

CONCORD CITY COUNCIL  
WORK SESSION  
NOVEMBER 10, 2020

The City Council for the City of Concord, North Carolina, held a work session on November 10, 2020, at 4:00 p.m. with Mayor William C. Dusch presiding.

In order to maintain the safety of City residents, City Council, and staff, this meeting was conducted electronically via Zoom.

Council members were present as follows:

**Members Present:**

Mayor Pro-Tem John A. Sweat, Jr.  
Council Member Andy Langford  
Council Member W. Brian King  
Council Member Ella Mae P. Small  
Council Member JC McKenzie  
Council Member Terry L. Crawford  
Council Member Jennifer H. Parsley

**Others Present:**

City Manager, Lloyd Wm. Payne, Jr.  
City Attorney, Valerie Kolczynski  
City Clerk, Kim J. Deason  
Department Directors

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The following agenda was presented for discussion:

**Presentations:**

Mayor Dusch presented a Proclamation recognizing Wednesday, November 11, 2020 as Veteran's Day.

A Veteran's Day video honoring City employees, and all men and women, that have served in the military was also presented.

Presentation of the 2020 Jo Atwater Continuous Core Values Award.

**Public Hearings: – the public hearings were opened at the November 10, 2020 Work Session and continued to the November 12, 2020 City Council meeting, unless otherwise noted, to allow for the required 24 hour written comment period for virtual hearings:**

Conduct a public hearing and consider adopting a resolution authorizing the negotiation of an installment financing contract and a deed of trust for the construction of a fire station at 3300 Roberta Road.

A motion was made by Council Member Crawford and seconded by Council Member Langford to open the public hearing—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

The Finance Director, Pam Hinson, stated the resolution authorizes the City Manager and the Finance Director to enter into an installment contract for the construction of the fire station.

There was no one signed up to speak in favor or in opposition. Therefore, a motion was made by Council Member King and seconded by Council Member Small to continue the public hearing to November 12, 2020—the roll call vote: Aye – Langford, King, Small,

McKenzie, Crawford, Parsley, and Sweat; Nay – none.

Conduct a public hearing to consider adopting an ordinance amending Section 7.7.4.E of the Concord Development Ordinance (CDO) to prohibit front-load townhomes on higher classification streets, and Section 7.8.18.A to correct a typographical error

A motion was made by Council Member Crawford and seconded by Council Member Langford to open the public hearing—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

The Deputy Planning and Neighborhood Services Director, Kevin Ashley, explained the proposed amendments.

There was no one signed up to speak in favor or in opposition. Therefore, a motion was made by Council Member King and seconded by Mayor Pro-Tem Sweat to continue the public hearing to November 12, 2020—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay – none.

Conduct a public hearing to consider adopting an ordinance amending the Historic Handbook Chapter 5, Section 6, Porches.

A motion was made by Mayor Pro-Tem Sweat and seconded by Council Member Parsley to open the public hearing—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

The Planning Manager, Starla Rogers, explained the proposed amendment.

There was no one signed up to speak in favor or in opposition. Therefore, a motion was made by Council Member Langford and seconded by Council Member McKenzie to continue the public hearing to November 12, 2020—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay – none.

Conduct a public hearing and consider adopting an ordinance for annexation of four (4) parcels located on the northeast side of the Rocky River Road and Lower Rocky River Road intersection.

A motion was made by Council Member Crawford and seconded by Council Member King to open the public hearing—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

The Planning and Neighborhood Services Director, Steve Osborne, stated the petitioner has requested this item be tabled until the December 8<sup>th</sup> Work Session.

There was no one signed up to speak in favor or in opposition. Therefore, a motion was made by Council Member Crawford and seconded by Mayor Pro-Tem Sweat to table the public hearing until December 8, 2020—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay – none.

Conduct a public hearing and consider adopting an ordinance annexing +/- 0.214 acres located at 10515 Poplar Tent Rd and owned by Larry and Myra Stinson.

A motion was made by Council Member Small and seconded by Council Member Crawford to open the public hearing—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

The Planning Manager stated the voluntary annexation is being requested for the purpose of establishing a public street.

