

SERIES RESOLUTION AUTHORIZING AND APPROVING THE ISSUANCE AND SALE OF \$5,800,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF CHARLOTTE PARKING FACILITY REVENUE BONDS, SERIES 1983, AUTHORIZING AND APPROVING THE FORMS AND TERMS OF THE AGREEMENT OF LEASE, THE BILL OF SALE AND LEASE AGREEMENT, THE OPERATING AGREEMENT, THE GUARANTY AND THE EXECUTION AND DELIVERY OF THE AGREEMENT OF LEASE, THE BILL OF SALE AND LEASE AGREEMENT, THE OPERATING AGREEMENT, AND THE GUARANTY, APPROVING THE AWARD OF THE SERIES 1983 BONDS BY THE LOCAL GOVERNMENT COMMISSION AND DIRECTING THE AUTHENTICATION AND DELIVERY OF THE SERIES 1983 BONDS TO THE PURCHASER.

WHEREAS, the City of Charlotte, North Carolina, a political subdivision of the State of North Carolina (herein called the "City"), is authorized and empowered, under the Constitution and laws of the State of North Carolina, particularly The Local Government Revenue Bond Act, Article 5 as amended, of Chapter 159 of the General Statutes of North Carolina (herein called the "Act"), to:

(i) acquire, construct, reconstruct, extend, improve, maintain, better, and operate revenue bond projects which include parking facilities;

(ii) establish, maintain, revise, charge and collect such rates, fees, rentals, tolls or other charges for the use, services, facilities, and commodities of or furnished by any revenue bond project;

(iii) borrow money for the purpose of acquiring, constructing, reconstructing, extending, bettering, improving, or otherwise paying the cost of revenue bond projects, and to issue its revenue bonds or bond anticipation notes therefor;

(iv) pledge to the payment of such bonds and interest thereon revenues from one or more revenue bond projects, including revenues from improvements, betterments, or extensions to such projects thereafter constructed or acquired as well as the revenues from existing systems, plants, works, instrumentalities, and properties of the projects to be improved, bettered, or extended;

(v) enter into contracts with any person, firm or corporation, public or private, on such terms as the City Council for the City may determine, with respect to the acquisition, construction, reconstruction, extension, betterment, improvement, maintenance, or operation of revenue bond projects; and

(vi) lease to any person, firm, or corporation, public or private, all or part of any revenue bond project, upon such terms and conditions and for such term of years, not in excess of forty years, as the City Council for the City may deem advisable to carry out the provisions of the Act and to provide in such lease for the extension or renewal thereof; and

WHEREAS, the City proposes to acquire from WF Associates, a North Carolina limited partnership (the "Partnership"), Independence Center Parking Facility (collectively called the "Project"); and

WHEREAS, the City proposes to enter into an agreement of lease of the Project with the Partnership; and

WHEREAS, the City Council has determined to issue revenue bonds for the purpose of financing the Project; and

WHEREAS, there have been presented at this meeting copies of the following documents relating to the issuance of such revenue bonds: (a) the Bond Order (the "Bond Order") pursuant to which NCNB National Bank of North Carolina, Charlotte, North Carolina, is serving as trustee (the "Trustee"), and the provisions of which relate to the issuance of and security for the Series 1983 Bonds; (b) the Agreement of Lease, dated as of December 1, 1983, between the City and the Partnership (the "Lease"); (c) a Bill of Sale and Lease Agreement, dated as of December 1, 1983 (the "Ground Lease"), between the City and the Partnership; (d) an Operating Agreement, dated as of December 1, 1983 (the "Operating Agreement"), between the City and the Partnership; and (e) a Guaranty Agreement, dated as of December 1, 1983 (the "Guaranty"), from the Partnership and Williams Realty Corp. (the "Guarantor") to the Trustee and the City; and

WHEREAS, the City Council has determined that the Partnership and the Guarantor are financially responsible and capable of fulfilling their respective obligations under the Lease and the Guaranty;

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WHEREAS, the City Council has determined that adequate provision has been made for the payment of the principal and interest on the revenue bonds to be issued to finance the Project; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF CHARLOTTE, NORTH CAROLINA:

Section 1. Terms. Capitalized words and terms used in this Series Resolution and not defined herein shall have the same meanings in this Series Resolution as such words and terms are given in the Bond Order or the Lease.

Section 2. Authorization and Details. Pursuant to the authority granted to it by the Constitution and laws of the State of North Carolina, the City Council hereby authorizes the issuance of \$5,800,000 principal amount of City of Charlotte, North Carolina, Parking Facility Revenue Bonds, Series 1983, to be dated as of December 1, 1983 (the "Series 1983 Bonds"), consisting of Term Bonds in the principal amount of \$5,800,000 maturing on July 1, 2008.

The Series 1983 Bonds shall initially bear interest from their date of delivery at 65% of NCNB National Bank of North Carolina's prime rate, and thereafter at the Fixed Rate as provided in the Bond Order.

The Series 1983 Bonds are subject to purchase upon presentation by the holder as provided in the Bond Order on the earlier of the Conversion Date or July 1, 1989 (or such later date upon the payment of sinking fund payments as provided in the Bond Order).

