

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE **Bartow Court and four alleyways bounded by Elizabeth Avenue, North Torrence Street, Travis Avenue and Park Drive** in the City of Charlotte, Mecklenburg County, North Carolina.

Whereas, Providence Road Land Partners, LLC has filed a petition to close **Bartow Court and four alleyways bounded by Elizabeth Avenue, North Torrence Street, Travis Avenue and Park Drive** in the City of Charlotte; and

Whereas, Bartow Court and four alleyways bounded by Elizabeth Avenue, North Torrence Street, Travis Avenue and Park Drive to be closed lies within the perimeter of the above four streets as shown in the map marked "Exhibit A-1, A-2, and A-3" and is more particularly described by metes and bounds in a document marked "Exhibit B-1, B-2, and B-3" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

Whereas, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley and

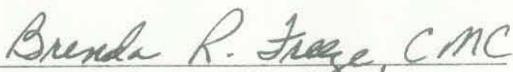
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of August 26, 2002 that it intends to close Bartow Court and four alleyways bounded by Elizabeth Avenue, North Torrence Street, Travis Avenue and Park Drive and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 23rd day of September, 2002 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

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 26th day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 908.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2002.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of East Third Street between South Independence Boulevard and Cherry Street in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, N. Walker Wells and Elizabeth K. Wells has filed a petition to close a **portion of East Third Street between South Independence Boulevard and Cherry Street** in the City of Charlotte; and

Whereas, the portion of East Third Street between South Independence Boulevard and Cherry Street to be closed lies from South Independence Boulevard northwestwardly approximately 180 feet to the property line of Virginia O. Mullis as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

Whereas, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring it's intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley and

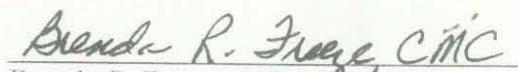
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of August 26, 2002 that it intends to close a portion of East Third Street between South Independence Boulevard and Cherry Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 23rd day of September, 2002 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

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 26th day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 909.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2002.


Brenda R. Freeze, CMC, City Clerk

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:

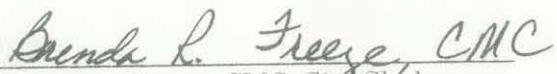
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time 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 26th day of August, 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 26th day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Pages 910-911.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 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>
Van Nuys		\$ 191.75
Cenco Inc		384.49
Kakaley Russell		195.95
McKeithen George N		186.03
Chase Manhattan Mortgage		112.13
Howmedica Osteonics Corp		4,999.35
Forest Pond Associates LLC		873.97
Tyson Cynthia Haldenby		186.80
Tyson Cynthia Haldenby		186.80
Tyson Cynthia Haldenby		188.80
Tyson Cynthia Haldenby		168.00
Tyson Cynthia Haldenby		168.00
Deloitte & Touche LLP		772.63
Deloitte & Touche LLP		576.38
Deloitte & Touche LLP		330.52
Mozeley D R Inc		279.08
Deloitte & Touche LLP		305.64
Total		\$10,206.46

[Handwritten signature]

COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

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

WHEREAS, the Charlotte Department of Transportation has prepared and adopted plans for the construction of the Asbury Avenue Extension/Asbury Avenue Extension Phase II Project; and,

WHEREAS, said Charlotte Department of Transportation and the City of Charlotte propose to enter into an agreement whereby said Department will compensate Norfolk Southern Railway Company for work, to include the installation of concrete grade crossing surfaces and automatic grade crossing warning devices for the Asbury Avenue Extension Project/Asbury Avenue Extension Phase II Project; and,

WHEREAS, the City of Charlotte agrees to compensate the Norfolk Southern Railway Company for above referenced work, estimated at \$400,000.

NOW, THEREFORE, BE IT RESOLVED that all work referenced as 120-1-6153 PND, Norfolk Southern Railway Company, is hereby formally approved by the City Council of the City of Charlotte and that the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

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 26th day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 912.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2002.

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

RESOLUTION PROVIDING CONSENT TO MULTIFAMILY HOUSING
FACILITY KNOWN AS LITTLE ROCK APARTMENTS IN THE CITY OF
CHARLOTTE, NORTH CAROLINA AND THE FINANCING THEREOF
WITH MULTIFAMILY HOUSING REVENUE BONDS IN THE PRINCIPAL
AMOUNT OF UP TO \$10,500,000

WHEREAS, the City Council of the City of Charlotte (the "City") met in Charlotte, North Carolina at 7:00 p.m. on the 26th day of August, 2002; and

WHEREAS, the of the County of Mecklenburg (the "Mecklenburg Authority"), [a public body and body corporate and politic organized and operating pursuant to the North Carolina Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes of North Carolina, as amended (the "Act"),] has tentatively agreed to assist LR Charlotte, Limited Partnership, a North Carolina limited partnership (the "Borrower") in the financing of the acquisition and rehabilitation of a multifamily residential rental project to be known as Little Rock Apartments, consisting of approximately 242 units (the "Development"), located on approximately 15.54 acres at 3107 Nobles Road in the City of Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, the Authority's tentative agreement to issue its multifamily housing revenue bonds in an amount not to exceed \$10,500,000 (the "Bonds") is evidenced by the adoption of an inducement resolution with respect to the financing of the Development by the Mecklenburg Authority on June 4, 2002; and

WHEREAS, the proposed bonds have been allocated volume cap by the North Carolina Federal Tax Reform Allocation Committee after review by they North Carolina Housing Finance Agency;

WHEREAS, under Section 157-39.1 of the Act, before a county housing authority can exercise any one of its powers within the jurisdiction of a city, the city must request the county housing authority to do so; and

WHEREAS, the City has determined that it has no objection to the issuance by the Mecklenburg Authority of its revenue bonds to finance the Development; and

WHEREAS, the City acknowledges that there is a need for affordable housing within the City of Charlotte;

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

1. The City Council hereby requests the County of Mecklenburg to issue its multifamily housing revenue bonds in an amount not to exceed \$10,500,000 in order to finance the acquisition, construction and equipping by LR Charlotte, Limited Partnership, of an affordable multifamily residential rental project to be known as Little Rock Apartments and to be located at 3107 Nobles Road in the City of Charlotte, North Carolina.
2. This resolution shall take effect immediately upon its passage.

