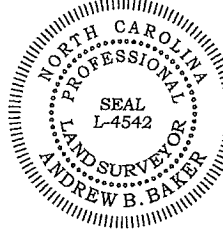

Emily A. Kunze, Deputy City Clerk, NCCMC

THIS IS TO CERTIFY THAT ON THE 6th DAY OF AUGUST, 2018 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

SIGNED *Andrew B Baker*



VICINITY MAP
NOT TO SCALE

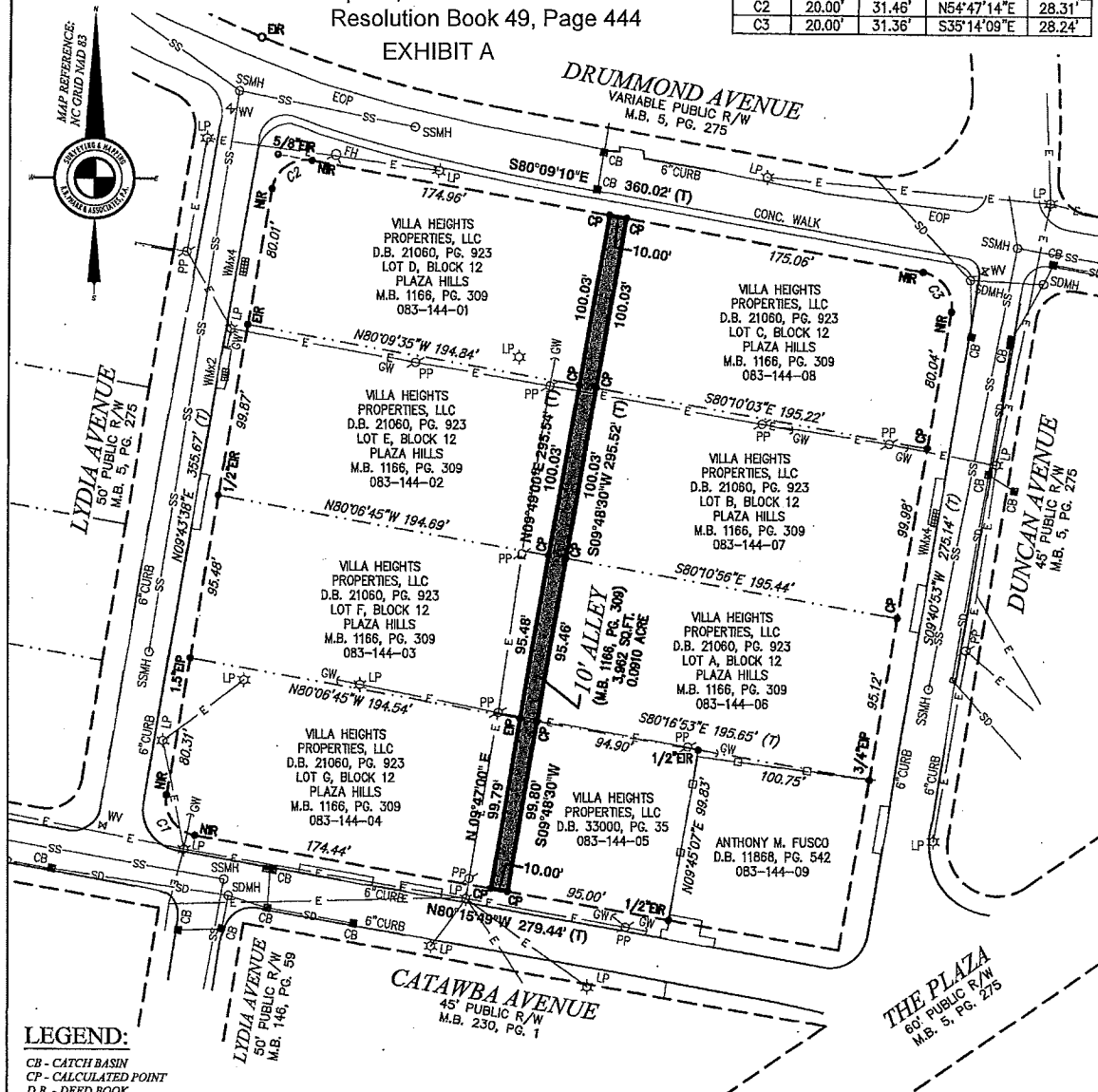


NOTES:

1. THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
2. ALL CORNERS MONUMENTED AS SHOWN.
3. NO RECOVERABLE NGS MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
4. PHYSICAL IMPROVEMENTS MAY EXIST THAT ARE NOT SHOWN HEREON.
5. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
6. BOUNDARY INFORMATION TAKEN FROM A SURVEY BY R.B. PHARR & ASSOCIATES, P.A., DATED AUGUST 6, 2018 (JOB NO. 88833, FILE NO. W-45094).
7. AREAS CALCULATED BY COORDINATE COMPUTATION.
8. THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.

CURVE	RADIUS	ARC	BEARING	CHORD
C1	20.00'	31.41'	N35°16'05"W	28.28'
C2	20.00'	31.46'	N54°47'14"E	28.31'
C3	20.00'	31.36'	S35°14'09"E	28.24'

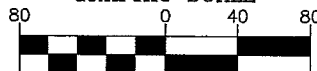
April 8, 2019
Resolution Book 49, Page 444
EXHIBIT A



LEGEND:

- CB - CATCH BASIN
- CP - CALCULATED POINT
- D.B. - DEED BOOK
- EOP - EDGE OF PAVEMENT
- EIR - EXISTING IRON ROD
- FH - FIRE HYDRANT
- GW - GUY WIRE
- LP - LIGHT POLE
- M.B. - MAP BOOK
- NGS - NATIONAL GEODETIC SURVEY
- NIR - NEW IRON ROD
- PG - PAGE
- PP - POWER POLE
- R/W - RIGHT-OF-WAY
- SDMH - STORM DRAIN MANHOLE
- SSMH - SANITARY SEWER MANHOLE
- WM - WATER METER
- WV - WATER VALVE
- PROPERTY LINE
- PROPERTY LINE (NOT SURVEYED)
- RIGHT-OF-WAY
- RIGHT-OF-WAY (NOT SURVEYED)
- SANITARY SEWER PIPE
- STORM DRAIN PIPE
- POWER LINE
- WOOD FENCE

GRAPHIC SCALE



(IN FEET)
1 inch = 80 ft.

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.

EXHIBIT "A"
10' ALLEY TO BE ABANDONED FOR:
DAVID WEEKLY HOMES
DRUMMOND AV, DUNCAN AV, LYDIA AV & CATAWBA AV
CITY OF CHARLOTTE, MECKLENBURG, NC
DEED REFERENCE: AS SHOWN
MAP REFERENCE: AS SHOWN
TAX PARCEL NO: AS SHOWN

R.B. PHARR AND ASSOCIATES, P.A.

SURVEYING AND MAPPING
LICENSE NO. C-1471
420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL. (704) 376-2186

CREW:	DRAWN:	REVISED:	SCALE:	DATE:	JOB NO.
JR	TLM		1"=80'	DEC. 12, 2018	89460

EXHIBIT "B"

Being all of that certain tract or parcel of land located in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

Commencing at an existing 1/2" iron rod on the northerly margin of the right of way of Catawba Avenue (45' public r/w), said point being the southeast corner of the Villa Heights Properties, LLC property as described in Deed Book 33000, Page 35 in the Mecklenburg County Public Registry and run N 80°15'49" W a distance of 95.00 feet to a calculated point being the true point and place of beginning; thence from said point of **BEGINNING** and continuing with the northerly margin of Catawba Avenue N 80°15'49" W a distance of 10.00 feet to a point being the southeast corner of Lot G, Block 12, Plaza Hills as recorded in Map Book 1166, Page 309; thence with the easterly line of Lot G N 09°47'00" E a distance of 99.79 feet to an existing iron pipe being the southeast corner of Lot F, Block 12, Plaza Hills as recorded in Map Book 1166, Page 309; thence with the easterly line of Lot F and continuing with the easterly line of Lots E and D N 09°49'00" E a distance of 295.54 feet to a point being the northeast corner of aforesaid Lot D, said point also lying on the southerly margin of the right of way of Drummond Avenue (variable width public r/w); thence with the southerly margin of Drummond Avenue S 80°09'10" E a distance of 10.00 feet to a point being the northwest corner of Lot C, Block 12, Plaza Hills as recorded in Map Book 1166, Page 309; thence with the westerly line of Lot C and continuing with the westerly line of Lots B and A S 09°48'30" W a distance of 295.52 feet to a point being the northwest corner of the aforementioned Villa Heights Properties, LLC property; thence with the westerly line of the Villa Heights Properties, LLC property S 09°48'30" W a distance of 99.80 feet to the point and place of **BEGINNING**, containing an area of 3,962 square feet or 0.0910 acre of land, more or less, as shown on an exhibit map prepared by R. B. Pharr & Associates, P.A., dated December 12, 2018 (Job No. 89460).

