

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

Reference is made to the schedule of "Taxpayers and Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

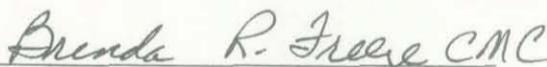
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.
3. The amounts listed on the schedule were collected through either a clerical or assessor error.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 22nd day of April, 2002 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of April, 2002, the reference having been made in Minute Book 117, and recorded in full in Resolution Book 37, Page(s) 741-742.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of April, 2002.

  
Brenda R. Freeze, CMC, City Clerk

**PROPERTY TAX  
TAXPAYERS AND REFUNDS REQUESTED  
MORE THAN \$100**

<u>Name</u>	<u>Clerical Error</u>	<u>Amount of Refund</u>
First Charter Mortgage Serv		\$117.26
First Charter Mortgage Service		117.26
First Charter Mortgage Services		118.52
Mathisen Company Land Planning		467.00
Total		\$820.04

*[Faint signature and text at the bottom of the page]*

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION  
OF ANNEXATION PURSUANT TO G.S. 160A-31  
BROOKMERE PHASE II VOLUNTARY ANNEXATION**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina that:

Section I. A public hearing on the question of annexation of the area described herein will be held at the Charlotte-Mecklenburg Government Center Meeting Chamber, 600 E. Fourth Street, Charlotte, N.C. at 7:00 p.m. on June 24, 2002.

Section 2. The area proposed for annexation is described as follows:

**EXHIBIT A**

LandCraft Brookmere II Base Tract

LYING AND BEING in Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

BEGINNING at an existing iron rod in the common rear corner of Lots 128, 134 and 135 of BROOKMERE, Phase I, Map 3 as shown on a map thereof recorded in Map Book 32 at Page 244 in the Mecklenburg County Public Registry; thence with the rear boundaries of Lots 135, 136, 137 and 138 of Brookmere Phase I as shown on said recorded map and further with the northerly boundary of that certain property of Brookmere, LLC pursuant to a Deed recorded in Book 9951 at Page 24 in the Mecklenburg County Public Registry North 65-50-45 West 1,391.56 feet to a point; thence continuing with the northerly boundary of said Brookmere, LLC property (now and formerly) North 66-05-28 West 452.76 feet to an existing iron pin in the northwesterly corner of said Brookmere, LLC property and in the northeasterly corner of that certain property of Aline Landers Clemmer pursuant to a Deed recorded in Book 9604 at Page 905 in said Registry; thence with the northerly boundary of said Clemmer property (now or formerly) North 67-16-11 West 200.02 feet to an existing iron pin in the northwesterly corner of said Clemmer property and in the northeasterly corner of that certain property of Luther E. Hardee and wife Deborah T. Hardee pursuant to a Deed recorded in Book 4521 at Page 945 in said Registry; thence with the northerly boundary of said Hardee property North 67-07-03 West 199.92 feet to an existing iron pin in the

