

A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN 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 certain 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 11th day of December, 2000 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 11th day of December, 2000 the reference having been made in Minute Book 115, and recorded in full in Resolution Book 36, Page(s) 599-600.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of December, 2000.

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

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

<u>Name</u>	<u>Amount of Refund</u>
	<u>Clerical Error</u>
Charlotte Property Management	\$ 2,406.00
Adams Outdoor Advertising	188.10
309 S. Sharon Amity LLC	4,373.13
Corporate Fleet Services	531.10
Hiltz Management Co Inc	102.93
CTC Long Distance Services, Inc	969.91
Concord Long Distance Co	610.82
Concord Tele Long Distance	770.03
G E Capital – Colonial Pacific	102.65
Hipp Construction Co	591.84
Hipp Construction Co	734.90
Presbyterian Healthcare	7,125.58
Presbyterian Healthcare	7,201.87
Presbyterian Healthcare	8,010.56
Equis Financial Group	129.76
HomeChoice Lease or Own	239.50
 Total	 <u>\$34,088.68</u>



A RESOLUTION AUTHORIZING THE REFUND OF  
CERTAIN BUSINESS PRIVILEGE LICENSES

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:

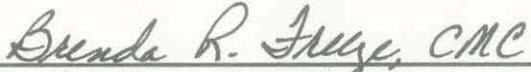
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time 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 11th day of December, 2000 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 11th day of December, 2000 the reference having been made in Minute Book 115, and recorded in full in Resolution Book 36, Page(s) 601-602.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of December, 2000.

  
Brenda R. Freeze, CMC, City Clerk

**BUSINESS PRIVILEGE LICENSE  
REFUNDS REQUESTED**

<u>Name</u>	<u>Amount of Refund</u>
Automatic Turning Technology	\$ 50.00
Airport Barbers	50.00
Group Benefit Solutions	125.00
Kabuto Japanese Steakhouse	935.50
United Air Filter Company	50.00
Henley Corporation	2,000.00
<b>Total</b>	<b><u>\$3,210.50</u></b>

CERTIFICATION

I, \_\_\_\_\_, Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11th day of December, 2000, and the reference having been made to the Minutes Book \_\_\_\_\_, Page \_\_\_\_\_, and recorded in full in Resolution Book \_\_\_\_\_, Page \_\_\_\_\_.

Witness my hand and the seal of the City of Charlotte, North Carolina, this 11th day of December, 2000.

  
Clerk  
Charlotte, NC

**RESOLUTION PROPOSING TO ACCEPT AN EXCHANGE OF CITY OWNED PROPERTY LOCATED AT 1900 SOUTH BOULEVARD (TAX CODES 121-01S-01 AND 121015-02) .**

**WHEREAS**, the City desires to own in fee simple certain property which was acquired for transit purposes, being more particularly described in Exhibit A, attached hereto; and

**WHEREAS**, the Nineteen Hundred South Associates desires to possess land adjacent to the rail corridor not needed by the City, subject to the terms and conditions stated in public advertisement, a copy of which is attached hereto as Exhibit B; and

**WHEREAS**, it is in the public interest to return the property to private ownership for tax purposes; and

**WHEREAS**, both parties agree to exchange right of way for fee simple and other consideration as described in Exhibit B.

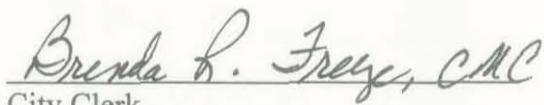
**NOW, THEREFORE, BE IT RESOLVED**, that the aforementioned exchange of real property is hereby authorized and further that the City Manager shall be authorized to execute the Boundary Agreement facilitating said exchange.

**BE IT FURTHER RESOLVED**, this 11<sup>th</sup> day of December, 2000, the City Council may approve the exchange of real property subject to terms and conditions, under the provisions and authority of N.C.G.S. §160-269.

