

EXTRACT FROM MINUTES
OF MEETING OF CITY COUNCIL OF
THE CITY OF CHARLOTTE

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held at the Meeting Chamber, the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M., on July 25, 1994.

Present: Mayor Richard Vinroot, presiding, and Councilmembers Baker, Campbell, Cannon, McCrory, Majeed, Martin, Reid, Scarborough, Spencer, Jackson and Wheeler

Absent: None

Also present: City Manager, O. Wendell, City Attorney, Henry Underhill, Deputy City Clerk, Nancy S. Gilbert and Finance Director, Richard Martin and City Treasurer, Carey Odom.

* * * * *

Councilmember Scarborough introduced the following three orders authorizing bonds, a summary of which had been provided to each member of the City Council, which were read by title and summarized by the City Attorney:

ORDER AUTHORIZING \$69,960,000
WATER BONDS

BE IT ORDERED by the City Council of the City of Charlotte:

1. That, pursuant to The Local Government Bond Act, as amended, the City of Charlotte, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Water Bonds in an aggregate principal amount not exceeding \$69,960,000 for the

purpose of providing funds, with any other available funds, for enlarging, extending and improving the water system of said City, within and without the corporate limits of said City, including, without limiting the generality of the foregoing, related studies, plans and design and the acquisition, construction, reconstruction, relocation, improvement and installation of water mains and lines, the construction of a water treatment plant, the expansion and improvement of a water treatment plant, the construction or improvement of pump stations and storage tanks and the acquisition of any necessary equipment, land, interests in land and rights of way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect when approved by the voters of said City at a referendum as provided in said Act.

ORDER AUTHORIZING \$67,230,000
SANITARY SEWER BONDS

BE IT ORDERED by the City Council of the City of Charlotte:

1. That, pursuant to The Local Government Bond Act, as amended, the City of Charlotte, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Sanitary Sewer Bonds in an aggregate principal amount not exceeding \$67,230,000 for the purpose of providing funds, with any other available

funds, for enlarging, extending and improving the sanitary sewer system of said City, within and without the corporate limits of said City, including, without limiting the generality of the foregoing, related studies, plans and design and the acquisition, construction, reconstruction, improvement and installation of force mains, sewer trunk mains, sewer lines, outfalls and tributaries, the relocation, repair and improvement of sewer lines, the expansion and improvement of wastewater treatment plants, the construction or improvement of lift station, interceptor and other facilities and the acquisition of any necessary equipment, land, interests in land and rights of way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect when approved by the voters of said City at a referendum as provided in said Act.

ORDER AUTHORIZING \$25,000,000
STORM WATER DRAINAGE BONDS

BE IT ORDERED by the City Council of the City of Charlotte:

1. That, pursuant to The Local Government Bond Act, as amended, the City of Charlotte, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Storm Water Drainage Bonds in an aggregate principal amount not exceeding \$25,000,000 for the purpose of providing funds, with any other

available funds, for related studies, plans and design, and the acquisition, construction, reconstruction, improvement, installation and providing of storm drainage facilities on public and private property, within and without the corporate limits of said City, to correct drainage problems and prevent flooding and erosion, and the acquisition of any necessary equipment, land, interests in land and rights of way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect when approved by the voters of said City at a referendum as provided in said Act.

The City Council thereupon designated any of the Director of Finance, the Deputy Director of Finance or the City Treasurer as the officer whose duty it shall be to make and file with the City Clerk the sworn statement of debt of the City which is required by The Local Government Bond Act, as amended, to be filed after a bond order has been introduced and before the public hearing thereon.

Thereupon the City Treasurer filed with the ^{Deputy} City Clerk, in the presence of the City Council, the sworn statement of debt as so required.

Thereupon the order entitled: "ORDER AUTHORIZING \$69,960,000 WATER BONDS" was passed on first reading.

Thereupon the order entitled: "ORDER AUTHORIZING \$67,230,000 SANITARY SEWER BONDS" was passed on first reading.

Thereupon the order entitled: "ORDER AUTHORIZING \$25,000,000 STORM WATER DRAINAGE BONDS" was passed on first reading.

On motion duly made, seconded and unanimously carried, the City Council fixed 7:00 P.M., August 22, 1994, at the Meeting Chamber, the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, in Charlotte, North Carolina, as the hour, day and place for the public hearing upon the foregoing orders and directed that the City Clerk publish said orders, together with the appended statement as required by The Local Government Bond Act, as amended, once in The Charlotte Observer not later than the sixth day before said date.

* * * * *

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the recorded proceedings of said City Council at a regular meeting held on July 25, 1994 as relates in any way to the introduction and passage on first reading of three orders authorizing bonds of said City and the calling of a public hearing upon such orders and that references regarding said proceedings are recorded in Minute Book No. 105 of said City Council, beginning at page ___ and ending at page ___, and a full copy of the foregoing orders is recorded in Resolution Book No. 32 of said City Council, beginning at page 371 and ending at page 376.

I DO HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held (with certain exceptions not applicable to said meeting) at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, in Charlotte, North Carolina in the Conference Center on the first Monday of each month at 5:00 P.M. (workshop); and in the Meeting Chamber on the second Monday of each month at 7:00 P.M., the third Monday of each month at 6:00 P.M. (Zoning), and the fourth Monday of each month at 7:00 P.M., has been on file in the office of the City Clerk as of a date not less than seven days before the date of said meeting in accordance with G.S. § 143-318.12.

WITNESS my hand and the seal of said City, this 27th day of July, 1994.

Deputy City Clerk

(SEAL)

RESOLUTION

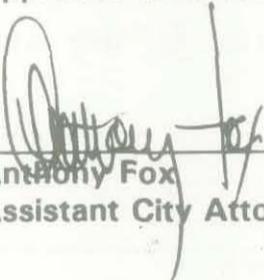
Whereas, the City of Charlotte is committed to utilizing to the fullest extent possible Disadvantaged Business Enterprises; and

Whereas, the City of Charlotte has established definitive procedures to ensure that Disadvantaged Enterprises shall have the maximum feasible opportunity to compete for contracts; and

Whereas, the U.S. Department of Transportation, Federal Transit Administration has set a minimum goal of 13% for Disadvantaged Business Enterprise participation for the Federal share of grant-related contracts.

Now, Therefore, Be It Resolved by the City Council of Charlotte, NC that the Mayor is authorized to execute documents establishing the City's FY 1995 goal for the Federal share of transit-related contracts at 13% for Disadvantaged Business Enterprises.

