

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

Whereas, **Beazer Homes** has filed a petition to close **a portion of McNinch Street** in the City of Charlotte; and

Whereas, the portion of McNinch Street to be closed lies within the Third Ward Community beginning from Morehead Street continuing southwestwardly approximately 158 feet to its terminus at Dunbar 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 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

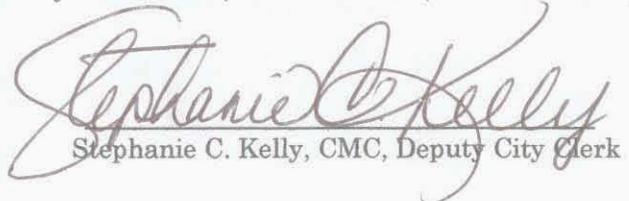
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of September 11, 2006 that it intends to close a portion of McNinch Street between Morehead Street and Dunbar Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 9th day of October, 2006 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

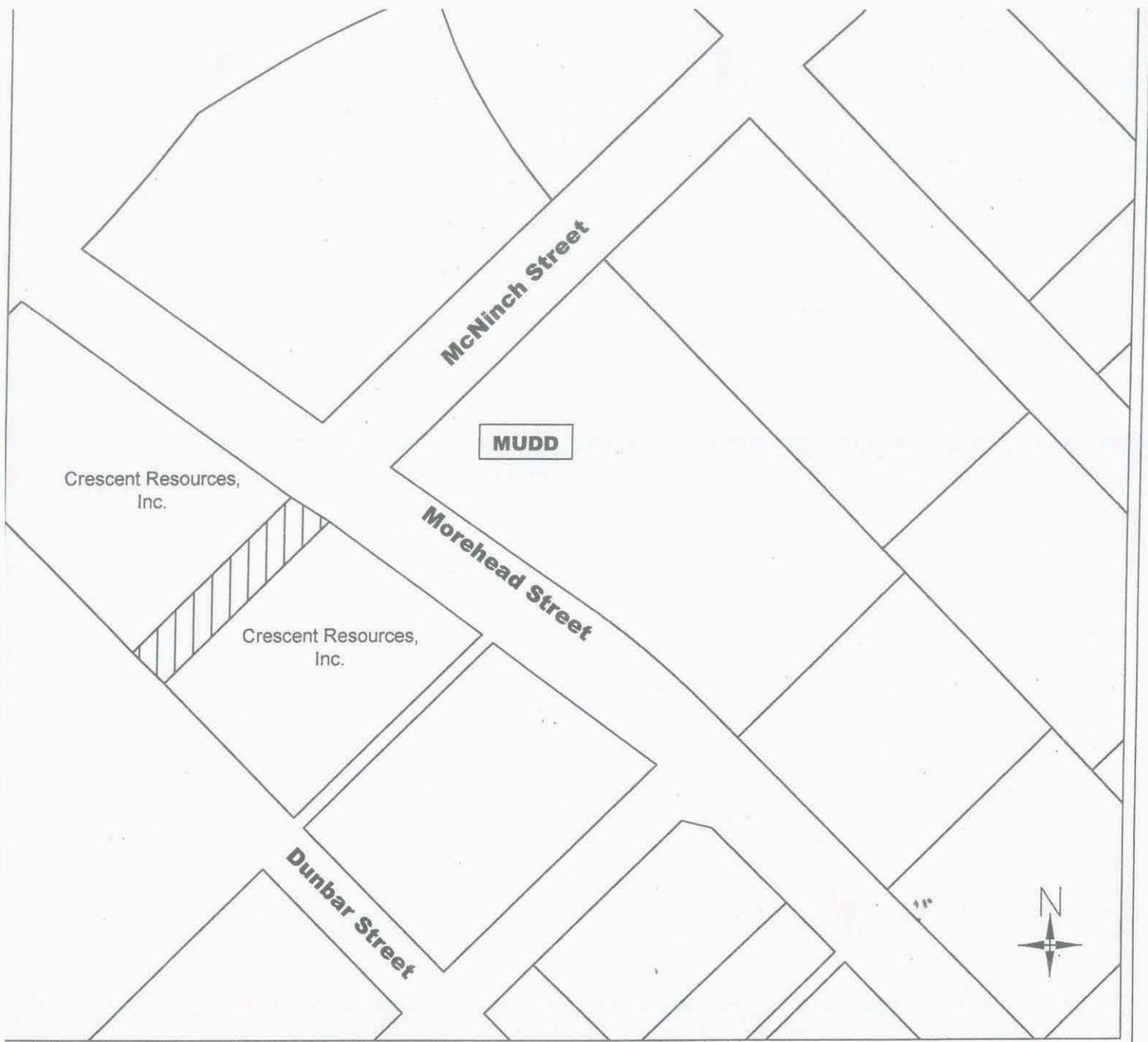
The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

CERTIFICATION

I, Stephanie C. Kelly, 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 11th day of September, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 287-291.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of September, 2006.

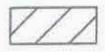

Stephanie C. Kelly, CMC, Deputy City Clerk



CITY OF CHARLOTTE
DEPARTMENT OF TRANSPORTATION
 Development Services Division

Right-of Way Abandonment Petition: #06-04
 Scale 1" = 100'

A portion of McNinch Street

Right-of Way Abandoned 

STATE OF NORTH CAROLINA

PETITION

COUNTY OF MECKLENBURG

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

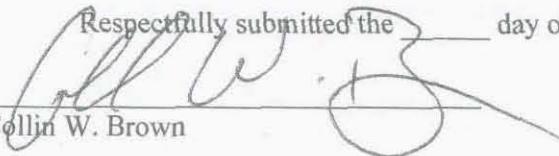
BEAZER HOMES respectfully files this Petition and requests that A PORTION OF MCNINCH STREET, lying in the City of Charlotte and abutting the southern side of Morehead Street as shown on the map attached hereto and made a part hereof marked "Exhibit A", be closed and abandoned in accordance with the provisions of Chapter 160A, Section 299, subsection (a) of the General Statutes of North Carolina.

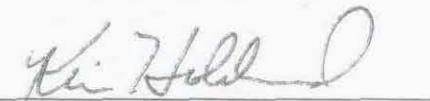
In support of this Petition, the petitioner respectfully alleges that:

1. The Petitioner is vested to the real property located on both sides of the Street that the Petitioner requests be closed and abandoned. The abandonment of the Street will enable the Petitioner to redevelop a contiguous parcel of land and return the parcel of land to a productive use, which will further the redevelopment of the surrounding area.
2. The closing of McNinch Street is not contrary to the public interest.
3. No individual, partnership or corporation owning property in the vicinity of McNinch Street or in the subdivision in which it is located will be deprived of reasonable means of ingress and egress to his or its property by virtue of the closing. Petitioner will provide an easement to Charlotte-Mecklenburg Utilities, BellSouth Telecommunications, Inc., Duke Power Company and all other owners of existing underground telecommunication facilities to maintain their facilities as shown on the attached maps marked Exhibits A-1
4. The street which petitioners request be closed and abandoned is more particularly described by interested bounds in "Exhibit B", attached hereto and made a part hereof.
5. The street requested to be closed and abandoned has not been previously accepted by the North Carolina Department of Transportation for maintenance.

WHEREFORE, petitioners respectfully request the City Council of the City of Charlotte consider this Petition and set the time for public hearing upon this matter as required by law.

Respectfully submitted the _____ day of August, 2006.


 Collin W. Brown


 (Signature of petitioner)

Collin W. Brown, Petitioner's Agent
 Address: 2600 One Wachovia Center
 301 South College Street, Charlotte, NC 28202
 Telephone Number: 704-377-2500

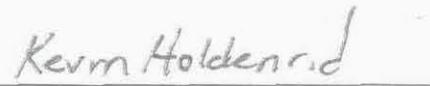

 (Print Name)
 Director of Land Development Charlotte Division
 Address: 1300 South Blvd Suite K
 Address: Charlotte, NC 28203
 Telephone Number: 704-370-7175

EXHIBIT A-1

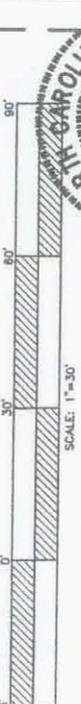
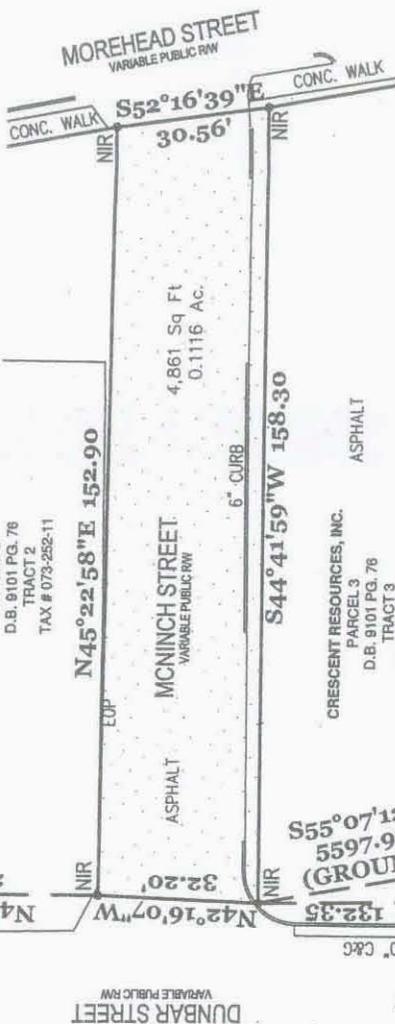
LEGEND:

- C&G - CURB AND GUTTER
- D.B. - DEED BOOK
- EOP - EDGE OF PAVEMENT
- N.I.R. - NAIL IRON ROD
- M.B. - MAP BOOK
- PG. - PAGE
- P/L - PROPERTY LINE
- R/W - RIGHT OF WAY

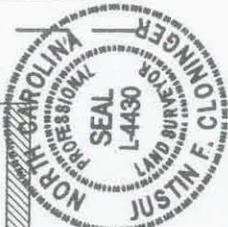
- NOTES:**
1. ALL CORNERS MONUMENTED AS SHOWN.
 2. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A SURVEYING INSTRUMENT RECORD, PLAT RECORD, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
 3. THE COMBINED GRID FACTOR FOR THE SITE IS 0.9994355.
 4. EASEMENT IN FAVOR OF CHARLOTTE-MECKLENBURG UTILITIES, BELLSOUTH TELECOMMUNICATIONS, INC., DUKE POWER COMPANY AND ALL OTHER OWNERS OF THE UTILITIES AND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE EOP OF THIS SURVEY, TO PROVIDE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE, WIRES, WATER LINES, SEWER LINES AND RELATED EQUIPMENT.

