

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE Ingram Street located off of Dawkins Street in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Elizabeth A. Grillo, Alexandra A. Longstreet and Modern Dwellings, LLC** have filed a petition to close **Ingram Street located off of Dawkins Street** in the City of Charlotte; and

Whereas, Ingram Street to be closed lies within the Ashbrook Community beginning Dawkins Street continuing north approximately 440 feet to its terminus at parcel #149-132-07 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 November 27, 2006 that it intends to close Ingram Street located off of Dawkins Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 8th day of January, 2007 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 385.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.



Brenda R. Freeze, CMC, City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of Old Steele Creek Connector located between S. Tryon Street and Old Steele Creek Road in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **The Charlotte-Mecklenburg Hospital Authority** has filed a petition to close **a portion of Old Steele Creek Connector located between S. Tryon Street and Old Steele Creek Road** in the City of Charlotte; and

Whereas, the portion of Old Steele Creek Road Connector to be closed lies within the Yorkshire Community beginning from Old Steele Creek Road continuing west approximately 856 feet to its terminus approximately 180 feet from S. Tryon Street 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 November 27, 2006 that it intends to close a portion of Old Steele Creek Connector located between S. Tryon Street and Old Steele Creek 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 8th day of January, 2007 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 386.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE Savings Place located off of Fairview Road in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Housing Authority of the City of Charlotte** has filed a petition to close **Savings Place located off of Fairview Road** in the City of Charlotte; and

Whereas, Savings Place to be closed lies within the Southpark Community beginning from Fairview Road continuing southwestwardly approximately 536 feet to its terminus as shown in the map marked "Exhibit A-1 and A-2" 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 November 27, 2006 that it intends to close Savings Place located off of Fairview 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 8th day of January, 2007 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 387.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 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 27th day of November 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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Pages (388-390).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.


Brenda R. Freeze, CMC, City Clerk

TAXPAYERS AND REFUNDS REQUESTED
(Clerical Error)

<u>Name</u>	<u>Refund Amount</u>
FOUST FAMILY LTD PARTNERSHIP	\$ 424.62
HARVEY LAURA	376.38
HARVEY LAURA	376.38
CUNNINGHAM SHELIA J	33.60
BENNETT DELANCY H S	85.26
PASSMORE CATHLEEN E	72.48
PASSMORE CATHLEEN E	72.48
PASSMORE CATHLEEN E	61.32
PASSMORE CATHLEEN E	61.32
BRANUM INC	74.58
BRANUM INC	38.66
WNKS/INFINITY RADIO INC	217.21
WNKS/INFINITY RADIO INC	171.06
WNKS/INFINITY RADIO INC	130.48
WNKS/INFINITY RADIO INC	83.72
WNKS/INFINITY RADIO INC	52.95
WNKS/INFINITY RADIO INC	25.05
BILLINTON JOSEPH A	9.66
PULTE HOME CORP	90.72
HOOVER JOHNNY MAX	109.62
SOLOMON DARLA C	65.52
JAMA OMER M	134.40
GEAN ALVIN	107.94
WHEELER SADIE	85.26
WHEELER SADIE	85.26
Total	<u>\$ 3,045.93</u>

**TAXPAYERS AND REFUNDS REQUESTED
(Clerical Error)**

<u>Name</u>	<u>Amount</u>
KLEIN KAREN L	\$ 31.92
KLEIN KAREN L	31.92
KLEIN KAREN L	31.92
WACHOVIA BANK CORP REAL ESTATE	7,497.43
CORT CLINTON A	54.18
CORT CLINTON A	54.18
CORT CLINTON A	54.18
REMEDY TEMPORARY SERVICES INC	15.21
NEES JEFFREY E	54.73
NEES JEFFREY E	54.73
NEES JEFFREY E	60.06
NEES JEFFREY E	60.06
NEES JEFFREY E	60.06
KERETSIS TOULA H	168.26
KERETSIS TOULA H	127.68
KERETSIS TOULA H	127.68
KERETSIS TOULA H	127.68
HALEY LAWANDA L	23.94
HALEY LAWANDA L	8.82
NEW FELLOWSHIP WORSHIP	45.00
MEGORDEN RICHARD B II CLU	5.94
Total	<u><u>\$ 8,695.58</u></u>

Charlotte City Council

Resolution Authorizing Sale of Surplus Personal Property to a Non-Profit Organization

Whereas, North Carolina General Statutes 160A-279 authorizes the City to sell personal property belonging to the City of Charlotte to a non-profit organization by private sale upon adoption of a resolution by the Charlotte City Council; and,

Whereas, the City of Charlotte owns a 1999 Ford F450 wheelchair access van, proposed for sale,

Whereas, the vehicle is no longer a part of the City of Charlotte CATS fleet service, and

Whereas, the Charlotte Emergency Winter Shelter, Charlotte, North Carolina has offered to purchase this vehicle at a price of \$1.00; and

Whereas, the Charlotte Emergency Winter Shelter agrees to accept the conditions and covenants to use this vehicle to carry out a public purpose as specified in North Carolina G.S. 160A-279; and

Whereas, the Charlotte City Manager has recommended that this van be sold to the Charlotte Emergency Winter Shelter, Charlotte, North Carolina for \$1.00.

Now therefore, be it resolved by the Charlotte City Council that the City Manager or her designee is authorized to sell at private sale to the Charlotte Emergency Winter Shelter, the unit described on the attached Exhibit A which is hereby declared to be surplus.

Said surplus property is to be sold in accordance with N.C.G.S. 160A-279 in compliance with the City of Charlotte policies. Terms of the sale shall be net cash. The City Manager or her designee is directed to publish at least once and not less than ten (10) days before the date of sale, a copy of this resolution or a notice summarizing its content as required by North Carolina General Statute 160A-279.

Adopted on this 27th day of November, 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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 391.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 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 City Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on November 27, 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 City Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on November 27, 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: Councilmember: Barnes, Burgess, Carter

Dulin, Foxx, Kinsey, Lassiter, Lochman, Mitchell, Mumford and Turner

The following members of the City Council were absent: _____

Also present: Mayor

Council member Carter introduced the following resolution (the "Resolution"), a summary of which had been provided to each Council member:

**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA REQUESTING A
RELEASE OF REAL PROPERTY FROM THE DEED OF TRUST SECURING THE CITY'S
INSTALLMENT PAYMENT CONTRACT WITH RESPECT TO THE 2003 GOVERNMENT
FACILITIES PROJECTS**

WHEREAS, the City of Charlotte, North Carolina (the "City") is a duly and regularly created, organized and validly existing municipal corporation of the State of North Carolina, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the "State");

WHEREAS, the City Council of the City of Charlotte, North Carolina (the "City Council") is considering an exchange of property known as Marshall Park which is encumbered under an Amended, Restated and Supplemental Deed of Trust and Security Agreement by the City to Del D. Borgsdorf, Successor Trustee for the benefit of New Charlotte Corporation, dated March 1, 1995, the Notice of Extension of Lien and Supplement to Deed of Trust dated March 1, 1995, and the Second Notice of Extension of Deed of Trust to Additional Property dated August 15, 2003 (collectively, the "Deed of Trust"); and

WHEREAS, under the Installment Payment Contract dated as of May 15, 2003 between the City and New Charlotte Corporation, property subject to the Deed of Trust may be released on request of the City expressed in a resolution of the City Council and satisfaction of certain other conditions;

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

Section 1. Release of Property. That (a) the City hereby requests a release of the real property included in the Deed of Trust that is described in Exhibit A attached hereto, commonly known as Marshall Park, and (b) the City shall provide for payment of all expenses associated with the release of such property.

Section 2. Severability. That if any section, phrase or provision of this Resolution is for any reason 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. That this Resolution is effective on the date of its adoption.

On motion of Councilmember Carter, seconded by Councilmember Burgess, the foregoing resolution titled "RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA, REQUESTING A RELEASE OF REAL PROPERTY FROM THE DEED OF TRUST SECURING THE CITY'S INSTALLMENT PAYMENT CONTRACT WITH RESPECT TO THE 2003 GOVERNMENT FACILITIES PROJECTS" was duly adopted by the following vote: Unanimously

AYES:

NAYS:

PASSED, ADOPTED AND APPROVED this 27th day of November, 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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Pages (392-395).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.


Brenda R. Freeze, CMC, City Clerk

EXHIBIT A

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

BEGINNING at a point in the westerly margin of South McDowell Street, said point being located South 50-32-46 West 31.74 feet from the intersection of the southerly right-of-way of East Third Street with the westerly margin of South McDowell Street and run thence; with the westerly margin of South McDowell Street South 50-32-46 West 426.59 feet to a point, the northeasterly corner of Parcel #10; thence, with the northerly line of Parcel #10 North 19-22-38 West 883.30 feet to a point in the line of Brooklyn Urban Renewal Area Section I; thence, with the easterly line of said Area Section I North 50-57-56 East 116.03 feet to a point in the southerly margin of East Third Street; thence, with the southerly margin of East Third Street four lines: 1) South 43-28-14 East 22.85 feet, (2) South 41-35-02 East 415.28 feet, (3) South 42-40-54 East 359.87 feet, (4) with the arc of a circular curve to the right having a radius of 30 feet a distance of 48.81 feet to the point of **BEGINNING** and said parcel containing 236,624.44 square feet.

RESOLUTION REGARDING PROPOSED DECLARATION OF WITHDRAWAL

WHEREAS, The Housing Authority of the City of Charlotte has submitted to the City of Charlotte a proposed Declaration of Withdrawal of Dedication regarding a portion of Calvin Street as depicted on a survey attached hereto as Exhibit A; and described in deed book 1166, page 317 recorded in the Mecklenburg County Public Registry.

WHEREAS, pursuant to G.S. 136-95, the Property Owners have requested that the City adopt a resolution indicating that the dedicated described in the proposed declaration of withdrawal is not part of a street plan adopted under G.S. 136-66.2.

NOW THEREFORE BE IT RESOLVED by the Charlotte City Council that the street depicted on Exhibit A attached hereto is not part of a street plan adopted under G.S. 136-66.2.

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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Pages (396-398.)

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.


Brenda R. Freeze, CMC, City Clerk

EXHIBIT A

All that tract or parcel of land lying in Mecklenburg County, North Carolina being more particularly described as follows:

BEGINNING at an iron rod, said iron rod being located at the northeast corner of the property now or formerly known as Lot 12, Calvine Village, as shown on the plat recorded in Book 1166, Page 317, Mecklenburg County Registry of Deeds; running thence North $42^{\circ} 15' 26''$ West 29.85 feet to an iron rod; running thence South $49^{\circ} 55' 30''$ West 239.19 feet to an iron rod located on the northerly right of way of the N. Brevard/Caldwell Connector Street; running thence with said right of way South $79^{\circ} 54' 24''$ East 39.07 feet to an iron rod; running thence North $49^{\circ} 52' 36''$ East 215.29 feet to a point and place of BEGINNING; being the area designated as Calvine Street as shown on the recombination plat for Crosland, Inc., City of Charlotte, Mecklenburg County, North Carolina, by Land Design Surveying Company dated November 3, 2006.