Councilman Cogdell moved the passage of the foregoing resolution and Councilman Carter seconded the motion, and the resolution was passed by the following vote:

Ayes: Councilmembers Cannon, Carter, Cogdell, Graham, Lochman, Mitchell, Mumford, Spencer, Tabor, Wheeler, and White

Nays: _____

Not voting: _____

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 26th day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Pages 913-914.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 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 August 26, 2002

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

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND
RATIFYING THE EXECUTION OF THE GRANT AGREEMENTS FOR PROJECT
NUMBERS 3-37-0012-44 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 26th day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Pages 915-916.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 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 **McALPINE CREEK RELIEF SEWER PROJECT** ; 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 **McALPINE CREEK RELIEF SEWER PROJECT** and estimated to be approximately **74,398 square feet (1.708 acre) for permanent 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. 211-401-04 said property currently by **BRUCE UNDERHILL CLAYTON and spouse, if any; TIM, Inc., Trustee; NATIONSBANK OF NORTH CAROLINA, N. A. (n/k/a) BANK OF AMERICA, Beneficiary; and any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

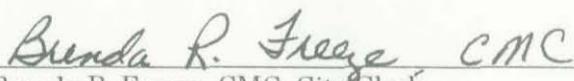
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 26th day of August, 2002, the reference having been made in Minute Book 118 and recorded in full in Resolution Book 37, Page 917.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of September, 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 **ASBURY AVENUE EXTENSION PROJECT**; 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 **ASBURY AVENUE EXTENSION PROJECT**, and estimated to be approximately **160 square feet (.004 acre) of fee-simple and 102 square feet (.002 acre) of permanent sidewalk and utility easement and 869 square feet (.02 acre) of 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. 085-071-04 said property currently owned **ROGER R. GROSSWALD and wife, JOYCE PRESSLEY GROSSWALD; KEVIN T. KENNELLY, Trustee; METROBANK, N. A. (Successor in Interest BANK OF AMERICA) and any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

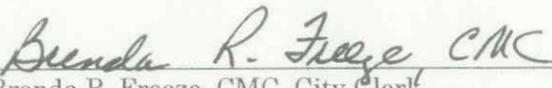
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 26th day of August, 2002, the reference having been made in Minute Book 118 and recorded in full in Resolution Book 37, Page 918.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of September, 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 **NEIGHBORHOOD IMPROVEMENT: WINGATE-PH. 4B PROJECT**, 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 **NEIGHBORHOOD IMPROVEMENT: WINGATE-PH. 4B PROJECT**, and estimated to be approximately **2,843 square feet (.065 acre) of permanent roadway easement, sidewalk and utility 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. 115-029-03 said property currently **TALMADGE BROWN and spouse, if any; G. GREGORY RUSSELL and spouse, if any; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

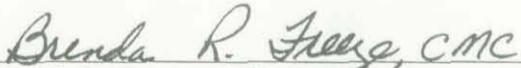
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 26th day of August, 2002, the reference having been made in Minute Book 118 and recorded in full in Resolution Book 37, Page 919.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of September, 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 **SOUTHWEST WATER MAIN PROJECT**; 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 **SOUTHWEST WATER MAIN PROJECT** and estimated to be approximately **4,576 square feet (0.105 acre) for permanent water main 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. 057-101-47 said property currently owned by **ROBERT MOORE and spouse, if any; CLIFTON MOORE and spouse, if any; ELLA MAE CLIFTON MOORE and spouse, if any; Unnamed Heirs at Law of Elizabeth Moore, widow; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

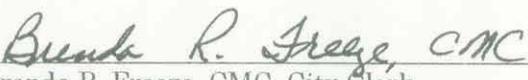
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 26th day of August, 2002, the reference having been made in Minute Book 118 and recorded in full in Resolution Book 37, Page 920.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of September, 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 **BROOKSHIRE BOULEVARD WIDENING PROJECT**; 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 **BROOKSHIRE BOULEVARD WIDENING PROJECT** and estimated to be approximately **7,482 square feet (0.172 acre) for fee simple** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 039-011-03 said property currently **GOLDEN B. ENTERPRISES, LTD.; NEW SALEM, INC., Trustee; WACHOVIA BANK OF SOUTH CAROLINA, N. A., Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

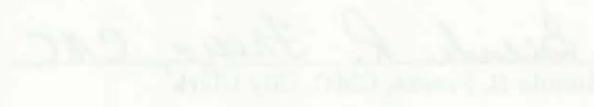
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 26th day of August, 2002, the reference having been made in Minute Book 118 and recorded in full in Resolution Book 37, Page 921.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of September, 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 **REA ROAD SIDEWALK PROJECT**; 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 **REA ROAD SIDEWALK PROJECT** and estimated to be approximately **6,236 square feet (0.143 acre) for permanent slope easement, permanent sidewalk and utility easement, existing right of way, 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. 211-052-36, said property currently owned **THOMAS HAVNAER and spouse, if any; Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

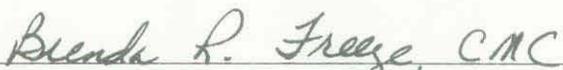
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 26th day of August, 2002, the reference having been made in Minute Book 118 and recorded in full in Resolution Book 37, Page 922.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of September, 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 **REA ROAD SIDEWALK PROJECT**; 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 **REA ROAD SIDEWALK PROJECT** and estimated to be approximately **5,033 square feet (0.116 acre) for permanent slope, permanent sidewalk and utility easement, existing right of way, 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. 211-052-26, said property currently owned by **WORLD TRAVEL MATES, INC.; SOUTHLAND ASSOCIATES, INC., Trustee; CENTRAL CAROLINA BANK AND TRUST COMPANY, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

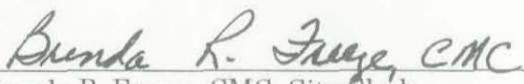
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 26th day of August, 2002, the reference having been made in Minute Book 118 and recorded in full in Resolution Book 37, Page 923.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of September, 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 **REA ROAD SIDEWALK PROJECT**; 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 **REA ROAD SIDEWALK PROJECT** and estimated to be approximately **8,593 square feet (0.197 acre) for permanent slope easement, permanent sidewalk and utility easement, existing right of way, 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. 211-052-27, said property currently owned **CLEMENTI AT PARK ROAD, LLC; Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

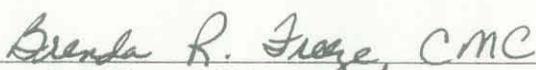
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 26th day of August, 2002, the reference having been made in Minute Book 118 and recorded in full in Resolution Book 37, Page 924.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of September, 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 **REA ROAD SIDEWALK PROJECT**; 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 **REA ROAD SIDEWALK PROJECT** and estimated to be approximately **427 square feet (0.010 acre) for permanent slope easement, permanent sidewalk and utility easement, existing right of way, 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. 211-052-36, said property currently owned **SCOTT E. YOUMANS and spouse, if any; WELLS AND DAISLEY, P. A., Trustee; LONG BEACH MORTGAGE COMPANY, Beneficiary; SOL A. JAFFA AND MICHAEL I. JAFFA, Trustees; COMMERCIAL FACTORS OF ATLANTA, INC., Possible Judgment Creditor; Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

