

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of Hubbard Road** in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Hubbard Falls, LLC** has filed a petition to close **a portion of Hubbard Road** in the City of Charlotte; and

Whereas, the portion of Hubbard Road to be closed lies within the Derita/Statesville Community Organization beginning from approximately 800 feet from the intersection of Hubbard Road and Sugar Creek Road continuing approximately 1,350 feet northeastwardly to its terminus as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

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

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of June 12, 2006 that it intends to close a portion of Hubbard Road and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 24<sup>th</sup> day of July, 2006 in CMGC meeting chamber, 600 East 4<sup>th</sup> Street Charlotte North Carolina.

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

**CERTIFICATION**

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 118.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
Brenda R. Freeze, CMC, City Clerk

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a 10-foot alleyway between Meacham Street and Magnolia Avenue** in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Scout Properties, LLC** has filed a petition to close a **10-foot alleyway between Meacham Street and Magnolia Avenue** in the City of Charlotte; and

Whereas, the 10-foot alleyway to be closed lies within the Dilworth Community beginning from Meacham Street continuing approximately 172 feet northeastwardly to its terminus at Magnolia Avenue as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

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

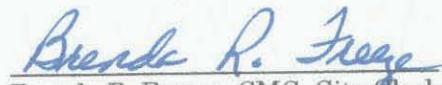
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of June 12, 2006 that it intends to close a 10-foot alleyway between Meacham Street and Magnolia Avenue and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 24<sup>th</sup> day of July, 2006 in CMGC meeting chamber, 600 East 4<sup>th</sup> Street Charlotte North Carolina.

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

**CERTIFICATION**

I, **Brenda R. Freeze**, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 119.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
Brenda R. Freeze, CMC, City Clerk

**A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES**

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

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

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 12th day of June, 2006 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 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 120-121.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
Brenda R. Freeze, CMC, City Clerk

TAXPAYERS AND REFUNDS REQUESTED  
(Clerical Error)

<u>Name</u>	<u>Refund Amount</u>
2005-009094 WATKINS MADELINE D	\$ 30.24
2005-009095 WATKINS MADELINE D	30.24
2005-009099 STEINMULLER WARREN J	10.08
2005-009100 STEINMULLER WARREN J	10.08
2005-009101 COLLARD MARK S	53.89
2005-009102 COLLARD MARK S	53.89
2005-009103 COLLARD MARK S	44.94
2005-009106 HAMPTON DEBI	113.82
2005-009108 SETZER RANDY A	35.7
2005-009109 SETZER RANDY A	35.7
2005-009110 SETZER RANDY A	35.7
2005-009111 LEHEW TROY	362.88
2005-009115 ROE JANET ANN	108.78
2005-009118 LAMBETH LLOYD M	277.62
2005-009119 COMER MANUFACTURING INC	218.77
2005-009120 HILLMAN DANIEL V	31.08
2005-009121 HILLMAN DANIEL V	31.08
2005-009122 NISSAN MOTOR ACCEPTANCE CORP	221.64
Total	<u>\$ 1,706.13</u>

**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 June 12, 2006.

Members Present: Michael Barnes, Susan Burgess, Nancy Carter, Andy Dulin, Anthony Foxx, Patsy Kinsey, John Lassiter, Don Lochman, James Mitchell, Patrick Mumford, and Warren Turner

Members Absent: N/A

Also Present:

\* \* \* \* \*

Councilmember Lassiter 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, REAUTHORIZING THE CITY OF CHARLOTTE, NORTH CAROLINA WATER AND SEWER SYSTEM COMMERCIAL PAPER REVENUE BOND ANTICIPATION NOTES, SERIES 2004 AND AUTHORIZING CERTAIN ADDITIONAL DOCUMENTS RELATED THERETO.**

*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 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 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"), Series Indenture, Number 7 dated as of August 1, 2004 (the "Series Indenture") between the City and the Trustee and the bond order adopted by the City Council on July 26, 2004 (the "Bond Order");

*WHEREAS*, the City has used the proceeds of the Bond Anticipation Notes 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;

*WHEREAS*, the City intends to refinance \$400,000,000 aggregate principal amount of the outstanding Bond Anticipation Notes with the proceeds of long-term bonds (the "2006 Bonds") issued under the General Indenture, Series Indenture, Number 9 to be dated as of July 15, 2006 between the City and the Trustee, and the Bond Order; and

*WHEREAS*, the City has determined that after the issuance of the 2006 Bonds and discharge of the outstanding Bond Anticipation Notes, as permitted under the terms of the Series Indenture, the City desires to continue utilizing the commercial paper program and issue additional Bond Anticipation Notes in an aggregate principal amount not to exceed \$400,000,000 to pay costs of improving the Water and Sewer System;

*WHEREAS*, the City desires to enter into a Commercial Paper Dealer Agreement dated as of July 15, 2006 (the "Dealer Agreement") with Banc of America Securities LLC (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 the Series Indenture; and

*WHEREAS*, the City desires to enter into a Standby Note Purchase Agreement dated as of July 15, 2006 (the "Liquidity Facility") among the City, Wachovia Bank, National Association, as issuing and paying agent, and DEPFA BANK, plc, acting through its New York Branch, as liquidity provider, to provide liquidity for the Bond Anticipation Notes;

