

FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2003 AUG 20 11:09 AM
BK: 15952 PG: 717-720 FEE: \$18.00

INSTRUMENT # 2003192938



2003192938

RESOLUTION CLOSING SECOND STREET BETWEEN WEST TODD LANE AND EAST TODD LANE 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 Second Street between West Todd Lane and East Todd Lane which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close Second Street between West Todd Lane and East Todd Lane 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 petitioner will provide an access easement to Duke Power Company, BellSouth Telecommunications, Inc., and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 23rd day of June, 2003 and City Council determined that the closing of Second Street between West Todd Lane and East Todd Lane 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 June 23, 2003, that the Council hereby orders the closing of Second Street between West Todd Lane and East Todd Lane 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 document marked "Exhibit B", both 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, Nancy S. Gilbert, 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 23rd day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Pages 403-405.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of June, 2003.

Drawn by: City of Charlotte
Return to: City of Charlotte - Box


Nancy S. Gilbert, CMC, Deputy City Clerk



3

THIS IS TO CERTIFY THAT ON THE 11 DAY OF MARCH 20 03 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 ERROR OF CLOSURE FOR THIS PARCEL DOES NOT EXCEED ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE REVISED MAY 8, 2003

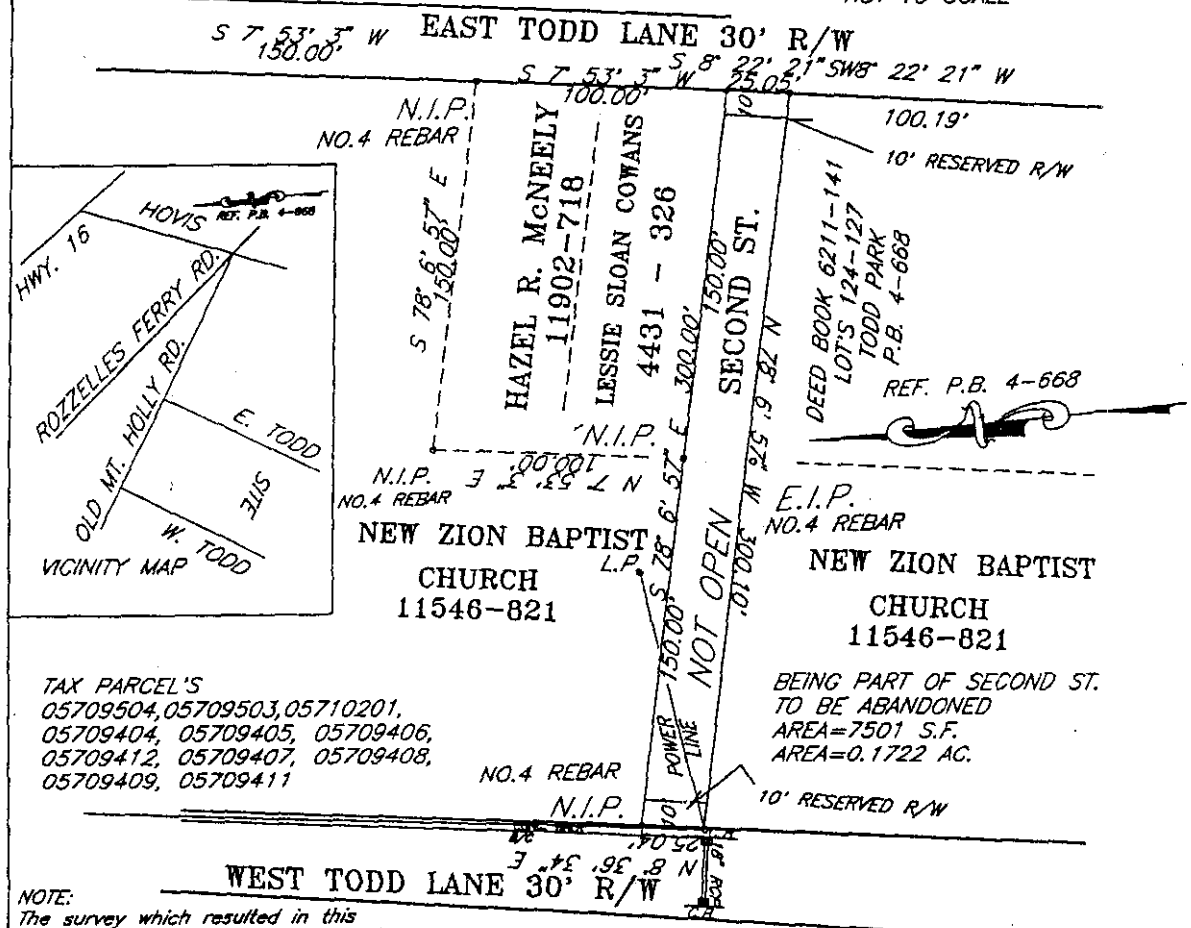
SIGNED David W. Dickson
David W. Dickson, P.A.
3505 S. NEW HOPE RD.
GASTON, N.C. 28054
(704) 824-0894