CRESCENT RESOURCES, INC.
 PARCEL 3
 D.B. 9101 PG. 76
 TRACT 2
 TAX # 073-252-11

CRESCENT RESOURCES, INC.
 PARCEL 3
 D.B. 9101 PG. 76
 TRACT 3
 TAX # 073-252-10



FLOOD CERTIFICATION
 THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 4, 2004, COMMUNITY PANEL #. 370159 0186 E.



THIS IS TO CERTIFY THAT ON THE 8TH DAY OF JANUARY 2005, AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE .1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

SIGNED *Justin F. Cloninger*

REVISIONS

CREW:	BC/TR	DRAWN:	CN	REVISED:	SCALE:	DATE:
					1"=30'	NOV. 30, 2005
						FILE NO. W-3127
						JOB NO. 66692

ABANDONMENT MAP OF:

MCNINCH STREET

DEED BOOK: 9101-76; 11274-58
 PORTION OF STREET LIES BETWEEN TAX PARCEL #S 073-252-10 & 11

MECKLENBURG COUNTY, CITY OF CHARLOTTE, NORTH CAROLINA

R.B. PHARR & ASSOCIATES, P.A.
 SURVEYING & MAPPING

420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL: (704) 376-2187

EXHIBIT "B"

Legal Description

Lying and being in the City of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

BEGINNING at a new iron rod set in the Northern margin of Dunbar Street, corner to Crescent Resources, Inc. (now or formerly), Parcel 3 as described in D.B. 9101 PG. 76, Tract 3 – Tax # 073-252-10), said beginning point being located North 55 degrees 07 minutes 12 seconds East 5597.97 feet (ground distance) from North Carolina Grid System Monument "M 055" having grid coordinates of N = 539,784.430 and E = 1,449,530.959; running thence from said beginning point along and with the Northern margin of the aforesaid street known as Dunbar Street North 42 degrees 16 minutes 07 seconds West 32.20 feet to a new iron rod; thence leaving the Northern margin of Dunbar Street and running with Western margin of the herein described MCNINCH STREET North 45 degrees 22 minutes 58 seconds East 152.90 feet to a new iron rod in the Southern margin of Morehead Street; thence running with the Southern margin of Morehead Street South 52 degrees 16 minutes 39 seconds East 30.56 feet to a new iron rod; thence leaving the Southern margin of Morehead Street and running with the boundary line of Crescent Resources, Inc. (now or formerly), Parcel 3 as described in D.B. 9101 PG. 76 Tract 3 – Tax # 073-252-10, South 44 degrees 41 minutes 59 seconds West 158.30 feet to the point and place of BEGINNING. Containing 0.1116 acre as shown on map of survey entitled "Abandonment Map of MCNINCH STREET" by Justin F. Cloninger of R.B. PHARR & ASSOCIATES, P.A. dated November 30, 2005 and bearing File No. W-3127.

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE two portions of Dunbar Street in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Beazer Homes** has filed a petition to close **two portions of Dunbar Street** in the City of Charlotte; and

Whereas, the two portions of Dunbar Street to be closed lie within the Third Ward Community, Tract 1 beginning from S. Clarkson Street continuing northwestwardly approximately 530 feet to its terminus and Tract 2 beginning from S. Cedar Street continuing southwestwardly approximately 607 feet to its terminus as shown in the maps marked "Exhibit A-1 and B-1" and is more particularly described by metes and bounds in a document marked "Exhibit A-2 and B-2" 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

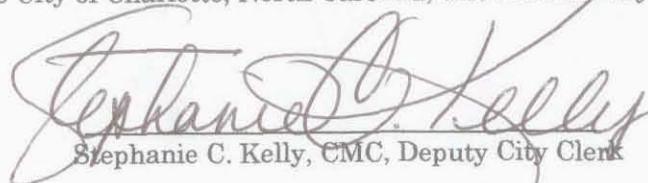
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of September 11, 2006 that it intends to close two portions of Dunbar Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 9th day of October, 2006 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

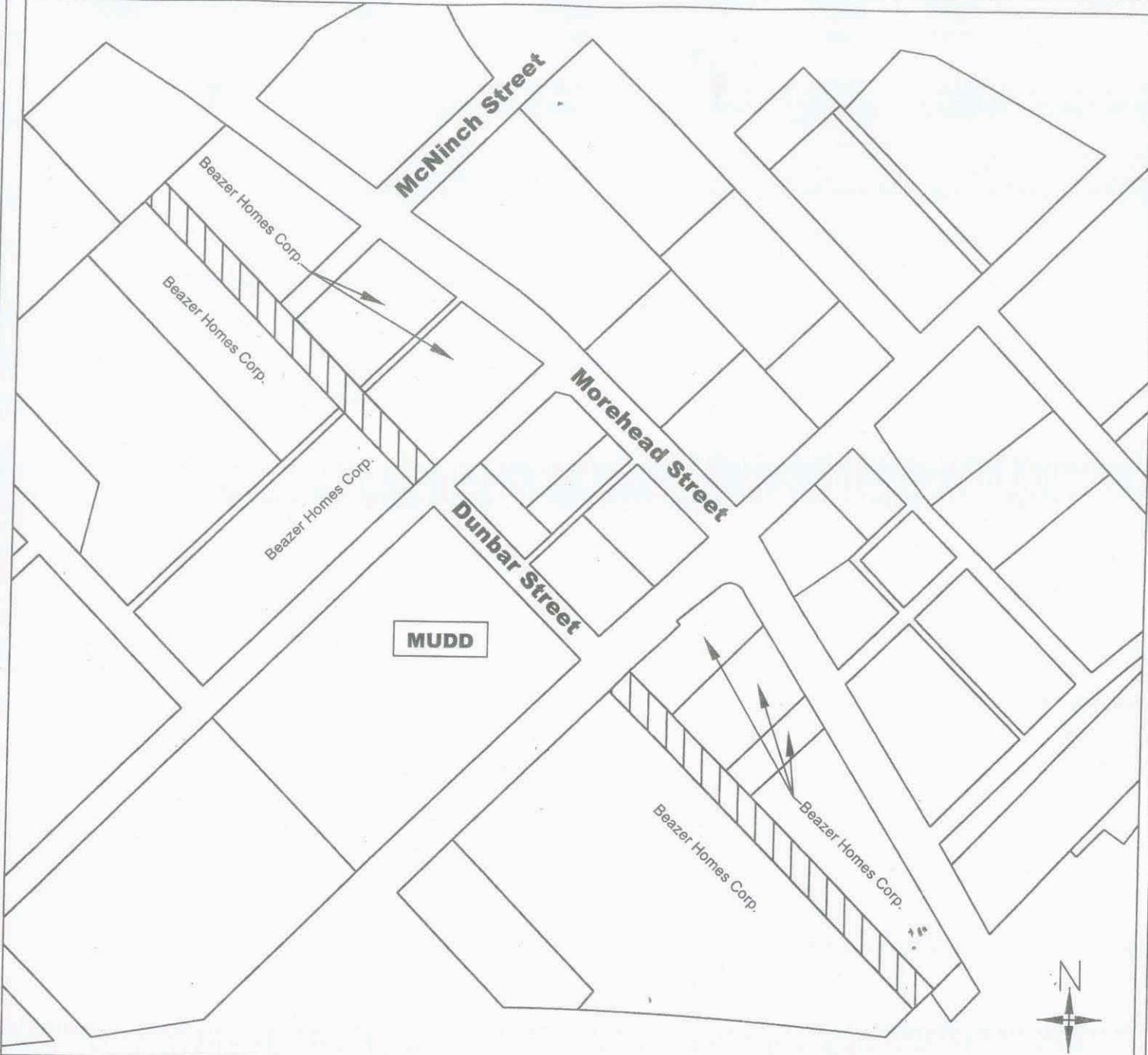
The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

CERTIFICATION

I, Stephanie C. Kelly, 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 11th day of September, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 292-299.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of September, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk



CITY OF CHARLOTTE
DEPARTMENT OF TRANSPORTATION
 Development Services Division

Right-of Way Abandonment Petition: #05-11
 Scale 1" = 200'

(2) portions of Dunbar Street

Right-of Way Abandoned 

STATE OF NORTH CAROLINA

PETITION

COUNTY OF MECKLENBURG

TO: THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

BEAZER HOMES CORP. (the "Petitioner") respectfully files this Petition and requests that a portion of Dunbar Street lying to the west of South Clarkson Street (hereinafter referred to as "Tract 1") and a portion of Dunbar Street lying to the east of South Cedar Street (hereinafter referred to as "Tract 2") in Charlotte, Mecklenburg County, North Carolina (Tract 1 and Tract 2 are hereinafter sometimes collectively referred to as the "Street") as shown on the maps attached hereto as Exhibits A-1 and B-1 and incorporated herein by reference, be closed and abandoned in accordance with the provisions of Chapter 160A, Section 299, subsection (a) of the General Statutes of North Carolina.

In support of this Petition, the Petitioner respectfully shows that:

1. The Petitioner is vested with title to the real property located on both sides of the Street that the Petitioner requests be closed and abandoned. The abandonment of the Street will enable the Petitioner to redevelop contiguous parcels of land and to return these parcels of land to a productive use, which will further the redevelopment of the surrounding area.
2. The closing of the Street is not contrary to the public interest.
3. No individual, partnership or corporation owning property in the vicinity of the Street, or in the subdivision within which it is located, will be deprived of reasonable means of ingress and egress to his, her or its property by virtue of the closing. Petitioner will provide an easement to Charlotte-Mecklenburg Utilities, BellSouth Telecommunications, Inc., Duke Power Company and all other owners of existing underground telecommunication facilities to maintain their facilities as shown on the attached maps marked Exhibits A-1 and B-1.
4. The Street (comprised of Tract 1 and Tract 2) that the Petitioner requests be closed and abandoned is more particularly described by metes and bounds on Exhibits A-2 and B-2 attached hereto and incorporated herein by reference.
5. The Street requested to be closed and abandoned has not previously been accepted by the North Carolina Department of Transportation for maintenance.