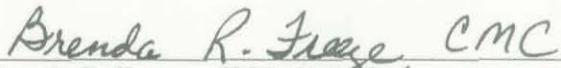
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 26th day of August, 2002, the reference having been made in Minute Book 118 and recorded in full in Resolution Book 37, Page 925.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of September, 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 **PINEVILLE-MATTHEWS ROAD SIDEWALK, PACKAGE 12 PROJECT**; 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 and estimated to be approximately **326 square feet (.007 acre) for slope 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. 227-263-40 said property currently owned by **ZIAD ANIS NASRALLAH (a/k/a Ziad A. Nasrallah) and wife, SUZANNE J. NASRALLAH; A. GRANT WHITNEY, JR., Trustee; NATIONAL CITY MORTGAGE COMPANY, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

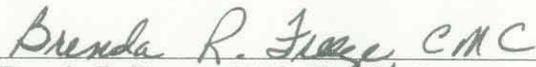
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 26th day of August, 2002, the reference having been made in Minute Book 118 and recorded in full in Resolution Book 37, Page 926.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of September, 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 **PINEVILLE-MATTHEWS ROAD SIDEWALK, PACKAGE 12 PROJECT**; 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 **PINEVILLE-MATTHEWS ROAD SIDEWALK, PACKAGE 12 PROJECT**; and and estimated to be approximately **510 square feet (.012 acre) of slope 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. 227-263-39, said property currently owned by **SCOTT K. STUCKY and wife, ALAINE P. F. STUCKY; TIM, Inc., Trustee; NATIONS Banc MORTGAGE CORPORATION, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

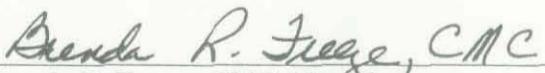
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 26th day of August, 2002, the reference having been made in Minute Book 118 and recorded in full in Resolution Book 37, Page 927.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of September, 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 **PINEVILLE-MATTHEWS ROAD SIDEWALK, PACKAGE 12 PROJECT**; 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 **PINEVILLE-MATTHEWS ROAD SIDEWALK, PACKAGE 12 PROJECT**; and and estimated to be approximately **226 square feet (.004 acre) of slope 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. 227-061-28, said property currently owned by **WC&C, INC.; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

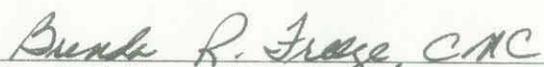
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 26th day of August, 2002, the reference having been made in Minute Book 118 and recorded in full in Resolution Book 37, Page 928.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of September, 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 **PINEVILLE-MATTHEWS ROAD SIDEWALK, PACKAGE 12 PROJECT**; 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 **PINEVILLE-MATTHEWS ROAD SIDEWALK, PACKAGE 12 PROJECT**; and and estimated to be approximately **163 square feet (.004 acre) of slope 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. 227-261-16, said property currently owned by **JIMMY C. NGUYEN and wife, THU-NGUYET T. TRAN; RPLAP, INC., Trustee; BANK OF AMERICA, N. A., Beneficiary; TRSTE, INC., Trustee; FIRST UNION NATIONAL BANK, Beneficiary; 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 26th day of August, 2002, the reference having been made in Minute Book 118 and recorded in full in Resolution Book 37, Page 929.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of September, 2002.


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

FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2002 SEP 19 10:20 AM
BOOK: 14087 PAGE: 637-643 FEE: \$27.00
INSTRUMENT # 2002181261

RESOLUTION CLOSING A PORTION OF MARK WAY AND SPRINGVIEW ROAD IN THE CITY
OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a portion of Mark Way and Springview Road which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of Mark Way and Springview Road to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to Charlotte Fire Department, Engineering and Property Management Department, Charlotte-Mecklenburg Utilities, Piedmont Natural Gas Company, BellSouth Telecommunications, Inc., Duke Power Company, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A-1 and A-2.

WHEREAS, the petitioner and abutting property owner have agreed to a distribution of right-of-way as described in "Exhibit C" attached hereto and made part hereof.

WHEREAS, the public hearing was held on the 26th day of August, 2002 and City Council determined that the closing of a portion of Mark Way and Springview Road is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of August 26, 2002, that the Council hereby orders the closing of a portion of Mark Way and Springview Road in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A-1 and A-2", and is more particularly described by metes and bounds in document marked "Exhibit B-1 and B-2", both of which are attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