RESOLUTION CLOSING AN UNOPENED ALLEYWAY OFF OF NORTH MCDOWELL STREET AND
NORTH MYERS 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 an unopened alleyway off of North McDowell Street and North Myers 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 an unopened alleyway off of North McDowell Street and North Myers 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, the public hearing was held on the 8th day of April, 2019, and City Council determined that the closing of a portion of an alleyway off North McDowell Street and North Myers 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.

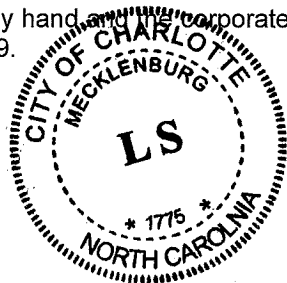
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of April 8, 2019, that the Council hereby orders the closing of a portion of an alleyway off of North McDowell Street and North Myers Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in the document marked "Exhibit B", all of which are attached hereto and made a part hereof.

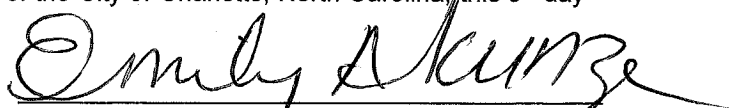
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th of April, 2019, the reference having been made in Minute Book 147 and recorded in full in Resolution Book 49, Page(s) 446-448.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8th day of April, 2019.