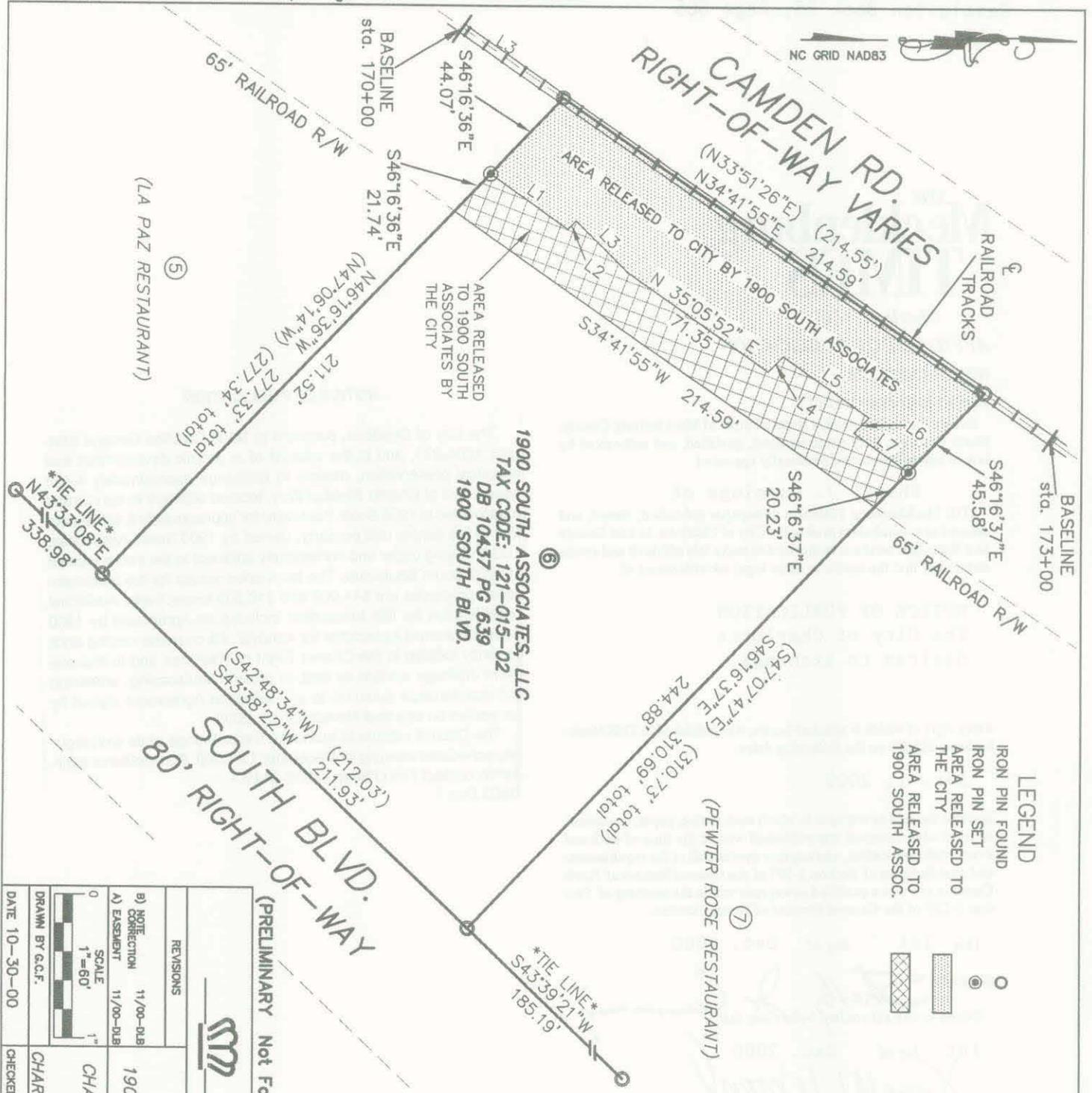
CERTIFICATION

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 11<sup>th</sup> day of Dec., 2000, and the reference having been made in Minute Book 115, Page       , and recorded in full in Resolutions Book 36, Page 603-605

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12<sup>th</sup> day of December, 2000

  
City Clerk  
Brenda R. Freeze, CMC

NC GRID NAD83



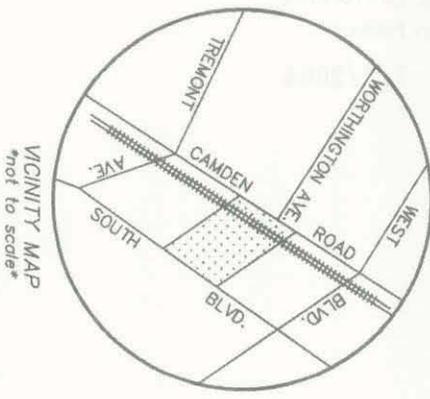
**LEGEND**

- IRON PIN FOUND
- AREA RELEASED TO THE CITY
- ▨ AREA RELEASED TO 1900 SOUTH ASSOC.

