

RESOLUTION CLOSING YONKERS STREET
(FORMERLY PINE STREET) LOCATED
BETWEEN KENNEDY STREET AND ATANDO
AVENUE IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA.

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to Close Yonkers Street (formerly Pine Street) which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to Close Yonders Street (formerly Pine Street) to be sent by registered or certified mail to all owners of property adjoining the said street (or portion thereof), and prominently posted a notice of the closing and public hearing in at least two places along Yonkers Street (formerly Pine Street), all as required by G.S. 160-299; and

WHEREAS, the public hearing was held on the 13th day of November, 1990, and City Council determined that the closing of Yonkers Street (formerly Pine Street) is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of November 13, 1990, that the Council hereby orders the closing of Yonkers Street (formerly Pine Street) in the City of Charlotte, Mecklenburg County, North Carolina as described below:

"PORTION A" BEGINNING at an iron pin marking the intersection of the southerly right of way line of KENNEDY STREET's 40' right of way with the western right of way line of YONKERS STREET's (formerly Pine Street) 40' right of way as shown in MAP BOOK 332 on PAGE 394 in the MECKLENBURG COUNTY PUBLIC REGISTRY; thence running with the southerly right of way line of KENNEDY STREET S 68°00'00" E for 20.00' to an iron pin set in the centerline of YONKERS STREET; thence with the centerline of YONKERS STREET S 22°00'00" W for 150.00' to an iron pin; thence N 68°00'00" W for 20.00' to an iron pin found in the westerly right of way line of YONKERS STREET; thence with the westerly right of way line of YONKERS STREET N 22°00'00" E for 150.00' to the POINT OF BEGINNING and containing 0.07 Acre, and shown as "Portion A" on a survey prepared by EDWARD L. KILLOUGH, NCRLS L-1519, entitled "ABANDONMENT SURVEY OF A SECTION OF YONKERS STREET BETWEEN KENNEDY STREET AND ATANDO AVENUE, CHARLOTTE, MECKLENBURG COUNTY, N.C." dated May 5, 1989, and being revised August 15, 1990.

November 13, 1990
Resolution Book 27, Page 122

"PORTION B" BEGINNING at an iron pin marking the intersection of the southerly right of way line of KENNEDY STREET's 40' right of way with the eastern right of way line of YONKERS STREET's (formerly Pine Street) 40' right of way as shown in MAP BOOK 332 on PAGE 394 in the MECKLENBURG COUNTY PUBLIC REGISTRY; thence with the eastern right of way line of YONKERS STREET S 22-00-00 W for 276.50' to a point 35' NORTH of the centerline of ATANDO AVENUE; thence N 63-03-23 W for 40.15' to a point 35' North of the centerline of ATANDO AVENUE and on the western right of way line of YONKERS STREET; thence with the western right of way line of YONKERS STREET N 22-00-00 E for 123.04' to an iron pin; thence S68-00-00 E for 20.00' to an iron pin in the centerline of YONKERS STREET; thence with the centerline of YONKERS STREET N 22-00-00 E for 150.00' to an iron pin in the southerly right of way line of KENNEDY STREET; thence with the southerly right of way line of KENNEDY STREET S 68-00-00 E for 20.00' to the POINT OF BEGINNING and containing 0.18 acre and shown as "Portion B" on a survey prepared by EDWARD L. KILLOUGH, NCRLS L-1519, entitled "ABANDONMENT SURVEY OF A SECTION OF YONKERS STREET BETWEEN KENNEDY STREET AND ATANDO AVENUE, CHARLOTTE, MECKLENBURG COUNTY, N.C." dated May 5, 1989 and being revised August 15, 1990 to reserve the existing rights of Duke Power Company, Southern Bell and Cablevision.

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

CERTIFICATION

I, 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 13th day of November, 1990, the reference having been made in Minute Book 97, page _____, and recorded in full in Resolution Book 27, Page 121-123.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 1990.

Pat Sharkey, City Clerk

THIS IS TO CERTIFY THAT ON THE 5th DAY OF MAY 1989 I SURVEYED THE PROPERTY SHOWN ON THIS MAP.

MAP REVISED AUGUST 15, 1990.

NOTE: MAP REVISED TO SHOW ABANDONMENT LIMITS TO BE 35' FROM THE CENTERLINE OF ATANDO AVENUE. IT IS THE INTENTION OF THIS MAP TO SHOW THE PORTION OF YONKERS STREET TO BE ABANDONDED AND TO RESERVE THE EXISTING RIGHTS OF DUKE POWER COMPANY, SOUTHERN BELL AND CABLEVISION. IT IS NOT THE INTENT OF THIS MAP TO VALIDATE THE EXISTING R/W WIDTH OF ATANDO AVENUE.

November 13, 1990
Resolution Book 27, Page 123

Edward L. Killough
REGISTERED SURVEYOR N.C.R.L.S. NO. L-1519

KENNEDY STREET

40' PUBLIC ROAD R/W

S 68°00'00" E
40.00' POLE



20.00' 20.00' IRON PIN FOUND

LOT 14
BLOCK 1

LOT 1
BLOCK 4

"A"

0.07 AC

150.00' 150.00' S 22°00'00" W

267.55'

2776.50'

NOTE:
EXISTING R/W RESERVED FOR
DUKE POWER COMPANY,
SOUTHERN BELL AND
CABLEVISION.

NOTE:

- PORTION "A" TO BE DEEDED TO:
SAM PAUL NIXON
AND WIFE BESSIE B. NIXON
4328 CARMEL ROAD
CHARLOTTE, N.C. 28226
- PORTION "B" TO BE DEEDED TO:
TRUCK PARTS, INC.
707 KENNEDY STREET
CHARLOTTE, N.C. 28206
- IRON PINS SET AT ALL CORNERS,
UNLESS NOTED OTHERWISE.

IRON PIN FOUND 20.00'
N 68°00'00" W

YONKERS STREET

ABANDONED 40' PUBLIC ROAD R/W
FORMERLY "PINE STREET" AS SHOWN IN
MAP BOOK 332, PAGE 394 OF
THE KENNEDY PROPERTY

"B"

0.18 AC

123.04' N 22°00'00" E

S 22°00'00" W

LOT 15
BLOCK 1

LOT 23
BLOCK 4

NOTE:
EXISTING R/W RESERVED FOR
DUKE POWER COMPANY,
SOUTHERN BELL AND
CABLEVISION.

POINT 35' FROM CL
ATANDO AVENUE

40.15'

POINT 35' FROM CL
ATANDO AVENUE
POLE

N 63°03'23" W

ATANDO AVENUE

AVENUE

70' PUBLIC ROAD R/W

35'
35'

ABANDONMENT SURVEY

A SECTION OF YONKERS STREET

BETWEEN

KENNEDY STREET & ATANDO AVENUE
CHARLOTTE, MECKLENBURG COUNTY, N.C.

