

RESOLUTION TO CLOSE A PORTION OF PUBLIC RIGHT OF WAY ADJACENT TO
DUPREE STREET IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH
CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a Portion of Dupree Street which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a Portion of Dupree Street 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. Furthermore, this closure is made subject to any matters of record not limited to rights of way or easements of Seaboard Airline Railway, its successors and assigns; and

WHEREAS, the public hearing was held on the 8th day of May 2023, and City Council determined that closing a Portion of public right of way adjacent to Dupree 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 their or its property.

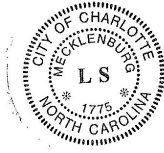
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of May 8th 2023, that the Council hereby orders the closing a Portion of public right of way adjacent to Dupree Street in the City of Charlotte, Mecklenburg County, North Carolina 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.

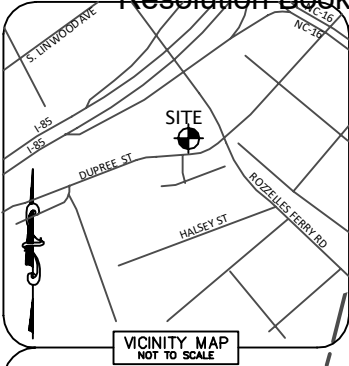
CERTIFICATION

I, 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 8th day of May 2023, the reference having been made in Minute Book 157, and recorded in full in Resolution Book 54, Page(s) 024-027.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8th day of May 2023.



Billie Tynes, Deputy City Clerk



LINE	BEARING	DISTANCE
L1	S 48°29'14" E	2.75'
L2	S 29°17'52" W	9.38'
L3	N 19°32'08" W	12.57'
L4	N 19°32'04" W	40.00'

CURVE	LENGTH	RADIUS	CHORD	CHORD BRG
C1	42.01'	174.71'	41.91'	S 06°23'03" E
C2	85.88'	1148.15'	85.86'	S 64°21'35" W
C3	78.38'	273.25'	78.12'	S 75°37'01" W
C4	13.59'	2753.84'	13.59'	S 39°19'11" E
C5	86.56'	2753.84'	86.55'	S 40°21'42" E
C6	130.10'	1186.65'	130.03'	S 63°22'33" W
C7	90.52'	311.75'	90.20'	S 75°39'36" W

NOTES:

1. NO NCGS MONUMENT FOUND WITHIN 2000'. THE STATE PLANE COORDINATES (SPC) FOR THIS PROJECT WERE PRODUCED WITH VRS GPS OBSERVATIONS AND PROCESSED WITH VRS SOFTWARE ON 10/03/2022. THE NETWORK POSITIONS ACCURACY OF THE VRS DERIVED POSITIONAL INFORMATION IS 0.07" AND SURVEY CLASS MEETS OR EXCEEDS CLASS C HORIZONTAL POSITIONS ARE REFERENCED TO NAD83/NSRS (2011).
2. THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.
3. AREA BY COORDINATE COMPUTATION.
4. ALL DISTANCES ARE HORIZONTAL GROUND, IN US SURVEY FEET.
5. SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAY, STREETS AND ASSESSMENTS, AS THE SAME MAY APPEAR OF RECORD IN THE REGISTER OF DEEDS OFFICE, CLERK OF COURT, TOWN OR COUNTY TAX OFFICES, OR WHICH MAY HAVE BEEN ACQUIRED BY PRESCRIPTIVE USE.
6. THIS SURVEY IS INTENDED FOR THE PURPOSES OF EASEMENT ACQUISITION ONLY, AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE LANDS SHOWN HEREON.
7. THIS MAP HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.
8. THIS SURVEY WAS MADE WITHOUT BENEFIT OF TITLE REPORT OR OPINION AND DOES NOT PURPORT TO SHOW ALL MATTERS OF TITLE THAT A COMPLETE TITLE REPORT MAY REVEAL.
9. RIGHT OF WAY ABANDONMENT PETITION #2022-001347A

