

RESOLUTION CLOSING AND ABANDONING  
A PORTION OF THE SOUTHERLY RIGHT-OF-WAY  
OF OLD DOWD ROAD LOCATED BETWEEN  
BOYER STREET AND JOSH BIRMINGHAM PARKWAY,  
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to Close a Portion of the Southerly Right-of-Way of Old Dowd Road, which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to Close a Portion of the Southerly Right-of-Way of Old Dowd Road 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 Old Dowd Road, all as required by G.S.160-299; and

WHEREAS, the public hearing was held on the 23rd day of August, 1993, and City Council determined that the closing and abandonment of a portion of the southerly right-of-way of Old Dowd Road 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 August 23, 1993, that the Council hereby orders the closing and abandonment of a portion of the southerly right-of-way of Old Dowd Road in the City of Charlotte described as follows:

For metes and bounds description, see  
Exhibit A attached hereto and incorporated  
herein by reference.

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

CERTIFICATION

I, Brenda Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of August, 1993, the reference having been made in Minute Book 102, Page \_\_\_\_\_, and recorded in Full in Resolution Book 31, Page 254-257.

This the 26th day of August, 1993.

CITY OF CHARLOTTE

By: Brenda R. Freeze  
Brenda Freeze, City Clerk

(Seal of the City of Charlotte)

EXHIBIT A

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

The two tracts petitioned to be abandoned in favor of National Welders Supply Co., Inc., are described as follows:

First Tract: BEGINNING at a nail marking the present southerly right-of-way line of Old Dowd Road on the common line between the property of Mattox Land Corporation (now or formerly) as its property is described in deed recorded in Book 5674, at Page 098 of the Mecklenburg Public Registry and the property of National Welders Supply Co., Inc., as its property is described in Deed recorded in Book 6822, at Page 334 of said Mecklenburg Public Registry; and running thence with the present southerly right-of-way margin of Old Dowd Road and along the frontage of the property of National Welders Supply Co., Inc., as its property is described in the aforesaid Deed, as well as in Deeds recorded in Book 3101, at Page 357, and Book 3908, at Page 231 of said Mecklenburg Registry, in four calls and distances as follows: (1) with the arc of a curve to the left having a radius of 713.94 feet, a linear distance of 167.76 feet to an existing iron pin, this call being on a chord of S. 54-00-18 W. 167.38 feet; (2) S. 47-16-24 W. 224.05 feet to a concrete monument; (3) S. 40-39-37 W. 208.39 feet to a concrete monument; and (4) S. 64-14-54 W. 103.93 feet to a point, this point being the northeasterly front corner of the property of National Land Company as its property is described in Deed recorded in Book 4552, at Page 007 of said Mecklenburg Registry; thence with a continuation of the easterly line of the property of National Land Company as described in the aforesaid Deed, N. 42-21-8 W. 33.53 feet to a point, this point being in the proposed new right-of-way of Old Dowd Road after the proposed right-of-way abandonment; thence in an easterly direction along said proposed right-of-way with the arc of a curve to the left having a radius of 1228.17 feet, and for a linear distance of 209.69 feet to a new iron pin, this call also being on a chord of N. 52-28-57 E. a chord distance of 2009.44 feet; thence continuing along said proposed right-of-way N. 47-35-28 E. 485.81 feet to a new iron pin; thence crossing the easterly terminus of the right-of-way proposed to be abandoned, S. 45-52-31 E. 37.84 feet to a nail, the point and place of BEGINNING; and containing 19,635 square feet, or 0.541 acres, according to a survey for National Welders Supply Co., Inc., by R. B. Pharr & Associates, P.A., dated May 11, 1993; revised May 20, 1993, to which survey further reference is hereby made.

Second Tract: BEGINNING at a point in the southerly right-of-way margin of the present right-of-way of Old Dowd Road, at the point

where the common westerly line of National Land Company, as its property is described in a Deed recorded in Book 4552, at Page 007 of the Mecklenburg Registry, and the westerly line of National Welders Supply Co., Inc.'s property, as its property is described in Deed recorded in Book 3908, at Page 231 of said Mecklenburg Public Registry, intersects with said present southerly right-of-way margin of Old Dowd Road; thence from said Beginning Point with the present-right-of-way margin of Old Dowd Road and in a westerly direction in two calls and distances as follows: (1) S. 61-23-30 W. 45.24 feet to a concrete monument; and (2) S. 72-4-10 W. 106.17 feet to a concrete monument; thence crossing the westerly terminus of the right-of-way proposed for abandonment, N.15-15-56 W. 41.85 feet to a new iron pin in the proposed right-of-way of Old Dowd Road; thence in an easterly direction with said proposed right-of-way and with the arc of a curve to the left having a radius of 893.70 feet for a linear distance of 152.62 feet to a point, this call being on a chord of N. 71-46-15 E. a chord distance of 152.44 feet; thence crossing the right-of-way proposed for abandonment, S. 42-21-8 E. 35.88 feet to a point, the point and place of BEGINNING; and containing 5,544 square feet, or 0.127 acres, according to a survey for National Welders Supply Co., Inc., by R. B. Pharr & Associates, P.A., dated May 11, 1993, revised May 20, 1993, to which survey further reference is hereby made.

The right-of-way proposed to be abandoned in favor of National Land Company is described as follows:

BEGINNING at a point in the present southerly right-of-way margin of Old Dowd Road, this point being in the point where the common easterly line of the property of National Land Company, as its property is described in Deed recorded in Book 4552, at Page 007 of the Mecklenburg Public Registry, and the property of National Welders Supply Co., Inc., as its property is described in Deed recorded in Book 3101, at Page 357 of said Mecklenburg Registry intersects with such present southerly right-of-way margin of Old Dowd Road; thence in a westerly direction with the present right-of-way margin of Old Dowd Road in two calls and distances as follows: (1) S. 64-15-54 W. 45.32 feet to a concrete monument; and (2) S. 61-23-30 W. 176.29 feet to a point, this point being the point where the westerly line of the property of National Land Company as described in the aforesaid Deed intersects with the present southerly right-of-way margin of Old Dowd Road; thence with a line crossing the portion of Old Dowd Road proposed for abandonment, N. 42-21-8 W. 35.88 feet to a point, this point being in the proposed right-of-way of Old Dowd Road after said abandonment; thence in an easterly direction and with the southerly right-of-way margin of such proposed right-of-way in two calls and distances as follows: (1) with the arc of a curve to the left having a radius of 893.70 feet, a linear distance of 18.66 feet to a new iron pin, this call also being on a chord of N. 67-27-13 E. a chord distance of 18.66 feet; and (2) with the arc of a curve to the left having a radius of 1,228.17 feet, a linear distance of

203.80 feet to a point, this call being on a chord of N. 62-7-40 E. a chord distance of 203.57 feet; thence with a line crossing the right-of-way proposed for abandonment, S. 42-21-8 E. a distance of 33.53 feet to a point, the point and place of BEGINNING; and containing 6,501 square feet, or 0.149 acres, according to a survey for National Welders Supply Co., Inc., by R. B. Pharr & Associates, P.A., dated May 11, 1993, revised May 20, 1993, to which survey further reference is hereby made.

