

RESOLUTION TO CLOSE UNOPENED RIGHT-OF-WAY OFF ROCKY RIVER ROAD PARALLEL TO
ROCKLAND DRIVE 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 Unopened Right-of-Way off Rocky River Road parallel to Rockland 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 Unopened Right-of-Way off Rocky River Road parallel to Rockland Drive to be sent by registered or certified mail to all owners of property adjoining said right-of-way and prominently posted a notice of the closing and public hearing in at least two places along said street or alleys, 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 the City of Charlotte over, upon, and under the area petitioned to be abandoned to access (ingress, egress, and regress), maintain, install, protect, operate, add to, modify, and replace Charlotte Water facilities, the existing facilities are noted on the attached map marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 10th day of January 2022, and City Council determined that closing Unopened Right-of-Way off Rocky River Road parallel to Rockland 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 their 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 January 10, 2022, that the Council hereby orders the closing of Unopened Right-of-Way off Rocky River Road parallel to Rockland 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.

CERTIFICATION

I, Billie Tynes, 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 10th day of January 2022, the reference having been made in Minute Book 155, and recorded in full in Resolution Book 52, Page(s) 419-423.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 10th day of January 2022.



A handwritten signature in cursive script that reads 'Billie Tynes'. The signature is written in dark ink and is positioned above a horizontal line.

Billie Tynes, Deputy City Clerk

November 10, 2021

Krystal Bright
Engineering Service Supervisor
Charlotte Department of Transportation
600 East 4th Street, 6th Floor
Charlotte, NC 28202

Ref: Right of Way Abandonment
Clark Village SDRMF-2021-00071

Ms. Bright,

I am the owner of the property located at 912 West Rocky River Rd, Charlotte, NC 28213 and acknowledge the adjacent Right of Way will be abandoned. I agree to release my rights to my portion of the Right Of Way and the entire will be given to Mecklenburg County.

Thank you,

A handwritten signature in black ink, appearing to read "John Clark Jr.", with a stylized flourish at the end.

John Clark Jr
224 Robinlynn Rd
Matthews, NC 28105

Exhibit “B”

Commencing at an existing rebar having N.C.S.P.C. coordinates of N:561,280.13 E:1,478,433.94 (CF:0.99984481); thence with a bearing of N 65°05'05" W and a distance of 218.70' to a point, being the point of BEGINNING; thence with a bearing of N 65°05'05" W and a distance of 31.30' to a point; thence with a bearing of N 65°30'40" W and a distance of 31.23' to a point; thence with a bearing of N 08°21'55" E and a distance of 1266.60' to a point; thence with a bearing of S 87°04'55" E and a distance of 30.14' to a point; thence with a bearing of N 08°21'55" E and a distance of 5.87' to a point; thence with a bearing of S 86°45'05" E and a distance of 30.12' to a point; thence with a bearing of S 08°21'55" W and a distance of 1295.60' to a point; being the point of BEGINNING, and having an area of 1.765 ac, more or less, as shown on a survey by Carolina Surveyors, Inc.

**RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE ORMAND COURT
OFF SLOAN STREET in the City of Charlotte, Mecklenburg County, North Carolina.**

Whereas, Northwood Ravin has filed a petition to close Ormand Court off Sloan Street in the City of Charlotte; and

Whereas, Ormand Court off Sloan Street containing 19,591 square feet or 0.4497 acres as shown in the map marked “Exhibit A” and are 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, CMGC, 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 10, 2022, that it intends to close Ormand Court off Sloan Street and that said right-of-way (or portion thereof) is more particularly described on a map. The public will take notice that, pursuant 160A-299 of the General Statutes of North Carolina, the City Council of the City of Charlotte has called a public hearing on the closure of Ormand Court off Sloan Street, to be conducted at 5:00 p.m., or as soon thereafter as practicable, on Monday, the 14th day of February 2022 at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street; Charlotte, North Carolina 28202, by such method, including in a virtual manner, necessary in response to the COVID-19 pandemic. The meeting will be accessible via <https://charlottenc.legistar.com/Calendar.aspx>. All interested parties are invited to present comments at the public hearing regarding the closure of Ormand Court off Sloan Street. To speak at the public hearing, please call the City Clerk’s office at 704-336-2248 or sign up online at <https://charlottenc.gov/CityClerk/Pages/Speak.aspx>. Participants who would like to participate virtually must contact the City Clerk’s Office by 9:00 a.m. on the day of the meeting. Alternatively, comments of 350 words or less on the subject of the public hearing may be submitted to the City Clerk’s Office at cityclerk@charlottenc.gov, between publication of this notice and 24 hours prior to the scheduled time for the beginning of the public hearing. Anyone requiring special accommodations when calling into the meeting and/or if you require information to be provided in an alternative format, please email charlotteada@charlottenc.gov or call 704-336-5271.

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

CERTIFICATION

I, Billie Tynes, 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 10th day of January 2022, the reference having been made in Minute Book 155, and recorded in full in Resolution Book 52, Page(s) 424-425.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 10th day of January 2022.