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The Series 1983 Bonds shall be issued as fully registered Bonds in the denomination of \$100,000 and whole multiples of \$1,000 in excess thereof prior to the Conversion Date, and thereafter in the denomination of \$1,000 or any whole multiple thereof. The principal of and premium, if any, on the Series 1983 Bonds, are payable at the corporate trust office of the Trustee, Charlotte, North Carolina, as Bond Registrar; and the interest on the Series 1983 Bonds shall be paid by check mailed to the registered owner.

Section 3. Redemption. The Series 1983 Bonds are subject to mandatory sinking fund redemption in part by lot on July 1, 1985, and on each July 1 thereafter in the amounts set forth below at 100% of the principal amount of the Series 1983 Bonds being redeemed plus accrued interest to the date fixed for redemption:

<u>Year</u>	<u>Amount</u>
1985	\$375,000
1986	375,000
1987	375,000
1988	375,000
1989	375,000
Thereafter to and including the July 1 immediately following the Conver- sion Date.	The lesser of \$375,000 or the outstanding principal amount of the Bonds.

On the July 1 following the final payment set forth above, the Placement Agent shall determine the sinking fund requirements which will, as nearly as practicable, provide for level debt service payments on the Series 1983 Bonds outstanding on the Conversion Date to the final maturity thereof.

The amounts accumulated for the mandatory sinking fund redemption of Series 1983 Bonds may be applied by the Trustee prior to the 45th day preceding each July 1 to the purchase of Series 1983 Bonds at a price (including any brokerage and other charges) not exceeding the principal amount thereof, plus accrued interest to the date of purchase. If the principal amount of Series 1983 Bonds so purchased exceeds the principal amount of Series 1983 Bonds required to be redeemed on the next succeeding July 1, future sinking fund redemptions set forth above may be reduced by the amount of such excess in years and amounts designated by the Corporation.

The Bonds are subject to redemption, at the option of the City with the approval of the Partnership, in whole or in part on any date on or prior to the Conversion Date at a redemption price equal to the principal amount of each Bond to be redeemed plus accrued interest thereon to the redemption date. After the Conversion Date, the Bonds are subject to redemption, at the option of the City with the approval of the Partnership, in whole on any date or in part on any interest payment date on or after the fifth July 1 following the Conversion Date, at a redemption price equal to the principal amount of each Bond to be redeemed plus accrued interest thereon to the redemption date.

The Bonds are subject to mandatory redemption in whole on a date selected by the City within 180 days of the occurrence of a Determination of Taxability, at a redemption price

equal to the principal amount of each Bond to be redeemed plus accrued interest thereon to the redemption date.

The Series 1983 Bonds are subject to redemption as a whole or in part at any time in inverse order of maturity, at 100% of the principal amount of the Series 1983 Bonds being redeemed from money deposited in the Redemption Fund from (i) net proceeds from the condemnation of all or any part of the Project (or from agreements with, or actions by, a public authority in the nature of, or in lieu of, condemnation proceedings) in an aggregate amount in any Bond Year in excess of \$200,000, if the Partnership elects not to repair or replace the property taken; or (ii) net proceeds of insurance received in connection with the damage or destruction of all or any part of the Project in an aggregate amount in any Bond Year in excess of \$200,000, if the Partnership elects not to repair or replace the damaged or destroyed property, together with interest to the date fixed for redemption payable from money deposited in the Interest Account on the Bond Fund. The Series 1983 Bonds are also subject to redemption in whole at 100% of the principal amount of the Series 1983 Bonds being redeemed (from money deposited in the Redemption Fund) plus accrued interest to the date fixed for redemption (from money deposited in the Interest Account of the Bond Fund) in the event that, by reason of any change in any federal or state law or of any

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legislative, administrative or judicial action or administrative failure of action, (i) the Lease becomes unenforceable or impossible to perform without unreasonable delay or (ii) unreasonable burdens or excessive liabilities are imposed on the Partnership, including, without limitation, the imposition of federal, State or other ad valorem property, income or other taxes not being imposed on the date of the Lease.

The Series 1983 Bonds to be redeemed pursuant to an optional or extraordinary redemption shall be selected in the manner provided in Section 302 of the Bond Order, and redeemed only in whole multiples of \$1,000.

Section 4. Use of Proceeds. The proceeds of the Series 1983 Bonds shall be applied as follows: (1) the Trustee shall deposit to the credit of the Reserve Fund an amount equal to \$600,000; and (2) the balance of said proceeds shall be deposited to the credit of the Project Fund.

The City hereby finds that acquiring the Project and using the proceeds from the sale of the Series 1983 Bonds therefor and leasing the Project to the Partnership will accomplish the public purposes set forth in the Act.

Section 5. Sale of Series 1983 Bonds. The City hereby approves the action of the Local Government Commission of North Carolina in awarding the Series 1983 Bonds to NNCB National Bank of North Carolina, the Purchaser, in the amounts and at the interest rates set forth in Section 2 of

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this Series Resolution at a price of \$5,800,000 (representing the principal amount of the Series 1983 Bonds).

Section 6. Execution of Series 1983 Bonds. The Mayor and the City Clerk are hereby authorized and directed to execute, by manual or facsimile signature, the Series 1983 Bonds in definitive form. The Series 1983 Bonds shall be in substantially the form set forth in the Bond Order with such changes, modifications and deletions as they, with the advice of counsel, may deem necessary and appropriate and as are not inconsistent with the Bond Order and this Series Resolution. The execution and delivery of the Series 1983 Bonds by the aforementioned persons shall be conclusive evidence of the City's approval and authorization thereof.