Approved as to form:



Anthony Fox
Assistant City Attorney

CERTIFICATION

The undersigned duly qualified City Clerk of the City of Charlotte, NC certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Charlotte City Council held on July 25, 1994.

Nancy S. Gilbert
Deputy 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 Reid Park-Neighborhood Reinvestment-Phase II; 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 locate all the parties in interest, and has, therefore, 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:

Parties in Interest

Johnnie L. Clay and spouse, if any; Marsh Mortgage Company, Beneficiary; Any Other Parties in Interest

Property Description

1,270 square feet for fee-simple; 1,055 square feet for a 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. 145-177-01.

Appraised Value

\$ 1.00 or such appraised value as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the appraised value of 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.

Approved as to form:


City Attorney

CERTIFICATION

I, Nancy S. Gilbert, Deputy 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 25th day of July, 1994, the reference having been made in Minute Book 105, and recorded in full in Resolution Book 32, Page(s) 378-379.

- WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of July, 1994.

Nancy S. Gilbert, Deputy 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 Reid Park-Neighborhood Reinvestment-Phase II; 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 locate all the parties in interest, and has, therefore, 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:

Parties in Interest

Mission Church of the Lord Jesus Christ; Any Other Parties in Interest

Property Description

1,391 square feet for fee-simple; 4,866 square feet for a 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. 145-188-05; 145-188-06; 145-188-07.

Appraised Value

\$ 1.00 or such appraised value as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the appraised value of 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.

Approved as to form:


City Attorney

CERTIFICATION

I, Nancy S. Gilbert, Deputy 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 25th day of July, 1994, the reference having been made in Minute Book 105, and recorded in full in Resolution Book 32, Page(s) 380-381.

- WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of July, 1994.

Nancy S. Gilbert, Deputy 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 Carmel Road Widening; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to locate all the parties in interest, and has, therefore, 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:

Parties in Interest

Thomas Gorman Voss; Jane C. Voss; Magnet Bank FSB, Beneficiary; Magnet Mortgages, Inc., Beneficiary; First Federal Savings and Loan Association, Beneficiary; Any Other Parties in Interest

Property Description

651.47 square feet for fee-simple; 3,852.56 square feet for a 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. 209-273-17.

Appraised Value

\$ 20,500.00 or such appraised value as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the appraised value of 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.

Approved as to form:


City Attorney

CERTIFICATION

I, Nancy S. Gilbert, Deputy 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 25th day of July, 1994, the reference having been made in Minute Book 105, and recorded in full in Resolution Book 32, Page(s) 382-383.

- WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of July, 1994.

Nancy S. Gilbert, Deputy City Clerk

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 25th day of July, 1994 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set ut and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form:



Dep. City Attorney

Read, approved, and adopted by the City Council of the City of Charlotte, North Carolina, in a regular session convened on the 25th day of July, 1994, the reference having been made in Minute Book 105 and recorded in full in Resolution Book 32, page(s) 384-386.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of July, 1994.

Nancy S. Gilbert, Deputy City Clerk

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

<u>Name</u>	<u>Amount of Refund</u>
Caldwell Creek Industries	\$ 39.39
Southern Trends	64.66
Penninger Donald Eugene	26.18
Cruise Outlets Of The Celebrity Inc	10.68
	98.58
Total	<u>\$239.49</u>

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

<u>Name</u>	<u>Amount of Refund</u>
Carolina Custom Services	\$ 225.00
Southern Trends	158.67
Southern Trends	269.05
CFD III Inc %G E Capital	267.08
Wachovia Auto Leasing Co	103.96
Vaughns Charles L	191.24
Vaughns Charles L	151.60
Vaughns Charles L	148.82
Total	<u>\$1,515.42</u>

RESOLUTION DECLARING AN INTENT TO ABANDON AND
CLOSE AN ALLEYWAY
LOCATED OFF EAST 18TH STREET
IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

Whereas, Habitat for Humanity and Linda M. Woodland & Sammie Lee & Ruth Bolden has filed a Petition to close an Alleyway in the City of Charlotte; and

Whereas, An Alleyway petitioned to be closed lies Off East 18th St. 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 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 alley; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly scheduled session of July 25, 19 94, that it intends to close A Portion of the Alleyway lying Off East 18th St., said Alleyway being more particularly described on a map and by a metes and bound description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7:00 p.m., on Monday, the 22nd day of August, 19 94, at CMGC. 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, Nancy S. Gilbert, Deputy 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 25th day of July, 1994, the reference having been made in Minute Book 105, and recorded in full in Resolution Book 32, Page(s) 387-388.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of July, 1994.

Nancy S. Gilbert, Deputy City Clerk

**RESOLUTION DECLARING AN INTENT TO
ABANDON AND CLOSE THE 14 FOOT ALLEY LOCATED NORTHWESTERLY
FROM NORTH LONG STREET AND NORTHEAST OF
ELIZABETH AVENUE IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA**

WHEREAS, the County of Mecklenburg has filed a petition to close the 14 foot alley northwesterly from North Long Street in the City of Charlotte; and

WHEREAS, the 14 foot alley northwesterly from North Long Street petitioned to be closed lies northwesterly from North Long Street approximately 136.74 feet northeast of the right-of-way of Elizabeth Avenue 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 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 July 25, 1994, that it intends to close the 14 foot alley lying northwest of North Long Street, said street being more particularly described on a map and by a metes and bounds description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7 p.m., on Monday, the 22nd day of August, 1994, at CMGC . 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, Nancy S. Gilbert, Deputy 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 25th day of July, 1994, the reference having been made in Minute Book 105, and recorded in full in Resolution Book 32, Page(s) 389-390.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of July, 1994.

Nancy S. Gilbert, Deputy 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 Carmel Road Widening; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to locate all the parties in interest, and has, therefore, 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:

Parties in Interest

Edward J. Duffy; Laura B. Duffy; IBM Coastal Employees Federal Credit Union, Beneficiary; Any Other Parties in Interest

Property Description

1,662.52 square feet for fee-simple; 2,719.08 square feet for a 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. 211-173-14.

Appraised Value

\$ 8,400.00 or such appraised value as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the appraised value of 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.

Approved as to form:


City Attorney

CERTIFICATION

I, Nancy S. Gilbert, Deputy 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 25th day of July, 1994, the reference having been made in Minute Book 105, and recorded in full in Resolution Book 32, Page(s) 391-392.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of July, 1994.

