

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

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

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

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 26 day of July, 2004 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 896-898.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.


Brenda R. Freeze, CMC, City Clerk

**TAXPAYERS AND REFUNDS REQUESTED
MORE THAN \$100
(Clerical Error)**

<u>Name</u>	<u>Refund Amount</u>	<u>Name</u>	<u>Refund Amount</u>
SHAHEEN FRED E	\$ 105.00	TROUTMAN WILLIAM B	\$ 1,366.26
PNUCOR INC	109.43	MARSH BETTY H	1,368.78
BARRINGER & BARRINGER INC	114.62	WELLS FARGO FINANCIAL LEASING	1,488.60
STRATEGIC POWER SYSTEMS INC	120.79	BLS PARTNERS II INC	1,554.42
HYATT DUFFIE	128.24	RADIATOR SPECIALTY COMPANY	1,557.36
STRATEGIC POWER SYSTEMS INC	139.36	CABOT INDUSTRIAL PROPERTIES LP	1,658.58
PNUCOR INC	145.87	BYRD BOBBY W	1,785.84
BARRINGER & BARRINGER INC	150.81	LINKS AT EASTWOOD LLC THE BANK	1,825.32
PATTEN ROBERT A III	162.54	WATERFORD OF CHARLOTTE INC	1,847.16
PURSER CLAREN TAYLOR	163.01	BISELL-BCP #2 LLC	1,893.36
STRATEGIC POWER SYSTEMS INC	169.25	HIGHWOODS/FORSYTH LP	2,002.98
PORTER A ALEXANDER	170.94	RESERVE AT WATERFORD INC THE	2,013.90
RORIE ETHELLA DAVIDSON	172.41	BISELL BALLANTYNE LLC	2,120.16
PURSER CLAREN TAYLOR	182.52	CCLPWENDOVER LLC	2,122.68
WEINSTEIN LINDA JOY	204.12	MECA REAL ESTATE	2,289.18
STRATEGIC POWER SYSTEMS INC	207.65	KARRINGTON OPERATING COMPANY	2,567.04
STRATEGIC POWER SYSTEMS INC	213.38	LA QUINTA MOTOR INNS INC	2,578.38
ANDERSON RETHA W	223.44	BISELL-BCP NO 7, LLC	2,610.30
WILLIAMS GLADYS M	263.55	B C I PROPERTY CO NO 43 LTD	2,648.10
GROR LLC	272.58	IRT CAROLINA LLC	2,735.88
FOREFD CORP	296.52	YORK RIDGE APARTMENT ASSOC	2,742.18
PIZZAGALLI PROPERTIES LLC	302.40	CNL RETIREMENT PCI NORTH	2,746.38
PIZZAGALLI PROPERTIES LLC	320.46	ALLIANCE GD HD 2 LP	3,193.26
PIZZAGALLI PROPERTIES LLC	346.92	HIDDEN FOREST DRIVE LLC	3,499.86
PIZZAGALLI PROPERTIES LLC	366.66	PORTER A ALEXANDER	3,656.52
T N T DEVELOPMENT	381.36	ALLIANCE GT 4 LP	3,898.02
PIZZAGALLI PROPERTIES LLC	447.72	ALLIANCE MD PORTFOLIO I LLC	3,928.26
HSI NORTH CAROLINA LLC	456.54	CRIN-CHARLOTTE I LTD PTNRSHIP	4,109.90
BCI PROPERTY COMPANY #21	468.30	G&I CHARLOTTE INDUSTRIAL LLC	4,371.36
BIG BOY PROPERTIES INC	494.76	PARK HOTEL GROUP LTD THE	4,428.90
ROBERTS EARL T	500.70	G&I CHARLOTTE INDUSTRIAL LLC	4,853.10
GIBBS WIRE & STEEL COMPANY INC	510.30	BCI PROPERTY COMPANY #21	4,898.46
SKIPPER ERIC R	510.30	LMC BALLANTYNE INC	5,069.40

**TAXPAYERS AND REFUNDS REQUESTED
MORE THAN \$100
(Clerical Error)**

<u>Name</u>	<u>Refund Amount</u>	<u>Name</u>	<u>Refund Amount</u>
G&I CHARLOTTE INDUSTRIAL LLC	546.42	BCI PROPERTY COMPANY #21	5,620.02
WOODSTONE APTS	663.60	ALLIANCE GT 2 LP	6,395.34
STEELCASE FINANCIAL SERVICES	752.15	AL I/PROVIDENCE SENIOR HOUSING	7,522.20
BLUMENTHAL FOUNDATION THE	812.70	BCI PROPERTY COMPANY #21	7,560.00
ALLIANCE GD HD 2 LP	865.62	UDRT OF NORTH CAROLINA LLC	8,109.78
BISSELL BALLANTYNE LLC	889.14	SUNRISE EASTOVER ASSISTED LIVI	8,354.22
MARLWAY LIMITED PARTNERSHIP	917.70	CRIT-NC LLC	8,547.84
CABOT INDUSTRIAL PROPERTIES LP	918.96	BCI PROPERTY COMPANY #21	9,579.36
MARSH REALTY CO INC	1,008.84	RADIATOR SPECIALTY COMPANY	9,640.26
BISSELL PORTER TWO LLC	1,050.42	BISSELL BALLANTYNE LLC	11,002.74
BISSELL DABBS BIGGERS LLC	1,060.92	REGENCY GLEN HOLLOW LTD BREEZE	14,602.98
CAMPBELL KEVIN	1,063.02	CARNEGIE LLC	14,775.18
BCP DEVELOPMENT CO INC	1,171.80	WOODWAY MATHEWS INC	16,634.10
BISSELL-BCP NO 5 LLC	1,225.56	WAL-MART REAL ESTATE BUSINESS	17,113.50
ALLIANCE SH 2 LP	1,236.06	UDRT OF NORTH CAROLINA LLC	19,400.22
PIZZAGALLI PROPERTIES LLC	1,294.44	CARNEGIE LLC	19,898.76
MARSH REALTY CO INC	1,302.00		
	25,601.80	Total	\$ 301,788.18

**RESOLUTION TO TRANSFER MAINTENANCE FOR 6 STREETS FROM THE
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
(NCDOT) TO THE CITY OF CHARLOTTE**

WHEREAS, The City accepts State-maintained streets upon request and mutual agreement and / or when the streets are within an annexed area and not part of the NCDOT primary road system; and

WHEREAS, The streets included on this list were voluntarily annexed in 2004 and are currently maintained by NCDOT; and

WHEREAS, These streets are not on NCDOT's primary road system and qualify for maintenance under the City's Street Maintenance Policy; and

WHEREAS, The streets are as follows:

- Mallard Woods Place (0.30)
- Cheryl Anne Place (0.12)
- Shelly Pines Drive (0.21)
- Lanshire Court (0.04)
- Mallard Pine Court (0.03)
- Mallard Green Place (0.02)
- Total Mileage: (0.72)

NOW, THEREFORE, be it resolved by the City Council of the City of Charlotte, in regular session duly assembled as follows that the City of Charlotte will accept a transfer of maintenance for 6 streets from the NCDOT, as follows:

- Mallard Woods Place (0.30)
- Cheryl Anne Place (0.12)
- Shelly Pines Drive (0.21)
- Lanshire Court (0.04)
- Mallard Pine Court (0.03)
- Mallard Green Place (0.02)
- Total Mileage: (0.72)

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 899.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE CHARLOTTE FIRE DEPARTMENT TO ACCEPT DESIGNATION AS THE REGIONAL HAZARDOUS MATERIALS RESPONSE TEAM AND AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH THE NORTH CAROLINA OFFICE OF EMERGENCY MANAGEMENT TO FUND THE RESPONSE TEAM

WHEREAS, the Charlotte Fire Department has competed for designation by the State of North Carolina as a hazardous materials regional response team; and

WHEREAS, the State of North Carolina has chosen the Charlotte Fire Department as then hazardous materials regional response team for our area; and

WHEREAS, in order for the designation to become effective, the State requires the City Council to adopt a resolution authorizing the Charlotte Fire Department to accept the designation as the hazardous materials regional response team.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session duly assembled, that the City of Charlotte Fire Department is hereby authorized to accept designation by the State of North Carolina as the hazardous materials regional response team, and the City Manager is hereby authorized to sign a contract with the North Carolina Office of Emergency Management for the State to provide funding for the response team.

This the 26th day of July, 2004.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 900.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.



Brenda R. Freeze, CMC, City Clerk

EXTRACTS FROM MINUTES OF CITY COUNCIL

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M. on July 26, 2004.

Members Present: Mayor McCrory, Councilmembers Cannon, Carter, Graham, Kinsey, Lassiter, Lochman, Mitchell, Mumford, Tabor, and Turner

Members Absent: Councilmember Burgess

Also Present: City Manager Syfert, City Attorney McCarley, and City Clerk Freeze

* * * * *

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

**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA
APPROVING SUPPLEMENTS TO INDENTURES OF TRUST TO REMOVE
CO-TRUSTEE**

WHEREAS, City of Charlotte, North Carolina (the "City") issued its Water and Sewer System Revenue Bonds, Series 2002A and Variable Rate Water and Sewer System Revenue Bonds, Series 2002B (the "2002B Bonds") under the General Trust Indenture dated as of November 1, 1996 between the City and First Union National Bank, now known as Wachovia Bank, National Association, as trustee, as amended, and Series Indenture, Number 5 dated as of February 15, 2002 (the "Fifth Series Indenture") among the City, the Trustee and Branch Banking & Trust Company, as co-trustee;

WHEREAS, New Charlotte Corporation executed and delivered Certificates of Participation (FY 2002 Projects), Series 2001B and Variable Rate Certificates of Participation (FY 2002 Projects), Series 2001C (the "2001C Certificates") under an Indenture of Trust dated as of October 15, 2001 (the "COPs Indenture") among the Corporation, First Union National Bank, now known as Wachovia Bank, National Association, as trustee, and Branch Banking & Trust Company, as co-trustee, the proceeds of which were used by the City for certain governmental purposes under an Installment Purchase Contract dated as of October 15, 2001 between the Corporation and the City;

WHEREAS, the Local Government Commission no longer requires that the City use a co-trustee on financings such as the 2002B Bonds and the 2001C Certificates;

WHEREAS, with the approval of the Local Government Commission, the City has determined to remove, or cause the removal of, Branch Banking & Trust Company, as co-trustee under the Fifth Series Indenture and the COPs Indenture and assign all of the responsibilities of the co-trustee to the trustee under those respective documents;

WHEREAS, there has been described to the City Council the following documents (collectively, the "*Instruments*"), copies of which have been made available to the City Council, which the City Council proposes to approve, enter into and deliver, as applicable, to effectuate the removal of the co-trustee as described above:

(1) Supplement to Series Indenture, Number 5 dated as of August 1, 2004 between the City and Wachovia Bank, National Association, as trustee; and

(2) Supplement to Indenture of Trust dated as of August 1, 2004 between the City and Wachovia Bank, National Association, as trustee;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AS FOLLOWS:

Section 1. Authorization of the Instruments. The form and content of the Instruments shall be and the same hereby are in all respects authorized, approved and confirmed, and the City Manager and the City Clerk and their respective designees shall be and they hereby are authorized, empowered and directed to execute and deliver the Instruments, including necessary counterparts, in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all changes, modifications, additions or deletions therein from the form and content of the Instruments presented to the City Council, and that from and after the execution and delivery of the Instruments, the City Manager, the City Director of Finance and the City Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of this Resolution and the Instruments as executed.

Section 2. Severability. That if any section, phrase or provision of this Resolution shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 3. Repealer. That all motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

Section 4. Effective Date. This Resolution will take effect immediately on its adoption.

On motion of Councilmember Tabor, seconded by Councilmember Cannon, the foregoing resolution titled "**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING SUPPLEMENTS TO INDENTURES OF TRUST TO REMOVE CO-TRUSTEE**" was duly adopted by the following vote: Unanimous

PASSED, ADOPTED AND APPROVED this 26th day of July, 2004.

STATE OF NORTH CAROLINA)
)
CITY OF CHARLOTTE) ss:

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 901-903.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.

Brenda R. Freeze

Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council for the City of Charlotte finds as a fact that it is necessary to acquire certain real property as indicated below, for Airport purposes pursuant to the Charlotte/Douglas International Airport Master Plan; and

WHEREAS, the City in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owner regarding just compensation, and, therefore, has been unable to negotiate a purchase price; and

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, utilizing the procedures of Article 9 of Chapter 136 of the North Carolina General Statutes as authorized by 7.81 of the Charter of the City of Charlotte, and otherwise under the authority and procedures of the laws of the State of North Carolina.

Parties in Interest

Nature of Interest

Adams Outdoor Advertising of Charlotte
Limited Partnership

Leasehold

Property description

A 10' by 10' sign site located at an unspecified location along and 20' feet east of the I-485 frontage of the 9528 Dixie River Road property, formerly owned by Paul and Jean Norman, BEING THE SAME PROPERTY conveyed by a lease dated October 25, 1996 between Adams Outdoor Advertising Limited Partnership and Paul and Jean Norman.

Appraised Value

\$41,000 or such other amount as may be subsequently determined pursuant to applicable City, FAA or other Federal Regulations.

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.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 904.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council for the City of Charlotte finds as a fact that it is necessary to acquire certain real property as indicated below, for Airport purposes pursuant to the Charlotte/Douglas International Airport Master Plan; and

WHEREAS, the City in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owner regarding just compensation, and, therefore, has been unable to negotiate a purchase price; and

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, utilizing the procedures of Article 9 of Chapter 136 of the North Carolina General Statutes as authorized by 7.81 of the Charter of the City of Charlotte, and otherwise under the authority and procedures of the laws of the State of North Carolina.

Parties in Interest

Nature of Interest

Horizon Outdoor Advertising, Inc.

Leasehold

Property description

A sign site located approximately 600' southwest of Mountain View Road at a point 20' east of the new right of way of I-485 and 2000' north of Dixie River Road.

Another sign site located approximately 500' feet north of Dixie River Road at a point 20' feet east of the new right of way of I-485 and 2,400 south of Mountain View Road.

AND BEING THE SAME PROPERTY conveyed by lease dated July 22, 1996 between Edna N. Griffin and Horizon Outdoor Advertising, Inc., as amended.

Appraised Value

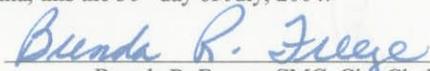
\$18,900 or such other amount as may be subsequently determined pursuant to applicable City, FAA or other Federal Regulations.

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.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 905.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.


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 **LONG CREEK PUMP STATION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **LONG CREEK PUMP STATION PROJECT** and estimated to be approximately **6,336 square feet (.145 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 053-093-10, said property currently owned by **WILLIAM M. GARDNER, JR. and wife, DEBORAH M. GARDNER; SHAPIRO AND KREISMAN (a/k/a KREISSMAN), Trustee;; TRUSTEE SERVICES OF CAROLINA, Trustee; COUNTRYWIDE HOME LOANS, INC., Beneficiary, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 906.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.


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 **NC49/US29 INTERCHANGE RECONSTRUCTION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **NC49/US29 INTERCHANGE RECONSTRUCTION PROJECT** and estimated to be approximately **272 square feet (.006 acre) of temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 049-083-30, said property currently owned by **GEORGE C. COPSIS and wife, HARRIET G. COPSIS; WILLIAM D. ELDER, Trustee; FIRST CITIZENS BANK & TRUST COMPANY, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 907.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.



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 **NC49/US29 INTERCHANGE RECONSTRUCTION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **NC49/US29 INTERCHANGE RECONSTRUCTION PROJECT** and estimated to be approximately **6,453 square feet (.148 acre) of fee-simple, permanent utility easement, and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 049-081-01, said property currently owned by **GEORGE C. COPSIS; HARRIET G. COPSIS; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 908.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.



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 **NC49/US29 INTERCHANGE RECONSTRUCTION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **NC49/US29 INTERCHANGE RECONSTRUCTION PROJECT** and estimated to be approximately **2,629 square feet (.060 acre) of 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. 049-081-07, said property currently owned by **CHRIS G. COPSIS and wife, CHRISTINE K. COPSIS; HARRY J. STATHOPOULOS, Trustee; GEORGE C. COPSIS, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 909.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.



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 **NC49/US29 INTERCHANGE RECONSTRUCTION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **NC49/US29 INTERCHANGE RECONSTRUCTION PROJECT** and estimated to be approximately **20,603 square feet (.473 acre) of fee-simple, storm drainage easement, and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 049-081-03, said property currently owned by **JSK INVESTMENTS; PSP OF CHARLOTTE, LLC, Lessee; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 910.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.



Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **NEIGHBORHOOD IMPROVEMENT: OAKLAWN PARK PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **NEIGHBORHOOD IMPROVEMENT: OAKLAWN PARK PROJECT** and estimated to be approximately **665 square feet (.015 acre) of sidewalk and utility easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 075-073-06, said property currently owned by **MAUDIA MCCLAIN and spouse, if any; BRADFORD HOLLAND; RUTHIE M. GILES; JAMES P. HOLLAND and spouse, if any; LEROY HOLLAND, JR. and spouse, if any; AMERICAN GENERAL FINANCE (n/k/a American General Financial Services (DE), Inc.), Possible Judgment Creditor; W. LEONARD ROBINSON d/b/a PROVIDENCE HARDWARE, Possible Judgment Creditor; CITY OF CHARLOTTE-MECKLENBURG COUNTY TAX COLLECTOR, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 911.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **NEIGHBORHOOD IMPROVEMENT: OAKLAWN PARK PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **NEIGHBORHOOD IMPROVEMENT: OAKLAWN PARK PROJECT** and estimated to be approximately **2,805 square feet (.065 acre) of fee-simple, sidewalk and utility easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 075-071-14, said property currently owned by **PAULINE L. AVANT and spouse, if any, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 912.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.



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 **CLEAR CREEK BASIN SANITARY SEWER-FORCE MAIN PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **CLEAR CREEK BASIN SANITARY SEWER-FORCE MAIN PROJECT** and⁴ estimated to be approximately **6,614 square feet (.152 acre) of 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. 139-011-29, said property currently owned by **CLARINDA BLAIR W. TRIPLETT and spouse, if any, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 913.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.



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 **ANDOVER STORM DRAINAGE IMPROVEMENTS PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **ANDOVER STORM DRAINAGE IMPROVEMENTS PROJECT**, and estimated to be approximately **2,437 square feet (.056 acre) of utility easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 181-021-79, said property currently owned by **TIMOTHY M. STOKES and wife, MARY S. STOKES, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 914.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.



Brenda R. Freeze, CMC, City Clerk

A RESOLUTION STATING THE INTENT OF THE CITY OF CHARLOTTE TO CONSIDER ANNEXATION OF THE CALDWELL AREA, AS DESCRIBED HEREIN, AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION

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

Section 1. That it is the intent of the City Council of the City of Charlotte to consider annexation of the area known as Long Creek as described in Exhibit A, attached hereto and incorporated herewith in this resolution, pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina.

Section 2. That a public informational meeting on the question of annexing the attached described area will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at 7:00 o'clock p.m. on Thursday, September 9, 2004, at which time plans for extending services to said area will be explained and all persons resident or owning property in said area and all residents of the City of Charlotte will be given an opportunity to ask questions and receive answers regarding the proposed annexation.

Section 3. That a public hearing on the question of annexing the attached described area will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at 7:00 p.m. on Monday, October 11, 2004, at which time plans for extending services to said area will be explained and all persons resident or owning property in said area and all residents of the City of Charlotte will be given an opportunity to be heard.

Section 4. That a report of plans for extending services to the attached described area be made available for public inspection at the office of the City Clerk of the City of Charlotte in the Charlotte-Mecklenburg Government Center, at least thirty (30) days prior to the date of said public informational meeting. The statement of financial impact contained in the report shall be delivered to the County Clerk of the Mecklenburg County Board of Commissioners at least thirty (30) days prior to the date of the public informational meeting.

Section 5. That there shall be posted in the office of the City Clerk at least thirty (30) days prior to the date of said public informational meeting a legible map of the area to be annexed and a list of persons holding freehold interests in property in the attached described area who have been identified.

Section 6. That notice of said public informational meeting and public hearing shall be given by publication in a local newspaper and by mail as required by law.

APPROVED AS TO FORM:


Senior Deputy City Attorney

EXHIBIT "A"ANNEXATION QUALIFYING AREA FY2005
CALDWELL AREA

Beginning at a point on the present Charlotte City Limits, said point being on the Southerly variable width right-of-way of Interstate 485 (NCDOT Project No. 8.4671610, Project ID R-2123CC, Sheet Number 15, recorded in Map Book 3 Page 169), said point also being the Northeasterly corner of the Greenway as recorded in Map Book 37 Page 571 and the Northwesterly corner of the Greenway as recorded in Map Book 33 Page 301; thence crossing Interstate 485 North 53-50-45 East approximately 380 feet to a point, said point being on the Northerly variable width right-of-way line of Interstate 485 (NCDOT Project No. 8.4671610, Project ID R-2123CC, Sheet Number 15, recorded in Map Book 3 Page 169); thence with the aforesaid right-of-way line of Interstate 485 in a Southeasterly direction approximately 4,200 feet to a point, said point being the Southwesterly most corner of Lot 118 of Coventry Subdivision 2, Phase 1, Map 4 recorded in Map Book 40 Page 71; thence leaving the Northerly variable width right-of-way line of Interstate 485 (NCDOT Project No. 8.4671610, Project ID R-2123CC, Sheet Number 15, recorded in Map Book 3 Page 169) and continuing with the Westerly boundary line lines of Lot 118 through Lot 104 of Coventry Subdivision 2, Phase 1, Map 4 as recorded in Map Book 40 Page 71, crossing Riding Hill Avenue in a Northeasterly direction with six (6) courses and distances: 1) South 79-00-49 East 66.54 feet to a point, 2) North 34-49-36 East 470.32 feet to a point, 3) North 34-32-37 East 323.59 feet to a point, 4) North 34-45-28 East 173.49 feet to a point, 5) North 33-57-05 East 98.51 feet to a point, 6) North 34-14-28 East 53.47 feet to a point, said point being the Northwesterly corner of the Common Open Space of Coventry Subdivision 2, Phase 1, Map 4 as recorded in Map Book 40, Page 71, said point also being the Common Open Space of Coventry Subdivision, Phase 1, Map 3 as recorded in Map Book 35 Page 879; thence continuing with the boundary lines of the Common Open Space in said Map Book 35 Page 879 with three (3) courses and distances: 1) North 34-09-31 East 589.88 feet to a point, 2) South 78-27-14 East 167.61 feet to a point, 3) South 50-49-49 East 202.15 feet to a point, said point being the Northeasterly corner of the Common Open Space as described in said Map Book 35 Page 879, said corner also being on the boundary line of the GREENWAY for Coventry Subdivision, Phase 1, Map 3 as recorded in Map Book 35 page 879; thence with the boundary line of said GREENWAY as shown on said Map Book 35 Page 879 and Map Book 35 Page 881 in a Northeasterly direction with fourteen (14) courses and distances; 1) South 50-49-49 East 76.74 feet to a point, 2) North 20-50-47 East 30.53 feet to a point, 3) North 41-52-39 East 47.42 feet to a point, 4) South 74-54-09 East 78.14 feet to a point, 5) North 60-21-37 East 79.62 feet to a point, 6) North 00-55-41 East 59.02 feet to a point, 7) North 48-19-47 East 70.72 feet to a point, 8) North 19-01-55 West 116.60