Section 7. Designation of Trustee and Bond Registrar. The City Council hereby designates NCNB National Bank of North Carolina to act as Trustee, Placement Advisor and Bond Registrar under the Bond Order.

Section 8. Authentication and Delivery of Series 1983 Bonds. Upon their execution in the form and manner set forth in the Bond Order, the City shall deliver the Series 1983 Bonds to the Bond Registrar for authentication, and the Bond Registrar is hereby authorized and directed to authenticate and to deliver said Series 1983 Bonds to the Purchaser against payment therefor in accordance with and subject to the provisions of Sections 204 and 208 of the Bond Order.

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Section 9. Lease, Operating Agreement, Ground Lease and Guaranty. The forms, terms and provisions of the Lease, the Operating Agreement, the Ground Lease and the Guaranty are hereby approved and authorized in all respects, and the Mayor and/or the City Clerk are hereby authorized and directed to execute and deliver the Lease, the Operating Agreement, the Ground Lease and the Guaranty in the forms presented to this meeting together with such changes, modifications and deletions as they, with the advice of counsel, may deem necessary and appropriate; such execution and delivery shall be conclusive evidence of the approval and authorization thereof by the City.

Section 10. Designation of City Representatives. The City Finance Director is hereby appointed City Representative under the Bond Order and Lease with the power to do all acts as required thereby.

Section 11. Authorization to Perform. The officials of the City and the agents and employees of the City are hereby authorized and directed to do all acts and things required of them by the provisions of the Series 1983 Bonds, the Bond Order, the Lease, the Guaranty, the Ground Lease and the Operating Agreement for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same, to do all acts and things required of them by the provisions of this Series Resolution, and to take such action and to execute and deliver any such documents, deeds, certificates, undertakings, agreements or other

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instruments as they, with the advice of counsel, may deem necessary and appropriate to effect the transactions contemplated by the Bond Order, the Lease, the Guaranty, the Ground Lease, the Operating Agreement and this Series Resolution.

Section 12. Effective Date. This Series Resolution shall take effect immediately upon its passage.

* * * * *

CERTIFICATION

I, Pat Sharkey, 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, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81, and is recorded in full in Resolution Book 19 at Pages 480-490.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of December, 1983.

Pat Sharkey, City Clerk

December 12, 1983
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RESOLUTION AMENDING THE PAY PLAN
OF THE
CITY OF CHARLOTTE

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the Pay Plan heretofore adopted by the City Council to be effective October 1, 1960, as subsequently amended, is hereby further amended as follows:

Add the following class:

<u>Class Title</u>	<u>Class No.</u>	<u>Pay Range</u>	<u>Pay Step</u>
Transportation Marketing Specialist	2131	18	A - F

Delete the following class:

<u>Class Title</u>	<u>Class No.</u>	<u>Pay Range</u>	<u>Pay Step</u>
Transit Marketing Specialist	2130	19	A - F

BE IT FURTHER RESOLVED that this resolution shall be effective on the date of its adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81 and is recorded in full in Resolution Book 19 at Page 491.

Pat Sharkey
City Clerk

RESOLUTION AMENDING THE PAY PLAN
OF THE
CITY OF CHARLOTTE

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the Pay Plan heretofore adopted by the City Council to be effective October 1, 1960, as subsequently amended, is hereby further amended as follows:

Add the following classes:

Class No. 3142, Criminalist III, Pay Range 23,
Pay Steps A-F inclusive.

Class No. 3143, Chief Criminalist, Pay Range 24,
Pay Steps A-F inclusive.

Change the following class:

Class No. 3144, Assistant Crime Laboratory Director,
from Pay Range 24 to Pay Range 25, Pay Steps A-F
inclusive.

BE IT FURTHER RESOLVED that this resolution shall be effective on the date of its adoption.

APPROVED AS TO FORM.


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81 and is recorded in full in Resolution Book 19 at Page 492.

Pat Sharkey
City Clerk

Copy of a Resolution Passed by the City Council
of the City of Charlotte, North Carolina

The following resolution was introduced, and Councilman Dannelly moved that it be adopted. The motion was seconded by Councilman Spaugh, and, upon being put to a vote, the resolution was unanimously carried;

WHEREAS, the City of Charlotte proposes to make certain improvements under the Federal-Aid Highway Bridge Replacement and Rehabilitation Program, said improvements to consist of the replacement of the concrete structure on Mountain Brook Road over McMullen Creek under Project 8.2670701 (B-1451), Mecklenburg County; and,

WHEREAS, the City of Charlotte proposes to enter into an agreement with the North Carolina Department of Transportation for said improvements wherein the City of Charlotte agrees to prepare the planning report, design the project, make all necessary utility adjustments, acquire the right of way, and further agrees to construct the improvements; and,

WHEREAS, under the proposed agreement, the City of Charlotte shall participate in the total allowable project costs to the extent of 20 percent, with the Department of Transportation to reimburse the City of Charlotte for 80 percent of the total allowable project costs as set out in the agreement.