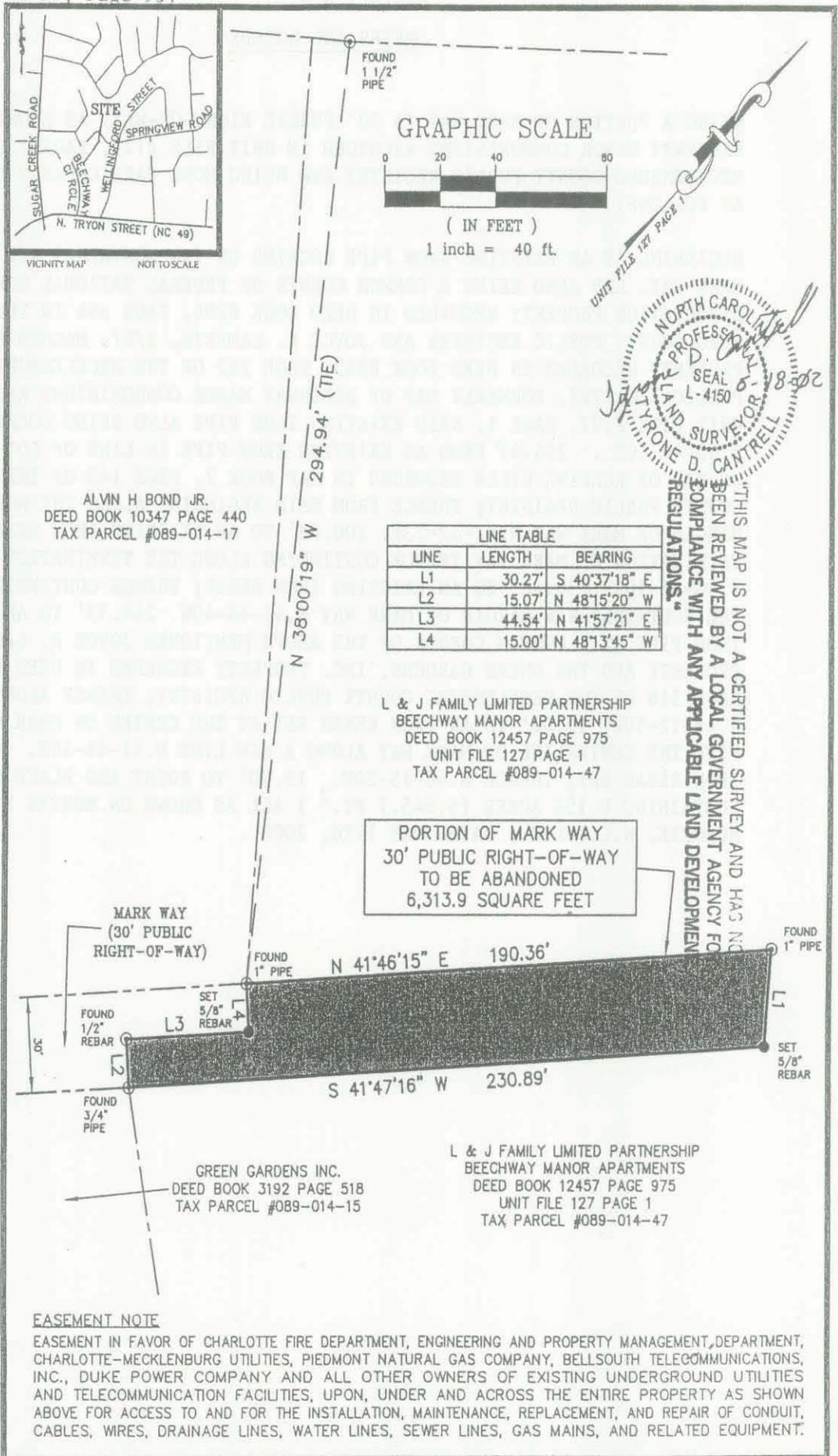
CERTIFICATION

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 26th day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Pages 930-934A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 26th day of August, 2002.

Drawn by: City of Charlotte
Return to: City of Charlotte - Box

Brenda R. Freeze
Brenda R. Freeze, CMC, City Clerk
CITY OF CHARLOTTE
MECKLENBURG COUNTY
N.C.



I, LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Linda B. Poissant
 Review Officer

9/18/02
 Date

Drawn by: City of Charlotte
 Return to: City of Charlotte

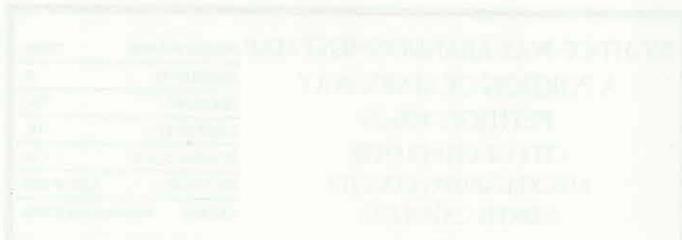
RIGHT-OF-WAY ABANDONMENT MAP	PROJECT NUMBER:	CMS01
A PORTION OF MARK WAY	SURVEYED BY:	JB
PETITION #00-20	DRAWN BY:	TDC
CITY OF CHARLOTTE	CHECKED BY:	TDC
MECKLENBURG COUNTY	DRAWING SCALE:	1" = 40'
NORTH CAROLINA	ISSUE DATE:	JUNE 18, 2002
	CAD FILE:	Markway1.dwg (R2000)

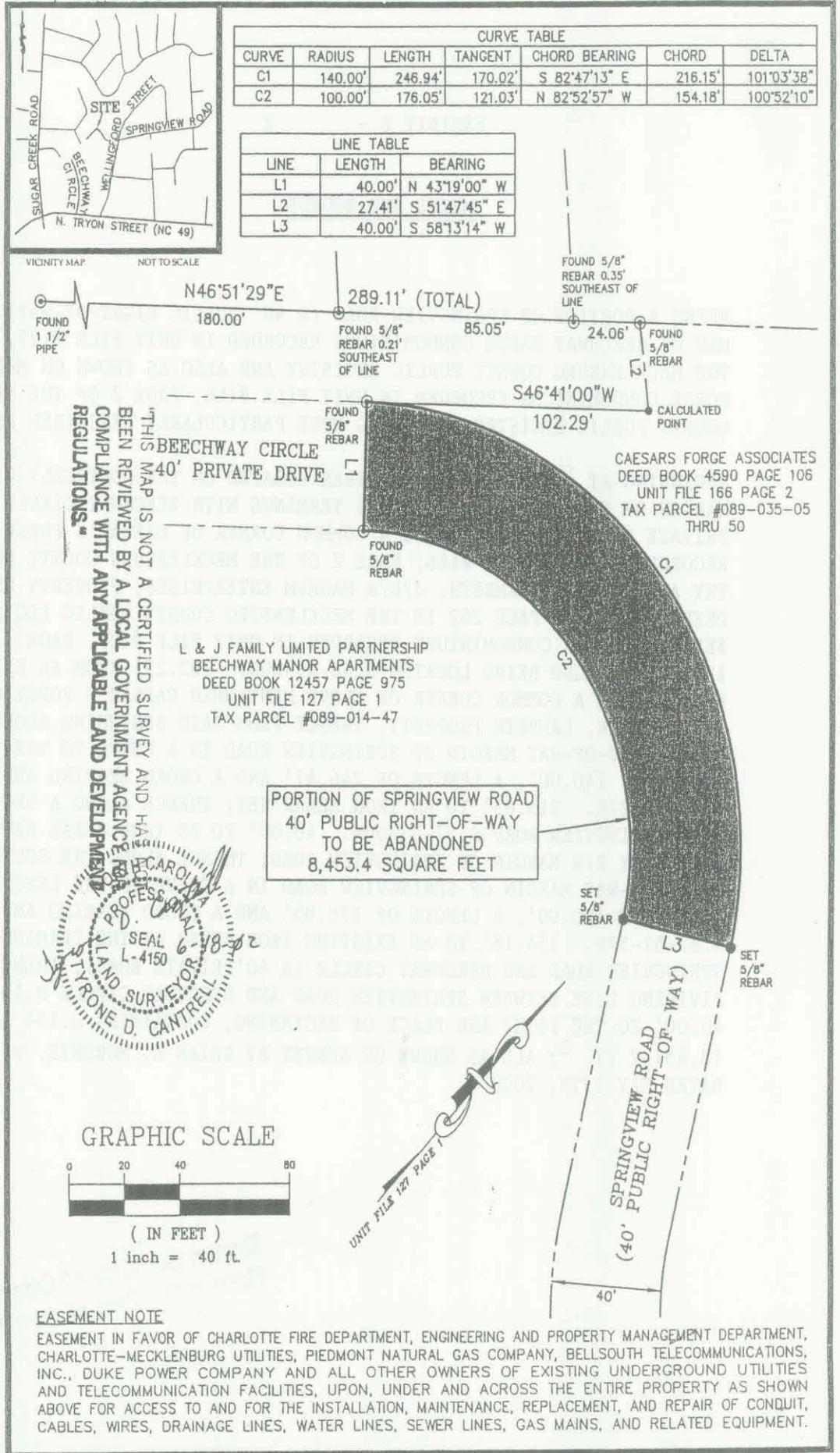
THE SURVEY COMPANY, INC.
 4105-B STUART ANDREW BLVD
 CHARLOTTE, NC 28217
 (704) 561-9970 (704) 561-9972 FAX
 EMAIL: surveyco@bellsouth.net