Nancy S. Gilbert, Deputy City Clerk

EXTRACT FROM MINUTES OF
MEETING OF THE CITY COUNCIL OF
THE CITY OF CHARLOTTE

The City Council (the "City Council") of the City of Charlotte, North Carolina (the "City"), met in regular session in the Meeting Chamber at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, in Charlotte, North Carolina, the regular place of meeting, at 7:00 p.m. on July 25, 1994. The following were:

PRESENT: Mayor Richard Vinroot, presiding, and Councilmembers Baker, Campbell, Cannon, Jackson, McCrory, Majeed, Martin, Reid, Scarborough, Spencer and Wheeler

McCrory and Scarborough excused from voting on this issue

ABSENT: Councilmembers None

ALSO PRESENT: City Manager, O. Wendell White, City Attorney, Henry Underhill, Deputy City Clerk, Nancy S. Gilbert and Finance Director, Richard Martin

* * * * *

Mayor Vinroot announced that this was the date, hour and place fixed for the public hearing for the purpose of considering whether the City Council should approve a proposed Installment Payment Contract between the City and New Charlotte Corporation or another counterparty to be designated under such document (the "Contract") and certain related documents under which the City would obtain financing from funds raised from the sale of Certificates of Participation in the Contract pursuant to North

Carolina General Statutes § 160A-20, as amended, to pay a portion of the costs of the acquisition and construction of an approximately 2,200 space parking facility on property near the City's proposed NFL stadium site (the "Parking Facility"), which Parking Facility was described in the notice of such public hearing that was published in The Charlotte Observer on July 15, 1994 (the "Notice"), and under which the City would secure the repayment by it of moneys advanced pursuant to such Contract by granting a security interest in and lien on all or some portion of the Parking Facility and the City's leasehold interest in the property on which the Parking Facility is to be located.

The City Council first ratified and approved the designation of the meeting as a public hearing on the proposed plan of financing, the call of the public hearing and publication of the Notice.

It was then announced that the City Council would immediately hear anyone who might wish to be heard on such matter.

No one appeared, either in person or by attorney, to be heard on such matter and the Clerk to the City Council announced that no written statement relating to such matter had been received by the Clerk's office or by the Director of Finance other than the following:

It was then announced that the public hearing was closed.

* * * * *

Councilmember Wheeler then introduced the following resolution, a summary of which had been provided to each Councilmember, which was read by title:

RESOLUTION APPROVING AN INSTALLMENT CONTRACT FINANCING IN A PRINCIPAL AMOUNT UP TO \$12,500,000 AND THE SALE OF CERTIFICATES OF PARTICIPATION THEREIN AND AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS IN CONNECTION THEREWITH TO FINANCE A PORTION OF THE COSTS OF CONSTRUCTION OF A PARKING FACILITY

WHEREAS, by resolution adopted on June 13, 1994, the City Council (the "City Council") of the City of Charlotte (the "City") determined and found that the acquisition and construction of an approximately 2,200 space parking facility on property owned by Duke Power Company near the City's proposed NFL stadium site (the "Parking Facility") was necessary and expedient;

WHEREAS, the City Council has determined that the design, construction and operation of the Parking Facility meets the City's criteria for an "uptown development project" as defined by Section 7.109 of the Charter of the City and that such project is likely to have a significant effect on the revitalization of the City's central business district; and

WHEREAS, the City Council has determined that the Parking Facility is advisable and in the best interest of the City and its residents by promoting and advancing uptown development in the City;

WHEREAS, by resolution adopted on June 13, 1994, the City Council approved in principle installment contract financing for a portion of the costs of construction of the Parking Facility and

authorized the City staff to proceed with plans and to investigate and negotiate the selection and terms for such financing;

WHEREAS, on this day the City Council conducted a public hearing in connection with the proposed installment contract financing to finance a portion of the costs of construction of the Parking Facility;

WHEREAS, there have been available at this meeting forms of the following documents (the "Financing Documents") with respect to such financing:

(1) Installment Payment Contract dated as of August 1, 1994 (the "Contract") between the City and New Charlotte Corporation, as counterparty (the "Counterparty"), pursuant to which the Counterparty causes funds to be advanced to the City and the City agrees to make installment payments (the "Installment Payments") to repay the amount so advanced, with interest;

(2) Trust Agreement dated as of August 1, 1994 (the "Trust Agreement") between the Counterparty and First Union National Bank of North Carolina (the "Trustee"), pursuant to which there are to be executed and delivered Certificates of Participation (the "COPs") representing interests in the Installment Payments under the Contract;

(3) Leasehold Deed of Trust and Security Agreement dated as of August 1, 1994 covering the Parking Facility and the City's leasehold interest in the Site (as described in the Contract) (the "Deed of Trust") pursuant to which there shall be granted a lien on the Parking Facility and the City's leasehold interest in the Site to secure the obligation of the City under the Contract;

(4) Preliminary Official Statement to be dated on or about August 9, 1994 (the "Preliminary Official Statement") which, as supplemented with certain pricing information, is to be the Official Statement to be dated on or about August 18, 1994 (the "Official Statement"), pursuant to which the COPs are offered and sold to the public;

(5) Contract of Purchase to be dated on or about August 18, 1994 (the "Purchase Contract") between Interstate/Johnson Lane Corporation, NationsBanc Capital Markets, Inc., First Charlotte Company, Division of J.C. Bradford & Co. and First Union Capital Markets Corp. (the "Underwriters") and the Counterparty pursuant to which the Underwriters agree to purchase the COPs for sale to the public;

(6) Letter of Representation to be dated on or about August 18, 1994 (the "Letter of Representation"), which is an Exhibit to the Contract of Purchase, from the City to the Underwriters regarding certain matters in connection with the financing and information about the City in the Official Statement;

WHEREAS, the obligation of the City to make Installment Payments and other payments pursuant to the Contract shall constitute a limited obligation of the City payable solely from currently budgeted appropriations of the City and shall not constitute a pledge of the faith and credit of the City within the meaning of any constitutional debt limitation;

WHEREAS, no deficiency judgment may be rendered against the City in any action for breach of a contractual obligation under the Contract, and the taxing power of the City is not and may not be

pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract; and

WHEREAS, the City Council wants to approve the Financing Documents and to authorize other actions in connection therewith.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City, as follows:

Section 1. All actions of the City to effectuate the proposed financing, including the selection of the Underwriters, are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Financing Documents.

Section 2. The project (construction of the Parking Facility) and the financing thereof provided for in the Financing Documents and outlined in this resolution and the agreements and documents referenced herein are hereby ratified and approved.

Section 3. The City Council hereby finds that (i) the utilization of an installment payment contract is preferable to a bond issue due to time constraints and (ii) the proceeds of this financing will be used exclusively for the Parking Facility and the costs and expenses of such financing and for no other capital projects of the City.