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feet to a point, 9) North 31-32-56 West 106.56 feet to a point, 10) North 57-48-58 East 182.15 feet to a point, 11) North 66-43-23 East 133.06 feet to a point, 12) North 37-02-32 East 262.24 feet to a point, 13) South 72-24-21 West 47.93 feet to a point, 14) South 80-47-27 East 175.45 feet to a point, said point being the Northeasterly most corner of the GREENWAY as shown on said Map Book 35 Page 881, said point also being on the Mecklenburg/Cabarrus County line; thence continuing along the Mecklenburg/Cabarrus County line in a Southeasterly direction, crossing Underwood Avenue and Geoffrey Court, the following course and distance, South 09-38-53 East approximately 2,960 feet to a point, said point being located at the intersection of the Mecklenburg/Cabarrus County line with the Southwesterly boundary line if extended of Coventry Subdivision Phase 1, Map 3 as recorded in Map Book 34 Page 78, said point also being Point 3006 of the Mecklenburg /Cabarrus County Line Resurvey, recorded in Map Book 39 Page 199; thence along and with the Mecklenburg/Cabarrus County Line as recorded in the aforesaid Map Book 39 Page 199, South 40-28-00 East 474.80 feet to a point, said point being Point 3007 as recorded in the aforesaid Map Book 39 Page 199 and said point also being located on the Southerly variable right-of-way line of Caldwell Road; thence leaving the Mecklenburg/Cabarrus County line and continuing with the Southerly variable right-of-way line of Caldwell Road in a Southerly direction approximately 6,980 feet to a point, said point being on the Southerly variable right-of-way line of Caldwell Road, said point also being the Northwesterly most corner of the property as described in Deed Book 4883 Page 952; thence leaving the Southerly variable right-of-way line of Caldwell Road and continuing in a Southeasterly direction with the Easterly boundary line as described in Deed Book 4883 page 952 a bearing and distance of South 04-50 East 716.72 feet to a point, said point being the Southeasterly corner of the property as described in Deed Book 4883 Page 952, said point also being on the Northerly property corner of Lot 1 as shown on Map Book 38 Page 39; thence continuing in a Southeasterly direction, crossing Woodwind Street, with a bearing and distance of South 75-52-49 East 747 feet to a point, said point being the Northeasterly corner of the property as described in Deed Book 2261 Page 221 and recorded in Map Book 9 page 587; thence continuing in a Southeasterly direction with the Easterly boundary of lots recorded in Map Book 9 page 587 and crossing Rocky River Road with a bearing and distance of South 27-10 East approximately 1,430 feet to a point, said point being on the Southerly right-of-way line of Rocky River Road; thence continuing in a Southwesterly direction with the Southerly right-of-way line of Rocky River Road, crossing Coleman Drive and Hood Road, approximately 4,080 feet to a point, said point being the intersection of the Southerly right-of-way line of Rocky River Road and the Westerly boundary line of Lot 1 if extended, of Whispering Oaks subdivision, recorded in Map Book 9 Page 103; thence with the Westerly boundary line of Lot 1 if extended and

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Deed Book 6134-675, North 08-05-00 East approximately 376 feet to a point, said point being the Southeasterly corner of the property described in Deed Book 15352 Page 862 and as recorded in Map 38 Page 97; thence following the Southerly boundary line of Deed Book 15352 Page 862 if extended, North 87-02-00 West 672 feet to a point, said point being the intersection of the Southerly boundary of Deed Book 15352 Page 862 if extended and the westerly right-of-way line of Back Creek Road; thence in a Northerly direction with the Westerly right-of-way line of Back Creek Church Road approximately 5,900 feet to a point, said point being the intersection of the Westerly right-of-way line of Back Creek Church Road and the Southerly right-of-way line John Russell Road said point also being on the existing Charlotte City Limits line; thence following the existing Charlotte City Limits in a Southeasterly direction with the Southerly right-of-way line of John Russell Road if extended approximately 122 feet to a point, said point being on the Easterly right-of-way line of Back Creek Church Road, said point also being on the Westerly boundary line of the property as described in Deed Book 4418 Page 229; thence in a Northerly direction with the Easterly right-of-way line of Back Creek Church Road approximately 1,600 feet to a point, said point being the intersection of the Easterly right-of-way line of Back Creek Church Road and the Southerly right-of-way line of Timber Ridge Road, said point also being the Northwesterly most corner of the property as described in Deed Book 4275 Page 55; thence in a Northeasterly direction meandering along the Easterly right-of-way line of said Timber Ridge Road approximately 1,450 feet to a point; thence with a line perpendicular to the right-of-way line in a Westerly direction approximately 60 feet to a point, said point being on the Westerly right-of-way line of Timber Ridge Road, said point also being the Southerly most corner of Deed Book 7224 Page 336; thence in a Northerly direction with the Westerly lot line of the property as described in Deed Book 7224 Page 336 and the Easterly boundary line of a Common Open Space recorded in Map Book 26 Page 310, having a bearing and distance of North 02-58-48 West 70 feet to a point, said point being the Northerly most corner of the Common Open Space recorded in Map Book 26 Page 310 and the Southeasterly corner of Lot 33 Block 4 of Winding Creek at Back Creek, Map 2 recorded in Map Book 25 Page 895; thence in a Northerly direction with the Easterly lot line of Lots 33 and 32 Block 4 of said Map Book 25 Page 895 having a bearing and distance of North 02-58-48 West 313.23 feet to a point, said point being the Southeasterly corner of Lot 16 Block 4 of said Map Book 25 Page 521; thence with the Easterly boundary line of Lots 16, 15 and 14 Block 4 of Winding Creek at Back Creek Map 1 with the following two (2) bearing and distances: 1) North 02-58-48 West 91.42 feet to a point, 2) North 03-29-31 West 268.26 feet to a point, said point being the Northeasterly corner of Lot 14 Block 4 of Winding Creek at Back Creek, Map 1 recorded in Map Book 25 Page 521, said point also being the Southeasterly corner of Lot 12 Block 3, Back Creek Forest at Back Creek, Map 2,

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recorded in Map Book 25 Page 933; thence with the Easterly boundary lines of Lot 12, 13 and 14 Block 3 of said Map Book 25 Page 933 the following bearing and distance, North 03-29-31 West 330.39 feet to a point, said point being the Northeasterly corner of Lot 14 Block 3 recorded in said Map Book 25 page 933, said point also being the Southeasterly corner of Lot 32 Block 3, Back Creek Forest at Back Creek Map 2 recorded in Map Book 26 Page 750; thence with the Easterly boundary line of Lot 32 and the Southerly boundary line of Lot 33 of said Map Book 26 Page 750 the following two (2) courses: 1) North 03-29-31 West 200.18 feet to a point; 2) North 82-38-14 East 25.41 feet to a point, said point being the Southeasterly most corner of Lot 33 Block 3 of said Map Book 26 Page 750, said point also being the Southwesterly most corner of Lot 57 Block 3 of Back Creek Forest at Back Creek, Map 6 recorded in Map Book 28 page 39; thence with the Southerly boundary line of Lots 57, 58, 59, 60, 61 and 62 Block 3 of said Map Book 28 Page 39 North 82-38-14 East 556.23 feet to a point, said point being the Southeasterly corner of Lot 62 of said Map Book 28 Page 39; thence with the Easterly boundary lines of Lot 62 and 63 of said Map Book 28 Page 39, and crossing Adonis Court, North 14-30-25 East 358.66 feet to a point, said point being the Northeasterly corner of Lot 63 Block 3 of said Map Book 28 Page 39; thence continuing with the Easterly boundary lines of Lots 63 and 74 Block 3 of said Map Book 28 Page 39 the following two (2) courses: 1) North 48-08-16 West 150.54 feet to a point, 2) North 29-05-19 East 55.57 feet to a point, said point being the Easterly most corner of Lot 74 Block 3 of said Map Book 28 Page 39, said point also being the Southeasterly corner of Lot 75 Block 3 of Back Creek Phase 3, Map 1 recorded in Map Book 29 Page 293; thence with the Easterly boundary line of Lot 75 Block 3 of said Map Book 29 Page 293, North 29-05-19 East 65.57 feet to a point, said point being the Northeasterly corner of Lot 75 Block 3 of Back Creek Phase 3, Map 1 recorded in Map Book 29 Page 293, and said point also being the Southwesterly corner of Lot 76 Block 3 of said Map Book 29 Page 293; thence with the Southerly boundary line of Lots 76, 77 and 78 Block 3 of said Map Book 29 Page 293, North 74-45-30 East 157.46 feet to a point, said point being the Southeasterly corner of Lot 78 Block 3 of Back Creek Phase 3 Map 1 recorded in Map Book 29 Page 293, said point also being the Southwesterly corner of Lot 79 Block 3 of Back Creek Phase 3 Map 2 recorded in Map Book 29 Page 528; thence with the Southerly boundary line of Lots 79 through 82 Block 3 of Back Creek Phase 3 Map 2 recorded in Map Book 29 Page 528, Lots 83 through 87 Block 3 of Back Creek Phase 3 Map 3 recorded in Map Book 29 Page 649, Lots 88 through 91 Block 3, crossing Woodsorrel Lane and Lot 1, Block 6 of Back Creek Phase 3 map 4 with a bearing and distance of North 74-45-31 East 1,291.07 feet to a point, said point being the Southeasterly corner of Lot 1 Block 6 of Back Creek Phase 3, Map 4 recorded in Map Book 32 Page 306; thence with the Easterly boundary line of Lots 1, 2, 13 and 95 of said Map Book 32 Page 306 and crossing Hellebore Road, North 15-34-26 East 640.41 feet to a point, said point being the

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Northeasterly corner of Lot 95, Block 2 of Back Creek Phase 3, Map 4 as recorded in Map Book 32 Page 306, said point also being located on the Southerly right-of-way line of the variable width right-of-way of Interstate 485 (NCDOT Project No. 8.4671610, Project ID R-2123CC, Sheet Number 15, recorded in Map Book 3 Page 169); thence continuing in a Northwesterly direction with the Southerly variable width right-of-way line of Interstate 485 and the Northerly boundary lines of Lots 95 through 88 of Block 2 of Back Creek Phase 3, Map 4 the following bearing and distance, North 67-53-41 West 700.55 feet to a point, said point being the Westerly most corner of Lot 88 Block 2 of Back Creek Phase 3, Map 4 recorded in Map Book 32 Page 306, said point also being the Northeasterly most corner of Lot 69 Block 2 of Back Creek Phase 3 Map 3 recorded in Map Book 29 Page 649; thence continuing with the Southerly variable width right-of-way line of Interstate 485 and the Northerly boundary line of Lots 69 and 68 of said Map Book 29 Page 649 the following bearing and distance, North 67-53-41 West 441.41 feet to a point, said point being the Northwesterly corner of Lot 68 Block 2 of said Map Book 29 Page 649, said point also being the Northwesterly most corner of Lot 42 Block 2, Back Creek Phase 3 Map 2 recorded in Map Book 29 Page 528; thence continuing with the Southerly variable width right-of-way line of Interstate 485 and the Northerly boundary line of Lot 42 and 41 Block 2 of said Map Book 29 Page 528 the following two courses: 1) North 67-53-41 West 42.62 feet to a point; 2) North 79-12-16 West 117.40 feet to a point, said point being an angle point located on the Northerly boundary line of said Lot 41, and said point also being the intersection point of the Southerly line of the variable width right-of-way of Interstate 485; thence continuing in a Southwesterly direction along the Northerly boundary line of Lots 41 and 40 Block 2 of Back Creek Phase 3 map 2 recorded in Map Book 29 Page 528 the following bearing and distance, South 65-48-46 West 298.34 feet to a point, said point being the Northeasterly corner of Lot 40 Block 2 of said Map Book 29 Page 528, said point also being the Northeasterly corner of Lot 23 Block 5 of Back Creek Phase 2 Map 3 recorded in Map Book 28 Page 37; thence continuing with the Northerly boundary lines of Lots 23,24,25,32,33 and 34, block 5 with bearing and distance of South 65-48-45 West 891.67 feet to a point, said point being the Northwesterly corner of Lot 34 Block 5 of Back Creek Phase 2 Map 3 recorded in Map Book 28 Page 37, said point also being the Northerly most corner of Lot 51 and the Northeasterly most corner of Lot 52 Block 5 of Back Creek Phase 2, Map 2 recorded in Map Book 27 Page 141; thence continuing along the Northerly boundary lines of Lot 52 and 53 Block 5 of said Map Book 27 Page 141 the following bearing and distance, South 65-48-45 West 327.32 feet to a point, said point being the Northwesterly corner of Lot 53 Block 5 of Back Creek Phase 2 Map 2 recorded in Map Book 27 Page 141 and also being the Northeasterly corner of Lot 71 Block 5 of Back Creek Phase 2 Map 1 recorded in Map Book 26 Page 955; thence in a Southwesterly direction along the Northerly boundary line of Lot 71 Block 5 of

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said Map Book 26 Page 955, South 65-48-45 West 154.58 feet to a point, said point being the Northwesterly corner of Lot 71 Block 5 of said Map Book 26 Page 955, and said point also being the Easterly right-of-way line of Pimpernel Road; thence crossing said road South 86-16-24 West 50.03 feet to a point, said point being located on the Westerly right-of-way line of Pimpernel Road, said point also being the Northeasterly corner of Lot 26 Block 1 recorded in Map Book 26 Page 955; thence continuing with the Northerly boundary line of Lot 26 Block 1 of said Map Book 26 Page 955, South 88-07-50 West 140.0 feet to a point said point being the Northwesterly corner of Lot 26 Block 1 of said Map Book 26 Page 955, thence with the westerly boundary lines of Lot 26 through Lot 14 Block 1 recorded in Map Book 26 Page 955 the following bearing and distance of South 01-52-10 East 1011.0 feet to a point, said point being the Southwesterly corner of Lot 14 Block 1 of said Map 26 Page 955, said point also being the Northwesterly corner of Lot 13 Block 1 of Back Creek Forest at Back Creek. Section 1 recorded in Map Book 25 Page 555; thence continuing* in a Southerly direction with the Westerly boundary lines of Lots 13 through Lot 3 and Lot 1 Block 1 of said Map Book 25 Page 555 with a bearing and distance of South 14-07-57 West 901 feet to a point, said point being on the Westerly boundary line of Lot 1 Map Book 25 Page 555 and said point also being the Northerly corner of a Common Open Space of said Map Book 25 Page 555, said point also being the Southeasterly corner of Deed Book 461 Page 818; thence in a Northwesterly direction with the Southwesterly boundary line of said Deed Book 4611 Page 818 with a bearing and distance of North 75-15 West 1886.45 feet to a point, passing over Back Creek Church Road at approximately 60 feet, said point being the Westerly most corner of said Deed Book 4611 Page 818; thence in a Northwesterly direction with said Deed Book 4611 Page 818 with a bearing and distance of North 53-30 East approximately 1,520 feet to a point, said point being the Southeasterly corner of Deed Book 7502 Page 823 and said point also being on the Westerly right-of-way line of Back Creek Church Road; thence in a Southeasterly direction with the Westerly right-of-way line of Back Creek Church Road approximately 245 feet to a point, said point being the intersection of the Westerly right-of-way line of Back Creek Church Road and the Southerly boundary line of a parcel as described in Deed Book 1913 Page 613 if extended; thence continuing in a Northeasterly direction, crossing Back Creek Church Road, and with the Southerly property line of said Deed Book 1913 Page 613 with a bearing and distance of North 56-10 East approximately 471 feet to a point, said point being the Southeasterly most corner of said Deed book 1913 Page 613; thence continuing with the Easterly property line of said Deed Book 1913 Page 613 with a bearing and distance of North 33-40 West 252.33 feet to a point, said point being the Northeasterly most corner of said Deed Book 1913 Page 613; thence with the Northerly property line of said Deed Book 1913 Page 613 with a bearing and distance of South 56-10 West approximately 19.29 feet to a point, said point being the

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Southeasterly most corner of said Deed Book 5266 Page 550; thence in a Northwesterly direction following along the Easterly boundary line of said Deed Book 5266 Page 550 with a bearing and distance of North 37-38-00 West 238.30 feet to a point, said point being the Northeasterly corner of said Deed Book 5266 Page 550, said point also being on the Southerly right-of-way line of the Duke Power Company Easement recorded in Deed Book 2765 Page 235; thence in a Southwesterly direction following along the Northerly boundary line of said Deed Book 5266 Page 550, and also with the Southerly right-of-way line of the Duke Power Company Easement a bearing and distance of South 53-18-00 West 248.02 feet to a point, said point being the Northwesterly most corner of said Deed Book 5266 Page 550 and said point also being on the Easterly right-of-way line of Back Creek Church Road; thence in a Northerly direction along and with the aforesaid Easterly right-of-way line of Back Creek Church Road approximately 484 feet to a point, said point being the Southwesterly most corner of Deed Book 15984. Page 225, said point also being the Northwesterly most corner of Deed Book 2336 Page 67; thence in a Northeasterly direction along with the boundary line of aforesaid Deed Book 15984 Page 225 and Deed Book 2336 Page 67 a bearing and distance of North 60-27-38 East 1,072.16 feet to a point, said point being located on the boundary line of the Common Open Space as recorded in Map Book 33 Page 301 and also being a common corner between aforesaid Deed Book 15984 Page 225 and Deed Book 2336 Page 67; thence continuing with the common boundary line of Deed Book 15984 Page 225 and Deed Book 11829 Page 265 in a Northeasterly direction with four (4) courses and distances: 1) North 03-04-50 West 57.19 feet to a point, 2) North 43-32-54 East 388.54 feet to a point, 3) South 58-28-53 East 220.89 feet to a point, 4) North 53-50-45 East 257.29 feet to a point, said point being the place of beginning.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 915-922.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.



Brenda R. Freeze, CMC, City Clerk

July 26, 2004

Resolution Book 38, Page 923

A RESOLUTION STATING THE INTENT OF THE CITY OF CHARLOTTE TO CONSIDER ANNEXATION OF THE WITHROW DOWNS AREA, AS DESCRIBED HEREIN, AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION

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

Section 1. That it is the intent of the City Council of the City of Charlotte to consider annexation of the area known as Long Creek as described in Exhibit A, attached hereto and incorporated herewith in this resolution, pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina.

Section 2. That a public informational meeting on the question of annexing the attached described area will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at 7:00 o'clock p.m. on Thursday, September 9, 2004, at which time plans for extending services to said area will be explained and all persons resident or owning property in said area and all residents of the City of Charlotte will be given an opportunity to ask questions and receive answers regarding the proposed annexation.

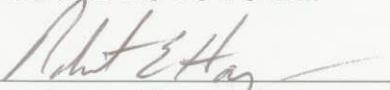
Section 3. That a public hearing on the question of annexing the attached described area will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at 7:00 p.m. on Monday, October 11, 2004, at which time plans for extending services to said area will be explained and all persons resident or owning property in said area and all residents of the City of Charlotte will be given an opportunity to be heard.

Section 4. That a report of plans for extending services to the attached described area be made available for public inspection at the office of the City Clerk of the City of Charlotte in the Charlotte-Mecklenburg Government Center, at least thirty (30) days prior to the date of said public informational meeting. The statement of financial impact contained in the report shall be delivered to the County Clerk of the Mecklenburg County Board of Commissioners at least thirty (30) days prior to the date of the public informational meeting.

Section 5. That there shall be posted in the office of the City Clerk at least thirty (30) days prior to the date of said public informational meeting a legible map of the area to be annexed and a list of persons holding freehold interests in property in the attached described area who have been identified.

Section 6. That notice of said public informational meeting and public hearing shall be given by publication in a local newspaper and by mail as required by law.

APPROVED AS TO FORM:


Senior Deputy City Attorney
AssL

July 26, 2004

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EXHIBIT "A"

ANNEXATION QUALIFYING AREA FY 2005
WITHROW DOWNS AREA

Beginning at a point on the Charlotte city limit line, said point being the Northwesterly corner Lot 42 of Withrow Downs, Phase 2 Map 2, recorded at Map Book 39, Page 127; Thence along the Northwesterly and Northerly lines of said subdivision the following 10 calls: 1) North 64-29-03 East 346.30 feet; Thence 2) South 35-04-52 East 108.00 feet; Thence 3) South 62-19-52 East 90.00 feet; Thence 4) South 57-54-52 East 90.00 feet; Thence 5) South 52-24-52 East 90.00 feet; Thence 6) South 32-49-52 East 92.00 feet; Thence 7) South 46-24-52 East 62.00 feet; Thence 8) South 56-59-52 East 101.00 feet; Thence 9) South 67-49-52 East 101.00 feet; Thence 10) South 74-14-52 East 128.00 feet to a corner on the Northerly line of Lot 58 in said subdivision, also being a common corner with Jimmy Johnson property as recorded in Deed Book 2529, page 103; Thence with the Westerly line of said Johnson property North 30-43 East approximately 736 feet to the Northerly margin of Union School Road; Thence Southeasterly along said margin, 1252 feet to a point 61 feet normal to the intersection of the Easterly line of the H.C Grimmer Development Co., LLC property as recorded in Deed Book 10268, Page 923, and the Southerly margin of Union School Road; Thence normal to the centerline of said road approximately 61 feet to the Southerly right-of-way line; Thence along the Easterly line of said Grimmer property South 42-41-13 East approximately 1667 feet to the Northeasterly corner of "The Settlements at Withrow Downs 2, Phase 1, Map 2" as recorded in Map Book 39, Page 363; Thence along the Easterly line of said subdivision South 42-35-48 East 666.75 feet to the Northeasterly corner of "The Settlements at Withrow Downs 2, Phase 1, Map 1" as recorded in Map Book 35, Page 987; Thence along the Northeasterly line of said subdivision South 42-35-48 East 341.79' to the Northwesterly Right-of-Way of US 29; Thence along said Right-of-Way the following 2 calls: 1) South 51-14-18 West 251.22 feet; Thence 2) South 51-19-43 West 135.00 feet to the Southwesterly corner of said Subdivision; Thence along the Southwesterly line of said subdivision North 39-08-40 West 398.97 feet to the Southwesterly corner of "The Settlements at Withrow Downs 2, Phase 1, Map 2" as recorded in Map Book 36, Page 363; Thence along the Southwesterly line of said subdivision North 39-08-40 West 449.38 feet; Thence South 89-14-03 West 55.00 feet; Thence South 79-48-28 West 168.21 feet; Thence South 73-32-50 West 122.15 feet; Thence South 55-48-34 West 70.00 feet; Thence along the line of the H.C. Grimmer Development Co., LLC property as shown in Deed Book 12355, Page 356, South 39-14-05 East 168.59 feet; Thence continuing along said Grimmer line as shown on the exhibit attached to last said deed, South 7-44-52 East approximately 445 feet, Thence along the line of H. Craig Grimmer, et al, as shown in Deed Book 13688, page 259 the following 14 calls: 1) South 82-20-28 West 44.79

feet; 2) along a curve to the left having a radius of 357.00 feet and a length of 210.16 feet and being subtended by a chord bearing South 65-28-35 West 207.14 feet; 3) South 48-36-42 West 50.60 feet; 4) South 41-23-18 East 43.20 feet; 5) South 49 -34-31 West 210.03 feet; 6) North 41-23-18 West 485.67 feet; 7) along a curve to the left having a radius of 1970.00 feet and a length of 179.32 feet and being subtended by a chord bearing North 43-59-46 West 179.26 feet; 8) North 46-36-14 West 359.39 feet; 9) along a curve to the left having a radius of 20.00 feet and a length of 37.47 feet and being subtended by a chord bearing South 79-43-29 West 32.23 feet; 10) along a curve to the left having a radius of 275.00 feet and a length of 4.21 feet and being subtended by a chord bearing South 25-36-52 West 4.21 feet; 11) South 25-10-34 West 118.57 feet; 12) along a curve to the right having a radius of 225.00 feet and a length of 148.83 feet and being subtended by a chord bearing South 44-07-33 West 146.13 feet; 13) South 63-04-34 West 53.10 feet; 14) along a curve to the left having a radius of 275.00 feet and a length of 134.59 feet and being subtended by a chord bearing South 49-03-17 West 133.25 feet to the Easterly corner of "The Settlements at Withrow Downs 2, Phase 1, Map 4" as recorded in Map Book 36, page 361; Thence along the Southerly right-of-way line of Clackwyck Lane the following 4 calls: 1) along a curve to the left having a radius of 275.00 feet and a length of 19.69 feet and being subtended by a chord bearing South 32-58-55 West 19.68 feet; Thence 2) South 30-55-52 West 50.14 feet; Thence 3) along a curve to the right having a radius of 275.00 feet and a length of 144.27 feet and being subtended by a chord bearing South 45-57-38 West 142.62 feet; Thence 4) South 60-59-22 West 280.36 feet to the Northerly corner of Lot# 4 of said subdivision; Thence along the rear lines of Lots 1-4 the following 2 calls: 1) South 29-00-38 East 138.00 feet; Thence 2) South 13-02-41 East 356.53 feet to the Southeasterly corner of Lot# 1, said point being on the Charlotte city limit line; Thence along the existing city limits line the following calls to the Point of Beginning: North 84-19-35 West 194.88 feet to the Easterly right-of-way of Headquarters Farm Road; Thence along said right-of-way along a curve to the left having a radius of 708.46 feet and a length of 594.19 feet and a chord bearing of North 20-11-35 West 576.93 feet; Thence North 44-13-11 West 96.25 feet; Thence with a circular curve to the left having a radius of 275.33 feet and a length of 259.49 feet and being subtended by a chord bearing North 71-13-11 West 249.99 feet; Thence South 81-46-49 West 137.43 feet to the Southeasterly corner of Lot 159, Map Book 23, page 522; Thence along the Easterly line of said subdivision North 07-43-35 West 587.12 feet to the Northeasterly corner of Lot 154 in said subdivision; Thence North 19-01-41 East 10.73 feet to the Southwesterly corner of Lot 153 recorded in Map Book 22 page 109; Thence along the Southeasterly line of said subdivision North 54-18-14 East 1023.50 feet to the common corner of Lot 294 and Lot 282 recorded in said Map Book 23 page 823; Thence along the boundary of said subdivision the following 9 calls: 1) South 46-49-22 East 397.00

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feet; Thence 2) South 43-18-51 East 166.00 feet; Thence 3) North 25-18-50 East 411.24 feet; Thence 4) North 30-27-26 West 31.82 feet; Thence North 30-27-26 West 330.00 feet; Thence 5) North 59-34-00 East 98.57 feet; Thence 6) North 30-00-00 West 155.00 feet; 7) North 73-38-12 West 68.65 feet; Thence 8) North 35-01-21 West 177.38 feet; Thence 9) South 59-32-05 West 611.76 feet to the Northwesterly corner of Lot# 290 and the Easterly right-of-way line of Chowning Tavern Lane; Thence South 59-32-05 West 777.20 feet along the Westerly line of Map Book 23, page 822 to the Northwesterly corner of Lot# 283 thereof; Thence North 33-47-50 West 260.48 feet to the Northerly corner of Lot# 149 Map Book 22, page 109 and the Southeasterly corner of Deed Book 8047, page 762; Thence following a tributary to Spring Branch the following 8 calls: 1) North 40-48-10 West 143.27 feet; Thence 2) North 35-13-40 East 119.36 feet; Thence 3) North 38-48-50 East 89.67 feet; Thence 4) North 72-33-50 East 104.62 feet; Thence 5) North 62-13-50 East 99.64 feet; Thence 6) North 47-38-50 East 84.69 feet; Thence 7) North 57-33-50 East 101.63 feet; Thence 8) North 35-33-50 East 40.85 feet to the intersection with Spring Branch; Thence following the thread of Spring Branch the following 8 calls: 1) North 65-41-30 West 175.17 feet; Thence 2) North 48-01-30 West 99.53 feet; Thence 3) North 43-16-30 West 99.53 feet; Thence 4) North 29-21-30 West 88.58 feet; Thence 5) North 33-56-30 West 177.16 feet; Thence 6) North 61-59-30 West 195.08 feet; Thence 7) South 71-18-30 West 39.81 feet; 8) South 55-38-30 West 187.12 feet; Thence leaving said Branch North 14-17-05 East 634.19 feet to the Point of Beginning.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 923-926.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.