*WHEREAS*, copies of the forms of the Dealer Agreement and Liquidity Facility have been filed with the City;

*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 utilizing the commercial paper financing as an interim sources of funding for improving the Water and Sewer System lowers the City's overall cost of capital and therefore is superior to issuing fixed rate bonds for such purpose at this time;

*WHEREAS*, the City Council directs the Director of Finance of the City to file with the Local Government Commission of North Carolina (the "Commission") an application for its reapproval of the Bond Anticipation Notes in an aggregate principal amount not to exceed \$400,000,000, on a form prescribed by the Commission, and (1) request in such application that the Commission approve (A) the negotiation of the sale of the Bond Anticipation Notes to the Dealer in accordance with the Series Indenture and the Dealer Agreement, (B) the City's use of Parker Poe Adams & Bernstein LLP, as bond counsel for the City, (C) the Dealer's use of Helms Mulliss & Wicker, PLLC, as dealer's counsel, (D) the City's use of DEC Associates Inc. and Waters and Company, LLC, as financial advisors, (E) the City's use of Wachovia Bank, National Association, as issuing and paying agent for the Bond Anticipation Notes, and (F) the City's use of DEPFA BANK, plc, acting through its New York Branch, as the liquidity provider for such Bond Anticipation Notes and (2) state in such application such facts and to attach thereto such exhibits in regard to the Bond Anticipation Notes 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 Bond Anticipation Notes.

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

**Section 1.** That following the issuance of the 2006 Bonds and the discharge of the then outstanding Bond Anticipation Notes, the issuance of the Bond Anticipation Notes by the City is reauthorized 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 proceeds of the Bond Anticipation Notes will provide funds (1) to finance the costs of improving the Water and Sewer System (the "Project") and (2) to pay the costs of issuing the Bond Anticipation Notes. The use of the proceeds of the Bond Anticipation Notes, as described, is necessary in order to meet the expanding needs of the users of the Water and Sewer System and to assure that the Water and Sewer System remains in full compliance with all state and federal requirements for the provision of water and sanitary sewer services.

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 (1) Parker Poe Adams & Bernstein LLP shall hereby be retained to serve as bond counsel, (2) Banc of America Securities LLC shall hereby be retained to serve as dealer, (3) Helms Mulliss & Wicker, PLLC shall be approved as dealer's counsel, (4) Wachovia Bank, National Association is the trustee for the Bond Anticipation Notes, (5) DEC Associates Inc. and Waters and Company, LLC shall hereby be retained as financial advisors in connection with the issuance by the City of the Bond Anticipation Notes, and (6) DEPFA BANK, plc, acting through its New York Branch, shall be approved as the liquidity provider for such Bond Anticipation Notes.

**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 reapproval of the issuance of the Bond Anticipation Notes.

**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 Bond Anticipation Notes is necessary or expedient;
- (b) that the not to exceed stated principal amount of the Bond Anticipation Notes will be sufficient but is not excessive, when added to other moneys available to the Water and Sewer System, for the proposed Project;

- (c) that the Water and Sewer System 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 Bond Anticipation Notes can be marketed at a reasonable interest cost to the City.

**Section 5.** That the form and content of the Dealer Agreement and the Liquidity Facility 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, or their respective designees, be and they hereby are authorized, empowered and directed to execute and deliver the Dealer Agreement and the Liquidity Facility 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 Dealer Agreement and the Liquidity Facility, 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 Dealer Agreement and the Liquidity Facility as executed.

**Section 6.** That the City Council requests that the Commission sell the Bond Anticipation Notes through negotiation to the Dealer pursuant to the terms of the Dealer Agreement.

**Section 7.** The form and content of the Offering Memorandum prepared in connection with the reauthorization of the Bond Anticipation Notes are in all respects authorized, approved and confirmed, and the use of the Offering Memorandum by the Dealer in connection with the sale of the Bond Anticipation Notes is hereby in all respects authorized, approved and confirmed.

**Section 8.** No stipulation, obligation or agreement herein contained or contained in the Bond Anticipation Notes, the Dealer Agreement, the Liquidity Facility 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 9.** 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 this Resolution.

**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.

June 12, 2006  
Resolution Book 40, Page 126

Upon motion of Councilmember Lassiter, seconded by Councilmember Burgess, the foregoing order entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, REAUTHORIZING THE CITY OF CHARLOTTE, NORTH CAROLINA WATER AND SEWER SYSTEM COMMERCIAL PAPER REVENUE BOND ANTICIPATION NOTES, SERIES 2004 AND AUTHORIZING CERTAIN ADDITIONAL DOCUMENTS RELATED THERETO"** was adopted by the following vote:

AYES: Unanimous

NAYS:

*PASSED, ADOPTED AND APPROVED* this 12th day of June, 2006.

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 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 122-127.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
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 June 12, 2006.

\* \* \*

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 June 12, 2006 (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: Michael Barnes, Susan Burgess, Nancy Carter, Andy Dulin, Anthony Foxx, Patsy Kinsey, John Lassiter, Don Lochman, James Mitchell, Patrick Mumford, and Warren Turner.