SCALE 1" = 40'

EXTRACTS FROM MINUTES OF CITY COUNCIL OF
THE CITY OF CHARLOTTE, NORTH CAROLINA

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was held in the Meeting Chamber at Charlotte-Mecklenburg Government Center, in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M. on Monday, November 13, 1990.

Present: Mayor Pro Tem Cyndee Patterson presiding and Councilmembers: Campbell, Clodfelter, Hammond, Mangum, Martin, Matthews, Scarborough, Vinroot and Wheeler

Absent: Mayor Sue Myrick and Councilmember Pat Martin

Also Present: City Manager, O. Wendell White, City Attorney, Henry Underhill and Finance Director, Richard Martin

Councilmember Mangum introduced the following resolution, a copy of which had been provided to each Councilmember, which was read by title:

RESOLUTION APPROVING A LEASE,
AN INSTALLMENT PURCHASE AGREEMENT
AND RELATED MATTERS

KR&C/PPA&B Draft #4
11/5/90
14240

RESOLUTION APPROVING A LEASE,
AN INSTALLMENT PURCHASE AGREEMENT
AND RELATED MATTERS

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

WHEREAS, the City has the power, pursuant to North Carolina General Statutes, to (i) purchase property and construct facilities, (ii) lease property with an option to purchase and (iii) enter into installment purchase contracts in order to finance the purchase of property used, or to be used, for public purposes;

WHEREAS, the City has determined and hereby expresses its determination that the use of the certain convention facilities and the site on which they are located, as more particularly described herein, is essential to its proper, efficient and economic operation; that it anticipates an ongoing need for such convention facilities; that such convention facilities will provide an essential use and permit the City to carry out public functions that it is authorized by law to perform;

WHEREAS, the City has determined, and hereby determines, that it is necessary and expedient and in the best interests of the City to enter into either (i) a Convention Facility Lease Agreement dated as of December 1, 1990 (the "Lease") between a nonprofit corporation, as Lessor, and the City, as Lessee, or (ii) a Convention Facility Installment Purchase Contract dated as of December 1, 1990 (the "Installment Purchase Contract") between a nonprofit corporation, as Seller, and the City, as Purchaser, either of which will serve to provide for the construction, acquisition, improvement and equipping of certain convention facilities and the site on which they are located more specifically described in exhibits to both the Lease and the Installment Purchase Contract (the "Facilities") in order to make the Facilities available for the City;

WHEREAS, the City has determined, and hereby expresses its determination, that certain pending and threatened litigation involving available methods of providing for the financing of the Facilities makes it necessary and expedient for the City to proceed with both the Lease and the Installment Purchase Contract, pending further developments with respect to such litigation;

WHEREAS, the obligation of the City to make payments of Base Rentals and Additional Rentals (each as defined in the Lease) or alternatively to make Installment Payments and Additional Payments (each as defined in the Installment Purchase Contract) shall constitute a limited obligation payable solely from currently budgeted appropriations of the City and shall not constitute a pledge of the faith and credit of the City within the meaning of any constitutional debt limitation;

WHEREAS, in the event developments in the aforementioned litigation result in the City entering the Installment Purchase Contract then, in order to secure its obligations under the Installment Purchase Contract, the City will enter into the Deed of Trust dated as of December 1, 1990 with the deed of trust trustee named therein;

WHEREAS, no deficiency judgment may be rendered against the City in any action for breach of a contractual obligation under the Lease or the Installment Purchase Contract, and the taxing power of the City is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Lease or the Installment Purchase Contract;

WHEREAS, the taxing power of the City will not be pledged directly or indirectly to secure any moneys due under the Lease or the Installment Purchase Contract;

WHEREAS, there has been presented to the City Council of the City of Charlotte (the "Council") the following documents (collectively, the "Instruments"), copies of which are attached hereto, which the City proposes to approve, enter into and deliver, as applicable, to effectuate the proposed financing of the Facilities:

- (1) the form of the Lease;
 - (2) the form of the Agency Agreement dated as of December 1, 1990 between the Lessor and the City;
 - (3) the form of the Installment Purchase Contract;
- and

(4) the form of the Deed of Trust;

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

WHEREAS, the Board did conduct a public hearing on October 8, 1990 to receive public comment on both the proposed Lease and the proposed Installment Purchase Contract to finance the Facilities; and

WHEREAS, the sums to fall due under the either the Lease or the Installment Purchase Contract will not exceed \$14,000,000 per year for 35 years and can be included in the City's budget;

WHEREAS, it is reasonable to conclude that neither the payments under the Lease or the Installment Purchase Contract are not excessive for the stated purpose of acquiring and constructing the Facilities;

WHEREAS, the City Attorney is of the opinion that, subject to the construction of N.C.G.S. § 160A-20 by the Supreme Court of North Carolina in a Wayne County case now on appeal thereto involving the constitutionality of said statute, this transaction is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of the State of North Carolina;

WHEREAS, the City has determined and hereby expresses its determination that the use of the Facilities is essential to its proper, efficient and economic operation; that it anticipates an ongoing need for the Facilities; that the Facilities will provide an essential use and permit the City to carry out public functions that it is authorized by law to perform; and that entering into either the Lease or the Installment Purchase Contract are necessary and expedient for the City;

WHEREAS, the City has further determined and hereby expresses its determination that the Base Rentals, the Additional Rentals and all other obligations of the City under the Lease or alternatively the Installment Payments, the Additional Payments and all other obligations of the City under the Installment Purchase Contract and the Deed of Trust are not excessive for their stated purposes;

WHEREAS, the City may avail itself of federal rebate savings currently estimated to exceed \$4,000,000 in the event

the financing of the Facilities can be qualified under the provisions of Section 1317(44) of the Tax Reform Act of 1986 (the "Transition Rule") which expires on and will no longer be available after December 31, 1990;

WHEREAS, the City has determined and hereby expresses its determination that the Lease and the obligations of the City thereunder or alternatively the Installment Purchase Contract, the Deed of Trust and the obligations of the City thereunder are preferable to, and more cost efficient than, a general obligation or revenue bond issue for the same purpose and that the purchase price of the Facilities exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and nonvoted bonds that could be issued by the City in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State of North Carolina;

WHEREAS, past audit reports of the City indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law and the City has not been censured by the North Carolina Local Government Commission (the "LGC"), external auditors, or any other regulatory agencies in connection with such management; and

WHEREAS, the City is not in default in meeting any of its debt service or contract obligations;

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

Section 1. That all actions of the City in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

Section 2. That the City approves the leasing of the Facilities with an option to purchase the same in accordance with the terms of the Lease, which will be a valid, legal and binding obligation of the City in accordance with its terms. The form and content of the Lease are in all respects authorized, approved and confirmed, and unless developments in the aforementioned litigation make it possible for the City to enter into the Installment Purchase Agreement the City Manager or his designee and the City Clerk are authorized, empowered and directed to execute and deliver the Lease for and on behalf of the City, including necessary counterparts, in substantially the form attached hereto, but with such changes, modifications, additions or

deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions, and that from and after the execution and delivery of the Lease, the City Manager and the City Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Lease as executed.