Brenda R. Freeze, CMC, City Clerk

A RESOLUTION STATING THE INTENT OF THE CITY OF CHARLOTTE TO CONSIDER ANNEXATION OF THE MALLARD CREEK CHURCH EAST AREA, AS DESCRIBED HEREIN, AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION

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

Section 1. That it is the intent of the City Council of the City of Charlotte to consider annexation of the area known as Long Creek as described in Exhibit A, attached hereto and incorporated herewith in this resolution, pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina.

Section 2. That a public informational meeting on the question of annexing the attached described area will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at 7:00 o'clock p.m. on Thursday, September 9, 2004, at which time plans for extending services to said area will be explained and all persons resident or owning property in said area and all residents of the City of Charlotte will be given an opportunity to ask questions and receive answers regarding the proposed annexation.

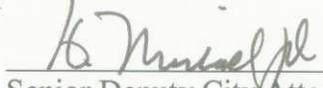
Section 3. That a public hearing on the question of annexing the attached described area will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at 7:00 p.m. on Monday, October 11, 2004, at which time plans for extending services to said area will be explained and all persons resident or owning property in said area and all residents of the City of Charlotte will be given an opportunity to be heard.

Section 4. That a report of plans for extending services to the attached described area be made available for public inspection at the office of the City Clerk of the City of Charlotte in the Charlotte-Mecklenburg Government Center, at least thirty (30) days prior to the date of said public informational meeting. The statement of financial impact contained in the report shall be delivered to the County Clerk of the Mecklenburg County Board of Commissioners at least thirty (30) days prior to the date of the public informational meeting.

Section 5. That there shall be posted in the office of the City Clerk at least thirty (30) days prior to the date of said public informational meeting a legible map of the area to be annexed and a list of persons holding freehold interests in property in the attached described area who have been identified.

Section 6. That notice of said public informational meeting and public hearing shall be given by publication in a local newspaper and by mail as required by law.

APPROVED AS TO FORM:



Senior Deputy City Attorney

EXHIBIT "A"

ANNEXATION QUALIFYING AREA FY 2005
MALLARD CREEK CHURCH EAST AREA

Beginning at a point in the present Charlotte City Limits said point being the Southerly most corner of the Common Open Space as shown on Map Book 33 page 429, and said point also being on the Westerly right-of way margin of Interstate 85, thence South 73-26-25 East approximately 423 feet to a point, said point being on the Easterly right-of-way margin of Interstate 85, said point also being on the Westerly lot line of the property as described in said Deed Book 10614 page 170; thence continuing with the Easterly right-of-way margin of Interstate 85 the following two courses; 1) with a circular curve to the right having a radius of 1263.14 feet, an arc distance of approximately 262 feet to a point; 2) North 76-37-28 East 34.94 feet to a point, said point being the Northerly most corner of the property as described in Deed Book 10614 page 170; thence with the Easterly lot line of said deed book South 14-44-51 West 838.58 feet to a point, said point being the Northeasterly corner of the property as described in Deed Book 2698 page 463; thence with the Easterly lot line of said deed book South 13-22-00 West approximately 482 feet to a point, said point being the Southeasterly corner of the property as described in Deed Book 2698 page 463, and said point also being the Northerly right-of-way margin of Galloway Road; thence crossing Galloway Road approximately 60 feet to a point, said point being on the Southerly right-of-way margin of Galloway Road, said point also being the Northeasterly corner of the property as described in Deed Book 6432 page 354; thence with the Easterly lot line of said deed book South 17-13-00 East 180.12 feet to a point, said point being the Southeasterly corner of the property as described in Deed Book 6432 page 354, said point also being the Northeasterly most corner of the property as described in Deed Book 11115 page 299; thence with the Easterly lot line of said Deed book South 17-13-00 East 1113.21 feet to a point, said point being the Southeasterly corner of the property as described in Deed Book 13286 page 26, said point also being the Northwesterly corner of the property as described in Map Book 2117 page 166; thence with the Northerly lot line of said map book North 81-00-00 East 400 feet to a point, said point being on the Northwesterly corner of the property as described in Deed Book 3514 page 301; thence with said deed book for the following nine courses; 1) North 81-00-00 East 60 feet to a point; 2) South 09-00 East 73 feet to a point; 3) South 86-32-30 East approximately 250 feet to a point; 4) South 61-23 East 231 feet to a point; 5) South 39-24 East 648.17 feet crossing Stoney Creek to a point; 6) South 48-54-30 East 621.85 feet to a point; 7) South 11-32 East 616.15 feet to a point; 8) South 64-18-30 West 675.94 feet to a point; 9) South 54-27 West 425.70 feet to a point, said point being the Northwesterly corner of the property as described in Deed Book 4257, page 336; thence with the

Westerly and Southerly property lines of said deed as follows; 1) South 22-36-20 East 226.43 feet to a point; 2) North 59-33-40 East 286.07 feet to a point, said point being on the Westerly property line of Deed Book 3681, page 929; thence with the Westerly property line of said deed book South 17-17-05 East approximately 198 feet to a point, said point being the Southwesterly corner of the property as described in Deed Book 3681, page 929; thence with the westerly property line of the property as described in Deed Book 5852 page 489 South 16-15-21 East 593.02 feet to a point; thence South 15-07-32 East 599.96 feet crossing Westbend Drive to a point; thence South 26-33-16 East 414.92 feet to a point, said point being the Southwesterly corner of the property as described in Deed Book 4234 page 491; thence in a Southwesterly direction approximately 154 feet to a point, said point being the Southwesterly corner of the property as described in Deed Book 2907, page 218; thence in an Easterly direction South 47-36-20 East approximately 93.96 feet to a point, said point being in the Northerly right-of-way margin of U.S. Highway 29; thence in a Southerly direction along the Northerly right-of-way margin of U.S. Highway 29 approximately 949.70 feet to a point; thence with the Northerly right-of-way margin of U.S. Highway 29 South 40-36 West approximately 799.64 feet to a point, said point being the intersection of the westerly line of the property as described in Deed Book 3906, page 911 with the Northerly right-of-way margin of U.S. Highway 29 (1991 Location), said point also being the Easterly right-of-way margin of Mallard Creek Church Road (SR 2472); thence crossing Mallard Creek Church Road (SR 2472) approximately 60 feet to a point, said point being the intersection of the Northerly right-of-way margin of U.S. Highway 29 with the Westerly right-of-way margin of Mallard Creek Church Road (SR2472) (1991 Location); thence continuing in a Southerly direction along the Northerly right-of-way margin of U.S. Highway 29 (1991 Location) for two courses; 1) South 40-35-28 West 890.98 feet to a point, and 2) South 40-35-55 West 331.77 feet to a point, said point being the intersection of the Northerly right-of-way margin of U.S. Highway with the Southwesterly line of the property described in Deed Book 4766, page 373; thence in a Southwesterly direction with the Northerly right-of-way margin of U.S. Highway 29 approximately 300 feet to a point, said point being the Northerly property line of the property described in Deed Book 4327, page 647, said point also being in the centerline of Mallard Creek; thence following the centerline of Mallard Creek for seven courses; 1) North 85-20-40 West approximately 219.4 feet to a point; 2) South 88-58-40 West 168.25 feet to a point; 3) South 69-37-30 West 100.07 feet to a point; 4) South 62-38-20 West 303.97 feet to a point; 5) South 69-54-50 West 200.12 feet to a point; 6) South 77-37-30 West 100.5 feet to a point; 7) South 63-01-30 West 65.81 feet to a point in the centerline of Mallard Creek; thence with the Northerly lot line of the property as described in Deed Book 5383, page 269 for the following six courses; 1) North 26-40-20 East 52.39 feet to a

point; 2) North 72-09-43 West 826.92 feet to a point; 3) North 71-14-10 West 537.24 feet to a point; 4) North 84-52-00 West 113.91 feet to a point; 5) South 63-01-30 West 226.48 feet to a point; 6) South 83-03-50 West 164.04 feet to a point in the centerline of Mallard Creek; thence with the Northerly boundary line of the property described in Deed Book 4614 Page 412 for the following seven courses; 1) North 82-31-51 West 67.43 feet to a point; 2) South 82-49-25 West 417.95 feet to a point; 3) South 79-05-55 West 694.21 feet to a point; 4) North 31-50-26 East 724.02 feet to a point; 5) North 11-30-11 East 107.78 feet to a point; 6) North 11-30-11 East 25 feet to a point in the centerline of Mallard Creek; 7) South 79-50-25 West 489.26 feet with the centerline of Mallard Creek to a point, said point being on the Northerly property line of the property described in Deed Book 4614, page 412, said point also being the intersection of a point 171 feet left of and normal to the "L" line of Interstate Highway 85; thence South 37-43-16 West approximately 369.20 feet to a point, said point being located 171 feet right of and normal to Station 173+05.2 Line "L" as shown on said map recorded in said Book 1, page 186; thence in a Northwesterly direction following a line perpendicular to and crossing Line "L" Interstate 85 at Station 173+05.2, 342.00 feet to a point; said point being where the Mallard Creek Channel intersects the Westerly margin of the Controlled Access Line of Interstate 85, said point also being on the Southerly lot line of Lot 7 as shown on recorded Map Book 20, page 510; thence following along the Southerly lot line of Lot 7 and Lot 8 as shown on Map Book 20, page 510, said line also being the Mallard Creek Channel for seven (7) courses as follows; 1) North 75-56-50 West 75.33 feet to a point; 2) North 63-40-15 West 100.0 feet to a point; 3) North 35-40-15 West 100.0 feet to a point; 4) North 24-40-15 West 550.0 feet to a point; 5) North 66-15-15 West 100.0 feet to a point; 6) South 84-44-45 West 235.0 feet to a point; 7) South 72-14-45 West 21.07 feet to a point on the Easterly right-of-way of David Taylor Drive; thence in a Southwesterly direction approximately 60 feet crossing David Taylor Drive to a point, said point being on the Westerly right-of-way margin of David Taylor Drive; thence South 72-14-45 West 63.07 feet to a point on the Westerly right-of-way line of David Taylor Drive and the Mallard Creek Channel; thence following the Mallard Creek Channel for (11) courses as follow: (1) South 72-14-45 West 25.86 feet to a point; (2) North 51-55-15 West 75.00 feet to a point; (3) North 26-30-10 West 450.00 feet to a point; (4) North 30-35-20 West 114.30 feet to a point; (5) North 49-55-00 West 119.34 feet to a point; (6) North 31-55-20 West 119.26 feet to a point; (7) North 56-32-40 West 133.22 feet to a point; (8) North 68-19-00 West 104.57 feet to a point; (9) North 61-40-15 West 53.00 feet to a point; (10) North 83-13-00 West 63.29 feet to a point; (11) North 88-21-40 West approximately 50 feet to a point, said point being the Southwesterly most corner of the property as described in Deed Book 8415 page 953; thence leaving the Mallard Creek and continuing along the property line of said deed book the

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following courses; 1) North 22-47-58 East 617.47 feet to a point; 2) South 73-39-36 East 208.01 feet to a point, said point being the Southwesterly most corner of the property as described in Deed Book 10790 page 311; thence continuing along the Westerly and Southerly property line of said deed book the following courses; 1) South 16-20-12 West 210 feet to a point; 2) South 73-39-48 East 180 feet to a point; 3) North 82-57-31 East 491.52 feet to a point in the Westerly right-of-way of David Taylor Drive; 4) with the arc of a circular curve to the left, having a radius of 644.07 feet and chord bearing and distance of approximately 338 feet to a point, said point being on the Westerly right-of-way margin of David Taylor Drive and the Westerly lot line of the property as described in Deed Book 9043 page 91 (if extended); thence North 56-00-00 East 60 feet to a point, said point being on the Easterly right-of-way of David Taylor Drive and the Southwesterly most corner of the property as described in Deed 9043 page 91; thence following along the Westerly lot line of said deed North 56-00-00 East 581.90 feet to a point, said point being on the Southeasterly most lot line of the property as described in Deed Book 6224 page 211, and said point also being the centerline of Mallard Creek; thence in a Northeasterly direction along the property line of said deed the following courses; 1) North 06-28-39 East 25.21 feet to a point; 2) North 20-29-02 East 67.0 feet to a point; 3) North 32-37-04 East 102.29 feet to a point; 4) North 39-00-17 East 105.46 feet to a point; 5) North 35-04-22 East 75.43 feet to a point; 6) North 68-20-44 East 65.67 feet to point; 7) North 17-09-33 East 93.42 feet to a point; 8) North 14-09-46 East 118.36 feet to a point; 9) North 01-53-53 East 62.16 feet to a point; 10) North 30-27-06 West 49.82 feet to a point; 11) North 44-19-16 West 10.14 feet to a point, said point being on the Southerly most lot line of the property of Deed Book 13057 page 392; thence in a Northwesterly direction following along the property of said deed and the centerline of Mallard Creek the following courses; 1) North 85-42-49 East 15.11 feet to a point; 2) North 58-20-33 West 41.57 feet to a point; 3) North 28-54-48 West 157.19 feet to a point; 4) North 04-40-38 East 51.51 feet to a point; 5) North 20-18-29 West 44.76 feet to a point; 6) North 02-13-59 East 57.87 feet to a point; 7) North 23-27-52 West 61.06 feet to a point; 8) North 36-14-23 West 52.17 feet to a point; 9) North 22-18-08 West 39.11 feet to a point; 10) North 31-30-53 West 44.24 feet to a point; 11) North 20-07-56 West 47.40 feet to a point; 12) North 11-03-33 West 77.75 feet to a point; 13) North 32-38-17 East 9.54 feet to a point; 14) North 87-58-18 West 285.23 feet to a point; 15) North 30-32-06 West 484.69 feet to a point, said point being the Southwesterly most corner of the property as described in Deed Book 11167 page 674; thence with the Westerly property line of said deed the following courses; 1) North 04-26-46 West 823.99 feet to a point; 2) North 04-26-46 West 238.24 feet to a point; 3) North 86-35-56 East 19.73 feet to a point; 4) North 86-35-56 East 186.62 feet to a point; 5) North 03-38-13 East 425.22 feet to a point; 6) North 85-41-37 West 262.21 feet to a point; 7)

North 03-46-40 West 146.86 feet to a point; 8) North 61-15-28 West 212.30 feet to a point; 9) North 28-00-32 East 187.18 feet to a point, said point being the Southerly right-of-way margin of Mallard Creek Church Road West; thence in a Southeasterly direction along the Southerly right-of-way margin of Mallard Creek Church Road West the following courses; 1) South 52-59-33 East 240.87 feet to a point; 2) with a spiral chord, South 54-10-11 East 203.63 feet to a point; 3) with the arc of a circular curve to the right, having a radius of 1697.02 feet, an arc distance of 444.27 feet and a chord bearing and distance of South 63-59-33 East 443.01 feet to a point; 4) with a spiral chord, South 73-48-55 East 203.63 feet to a point; 5) South 74-59-33 East 71.45 feet to a point; 6) with a spiral chord, South 74-00-02 East 196.83 feet to a point; 7) with the arc of circular curve to the right, having a radius of 1849.86 feet, an arc distance of 249.62 feet and chord bearing and distance of South 68-07-36 East 249.43 feet to a point, said point being the Northeasterly most corner of the property as described in Deed Book 13570 page 1461; thence with the Northerly most property line of said deed book the following courses; 1) with the arc of a circular curve to the right having a radius of 1,849.86 feet, an arc length of 68.72 feet and a chord bearing and distance of South 62-52-16 East 68.72 feet to a point; 2) South 59-44-15 East 209.81 feet to a point; 3) North 30-15-45 East 20.0 feet to a point; 4) south 58-48-24 East 9.03 feet to a point, said point being the Northwesterly most corner of the property as described in Deed Book 3717 page 709; thence with the Northerly lot line of said deed book South 58-48-24 East approximately 575 feet to a point, said point being on the Westerly right-of-way margin of Legranger Road; thence in a Southeasterly direction approximately 130 feet to a point, said point being the intersection of the centerline of Legranger Road and the Westerly lot line of lot 19 as shown on Map Book 9 page 219 (if extended); thence North 11-11-00 East approximately 135 feet to a point, said point being on the Northerly right-of-way margin of Mallard Creek Church Road West, and said point also being on the Southwesterly most corner of Lot 19 as shown on Map 9 page 219; thence with the Westerly lot line of Lots 19,18,17,16 and 15, North 11-11-00 East approximately 710 feet to a point, said point being on the westerly lot line of Lot 14 as shown on Map Book 9, page 219; thence with the westerly lot line of Lots 14 and 13, crossing Janwood Drive, and the Westerly lot line of Lot 12 as shown on Map9 page 219, North 17-42-00 East 426.5 feet to a point, said point being the Northwesterly most corner of Lot 12 as shown on Map 9 page 219; thence with the Northerly lot line of Lot 12 as shown on said map book North 79-14-00 East 177.97 feet to a point, said point being the Northeasterly corner of Lot 12 as shown on Map Book 9 page 219, said point also being the Southwesterly most corner of Lot 48 as shown on Map Book 30 page 813; thence with the Southerly lot line of Lot 48 as shown on said map book South 74-45-48 East 96.67 feet to a point, said point being the Southeasterly most corner of Lot 48 as shown Map Book 30 page 813; thence with the Easterly

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lot line of Lots 48-40 North 17-37-42 East 1,014.30 feet to a point, said point being the Northeasterly most corner of Lot 40 as shown on Map Book 30 page 813, said point also being the Southeasterly most corner of Lot 18 as shown on Map Book 32 page 61; thence with the Easterly lot line of Lots 18-13 as shown on said map book North 17-37-42 East 585.31 feet to a point, said point being the Northeasterly most corner of Lot 13 as shown on Map Book 32 page 61, and said point also being the Southerly right-of-way margin of Galloway Road (SR 2470); thence North 17-37-42 East 60 feet to a point, said point being the intersection of the Easterly lot line of Lot 13 as shown on Map Book 32 page 61 (if extended) and the Northerly right-of-way margin of Galloway Road (SR 2470), said point also being on the Southerly lot line of the property as described in Deed Book 5307 page 423; thence in a Southeasterly direction with the Northerly right-of-way margin of Galloway Road, and the Southerly lot line of said deed South 62-21-41 East approximately 410 feet to a point, said point being the Southeasterly most corner of the property as described in Deed Book 5307, page 423; thence with the Easterly lot line of said deed North 22-37-00 East approximately 500 feet to a point, said point being the Southeasterly most corner of the property as described in Deed Book 12589 page 140; thence with the Easterly most lot line of said deed, North 39-20-45 West 594.52 feet to a point, said point being on the Southerly right-of-way margin of Garrison Road (SR 2471); thence in a Northeasterly direction with the Southerly right-of-way margin of Garrison Road (SR 2471) approximately 420 feet to a point, said point being the Northwesterly most corner of the property as shown on Map Book 33 page 429; thence with the Westerly lot line of the Common Area and Lots 109-104 the following courses; 1) South 27-22-37 East 40.0 feet to a point; 2) South 23-30-24 East 373.73 feet to a point; 3) South 70-58-37 East 16.86 feet to a point; 4) North 80-53-14 East 120.0 feet to a point, said point being on the Westerly right-of-way margin of Big Leaf Drive; thence North 72-59-30 East 50.48 feet to a point, said point being on the Easterly right-of-way margin of Big Leaf Drive, said point also being the Southwesterly most corner of Lot 54 as shown on Map Book 33 page 429; thence with the Southerly lot line of Lots 54-45 and the Westerly lot line of Lots 44 and 41-39 as shown on said map the following courses; 1) North 80-27-46 East 130.0 feet to a point; 2) North 83-56-47 East 32.91 feet to a point; 3) North 80-27-46 East 139.76 feet to a point; 4) North 67-55-17 East 68.01 feet to a point; 5) North 60-09-50 East 202.21 feet to a point; 6) North 68-30-31 East 156.72 feet to a point; 7) South 73-26-25 East 284.68 feet to a point, said point being the place of beginning.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 927-934.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.