WHEREFORE, the Petitioner respectfully requests the City Council of the City of Charlotte consider this Petition and set the time for public hearing upon this matter as required by law.

Respectfully submitted this the ___ day of August, 2006.

PETITIONER:

BEAZER HOMES CORP.

By: Beazer Homes Corp.
Name: Kevin Holdenrod
Title: Director of Land Development

Address: c/o John H. Carmichael
Kennedy Covington Lobdell & Hickman
Hearst Tower, 47th Floor
214 North Tryon Street
Charlotte, NC 28202

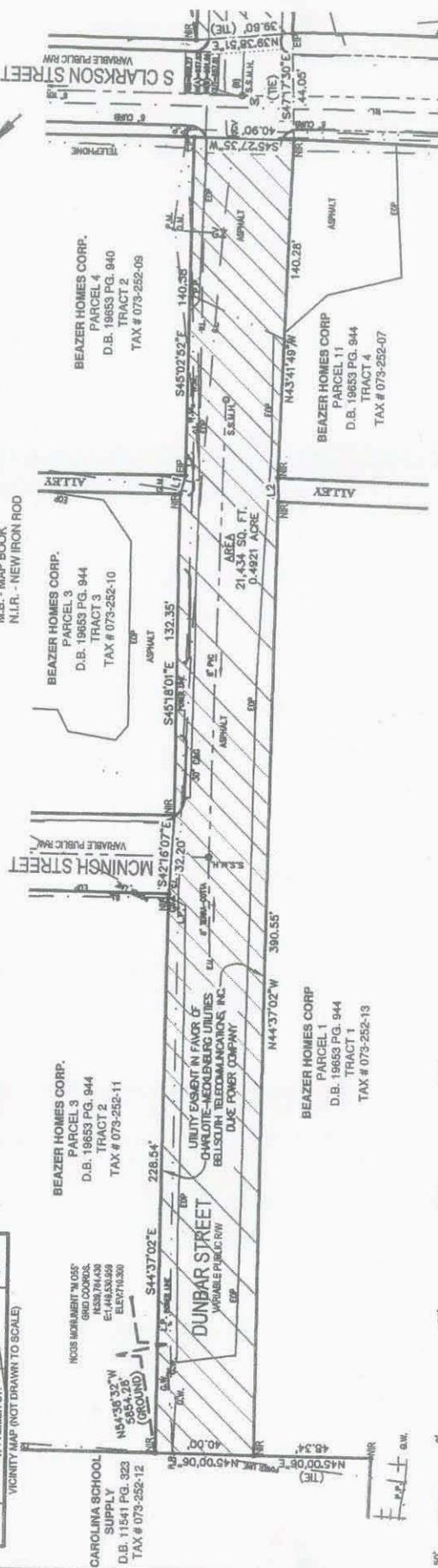
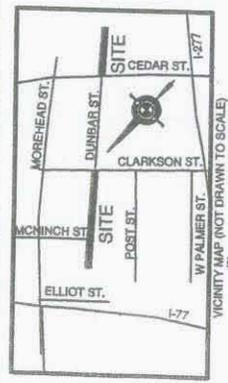
Telephone: 704-331-7509

EXHIBIT A-1



- LEGEND:
- C&G - CURB AND GUTTER
 - CL - GAS LINE
 - D.B. - DEED BOOK
 - E.I.P. - EXISTING IRON PIN
 - E.P. - EDGE OF PAVEMENT
 - EU - END UNKNOWN
 - GW - GAS VALVE
 - GV - GUY WIRE
 - LP - LIGHT POLE
 - M.B. - MAP BOOK
 - N.I.R. - NEW IRON ROD
 - P.L. - PROPERTY LINE
 - PG - PAGE
 - PP - POWER POLE
 - PVC - POLYVINYL CHLORIDE
 - R.W. - RIGHT OF WAY
 - S.S.M.H. - SANITARY SEWER MANHOLE
 - WL - WATER LINE
 - WV - WATER VALVE

- NOTES:
1. ALL CORNERS MONUMENTED AS SHOWN.
 2. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
 3. EASEMENT IN FAVOR OF CHARLOTTE-MECKLENBURG UTILITIES, BELLSOUTH TELECOMMUNICATIONS, INC., DUKE POWER COMPANY AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBE ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE, WIRES, WATER LINES, SEWER LINES AND RELATED EQUIPMENT.



LINE #	LENGTH	BEARING
L1	7.88	S 23°57'35" E
L2	10.03	N 48°17'22" W

FLOOD CERTIFICATION
 THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 4, 2004 COMMUNITY PANEL # 370159-0186.E.

THIS IS TO CERTIFY THAT ON THE 8TH DAY OF JANUARY 20 05, AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1800 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

- REVISIONS
- 3-1-06 TO REVISE ADJOINING OWNER INFO.
 - 8-21-06 TO REVISE R/W REMOVAL AREA

CREW:	BC/TR	CN	SM
DRAWN:	CN	SM	
REVISED:			
SCALE:	1"=50'		
DATE:	JUNE 10, 2005		
FILE NO. W-3127	JOB NO. 68877		

ABANDONMENT MAP OF:

DUNBAR STREET

DEED BOOK: 19653-944; 19653-940
 PORTION OF STREET LIES BETWEEN TAX PARCEL #S 073-252-07, 09, 10, 11, 13

MECKLENBURG COUNTY, CITY OF CHARLOTTE, NORTH CAROLINA

R.B. PHARR & ASSOCIATES, P.A.
 SURVEYING & MAPPING

420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL. (704) 376-2186

Exhibit A-2

Tract I:

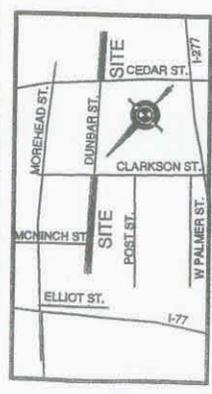
BEGINNING at a new iron rod located in the common corner of the easterly boundary of the property owned (now or formerly) by Carolina School Supply as described in Deed Book 11541 at Page 323, Mecklenburg County Registry, and the southerly boundary of the property owned (now or formerly) by Beazer Homes Corp. as described in Deed Book 19653 at Page 944, Parcel 3, Tract 2, Mecklenburg County Registry; said Beginning point being also located N. 54-38-32 W. 5,854.28 feet from NCGS Monument "M 055" having grid coordinates N:539,784.430 and E:1,449,530.959; thence running along the southerly boundary of the Beazer Homes Corp. property S. 44-37-02 E. 228.54 feet to the northerly margin of McNinch Street (currently a variable width public right-of-way); thence S. 42-16-07 E. 32.20 feet to a new iron rod located in the southerly margin of McNinch Street and the southwest corner of the said Beazer Homes Corp. property, Tract 3; thence continuing along the southerly boundary of the Beazer Homes Corp. property S. 45-18-01 E. 132.35 feet to a new iron rod located in the northerly margin of an alley; thence S. 29-57-35 E. 7.98 feet to an existing iron pin located in the southerly margin of said alley and the southwest corner of the property owned (now formerly) by Beazer Homes Corp. as described in Deed Book 19653 at Page 940, Parcel 4, Tract 2, Mecklenburg County Registry; thence with the southerly boundary of the said Beazer Homes Corp. property S. 45-02-52 E. 140.38 feet to an existing iron pin; thence S. 45-27-35 W. 40.90 feet to a new iron rod located in the northeast corner of the said Beazer Homes Corp. property described in Deed Book 19653 at Page 944, Parcel 11, Tract 4, aforesaid registry; thence with the northerly boundary of the Beazer Homes Corp. property N. 43-41-49 W. 140.28 feet to the southerly margin of an alley; thence N. 48-17-22 W. 10.03 feet to the northerly margin of said alley and the southeast corner of the said Beazer Homes Corp. property, Parcel 1, Tract 1; thence with the northerly margin of said Beazer Homes Corp. property N. 44-37-02 W. 390.55 feet to a new iron rod located in the southerly boundary of the aforesaid Carolina School Supply property; thence with the southerly boundary of the Carolina School Supply property N. 45-00-06 E. 40.00 feet to the POINT OR PLACE OF BEGINNING, containing 0.4921 acres or 21,434 square feet, more or less, all as shown on that certain Abandonment Map of Dunbar Street, Sheet 1 of 2, prepared by R.B. Pharr & Associates, P.A., dated June 10, 2005 and revised on August 21, 2006, reference to which survey is hereby made.

EXHIBIT B-1



- LEGEND:
- CL - CURB AND GUTTER
 - CG - GAS LINE
 - D.B. - DEED BOOK
 - E.I.P. - EXISTING IRON PIN
 - EU - EDGE OF PAVEMENT
 - EU - END UNKNOWN
 - GW - GAS VALVE
 - LP - LIGHT POLE
 - M.B. - MAP BOOK
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 - R.W. - RIGHT OF WAY
 - S.S.M.H. - SANITARY SEWER MANHOLE
 - WL - WATER LINE
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- NOTES:
1. ALL CORNERS MONUMENTED AS SHOWN.
 2. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD, WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY, ARE SHOWN HEREON.
 3. EASEMENT IN FAVOR OF CHARLOTTE-MECKLENBURG UTILITIES, BELLSOUTH TELECOMMUNICATIONS, INC., DUKE POWER COMPANY AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBE ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE, WIRES, WATER LINES, SEWER LINES AND RELATED EQUIPMENT.