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 WATER CAPITAL 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 WATER CAPITAL IMPROVEMENTS PROJECT** and estimated to be approximately **2,033 square feet (.047 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. 181-123-07, said property currently owned by **PATRICIA E. SMITH and spouse, if any; TIM, INC., Trustee; NATIONSBANK OF NORTH CAROLINA, N. A., MAST DRUG, INC., Possible Judgment Creditor, 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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 399

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 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 the **ANDOVER STORM WATER CAPITAL 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 WATER CAPITAL IMPROVEMENTS PROJECT** and estimated to be approximately **7,457 square feet (.171 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. 181-12C-98, said property currently owned by **COTSWOLD HOMES CONDOMINIUM ASSOCIATION, 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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 400

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 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 the **BEATTIES FORD ROAD 14600-15400 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 **BEATTIES FORD ROAD 14600-15400 PROJECT** and estimated to be approximately **8,720 square feet (.200 acre) of utility easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 013-131-03, said property currently owned by **DANIEL E. PHILLIPS; MADELINE T. PHILLIPS; PRLAP, INC., Trustee; BANK OF AMERICA, N. A., Beneficiary, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 401

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 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 the **BRIAR CREEK RELIEF SEWER-PH. I 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 **BRIAR CREEK RELIEF SEWER-PH. I PROJECT** and estimated to be approximately **256,101 square feet (5.879 acre) of sanitary sewer easement, right of way to be abandoned, 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. 175-051-35, said property currently owned by **MYERS PARK COUNTRY CLUB, 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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 402

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 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 the **BRIAR CREEK RELIEF SEWER-PH. I 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 **BRIAR CREEK RELIEF SEWER-PH. I PROJECT** and estimated to be approximately **307,591 square feet (7.061 acre) of sanitary sewer easement, right of way to be abandoned, 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. 153-105-87, said property currently owned by **AIRLIE HOMEOWNERS ASSOCIATION, 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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 403

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 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 the **HUBBARD ROAD SIDEWALK PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **HUBBARD ROAD SIDEWALK PROJECT** and estimated to be approximately **23 square feet (.001 acre) of sidewalk and utility easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 043-215-05, said property currently owned by **JAMES MUMFORD LOVE and wife, AGNES D. LOVE, 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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 404

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 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 the **JEFFERSON STORM WATER CAPITAL IMPROVEMENTS-PHASE I 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 **JEFFERSON STORM WATER CAPITAL IMPROVEMENTS-PHASE I PROJECT** and estimated to be approximately **3,884 square feet (.089 acre) of storm drainage easement, utility easement; guy wire 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. 187-213-01, said property currently owned by **HAROLD A. TURTLETAUB and wife, CYNTHIA TURTLETAUB; MORRIS & SCHNEIDER, Trustee; WASHINGTON MUTUAL BANK, FA, Beneficiary; PRLAP, INC., Trustee; BANK OF AMERICA, N. A., Beneficiary, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

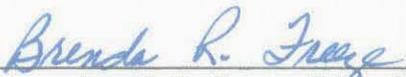
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 405

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 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 the **JEFFERSON STORM WATER CAPITAL IMPROVEMENTS-PHASE I 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 **JEFFERSON STORM WATER CAPITAL IMPROVEMENTS-PHASE I PROJECT** and estimated to be approximately **2,595 square feet (.060 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. 187-213-11, said property currently owned by **WALTER I. KIRKLAND, JR. and wife, DAPHNE S. KIRKLAND; SOUTHLAND ASSOCIATES, INC., Trustee; CENTRAL CAROLINA BANK, Beneficiary, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 406

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 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 the **ROZZELLES FERRY ROAD STREETScape 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 **ROZZELLES FERRY ROAD STREETScape PROJECT** and estimated to be approximately **1,344 square feet (.031 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. 069-041-06, said property currently owned by **JACKIE LEE BECK and wife, LYNDA B. BECK, 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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 407

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 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 the **ROZZELLES FERRY ROAD STREETScape 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 **ROZZELLES FERRY ROAD STREETScape PROJECT** and estimated to be approximately **2,527 square feet (.058 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. 071-143-07, said property currently owned by **LaTONYA R. DAVIS and spouse, if any; KEITH M. STROUD, Trustee; RICHARD EURY, Beneficiary; MILES S. LEVINE, Trustee; TOMMY T. QUICK, Beneficiary; NORTH CAROLINA DEPARTMENT OF REVENUE; UNITED STATES OF AMERICA, Plaintiff in Criminal Forfeiture, 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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 408

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 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 Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on November 27, 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 Government Center, 600 East Fourth Street, Charlotte, North Carolina, 28202, at 7:00 p.m. on November 27, 2006, 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: Councilmember: Barnes, Burgess, Carter, Dulin, Foxx, Kinsey, Lassiter, Lochman, Mitchell, Mumford and Turner.

The following members of the City Council were absent:

Also present: Mayor

The City Clerk reported to the City Council that notice of a public hearing regarding the proposed execution and delivery by the City of an Installment Purchase Contract with New Charlotte Corporation (the "Contract") to finance (1) the acquisition, construction and equipping of the Bechtler Museum, the Mint Museum Annex, the Afro-American Cultural Center and a Performing Arts Center and the expansion of Discovery Place (collectively, the "Cultural Arts Facilities"), (2) a portion of the installment payments designated and paid as interest under the Contract and (3) costs related to the execution and delivery of the Contract, was published on November 8, 2006 stating that the City Council would hold a public hearing thereon on November 27, 2006 at 7:00 p.m. The public hearing notice also described the proposed use and users of each of the Cultural Arts Facilities.

The Mayor announced that the City Council would hear anyone who wished to be heard on the questions of the proposed Contract and the Cultural Arts Facilities to be financed thereby. No one spoke at the public hearing.

Council Member Carter moved that the public hearing be closed. The motion was seconded by Council Member Mitchell and was unanimously adopted.

HELD the 27th day of November, 2006.

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 Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on November 27, 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 Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on November 27, 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: Councilmember: Barnes, Burgess, Carter

Dulin, Foxx, Kinsey, Lassiter, Lochman, Mitchell, Mumford and Turner

The following members of the City Council were absent: _____

Also present: Mayor _____

Councilmember Carter 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 APPROVING AN INSTALLMENT PURCHASE
CONTRACT WITH NEW CHARLOTTE CORPORATION
AND RELATED MATTERS**

WHEREAS, the City of Charlotte, North Carolina (the "City") is a municipal corporation validly existing under the Constitution, statutes and laws of the State of North Carolina (the "State");

WHEREAS, the City has the power, pursuant to the General Statutes of the State, to (1) purchase real and personal property, (2) enter into installment purchase contracts to finance the purchase of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

WHEREAS, the City Council of the City (the "City Council") has determined it is in the best interest of the City to enter into (a) an Installment Purchase Contract dated as of December 1, 2006 (the "Contract") with New Charlotte Corporation (the "Corporation") to finance (1) the acquisition, construction and equipping of the Bechtler Museum, the Mint Museum Annex, the Afro-American Cultural Center and a Performing Arts Center and the expansion of Discovery Place (collectively, the "Cultural Arts Facilities"), (2) a portion of the installment payments designated and paid as interest under the Contract and (3) costs related to the execution and delivery of the Contract and (b) a Deed of Trust and Security Agreement dated as of December 1, 2006 (the "Deed of Trust") from the City to the deed of trust trustee named therein to provide a security interest in the real property on which the Cultural Arts Facilities are or will be located;

WHEREAS, the Corporation will execute and deliver Commercial Paper Certificates of Participation (Cultural Arts Facilities), Series 2006B Evidencing Proportionate Undivided Interests in Rights to Receive Revenues Pursuant to the Contract (the "CP Certificates") under an Indenture of Trust

dated as of December 1, 2006 between the Corporation and U.S. Bank National Association, as trustee, and a Supplemental Indenture, Number 1 dated as of December 1, 2006 between the Corporation and U.S. Bank National Association, as trustee;

WHEREAS, Wachovia Bank, National Association (the "*Dealer*") will serve as the dealer for the CP Certificates under the terms of a Commercial Paper Dealer Agreement dated as of December 1, 2006 (the "*Dealer Agreement*") among the Corporation, the City and the Dealer;

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 proposed installment purchase financing:

- (1) the Contract;
- (2) the Deed of Trust;
- (3) the Dealer Agreement;
- (4) the Issuing and Paying Agency Agreement dated as of December 1, 2006 among the City, the Corporation and U.S. Bank National Association, as issuing and paying agent (the "*IPA Agreement*");
- (5) the Standby Certificate Purchase Agreement dated as of December 1, 2006 (the "*Standby Agreement*") between the City and Wachovia Bank, National Association, as liquidity provider for the CP Certificate;
- (6) the Offering Memorandum related to the CP Certificates (the "*OM*") containing certain information regarding the City;

WHEREAS, it appears that each of the Instruments is in an appropriate form and is an appropriate instrument for the purposes intended;

WHEREAS, the City Council did conduct a public hearing on November 27, 2006, to receive public comment on the proposed Contract to acquire the Cultural Arts Facilities and on the proposed use and users of the Cultural Arts Facilities;

WHEREAS, the City has filed an application to the North Carolina Local Government Commission for approval of the Contract;

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

Section 1. Ratification of Instruments. That all actions of the City, the City Manager, the City Director of Finance, the City Clerk, the City Attorney and their respective designees, whether previously or hereinafter taken, in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

Section 2. Authorization of the Offering Memorandum. That the form, terms and content of the OM are in all respects authorized, approved and confirmed, and the use of the OM related to the CP

Certificates by the Dealer in connection with the sale of the CP Certificates is hereby in all respects authorized, approved and confirmed.

Section 3. Authorization to Execute the Contract. That the City approves the acquisition of the Cultural Arts Facilities in accordance with the terms of the Contract, which will be a valid, legal and binding obligation of the City in accordance with its terms. The form and content of the Contract 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 Contract, 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 Contract presented to the City Council, and that from and after the execution and delivery of the Contract, 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 the Contract as executed.

Section 4. Deed of Trust. That the form and content of the Deed of Trust 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 Deed of Trust, 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 Deed of Trust presented to the City Council, and that from and after the execution and delivery of the Deed of Trust, 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 the Deed of Trust as executed.

Section 5. Dealer Agreement; IPA Agreement; Standby Agreement. That 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 Dealer Agreement, IPA Agreement and Standby Agreement, including necessary counterparts, in substantially the form and content of the Dealer Agreement, IPA Agreement and Standby Agreement, 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 Dealer Agreement, IPA Agreement and Standby Agreement, and that from and after the execution and delivery of the Dealer Agreement, IPA Agreement and Standby Agreement, 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 the Dealer Agreement, IPA Agreement and Standby Agreement as executed.

Section 6. City Representative. That the City Manager, the City Director of Finance, the City Treasurer and the City Debt Manager are hereby designated as the City's Representatives to act on behalf of the City in connection with the transaction contemplated by the Instruments, and each is authorized to proceed with the acquisition and construction of the Cultural Arts Facilities in accordance with the Instruments and to seek opinions as a matter of law from the City Attorney, which the City Attorney is authorized to furnish on behalf of the City, and opinions of law from such other attorneys for all

documents contemplated hereby. The City's Representative and/or designee or designees are in all respects authorized on behalf of the City to supply all information pertaining to the City as purchaser under the Contract and the transactions contemplated by the Instruments, the City Manager, the City Clerk and the City Director of Finance 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 to consummate the transactions contemplated by the Instruments or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution.

Section 7. 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 8. Repealer. That all motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

Section 9. Effective Date. This Resolution will take effect immediately on its adoption.

On motion of Councilmember Carter, seconded by Councilmember Kinsey, the foregoing resolution titled "**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING AN INSTALLMENT PURCHASE CONTRACT WITH NEW CHARLOTTE CORPORATION AND RELATED MATTERS**" was duly adopted by the following vote: Unanimously

AYES:

NAYS:

PASSED, ADOPTED AND APPROVED this 27th day of November, 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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Pages (409-414).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.



Brenda R. Freeze, CMC, City Clerk

RESOLUTION CLOSING A 10-FOOT ALLEYWAY LOCATED BETWEEN ELM STREET AND N. COLLEGE 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 located between Elm Street and N. College 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 located between Elm Street and N. College 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 27th day of November, 2006 and City Council determined that the closing of a 10-foot alleyway located between Elm Street and N. College 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 November 27, 2006, that the Council hereby orders the closing of a 10-foot alleyway located between Elm Street and N. College 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.

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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Pages (415-417.)

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.



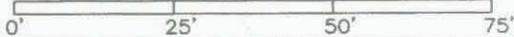
Brenda R. Freeze, CMC, City Clerk



VICINITY MAP

A.G. ZOUTEWELLE
SURVEYORS
 1418 East Fifth St. Charlotte, NC 28204
 Phone: 704-372-9444 FAX: 704-372-9555

Copyright 2006
ABANDONMENT SURVEY OF
Elm & College Streets Alley
 CHARLOTTE, MECKLENBURG COUNTY, N.C.
 for DAVID J. GARDNER
 Scale 1"=30' September 12, 2006