Section 3. That as an alternative to the Lease the City approves the purchase of the Facilities in accordance with the terms of the Installment Purchase Contract, which will be a valid, legal and binding obligation of the City in accordance with its terms. The form and content of the Installment Purchase Contract are in all respects authorized, approved and confirmed, and in the event developments in the aforementioned litigation make it possible for the City to enter into the Installment Purchase Agreement the City Manager or his designee and the City Clerk are authorized, empowered and directed to execute and deliver the Installment Purchase Contract for and on behalf of the City, including necessary counterparts, in substantially the form attached hereto, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions, and that from and after the execution and delivery of the Installment Purchase Contract, the City Manager and the City Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Installment Purchase Contract as executed.

Section 4. That the form and content of the Deed of Trust are in all respects approved and confirmed, and in the event developments in the aforementioned litigation make it possible for the City to enter into the Installment Purchase Agreement the City Manager and the City Clerk are authorized, empowered and directed to execute and deliver the Deed of Trust for and on behalf of the City, including necessary counterparts, in substantially the form attached hereto, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or

appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions, and that from and after the execution and delivery of the Deed of Trust, the City Manager and the City Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Deed of Trust as executed.

Section 5. That the form and content of the Agency Agreement are in all respects approved and confirmed, and in the event developments in the aforementioned litigation make it possible for the City to enter into the Installment Purchase Agreement the City Manager and the City Clerk are authorized, empowered and directed to execute and deliver the Agency Agreement for and on behalf of the City, including necessary counterparts, in substantially the form attached hereto, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions, and that from and after the execution and delivery of the Agency Agreement, the City Manager and the City Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Agency Agreement as executed.

Section 6. That the City Manager is hereby designated as the City's representative to act on behalf of the City in connection with the transactions contemplated by the Instruments, and the City Manager is authorized and directed to proceed with the construction, acquisition, leasing and/or purchase of the Facilities in accordance with the Instruments, and to seek opinions as a matter of law from the City Attorney, which the City Attorney is authorized to furnish on behalf of the City, and opinions of law from such other attorneys for all documents contemplated hereby as required by law. The City Clerk, the City Director of Finance and the City Manager are authorized to execute and deliver for and on behalf of the City any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the Instruments or as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 7. That if any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

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

Section 9. That this Resolution shall become effective on the date of its adoption.

AYES Councilmembers Campbell, Clodfelter,
Hammond, Mangum, Martin, Matthews,
Patterson, Scarborough, Vinroot and
Wheeler

NOES None.

* * * * *

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of so much of the proceedings of the City Council of said City at a regular meeting held November 13, 1990, as relates in any way to the passage of a resolution providing for a lease/purchase or installment purchase of a certain convention facility by said City, that all required notices of such meeting were given and that said proceedings are recorded in Minute Book 97 of the minutes of said City Council beginning on page and ending at page .

WITNESS my hand and the official seal of said City, this 15th day of November, 1990.

[SEAL]

Pat Sharkey
City Clerk

RESOLUTION
Charlotte/Matthews Transit Corridor

WHEREAS, the Town of Matthews and the City of Charlotte are working to meet the transportation needs of a growing regional community; and

WHEREAS, these governments are concerned about the environmental impacts of traffic upon the area's air quality, neighborhoods, and quality of life; and

WHEREAS, these governments wish to continue to provide for orderly growth and movement throughout the area; and

WHEREAS, these governments believe that transit is an integral part of an environmentally and economically sound solution to the area's transportation problems.

NOW, THEREFORE, the City of Charlotte and the Town of Matthews do mutually resolve to work together to develop ways to improve transit service in the corridor between the City of Charlotte and the Town of Matthews. To this end, City staff is directed to work with the Town of Matthews to study transit potential in the Charlotte/Matthews Corridor (including service design and financing options) and to bring recommendation back to the governing bodies at an appropriate time for consideration and further action.

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 13th day of November, 1990, the reference having been made in Minute Book 97, and recorded in full in Resolution Book 27, Page(s) 132.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 1990.

Pat Sharkey, City Clerk

EXTRACT FROM MINUTES
OF MEETING OF CITY COUNCIL OF
THE CITY OF CHARLOTTE

A regular meeting of the City Council of the City of Charlotte, North Carolina was held in the City Hall in Charlotte, North Carolina, at 7:00 P.M. on November 13, 1990.

Present: Mayor Pro Tem Cyndee Patterson presiding and Councilmembers: Campbell, Clodfelter, Hammond, Mangum, Martin, Matthews, Scarborough, Vinroot and Wheeler.

Absent: Mayor Sue Myrick and Councilmember Pat McCrory.

Also Present: City Manager, O. Wendell White, City Attorney, Henry Underhill and Finance Director, Richard Martin.

* * * * *

The City Council received from the Mecklenburg County Board of Elections a certified copy of the proceedings of said Board of Elections taken on November 8, 1990, evidencing said Board's determination of the result of the canvass of the returns of the special bond referendum held in the City of Charlotte on November 6, 1990 upon the questions of approving \$112,510,000 Sanitary Sewer Bonds and \$24,285,000 Water Bonds of said City.

After said proceedings had been considered and reviewed by the City Council, Councilmember Vinroot introduced the following resolution which was read by title and summarized:

RESOLUTION DECLARING THE RESULT OF THE SPECIAL BOND REFERENDUM HELD IN THE CITY OF CHARLOTTE ON NOVEMBER 6, 1990 UPON THE QUESTIONS OF APPROVING \$112,510,000 SANITARY SEWER BONDS AND \$24,285,000 WATER BONDS.

BE IT RESOLVED by the City Council of the City of Charlotte:

Section 1. The City Council of the City of Charlotte, having received from the Mecklenburg County Board of Elections a certified copy of the proceedings of said Board of Elections taken on November 8, 1990, evidencing said Board's determination of the result of the canvass of the returns of the special bond referendum held in the City of Charlotte on November 6, 1990 upon the questions of approving \$112,510,000 Sanitary Sewer Bonds and \$24,285,000 Water Bonds of said City, does hereby declare and certify the result of said referendum to be the result which is set forth in the following statement, which statement has been prepared by said City Council:

STATEMENT OF THE RESULT
of the
SPECIAL BOND REFERENDUM
held in the
CITY OF CHARLOTTE, NORTH CAROLINA
on November 6, 1990
UPON THE QUESTIONS OF APPROVING
\$112,510,000 SANITARY SEWER BONDS
\$24,285,000 WATER BONDS

(a) That at a special bond referendum held in the City of Charlotte on November 6, 1990, 222,792 voters were registered and qualified to vote.