Mr. Scott Moore, Project Manager for the Skybrook subdivision, signed up to speak in favor of the request. He stated the property owner did not want to sell their property but did agree to sell a portion of their property for the purpose of interconnectivity in the subdivision.

Council Member King asked if the existing structure on the property, and adjacent to the proposed street, will remain. Mr. Moore stated he did not know but would enquire with the property owners before the November 12<sup>th</sup> meeting.

There were no further speakers signed up to speak in favor or in opposition. Therefore, a motion was made by Council Member Crawford and seconded by Council Member Parsley to continue the public hearing to November 12, 2020—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay – none.

Conduct a public hearing and consider adopting an ordinance annexing +/- 28.6 acres located at 1252 and 1260 Cox Mill Rd, and an unaddressed parcel, owned by the City of Concord

A motion was made by Council Member Small and seconded by Mayor Pro-Tem Sweat to open the public hearing—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

The Planning Manager stated a voluntary annexation petition was submitted for the purpose of developing a municipal park.

Parks and Recreation Director, Bob Dowless, signed up to speak in favor of the request.

There were no further speakers signed up to speak in favor or in opposition. Therefore, a motion was made by Council Member Crawford and seconded by Mayor Pro-Tem Sweat to continue the public hearing to November 12, 2020—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay – none.

Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider authorizing the City Manager to negotiate and execute a contract for a ten year / gradually declining percentage tax based Downtown MSD Economic Development Incentive Grant based on paid MSD, City, and County taxes to Concord Master Venture, LLC (Lansing Melbourne Group) for the development of three mixed use structures located at 30 Market St. SW., 26 Union St. S., and 25 Barbrick Ave. SW.

A motion was made by Council Member McKenzie and seconded by Mayor Pro-Tem Sweat to open the public hearing—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

The Planning Neighborhood Development Director stated the proposed incentive is offered under the terms of the approved Master Developer's Agreement between the City of Concord and Concord Master Venture, LLC. The gradually declining percentage is 85% for years 1-5, 75% for year 6, 65% for year 7, 55% for year 8, and 50% for years 9-10.

Seth Metzger, LMG, spoke in favor of the request. He thanked the Mayor and Council for their approval of the project.

There were no further speakers signed up to speak in favor or in opposition. Therefore, a motion was made by Council Member McKenzie and seconded by Council Member Crawford to continue the public hearing to November 12, 2020—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay – none.

Conduct a public hearing and consider authorizing the City Manager to negotiate and execute an agreement with Cabarrus County for the City to receive an annual payment from Cabarrus County for the purpose of granting a ten-year/Gradually Declining Percentage tax-based downtown MSD economic development grant to Concord Master Venture, LLC to locate development projects at 30 Market St. SW., 26 Union St. S., and 25 Barbrick Ave. SW. in Concord pursuant to NC General Statutes Sec. 158-7.1.

A motion was made by Council Member Crawford and seconded by Council Member Parsley to open the public hearing—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

The Planning Neighborhood Development Director stated under this agreement Cabarrus

County would agree to make annual payments to the City of Concord for the duration of the incentive agreement with LMG based on the relative grant percentage and taxes paid. The City will use the funds to make the relative grant payments to LMG on an annual basis, acting as a pass through for Cabarrus County, until the termination of the economic development incentive agreement. The proposed interlocal agreement is offered under the terms of the approved Master Developer's Agreement between the City of Concord and Concord Master Venture, LLC

There were no further speakers signed up to speak in favor or in opposition. Therefore, a motion was made by Council Member King and seconded by Mayor Pro-Tem Sweat to continue the public hearing to November 12, 2020—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay – none.

Conduct a public hearing and consider authorizing the City Manager to negotiate and execute a parking garage lease agreement with Cabarrus County and Concord Master Venture, LLC to provide Concord Master Venture, LLC evening and optional paid daytime parking spaces in the Cabarrus County Parking deck.