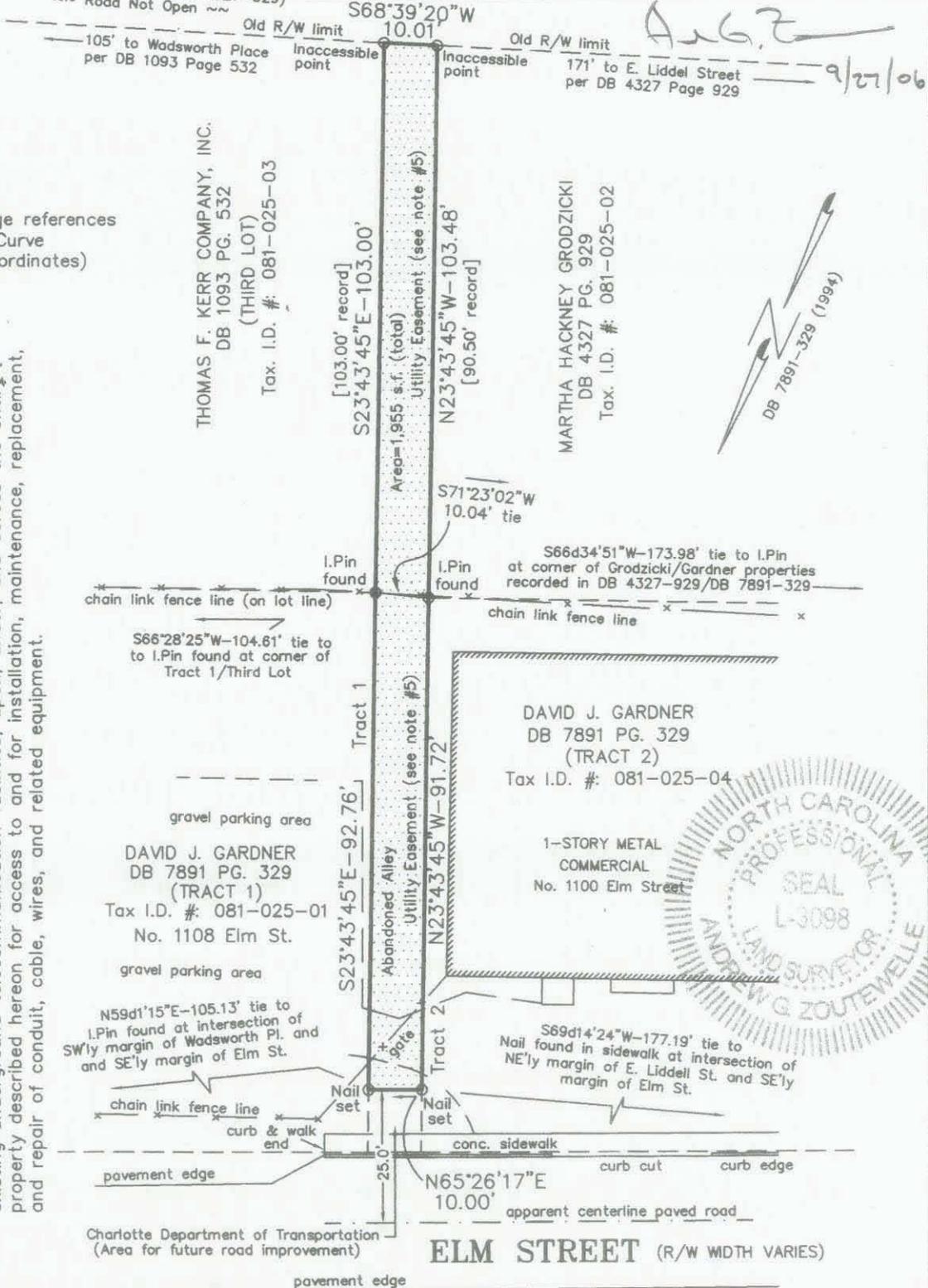


LEGEND

- a/c air conditioner
- Ch Chord
- conc concrete
- I.Pipe Iron Pipe
- IPS Iron Pipe set
- MB/DB/Pg Map, Deed, Page references
- L,R Length, Radius of Curve
- s.f. square feet (by coordinates)

- Notes:**
1. This portion of the Elm & N. College Streets Alley is noted in Deed Book 7891 Page 329, Deed Book 1093 Page 532 and Deed Book 4327 Page 929 recorded for conveyance of parcels adjoining this alley. No recorded plat or dedication deed was found.
 2. This survey does not reflect a complete title examination which may reveal restrictions, easements or other matters of title.
 3. This property is zoned I-2 (General Industrial District) as per Mecklenburg County GIS. This survey does not reflect a zoning analysis.
 4. This survey does not reflect complete utility locations. Contact the NC One Call Utility Locating Service at 1-800-632-4949 before any digging or excavation is begun.
 5. Easement in favor of BellSouth Telecommunications, Inc. and all other owners of existing underground telecommunication facilities, upon, under, and across the entire property described hereon for access to and for installation, maintenance, replacement, and repair of conduit, cable, wires, and related equipment.