(b) That at said referendum 71,887 votes were cast for the order adopted on August 27, 1990, authorizing not exceeding \$112,510,000 Sanitary Sewer Bonds of the City of Charlotte, North Carolina, for the purpose of providing funds, with any other

available funds, for enlarging, extending and improving the sanitary sewer system of said City, within and without the corporate limits, including planning, designing, constructing and installing outfalls, tributaries, tributary expansions, storage buildings, sludge storage, standby generators, lift stations, force mains, filter units, sewer trunk mains and sewer lines, wastewater treatment plants, including regional wastewater treatment plants, and plant additions and improvements, and acquisition of any necessary equipment, land and rights of way, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds and 29,439 votes were cast against said order; that a majority of the qualified voters of said City who voted thereon at said referendum voted in favor of said order; and said order was thereby approved and is in force and effect.

(c) That at said referendum 71,744 votes were cast for the order adopted on August 27, 1990, authorizing not exceeding \$24,285,000 Water Bonds of the City of Charlotte, North Carolina, for the purpose of providing funds, with any other available funds, for enlarging, extending and improving the water system of said City, within and without the corporate limits, including acquisition of land for future water treatment plants and future expansion of facilities, planning, designing, constructing and installing water mains and lines, standby generators, water treatment plant expansion, booster pump stations and storage tanks and facilities, and acquisition of any necessary equipment, land and rights of way, and authorizing the levy of taxes in an

amount sufficient to pay the principal of and the interest on said bonds and 29,529 votes were cast against said order; that a majority of the qualified voters of said City who voted thereon at said referendum voted in favor of said order; and said order was thereby approved and is in force and effect.

Section 2. The Clerk of the City Council of the City of Charlotte, North Carolina shall file a copy of the foregoing statement of the result of said referendum in her office and shall publish such statement once in The Charlotte Observer. A statement in substantially the following form shall be published with the foregoing statement:

Any action or proceeding challenging the regularity or validity of this bond referendum must be begun within 30 days after November 27, 1990.

City Council
of the
City of Charlotte, North Carolina

Section 3. This resolution shall take effect upon its passage.

Upon motion of Councilmember Vinroot, seconded by Councilmember Mangum, the foregoing resolution entitled: "RESOLUTION DECLARING THE RESULT OF THE SPECIAL BOND REFERENDUM HELD IN THE CITY OF CHARLOTTE ON NOVEMBER 6, 1990, UPON THE QUESTIONS OF APPROVING \$112,510,000 SANITARY SEWER BONDS AND \$24,285,000 WATER BONDS," was passed by the following vote:

Ayes: Councilmembers Campbell, Clodfelter, Hammond, Mangum, Matthews, Patterson, Scarborough, Vinroot and Wheeler.

Noes: None.

* * * * *

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of so much of the proceedings of the City Council of said City, at a regular meeting held on November 13, 1990, which relate in any way to the declaration of the results of the special bond referendum held on November 6, 1990 upon the questions of approving \$112,510,000 Sanitary Sewer Bonds and \$24,285,000 Water Bonds of said City, that all required notices of said meeting were given and that said proceedings are recorded in Minute Book No. 97 of the minutes of said City Council, beginning at page ____ and ending at page ____.

I HEREBY FURTHER CERTIFY that a copy of the statement of the result of the referendum adopted by the resolution set forth in the foregoing extract has been filed in my office.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina in the Conference Center on the first Monday of each month at 5:00 P.M. (Workshop); and in the Meeting Chamber on the second Monday of each month at 7:00 P.M. (on the second Tuesday in November at 7:00 P.M.), on the third Monday of each month at 6:00 P.M., and the fourth Monday of each month at 7:00 P.M., has been on file in the office of the City Clerk pursuant to G.S. § 143-318.12, as of a date not less than seven days before said meeting.

WITNESS my hand and the corporate seal of said City, this 15th
__ day of November, 1990.

Pat Sharkey

City Clerk

[SEAL]

OPTION 1

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

A motion was made by Councilmember Mangum and seconded by
Councilmember Clodfelter for the adoption of the following
Resolution, and upon being put to a vote was duly adopted:

WHEREAS, the City Code of the City of Charlotte, in Section 14-57(d) requires that all traffic controls conform to either the "manual and specifications approved by the State board of transportation or resolution adopted by City Council", and

WHEREAS, residents of the Old Salem neighborhood have requested the installation of 3-way stops at two locations supported by petitions representing at least 75% of the affected residents,

NOW, THEREFORE, BE IT RESOLVED, by the Charlotte City Council, in regular session duly assembled,

THAT, in the interest of protecting and promoting public safety and convenience, the City Council of the City of Charlotte directs that 3-way stops be installed at the following intersections:

1. Broken Saddle Lane and East Barden Road
2. East Barden Road and Red Cedar Lane

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 13th day of November, 1990, the reference having been made in Minute Book 97, and recorded in full in Resolution Book 27, Page 139.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 1990.

(SEAL)

Pat Sharkey, City Clerk

Approved as to Form

Henry W. Underhill Jr.
CITY ATTORNEY

RESOLUTION DIRECTING THAT STORM DRAINAGE IMPROVEMENTS
BE MADE ON BRIARGROVE DRIVE IN THE
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, Bernard & Joann Alexander have filed a Petition to make storm drainage improvements on 2240 Briargrove Drive in the City of Charlotte, North Carolina; and

WHEREAS, the storm drainage improvements shall be made on private property at 2200 block of Briargrove Drive as shown on a map marked "Exhibit A" which is available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

WHEREAS, one-half of the cost of the storm drainage improvements construction in accordance with City standards, of a character, size, type and material to be determined by the City and including grading or regrading, exclusive of the cost incurred in maintained street rights-of-way and the share of railroads (if any) and the State of North Carolina (if any) be assessed upon the involved lots and parcels of land as authorized by N.C.G.S. Article 10, Chapter 160A, City Charter Section 7.101 et seq, and the Storm Drainage Repair Policy, and listed on the limited petition marked "Exhibit B" which is available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

WHEREAS, the final assessments, based on the actual total cost of constructing the improvements or the cost estimated by the City Engineer at the time of City Council approval, whichever is less, and published by the Mecklenburg County Tax Collector, may be paid without interest within 30 days of the publication, or in ten annual installments accruing 8% interest on the unpaid balance, due and payable each year on the date property taxes are due; and

WHEREAS, all involved property owners subject to assessment have signed a petition requesting that storm drainage repairs be made and one-half of the private property cost be assessed on their lots and parcels of land, precluding the need for a public hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, at its regularly assembled meeting of October 8, 1990, that the Council hereby orders the making of storm drainage improvements at 2240 Briargrove Drive in the City of Charlotte, North Carolina.

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

BRIAR.R/NPP51200

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 13th day of November, 1990, the reference having been made in Minute Book 97, and recorded in full in Resolution Book 27, Page(s) 140-141.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 1990.