The following members of the City Council were absent: N/A

Councilmember Lassiter 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 WATER AND SEWER SYSTEM REVENUE BONDS; REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE CITY'S WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2006 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 desirable to refinance \$400,000,000 aggregate principal amount of the City's Water and Sewer System Commercial Paper Revenue Bond Anticipation Notes, Series 2004 (the "*Commercial Paper*"), the proceeds of which were used to improve its water and sanitary sewer systems (collectively, 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 (the "*Project*");

*WHEREAS*, the City Council is considering the issuance of not to exceed \$403,000,000 Water and Sewer System Revenue Bonds, Series 2006A of the City (the "*2006A Bonds*") and Variable Rate Water and Sewer Revenue Bonds, Series 2006B (the "*2006B Bonds*"), and together with the 2006A Bonds, the "*2006 Bonds*"), to refinance the Commercial Paper;

*WHEREAS*, the City Council is considering the issuance of the 2006 Bonds with a fixed rate of interest and a variable rate of interest;

*WHEREAS*, the City Council has considered and recognized 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 for the 2006B Bonds, which fees will increase the variable interest cost to the City;

*WHEREAS*, the City has previously entered into a forward starting swap agreement in the notional amount of \$300,000,000 that will correspond to the amortization of the 2006B Bonds which mitigates the variable rate exposure to the City;

*WHEREAS*, the City Council wants to (A) retain Parker Poe Adams & Bernstein LLP of Charlotte, North Carolina, as bond counsel; (B) retain Banc of America Securities LLC of Charlotte, North Carolina, and Wachovia Bank, National Association of Charlotte, North Carolina, as underwriters for the 2006A Bonds (the "Underwriters"); (C) retain Wachovia Bank, National Association of Charlotte, North Carolina, as the underwriter and remarketing agent for the 2006B Bonds; (D) approve the selection by the Underwriters of Helms Mulliss & Wicker, PLLC of Charlotte, North Carolina, as underwriters' counsel; (E) retain Waters and Company LLC of Birmingham, Alabama, as financial consultant, and DEC Associates, Inc. of Charlotte, North Carolina, as financial advisor; (F) retain Wachovia Bank, National Association of Charlotte, North Carolina, as trustee for the 2006 Bonds; and (G) retain DEPFA BANK plc, acting through its New York branch, as the liquidity provider for the 2006B 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 2006 Bonds, on a form prescribed by the Commission, and (1) request in such application that the Commission approve (A) the negotiation of the sale of the 2006 Bonds to Banc of America Securities LLC and Wachovia Bank, National Association, (B) the City's use of Parker Poe Adams & Bernstein LLP, as bond counsel for the City, (C) the Underwriters' use of Helms Mulliss & Wicker, PLLC, as underwriters' counsel, (D) the City's use of Waters and Company LLC, as financial consultant, and DEC Associates, Inc., as financial advisor, (E) the City's use of Wachovia Bank, National Association, as trustee for the 2006 Bonds, (F) the City's use of Wachovia Bank, National Association, as the underwriter and the remarketing agent for the 2006B Bonds and (G) the City's use of DEPFA BANK plc, acting through its New York branch, as the liquidity provider for the 2006B Bonds; and (2) state in such application such facts and to attach thereto such exhibits in regard to the 2006 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 2006 Bonds.

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

**Section 1.** That the 2006 Bonds are to be issued by the City in one or more series for the purpose of providing funds (1) to finance and refinance the costs of the Project, (2) to fund a debt service reserve for the 2006 Bonds or purchase a surety policy in lieu thereof and (3) to pay the costs of issuing the 2006 Bonds all as set out fully in the documents attached to the City's application to the Commission. The use of the proceeds of the 2006 Bonds, as described, is necessary in order to meet the expanding needs of the users of the Water and Sewer System and to assure that the Water and Sewer System remains in full compliance with all state and federal requirements for the provision of water and sanitary sewer services.

**Section 2.** That (1) Parker Poe Adams & Bernstein LLP shall hereby be retained to serve as bond counsel, (2) Banc of America Securities LLC and Wachovia Bank, National Association shall

hereby be retained to serve as underwriters for the 2006A Bonds, (3) the Underwriters' use of Helms Mulliss & Wicker, PLLC as underwriters' counsel, (4) Wachovia Bank, National Association shall hereby be approved as trustee for the 2006 Bonds, (5) Waters and Company LLC and DEC Associates, Inc. shall hereby be retained as financial consultant and financial advisor, respectively, in connection with the issuance by the City of the 2006 Bonds, (6) Wachovia Bank, National Association shall be approved as the underwriter and the remarketing agent for the 2006B Bonds and (7) DEPFA BANK plc, acting through its New York branch, shall be approved as the liquidity provider for the 2006B 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 2006 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 2006 Bonds is necessary or expedient;
- (b) that the not to exceed stated principal amount of the 2006 Bonds will be sufficient but is not excessive, when added to other moneys available to the Water and Sewer System, for the proposed Project;
- (c) that the Water and Sewer System 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 2006 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 2006 Bonds.