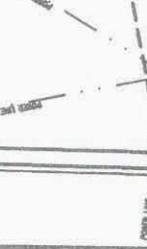


BEAZER HOMES CORP.
 PARCEL 8
 D.B. 19653 PG. 944
 TRACT 9
 TAX # 073-141-05

BEAZER HOMES CORP.
 PARCEL 9
 D.B. 19653 PG. 944
 TRACT 8
 TAX # 073-142-01

NOCS MONUMENT IN 050°
 110.02' W
 49.90' N
 110.02' W
 49.90' N
 110.02' W
 49.90' N
 110.02' W
 49.90' N

AREA 23,940 SQ. FT.
 0.5468 ACRE
 1971.80' (GROUND)



UTILITY EASEMENT IN FAVOR OF
 CHARLOTTE-MECKLENBURG UTILITIES
 BELLSOUTH TELECOMMUNICATIONS, INC.
 DUKE POWER COMPANY



FLOOD CERTIFICATION
 THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 4, 2004 COMMUNITY PANEL # 370159 0186 E.

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SIGNED _____

REVISIONS 6-30-05 CORRECTED AREA 3-1-06 TO REVISE ADJOINING OWNER INFO. 8-21-06 TO REVISE R/W REMOVAL AREA		DRAWN: BC/TR REVISOR: CN SM
ABANDONMENT MAP OF: DUNBAR STREET DEED BOOK: 19653-944 PORTION OF STREET LIES BETWEEN TAX PARCEL #S 037-141-05 & 073-142-01 MECKLENBURG COUNTY, CITY OF CHARLOTTE, NORTH CAROLINA R.B. PHARR & ASSOCIATES, P.A. SURVEYING & MAPPING 420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL. (704) 376-2186		SCALE: 1"=50' DATE: JUNE 10, 2005 FILE NO. W-3127 JOB NO. 68877

SHEET 2 OF 2

Exhibit B-2

Tract II:

BEGINNING at a new iron rod located in the southwest corner of the property owned (now or formerly) by Beazer Homes Corp. as described in Deed Book 19653 at Page 944, Parcel 8, Tract 9, Mecklenburg County Registry; said Beginning point being also located N. 56-31-22 W. 4,941.80 feet from NCGS Monument "M 055" having grid coordinates N:539,784.430 and E:1,449,530.959; thence running along the southerly boundary of the said Beazer Homes Corp. property S. 44-31-13 E. 607.20 feet to an existing iron rod; thence S. 44-25-30 W. 39.87 feet to an existing iron rod located in the northerly boundary of the said Beazer Homes Corp. property, Parcel 9, Tract 8; thence with the northerly boundary of the said Beazer Homes Corp. property N. 44-26-33 W. 606.98 feet to a railroad spike; thence N. 44-05-16 E. 39.05 feet to the POINT OR PLACE OF BEGINNING, containing 0.5498 acres or 23,950 square feet, more or less, all as shown on that certain Abandonment Map of Dunbar Street, Sheet 2 of 2, prepared by R.B. Pharr & Associates, P.A., dated June 10, 2005 and revised on August 21, 2006, reference to which survey is hereby made.

**A RESOLUTION AUTHORIZING THE REFUND OF
CERTAIN BUSINESS PRIVILEGE LICENSES**

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

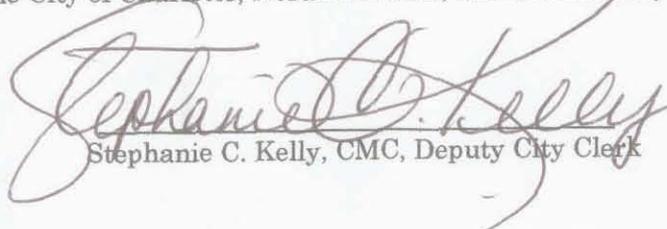
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 11th day of September, 2006 that those taxpayers listed on the schedule of "Business Privilege License 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, Stephanie C. Kelly, 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 11th day of September, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 300-301.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of September, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

**BUSINESS PRIVILEGE LICENSE
REFUNDS REQUESTED**

<u>Name</u>	<u>Refund Amount</u>
AD-ART SIGNS	\$ 15.09
ANNS HALLMARK SHOPS	100.00
ARGUS SEARCH	530.53
AVANTI	75.00
BELK STORE SERVICES	8,000.00
BROWN & CALDWELL	905.51
BUDGET INN	105.87
BUY WISE BEAUTY SUPPLY	213.38
CAROLINA BENEFITS ASSOCIATES	197.47
CT PARTNERS II LLC dba CAROLINA BG	2,217.70
CHICK-FIL-A	1,315.18
CHIN CHIN	50.00
COTES QUALITY SERVICES	991.32
COYOTE JOES	49.92
DILWORTH NEIGHBORHOOD GRILLE	159.90
FASTENAL	78.68
FME INC	75.00
HAIR DYNAMICS	56.46
J & J PREWIRE	255.08
JEANNINE RIVERA	50.00
JERSEY MIKES SUBS	244.01
LAKEVIEW SELF SERVICE	687.50
LIGHTNING MIKES	50.00
LUCE INC	902.93
MAJESTIC PAINTERS	205.08
MANCHIE MOORE dba MANCHIES	60.00
MCDONALDS	23,745.07
MOES AYRLSEY INC	307.79
MOES BALLANTYNE LLC	446.78
MOES CARMEL COMMONS LLC	354.06
MOES DILWORTH LLC	697.19
PRESTO BAR & GRILL	8.22
PRIMM PROPERTIES	50.00
RESTAURANT I	164.85
SOUTHEASTERN FIRE CONTROL	3,170.85
STEAK N SHAKE 500 CENTURY BLDG	3,984.39
STRIDE RITE	319.20
TANGENT RESOURCES	125.00
TOOL TIME RENTAL	48.50
TRIBEK	1,373.34
TRINITY CLEANING SERVICES	58.90
WESTFALL ENTERPRISES	40.00
WINE VAULT (THE)	504.49
ZOBO TV	2,502.15
TOTAL	\$ 55,492.39

North Carolina Governor's Highway Safety Program
Local Governmental Resolution
Form GHSP-02-A

WHEREAS, the City of Charlotte (herein called the "Agency") has completed an application contract for traffic safety funding; and that the Charlotte City Council (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE CHARLOTTE CITY COUNCIL IN OPEN MEETING ASSEMBLED IN THE CITY OF CHARLOTTE, NORTH CAROLINA, THIS 11th day of September 2006 AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Capt. David Haggist is authorized to file, on behalf of the Governing Body, an Application contract in the form prescribed by the Governor's Highway Safety Program in the amount of \$10,000 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of 0 as required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption

DONE AND ORDERED in open meeting by Mayor Pat McCrory

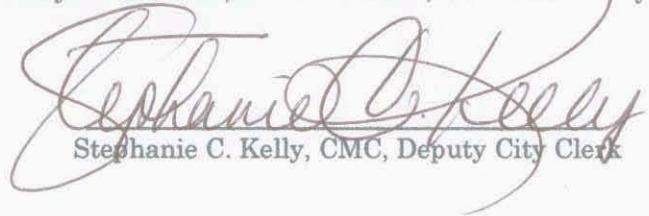
ATTESTED BY Brenda Freeze

DATE: September 11, 2006

CERTIFICATION

I, Stephanie C. Kelly, 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 11th day of September, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 302-303.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of September, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

CHARLOTTE CITY COUNCIL

Resolution Authorizing Sale of Personal Property by Public Auction

Whereas, G.S. 160A-270(b) allows the City Council to sell personal property at public auction upon adoption of a resolution authorizing the appropriate official to dispose of the property at public auction and;

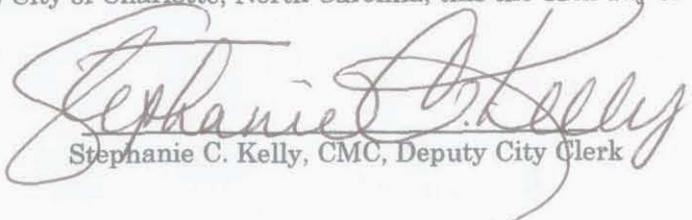
Whereas, the City Manager has recommended that the property listed on the attached exhibits A and B be sold at public auction; now therefore,

Be it resolved, by the Charlotte City Council that the City Manager or her designee is authorized to sell by public auction on September 23rd, 2006 at 10:00 a.m. the surplus property described on Exhibit A, on September 30th, 2006 at 10:00 a.m. the police unclaimed property items (no exhibit required) and on October 25th, 2006 at 10:00 am the surplus property described on Exhibit B at the City-County Surplus Property facility, 3301 Rotary Drive, Charlotte, North Carolina, as per the terms and conditions as specified in the Auctioneer Services contract approved by this City Council and in accordance with G.S. 160A-270(b) . The 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 days before the date of the auction, a copy of this resolution or a notice summarizing its content as required by North Carolina General Statute 160A-270(b).

CERTIFICATION

I, Stephanie C. Kelly, 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 11th day of September, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 304-310.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of September, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