northwesterly corner of said Hardee property and in the northeasterly corner of that certain property of Gerald G. Barnes and wife, Jodie P. Barnes pursuant to a Deed recorded in Book 6317 at Page 472 in said Registry; thence with the northerly boundary of said Barnes property (now or formerly) North 67-23-13 West 246.64 feet to an existing iron rod in the northwesterly corner of said Barnes property and in the northeasterly corner of that certain property of Concerned Bikers Association of Charlotte, Inc. pursuant to those certain Deeds recorded in Book 9236 at Page 417 and Book 10418 at Page 333 in said Registry; thence with the northerly boundary of said Concerned Bikers property (now or formerly) the following two (2) courses and distances: (1) North 67-25-32 West 177.32 feet to an existing iron rod, and (2) North 67-23-36 West 77.86 feet to a point in the centerline of a creek; thence with the centerline of a creek the following eighty-one (81) courses and distances: (1) North 57-49-22 East 14.37 feet to a point, (2) North 21-48-05 East 7.29 feet to a point, (3) North 45-04-32 East 136.06 feet to a point, (4) North 24-56-54 East 19.67 feet to a point, (5) North 35-52-40 East 36.76 feet to a point, (6) North 56-42-41 East 24.72 feet to a point, (7) South 77-23-31 East 36.69 feet to a point, (8) North 76-17-33 East 24.80 feet to a point, (9) North 63-22-23 East 19.15 feet to a point, (10) North 50-58-59 East 40.04 feet to a point, (11) North 34-12-32 East 34.47 feet to a point, (12) North 65-57-26 East 11.63 feet to a point, (13) North 75-38-52 East 32.11 feet to a point, (14) North 42-26-02 East 26.80 feet to a point, (15) South 81-52-31 East 22.80 feet to a point, (16) North 12-32-22 East 24.46 feet to a point, (17) North 57-06-04 East 36.47 feet to a point, (18) North 44-38-14 East 19.71 feet to a point, (19) North 51-04-05 East 17.80 feet to a point, (20) North 62-02-48 East 20.83 feet to a point, (21) North 25-22-40 East 20.76 feet to a point, (22) North 47-01-49 East 64.15 feet to a point, (23) North 89-13-29 East 20.25 feet to a point, (24) North 41-29-02 East 53.27 feet to a point, (25) North 18-14-10 East 27.16 feet to a point, (26) North 45-01-24 East 27.07 feet to a point, (27) North 68-41-47 East 48.15 feet to a point, (28) North 48-14-25 East 37.52 feet to a point, (29) North 66-03-23 East 18.86 feet to a point, (30) North 10-29-00 West 19.77 feet to a point, (31) North 13-08-59 East 8.68 feet to a point, (32) North 65-21-16 East 15.20 feet to a point, (33) North 02-55-04 West 10.93 feet to a point, (34) North 64-36-02 East 27.33 feet to a point, (35) North 76-16-35 East 6.53 feet to a point, (36) North 47-07-58 East 10.77 feet to a point, (37) North 28-05-03 East 16.82 feet to a point, (38) North 40-56-54 East 53.39 feet to a point, (39) North 65-37-01 East 16.71 feet to a point, (40) North 89-46-42 East 10.48 feet to a point, (41) North 36-53-19 East 28.88 feet to a point, (42) North 65-56-18 East 32.93 feet to a point, (43) North 02-48-22 West 20.17 feet to a point, (44) North 32-45-05 West 11.72 feet to a point, (45) North 12-58-28 East 39.55 feet to a point, (46) North 33-13-43 East 55.72 feet to a point, (47) North 25-41-45 East 83.52 feet to a point, (48) North 53-24-33 East 16.35 feet to a point, (49) South 88-50-16 East 13.32 feet to a point, (50) North 62-49-12 East 48.05 feet to a point, (51) South 84-33-47 East 36.39 feet to a point, (52) North 66-35-50 East 60.86 feet to a point, (53) South 86-39-36 East 68.63 feet to a point, (54) South 59-43-24 East 36.00 feet to a point, (55) South 37-26-18 East 23.22 feet to a point, (56) South 05-34-50 West 36.95 feet to a point, (57) South 73-57-15 East 30.86 feet to a point, (58) North 86-08-50 East 83.20 feet to a point, (59) North 41-07-46 East 30.00 feet to a point, (60) North 65-26-43 East 42.52 feet to a point, (61) North 18-35-47 East 39.35 feet to a point, (62) North 76-00-39 East 64.35 feet to a point, (63) South 84-15-46 East 86.07 feet to a point, (64) South 41-50-18 East 103.99 feet to a point, (65)