NOW, THEREFORE, BE IT RESOLVED that the agreement for the hereinabove referenced improvements, under Project 8.2670701, Mecklenburg County, is hereby formally approved by the City Council of the City of Charlotte and the Mayor and City Clerk of this Municipality are hereby empowered to sign and execute the required agreement between the City of Charlotte and the Department of Transportation.

This Resolution was passed and adopted the 12th day of December, 1983.

I, Pat Sharkey, Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and correct copy of excerpts from the minutes of the City Council of this Municipality.

WITNESS, my hand and the official seal of the City of Charlotte on this the 14th day of December, 1983.

SEAL OF
MUNICIPALITY

CLERK
CITY OF CHARLOTTE
NORTH CAROLINA

Copy of a Resolution Passed by the City Council
of the City of Charlotte, North Carolina

The following resolution was introduced, and Councilman Dannelly moved that it be adopted. The motion was seconded by Councilman Spaugh, and, upon being put to a vote, the resolution was unanimously carried;

WHEREAS, the City of Charlotte proposes to make certain improvements under the Federal-Aid Highway Bridge Replacement and Rehabilitation Program, said improvements to consist of the replacement of the steel and rubble masonry structure on Meadowwood Lane over a tributary of McMullen Creek under Project 8.2670801 (B-1452), Mecklenburg County; and,

WHEREAS, the City of Charlotte proposes to enter into an agreement with the North Carolina Department of Transportation for said improvements wherein the City of Charlotte agrees to prepare the planning report, design the project, make all necessary utility adjustments, acquire the right of way, and further agrees to construct the improvements; and,

WHEREAS, under the proposed agreement, the City of Charlotte shall participate in the total allowable project costs to the extent of 20 percent, with the Department of Transportation to reimburse the City of Charlotte for 80 percent of the total allowable project costs as set out in the agreement.

NOW, THEREFORE, BE IT RESOLVED that the agreement for the hereinabove referenced improvements, under Project 8.2670801, Mecklenburg County, is hereby formally approved by the City Council of the City of Charlotte and the Mayor and City Clerk of this Municipality are hereby empowered to sign and execute the required agreement between the City of Charlotte and the Department of Transportation.

This Resolution was passed and adopted the 12th day of December, 1983.

I, Pat Sharkey, Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and correct copy of excerpts from the minutes of the City Council of this Municipality.

WITNESS, my hand and the official seal of the City of Charlotte on this the 14th day of December, 1983.

SEAL OF
MUNICIPALITY

CLERK
CITY OF CHARLOTTE
NORTH CAROLINA

Copy of a Resolution Passed by the City Council
of the City of Charlotte, North Carolina

The following resolution was introduced, and Councilman Dannelly moved that it be adopted. The motion was seconded by Councilman Spaugh, and, upon being put to a vote, the resolution was unanimously carried;

WHEREAS, the City of Charlotte proposes to make certain improvements under the Federal-Aid Highway Bridge Replacement and Rehabilitation Program, said improvements to consist of the replacement of the timber and steel structure on Birchwood Drive over Gum Branch under Project 8.2670901 (B-1453), Mecklenburg County; and,

WHEREAS, the City of Charlotte proposes to enter into an agreement with the North Carolina Department of Transportation for said improvements wherein the City of Charlotte agrees to prepare the planning report, design the project, make all necessary utility adjustments, acquire the right of way, and further agrees to construct the improvements; and,

WHEREAS, under the proposed agreement, the City of Charlotte shall participate in the total allowable project costs to the extent of 20 percent, with the Department of Transportation to reimburse the City of Charlotte for 80 percent of the total allowable project costs as set out in the agreement.

NOW, THEREFORE, BE IT RESOLVED that the agreement for the hereinabove referenced improvements, under Project 8.2670901, Mecklenburg County, is hereby formally approved by the City Council of the City of Charlotte and the Mayor and City Clerk of this Municipality are hereby empowered to sign and execute the required agreement between the City of Charlotte and the Department of Transportation.

This Resolution was passed and adopted the 12th day of December, 1983.

I, Pat Sharkey, Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and correct copy of excerpts from the minutes of the City Council of this Municipality.

WITNESS, my hand and the official seal of the City of Charlotte on this the 14th day of December, 1983.

SEAL OF
MUNICIPALITY

CLERK
CITY OF CHARLOTTE
NORTH CAROLINA

Copy of a Resolution Passed by the City Council
of the City of Charlotte, North Carolina

The following resolution was introduced, and Councilman Dannelly moved that it be adopted. The motion was seconded by Councilman Spaugh, and, upon being put to a vote, the resolution was unanimously carried;

WHEREAS, the City of Charlotte proposes to make certain improvements under the Federal-Aid Highway Bridge Replacement and Rehabilitation Program, said improvements to consist of the replacement of the timber, concrete, and steel structure on Sardis Road North over Sardis Branch under Project 8.2671001 (B-1454), Mecklenburg County; and,

WHEREAS, the City of Charlotte proposes to enter into an agreement with the North Carolina Department of Transportation for said improvements wherein the City of Charlotte agrees to prepare the planning report, design the project, make all necessary utility adjustments, acquire the right of way, and further agrees to construct the improvements; and,

WHEREAS, under the proposed agreement, the City of Charlotte shall participate in the total allowable project costs to the extent of 20 percent, with the Department of Transportation to reimburse the City of Charlotte for 80 percent of the total allowable project costs as set out in the agreement.