METES AND BOUNDS

BEING A PORTION OF MARK WAY (A 30' PUBLIC RIGHT-OF-WAY) AS SHOWN ON MAP OF BEECHWAY MANOR CONDOMINIUMS RECORDED IN UNIT FILE #127, PAGE 1 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING IRON PIPE LOCATED ON THE NORTHERLY R/W MARGIN OF MARK WAY, AND ALSO BEING A COMMON CORNER OF FEDERAL NATIONAL MORTGAGE ASSOCIATION PROPERTY RECORDED IN DEED BOOK 8206, PAGE 594 IN THE MECKLENBURG COUNTY PUBLIC REGISTRY AND JOYCE R. LAMBETH, d/b/a MAGNUM ENTERPRISES, PROPERTY RECORDED IN DEED BOOK 8843, PAGE 262 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY, FORMERLY MAP OF BEECHWAY MANOR CONDOMINIUMS RECORDED IN UNIT FILE #127, PAGE 1, SAID EXISTING IRON PIPE ALSO BEING LOCATED S.40-44-10E . 294.61' FROM AN EXISTING IRON PIPE IN LINE OF LOT 8 AS SHOWN ON MAP OF ROLLING HILLS RECORDED IN MAP BOOK 7, PAGE 143 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY; THENCE FROM SAID BEGINNING ALONG THE NORTHERLY MARGIN OF MARK WAY N.41-42-23E. 200.83' TO AN EXISTING IRON REBAR; AT THE TERMINATION OF MARK WAY THENCE CONTINUING ALONG THE TERMINATION OF MARKWAY S.40-41-10E. 30.40' TO AN EXISTING IRON REBAR; THENCE CONTINUING ALONG THE SOUTHERLY R/W MARGIN OF MARK WAY S.41-44-40W. 241.33' TO AN EXISTING IRON PIPE AT A COMMON CORNER OF THE ABOVE MENTIONED JOYCE R. LAMBETH PROPERTY AND THE GREEN GARDENS, INC. PROPERTY RECORDED IN DEED BOOK 3192, PAGE 518 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY, THENCE ALONG A NEW LINE N.48-12-50W. 15.00' TO AN IRON REBAR SET AT THE CENTER OF MARK WAY; THENCE WITH THE CENTERLINE OF MARK WAY ALONG A NEW LINE N.41-44-40E. 44.50' TO AN IRON REBAR SET; THENCE N.48-15-20W. 15.00' TO POINT AND PLACE OF BEGINNING CONTAINING 0.153 ACRES (6,645.7 FT.²) ALL AS SHOWN ON SURVEY BY BRIAN A. MCRORIE, N.C.P.L.S., DATED MAY 17TH, 2000 .





Drawn by: City of Charlotte
 Planning Dept. of Charlotte
 LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 Linda B. Poissant
 Review Officer
 Date 9/18/02

RIGHT-OF-WAY ABANDONMENT MAP
 A PORTION OF SPRINGVIEW ROAD
 PETITION #00-20
 CITY OF CHARLOTTE
 MECKLENBURG COUNTY
 NORTH CAROLINA

PROJECT NUMBER: CMS01
 SURVEYED BY: JB
 DRAWN BY: TDC
 CHECKED BY: TDC
 DRAWING SCALE: 1" = 40'
 ISSUE DATE: JUNE 18, 2002
 CAD FILE: Springview1.dwg (R2000)

THE SURVEY COMPANY, INC.
 4105-B STUART ANDREW BLVD
 CHARLOTTE, NC 28217
 (704) 561-9970 (704) 561-9972 FAX
 EMAIL: surveyco@bellsouth.net

EXHIBIT B - 2

METES AND BOUNDS

BEING A PORTION OF SPRINGVIEW ROAD (A 40' PUBLIC RIGHT-OF-WAY) AS SHOWN ON MAP OF BEECHWAY MANOR CONDOMINIUMS RECORDED IN UNIT FILE #127, PAGE 1 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY AND ALSO AS SHOWN ON MAP OF CAESAR'S FORGE CONDOMINIUMS RECORDED IN UNIT FILE #166, PAGE 2 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING IRON REBAR LOCATED ON THE NORTHERLY RIGHT-OF-WAY MARGIN OF SPRINGVIEW ROAD AT ITS TERMINUS WITH BEECHWAY CIRCLE (A 40' PRIVATE ROAD) AND ALSO BEING A COMMON CORNER OF CAESAR'S FORGE CONDOMINIUMS RECORDED IN UNIT FILE #166, PAGE 2 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY AND JOYCE R. LAMBETH, d/b/a MAGNUM ENTERPRISES, PROPERTY RECORDED IN DEED BOOK 8843, PAGE 262 IN THE MECKLENBURG COUNTY PUBLIC REGISTRY (FORMERLY BEECHWAY MANOR CONDOMINIUMS RECORDED IN UNIT FILE #127, PAGE 1), EXISTING IRON REBAR ALSO BEING LOCATED S.46-41-00W. 102.29' FROM AN EXISTING IRON REBAR BEING A COMMON CORNER OF ABOVE MENTIONED CAESAR'S FORGE CONDOMINIUMS AND JOYCE R. LAMBETH PROPERTY, THENCE FROM SAID BEGINNING ALONG THE NORTHERLY RIGHT-OF-WAY MARGIN OF SPRINGVIEW ROAD IN A CURVE TO THE RIGHT WITH A RADIUS OF 140.00', A LENGTH OF 246.47' AND A CHORD BEARING AND DISTANCE OF S.82-52-27E. 215.85' TO AN IRON REBAR SET; THENCE ALONG A NEW LINE ACROSS SAID SPRINGVIEW ROAD S.57-33-00W. 40.00' TO AN IRON REBAR SET ON THE SOUTHERLY R/W MARGIN OF SPRINGVIEW ROAD; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY MARGIN OF SPRINGVIEW ROAD IN A CURVE TO THE LEFT WITH A RADIUS OF 100.00', A LENGTH OF 176.05' AND A CHORD BEARING AND DISTANCE OF N.82-52-57W. 154.18' TO AN EXISTING IRON REBAR AT THE TERMINUS OF SPRINGVIEW ROAD AND BEECHWAY CIRCLE (A 40'PRIVATE ROAD); THENCE ALONG THE DIVIDING LINE BETWEEN SPRINGVIEW ROAD AND BEECHWAY CIRCLE N.43-19-00W. 40.00' TO THE POINT AND PLACE OF BEGINNING, CONTAINING 0.194 ACRES (8,451-2 FT. ²) ALL AS SHOWN ON SURVEY BY BRIAN A. MCRORIE, N.C.P.L.S., DATED MAY 17TH, 2000 .