*Section 6.* That the City Council requests that the Commission sell the 2006A Bonds through negotiation to Banc of America Securities LLC and Wachovia Bank, National Association on such terms as may be agreed on but at a true interest cost not exceeding 5.30%, and the City Council requests that the Commission sell the 2006B Bonds through negotiation to Wachovia Bank, National Association on such terms as may be agreed on but at an initial interest rate not exceeding 4.25%. The form and content of the Preliminary Official Statement with respect to the 2006A Bonds are in all respects authorized, approved and confirmed, and the use of the Preliminary Official Statement by the Underwriters in connection with the sale of the 2006A Bonds is hereby in all respects authorized, approved and confirmed..

*Section 7.* That this Resolution is effective on the date of its adoption.

On motion of Councilmember Lassiter, seconded by Councilmember Burgess, the foregoing resolution titled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF WATER AND SEWER SYSTEM REVENUE BONDS; REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE CITY'S WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2006 AND CERTAIN RELATED MATTERS" was duly adopted by the following vote:

June 12, 2006  
Resolution Book 40, Page 131

AYES: Unanimous

NAYS:

*PASSED, ADOPTED AND APPROVED* this 12th day of June, 2006.

**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 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 128-131.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
Brenda R. Freeze, CMC, City Clerk

**CITY OF CHARLOTTE  
RESOLUTION APPROVING THE MECKLENBURG COUNTY  
10-YEAR SOLID WASTE MANAGEMENT PLAN  
DATED JULY 1, 2006**

**WHEREAS**, better planning for solid waste will help protect public health and the environment, provide for an improved solid waste management system, better utilize our natural resources, and control the cost of solid waste management; and

**WHEREAS**, N.C. General Statute 130A-309.09A(b) requires each unit of local government, either individually or in cooperation with other units of local government, to develop a 10-year comprehensive solid waste management plan; and

**WHEREAS**, the City of Charlotte approved the Mecklenburg County Solid Waste Plan, dated September, 1988 (the "Plan"); and

**WHEREAS**, the City of Charlotte approved changes to the Plan in documents entitled "Mecklenburg County Solid Waste Management Plan" in 1990, 1992, 1997, 2000, and 2003; and

**WHEREAS**, the Mecklenburg County Board of Commissioners on May 3, 2006 approved the document entitled "Mecklenburg County Solid Waste Management Plan, 2006-2016" dated July 1, 2006; now, therefore, be it

**RESOLVED** that the Charlotte City Council hereby approves the Mecklenburg County Solid Waste Management Plan as outlined in the document entitled "Mecklenburg County Solid Waste Management Plan, 2006-2016" (on file with the City Clerk and incorporated by reference) dated July 1, 2006.

**ADOPTED** by the Charlotte City Council during regular session on the 12 day of June, 2006.

**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 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 132.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
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 **BELLHAVEN CIRCLE SEWER LINE PROJECT**;

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 **BELLHAVEN CIRCLE SEWER LINE PROJECT** and estimated to be approximately **23,726 square feet (.545 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. 031-132-24, said property currently owned by **GENEVA CAMPBELL and spouse, if any; UNKNOWN HEIRS OF BOBBY JUNIOR ROACH; 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 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 133.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
\_\_\_\_\_  
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 **LPA UNSPECIFIED SIDEWALK-SHANNON PARK & SARDIS ROAD 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 **LPA UNSPECIFIED SIDEWALK-SHANNON PARK & SARDIS ROAD PROJECT** and estimated to be approximately **389.06 square feet (.009 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. 099-084-25, said property currently owned by **TRACY A. DUDLEY and spouse, if any; SUBSTITUTE TRUSTEE SERVICES, INC.; Trustee; UNION FEDERAL BANK OF INDIANAPOLIS, 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 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 134.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
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 **LPA UNSPECIFIED SIDEWALK-SHANNON PARK & SARDIS ROAD 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 **LPA UNSPECIFIED SIDEWALK-SHANNON PARK & SARDIS ROAD PROJECT** and estimated to be approximately **2,770 square feet (.064 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. 213-115-02, said property currently owned by **EVCO CONSTRUCTION COMPANY, INC., and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 135.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
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 **LPA UNSPECIFIED SIDEWALK-SHANNON PARK & SARDIS ROAD 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 **LPA UNSPECIFIED SIDEWALK-SHANNON PARK & SARDIS ROAD PROJECT** and estimated to be approximately **3,082.63 square feet (.071 acre) of 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. 213-115-44, said property currently owned by **EVERETTE B. CURLEE and wife, VIRGINIA CURLEE; ROBERT A. GOETHE, Trustee; BRYAN F. KENNEDY, III, Trustee; REGIONS BANK (d/b/a Regions Mortgage) 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 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 136.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
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 **LPA UNSPECIFIED SIDEWALK-SHANNON PARK & SARDIS ROAD 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 **LPA UNSPECIFIED SIDEWALK-SHANNON PARK & SARDIS ROAD PROJECT** and estimated to be approximately **8,669.79 square feet (.199 acre) of 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. 213-115-45, said property currently owned by **KIMBERLY P. CURLEE; CRAIG B. RUSSING, Marital Interest; HAYWOOD A. LANE, JR., Trustee; FIDELITY BANK, Beneficiary; ROSCOE L. HANNER, Trustee; ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION, Beneficiary; ROGER S. CARDINAL, Trustee; REGIONS BANK d/b/a Regions Mortgage, 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 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 137.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE ROAD/CENTER SECTION (BOURBON-EXMORE)**;