N. College Street
 (see DB 1093-532 & DB 4327-929)
 ~~~ Road Not Open ~~~



**EXHIBIT A**

ELM1100-1108-QN

**Exhibit B**  
**Legal Description**  
**Elm Street Alley**

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina and being a portion of that 10-foot Alleyway known as Elm Street Alley and being more particularly described as follows:

BEGINNING at a new pk nail located 25.0 feet southeast of and normal to the existing centerline of Elm Street, said pk nail being located South 59-01-15 West 105.13 feet from an existing iron pin located at the intersection of the southeasterly right of way margin of the said Elm Street with the southwesterly right of way margin of Wadsworth Place, said pk nail being also located on the westerly or southwesterly boundary line of the David J. Gardner property as recorded in Deed Book 7891 Page 329 (Tract #1) of the Mecklenburg County Registry, and running thence from said point and place of BEGINNING along the property of the said David J. Gardner South 23-43-45 East 92.76 feet to an existing iron pin; thence along the westerly or southwesterly boundary line of the Thomas F. Kerr Company, Inc. property as described in Deed Book 1093 Page 532 of the Mecklenburg County Registry South 23-43-45 East 103.00 feet to a point located on the northerly or northwesterly margin of North College Street; thence along the northerly or northwesterly margin of the said North College Street South 68-39-20 West 10.01 feet to a point; thence along the easterly or northeasterly boundary line of Martha Hackney Grodzicki as recorded in Deed Book 4327 Page 929 of the Mecklenburg County Registry North 23-43-45 West 103.48 feet to an existing iron pin; thence along the easterly or northeasterly boundary line of the David J. Gardner property as recorded in Deed Book 7891 Page 329 (Tract #2) North 23-43-45 West 91.72 feet to a new pk nail; thence crossing the Elm Street Alley North 65-26-17 East 10.00 feet to the point and place of BEGINNING, containing 1,955 square feet as shown on a survey prepared by Andrew G. Zoutewelle dated September 12, 2006.

RESOLUTION CLOSING FOUR ALLEYWAYS BOUNDED BY HAWTHORNE LANE, CENTRAL AVENUE  
AND SEABOARD RAILROAD IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH  
CAROLINA

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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 four alleyways bounded by Hawthorne Lane, Central Avenue and Seaboard Railroad which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close four alleyways bounded by Hawthorne Lane, Central Avenue and Seaboard Railroad 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 the City of Charlotte, BellSouth Telecommunications, Inc., and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached maps marked Exhibit A, A-1, A-2, A-3, and A-4.

WHEREAS, the public hearing was held on the 27<sup>th</sup> day of November, 2006 and City Council determined that the closing of four alleyways bounded by Hawthorne Lane, Central Avenue and Seaboard Railroad 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 November 27, 2006, that the Council hereby orders the closing of four alleyways bounded by Hawthorne Lane, Central Avenue and Seaboard Railroad in the City of Charlotte Mecklenburg County, North Carolina as shown in the maps marked "Exhibit A, A-1, A-2, A-3 and A-4", and is more particularly described by metes and bounds in document marked "Exhibit B-1, B-2, B-3 and B-4, ", 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 27<sup>th</sup> day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Pages (418-431.)

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30<sup>th</sup> day of November, 2006.

  
Brenda R. Freeze, CMC, City Clerk

**Civiltek Associates**

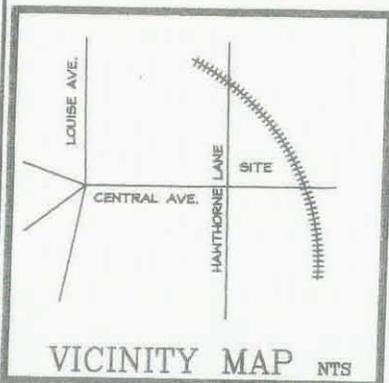
Engineering Planning Surveying

1318 EB Central Ave.  
Charlotte, NC 28205

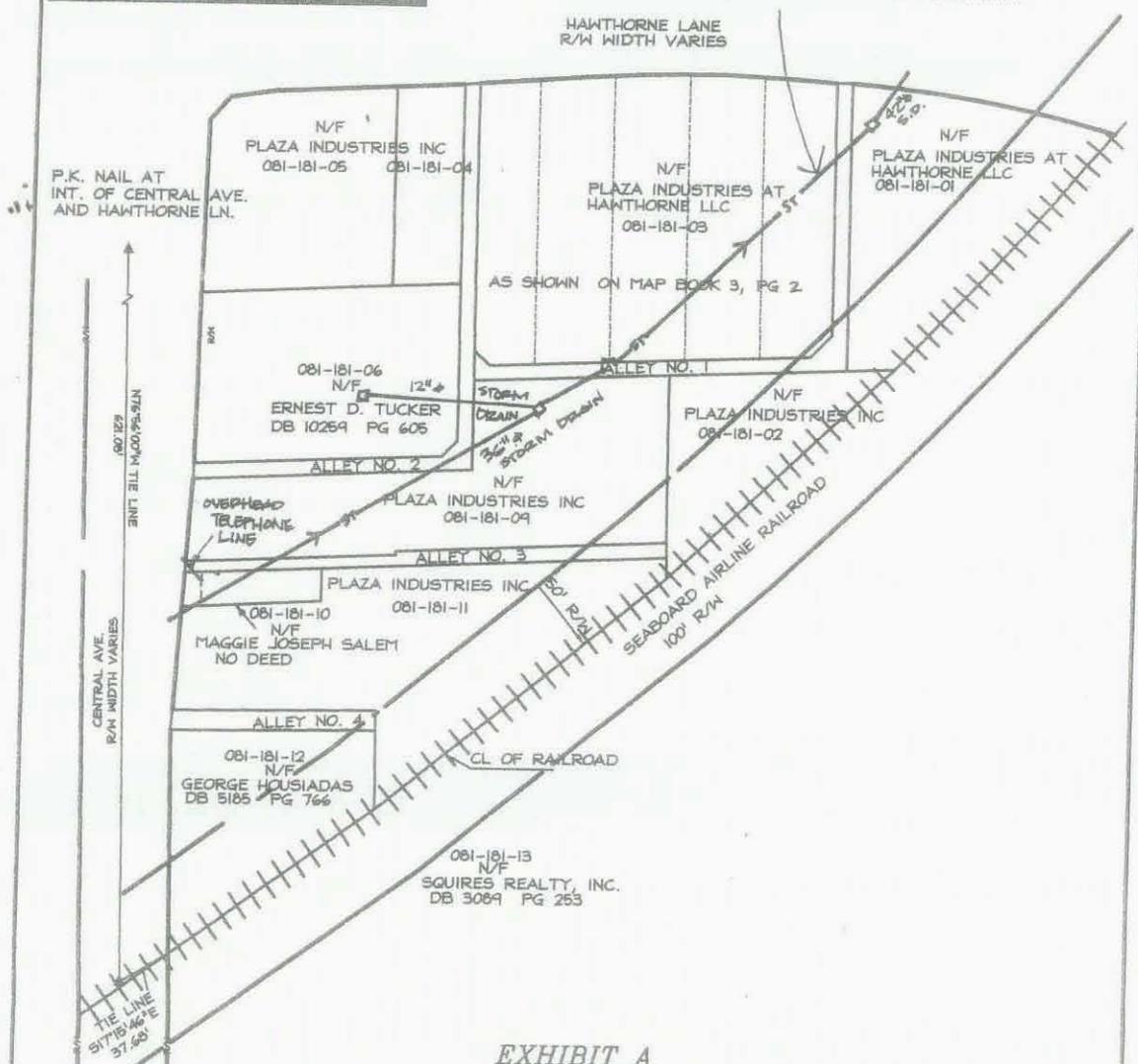
(704) 332-9004  
FAX (704) 344-9872



*Frederick Ira Gore*  
Frederick Ira Gore L-3043  
9.19.06



EASEMENT IN FAVOR OF CITY OF CHARLOTTE, BELLSOUTH TELECOMMUNICATIONS, INC. AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATIONS FACILITIES UPON, UNDER AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT AND REPAIR OF STORM DRAIN LINES, CONDUITS, CABLE, WIRES AND RELATED EQUIPMENT.



**EXHIBIT A  
PHYSICAL SURVEY  
PROPOSED ALLEY ABANDONMENTS**

**IN THE AREA BOUNDED BY  
CENTRAL AVENUE, HAWTHORNE LANE  
AND THE SEABOARD AIRLINE RAILROAD**

**CITY OF CHARLOTTE  
Mecklenburg County, North Carolina**



Scale: 1" = 100'

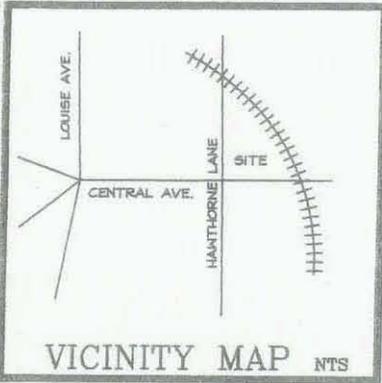
2/8/06





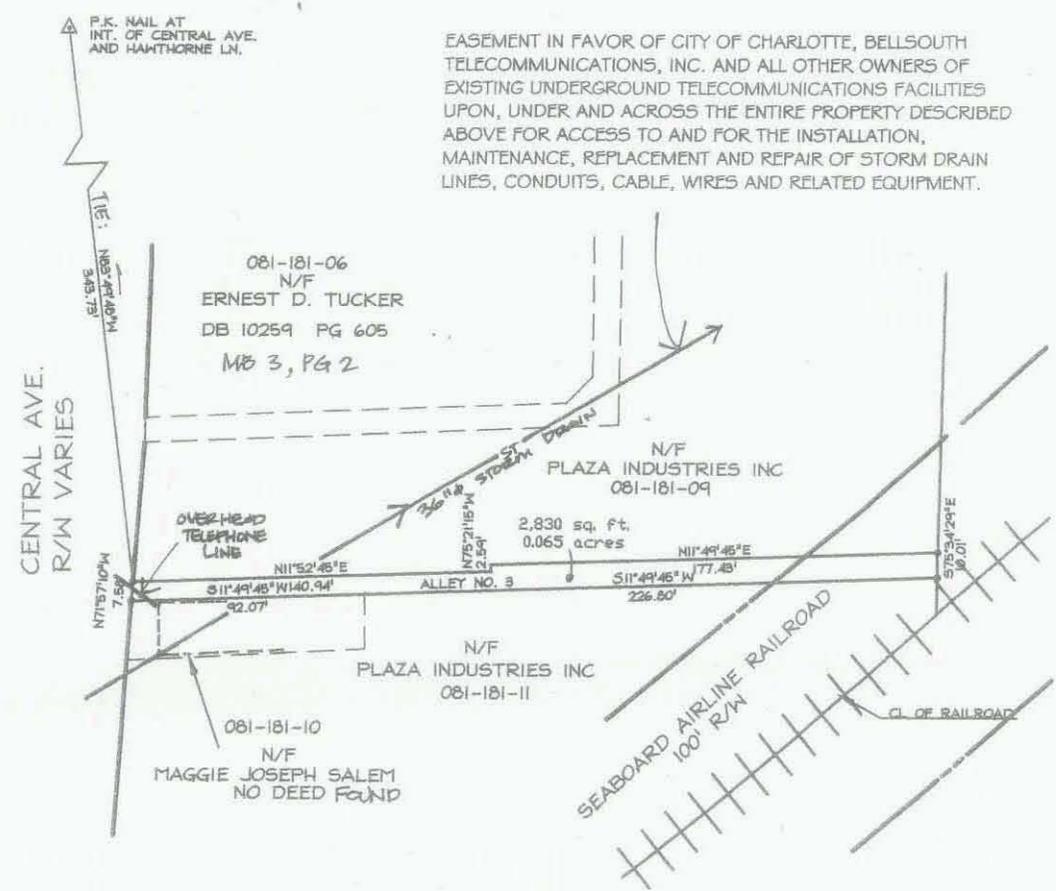
**Civiltek Associates**  
 Engineering Planning Surveying  
 1318 E Central Ave. (704) 332-9004  
 Charlotte, NC 28205 FAX (704) 344-9872

*Frederick Ira Gore*  
 NORTH CAROLINA PROFESSIONAL LAND SURVEYOR SEAL L-3043  
 Frederick Ira Gore L-3043  
 9.19.06  
 MB 3 PG 2



1. IRON PINS AT ALL CORNERS EXCEPT WHERE NOTED.
2. NO MONUMENTS FOUND WITHIN 2000'.

EASEMENT IN FAVOR OF CITY OF CHARLOTTE, BELLSOUTH TELECOMMUNICATIONS, INC. AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATIONS FACILITIES UPON, UNDER AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT AND REPAIR OF STORM DRAIN LINES, CONDUITS, CABLE, WIRES AND RELATED EQUIPMENT.



**EXHIBIT A-3**  
 PHYSICAL SURVEY  
 ALLEY ABANDONMENT

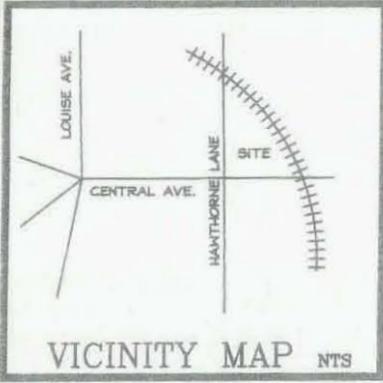
IN THE AREA BOUNDED BY  
 CENTRAL AVENUE, HAWTHORNE LANE  
 AND THE SEABOARD AIRLINE RAILROAD  
 CITY OF CHARLOTTE  
 Mecklenburg County, North Carolina



Scale: 1" = 60'  
 2/8/06

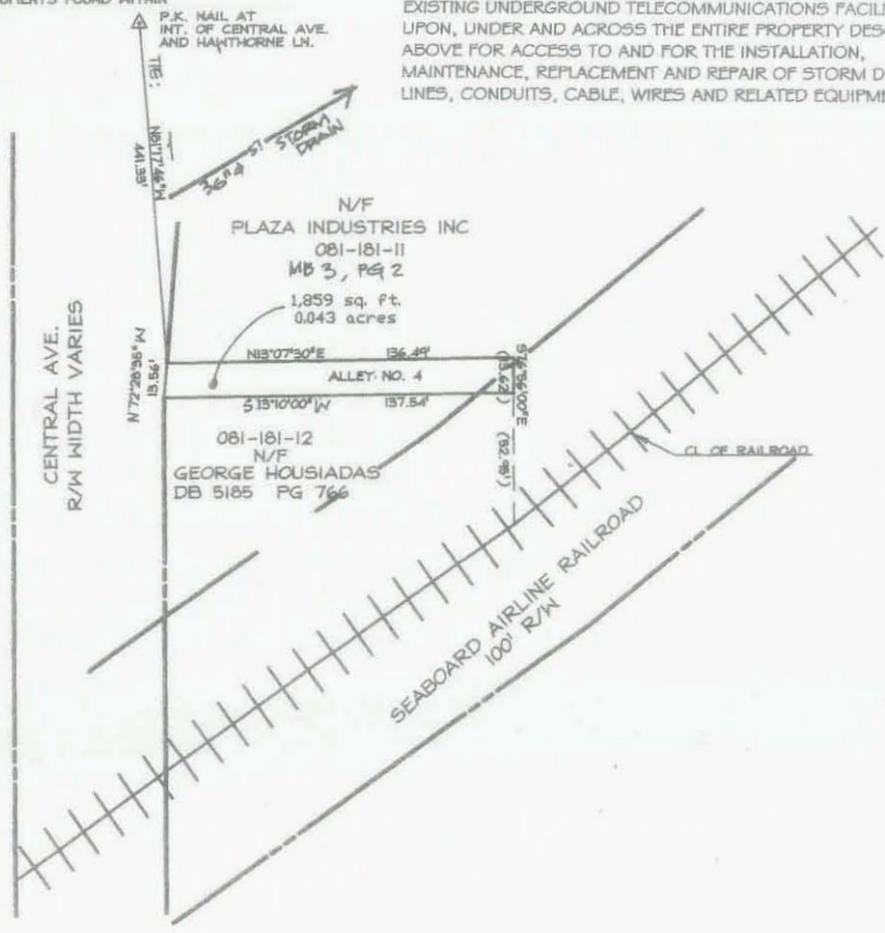
**Civiltek Associates**  
 Engineering Planning Surveying  
 1318 E2 Central Ave. (704) 332-9004  
 Charlotte, NC 28205 FAX (704) 344-9872

*Frederick Ira Gore*  
 Frederick Ira Gore L-3043 9.19.06



1. IRON PINS AT ALL CORNERS EXCEPT WHERE NOTED.
2. NO MONUMENTS FOUND WITHIN 2000'.

EASEMENT IN FAVOR OF CITY OF CHARLOTTE, BELLSOUTH TELECOMMUNICATIONS, INC. AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATIONS FACILITIES UPON, UNDER AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT AND REPAIR OF STORM DRAIN LINES, CONDUITS, CABLE, WIRES AND RELATED EQUIPMENT.



**EXHIBIT A-4**  
**PHYSICAL SURVEY**  
**ALLEY ABANDONMENT**

IN THE AREA BOUNDED BY  
 CENTRAL AVENUE, HAWTHORNE LANE  
 AND THE SEABOARD AIRLINE RAILROAD

CITY OF CHARLOTTE  
 Mecklenburg County, North Carolina



Scale: 1" = 80'  
 2/8/06

EXHIBIT B-1 (ALLEY NUMBER 1)

BEGINNING at a point, said point being the intersection of the eastern line of Alley No. 1, and the northern right of way line of Central Avenue, said point bearing S 53-59-07 W, 307.58 feet to a reference tie point at the intersection of Hawthorne Lane and Central Avenue; thence with the northern right of way line of Central Avenue, N 76-15-54 W, 20.06 feet; thence leaving said right of way, N 57-52-19 E, 14.00 feet, to a point; thence with the western line of the alley N 12-00-31 E, 228.57 feet to a point; thence N 31-54-33 W, 14.00 feet, to a point; thence N 75-31-06 W, 184.83 feet, to a point in the eastern right of way line of Hawthorne Lane; thence with said right of way, N 17-10-37 E, 10.01 feet to a point; thence leaving said right of way line and with the northern line of the alley, S 75-31-06 E, 193.65 feet, to a point; thence N 12-00-31 E, 32.04 feet, to a point on the centerline of the Seaboard Airline Railroad; thence with the centerline of the railroad with a curve to the right having a radius of 2800.00 feet and curve length of 14.63 feet, to a point; thence leaving said railroad right of way with the eastern line of the alley, S 12-00-31 W, 279.95 feet to the POINT OF BEGINNING.

EXHIBIT B - 2 (ALLEY NUMBER 2)

BEGINNING at a point, said point being the intersection of the western line of Alley No. 2 and the northern right of way line of Central Avenue, said point bearing N 86-22-07 W, 279.91 feet to a reference tie point at the intersection of Hawthorne Lane and Central Avenue; thence with the western line of the the alley N 11-52-45 E, 166.00 feet, to a point; thence N 31-53-00 W, 14.67 feet, to a point; thence N 76-15-53 W, 105.56 feet, to a point; thence 75-56-00 W, 133.49 feet to a point in the western right of way line of Hawthorne Lane; thence with said right of way N 14-04-00 E, 10.00 feet, to a point; thence S 76-15-54 E, 125.34 feet to a point; thence with the eastern line of the alley S 11-52-45 W, 186.54 feet, to a point in the northern right of way of Central Avenue; thence with said right of way N 74-44-34 W, 10.02 feet to the POINT OF BEGINNING.

EXHIBIT B - 3 (ALLEY NUMBER 3)

BEGINNING at a point, said point being the intersection of the western line of Alley No. 3 and the northern right of way line of Central Avenue, said point bearing N 83-49-48 W, 343.73 feet to a reference tie point at the intersection of Hawthorne Lane and Central Avenue; thence with the western line of the alley N 11-52-45 E, 140.94 feet, to a point; thence N 75-21-15 W, 2.59 feet to a point; thence S 75-34-29 E, 10.01 feet, to a point; thence S 11-49-45 W, 226.80 feet, to a point in the northern right of way line of Central Avenue; thence, with said right of way, N 71-57-10 W, 7.58 feet, to the POINT OF BEGINNING.

EXHIBIT B -4 (ALLEY NUMBER 4)

BEGINNING at a point, said point being the intersection of the western line of Alley No. 4 and the northern right of way line of Central Avenue, said point bearing N 81-17-46 W, 441.33 feet to a reference tie point at the intersection of Hawthorne Lane and Central Avenue; thence with the western line of the alley N 13-07-30 E, 136.49 feet to a point; thence S 76-56-00 E, 13.62 feet, to a point; thence S 13-10-00 W, 137.54 feet, to a point in the northern right of way of Central Avenue; thence with said right of way, N 72-28-35 W, 13.56 feet, to the POINT OF BEGINNING.

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PAGES  
ARE  
BLANK**

**Resolution Supporting Local Legislative Authority  
To Enact Local Smoking Regulations**

**WHEREAS**, the majority of North Carolinians and other Americans support local decisions and authority to protect public health and smoke free air in workplaces and public places;

**WHEREAS**, protecting people from the harmful effects of secondhand smoke is best accomplished by local communities working directly with the people most affected by local regulations; and

**WHEREAS**, the State legislature should enable local governments to have the authority to protect people from the effects of secondhand smoke as they choose to regulate it; and

**WHEREAS**, the people in local communities believe they should have the right to have local regulations to protect themselves against the harmful effects of secondhand smoke; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlotte, that the NC General Assembly enact appropriate legislative enabling authority in order to authorize local governments (counties and municipalities) to develop and adopt their own regulations of their choice with regard to smoking in enclosed, indoor public places.

**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 27<sup>th</sup> day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 432

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30<sup>th</sup> day of November, 2006.



Brenda R. Freeze, CMC, City Clerk

November 27, 2006

Resolution Book 40, Page 433

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 Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on November 27, 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 Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on November 27, 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: Councilmember: Barnes, Burgess, Carter, Dulin, Foxx, Kinsey, Lassiter, Lochman, Mitchell, Mumford and Turner

The following members of the City Council were absent:

Also present: Mayor

Councilmember Burgess 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 CERTIFYING AND DECLARING THE RESULTS OF THE SPECIAL BOND REFERENDUM ON THE BOND ORDER AUTHORIZING THE ISSUANCE OF \$85,200,000 GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS, AUTHORIZING THE ISSUANCE OF \$10,000,000 GENERAL OBLIGATION HOUSING BONDS AND AUTHORIZING THE ISSUANCE OF \$25,000,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS HELD FOR THE CITY OF CHARLOTTE, NORTH CAROLINA ON NOVEMBER 7, 2006**

**WHEREAS**, the City Council of the City of Charlotte, North Carolina has considered the Certificate of Canvass of the Mecklenburg County Board of Elections canvassing the referendum held for the City of Charlotte, North Carolina on November 7, 2006 and certifying the result thereof to the City Council and has canvassed the result of said Referendum.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA** that it be and hereby is certified and declared that the number of voters registered and qualified to vote at said Referendum was 521,987.

**BE IT FURTHER RESOLVED**, that it be and hereby is certified and declared that the total number of voters who voted "Yes" in answer to the question

"*SHALL* the order authorizing \$85,200,000 of bonds secured by the pledge of the full faith and credit of the City of Charlotte, North Carolina to provide funds 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, parking lots and bicycle paths; 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 a tax to be levied for the payment thereof be approved?"

was 77,891. The total number of voters who voted "No" in answer to such question was 39,126. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

**BE IT FURTHER RESOLVED**, that it be and hereby is certified and declared that the total number of voters who voted "Yes" in answer to the question

"*SHALL* the order authorizing \$10,000,000 of bonds secured by the pledge of the full faith and credit of the City of Charlotte, North Carolina to provide funds 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 a tax to be levied for the payment thereof be approved?"

was 67,403. The total number of voters who voted "No" in answer to such question was 49,405. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

**BE IT FURTHER RESOLVED**, that it be and hereby is certified and declared that the total number of voters who voted "Yes" in answer to the question

"*SHALL* the order authorizing \$25,000,000 of bonds secured by the pledge of the full faith and credit of the City of Charlotte, North Carolina to provide funds 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 a tax to be levied for the payment thereof be approved?"

was 74,046. The total number of voters who voted "No" in answer to such question was 43,371. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

**BE IT FURTHER RESOLVED**, that a statement substantially in the form hereinafter set forth declaring the result of said referendum shall be prepared, delivered to the City Clerk for filing and recordation and published in accordance with law.

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