Unit ID	Year	Make	Model	Description	Vin #	Mileage	Reason for Disposal
SMD 481	1994	GMC	Top Kick	Dump Truck	1GDT7H4J7RJ507216	110485	Age, mileage
SMD 393	1993	Ford		Dump Truck	1FDWK74C2PVA32944	45867	Age, mileage
SMD 336	1991	Ford	F 700	Dump Truck	1FDXK74P0MVA38180	114811	Age, mileage
SMD 305	1989	IHC	4700	Dump Truck	1HTSCZWL6LH237624	93561	Age, mileage
SMJ 277	1989	IHC	4700	Dump Truck	1HTSCZWNXLN227941	249	Age, mileage
SMD 353	1990	IHC	4700	Dump Truck	1HTSCPEL4NH446238	102151	Age, mileage
SMD 378	1991	Ford	F 700	Dump Truck	1FDXK74P7MVA38175	10055	Age, mileage
SMD 356	1992	IHC	4700	Dump Truck	1HTSCPEL6NH446239	138240	Mileage
SMD 335	1988	Ford	F 700	Dump Truck	1FDWK74P6JVA51510	1802	Age, mileage
SMD 355	1992	IHC	4700	Dump Truck	1HTSCPEL6NH446242	156682	Mileage
SMD 319	1991	Ford	F 700	Dump Truck	1FDWK74P6MVA37790	157839	Mileage
SMJ 244	1995	Ford	F 800	Patch Truck	1FDXF80C3SVA40189	76311	Age, mileage
TOJ 481	1993	Ford	F 250	Pickup	1FTHF25H4PNA72800	110485	Age, mileage
SMJ 271	1992	GMC	Top Kick	Truck	1GDM7H1J3PJ501791	58686	Age, mileage
SMJ 274	1989	IHC	1754	Truck	1HTLCZWN7KH628141	99494	Age, mileage
DTB 127	2001	Ford	E 450	Van	1FDXE45F11HB75599	145429	Mileage
DTB 130	2001	Ford	E 450	Van	1FDXE45F41HB75600	122933	Mileage
DTB 134	2001	Ford	E 450	Van	1FDXE45FX1HB75603	114300	Mileage
DTB 137	2001	Ford	E 450	Van	1FDXE45F31HB75605	133886	Mileage
DTB 138	2001	Ford	E 450	Van	1FDXE45F51HB75606	127790	Mileage
DTB143	2001	Ford	E 450	Van	1FDXE45F01HB75612	115536	Mileage
DTB 151	2001	Ford	E 450	Van	1FDXE45F02HA10192	125040	Mileage
SNP 562	2000	CCC	Let 40	Rear Loader	1CYCCA483XT044267	96834	Mileage
SNP 542C	1997	CCC	Let 40	Rear Loader	1CYGCA48XVT090418	22611	Age, condition
SNP 580	1999	CCC	Let 40	Rear Loader	1CYCCA489YT044582	89878	Age, Condition
SNP 568	2000	CCC	Let 40	Rear Loader	1CYCCA480YT044261	128568	Mileage
SNP 564	2000	CCC	Let 40	Rear Loader	1CYCCA489YT044257	63402	Age, Repeat Repairs
SNP 566	2000	CCC	Let 40	Rear Loader	1CYCCA482YT044259	123065	Mileage
SNP 576	2000	CCC	Let 40	Rear Loader	1CYCCA487YT044578	33292	Age, Repeat Repairs
SNP 584	2000	CCC	Let 40	Rear Loader	1CYCCA48XYT044719	106770	Age, Repeat Repairs
SNP 588	2000	CCC	Let 40	Rear Loader	1CYCCA487YT044709	112648	Age, Repeat Repairs
SNP 109	2001	CCC	Let 40	Rear Loader	1CYCCA4841T045046	111309	Age, Repeat Repairs
SNJ 261	1999	CCC		Recycling Truck	1CYCCA387XT044175	64419	Age, Repeat Repairs

Resolution Book 40, Page 305

September 11, 2006

Exhibit A

City of Charlotte

Auction date: Sept.23, 2006

USE 990	1998	IHI	35J	Excavator	AD007852	3892	Age, Repeat Repairs
SMR 800	2000	Wacker	RD 25	Double Drum Roller	5059696	471	Replaced
SMR 722	1991	Ferguson	46A	Roller	3675	1031	Replaced
SMD 350	1989	IHC	4700	Dump Truck	1HTSCZWLXLH237626	140792	Age, repairs
SMC 817	1991	Sullivan	185 DPQ	Compressor	44108258	400	Replaced
USD 469	1995	Ford		Dump Truck	1FDWF80C1SVA39991	114392	Replaced
SMC 815	1991	Sullivan	185 DPQ	Compressor	4108256	464	Replaced
USD 465	1995	Ford		Dump Truck	1FDVL90E3SVA32341	152331	Age, miles
SMD 322	1988	Ford	F 700	Dump Truck	1FDWK74P5JVA51515	65109	Age, Repeat Repairs
UDJ 209	1995	Ford	F 800	Utility Truck	1FDKF80C4VVA07884	85030	Age, Repeat Repairs
UWJ 302	1994	Ford	F 350	Utility Truck	1FDJF37H7REA18099		Age, Repeat Repairs
UDH 607	1993	Ford	655 D	Medium Backhoe	A421254	7112	Age, Repeat Repairs
SMR 709	1991	Ingram		Roller	619381-AE08	706	Age, Repeat Repairs
SMY 857	1999	Hudson	HSE 14	Trailer	10HHSE145X1000002	na	Age, Repeat Repairs
SMD 351	1991	Ford	F 700	Dump Truck	1FDXK74P5MVA38174	100744	Age, Repeat Repairs
F67177	1993	Spartan		Engine company	4S7AT9D07PC008386	187109	Replaced, accident
EMX 548R	1974	Ford		Wrecker	F37YNU83507	69419	Age, Mileage, Repairs
PDA 187	2004	Ford	Crown Vic	4 Door Sedan	2FAFP71W04X179803	14683	Wrecked
FDA 082	2003	Ford	Crown Vic	4 Door Sedan	2FAFP71W33X167482	27420	Wrecked
PDA 128	2003	Chevrolet	Impala	4 Door Sedan	2G1WF55K739233618	82701	Age, Mileage, Repairs
PDA 192	2003	Ford	Crown Vic	4 Door Sedan	2FAFP71WX3X192220	72768	Age, Mileage, Repairs
PDA 201	2003	Ford	Crown Vic	4 Door Sedan	2FAFP71W63X192232	101553	Age, Mileage, Repairs
PDA 218	2003	Ford	Crown Vic	4 Door Sedan	2FAFP71W43X192245	115976	Age, Mileage, Repairs
PDA 308	2003	Ford	Crown Vic	4 Door Sedan	2FAFP71W73X192210	84581	Age, Mileage, Repairs
PDA 416	2003	Ford	Crown Vic	4 Door Sedan	2FAFP71W33X192253	95921	Age, Mileage, Repairs
PDA 425	2003	Ford	Crown Vic	4 Door Sedan	2FAFP71W93X192242	103731	Age, Mileage, Repairs
PDA 4018	2003	Chevrolet	Impala	4 Door Sedan	2G1WF55K139241035	90942	Age, Mileage, Repairs
PDA 112	2002	Ford	Crown Vic	4 Door Sedan	2FAFP71W32X134352	79770	Age, Mileage, Repairs
PDA 180	2002	Ford	Crown Vic	4 Door Sedan	2FAFP71W41X133810	36340	Wrecked
PDA 210	2002	Ford	Crown Vic	4 Door Sedan	2FAFP71W22X134360	102694	Age, Mileage, Repairs
PDA 240	2002	Ford	Crown Vic	4 Door Sedan	2FAFP71W72X134340	109863	Age, Mileage, Repairs
PDA 266	2002	Ford	Crown Vic	4 Door Sedan	2FAFP71W62X134362	98198	Age, Mileage, Repairs
PDA 490	2002	Ford	Crown Vic	4 Door Sedan	2FAFP71W32X134366	113123	Age, Mileage, Repairs
PDA 584	2002	Ford	Crown Vic	4 Door Sedan	2FAFP71W42X134344	89447	Age, Mileage, Repairs
PDA 638	2002	Ford	Crown Vic	4 Door Sedan	2FAFP71W92X134369	73226	Age, Mileage, Repairs
PDA 770	2002	Ford	Crown Vic	4 Door Sedan	2FAFP71W82X115196	96127	Age, Mileage, Repairs
PDA 895	2002	Ford	Crown Vic	4 Door Sedan	2FAFP71W42X131993	88709	Wrecked

Prepared by: Norma F. Kerns

Exhibit A

City of Charlotte

Auction date: Sept.23, 2006

PDA 964	2002	Ford	Crown Vic	4 Door Sedan	2FAFP71W32X134321	105966	Age, Mileage, Repairs
PDA 4009	2002	Ford	Crown Vic	4 Door Sedan	2FAFP71W42X122047	90196	Age, Mileage, Repairs
PDA 045	2001	Ford	Crown Vic	4 Door Sedan	2FAFP71WX1X133794	91618	Mileage, Condition
PDA 161	2001	Ford	Crown Vic	4 Door Sedan	2FAFP71W72X134354	107785	Age, Mileage, Repairs
PDA 180	2001	Ford	Crown Vic	4 Door Sedan	2FAFP71W41X133810	36340	Wrecked
PDA 233	2001	Ford	Crown Vic	4 Door Sedan	2FAFP71W71X192012	96394	Age, Mileage, Repairs
PDA 347	2001	Ford	Crown Vic	4 Door Sedan	2FAFP71W71X192026	87784	Age, Mileage, Repairs
PDA 370	2001	Ford	Crown Vic	4 Door Sedan	2FAFP71W11X192040	91202	Age, Mileage, Repairs
PDA 391	2001	Ford	Crown Vic	4 Door Sedan	2FAFP71W61X192034	91233	Age, Mileage, Repairs
PDA 751	2001	Ford	Crown Vic	4 Door Sedan	2FAFP71W11X133795	90262	Age, Mileage, Repairs
PDA 787	2001	Ford	Crown Vic	4 Door Sedan	2FAFP71W01X137353	90273	Age, Mileage, Repairs
PDA 861	2001	Ford	Crown Vic	4 Door Sedan	2FAFP71W01X152502	47575	Wrecked
PDA 905	2001	Ford	Crown Vic	4 Door Sedan	2FAFP71W21X152498	101218	Age, Mileage, Repairs
PDA 911	2001	Ford	Crown Vic	4 Door Sedan	2FAFP71W71X152514	91979	Age, Mileage, Repairs
PDA 929	2001	Ford	Crown Vic	4 Door Sedan	2FAFP71W71X180023	65044	Wrecked
PDAS 965	2001	Ford	Crown Vic	4 Door Sedan	2FAFP71W11X180020	81841	Mileage
PDA 025	2000	Ford	Crown Vic	4 Door Sedan	2FAFP71W2YX123139	75480	Transmission Bad
PDA 026	2000	Ford	Crown Vic	4 Door Sedan	2FAFP71W9YX123140	77894	Age, Mileage, Repairs
PDA 077	2000	Ford	Crown Vic	4 Door Sedan	2FAFP71W9YX123106	89492	Mileage, Repairs
PDA 193	2000	Ford	Crown Vic	4 Door Sedan	2FAFP71W2YX123156	84609	Mileage, Repairs
PDA 245	2000	Ford	Crown Vic	4 Door Sedan	2FAFP71W4YX199008	73135	Age, Mileage, Repairs
PDA 619	2000	Ford	Crown Vic	4 Door Sedan	2FAFP71W3YX123098	119438	Age, Mileage, Repairs
PDA 733	2000	Ford	Crown Vic	4 Door Sedan	2FAFP71W8YX123226	98990	Age, Mileage, Repairs
PDA 774	2000	Ford	Crown Vic	4 Door Sedan	2FAFP71W3YX199016	59385	Wrecked
PDA 807	2000	Ford	Crown Vic	4 Door Sedan	2FAFP71W4YX199025	82656	Age, Mileage, Repairs
PDA 841	2000	Ford	Crown Vic	4 Door Sedan	2FAFP71W2YX199038	87887	Age, Mileage, Repairs
FDA 101	1998	Ford	Crown Vic	4 Door Sedan	2FAFP71W3WX130078	108201	Age, Mileage, Repairs
PDA 631	1999	Ford	Crown Vic	4 Door Sedan	2FAFP71W7XX123877	88801	Age, Mileage, Repairs
PDA 632	1999	Ford	Crown Vic	4 Door Sedan	2FAFP71W9XX123878	77469	Age, Mileage, Repairs
PDA 665	1999	Ford	Crown Vic	4 Door Sedan	2FAFP71W6XX123899	100700	Age, Mileage, Repairs
PDA 667	1999	Ford	Crown Vic	4 Door Sedan	2FAFP71W2XX123897	98777	Age, Mileage, Repairs
PDA 680	1999	Ford	Crown Vic	4 Door Sedan	2FAFP71W2XX141994	103676	Age, Mileage, Repairs
PDA 682	1999	Ford	Crown Vic	4 Door Sedan	2FAFP71W6XX141996	98606	Mileage, Repairs
PDA 801	1999	Ford	Crown Vic	4 Door Sedan	2FAFP71WXXX123968	75552	Mileage, Repairs
PDA 029S	1998	Ford	Crown Vic	4 Door Sedan	2FAFP71W1WX130094	99993	Age, Mileage, Repairs
PDA 207	1998	Ford	Crown Vic	4 Door Sedan	2FAFP71W2WX130041	82403	Mileage, Repairs
PDA 803	1998	Ford	Crown Vic	4 Door Sedan	2FAFP71W8WX130027	83079	Age, Mileage, Repairs