NOW, THEREFORE, BE IT RESOLVED that the agreement for the hereinabove referenced improvements, under Project 8.2671001, Mecklenburg County, is hereby formally approved by the City Council of the City of Charlotte and the Mayor and City Clerk of this Municipality are hereby empowered to sign and execute the required agreement between the City of Charlotte and the Department of Transportation.

This Resolution was passed and adopted the 12th day of December, 1983.

I, Pat Sharkey, Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and correct copy of excerpts from the minutes of the City Council of this Municipality.

WITNESS, my hand and the official seal of the City of Charlotte on this the 14th day of December, 1983.

SEAL OF
MUNICIPALITY

CLERK
CITY OF CHARLOTTE
NORTH CAROLINA

Graham

COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

A motion was made by Councilmember Dannelly and seconded by
Councilmember Spaugh for the adoption of the following
resolution, and upon being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans to make certain street and highway improvements within this Municipality under Project 8.7367019, Mecklenburg County, said plans consisting of the construction and improvement of North Graham Street and 5th and 6th Streets; and,

WHEREAS, said Department of Transportation and this Municipality propose to enter into an agreement for the above mentioned project whereby this Municipality agrees: (1) to effect the necessary adjustment of any utilities under franchise without cost to the Department of Transportation, and (2) to provide for the adjustment of any municipally owned utilities without cost to the Department of Transportation, except that said Department will reimburse this Municipality in accordance with said Department's Municipally Owned Utility Policy; and,

WHEREAS, said Department of Transportation agrees to acquire the right of way and construct the project in accordance with the approved project plans; and,

WHEREAS, the agreement will further provide for the establishment, maintenance, and enforcement of traffic operating controls for the regulation and movement of traffic on the project upon its completion.

NOW, THEREFORE, BE IT RESOLVED that Project 8.7367019, Mecklenburg County, is hereby formally approved by the City Council of the Municipality of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the agreement with the Department of Transportation.

I, Pat Sharkey, Clerk of the Municipality of Charlotte, do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the meeting of the City Council duly held on the 12th day of December, 1983.

WITNESS, my hand and the official seal of said Municipality on this the 14th day of December, 1983.

(SEAL)

CLERK
MUNICIPALITY OF CHARLOTTE
NORTH CAROLINA

COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

A motion was made by Councilmember Dannelly and seconded by
Councilmember Spaugh for the adoption of the following
resolution, and upon being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans to make certain street and highway improvements within this Municipality under Project 8.1654827 and 8.1654831, Mecklenburg County, said plans consisting of the construction of I-277 from east of Cedar Street to west of Southern Railroad; and,

WHEREAS, said Department of Transportation and this Municipality propose to enter into an agreement for the above mentioned project whereby this Municipality agrees to effect the necessary adjustment of any utilities under franchise without cost to the Department of Transportation; and,

WHEREAS, said Department of Transportation will include in its construction contract provisions to install and adjust certain water and sewer lines, and the Municipality agrees to reimburse the Department of Transportation for the cost of said work with reimbursement to be made in a lump sum amount upon completion of the work; and,

WHEREAS, said Department of Transportation agrees to acquire the right of way and construct the project in accordance with the approved project plans; and,

WHEREAS, the agreement will further provide for the establishment, maintenance, and enforcement of traffic operating controls for the regulation and movement of traffic on the project upon its completion.

NOW, THEREFORE, BE IT RESOLVED that Project 8.1654827 and 8.1654831, Mecklenburg County, is hereby formally approved by the City Council of the Municipality of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the agreement with the Department of Transportation.

I, Pat Sharkey, Clerk of the Municipality of Charlotte, do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the meeting of the City Council duly held on the 12th day of December, 1983.

WITNESS, my hand and the official seal of said Municipality on this the 14th day of December, 1983.

(SEAL)

CLERK
MUNICIPALITY OF CHARLOTTE
NORTH CAROLINA

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RESOLUTION OF THE CHARLOTTE CITY COUNCIL
ABANDONING SANITARY SEWER AND/OR WATER EASEMENT
WHICH IS NO LONGER REQUIRED

WHEREAS, the City of Charlotte acquired certain rights-of-way by those certain Right-of-Way Agreements dated December 17, 1958 and May 18, 1972, recorded in Book 2075, page 299, and Book 3473, page 217, respectively, in the Mecklenburg County Registry; and

WHEREAS, the City of Charlotte has constructed and installed all such facilities as are needed or reasonably convenient to serve the surrounding property with sanitary sewer and/or water services and that such portion of the aforesaid rights-of-way, as is hereinafter described, was not used and is not needed to provide sanitary sewer and/or water services to surrounding property now or in the foreseeable future.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session duly assembled, that the portion of the right-of-way, as set forth in Book 2075, page 299 in the Mecklenburg County Registry, which lies south of the center line of Morrison Boulevard is abandoned.

This Resolution shall not be interpreted or construed to abandon any easement or right-of-way, except that portion of the right-of-way set forth in Book 2075, page 299

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lying south of the center line of Morrison Boulevard. Neither shall this Resolution be interpreted or construed to abandon the remainder of the right-of-way set forth in Book 2075, page 299 lying north of the center line of Morrison Boulevard, or the right-of-way set forth in Book 3473, page 217. The Mayor shall be authorized and is directed to execute such documents as shall be reasonably necessary to evidence the abandonment of such right-of-way as is hereinabove described.