**NOTE:**

- 1) BEARINGS AND DISTANCES SHOWN IN PARENTHESES ARE BASED ON RECORDED MAP INFORMATION.
- 2) TOTAL AREA 62,310 SQ.FT.
- 3) AREA RELEASED TO THE CITY 9,033 SQ.FT.
- 4) AREA RELEASED TO 1900 SOUTH ASSOC. 4,915 SQ.FT.
- 5) AREA REMAINING 53,277 SQ.FT.

\*\*\*\*See Deed Book 10433 Page 258



LINE	LENGTH	BEARING
L1	40.00	N 35°05'52" E
L2	5.00	S 46°16'36" E
L3	30.65	N 44°22'44" E
L3	64.78	N 34°26'17" E
L4	9.00	S 45°39'14" E
L5	44.00	N 35°05'52" E
L6	9.00	S 45°39'14" E
L7	28.00	N 35°05'52" E

(PRELIMINARY Not For Recordation, Conveyance, or Sales)

**CHARLOTTE ENGINEERING DEPARTMENT**

**PROPERTY OF**  
1900 SOUTH ASSOCIATES, LLC

**CHARLOTTE VINTAGE TROLLEY**  
STA. 1724+00

**CHARLOTTE, MECKLENBURG CO., NC**

DATE: 10-30-00

DRAWN BY G.C.F.

CHECKED BY SURVEY SUPERVISOR

REVISIONS

b) NOTE CORRECTION	11/00-DLB	JOB NO.	512-98-124
a) EASEMENT	11/00-DLB	FILE NO.	961285
		PLAT-6	
		SHEET	1
		OF	1

SCALE 1"=60'

# THE Mecklenburg TIMES

Charlotte, N.C.

## AFFIDAVIT OF PUBLICATION

NORTH CAROLINA

MECKLENBURG COUNTY

Before the undersigned, a Notary Public of Mecklenburg County, North Carolina, duly commissioned, qualified, and authorized by law to administer oaths, personally appeared

Shelby J. Cummings of

THE Mecklenburg TIMES, a newspaper published, issued, and entered as second-class mail in the City of Charlotte, in said County and State; that he/she is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement of

### NOTICE OF PUBLICATION

The City of Charlotta  
desires to exchange

a true copy of which is attached hereto, was published in THE Mecklenburg TIMES on the following dates:

Dec. 1, 2000

and that the said newspaper in which such notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This 1st day of Dec. 2000

(Signed)

Sworn to and subscribed before me, this

1st day of Dec. 2000

*Shelby J. Cummings*  
*James M. Whoresl*  
Notary Public

My Commission Expires: 7/7/2004

### NOTICE OF PUBLICATION

The City of Charlotte, pursuant to North Carolina General Statutes 160A-271, and in the interest of economic development and historical preservation, desires to exchange approximately 4,448 square feet of Charter Right of Way, located adjacent to the railroad tract located at 1900 South Boulevard for approximately 9,499 square feet of fee simple real property, owned by 1900 South Associates, LLC and lying under and immediately adjacent to the tracks located at 1900 South Boulevard. The fair market values for the aforementioned properties are \$44,000 and \$10,500 respectively. Additional consideration for this transaction includes an Agreement by 1900 South Boulevard Associates for removal of a concrete loading dock currently located in the Charter Right of Way area and to improve storm drainage system as well as provide landscaping, screening and maintenance pursuant to an Obligation Agreement signed by the parties on or about November 15, 2000.

The Council intends to authorize the exchange at its next regularly-scheduled meeting of December 11, 2000. For additional information contact Tim O'Brien at 336-3149.