Upon motion of Councilmember Burgess, seconded by Councilmember Carter, the foregoing resolution entitled: "RESOLUTION CERTIFYING AND DECLARING THE RESULTS OF THE SPECIAL BOND REFERENDUM ON THE BOND ORDER AUTHORIZING THE ISSUANCE OF \$85,200,000 GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS, AUTHORIZING THE ISSUANCE OF \$10,000,000 GENERAL OBLIGATION HOUSING BONDS AND AUTHORIZING THE ISSUANCE OF \$25,000,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS HELD FOR THE CITY OF CHARLOTTE, NORTH CAROLINA ON NOVEMBER 7, 2006" was adopted by the following vote:  
Unanimously

AYES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*PASSED, ADOPTED AND APPROVED* this 27th day of November, 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 27<sup>th</sup> day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Pages (433-438.)

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30<sup>th</sup> day of November, 2006.

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

**STATEMENT OF RESULTS OF SPECIAL BOND REFERENDUM ON THE BOND ORDER AUTHORIZING THE ISSUANCE OF \$85,200,000 GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS, HELD FOR THE CITY OF CHARLOTTE, NORTH CAROLINA ON NOVEMBER 7, 2006**

*WHEREAS*, by direction of the City Council (the "*City Council*") of the City of Charlotte, North Carolina, a special bond referendum was duly called and held for said City on November 7, 2006 for the purpose of submitting to the qualified voters of said City the question hereinafter set forth, and said City Council has received from the Mecklenburg County Board of Elections a certification of the results of said referendum, and has determined the result of said referendum to be as hereinafter stated;

*NOW, THEREFORE*, the City Council hereby makes the following statement of the result of said referendum pursuant to The Local Government Bond Act:

- (1) The number of voters registered and qualified to vote at said referendum was 521,987.
- (2) The total number of voters who voted "Yes" in answer to the question,

"*SHALL* the order authorizing \$85,200,000 of bonds secured by the pledge of the full faith and credit of the City of Charlotte, North Carolina to provide funds 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, parking lots and bicycle paths; 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 a tax to be levied for the payment thereof be approved?"

was 77,891. The total number of voters who voted "No" in answer to such question was 39,126. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

Any action or proceeding challenging the regularity or validity of this special bond referendum must be begun within 30 days after November \_\_\_\_, 2006.

**CITY OF CHARLOTTE, NORTH CAROLINA**

By /s/ Brenda R. Freeze  
City Clerk  
City of Charlotte, North Carolina

**STATEMENT OF RESULTS OF SPECIAL BOND REFERENDUM ON THE BOND ORDER AUTHORIZING THE ISSUANCE OF \$10,000,000 GENERAL OBLIGATION HOUSING BONDS, HELD FOR THE CITY OF CHARLOTTE, NORTH CAROLINA ON NOVEMBER 7, 2006**

*WHEREAS*, by direction of the City Council (the "*City Council*") of the City of Charlotte, North Carolina, a special bond referendum was duly called and held for said City on November 7, 2006 for the purpose of submitting to the qualified voters of said City the question hereinafter set forth, and said City Council has received from the Mecklenburg County Board of Elections a certification of the results of said referendum, and has determined the result of said referendum to be as hereinafter stated;

*NOW, THEREFORE*, the City Council hereby makes the following statement of the result of said referendum pursuant to The Local Government Bond Act:

- (1) The number of voters registered and qualified to vote at said referendum was 521,987.
- (2) The total number of voters who voted "**Yes**" in answer to the question,

"*SHALL* the order authorizing \$10,000,000 of bonds secured by the pledge of the full faith and credit of the City of Charlotte, North Carolina to provide funds 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 a tax to be levied for the payment thereof be approved?"

was 67,403. The total number of voters who voted "**No**" in answer to such question was 49,405. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

Any action or proceeding challenging the regularity or validity of this special bond referendum must be begun within 30 days after November \_\_, 2006.

CITY OF CHARLOTTE, NORTH CAROLINA

By /s/ Brenda R. Freeze  
City Clerk  
City of Charlotte, North Carolina

**STATEMENT OF RESULTS OF SPECIAL BOND REFERENDUM ON THE BOND ORDER AUTHORIZING THE ISSUANCE OF \$25,000,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENT BONDS, HELD FOR THE CITY OF CHARLOTTE, NORTH CAROLINA ON NOVEMBER 7, 2006**

*WHEREAS*, by direction of the City Council (the "*City Council*") of the City of Charlotte, North Carolina, a special bond referendum was duly called and held for said City on November 7, 2006 for the purpose of submitting to the qualified voters of said City the question hereinafter set forth, and said City Council has received from the Mecklenburg County Board of Elections a certification of the results of said referendum, and has determined the result of said referendum to be as hereinafter stated;

*NOW, THEREFORE*, the City Council hereby makes the following statement of the result of said referendum pursuant to The Local Government Bond Act:

- (1) The number of voters registered and qualified to vote at said referendum was 521,987.
- (2) The total number of voters who voted "Yes" in answer to the question,

"*SHALL* the order authorizing \$25,000,000 of bonds secured by the pledge of the full faith and credit of the City of Charlotte, North Carolina to provide funds 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 a tax to be levied for the payment thereof be approved?"

was 74,046. The total number of voters who voted "No" in answer to such question was 43,371. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

Any action or proceeding challenging the regularity or validity of this special bond referendum must be begun within 30 days after November \_\_\_\_, 2006.

**CITY OF CHARLOTTE, NORTH CAROLINA**

By /s/ Brenda R. Freeze  
City Clerk  
City of Charlotte, North Carolina

A RESOLUTION AMENDING REPORT OF PLANS FOR  
SERVICES FOR ARDREY AREA

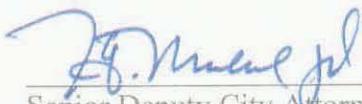
BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

Section 1. That the following pages are deleted from the report of plans for services for the Ardrey Area, as originally approved by the City Council on July 24, 2006: 42 and 43.

Section 2. That the pages attached hereto and incorporated herein are substituted in lieu of the pages deleted from said report in Section 1 above.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Approved as to form:

  
\_\_\_\_\_  
Senior Deputy City Attorney

**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 27<sup>th</sup> day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 439.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30<sup>th</sup> day of November, 2006.

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

## Appendix B: 2007 Annexation Area Economic Analysis: Ardrey

|                                      | FY07            | FY08            |                  |                | FY09          |
|--------------------------------------|-----------------|-----------------|------------------|----------------|---------------|
|                                      | <u>Start-Up</u> | <u>One-Time</u> | <u>Recurring</u> | <u>Total</u>   | <u>Total</u>  |
| <b>EXPENDITURES</b>                  |                 |                 |                  |                |               |
| <b>TRANSPORTATION</b>                |                 |                 |                  |                |               |
| Street Lighting                      | 0               | 0               | 2,742            | 2,742          | 2,742         |
| Operations                           | 0               | 82,374          | 0                | 82,374         | 0             |
| Street Maintenance                   | 0               | 0               | 2,185            | 2,185          | 2,185         |
| Electronic Systems                   | 0               | 0               | 0                | 0              | 0             |
| <b>FIRE</b>                          |                 |                 |                  |                |               |
| Operations                           | 0               | 0               | 0                | 0              | 0             |
| <b>SOLID WASTE</b>                   | 57,194          | 414             | 30,059           | 30,473         | 33,326        |
| <b>ENGINEERING</b>                   |                 |                 |                  |                |               |
| Operations                           | 0               | 0               | 1,000            | 1,000          | 1,000         |
| <b>CITY MANAGER'S OFFICE</b>         |                 |                 |                  |                |               |
| Corporate Communications             | 19,915          | 0               | 0                | 0              | 0             |
| <b>NEIGHBORHOOD DEVELOPMENT</b>      | 0               | 0               | 0                | 0              | 0             |
| <b>BUSINESS SUPPORT SERVICES</b>     | 0               | 0               | 0                | 0              | 0             |
| <b>ECONOMIC LOSS</b>                 |                 |                 |                  |                |               |
| Volunteer Fire Departments           | 5,489           | 0               | 0                | 0              | 0             |
| Private Solid Waste Collection Firms | 24,786          | 0               | 0                | 0              | 0             |
| <b>TOTAL GENERAL FUND</b>            | <b>107,384</b>  | <b>82,788</b>   | <b>35,986</b>    | <b>118,774</b> | <b>39,253</b> |
| <b>POWELL BILL FUND</b>              |                 |                 |                  |                |               |
| Street Maintenance                   | 0               | 27,736          | 42,618           | 70,354         | 43,808        |
| CIP - Bridge Improvements            | 0               | 0               | 0                | 0              | 0             |
| <b>STORM WATER FUND</b>              | 0               | 0               | 0                | 0              | 0             |
| <b>TOTAL OPERATING EXPENDITURES</b>  | <b>107,384</b>  | <b>110,524</b>  | <b>78,604</b>    | <b>189,128</b> | <b>83,061</b> |
| <b>GENERAL CAPITAL</b>               |                 |                 |                  |                |               |
| Fire Station                         | 0               | 0               | 0                | 0              | 0             |
| Transportation                       | 0               | 0               | 0                | 0              | 0             |
| <b>UTILITIES (Capital Expend)</b>    |                 |                 |                  |                |               |
| Water                                | 0               | 0               | 0                | 0              | 0             |
| Sewer                                | 0               | 0               | 0                | 0              | 0             |
| <b>TOTAL EXPENDITURES</b>            | <b>107,384</b>  | <b>110,524</b>  | <b>78,604</b>    | <b>189,128</b> | <b>83,061</b> |

## 2007 Annexation Area Economic Analysis: Ardrey

|                                            | FY07             | FY08             |                  |              | FY09         |
|--------------------------------------------|------------------|------------------|------------------|--------------|--------------|
|                                            | <u>Start-Up</u>  | <u>One-Time</u>  | <u>Recurring</u> | <u>Total</u> | <u>Total</u> |
| <b>REVENUES</b>                            |                  |                  |                  |              |              |
| TAXES AND FEES                             |                  |                  |                  |              |              |
| Property Taxes <sup>(1)</sup>              | 0                | 0                | 152,537          | 152,537      | 157,113      |
| Business Privilege                         | 0                | 0                | 0                | 0            | 0            |
| Cable TV Franchise                         | 0                | 0                | 4,118            | 4,118        | 4,242        |
| Animal Control                             | 0                | 0                | 288              | 288          | 298          |
| Utility Franchise                          | 0                | 0                | 13,052           | 13,052       | 13,444       |
| Sales Tax <sup>(1)</sup>                   | 0                | 0                | 2,633            | 2,633        | 30,117       |
| Beer and Wine Tax                          | 0                | 0                | 2,233            | 2,233        | 2,299        |
| Motor Vehicle License                      | 0                | 0                | 2,323            | 2,323        | 2,369        |
| Solid Waste Disposal                       | 0                | 0                | 7,282            | 7,282        | 7,500        |
| User Fees                                  | 0                | 0                | 0                | 0            | 0            |
| <b>TOTAL GENERAL FUND</b>                  | 0                | 0                | 184,466          | 184,466      | 217,383      |
| POWELL BILL FUND                           | 0                | 0                | 23,860           | 23,860       | 24,576       |
| MUNICIPAL DEBT SERVICE FUND <sup>(1)</sup> | 0                | 0                | 30,917           | 30,917       | 37,221       |
| PAY-AS-YOU-GO FUND <sup>(1)</sup>          | 0                | 0                | 18,363           | 18,363       | 24,203       |
| STORM WATER FUND                           | 0                | 0                | 14,487           | 14,487       | 15,976       |
| <b>TOTAL OPERATING REVENUES</b>            | 0                | 0                | 272,092          | 272,092      | 319,360      |
| FY2007-FY2011 CIP                          | 0                | 0                | 0                | 0            | 0            |
| WATER AND SEWER REVENUE BONDS              | 0                | 0                | 0                | 0            | 0            |
| <b>TOTAL ALL REVENUES</b>                  | 0                | 0                | 272,092          | 272,092      | 319,360      |
| <b>REVENUES OVER EXPENDITURES</b>          | <b>(107,384)</b> | <b>(110,524)</b> | 193,488          | 82,964       | 236,299      |
| Net Impact to General Fund                 | (107,384)        | (82,788)         | 148,480          | 65,692       | 178,130      |