065-143-55
PTM HOLDINGS 2, LLC
DB. 29865, PG. 736

ROAD R/W PER NCDOT
PROJ #8.1636601

065-145-01
GOMER PYLE, LLC
DB. 29256, PG. 535

065-145-05
GRADY NORTON
DB. 5926, PG. 205

065-145-06
GRADY NORTON
MB. 5, PG. 339

065-145-07
GRADY NORTON
DB. 2239, PG. 292

DWELLE STREET
VARIABLE PUBLIC R/W

ROZZELLES FERRY ROAD
VARIABLE PUBLIC R/W

LEGEND:

- #4 REBAR FOUND
- REBAR SET
- MAGNAIL SET
- CALCULATED POINT
- SUBJECT PROPERTY LINE
- ADJOINER PROPERTY LINE
- R.R. R/W LINE
- NEW RIGHT OF WAY
- ROAD CENTERLINE
- FORMER RIGHT OF WAY



I, DARYL W. LONG, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY UNDER MY SUPERVISION. THAT THE DEEDS AND MAPS NOTED WERE USED AS REFERENCES. THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION INDICATED, THAT THE RATIO OF PRECISION AS CALCULATED IS GREATER THAN 1:10,000; THAT THIS PLAT WAS PREPARED FOR THE PURPOSE OF R/W ACQUISITION AND/OR EASEMENT ACQUISITION ONLY, AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PARCEL SHOWN HEREON; THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA(21 NCAC 56.1600).

WITNESS MY HAND AND SEAL THIS ____ DAY OF _____, 2023.

Daryl W. Long

Digitally Signed by Daryl W. Long
Professional Property Surveyors, Inc. 4/28/23

DARYL W. LONG, N.C. PLS-4918

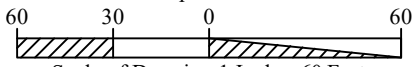


*ORIGINAL SURVEY ISSUED: 10/3/22

*EXHIBIT UPDATED TO REVISE RIGHT OF WAY LINE AT THE REQUEST OF CITY OF CHARLOTTE 2/16/23

*EXHIBIT UPDATED TO SHOW FORMER ROAD RIGHT OF WAY 4/28/23

Graphic Scale



Scale of Drawing 1 Inch = 60 Feet

Exhibit "A" of Right of Way Abandonment

 Professional Property Surveyors, Inc. 18335 Old Statesville Road Ste. A Cornelius, N.C. 28031 704-765-5134 Phone/Fax Firm License: C-3666		Survey For: GRADY L NORTON		As Recorded in: DB. 5926, PG. 205 MB. 5, PG. 339		Site Address: 102 & 104 DUPREE STREET CHARLOTTE, NC 28208 MECKLENBURG COUNTY	
100322-01 Job No.	JML Prepared By	1:10,000 Error of Closure	1"=60' Drawing Scale	065-145-05/065-145-06 Tax Parcel Number	NORTON Drawing File Name	1 of 1 Sheet Number	4/28/2023 Date

Exhibit B
Dupree Street
Right of Way Abandonment
Charlotte, NC 28208
Mecklenburg County

Being an area of land, based 38.5 feet from center of road and bounded by the southern property line as shown as the street right of way line of South Draper Street found in Map Book 5, Page 339, and more particularly described as follows:

