

RESOLUTION CLOSING AN ALLEYWAY OFF OF N. DOTGER 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 alleyway off of N. Dotger 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 alleyway off of N. Dotger Avenue to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the city may reserve its right, title, and interest in any utility improvement or easement within a street closed pursuant to G.S. 160A-299; and

WHEREAS, an easement shall be reserved in favor of Duke Energy and AT&T over, upon, and under the area petitioned to be abandoned for ingress, egress, and regress to access its existing facilities for the installation, maintenance, replacement, and repair of cable, conduit, and related equipment, as shown on the attached maps marked "Exhibit A, Page 1 & Page 2"; and

WHEREAS, the petitioner and an abutting property owner have agreed to a distribution of right-of-way as shown in "Exhibit C, Page 1 & Page 2" attached hereto and made part hereof; and

WHEREAS, the public hearing was held on the 23rd day of April, 2018, and City Council determined that the closing of an alleyway off of N. Dotger 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.

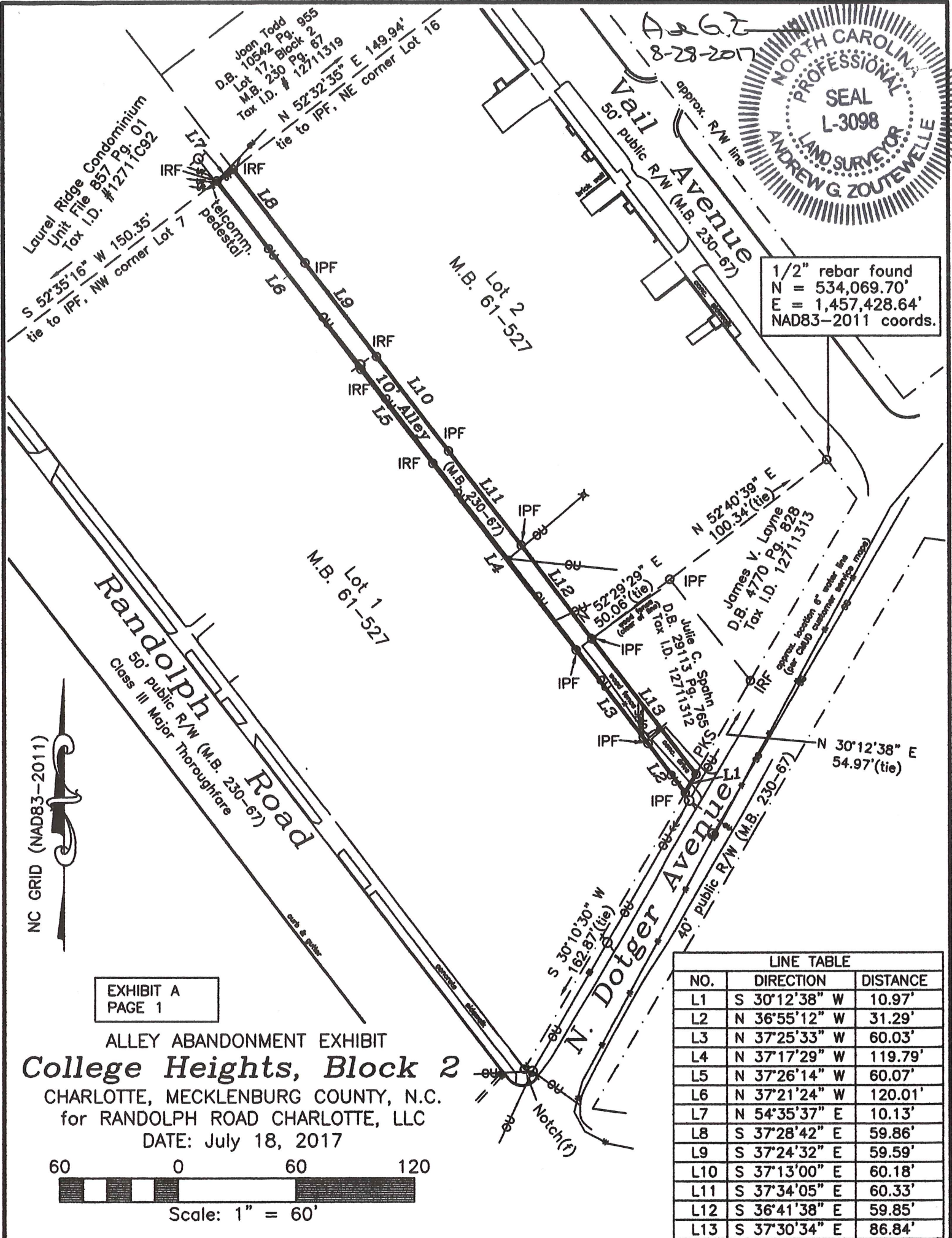
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of April 23, 2018, that the Council hereby orders the closing of an alleyway off of N. Dotger Avenue in the City of Charlotte Mecklenburg County, North Carolina as shown in the maps marked "Exhibit A, Page 1 & Page 2", 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.