A motion was made by Council Member King and seconded by Council Member Small to open the public hearing—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

The Economic Development Coordinator, Joseph Beasley, stated under the agreement, the City would provide 132 spaces and the County would provide 168 spaces in the County's downtown parking deck during the evenings (5 PM – 8 AM) and all day on Saturdays and Sundays at no cost. The City would offer 80 optional paid passes and the County would offer 120 optional paid passes for daytime parking, should the County ever decide to impose parking restrictions on the downtown County parking deck

There were no further speakers signed up to speak in favor or in opposition. Therefore, a motion was made by Council Member Langford and seconded by Mayor Pro-Tem King to continue the public hearing to November 12, 2020—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay – none.

#### **Presentations of Petitions and Requests:**

Consider approving appropriation of Community Development Block Grant (CDBG) Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding in the amount of \$255,000 to purchase and rehabilitate 570 Vance Drive, NE from Habitat for Humanity Cabarrus; repair The Salvation Army food pantry facility in the amount of \$25,000; and fund select public service agencies responding to immediate community needs related to COVID-19 in the amount of \$349,865.

The Community Development Manager, Mary Carr, stated the City of Concord has been allocated an additional \$604,865 to respond to the growing effects of this historic public health crisis. This is the second allocation the City of Concord has received. Based on guidance provided by HUD, staff received approval for the acquisition and rehabilitation of a facility to safely house persons temporarily who are either waiting for test results or need to quarantine. Staff also received approval to complete a repair in the food storage area of The Salvation Army building. Due to the increase in persons seeking assistance because of COVID-19, HUD approved the request to repair the issue. City staff will oversee the work to ensure compliance with HUD regulations.

Consider a motion to approve the purchase of 487 & 489 Cook Street NW, from Blue Ram Properties, LLC for \$125,000 using City Affordable Housing funds.

The Community Development Manager stated as staff was conducting a windshield survey, this property was identified as vacant. After contacting the owner, who stated they were planning to sell the property, staff viewed the unoccupied home to assess condition and found that minor renovation will be needed. Once all work is complete, ownership would be transferred to Concord Family Enrichment Association for continued maintenance and management. Tax value of the home is \$82,790. An offer, contingent on Council approval, has been accepted by the owner for \$125,000. City's affordable housing

allocation will be used for the purchase.

Consider adopting a resolution to sale 2,949 square feet of 247 Crowell Drive NW to Roenix, LLC for \$500.00 for continued use as a driveway.

The Planning and Neighborhood Development Director stated in early 2020, staff was contacted by Roenix, LLC, located at 191 Crowell Drive NW, about purchasing a 2,949 square foot area between the campus of ClearWater Arts Center & Studio and the parking area of Roenix. The subject area is currently being used as extended parking for the business and is maintained by Roenix (26 Industries). Due to the location, the area has better access to the neighboring property than ClearWater. If approved, daily operations within the ClearWater campus will not be impacted. .

Consider authorizing the City Manager to negotiate and execute a contract with Talbert Bright and Ellington (TBE) to provide professional engineering, design and bidding service for the hangar's taxilanes rehabilitation project.

The Aviation Director, Dirk Vanderleest, stated this project includes milling 2 inches of existing P-401 bituminous concrete and place back 2 inches of P-401 bituminous concrete over the taxilane pavement between all of the hangars. The Federal Aviation Administration (FAA), Memphis Airport District Office, has agreed to fund the project in FY21. Total project cost is estimated at \$2,717,875, which includes professional services and construction. Funding will be provided by FAA, NCDOT AVIATION and retained earnings.

Consider authorizing the City Manager to negotiate and execute a contract with the Houston Galveston Area Cooperative Purchasing Program for the purchase of 2 Pierce manufactured engine/pumper trucks.

The Fire Chief, Jake Williams, stated by using the government to government purchasing cooperative for the purchase of the fire apparatus, the City is able to purchase the apparatus for a total cost of \$1,307,368.00. Using the pre-pay method along with the duplicate truck purchase will result in a cost savings of \$34,178.00. The apparatus will be a replacement for Engine #7 and Engine #12 and is approved in the FY19-20 budget in the amount of \$1,400,000. The trucks currently have a 10-11 month build time.

Consider authorizing the City Manager to sign a contract with Gillig LLC utilizing the Piedmont Authority for Regional Transportation (PART) consortium contract for the purchase of one (1) new 35' heavy duty hybrid electric diesel bus for the Rider system.