Section 4. Each of the Contract, the Deed of Trust, and the Letter of Representation is hereby approved in substantially the forms submitted to this meeting, and the Mayor or the City Manager and the City Clerk are hereby authorized and directed to execute and deliver each of those documents in the name and on behalf of the City, with such changes, insertions or omissions as the person executing such documents may approve, the execution and delivery

thereof to constitute conclusive evidence of such approval. The City Clerk is hereby directed to affix the seal of the City to each of said documents as may be appropriate and to attest the same.

Section 5. Each of the Trust Agreement and the Purchase Contract is hereby approved in substantially the form submitted to this meeting, with such changes, insertions or omissions as appropriate and as the officer of the City executing the Contract may approve, the execution and delivery of the Contract to constitute conclusive evidence of such approval.

Section 6. Each of the Preliminary Official Statement and the Official Statement, in the form of the Preliminary Official Statement submitted to this meeting, is hereby approved in substantially such form, with such changes, insertions and omissions as appropriate, and the use thereof by the Underwriters in connection with the public offering and sale of the COPs is hereby authorized. The Mayor or the City Manager is hereby authorized and directed to execute and deliver on behalf of the City the final Official Statement in substantially such form, with such changes, insertions and omissions as he may approve, the execution and delivery thereof to constitute conclusive evidence of such approval.

Section 7. The City Clerk, the Mayor, the City Manager, the Director of Finance and the City Attorney are hereby authorized to take any and all such further action, including the approval of modifications to the Financing Documents, and to execute and deliver for and on behalf of the City such assignments and other documents and certificates (including appropriate tax certificates

and agreements) as may be necessary or advisable to carry out the intent of this resolution and to effect the installment financing pursuant to the Contract and the other Financing Documents. Without limiting the generality of the foregoing, the City Manager and the Director of Finance are authorized to approve all details of the financing, including without limitation the amount advanced under the Contract (which shall not exceed a maximum amount of \$12,500,000), the annual amount of Installment Payments under the Contract (the particular annual amounts of which shall not exceed \$1,300,000), the maturities, the principal amounts and the interest amounts of the Installment Payments (which shall not exceed 8.50% on a true interest cost basis), the term of the Contract (which shall not be less than 10 years nor equal or exceed 30 years), and the Underwriters' discount (exclusive of any original issue discount) (which shall not exceed 1.5%). Execution of the Contract by the Mayor or the City Manager shall conclusively evidence such approval of all such details of the financing. In addition, said officers are hereby authorized to cooperate with the Underwriters in preparing and filing such filings under state security or "blue sky" laws as the Underwriters may request and as the City Manager or the Finance Director shall determine.

Section 8. This Resolution shall become effective immediately upon its adoption.

Thereupon, upon motion of Councilmember Wheeler, seconded by Councilmember Campbell, the foregoing resolution was adopted and passed by the following vote:

AYES: Councilmembers Baker, Campbell, Cannon, Jackson, Majeed,
Martin, Reid, Spancer and Wheeler
NOES: None

* * * * *

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and correct copy of so much of the recorded proceedings of the City Council of said City at a regular meeting held on July 25, 1994 as relates in any way to the conduct of a public hearing and subsequent related authorization of an installment contract financing by said City, that such public hearing was duly called, that all required notices of such meeting were given and that references regarding said proceedings are recorded in Minute Book No. 105 of said City Council beginning at page ____ and ending at page ____ and a full copy of the foregoing resolution is recorded in Resolution Book No. 32 beginning at page 393 and ending at page 402.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held (with certain exceptions not applicable to said meeting) at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, in Charlotte, North Carolina in the Conference Center on the first Monday of each month at 5:00 P.M. (workshop); and in the Meeting Chamber on the second Monday of each month at 7:00 P.M., the third Monday of each month at 6:00 P.M. (zoning),

and the fourth Monday of each month at 7:00 P.M., has been on file in the office of the City Clerk pursuant to N.C.G.S. § 143-318.12, as of a date not less than seven days before said meeting.

WITNESS my hand and the seal of said City, this 27th day of July, 1994.

Deputy City Clerk

(SEAL)

EXTRACT FROM MINUTES OF
MEETING OF CITY COUNCIL OF THE
CITY OF CHARLOTTE, NORTH CAROLINA

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M. on July 25, 1994.

Present: Mayor Richard Vinroot, presiding, and
Councilmembers Baker, Campbell, Cannon, Jackson, McCrory, Majeed,
Martin, Reid, Scarborough, Spencer and Wheeler

McCrory and Scarborough excused from voting on this issue.

Absent: Councilmembers None

Also Present: City Manager, O. Wendell White, City Attorney, Henry
Underhill, Deputy City Clerk, Nancy S. Gilbert and Finance Director,
Richard Martin

* * * * *

Councilmember Wheeler introduced the following resolution, a summary of which had been provided to each Councilmember, which was read by title:

RESOLUTION APPROVING BUSINESS DOCUMENTS FOR
DESIGN, CONSTRUCTION AND OPERATION OF
A STADIUM PARKING FACILITY

WHEREAS, by resolution adopted on June 13, 1994, the City Council ("City Council") of the City of Charlotte (the "City") (i) determined and found that the acquisition and construction of an approximately 2,200 space parking facility on property (the "Site") owned by Duke Power Company ("Duke") near the City's proposed NFL stadium site (the "Parking Facility") was necessary

and expedient, (ii) approved a Memorandum of Understanding between the City and Duke containing an outline of business terms of the proposed design, construction and operation of the Parking Facility, (iii) authorized City officials to proceed to negotiate related agreements and otherwise to do any and all things necessary, appropriate or convenient in connection therewith; and

WHEREAS, as the result of extensive negotiations between the City and Duke, there has been negotiated and presented to this meeting forms of the following documents in connection with the Parking Facility (collectively, the "Business Documents"):

1. Site Lease Agreement (the "Site Lease") by and between Duke and the City pursuant to which Duke will lease the Site for the Parking Facility to the City for a term of 40 years;

2. Development Agreement (the "Development Agreement") by and between the City and Duke pursuant to which Duke will cause the Parking Facility to be constructed on behalf of the City;

3. Parking Facility Lease Agreement (the "Duke Lease") by and between the City and Duke pursuant to which the City will lease to Duke on a long-term basis approximately 55% of the spaces in the Parking Facility (subject to adjustment as provided in the Business Documents) and pursuant to which Duke is granted a conditional option to purchase the Parking Facility at any time five years after the Parking Facility is placed into service;