**Note**

<sup>(1)</sup> portions of the property tax and sales tax are allocated to the Pay-As-You-Go and Municipal Debt Service Funds based on the property tax distribution.

A RESOLUTION AMENDING REPORT OF PLANS FOR  
SERVICES FOR MALLARD CREEK CHURCH EAST AREA

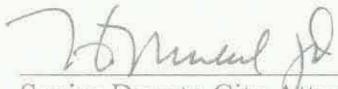
BE IT RESOLVED by the City Council of the City of Charlotte, North  
Carolina:

Section 1. That the following pages are deleted from the report of plans for  
services for the Mallard Creek Church East Area, as originally approved by the City  
Council on July 24, 2006: 39, 43 and 44.

Section 2. That the pages attached hereto and incorporated herein are  
substituted in lieu of the pages deleted from said report in Section 1 above.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Approved as to form:

  
\_\_\_\_\_  
Senior Deputy City Attorney

**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 27<sup>th</sup> day of November, 2006, the reference  
having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 440.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30<sup>th</sup> day of  
November, 2006.

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

APPENDIX A

STATISTICAL SUMMARY PER ANNEXATION STATUTORY REQUIREMENTS

MALLARD CREEK CHURCH EAST  
 AREA IN TERMS OF STATUTORY REQUIREMENTS  
 (STATISTICS COMPILED APRIL, 2006)

STATUTORY PREREQUISITE

At least one-eighth (1/8) of the total boundary (or 12.5%) of the area must coincide with the present municipal boundary.

|                                                                        | <u>Measured or<br/>Calculated</u> | <u>Statutory<br/>Standard</u> |
|------------------------------------------------------------------------|-----------------------------------|-------------------------------|
| 1. Total boundary                                                      | 38,712.5 ft.                      |                               |
| 2. Boundary contiguous with municipal boundary                         | 34,860.1 ft.                      |                               |
| 3. Proportion of total boundary contiguous with the municipal boundary | 90.0%                             | $\geq 12.5\%$                 |

*(area meets this statutory prerequisite)*

QUALIFYING CRITERIA – GS 160A-48(c)(1)

Has a resident population equal to at least 2.3 persons for each acre of land within the developed part of the area.

|                                                          | <u>Measured or<br/>Calculated</u> | <u>Statutory<br/>Standard</u> |
|----------------------------------------------------------|-----------------------------------|-------------------------------|
| 1. Total number of dwellings in developed part of area   | <b>1,621</b>                      |                               |
| 2. Average number of persons per household (2000 Census) |                                   |                               |
| Single family                                            | 2.86                              |                               |
| Multi family                                             | 1.82                              |                               |
| 3. Estimated population of developed part of the area    | 2,565                             |                               |
| 4. Acreage of developed part of the area                 | 837.3                             |                               |
| 5. Population per acre in developed part of area         | 3.06                              | $\geq 2.3$                    |

*(area qualifies under GS 160A-48(c)(1))*

# Appendix B 2007 Annexation Area Economic Analysis: Mallard Creek Church East

|                                           | FY07            | FY08            |                  | FY09           |                |
|-------------------------------------------|-----------------|-----------------|------------------|----------------|----------------|
|                                           | <u>Start-Up</u> | <u>One-Time</u> | <u>Recurring</u> | <u>Total</u>   | <u>Total</u>   |
| <b>EXPENDITURES</b>                       |                 |                 |                  |                |                |
| TRANSPORTATION                            |                 |                 |                  |                |                |
| Street Lighting                           | 0               | 0               | 17,925           | 17,925         | 17,925         |
| Operations                                | 0               | 0               | 0                | 0              | 0              |
| Street Maintenance                        | 0               | 0               | 3,020            | 3,020          | 3,020          |
| Electronic Systems                        | 0               | 85,000          | 0                | 85,000         | 0              |
| FIRE                                      |                 |                 |                  |                |                |
| Operations                                | 0               | 0               | 0                | 0              | 0              |
| SOLID WASTE                               | 11,728          | 279             | 133,153          | 133,432        | 152,665        |
| ENGINEERING                               |                 |                 |                  |                |                |
| Operations                                | 0               | 0               | 13,500           | 13,500         | 13,500         |
| CITY MANAGER'S OFFICE                     |                 |                 |                  |                |                |
| Corporate Communications                  | 38,152          | 0               | 0                | 0              | 0              |
| NEIGHBORHOOD DEVELOPMENT                  |                 |                 |                  |                |                |
|                                           | 0               | 0               | 0                | 0              | 0              |
| BUSINESS SUPPORT SERVICES                 |                 |                 |                  |                |                |
|                                           | 0               | 0               | 0                | 0              | 0              |
| ECONOMIC LOSS                             |                 |                 |                  |                |                |
| Volunteer Fire Departments <sup>(1)</sup> | 0               | 0               | 0                | 0              | 0              |
| Private Solid Waste Collection Firms      | 26,665          | 0               | 0                | 0              | 0              |
| <b>TOTAL GENERAL FUND</b>                 | <b>76,545</b>   | <b>85,279</b>   | <b>167,598</b>   | <b>252,877</b> | <b>187,110</b> |
| POWELL BILL FUND                          |                 |                 |                  |                |                |
| Street Maintenance                        | 0               | 38,324          | 58,892           | 97,216         | 60,536         |
| STORM WATER FUND                          |                 |                 |                  |                |                |
|                                           | 0               | 0               | 0                | 0              | 0              |
| <b>TOTAL OPERATING EXPENDITURES</b>       | <b>76,545</b>   | <b>123,603</b>  | <b>226,490</b>   | <b>350,093</b> | <b>247,646</b> |
| GENERAL CAPITAL                           |                 |                 |                  |                |                |
| Fire Station                              | 0               | 0               | 0                | 0              | 0              |
| Transportation                            | 0               | 0               | 0                | 0              | 0              |
| UTILITIES (Capital Expend)                |                 |                 |                  |                |                |
| Water                                     | 99,450          | 0               | 0                | 0              | 0              |
| Sewer                                     | 172,200         | 0               | 0                | 0              | 0              |
| <b>TOTAL EXPENDITURES</b>                 | <b>348,195</b>  | <b>123,603</b>  | <b>226,490</b>   | <b>350,093</b> | <b>247,646</b> |

**Note:**

(1) The Mallard Creek VFD failed to respond to the City's request for the debt information needed to estimate the City's debt assumption liability.

## 2007 Annexation Area Economic Analysis: Mallard Creek Church East

|                                            | FY07            | FY08            |                  | FY09         |           |
|--------------------------------------------|-----------------|-----------------|------------------|--------------|-----------|
|                                            | <u>Start-Up</u> | <u>One-Time</u> | <u>Recurring</u> | <u>Total</u> |           |
| <b>REVENUES</b>                            |                 |                 |                  |              |           |
| Property Taxes <sup>(1)</sup>              | 0               | 0               | 1,046,477        | 1,046,477    | 1,077,871 |
| Business Privilege                         | 0               | 0               | 41,200           | 41,200       | 42,436    |
| Cable TV Franchise                         | 0               | 0               | 34,770           | 34,770       | 35,814    |
| Animal Control                             | 0               | 0               | 2,432            | 2,432        | 2,517     |
| Utility Franchise                          | 0               | 0               | 120,084          | 120,084      | 123,686   |
| Sales Tax <sup>(1)</sup>                   | 0               | 0               | 18,048           | 18,048       | 206,470   |
| Beer and Wine Tax                          | 0               | 0               | 9,805            | 9,805        | 10,100    |
| Motor Vehicle License                      | 0               | 0               | 5,304            | 5,304        | 5,410     |
| Solid Waste Disposal                       | 0               | 0               | 61,478           | 61,478       | 63,322    |
| User Fees                                  | 0               | 0               | 0                | 0            | 0         |
| <b>TOTAL GENERAL FUND</b>                  | 0               | 0               | 1,339,597        | 1,339,597    | 1,567,625 |
| POWELL BILL FUND                           | 0               | 0               | 75,286           | 75,286       | 77,545    |
| MUNICIPAL DEBT SERVICE FUND <sup>(2)</sup> | 0               | 0               | 212,101          | 212,101      | 255,328   |
| PAY-AS-YOU-GO FUND <sup>(2)</sup>          | 0               | 0               | 72,809           | 72,809       | 111,790   |
| STORM WATER FUND                           | 0               | 0               | 125,179          | 125,179      | 137,964   |
| <b>TOTAL OPERATING REVENUES</b>            | 0               | 0               | 1,824,972        | 1,824,972    | 2,150,252 |
| FY2007-FY2011 CIP                          | 0               | 0               | 0                | 0            | 0         |
| WATER AND SEWER REVENUE BONDS              | 271,650         | 0               | 0                | 0            | 0         |
| <b>TOTAL ALL REVENUES</b>                  | 271,650         | 0               | 1,824,972        | 1,824,972    | 2,150,252 |
| <b>REVENUES OVER EXPENDITURES</b>          | <b>(76,545)</b> | (123,603)       | 1,598,482        | 1,474,879    | 1,902,606 |
| Net Impact to General Fund                 | <b>(76,545)</b> | (85,279)        | 1,171,999        | 1,086,720    | 1,380,515 |

**Note**

<sup>(2)</sup> portions of the property tax and sales tax are allocated to the Pay-As-You-Go and Municipal Debt Service Funds based on the property tax distribution.

A RESOLUTION AMENDING REPORT OF PLANS FOR  
SERVICES FOR MOORES CHAPEL AREA

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

Section 1. That the following pages are deleted from the report of plans for services for the Moores Chapel Area, as originally approved by the City Council on July 24, 2006: 42 and 43.

Section 2. That the pages attached hereto and incorporated herein are substituted in lieu of the pages deleted from said report in Section 1 above.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Approved as to form:



Senior Deputy City Attorney

**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 27<sup>th</sup> day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 441.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30<sup>th</sup> day of November, 2006.



Brenda R. Freeze, CMC, City Clerk

## 2007 Annexation Area Economic Analysis: Moores Chapel

| REVENUES                                   | FY07             | FY08             |                  |                | FY09           |
|--------------------------------------------|------------------|------------------|------------------|----------------|----------------|
|                                            | <u>Start-Up</u>  | <u>One-Time</u>  | <u>Recurring</u> | <u>Total</u>   | <u>Total</u>   |
| <b>TAXES AND FEES</b>                      |                  |                  |                  |                |                |
| Property Taxes <sup>(1)</sup>              | 0                | 0                | 341,158          | 341,158        | 351,393        |
| Business Privilege                         | 0                | 0                | 24,720           | 24,720         | 25,462         |
| Cable TV Franchise                         | 0                | 0                | 14,372           | 14,372         | 14,803         |
| Animal Control                             | 0                | 0                | 1,005            | 1,005          | 1,040          |
| Utility Franchise                          | 0                | 0                | 51,479           | 51,479         | 53,024         |
| Sales Tax <sup>(1)</sup>                   | 0                | 0                | 5,887            | 5,887          | 67,347         |
| Beer and Wine Tax                          | 0                | 0                | 6,353            | 6,353          | 6,544          |
| Motor Vehicle License                      | 0                | 0                | 9,230            | 9,230          | 9,414          |
| Solid Waste Disposal                       | 0                | 0                | 25,410           | 25,410         | 26,173         |
| User Fees                                  | 0                | 0                | 0                | 0              | 0              |
| <b>TOTAL GENERAL FUND</b>                  | 0                | 0                | 479,615          | 479,615        | 555,200        |