Drawn by: City of Charlotte
Return to: City of Charlotte - Planning

THE SURVEY COMPANY, INC.
1000 W. WILSON ROAD
CHARLOTTE, NC 28202
704.375.1111

BRUNNEN & CO. ENGINEERS
1000 W. WILSON ROAD
CHARLOTTE, NC 28202
704.375.1111

EXHIBIT C

I Gene Barrier, President of Caesar's Forge Condominiums owner of parcel #089-035-99, do hereby consent to the abandonment of the entire right-of-way described in Exhibit B track 2 and shown on Exhibit A track 2 herein attached. That once abandoned, I will acquire zero (0) feet of the 40-foot Springview Road right-of-way.



(Signature)

Notary Seal Required

Annette K. Hawkins

01-04-2003



FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2002 SEP 19 10:20 AM
BOOK: 14087 PAGE: 632-636 FEE: \$21.00
INSTRUMENT # 2002181260

RESOLUTION CLOSING A PORTION OF A 10-FOOT ALLEYWAY BOUNDED BY
INDEPENDENCE BOULEVARD, EAST 8TH STREET, OAKLAND AVENUE, AND HAWTHORNE
LANE IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a portion of a 10-foot alleyway bounded by Independence Boulevard, East 8th Street, Oakland Avenue, and Hawthorne Lane which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of a 10-foot alleyway bounded by Independence Boulevard, East 8th Street, Oakland Avenue, and Hawthorne Lane to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to BellSouth Telecommunications, Inc., Duke Power Company, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the petitioner and abutting property owners have agreed to a distribution of rights-of-way as described in "Exhibit C" attached hereto and made part hereof.

WHEREAS, the public hearing was held on the 26th day of August, 2002 and City Council determined that the closing of a portion of a 10-foot alleyway bounded by Independence Boulevard, East 8th Street, Oakland Avenue, and Hawthorne Lane is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of August 26, 2002, that the Council hereby orders the closing of a portion of a 10-foot alleyway bounded by Independence Boulevard, East 8th Street, Oakland Avenue, and Hawthorne Lane in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in document marked "Exhibit B", both of which are attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

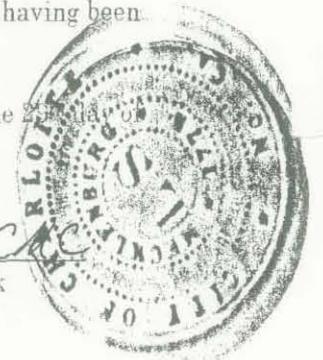
CERTIFICATION

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 26th day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Pages 935-939.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of August, 2002.

Drawn by: City of Charlotte
Printed for: City of Charlotte - Post

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



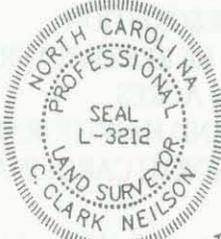
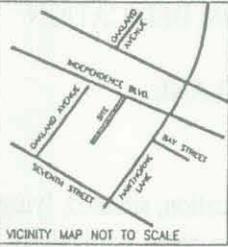
THIS IS TO CERTIFY THAT ON THE 28TH DAY OF JANUARY 20 02 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1800 (21 NCAC 58) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

SIGNED C. Clark Neilson

R. B. PHARR & ASSOCIATES, PROFESSIONAL SURVEYORS
420 HAYTHORNE LANE
CHARLOTTE, N.C. 28204
TEL. (704) 376-2186

DRAWN	REVISED	VARIETY
BW	BW	

04/10/02 REVISED TO SHOW UTILITIES
IN ALLEYWAY & ADD EASEMENT NOTE.



INDEPENDENCE BOULEVARD

(VARIABLE PUBLIC RIGHT-OF-WAY)

N.C.D.O.T. PROJECT: 8.T671005
BOOK 2, PAGE 733

AREA TO COMBINED WITH
RITCHEY & WF J.S. RITCHEY
14 SQ.FT.
0.0003 ACRE
R/W

M. RITCHEY & WF,
J.S. RITCHEY
DEED: 11704-46

M. RITCHEY & WF,
J.S. RITCHEY
DEED: 8824-702

AREA TO COMBINED WITH
M. RITCHEY & WF, J.S. RITCHEY
198 SQ.FT.
0.0045 ACRE

M. RITCHEY & WF,
J.S. RITCHEY
DEED: 12511-72

AREA TO COMBINED WITH
M. RITCHEY & WF, J.S. RITCHEY
259 SQ.FT.
0.0059 ACRE

AREA TO COMBINED WITH
M. RITCHEY & WF, J.S. RITCHEY
308 SQ.FT.
0.0071 ACRE

ZONE: B-1

M. RITCHEY & WF,
J.S. RITCHEY
DEED: 12511-75

AREA TO COMBINED WITH
M. RITCHEY & WF, J.S. RITCHEY
249 SQ.FT.
0.0057 ACRE

AREA TO COMBINED WITH
OAKLAND AVENUE LLC
144 SQ.FT.
0.0033 ACRE

OAKLAND AVENUE, LLC
DEED: 8857-613

AREA TO COMBINED WITH
OAKLAND AVENUE LLC
383 SQ.FT.
0.0088 ACRE

R.W. TOWNS
& J.O. TOWNS
DEED: 8315-704

THE LANE CONDOMINIUMS
UNIT OWNERSHIP FILE: 167

AREA TO COMBINED WITH
THE LANE CONDOMINIUMS UNIT OWNERSHIP
643 SQ.FT.
0.0149 ACRE

N.C.G.S. "M056"
N.C. GRID COORDINATES
N: 539,232.88
E: 1,461,228.80
ELEV: 714.24

N.C.G.S. "M056"
N.C. GRID COORDINATES
N: 539,140.14
E: 1,456,227.26

NOTES:

1. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.

TOTAL
ALLEY AREA:
2,198 SQ.FT.
0.0505 ACRE

LEGEND

- EIR - EXISTING IRON ROD
- EIP - EXISTING IRON PIPE
- HIR - NEW IRON ROD
- EN - EXISTING NAIL
- R/W - RIGHT-OF-WAY
- SQ.FT. - SQUARE FEET
- N.C.G.S. - NORTH CAROLINA GEODETIC SURVEY
- PP - POWER POLE
- TP - TELEPHONE POLE
- UGPL - UNDERGROUND POWER LINE

EASEMENT NOTE:

EASEMENT IN FAVOR OF BELL SOUTH TELECOMMUNICATIONS, INC., DUKE POWER COMPANY, AND ALL OTHER OWNERS OF EXISTING UNDERGROUND UTILITIES AND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE, WIRES, AND RELATED EQUIPMENT.