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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE ROAD/CENTER SECTION (BOURBON-EXMORE)** and estimated to be approximately **2,345 square feet (.054 acre) of 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. 169-101-06, said property currently owned by **FRED D. GODLEY, JR. and spouse, if any, MECKLENBURG COUNTY TAX COLLECTOR; WEST COAST LLC (f/k/a West Coast Life Insurance 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 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 138.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE ROAD/CENTER SECTION (BOURBON-EXMORE)**;

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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE ROAD/CENTER SECTION (BOURBON-EXMORE)** and estimated to be approximately **2,551 square feet (.059 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. 169-082-01, said property currently owned by **HPCC JOINT VENTURE; 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 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 139.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE ROAD/CENTER SECTION (BOURBON-EXMORE)**;

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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE ROAD/CENTER SECTION (BOURBON-EXMORE)** and estimated to be approximately **8,756 square feet (.201 acre) of existing right-of-way, 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. 169-082-02, said property currently owned by **ROSELLA E. STARNES; HEIRS AT LAW OF KEITH C. STARNES, 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 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 140.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE ROAD/CENTER SECTION (BOURBON-EXMORE)**;

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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE ROAD/CENTER SECTION (BOURBON-EXMORE)** and estimated to be approximately **6,904 square feet (.158 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. 169-082-09, said property currently owned by **RICHARD W. KEFFER, JR. and wife, CONSTANCE O. KEFFER; HUGH M. DARDEN, Trustee; WACHOVIA BANK AND TRUST COMPANY, N. A., Beneficiary; CINNAMON BAY, INC., (or Successor-in-Interest), 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 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 141.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE ROAD/CENTER SECTION (BOURBON-EXMORE)**;

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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE ROAD/CENTER SECTION (BOURBON-EXMORE)** and estimated to be approximately **6,860 square feet (.157 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. 169-084-02, said property currently owned by **RICHARD W. KEFFER, JR. and wife, CONSTANCE O. KEFFER; JAMES D. MONTEITH, Trustee; JACK T. HAMILTON, Trustee; NORTH-WESTERN FINANCIAL INVESTORS, 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 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 142.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE ROAD/CENTER SECTION (BOURBON-EXMORE)**;

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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE ROAD/CENTER SECTION (BOURBON-EXMORE)** and estimated to be approximately **2,558 square feet (.059 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. 169-011-14, said property currently owned by **RW AND JW PROPERTIES; DOUGLAS F. SUTHERLAND, Trustee; AMERICAN COMMUNITY BANK, Beneficiary; 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 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 143.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE ROAD/CENTER SECTION (BOURBON-EXMORE)**;

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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE ROAD/CENTER SECTION (BOURBON-EXMORE)** and estimated to be approximately **8,320 square feet (.191 acre) of fee-simple, storm drainage easement, sidewalk and utility easement, and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 149-041-16, said property currently owned by **BLANKENSHIP INVESTMENTS, LLC; R. B. McKNIGHT, JR., Trustee; BLANKENSHIP INVESTMENTS, LLC, Beneficiary, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

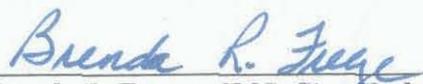
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 144.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

  
Brenda R. Freeze, CMC, City Clerk

FOR REGISTRATION JUDITH A. GIBSON  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2006 JUL 10 08:46 AM  
BK: 20718 PG: 75-78 FEE: \$18.00

INSTRUMENT # 2006138007



RESOLUTION CLOSING A 10-FOOT ALLEYWAY OFF OF EAST 35<sup>TH</sup> STREET IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a 10-foot alleyway off of East 35<sup>th</sup> Street which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a 10-foot alleyway off of East 35<sup>th</sup> Street to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the public hearing was held on the 12<sup>th</sup> day of June, 2006 and City Council determined that the closing of a 10-foot alleyway off of East 35<sup>th</sup> Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of June 12, 2006, that the Council hereby orders the closing of a 10-foot alleyway off of East 35<sup>th</sup> Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in document marked "Exhibit B", both of which are attached hereto and made a part hereof.

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

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

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 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 151.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

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

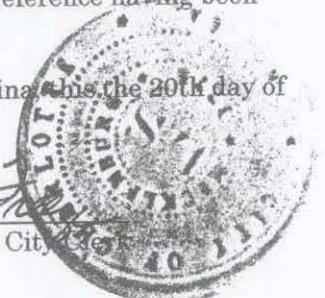


Exhibit B

LEGAL DESCRIPTION  
GARY WALKER  
LOT 6, BLOCK 10, NORTH CHARLOTTE REALTY COMPANY  
0.2574 ACRE  
CHARLOTTE, MECKLENBURG COUNTY, N.C.