Prepared by: Norma F. Kerns

Exhibit A

City of Charlotte

Auction date: Sept.23, 2006

PDA 094	1998	Ford	Crown Vic	4 Door Sedan	2FAFP71W0WX130099	101317	Age, Mileage, Repairs
CAA 975N	1996	Ford	Crown Vic	4 Door Sedan	2FALP71W6TX169262	90295	Age, Mileage, Repairs
PDA 580	2000	Ford	Taurus	4 Door Sedan	1FAFP5221YA141785	81529	Age, Mileage, Repairs
PDA 590	2000	Ford	Taurus	4 Door Sedan	1FAFP5223YA141786	74045	Age, Mileage, Repairs
PDA 539	1999	Ford	Taurus	4 Door Sedan	1FAFP52U4XA165756	99099	Age, Mileage, Repairs
PDA 549	1999	Ford	Taurus	4 Door Sedan	1FAFP52U4XA166180	102468	Age, Mileage, Repairs
PDA 552	1999	Ford	Taurus	4 Door Sedan	1FAFP52U6XA166181	81215	Age, Mileage, Repairs
PDA 420	1998	Ford	Taurus	4 Door Sedan	1FAFP52U9WA198217	78741	Age, Mileage, Repairs
PDA 481	1998	Ford	Taurus	4 Door Sedan	1FAFP52U0WA198218	74259	Age, Mileage, Repairs
PDA 535	1998	Ford	Taurus	4 Door Sedan	1FAFP52UXWA198212	88610	Age, Mileage, Repairs
PDA 599	1998	Ford	Taurus	4 Door Sedan	1FAFP52UXWA198209	73245	Age, Condition
PDA 538	1997	Ford	Taurus	4 Door Sedan	1FALP52U7VA253863	100964	Age, Mileage, Repairs
FDA 095	1997	Chevrolet	Cavalier	4 Door Sedan	1G1JC5249V7321339	54946	Age, Mileage, Repairs
PDA 353	1996	Dodge	Intrepid	4 Door Sedan	1B3HD46F7TF134033	87492	Age, Mileage, Repairs
PDA 467	1995	Chevrolet	Lumina	4 Door Sedan	2G1WL52M4S1167363	71744	Age, Mileage, Repairs
PDA 480	1996	Chevrolet	Lumina	4 Door Sedan	2G1WL52M4T9234627	76115	Age, Mileage, Repairs
NDA 025	1994	Ford	Tempo	4 Door Sedan	1FAAP36X4RK218147	73367	Wrecked
NDA 074	1994	Chevrolet	Cavalier	4 Door Sedan	1G1JC844XR7300133	85125	Wrecked
PDA 437	1994	Ford	Taurus	4 Door Sedan	1FALP52U9RG211200	99765	Mileage
UWA 001	1994	Chevrolet	Cavalier	4 Door Sedan	1G1JC8449R7270431	35274	Age, Mileage, Repairs
PDA 7011	1993	Ford	Mustang	4 Door Sedan	1FACP42E8PF172556	66493	Age, Condition
UWA 009	1992	Dodge	Shadow	4 Door Sedan	1B3XP28D8NN211908	66871	Age, Mileage, Repairs
EDA 107	1991	Ford	Tempo	4 Door Sedan	1FACP36X3MK180203	40713	Age, Mileage, Repairs
TEA 022	1994	Ford	Explorer	SUV	1FMCU22XXRUC54789	96316	Age, Mileage, Repairs
PDA 337	1988	Jeep	Cherokee	SUV	1JCMT779XJT154459	80836	Mileage
ACB 037	2001	Ford	Econoline	Van	1FTNS24L41HA49303	123400	Age, Mileage, Repairs
ACB 040	2000	Ford	Econoline	Van	1FTNS24L82HA44347	85477	Wrecked
ACB 033	2000	Ford	Econoline	Van	1FTNS24LXYHB59962	114815	Age, Mileage, Repairs
PDB 106	2000	Ford	E 250	Van	1FTNE24L1YHA69395	71850	Mileage
TEB 169	1999	Ford	Econoline	Van	1FBSS31L5XHA33363	166560	Mileage
FDB 028	1997	Ford	Econoline	Van	1FTJE34F1VHB74643	126387	Age, Mileage, Repairs
PDB 114	1997	Dodge		Van	2B5WB35Z9VK532178	94952	Age, Mileage, Repairs
BMB 025	1995	Ford	E 250	Van	1FTHE24HOSHB29618	53221	Age
CTB 132R	1995	Ford		Van	1FBJS31H3SHB33851	128584	Age, Mileage, Repairs
PDB 100	1995	Ford	Club Wagon	Van	1FBJS31H8SHB36244	98668	Age, Mileage, Repairs
LMB 092	1991	Ford	Astro	Van	1GNDM15Z6MB184235	36823	Age, Repairs
PDB 315N	1989	Ford		Van	1FBJS31H2KHB76772	106092	Age, Mileage, Repairs

Prepared by: Norma F. Kerns

Exhibit A

City of Charlotte

Auction date: Sept.23, 2006

UDU 209	2000	Ford	F 150	Pickup	1FTRX18L9YNA57674	170000	Age, Mileage, Repairs
CTU 013	1999	Ford	F 250	Pickup	1FTNF21LXXEB96227	103704	Age, Mileage, Repairs
PDU 215	1998	Chevrolet	Fleetside	Pickup	1GCGK29J4WE175542	113690	Age, Mileage, Repairs
SMU 150	1998	Chevrolet	C 3500	Pickup	1GBHC33R8WF035479	79758	Age, Mileage, Repairs
UCU 172	1997	Ford	F 150	Pickup	1FTEF1763VNC68684	148566	Age, Mileage, Repairs
TOJ 486	1995	Ford	F 250	Pickup	1FTHF25H6SNA99912	168292	Age, Mileage, Repairs
TOJ 487	1995	Ford	F 250	Pickup	1FTHF25H8SNA99913	156477	Age, Mileage, Repairs
PDU 7002	1994	Dodge	Ram	Pickup	1B7HC16X5RS620770	116800	Mileage
TOU 038	1991	Chevrolet	1500	Pickup	1GCEC14H8ME180372	104744	Age, Mileage, Repairs
BMU 111	1989	Chevrolet	2500	Pickup	1GCGC24K0KE193432	85359	Age, Mileage, Repairs
Various other miscellaneous equipment and tools							

Exhibit B

City of Charlotte

**Auction date:
October 25, 2006**

Computers				
Laptop Computers				
Printers				
Fax machines				
Office furnishings				
Various other miscellaneous technology related goods				

Charlotte City Council

Resolution Authorizing Donation of Single Vent Explosive Transport Vessel

Whereas, North Carolina General Statute 160A-274 authorizes the City to donate personal property belonging to the City of Charlotte to another governmental agency upon action by the Charlotte City Council; and,

Whereas, the City of Charlotte's Business Support Services Key Business has requested authority to donate this single vent explosive transport vessel;

Whereas, the equipment has been replaced by the City of Charlotte's police department and is no longer needed; and

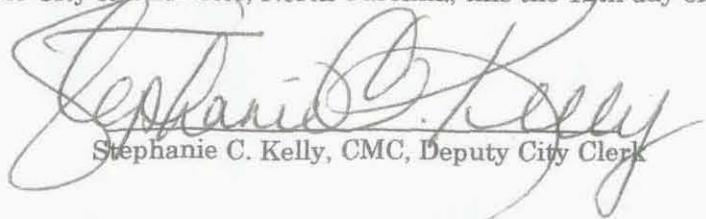
Whereas, The City of North Wilkesboro has requested a donation of this equipment to supplement their homeland security plan;

NOW, THEREFORE, be it resolved by the Charlotte City Council that the Key Business Executive of Business Support Services is authorized to donate to the City of North Wilkesboro, North Carolina the single vent explosive transport vessel, and to execute all documents necessary to complete the donation.