Billie Tynes, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **CENTRAL/KILBORNE/NORLAND PED & BIKE IMPROVEMENTS**; 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 **CENTRAL/KILBORNE/NORLAND PED & BIKE IMPROVEMENTS** and estimated to be:

960 sq. ft. (0.022 acre) of Temporary Construction Easement
1,494 sq. ft. (0.034 acre) of Sidewalk/Utility Easement

and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 131-023-15 said property currently owned by **PANAGIOTIS I. HARALAMBOUS, AND SPOUSE IF ANY, AND JOHN P. ELEFANDIS, AND SPOUSE IF ANY**, 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, Billie Tynes, 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 10th day of January 2022, the reference having been made in Minute Book 155, and recorded in full in Resolution Book 52, Page(s) 426.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 10th day of January 2022.



Billie Tynes

Billie Tynes, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **CENTRAL/KILBORNE/NORLAND PED & BIKE IMPROVEMENTS**; 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 **CENTRAL/KILBORNE/NORLAND PED & BIKE IMPROVEMENTS** and estimated to be:

1,150 sq. ft. (0.026 acre) of Temporary Construction Easement
986 sq. ft. (0.023 acre) of Sidewalk/Utility Easement

and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 101-173-42 said property currently owned by **SAMOS PARTNERSHIP**, 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, Billie Tynes, 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 10th day of January 2022, the reference having been made in Minute Book 155, and recorded in full in Resolution Book 52, Page(s) 427.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 10th day of January 2022.



Billie Tynes

Billie Tynes, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **CENTRAL/KILBORNE/NORLAND PED & BIKE IMPROVEMENTS**; 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 **CENTRAL/KILBORNE/NORLAND PED & BIKE IMPROVEMENTS** and estimated to be:

120 sq. ft. (0.003 acre) of Temporary Construction Easement

22 sq. ft. (0.001 acre) of Sidewalk/Utility Easement

and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 131-025-02 said property currently owned by **STARR ELECTRIC COMPANY, INCORPORATED**, 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, Billie Tynes, 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 10th day of January 2022, the reference having been made in Minute Book 155, and recorded in full in Resolution Book 52, Page(s) 428.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 10th day of January 2022.



Billie Tynes

Billie Tynes, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **CENTRAL/KILBORNE/NORLAND PED & BIKE IMPROVEMENTS**; 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 **CENTRAL/KILBORNE/NORLAND PED & BIKE IMPROVEMENTS** and estimated to be:

1,687 sq. ft. (0.039 acre) of Temporary Construction Easement

16 sq. ft. (0 acre) of Sidewalk/Utility Easement

115 sq. ft. (0.003 acre) of Storm Drainage Easement

and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 131-025-03 said property currently owned by **STARR FAMILY GROUP, LLC**, 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, Billie Tynes, 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 10th day of January 2022, the reference having been made in Minute Book 155, and recorded in full in Resolution Book 52, Page(s) 429.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 10th day of January 2022.



Billie Tynes, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **DAVIDSON-JORDAN PLACE INTERSECTION**; 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 **DAVIDSON-JORDAN PLACE INTERSECTION** and estimated to be:

2,274 sq. ft. (0.052 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. 083-066-03 and 083-066-04 said property currently owned by **NEESES COUNTRY SAUSAGE, INC.**, 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, Billie Tynes, 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 10th day of January 2022, the reference having been made in Minute Book 155, and recorded in full in Resolution Book 52, Page(s) 430.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 10th day of January 2022.



Billie Tynes

Billie Tynes, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **MONROE ROAD STREETSCAPE**; 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 **MONROE ROAD STREETSCAPE** and estimated to be:

3,938 sq. ft. (0.09 acre) of Temporary Construction Easement

3,688 sq. ft. (0.085 acre) of Sidewalk/Utility Easement

14 sq. ft. (0 acre) of Utility Easement

and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 159-061-12 said property currently owned by **MICHAEL E. TODD REVOCABLE TRUST AGREEMENT DATED JUNE 20, 2000**, 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, Billie Tynes, 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 10th day of January 2022, the reference having been made in Minute Book 155, and recorded in full in Resolution Book 52, Page(s) 431.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 10th day of January 2022.



Billie Tynes

Billie Tynes, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **XCLT ORR ROAD TO ROCKY RIVER ROAD**; 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 **XCLT ORR ROAD TO ROCKY RIVER ROAD** and estimated to be:

12,287 sq. ft. (0.282 acre) of Temporary Construction Easement

14,446 sq. ft. (0.332 acre) of Permanent Greenway Easement

and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 049-021-19 said property currently owned by **National Retail Properties, L.P., and the Esten Jennings Mason Trust Agreement dated July 28, 1989**, 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, Billie Tynes, 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 10th day of January 2022, the reference having been made in Minute Book 155, and recorded in full in Resolution Book 52, Page(s) 432.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 10th day of January 2022.



Billie Tynes

Billie Tynes, Deputy City Clerk