The Transit Director, LJ Weslowski, stated Concord is a member of the PART consortium bus procurement contract that was established earlier in 2020 for heavy duty 35' and 40' diesel and hybrid diesel electric buses. Rider Transit is seeking to purchase one (1) heavy-duty 35' hybrid bus using this contract. This new bus will expand the spare ratio of buses that was reduced with the establishment of the CCX route in 2018. In June, Rider Transit was awarded a Surface Transportation Block Grant from the Cabarrus Rowan MPO specifically for the purpose securing this spare bus. Those funds (\$580,000) will cover 80% of the cost of this vehicle. The remaining 20% (\$145,670) will be split 50/50 between Concord and Kannapolis (\$72,835 each).

Consider authorizing the City Manager to negotiate and execute a contract with Fuller & CO. Construction, LLC, for the installation of the Spring St., SW Water Line replacement.

The Engineering Director, Sue Hyde, stated the Spring St., SW Water Line replacement project consists of the installation of approximately 1832 linear feet of 8-in water distribution main along Spring St., SW between Miller Ave., SW and Fryling Ave., SW. The project was bid under the formal bidding process. Bids were taken on October 22, 2020 and 3 bids were received. The lowest responsible bidder was Fuller & CO. Construction, LLC, in the amount of \$883,929.10, which is within budget.

Consider adopting a resolution to convey a temporary construction easement to TSH Development Company, LLC.

The Engineering Director stated TSH Development Company is developing apartments and townhomes on Weddington Road. The City owns the site adjacent to their parcel on which the existing sewer main is located. TSH Development Company, LLC needs a temporary construction easement in order to connect to the sewer to serve their site.

Consider adopting a resolution authorizing the Abandonment of Easement across property at 107 Northchase Drive (PIN 4670-99-0483).

The Engineering Director stated this easement was acquired by the developer for Wallace Meadows subdivision in order to serve their development with sewer. The developer has requested that this easement be abandoned due to a sewer redesign. A corresponding temporary construction easement is also requested to be abandoned.

Consider approving a modification to the Interlocal Agreement with Cabarrus County administering the Central Area Plan.

The Engineering Director stated Julia Walker has requested an exception to the Central Area Plan Agreement in order to obtain water service for a proposed single-family home at 2925 Twinfield Drive (PIN 5640 52 1661).

Consider a Preliminary Application from Joel Corriher.

The Engineering Director stated Joel Corriher has submitted a preliminary application to receive sewer service outside the City limits for property located at 172 Scalybark Trail. Public sewer is not currently available to this parcel; however, it may be available in the future due to a sewer extension to be installed by the developer of Annsborough Park. There is not City water available to the parcel. Staff’s recommendation includes approval with the following condition: the property owner must connect to the sewer line in a period of one-year from the date the City takes ownership of the line.

**Consent Agenda:**

There were no comments regarding the Consent Agenda.

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A motion was made by Council Member Small and seconded by Mayor Pro-Tem Sweat, to conduct a closed session in accordance with N.C. General Statute 143-318.11(a)(3) to consult with the Attorney to protect the attorney-client privilege and to consider and give instructions concerning a potential or actual claim, administrative procedure, or judicial action; N.C. General Statute 143-318.11(a)(4) to discuss matters relating to the location or expansion of business in the area served by this body; and N.C. General Statute 143-318.11(a)(6) to consider the qualifications, competence, performance, condition of appointment of a public officer or employee—the roll call vote: Aye: Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay: none.

A motion was made by Mayor Pro-Tem Sweat, seconded by Council Member Crawford, to return to regular session—the roll call vote: Aye: Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay: none.