4. Parking Facility Management Agreement (the "Management Agreement") by and between the City and Duke pursuant to which Duke will cause the Parking Facility to be managed and operated on behalf of the City;

5. Richardson Sports Parking Space Lease Agreement (the "RS Agreement") among the City, Duke and Richardson Sports ("RS") pursuant to which 1,200 parking spaces (initially in the Parking Facility) will be made available to RS not more than 18 days per year; and

WHEREAS, the City Council has determined and found that the design, construction and operation of the Parking Facility meets the City's criteria for an "Uptown Development Project" as defined by Section 7.109 of the Charter of the City and that such project is likely to have a significant effect on the revitalization of the City's central business district; and

WHEREAS, the City Council wants to approve the Business Documents and to authorize other actions in connection therewith;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City as follows:

Section 1. The Lease by the City of the Site, the design, construction and operation of the Parking Facility, and the lease to Duke of a portion of the spaces in the Parking Facility as described in the Business Documents and all actions of the City previously taken to effectuate the negotiation of the Business Documents and the transactions described therein are hereby approved, ratified and authorized.

Section 2. Each of the Site Lease, the Development Agreement, the Duke Lease, the Management Agreement and the RS Agreement is hereby approved in substantially the form submitted to this meeting and the Mayor or the City Manager and the City Clerk are hereby authorized and directed to execute and deliver

each of the Business Documents in the name and on behalf of the City, with such changes, insertions or omissions as the person executing such documents may approve, the execution and delivery thereof to constitute conclusive evidence of such approval. The City Clerk is hereby directed to affix the seal of the City to each of such documents as may be appropriate and to attest the same.

The Mayor, the City Manager, the Director of Finance and the City Attorney are hereby authorized to take any and all such further action, including the approval of modifications to the Business Documents, and to execute and deliver for and on behalf of the City such documents and certificates as may be necessary or advisable to carry out the intent of this resolution and to effect the design, construction and operation of the Parking Facility.

Section 3. This resolution shall become effective immediately upon its adoption.

Upon motion of Councilmember Wheeler, seconded by Councilmember Campbell, the foregoing resolution entitled: "RESOLUTION APPROVING BUSINESS DOCUMENTS FOR DESIGN, CONSTRUCTION AND OPERATION OF A STADIUM PARKING FACILITY" was passed by the following vote:

Ayes: Councilmembers Baker, Campbell, Cannon, Jackson, Majeed, Martin, Reid, Spencer and Wheeler

Noes: None

* * * * *

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and correct copy of so much of the recorded proceedings of the City Council of said City at a regular meeting held on July 25, 1994, as relates in any way to the passage of a resolution relating to the design, construction and operation of a stadium parking facility, that all required notices of such meeting were given and that references regarding said proceedings are recorded in Minute Book No. 105 of said City Council beginning at page ___ and ending at page ___ and a full copy of the foregoing resolution is recorded in Resolution Book No. 32 beginning on page 403 and ending at page 408.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held (with certain exceptions not applicable to said meeting) at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, in Charlotte, North Carolina, in the Conference Center on the first Monday of each month at 5:00 P.M. (workshop); and in the Meeting Chamber on the second Monday of each month at 7:00 P.M., the third Monday of each month at 6:00 P.M. (zoning), and the fourth Monday of each month at 7:00 P.M., has been on file in the office of the City Clerk pursuant to N.C.G.S. § 143-318.12, as of a date not less than seven days before said meeting.

WITNESS my hand and the seal of said City, this 27th day of
July, 1994.

Deputy City Clerk

(SEAL)

RESOLUTION CLOSING PERSIMMON STREET, AN ALLEYWAY,
AND A PORTION OF HEATH COURT LOCATED BETWEEN HAWTHORNE
LANE AND LOUISE AVENUE 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 Persimmon Street, an Alleyway, and a portion of Heath Court which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to Close Persimmon Street, an Alleyway, and a portion of Heath Court to be sent by registered or certified mail to all owners of property adjoining the said streets and Alleyway (or portions thereof), and prominently posted a notice of the closing and public hearing in at least two places along Persimmon Street, an Alleyway, and a portion of Heath Court, all as required by G. S. 160A-299; and

WHEREAS, the public hearing was held on the 25th day of July, 1994, and City Council determined that the closing of Persimmon Street, an Alleyway, and a portion of Heath Court 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 July 25, 1994, that the Council hereby orders the closing of Persimmon Street, an Alleyway, and a portion of Heath Court in the City of Charlotte, Mecklenburg County, North Carolina as shown on maps (attached) marked Exhibit A and as more particularly described by metes and bounds in Exhibit B (attached):

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 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 25th day of July, 1994, the reference having been made in Minute Book 105, page , and recorded in full in Resolution Book 32, page 409-413.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 27th day of July, 1994.

Nancy S. Gilbert, Deputy City Clerk

LEGEND

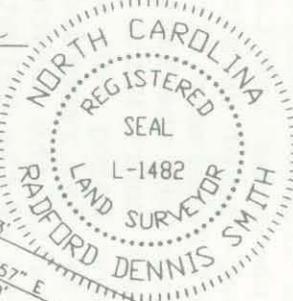
IRON PIN FOUND
60p NAIL FOUND
IRON PIN SET
CHAIN LINK FENCE



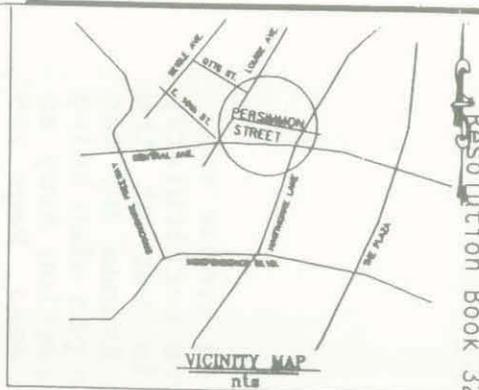
I, R. DENNIS SMITH, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY UNDER MY SUPERVISION. THAT THE DEEDS AND PLATS NOTED WERE USED AS REFERENCES THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION AS NOTED. THAT THE RATIO OF PRECISION AS CALCULATED IS 125,000'.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 8th DAY OF JUNE, A.D., 1994.