ARGZ
8-28-2017

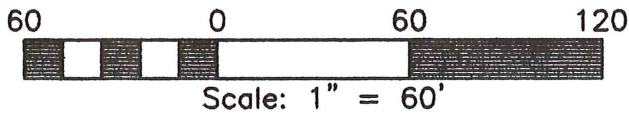
1/2" rebar found
N = 534,069.70'
E = 1,457,428.64'
NAD83-2011 coords.



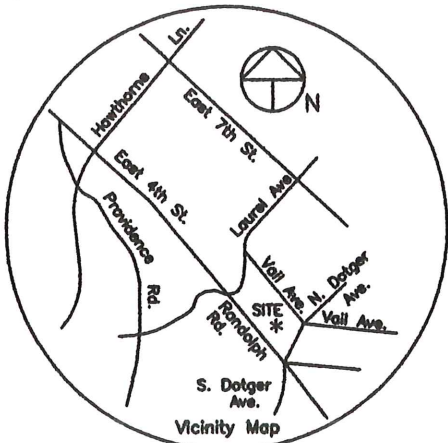
NC GRID (NAD83-2011)

EXHIBIT A
PAGE 1

ALLEY ABANDONMENT EXHIBIT
College Heights, Block 2
CHARLOTTE, MECKLENBURG COUNTY, N.C.
for RANDOLPH ROAD CHARLOTTE, LLC
DATE: July 18, 2017



LINE TABLE		
NO.	DIRECTION	DISTANCE
L1	S 30°12'38" W	10.97'
L2	N 36°55'12" W	31.29'
L3	N 37°25'33" W	60.03'
L4	N 37°17'29" W	119.79'
L5	N 37°26'14" W	60.07'
L6	N 37°21'24" W	120.01'
L7	N 54°35'37" E	10.13'
L8	S 37°28'42" E	59.86'
L9	S 37°24'32" E	59.59'
L10	S 37°13'00" E	60.18'
L11	S 37°34'05" E	60.33'
L12	S 36°41'38" E	59.85'
L13	S 37°30'34" E	86.84'



I hereby certify to only Randolph Road Charlotte, LLC:

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 1:15,000 ; that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600). This map is not intended to meet G.S. 47-30 recording requirements.

This 28th day of August, 2017.

Andrew G. Zoutewelle

Andrew G. Zoutewelle
Professional Land Surveyor
NC License No. L-3098



GENERAL NOTES

- 1.) The alleyway to be abandoned is shown on a plat recorded in Map Book 230 Page 67 Mecklenburg County Registry.
- 2.) Utilities shown hereon have been located based on Charlotte Water Customer Service maps, markings provided by the NC ONE-CALL Utility Locating Service, and surface observations. There may be other utilities that exist. See caution note.
- 3.) The total area of the alleyway is 3,930 square feet, more or less, by coordinate computation.
- 4.) Improvements and utilities outside of the alleyway were located on prior surveys by this firm and are shown for context only.
- 5.) Zoning boundary lines are not shown hereon.
- 6.) Easement in favor of Duke Energy, AT&T 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.