Approved as to form:

John M. ...
City Attorney

CERTIFICATION

I, PAT SHARKEY, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81, and recorded in full in Resolution Book 19, at Page(s) 499-500.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of December, 1983.

PAT SHARKEY, CITY CLERK

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A RESOLUTION AUTHORIZING THE
REFUND OF CERTAIN TAXES

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

1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within eight years from the date the amounts were due to be paid.
3. The amounts listed on the schedule were collected through clerical error or by a tax illegally levied and assessed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 12th day of December, 1983, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form:

Henry W. Wadsworth Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81 and recorded in full in Resolution Book 19, page(s) 501.

Pat Sharkey
City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Debra Alexander Morrell	\$24.50	Clerical Error
Mrs. Marguerite Stultz	\$10.00	Clerical Error
TOTAL	<u>\$34.50</u>	

in the Mecklenburg Public Registry and the easterly most margin of the right-of-way of Monroe Road; thence, North 71-38-58 East 538.18 feet to an existing iron pipe; thence, South 18-21-02 East 497.91 feet to an existing iron pipe; thence, South 71-38-58 West, passing an existing iron pipe at 499.36 feet which is located in the easterly most margin of the right-of-way of Monroe Road, a total distance of 529.49 feet to a point which is located in the centerline of the right-of-way of Monroe Road; thence, continuing with said centerline of Monroe Road following four courses and distances: (1) In a northerly direction with the arc of a circular curve to the left having a radius of 2,273.79 feet an arc distance of 76.21 feet to a point; (2) North 25-34-40 West 131.20 feet to a point; (3) In a northerly direction with the arc of a circular curve to the right having a radius of 1,745.74 feet an arc distance of 220.21 feet to a point; and (4) North 18-21-02 West 72.38 feet to the point and place of Beginning, containing 6.34 acres, more or less, 0.34 acres of which is located within the right-of-way of Monroe Road, all as shown on a survey dated June 29, 1983, revised October 5, 1983 and October 17, 1983 and prepared by R. B. Pharr & Associates, and as also shown on that survey dated July 8, 1983, revised October 26, 1983, and prepared by P. A. Brotherton.

Section 3. Legal notice of said public hearing shall be published in The Charlotte News, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of said public hearing.

CERTIFICATION

I, PAT SHARKEY, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81, and recorded in full in Resolution Book 19, at Page(s) 507-508.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of December, 1983.

PAT SHARKEY, CITY CLERK

in the Mecklenburg Public Registry and the easterly most margin of the right-of-way of Monroe Road; thence, North 71-38-58 East 538.18 feet to an existing iron pipe; thence, South 18-21-02 East 497.91 feet to an existing iron pipe; thence, South 71-38-58 West, passing an existing iron pipe at 499.36 feet which is located in the easterly most margin of the right-of-way of Monroe Road, a total distance of 529.49 feet to a point which is located in the centerline of the right-of-way of Monroe Road; thence, continuing with said centerline of Monroe Road following four courses and distances: (1) In a northerly direction with the arc of a circular curve to the left having a radius of 2,273.79 feet an arc distance of 76.21 feet to a point; (2) North 25-34-40 West 131.20 feet to a point; (3) In a northerly direction with the arc of a circular curve to the right having a radius of 1,745.74 feet an arc distance of 220.21 feet to a point; and (4) North 18-21-02 West 72.38 feet to the point and place of Beginning, containing 6.34 acres, more or less, 0.34 acres of which is located within the right-of-way of Monroe Road, all as shown on a survey dated June 29, 1983, revised October 5, 1983 and October 17, 1983 and prepared by R. B. Pharr & Associates, and as also shown on that survey dated July 8, 1983, revised October 26, 1983, and prepared by P. A. Brotherton.

Section 3. Legal notice of said public hearing shall be published in The Charlotte News, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of said public hearing.

CERTIFICATION

I, PAT SHARKEY, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81, and recorded in full in Resolution Book 19, at Page(s) 507-508.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of December, 1983.

PAT SHARKEY, CITY CLERK

December 12, 1983
Resolution Book 19 - Page 507

RESOLUTION FIXING DATE OF PUBLIC HEARING
ON THE PETITION REQUESTING THE ANNEXATION
OF PROPERTY TO THE CITY OF CHARLOTTE
PURSUANT TO G. S. 160A-31, AS AMENDED.

WHEREAS, a petition requesting the annexation of the area described herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That a public hearing on the question of annexation of the area described herein will be held at Derita Elementary School, Charlotte, N. C., at 7:30 o'clock p.m., on the 9th day of January, 1984.