R. Dennis Smith
R. DENNIS SMITH
N.C.R.L.S. L-1482

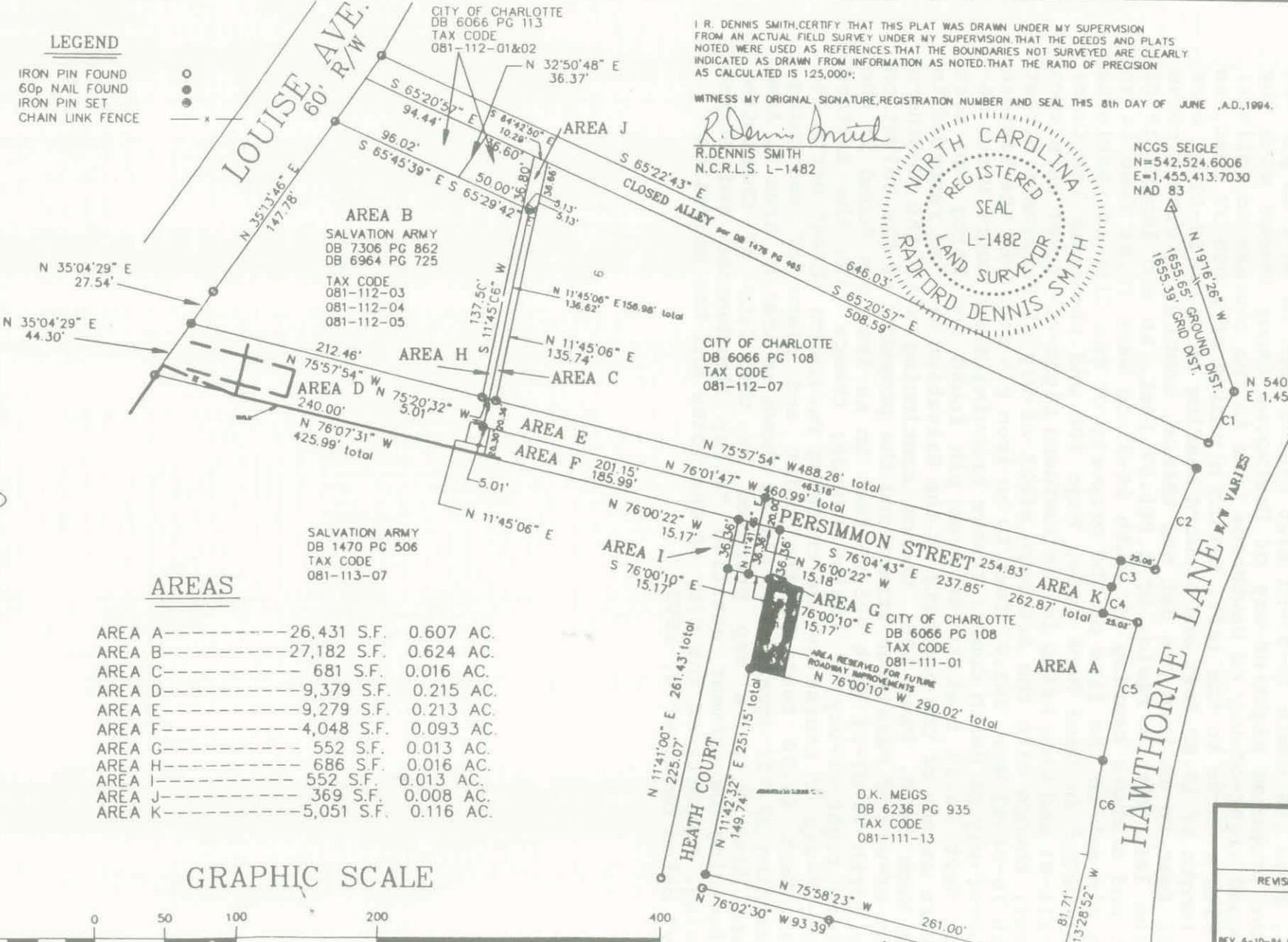


NCGS SEIGLE
N=542,524.6006
E=1,455,413.7030
NAD 83



NOTES:

1. THE PURPOSE OF THIS PLAT IS TO CLOSE PERSIMMON STREET, ABANDON THE ALLEY SHOWN, AND CLOSE A PORTION OF HEATH COURT.
2. NO BUILDING SETBACK LINES ARE SHOWN.
3. GRID TIE: REF. NCGS SEIGLE and NCGS BREVARD, NAD 83. COMBINED GRID FACTOR OF 0.99984429.



AREAS

AREA A	26,431 S.F.	0.607 AC.
AREA B	27,182 S.F.	0.624 AC.
AREA C	681 S.F.	0.016 AC.
AREA D	9,379 S.F.	0.215 AC.
AREA E	9,279 S.F.	0.213 AC.
AREA F	4,048 S.F.	0.093 AC.
AREA G	552 S.F.	0.013 AC.
AREA H	686 S.F.	0.016 AC.
AREA I	552 S.F.	0.013 AC.
AREA J	369 S.F.	0.008 AC.
AREA K	5,051 S.F.	0.116 AC.

CURVE	RADIUS	LENGTH	CHORD	BEARING
C1	380.37'	40.84'	40.84'	S 25°46'53" W
C2	380.37'	79.19'	79.17'	S 21°07'16" W
C3	1305.37'	19.82'	19.82'	S 18°01'41" W
C4	1005.37'	19.81'	19.81'	S 16°53'56" W
C5	980.37'	101.73'	101.68'	S 13°29'29" W
C6	980.37'	68.37'	68.36'	S 08°31'15" W

GRAPHIC SCALE



1" (IN FEET)
1 inch = 100 ft.

PREPARED BY:
CITY OF CHARLOTTE
ENGINEERING DEPARTMENT
600 EAST FOURTH STREET
CHARLOTTE, NC 28202
704-336-2291

CHARLOTTE
ENGINEERING DEPARTMENT

REVISIONS	ALLEY ABANDONMENT and, STREET CLOSING	JOB NO. 93064
REV. 6-10-94 by dha AREA FOR ROAD ADDED	PROPERTY OF CITY OF CHARLOTTE SALVATION ARMY CHARLOTTE, MECK. CO., NC	FILE NO. PLAT2
REV. 6-8-94 by dha AREA G & I CHANGED		SHEET 1
DRAWN BY dha		OF 1
CHECKED BY		
SURVEY SUPVR.	DATE DECEMBER 8, 1993	SCALE 1" = 100'