CERTIFICATION

I, Stephanie C. Kelly, 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 11th day of September, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 311.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of September, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **BRIAR CREEK RELIEF SEWER-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 **BRIAR CREEK RELIEF SEWER-PHASE I PROJECT** and estimated to be approximately **53,191 square feet (1.221 acre) of sanitary sewer easement, and easement 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. 175-102-30, said property currently owned by **SOUTHPARK SENIOR LIVING LLC; BOUDREAU'S SOUTHPARK, LLC; BRUTKE'S SOUTHPARK, LLC; BULCHER'S SOUTHPARK, LLC; BUTLER'S SOUTHPARK, LLC; COUCH'S SOUTHPARK, LLC; EARP-THOMAS' SOUTHPARK, LLC; MARTELL'S SOUTHPARK, LLC; MORGAN'S SOUTHPARK, LLC; MORITA'S SOUTHPARK, LLC; PROBST'S SOUTHPARK, LLC; ROEDIGER'S SOUTHPARK, LLC; HUME'S SOUTHPARK, LLC; FIRST'S SOUTHPARK, LLC; COLONIAL TITLE COMPANY, Trustee; FIRST STATE BANK OF THERMOPOLIS, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

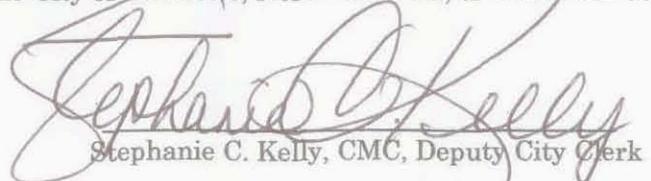
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, 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 11th day of September, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 312.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of September, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **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 **7,863 square feet (.180 acre) of fee-simple area 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. 043-162-11, said property currently owned by **HUBBARD ROAD DEVELOPMENT, INC. (or their successor in interest); MECKLENBURG COUNTY TAX COLLECTOR'S OFFICE, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

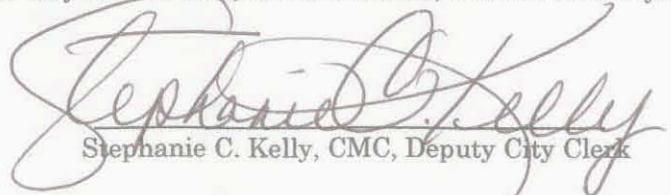
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, 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 11th day of September, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 313.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of September, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **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 **9,195 square feet (.211 acre) of fee-simple area, storm drainage easement, sidewalk and utility easement, and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 027-011-03, said property currently owned by **HUBBARD ROAD DEVELOPMENT, INC. (or successor in interest), and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

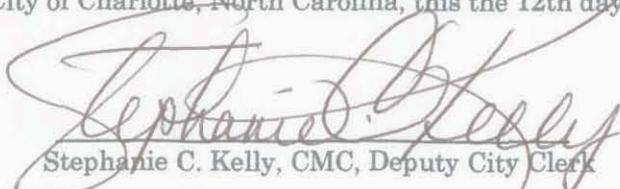
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, 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 11th day of September, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 314.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of September, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **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 **13,344 square feet (.306 acre) of fee-simple area, 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. 043-162-01, said property currently owned by **HUBBARD ROAD DEVELOPMENT, INC., and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

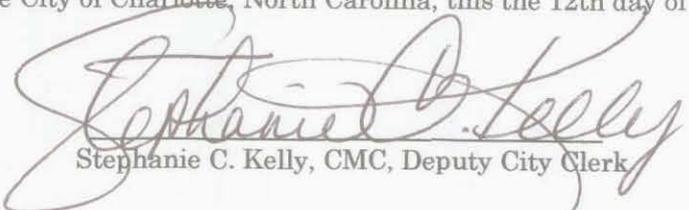
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, 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 11th day of September, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 315.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of September, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **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 **5,330 square feet (.122 acre) of fee-simple area 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. 043-162-03, said property currently owned by **VIRGINIA K. WALLACE and spouse, if any, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

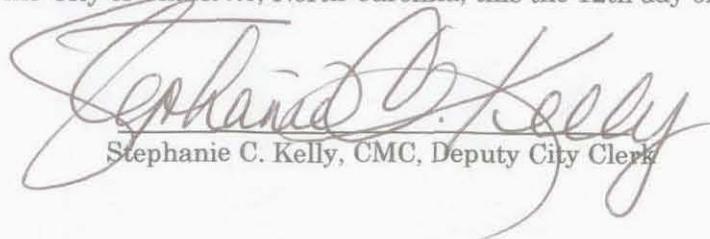
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Stephanie C. Kelly, 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 11th day of September, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 316.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of September, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **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 **526 square feet (.012 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. 069-041-19, said property currently owned **APEX HOMES, INC.; SOL A. JAFFA and MICHAEL I. JAFFA, Trustees; CAREY A. SELLERS, Trustee; APEX HOMES, INC., Beneficiary; DEPARTMENT OF THE TREASURY-INTERNAL REVENUE SERVICE, Tax Liens; STATE OF NORTH CAROLINA-DEPARTMENT OF REVENUE; Tax Liens; MECKLENBURG COUNTY TAX COLLECTOR, and Any Other Parties in Interest, or the owners' successor-in-interest.**

ESTIMATED JUST COMPENSATION:

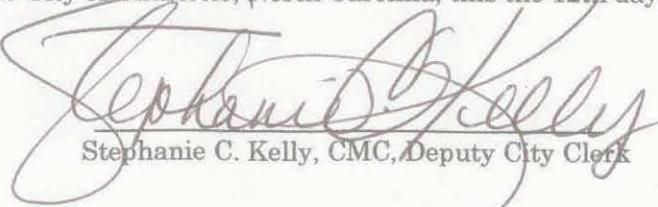
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Stephanie C. Kelly, 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 11th day of September, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 317.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of September, 2006.


Stephanie C. Kelly, CMC, Deputy 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 Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on September 11, 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 September 11, 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: Barnes, Burgess, Carter, Dulin, Foxx, Kinsey, Lassiter, Lochman, Mitchell, Mumford, Turner

The following members of the City Council were absent: None

Also present: City Manager Pam Syfert and City Attorney DeWitt McCarley

* * * * *

The City Clerk reported to the City Council that the bond orders entitled, "BOND ORDER AUTHORIZING THE ISSUANCE OF \$85,200,000 OF GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA," "BOND ORDER AUTHORIZING THE ISSUANCE OF \$10,000,000 OF GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA," and BOND ORDER AUTHORIZING THE ISSUANCE OF \$25,000,000 OF GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA," which were introduced at a meeting of the City Council on August 28, 2006, were published on September 1, 2006, with notice that the City Council would hold a public hearing thereon on September 11, 2006 at 7:00 p.m. The City Clerk also reported that there had been filed in her office a statement of debt complying with provisions of the Local Government Bond Act, and such statement as filed showed the net indebtedness of the City to be ___% of the assessed valuation of property in said City subject to taxation.

At 7 : 20 o'clock p.m., the Mayor announced that the City Council would hear anyone who wished to be heard on the questions of validity of the General Obligation Public Improvements Bond Order and the advisability of issuing the General Obligation Public Improvements Bonds.

After the City Council had heard all persons who requested to be heard in connection with the foregoing questions, Council Member Mitchell moved that the public hearing be closed. The motion was seconded by Council Member Turner and was unanimously adopted.

At 7 : 20 o'clock p.m., the Mayor announced that the City Council would hear anyone who wished to be heard on the questions of validity of the General Obligation Housing Bond Order and the advisability of issuing the General Obligation Housing Bonds.

After the City Council had heard all persons who requested to be heard in connection with the foregoing questions, Council Member Mitchell moved that the public hearing be closed. The motion was seconded by Council Member Turner and was unanimously adopted.

At 7 : 20 o'clock p.m., the Mayor announced that the City Council would hear anyone who wished to be heard on the questions of validity of the General Obligation Neighborhood Improvements Bond Order and the advisability of issuing the General Obligation Neighborhood Improvements Bonds.

After the City Council had heard all persons who requested to be heard in connection with the foregoing questions, Council Member Mitchell moved that the public hearing be closed. The motion was seconded by Council Member Turner and was unanimously adopted.

Council Member Mitchell moved that the City Council adopt without change or amendment and direct the City Clerk to publish notices of adoption, as prescribed by The Local Government Bond Act, of the bond orders entitled, **"BOND ORDER AUTHORIZING THE ISSUANCE OF \$85,200,000 OF GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA," "BOND ORDER AUTHORIZING THE ISSUANCE OF \$10,000,000 OF GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA," and "BOND ORDER AUTHORIZING THE ISSUANCE OF \$25,000,000 OF GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA,"** as introduced at the meeting of the City Council held on August 28, 2006.