As to all the above three (3) tracts proposed for abandonment, the City of Charlotte reserves any presently-existing utility easements located therein.

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

The City Council of the City of Charlotte, North Carolina, met in regular session at the Meeting Chamber in the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 p.m. on August 23, 1993.

Present: Mayor Richard Vinroot, presiding, and  
Councilmembers

Campbell, Clodfelter, Hammond, McCrory, Majeed, Mangum, Martin, Patterson,  
Reid, Scarborough and Wheeler

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Absent: None

Also present: City Manager, O. Wendell White, City Attorney,  
Henry Underhill and City Clerk, Brenda R. Freeze

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The Mayor announced that this was the date and hour fixed by the City Council for the public hearing upon the orders entitled:

"ORDER AUTHORIZING \$12,760,000 SANITARY SEWER BONDS",

"ORDER AUTHORIZING \$58,490,000 WATER BONDS", and

"ORDER AUTHORIZING \$27,000,000 ENVIRONMENTAL CLEAN-UP"

and that the City Council would immediately hear anyone who might desire to be heard on the questions of the validity of any of such orders or the advisability of issuing said bonds.

No one appeared, either in person or by attorney, to be heard on said questions, and the City Clerk announced that no

statement in writing had been received by her on the questions of the validity of any of said orders or the advisability of issuing said bonds, except as follows:

After the City Council had heard such persons, if any, who requested to be heard, the public hearing was closed.

Thereupon, upon motion of Councilmember Hammond, seconded by Councilmember Mangum, the order introduced and passed on first reading on July 26, 1993, entitled "ORDER AUTHORIZING \$12,760,000 SANITARY SEWER BONDS", was read by title and summarized by the City Attorney a second time and placed upon its adoption. The vote upon the adoption of said order was:

Ayes: Councilmembers Campbell, Clodfelter, Hammond, McCrory, Majeed, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler.

Noes: None.

The Mayor then announced that the order entitled: "ORDER AUTHORIZING \$12,760,000 SANITARY SEWER BONDS" had been adopted.

Thereupon, upon motion of Councilmember Hammond, seconded by Councilmember Mangum, the order introduced and passed on first reading on July 26, 1993, entitled: "ORDER AUTHORIZING \$58,490,000 WATER BONDS", was read by title and summarized by the City Attorney a second time and placed upon its adoption. The vote upon the adoption of said order was:

Ayes: Councilmembers Campbell, Clodfelter, Hammond, McCrory, Majeed, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler.

Noes: None.

The Mayor then announced that the order entitled: "ORDER AUTHORIZING \$58,490,000 WATER BONDS" had been adopted.

Thereupon, upon motion of Councilmember Hammond, seconded by Councilmember Mangum, the order introduced and passed on first reading on July 26, 1993, entitled: "ORDER AUTHORIZING \$27,000,000 ENVIRONMENTAL CLEAN-UP BONDS", was read by title and summarized by the City Attorney a second time and placed upon its adoption. The vote upon the adoption of said order was:

Ayes: Councilmembers Campbell, Clodfelter, Hammond, McCrory, Majeed, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler.

Noes: None.

The Mayor then announced that the order entitled: "ORDER AUTHORIZING \$27,000,000 ENVIRONMENTAL CLEAN-UP BONDS" had been adopted.

The City Clerk was thereupon directed to cause to be published each of said orders in The Charlotte Observer once,

with the appended note at the foot of each of said orders as required by The Local Government Bond Act, as amended.

Thereupon Councilmember Hammond introduced the following resolution which was read by title and summarized by the City Attorney:

RESOLUTION CALLING A SPECIAL  
BOND REFERENDUM

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

Section 1. A special bond referendum is hereby called to be held in the City of Charlotte on Tuesday, November 2, 1993, between 6:30 A.M. and 7:30 P.M., at which there shall be submitted to the qualified voters of the City of Charlotte the questions set forth in the Notice of Special Bond Referendum included in Section 3 of this resolution.

Section 2. For said referendum, (i) the regular registration books for elections in Mecklenburg County shall be used, and the registration books, process or records shall be open for the registration of voters and for public inspection in the manner, under the conditions and at the times and places set forth in the Notice of Special Bond Referendum hereinafter provided for, (ii) the registrars, judges and other officers of elections appointed by the Mecklenburg County Board of Elections shall be the election officers for such referendum, and (iii) the precincts and voting places shall be those fixed by said County Board of Elections as provided in said Notice of Special Bond Referendum, subject to change as provided by law.

Section 3. That the City Clerk is hereby directed to cause a notice to be published in The Charlotte Observer once at least fourteen days before October 4, 1993 (being the last day on which persons may register for said referendum except as otherwise provided in said notice set forth in this Section) and once again not less than seven days before such day, such notice to read substantially as follows:

NOTICE OF SPECIAL BOND REFERENDUM  
to be held in the  
CITY OF CHARLOTTE, NORTH CAROLINA  
on November 2, 1993

A special bond referendum will be held on Tuesday, November 3, 1992 between 6:30 A.M. and 7:30 P.M., at which there will be submitted to the qualified voters of the City of Charlotte the following questions:

1.

Shall the order adopted on August 23, 1993, authorizing not exceeding \$12,760,000 Sanitary Sewer Bonds of the City of Charlotte, North Carolina, for the purpose of providing funds, with any other available funds, for enlarging, extending, renovating and improving the sanitary sewer system of the City, within and without the corporate limits, including planning, designing, constructing, reconstructing and installing storage buildings, sludge processing and storage facilities, standby generators, lift stations, force mains, filter units, sewer trunk mains and sewer lines, outfalls, tributaries, tributary expansions, wastewater treatment plants and plant additions and improvements, renovation and repair of sewer lines, and acquisition of any necessary equipment, land, interests in 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, be approved?

2.

Shall the order adopted on August 23, 1993, authorizing not exceeding \$58,490,000 Water Bonds of the City of Charlotte, North Carolina, for the purpose of providing funds, with any other available funds, for enlarging, extending, renovating and improving the water system of the City, within and without the corporate limits, including expansion of facilities, planning, designing, constructing and installing water mains and lines, standby generators, water treatment plant expansion, sludge disposal systems, booster pump stations and storage tanks and facilities, renovation of storage facilities and acquisition of any necessary equipment, land, interests in 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, be approved?

3.

Shall the order adopted on August 23, 1993, authorizing not exceeding \$27,000,000 Environmental Clean-Up Bonds of the City of Charlotte, North Carolina, for the purpose of providing funds, with any other available funds, for the environmental cleanup and remediation, and related improving, developing, replacing, expansion and relocation of the City's real property, including, without limitation, public buildings and building sites, storage tanks, solid waste disposal systems and sanitary landfills and firefighting and training facilities, within and without the corporate limits, including the planning, designing and implementation of such project or projects, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

Each of the questions above set forth contains a statement of the purpose for which the bonds are authorized by the order referred to in such question.