Section 2. The area proposed for annexation is described as follows:

Lying and being in Morningstar Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at a point which is located in the centerline of the right-of-way of Monroe Road (60 foot right-of-way) which point is located in a southeasterly direction along said centerline of Monroe Road a distance of 570.55 feet from the intersection of the centerline of the right-of-way of Monroe Road and the centerline of the right-of-way of Sardis Road North (60 foot right-of-way) as extended; thence, North 71-38-58 East 30 feet to an existing iron pipe located in the easterly most margin of the right-of-way of Monroe Road, which iron pipe is also located South 18-21-02 East 1,311.90 feet from an iron at the intersection of the southerly most boundary of that property conveyed to Delmar Printing Co. by deed recorded in Book 2490 at Page 570

December 12, 1983
Resolution Book 19 - Page 506

of the right-of-way of the aforesaid Seaboard Coastline Railroad; thence, continuing with said center line the following two courses and distances: (1) in a southeasterly direction with the arc of a circular curve to the left having a radius of 2,101.76 feet, an arc distance of 353.23 feet to a point; and (2) S 30-26-30 E 640.52 feet to a point; thence, running with the northerly line of the property of Pic 'N Pay Stores, Inc. (now or formerly) as described in deed recorded in Book 3911 at Page 639 of the Mecklenburg Public Registry, S 67-20-05 W 2,351.66 feet to a point which is located in the center line of Monroe Road; thence, continuing with said center line of Monroe Road the following two courses and distances: (1) N 21-02-40 W 762.48 feet to a point; and (2) in a northerly direction with the arc of a circular curve to the left having a radius of 2,273.79 feet, an arc distance of 103.69 feet to a point; thence, N 71-38-58 E 529.49 feet to an existing iron pipe; thence, N 18-21-02 W 497.91 feet to an existing iron pipe; thence, S 71-38-58 W 568.18 feet to a point which is located in the center line of Monroe Road; thence, continuing with said center line of Monroe Road N 18-21-02 W 1,306.23 feet to a point; thence, N 60-56-50 E 1,882.10 feet to the point and place of BEGINNING, all as shown on that survey dated December 2, 1983 and prepared by R. B. Pharr & Associates.

Section 3. Legal notice of said public hearing shall be published in The Charlotte News, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of said public hearing.

CERTIFICATION

I, PAT SHARKEY, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81, and recorded in full in Resolution Book 19, at Page(s) 504-506.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of December, 1983.

PAT SHARKEY, CITY CLERK

(1) N 36-27-34 W 436.04 feet to a point; (2) in a westerly direction with the arc of a circular curve to the left having a radius of 2,877.17 feet, a distance of 1,000.40 feet to a point; and (3) N 56-22-53 W 1,194.12 feet to a point; thence, N 33-36-36 E 100.0 feet to a point located in the northeasterly margin of said railroad right-of-way; thence, N 85-29-09 E 435.85 feet to a point; thence, S 52-11-47 E 155.37 feet to a point; thence, N 67-54-22 E 412.68 feet to a point; thence, N 84-57-57 E 561.49 feet to a point; thence, S 30-25-08 E 449.83 feet to a point; thence, N 79-59-42 E 19.25 feet to a point; thence, S 32-20-52 W 280.55 feet to a point; thence, S 8-46-23 E 366.92 feet to a point; thence, N 85-55-06 E 997.92 feet to an iron; thence, N 42-44-13 E 241.0 feet to a point which is located in the center line of Beards Creek; thence, with the center line of said Beards Creek the following two courses and distances: (1) S 55-44-10 E 28.04 feet to a point; and (2) S 63-12-24 E 164.85 feet to a point which is located at the intersection of the center line of Irvins Creek with the center line of Beards Creek; thence, continuing with said center line of Irvins Creek the following thirteen courses and distances: (1) N 68-06-38 E 111.96 feet to a point; (2) N 26-10-23 W 76.76 feet to a point; (3) N 13-44-53 E 109.70 feet to a point; (4) N 54-24-25 E 156.32 feet to a point; (5) N 62-29-39 E 211.18 feet to a point; (6) N 12-59-50 E 97.67 feet to a point; (7) N 58-36-52 E 115.58 feet to a point; (8) N 88-44-42 E 57.37 feet to a point; (9) N 50-23-12 E 131.13 feet to a point; (10) S 67-03-06 E 34.44 feet to a point; (11) N 89-33-05 E 92.69 feet to a point; (12) N 57-06-15 E 377.92 feet to a point; and (13) N 84-12-12 E 105.23 feet to a point; thence, S 52-21-54 E 45.88 feet to an old iron; thence, S 62-26-42 E, passing an iron at 285.21 feet in the southerly or southwesterly margin of the right-of-way of East Independence Boulevard, a total distance of 494.86 feet to a point which is located in the center line of East Independence Boulevard; thence, continuing with said center line of East Independence Boulevard S 33-57-21 E 2,534.57 feet to a point; thence, S 25-07-28 E 53.45 feet to a point which is located in a northerly boundary line of the property of Martin-Marietta Corporation (now or formerly); thence, continuing with the northerly boundary of said Martin-Marietta Corporation property the following ten courses and distances: (1) N 85-00-47 W, passing an iron at 118.62 feet in the southerly or southwesterly margin of the right-of-way of East Independence Boulevard, a total distance of 520.0 feet to a concrete monument; (2) S 48-18-20 W 515.15 feet to a concrete monument; (3) N 83-19-34 W 755.91 feet to a white oak; (4) N 82-48-50 W 1,259.43 feet to a concrete monument; (5) N 17-38-24 W 140.44 feet to a concrete monument; (6) S 85-03-37 W 329.73 feet to a concrete monument; (7) S 22-00-11 E 756.22 feet to a sweet gum tree; (8) S 0-51-54 W 203.16 feet to a concrete monument; (9) S 24-38-24 W 328.97 feet to an iron; and (10) S 72-55-54 W 119.30 feet to a railroad spike which is located in the center line

December 12, 1983
Resolution Book 19 - Page 504

RESOLUTION FIXING DATE OF PUBLIC HEARING
ON THE PETITION REQUESTING THE ANNEXATION
OF PROPERTY TO THE CITY OF CHARLOTTE
PURSUANT TO G. S. 160A-31, AS AMENDED.