Survey Legal Description

BEGINNING at a "MAG" nail set in the center of the 100' Seaboard Airline right of way, having NC Grid NAD83/2011 Coordinates of N: 554,770.11', E: 1,439,067.67', thence with a new right of way line of Dupree Street, a curve to the right, having a radius of 174.71', and a length of 42.01 feet with a chord bearing of S06°23'03"E, and chord length of 41.91 feet to a point; thence S48°29'14"E, a distance of 2.75 feet to a point; thence S29°17'14"W a distance of 9.38 feet to a point; thence with a curve to the right, having a radius of 1148.15', and a length of 85.88 feet with a chord bearing of S64°21'35"W and chord length of 85.86 feet to a point; thence with a curve to the right, having a radius of 273.25', and a length of 78.38 feet with a chord bearing of S75°37'01"W, and chord length of 78.12 feet to a point; thence S86°13'49"W, a distance of 189.77 feet to a #4 Rebar set; thence leaving said right of way N19°32'08"W, a distance of 12.57 feet to a #5 Rebar found and being the common corner with Gomer Pyle, LLC (DB 29256, Pg 535) now or formerly, and also being the former street right of way line of Map Book 5, Pg 339 ; thence N70°26'28"E, a distance of 150.07 feet to a #5 Rebar found; thence N70°26'07"E, a distance of 206.40 feet to a magnail set in the center of the 100' Seaboard Airline right of way, thence with the center of the tracks, a curve to the left, having a radius of 2,753.84', and a length of 13.59 feet with a chord bearing of S39°19'11"E, and chord length of 13.59 feet to the **POINT OF BEGINNING**, being 18,834 sq.ft. (0.432 acres) as shown on a survey plat entitled "Exhibit A of Right of Way Abandonment", dated February 24th, 2023 by Daryl W. Long, PLS L-4918.

RESOLUTION TO CLOSE a Portion of Greensboro Street and a Portion of Raleigh Street Right-of-Way IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a Portion of Greensboro Street and a Portion of Raleigh Street Right-of-Way 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 Greensboro Street and a Portion of Raleigh Street Right-of-Way 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, the public hearing was held on the 8th day of May 2023, and City Council determined that closing a Portion of Greensboro Street and a Portion of Raleigh Street Right-of-Way 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 May 8th 2023, that the Council hereby orders the closing a Portion of Greensboro Street and a Portion of Raleigh Street Right-of-Way 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 8th day of May 2023, the reference having been made in Minute Book 157, and recorded in full in Resolution Book 54, Page(s) 028-032.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8th day of May 2023.



Billie Tynes, Deputy City Clerk

May 8, 2023

Resolution Book 54, Page 030 Tax # 091-051-51

Raleigh 20, LLC

D.B. 35432 Pgs. 298-303

Lot 2, M.B. 58 Pg. 762

TOD-TR zoning

[Record: N 81°00'26" E 299.55']

EXHIBIT A-1

N.C. GRID (NAD83-2011)

Tax # 091-051-50

AJP Mecklenburg, LLC

D.B. 24519 Pg. 504

TOD-CC zoning



Andrew G. Zoutewelle
Andrew G. Zoutewelle, N.C. PLS L-3098

1-31-2023

Date

Tax # 091-051-13

Foz 4237 Raleigh, LLC

D.B. 33351 Pg. 394

TOD-CC zoning

Existing Street R/W being
abandoned (dot-shaded)
6,136 s.f.. (0.1409 ac.)

L1: S 81°03'58" W - 100.33'
L2: N 08°55'00" W - 122.33'
L3: S 48°16'47" E - 158.18

NCGS Coordinates:
N=551,937.81'
E=1,465,557.20'
CGF=0.999842249

Tax # 091-051-38

RIGHT OF WAY ABANDONMENT EXHIBIT
GREENSBORO ST. AT RALEIGH ST.
CHARLOTTE, MECKLENBURG COUNTY, N.C.

Date of Survey: November 16, 2022

0 60 120 180



Scale: 1" = 60'

A.G. ZOUTEWELLE
SURVEYORS

1418 East Fifth St. Charlotte, NC 28204
Phone: 704-372-9444 Fax: 704-372-9555

GENERAL NOTES:

1. Tax Identification Numbers shown hereon as per the Mecklenburg County G.I.S.
2. Area, as shown hereon, computed by the coordinate method.
3. This survey does not reflect a boundary survey of any tax parcel shown. The purpose of this survey is to depict existing public street right-of-way to be abandoned by petition. The source of title for the underlying property is Deed Book 29526, Page 466, recorded 24 October 2014.
4. Zoning designations shown hereon are per Mecklenburg County G.I.S.
5. This survey reflects utilities as per (1) observed surface indications; (2) Charlotte Water customer service maps; and (3) surface designation markings provided by the NC ONECALL Utility Location Service (1-800-632-4949). The surveyor assumes no responsibility for underground utilities not shown hereon. Call NC OneCall before digging.
6. Per FEMA Flood Insurance Rate Map (FIRM) 3710456500K dated 11-16-18 this property is situated entirely within Zone X (area outside of the 100-year Flood Hazard Zone).