If any of said bonds are issued, taxes in an amount sufficient to pay the principal and interest thereof will be levied upon all taxable property in the City of Charlotte.

For said referendum the regular registration books for elections in the County of Mecklenburg will be used and the

registration books, process or records will be open for the acceptance of registration applications and the registration of qualified persons at (i) the office of the Mecklenburg County Board of Elections, 741 Kenilworth Avenue, Suite 202, Charlotte, North Carolina 28204 (park and enter from rear), from Monday to Friday, inclusive, of each week, between the hours of 7:30 A.M. and 6:30 P.M. and on Saturday of each week from 9:00 A.M. until 2:00 P.M., (ii) any public library in Mecklenburg County during normal business hours, (iii) the Town Halls in Matthews and Pineville, North Carolina, during normal business hours, (iv) any Division of Motor Vehicles ("DMV") Drivers License Examination Station in Mecklenburg County during normal business hours and while conducting normal DMV business and (v) any branch of the Mechanics and Farmers Bank in Mecklenburg County, North Carolina, during normal business hours. Registration applications will also be accepted by and qualified persons may also register with the registrars and judges of election for the several precincts in the City at such times and places to be announced by the Mecklenburg County Board of Elections. The telephone number of the Mecklenburg County Board of Elections is (704) 336-2133 or for the hearing impaired TDD (704) 373-0680.

In addition, registration applications will be accepted by and qualified persons may register with the special registration commissioners designated by the Mecklenburg County Board of Elections at such times and places as may be announced by the Mecklenburg County Board of Elections.

Furthermore, certain persons in the armed forces and their spouses, certain veterans, certain civilians working with the armed forces and members of the Peace Corps may register by mail at any time prior to said referendum in the manner provided in Article 21 of Chapter 163 of the General Statutes of North Carolina and in person at any time, including the day of said referendum.

Those residents of the City of Charlotte who were eligible to vote in the second previous presidential election and who have not voted in either of one of the two most recent successive presidential elections or in any other election conducted in the period between said two elections have been purged and are no longer registered under Mecklenburg County's permanent registration system.

Those residents of the City of Charlotte who are presently registered under Mecklenburg County's permanent registration system and who have not changed residence from one precinct to another within the City since their registration will be permitted to vote in said referendum, provided that removal from one precinct to another shall not deprive any person of the right to vote in the precinct from which he has removed until thirty days after his removal and, further, that any person who has changed residence from one precinct to another more than thirty days prior to the special bond referendum may obtain a notice of election day transfer at the precinct in which he is registered and record a change of address on the date of the referendum and vote in the office of the Mecklenburg County Board of Elections

mentioned above or at such other location as may be specified by the Mecklenburg County Board of Elections.

The last day for new registration to vote in the special bond referendum for those not now registered under Mecklenburg County's permanent registration system is Monday, October 11, 1993.

Except as provided above, the last day on which registered voters who have changed residence from one precinct to another may transfer registration to vote in the special bond referendum is Monday, October 11, 1993.

Any qualified voter of the City who is qualified to vote by absentee ballot in said special bond referendum may apply to the Mecklenburg County Board of Elections for an absentee ballot. Certain persons in the armed forces and their spouses, certain veterans, certain civilians working with the armed forces and members of the Peace Corps who are qualified to vote by absentee ballot pursuant to Section 163-245 of the General Statutes of North Carolina may also apply for an absentee ballot as provided by Section 163-247 of the General Statutes of North Carolina. The last day to apply for an absentee ballot in person for said referendum is Friday, October 29, 1993. The last day to apply for an absentee ballot by mail for said referendum is Tuesday, October 26, 1993.

Persons who are not certain whether they are registered to vote or qualified to vote by absentee ballot or who desire further information concerning the registration process should

contact the Mecklenburg County Board of Elections at the office of said Board mentioned above.

Registration facilities and voting places in most precincts are accessible to the elderly and disabled. If a voting place is not accessible, elderly and disabled persons may vote at curbside or request assignment to an accessible facility. Any voter is entitled to assistance from an appropriate person of his or her choice.

The registration books will be open to public inspection by any registered voter of the City between 7:30 A.M. and 6:30 P.M., from Monday to Friday, inclusive, of each week and on Saturday of each week from 9:00 A.M. until 2:00 P.M., prior to the closing of the registration books, at said office of the Mecklenburg County Board of Elections, and such days are challenge days.

The registrars, judges and other officers of elections appointed by the Mecklenburg County Board of Elections will serve as the election officers for said referendum.

The Mecklenburg County Board of Elections will conduct said referendum.

The precincts and voting places for said referendum, subject to change as provided by law, are as follows:

<u>PRECINCT</u>	<u>VOTING PLACE</u>
PCT. #1	Westminster Presbyterian Church 101 Colville Road (Activities Bldg.)
PCT. #2	St. John's Baptist Church 300 Hawthorne Lane (Fellowship Hall)
PCT. #3	Cochrane Junior High School 6200 Starhaven Drive (Classroom #101)
PCT. #4	Hickory Grove Presbyterian Church 5701 East W.T.Harris Blvd. (Sunday School Room)
PCT. #5	Third Presbyterian Church 4019 Central Avenue (Scout Hut)
PCT. #6	Amity Presbyterian Church 2831 Sharon Amity Road (Fellowship Hall)
PCT. #7	Randolph Junior High School 4400 Water Oak Road (Multi-Purpose Room)
PCT. #8	Myers Park Traditional School 2132 Radcliffe Avenue (Auditorium)
PCT. #9	Dilworth School 405 East Park Avenue (Multi-Purpose Room)
PCT. #10	Greek Orthodox Cathedral 600 East Blvd. (Social Hall)
PCT. #11	Mt. Moriah Primitive Baptist Church 747 West Trade Street (Fellowship Hall)
PCT. #12	Salvation Army Trade Street Boys' Club 2600 West Trade Street
PCT. #13	First Ward School 401 East 9th Street (Gym)
PCT. #14	Hawthorne Traditional School 1400 Pegram Street (1st Room on right)
PCT. #15	Kilgo Methodist Church 2101 Belvedere Avenue (Fellowship Hall)
PCT. #16	East Stonewall A.M.E. Zion Church 1729 Griers Grove Road (Fellowship Hall)
PCT. #17	Old Fireman's Hall 2601 East Seventh Street (Main Bldg.)