| POWELL BILL FUND                           | 0                | 0                | 57,116           | 57,116         | 58,829         |
| MUNICIPAL DEBT SERVICE FUND <sup>(1)</sup> | 0                | 0                | 69,147           | 69,147         | 83,246         |
| PAY-AS-YOU-GO FUND <sup>(1)</sup>          | 0                | 0                | 61,240           | 61,240         | 74,705         |
| STORM WATER FUND                           | 0                | 0                | 62,573           | 62,573         | 68,997         |
| <b>TOTAL OPERATING REVENUES</b>            | 0                | 0                | 729,690          | 729,690        | 840,977        |
| FY2007-FY2011 CIP                          | 0                | 0                | 0                | 0              | 0              |
| WATER AND SEWER REVENUE BONDS              | 694,338          | 0                | 0                | 0              | 0              |
| <b>TOTAL ALL REVENUES</b>                  | 694,338          | 0                | 729,690          | 729,690        | 840,977        |
| <b>REVENUES OVER EXPENDITURES</b>          | <b>(156,220)</b> | <b>(110,501)</b> | <b>515,336</b>   | <b>404,835</b> | <b>220,455</b> |
| Net Impact to General Fund                 | <b>(156,220)</b> | <b>(62,091)</b>  | <b>339,649</b>   | <b>277,558</b> | <b>410,144</b> |

**Note**

<sup>(1)</sup> portions of the property tax and sales tax are allocated to the Pay-As-You-Go and Municipal Debt Service Funds based on the property tax distribution.

**Appendix B: 2007 Annexation Area Economic Analysis: Moores Chapel**

|                                      | FY07            | FY08            |                  |              | FY09         |
|--------------------------------------|-----------------|-----------------|------------------|--------------|--------------|
|                                      | <u>Start-Up</u> | <u>One-Time</u> | <u>Recurring</u> | <u>Total</u> | <u>Total</u> |
| <b>EXPENDITURES</b>                  |                 |                 |                  |              |              |
| <b>TRANSPORTATION</b>                |                 |                 |                  |              |              |
| Street Lighting                      | 0               | 0               | 6,365            | 6,365        | 6,365        |
| Operations                           | 0               | 28,655          | 0                | 28,655       | 0            |
| Street Maintenance                   | 0               | 0               | 3,815            | 3,815        | 3,815        |
| Electronic Systems                   | 0               | 30,000          | 0                | 30,000       | 0            |
| <b>FIRE</b>                          |                 |                 |                  |              |              |
| Operations                           | 0               | 0               | 0                | 0            | 0            |
| <b>SOLID WASTE</b>                   | 17,267          | 936             | 123,786          | 124,722      | 128,876      |
| <b>ENGINEERING</b>                   |                 |                 |                  |              |              |
| Operations                           | 0               | 2,500           | 6,000            | 8,500        | 6,000        |
| <b>CITY MANAGER'S OFFICE</b>         |                 |                 |                  |              |              |
| Corporate Communications             | 4,487           | 0               | 0                | 0            | 0            |
| <b>NEIGHBORHOOD DEVELOPMENT</b>      | 0               | 0               | 0                | 0            | 0            |
| <b>BUSINESS SUPPORT SERVICES</b>     | 0               | 0               | 0                | 0            | 0            |
| <b>ECONOMIC LOSS</b>                 |                 |                 |                  |              |              |
| Volunteer Fire Departments           | 55,081          | 0               | 0                | 0            | 0            |
| Private Solid Waste Collection Firms | 79,385          | 0               | 0                | 0            | 0            |
| <b>TOTAL GENERAL FUND</b>            | <b>156,220</b>  | 62,091          | 139,966          | 202,057      | 145,056      |
| <b>POWELL BILL FUND</b>              |                 |                 |                  |              |              |
| Street Maintenance                   | 0               | 48,410          | 74,388           | 122,798      | 475,466      |
| CIP - Bridge Improvements            | 0               | 0               | 0                | 0            | 0            |
| <b>STORM WATER FUND</b>              | 0               | 0               | 0                | 0            | 0            |
| <b>TOTAL OPERATING EXPENDITURES</b>  | <b>156,220</b>  | 110,501         | 214,354          | 324,855      | 620,522      |
| <b>GENERAL CAPITAL</b>               |                 |                 |                  |              |              |
| Fire Station                         | 0               | 0               | 0                | 0            | 0            |
| Transportation                       | 0               | 0               | 0                | 0            | 0            |
| <b>UTILITIES (Capital Expend)</b>    |                 |                 |                  |              |              |
| Water                                | 285,638         | 0               | 0                | 0            | 0            |
| Sewer                                | 408,700         | 0               | 0                | 0            | 0            |
| <b>TOTAL EXPENDITURES</b>            | <b>850,558</b>  | 110,501         | 214,354          | 324,855      | 620,522      |

A RESOLUTION AMENDING REPORT OF PLANS FOR  
SERVICES FOR PROVIDENCE POINTE AREA

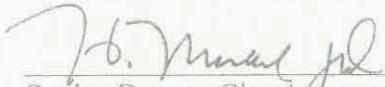
BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

Section 1. That the following pages are deleted from the report of plans for services for the Providence Pointe Area, as originally approved by the City Council on July 24, 2006: 44 and 45.

Section 2. That the pages attached hereto and incorporated herein are substituted in lieu of the pages deleted from said report in Section 1 above.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Approved as to form:

  
\_\_\_\_\_  
Senior Deputy City Attorney

**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 27<sup>th</sup> day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 442.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30<sup>th</sup> day of November, 2006.

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

**Appendix B: 2007 Annexation Area Economic Analysis: Providence Pointe**

|                                      | FY07            | FY08            |                  |              | FY09         |
|--------------------------------------|-----------------|-----------------|------------------|--------------|--------------|
|                                      | <u>Start-Up</u> | <u>One-Time</u> | <u>Recurring</u> | <u>Total</u> | <u>Total</u> |
| <b>EXPENDITURES</b>                  |                 |                 |                  |              |              |
| TRANSPORTATION                       |                 |                 |                  |              |              |
| Street Lighting                      | 0               | 0               | 14,076           | 14,076       | 14,076       |
| Operations                           | 0               | 2,040           | 0                | 2,040        | 0            |
| Street Maintenance                   | 0               | 0               | 1,272            | 1,272        | 1,272        |
| Electronic Systems                   | 0               | 0               | 0                | 0            | 0            |
| FIRE                                 |                 |                 |                  |              |              |
| Operations                           | 0               | 0               | 0                | 0            | 0            |
| SOLID WASTE                          | 68,060          | 464             | 40,150           | 40,614       | 44,561       |
| ENGINEERING                          |                 |                 |                  |              |              |
| Operations                           | 0               | 0               | 1,000            | 1,000        | 1,000        |
| CITY MANAGER'S OFFICE                |                 |                 |                  |              |              |
| Corporate Communications             | 19,934          | 0               | 0                | 0            | 0            |
| NEIGHBORHOOD DEVELOPMENT             | 0               | 0               | 0                | 0            | 0            |
| BUSINESS SUPPORT SERVICES            | 0               | 0               | 0                | 0            | 0            |
| ECONOMIC LOSS                        |                 |                 |                  |              |              |
| Volunteer Fire Departments           | 4,870           | 0               | 0                | 0            | 0            |
| Private Solid Waste Collection Firms | <b>48,503</b>   | 0               | 0                | 0            | 0            |
| <b>TOTAL GENERAL FUND</b>            | <b>141,367</b>  | 2,504           | 56,498           | 59,002       | 60,909       |
| POWELL BILL FUND                     |                 |                 |                  |              |              |
| Street Maintenance                   | 0               | 16,137          | 24,795           | 40,932       | 25,488       |
| CIP - Bridge Improvements            | 0               | 0               | 0                | 0            | 0            |
| STORM WATER FUND                     | 0               | 0               | 0                | 0            | 0            |
| <b>TOTAL OPERATING EXPENDITURES</b>  | <b>141,367</b>  | 18,641          | 81,293           | 99,934       | 86,397       |
| GENERAL CAPITAL                      |                 |                 |                  |              |              |
| Fire Station                         | 0               | 0               | 0                | 0            | 0            |
| Transportation                       | 0               | 0               | 0                | 0            | 0            |
| UTILITIES (Capital Expend)           |                 |                 |                  |              |              |
| Water                                | 137,500         | 0               | 0                | 0            | 0            |
| Sewer                                | 103,050         | 0               | 0                | 0            | 0            |
| <b>TOTAL EXPENDITURES</b>            | <b>381,917</b>  | 18,641          | 81,293           | 99,934       | 86,397       |

## 2007 Annexation Area Economic Analysis: Providence Pointe

|                                            | FY07             | FY08            |                  |                | FY09           |
|--------------------------------------------|------------------|-----------------|------------------|----------------|----------------|
|                                            | <u>Start-Up</u>  | <u>One-Time</u> | <u>Recurring</u> | <u>Total</u>   | <u>Total</u>   |
| <b>REVENUES</b>                            |                  |                 |                  |                |                |
| <b>TAXES AND FEES</b>                      |                  |                 |                  |                |                |
| Property Taxes <sup>(1)</sup>              | 0                | 0               | 135,071          | 135,071        | 139,123        |
| Business Privilege                         | 0                | 0               | 0                | 0              | 0              |
| Cable TV Franchise                         | 0                | 0               | 5,105            | 5,105          | 5,258          |
| Animal Control                             | 0                | 0               | 357              | 357            | 370            |
| Utility Franchise                          | 0                | 0               | 16,179           | 16,179         | 16,665         |
| Sales Tax <sup>(1)</sup>                   | 0                | 0               | 2,331            | 2,331          | 26,668         |
| Beer and Wine Tax                          | 0                | 0               | 2,546            | 2,546          | 2,622          |
| Motor Vehicle License                      | 0                | 0               | 3,549            | 3,549          | 3,620          |
| Solid Waste Disposal                       | 0                | 0               | 9,026            | 9,026          | 9,297          |
| User Fees                                  | 0                | 0               | 0                | 0              | 0              |
| <b>TOTAL GENERAL FUND</b>                  | <b>0</b>         | <b>0</b>        | <b>174,165</b>   | <b>174,165</b> | <b>203,624</b> |
| POWELL BILL FUND                           | 0                | 0               | 21,734           | 21,734         | 22,386         |
| MUNICIPAL DEBT SERVICE FUND <sup>(1)</sup> | 0                | 0               | 27,377           | 27,377         | 32,959         |
| PAY-AS-YOU-GO FUND <sup>(1)</sup>          | 0                | 0               | 23,720           | 23,720         | 29,041         |
| STORM WATER FUND                           | 0                | 0               | 17,957           | 17,957         | 19,804         |
| <b>TOTAL OPERATING REVENUES</b>            | <b>0</b>         | <b>0</b>        | <b>264,953</b>   | <b>264,953</b> | <b>307,815</b> |
| FY2007-FY2011 CIP                          | 0                | 0               | 0                | 0              | 0              |
| WATER AND SEWER REVENUE BONDS              | 240,550          | 0               | 0                | 0              | 0              |
| <b>TOTAL ALL REVENUES</b>                  | <b>240,550</b>   | <b>0</b>        | <b>264,953</b>   | <b>264,953</b> | <b>307,815</b> |
| <b>REVENUES OVER EXPENDITURES</b>          | <b>(141,367)</b> | <b>(18,641)</b> | <b>183,660</b>   | <b>165,019</b> | <b>221,418</b> |
| Net Impact to General Fund                 | <b>(141,367)</b> | <b>(2,504)</b>  | <b>117,667</b>   | <b>115,163</b> | <b>142,715</b> |

**Note**

<sup>(1)</sup> portions of the property tax and sales tax are allocated to the Pay-As-You-Go and Municipal Debt Service Funds based on the property tax distribution.

A RESOLUTION AMENDING REPORT OF PLANS FOR  
SERVICES FOR TOM SHORT AREA

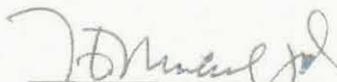
BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