Pat Sharkey, City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND
CLOSE A PORTION OF EAST HILL STREET
LOCATED BETWEEN INTERSTATE - 277
AND VANCE STREET IN THE CITY OF CHARLOTTE
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, Duke Power Company has filed a Petition to close a portion of East Hill Street in the City of Charlotte; and

WHEREAS, a portion of East Hill Street petitioned to be closed lies between Interstate 277 and Vance Street 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 Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said Statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly scheduled session of November 13, 1990, that it intends to close a portion of East Hill Street lying between Interstate 277 and Vance Street, said street being more particularly described on a map and by a metes and bound description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7:00 P.M., on Monday, the 10th day of December, 1990, at 600 E. Fourth Street. 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, 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 13th day of November, 1990, the reference having been made in Minute Book 97, and recorded in full in Resolution Book 27, Page(s) 142.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 1990.

Pat Sharkey, City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE
A PORTION OF THE ALLEYWAY RUNNING FROM CLEMENT AVENUE
IN A SOUTHERLY DIRECTION TOWARDS CASWELL ROAD
FOR APPROXIMATELY 260 FEET IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, PRESBYTERIAN HEALTH SERVICES CORP. has filed a Petition to close a portion of the 10-foot alleyway running from Clement Avenue in a southerly direction towards Caswell Road for approximately 260 feet, and more particularly shown in "Exhibit A" and 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 Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said Statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly scheduled session of November 13, 1990, that it intends to close a portion of the 10-foot alleyway running from Clement Avenue in a southerly direction towards Caswell Road for approximately 260 feet, being more particularly described on a map and by a metes and bounds description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7:00 P.M. on Monday the 10th day of December, 1990, at 600 E. Fourth Street. 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, 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 13th day of November, 1990, the reference having been made in Minute Book 97, and recorded in full in Resolution Book 27, at Page 143.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 1990.

JWA\BP.RES

Pat Sharkey, City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND
AND CLOSE AN ALLEYWAY LOCATED BETWEEN
WEST MOREHEAD STREET, SOUTH CHURCH STREET AND
INTERSTATE 277 IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, Mrs. C. H. West has filed a Petition to close an Alleyway and in the City of Charlotte;

WHEREAS, the Alleyway petitioned to be closed lies between West Morehead Street, South Church Street and Interstate 277 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 Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said Statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly scheduled session of November 13, 1990, that it intends to close an Alleyway lying between West Morehead Street, South Church Street and Interstate 277, said alleyway being more particularly described on a map and by a metes and bound description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7:00 p.m., the 10th day of December, 1990, at 600 E. Fourth Street. 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, 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 13th day of November, 1990, the reference having been made in Minute Book 97, and recorded in full in Resolution Book 27, at Page 144.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 1990.

Pat Sharkey, City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND
CLOSE the cul-de-sac at Seventy-Seven Center Drive

IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, Seventy-Seven Center Investors, II has filed a Petition to close the cul-de-sac at Seventy-Seven Center Drive in the City of Charlotte; and

WHEREAS, the cul-de-sac at Seventy-Seven Center Drive petitioned to be closed lies at the end of Seventy-Seven Center Drive 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 Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said Statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly scheduled session of November 13, 1990, that it intends to close the cul-de-sac at 77Center Drlying between _____ and _____, said street (or portion thereof) being more particularly described on a map and by a metes and bound description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7:00 p.m., on Monday, the 10th day of December, 1990, at 600 E. Fourth Street. 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, 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 13th day of November, 1990, the reference having been made in Minute Book 97, and recorded in full in Resolution Book 27, at Page 145.

WITNESS my hand and tje corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 1990.

Pat Sharkey, City Clerk

November 13, 1990
Resolution Book 27, Page 146

RESOLUTION OF THE CHARLOTTE CITY COUNCIL
ABANDONING RIGHT OF WAY WHICH IS NO LONGER REQUIRED.

WHEREAS, the City of Charlotte acquired certain right of way by certain Right of Way Agreements recorded in Book 4471, Page 0005 and Book 4493, Page 0708, in the Mecklenburg County Registry; and

WHEREAS, facilities for the distribution of water, which were installed in such unused right of way, have been disconnected from the City's water distribution system but have not been removed from such unused right of way and are being abandoned; and

WHEREAS, upon the abandonment of such unused right of way the owner of the real property which is subject to such unused right of way has acknowledged on behalf of itself, its successors and assigns its sole and complete responsibility for the condition of such right of way as it currently exists and may exist in the future and has further agreed to hold the City, its officers, agents and employees harmless from any and all claims concerning such unused right of way, all as set forth in that certain agreement between NCNB National Bank and the City of Charlotte dated November 13, _____, 1990.

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

November 13, 1990
Resolution Book 27, Page 147

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session duly assembled, that the right of way, as set forth in Book 4471, Page 0005 and Book 4493, Page 0708, in the Mecklenburg County Registry and the disconnected water distribution facilities located therein are abandoned, provided that this abandonment shall be effective solely as it applies to that certain strip or parcel of land, twenty (20) feet in width, in or near the City of Charlotte, County of Mecklenburg, said strip being more particularly described in the map attached hereto and incorporated herein by referenced and marked as Exhibit A.

This Resolution shall not be interpreted or construed to abandon any easement or right of way, except over that certain strip or parcel of property, the center line of which is described in Exhibit A. Neither shall this Resolution be interpreted or construed to abandon any easement or right of way over any strip or parcel of property which is being used or is maintained by the City of Charlotte for any purpose. The Mayor and City Manager shall be authorized to, and one of them shall, 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:

H. Michael
Deputy City Attorney

November 13, 1990
Resolutio Book 27, Page 148

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 13th day of November, 1990, the reference having been made in Minute Book 97, page _____, and recorded in full in Resolutions Book 27, page 146-148.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of November, 1990.

Pat Sharkey, City Clerk

City Attorney

A RESOLUTION TO AMEND THE RESOLUTION ADOPTED BY CITY COUNCIL ON
JUNE 25, 1990, AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE
ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, on the 25th day of June, 1990, City Council authorized condemnation proceedings to be instituted against the property of HARDY OIL, INC.; JAMES R. BRYANT III, Trustee; SOUTHERN NATIONAL BANK OF NORTH CAROLINA, Beneficiary; SOUTHERN NATIONAL BANK OF NORTH CAROLINA, Assignee; FIRST UNION NATIONAL BANK OF NORTH CAROLINA, Lessee/Optionee; Any Other Parties in Interest, and being located at Any Other Parties in Interest, and being located at 4235 Providence Road in the City of Charlotte for the Providence/Sardis/Fairview-Intersection Improvements Project; and

WHEREAS, after the Resolution was adopted on June 25, 1990, it was discovered that certain incorrect property descriptions were made in the original Resolution; and for this reason, it is necessary for a correction to be made.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte that the Resolution adopted on June 25, 1990, authorizing the institution of condemnation proceedings against the property belonging to the parties referenced above, located at 4235 Providence Road in the City of Charlotte, shall be amended in the following manner:

Property Description

CHANGE: "680 square feet for a temporary construction easement"
TO: "754 square feet for a temporary construction easement"

Except as hereby amended, said Resolution shall remain as originally adopted.