Brenda R. Freeze, CMC, City Clerk

EXHIBIT "A"

ANNEXATION QUALIFYING AREA FY 2005
BROOKSHIRE EAST AREA

Beginning at point on the existing CHARLOTTE CITY LIMITS LINE, said point being located where a line 30 feet north of and parallel with the centerline of Grove Road (if extended) intersects with a line that is 30 feet East of and perpendicular with the centerline of Abernathy Road; thence in a Westerly direction 30 feet North and parallel with the centerline of Grove Road approximately 660 feet to a point, said point being located where a line 30 feet West of and perpendicular to the centerline of Pump Station Road intersects with a line that is 30 feet North of and parallel with centerline of Grove Road (if extended); thence approximately 50 feet in a Southerly direction along and with a line 30 feet West of and parallel with the centerline of Pump Station Road to a point, said point being the Northeasterly most corner of lot 01 as shown in Map Book 21 Page 65 and recorded in Deed Book 12489 Page 835 and also being the Southeasterly corner of Deed Book 3982 Page 613; thence in a Westerly direction along and with the Northerly property line of said lot 01 South 80-14-02 West 192.90 feet to a point, said point being the Easterly most corner of lot 02 located on the Northerly property line of said lot 01; thence in a Northwesterly direction along and with the Easterly lines of lots 02, 03, 04 and 05 recorded in said Map Book 21 Page 65 North 31-10-32 West 593.87 feet to a point, said point being the Northeasterly corner of said lot 05; thence in a Westerly direction along and with the Northerly property lines of lots 05, 06, 07, 08, 09, 10, 11, 12, 13, and a portion of lot 14 the following (2) bearings and distances; (1) South 84-13-58 West 916.70 feet to a point (2) South 85-22-41 West 310.27 feet to a point, said point being located on the Northerly property line of said lot 14 and also being the Southeasterly corner of lot 88A recorded in Map Book 27 Page 553; thence in a North Northwesterly direction with the Easterly property lines of lots 88A, 88 and 87 recorded in said Map Book 27 Page 553 North 13-25-19 West 353.31 feet to a point, said point being the Northeasterly most corner of said lot 87; thence continuing in a North Northwesterly direction with the Easterly property lines of lots 260, 259 and 253 recorded in Map Book 28 page 648 North 13-29-05 West 639.97 feet to a point, said point being the Northeasterly corner of said lot 253; thence in a Northwesterly direction with the Northeasterly property line of lots 252 and 251 recorded in Map Book 28 Page 648 North 63-45-16 West 584.24 feet to a point, said point being the Northerly most corner of said lot 251; thence in a Southwesterly direction with the Northwesterly property line of lots 251, 250, 249, 248 and 247 recorded in Map Book 28 page 648 South 33-18-34 West 569.69 feet to a point, said point being the Southwesterly corner of said lot 247 and also being the Southeasterly corner of lot 237 as shown in recorded Map Book 28 Page 451; thence in a

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Northwesterly direction along and with a common line between a common open space and said lot 237 of said recorded Map Book 28 Page 451 North 62-56-32 West 223.62 feet to a point, said point being the Northwesterly corner of said Common Open Space and also being the Southwesterly corner of said lot 237 located on the Easterly right-of-way line of Overlook Mountain Drive; thence in a Southwesterly direction along and with the said Easterly right-of-way line of said Overlook Mountain Drive South 33-31-48 West 17.93 feet to a point, said point being the Northwesterly most corner of lot 238 recorded in Map Book 28 Page 451; thence continuing along and with a portion of said lot 238 also being the said Easterly right-of-way line of said Overlook Mountain Drive with a curve to the left having a radius of 570.00 feet, arc length of 60.49 feet and a chord bearing and distance of South 30-29-30 West 60.46 feet to a point; thence in a Northwesterly direction crossing said Overlook Mountain Drive North 67-17-08 West 60.19 feet to a point located on the Westerly right-of-way line said Overlook Mountain Drive, also being the Northeasterly corner of lot 198 recorded in Map Book 28 Page 451; thence continuing in a Northwesterly direction with the Northerly property line of said lot 198 North 67-17-08 West 197.17 feet to a point, said point being the Northwesterly most corner of said lot 198; thence continuing in a Northwesterly direction with the Northerly property line of lots 179, 178 and 177 recorded in Map Book 28 Page 450 North 67-17-08 West 436.13 feet to a point said point being the Northerly most corner of said lot 177 located on the existing CHARLOTTE CITY LIMITS LINE; thence in a Northeasterly direction along and with the Westerly boundary line of a 5.512 acre Community Park Area (COMMON AREA) as recorded in Map Book 28 Page 451 with the following (8) bearings and distances; (1) North 53-29-32 East 118.98 feet to a point (2) South 72-07-57 East 61.52 feet to a point (3) North 54-21-09 East 55.46 feet to a point (4) North 30-51-48 West 89.80 feet to a point (5) North 08-45-57 West 45.51 feet to a point (6) North 27-41-54 East 27.13 feet to a point (7) South 89-40-54 East 73.42 feet to a point (8) North 58-18-57 West 93.98 feet to a point, said point being the Westerly corner of said Community Park Area and also being the Southerly most property corner of lot 211 located on the high water line of elevation 648.00 as recorded in Map Book 28 Page 464; thence meandering along and with the property lines as defined by the aforesaid High Water Line of elevation 648.00 with lots 211, 212, 213, a 0.165 acre common open space and 214 as recorded in Map Book 28 Page 464 and lot 215 as revised in Map Book 29 Page 86, thence continuing meandering along and with the property line defined by the aforesaid high water line of elevation 648.00 with lots 278, 279, a 0.203 acre common open space, 280, 281, 285, 286, 287, 288 and a 0.869 acre common open space as recorded in Map Book 28 Page 802 or as revised in Map Book 29 Page 86; thence continuing along and with the property lines as defined by the aforesaid High Water Line of elevation 648.00 with lots 311, 312, 313, 314, 315, a 0.377 acre common open space, 317, 318, 319, 320, 321, 322,

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323, 326, 327, 328, 329, 330, a 0.377 acre common open space, 336, 337, 338, 339 and 340 as recorded in Map Book 28 Page 803 or as revised in Map Book 29 Page 86 or Map Book 36 Page 331 (the following aforesaid lots 215, 278, 280, 281, 285, 288, 315, 317, 328, 329, 330, 336, 337, 338 and common open spaces were revised in Map Book 29 Page 86 and lots 326, 327, 329 and lot 330 were revised in Map Book 36 Page 331); thence continuing along and with the property line as defined by the aforesaid High Water Line of elevation 648.00 with lots 344, 345, 346 and lot 347 recorded in Map Book 28 Page 802; thence continuing along and with the property line as defined by the aforesaid High Water Line of elevation 648.00 with lots 365 through 367 lots 369 through 380, lots 382 through 384, lots 387 through 389, a 0.243 acre common open space and lot 390 as recorded in Map Book 30 Page 109 or as revised in Map Book 32 Page 471 and Map Book 36 Page 333 (the following aforesaid lots 369 and 370 were revised and recorded in Map Book 32 Page 471 and lots 374, 375 and lot 376 were revised and recorded in Map Book 36 Page 333); thence continuing along and with the property line as defined by the aforesaid High Water Line of elevation 648.00 with lots 392 through 401 as recorded in Map Book 30 Page 107 to a point, said point being the Northeasterly corner of said lot 401, (aforesaid lot 393 was declared as a common open area as recorded in Map 30 Page 705); thence continuing along and with the property line of the City of Charlotte as defined by the High Water Line of elevation 647.50 as recorded in Map Book 26 Page 226 and Map Book 22 Page 897 to a point, said point being the Westerly most corner of Tract B as shown in recorded Map Book 30 Page 325; thence continuing along and with the property line of said Tract B and Tract C as defined by the aforesaid High Water Line of elevation 647.50 as shown in recorded Map Book 30 Page 325 to a point, said point being located on the Westerly property line of lot 20 as shown and recorded in Map book 25 Page 877 said point also being located N03-47-31W 48.67 feet from the Southwesterly property corner of said lot 20; thence continuing in a Southerly direction leaving aforesaid High Water Line and with the Westerly property line of said lot 20 as recorded in said Map Book 25 Page 877 South 03-47-31 East 48.67 feet to a point, said point being the Southwesterly most corner of said lot 20 and also being the Northwesterly corner of lot 19 as recorded in said Map Book 25 page 877; thence continuing in a Southerly direction along and with the Westerly property line of said lot 19 South 03-47-31 East 253.20 feet to a point, said point being the Southwesterly most corner of said lot 19 and also being a common corner with lots 2 and 3 of MOUNTAIN POINT, PHASE 1, Map 1 recorded in Map Book 23 Page 60; thence in a Westerly direction with a bearing and distance of South 86-03-20 West 319.41 feet along and with the Northerly property line of said lot 2 and lot 1 of said MOUNTAIN POINT, PHASE 1 to a point said point being the Northwesterly most corner of lot 1 of said Map Book 23 Page 60 and also being located 30 feet east of perpendicular to the centerline of Abernathy Road thence in a Southerly direction

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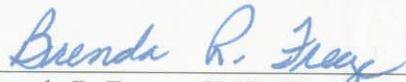
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along and with a line 30 feet East of and parallel to the centerline of Abernathy Road crossing Mountain Point Lane approximately 1,960 feet to the point and place of beginning.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 935-939.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.



Brenda R. Freeze, CMC, City Clerk

A RESOLUTION STATING THE INTENT OF THE CITY OF CHARLOTTE TO CONSIDER ANNEXATION OF THE BROOKSHIRE WEST AREA, AS DESCRIBED HEREIN, AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION

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

Section 1. That it is the intent of the City Council of the City of Charlotte to consider annexation of the area known as Long Creek as described in Exhibit A, attached hereto and incorporated herewith in this resolution, pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina.

Section 2. That a public informational meeting on the question of annexing the attached described area will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at 7:00 o'clock p.m. on Thursday, September 9, 2004, at which time plans for extending services to said area will be explained and all persons resident or owning property in said area and all residents of the City of Charlotte will be given an opportunity to ask questions and receive answers regarding the proposed annexation.

Section 3. That a public hearing on the question of annexing the attached described area will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at 7:00 p.m. on Monday, October 11, 2004, at which time plans for extending services to said area will be explained and all persons resident or owning property in said area and all residents of the City of Charlotte will be given an opportunity to be heard.

Section 4. That a report of plans for extending services to the attached described area be made available for public inspection at the office of the City Clerk of the City of Charlotte in the Charlotte-Mecklenburg Government Center, at least thirty (30) days prior to the date of said public informational meeting. The statement of financial impact contained in the report shall be delivered to the County Clerk of the Mecklenburg County Board of Commissioners at least thirty (30) days prior to the date of the public informational meeting.

Section 5. That there shall be posted in the office of the City Clerk at least thirty (30) days prior to the date of said public informational meeting a legible map of the area to be annexed and a list of persons holding freehold interests in property in the attached described area who have been identified.

Section 6. That notice of said public informational meeting and public hearing shall be given by publication in a local newspaper and by mail as required by law.

APPROVED AS TO FORM:

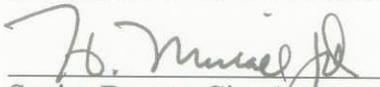

Senior Deputy City Attorney

EXHIBIT "A"

ANNEXATION QUALIFYING AREA FY 2005
BROOKSHIRE WEST AREA

Beginning at a point on the existing CHARLOTTE CITY LIMITS LINE, said point being located at the intersection of the Easterly right-of-way of Rozzelles Ferry Road and the Northerly right-of-way of Mt Holly-Huntersville Road; thence in a Southwesterly direction along the Northwesterly right-of-way line of Mt Holly-Huntersville road with the exist Charlotte City limits line crossing Rozzelles Ferry Road, Country Lane and Harwood Lane approximately 5,932 feet to a point, said point being on the Northwesterly right-of-way line of Mt Holly-Huntersville Road the existing Charlotte Limits Line; thence in a Northwesterly direction N66-20-43W 26.65 feet to a point, said point being the Easterly most corner of lot 01 as recorded in Map Book 30 Page 599; thence continuing in a Northwesterly direction with the existing Charlotte City Limits Line and along and with the Northeasterly property lines of said lots 1 through lot 25 as recorded on said Map Book 30 Page 599 having a bearing and distance of North 66-20-43 West 1,513.59 feet to a point on the Northern line of lot 24; thence N67-02-21W 149.93 feet to a point, said point being the Northwesterly corner of said lot 25 and also being the Northeasterly corner of lot 50 as recorded in Map Book 33 Page 75; thence continuing in a Northwesterly direction along and with a portion of the Northerly property line of said lot 50 N67-02-21W 48.20 feet to a point, said point being the Southwesterly most corner of Deed Book 5721 Page 207 and also being the Southeasterly most corner of Deed Book 13301 Page 444; thence leaving the existing Charlotte City Limits Line in a Northwesterly direction along and with the Westerly property line of said Deed Book 5721 Page 207 with the following (3) bearings and distances: (1) N36-29-00W 298.68 feet to a point, (2) N18-53-00W 104.79 feet to a point, (3) N12-42-00W 86.19 feet to a point, said point being the Northwesterly most corner of said Deed Book 5721 Page 207 and also being the Southwesterly most corner of Deed Book 3614 Page 896; thence in a Northerly direction along and with the property line of said Deed Book 3614 Page 896 with the following (6) bearings and distances: (1) N12-42-00W 111.31 feet to a point, (2) N39-25-00W 54.20 feet to a point, (3) N04-42-00E 134.80 feet to a point, (4) N36-20-00E 152.61 feet to a point, (5) N89-11-00E 202.38 feet to a point, (6) S31-24-00E 197.13 feet to a point, said point being the easterly most corner of said Deed Book 3614 Page 896 located on the Northwesterly line of Deed Book 9043 Page 900 as shown on Map Book 28 Page 478; thence in a Northeasterly direction along and with the Northerly property line of said Deed Book 9043 Page 900 with the following (4) bearings and distances: (1) N57-59-42E 306.05 feet to a point, (2) S86-59-45E 290.62 feet to a point, (3) N77-58-24E 187.46 feet to a point, (4) S38-32-55E 138.82 feet to a point, said point being located on the Westerly property line of Deed Book

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6661 Page 191; thence in a Northerly direction along the Westerly property line of said Deed Book 6661 Page 191, N14-26-30E 273.44 feet to a point, said point being the Southwesterly corner of Deed Book 13681 Page 23; thence in a North Northeasterly direction along and with the Westerly property line (extended) of said Deed Book 13681 Page 231 and also crossing Harwood Lane with a bearing and distance of N03-16-00E approximately 410 feet to a point, said point being located on the Northerly margin of said Harwood Lane; thence in a Southeasterly direction along and with the Northerly margin of said Harwood Lane approximately 80 feet to a point, said point being the intersection point of the Northerly margin of Harwood Lane and the Westerly margin of Lakeview Lane; thence in a Northeasterly direction along and with the Westerly margin of Lakeview Lane approximately 780 feet to a point said point being the Easterly most corner of Deed Book 3852 Page 767 and also being located on the Southerly property line of Deed Book 14607 Page 290; thence in Northeasterly direction crossing said Lakeview Lane along and with the Northerly property line of Deed Book 3649 Page 139, N77-46-16E approximately 550 feet to a point, said point being the Northeasterly most corner of said Deed Book 3649 Page 139 and also being the Northwesterly corner of a common open space recorded in Map Book 39 Page 761; thence along and with the Northerly property line of said common open space N75-49-03E 44.44 feet to a point, said point being the Northeasterly most corner of said common open space located on the Westerly right-of-way and at the terminus of Harwood Hills Lane; thence in a Southeasterly direction along and with the Westerly right-of-way of Harwood Hills Lane with the follow (2) bearings and distances: (1) S41-14-17E 25.37 feet to a point, (2) with a curve to the right having a radius of 375 feet an arc length of 24.56 feet and a chord bearing of S39-21-43E 24.55 feet to a point, said point being located on the Westerly right-of-way of Harwood Hills Lane; thence in a Northeasterly direction crossing said Harwood Hills Lane N52-30-54E 50.02 feet to a point, said point being the Westerly most corner of lot 40 as shown on Map Book 39 Page 761 and also being located on the Easterly right-of-way of said Harwood Hills Lane; thence in a Northeasterly direction along and with a portion of the Northwesterly property line of said lot 40 N52-30-54E 63.29 feet to a point, said point being the Southwesterly most corner of an 8.407 acre common open space as shown on Map Book 38 page 759; thence in a Northerly direction along and with the Westerly property line of said 8.407 acre common open space N04-39-02E 192.20 feet to a point; thence N14-29-09W 681.95 feet to a point, said point being the Northwesterly most corner of the said 8.407 acre common open space and also being the Southwesterly corner of a 0.807 acre common open space as shown on Map Book 38 page 757; thence continuing in a Northerly direction along and with the Westerly property line of said 0.807 acre common open space N14-29-09W 242.54 feet to a point; thence N36-10-50E 167.02 feet to a point, said point being the Northwesterly corner of Lot 114 as shown on said Map Book 38 Page 757 and also being the

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Southwesterly corner of Lot 99 as shown on Map Book 37 Page 559; thence in a Northerly direction along and with said lot 99, 98, 97, 96, 95, a portion of lot 92 and lots 91, 90, 89 and 88 as shown in aforesaid Map Book 37 Page 559 with the following (5) bearings and distances: (1) N00-47-23E 305.54 feet to a point, (2) N77-54-13E 295.34 feet to a point, (3) N05-38-27W 149.00 feet to a point, (4) N48-21-29E 186.63 feet to a point, (5) S84-57-54E 183.35 feet to a point, said point being the Northeasterly most corner of said Lot 88 and also being the Northwesterly corner of lot 78 and the Southwesterly corner of lot 77 as shown on Map Book 36 Page 313; thence in a Northwesterly direction along and with said lots 77, 76, 75 and 74 with the following (3) bearings and distances: (1) N09-24-06W 102.08 feet to a point, (2) N19-45-59E 98.30 feet to a point, (3) N48-21-30 E 194.30 feet to a point, said point being the Northerly most corner of said lot 74 as shown on said Map Book 36 Page 313 located on the Southerly right-of-way line of Winding River Drive; thence in a Northwesterly direction along and with the Southerly right-of-way line of Winding River Drive N57-04-53W 363.10 feet to a point as shown on Map Book 40 Page 809 said point being the Northwesterly corner of a 0.423 acre common open space located on the Southerly right-of-way line of said Winding River Drive as shown on Map Book 40 Page 809; thence in a Southwesterly direction along and with the Northwesterly property line of said 0.423 acre common open space S48-21-30W 170.36 feet to a point, said point being the Southwesterly corner of said 0.423 acre common open space; thence along and with the Southerly property lines of lots 87, 86, 85, 84, 83, 82, 81, 80 and lot 79 with the following (6) bearings and distances: (1) N41-38-30W 136.80 feet to a point, (2) N72-08-59W 140.09 feet to a point, (3) N81-25-43W 70.14 feet to a point, (4) S89-17-32W 140.08 feet to a point, (5) S76-55-13W 141.49 feet to a point, (6) S69-22-03W 41.52 feet to a point, said point being the Southerly most corner of said lot 79 as shown on said Map Book 40 Page 809; thence N20-37-57W 120.00 feet to a point, said point being the Northwesterly corner of lot 79 and also being located on the Southerly right-of-way of Winding River Drive as shown on Map Book 40 Page 809, thence S69-22-03W 225.72 feet along and with the Southerly right-of-way line of Winding River Drive to a point said point being the Northeasterly corner of lot 55 as shown on said Map Book 40 Page 809, thence along and with the Northeasterly property line of said lot 55 S20-37-57E 120.00 feet to a point said point being the Southeasterly corner of said lot 55; thence along and with the Southeasterly property line of said lot 55 and lot 54, S 69-22-03W 190.21 feet to a point, said point being the Southwesterly corner of said lot 54 also being located on the Easterly right-of-way line of Carver Falls Road; thence in a Southerly direction with the Easterly right-of-way line of Carver Falls Road approximately 85 feet to the intersection of the Southerly line of lot 22 (extended) as shown on Map Book 40 page 807; thence crossing Carver Falls Road with the Southern line of lot 22 (extended) N71-05-54W approximately 50 feet to a point, said

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point being the Westerly right-of-way line of Carver Falls Road and also being Southeasterly corner of lot 22 as shown on Map Book 40 Page 807; thence in a Northwesterly direction with the Southerly property line of said lot 22 N71-05-54W 133.97 feet to a point, said point being the Southwesterly corner of said lot 22; thence in a North Northwesterly direction along and with the rear property lines of lots 22, 21, 20, 19, 18, 17, 16, 15, 14, 13, 12, 11, 10 and lot 9 with the following (8) bearings and distances: (1) N02-57-01W 48.80 feet to a point, (2) N02-16-34W 53.00 feet to a point, (3) N12-15-19W 68.88 feet to a point, (4) N03-33-53W 165.42 feet to a point, (5) N33-24-39W 36.46 feet to a point, (6) N42-37-11W 220.00 feet to a point, (7) N43-42-32W 50.88 feet to a point, (8) N 55-03-55W 106.81 feet to a point, said point being the Westerly most corner of said lot 9 as shown on said Map Book 40 Page 807; thence in a Northeasterly direction with the Northwesterly line of lot 9 and a 2.049 acre common open space N34-56-05E 125.00 feet to a point, said point being the Northwesterly corner of said lot 9 and also being located on the Southwesterly right-of-way line of Carver Falls Road; thence along the Southwesterly right-of-way line of Carver Falls Road, N55-03-55W 60.00 feet to a point, said point being the Northwesterly corner of the 2.049 acre common open space as shown on Map Book 49 Page 807 and also being the Northeasterly corner of lot 8 as shown on Map Book 40 Page 631; thence with the Southeasterly line of lot 8 and the Northwesterly line of the 2.049 acre common open space, S34-56-05W 176.20 feet to the Southeasterly corner of lot 8 as shown on Map Book 40 Page 631; thence in a Northwesterly direction along and with the Southwesterly property line of said lot 8 and lots 7, 6, 5, 4, 3, 2, 1 and a 0.039 Acre common open space, N31-29-13W 574.77 feet to a point, said point being the Southwesterly most corner of said 0.039 acre common open space located on the Easterly right-of-way line of Hart Road; thence continuing with said line being N31-29-13W to a point of intersection with the Westerly right-of-way of said Hart Road; thence in a Northerly direction meandering along and with the said Westerly right-of-way line of Hart Road approximately 1,120 feet to a point, said point being the Southerly most corner of Lot 1, Block L as shown on Map Book 8 Page 407 and also being located on the said Westerly right-of-way line of Hart Road; thence in a Northwesterly direction along and with the Southwesterly property lines of said lot 1 and lots 2, 3, 4, 5, 6, 7, 8, 9 and lot 10 with a bearing and distance of N55-04-00W 975.75 feet to a point, said point being the Westerly most corner of said Lot 10, block L as shown on said Map Book 8 Page 407 and also being the Southerly most corner of the property described in Deed Book 6379 Page 885; thence continuing in a Northwesterly direction along and with the Southwesterly property line of said Deed Book 6379 Page 885 with a bearing and distance of N55-00-46W 729.09 feet to a point, said point being the Northwesterly most corner of said Deed Book 6379 Page 885 located on a portion of the Southerly property line of a 2.655 acre common open space as shown on Map Book 34 Page 687, thence in a

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Westerly direction along and with the rear property lines of said 2.655 common open space and lots 318, 319, 320, 321, 322, 323, 324, 325 and lot 326 with the following (6) bearings and distances: (1) S71-03-00W 498.43 feet to a point, (2) S71-03-00W 107.84 feet to a point, (3) S71-45-49W 651.31 feet to a point, (4) N28-54-23W 154.13 feet to a point, (5) N28-54-15W 113.33 feet to a point, (6) N42-56-45W 247.19 feet to a point, said point being the Westerly most corner of said lot 326 and also being the Southerly most corner of property as described in Deed Book 7433 Page 662 and also shown on Map Book 25 Page 627; thence along and with the Westerly property line of said Deed Book 7433 Page 662 as shown on said Map Book 25 Page 627 with the following (20) bearings and distances: (1) N38-35-31W 479.17 feet to a point, (2) N70-23-45W 135.13 feet to a point, (3) N29-43-59W 409.61 feet to a point, (4) N40-10-36E 122.80 feet to a point, (5) N45-53-19W 336.22 feet to a point, (6) N45-53-18W 68.95 feet to a point, (7) N20-24-42W 12.33 feet to a point, (8) N26-23-02E 14.98 feet to a point, (9) N30-21-39W 25.99 feet to a point, (10) N40-26-39W 77.48 feet to a point, (11) N56-21-35W 31.84 feet to a point, (12) N34-39-39W 20.19 feet to a point, (13) N28-59-52W 52.95 feet to a point, (14) N06-49-56W 19.43 feet to a point, (15) N49-06-40W 55.66 feet to a point, (16) N10-40-34W 18.85 feet to a point, (17) N27-09-04E 34.24 feet to a point, (18) N48-01-14E 99.35 feet to a point, (19) N31-28-41E 80.25 feet to a point, (20) N17-42-46E 33.79 feet to a point, said point being located on the Easterly property line of said Deed Book 7433 Page 662 as shown on said Map Book 25 Page 627 and also being the Westerly most corner of lot 78 as recorded in Map Book 29 Page 570, said point also marking the Duke Power Co. Project Limits for Mountain Island Lake (established by Survey of 647.50' contour as of December 1996) as shown on aforesaid Map Book 29 Page 570; thence in a Northeasterly direction meandering along and with property lines which are on the Duke Power Company's 647.50 contour line approximately 13,817 feet as shown on the following (4) recorded Map Books; (1) lots 78 through 50 and a 4.181 acre common open space in Block 1 as shown in Map Book 29 Page 570; (2) lots 49 through 34 and a 0.280 acre common open space in Block 1 as shown in Map Book 29 Page 529 (revised in Map Book 34 Page 146) (3) lots 33 through a 2.903 acre common open space, Block 1 as shown in Map Book 28 Page 988 (revised in Map Book 34 Page 146), (4) Lots 23 through 01, Block 1 as shown in Map Book 28 Page 987 to a point being the Northern most corner of lot 1 and the Westerly most corner of a parcel of land described in Deed Book 8902 Page 781; thence continuing along the 647.5 foot contour with the Northerly line of Deed Book 8902 Page 781, the following (2) bearings and distances: (1) N03-48-34E, 7.19 feet to a point, (2) N22-09-43E, 28.03 feet to a point, said point being the Northern most corner of Deed Book 8902 Page 781 and the Western most corner of a parcel of land described in Deed Book 6936 Page 834; thence meandering along and with the said Northerly property line of said Deed Book 6936 Page 834 with the following (11) bearings and distances: (1) N28-40-18E 189.41 feet to a point, (2) S46-05-

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47E 171.93 feet to a point, (3) S63-28-22E 49.15 feet to a point, (4) S60-16-13E 66.85 feet to a point, (5) S71-15-02E 66.84 feet to a point, (6) N45-45-37W 175.61 feet to a point, (7) N20-53-53W 118.34 feet to a point, (8) N22-30-47W 97.74 feet to a point, (9) N16-31-04E 52.20 feet to a point, (10) N63-39-31E 108.85 feet to a point, (11) N66-33-35E 170.91 feet to a point, said point the Northeasterly most corner of said Deed Book 6936 Page 834 located within the controlled access right-of-way of New N.C. Highway 16; thence continuing with said bearing N66-33-35E approximately 360 feet to the Easterly right-of-way of New N.C. Highway 16; thence in a South Southeasterly direction along and with the Easterly right-of-way of New N.C. Highway 16 approximately 3,928 feet to a point, said point being the intersection of the said Easterly right-of-way line of New N.C. Highway 16 with the Northwesterly right-of-way of Haymarket Road as shown on Map Book 40 Page 49; thence in a Southeasterly direction crossing said New N.C. Highway 16 approximately 502 feet to a point, said point being the intersection point of the Southerly right-of-way line of said New N.C. Highway 16 and the Easterly right-of-way line of Rozzelles Ferry Road as shown on Map Book 37 Page 501; thence in a South Southeasterly direction along and with the Easterly margin of said Rozzelles Ferry Road crossing Vinnie's Way, Tema Circle and Muscadine Lane and Dunn Commons Parkway approximately 6,840 feet to the Point and Place of Beginning.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 940-946.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.


