



# City of CHARLOTTE

## MEMORANDUM

TO: Mayor Lewis and City Council Members

FROM: Gregg Guetschow, City Manager

SUBJECT: Demolition of 108/110 E. Lawrence Avenue

DATE: October 20, 2017

You agenda includes the approval of resolution 2017-108 awarding a bid for the demolition of 108/110 E. Lawrence Avenue. The resolution included in the agenda packet is revised from that for which the first reading was approved at the previous meeting. An additional provision has been added authorizing City officials to execute a construction easement with the owner of Jewett's Carpets.

As you are no doubt aware, the property the City acquired includes a drive on the east side that was used for dropping off and picking up dry cleaning. That drive crosses the Jewett property to the south and connects to the City's parking lot.

The portion of the drive that crosses the Jewett property has been used as an alley by adjacent property owners for many years. It was never dedicated as a public alley, however, and the right to use it as such is more properly thought of as a prescriptive easement, one that has been acquired through regular and continuous use rather than through a legal document.

Since the use of that easement associated with the 108/110 E. Lawrence was limited to dry cleaning customer access, I have been reluctant to rely upon it for other purposes such as for vehicles and equipment involved in the demolition. For that reason, I asked the City Attorney to draft a construction easement document. This agreement is still being reviewed by Mr. Jewett and is not in its final form. A copy of the draft will be found elsewhere in the agenda packet.

I would note that we expect to negotiate other easements with Mr. Jewett prior to the construction phase of the project including one that will provide for pedestrian access from the site to the parking lot.