<u>PRECINCT</u>	<u>VOTING PLACE</u>
PCT. #18	Eastover School 500 Cherokee Road (Auditorium)
PCT. #19	Myers Park High School 2400 Colony Road (Student Lounge)
PCT. #20	Avondale Presbyterian Church 2821 Park Road (Fellowship Hall)
PCT. #21	Sedgefield Junior High School 700 Sedgefield Road (Multi-Purpose Room)
PCT. #22	Margery A. Thompson Staff Dev. Center 428 West Boulevard (Auditorium)
PCT. #23	Ashley Park School 3128 Belfast Drive (Multi-Purpose Room)
PCT. #24	McQuay Memorial Presbyterian Church 3501 Tuckaseegee Road
PCT. #25	West Charlotte High School 2219 Senior Drive (Auditorium Lobby)
PCT. #26	Cole Memorial United Methodist Church 2022 Sugar Creek Road, West (Gym)
PCT. #27	Tryon Hills School 2600 Grimes Street (Multi-Purpose Room)
PCT. #28	New Covenant A.R.P. Church 2541 Elkwood Circle (Fellowship Hall)
PCT. #29	Merry Oaks School 3508 Draper Avenue (Multi-Purpose Room)
PCT. #30	Plaza Road School 1000 Anderson Street (Multi-Purpose Room)
PCT. #31	Barringer School 1500 Walton Road (Multi-Purpose Room)
PCT. #32	Christ Episcopal Church 1412 Providence Road (Education Bldg.)
PCT. #33	Eastway Junior High School 1401 Norland Road (Band Room)
PCT. #34	Oakhurst School 4511 Monroe Road (Multi-Purpose Room)

<u>PRECINCT</u>	<u>VOTING PLACE</u>
PCT. #35	Cotswold School 300 Greenwich Road (Multi-Purpose Room)
PCT. #36	Providence Baptist Church 4921 Randolph Road (Chapel Annex)
PCT. #37	Pinewood School 815 Seneca Place (Cafeteria)
PCT. #38	Collinswood School 4000 Applegate Road (Multi-Purpose Room)
PCT. #39	Metropolitan United Presbyterian Church 2926 Old Steele Creek Road
PCT. #40	Thomasboro School 538 Bradford Drive (Gym)
PCT. #41	Chadwick Methodist Church 132 Cromer Street (Fellowship Hall)
PCT. #42	Hidden Valley School 5100 Snow White Lane (Multi-Purpose Room)
PCT. #43	Grace Baptist Church 5232 The Plaza (Fellowship Hall)
PCT. #44	Shamrock Gardens Elementary School 3301 Country Club Drive (Multi-Purpose Room)
PCT. #45	Windsor Park School 3900 Sudbury Road (Multi-Purpose Room)
PCT. #46	Resurrection Lutheran Church 2825 Shenandoah Avenue (Foyer)
PCT. #47	Scottish Rites Masonic Bodies 4740 Randolph Road (Dining Hall)
PCT. #48	Providence United Methodist Church 2810 Providence Road (Fellowship Hall)
PCT. #49	Park Road Elementary School 3701 Haven Drive (Auditorium)
PCT. #50	Smith Junior High School 1600 Tyvola Road (Multi-Purpose Room)
PCT. #51	Sedgefield Elementary School 700 Marsh Road (Multi-Purpose Room)

<u>PRECINCT</u>	<u>VOTING PLACE</u>
PCT. #52	St. Mark United Methodist Church 917 Clanton Road (Old Sanctuary)
PCT. #53	Harding High School 2001 Alleghany Street (Auditorium Lobby)
PCT. #54	Oaklawn Elementary School 1810 Oaklawn Avenue (Multi-Purpose Room)
PCT. #55	Lincoln Heights School 1900 Newcastle Street (Multi-Purpose Room)
PCT. #56	Druid Hills School 2801 Lucena Street (Multi-Purpose Room)
PCT. #57	Sharon Presbyterian Church 5201 Sharon Road (Gym/Classroom)
PCT. #58	Starmount School 1600 Brookdale Avenue (Multi-Purpose Room)
PCT. #59	Montclair School 5801 Farmbrook Drive (Multi-Purpose Room)
PCT. #60	Briarwood School 1001 Wilann Drive (Multi-Purpose Room)
PCT. #61	Shamrock Drive Baptist Church 4301 Shamrock Drive (Fellowship Hall)
PCT. #62	Albemarle Road Elementary School 7800 Riding Trail Road (Multi-Purpose Room)
PCT. #63	Idlewild School 7101 Idlewild Road (Multi-Purpose Room)
PCT. #64	East Mecklenburg High School 6800 Monroe Road (Gym Foyer)
PCT. #65	Sardis Presbyterian Church 6100 Sardis Road (Ed. Bldg./Rm. #101)
PCT. #66	Rama Road School 1035 Rama Road (Multi-Purpose Room #136)
PCT. #67	Lansdowne School 6400 Prett Court (Multi-Purpose Room)
PCT. #68	St. Stephen United Methodist Church 6800 Sardis Road (Gym)

<u>PRECINCT</u>	<u>VOTING PLACE</u>
PCT. #69	Olde Providence School 3800 Rea Road (Multi-Purpose Room)
PCT. #70	St. John's Episcopal Church 1623 Carmel Road (Youth Hall-Park & enter rear)
PCT. #71	Sharon School 4330 Foxcroft Road (Multi-Purpose Room)
PCT. #72	Carmel Presbyterian Church 2048 Carmel Road (Scout Hut)
PCT. #73	Beverly Woods School 6001 Quail Hollow Road (Multi-Purpose Room)
PCT. #74	Alexander Graham Junior High School 1800 Runnymede Lane (Multi-Purpose Room)
PCT. #75	Pilgrim Congregational Church, UCC 6151 Sharon Road
PCT. #76	Huntingtowne Farms Elementary School 2520 Huntingtowne Farms Lane (Multi-Purpose Room)
PCT. #77	Nations Ford School 8300 Nations Ford Road (Gym)
PCT. #78	Aldersgate United Methodist Church 5338 Nations Ford Road (Fellowship Hall)
PCT. #79	Tuckaseegee Elementary School 2028 Little Rock Road (Multi-Purpose Room)
PCT. #80	Pawtucket School 8701 Moores Chapel Road (Multi-Room)
PCT. #81	Allenbrook Elementary School 1430 Allenbrook Drive (Multi-Purpose Room)
PCT. #82	Greenville Memorial A.M.E. Zion Church 6116 Monteith Drive (Fellowship Hall)
PCT. #83	Albemarle Road Middle School 6900 Democracy Drive
PCT. #84	Calvary Church of the Nazarene 4000 North Sharon Amity Road

<u>PRECINCT</u>	<u>VOTING PLACE</u>
PCT. #85	Charlotte Christian High School 7301 Sardis Road (Gym)
PCT. #86	Carmel Junior High School 5001 Camilla Drive (Library)
PCT. #87	Pineville Church of the Nazarene 8614 Pineville-Matthews Road (Foyer)
PCT. #88	Living Savior Lutheran Church 6817 Carmel Road, Ext. (Education Bldg.)
PCT. #89	Coulwood Middle School 1901 Kentberry Road
PCT. #90	South Charlotte Middle School 6040 Strawberry Lane
PCT. #91	Providence Presbyterian Church 10140 Providence Road (Fellowship Hall)
PCT. #92	Quail Hollow Presbyterian Church 8801 Park Road (Fellowship Hall)
PCT. #93	Church of Jesus Christ of Latter Day Saints 5815 Carmel Road (Park & enter from rear)
PCT. #94	Albemarle Road Recreation Center 5027 Idlewild Road North (Gym)
PCT. #95	Hickory Grove United Methodist Church 6301 Hickory Grove Road (Gym)
PCT. #96	Heritage Woods Swim & Racket Club 7821 Sardis Road (Clubhouse)
PCT. #97	South Charlotte Clubhouse 8037 Knights Bridge Road
PCT. #98	Ebenezer A.R. Presbyterian Church 6210 Old Pineville Road (Gym)
PCT. #99	East Presbyterian Church 6801 Monroe Road (Fellowship Hall)
PCT. #100	Candlewyck Baptist Church 7200 Providence Road (Fellowship Hall)
PCT. #101	CarMel Place Retirement Community 5512 Carmel Road (Activity Room)