3803 Dec 1

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 4310 WILKINSON BOULEVARD 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 **SANITARY SEWER TO SERVE 4310 WILKINSON BOULEVARD PROJECT** and estimated to be approximately **5,530 square feet (0.127 acre) for permanent sanitary sewer easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 061-032-02, 061-032-05, 061-032-06, said property currently owned by **WILLIAM HOWARD HUFFMAN, JR. and MADGE MICKLE HUFFMAN PURSER, Trustees Under a Trust Agreement dated April 19, 1990; WILLIAM H. HUFFMAN, JR. 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 11th day of December, 2000, the reference having been made in Minute Book 115 , and recorded in full in Resolution Book 36 , Page(s) 606-607.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of December, 2000.

*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 **JOHNSTON ROAD WIDENING-PH. II 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 **JOHNSTON ROAD WIDENING-PH. II PROJECT** and estimated to be approximately **6,357 square feet (0.146 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. 221-303-01, said property currently owned **ALBERT VOYEYKOV and wife, LYUBOV VOYEYKOV; GEORGE A. RESTA and ALLAN B. BERNSTEIN, Trustees; OLD KENT MORTGAGE COMPANY, Beneficiary; 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.

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

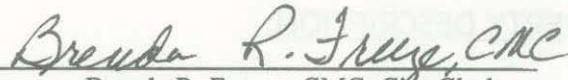
WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the JOHNSON ROAD WIDENING-PT. B PROJECT; and

WHEREAS, the City Council of the City of Charlotte has undertaken to negotiate for the purchase of this property and is unable to reach an agreement;

**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 11th day of December, 2000, the reference having been made in Minute Book 115, and recorded in full in Resolution Book 36, Page(s) 608-609.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of December, 2000.

  
Brenda R. Freeze, CMC, City Clerk

ESTIMATED JUST COMPENSATION

Such estimated just compensation as may be determined based upon the findings reported by the final condemnation panel.

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 Decision of Taking.

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 **JOHNSTON ROAD WIDENING-PH. II 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 **JOHNSTON ROAD WIDENING-PH. II PROJECT** and estimated to be approximately **4,545 square feet (0.105 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. 221-301-06, said property currently owned by **KATRINA K. COX a/k/a KATRINA K. HAYES; FRANK KARSCH HAYES; MARY KAY BAYNARD, Trustee; STANDARD FEDERAL BANK, Beneficiary; TRSTE, INC., Trustee; FIRST UNION NATIONAL BANK, Beneficiary; 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 11th day of December, 2000, the reference having been made in Minute Book 115 , and recorded in full in Resolution Book 36 , Page(s) 610-611.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of December, 2000.

*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 **JOHNSTON ROAD WIDENING-PH. II 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 **JOHNSTON ROAD WIDENING-PH. II PROJECT** and estimated to be approximately **8,488 square feet (0.195acre) for fee-simple 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. 221-361-32, said property currently owned by **PATRICIA A. JARVIS and spouse, if any; KIMBERLY Y. GROSS, Trustee; REGIONAL INVESTMENT CO. d/b/a RIC MORTGAGE COMPANY, Beneficiary; Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

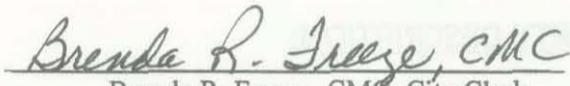
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 11th day of December, 2000, the reference having been made in Minute Book 115 , and recorded in full in Resolution Book 36 , Page(s) 612-613.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of December , 2000.

  
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 **JOHNSTON ROAD WIDENING-PH. II 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 **JOHNSTON ROAD WIDENING-PH. II PROJECT** and estimated to be approximately **6,504 square feet (0.149 acre) for fee-simple 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. 221-361-45, said property currently owned by **ANDREA MARIE MALONE (a/k/a Andrea M. Peterson) and spouse, if any; KIRK RODNEY PETERSON and spouse, if any; ROBERT FORQUER, Trustee; CREDIT DEPOT CORPORATION OF NORTH CAROLINA, Beneficiary; JAMESON P. WELLS, Trustee; AMERICA NATIONAL MORTGAGE, INC., Beneficiary; Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

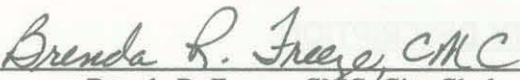
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 11th day of December, 2000, the reference having been made in Minute Book 115 , and recorded in full in Resolution Book 36 , Page(s) 614-615.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of December , 2000.

  
Brenda R. Freeze, CMC, City Clerk