

RESOLUTION NO. 10-111

RESOLUTION OF INTENT TO PERMANENTLY CLOSE A PORTION OF FEDERAL ALLEY

WHEREAS, the City of Asheville is hereby declaring its intent to permanently close a portion of Ardmore Street to public use; and

WHEREAS, said right-of-way is not under the control of the North Carolina Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The City Council hereby declares its intent to permanently close a portion of Federal Alley.
2. A public hearing on the question of permanently closing a portion of Federal Alley beginning from an "X" marked in the concrete as called for as the North-West corner of the property in Deed Book 2225 Page 885 recorded in the Buncombe County Register of Deeds; thence with the western line in said deed South 15°02'35" East 84.57 feet to the Point of Beginning where the property line meets the building wall; thence with the face of the building wall South 5°29'12" East 20.41 feet to a point being 1.5 feet past the building corner; thence North 84°05'59" East 3.43 feet to the South-West corner of said deed; thence with western line of said deed North 15°02'35" West 20.68 feet to the Point of Beginning; being 35 square feet; bearings based on NAD83(NSRS2007); thereby called for, June 8, 2010, at the regular meeting of the City Council beginning at 5:00 p.m., in the City Council Chambers, 2nd floor of the City Hall Building, Asheville, North Carolina.
3. This resolution shall be published in a newspaper of general circulation in Buncombe County, North Carolina, once per week for four successive weeks prior to the aforesaid public hearing on June 8, 2010.
4. The notice of closing and the public hearing herein ordered (copy of this resolution being sufficient for the purpose of said notice), shall be prominently posted in at least two places along the aforementioned alley. Additionally, a copy of this resolution of intent shall be sent by registered or certified mail to all owners of property abutting this alley, not joining in the petition to close, as shown on the Buncombe County tax maps. The persons effecting the said posting and mailing shall file an affidavit thereof with the City Clerk prior to the public hearing scheduled herein.

Read, approved and adopted this 11th day of May, 2010.

Magdalen Boulson
City Clerk

Angela Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Boulson
City Clerk

RESOLUTION NO. 10-112

RESOLUTION AFFIRMING THE IMPORTANCE OF ALLOWING URBANIZED AREAS WITH A POPULATION OF 200,000 OR MORE TO USE FEDERAL FUNDS (SECTION 5307) FOR TRANSIT OPERATING EXPENSES

WHEREAS, the City of Asheville has lost the ability to use Section 5307 Federal Funds for transit operating expenses due to the increase in population to a level greater than 200,000 in the urbanized area as a result of the 2000 Census; and

WHEREAS, that funding is vital to enable the City of Asheville to preserve and offer affordable and efficient transit service; and

WHEREAS, H.R. 2746 would allow transit systems that are serving urbanized areas that are greater than 200,000 population to use a percentage of Section 5307 Federal Funds for transit operating expenses; and

WHEREAS, H.R. 2746 would provide transit systems with local control of their Federal Transit Funds, allowing them to preserve critical service and hold down fares during tough economic times so that working people may be offered quality, affordable public transportation;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Council affirms the importance of allowing urbanized areas with a population of 200,000 or more to be able to use Section 5307 Federal Funds for operating expenses by supporting the passage of H.R. 2746.

Read, approved and adopted this 11th day of May 2010.

Magdalen Boudeson
City Clerk

Ingvald Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Boudeson
City Clerk

RESOLUTION NO. 10-113

RESOLUTION AUTHORIZING EXECUTION OF EASEMENT TO PROGRESS ENERGY CORPORATION FOR POWER LINES AT OWENS-BELL PARK

WHEREAS, the City has the authority pursuant to N.C.G.S. 160A-273 to grant easements across City property; and

WHEREAS, in order to accommodate a bike lane on Clingman Avenue, Progress Energy has agreed to move its transmission lines from the east side of Clingman Avenue to the west side of Clingman Avenue, where they will be attached to existing utility poles; and

WHEREAS, an easement across the City's property known as Owens-Bell Park is required for Progress Energy to relocate its lines; and

WHEREAS, the Asheville City Council has determined that the requested easement is in the public interest;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The Mayor be and is hereby authorized to execute an easement to Progress Energy across property owned by the City of Asheville known as Owens-Bell Park, the form of said easement to be approved by the City Attorney.