South 19-33-19 East 12.97 feet to a point, (66) South 58-28-26 East 81.52 feet to a point, (67) South 76-26-14 East 109.41 feet to a point, (68) North 83-35-44 East 70.42 feet to a point, (69) North 60-48-39 East 63.47 feet to a point, (70) North 43-01-51 East 136.07 feet to a point, (71) North 77-00-49 East 47.36 feet to a point, (72) South 81-13-38 East 45.00 feet to a point, (73) North 53-03-55 East 28.02 feet to a point, (74) North 26-58-46 East 91.68 feet to a point, (75) North 07-43-53 East 50.88 feet to a point, (76) North 33-49-29 East 36.49 feet to a point, (77) North 37-21-14 East 103.73 feet to a point, (78) North 10-19-24 East 49.58 feet to a point, (79) North 13-58-52 West 55.62 feet to a point, (80) North 21-02-19 East 103.87 feet to a point, and (81) North 42-06-09 East 68.48 feet to a point in the southwesterly boundary of that certain property of Harwood Lane Baptist Church pursuant to a Deed recorded in Book 10706 at page 855 in said Registry; thence with the southwesterly and southerly boundary of said Harwood Lane Baptist Church property (now or formerly) the following four (4) courses and distances: (1) South 22-00-11 East 43.65 feet to an existing iron rod, (2) South 05-26-10 East 217.14 feet to an existing iron rod (3) South 26-37-13 East 83.85 feet to an existing iron rod, and (4) South 56-46-21 East 142.75 feet to an existing iron rod in the southeasterly corner of said Harwood Land Baptist Church property and in the southwesterly corner of that certain property of James Y. Ross and wife, Virginia L. Ross pursuant to a Deed recorded in Book 5809 at Page 358 in said Registry; thence with the southerly boundary of said Ross property (now or formerly) the following three (3) courses and distances: (1) South 54-02-25 East 138.37 feet to a point, (2) South 84-12-22 East 122.93 feet to an existing iron rod, and (3) South 45-47-22 East 66.08 feet to an existing iron rod in the southeasterly corner of said Ross property and in the westernmost corner of that certain property of W. E. Hartis and wife Hazel Horne Hartis pursuant to a Deed recorded in Book 3644 at Page 955 in said Registry; thence with the southerly boundary of said Hartis property (now or formerly) the following two (2) courses and distances: (1) South 08-59-26 East 107.39 feet to an existing iron rod, and (2) South 62-08-07 East 400.37 feet to an existing iron rod in the easternmost corner of said Hartis property and in a southerly corner of that certain property of Harwood Lane Baptist Church pursuant to a Deed recorded in Book 10706 at Page 851 in said Registry; thence with the southerly boundary of said Harwood Lane Baptist Church property (now or formerly) South 73-28-31 East 190.75 feet to an existing iron pin in the northernmost corner of that certain property of Barry Brown pursuant to those certain Deeds recorded in Book 7943 at Page 9 and in Book 8847 at Page 379 in said Registry; thence with the westerly boundary of said Brown property (now or formerly) the following three (3) courses and distances: (1) South 50-57-57 West 87.80 feet to an existing iron rod, (2) South 19-29-36 East 128.49 feet to an existing iron rod, and (3) South 13-34-41 West 559.65 feet to an existing iron rod in the southwesterly corner of said Brown property and in the northwesterly corner of that certain property of Marshall W. Sawyer and wife, Cynthia H. Sawyer pursuant to a Deed recorded in Book 5809 at Page 352 in said Registry; thence with the westerly boundary of said Sawyer property South 00-48-10 West 199.20 feet to an existing iron rod in the southwesterly corner of said Sawyer property and in the northernmost corner of common open space as shown on a map of BROOKMERE, Phase I, Map 7 recorded in Map Book 33 at Page 825 in said Registry; thence with the northwesterly boundary of said Brookmere common open space and with the northwesterly boundaries of Lots 111, 112, 113, 114 and a lift station lot as shown on a map of BROOKMERE, Phase I, Map 6

recorded in Map Book 33 at Page 75 South 42-24-24 West 987.45 feet to an existing iron rod in the common rear corners of Lots 128, 134 and 135 of BROOKMERE, Phase I, Map 3 recorded in Map Book 32 at Page 244 in said Registry, the BEGINNING POINT, said property containing 99.50 acres, more or less, and being more particularly shown on that certain Boundary Division Survey of 99.50 acres located off Riverside Drive prepared for LandCraft Properties, Inc. by Insite Engineering & Surveying, P.L.L.C. dated June 12, 2001 and last revised on June 14, 2001, reference to which survey is hereby made.