Approved as to form:


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 13th day of November, 1990, and the reference having been made in Minute Book 97, Page , and recorded in full in Resolutions Book 27, Page 149-150.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 15th day of November, 1990.

City Clerk

Property Description

CHANGE: 650 square feet for a temporary construction assessment

701: 7154 square feet for a temporary construction assessment

Include as hereby amended, said Resolution shall remain as originally adopted.

Approved as to form:

Henry W. [Signature]
City Attorney

CERTIFICATION

I, _____, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing

A RESOLUTION TO AMEND THE RESOLUTION ADOPTED BY CITY COUNCIL ON
JUNE 25, 1990, AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE
ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, on the 25th day of June, 1990, City Council authorized condemnation proceedings to be instituted against the property of HERBERT HECHENBLEIKNER; MARTHA G. HECHENBLEIKNER; ERICKSON S. NICHOLS; MADELINE H. NICHOLS; THOMAS C. RUFF, Trustee; THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES and THE EQUITABLE LIFE MORTGAGE AND REALTY INVESTORS, Beneficiary; N. BRUCE BONEY, JR., Trustee; BALCOR PENSION INVESTORS III, Beneficiary; SYNCO, INC., Lessee; ASSOCIATED APARTMENT INVESTORS/CARMEL PROVIDENCE, Assignee; Any Other Parties in Interest, and being located at 4200 Providence Road in the City of Charlotte for the Providence/Sardis/Fairview-Intersection Improvements Project; and

WHEREAS, after the Resolution was adopted on June 25, 1990, it was discovered that certain incorrect property descriptions were made in the original Resolution; and for this reason, it is necessary for a correction to be made.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte that the Resolution adopted on June 25, 1990, authorizing the institution of condemnation proceedings against the property belonging to the parties referenced above, located at 4200 Providence Road in the City of Charlotte, shall be amended in the following manner:

Property Description

CHANGE: "5,948 square feet for fee-simple taking"

TO: "79.7 square feet for fee-simple taking"

CHANGE: "650.9 square feet for permanent sidewalk easement"

TO: "6,519 square feet for permanent sidewalk easment"

CHANGE: "17,350 square feet for temporary construction easement"

TO: "16,734.4 square feet for temporary construction easement"

Except as hereby amended, said Resolution shall remain as originally adopted.

Approved as to form:

Henry W. Underhill 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 13th day of November, 1990, and the reference having been made in Minute Book 97, Page 151-152, and recorded in full in Resolutions Book 27, Page 151-152.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 15th day of November, 1990.

City Clerk

A RESOLUTION TO AMEND THE RESOLUTION ADOPTED BY CITY COUNCIL ON
JUNE 11, 1990, AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE
ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, on the 11th day of June, 1990, City Council authorized condemnation proceedings to be instituted against the property of THE ESSEX CONDOMINIUM ASSOCIATION, INC.; Any Other Parties in Interest, located at 4900 Sardis Road in the City of Charlotte, for the Providence/Sardis/Fairview-Intersection Improvements Project; and

WHEREAS, after the Resolution was adopted on June 11, 1990, it was discovered that certain incorrect property descriptions were made in the original Resolution, and for this reason, it is necessary for a correction to be made.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte that the Resolution adopted on June 11, 1990, authorizing the institution of condemnation proceedings against the property belonging to the parties referenced above, located at 4900 Sardis Road in the City of Charlotte, shall be amended in the following manner:

Property Description

CHANGE: "9,467 square feet for a temporary construction easement"
TO: "9,574 square feet for a temporary construction easement"

Except as hereby amended, said Resolution shall remain as originally adopted.

Approved as to form:

Henry W. Underhill 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 13th day of November, 1990,

and the reference having been made in Minute Book 97, Page 153, and recorded in full in Resolutions Book 27, Page 153.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 15th day of November, 1990.

City Clerk

A RESOLUTION TO AMEND THE RESOLUTION ADOPTED BY CITY COUNCIL ON
MAY 29, 1990, AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE
ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, on the 29th day of May, 1990, City Council authorized condemnation proceedings to be instituted against the property of TRUSTEES OF CHRIST EVANGELICAL LUTHERAN CHURCH OF CHARLOTTE, NORTH CAROLINA; DOUGLAS F. WOOLEY III, Trustee; FIRST UNION NATIONAL BANK, Beneficiary; Any Other Parties in Interest, and being located at 4519 Providence Road in the City of Charlotte for the Providence/Sardis/Fairview-Intersection Improvements Project; and

WHEREAS, after the Resolution was adopted on May 29, 1990, it was discovered that certain incorrect property descriptions were made in the original Resolution, and for this reason, it is necessary for a correction to be made.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte that the Resolution adopted on May 29, 1990, authorizing the institution of condemnation proceedings against the property belonging to the parties referenced above, located at 4019 Providence Road in the City of Charlotte, shall be amended in the following manner:

Property Description

CHANGE: "4,000 square feet for temporary construction easement,"
TO: "3,275 square feet for temporary construction easement."

Except as hereby amended, said Resolution shall remain as originally adopted.

Approved as to form:

Henry W. Underhill 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 13th day of November, 1990, and the reference having been made in Minute Book 97, Page 154, and recorded in full in Resolutions Book 27, Page 154.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 15th day of November, 1990.

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 13th day of November, 1990, 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. Underhill 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 13th day of November, 1990, the reference having been made in Minute Book 97, and is recorded in full in Resolution Book 27, at page(s) 155-156

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 1990.

Pat Sharkey, City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>Name</u>	<u>Refund Requested</u>	<u>Reason</u>
American Bearing & Power Transmission	\$ 203.01	Clerical Error
Boggs & Company	41.85	Clerical Error
Regan Control, Inc.	298.21	Clerical Error
Janet E. Bartlett	46.96	Clerical Error
Joy S. Davis	51.71	Illegal Levy
Chrysler First Union Ser.	230.31	Clerical Error
Gaskin Eye Clinic	33.31	Clerical Error
Southland Marine, Inc.	18.84	Clerical Error
World Omni Leasing, Inc.	188.03	Clerical Error
Joy S. Davis	49.63	Illegal Levy
Dean J. Bender	74.55	Illegal Levy
Debra L. Bender	73.79	Illegal Levy
William A. Cathey	7.53	Illegal Levy
Joy S. Davis	123.46	Illegal Levy
Bobbie P. Houston	31.48	Clerical Error
William C. Jant	136.78	Clerical Error
Chrysler First Financial	203.40	Clerical Error
Keffer Jeep Eagle, Inc.	690.21	Clerical Error
Southland Marine Inc.	16.05	Clerical Error
Charles Wood Ind., Inc.	324.06	Clerical Error
Boggs & Company	21.21	Clerical Error
World Omni Leasing, Inc.	147.30	Clerical Error
McDonnell Douglas Finance	197.77	Clerical Error
Crow-Southern Associates c/o Childress Klein	735.24	Clerical Error
Pitney Bowes Credit Corp.	1,592.93	Clerical Error
Jane K. Laurent	40.78	Clerical Error
City County Tax Collector	72.31	Illegal Levy
Sammy L. Sherrill	92.69	Clerical Error
Nossrin Tavakali	105.21	Illegal Levy
Citizens & Southern Nat'l Bk.	101.32	Clerical Error
Total	\$5,949.83	