Brenda R. Freeze, CMC, City Clerk

A RESOLUTION STATING THE INTENT OF THE CITY OF CHARLOTTE TO CONSIDER ANNEXATION OF THE STEELE CREEK NORTH AREA, AS DESCRIBED HEREIN, AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION

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

Section 1. That it is the intent of the City Council of the City of Charlotte to consider annexation of the area known as Long Creek as described in Exhibit A, attached hereto and incorporated herewith in this resolution, pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina.

Section 2. That a public informational meeting on the question of annexing the attached described area will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at 7:00 o'clock p.m. on Thursday, September 9, 2004, at which time plans for extending services to said area will be explained and all persons resident or owning property in said area and all residents of the City of Charlotte will be given an opportunity to ask questions and receive answers regarding the proposed annexation.

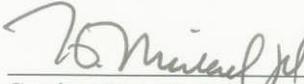
Section 3. That a public hearing on the question of annexing the attached described area will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at 7:00 p.m. on Monday, October 11, 2004, at which time plans for extending services to said area will be explained and all persons resident or owning property in said area and all residents of the City of Charlotte will be given an opportunity to be heard.

Section 4. That a report of plans for extending services to the attached described area be made available for public inspection at the office of the City Clerk of the City of Charlotte in the Charlotte-Mecklenburg Government Center, at least thirty (30) days prior to the date of said public informational meeting. The statement of financial impact contained in the report shall be delivered to the County Clerk of the Mecklenburg County Board of Commissioners at least thirty (30) days prior to the date of the public informational meeting.

Section 5. That there shall be posted in the office of the City Clerk at least thirty (30) days prior to the date of said public informational meeting a legible map of the area to be annexed and a list of persons holding freehold interests in property in the attached described area who have been identified.

Section 6. That notice of said public informational meeting and public hearing shall be given by publication in a local newspaper and by mail as required by law.

APPROVED AS TO FORM:



Senior Deputy City Attorney

EXHIBIT "A"ANNEXATION QUALIFYING AREA FY 2005
STEELE CREEK NORTH AREA

Beginning at a point on the Exiting Charlotte City limits line, being on the Northerly right-of-way line of Shopton Road West, being approximately 430 feet Easterly from the intersection with the center of Withers Cove, also being the Southwesterly corner of a portion of Deed Book 911, page 426, as represented by Tax Parcel# 199-211-01; Thence along the Westerly line of said Deed in a Northwesterly direction approximately 465 feet to the Southwesterly corner of Lot 60 as revised in Map Book 33, page 371; Thence along the Westerly line of said Lot the following two (2) calls: 1) North 1-36 West 138.83 feet, 2) North 17-18-16 East 120.86 feet to a point on the Southerly line of Lot 59, Map Book 31, page 5; Thence along said line, South 65-35-58 West 82.91 feet to the Southwesterly corner thereof; Thence along the Westerly line of said lot, North 23-09-39 West 26.91 feet to the Southeasterly corner of Lot 58, Deed Book 2095, page 597; Thence along the rear lines of Lots 58 through a portion of 54, the following five (5) calls: 1) South 49-25 West 135.85 feet; 2) North 53-12 West 231.11 feet; 3) North 41-20 West 210.00 feet; 4) North 25-53 East 210.14 feet; 5) North 47-07 East 58.25 feet to the Southerly corner of Tract B, Map Book 30, page 269; Thence along the Southerly line of Lots 42 and 41 of said Map, South 87-45-18 West 129.16 feet to the common corner of Lots 41 and 42 of said Map; Thence North 64-07 West 158.03 feet to the Southwesterly corner of Lot 41; Thence with the rear lines of Lots 40 through 36, Deed Book 1844, page 535 the following six (6) calls: 1) North 76-50 West 198.99 feet; 2) North 31-33 West 155.55 feet; 3) North 21-32 East 72.45 feet; 4) North 39-51 East 113.23 feet; 5) North 62-45 East 111.77 feet; 6) North 14-55 East 116.51 feet to the Northeasterly corner of Lot 36 on said map; Thence along the rear lines of Lots 35 through 24, Deed Book 1844, pages 589 and 621 the following thirteen (13) calls: 1) North 50-40 East 64.72 feet; 2) North 66-37 East 150.23 feet; 3) North 58-45 East 140.61 feet; 4) North 66-50 East 138.86 feet; 5) North 79-49 East 132.74 feet; 6) South 89-31 East 88.11 feet; 7) North 15-50 West 76.36 feet; 8) North 83-15 West 125.64 feet; 9) North 56-59 West 115.41 feet; 10) North 1-27 East 61.14 feet; 11) North 2-44 East 189.97 feet; 12) North 45-15 East 151.50 feet; 13) North 66-42 East 77.47 feet to the Northerly corner of said Lot 24; Thence along the Southwesterly line of Deed Book 8646, page 824 the following two (2) calls: 1) North 79-28 West 126 feet; 2) North 29-38 West 82 feet to the Southwesterly corner of Deed Book 12661, page 96; Thence with the rear line of the last said deed, North 29-38 West 49 feet; Thence North 14-25 West 102 feet to the Northwesterly corner of said deed and also being the Southwesterly corner of Deed Book 13277, page 887; Thence with the Northwesterly lines of the last said deed, North 19-49 East 99.71 feet; Thence North 33-50 East 64.78 feet to the Northerly corner of said deed and also being the Northwesterly corner of Deed Book 6171, page 997; Thence with the Northerly line of the last said deed North 85-26 East 101.65 feet; Thence North 66-12 East 83.09 feet to the Northwesterly corner of Lot 9, Deed Book 2654, page 234, said corner also being on the project boundary of Lake Wylie; Thence along the Northerly line Lots 9 through 5 of said plat and boundary of Lake Wylie approximately 611 feet to the Northeasterly corner of Lot 5, also being the Northwesterly corner of Deed Book 5918, page 146; Thence with the Northerly line of said deed, Thence North 21-44 East 119.17 feet; Thence North 45-11-15 East 84.55 feet; Thence North 84-25 East 76.04 feet to the Northeasterly corner thereof, also being the Northwesterly corner of Deed Book 15631, page 185; Thence along the Northerly line of the last said deed, North 86-41-48 East 56.71 feet; Thence North 64-00-11 East 133.02 feet to the Northeasterly corner thereof also being the project boundary of Lake Wylie; Thence following an old boundary

line the following three (3) calls: 1) North 21 West approximately 152 feet; 2) North 63 East approximately 103 feet; 3) North 90 East approximately 296 feet to a point on the 570 foot contour, being the Project boundary of Lake Wylie, and also being on the Westerly line of Deed Book 8265, page 637; Thence with the 570 foot contour the following five (5) calls: 1) along the line of a portion of the last said deed approximately 381 feet; 2) along the Southerly line of Lot 3, Map Book 37, page 411 approximately 146 feet; 3) along the Southerly line of Lots 3 through 13 Map Book 18, page 54 approximately 2418 feet; 4) along the Southerly line of Lots 1 through 6 Map Book 21, pg 583 approximately 792 feet; 5) along the Southeasterly line of Lots 16 and 17, Map Book 18, page 55 approximately 505 feet to the Southwesterly corner said Lot 17 and the Southeasterly corner of parcel 2, Map Book 30, page 373, said point also being on the 570 foot contour; Thence following the Southerly boundary of said map and the 570 contour the following three (3) calls: 1) South 85-30-23 West 22.2 feet; 2) North 72-44-50 West 17.16 feet; 3) South 82-31-05 West 28.84 feet; Thence Southeasterly approximately 25 feet to a point on an undelimited island in Lake Wylie, said island being represented by Tax parcel number 199-402-01; thence in a clockwise direction approximately 2364 feet around the circumference of said island, said island containing 5 acres more or less, to a point 30 feet Northwesterly of last bearing and distance; Thence in a Northeasterly direction approximately 63 feet to a point on the 570 foot contour, said point also being on the Southwesterly line of Map Book 30, page 373 and being 116 feet, along the property line, Northwesterly of the Southeasterly corner of Parcel 2, Map Book 30, page 373; Thence along the 570 foot contour the following thirteen (13) calls: 1) Northwesterly along the Southwesterly line of Parcel 2, Map Book 30, page 373 approximately 430 feet; 2) Northwesterly along the Westerly line of, Lot 21, Area A and B, Map Book 30, page 767 approximately 459 feet; 3) Northeasterly along the Northwesterly line of Lots 4 through 1, 7, and 8 of Map Book 35, page 627 approximately 755 feet to the Northeasterly corner of Lot # 7; 4) Northeasterly along the Northwesterly line of Lots 5 through 7, Map Book 24, page 698 approximately 627 feet; 5) Northeasterly along the Northwesterly line of Lots 5 through 7 of Map Book 35, page 343 approximately 246 feet; 6) Northeasterly along the Northwesterly line of Lot 30 Map Book 18, page 56 approximately 519 feet; 7) Southeasterly along the Northerly line of Lots 3, 2, and 1 of Map Book 34, page 11 approximately 298 feet; 8) Northeasterly along the Westerly line of Lot 33, Deed Book 13997, page 477 and Lots 36 and 37 of Map Book 18, page 56 approximately 1656 feet to the Northwesterly corner of Lot 37; 9) Northwesterly along the Westerly line of Deed Book 13997, pg 477 approximately 1149 feet to the Southwesterly corner of the Emerald Point Condominiums, Unit File 295; 10) Northwesterly along the Westerly and Northerly line of Unit File 295 approximately 1370 feet; 11) Easterly along the Northerly line of Map Book 26, pg 406 approximately 288 feet; 12) along the Northwesterly line of Map Book 18, page 57 approximately 500 feet; 13) along the Northerly line of Map Book 26, page 805 and as revised in Map Book 30, page 787 approximately 1390 feet to the Northeasterly corner of a 3.4 acre common area; Thence leaving the 570 foot contour and along the Easterly line of said common area, South 12-56 East 36.37 feet; Thence South 23-49-01 East 137.59 feet; Thence South 65-15-18 West 417.85 feet to the Northeasterly line of Lot 9, Map Book 26, page 806; Thence along the Northeasterly line of Map Book 26, page 806 the following two (2) calls: 1) South 26-27-56 East 153.47 feet; 2) North 88-31-23 East 76.46 feet to the Northeasterly corner of Lot 6, being the Northwesterly corner of Deed Book 6835, page 118; Thence along the Northerly and Easterly lines of said deed the following two (2) calls: 1) North 88-15-20 East 288.29 feet; 2) South 4-23-10 West approximately 307 feet to the Northeasterly corner of Deed Book 4658, page 980; Thence along the Northerly line of said deed South 53-45-01 East 271.53 feet to the Northwesterly corner of Deed Book 11917, page 849; Thence along the Northerly line

of the last said deed South 88-37-29 East 199.30 feet to the Northwesterly corner of Deed Book 6183, page 976; Thence along the Northerly line of the last said deed North 86-27-20 East 199.86 feet to the Northwesterly corner of Deed Book 5015, page 258; Thence along the Northerly line of the last said deed, North 75-38-19 East 207.60 feet to the Northwesterly corner of Deed Book 5070, page 632; Thence along the Northerly line of the last said deed North 75-38-19 East 206.11 feet to the Northwesterly corner of Deed Book 4303, page 317; Thence along the Northerly line of the last said deed, North 79-03-28 East 200.03 feet to the Southwesterly corner of Deed Book 5566, page 722; Thence along the Westerly, Northerly and Easterly lines of the last said deed the following three (3) calls: 1) North 00-56-49 West 217.69 feet; 2) North 81-52-50 East 201.46 feet; 3) South 00-49-55 East 217.74 feet to the Northwesterly corner of Deed Book 6553, page 689; Thence along the Northerly line of the last said deed, North 86-43 East 200.14 feet to the Northwesterly corner of Deed Book 9561, page 739; Thence along the Northerly and Easterly line of the last said deed the following 2 calls: 1) North 86-43 East 200 feet; 2) South 00-38 East 471 feet to the Southerly right-of-way of Rock Island Road; Thence along the Southerly right-of-way of said road the following five (5) calls: 1) South 87-19-25 East approximately 8 feet; 2) South 83-44-55 East 14.99 feet to the Northeasterly corner of Deed Book 5176, page 853; 3) South 80-44-55 East 83.22 feet; 4) South 80-44-25 East 98.44 feet; 5) South 84-02-32 East 3.56 feet to the Northeasterly corner of Deed Book 10597, page 796; Thence along the Easterly line of said deed along with Deed Book 6126, page 978, Deed Book 4966, page 564, Deed Book 5839, page 863, and Deed Book 13991, page 491, South 11-37-50 West 1172.29 feet to the Northerly line of Lot 14, Block 13, Map Book 39, page 994; Thence with said Northerly line of a portion of Lot 14 and Lots 13 through 1 of Block 13, crossing the right-of-way of Chapeclane Road and with the Northerly line of Lots 24 through 11 of Block 12 of said map, South 86-14-26 East 1765.56 feet to the Northwesterly corner of Lot 8, Block 12, Map Book 38, page 889; Thence with the Northerly lines of Lots 8 through 5 of said Block 12, South 86-14-26 East 436.3 feet; to the Northeasterly corner of said Lot 5; Thence along the Easterly line of said Lot South 5-30-53 West 51.82 feet to the Northerly right-of-way line of Shopton Road West; Thence Northeasterly along said Northerly right-of-way line, crossing Rock Island Road, approximately 2870 feet to the intersection of the Easterly line of Deed Book 15881, page 56; Thence crossing the right-of-way of said Road in a Southerly direction approximately 61 feet to a point on the southerly right-of-way line of Shopton Road West, said point being Northwesterly corner of Deed Book 1531, page 185; Thence with the Northerly line of said deed the following two (2) calls: 1) South 85-45 East 837 feet; 2) South 82-18 East 617.4 feet to the Easterly corner thereof, also being the Northwesterly corner of Deed Book 1685, page 88; Thence with the Northerly line of the last said deed the following two (2) calls: 1) South 82-18 East 135.1 feet; 2) South 85-03 East 292.4 feet to the Northwest corner of Lot 1 in Block "A", Map Book 8 page 21, also being on the existing Charlotte City limits line; Thence with said City limits line the following thirty-eight (38) calls:

- 1) South 15-52 West 285.6 feet to the Southerly most corner of said Deed Book 1685 page 88 and also being the Northeasterly corner of Lot 3B and also being the Westerly most corner of Lot 3A Block "A" recorded in Map Book 8 page 21; 2) North 60-42 West 552.27 feet to the Northerly most corner of Lot 5 in Block "A" of Map Book 8 page 21 and also being the Northwesterly most corner of Deed Book 1685 page 88; 3) in a Southwesterly direction with the Northerly boundary line of Lots 5 through 7 in said Block "A" South 70-58 West 105.35 feet; 4) South 65-08 West 212.43 feet; 5) South 72-23 West 235.50 feet to the Northeasterly corner of said Lot 8 in Block "A" of Section one of Riverdale recorded in Map Book 8 page 23 and also being the Northwesterly corner of Lot 7 in Block "A" of Section one of Riverdale recorded in

Map Book 8 Page 21; 6) Southwesterly following along the Northerly boundary line of said Lot 8 through Lot 10 in Block "A" South 59-50 West 220 feet; 7) South 47-37 West 188.11 feet; 8) South 40-02 West 220.51 feet; 9) South 60-25 West 472.25 feet to the Northwesterly corner of Lot 10; 10) along the Westerly boundary line of Lots 10 through 15 in Block "A", South 5-20 West 1146.91 feet to the Southwest corner of said Lot 15; 11) along the Southerly boundary line of Lot 15 and crossing Riverdale Drive, South 88-34 East 512.76 feet to the Northwest corner of said Deed Book 4118 Page 917 and also being the Southwest corner of Lot 14 in Block "B" of Section One of Riverdale recorded in Map Book 8 page 23 located on the Easterly right-of-way of Riverdale Drive; 12) along the Westerly boundary line of said Deed Book 4118 page 917 South 2-42-54 West 504.15 feet to a point, said point being the Southwest corner of Deed Book 4118 page 917; 13) along the Southerly boundary line of said Deed Book 4118 page 917 South 88-30-41 East 434.86 feet to a point being the southeast corner of Deed Book 4118, page 917 and the southwest corner of Lot 10, Map Book 11, page 193 and also being located on the northern right-of-way line of Cecilia Lane; 14) Southerly crossing Cecilia Lane approximately 60 feet to the Southerly right-of-way line of Cecilia Lane also being the Northwest corner of said Lot 2 of Cecilia Lane Subdivision Map 2, Map Book 29 Page 567; 15) along the Westerly boundary line of said Lot 2 South 3-49-42 West 200 feet to the Southwest corner of said Lot 2; 16) along the Southerly boundary line of Lots 1 and 2 North 81-37 East 241.22 feet to the Southeast corner of Lot 1 of Map Book 29, page 567 and also being the southwest corner of Lot 1 Cecilia Lane subdivision Map 1, Map Book 27, page 699; 17) Easterly along the Southerly boundary of said recorded map North 81-37-02 East 794.82 feet; to the Southeasterly corner of said Lot 1 and the Southwesterly corner of Lot 2 of said map; 18) Easterly along the Southerly boundary line of said Lot 1, North 81-37 East 142.02 feet; 19) South 55-44 East 244.08 feet to the southeast corner of said Lot 2, also being on the Westerly right-of-way line of Steele Creek Road; 20) along said right-of-way in a Southerly direction approximately 4780 feet to the Northeasterly corner of Deed Book 5110, page 242; 21) along the Northerly line of the last said deed North 89-50 West 586.02 feet to the Northwesterly corner thereof; 22) along the Westerly line of said deed South 00-10 West 370 feet to the Southwesterly corner thereof, also being on the Northerly right-of-way line of Ed Brown Road; 23) along said Northerly right-of-way line, in a Westerly direction approximately 550 feet to the Southeasterly corner of Map Book 20, page 314; 24) along the Easterly line of said map North 9-46-45 East 1254.59 feet to the Northeasterly corner thereof; 25) along the Northerly line of said map North 58-28-03 West 931.58 feet to the Northerly corner thereof, also being the Southeasterly corner of Deed Book 3819, page 261; 26) along the Easterly line of said deed North 32-41-49 West 575 feet to the Southeasterly corner of Deed Book 4898, page 500; 27) along the Easterly line of the last said deed North 32-41-49 West 553.27 feet to the Northeasterly corner of said deed and being on the Southerly line of Lot 2, Map Book 21, page 570; 28) along the Southerly line of Lots 2 and 1 of said map, South 88-49-16 East 629.98 feet to the Southeasterly corner of Lot 1; 29) along the Easterly line of said Lot 1 North 1-16-28 East 600.01 feet to the Northeasterly corner thereof; 30) along the Northerly line of Lot 1 North 88-44-02 West 525.06 feet to the Northwesterly corner of Lot 1 of said map; 31) along the Easterly line of said Lot 6, 7, and 10 North 00-30-20 West 831.69 feet to the Northeasterly corner of said Lot 10; 32) along the Northerly line of Lots 10 and 9 North 89-33-43 West 686.47 feet to a point on the Northerly line of Lot 9; 33) along the Northerly line of Lot 9 of said map South 86-34-05 West 620.71 feet to the Northwesterly corner thereof; 34) along the Westerly line of said Lot 9 South 1-25-45 East 96.98 feet to the Northeasterly corner of Lot 2, Map Book 26, page 85; 35) along the Northerly line of said map South 85-41 West 369.46 feet to the Easterly right-of-way line of Ed Brown Road; 36) along said right-of-way in a Northerly

direction approximately 530 feet to the Southerly right-of-way line of Shopton Road West; 37) crossing said right-of-way line approximately 60 feet to the Northerly right-of-way line thereof; 38) along said Northerly right-of-way line of Shopton Road West in a Westerly direction approximately 3630 feet to the Point of Beginning.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 947-952.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.



Brenda R. Freeze, CMC, City Clerk

A RESOLUTION STATING THE INTENT OF THE CITY OF CHARLOTTE TO CONSIDER ANNEXATION OF THE STEELE CREEK SOUTH AREA, AS DESCRIBED HEREIN, AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION

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

Section 1. That it is the intent of the City Council of the City of Charlotte to consider annexation of the area known as Long Creek as described in Exhibit A, attached hereto and incorporated herewith in this resolution, pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina.

Section 2. That a public informational meeting on the question of annexing the attached described area will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at 7:00 o'clock p.m. on Thursday, September 9, 2004, at which time plans for extending services to said area will be explained and all persons resident or owning property in said area and all residents of the City of Charlotte will be given an opportunity to ask questions and receive answers regarding the proposed annexation.

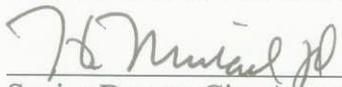
Section 3. That a public hearing on the question of annexing the attached described area will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at 7:00 p.m. on Monday, October 11, 2004, at which time plans for extending services to said area will be explained and all persons resident or owning property in said area and all residents of the City of Charlotte will be given an opportunity to be heard.

Section 4. That a report of plans for extending services to the attached described area be made available for public inspection at the office of the City Clerk of the City of Charlotte in the Charlotte-Mecklenburg Government Center, at least thirty (30) days prior to the date of said public informational meeting. The statement of financial impact contained in the report shall be delivered to the County Clerk of the Mecklenburg County Board of Commissioners at least thirty (30) days prior to the date of the public informational meeting.

Section 5. That there shall be posted in the office of the City Clerk at least thirty (30) days prior to the date of said public informational meeting a legible map of the area to be annexed and a list of persons holding freehold interests in property in the attached described area who have been identified.

Section 6. That notice of said public informational meeting and public hearing shall be given by publication in a local newspaper and by mail as required by law.