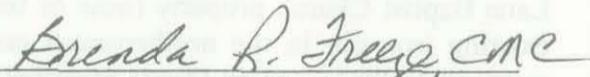
The above-described property is all of Tract II and Tract III as described in that certain Deed to Huntersville Investment, LLC recorded in Book 10641 at Page 534 in the Mecklenburg County Public Registry.

Section 3. Notice of the public hearing shall be published in *The Charlotte Observer*, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of the public hearing.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22<sup>nd</sup> day of April, 2002, the reference having been made in Minute Book 117, and recorded in full in Resolution Book 37, Page(s) 743-746.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23<sup>rd</sup> day of April, 2002.

  
Brenda R. Freeze, CMC, City Clerk

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION  
OF ANNEXATION PURSUANT TO G.S. 160A-31  
GUM BRANCH ROAD VOLUNTARY ANNEXATION**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Charlotte-Mecklenburg Government Center Meeting Chamber, 600 E. Fourth Street, Charlotte, N.C. at 7:00 p.m. on June 24, 2002.

Section 2. The area proposed for annexation is described as follows:

**EXHIBIT A  
GUM BRANCH ROAD PROPERTY**

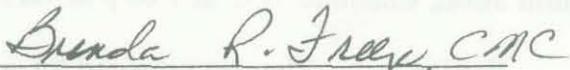
BEGINNING AT AN EXISTING IRON REBAR, SAID IRON REBAR BEING A COMMON CORNER OF THE SUBJECT PROPERTY AND PATRICIA K. POWERS( DB 10394 PG 938), THENCE FROM SAID CORNER WITH THE COMMON LINE OF WILLIAM B. CLINE (6) CALLS,(1) N 03-38-29 E, 265.16 FEET TO A REBAR (2) N 03-36-34 E 549.41 FEET TO AN EXISTING IRON PIPE, (3) S 85-56-13 E 215.95 FEET TO AN EXISTING IRON PIPE, (4) N 04-45-58 E 215.44 FEET TO A NEW IRON REBAR, (4) N 85-46-19 W 215.88 FEET TO A NEW IRON REBAR, (6) N 01-00-51 E 394.86 FEET TO AN EXISTING IRON REBAR, THENCE WITH THE COMMON LINE OF PINE ISLAND COUNTRY CLUB MB 12 PG 367 (6) CALLS, (1) N 06-38-05 E, 250.93 FEET TO AN EXISTING IRON REBAR, (2) N 06-41-13 E, 189.97 FEET TO AN IRON REBAR , (3) N 07-19-22 E, 4.97 FEET TO AN IRON REBAR, (4) N 06-41-36 E 115.04 FEET TO AN EXISTING IRON REBAR, (5) N 06-42-39 E 229.92 FEET TO AN EXISTING IRON REBAR, (6) S 85-13-01 E 152.78 FEET TO AN EXISTING IRON PIPE, THENCE WITH THE SOUTHERLY LINE OF LOT 1 OF STONEY POINTE AT COULWOOD SECTION 3 MB 22 PG 21, S 85-14-18 E 150.09 FEET TO AN EXISTING IRON REBAR IN THE WESTERLY 50' RIGHT-OF-WAY OF LONG PAW LANE, THENCE S 84-35-06 E 50.00 FEET TO AN EXISTING IRON PIPE IN THE EASTERLY RIGHT-OF-WAY OF LONG PAW LANE, THENCE WITH THE COMMON LINE OF STONEY POINTE AT COULWOOD SECTION 1 S 85-07-53 E 705.88 TO A REBAR (PASSING A REBAR AT 615.74 FEET, BEING THE COMMON CORNER OF YATES W. GILBERT), THENCE WITH THE COMMON LINE OF YATES W. GILBERT (DB 3938 PG 717) & WEBB D. GILBERT( 3939 PG 720) S 03-51-28 W 349.92 FEET TO A NEW IRON REBAR, THENCE CONTINUING WITH THE COMMON LINE OF WEBB D. GILBERT (2) CALLS, S 85-02-00 E 250.71 FEET TO A NEW IRON REBAR, (2) S-85-07-08 E 151.49 FEET TO A NAIL IN THE CENTERLINE OF GUM BRANCH ROAD, THENCE WITH THE CENTERLINE OF GUM BRANCH ROAD (2) CALLS, (1) S 09-11-53 W 294.05 FEET TO A NAIL, (2) S 02-33-07 E 740.80 FEET TO A NAIL, THENCE N 85-58-07 W 651.18 FEET TO A NEW IRON REBAR, THENCE WITH THE PROPOSED RIGHT-OF-WAY OF I-485 (5) CALLS, (1) S 33-26-19 W 182.02 FEET TO A POINT, (2) S 35-30-56 W, 456.69 FEET TO A NCDOT MON. (3) S 38-34-27 W 147.14 FEET TO A NCDOT CONC. MON., (4) S 44-53-00 W, 175.60 FEET TO A NCDOT MON., (5) S 86-55-12 W, 95.27 FEET TO AN IRON REBAR. THENCE WITH THE COMMON LINE OF PATRICIA K. POWERS N 86-05-52 W 261.18 FEET TO AN EXISTING IRON REBAR, SAID IRON REBAR BEING THE POINT OF BEGINNING, SAID TRACT CONTAINING 55.06 ACRES.