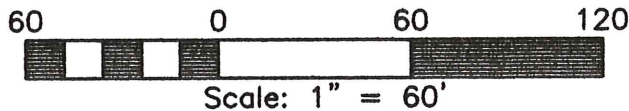
LEGEND

- IRF iron pin found
- IPF iron pipe found
- PKF P.K. Nail found
- conc. concrete
- ⊗ light pole
- utility pole
- ← guy anchor
- UT- underground telecomm. line
- UE- underground electric line
- OU- overhead utility lines

EXHIBIT A
PAGE 2

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DATE: July 18, 2017



*** 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

A.G. ZOUTEWELLE
SURVEYORS
1418 East Fifth St. Charlotte, NC 28204
Phone: 704-372-9444 Fax: 704-372-9555
Firm Licensure Number C-1054

PROPERTY DESCRIPTION

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being known as a portion of a 10-foot alleyway as shown on a plat recorded in Map Book 230 Page 67 Mecklenburg County Registry, and more particularly described as follows:

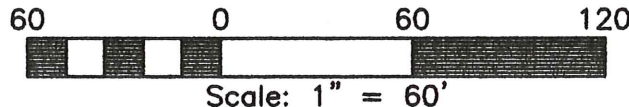
COMMENCING at a 1/2" rebar found on the southwesterly right of way margin of Vail Avenue (a 50-foot public right-of-way per Map Book 230 Page 67) at the northeast corner of Lot 12, Block 2, College Heights, as shown on a plat recorded in Map Book 230 Page 67, said rebar having North Carolina grid coordinates of North = 534,069.70' and East = 1,457,428.64', as based on the 2010.0000 Epoch of the North American Horizontal Datum of 1983, said datum having a combined grid conversion factor of 0.999844719 from the ground distances cited herein, and running thence the following three tie-lines; (1) along the southern line of Lot 12, Block 2 College Heights, South 52-40-39 West 100.34 feet to an iron pipe found; (2) South 52-29-29 West 50.06 feet to an iron pipe found at the southernmost corner of Lot 12, Block 2, also being the northwest corner of Julie C. Spahn property as described in a deed recorded in Book 29113 Page 765; thence with the westerly line of Spahn, South 37-30-34 East 86.84 feet to a P.K. Nail set on the northwestern right of way margin of North Dotger Avenue (a 40' public right-of-way per Map Book 230 Page 67), said P.K. nail being the TRUE POINT AND PLACE OF BEGINNING; thence from said BEGINNING POINT, along the northwestern right-of-way margin of North Dotger Avenue, South 30-12-38 West 10.97 feet to an iron pipe found, the northeast corner of Lot 1, Block 2, College Heights; thence leaving North Dotger Avenue and running with the easterly lines of Lots 1, 2, 3, 4, 5, 6 and 7, Block 2 College Heights, the following five (5) courses and distances: (1) North 36-55-12 West 31.29 feet to an iron pipe found; (2) North 37-25-33 West 60.03 feet to an iron pipe found; (3) North 37-17-29 West 119.79 feet to an iron rebar found; (4) North 37-26-14 West 60.07 feet to an iron rebar found; (5) North 37-21-24 West 120.01 feet to an iron rebar found at the northeast corner of Lot 7, Block 2 College Heights, said rebar also being in the southerly line of Laurel Ridge Condominium as shown in Condominium Unit Ownership File No. 857 Pg. 01; thence with the southerly line of Laurel Ridge Condominium, North 54-35-37 East 10.13 feet to an iron rebar found at the northwest corner of Lot 16, Block 2 College Heights; thence with the westerly lines of Lots 16, 15, 14, 13 and 12, the following five courses and distances: (1) South 37-28-42 East 59.86 feet to an iron pipe found; (2) South 37-24-32 East 59.59 feet to an iron rebar found; (3) South 37-13-00 East 60.18 feet to an iron pipe found; (4) South 37-34-05 East 60.33 feet to an iron pipe found and (5) South 36-41-38 East 59.85 feet to an iron pipe found at the northwest corner of Julie C. Spahn property as described above; thence with the westerly line of Spahn, South 37-30-34 East 86.84 feet to the BEGINNING, containing 3,930 square feet, more or less.

A.G.Z
8-28-2017



EXHIBIT B

ALLEY ABANDONMENT EXHIBIT
College Heights, Block 2
CHARLOTTE, MECKLENBURG COUNTY, N.C.
for RANDOLPH ROAD CHARLOTTE, LLC
DATE: July 18, 2017



GPS METADATA
Class of Survey: A
Type of GPS field procedure: RTK/GNSS
Date of Survey: 09-10-2014
Point positional accuracy at 95% confidence:
Horizontal - 0.06'; Vertical - 0.1'
Datum and Epoch: NAD83-2011 (Epoch 2010.0000)
Designation of fixed control stations: NCGS CORS
Geoid model used: GEOID_12A
Combined Grid Factor: 0.999844719
All distances shown hereon are horizontal ground distances.