WHEREAS, a petition requesting the annexation of the area described herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That a public hearing on the question of annexation of the area described herein will be held at Derita Elementary School, Charlotte, N. C., at 7:30 o'clock p.m., on the 9th day of January, 1984.

Section 2. The area proposed for annexation is described as follows:

Lying and being in Morningstar Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at a point which is located in the center line of the Seaboard Coastline Railroad right-of-way (200-foot right-of-way) at the easterlymost corner of the property of Delmar Printing Company (now or formerly) as described in deed recorded in Book 2490 at Page 570 of the Mecklenburg Public Registry, which point is also located N 60-56-50 E 1,851.57 feet with the southerlymost boundary of the Delmar Printing Company property from the intersection of the north-easterly margin of the right-of-way of Monroe Road (60-foot right-of-way) with the southerlymost boundary of said Delmar Printing Company property; thence, from said point of beginning, and continuing with said centerline of the Seaboard Coastline Railroad right-of-way the following three courses and distances:

December 12, 1983
Resolution Book 19 - Page 503

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO JOHN H. CUTTER, III AND CUTTER D. DAVIS, TRUSTEES U/A BY J. H. CUTTER AND COMPANY, INC., OWNERS, LOCATED AT 116 EAST MOREHEAD STREET, IN THE CITY OF CHARLOTTE, FOR CONSTRUCTION OF THE TRYON-COLLEGE CONNECTOR AND A PERMANENT DRAINAGE EASEMENT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire a portion of the property belonging to JOHN H. CUTTER, III, and CUTTER D. DAVIS, Trustees U/A by J. H. Cutter and Company, Inc., Owners, located at 116 East Morehead Street, in the City of Charlotte, for the Tryon-College Connector and a permanent drainage easement and temporary construction easement; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 437 of the 1983 Session Laws of North Carolina, being a portion of the Charter of the City of Charlotte, condemnation proceedings are hereby authorized to be instituted against the property of JOHN H. CUTTER, III, and CUTTER D. DAVIS, Trustees U/A by J. H. Cutter and Company, Inc., Owners, located at 116 East Morehead Street, in the City of Charlotte, Mecklenburg County, North Carolina, under the procedures set forth in Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that \$14,500.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the Office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking. This resolution amends the resolution passed September 12, 1983, and recorded at Resolution Book 19, page 368 by correcting erroneous statutory citations.

APPROVED AS TO FORM:

Henry W. Clendenen Jr.
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, and the reference having been made in Minute Book 81, Page , and recorded in full in Resolutions Book 19, Page 503.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of December, 1983.

City Clerk

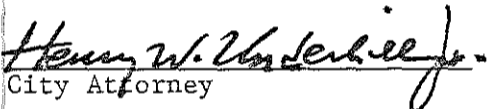
A RESOLUTION AUTHORIZING THE
REFUND OF CERTAIN TAXES

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

1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within eight years from the date the amounts were due to be paid.
3. The amounts listed on the schedule were collected through clerical error or by a tax illegally levied and assessed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 12th day of December, 1983, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81 and recorded in full in Resolution Book 19, page(s) 502.

Pat Sharkey
City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Callahan, John Edward Jr.	\$ 44.92	Clerical Error
Callahan, John Edward Jr.	44.17	Clerical Error
Horton, Juanita Cook	52.78	Illegal Levy
Horton, Juanita Cook	48.44	Illegal Levy
Henry A. Baker	70.07	Illegal Levy
Culbreth, Cynthia Elizabeth	34.64	Illegal Levy
A A A Burrels Service, Inc.	15.84	Clerical Error
Bregman, Jordon, Drs. P A	656.61	Clerical Error
Davenport, David Glen	4.23	Clerical Error
Hicks, Danny Glenn	41.73	Clerical Error
Kaylor, Amelia C.	3.97	Clerical Error
Stewart, Jeffrey Vincent, Jr. and wife Sandra Wilkie	5.00	Clerical Error
Harco Leasing Co., Inc.	20.75	Clerical Error
Four Wheels Co.	26.33	Clerical Error
Leaseway Transportation Lsg. Corp.	<u>\$567.00</u>	Illegal Levy
TOTAL	<u>\$1,636.48</u>	

December 12, 1983
Resolution Book 19 - Page 501

A RESOLUTION AUTHORIZING THE
REFUND OF CERTAIN TAXES

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

1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within eight years from the date the amounts were due to be paid.
3. The amounts listed on the schedule were collected through clerical error or by a tax illegally levied and assessed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 12th day of December, 1983, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form:

Henry W. Thadenhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1983, the reference having been made in Minute Book 81 and recorded in full in Resolution Book 19, page(s) 501.

Pat Sharkey
City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Debra Alexander Morrell	\$24.50	Clerical Error
Mrs. Marguerite Stultz	\$10.00	Clerical Error
TOTAL	<u>\$34.50</u>	