Resolution Book 32, Page 410

EXHIBIT 7

**PROPOSED PERSIMMON STREET CLOSING
LOUISE AVENUE TO HAWTHORNE LANE**

Being all of Persimmon Street located between Louise Avenue and the proposed right-of-way of Hawthorne Lane and more particularly described as follows: Beginning at an iron pin set at the intersection of the Eastern right-of-way of Louise Avenue and the Northern right-of-way of Persimmon Street, said iron pin also being the most Western corner of the property of the Salvation Army as recorded in Deed Book 7306, Page 862 and Deed Book 6964, Page 725 in the Mecklenburg County Register of Deeds Office; thence with the Northern right-of-way of Persimmon Street and following the property line of the Salvation Army crossing a 10-foot alley and the property of the City of Charlotte as recorded in Deed Book 6066, Page 108 South 75-57-54 East 680.65 feet to an iron pin set in the proposed right-of-way of Hawthorne Lane; thence with the proposed right-of-way of Hawthorne Lane in two courses as follows: (1) With a curve to the left, having a radius of 1,005.37 feet, an arc length of 19.82 feet and a chord bearing of South 18-01-41 West 19.82 feet to an iron pin set and thence, continuing with a curve to the left with a radius of 1,005.37 feet, an arc length 19.81 feet and a chord bearing of South 16-53-56 West 19.81 feet to an iron pin set in the line of the property of the City of Charlotte as recorded in Deed Book 6066, Page 108 and shown as Tax Code: 081-111-01 and also being in the Southern right-of-way of Persimmon Street; thence with the Southern right-of-way of Persimmon Street North 76-04-43 West 262.87 feet to an iron pin found in the Eastern right-of-way of Heath Court; thence crossing Heath Court North 76-00-22 West 30.35 feet to an iron pin found and being the most Eastern corner of the property of the Salvation Army as recorded in Deed Book 1470, Page 506, thence continuing with the Southern right-of-way of Persimmon Street and the property of the Salvation Army North 76-07-31 West 425.99 feet to an iron pin found in the Eastern right-of-way of Louise Avenue; thence with the Eastern right-of-way of Louise Avenue crossing Persimmon Street North 35-04-29 East 44.30 feet to the point and place of beginning, containing 27,757 square feet all as shown as Area D, Area E, Area F and Area K on a map prepared by the City of Charlotte, Engineering Department entitled "Alley Abandonment and Street Closing. Property of the City of Charlotte and the Salvation Army" dated December 6, 1993.

EXHIBIT B 2 of 3

**PROPOSED STREET CLOSING
PORTION OF HEATH COURT**

Being a portion of Heath Court located South off of Persimmon Street and West of Hawthorne Lane and more particularly described as follows: Beginning at an iron pin found at the intersection of the Eastern right-of-way of Heath Court and the Southern right-of-way of Persimmon Street, also being the Northwestern corner of the property of the City of Charlotte recorded in Deed Book 6066, Page 108 and shown as Tax Code: 081-111-01; thence with the Eastern right-of-way of Heath Court along the property of the City of Charlotte South 11-42-32 West 36.36 feet to an iron pin set; thence crossing Heath Court North 76-00-10 West 30.34 feet to an iron pin set in the Western right-of-way of Heath Court, being also in the line of the property of the Salvation Army as recorded in Deed Book 1470, Page 506; thence with the Salvation Army property along the Western right-of-way of Heath Court North 11-41-00 East 36.36 feet to an iron pin found in the Southern right-of-way of Persimmon Street; thence with the Southern right-of-way of Persimmon Street South 76-00-22 East 30.35 feet to the point and place of beginning containing 1,104 square feet all as shown as Area G and Area I on a map prepared by the City of Charlotte, Engineering Department entitled "Alley Abandonment and Street Closing, Property of the City of Charlotte and the Salvation Army" dated December 6, 1993 and revised June 8, 1994.

**ALLEY CLOSING
PERSIMMON STREET NEAR LOUISE AVENUE**

Being all of that 10-foot alley located on the Northerly side of Persimmon Street near Louise Avenue bounded by the properties of the Salvation Army and the City of Charlotte and more particularly described as follows: Beginning at an iron pin found on the Northerly side of Persimmon Street, said iron pin being located South 75-57-54 East 212.46 feet from an iron pin set at the intersection of the Eastern right-of-way of Louise Avenue and the Northern right-of-way of Persimmon Street; thence from said beginning point along the properties of the Salvation Army as recorded in Deed Book 7306, Page 862 and Deed Book 6964, Page 725 in the Mecklenburg County Register of Deeds Office, North 11-45-06 East 137.50 feet to the most Southern corner of the property of the City of Charlotte as recorded in Deed Book 6066, Page 113; thence with the property of the City of Charlotte North 11-45-06 West 36.80 feet to the Southern side of a closed alley way; thence with the Southern side of a closed alley way South 64-42-50 East 10.29 feet to a point, the most Northern corner of the property of the City of Charlotte as recorded in Deed Book 6066, Page 108; thence with the property of the City of Charlotte South 11-45-06 West 172.40 feet to an iron pin found in the Northern right-of-way of Persimmon Street; thence with the Northern right-of-way of Persimmon Street North 75-20-32 West 10.02 to the point and place of beginning containing 1,736 square feet all as shown Area C, Area H and Area J on a map prepared by the City of Charlotte, Engineering Department entitled "Alley Abandonment and Street Closing, Property of City of Charlotte and Salvation Army" dated December 6, 1993.

RESOLUTION CLOSING ALLEY RUNNING (i) FROM EAST FIFTH STREET TO GREENWAY AVENUE (BETWEEN CASWELL ROAD AND RIDGEWAY AVENUE) AND (ii) FROM GREENWAY AVENUE TO EAST SEVENTH STREET (BETWEEN CASWELL ROAD AND RIDGEWAY AVENUE) 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 Declaring Intent to Abandon and Close the referenced Alley which calls for a public hearing on the question; and

WHEREAS, the Petitioner has caused a copy of the Resolution Declaring Intent to Abandon and Close the referenced Alley to be sent by registered or certified mail to all owners of property adjoining the said Alley and prominently posted a notice of the closing and public hearing in at least two places along the referenced Alley, all as required by N.C.G.S. 160A-299; and

WHEREAS, the public hearing was held on the 25th day of July, 1994, and City Council determined that the closing of the referenced Alley 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 July 25, 1994, that the Council hereby orders the closing of the referenced Alley in the City of Charlotte, Mecklenburg County, North Carolina (reserving, however, certain utility easements and road rights of way) as described below:

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

Part 1

BEGINNING at a point in the northerly margin of East Fifth Street, between Caswell Road and Ridgeway Avenue, being the southeasterly corner of Lot 32 of Block 2 of Rosemont as shown on the Revised Map of Rosemont recorded in Map Book 332 at Page 230 of the Mecklenburg County Registry, and running thence with the easterly boundary of said Lot 32 North 40-09 East 171.8 feet to the southeasterly corner of Lot 11 of Block 2 Rosemont as shown on said Map; thence with the easterly boundary of said Lot 11 North 40-09 East 200.5 feet to the northeasterly corner of said Lot 11 in the southerly margin of Greenway Avenue; thence with the southerly margin of Greenway Avenue in a southeasterly direction approximately 10 feet to the northwesterly corner of Lot 12 of Block 2 of Rosemont as shown on said Map; thence with the westerly boundary of said Lot 12 South 40-09 West 200.0 feet to the northwesterly corner of Lot 33 of

Block 2 of Rosemont as shown on said Map; thence with the westerly boundary of said Lot 33 South 40-09 East 171.2 feet to the southwesterly corner of said Lot 33 in the northerly margin of East Fifth Street; thence with the northerly margin of East Fifth Street North 52-18 West 10 feet to the point and place of BEGINNING, and being that strip of land 10 feet in width running from the northerly margin of East Fifth Street to the southerly margin of Greenway Avenue as shown on the Revised Map of Rosemont recorded in Map Book 332 at Page 230 of the Mecklenburg County Registry.

PROVIDED, HOWEVER, the City of Charlotte reserves, creates and grants the following easements and rights of way, and the property described above is hereby made and shall be conveyed subject thereto:

(a) an easement in favor of BellSouth Telecommunications, Inc. upon, under and across the entire property described above for access to and for the installation, maintenance, replacement and repair of cables, poles, wires and related equipment, including the right to trim trees and vegetation as required;

(b) an easement in favor of Duke Power Company upon, under and across the entire property described above for access to and for the installation, maintenance, replacement and repair of cables, poles, wires and related equipment, including the right to trim trees and vegetation as required; and

(c) a road right of way in favor of the City of Charlotte and/or the Charlotte Department of Transportation upon and across a portion of the property described above, being a strip five (5) feet in width running along and adjacent to the southerly margin of the existing right of way (40 feet) of Greenway Avenue.

Part 2

BEGINNING at a point in the northerly margin of Greenway Avenue, between Caswell Street and Ridgeway Avenue, being the southeasterly corner of Lot 24 of Block 1 of Rosemont as shown on the Revised Map of Rosemont recorded in Map Book 332 at Page 230 of the Mecklenburg County Registry, and running thence with the easterly boundary of said Lot 24 North 40-55 East 159.4 feet to the southeasterly corner of Lot 10 of Block 1 of Rosemont as shown on said Map; thence with the easterly boundary of said Lot 10 North 40-55 East 175.0 feet to the northeasterly corner of said Lot 10 in the southerly margin of East Seventh Street; thence with the southerly margin of East Seventh Street in a southeasterly direction approximately 10 feet to the northwesterly corner of Lot 11 of Block 2 of Rosemont as shown on said Map; thence with the westerly boundary of said Lot 11 South 40-55 West 175.0 feet to the northwesterly corner of Lot 25 of Block 1 of Rosemont as shown on said Map; thence with the westerly boundary of the said Lot 25 South 40-55 West 159.96 feet to the southwesterly corner of said Lot 25 in the northerly margin

of Greenway Avenue; thence with the northerly margin of Greenway Avenue in a northwesterly direction approximately 10 feet to the point and place of BEGINNING, and being that strip of land 10 foot in width running from the northerly margin of Greenway Avenue to the southerly margin of East Seventh Street as shown on the Revised Map of Rosemont recorded in Map Book 332 at Page 230 of the Mecklenburg County Registry.

PROVIDED, HOWEVER, the City of Charlotte reserves, creates and grants the following easements and rights of way, and the property described above is hereby made and shall be conveyed subject thereto:

(a) an easement in favor of BellSouth Telecommunications, Inc. upon, under and across the entire property described above for access to and for the installation, maintenance, replacement and repair of cables, poles, wires and related equipment, including the right to trim trees and vegetation as required;

(b) an easement in favor of Duke Power Company upon, under and across the entire property described above for access to and for the installation, maintenance, replacement and repair of cables, poles, wires and related equipment, including the right to trim trees and vegetation as required; and

(c) a road right of way in favor of the City of Charlotte and/or the Charlotte Department of Transportation upon and across a portion of the property described above, being a strip five (5) feet in width running along and adjacent to the northerly margin of the existing right of way (40 feet) of Greenway Avenue and being a strip ten (10) feet in width running along and adjacent to the southerly margin of the existing right of way (60 feet) of East Seventh Street.

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, Nancy S. Gilbert, Deputy 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 25th day of July, 1994, the reference having been made in Minute Book 105, page , and recorded in full in Resolution Book 32, Pages 414-416.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 27th day of July, 1994

Nancy S. Gilbert, Deputy City Clerk

RESOLUTION
ADOPTING THE REGIONAL LAND USE VISION
CENTERS AND CORRIDORS PATTERN

WHEREAS, the City of Charlotte believes that all local governments within the Metropolitan Area must work together in order to provide an economically competitive region, livable communities with their identities preserved, and the best in accessibility throughout the area;

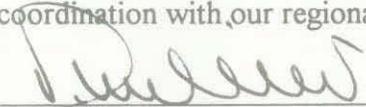
WHEREAS, the City of Charlotte recognizes there is a need to endorse a common land use policy and strategy and complementary transportation investment that will increase growth potential while holding down long-term capital and maintenance costs;

WHEREAS, the City of Charlotte recognizes the preeminence and importance of local initiative and intergovernmental cooperation in planning for regional mobility that includes roads, transit and aviation systems that are interconnected;

WHEREAS, a Regional Committee of 100 was commissioned to develop and recommend a Transit and Transportation Policy and Strategy for the Region, and it has endorsed a Centers and Corridors Land Use Vision;

WHEREAS, the City of Charlotte has been presented this Regional Land Use Vision that calls for major growth to be focused within, or along the Regions' major urban centers and corridors, and is hereby attached;

NOW THEREFORE, be it resolved by the Charlotte City Council, City of Charlotte on this 25th day of July in the year 1994, that the Regional Land Use Vision developed by the Committee of 100, be adopted as policy to guide and direct our capital investment decisions and local land use planning initiatives, and therefore directs the manager and staff to work towards the implementation of this policy through careful study and coordination with our regional partners.



Mayor Richard Vinroot

CERTIFICATION

I, Nancy S. Gilbert, Deputy 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 25th day of July, 1994, the reference having been made in Minute Book 105, and recorded in full in Resolution Book 32, Page(s) 417-418.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of July, 1994.

Nancy S. Gilbert, Deputy City Clerk