Read, approved and adopted this the 11th day of May, 2010.

Magdalen Bourleson
City Clerk

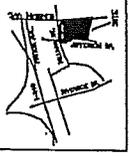
Mayor

Approved as to form:

City Attorney

Magdalen Bourleson
City Clerk

910 / 174



VICINITY MAP
06/23

PROSPECT ROAD E.A. AREA
2.413 ACRES
PROSPECT ROAD E.A. AREA
LOCAL ACCESS / (HARD COPY FILED)
PROSPECT ROAD LENGTH
516.44'



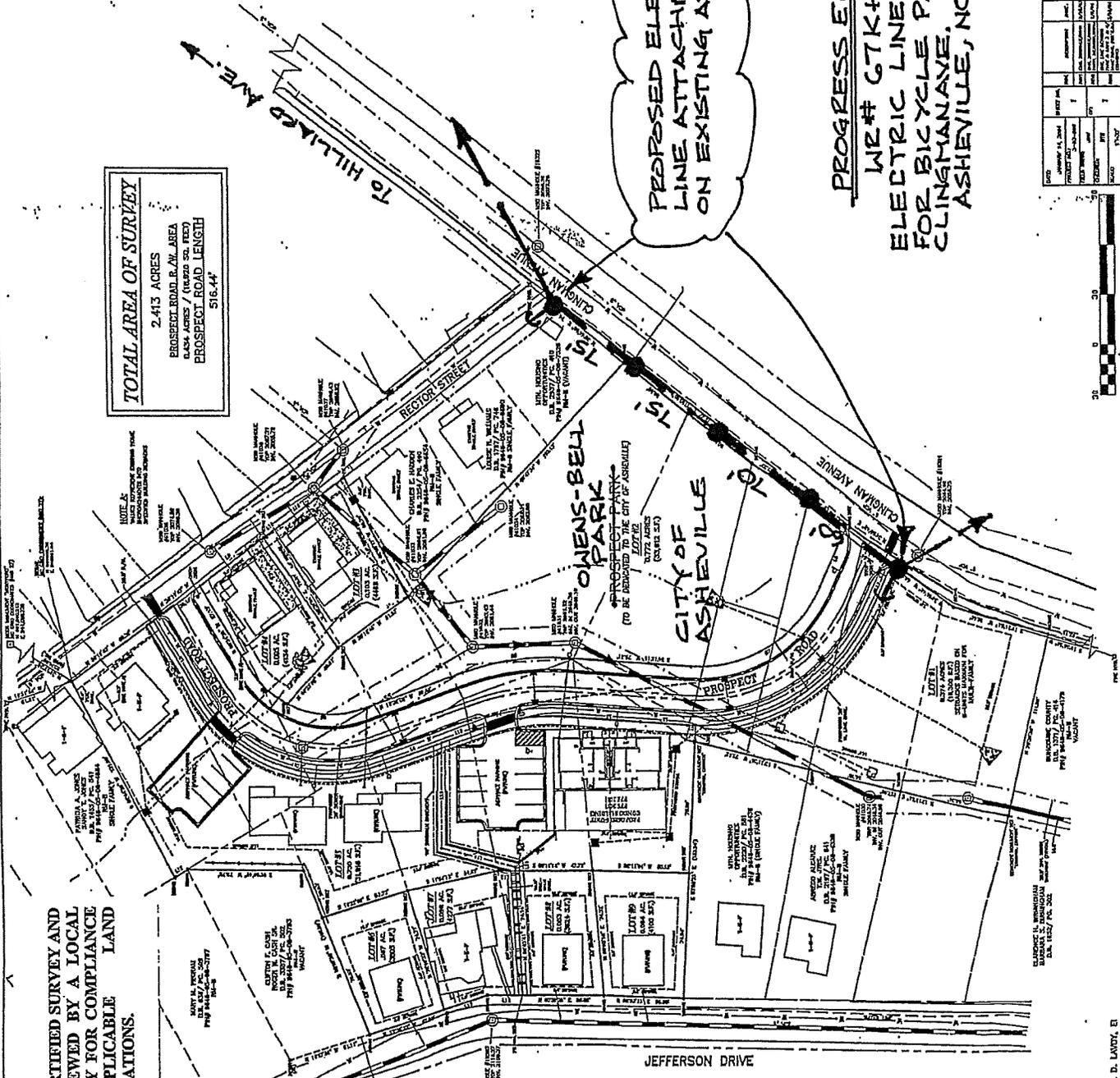
BASED ON NAD 83 NORTH (GAD 27)