APPROVED AS TO FORM:



Senior Deputy City Attorney

EXHIBIT "A"

ANNEXATION QUALIFYING AREA FY 2005
STEELE CREEK SOUTH AREA

To get to the Point of Beginning; commencing from the intersection of the centerline of Greenway Industrial Drive with the Mecklenburg County, North Carolina / York County, South Carolina line, proceed Southwest approximately 415 feet to a point, said point being the Southwesterly corner of Tract A as shown on Map Book 24 Page 366 or as described in Deed Book 11610 Page 785 also being the Southeasterly corner of Deed Book 10185 Page 630 located on the existing Charlotte City limits line; thence leaving the existing Charlotte City limits line continuing in a Southwesterly direction along and with the Mecklenburg County, North Carolina / York County, South Carolina line approximately 13,672 feet, crossing Hamilton Road, Hamilton Place Drive and Steele Creek Road to a point, said point being the intersection of the Westerly right-of-way line of Steele Creek Road and the Mecklenburg County, North Carolina / York County, South Carolina line; thence leaving the said Mecklenburg County, North Carolina / York County, South Carolina line in a North Northwesterly direction along and with the Westerly right-of-way line of Steele Creek Road approximately 4,276 feet to a point, said point being the intersection of the Westerly right-of-way line of Steele Creek Road and the Southerly right-of-way line of Hamilton Road; thence in a Westerly direction along and with the Southerly right-of-way line of Hamilton Road approximately 1,252 feet to a point, said point being the intersection of the Southerly right-of-way line of Hamilton Road with the Westerly property lines of lots 1, 2 and 3 (extended) having a bearing of S25-29E as shown on Map Book 34 Page 310; thence in a Northwesterly direction with said line of N25-29W approximately 60 feet to a point, said point being the Northerly right-of-way line of Hamilton Road also being the approximate Southerly corner of said lot 1 as shown on Map Book 34 Page 310; thence continuing in a Northwesterly direction along and with the Westerly property lines of said lots 1, 2 and 3, N25-29W 489.14 feet to a point, said point being the Northwesterly most corner of said lot 3 also being located on the Southerly property line of lot 62 as shown on Map Book 24 Page 81; thence along and with the Southerly and Southwesterly property lines of lots 62, 67, 68, 69, 73 and 74 with the following 2 bearings and distances: (1) S61-22-53W 523.36 feet to a point, (2) N53-28-03W 665.24 feet to a point, said point being the Westerly most corner of said lot 74 and also being the Southeasterly corner of lot 93 as shown on Map Book 26 Page 408; thence continuing with the Southwesterly property lines of lots 93 through 85, N53-28-03W 730.27 feet to a point, said point being the Southwesterly corner of said lot 85 and also being the Southeasterly corner of lot 84 as shown on Map Book 28 Page 481; thence continuing with the property lines of lots 84, 83 and lot 82, crossing future Shopton Road West and with lots 79

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and 78, N53-35-03W 695.12 feet to a point, said point being the Southwesterly most corner of said lot 78 and also being located on the Southeasterly property line of Deed Book 8055 Page 239; thence in a Southwesterly direction along and with the Southwesterly property lines of said Deed Book 8055 Page 239, Deed Book 5039 Page 821 and Deed Book 8055 Page 236 S40-13-36W approximately 1,004 feet to a point, said point being located on the Easterly right-of-way line of Youngblood Road; thence continuing with said bearing of S40-13-36W approximately 65 feet to a point located on the Westerly right-of-way line of Youngblood Road; thence in a Northwesterly direction along and with the Westerly right-of-way line of Youngblood Road approximately 628 feet to a point, said point being the intersection of the Westerly right-of-way line of Youngblood Road and the Southerly right-of-way line of Pleasant Hill Road; thence continuing in a Northwesterly direction along and with the line of the aforesaid Westerly right-of-way line (extended) of Youngblood Road approximately 68 feet to a point on the Westerly right-of-way line of Pleasant Hill Road; thence in a North Northeasterly direction along and with the Westerly right-of-way line of Youngblood Road approximately 2,209 feet to a point, said point being the intersection point of the Westerly right-of-way line of Youngblood Road with the Westerly right-of-way line of Shopton Road West; thence in a North Northwesterly direction along and with the Westerly right-of-way line of Shopton Road West approximately 649 feet to a point, said point being the intersection of the Westerly right-of-way line of Shopton Road West with the Northerly property line of Deed Book 8163 Page 504 and Deed Book 14412 Page 323 (extended); thence in a Northeasterly direction with the extension of said Deed Book 8163 Page 504 and Deed Book 14412 Page 323 crossing said Shopton Road West approximately 60 feet to a point, said point being the Northwesterly corner of said Deed Book 8163 Page 504; thence continuing in a Northeasterly direction along and with the Northerly property line of said Deed Book 8163 Page 504 and Deed Book 14412 Page 323 with the following 2 bearings and distances: (1) N53-30E 369.29 feet to a point, (2) N53-30E 125.71 feet to a point, said point being the Northeasterly corner of said Deed Book 14412 Page 323 and also being the Northwesterly corner of Deed Book 6325 Page 79; thence in a North Northeasterly direction along and with the Northwesterly property lines of said Deed Book 6325 Page 79 and Deed Book 2746 Page 30 with the following 2 bearings and distances: (1) N06-18E 267.20 feet to a point, (2) N07-47-45E 575.66 feet to a point, said point being the Northwesterly corner of said Deed Book 2746 Page 030 and also being the Southwesterly corner of lot 166 as shown on Map Book 33 Page 339; thence in a North Northwesterly direction along and with the Westerly property lines of lots 166, 165 and 164, N23-16-41W 351.45 feet as shown on said Map Book 33 Page 339 to a point, said point being the Northwesterly corner of said lot 164; thence continuing in a North Northwesterly direction along and with the Westerly property line of lots 143, 142, 141, 140, 139

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and lot 138 as shown on Map Book 38 Page 31, N23-16-41W 489.84 feet as shown on Map Book 38 Page 31; thence continuing in said North Northwesterly direction along and with the Westerly property lines of lots 137 through 130, N23-16-41W 576.68 feet as shown on Map Book 38 Page 29 to a point, said point being the Northwesterly corner of said lot 130 and also being located on the Southerly property line of lot 128 as shown on Map Book 37 Page 143; thence in a Northwesterly direction along and with a portion of said lot 128 and lots 127 through 120, N83-18-42W 634.11 feet as shown on Map Book 37 Page 143 to a point, said point being the Southwesterly corner of said lot 120 said point also being located on the Easterly right-of-way line of Shopton Road West; thence continuing with said bearing of N83-18-42W approximately 65 feet crossing said Shopton Road West to a point on the Westerly right-of-way line; thence in a Northerly direction along and with the Westerly right-of-way line of Shopton Road West crossing Four Horse Road approximately 1,000 feet to a point that is the intersection of the Westerly right-of-way line of Shopton Road West with the Northerly property line of lots 43 and 42 (extended) having a bearing of N61-00-27W as shown on Map Book 32 Page 531; thence in a Southeasterly direction crossing Shopton Road West with said bearing of S61-00-27E approximately 68 feet to a point located on the Easterly right-of-way line of Shopton Road West and also being the Northwesterly corner of said lot 43 as shown on said Map Book 32 Page 531; thence along and with the Northerly and Easterly property lines of said lots 43, 42, 41 and a portion of the Ballyshannon Lane right-of-way line with the following 5 bearings and distances: (1) S61-00-27E 201.89 feet to a point, (2) S00-31-53E 95.00 feet to a point, (3) S21-42-03W 64.31 feet to a point, (4) with a curve to the right having a radius of 40.00 feet an arc length of 51.17 feet and a chord bearing and distance of S26-20-16E 47.75 feet to a point, (5) N89-28-07E 160.15 feet to a point, said point being the Northeasterly corner of said lot 41 and also being located on the Westerly property line of lot 34 as shown on Map Book 32 Page 184; thence in a Northeasterly direction along and with said lot 34 and lot 33, N32-52-26E 174.95 feet to a point, said point being the Northerly most corner of said lot 33 and also being the Southwesterly corner of lot 32 as shown on Map Book 32 Page 531; thence along and with said lot 32 through 30, N32-52-26E 458.30 feet to a point, said point being the Northerly most corner of said lot 30 and also being the Southeasterly corner of lot 1 as shown on Map Book 32 Page 771; thence along and with the property line of said lot 1 with the following 2 bearings and distances: (1) N44-25-34W 82.00 feet to a point, (2) N45-34-26E 159.21 feet to a point, said point being the Northerly most corner of said lot 1 and also being located on the Southerly right-of-way line of Pilcher Drive, thence continuing with said bearing of N45-34-26E crossing said Pilcher Drive approximately 60 feet to a point located on the Northerly right-of-way line of said Pilcher Drive; thence in a Southeasterly direction along and with the Northerly right-of-

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way line of said Pilcher Drive approximately 104 feet to a point, said point being the Westerly most corner of lot 318 as shown on Map Book 32 Page 178 and also being located on the Northerly right-of-way line of Pilcher Drive; thence in a Northeasterly direction along and with the Northerly property line of said lot 318 and lots 297, 296, 295, 292 and 291 as shown on said Map Book 32 Page 178 with a bearing and distance of N66-00-34E 780.55 feet to a point, said point being the Northeasterly corner of said lot 291 and also being the Northwesterly corner of a 3.230 acre common open space as shown on Map Book 31 Page 595; thence along and with the Northerly property line of said common open space N65-00-34E 638.65 feet to a point, said point being the Northeasterly corner of said common open space and also being the Northwesterly corner of lot 204 as shown on Map Book 36 Page 928; thence continuing in a Northeasterly direction along and with the Northerly property lines of said lot 204 and lots 203 through 194, with the following 2 bearings and distances: (1) N65-00-34E 717.17 feet to a point, (2) S76-54-57E 13.50 feet to a point, said point being the Easterly most corner of said lot 194 and also being the Northwesterly corner of lot 193 as shown on Map Book 36 Page 926; thence along and with the Northerly property lines of said lot 193 and lots 192 through 186, as shown on said Map Book 36 Page 926 with the following 2 bearings and distances: (1) S76-54-57E 105.75 feet to a point, (2) N63-17-50E 395.99 feet to a point, said point being the Northeasterly corner of said lot 186 and also being the Northwesterly corner of lot 185 as shown on Map Book 37 Page 457; thence along and with the Northerly and Easterly property lines of said lot 185 and lots 184 through 180, crossing Rutan Lane and with lots 179, 178, 177, 176, 174 and lot 173 with the following 2 bearings and distances: (1) N63-17-50E 253.82 feet to a point, (2) S44-03-22E 1,000.48 feet to a point, said point being the Southeasterly corner of said lot 173 and also being located on the Northwesterly property line of Deed Book 10759 Page 328; thence in a Northeasterly direction along and with a portion of the said Northwesterly property line of said Deed Book 10759 Page 328, N62-19-28E approximately 612 feet to a point, said point being the Northeasterly corner of said Deed Book 10759 Page 328 and also being the Northwesterly most corner of Deed Book 5168 Page 599; thence along and with the Northerly and a portion of the Easterly property lines of said Deed Book 5168 Page 599 with the following 3 bearings and distances: (1) N24-24-10E 118.73 feet to a point, (2) N32-32-06E 313.50 feet to a point, (3) S72-05-32E approximately 250 feet to a point, said point being the Westerly most corner of Deed 2966 Page 454; thence along and with the Northwesterly and Northerly property lines of said Deed Book 2966 Page 454 with the following 2 bearings and distances: (1) N25-38E 298.60 feet to a point, (2) S75-39E approximately 820 feet to a point, said point being located on the Westerly right-of-way line of Steele Creek Road; thence in a North Northeasterly direction along and with the said Westerly right-of-way line of Steele Creek Road approximately 703 feet to a point, said point being located on the Southerly

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property line of Deed Book 13008 Page 417 and also being located on the Westerly right-of-way line of Steele Creek Road; thence in a Northwesterly direction along and with the Southerly and Westerly property lines of said Deed Book 13008 Page 417 with the following 2 bearings and distances: (1) N60-51-02W approximately 820 feet to a point, (2) N30-10-46E 15.00 feet to a point, said point being the Northerly most corner of said Deed Book 13008 Page 417 and also being located on the Southwesterly property line of Deed Book 13008 Page 420; thence in a Northwesterly direction along and with the Southwesterly property line of said Deed Book 13008 Page 420, N38-06-42W 355.60 feet to a point, said point being the Westerly most corner of said Deed Book 13008 Page 420 and also being the Southwesterly corner of Deed Book 15614 Page 513; thence continuing along and with the Southwesterly and Northwesterly property lines of said Deed Book 15614 Page 513 with the following 2 bearings and distances: (1) N38-06W 425.02 feet to a point, (2) N49-40E 168.65 feet to a point, said point being the Northerly most corner of said Deed Book 15614 Page 513 and also being the Westerly most corner of Deed Book 5042 Page 777; thence along and with the Northwesterly property line of said Deed Book 5042 Page 777, N49-40E 463.00 feet to a point, said point being the Northwesterly corner of said Deed Book 5042 Page 777 and also being located on the Southwesterly property line of Deed Book 3732 Page 701 as shown on Map Book 36 Page 606; thence along and with a portion of the Westerly property lines of said Deed Book 3732 Page 701 with the following 2 bearings and distances: (1) N66-11-32W 23.97 feet to a point, (2) N20-04-37W approximately 314 feet to a point, said point being the Southeasterly corner of Deed Book 1780 Page 249 located on the Westerly property line of said Deed Book 3772 Page 701; thence in a Westerly direction along and with the Southerly and Westerly property lines of said Deed Book 1780 Page 249 with the following 2 bearings and distances: (1) S70-00-00W 241.2 feet to a point, (2) N20-00-00W approximately 810 feet to a point, said point being located on Southerly right-of-way line of Sledge Road; thence in a Northwesterly direction along and with the Southerly right-of-way line of Sledge Road approximately 949 feet to a point, said point being the intersection point of the Southerly right-of-way line of Sledge Road and the Westerly right-of-way line of Winget Road (extended); thence in a North Northwesterly direction crossing Sledge Road along and with the Westerly right-of-way line of Winget Road passing Planters Estates Drive, Planter Row Drive and Withers Mills Drive approximately 3,785 feet to a point, said point being the intersection of the Northerly property lines (extended) of lots 1 through 7 as shown on Map Book 27 Page 911 with the Westerly right-of-way line of Winget Road; thence in a Northeasterly direction crossing Winget Road with said Bearing of N50-20-42E approximately 80 feet to a point, said point being the Northwesterly corner of said lot 1 as shown on said Map Book 27 Page 911 being located on the Easterly right-of-way line of Winget Road; thence in a Northeasterly direction along and with the Northerly property line of said lots

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1 through 8 as shown on Map Book 27 Page 911 with the following 2 bearings and distances: (1) N50-20-42E 529.99 feet to a point, (2) N14-18-05E 52.97 feet to a point, said point being the Northwesterly corner of said lot 8 and also being the Southwesterly corner of lot 9 as shown on Map Book 28 Page 06; thence along and with the Northwesterly property line of lots 9 through 15 as shown on said Map Book 28 Page 06, N14-18-05E 470.59 feet to a point, said point being the Northwesterly corner of said lot 15 and also being the Southwesterly corner of lot 16 as shown on Map Book 28 page 833; thence continuing in a Northeasterly direction along and with the Northwesterly property lines of lot 16 through 27, N14-18-18E 843.00 feet as shown on said Map Book 28 Page 833 to a point, said point being the Northwesterly corner of said lot 27 and also being the Southwesterly corner of lot 28 as shown on Map book 29 Page 334; thence continuing in a Northeasterly direction along and with the Northwesterly property lines of said lot 28, N14-18-18E 17.79 feet to a point said point being the Westerly corner of said lot 28; thence in a Northerly direction along and with the Westerly property lines of Lot 28 and the property line of a 111,863 sq. ft common open space and a 151,176 sq. ft. common open space as shown on Map Book 31 Page 547 with the following 4 bearings and distances: (1) N33-26-31W 11.09 feet to a point, (2) N33-26-31 528.96 feet to a point, (3) N08-35-07E 600.37 feet to a point, (4) N56-34-07E 350.01 feet to a point, said point being located on the Westerly property line of Deed Book 9880 Page 604 and also being located on the existing Charlotte City limits line; thence in a Southeasterly direction approximately 695 feet along and with the existing Charlotte City limits line to a point, said point being the Southerly most corner of said Deed Book 9880 Page 604; thence in a Northeasterly direction along and with existing Charlotte City limits line approximately 4,205 feet to a point on the Southerly right-of-way line of Westinghouse Boulevard; thence in a Southeasterly direction along and with the Southerly right-of-way line of Westinghouse Boulevard and the existing Charlotte City limits line approximately 2,560 feet to a point, said point being the intersection of the Southeasterly line of Deed Book 9613 Page 444 with the Southerly right-of-way line of Westinghouse Boulevard; thence along and with the existing Charlotte City limits as follows; leaving said right-of-way line with the Southeasterly property line of said Deed Book 9613 Page 444, S29-29-03W 432.99 feet to a point, said point being the Northeasterly corner of Deed Book 4531 Page 519; thence along and with the property lines of said Deed Book 4531 Page 519 with the following 4 bearings and distances: (1) S89-57-08W 400.00 feet to a point, (2) S00-02-35E 337.70 feet to a point, (3) S37-24E 323.80 feet to a point, (4) N39-17E 170.30 feet to a point, said point being the Southwesterly corner of Deed Book 9765 Page 598; thence along and with the Southerly property line of said Deed Book 9765 Page 598, S77-22E 583.30 feet to a point located on the Westerly right-of-way line of Steele Creek Road; thence in a South Southwesterly direction along and with the Westerly right-

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of-way line of Steele Creek Road approximately 580 feet to a point, said point being the intersection of the Northerly property line of Deed Book 3756 Page 188 with the Westerly right-of-way line of Steele Creek Road; thence along and with the Northerly property line of said Deed Book 3756 Page 188, N77-24-30W 260.50 feet to a point, said point being the Northwesterly corner of said Deed Book 3756 Page 188; thence along and with the Westerly property line of said Deed Book 3756 Page 188 and Deed Book 3784 Page 847 S12-35-30W 300.00 feet to a point, said point being the Southwesterly corner of said Deed Book 3784 Page 847; thence along and with the Southerly property line of said Deed Book 3784 Page 847, S77-24-30E 260.50 feet to a point located on the Westerly right-of-way line of Steele Creek Road; thence in a South Southwesterly direction along and with the Westerly right-of-way line of Steele Creek Road approximately 145 feet to a point, said point being the intersection of the Northerly right-of-way line of the Southern Railway and the Westerly right-of-way line of Steele Creek Road; thence in a Northwesterly direction along and with the Northerly right-of-way line of the Southern Railway approximately 1,900 feet to a point, said point the Westerly most corner of Deed Book 11600 Page 940; thence in a Southwesterly direction crossing the Southern Railway approximately 100 feet to a point, said point being Northeasterly corner of Deed Book 8339 Page 357 located on the Southerly right-of-way line of said Southern Railway; thence along and with the property lines of said Deed Book 8339 Page 357 with the following 3 bearings and distances: (1) S63-43-52W 751.24 feet to a point, (2) S63-44-39W 290.30 feet to a point, (3) S48-54-50E 645.21 feet to a point, said point being located on the Westerly right-of-way line of Means Court and also being located on the Southwesterly property line of said Deed Book 8339 Page 357; thence along and with the Westerly right-of-way line of Means Court approximately 666 feet to a point, said point being the intersection of Means Court and the Westerly right-of-way line of Westhall Drive; thence in a Southerly direction along and with the Westerly right-of-way line of Westhall Drive approximately 430 feet to a point said point being the intersection of the Northerly property line of Deed Book 16427 Page 972 and the Westerly right-of-way line of said Westhall Drive; thence along and with the property lines of said Deed Book 16427 Page 972 with the following 2 bearings and distances: (1) S66-19-23W 372.49 feet to a point, (2) S34-49-19E 392.28 feet to a point, said point being the Southwesterly corner of said Deed Book 16427 Page 972 and also being the Northwesterly corner of Deed Book 10970 Page 840; thence along and with the property lines of said Deed Book 10970 Page 840 with the following 2 bearings and distances: (1) S34-49-19E 159.72 feet to a point, (2) S63-08-06W 496.92 feet to a point, said point being the intersection of the Northerly right-of-way line of Sam Neely Road with the Southwesterly most corner of the property described in said Deed Book 10970 Page 840; thence in a Southwesterly direction along and with the Northerly right-of-way line of Sam Neely Road approximately 600

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feet to a point, said point being the intersection of the Westerly property lines of lots 1 through 7, block 1 extended as shown on Map Book 22 Page 51 (extended) with the Northerly right-of-way line of Sam Neely Road; thence crossing Sam Neely Road with said bearing of S22-10-39E approximately 60 feet to a point on the Southerly right-of-way line of Sam Neely Road, said point being the Northwesterly corner of said lot 1, block 1 as shown on said Map Book 22 Page 51; thence continuing with the said Westerly property line of said lots 1 through 7 and a portion of lot 8 block 1 as shown on Map Book 22 Page 258, S22-10-39E 729.00 feet to a point, said point being located on the Westerly property line of said lot 8; thence in a Westerly direction along and with a portion of the Northerly property line of said lot 8 and the Northerly property line of lot 10 as shown on Map Book 22 Page 16, S62-32W 102.00 feet to a point, said point being the Northwesterly corner of said lot 10 and also being the Northeasterly corner of lot 11, block 1 as shown on Map Book 23 Page 607; thence along and with the Northerly property lines of said lots 11 through 18, S62-36W 690.89 feet to a point, said point being the Northwesterly corner of said lot 18; thence along and with the property lines of said lots 18 through 27 with the following 6 bearings and distances: (1) S30-22-36E 839.82 feet to a point, (2) S14-56E 88.16 feet to a point, (3) N59-37-24E 302.00 feet to a point, (4) N63-17-20W 186.32 feet to a point, (5) with a curve to the left having a radius of 40.00 feet and an arc length of 13.34 feet to a point, (6) S82-23-50E 165.61 feet to a point, said point being the Southeasterly most corner of said lot 27 and also being located on the Westerly property line of lot 50, block 1 as shown on Map Book 21 Page 942; thence along and with a portion of the Westerly property line of said lot 50 and lots 51 through 66 as shown on Map Book 21 Page 942 with the following 13 bearings and distances: (1) S20-28E 75.00 feet to a point, (2) S65-01-30E 179.91 feet to a point, (3) S06-43E 214.40 feet to a point, (4) S26-12-06E 118.36 feet to a point, (5) S34-09-30E 111.46 feet to a point, (6) S60-38E 81.06 feet to a point, (7) S08-12-10W 111.20 feet to a point, (8) S02-39-30E 104.48 feet to a point, (9) S20-27-00E 104.94 feet to a point, (10) S49-17-20E 132.79 feet to a point, (11) S43-04W 37.61 feet to a point, (12) S61-03-04E 133.24 feet to a point, (13) N87-23-08E 93.75 feet to a point, said point being the Southeasterly corner of said lot 66 as shown on said Map Book 21 Page 942 located on the Westerly right-of-way line of Steele Creek Road; thence crossing Steele Creek Road with the property line of said lot 66 (extended) having a bearing of S87-23-08E approximately 100 feet to a point on the Easterly right-of-way line of Steele Creek Road; thence in a Northeasterly direction along and with the Easterly right-of-way line of Steele Creek Road approximately 1,400 feet to a point, said point being the intersection of the Southerly property line of Deed Book 5671 Page 948 and the Easterly right-of-way line of Steele Creek Road; thence in an Easterly direction with the Southerly property line of said Deed Book 5671 Page 948, N88-52-15E 598.38 feet to a point, said point

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being the Southeasterly corner of said Deed Book 5671 Page 948 and also being the Southwesterly corner of Deed Book 7748 Page 160; thence continuing in an Easterly direction along and with the Southerly property line of said Deed Book 7748 Page 160, N88-46-53E 1,111.63 feet to a point, said point being the Southeasterly corner of said Deed Book 7748 Page 160 and also being the Southwesterly corner of Deed Book 7748 Page 167; thence in a Northerly direction along and with the Westerly property line of said Deed Book 7748 Page 167, N05-40-25W 1,832.44 feet to a point, said point being the Northwesterly corner of said Deed Book 7748 Page 167 located on the Southerly right-of-way line of Sam Neely Road; thence in an Easterly direction along and with the Southerly right-of-way line of Sam Neely Road approximately 810 feet to a point, said point being the Northeasterly corner of said Deed Book 7748 Page 167 located on the Southerly right-of-way line of Sam Neely Road; thence leaving said right-of-way line in a Southeasterly direction along and with the Easterly property line of said Deed Book 7748 Page 167 with the follow 3 bearings and distances: (1) S22-41E approximately 130 feet to a point, (2) S23-14-19E 892.93 feet to a point, (3) S22-54-00E 657.29 feet to a point, said point being the Southeasterly corner of said Deed Book 7748 Page 167 and also being the corner of a common open space as shown on Map Book 26 Page 328; thence in an Easterly direction along and with the Southerly line of said common open space, N75-28-29E 50.54 feet to a point, said point being the Northwesterly corner of lot 4 as shown on said Map Book 26 Page 328; thence in a Southerly direction along the Westerly property lines of lots 4, 3, 2, 1 and a 25' common open space as shown on said Map Book 26 Page 328 with the following 3 bearings and distances: (1) S22-19-50E 109.46 feet to a point, (2) S47-29-47E 106.97 feet to a point, (3) S59-19-18E 171.75 feet to a point located on the Northerly right-of-way line of Moss Road; thence crossing Moss Road, S43-09-42E 80.00 feet to a point, said point being located on the Southerly right-of-way line of Moss Road; thence in a Southwesterly direction along the Southerly right-of-way line of Moss Road with a radius of 615.46 feet and an arc length of 18.85 feet to a point located on the Southerly right-of-way of line Moss Road; thence leaving said right-of-way line along and with the Westerly property line of a 25' common open space and lots 1, 2, 3, 68, 78, 77, 76, 35, 36, 38, 39, 40, 41 and lot 44, crossing Shadow Ridge Lane and Carolina Crossing Drive and as shown on Map Book 26 Page 709 with the following 14 bearings and distances: (1) S19-07-29E 240.70 feet to a point, (2) S59-42-22 E 67.41 feet to a point, (3) S11-49-36E 140.00 feet to a point, (4) S78-10-24W 13.21 feet to a point, (5) S07-01-38W 191.21 feet to a point, (6) N78-10-24E 75.00 feet to a point, (7) S11-49-36E 130.00 feet to a point, (8) S11-49-36E 50.00 feet to a point, (9) S11-49-36E 130.00 feet to a point, (10) S78-10-24W 70.00 feet to a point, (11) S81-59-39W 117.10 feet to a point, (12) S10-55-59W 187.09 feet to a point, (13) S50-14-46E 243.72 feet to a point, (14) S26-45-00E 87.73 feet to a point, said point being the Southwesterly corner of said lot 44 as shown on