Section 1. That the following pages are deleted from the report of plans for services for the Tom Short Area, as originally approved by the City Council on July 24, 2006: 6, 33, 42 and 43.

Section 2. That the pages attached hereto and incorporated herein are substituted in lieu of the pages deleted from said report in Section 1 above.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Approved as to form:

  
\_\_\_\_\_  
Senior Deputy City Attorney

**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 27<sup>th</sup> day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 443.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30<sup>th</sup> day of November, 2006.

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

## PART I: THE PROPOSED AREA

### General Description of the Area

The Tom Short area is located south of the current City limits, in the general vicinity of the Providence Road interchange with I-485. The area is a mixture of residential, commercial, and office land uses, including the Preserve at Reavencrest, Cady Lake, and Stone Creek Ranch single family developments, the Promenade Park Apartments, the Covington at Providence condominiums, the Promenade on Providence retail center, and the Providence Park business park. The area contains a total of 552.0 acres and has an estimated population of 1,596.

### Standards and Criteria

STATEMENT SHOWING THAT THE AREA PROPOSED TO BE ANNEXED MEETS THE LEGISLATIVE STANDARDS PRESCRIBED BY G.S. 160A-48.

- A. The area proposed to be annexed meets the general standards of G.S. 160A-48(b) as follows:
1. The area is contiguous, as defined in G.S. 160A-53, to the City's boundary as of the time of the beginning of this annexation proceeding.
  2. The aggregate boundary of the area is 40,707.9 feet, of which **23,240.3** feet or 57 percent coincides with the present City boundary.
  3. No part of the area is included within the boundary of another incorporated municipality.
- B. Part or all of the area is developed for urban purposes as described in one or more of the following sub-sections:
1. Except for the portion of the area described in Section C below ("subsection (d) land"), the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The part of the area remaining (developed part of the area) after removing the subsection (d) land qualifies for annexation under the standards of two and three-tenths persons per acre of land. The developed part of the area has an estimated total population of 3.74 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 835 dwelling units in the area (394 single family units and 441 multi-family units), which when multiplied by the

**It is estimated that annexation of the Tom Short area will result in an annual revenue loss to the Providence VFD of 33.2 percent of its total revenues.**

Fire Prevention and Emergency Readiness

The Mecklenburg County Fire Marshal's Office currently provides fire code enforcement, fire investigation services, smoke detector installations, public education, and construction plans review. After annexation, the Charlotte Fire Department will provide all these services, plus juvenile firesetters counseling and fire hydrant maintenance.

Insurance Risk

With fire suppression provided by the Providence Volunteer Fire Department, homes in the Tom Short area receive a Class 6 Rural rating from the North Carolina Rate Bureau. After annexation, with service from the Charlotte Fire Department, the area will be included in Charlotte's Class 3 rating. A table of comparisons follows:

## Appendix B: 2007 Annexation Area Economic Analysis: Tom Short

|                                           | FY07           | FY08     |           |         | FY09    |
|-------------------------------------------|----------------|----------|-----------|---------|---------|
|                                           | Start-Up       | One-Time | Recurring | Total   | Total   |
| <b>EXPENDITURES</b>                       |                |          |           |         |         |
| <b>TRANSPORTATION</b>                     |                |          |           |         |         |
| Street Lighting                           | 0              | 0        | 15,692    | 15,692  | 15,692  |
| Operations                                | 0              | 21,741   | 0         | 21,741  | 0       |
| Street Maintenance                        | 0              | 0        | 3,655     | 3,655   | 3,655   |
| Electronic Systems                        | 0              | 0        | 0         | 0       | 0       |
| <b>FIRE</b>                               |                |          |           |         |         |
| Operations                                | 0              | 0        | 0         | 0       | 0       |
| <b>SOLID WASTE</b>                        | 105,580        | 638      | 85,696    | 86,334  | 94,992  |
| <b>ENGINEERING</b>                        |                |          |           |         |         |
| Operations                                | 0              | 0        | 1,000     | 1,000   | 1,000   |
| <b>CITY MANAGER'S OFFICE</b>              |                |          |           |         |         |
| Corporate Communications                  | 21,417         | 0        | 0         | 0       | 0       |
| <b>NEIGHBORHOOD DEVELOPMENT</b>           | 0              | 0        | 0         | 0       | 0       |
| <b>BUSINESS SUPPORT SERVICES</b>          | 0              | 0        | 0         | 0       | 0       |
| <b>ECONOMIC LOSS</b>                      |                |          |           |         |         |
| Volunteer Fire Departments <sup>(1)</sup> | 148,938        | 0        | 0         | 0       | 0       |
| Private Solid Waste Collection Firms      | 76,513         | 0        | 0         | 0       | 0       |
| <b>TOTAL GENERAL FUND</b>                 | <b>352,448</b> | 22,379   | 106,043   | 128,422 | 115,339 |
| <b>POWELL BILL FUND</b>                   |                |          |           |         |         |
| Street Maintenance                        | 0              | 46,393   | 71,289    | 117,682 | 73,279  |
| CIP - Bridge Improvements                 | 0              | 0        | 0         | 0       | 0       |
| <b>STORM WATER FUND</b>                   | 0              | 0        | 0         | 0       | 0       |
| <b>TOTAL OPERATING EXPENDITURES</b>       | <b>352,448</b> | 68,772   | 177,332   | 246,104 | 188,618 |
| <b>GENERAL CAPITAL</b>                    |                |          |           |         |         |
| Fire Station                              | 0              | 0        | 0         | 0       | 0       |
| Transportation                            | 0              | 0        | 0         | 0       | 0       |
| <b>UTILITIES (Capital Expend)</b>         |                |          |           |         |         |
| Water                                     | 0              | 0        | 0         | 0       | 0       |
| Sewer                                     | 0              | 0        | 0         | 0       | 0       |
| <b>TOTAL EXPENDITURES</b>                 | <b>352,448</b> | 68,772   | 177,332   | 246,104 | 188,618 |

## Appendix B: 2007 Annexation Area Economic Analysis: Tom Short

|                                            | FY07             | FY08            |                  |                  | FY09             |
|--------------------------------------------|------------------|-----------------|------------------|------------------|------------------|
|                                            | Start-Up         | One-Time        | Recurring        | Total            | Total            |
| <b>REVENUES</b>                            |                  |                 |                  |                  |                  |
| <b>TAXES AND FEES</b>                      |                  |                 |                  |                  |                  |
| Property Taxes <sup>(1)</sup>              | 0                | 0               | 792,855          | 792,855          | 816,641          |
| Business Privilege                         | 0                | 0               | 142,140          | 142,140          | 146,404          |
| Cable TV Franchise                         | 0                | 0               | 17,911           | 17,911           | 18,448           |
| Animal Control                             | 0                | 0               | 1,253            | 1,253            | 1,296            |
| Utility Franchise                          | 0                | 0               | 90,877           | 90,877           | 93,603           |
| Sales Tax <sup>(1)</sup>                   | 0                | 0               | 13,677           | 13,677           | 156,461          |
| Beer and Wine Tax                          | 0                | 0               | 6,101            | 6,101            | 6,284            |
| Motor Vehicle License                      | 0                | 0               | 7,447            | 7,447            | 7,596            |
| Solid Waste Disposal                       | 0                | 0               | 31,668           | 31,668           | 32,618           |
| User Fees                                  | 0                | 0               | 0                | 0                | 0                |
| <b>TOTAL GENERAL FUND</b>                  | <b>0</b>         | <b>0</b>        | <b>1,103,928</b> | <b>1,103,928</b> | <b>1,279,352</b> |
| POWELL BILL FUND                           | 0                | 0               | 54,814           | 54,814           | 56,459           |
| MUNICIPAL DEBT SERVICE FUND <sup>(2)</sup> | 0                | 0               | 160,697          | 160,697          | 193,453          |
| PAY-AS-YOU-GO FUND <sup>(2)</sup>          | 0                | 0               | 72,307           | 72,307           | 102,189          |
| STORM WATER FUND                           | 0                | 0               | 82,121           | 82,121           | 90,527           |
| <b>TOTAL OPERATING REVENUES</b>            | <b>0</b>         | <b>0</b>        | <b>1,473,868</b> | <b>1,473,868</b> | <b>1,721,980</b> |
| FY2007-FY2011 CIP                          | 0                | 0               | 0                | 0                | 0                |
| WATER AND SEWER REVENUE BONDS              | 0                | 0               | 0                | 0                | 0                |
| <b>TOTAL ALL REVENUES</b>                  | <b>0</b>         | <b>0</b>        | <b>1,473,868</b> | <b>1,473,868</b> | <b>1,721,980</b> |
| <b>REVENUES OVER EXPENDITURES</b>          | <b>(352,448)</b> | <b>(68,772)</b> | <b>1,296,536</b> | <b>1,227,764</b> | <b>1,533,362</b> |
| <b>Net Impact to General Fund</b>          | <b>(352,448)</b> | <b>(22,379)</b> | <b>997,885</b>   | <b>975,506</b>   | <b>1,164,013</b> |

### Note

<sup>(2)</sup> portions of the property tax and sales tax are allocated to the Pay-As-You-Go and Municipal Debt Service Funds based on the property tax distribution.

RESOLUTION STATING THE INTENT OF THE CITY OF CHARLOTTE TO PAY  
ECONOMIC LOSS TO QUALIFIED SOLID WASTE COLLECTION FIRMS  
UNDER G. S. 160-49.3

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

Section 1. That the City of Charlotte intends to pay the economic loss, as defined by G.S. §160A-49.3 (f), to those solid waste collection firms operating within areas proposed for annexation, as described in resolutions adopted July 24, 2006, including any subsequent amendments thereto.

Section 2. That such firms have substantially satisfied the requirements of G. S. 160A-49.3.

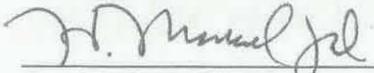
Section 3. That such economic loss shall not be paid until the annexation which gives rise to such loss becomes effective.

Section 4. That the names of such firms and the total amount of such economic loss are set forth below:

|                                 |                   |
|---------------------------------|-------------------|
| Universal Sanitation, Inc.      | \$ 12,206.76      |
| K & S Sanitation Services, Inc. | 24,786.36         |
| Select Sanitation               | 19,962.00         |
| Allied Waste Industries, Inc.   | <u>198,897.12</u> |
|                                 | \$255,852.24      |

This the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Senior Deputy City Attorney

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 27<sup>th</sup> day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 444.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30<sup>th</sup> day of November, 2006.

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

## RESOLUTION

### **RESOLUTION AUTHORIZING THE FILING OF A FULL FUNDING GRANT AGREEMENT AMENDMENT WITH THE U.S. DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR TRANSIT ASSISTANCE GRANTS UNDE THE URBAN MASS TRANSPORTATION ACT OF 1964 AS AMENDED.**

A motion was made by Turner and seconded by Kinsey for the adoption of the following Resolution, and upon being put to a vote was duly adopted.:

**WHEREAS**, the U.S. Secretary of Transportation is authorized to make grants for mass transportation projects;

**WHEREAS**, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs;

**WHEREAS**, the City Council of Charlotte, North Carolina previously approved on September 27, 2004 the execution of a Full Funding Grant Agreement with the U.S. Department of Transportation, and

**WHEREAS**, recently the Federal Transit Administration and the Charlotte Area Transit System have agreed that the project cost in the grant should be increased from the original amount of \$426,843,566 to a revised Estimate at Completion of \$462,748,293 thereby necessitating an Amendment to the Full Funding Grant Agreement; and

**WHEREAS**, the financial shares provided by the U.S. Department of Transportation and North Carolina Department shall remain fixed at the amounts provided in the original agreement with the Charlotte Area Transit System increasing the local share to cover the difference; and

**WHEREAS**, it is required by the U.S. Department of Transportation in accordance with the provision of Title VI of Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; And

**WHEREAS**, it is the goal of the Applicant that disadvantaged business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

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

1. That the City Manager is authorized to execute and file the Full Funding Grant Agreement Amendment application on behalf of the City of Charlotte.
2. That the City Manager is authorized to execute and file with such applications and assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That the Chief Executive Officer of the Charlotte Area Transit System is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the project.

**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 27<sup>th</sup> day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Pages (445-446.)

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30<sup>th</sup> day of November, 2006.



Brenda R. Freeze, CMC, City Clerk