GPS METADATA

- (1) Class of Survey: "AA" (horizontal); "C" (vertical)
- (2) Positional Accuracy: Horizontal; 0.04 feet, Vertical; 0.10 feet
- (3) Type of GPS field procedure: RTK Network (VRS)
- (4) Date of Survey: July 15, 2020
- (5) Datum/Epoch: NAD_83 (2011)(Epoch:2010.0000)
- (6) Published/Fixed-control used: NCGS RTK (CORS) Network
- (7) Geoid Model: GEIOD_12B
- (8) Units: U.S. Survey Foot. Vertical datum is NAVD88.
Average Combined Grid Factor = 0.999842249

*** CAUTION ***

THERE MAY BE UTILITIES OTHER THAN THOSE SHOWN.
THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR UTILITIES
NOT SHOWN HEREON. IT IS THE CONTRACTOR'S
RESPONSIBILITY TO VERIFY THEIR LOCATIONS.

CALL BEFORE YOU DIG
1-800-632-4949

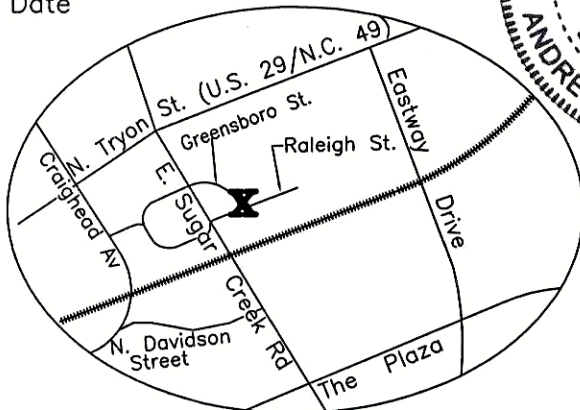
I, ANDREW G. ZOUTEWELLE, do hereby certify that this map was drawn that this survey is based upon my best knowledge, information and belief; that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in deed and map books as noted); that the boundaries not surveyed are indicated as dashed lines drawn from adjoining deed sources as shown hereon; that the ratio of precision or positional accuracy is 1:10,000; that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600).

Andrew G. Zoutewelle

Andrew G. Zoutewelle,
N.C. PLS L-3098

1-31-2023

Date



LEGEND

conc.	concrete
FOV	fiber optics vault
IRF/S	iron rebar found/set
MB,DB	record map and deed references
RCP	reinforced concrete pipe
R/W	right of way
RWD	right of way disc
s.f.	square feet (by coordinates)
SUE	sidewalk & utilities easement
	light pole
	utility pole
	catch basin
	sanitary sewer manhole
	guy anchor
-OU-	overhead utility lines
-UT-	underground telecom line

RIGHT OF WAY ABANDONMENT EXHIBIT
GREENSBORO ST. AT RALEIGH ST.
CHARLOTTE, MECKLENBURG COUNTY, N.C.

Date of Survey: November 16, 2022

0 60 120 180



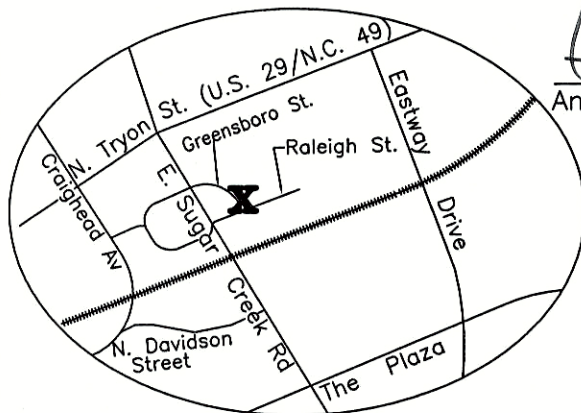
A.G. ZOUTEWELLE
SURVEYORS

1418 East Fifth St. Charlotte, NC 28204
Phone: 704-372-9444 Fax: 704-372-9555

EXHIBIT B**LEGAL DESCRIPTION:**

Being all that certain right-of-way tract of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being a portion of that certain street right-of-way shown on that certain plat entitled "Plat Showing Raleigh Street" recorded in Map Book 20 Page 75 of the Mecklenburg County Registry, and being more particularly described as follows:

BEGINNING at a new surveyor's PK nail located on the existing northerly right-of-way margin, sixty (60) feet in width, as shown on that certain plat recorded in Map Book 20 Page 75, said PK nail being the southwesterly corner of the Foz 4237 Raleigh, LLC, as described in Deed Book 33351, Page 394 of the Mecklenburg County Registry, said Beginning Point also being located South 81-03-58 West 240.06 feet from an existing iron rebar located on the northerly sixty foot margin of Raleigh Street, the southeasterly property corner of the aforesaid Foz 4237 Raleigh, LLC property, said PK nail also having the following North Carolina State Plane Coordinates: Northing = 551, 937.81 feet, and Easting = 1,465, 557.20 feet as based on the 2010.000 realization of the North American Horizontal Datum of 1983, said datum having a combined factor of 0.999842249 to convert from the ground distances called herein; thence, from said PK nail, along the existing right-of-way margin of Raleigh Street, the southwesterly line of aforesaid Foz 4237 Raleigh, LLC, North 48-16-47 West 16.01 feet to a PK nail set, the POINT AND PLACE OF BEGINNING; thence, along a new line, South 81-03-58 West 100.33 feet to a new PK nail set in the concrete sidewalk on the easterly side of Greensboro Street; thence North 08-55-00 West 122.33 feet to an iron rebar set in the southwesterly line of the aforesaid Foz 4237 Raleigh, LLC property, said new iron rebar being located South 48-16-47 East 12.42 feet from an existing iron rebar at the common southerly corner of Foz 4237 Raleigh, LLC and the property of AJP Mecklenburg, LLC as described in Deed Book 24519 Page 504 of the Mecklenburg County Registry; thence, in a southeasterly direction along the existing variable right of way margin of Greensboro Street as shown on the plans for State Highway Project 57500.2.FRA01, South 48-16-47 East 158.18 feet to the point and place of BEGINNING, containing 6, 136 square feet, or 0.1409 acre, more or less, as shown on a map of survey conducted by Andrew G. Zoutewelle, North Carolina Professional Land Surveyor No. L-3098, dated November 16, 2022.



Andrew G. Zoutewelle
 Andrew G. Zoutewelle, N.C. PLS L-3098

1-31-2023

Date



RIGHT OF WAY ABANDONMENT EXHIBIT
 GREENSBORO ST. AT RALEIGH ST.
 CHARLOTTE, MECKLENBURG COUNTY, N.C.

Date of Survey: November 16, 2022

0 60 120 180



A.G. ZOUTEWELLE
SURVEYORS

1418 East Fifth St. Charlotte, NC 28204
 Phone: 704-372-9444 Fax: 704-372-9555

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 May 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, 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 8th day of May 2023, the reference having been made in Minute Book 157, and recorded in full in Resolution Book 54, Page(s) 033-034.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8th day of May 2023.



Billie Tynes, Deputy City Clerk

May 8, 2023

Resolution Book 54, Page 034

Taxpayers and Refunds Requested

BOXX MODULAR INC	1,353.70
CEFLA NORTH AMERICA INC	77.73
CRESSWIND CHARLOTTE HOMEOWNERS ASSO	48.97
HAWTHORNE MILL PARTNERS LLC	765.82
PLESSNER, KYLE RICHARD	31.97
PUBLIX NORTH CAROLINA LP #1518	248.31
PUBLIX NORTH CAROLINA LP #1518	343.71
PUBLIX NORTH CAROLINA LP #1518	468.88
PUBLIX NORTH CAROLINA LP #1518	500.67
RSSI SHARON CHASE CONDOS INC	138.89
	<hr/>
	\$ 3,978.65
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