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 Park/Johnston Road Widening-Phase II, Seg. I; 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 locate all the parties in interest, and has, therefore, 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:

Parties in Interest

Riverbirch Apartments Associates; Charles F. Eakes, Trustee; The Mutual Benefit Life Insurance Company, Beneficiary; Any Other Parties in Interest

Property Description

634 square feet for fee-simple; 92 square feet for permanent down-guy easement; 1,336 square feet for permanent drainage easement; 23,942 square feet for temporary construction easement; and any additional property or interest as the City may determine is necessary to complete the project, as it relates to Tax Parcel No. 207-031-01

Appraised Value

\$18,000.00, or such appraised value as may be determined based upon the takings required by the final construction plans.

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

Approved as to form:

Henry W. Underhill 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 13th day of November, 1990, and the reference having been made in Minute Book 97, Page .

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 15th day of November, 1990.

City Clerk

Henry W. [Signature]
City Attorney

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 Park/Johnston Road Widening-Phase II, Seg. I; 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 locate all the parties in interest, and has, therefore, 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:

Parties in Interest

Westbury Park Associates; James A. Abbott, Trustee; Cameron-Brown Company (or successor in interest), Beneficiary; TIM, Inc., Trustee; NCNB National Bank, Beneficiary; Any Other Parties in Interest

Property Description

1,091 square feet for fee-simple; 212 square feet for permanent drainage easement; 12 square feet for permanent down-guy easement; 14,663 square feet for a temporary construction easement; and any additional property or interest as the City may determine is necessary to complete the project, as it relates to Tax Parcel No. 207-191-98

Appraised Value

\$12,550.00, or such appraised value as may be determined based upon the takings required by the final construction plans.

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

Approved as to form:

Henry W. Underhill 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 13th day of November, 1990, and the reference having been made in Minute Book 97, Page .

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 15th day of November, 1990.

City Clerk

[Signature]

CITY ATTORNEY

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 Park/Johnston Road Widening-Phase II, Seg. I; 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 locate all the parties in interest, and has, therefore, 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:

Parties in Interest

E. Annette Diemer (a/k/a Emily Annette Diemer); Eugene B. Graham, III, Trustee; First Union National Bank, Beneficiary; Any Other Parties in Interest

Property Description

9,518 square feet for fee-simple; 1,915 square feet for a temporary construction easement, and any additional property or interest as the City may determine is necessary to complete the project, as it relates to Tax Parcel No. 209-432-23

Appraised Value

\$31,650.00, or such appraised value as may be determined based upon the takings required by the final construction plans.

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

Approved as to form:


City Attorney

CERTIFICATION

I, 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 13th day of November, 1990, and the reference having been made in Minute Book 97, Page .

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 15th day of November, 1990.

City Clerk

Pat Sharkey
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 Park/Johnston Road Widening-Phase II, Seg. I; 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 locate all the parties in interest, and has, therefore, 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:

Parties in Interest

Quail Hollow West Homeowners' Association, Ltd.; Quail Hollow Homeowners' Association, Inc.; Any Other Parties in Interest

Property Description

7,323 square feet for permanent drainage easement; 80 square feet for permanent down-guy easement; 7,496 square feet for temporary construction easement; and any additional property or interest as the City may determine is necessary to complete the project, as it relates to Tax Parcel No. 173-293-01 through 173-293-14

Appraised Value

\$39,450.00, or such appraised value as may be determined based upon the takings required by the final construction plans.

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

Approved as to form:


City Attorney

CERTIFICATION

I, 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 13th day of November, 1990, and the reference having been made in Minute Book 97, Page .

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 15th day of November, 1990 .

City Clerk

Henry W. [Signature]
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 Park/Johnston Road Widening-Phase II, Seg. I; 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 locate all the parties in interest, and has, therefore, 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:

Parties in Interest

Quail Hollow Homeowners' Association; Quail Hollow East Homeowners' Association; All Individual Unit Owners (See Exhibit "A", attached); Any Other Parties in Interest

Property Description

6,517 square feet for right-of-way; 125 square feet for permanent drainage easement; 40 square feet for permanent down-guy easement; 4,696 square feet for temporary construction easement; and any additional property or interest as the City may determine is necessary to complete the project, as it relates to Tax Parcel No. 173-272-01 and 173-271-01 through 173-271-36

Appraised Value

\$59,700.00, or such appraised value as may be determined based upon the takings required by the final construction plans.

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

Approved as to form:


City Attorney

CERTIFICATION

I, 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 13th day of November, 1990, and the reference having been made in Minute Book 97, Page _____.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 15th day of November, 1990.

City Clerk

Pat Sharkey

City Secretary

EXHIBIT "A"