Section 3. Notice of the public hearing shall be published in *The Charlotte Observer*, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of the public hearing.

**CERTIFICATION**

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22<sup>nd</sup> day of April, 2002, the reference having been made in Minute Book 117, and recorded in full in Resolution Book 37, Page(s) 747-748.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23<sup>rd</sup> day of April, 2002.

  
Brenda R. Freeze, CMC, City Clerk

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION  
OF ANNEXATION PURSUANT TO G.S. 160A-31  
STONEY CREEK VOLUNTARY ANNEXATION**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina that:

Section I. A public hearing on the question of annexation of the area described herein will be held at the Charlotte-Mecklenburg Government Center Meeting Chamber, 600 E. Fourth Street, Charlotte, N.C. at 7:00 p.m. on June 24, 2002

Section 2. The area proposed for annexation is described in **Exhibit A**, as follows:

**EXHIBIT A  
STONEY CREEK SUBDIVISION BASE TRACT**

LYING AND BEING in Mallard Creek Township, Mecklenburg County and being more particularly described as follows:

Beginning at a mag nail set in the centerline of Garrison Road ("State Road 2471"), which nail is in the southwesterly corner of that certain property of Branch Banking and Trust Company, as Trustee pursuant to a Deed recorded in Book 11002 at Page 556 in the Mecklenburg County Public Registry; thence from said Beginning Point with a line across the rear easterly boundaries of Lots 1 through 5, inclusive, and two separate common open space tracts as shown on a map recorded in Map Book 33 at Page 655 in said Registry and further with the easterly boundary of that certain property of Robert C. Rhein Interests, Inc. pursuant to a Deed recorded in Book 9858 at Page 434 in said Registry North 22-07-58 West 1,174.39 feet to an existing iron rod in a corner of said Robert C. Rhein Interests, Inc. property, said iron further being in a southwesterly corner of that certain property of Robert C. Rhein Interests, Inc. pursuant to a Deed recorded Book 9884 at Page 211 in said Registry; thence with the southerly boundary of said Robert Rhein property (now or formerly) North 77-32-43 East 887.64 feet (passing a set iron at 840.84 feet) to a point in the center line of Big Stoney Creek, said point further being in the easternmost corner of said Robert Rhein Interests property; thence with the centerline of Big Stoney Creek the following five (5) courses and distances as follows: (1) South 62-07-33 East 10.03 feet to a point, (2) South 85-22-34 East 122.13 feet to a point, (3) South 80-56-34 East 89.15 feet to a point, (4) South 86-18-04 East 206.61 feet to a point, and (5) North 73-56-21 East 64.67 feet to a point in the rear southerly boundary of Lot 11 as shown on a map recorded in Map