Emily A. Kunze, Deputy City Clerk, NCCMC

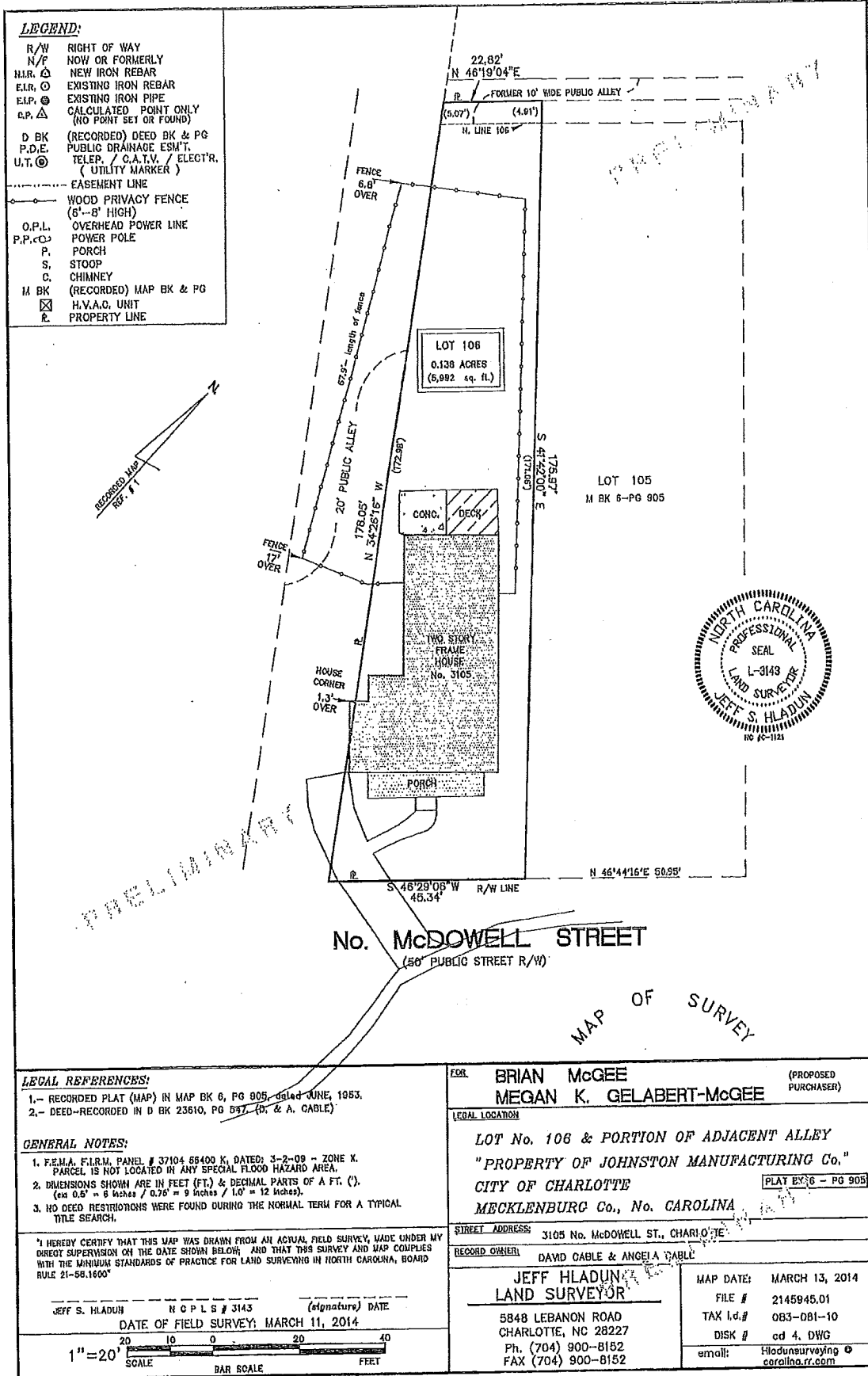


EXHIBIT B

Beginning at an existing iron rebar in the northerly margin of N. McDowell St. said iron marking the corner of lot 106 and a 20' alley as recorded in map book 6, page 905 and map book 6, page 901 in the Mecklenburg County Register of Deeds, thence with the common line of lot 106 and said alley, N 34-23-28 W 173.18' to a 1" pipe, said pipe marking the corner of said 20' alley and an abandoned 10' alley per book 40, page 151, thence crossing said 10' alley N 34-23-28 W 4.87' to an existing rebar, thence continuing N 34-23-28 W 5.25' to a point, thence continuing N 34-23-28 W 5.07' to a point in the rear line of the Gary Walker (now or formerly) as recorded in deed book 16522, page 914 in the Mecklenburg County Register of Deeds, said point also marking the southerly margin of N Myers St. a 40' public right of way, thence with the margin of N Myers St. S 56-00-11 W 19.13' to a 1" pipe marking the corner of lot 31 as recorded in map book 6, page 901 and the corner of said 20' alley, thence with the common line of 31 and said alley S 34-19-30 E 119.94' to an existing rebar, said rebar marking the common corner of lot 31 and lot 30 as recorded in map book 6, page 901, thence continuing with the margin of the 20' alley and the common line of lot 30, S 34-20-31 E 71.60' to a point, thence N 46-40-15 E 19.56' to the point and place of Beginning. Being all of a 20' alley as recorded in map book 6, page 901 and map book 6, page 905 in the Mecklenburg county Register of Deeds, containing 0.08 acres or 3655.06 sq.ft. as shown on a survey prepared by G. Kemp Miller, PLS date 10/10/2018.

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:

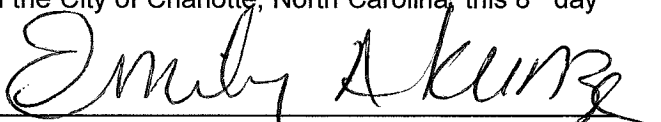
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

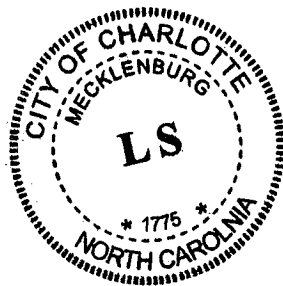
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 8th day of April 2019 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution 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 8th of April, 2019, the reference having been made in Minute Book 147 and recorded in full in Resolution Book 49, Page(s) 449-450.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8th day of April, 2019.