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said Map Book 26 Page 709; thence in a Southwesterly direction S46-15-39W approximately 601 feet to a point said point being the Southeasterly corner of lot 9 as shown on Map Book 22 Page 346; thence in a Northwesterly direction along the Easterly property line of lots 9, 8, 7, 5, 4, 3, 2 and lot 1, N50-35-30W 668.45 feet to a point located on the Southerly right-of-way line of Moss Road; thence continuing with said bearing of N50-35-30W 83.10 feet to a point located on the Northerly right-of-way line of Moss Road; thence along the Easterly property lines of lots 1 through 9, N50-35-30W 806.02 feet to a point, said point being the Northern most corner of said lot 9 as shown on Map Book 22 Page 574; thence in a Southwesterly direction along the Northwesterly property line of said lots 9 through 13 as shown on said Map Book 22 Page 574, S44-41-15W 550.91 feet to a point, said point being the Northwesterly most corner of said lot 13; thence in a Northwesterly direction along and with the Northerly property line of Deed Book 8679 Page 950 with the following 4 bearings and distances: (1) N45-51-00W 251.80 feet to a point, (2) S41-28-00W 414.86 Feet to a point, (3) S45-31-00E 26.25 feet to a point, (4) S28-30-00W approximately 303 feet to a point said point being the Northwesterly corner of said Deed Book 8679 Page 950 located on the Easterly right-of-way line of Erwin Road; thence continuing with said line (extended) having a bearing of S28-30-00W approximately 60 feet to a point on the Westerly right-of-way line of Erwin Road; thence in a Southeasterly direction along and with the Westerly right-of-way line of Erwin Road approximately 1,405 feet to a point, said point being the intersection of the Northerly property line of Deed Book 2490 Page 242 and the Westerly right-of-way line of Erwin Road; thence in a Southwesterly direction with the property line of said Deed Book 2490 Page 242 with the following 2 bearings and distances: (1) S63-29-00W 695.57 feet to a point, (2) S14-36-50E 271.84 feet to a point, said point being the Southwesterly corner of said Deed Book 2490 Page 242 and also being the Northwesterly corner of Deed Book 11771 Page 119; thence along the property line of said Deed Book 11771 Page 119 with the following 2 bearings and distances: (1) S26-31-00E 181.53 feet to a point, (2) N63-29-00E 997.47 feet to a point, said point being the Southeasterly most corner of said Deed Book 11771 Page 119 located on the Westerly right-of-way line of Erwin Road; thence in a Southeasterly direction along and with the Westerly right-of-way line of said Erwin Road approximately 198 feet to a point, said point being the intersection point of the Northerly property line of Deed Book 3729 Page 760 and the Westerly right-of-way line of Erwin Road; thence along the property line of said Deed Book 3729 Page 760 with the following 3 bearings and distances: (1) S63-29-00W approximately 414 feet to a point, (2) S35-23-20E 386.98 feet to a point, (3) S71-43-20E 190.89 feet to a point, said point being the Southwesterly most corner of said Deed Book 3729 Page 760 and also being the Northwesterly most corner of Deed Book 3112 Page 572; thence along the property line of said Deed Book 3112 Page 572, S29-37-05E approximately 217 feet to a point on the

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Northerly right-of-way line of South Tryon Street; thence in Southwesterly direction along and with the Northerly right-of-way line of South Tryon Street approximately 1,627 feet to a point, said point being the intersection point of the Westerly boundary line of a common open area (extended) having a bearing of N35-27-25W as shown on Map Book 26 Page 528 and the Northerly right-of-way line of South Tryon Street; thence in a Southeasterly direction crossing South Tryon Street with said line having a bearing of S35-27-25E approximately 100 feet to a point, said point being the intersection point of the Westerly boundary line of a common open area and the Southerly right-of-way line of South Tryon Street; thence continuing in a Southeasterly direction with the Westerly boundary line of said common open area as shown on Map Book 26 Page 439 and Map Book 26 Page 528, S35-27-25E 1,152.21 feet to a point, said point being the Northwesterly corner of lot 41 as shown on Map Book 22 Page 269; thence along the Westerly property line of said lot 41 and lots 42, 43, 44, 45 and lot 46 as shown on Map Book 22 Page 269, S35-27-25E 592.37 feet to a point, said point being the Northwesterly corner of lot 65 as shown on Map Book 23 Page 619; thence along the Westerly property lines of said lot 65 and lot 66 as shown on Map Book 23 Page 619 and lots 80, 81 and lot 82 as shown on Map Book 23 Page 770 and lots 105, 106 and 107 as shown on Map Book 24 Page 384 and a portion of lot 121 as shown on Map Book 25 Page 85 with the following 2 bearings and distances: (1) S12-08-47E 904.98 feet to a point, (2) S10-58-12E 269.46 feet to a point, said point being the Northeasterly most corner of Deed Book 7205 Page 948 located on the westerly property line of said lot 121 as shown on Map Book 25 Page 85; thence in a Southwesterly direction along the Northerly property line of said Deed Book 7205 Page 948, S48-39-00W 542.31 feet to a point, said point being the Northwesterly corner of said Deed Book 7205 Page 948 located on the Easterly right-of-way line of Choate Circle; thence in a Northwesterly direction along and with the Easterly right-of-way line of Choate Circle approximately 1,050 feet to a point, said point being the intersection of the Easterly right-of-way line of Choate Circle and the Northwesterly property line of lots 80 through 86 (extended) having a bearing of N59-35-00E; thence in a Southwesterly direction crossing Choate Circle with the Northwesterly property line of a common open space and lots 86 through lot 80 as shown on Map Book 22 Page 825 and Lots 79 through lot 72 as shown on Map Book 24 Page 516 and a common open space as shown on Map Book 24 Page 443 with the following 5 bearings and distances: (1) S59-35-00W 808.37 feet to a point, (2) S59-14-13W 574.43 feet to a point, (3) S48-09-31W 97.97 feet to a point, (4) S48-09-31W 112.50 feet to a point, (5) S57-36-40W 36.63 feet to a point, said point being the Northwesterly corner of a common open space as shown on Map Book 24 Page 443 located in the centerline of Walkers Creek; thence in a Southeasterly direction following the centerline of Walkers Creek approximately 5,818 feet as shown on Map Book 24 Page 443, Map Book 24 Page 516, Map Book 22 Page 825, Map Book 26 Page 97, Map Book 25 Page

07, Map Book 26 Page 255 and Map Book 27 Page 152 to a point, said point being the intersection of the centerline of Walkers Creek and the Easterly property line of lots 36 through 47 (extended) having a bearing of S08-26-36W as shown on Map Book 27 Page 152; thence in a North Northeasterly direction along the Easterly property line of said lots 36 through 47, N08-26-36E 1,130 feet to a point, said point being the Northeasterly corner of said lot 47 as shown on Map Book 27 Page 152 located on the Southerly right-of-way line of Choate Circle; thence in an Easterly direction along the Southerly right-of-way line of Choate Circle approximately 1,325 feet to a point, said point being the intersection of the Easterly property line of lot 26 (extended) having a bearing of S08-23-28E as shown on Map Book 22 Page 380 with the Southerly right-of-way line of Choate Circle; thence in a Northerly direction crossing Choate Circle with said line of lot 26 (extended) having a bearing of N08-23-28W approximately 60 feet to a point located on the Northerly right-of-way line of Choate Circle also being the Southeasterly corner of said lot 26 as shown on Map Book 22 Page 380; thence along the Easterly property lines of lots 26, 25, 23, 22, 21, 20, 19, 18, 17, 16, 15, 14, 13 and lot 12 as shown on Map Book 22 Page 380 and a portion of a common open space as shown on Map Book 22 Page 244 with the following 5 bearings and distances: (1) N08-23-28W 82.47 feet to a point, (2) N70-34-02W 439.76 feet to a point, (3) N45-14-56W 544.61 feet to a point, (4) N27-45-26W 358.06 feet to a point, (5) S83-12-21W 396.15 feet to a point; thence in a Northerly direction along the Easterly boundary of a common open space as shown on Map Book 24 Page 911 and Map Book 24 Page 376 also being the approximate centerline of Polk Ditch with the following 6 bearings and distances: (1) N36-54-52W 91.30 feet to a point, (2) N23-38-41W 158.68 feet to a point, (3) N12-38-41W 349.90 feet to a point, (4) N19-38-41W 373.35 feet to a point, (5) N01-31-21 E 68.23 feet to a point; (6) N15-55-10W 337.16 feet to a point, said point being located in the centerline of Polk Ditch; thence in an Easterly direction along the Southerly property line of a common open space and lots 47 through 58 as shown on Map Book 28 Page 320 and along the Southerly property line of a parcel as described in Deed Book 12895 page 417, N69-07-00E 1,451.20 feet to a point in the centerline of Moss Road; thence continuing with said line (extended) approximately 30 to a point on the Easterly right-of-way line of Moss Road; thence in a Northerly direction along the Easterly right-of-way line of Moss Road approximately 3,188 feet to a point located on the Southerly right-of-way line of South Tryon Street; thence in a Northeasterly direction along the Southerly right-of-way line of South Tryon Street approximately 1,400 feet to a point located on the Westerly right-of-way line of Carowinds Boulevard; thence in a Southerly direction along the Westerly right-of-way line of Carowinds Boulevard approximately 5,404 feet to a point located on the right-of-way of Carowinds Boulevard and also being the Northeasterly corner of lot 2 as shown on Map Book 25 Page 558; thence along the property lines of said lot 2 and lot 1 as shown

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on Map Book 25 Page 558 with the following 3 Bearings and distances: (1) S00-00-00E 211.77 feet to a point, (2) S90-00-00W 705.65 feet to a point in the centerline of Steele Creek, (3) thence in Southerly direction along the centerline of Steele creek approximately 1,260 feet to a point located on the Southerly right-of-way line of Choate Circle; thence in an Easterly direction along the Southerly right-of-way line of Choate Circle approximately 1,206 feet to a point located on the Westerly right-of-way line of Greenway Industrial Drive; thence in a southerly direction along the Westerly right-of-way line of Greenway Industrial Drive with the following bearings and distances: (1) S06-44-37E 14.14 feet to a point, (2) with a curve to the left having a radius of 658.00 feet arc length of 276.76 feet to a point located on the Northerly right-of-way line of Stateline Drive; thence in a Westerly direction along the Northerly right-of-way line of Stateline Drive, S53-40-35E 389.99 feet to point said point being the Southwesterly corner of Deed Book 3342 Page 493 and also being the Northwesterly corner of Tract A as shown on Map Book 24 Page 366; thence in a Southerly direction along the Westerly property line of said Tract A, S36-19-25W 258.55 feet to the POINT AND PLACE OF BEGINNING

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 953-965.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.


Brenda R. Freeze, CMC, City Clerk

A RESOLUTION STATING THE INTENT OF THE CITY OF CHARLOTTE TO CONSIDER ANNEXATION OF THE COMMUNITY HOUSE ROAD AREA, AS DESCRIBED HEREIN, AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION

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

Section 1. That it is the intent of the City Council of the City of Charlotte to consider annexation of the area known as Long Creek as described in Exhibit A, attached hereto and incorporated herewith in this resolution, pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina.

Section 2. That a public informational meeting on the question of annexing the attached described area will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at 7:00 o'clock p.m. on Thursday, September 9, 2004, at which time plans for extending services to said area will be explained and all persons resident or owning property in said area and all residents of the City of Charlotte will be given an opportunity to ask questions and receive answers regarding the proposed annexation.

Section 3. That a public hearing on the question of annexing the attached described area will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at 7:00 p.m. on Monday, October 11, 2004, at which time plans for extending services to said area will be explained and all persons resident or owning property in said area and all residents of the City of Charlotte will be given an opportunity to be heard.

Section 4. That a report of plans for extending services to the attached described area be made available for public inspection at the office of the City Clerk of the City of Charlotte in the Charlotte-Mecklenburg Government Center, at least thirty (30) days prior to the date of said public informational meeting. The statement of financial impact contained in the report shall be delivered to the County Clerk of the Mecklenburg County Board of Commissioners at least thirty (30) days prior to the date of the public informational meeting.

Section 5. That there shall be posted in the office of the City Clerk at least thirty (30) days prior to the date of said public informational meeting a legible map of the area to be annexed and a list of persons holding freehold interests in property in the attached described area who have been identified.

Section 6. That notice of said public informational meeting and public hearing shall be given by publication in a local newspaper and by mail as required by law.

APPROVED AS TO FORM:



Senior Deputy City Attorney

EXHIBIT "A"

ANNEXATION QUALIFYING AREA FY 2005
COMMUNITY HOUSE ROAD AREA

To get to the Point of Beginning; commencing from the southeasterly corner of Lot 28 as shown in recorded Map Book 28 Page 722, thence in a Northerly direction along and with the existing Charlotte limits line and the Easterly property line of said lot 28 and lots 29, 30 and 31 as shown in said Map Book 28 Page 722 and also along and with the Easterly property line of lots 32, 33 and a portion of lot 34 as shown in recorded Map Book 29 Page 376 with a bearing and distance of N04-55-37W 683.50 feet to said Point of Beginning. Said Point of Beginning being the Southwesterly corner of a common open space as shown in Map Book 41 Page 207 and located on the Easterly property line of said lot 34 as recorded in aforesaid Map Book 29 Page 376 and also being located on the existing Charlotte City Limits Line. Thence in a Northerly direction along and with the aforesaid city limits line also being the easterly property of a portion of said lot 34 and lots 35, 36 and lot 37 as shown in said Map Book 29 Page 376 to a point, said point being the Northeasterly corner of said lot 37; thence in a Westerly direction along and with the Northerly property lines of said lot 37 and lots 38, 39, 53, 54, 55, 68 and 69 as shown in said Map Book 29 Page 376 and also along and with lots 81, 82 and 83 as shown in Map Book 28 Page 722 with a bearing and distance of S81-07-30W 1,719.83 feet to a point, said point being the Northwesterly corner of said lot 83; thence in a North Northwesterly direction along and with the Easterly property lines of lots 94, 95, 96, 97 and 98 as shown in Map Book 28 Page 362 and Map Book 28 Page 519 with a bearing and distance of N27-39-12W 616.60 feet to a point, said point being the Northerly most corner of said lot 98 located on the Easterly right-of-way line of Old Ardrey-Kell Road; thence in a Northeasterly direction along and with the Existing Charlotte City Limits Line and also being the Easterly right-of-way line of said Road approximately 1,489.29 feet to a point, said point being the Southwesterly corner of Deed Book 3963 Page 009 and located on the Easterly right-of-way line of said Old Ardrey-Kell Road; Thence in an Easterly direction with the Southerly property line of Deed Book 3963 Page 009, Deed Book 7196 Page 869 and a portion of lot 6 as shown in Map Book 8 Page 181 and as described in Deed Book 12762 Page 915 with a bearing and distance of N74-41-00E 758.60 feet to a point; thence in a North Northeasterly direction along and with the Southerly property line of aforesaid lots 6 and 7 and lots 8, 9, 10, 11, 12 and 13 as shown on aforesaid Map Book 8 Page 181 with a bearing and distance of N57-33-30E approximately 1,308.44 feet to a point, said point being the Southeasterly corner of aforesaid lot 13 located on the centerline of Dickie Ross Road; thence continuing with said bearing of N57-33-30E approximately 30 feet to a point, said point being the Southwesterly corner of Deed Book 5674 Page 254

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located on the Easterly right-of-way line of Dickie Ross Road; thence in a Northerly direction along and with the Easterly right-of-way line of said Dickie Ross Road approximately 140 feet to the point of intersection of the Easterly right-of-way line of Dickie Ross Road and the Southerly right-of-way line of Community House Road; thence in a Southeasterly direction along and with the Southerly right-of-way line of said Community House Road approximately 150 feet to a point, said point being located on the Southerly right-of-way line of said Community House Road; thence in a Northerly direction crossing said Community House Road along the Existing Charlotte Limits Line approximately 90 feet to a point, said point being the Southern most corner of Deed Book 12344 Page 401 and also being located on the Northerly right-of-way line of said Community House Road; thence continuing in a Northerly direction along and with the Easterly line of Deed Book 12344 Page 401 N32-15-00W 625.80 feet to a point, said point being the Northeast corner of said Deed Book 12344 Page 401 and also being the Southerly most corner of Deed Book 7069 Page 54; thence along and with the property line of said Deed Book 7069 Page 54 with the following (3) bearings and distances; (1) N33-52-00W 62.00 feet to a point, (2) N70-37-30E 428.35 feet to a point, (3) N46-53-30W 100 feet to a point, said point being the Northeasterly corner of said Deed Book 7069 Page 54 and also being the Southeasterly corner of Deed Book 9842 page 888, thence along and with the Easterly property line of said Deed Book 9842 Page 888 with the following (2) bearings and distances; (1) N47-10-00W 543.58 feet to a point, (2) thence approximately N30-11-00W 200 feet to a point, said point being the Northerly most corner of said Deed Book 9842 Page 888 being located on the Easterly right-of-way line of Community House Road; thence in a Northerly direction along and with the Easterly right-of-way line of said Community House Road approximately 150 feet to a point, said point being the Southwesterly corner of Deed Book 11640 Page 468 located on the Easterly right-of-way line of Community House Road; thence leaving the Existing Charlotte City Limits Line in a Southeasterly direction along and with the Southerly property line of said Deed Book 11640 Page 468 with the following (16) bearings and distances; (1) S70-48-38E 283.83 feet to a point, (2) S73-17-45E 101.45 feet to a point, (3) N12-52-04W 94.47 feet to a point, (4) N35-36-14W 273.18 feet to a point, (5) N05-59-12E 143.23 feet to a point, (6) thence S89-44-36E 144.75 feet to a point, (7) N62-59-30E 109.75 feet to a point, (8) N86-10-30E 179.38 feet to a point, (9) S 08-26-46E 139.98 feet to a point, (10) S40-20-16W 119.05' to a point, (11) S05-59-50W 65.42 feet to a point, (12) S57-37-19W 84.73 feet to a point, (13) S14-03-36E 247.89 feet to a point, (14) N62-57-44E 520.79 feet to a point, (15) N26-05-32E 50.00 feet to a point, (16) N62-57-44E 330.00 feet to a point, said point being the Southeasterly most corner of aforesaid Deed Book 11640 Page 468 being located on the Existing Charlotte City Limits line also being located on the Westerly property line of Tract B as shown on Map Book 29 Page 53 as described in Deed Book 9575 Page 361, thence in a

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Southeasterly direction along the Existing Charlotte City Limits line also being the Southerly property line of aforesaid Tract B with the following (3) bearings and distances; (1) S27-02-16E 182.74 feet to a point, (2) S75-51-10E 390.98 feet to a point, (3) N18-21-02E 875.76 feet to a point, said point being the easterly most corner of aforesaid Tract B and also being the Northerly most corner of Tract C recorded in Map Book 29 Page 53 as described in Deed Book 9981 Page 959; thence in a Southeasterly direction along and with the Northeasterly property line of aforesaid Tract C S54-50-44E 865.72 feet to a point, said point being the Easterly most corner of said Tract C; thence continuing in a southeasterly direction along and with Existing Charlotte City Limits line S54-50-44E 161.21 feet to a point, said point being the Southerly most corner of the property described in Deed Book 11640 Page 472 and also being the Westerly corner of Deed Book 8895 Page 258; thence in a Southeasterly direction S07-40-53E 87.57 feet to a point, said point being the Southwesterly corner of aforesaid Deed Book 8895 Page 258 and also being the Northwesterly corner of Deed Book 6725 Page 453; thence S07-41-53W 433.81 feet to a point, said point being the Southwesterly most corner of aforesaid Deed Book 6725 Page 453 being located on the Northerly property line of Deed Book 10898 Page 035; thence in a Southwesterly direction along and with Existing Charlotte City Limits line and the Northerly and Southwesterly property line of aforesaid Deed Book 10898 Page 035 with the following (2) bearings and distances; (1) S81-23-32W 1,420.21 feet to a point, (2) S39-59-15E 1,539.32 feet to a point, said point being the Southern most corner of said Deed Book 10898 Page 035 and also being the Westerly most corner of Lot 44 as shown on Map Book 28 Page 844; thence continuing in a Southeasterly direction along and with the Southwesterly property line of said lot 44 and lots 43, 41, 40, 39, 38, 37 and a portion of lot 36 with the following (2) bearing and distances; (1) S39-59-15E 151.20 feet to a point, (2) S38-14-05E 570.04 feet to a point, said point being the Southeasterly corner of Deed Book 4400 Page 381 being located on the Southwesterly property line of said lot 36 as recorded in said Map Book 28 Page 844; thence in a Southwesterly direction along and with the Existing Charlotte City Limits line and the Southerly property line of said Deed Book 4400 Page 381 S66-27-00W 1,432.72 feet to a point, said point being the Southwest corner of said Deed Book 4400 Page 381 located on the Easterly right-of-way line on Community House Road; thence in a South Southeasterly direction along and with the Existing Charlotte City Limits line and the Easterly right-of-way line of Community House Road also being along a portion of lot 1 as shown in Map Book 28 Page 980 approximately 260 feet to a point that intersects with the Southerly property line of Lot 9 extended as recorded in Map Book 39 Page 932 and located on the Easterly right-of-way line of Community House Road, thence leaving the Existing Charlotte City Limits Line crossing said Community House Road approximately 70 feet to a point said point being the Southeasterly corner of aforesaid lot 9 as shown in Map

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Book 39 Page 932 located on the Westerly right-of-way line of Community House Road; thence in a Southwesterly direction along and with the Southerly property lines of said lot 9 and lots 10, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27 and crossing Society Street with the following (4) bearings and distance; (1) S69-21-00W 434.36 feet to a point, (2) S38-55-06 W 282.31 feet to a point, (3) S77-06-17W 369.79 feet to a point, (4) S39-27-07W 50.61 feet to a point, said point being the Southerly most corner of said Lot 27 as shown in said Map Book 39 Page 932 and also being the Southeasterly corner of lot 30 as recorded in Map Book 40 Page 463 and being located on the property line as described in Deed Book 13961 Page 460; thence in a Southwesterly direction along and with the Southerly property of said Lot 30 and lots 31 and 32 as shown in said Map Book 40 Page 463 with the following (2) bearings and distances; (1) S39-27-07W 157.77 feet to a point, (2) S71-49-47W 244.08 feet to a point, said point being the Southwesterly most corner of said Lot 32 and also being located on the Easterly property line of lot 43 as shown in Map Book 41 Page 207; thence in a Southerly direction along and with the Easterly and Southerly property lines of said lot 43 and lots 44, 45, 46, 47, 48, 49, 50, 51, and a 1.82 acre common open space recorded in Map Book 40 Page 463 and also a 1.8506 acre common open space as shown in said Map Book 41 Page 207 with the following (4) bearings and distances; (1) S00-13-35E 415.62 feet to a point, (2) S47-50-21W 164.93 to a point, (3) S86-26-53W 393.55 feet to a point, (4) N89-51-30W 149.10 feet to the POINT AND PLACE OF BEGINNING.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 966-970.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.



Brenda R. Freeze, CMC, City Clerk

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on July 26, 2004.

* * *

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "*City Council*") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on July 26, 2004 (the "*Meeting*"), after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Mayor McCrory, Councilmembers Cannon, Carter, Graham, Kinsey, Lassiter, Lochman, Mitchell, Mumford, Tabor, Turner

The following members of the City Council were absent: Councilmember Burgess

Also present: City Manager Syfert, City Attorney McCarley, and City Clerk Freeze

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

**BOND ORDER AUTHORIZING THE ISSUANCE OF \$101,800,000
GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS
OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

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

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

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

Section 1. In order to raise the money required for the public improvement purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Public Improvements Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such General Obligation Public Improvements Bonds authorized by this order shall be \$101,800,000.

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

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

Section 4. This bond order shall take effect when approved by the voters of the City at a referendum scheduled for November 2, 2004.

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

**BOND ORDER AUTHORIZING THE ISSUANCE OF \$15,000,000
GENERAL OBLIGATION HOUSING BONDS
OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

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

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

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

Section 1. In order to raise the money required for the housing purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Housing Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such General Obligation Housing Bonds authorized by this order shall be \$15,000,000.

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

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

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Section 4. This bond order shall take effect when approved by the voters of the City at a referendum scheduled for November 2, 2004.

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

**BOND ORDER AUTHORIZING THE ISSUANCE OF \$13,800,000
GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENT BONDS
OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

WHEREAS, the City Council of the City of Charlotte, North Carolina (the "City Council") has ascertained and hereby determines that it is necessary to pay the capital costs of infrastructure improvements in various neighborhoods of the City, including the cost of related studies, plans and design; acquiring, constructing, reconstructing, improving, installing or providing curbs, gutters, storm drainage and sidewalks; paving, resurfacing, grading or improving streets, roads and intersections; and providing related landscaping and lighting and acquiring any necessary equipment, land, interests in land and rights-of-way therefor; and

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

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

Section 1. In order to raise the money required for the housing purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Neighborhood Improvement Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such General Obligation Neighborhood Improvement Bonds authorized by this order shall be \$13,800,000.

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

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

Section 4. This bond order shall take effect when approved by the voters of the City at a referendum scheduled for November 2, 2004.

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Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on July 26, 2004.