The motion was seconded by Council Member Burgess and was adopted by the following vote:

AYES: Barnes, Burgess, Carter, Dulin, Foxx, Kinsey, Lassiter, Lochman, Mitchell, Mumford, Turner

NAYS: None

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 September 11, 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 September 11, 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: Barnes, Burgess, Carter, Dulin, Foxx, Kinsey, Lassiter, Lochman, Mitchell, Mumford, Turner

The following members of the City Council were absent: None

Also present: City Manager Pam Syfert and City Attorney DeWitt McCarley

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 SETTING A SPECIAL BOND REFERENDUM AND DIRECTING THE PUBLICATION OF NOTICE OF A SPECIAL BOND REFERENDUM AND NOTIFICATION OF THE MECKLENBURG COUNTY BOARD OF ELECTIONS

WHEREAS, the City Council of the City of Charlotte, North Carolina has adopted the following bond orders and such bond orders should be submitted to the voters of the City of Charlotte, North Carolina for their approval or disapproval in order to comply with the constitution and laws of North Carolina:

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$85,200,000 GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;"

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$10,000,000 GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;" and

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$25,000,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;"

NOW, THEREFORE, be it resolved by the City Council (the "*City Council*") of the City of Charlotte, North Carolina, as follows:

- (1) For the purpose of determining the question whether the qualified voters of the City of Charlotte, North Carolina shall approve or disapprove (a) the indebtedness to be incurred by the issuance of the General Obligation Public Improvements Bonds of the City authorized by said bond order, which indebtedness shall be secured by a pledge of the City's full faith and credit and (b) the levy of a tax for the payment thereof, said bond order shall be submitted to the qualified voters of said City at a special bond referendum to be held in said City on November 7, 2006.
- (2) For the purpose of determining the question whether the qualified voters of the City of Charlotte, North Carolina shall approve or disapprove (a) the indebtedness to be incurred by the issuance of the General Obligation Housing Bonds of the City authorized by said bond order, which indebtedness shall be secured by a pledge of the City's full faith and credit and (b) the levy of a tax for the payment thereof, said bond order shall be submitted to the qualified voters of said City at a special bond referendum to be held in said City on November 7, 2006.
- (3) For the purpose of determining the question whether the qualified voters of the City of Charlotte, North Carolina shall approve or disapprove (a) the indebtedness to be incurred by the issuance of the General Obligation Neighborhood Improvements Bonds of the City authorized by said bond order, which indebtedness shall be secured by a pledge of the City's full faith and credit and (b) the levy of a tax for the payment thereof, said bond order shall be submitted to the qualified voters of said City at a special bond referendum to be held in said City on November 7, 2006.
- (4) The City Clerk is hereby authorized and directed to publish a notice of said referendum which shall be in substantially the form entitled "**CITY OF CHARLOTTE, NORTH CAROLINA NOTICE OF SPECIAL BOND REFERENDUM,**" attached hereto. Said notice of referendum shall be published at least twice. The first publication shall be not less than 14 days, and the second publication shall be not less than 7 days before the last day on which voters may register for the special bond referendum.
- (5) The Mecklenburg County Board of Elections is hereby requested to print and distribute the necessary ballots and to provide the equipment for the holding of said referendum and to conduct and to supervise said referendum.
- (6) The ballots to be used at said referendum shall contain the following words:

"*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?";

with squares labeled "**YES**" and "**NO**" beneath or beside such words in which squares the voter may record his or her choice on the question presented; and

"*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?";

with squares labeled "YES" and "NO" beneath or beside such words in which squares the voter may record his or her choice on the question presented; and

"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?";

with squares labeled "YES" and "NO" beneath or beside such words in which squares the voter may record his or her choice on the question presented;

(6) The City Clerk shall mail or deliver a certified copy of this resolution to the Mecklenburg County Board of Elections within three days after this resolution is adopted.

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

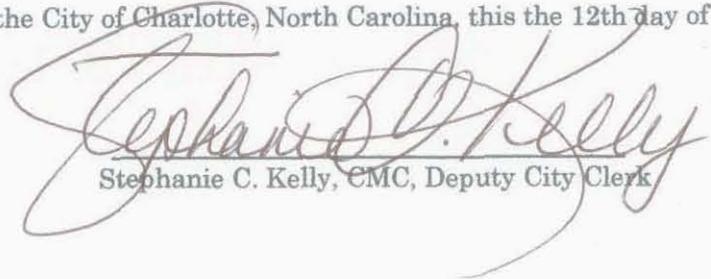
Upon motion of Councilmember Mitchell , seconded by Councilmember Burgess , the foregoing resolution entitled: "**RESOLUTION SETTING A SPECIAL BOND REFERENDUM AND DIRECTING THE PUBLICATION OF NOTICE OF A SPECIAL BOND REFERENDUM AND NOTIFICATION OF THE MECKLENBURG COUNTY BOARD OF ELECTIONS**" was adopted by the following vote:

AYES: <u> BARNES </u>	<u> MUMFORD </u>
<u> BURGESS </u>	<u> TURNER </u>
<u> CARTER </u>	
<u> DULIN </u>	NAYS: NONE
<u> FOXX </u>	
<u> KINSEY </u>	
<u> LASSITER </u>	
<u> LOCHMAN </u>	
<u> MITCHELL </u>	

CERTIFICATION

I, Stephanie C. Kelly, 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 11th day of September, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 318-329.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of September, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

**BOND ORDER AUTHORIZING THE ISSUANCE OF \$85,200,000
GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS
OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

WHEREAS, the City Council of the City of Charlotte, North Carolina (the "*City Council*") has ascertained and hereby determines that it is necessary to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads, intersections, 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

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

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

Section 1. In order to raise the money required for the public improvement purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Public Improvements Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such General Obligation Public Improvements Bonds authorized by this order shall be \$85,200,000.

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

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

Section 4. This bond order shall take effect when approved by the voters of the City at a referendum scheduled for November 7, 2006.

The foregoing order was adopted on the 11th day of September, 2006, and is hereby published on the 14th day of September, 2006. Any action or proceeding questioning the validity of the order must be begun within 30 days after the date of publication of this notice.

/s/ Brenda R. Freeze

City Clerk
City of Charlotte, North Carolina

**BOND ORDER AUTHORIZING THE ISSUANCE OF \$10,000,000
GENERAL OBLIGATION HOUSING BONDS
OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

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

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

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

Section 1. In order to raise the money required for the housing purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Housing Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such General Obligation Housing Bonds authorized by this order shall be \$10,000,000.

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

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

Section 4. This bond order shall take effect when approved by the voters of the City at a referendum scheduled for November 7, 2006.

The foregoing order was adopted on the 11th day of September, 2006, and is hereby published on the 14th day of September, 2006. Any action or proceeding questioning the validity of the order must be begun within 30 days after the date of publication of this notice.

/s/ Brenda R. Freeze

City Clerk
City of Charlotte, North Carolina

**BOND ORDER AUTHORIZING THE ISSUANCE OF \$25,000,000
GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENT BONDS
OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

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

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

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

Section 1. In order to raise the money required for the housing purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Neighborhood Improvement Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such General Obligation Neighborhood Improvement Bonds authorized by this order shall be \$25,000,000.

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

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

Section 4. This bond order shall take effect when approved by the voters of the City at a referendum scheduled for November 7, 2006.

The foregoing order was adopted on the 11th day of September, 2006, and is hereby published on the 14th day of September, 2006. Any action or proceeding questioning the validity of the order must be begun within 30 days after the date of publication of this notice.

/s/ Brenda R. Freeze

City Clerk
City of Charlotte, North Carolina

**CITY OF CHARLOTTE, NORTH CAROLINA
NOTICE OF SPECIAL BOND REFERENDUM**

NOTICE IS HEREBY GIVEN of intention of the undersigned to call for a referendum on November 7, 2006, to approve the issuance of bonds of the City of Charlotte, North Carolina which shall be for the following purposes and in the following maximum amount.

\$85,200,000 of bonds 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;

\$10,000,000 of bonds 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

\$25,000,000 of bonds 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.

A tax sufficient to pay the principal of and interest on said bonds when due will be annually levied and collected. At said referendum the questions shall be stated whether the order authorizing bonds for each of the purposes stated above shall be approved. The last day for registration for the referendum is October 13, 2006.

CITY OF CHARLOTTE, NORTH CAROLINA

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

Dated: October 6, 2006

CHARLOTTE 2006 GENERAL OBLIGATION BOND REFERENDUM SCHEDULE

7/24/06	Council adopts Resolution directing publication of notice of intent to apply to the Local Government Commission (the "LGC"); Resolution authorizing the Director of Finance to apply to the LGC; and Resolution making certain findings of fact
7/27/06	Publish Notice of Intent in <i>The Charlotte Observer</i> (have to wait 10 days after publication of Notice of Intent before applying to the LGC)
8/07/06	File Application with LGC and prepare Sworn Statement of Debt (receive letter from LGC confirming receipt of Application which must occur before the Bond Order is introduced)
8/28/06	Introduce the Bond Order at the Council Meeting; Council adopts the Resolution setting a public hearing on the Bond Order on 9/11/06 [at least 6 days before public hearing]
9/01/06	File Sworn Statement of Debt with the City Clerk [before public hearing]
9/01/06	Publish Notice of Public Hearing on the Bond Order in <i>The Charlotte Observer</i> [
9/11/06	Council holds public hearing on adoption of the Bond Order; Council adopts (1) the Bond Order at the conclusion of the public hearing and (2) the Resolution setting a Special Bond Referendum
9/12/06	City Clerk delivers certified copy of the Resolution setting a Special Bond Referendum to the County Board of Elections
9/14/06	City publishes Bond Order as adopted in <i>The Charlotte Observer</i>
9/29/06	Publish first Notice of Special Bond Referendum in <i>The Charlotte Observer</i> (Not less than fourteen days before last day to register to vote for Bond Referendum)
10/06/06	Publish second Notice of Special Bond Referendum in <i>The Charlotte Observer</i> (Not less than seven days before last day to register to vote for Bond Referendum)
11/07/06	Referendum
After 11/07/06	Adoption of Certificate of Canvass by the County Board of Elections Council adopts Resolution Certifying and Declaring Results of Special Bond Referendum Publish Statement of Result in <i>The Charlotte Observer</i>

Prepared by:
Scott Leo
Partner
Parker Poe Adams & Bernstein LLP

2006 Referendum List of Projects

Street Projects

- Area Plan Projects	\$5.0 million
- Traffic Calming Program	1.5
- Pedestrian and Traffic Safety Program	2.0
- Sidewalk Construction Program	12.0
- Bridge Program	4.0
- Farm-to-Market Road Improvement Program	2.0
- Future Project Planning and Design	1.0
- Intersection Capacity and Multimodal Program	10.0
- Minor Roadway Improvement Program	3.0
- Non-System Residential Street Improvements	2.0
- Thoroughfare and Street Projects:	
- Dixie River Road/Steele Creek Intersection	5.0
- Fred D. Alexander Boulevard (NC27 to NC16)	20.0
- Harris Boulevard/Milton Road Intersection	0.5
- Old Pineville Rd (Victory Christian to England)	1.2
- Street Connectivity Program	3.0
- Traffic Control Devices Upgrade Program	3.0
- Traffic Flow Enhancement (coordinated signals)	3.0
- Bicycle Program	1.0
- City Center Transportation Implementation Program	4.0
- Community ED Strategy Implementation	2.0
Total Street Projects	\$85.2

Housing Projects **\$10.0**

Neighborhood Improvement Projects **\$25.0**

Total Projects **\$120.2 million**