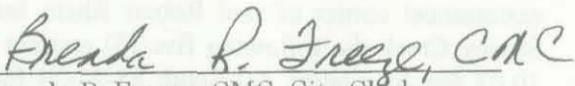
Book 8 at Page 343 in said Registry; thence with the rear southerly boundaries of Lots 11 through 13, inclusive, as shown on said recorded map South 70-01-54 East 266.47 feet to a point in the rear southerly boundary of Lot 13 as shown on said recorded map; thence with the rear southerly boundary of Lots 13 and 14 as shown on said recorded plat South 43-35-35 East 76.32 feet to a point in the centerline of Big Stoney Creek and in the rear southerly boundary of said Lot 14, said point further being in the northwesterly corner of Mecklenburg County Greenway as shown on a map recorded in Map Book 33 at Page 681 in said Registry; thence with the westerly boundary of Mecklenburg County Greenway as shown on said recorded map and with the side westerly boundary of Lots 18 and 17 as shown on the same recorded map South 23-52-09 West 746.19 feet to an existing iron rod in the centerline of a Duke Power Company transmission line Right-of-Way pursuant to an instrument recorded in Book 2547 at Page 93 in said Registry, said iron rod further being in the westerly side boundary of common open space as shown on a map recorded in Map Book 33 at Page 429; thence with the rear northwesterly boundaries of said common open space and Lots 15, 14, 13, 12 and 11 as shown on said recorded map South 35-50-44 West 370.65 feet to an existing iron rod in the rear northwesterly boundary of said Lot 11; thence with the rear northerly boundaries of Lots 11, 10, 9, 8, 7, 6, 5 and 4 as shown on said recorded map South 66-10-22 West 432.74 feet to an existing iron rod in the northwesterly corner of said Lot 4, said rod further being in the rear easterly boundary of Lot 1 as shown on said recorded map; thence with the rear Easterly boundary of Lot 1 and common open space as shown on said recorded map North 11-39-47 West 110.39 feet to a mag nail set in the centerline of Garrison Road; thence with the centerline of Garrison Road the following two (2) courses and distances: (1) South 78-52-42 West 66.64 feet to a point, and (2) South 77-35-02 West 216.84 feet to a mag nail set, the BEGINNING POINT, said property containing 33.124 acres, more or less, and being more particularly shown on that certain Boundary Survey prepared for LandCraft Properties, Inc. by Insite Engineering & Surveying, P. L. L. C. Dated March 7, 2001, reference to which survey is hereby made.

Section 3. Notice of the public hearing shall be published in *The Charlotte Observer*, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of the public hearing.

#### CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22<sup>nd</sup> day of April, 2002, the reference having been made in Minute Book 117, and recorded in full in Resolution Book 37, Page(s) 749-750.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23<sup>rd</sup> day of April, 2002.

  
Brenda R. Freeze, CMC, City Clerk

**A RESOLUTION OF THE CHARLOTTE CITY COUNCIL  
CERTIFYING COMPLIANCE WITH THE COMPETITIVE  
PROPOSAL PROCUREMENT REQUIREMENTS OF SECTION  
8.87 OF THE CITY CHARTER.**

A motion was made by Councilmember Cannon and seconded by Councilmember Graham for the adoption of the following Resolution, and upon being put to a vote was duly adopted.

**WHEREAS**, the General Assembly of North Carolina during the 2000 Session amended the Charter of the City of Charlotte to add Subchapter E of Chapter IX; and

**WHEREAS**, Section 8.87 of the City Charter, "Transit Procurements," provides that in addition to other methods of procurement, the City of Charlotte may contract for the purchase, lease or other acquisition of any apparatus, supplies, materials or equipment for public transit purposes using the competitive proposal method provided under N.C.G.S. 143-129(h); and

**WHEREAS**, N.C.G.S. 143-129(h) requires the Charlotte City Council to find that the competitive proposal procurement method is the most appropriate procurement method for specified procurements in advance of issuing a Request for Proposal; and

**WHEREAS**, the Charlotte City Council authorized use of the competitive proposal procurement method for the acquisition of an automatic vehicle locator /automatic passenger counter system by Resolution adopted on October 22, 2001 upon a finding that such procurement method would allow the City to achieve the best value taking price and other factors into consideration; and

**WHEREAS**, the Charlotte Area Transit System has made a report regarding the process followed in conducting the competitive proposal procurement for an automatic vehicle locator /automatic passenger counter system and recommended a contract award for the proposal deemed most responsible and advantageous to the City taking price and other factors into consideration.