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Upon reconvening in open session, a motion was made by Council Member King and seconded by Mayor Pro-Tem Sweat to adopt the following eminent domain resolutions—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

**RESOLUTION AUTHORIZING NEGOTIATED PURCHASE  
OR EMINENT DOMAIN TO ACQUIRE PROPERTY**

WHEREAS, the City Council for the City of Concord, North Carolina, hereby determines that it is necessary and in the public interest to acquire property interest identified and defined, as follows:

Property Description: (Old Description)

Lying and being in Ward No. 4 of the City of Concord, NC, being Lot No. 10 of the property of Gilbert Hendrix as surveyed and platted by Reece I. Long in 1922, a copy of which is filed in the Office of the Register of Deeds for Cabarrus County, NC and is further described as follows:

BEGINNING at an iron stake on Lincoln Street SW, corner of Lot 11 and runs thence with the line of Lot No. 11, N. 83  $\frac{3}{4}$  W. 120 feet to an iron stake on the line of Lot No. 9; thence with the line of Lot No. 9, N. 9  $\frac{1}{2}$  E. 50 feet to an iron stake, corner of Lot No. 9; thence S. 83  $\frac{3}{4}$  E. 120 feet to an iron stake on Lincoln Street SW; thence with Lincoln Street SW, S. 3  $\frac{1}{2}$  W. 50 feet to the POINT AND PLACE OF BEGINNING.

BEING the same property conveyed to James Marsh and wife, Elizabeth Marsh from S. B. Marsh and wife, Julia Marsh by deed recorded on April 13, 1942 in Deed Book 168, Page 292, Cabarrus County Registry and is also identified as PIN 5620-94-3281 and is commonly known as 266 Lincoln Street SW, Concord, NC 28025. Fannie Elizabeth W. Marsh predeceased her husband, James Rawlin Marsh. James Rawlin Marsh died April 29, 2020; his will left his property to Jimmy (Jimmie) Lee Hayes. Jimmy (Jimmie) Lee Hayes died in April 1985 in Plainfield, New Jersey.

WHEREAS, the fee simple acquisition of PIN 5620-94-3281 is currently owned by All Heirs Known and Unknown of Jimmy (Jimmie) Lee Hayes and is being acquired to expand of the Logan Recreation Center parking area; and

WHEREAS, representatives of the City of Concord are in negotiation with the above stated owners to acquire the above-described properties by negotiated conveyance.

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

The City of Concord will acquire by condemnation or negotiated conveyances for the purposes stated above the property and interest therein described above to the Resolution.

The City Attorney is authorized and directed to acquire by negotiated offer or, in the alternative, institute the necessary proceedings under Chapter 40A of the North Carolina General Statutes, to acquire the properties described above.

Adopted this 10<sup>th</sup> day of November, 2020.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim J. Deason, City Clerk

RESOLUTION AUTHORIZING NEGOTIATED PURCHASE  
OR EMINENT DOMAIN TO ACQUIRE PROPERTY

WHEREAS, the City Council for the City of Concord, North Carolina, hereby determines that it is necessary and in the public interest to acquire property interest identified and defined, as follows:

Property Description: (Old Description)

Lying and being in Ward No. 4 of the City of Concord, NC, being Lot No. 11 of the property of Gilbert Hendrix as surveyed and platted by Reece I. Long in 1922, a copy of which is filed in the Office of the Register of Deeds for Cabarrus County, NC and is further described as follows:

BEGINNING at an iron stake on Lincoln Street, corner of Lot No. 10 and runs with the line of Lot No. 10, N. 82  $\frac{3}{4}$  W. 120 feet to an iron stake, a corner of Lot No. 10 in the line of Lot No. 9; thence with Lot No. 9, S. 9  $\frac{1}{2}$  W. 51.9 feet to an iron stake on Linker Street (now Booker Drive SW); thence with Linker Street (now Booker Drive SW), S. 75  $\frac{3}{4}$  E. 120.6 feet to an iron stake in the intersection of Linker (now Booker Drive SW) and Lincoln Streets; thence with Lincoln with Lincoln Street, N. 9  $\frac{1}{2}$  E. 60 feet to the POINT AND PLACE OF BEGINNING, and is said property conveyed from Ola G. Hendrix and husband. H. Hendrix to Montrose Kiser and recorded in Record of Deeds No. 135, Page 19.

BEING the same property conveyed to Margaret Cannon Bost from Montrose Reid and husband John W. Reid by deed recorded on February 24, 1972 in Deed Book 419, Page 568, Cabarrus County Registry and is also identified as PIN 5620-94-3195 and commonly known as 268 Lincoln Street SW, Concord, NC 28025.