SURVEY OF:
10' ALLEYWAY TO BE REMOVED FROM DEDICATION

CHARLOTTE N.C.
THE CONFORMITY CORPORATION

PREPARED FOR

SCALE 1"=30'

MAP BOOK 3 PAGE 2

"THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS."

I, LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 Linda B. Poissant
 Review Officer
 Date 9/17/02

Drawn by City of Charlotte
 Return to: City of Charlotte

"EXHIBIT B"

LEGAL DESCRIPTION
10 FOOT ALLEY, PROPOSED TO BE REMOVED FROM DEDICATION
0.0507 ACRES
OAKLAND AVENUE AND HAWTHORNE LANE
CHARLOTTE, NORTH CAROLINA

That certain portion of a 10 foot alley, proposed to be removed from dedication, situated, lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron rod in the southerly margin of Independence Boulevard (variable public right-of-way), said existing iron rod being the northwesterly corner of M. Ritchey as described in Deed Book 11704, Page 46 of the Mecklenburg County Public Registry; and running thence from said **POINT OF BEGINNING** with the northwesterly line of M. Ritchey South 39-44-58 West 3.41 feet to a point in the northwesterly corner of another parcel owned by M. Ritchey as described in Deed Book 8824, Page 702 of said Registry; thence continuing with the northwesterly line of M. Ritchey South 39-44-58 West 39.26 feet to an existing iron rod in the northwesterly corner of another parcel owned by M. Ritchey as described in Deed Book 12511, Page 72 of said Registry; thence continuing with the northwesterly line of M. Ritchey South 40-12-11 West 50.76 feet to an existing iron rod in the northerly corner of the Lane Condominiums as recorded in Unit Ownership File 167 of said Registry; thence with the northwesterly line of the Lane Condominiums South 40-03-12 West 128.85 feet to a new iron rod; thence with a line crossing said 10 foot alley North 49-56-48 West 9.90 feet to an existing iron rod in the southerly corner of Oakland Avenue, LLC as described in Deed Book 8857, Page 613 of said Registry; thence with the southeasterly line of Oakland Avenue, LLC and continuing with the southeasterly line of M. Ritchey as described in Deed Book 12511, Page 75 of said Registry the following (3) courses and distances: 1) North 39-58-29 East 76.48 feet to a point; 2) North 40-12-47 East 79.55 feet to an existing iron rod; 3) North 39-54-21 East 61.81 feet to a Point in the aforesaid southerly margin of Independence Boulevard; thence with the southerly margin of Independence Boulevard South 73-58-29 East 10.92 feet to the point and place of **BEGINNING**; containing 2207 square feet or 0.0507 acres of land as shown on a survey prepared by R.B. Pharr & Associates, P.A. dated June 14, 2001, bearing File No. W-2684UO and recorded in Unit File No. 592, Page 1 of said Registry.

Drawn by: City of Charlotte
Return to: City of Charlotte - Dept

EXHIBIT C

I, **June Connerat, President of The Lane Condominiums**, do hereby consent to the abandonment of the entire right of way between tax parcel numbers **08020417-08020425** (property of The Lane Condominiums), and **08020404** (property of Monte & Jessica Ritchey), **08020405-08020406** (property of Oakland Avenue, LLC), further described in Exhibit A herein attached. That, once abandoned, The Lane Condominiums will acquire 0 feet of the 10-foot right-of-way, and the remaining 10 feet will become the property of Monte and Jessica Ritchey and Oakland Avenue, LLC.

June Connerat
(Signature)

Sworn to and subscribed before me:

Patricia Dunsell-Foster Notary

My commission expires April 28, 2007

**RESOLUTION ADOPTING INTERIM CHANGES TO THE CITY LEAVE
ACCRUAL PLANS**

WHEREAS, the City of Charlotte is transitioning from a Wednesday through Tuesday pay week to a Saturday through Friday pay week; and

WHEREAS, the City of Charlotte has determined that it is in the best interest of City employees to allow the employees to receive continuous paychecks during the transition; and

WHEREAS, to accomplish the continuous paychecks the City must advance the equivalent of two days vacation/personal pay to employees; and

WHEREAS, the City will recoup the advancement by slowing future leave accrual;

NOW, THEREFORE, be it resolved by the City Council of the City of Charlotte, as follows:

1. That it hereby advance employees up to 2 days of vacation/personal pay for the transition pay week of September 11 through 13, 2002;
2. That the City will recoup this advancement of vacation/personal pay by slowing the weekly accrual of vacation/personal leave by one hour per week for 16 weeks or until the recoupment of time advanced has been completed; and
3. Fire operations, part-time employees and personal leave accrual rates will be pro-rated based on the advance; and
4. The City Manager has the authority to make decisions and implement changes to ensure the advance and/or recoupment is completed.

This the 26 day of August, 2002.

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 26th day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 940.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2002.

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

RESOLUTION ADOPTING CHANGES TO THE CITY PAY WEEK

WHEREAS, the current pay week for City employees begins on Wednesday at 12:00 am and ends on Tuesday at 11:59 pm; and

WHEREAS, the Department of Labor has requested that the City change its pay week to eliminate the estimation of overtime worked; and

WHEREAS, the City of Charlotte recognizes the need to comply with the Federal Department of Labor's request; and

WHEREAS, the City of Charlotte desires to increase productivity and efficiency, and feels that a change in pay week will have that effect;

NOW, THEREFORE, be it resolved by the City Council of the City of Charlotte, as follows:

1. That it hereby change the pay week to begin on Saturday at 12:00 am and end on Friday at 11:59 pm with paychecks and direct deposits effective the following Friday; and
2. That the first day of the new pay week shall be September 14, 2002; and
3. That this resolution shall become effective immediately upon adoption.

This the 26 day of August, 2002.

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 26th day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 941.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2002.

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

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

**RESOLUTION AUTHORIZING THE CONVEYANCE OF 5.83 ACRES
OF LAND TO JOHNSON & WALES UNIVERSITY**

WHEREAS, the City of Charlotte owns +/-5.83 acres of land more particularly identified as being all or portions of Tax Parcel Nos. 1073-281-03, 073-281-04, 073-281-05 and 073-281-06 and located in Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, said Johnson & Wales University desires to purchase the City's property in order to establish a campus for between 3,000 to 4,000 students in the City of Charlotte's Center City area; and

WHEREAS, the fair market value of the Property is approximately \$7 million dollars; and

WHEREAS, the expected economic benefits of the sale of the Property at a reduced price to Johnson & Wales University for the establishment of a university are:

- (a) Direct and indirect spending by staff, students, visitors and the university estimated to be \$60 million per year;
- (b) Creation of between 250 to 400 full-time faculty and staff positions; and
- (c) Investment by Johnson & Wales University of between \$60 and \$80 million in new construction and renovation.