That certain tract or parcel of land situated, lying and being in the City of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

BEGINNING at a new iron rod on the southerly margin of E. 35<sup>th</sup> Street (50' public right-of-way) said iron being the northeast corner of Lot 5, Block 10 North Charlotte Realty Company as recorded in Map Book 230, Page 14 of the Mecklenburg County Public Registry, and runs thence with the southerly margin of E. 35<sup>th</sup> Street South 43-11-19 East 50.00 feet to a new iron rod on the westerly margin of a 10' alley as recorded in Map Book 230, Page 14 of said Registry, thence with the westerly margin of said alley South 46-40-44 West 228.55 feet to an existing iron pipe on the northerly margin of a 20' alley as recorded in Map Book 230, Page 14 of said Registry, thence with the northerly margin of said alley North 34-11-37 West 50.48 feet to an existing iron pipe being the southeastern corner of Lot 5, Block 10 North Charlotte Realty Company as recorded in Map Book 230, Page 14 of said Registry, thence with the easterly line of Lot 5 North 46-38-11 East 220.66 feet to the point or place of BEGINNING: containing 11,211 square feet or 0.2574 acres more or less as shown on a survey by James Mauney & Associates, P.A. dated May 5, 2005.

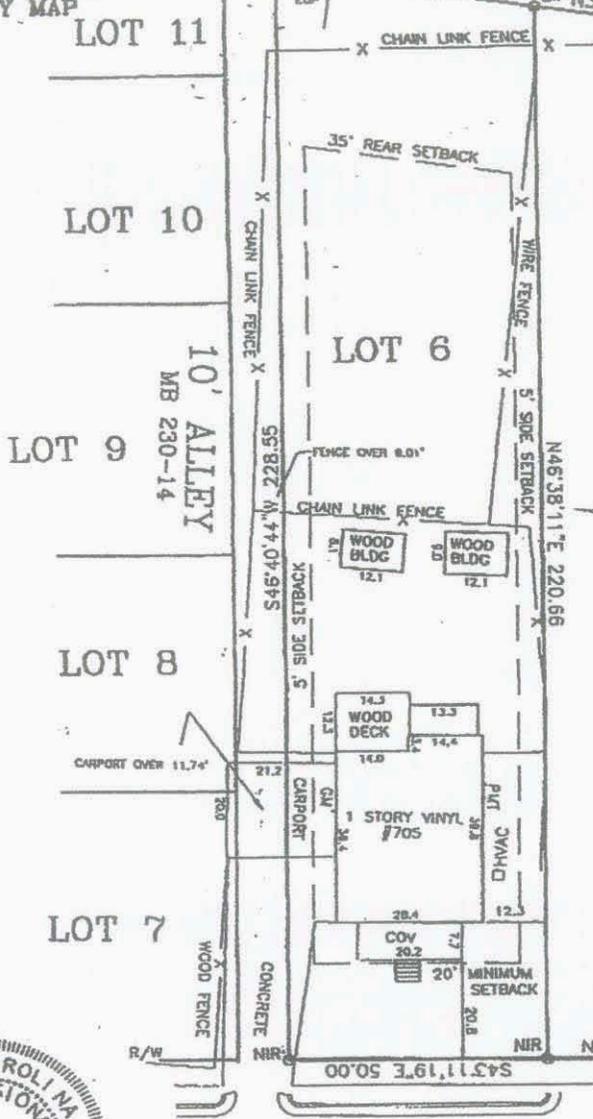
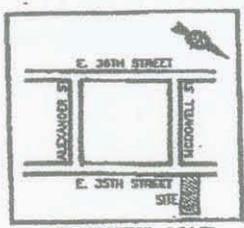
**Drawn by: City of Charlotte**  
**Return to: City of Charlotte - Box**

FROM : FAX NO. : May. 10 2005 08:17AM P:

THIS IS TO CERTIFY THAT ON THE SIX DAY OF MAY 2005, AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE .1600 (21 NCAC 58) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

SIGNED James H. Mauney  
**JAMES MAUNEY & ASSOCIATES, P.A.**  
 PROFESSIONAL SURVEYORS  
 18627-A NORTHLINE DRIVE  
 CORNELIUS, NC 28031  
 TEL: 704-987-3882  
 FAX: 704-987-3863

**EXHIBIT A**



- LEGEND**
- SQ.FT. - SQUARE FEET
  - R/W - RIGHT-OF-WAY
  - C&G - CURB & GUTTER
  - ER - EXISTING IRON ROD
  - GM - GAS METER
  - PM - POWER METER
  - HVAC - HEATING/COOLING UNIT
  - HVAC - HEATING/COOLING UNIT

- NOTES**
1. SUBJECT PROPERTY IS ZONED R-5
  - SETBACKS PER ZONING
  - FRONT - 20'
  - REAR - 35'
  - SIDE - 5'

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



**EAST 35TH STREET**  
 50' PUBLIC R/W MB-240-14

**AREA**  
 11,211 SQ.FT  
 0.2574 ACRES

SURVEY OF  
**LOT 6, BLOCK 10 NORTH CHARLOTTE REALTY COMPANY**  
 CHARLOTTE TOWNSHIP, MECKLENBURG COUNTY, NORTH CAROLINA

PREPARED FOR GARY WALKER

SCALE 1"=30'  
 MAP BOOK 230 PAGE 14  
 DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 CREW AP DRAWN DS REVISED \_\_\_\_\_