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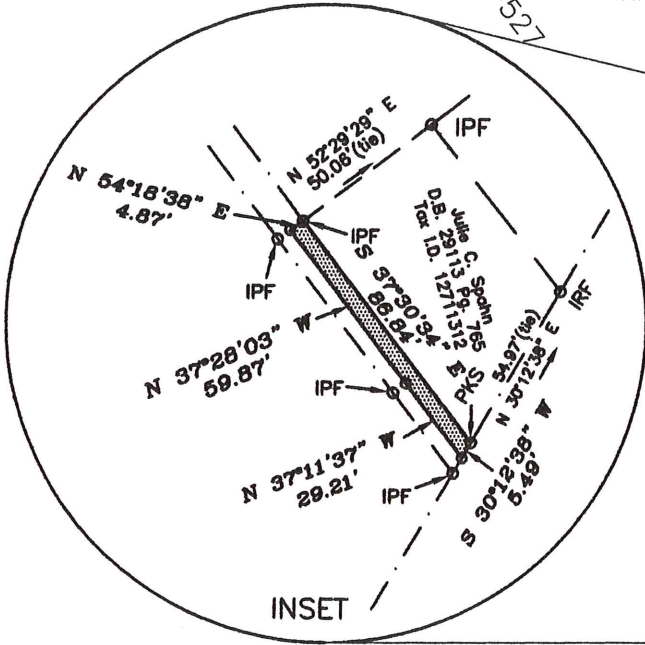
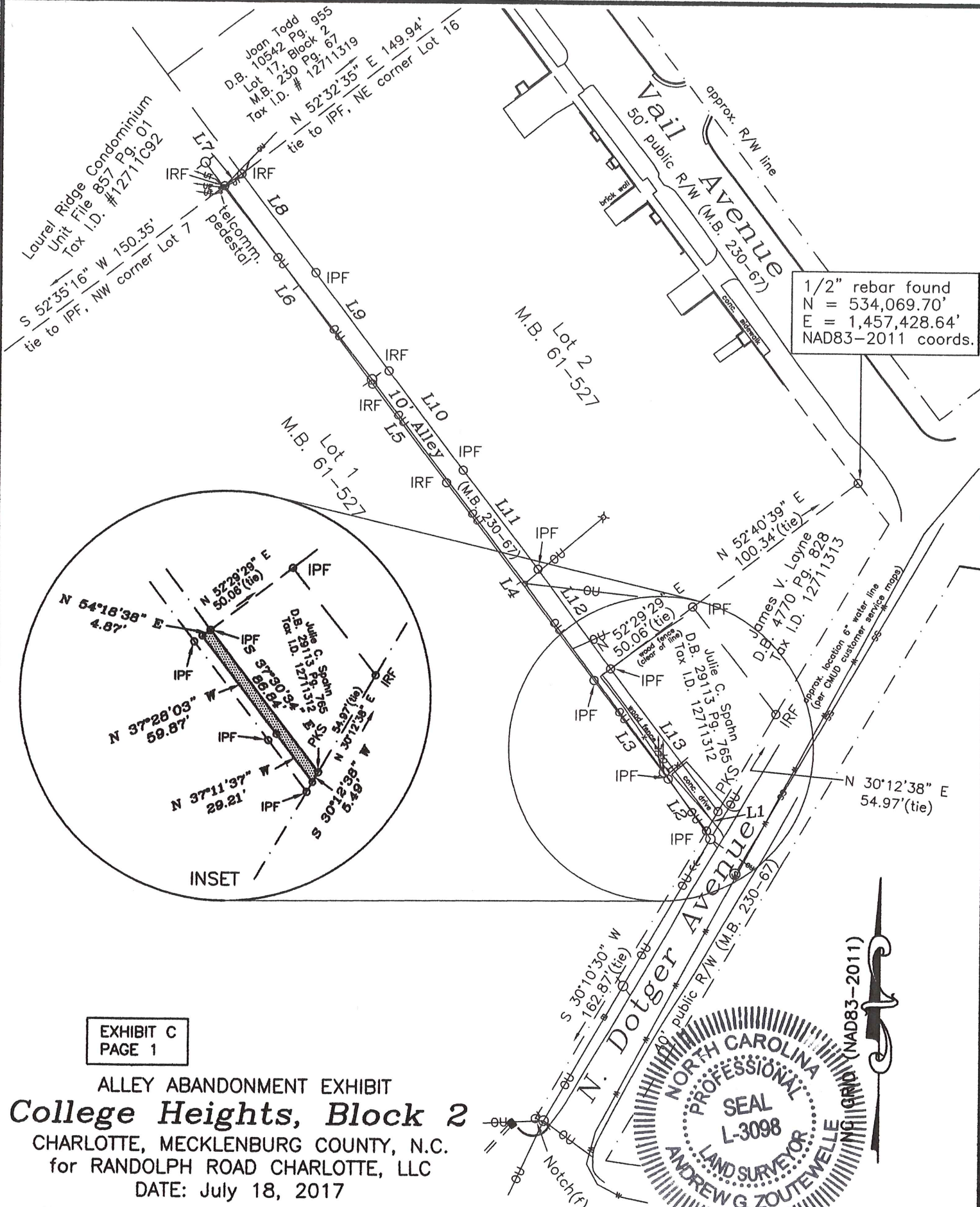
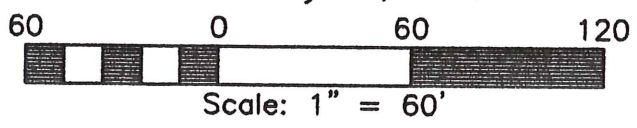