<u>PRECINCT</u>	<u>VOTING PLACE</u>
PCT. #102	Bible Baptist Church 2724 Margaret Wallace Road (Lobby)
PCT. #103	Cross & Crown Lutheran Church 1024 Pineville-Matthews Rd. (Fellowship Hall)
PCT. #104	Devonshire Elementary School 6500 Barrington Drive
PCT. #105	Newell Volunteer Fire Dept. & Rescue, Inc. 9007 Newell Baptist Church Road
PCT. #106	Alexander Children's Center 6220 Thermal Road (Cafeteria)
PCT. #107	Derita Elementary School 2300 West Sugar Creek Road (Multi-Purpose Room)
PCT. #108	The Cedars Clubhouse 7139 Winding Cedar Trail
PCT. #204	Back Creek A.R. Presbyterian Church 1821 Back Creek Church Road (Fellowship Hall)
PCT. #210	McCrorey Y.M.C.A. 3801 Beatties Ford Road (Classroom)
PCT. #212	Mallard Creek Presbyterian Church 1600 Mallard Ck. Church Road (Gym)
PCT. #213	Ranson Junior High School 5850 Statesville Road (Media Center)
PCT. #214	University City United Methodist Church 6100 Cheshire Road
PCT. #222	Oakdale School 1825 Oakdale Road (Multi-Purpose Room)
PCT. #223	Cook's Community Volunteer Fire Department 3122 Mt. Holly-Huntersville Road
PCT. #226	Calvary Church 5801 Pineville-Matthews Road
PCT. #227	McKee Road School 4101 McKee Road
PCT. #228	Kennedy Junior High School 4000 Gallant Lane

By order of the City Council of the City of Charlotte.

Brenda R. Freeze  
City Clerk

Isaac Heard, Jr.  
Chairman of Mecklenburg  
County Board of Elections

Section 4. That the form of the questions as the same will appear in the ballot strips for the voting machines and in any paper ballots to be used at said referendum shall be substantially as follows:

.....  
#1  
SANITARY SEWER BONDS  
[ ] YES  
[ ] NO  
Shall the order adopted on August 23, 1993, authorizing not exceeding \$12,760,000 Sanitary Sewer Bonds of the City of Charlotte, North Carolina, for the purpose of providing funds, with any other available funds, for enlarging, extending, renovating and improving the sanitary sewer system of the City, within and without the corporate limits, including planning, designing, constructing, reconstructing and installing storage buildings, sludge processing and storage facilities, standby generators, lift stations, force mains, filter units, sewer trunk mains and sewer lines, outfalls, tributaries, tributary expansions, wastewater treatment plants and plant additions and improvements, renovation and repair of sewer lines and acquisition of any necessary equipment, land, interests in 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, be approved?

.....  
#2  
WATER BONDS  
[ ] YES  
[ ] NO  
Shall the order adopted on August 23, 1993, authorizing not exceeding \$58,490,000 Water Bonds of the City of Charlotte, North Carolina, for the purpose of providing funds, with any other available funds, for enlarging, extending, renovating and improving the water system of the City, within and without the corporate limits, including expansion of facilities, planning, designing, constructing and installing water mains and lines, standby generators, water treatment plant expansion, sludge disposal systems, booster pump stations and storage tanks and facilities, renovation of storage facilities and acquisition of any

. . . . . necessary equipment, land, interests in  
. . . . . 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, be approved?  
. . . . .  
. . . . .

.....  
#3

ENVIRONMENTAL  
CLEAN-UP  
BONDS

[ ] YES

[ ] NO

. Shall the order adopted on August 23,  
. 1993, authorizing not exceeding  
. \$27,000,000 Environmental Clean-Up Bonds  
. of the City of Charlotte, North  
. Carolina, for the purpose of providing  
. funds, with any other available funds,  
. for the environmental clean-up and  
. remediation, and related improving,  
. developing, replacing, expansion and  
. relocation of the City's real property,  
. including, without limitation, public  
. buildings and building sites, storage  
. tanks, solid waste disposal systems and  
. sanitary landfills and firefighting and  
. training facilities, within and without  
. the corporate limits, including the  
. planning, designing and implementation  
. of such project or projects, and  
. authorizing the levy of taxes in an  
. amount sufficient to pay the principal  
. of and the interest on said bonds, be  
. approved?  
. . . . .

.....  
Section 5. That the City Clerk is hereby directed to cause  
to be delivered or mailed a certified copy of this resolution to  
said Mecklenburg County Board of Elections within three days  
after its passage.

Thereupon, upon motion of Councilmember Hammond, seconded  
by Councilmember Mangum, the foregoing resolution entitled:  
"RESOLUTION CALLING A SPECIAL BOND REFERENDUM" was passed by the  
following vote:

Ayes: Councilmembers Campbell, Clodfelter, Hammond, McCrory,

Majeed, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler .

Noes: None .

\* \* \* \* \*

I, Brenda R. Freeze, 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 said City Council at a regular meeting held on August 23, 1993 as relates in any way to the authorization of bonds of said City and the calling of a special bond referendum thereon, that all required notices of such meeting were given and that references regarding said proceedings are recorded in Minute Book 102 of the minutes of said City Council on pages \_\_\_\_\_ and a full copy of the foregoing bond orders is recorded in \_\_\_\_\_ Book \_\_\_\_\_ on page(s) \_\_\_\_\_ and a full copy of the foregoing resolution calling a special bond referendum is recorded in Resolution Book 31 on page(s) 258-279 .

I HEREBY FURTHER CERTIFY that I mailed or delivered a certified copy of the resolution passed by said City Council on August 23, 1993 entitled: "RESOLUTION CALLING A SPECIAL BOND REFERENDUM" to the Mecklenburg County Board of Elections on or before the third day following the passage of said resolution.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held (with certain exceptions not applicable to said meeting) 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 and fourth Mondays of each month at 7:00 P.M. and on the third Monday of each month at 6:00 P.M. (zoning), has been on file in the office of the City Clerk pursuant to North Carolina General Statutes, Sec. 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 26th day of August, 1993.

*Brenda R. Frege*  
\_\_\_\_\_  
City Clerk

(SEAL)

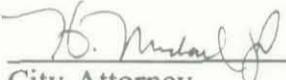
**A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES**

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

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 23rd day of August, 1993 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set ut 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 a regular session convened on the 23rd day of August, 1993, the reference having been made in Minute Book 102 and recorded in full in Resolution Book 31, page(s) 280-282.