**FLOOD CERTIFICATION**  
 THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 4, 2004  
 COMMUNITY PANEL 37119C0168E

FINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY  
 I CERTIFY THAT THE MAP OR PLAT TO WHICH THIS SEAL IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS.  
Finda B. Poissant 7/6/06  
 Date



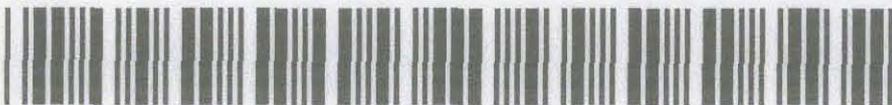
JUDITH A. GIBSON  
REGISTER OF DEEDS, MECKLENBURG  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE, NC 28202

**PLEASE RETAIN YELLOW TRAILER PAGE**

It is part of the recorded document, and must be submitted with original for re-recording  
and/or cancellation.

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Filed For Registration: 07/10/2006 08:46 AM  
Book: RE 20718 Page: 75-78  
Document No.: 2006138007  
RESOL 4 PGS \$18.00  
Recorder: LYVANH PHETSARATH



2006138007

FOR REGISTRATION JUDITH A. GIBSON  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2006 JUL 10 08:46 AM  
BK: 20718 PG: 79-82 FEE: \$18.00  
INSTRUMENT # 2006138008  
2006138008

RESOLUTION CLOSING A PORTION OF MEACHAM STREET LOCATED BETWEEN SOUTH BOULEVARD ANND LYNDHURST AVENUE IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a portion of Meacham Street located between South Boulevard and Lyndhurst Avenue which calls for a public hearing on the question and:

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

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

WHEREAS, the public hearing was held on the 12<sup>th</sup> day of June, 2006 and City Council determined that the closing of a portion of Meacham Street located between South Boulevard and Lyndhurst Avenue is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of June 12, 2006, that the Council hereby orders the closing of a portion of Meacham Street located between South Boulevard and Lyndhurst Avenue in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in document marked "Exhibit B", both of which are attached hereto and made a part hereof.

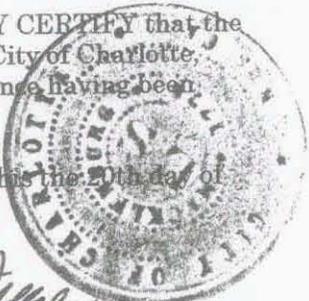
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

**CERTIFICATION**

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 154.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of June, 2006.

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

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

METES AND BOUNDS DESCRIPTION

COMMENCING at HARN Monument M084 having NAD 83/2001 North Carolina state plane grid coordinates of North 513612.5946, East 1460274.9181, thence North 37-04-27 West 230.39 feet to a 1" iron pipe (found), thence North 67-36-30 East 18.49 feet; thence with the arc of a circular curve to the left, having a radius of 520.98 feet, and an arc length of 50.36 feet, and subtended by a chord North 64-59-14 East 50.34 feet; thence with the arc of a circular curve to the left, having a radius of 520.98 feet, and an arc length of 126.02 feet, and subtended by a chord North 56-20-55 East 125.71 feet to a point, said point being the Point and Place of Beginning, said point being a common corner to a point in the western margin of Lyndhurst Avenue in the Southern margin of Meacham Street as recorded in Deed Book 967, Page 445 and in Map Book 4, Page 271 of the Mecklenburg County Registry, thence leaving Lyndhurst and with the aforementioned margin of Meacham and with the line of the following tax parcels: 121-06-114, 121-06-115, 121-06-117, 121-06-119, 121-06-120, 121-06-121, 121-06-122, 121-06-123, 121-06-124;

North 47-33-55 West passing a 1 inch pipe (found) at a distance of 527.43 feet, and passing a number 5 rebar (found) at a distance of 692.48 feet, in all 877.47 feet to a point in the southern margin of South Boulevard, thence leaving the aforementioned southern margin of Meacham Street and with said margin of South Boulevard;

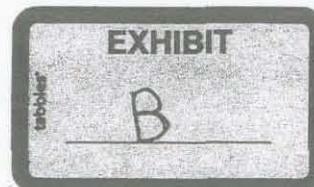
North 40-21-35 East 50.04 feet to a 1 inch pipe (found), said pipe being a common corner to tax parcel 121-06-202, and being in the northern margin of Meacham Street; thence leaving the aforementioned South Boulevard and with the northern margin of Meacham Street;

South 47-33-43 East 142.70 feet to a 1" pipe (found), thence continuing with the aforementioned margin and the following tax parcels: 121-06-203, 121-06-205, 121-06-206, 121-06-207, 121-06-208, 121-06-209, 121-06-210, 121-06-211, 121-06-212, 121-06-213, 121-06-214;

South 47-33-49 East passing a number 4 rebar (found) at a distance of 10.00', and passing an axle (found) at 70.72 feet, and passing 1 inch pipe (found) at 124.99 feet, and passing another 1 inch pipe (found) at 180.04 feet, and passing another 1 inch pipe (found) at 620.30 feet, in all, 734.84 feet to a 1 inch pipe (found) in the aforementioned margin of Lyndhurst Avenue, thence leaving the aforementioned margin of Meacham Avenue and with Lyndhurst Avenue;

South 40-26-27 West 50.01 feet to the Point and Place of Beginning, and containing 1.007 acres more or less.