* * *

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "*City Council*") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on July 26, 2004 (the "*Meeting*"), after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Mayor McCrory, Councilmembers Cannon, Carter, Graham, Kinsey, Lassiter, Lochman, Mitchell, Mumford, Tabor, Turner

The following members of the City Council were absent: Councilmember Burgess

Also present: City Manager Syfert, City Attorney McCarley, and City Clerk Freeze

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

RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA REGARDING BOND ORDERS AUTHORIZING THE ISSUANCE OF \$101,800,000 GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS, AUTHORIZING THE ISSUANCE OF \$15,000,000 GENERAL OBLIGATION HOUSING BONDS AND \$13,800,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS, SETTING A PUBLIC HEARING THEREON AND DIRECTING PUBLICATION OF A NOTICE OF SAID PUBLIC HEARING

WHEREAS, bond orders entitled:

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$101,800,000 GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;"

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$15,000,000 GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;" and

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$13,800,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;"

have been introduced at a meeting of the City Council (the "*City Council*") of the City of Charlotte, North Carolina this 26th day of July, 2004; and

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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 entitled, "**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA REGARDING BOND ORDERS AUTHORIZING THE ISSUANCE OF \$101,800,000 GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS, AUTHORIZING THE ISSUANCE OF \$15,000,000 GENERAL OBLIGATION HOUSING BONDS AND \$13,800,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS, SETTING A PUBLIC HEARING THEREON AND DIRECTING PUBLICATION OF A NOTICE OF SAID PUBLIC HEARING**" adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004, the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 971-977.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.



Brenda R. Freeze, CMC, City Clerk

2004 Referendum List of Projects**Street Projects**

- Cindy Lane Extension	\$ 5.8
- Nevin Road Widening	2.5
- East Boulevard Improvements	1.0
- Freedom Dr. (to Little Rock Rd.)	5.0
- Minor Roadways	6.2
- Bikeways	1.0
- Arterial Signal Systems	3.0
- Pedestrian & Traffic Safety	2.0
- Traffic Equipment Replacement	2.5
- Participation in State Roads	6.7
- Public-Private Participation	2.0
- Bridge Repair/Replacement	6.0
- Dixie River Road Intersection Improvement	5.0
- Railroad Crossing Improvements	0.3
- Sidewalks	15.0
- South Corridor Infrastructure Program	30.0
- Business Corridors	2.0
- Fred D. Alexander Boulevard - ROW	5.8
Total Street Projects	<u>101.8</u>

Housing Projects 15.0

Neighborhood Improvement Projects

- Belmont/Piedmont Courts	8.8
- Neighborhoods	5.0
Total Neighborhood Improvement Projects	<u>13.8</u>

Total Projects \$ 130.6

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 6:00 p.m. on July 26, 2004.

* * *

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "*City Council*") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 6:00 p.m. on July 26, 2004 (the "*Meeting*"), after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Mayor McCrory, Councilmembers Cannon, Carter, Graham, Kinsey, Lassiter, Lochman, Mitchell, Mumford, Tabor and Turner

The following members of the City Council were absent: Councilmember Burgess

Also present: City Manager Syfert, City Attorney McCarley, and City Clerk Freeze

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF AIRPORT REVENUE BONDS; REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE CITY'S AIRPORT REVENUE BONDS, SETTING A PUBLIC HEARING THEREON AND CERTAIN RELATED MATTERS.

WHEREAS, the City Council (the "*City Council*") of the City of Charlotte, North Carolina (the "*City*") hereby determines that it is necessary to improve Charlotte/Douglas International Airport (the "*Airport*"), including, but not limited to (1) the acquisition, rehabilitation, renovation, expansion and construction of certain improvements to the Airport, consisting of the (a) construction of new roadways, a new taxiway and a deicing facility, (b) rehabilitation and renovation of current runways and taxiways, improvements to the terminal and Concourses A, B, C, and D, (c) expansion of Concourse E through the addition of up to 24 gates and other improvements, (d) construction of a new public parking deck, rental car service and maintenance facility, (e) expansion of the current employee parking facilities and the Airport's fuel farm, (f) expansion of the international arrivals area, (g) construction of additional public surface parking, (2) engineering related to the construction of a new runway and (3) the continuation of

the noise abatement program, and other improvements at the Airport consistent with the Airport's mission (the "Project") at an estimated cost not to exceed \$215,000,000;

WHEREAS, the City Council is considering the issuance of not to exceed \$215,000,000 Airport Revenue Bonds in one or more series of the City (the "2004 Bonds") to finance the Project;

WHEREAS, the City Council wants to (A) retain Parker Poe Adams & Bernstein, L.L.P. of Charlotte, North Carolina, as bond counsel; (B) retain Citigroup Global Markets Inc. of New York, New York, Wachovia Bank, National Association of Charlotte, North Carolina and Banc of America Securities LLC of Charlotte, North Carolina as underwriters (the "Underwriters"); (C) approve the selection by the Underwriters of Helms Mulliss & Wicker, PLLC of Charlotte, North Carolina, as Underwriters' counsel; (D) retain Sterne, Agee & Leach, Inc. of Charlotte, North Carolina, as financial advisor; (E) retain Newton & Associates, Inc., as consultant for the Airport; (F) retain Bank of America, N.A., as the liquidity provider for the series of the 2004 Bonds that are issued on a variable rate basis; and (G) retain Wachovia Bank, National Association of Charlotte, North Carolina, as trustee for the 2004 Bonds; and

WHEREAS, the City Council wants the Director of Finance of the City to file with the Local Government Commission of North Carolina (the "Commission") an application for its approval of the 2004 Bonds, on a form prescribed by the Commission, and (i) request in such application that the Commission approve (A) the negotiation of the sale of the 2004 Bonds to Citigroup Global Markets Inc., Wachovia Bank, National Association and Banc of America Securities LLC, (B) the City's use of Parker Poe Adams & Bernstein, L.L.P., as bond counsel for the City, (C) the Underwriters' use of Helms Mulliss & Wicker, PLLC, as Underwriters' counsel, (D) the City's use of Sterne, Agee & Leach, Inc. as financial advisor, (E) the City's use of Newton & Associates, Inc., as consultant for the Airport, (F) the City's use of Bank of America, N.A., as the liquidity provider for the series of the 2004 Bonds that are issued on a variable rate basis and (G) the City's use of Wachovia Bank, National Association, as trustee for the 2004 Bonds, and (ii) state in such application such facts and to attach thereto such exhibits in regard to the 2004 Bonds and to the City and its financial condition, as may be required by the Commission, and to take all other action necessary to the issuance of the 2004 Bonds.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AS FOLLOWS:

Section 1. That the 2004 Bonds are to be issued by the City for the purpose of providing funds (1) to finance the costs of the Project, (2) to provide a reserve fund for the 2004 Bonds and (3) to pay the costs of issuing the 2004 Bonds all as set out fully in the Preliminary Official Statement with respect to the series of the 2004 Bonds that are issued on a fixed rate basis and in the Official Statement with respect to the series of the 2004 Bonds that are issued on a variable rate basis and other documents attached to the City's application to the Commission. The use of the proceeds of the 2004 Bonds, as described, is necessary in order to meet the expanding needs of the users of the Airport and to assure that the Airport remains in full compliance with all state and federal requirements for the provision of aviation services.

Section 2. That (1) Parker Poe Adams & Bernstein, L.L.P. be retained to serve as bond counsel, (2) Citigroup Global Markets Inc., Wachovia Bank, National Association and Banc of America Securities LLC be retained to serve as underwriters, (3) the Underwriters' use of Helms Mulliss & Wicker, PLLC as Underwriters' counsel be approved, (4) Wachovia Bank, National Association be approved as trustee for the 2004 Bonds, (5) Sterne, Agee & Leach, Inc. be retained as financial advisor in connection with the issuance by the City of the 2004 Bonds, (6) Bank of America, N.A., be retained as the liquidity provider for the series of the 2004 Bonds that are issued on a variable rate basis and (7) Newton & Associates, Inc. be retained as consultant for the Airport in connection with the issuance of the City of the 2004 Bonds.

Section 3. That the Director of Finance of the City with advice from the City Manager and bond counsel, is hereby authorized, directed and designated to file an application with the North Carolina Local Government Commission for its approval of the issuance of the 2004 Bonds.

Section 4. That the City Council finds and determines and asks the Commission to find and determine from the City's application and supporting documentation:

- (a) that the issuance of the 2004 Bonds is necessary or expedient;

(b) that the not to exceed stated principal amount of the 2004 Bonds will be sufficient but is not excessive, when added to other moneys available to the Airport, for the proposed Project;

(c) that the Airport as now constituted and as it will be constituted after the completion of the Project is feasible;

(d) that the City's debt management procedure and policies are excellent; and

(e) that the 2004 Bonds can be marketed at a reasonable interest cost to the City.

Section 5. That the Mayor, the City Manager and the Director of Finance are hereby authorized to do any and all other things necessary to complete the steps necessary for the issuance of the 2004 Bonds.

Section 6. That the City Council requests that the Commission sell the 2004 Bonds through negotiation to Citigroup Global Markets Inc., Wachovia Bank, National Association and Banc of America Securities LLC on such terms as may be agreed on but at a true interest cost not exceeding 6.50% on 2004 Bonds that are issued on a fixed rate basis and at an initial interest rate not exceeding 5.00% on 2004 Bonds that are issued on a variable rate basis.

Section 7. The City will conduct the public hearing required by Section 147(f) of the Internal Revenue Code of 1986, as amended, at its regular meeting of August 23, 2004, and directs the publication of notice of such public hearing, in the form attached to this resolution, in the Charlotte Observer on or before August 9, 2004.

Section 8. That this Resolution is effective on the date of its adoption.

On motion of Councilmember Tabor, seconded by Councilmember Kinsey, the foregoing resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF AIRPORT REVENUE BONDS; REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE CITY'S AIRPORT REVENUE BONDS, SETTING A PUBLIC HEARING THEREON AND CERTAIN RELATED MATTERS" was duly adopted by the following vote: Unanimous

STATE OF NORTH CAROLINA)
)
CITY OF CHARLOTTE) ss:

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004 the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 978-982.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.



Brenda R. Freeze, CMC, City Clerk

EXTRACTS FROM MINUTES OF CITY COUNCIL

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M. on July 26, 2004.

Members Present: Mayor McCrory, Councilmembers Cannon, Carter, Graham, Kinsey, Lassiter, Lochman, Mitchell, Mumford, Tabor and Turner

Members Absent: Councilmember Burgess

Also Present: City Manager Syfert, City Attorney McCarley, and City Clerk Freeze

* * * * *

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

**RESOLUTION ADOPTING THE BOND ORDER AUTHORIZING THE ISSUANCE OF
WATER AND SEWER SYSTEM COMMERCIAL PAPER REVENUE BOND ANTICIPATION NOTES
OF THE CITY OF CHARLOTTE, NORTH CAROLINA IN THE AGGREGATE
PRINCIPAL AMOUNT NOT TO EXCEED \$400,000,000**

WHEREAS, the City of Charlotte, North Carolina (the "*City*") is authorized by The State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 *et seq.* (the "*Act*") to issue, subject to the approval of the Local Government Commission of North Carolina (the "*LGC*"), at one time or from time to time, revenue bond anticipation notes of the City for the purposes as specified in the Act; and

WHEREAS, the City has previously issued Water and Sewer System Revenue Bonds under the terms of the General Trust Indenture dated as of November 1, 1996 between the City and First Union National Bank of North Carolina, the successor to which is Wachovia Bank, National Association, as trustee, (the "*Trustee*"), as amended (the "*General Indenture*");

WHEREAS, the City has determined to issue its Water and Sewer System Commercial Paper Revenue Bond Anticipation Notes, Series 2004 (the "*Bond Anticipation Notes*") in an aggregate principal amount not to exceed \$400,000,000 to finance the capital costs of improvements to the water and sanitary sewer systems of the City (the "*Water and Sewer System*"), including, but not limited to, the extension of existing water and sewer lines and rehabilitation or replacement of others; construction of new water and sewer mains and outfalls; rehabilitation and upgrades of water and wastewater treatment plants; and acquisition of land for the Water and Sewer System (the "*Project*");

WHEREAS, the City will issue the Bond Anticipation Notes under the General Indenture and Series Indenture, Number 7 dated as of August 1, 2004 (the "*Series Indenture*") between the City and the Trustee; and

WHEREAS, the City and the LGC have arranged for Wachovia Bank, National Association (the "*Dealer*") to place the Bond Anticipation Notes under the terms of a Dealer Agreement dated as of August 1, 2004 (the "*Dealer Agreement*"); and

WHEREAS, an application has been filed with the LGC requesting approval of the Bond Anticipation Notes as required by the Act, and the Secretary of the LGC has notified the City that the application has been approved by the LGC.

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

Section 1. In order to raise the money required to finance the Project, in addition to any funds which may be made available for such purpose from any other source, the Bond Anticipation Notes are hereby authorized and shall be issued pursuant to the Act.

Section 2. The aggregate principal amount of the Bond Anticipation Notes authorized by this order shall not exceed \$400,000,000. The Bond Anticipation Notes hereby authorized shall be special obligations of the City, secured by and paid solely from the proceeds thereof or from revenues, income, receipts and other money received or accrued by or on behalf of the City from or in connection with the operation of the City's Water and Sewer System.

Section 3. The issuance of the Bond Anticipation Notes by the City, in substantially the form to be set forth in the Series Indenture, be and the same hereby is in all respects approved and confirmed. The form and content of the Bond Anticipation Notes and the provisions of the Series Indenture with respect to the Bond Anticipation Notes (including without limitation the maturities and rate setting mechanisms) shall be approved and confirmed in a subsequent resolution of the City Council.

The principal of, premium, if any, and interest on the Bond Anticipation Notes shall not be payable from the general funds of the City, nor shall they constitute a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of its income, receipts or revenues except the funds which are pledged under the General Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City are pledged for the payment of the principal of, premium, if any, or interest on the Bond Anticipation Notes, and no holder of the Bond Anticipation Notes has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

Section 4. The Bond Anticipation Notes shall be placed by the Dealer under the terms of the Dealer Agreement, as each shall be approved in a subsequent resolution of the City Council.

Section 5. The proceeds from the sale of the Bond Anticipation Notes shall be deposited in accordance with the Series Indenture.

Section 6. If any one or more of the agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the Bond Anticipation Notes authorized hereunder.

Section 7. All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 8. This Bond Order shall take effect immediately on its adoption and pursuant to §159-88 of the General Statutes of North Carolina, as amended, need not be published or subjected to any procedural requirements governing the adoption of ordinances or resolutions by the City Council other than the procedures set out in the Act.

Upon motion of Councilmember Graham, seconded by Councilmember Kinsey, the foregoing resolution entitled: **“RESOLUTION ADOPTING THE BOND ORDER AUTHORIZING THE ISSUANCE OF WATER AND SEWER SYSTEM COMMERCIAL PAPER REVENUE BOND ANTICIPATION NOTES OF THE CITY OF CHARLOTTE, NORTH CAROLINA IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$400,000,000”** was adopted by the following vote: Unanimous

PASSED, ADOPTED AND APPROVED this 26th day of July, 2004.

STATE OF NORTH CAROLINA)
)
CITY OF CHARLOTTE) ss:

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 entitled **“RESOLUTION ADOPTING THE BOND ORDER AUTHORIZING THE ISSUANCE OF WATER AND SEWER SYSTEM COMMERCIAL PAPER REVENUE BOND ANTICIPATION NOTES OF THE CITY OF CHARLOTTE, NORTH CAROLINA IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$400,000,000”** adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004, the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 983-985.

WITNESS my hand and the seal of the City of Charlotte, North Carolina, this the 30th day of July, 2004.



Brenda R. Freeze, CMC, City Clerk

EXTRACTS FROM MINUTES OF CITY COUNCIL

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M. on July 26, 2004.

Members Present: Mayor McCrory, Councilmembers Cannon, Carter, Graham, Kinsey, Lassiter, Lochman, Mitchell, Mumford, Tabor, and Turner

Members Absent: Councilmember Burgess

Also Present: City Manager Syfert, City Attorney McCarley, and City Clerk Freeze

* * * * *

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF CITY OF CHARLOTTE, NORTH CAROLINA WATER AND SEWER SYSTEM COMMERCIAL PAPER REVENUE BOND ANTICIPATION NOTES, SERIES 2004; PROVIDING FOR THE SALE OF THE BOND ANTICIPATION NOTES; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE BOND ANTICIPATION NOTES ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BOND ANTICIPATION NOTES.

WHEREAS, the City of Charlotte, North Carolina (the "*City*") is authorized by The State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 et seq. (the "*Act*"), to issue, subject to the approval of the Local Government Commission of North Carolina, at one time or from time to time revenue bond anticipation notes of the City for the purposes as specified in the Act; and

WHEREAS, the City has previously issued Water and Sewer System Revenue Bonds under the terms of the General Trust Indenture dated as of November 1, 1996 between the City and First Union National Bank of North Carolina, the successor to which is Wachovia Bank, National Association, as trustee, (the "*Trustee*"), as amended (the "*General Indenture*");

WHEREAS, the City has determined to issue its Water and Sewer System Commercial Paper Revenue Bond Anticipation Notes, Series 2004 (the "*Bond Anticipation Notes*") in an aggregate principal amount not to exceed \$400,000,000 to finance the capital costs of improvements to the water and sanitary sewer systems of the City (the "*Water and Sewer System*"), including, but not limited to, the extension of existing water and sewer lines and rehabilitation or replacement of others; construction of new water and sewer mains and outfalls; rehabilitation and upgrades of water and wastewater treatment plants; and acquisition of land for the Water and Sewer System, all as described in the Bond Order of the City adopted on July 26, 2004;

WHEREAS, the City will issue the Bond Anticipation Notes under the General Indenture and Series Indenture, Number 7 dated as of August 1, 2004 (the "*Series Indenture*") between the City and the Trustee; and

WHEREAS, the City desires to enter into a Commercial Paper Dealer Agreement dated as of August 1, 2004 (the "*Dealer Agreement*") with Wachovia Bank, National Association (the "*Dealer*") and the North Carolina Local Government Commission (the "*Commission*"), under which the Dealer will place the Bond Anticipation Notes on behalf of the City and the Commission under the terms and conditions set forth therein and in this Series Indenture and the Dealer Agreement; and

WHEREAS, copies of the forms of the following documents relating to the transactions described above have been filed with the City:

1. the Series Indenture;
2. the Dealer Agreement;
3. the Issuing and Paying Agency Agreement dated as of August 1, 2004 (the "*Issuing and Paying Agency Agreement*") between the City and Wachovia Bank, National Association, as issuing and paying agent; and
4. the Standby Note Purchase Agreement dated as of August 1, 2004 (the "*Liquidity Facility*") between the City and Wachovia Bank, National Association;

WHEREAS, the City Council has considered and recognizes that variable interest rate debt instruments may subject the City to the risk of higher interest rates in the future and that in addition to the variable interest cost, the City must pay the fees of the provider of a Liquidity Facility and the Dealer, which fees will increase the variable interest cost to the City;

WHEREAS, the City Council believes that a commercial paper financing is superior to a fixed rate financing because it will lower the City's overall cost of capital;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA DOES RESOLVE AS FOLLOWS:

Section 1. That the issuance of the Bond Anticipation Notes by the City in the principal amount not to exceed \$400,000,000, in substantially the form and content set forth in the Series Indenture, subject to appropriate insertions and revisions in order to comply with the provisions of the General Indenture and the Series Indenture, be and the same hereby are in all respects approved and confirmed, and the form and content of the Bond Anticipation Notes set forth in the Series Indenture be and the same hereby are in all respects approved and confirmed, and the provisions of the General Indenture and the Series Indenture with respect to the Bond Anticipation Notes (including without limitation the maturities and rate setting mechanisms) be and the same hereby are approved and confirmed and are incorporated herein by reference.

The Bond Anticipation Notes shall be special obligations of the City. The principal of, premium, if any, and interest on the Bond Anticipation Notes shall not be payable from the general funds of the City, nor shall they constitute a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of its income, receipts or revenues except the funds which are pledged under the General Indenture and the Series Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City are pledged for the payment of the principal of, premium, if any, or interest on the Bond Anticipation Notes, and no holder of Bond Anticipation Notes has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

Section 2. That the form and content of the Series Indenture and the exhibits thereto be and the same hereby are in all respects approved and confirmed, and the Mayor, the City Manager and City Clerk of the City, or their respective designees, be and they hereby are authorized, empowered and directed to execute and deliver the Series Indenture for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the Series Indenture, the Mayor, the City Manager, the Director of Finance and City Clerk of the City, or their respective designees, are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Series Indenture as executed. The Trustee is hereby appointed as Issuing and Paying Agent thereunder.

Section 3. That the City Council requests that the Commission sell the Bond Anticipation Notes through negotiation to Wachovia Bank, National Association pursuant to the terms of the Dealer Agreement but at an initial interest rate not exceeding 4.00%. The form and content of the Dealer Agreement is in all respect approved and confirmed, and the Mayor, the City Manager or the Director of Finance of the City, or their respective designees, are hereby authorized, empowered and directed to execute and deliver the Dealer Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as shall to him or her seem necessary, desirable or appropriate, his execution thereof to constitute conclusive evidence of his or her approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the Dealer Agreement, the Mayor, the City Manager and the Director of Finance of the City, or their respective designees, are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Dealer Agreement as executed.

Section 4. The form and content of the Issuing and Paying Agency Agreement be and the same hereby are in all respects approved and confirmed, and the Mayor, the City Manager, the Director of Finance and City Clerk of the City be and they hereby are authorized, empowered, and directed to execute and deliver the Issuing and Paying Agency Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of his or her approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the Issuing and Paying Agency Agreement, the Mayor, the City Manager, the Director of Finance and City Clerk of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Issuing and Paying Agency Agreement as executed.

Section 5. The City Manager or Director of Finance of the City is hereby authorized to execute a no-arbitrage certificate in order to comply with Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder.

Section 6. No stipulation, obligation or agreement herein contained or contained in the Bond Anticipation Notes, the General Indenture, the Series Indenture, the Dealer Agreement, the Issuing and Paying Agency Agreement or any other instrument related to the issuance of the Bond Anticipation Notes shall be deemed to be a stipulation, obligation or agreement of any officer, agent or employee of the City in his or her individual capacity, and no such officer, agent or employee shall be personally liable

on the Bond Anticipation Notes or be subject to personal liability or accountability by reason of the issuance thereof.

Section 7. The Mayor, the City Manager, the Director of Finance and the City Clerk of the City, or their respective designees, are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by (a) this Resolution and the Bond Order, (b) the General Indenture, (c) the Series Indenture, (d) the Dealer Agreement and (e) the Issuing and Paying Agency Agreement; except that none of the above shall be authorized or empowered to do anything or execute any document which is in contravention, in any way, of (1) the specific provisions of this Resolution or the Bond Order, (2) the specific provisions of the General Indenture or the Series Indenture, (3) the specific provisions of the Dealer Agreement and the Issuing and Paying Agency Agreement, (4) any agreement to which the City is bound, (5) any rule or regulation of the City or (6) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

Section 8. The Mayor, the City Manager, the Director of Finance and the City Clerk of the City, or their respective designees, are hereby authorized and directed to prepare and furnish, when the Bond Anticipation Notes are issued, certified copies of all the proceedings and records of the Board relating to the Bond Anticipation Notes, and such other affidavits, certificates and documents as may be required to show the facts relating to the legality and marketability of the Bond Anticipation Notes as such facts appear on the books and records in such party's custody and control or as otherwise known to them; and all such certified copies, certificates, affidavits and documents, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

Section 9. All acts and doings of the Mayor, the City Manager, the Director of Finance and the City Clerk of the City, and their respective designees, that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the Bond Anticipation Notes and the execution, delivery and performance of the Series Indenture and the Dealer Agreement shall be, and the same hereby are, in all respects approved and confirmed.

Section 10. If any one or more of the agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the Bond Anticipation Notes authorized hereunder.

Section 11. All resolutions or parts thereof of the Board in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 12. This Resolution shall take effect upon its adoption.

Upon motion of Councilmember Graham, seconded by Councilmember Kinsey, the foregoing order entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF CITY OF CHARLOTTE, NORTH CAROLINA WATER AND SEWER SYSTEM COMMERCIAL PAPER REVENUE BOND ANTICIPATION NOTES, SERIES 2004; PROVIDING FOR THE SALE OF THE BOND ANTICIPATION NOTES; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE BOND ANTICIPATION NOTES ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BOND ANTICIPATION NOTES" was adopted by the following vote: Unanimous

PASSED, ADOPTED AND APPROVED this 26th day of July, 2004.

STATE OF NORTH CAROLINA)
)
CITY OF CHARLOTTE) ss:

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 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF CITY OF CHARLOTTE, NORTH CAROLINA WATER AND SEWER SYSTEM COMMERCIAL PAPER REVENUE BOND ANTICIPATION NOTES, SERIES 2004; PROVIDING FOR THE SALE OF THE BOND ANTICIPATION NOTES; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE BOND ANTICIPATION NOTES ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BOND ANTICIPATION NOTES" adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 2004, the reference having been made in Minute Book 121, and recorded in full in Resolution Book 38, Page(s) 986-990.

WITNESS my hand and the seal of the City of Charlotte, North Carolina, this the 26th day of July, 2004.



Brenda R. Freeze, CMC, City Clerk