WHEREAS, the fee simple acquisition of PIN 5620-94-3195 and is currently owned by All Heirs Known and Unknown of Gregory Otto Bost, All Heirs Known and Unknown of Jeffrey W. Bost, Melanie Bost Kearns, and Lanita B. Rucker and is being acquired to expand of the Logan Recreation Center parking area; and

WHEREAS, representatives of the City of Concord are in negotiation with the above stated owners to acquire the above-described properties by negotiated conveyance.

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

The City of Concord will acquire by condemnation or negotiated conveyances for the purposes stated above the property and interest therein described above to the Resolution.

The City Attorney is authorized and directed to acquire by negotiated offer or, in the alternative, institute the necessary proceedings under Chapter 40A of the North Carolina General Statutes, to acquire the properties described above.

Adopted this 10<sup>th</sup> day of November, 2020.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim J. Deason, City Clerk

RESOLUTION AUTHORIZING NEGOTIATED PURCHASE  
OR EMINENT DOMAIN TO ACQUIRE PROPERTY

WHEREAS, the City Council for the City of Concord, North Carolina, hereby determines that it is necessary and in the public interest to acquire property interest identified and defined, as follows:

Property Description: (Old Description)

Lying and being in Ward No. 4 of the City of Concord, NC on Linker Street (now Booker Drive SW) and is described as follows:

BEGINNING at an iron stake on Linker Street (Now Booker Drive SW), corner of C.A. Bost (now or formerly) and runs with his line and the line of Sam Duve (now or formerly), N. 9  $\frac{1}{2}$  E. 101.90 feet to an iron stake on the Coleburg property; thence N. 83  $\frac{3}{4}$  W. 55.2 feet to an iron stake, D.A. Motley's corner (now or formerly); thence with his line, S. 18  $\frac{3}{4}$  W. 92 feet to an iron stake on Linker Street (Now Booker Drive SW); thence with Linker Street (Now Booker Drive SW), S. 71  $\frac{1}{4}$  E. 69.6 feet to the POINT AND PLACE OF BEGINNING and is Lot 9 on the property of Gilbert Hendrix as surveyed and platted by Reece I. Long in 1922, a copy of which is filed in the Office of the Register of Deeds,



Cabarrus County.

BEING the same property conveyed to S.B. Marsh and wife, Julia Marsh from Gilbert Hendrix and wife, Ola G. Hendrix by deed recorded on December 14, 1923 in Deed Book 103, Page 80, Cabarrus County Registry and is also identified as PIN 5620-94-2199 and is commonly known as 178 Booker Drive SW, Concord, NC 28025. Scott Bert Marsh predeceased his wife, Julia Coffee Marsh. Julia Coffee Marsh died August 9, 1962; her will left her property to Christine Webster and Patricia Ann Marsh. Christine Marsh Webster died in April 23, 1984 in New York.

WHEREAS, the fee simple acquisition of PIN 5620-94-2199 is currently owned by All Heirs Known and Unknown of Christine Marsh Webster and Patricia Ann Marsh and is being acquired to expand of the Logan Recreation Center parking area; and

WHEREAS, representatives of the City of Concord are in negotiation with the above stated owners to acquire the above-described properties by negotiated conveyance.

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

The City of Concord will acquire by condemnation or negotiated conveyances for the purposes stated above the property and interest therein described above to the Resolution.

The City Attorney is authorized and directed to acquire by negotiated offer or, in the alternative, institute the necessary proceedings under Chapter 40A of the North Carolina General Statutes, to acquire the properties described above.

Adopted this 10<sup>th</sup> day of November, 2020.


CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

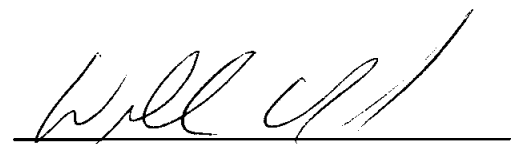
/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim J. Deason, City Clerk

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There being no further business to be discussed, a motion was made by Council Member King, seconded by Council Member McKenzie, and duly carried, to adjourn—the vote: all aye.

  
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Kim J. Deason, City Clerk

  
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William C. Dusch, Mayor