NOTES: SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.
1. TRAVERSE ADJUSTED BY LEAST SQUARES ADJ. METHOD.
ERROR OF CLOSURE 1:10,000
2. AREA'S COMPUTED BY DMD

REFERENCES:
1. DEEDS AND MAPS SHOWN HEREON.
2. MECKLENBURG COUNTY TAX MAPS AS SHOWN.
3. PLAT BOOK 4, PG. 668, MECKLENBURG CO. REGISTRY.
4. MAP ENTITLED "TODD PARK"
5. MAP ENTITLED "SURVEY FOR NEW ZION BAPTIST CHURCH" BY: DAVID W. DICKSON, P.A., DATED 9-17-2002

"Easement in favor of City of Charlotte, Duke Power Company, BellSouth Telecommunications, Inc., and all other owners of existing underground telecommunication facilities, upon, under, and across the entire property described above for access to and for the installation, maintenance, replacement, and repair of conduit, cables, wires, storm drainage, and related equipment."
"Partitioner will provide an easement to City of Charlotte, Duke Power Company, BellSouth Telecommunications, Inc., and all other owners of existing underground telecommunication facilities to maintain their facilities as shown on the attached map marked Exhibit A."

NOT TO SCALE



TAX PARCEL'S
05709504, 05709503, 05710201,
05709404, 05709405, 05709406,
05709412, 05709407, 05709408,
05709409, 05709411

BEING PART OF SECOND ST.
TO BE ABANDONED
AREA=7501 S.F.
AREA=0.1722 AC.

NOTE:
The survey which resulted in this plat used only the record information noted hereon and makes no certification as to title or ownership of any parcels shown. Other documents may exist that would affect these parcels. Declaration is made to the original purchaser of the survey. This survey is not transferable to additional institutions or owners and is invalid without an original emboss.

LEGEND:
N.I.P. NEW IRON PIN
E.I.P. EXISTING IRON PIN
--- RIGHT OF WAY
--- TIE LINE
--- BOUNDARY LINE

DEED'S 7132-078, 2710-151, 4563-661,
11763-295, 4567-944, 4567-942,
4544-885, 13708-953, 10714-496,
7499-902, 7355-623

SURVEY OF:
RIGHT-OF-WAY ABANDONMENT
CHARLOTTE, N.C.

THE PROPERTY OF NEW ZION BAPTIST CHURCH

SCALE 1"=60'
MAP BOOK 4 PAGE 668
DEED BOOK 114 PAGE 119
227 246

FLOOD CERTIFICATION IS NOT
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT
LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON
MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT
AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEB 26 1992
370159 0002 B

LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
Linda B. Poissant
Review Officer
Date 8/14/03

Drawn by: City of Charlotte
Returned to: City of Charlotte - Box

EXHIBIT B

BEING THAT certain unopened portion of Second Street lying between West Todd Lane (30' R/W) and East Todd Lane, shown on David W. Dickson P.A. survey dated March 11, 2003 and being more particularly described as follows:

BEGINNING at a point located at the intersection of the easterly margin of West Todd Lane and the northerly margin of Second Street, a front corner of the property of New Zion Baptist Church as shown in Deed Book 11546-821 and running thence with the northerly margin of Second Street S 78°-6-57 E 300' to a point located in the westerly margin of East Todd Lane; thence with same, S 8°-22-21 W 25.05 to a point marking the intersection of said westerly margin of East Todd Lane with the southerly margin of Second Street; thence with the southerly margin of Second Street N 78°-6-57 W 300.10' to the easterly margin of West Todd Street; thence with same, N 08-36-34 E 25.04' to the N.I.P. marking the point of beginning.-

*Drawn by: City of Charlotte
Return to: City of Charlotte - Box*



JUDITH A. GIBSON
REGISTER OF DEEDS, MECKLENBURG
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE, NC 28202

Filed For Registration: 08/20/2003 11:09 AM
Book: RE 15952 Page: 717-720
Document No.: 2003192938
RESOL 4 PGS \$18.00
Recorder: MARILYN SMITH



2003192938