

RESOLUTION TO BE ADOPTED BY THE CHARLOTTE CITY COUNCIL

WHEREAS, the City of Charlotte and TKC V, LLC ("TKC") have previously entered into that certain "Option and Right of First Refusal to Purchase Real Estate (Parking Facility)" dated June 3, 1994 (the "option") pursuant to which the city granted to TKC an option to purchase that certain property known generally as the Cityfair Parking Garage; and

WHEREAS, such Option provides that TKC may not exercise such option prior to December 31, 1999 (the "Lockout Period") unless the City, in its discretion, waived the Lockout Period and permit the earlier exercise of the option; and

WHEREAS, TKC has requested the City to waive the Lockout Period and permit TKC or its assignee to purchase the Cityfair Parking Garage on or about December 1, 1998: and

WHEREAS, the City has determined that the financing considerations which were the reason for the establishment of the Lockout Period have been fully addressed and that the sale of the Cityfair Parking Garage on or about December 1, 1998 will be at no cost detriment to the City; and

WHEREAS, upon the sale of the Cityfair Parking Garage it will be necessary for the City to retire or defease the existing bond financing with respect to such facility by depositing certain funds as required by applicable law under an Escrow Deposit Agreement;

NOW, THEREFORE, BE IT RESOLVED, that

(1) the City does hereby waive the Lockout Period as set forth in the Option and does hereby consent to and approve the sale of the Cityfair Parking Garage in accordance with the terms of the Option on or about December 1, 1998;

(2) the Director of Finance be, and he hereby is, authorized and directed to execute any and all such documents as shall be necessary or desirable in connection with the retirement or defeasance of the bond financing associated with the Cityfair Parking Garage including the execution of an Escrow Deposit Agreement in form prepared by bond counsel for the City and making all deposits and payments as contemplated thereby; and

(3) the City Manager and Director of Finance are authorized to execute such other and further documents as shall be necessary or desirable in order to carry out the intent and purposes of the foregoing resolution.

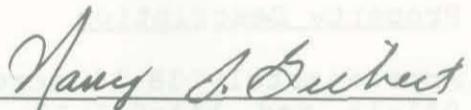
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTE THAT:

The right-of-way known as Unnamed Street, between Bullard and Joy Streets, which appears on a plat shown on recorded Map Book 3, Page 235 recorded in the Mecklenburg County Public Registry is not part of the street plan adopted pursuant to North Carolina General Statutes, Section 136-66.2.

CERTIFICATION

I, Nancy S. Gilbert Deputy City Clerk of the City of Charlotte, North Carolina do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of October, 1998, the reference having been made in Minute Book 112, page , and recorded in full in Resolution Book 35, page(s) 384.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of October, 1998.


Nancy S. Gilbert, CMC
Deputy City Clerk

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OFFICE OF 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 real property as described below (the "Property") for the Airport Master Plan Project;

WHEREAS, the City has undertaken to negotiate for the purchase of the Property, but has been unable to reach an agreement with the titled owner for the purchase price and therefore has been unable to negotiate or agree upon 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 as described below, under the authority and procedures of the laws of the State of North Carolina:

Parties in Interest

Majorie Brown Smith; any other Parties in Interest.

Property Description

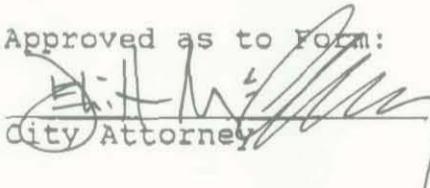
Approximately 38.11 acres, designated as Tax Parcel Numbers 141-031-15 and 141-031-22, together with all improvements located thereon, if any, in fee simple, located southwest of Runway 18R-26L and northeast of Highway 160, including a right-of-way proceeding from Highway 160 to the parcel.

Just Compensation

\$1,257,663, or such other amount as may be subsequently determined pursuant to applicable City, FAA or other Federal regulations or as determined by legal proceedings conducted pursuant to North Carolina law.

IT IS FURTHER RESOLVED that the appraised value of the Property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

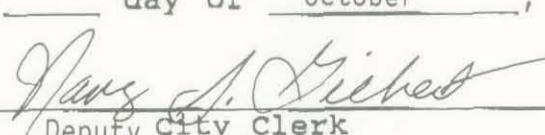
Approved as to Form:


City Attorney

CERTIFICATION

I, Nancy S. Gilbert, Deputy, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of October, 1998, and the reference having been made in Minute Book 112, Page , and recorded in full in Resolutions Book 35, Page 385.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the day of October, 1998.


Deputy City Clerk
Nancy S. Gilbert, CMC

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 **WEST TRADE STREET IMPROVEMENTS PROJECT**;

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **WEST TRADE STREET IMPROVEMENTS PROJECT** and estimated to be approximately **310 square feet of permanent easement for street right-of-way; 240 square feet for permanent sidewalk easement; 314 square feet for 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. 078-181-07, said property currently owned by **NANCY CAROL JAMES and spouse, if any**; or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **WEST TRADE STREET IMPROVEMENTS PROJECT**;

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **WEST TRADE STREET IMPROVEMENTS PROJECT** and estimated to be approximately **158 square feet of permanent easement for street right-of-way; 805 square feet for permanent sidewalk easement; 1,574 square feet for 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. 078-181-05, said property currently owned by **NANCY CAROL JAMES and spouse, if any**; or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **WEST TRADE STREET IMPROVEMENTS PROJECT**;

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **WEST TRADE STREET IMPROVEMENTS PROJECT** and estimated to be approximately **272 square feet of permanent easement for street right-of-way; 240 square feet for permanent sidewalk easement; 311 square feet for 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. 078-181-06, said property currently owned by **JAMES FAMILY TRUST, Owner; NANCY CAROL JAMES, Co-Trustee; PEARL VIRGINIA PENCE, Co-Trustee; PHILLIP W. HEGG, Co-Trustee;** or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **HOSKINS ROAD WIDENING-ATP 7 PROJECT**;

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **HOSKINS ROAD WIDENING PROJECT** and estimated to be approximately **3,786 square feet (0.0869 ac.) for fee-simple; 88 square feet (0.0020 ac.) for permanent down-guy easement; 2,901 square feet (0.0666 ac.) for 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. 039-011-03, said property currently owned by **GOLDEN B. ENTERPRISES, LTD.; BENTON D. WILLIAMSON, Trustee; WACHOVIA BANK OF SOUTH CAROLINA, N. A.; Beneficiary**; 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.