Brenda Freeze  
City Clerk

**TAXPAYERS AND REFUNDS REQUESTED  
LESS THAN \$100**

<u>Name</u>	<u>Amount of Refund</u>
Cole John William IV	\$ 46.73
Houser Janet Krahler	38.37
Central Environmental	49.32
Central Environmental	60.77
Printcrafters Of The	43.30
Printcrafters Of The	36.03
North Star Seafood	68.70
Printcrafters Of The	5.48
Air Systems & Equipment	32.49
Air Systems & Equipment	41.80
World Omni Leasing Inc.	41.23
Dependable Solutions	50.00
A&E Construction	<u>40.00</u>
Total	\$ <u>554.22</u>

**TAXPAYERS AND REFUNDS REQUESTED  
MORE THAN \$100**

<u>Name</u>	<u>Amount of Refund</u>
Letter-Perfect Inc.	\$ 193.62
America's Pride Steak & Southern Engineering Co.	118.45
Southern Engineering Co.	498.48
Central Enviromental	289.67
Central Enviromental	311.75
Southern Engineering Co.	274.24
Southern Engineering Co.	405.85
Siemens Credit Corp.	1,086.89
Central Environmental	338.12
Central Environmental	215.37
Otis Spunkyer Inc.	343.04
Otis Spunkyer Inc.	235.00
Hendrick Management Corp.	567.47
AMP Incorporated	7,089.04
AMP Incorporated	2,163.33
Shared Medical Systems	458.26
Prema International Corp.	2,056.38
IFF, Inc.	1,536.62
Toho Carbon Fibers, Inc.	380.00
Myers Miscellaneous	<u>120.00</u>
 Total	 <u>\$ 18,681.58</u>

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 at the Meeting Chamber, the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M., on August 23, 1993.

Present: Mayor Richard Vinroot, presiding, and Councilmembers Campbell, Clodfelter, Hammond, McCrory, Majeed, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler

Absent: None

Also present: City Manager, W. Wendell White, City Attorney, Henry Underhill and City Clerk, Brenda R. Freeze

\* \* \* \* \*

Councilmember Mangum introduced the following order repealing the unissued portion of an order authorizing Refunding Bonds, Series 1993, a summary of which had been provided to each member of the City Council, which was read by title and summarized by the City Attorney:

REPEAL OF \$6,190,000 UNISSUED PORTION OF  
ORDER AUTHORIZING \$190,000,000  
REFUNDING BONDS, SERIES 1993

WHEREAS, on June 28, 1993 the City Council adopted an order, pursuant to The Local Government Bond Act, as amended,

authorizing the City of Charlotte, North Carolina, to contract a debt, in addition to any and all other debt which the City then or thereafter may have power or authority to contract, and in evidence thereof to issue Refunding Bonds, Series 1993 in an aggregate principal amount not exceeding \$190,000,000 for the purpose of providing funds, with any other available funds, for refunding part or all of the following principal amounts of one or more of the following bond issues of the City:

(i) \$29,200,000 Public Improvement Bonds, Series 1989 and \$18,700,000 Water and Sewer Bonds, Series 1989, dated June 1, 1989, (ii) \$14,185,000 Public Improvement Bonds, Series 1990, \$40,650,000 Public Improvement Bonds, Series 1990A and \$20,850,000 Water and Sewer Bonds, Series 1990, dated October 1, 1990, and (iii) \$29,885,000 Public Improvement Bonds, Series 1991 and \$9,730,000 Water and Sewer Bonds, Series 1991, dated August 1, 1991, and paying expenses related thereto, which order took effect upon its adoption;

WHEREAS, on August 11, 1993 the City issued \$183,810,000 of its Refunding Bonds, Series 1993 refunding the aggregate principal amount outstanding of the City's (i) \$29,200,000 Public Improvement Bonds, Series 1989, dated June 1, 1989 and maturing June 1, 1994 to 2009, inclusive, and \$18,700,000 Water and Sewer Bonds, Series 1989, dated June 1, 1989 and maturing June 1, 1994 to 2009, inclusive, (ii) \$14,185,000 Public Improvement Bonds, Series 1990, dated October 1, 1990 and maturing October 1, 1993 to 2009, inclusive, \$40,650,000 Public Improvement Bonds, Series 1990A, dated October 1, 1990 and maturing October 1, 1993 to

2009, inclusive, and \$20,850,000 Water and Sewer Bonds, Series 1990, dated October 1, 1990 and maturing October 1, 1993 to 2009, inclusive, and (iii) \$29,885,000 Public Improvement Bonds, Series 1991, dated August 1, 1991 and maturing February 1, 1994 to 2012, inclusive, and \$9,730,000 Water and Sewer Bonds, Series 1991, dated August 1, 1991 and maturing February 1, 1994 to 2012, inclusive; and

WHEREAS, the City Council has determined that the \$6,190,000 unissued portion of Refunding Bonds, Series 1993, authorized by said order is not needed for the purposes of said refunding.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Charlotte:

1. That, pursuant to the Local Government Bond Act, as amended, the City of Charlotte, North Carolina hereby repeals the \$6,190,000 unissued portion of its order authorizing \$190,000,000 Refunding Bonds, Series 1993.

2. That this order shall take effect upon its adoption.

Thereupon, upon motion of Councilmember Mangum, seconded by Councilmember Scarborough, the order entitled: "REPEAL OF \$6,190,000 UNISSUED PORTION OF ORDER AUTHORIZING \$190,000,000 REFUNDING BONDS, SERIES 1993" was placed upon its adoption.

The vote upon the adoption of said order was:

Ayes: Councilmembers Campbell, Clodfelter, Hammond, McCrory, Majeed, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler.

Noes: None.

The Mayor then announced that the order entitled: "REPEAL OF \$6,190,000 UNISSUED PORTION OF ORDER AUTHORIZING \$190,000,000 REFUNDING BONDS, SERIES 1993" had been adopted.

\* \* \* \* \*

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said City Council at a meeting held on August 23, 1993 as relates in any way to the introduction and adoption of an order repealing the unissued portion of an order authorizing refunding bonds of said City, that all required notices of such meeting were given and that a reference to said proceedings is recorded in Minute Book 102 of the minutes of said City Council on page(s) \_\_\_\_\_ and a full copy of the foregoing order is recorded in Resolution Book 31 on page(s) 283-287.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held (with certain exceptions not applicable to said meeting) 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., the third Monday of each month at 6:00 P.M. (zoning) 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 North Carolina General Statutes, Sec. 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  
26th day of August, 1993.

Brenda R. Frege  
City Clerk

(SEAL)

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 Scarborough 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 for the improvement of the intersection of SR 2074 (Beatties Ford Road) and SR 2004 (Mt. Holly Huntersville Road); and,

WHEREAS, said Department of Transportation and the Municipality of Charlotte propose to enter into an agreement whereby said Department will include in its construction contract provisions to relocate and adjust certain municipally-owned water lines located along the project; and,

WHEREAS, 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.