WHEREAS, the enhancement of the City of Charlotte's travel and tourism industry by the presence of the university and its graduates is a strategic goal of the Advantage Carolina Economic Development Strategic Plan; and

WHEREAS, the presence of a university in Center City Charlotte will add diversity to Center City and fulfill a goal of the Center City 2010 Plan; and

WHEREAS, the City Council of the City of Charlotte has determined that the sale of the City Property to Johnson & Wales University will advance the City's Council-adopted Economic Development Strategic Plan and Center City 2010 Plan; and

WHEREAS, notice of the proposed transaction was advertised at least ten days prior to the adoption of this Resolution.

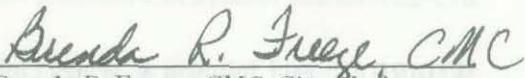
NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to Section 8.22(d) of the City of Charlotte Charter, that it hereby authorizes the private sale of the above referenced City property as follows:

The City will convey +/-5.83 acres of City Property to Johnson & Wales University at a purchase price of one million dollars.

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 26th day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Pages 942-943.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2002.


Brenda R. Freeze, CMC, City Clerk

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on August 26, 2002.

* * *

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "City Council") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on August 26, 2002 (the "Meeting"), after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Councilmembers Cannon, Carter Cogdell, Graham, Lochman, Mitchell, Mumford, Spencer, Tabor, Wheeler, and White.

The following members of the City Council were absent:

Also present:

Lynn Wheeler, Council Member of the City Council of the City of Charlotte, North Carolina (the "City"), introduced the following Bond Order, copies of which have been made available to the City Council:

**BOND ORDER AUTHORIZING THE ISSUANCE OF \$80,000,000
GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS
OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

WHEREAS, the City Council of the City of Charlotte, North Carolina (the "City Council") has ascertained and hereby determines that it is necessary to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads, intersections and parking facilities; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; and the acquisition of land and rights-of-way in land required therefor; and

WHEREAS, an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the General Obligation Public Improvements Bonds hereinafter described as required by the Local Government Bond Act, and the City Clerk has notified the City Council that the application has been accepted for submission to the Local Government Commission.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Charlotte, North Carolina, as follows:

Section 1. In order to raise the money required for the public improvement purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Public Improvements Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such General Obligation Public Improvements Bonds authorized by this order shall be \$80,000,000.

Section 2. A tax sufficient to pay the principal of and interest on said General Obligation Public Improvements Bonds when due shall be annually levied and collected.

Section 3. A sworn statement of the City's debt has been filed with the City Clerk and is open to public inspection.

Section 4. This bond order shall take effect when approved by the voters of the City at a referendum scheduled for November 5, 2002.

Patrick Cannon, Council Member of the City Council of the City of Charlotte, North Carolina (the "City"), then introduced the following Bond Order, copies of which have been made available to the City Council:

**BOND ORDER AUTHORIZING THE ISSUANCE OF \$20,000,000
GENERAL OBLIGATION HOUSING BONDS
OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

WHEREAS, the City Council of the City of Charlotte, North Carolina (the "City Council") has ascertained and hereby determines that it is necessary to pay the capital costs of acquiring, constructing, developing, equipping and furnishing housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including without limitation loans, grants, interest supplements and other programs of financial assistance to persons of low income, or moderate income, or low and moderate income, and developers of housing for persons of low income, or moderate income, or low and moderate income, and construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor; and

WHEREAS, an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the General Obligation Housing Bonds hereinafter described as required by the Local Government Bond Act, and the City Clerk has notified the City Council that the application has been accepted for submission to the Local Government Commission.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Charlotte, North Carolina, as follows:

Section 1. In order to raise the money required for the housing purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Housing Bonds of the City are hereby authorized and shall be issued

pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such General Obligation Housing Bonds authorized by this order shall be \$20,000,000.

Section 2. A tax sufficient to pay the principal of and interest on said General Obligation Housing Bonds when due shall be annually levied and collected.

Section 3. A sworn statement of the City's debt has been filed with the City Clerk and is open to public inspection.

Section 4. This bond order shall take effect when approved by the voters of the City at a referendum scheduled for November 5, 2002.

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on August 26, 2002.

* * *

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "City Council") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on August 26, 2002 (the "Meeting"), after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Councilmembers Cannon, Carter, Cogdell, Graham, Lochman, Mitchell, Mumford, Spencer, Tabor, Wheeler, and White.

The following members of the City Council were absent:

Also present:

Councilmember Wheeler introduced the following resolution (the "Resolution"), a summary of which had been provided to each Council member, a copy of which was available with the City Clerk and which was read by title:

RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA REGARDING BOND ORDERS AUTHORIZING THE ISSUANCE OF \$80,000,000 GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS AND AUTHORIZING THE ISSUANCE OF \$20,000,000 GENERAL OBLIGATION HOUSING BONDS, SETTING A PUBLIC HEARING THEREON AND DIRECTING PUBLICATION OF A NOTICE OF SAID PUBLIC HEARING

WHEREAS, bond orders entitled:

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$80,000,000 GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA" and

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$20,000,000 GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;"

have been introduced at a meeting of the City Council (the "City Council") of the City of Charlotte, North Carolina this 26th day of August, 2002; and

WHEREAS, the City Council desires to provide for the holding of a public hearing thereon on September 9, 2002 and the submission of a statement of debt in connection therewith as required by The Local Government Bond Act.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA that the public hearing on said bond orders shall be held on the 9th day of September, 2002 at 7:00 p.m. in the Meeting Chamber, Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, 28202.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of said bond orders to be published with a notice of such hearing in the form prescribed by law in the *Charlotte Observer* on or before the 2nd day of September, 2002.

BE IT FURTHER RESOLVED that the Director of Finance is hereby directed to file prior to publication of the bond orders with the notice of such public hearing, a statement setting forth the debt incurred or to be incurred, the net debt of the City, the assessed value of property subject to taxation by the City and the percentage that net debt of the City bears to the assessed value of property subject to taxation.

BE IT FURTHER RESOLVED that this Resolution shall become effective on the date of its adoption.

Upon motion of Councilmember Wheeler, seconded by Councilmember Cannon, the foregoing resolution entitled: "**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA REGARDING BOND ORDERS AUTHORIZING THE ISSUANCE OF \$80,000,000 GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS AND AUTHORIZING THE ISSUANCE OF \$20,000,000 GENERAL OBLIGATION HOUSING BONDS, SETTING A PUBLIC HEARING THEREON AND DIRECTING PUBLICATION OF A NOTICE OF SAID PUBLIC HEARING**" was adopted by the following vote:

AYES: Unanimous

NAYS: _____