173-272-32	Tremain, Roberta M.	7000	Quail Hill Road
173-271-07	Sabatini, Ettore L.	7001	Quail Hill Road
173-272-31	Terrell, William S.	7002	Quail Hill Road
173-271-02	Wrieth, Evelyn M.	7003	Quail Hill Road
173-272-30	Kistler, Joann Williams	7004	Quail Hill Road
173-271-04	Boyer, Bo-Peep D.	7005	Quail Hill Road
173-272-29	Duncan, Charles B., Jr. and wife	7006	Quail Hill Road
173-271-05	Atkinson, Mary Ann G.	7007	Quail Hill Road
173-272-28	Moore, Laura Suzanne	7008	Quail Hill Road
173-271-08	Kester, Lura K.	7009	Quail Hill Road
173-272-27	Jones, Carolyn Sides	7010	Quail Hill Road
173-271-01	Edgerton, Vivien	7011	Quail Hill Road
173-272-26	Pierce, Quinten A. and wife	7012	Quail Hill Road
173-271-03	Mosteller, Cathy Rebecca	7013	Quail Hill Road
173-272-25	Foelsch, Fred W. and wife	7014	Quail Hill Road
173-271-06	Gulley, Jack Marshall	7015	Quail Hill Road
17-3272-24	Whelchel, U. Chester and wife	7016	Quail Hill Road
173-271-09	Angier, Jane Sherrill	7017	Quail Hill Road
173-272-23	Wilmot, Margaret W.	7018	Quail Hill Road
173-271-10	Richardson, Michael	7019	Quail Hill Road
173-272-22	Coleman, Joseph W. and wife	7020	Quail Hill Road
173-271-11	Watts, Gary H. Realty	7021	Quail Hill Road
173-272-21	Pharr, Laura W.	7022	Quail Hill Road
173-272-12	Miller, Helen Hild	7023	Quail Hill Road
173-272-13	Goy, Mary V.	7024	Quail Hill Road
173-271-13	Robertson, Louise Barnwell	7025	Quail Hill Road
173-272-15	Clabusch, Sylvia L.	7026	Quail Hill Road
173-271-14	Lemmons, Harry Hoyt	7027	Quail Hill Road
173-272-20	Gundelsheimer, Pearlina	7028	Quail Hill Road
173-271-16	Schworm, Carl F.	7029	Quail Hill Road
173-272-18	George, Lynn D.	7030	Quail Hill Road
173-271-18	Long, Ricky Michael	7031	Quail Hill Road
173-272-14	Hefelfinger, Claire J.	7032	Quail Hill Road
173-271-21	Beard, James O.	7033	Quail Hill Road
173-272-16	Daniels, John C.	7034	Quail Hill Road
173-271-19	Hirsch, Elizabeth P.	7035	Quail Hill Road
173-272-19	Gorman, Ray H.	7036	Quail Hill Road
173-271-15	McGill, Patricia Elizabeth	7037	Quail Hill Road
173-272-17	Culler, Gail Baucom	7038	Quail Hill Road
173-271-17	Pritchard, Mary W.	7039	Quail Hill Road
173-272-12	Whitley, Ruth Gaffney	7040	Quail Hill Road
173-271-22	Porterfield, Jean R.	7041	Quail Hill Road
173-272-11	Gabriel, Johnny	7042	Quail Hill Road
173-271-20	Moulinos, George	7043	Quail Hill Road
173-272-10	Reece, Harold Edward	7044	Quail Hill Road
173-271-23	Brookshire, Helen M.	7045	Quail Hill Road
173-272-09	Sutherland, Virginia P.	7046	Quail Hill Road
173-271-24	Faber, Jane Elizabeth	7047	Quail Hill Road
173-272-08	Dykman, Gloria E.	7048	Quail Hill Road
173-271-25	Lee, Judith B.	7049	Quail Hill Road

173-272-07	Ozment, Billy C.	7050	Quail Hill Road
173-271-26	Crawford, Caryl C.	7051	Quail Hill Road
173-272-06	Deese, Dwayne E.	7052	Quail Hill Road
173-271-27	Weathersby, Earl Lee	7053	Quail Hill Road
173-272-05	Jones, John William, Jr.	7054	Quail Hill Road
173-271-28	Folsom, Noel J. and wife, Ruth M. Folsom	7055	Quail Hill Road
173-272-04	Regan, John F.	7056	Quail Hill Road
173-272-03	Edgerton, Vivien J.	7058	Quail Hill Road
173-272-02	Jones, Jesse P. and wife, Mary S. Jones	7060	Quail Hill Road
173-272-01	Barkley, Edwin R.	7062	Quail Hill Road
173-271-43	Smith, Aileen H.	7100	Quail Meadow Lane
173-271-30	Williams, Douglas E.	7101	Quail Meadow Lane
173-271-45	Dunham, Jean V.	7102	Quail Meadow Lane
173-271-32	Kelly, Betty W.	7103	Quail Meadow Lane
173-271-50	Martin, Neil Clark	7104	Quail Meadow Lane
173-271-35	Moore, Vera H.	7105	Quail Meadow Lane
173-271-48	Stewart, Charles W.	7106	Quail Meadow Lane
173-271-33	Scott, Lillieth R.	7107	Quail Meadow Lane
173-271-44	Wyer, Mary W.	7108	Quail Meadow Lane
173-271-29	Carver, E. Lois	7109	Quail Meadow Lane
173-271-46	Clark, Martha Smith	7110	Quail Meadow Lane
173-271-31	Holt, Victoria B.	7111	Quail Meadow Lane
173-271-49	Loftus, Patrick W., Sr.	7112	Quail Meadow Lane
173-271-36	Loechelt, Lauletta G.	7113	Quail Meadow Lane
173-271-47	Kelly, Michael P.	7114	Quail Meadow Lane
173-271-34	Dodson, Sam G., Jr.	7115	Quail Meadow Lane
173-271-42	Impleman, Dorothy L.	7116	Quail Meadow Lane
173-271-41	Reuss, Conrad G.	7118	Quail Meadow Lane
173-271-40	Moore, Shirley G.	7120	Quail Meadow Lane
173-271-39	Wilkinson, Johnnie Ray, Jr.	7122	Quail Meadow Lane
173-271-38	King, Eunice H.	7124	Quail Meadow Lane
173-271-37	Eastridge, William E.	7126	Quail Meadow Lane

173-271-18	Schwartz, Carl W.	7050	Quail Hill Road
173-271-19	George, Ivan D.	7051	Quail Hill Road
173-271-20	Young, Betty Michael	7052	Quail Hill Road
173-271-21	Heldreth, Charles J.	7053	Quail Hill Road
173-271-22	Beard, James O.	7054	Quail Hill Road
173-271-23	Daniels, John C.	7055	Quail Hill Road
173-271-24	Hirsh, Elizabeth F.	7056	Quail Hill Road
173-271-25	Gorman, Ray M.	7058	Quail Hill Road
173-271-26	Morgan, Patricia Elizabeth	7060	Quail Hill Road
173-271-27	Chilcote, Gail Barbara	7062	Quail Hill Road
173-271-28	Fritchard, Mary W.	7100	Quail Meadow Lane
173-271-29	Whitley, Ruth Gail	7101	Quail Meadow Lane
173-271-30	Hortelada, Jean K.	7102	Quail Meadow Lane
173-271-31	Gabriel, Johnny	7103	Quail Meadow Lane
173-271-32	Montana, George	7104	Quail Meadow Lane
173-271-33	Reese, Harold Edward	7105	Quail Meadow Lane
173-271-34	Brookshire, Helen B.	7106	Quail Meadow Lane
173-271-35	Schiffman, Virginia F.	7107	Quail Meadow Lane
173-271-36	Yabak, Jane Elizabeth	7108	Quail Meadow Lane
173-271-37	Dywan, Gloria E.	7109	Quail Meadow Lane
173-271-38	Lee, Judith D.	7110	Quail Meadow Lane

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 Park/Johnston Road Widening-Phase II, Seg. I; 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 locate all the parties in interest, and has, therefore, 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:

Parties in Interest

Quail Hollow Homeowners' Association, Inc.; Any Other Parties in Interest

Property Description

19,891 square feet for right-of-way; 355 square feet for permanent down-guy easement; 1,699 square feet for permanent drainage easement; 18,077 square feet for temporary construction easement; and any additional property or interest as the City may determine is necessary to complete the project, as it relates to Tax Parcel No. 173-291-01

Appraised Value

\$59,950.00, or such appraised value as may be determined based upon the takings required by the final construction plans.

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

Approved as to form:

Henry W. Underhill 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 13th day of November, 1990, and the reference having been made in Minute Book 97, Page .

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 15th day of November, 1990.

City Clerk

Pat Sharkey

CITY CLERK

