

MEMORANDUM

TO: Charlotte City Council

FROM: Thomas M. Hitch, City Attorney

RE: **CITY ATTORNEY REPORT**

DATE: May 4, 2016

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The following is my report to the City Council on several issues in which our office has been engaged since the last Council meeting:

1. Nuisance Lawsuits. I have been in contact with the attorney for Hearn Enterprises, LLC, and we are scheduling a date when representatives of Hearn Enterprises along with their attorney, and Bryan Myrkle and I can meet on the site in order to fully set forth what the City requires in terms of the clean up of the site. I will keep the Council advised.

2. In Mold Solutions, LLC. I have been in contact with the attorneys for In Mold and Fifth Third Bank. I anticipate that discovery will begin in the next several weeks.

3. CNI Plastics, LLC. This company is the successor of Wollin Products and several other intervening owners of the personal property at 400 Parklane Drive in the Industrial Park. I have had discussions with several of the attorneys and it appears that this matter will not be settled prior to filing litigation. I will be filing a lawsuit seeking to collect the unpaid personal property taxes. I will keep the Council advised.

4. Sale of Aircraft at Airport. I am in the process, working with Bryan Myrkle, of preparing the documentation on two airplanes which are stored at the airport and for which the owners have failed to pay their storage fees. After the documentation is filed with the FAA and served upon the owners of the aircraft, there

is a 60 day waiting period for the aircraft owners to pay off the storage fees. If they do not, an auction will be held at the airport not later than 20 days, nor more than 60 days, after the expiration of the 60 day time period. I will keep the Council advised.

TMH:ddy