PROPOSED ELECTRIC
LINE ATTACHMENT
ON EXISTING AT&T LINE

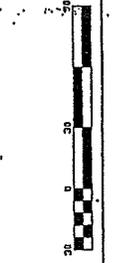
PROGRESS ENERGY
WR# 67KH5
ELECTRIC LINE UPGRADE
FOR BICYCLE PATH ON
CLINGMAN AVE,
ASHEVILLE, NC

TOTAL AREA OF SURVEY
2.413 ACRES
PROSPECT ROAD E.A. AREA
LOCAL ACCESS / (HARD COPY FILED)
PROSPECT ROAD LENGTH
516.44'

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.



NO.	DATE	BY	DESCRIPTION
1	06/23/23	MD	ISSUED FOR PERMITTING
2	06/23/23	MD	ISSUED FOR PERMITTING
3	06/23/23	MD	ISSUED FOR PERMITTING
4	06/23/23	MD	ISSUED FOR PERMITTING
5	06/23/23	MD	ISSUED FOR PERMITTING
6	06/23/23	MD	ISSUED FOR PERMITTING
7	06/23/23	MD	ISSUED FOR PERMITTING
8	06/23/23	MD	ISSUED FOR PERMITTING
9	06/23/23	MD	ISSUED FOR PERMITTING
10	06/23/23	MD	ISSUED FOR PERMITTING



COPIES OF POOR QUALITY DUE TO
POOR CONDITIONS OF THE ORIGINAL

CIVIL ENGINEER CONTACT:
CIVIL DESIGN CONCEPTS, PA / MICHAEL D. LADDY, EIT



NO.	DATE	BY	DESCRIPTION
1	06/23/23	MD	ISSUED FOR PERMITTING
2	06/23/23	MD	ISSUED FOR PERMITTING
3	06/23/23	MD	ISSUED FOR PERMITTING
4	06/23/23	MD	ISSUED FOR PERMITTING
5	06/23/23	MD	ISSUED FOR PERMITTING
6	06/23/23	MD	ISSUED FOR PERMITTING
7	06/23/23	MD	ISSUED FOR PERMITTING
8	06/23/23	MD	ISSUED FOR PERMITTING
9	06/23/23	MD	ISSUED FOR PERMITTING
10	06/23/23	MD	ISSUED FOR PERMITTING

RESOLUTION NO. 10- 114

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY OF ASHEVILLE A CONTRACT AND ANY CHANGE ORDER WITHIN THE BUDGETED AMOUNT WITH PATTON CONSTRUCTION GROUP, INC. FOR THE PROJECT KNOWN AS PATTON AVENUE SIDEWALK-NORTH SIDE, CITY OF ASHEVILLE PROJECT # PW-03-04-007

WHEREAS, the City of Asheville has authority pursuant to Article 2 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, pursuant to N.C.G.S. § 143-129, bids were solicited for the project known as Patton Avenue Sidewalk-North Side; and

WHEREAS, Patton Construction Group, Inc. of Asheville, NC, was the lowest responsible bidder for the project, in the amount of \$190,500, and

WHEREAS, the project involves the furnishing of labor, material, equipment and incidentals for the installation of sidewalk, curb and gutter, drainage, retaining walls, wheelchair ramps, bus stops and driveways on Patton Avenue and North Louisiana Avenue; and

WHEREAS, the bids have been reviewed by the Public Works Department and the City's Office of Economic Development (Minority Business Plan Compliance) with all officers recommending approval of the bid;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to execute on behalf of the City of Asheville a contract and any change order within the budgeted amount with Patton Construction Group, Inc. for the project known as Patton Avenue Sidewalk-North Side, City of Asheville Project # PW-03-04-007.

Read, approved and adopted this the 11th day of May, 2010.

Magdalen Bauleson
City Clerk

Jim Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Bauleson
City Clerk