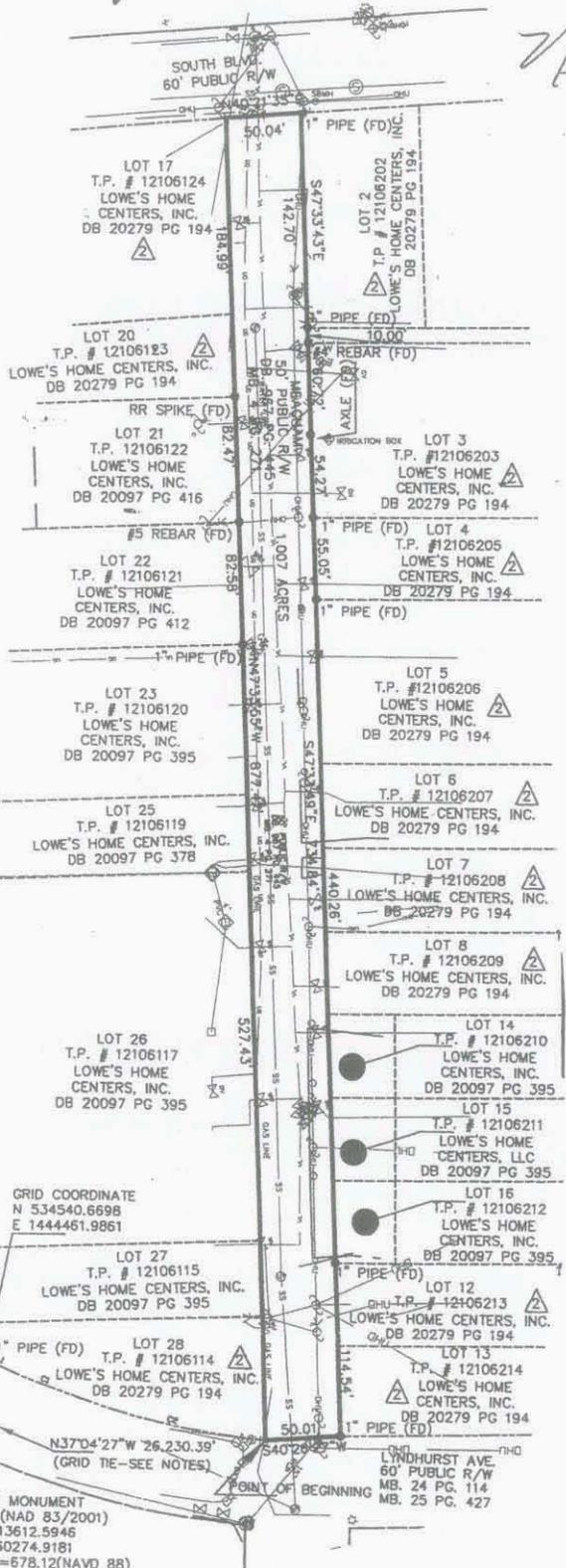
Drawn by: City of Charlotte  
Return to: City of Charlotte - Room 1000



*[Handwritten signature]* 5-at-02



*Michael S. Miller*  
 Michael S. Miller  
 L-3677



**NOTES**

THESE PROPERTIES MAY BE SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAY.

DATE OF SURVEY: JULY 2004

RAW ERROR OF CLOSURE 1:109,671(6-09-04)

PROJECT GRID TIE TO HARN MONUMENT MOB4 ESTABLISHED BY GPS METHODS ON JUNE 9, 2004.

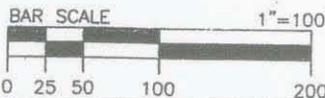
THIS PLAT IS FOR ABANDONMENT PURPOSES ONLY.

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

		CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	50.36	520.98	5°32'20"	N64°59'14"E	50.34
C2	126.02	520.98	13°51'32"	N56°20'55"E	125.71

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

LINE TABLE		
LINE	BEARING	LENGTH
L1	N67°36'30"E	18.49'



LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
*Linda B. Poissant*  
 Linda B. Poissant  
 Review Officer  
 Date: 7/6/06

**ESP ASSOCIATES, P.A.**  
 engineering · surveying · planning  
 P.O. Box 7030  
 Charlotte, NC 28241 (704) 583-4949

**RIGHT OF WAY ABANDONMENT  
 PLAT FOR MEACHAM STREET  
 BEING 1.007 ACRES**

CITY OF CHARLOTTE  
 MECKLENBURG CO NORTH CAROLINA

Scale: 1"=30'  
 Date: 4-1-05  
 Drawing No. MEACH ST ROW ABANDON.DWG  
 JOB NO.



JUDITH A. GIBSON  
REGISTER OF DEEDS, MECKLENBURG  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE, NC 28202

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RESOL 4 PGS \$18.00  
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2006138008