NOW, THEREFORE, BE IT RESOLVED that Project W-2807, 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, Brenda Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of August, 1993, and the reference having been made in Minute Book 102, and recorded in full in Resolution Book 31, Page 288-289

WITNESS, my hand and the corporate seal of the City of  
Charlotte, North Carolina, this the 26th day of August,  
1993.

(SEAL)

Brenda R. Freeze  
Brenda Freeze, City Clerk

APPROVED AS TO FORM

[Signature]  
City Attorney

EXTRACT FROM MINUTES OF  
MEETING 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 the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M. on August 23, 1993.

Present: Mayor Richard Vinroot, presiding, and Councilmembers Campbell, Clodfelter, Hammond, McCrory, Majeed, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler

Absent: None

Also Present: City Manager, O. Wendell White, City Attorney, Henry Underhill and City Clerk, Brenda R. Freeze

\* \* \* \* \*

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

RESOLUTION RELATING TO INSTALLMENT CONTRACT  
(LEASE/PURCHASE) FINANCING OF CERTAIN GENERAL  
EQUIPMENT IN A PRINCIPAL AMOUNT UP TO  
APPROXIMATELY \$6,400,000

RESOLVED, by the City Council (the "City Council") of the City of Charlotte (the "Issuer") that the appropriate officers of the Issuer be, and they hereby are, authorized to acquire, purchase or lease certain equipment to be used in connection with the Issuer's law enforcement and other ongoing general operations and to finance the acquisition of such property in an estimated

principal amount up to approximately \$6,400,000 by installment contract (lease/purchase) financing, including without limitation the use of notes or other financing under North Carolina General Statutes § 160A-20 (including the financing of issuance and all other costs necessary in conjunction with such financing), and, if required, to seek the approval of the North Carolina Local Government Commission of such financing and to investigate and negotiate the selection and terms of such financing, and to solicit bids or proposals in connection with such financing; and

FURTHER RESOLVED, by the City Council that it is hereby determined that such acquisition of equipment is necessary and expedient, that financing by installment contract, under the circumstances, is preferable to a bond issue, that the sums to fall due under an installment contract are adequate and not excessive for its purpose, that the debt management and budgetary and fiscal policies of the Issuer have been carried out in strict compliance with applicable law, that the increase in taxes, if any, necessary to meet the sums to fall due under an installment contract will not be excessive and that the Issuer is not in default under any of its debt service obligations; and

FURTHER RESOLVED, by the City Council that the appropriate officers of the Issuer be, and they hereby are, authorized to consolidate for sale and delivery the installment contract (lease/purchase) financing authorized by the foregoing resolutions with any other installment contract (lease/purchase) financing as may be authorized concurrently by the Issuer; and

FURTHER RESOLVED, by the City Council that the appropriate officers of the Issuer be, and they hereby are, authorized to publish any notices that may be required in connection with such financing; and

FURTHER RESOLVED, by the City Council that the appropriate officers of the Issuer be, and they hereby are, authorized and directed to do any and all things necessary, appropriate or convenient to carry into effect the foregoing resolutions; and

FURTHER RESOLVED, by the City Council that this resolution shall take effect upon its passage.

Upon motion of Councilmember Hammond, seconded by Councilmember Scarborough, the foregoing resolution entitled: "RESOLUTION RELATING TO INSTALLMENT CONTRACT (LEASE/PURCHASE) FINANCING OF CERTAIN GENERAL EQUIPMENT IN A PRINCIPAL AMOUNT UP TO APPROXIMATELY \$6,400,000" was passed by the following vote:

Ayes: Campbell, Clodfelter, Hammond, McCrory, Mangum, Majeed, Martin, Patterson, Reid, Scarborough and Wheeler

Noes: None

\* \* \* \* \*

I Brenda R. Freeze, 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 said City Council at a regular meeting held August 23, 1993, as relates in any way to the passage of a resolution providing for the installment contract financing of certain general equipment in a

principal amount of up to approximately \$6,400,000, that all required notices of said meeting were given and that a reference regarding said proceedings is recorded in Minute Book 102 of the minutes of said City Council on pages \_\_\_ and a full copy of the foregoing resolution is recorded in Resolution Book 31 on page(s) 290-293

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held (with certain exceptions not applicable to said meeting) 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., the third Monday of each month at 6:00 P.M. (zoning), 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 North Carolina General Statutes, § 143-318.12, as of a date not less than seven days before said meeting.

WITNESS my hand and the official seal of said City, this 26th day of August, 1993.

Brenda R. Frazer  
City Clerk

(SEAL)

EXTRACT FROM MINUTES OF  
MEETING 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 the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M. on August 23, 1993.

Present: Mayor Richard Vinroot, presiding, and Councilmembers Campbell, Clodfelter, Hammond, McCrory, Majeed, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler

Absent: None

Also Present: City Manager, O. Wendell White, City Attorney, Henry Underhill and City Clerk, Brenda R. Freeze

\* \* \* \* \*

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

RESOLUTION RELATING TO INSTALLMENT CONTRACT  
(LEASE/PURCHASE) FINANCING OF EQUIPMENT FOR  
ROLL-OUT GARBAGE COLLECTION IN A PRINCIPAL  
AMOUNT UP TO APPROXIMATELY \$8,300,000

RESOLVED, by the City Council (the "City Council") of the City of Charlotte (the "Issuer") that the appropriate officers of the Issuer be, and they hereby are, authorized to acquire, purchase or lease certain equipment to be used in connection with the Issuer's garbage collection and to finance the acquisition of such property in an estimated principal amount up to

approximately \$8,300,000 by installment contract (lease/purchase) financing, including without limitation the use of notes or other financing under North Carolina General Statutes § 160A-20 (including the financing of issuance and all other costs necessary in conjunction with such financing), and, if required, to seek the approval of the North Carolina Local Government Commission of such financing and to investigate and negotiate the selection and terms of such financing, and to solicit bids or proposals in connection with such financing; and

FURTHER RESOLVED, by the City Council that it is hereby determined that such acquisition of equipment is necessary and expedient, that financing by installment contract, under the circumstances, is preferable to a bond issue, that the sums to fall due under an installment contract are adequate and not excessive for its purpose, that the debt management and budgetary and fiscal policies of the Issuer have been carried out in strict compliance with applicable law, that the increase in taxes, if any, necessary to meet the sums to fall due under an installment contract will not be excessive and that the Issuer is not in default under any of its debt service obligations; and

FURTHER RESOLVED, by the City Council that the appropriate officers of the Issuer, be, and they hereby are, authorized to consolidate for sale and delivery the installment contract (lease/purchase) financing authorized by the foregoing resolutions with any other installment contract (lease/purchase) financing as may be authorized concurrently by the Issuer; and

FURTHER RESOLVED, by the City Council that the appropriate officers of the Issuer be, and they hereby are, authorized to publish any notices that may be required in connection with such financing; and

FURTHER RESOLVED, by the City Council that the appropriate officers of the Issuer be, and they hereby are, authorized and directed to do any and all things necessary, appropriate or convenient to carry into effect the foregoing resolutions; and

FURTHER RESOLVED, by the City Council that this resolution shall take effect upon its passage.