**NOW, THEREFORE**, it is hereby resolved that the Charlotte City Council finds and certifies the Charlotte Area Transit System conducted a competitive proposal procurement of an automatic vehicle locator /automatic passenger counter system in compliance with

Section 8.87 of the City Charter and all applicable federal and state laws or regulations.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22<sup>nd</sup> day of April, 2002, the reference having been made in Minute Book 117, and recorded in full in Resolution Book 37, Page(s) 751-752.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23<sup>rd</sup> day of April, 2002.

*Brenda R. Freeze, CMC*  
Brenda R. Freeze, CMC, City Clerk

ACTION A

**RESOLUTION**

EXTRACT FROM THE MINUTES OF A regular MEETING OF THE  
Charlotte City Council HELD ON April 22, 2002.

The following resolution was introduced by Councilmember  
seconded by Councilmember , read in full, considered and adopted.

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND  
RATIFYING THE EXECUTION OF THE GRANT AGREEMENTS FOR PROJECT  
NUMBERS 3-37-0012-45 BETWEEN THE UNITED STATES OF AMERICA AND THE  
CITY OF CHARLOTTE, NORTH CAROLINA

BE IT RESOLVED, by the \_\_\_\_\_ CITY COUNCIL \_\_\_\_\_ of  
THE CITY OF CHARLOTTE, NORTH CAROLINA

SECTION 1. That said City Council hereby authorizes, adopts,  
approves, accepts and ratifies the execution of a Grant Agreement  
between the Federal Aviation Administration on behalf of the United  
States of America and the City of Charlotte,  
North Carolina

SECTION 2. That the Execution of said Grant Agreement in  
quadruplicate on behalf of said City Council by T. J. Orr,  
Aviation Director and the impression of the official seal of the  
City of Charlotte and the attestation by Brenda Freeze, City Clerk  
is hereby authorized, adopted, approved, accepted and ratified.

SECTION 3. That the \_\_\_\_\_ Aviation Director \_\_\_\_\_ is hereby  
authorized to execute payment requests under these Grant Agreements  
on behalf of said \_\_\_\_\_ City of Charlotte \_\_\_\_\_ .

**CERTIFICATION**

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22<sup>nd</sup> day of April, 2002, the reference having been made in Minute Book 117, and recorded in full in Resolution Book 37, Page(s) 753-754.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23<sup>rd</sup> day of April, 2002.

*Brenda R. Freeze, CMC*  
Brenda R. Freeze, CMC, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **Old Statesville Road Widening**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **Old Statesville Road Widening** and estimated to be approximately 15,828 square feet (0.363 acre) for **Fee Simple, Permanent Drainage Easement and Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 043-052-12 said property currently owned **Earl E. Carver and wife Sylvia A. Carver and Jack Keith Jones and wife Paula Jones and any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22<sup>nd</sup> day of April, 2002, the reference having been made in Minute Book 117, and recorded in full in Resolution Book 37, Page 755.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23<sup>rd</sup> day of April, 2002.

  
Brenda R. Freeze, CMC, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **Sanitary Sewer to Serve Courtney Properties**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **Sanitary Sewer to Serve Courtney Properties** and estimated to be approximately 7,456 square feet (0.171 acre) for **Sanitary Sewer Easement and Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 193-331-26 said property currently owned by **George Daniel Jakowczuk and wife, Sofia Jakowczuk and any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

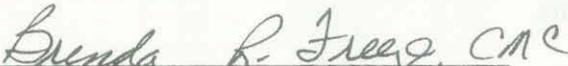
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22<sup>nd</sup> day of April, 2002, the reference having been made in Minute Book 117, and recorded in full in Resolution Book 37, Page 756.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23<sup>rd</sup> day of April, 2002.

  
Brenda R. Freeze, CMC, City Clerk