EXHIBIT C
PAGE 1

ALLEY ABANDONMENT EXHIBIT
College Heights, Block 2
CHARLOTTE, MECKLENBURG COUNTY, N.C.
for RANDOLPH ROAD CHARLOTTE, LLC
DATE: July 18, 2017



AGZ 8-28-2017

PROPERTY DESCRIPTION: PORTION OF ALLEY
TO REVERT TO JULIE C. SPAHN

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being known as a portion of a 10-foot alleyway as shown on a plat recorded in Map Book 230 Page 67 Mecklenburg County Registry, and more particularly described as follows:

COMMENCING at a 1/2" rebar found on the southwesterly right of way margin of Vail Avenue (a 50-foot public right-of-way per Map Book 230 Page 67) at the northeast corner of Lot 12, Block 2, College Heights, as shown on a plat recorded in Map Book 230 Page 67, said rebar having North Carolina grid coordinates of North = 534,069.70' and East = 1,457,428.64', as based on the 2010.0000 Epoch of the North American Horizontal Datum of 1983, said datum having a combined grid conversion factor of 0.999844719 from the ground distances cited herein, and running thence the following two tie-lines; (1) along the southern line of Lot 12, Block 2 College Heights, South 52-40-39 West 100.34 feet to an iron pipe found and (2) South 52-29-29 West 50.06 feet to an iron pipe found at the southernmost corner of Lot 12, Block 2, also being the northwest corner of Julie C. Spahn property as described in a deed recorded in Book 29113 Page 765; said iron pipe found being the TRUE POINT AND PLACE OF BEGINNING; thence from said BEGINNING POINT, along the westerly line of Spahn, South 37-30-34 East 86.84 feet to a P.K. Nail set on the northwestern right of way margin of North Dotger Avenue (a 40' public right-of-way per Map Book 230 Page 67); thence with said northwestern right-of-way margin of North Dotger Avenue, South 30-12-38 West 5.49 feet to a computed point; thence the following three new lines: (1) leaving North Dotger Avenue, North 37-11-37 West 29.21 feet to a computed point; (2) North 37-28-03 West 59.87 feet to a computed point; and (3) North 54-18-38 East 4.87 feet to the BEGINNING, containing 434 square feet, more or less.

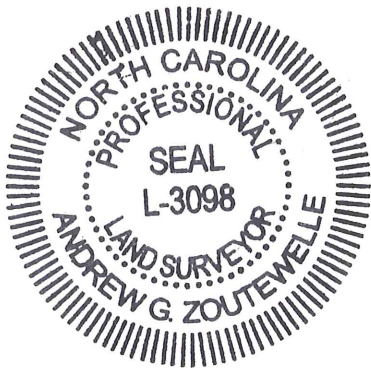
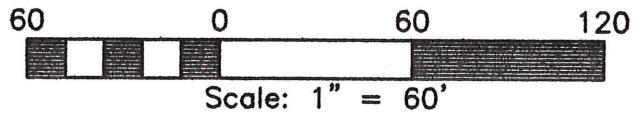


EXHIBIT C
PAGE 2

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