Emily A. Kunze, Deputy City Clerk, NCCMC



Taxpayers and Refunds Requested

ACCURIX LABORATORY INC	\$	338.35
BETHLEMEM CENTER OF CLT INC .	\$	7.33
BOGDAN, JOHN VINCENT	\$	229.27
BRANCH, ROBERT L	\$	235.89
CODIO, CAMELLA	\$	282.76
COLLINS, MILDRED M	\$	236.39
FAITH MEMORIAL BAPTIST CH TR	\$	380.89
FUNDERBURK, GERALDINE H	\$	604.89
GILLAND, RICHARD R	\$	151.57
JOHNSON, ELIZABETH (2017)	\$	256.59
JOHNSON, ELIZABETH (2018)	\$	261.95
JOHNSON, MARTHA MAE	\$	369.12
JUSTICE, VICKIE JONES	\$	189.78
KARRIEM, MAURICE H	\$	219.91
KNCT DIXIE RIVER LLC .	\$	220.45
KUYKENDALL, SANDRA H	\$	243.53
LAROCCA REVOCABLE TRUST, PATRICIA	\$	522.67
MANGANELLA, LAURA	\$	159.46
MCCAULEY, IDA A	\$	127.37
MEKHAEL, SAHER WAHBA	\$	1,111.16
MILES, SYLVIA WINNIEFRED	\$	221.63
MONTFORD BILLIARDS LLC	\$	232.83
MOORE, STEPHEN M	\$	521.19
PUROHIT, VINAY	\$	735.64
RICHARDSON, MARTIN L	\$	219.91
SHACKELFORD, LEWIS P	\$	127.37
SIM USA INC .	\$	5,912.40
STERLING DEVELOPMENT COMPANY .	\$	972.39
STUART, JAMES MICHAEL	\$	1,047.61
TESFAGABIHER, WELDU HAILE	\$	15.53
U S BANK NATIONAL ASSOCIATION (2018)	\$	239.17
U S BANK NATIONAL ASSOCIATION (2016)	\$	291.92
U S BANK NATIONAL ASSOCIATION (2017)	\$	262.74
WALLACE, DON	\$	219.91
WATANASIRRIROCH, SITTHISIN	\$	14.56
WELLS, CITONIA	\$	220.59
WEST, GARY E	\$	229.27
WILLIAMS, MORGAN B	\$	472.27
ZISKIND, ILYA	\$	359.93
	\$	<u>18,466.19</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 **8" WATER MAIN TO SERVE 3149 FREEDOM DRIVE**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **8" WATER MAIN TO SERVE 3149 FREEDOM DRIVE** and estimated to be **1,003.56 square feet (.23 acre) in waterline easement** or any interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 067-142-01, said property currently owned by **KINGOTT, LLC, vested owner; and XENITH BANK, Lender** or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

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

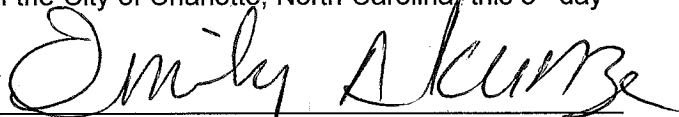
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 8th of April, 2019, the reference having been made in Minute Book 147 and recorded in full in Resolution Book 49, Page(s) 451.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8th day of April, 2019.




Emily A. Kunze, Deputy City Clerk, 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 **8" WATER MAIN TO SERVE 3149 FREEDOM DRIVE**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **8" WATER MAIN TO SERVE 3149 FREEDOM DRIVE** and estimated to be **591.99 square feet (.014 acre) in waterline easement** or any interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 067-131-06, said property currently owned by **ESTHER ELDER, vested owner; and CITY OF CHARLOTTE, Lender** or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

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

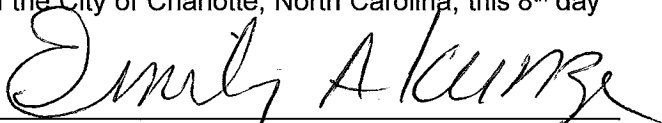
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 8th of April, 2019, the reference having been made in Minute Book 147 and recorded in full in Resolution Book 49, Page(s) 452.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8th day of April, 2019.




Emily A. Kunze, Deputy City Clerk, NCCMC