

MEMORANDUM

TO: Charlotte City Council

FROM: Thomas M. Hitch, City Attorney

RE: **CITY ATTORNEY REPORT**

DATE: May 20, 2016

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. Hearns Enterprises, LLC - Nuisance Lawsuit. I met with Bryan Myrkle on site at Hearns Enterprises, and they have made significant progress in cleaning up their property in the industrial park. They have several vehicles that need to be moved and I anticipate that will happen within the next several weeks. Because it looks like this case will be settled, with the cleanup of the property, the attorneys have agreed to postpone further legal efforts in this case and hopefully this matter will be completely settled to the City's satisfaction by the end of June.

2. 426 Sumpter Street. Due to the good efforts of my associate, Molly Coscarelli, Police Chief Lisa Sherman and now retired Officer Paul Montague, the property at 426 Sumpter Street has been significantly improved. There had been a number of abandoned vehicles on site and the property was very unkept. We had formal hearings on two consecutive Thursdays regarding the property and the owner removed all of the abandoned vehicles and made significant improvement in maintaining the lawn and trimming the trees.

3. In Mold Solutions, LLC. We received discovery requests from the defendant and are in the process of filing our discovery requests, which should occur no later than the middle of next week. I have conferred with Christine Mossner and Gregg Guetschow, and we are exploring avenues to potentially settle this matter.

4. Sale of Aircraft. The Claims of Lien have been prepared and executed by City staff and will be served by certified mail on the owners of the aircraft on May 20, 2016. The owners will have 60 days to pay off the storage fees owed, or the planes will go up for sale sometime in August.

TMH:ddy