Upon motion of Councilmember Hammond, seconded by Councilmember Scarborough, the foregoing resolution entitled: "RESOLUTION RELATING TO INSTALLMENT CONTRACT (LEASE/PURCHASE) FINANCING OF EQUIPMENT FOR ROLL-OUT GARBAGE COLLECTION IN A PRINCIPAL AMOUNT UP TO APPROXIMATELY \$8,300,000" was passed by the following vote:

Ayes: Campbell, Clodfelter, Hammond, McCrory, Majeed, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler

Noes: None

\* \* \* \* \*

I Brenda R. Freeze, 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 said City Council at a regular meeting held August 23, 1993, as relates in any way to the passage of a resolution providing for the installment contract financing of equipment for roll-out garbage

collection in a principal amount of up to approximately \$8,300,000, that all required notices of said meeting were given and that a reference regarding said proceedings is recorded in Minute Book 102 of the minutes of said City Council on pages \_\_\_ and a full copy of the foregoing resolution is recorded in Resolution Book 31 on page(s) 294-297

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held (with certain exceptions not applicable to said meeting) 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., the third Monday of each month at 6:00 P.M. (zoning), 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 North Carolina General Statutes, § 143-318.12, as of a date not less than seven days before said meeting.

WITNESS my hand and the official seal of said City, this 26th day of August, 1993.

Brenda R. Freese  
City Clerk

(SEAL)

EXTRACT FROM MINUTES OF  
MEETING 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 the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M. on August 23, 1993.

Present: Mayor Richard Vinroot, presiding, and Councilmembers Campbell, Clodfelter, Hammond, McCrory, Majeed, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler

Absent: None

Also Present: City Manager, O. Wendell White, City Attorney, Henry Underhill and City Clerk, Brenda R. Freeze

\* \* \* \* \*

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

RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE  
CERTAIN EXPENDITURES WITH RESPECT TO CERTAIN  
EQUIPMENT WITH PROCEEDS OF DEBT

RESOLVED, by the City Council (the "City Council") of the City of Charlotte (the "Issuer") that the Issuer hereby finds, represents and covenants:

1. The Issuer intends to pay after adoption of this resolution certain expenditures of the nature described below (hereinafter sometimes called "original expenditures") incurred or to be incurred with respect to capital projects and expects to reimburse the payment of such original expenditures with proceeds

of obligations (hereinafter sometimes called "reimbursement obligations").

2. The City Council has determined that the funds to be advanced to pay the original expenditures will be available on a temporary basis and that it is necessary and desirable to declare the "official intent" of the Issuer with respect to the proposed reimbursement (hereinafter sometimes called the "reimbursement" or the "reimbursement allocation") of the original expenditures with the proceeds of the reimbursement obligations and otherwise to meet the requirements of Treas. Reg. § 1.150-2 (or successor provisions).

3. The Issuer reasonably expects to reimburse the payment of the original expenditures with proceeds of obligations which will constitute reimbursement obligations.

4. The original expenditures will be paid for certain equipment to be used in connection with the Issuer's law enforcement and other ongoing general operations (collectively, the "project"). The maximum principal amount of obligations expected to be issued for such purposes is \$6,400,000.

5. This declaration of official intent to reimburse expenditures is not declared as a matter of course or in an amount substantially in excess of the amount expected to be necessary for the project (e.g., a blanket declaration). In addition, the Issuer does not have a pattern of making blanket declarations or of failure to reimburse actual original expenditures covered by official intents (other than in extraordinary circumstances).

6. This declaration of official intent is occurring on or before payment of any related original expenditure, except as otherwise provided in Treas. Reg. § 1.150-2(f) [relating to costs of issuance of any bond and certain de minimis expenditures] or (2) [relating to certain preliminary expenditures].

7. The reimbursement allocation contemplated hereby will occur not later than 18 months after the later of (a) the date on which the original expenditure is paid, or (b) the date on which the project for which the original expenditure is paid is placed in service (as described in Treas. Reg. § 1.150-2(c)), or abandoned, but in no event more than three years after the original expenditure is paid.

8. The reimbursement allocation contemplated hereby will be an allocation in writing that evidences the Issuer's use of proceeds of a reimbursement bond to reimburse an original expenditure. An allocation made within 30 days after the issue date of a reimbursement bond may be treated as made on the issue date.

9. The original expenditures will be capital expenditures (as defined in Treas. Reg. § 1.150-1(b)), a cost of issuance for a bond, an expenditure for certain extraordinary working capital items (as described in Treas. Reg. § 1.148-6(d)(3)(ii)(B)), or a grant (as defined in Treas. Reg. § 1.148-6(d)(4)). Generally, the term "capital expenditure" means any cost of a type that is properly chargeable to capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Treas. Reg. § 1.150-2(c)) under general federal income tax principles. Placed in service, as so defined, means, with respect to a facility, the date on which, based on all the facts and circumstances: (a) the facility has reached a degree of completion which would permit its operation at substantially its design level; and (b) the facility is, in fact, in operation at such level.

10. The Issuer will not make any reimbursement allocation that employs an abusive arbitrage device under Treas. Reg. § 1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under §§ 142 through 147 of the Internal Revenue Code.

11. Within one year after a reimbursement allocation, funds corresponding to the proceeds of a reimbursement bond for which a reimbursement allocation was made will not be used in a manner that results in the creation of replacement proceeds (as defined in Treas. Reg. § 1.148-1) of that issue or another issue. However, the preceding sentence does not apply to amounts deposited in a bona fide debt service fund (as defined in Treas. Reg. § 1.148-1).

12. The Issuer may rely from time to time upon an opinion of its bond counsel or other nationally recognized bond counsel to the effect that the Issuer need not comply with any requirement or requirements of any of the provisions of this resolution, or that the Issuer must comply with a requirement or requirements not contained in this resolution, in order to comply with the provisions of Treas. Reg. § 1.150-2 (or successor provisions), as may be amended or otherwise changed with any requirement or requirements inconsistent with the provisions of this resolution.

13. This resolution shall take effect upon its passage.

Upon motion of Councilmember Hammond, seconded by Councilmember Scarborough, the foregoing resolution entitled: "RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES WITH RESPECT TO CERTAIN EQUIPMENT WITH PROCEEDS OF DEBT" was passed by the following vote:

Ayes: Councilmembers Campbell, Clodfelter, Hammond, McCrory,  
Majeed, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler

Noes: None

\* \* \* \* \*

I, Brenda R. Freeze, 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 said City Council at a regular meeting held August 23, 1993, as relates in any way to the passage of a resolution declaring official intent to reimburse certain expenditures with proceeds of certain reimbursement obligations, that all required notices of such meeting were given and that a reference regarding said proceedings is recorded in Minute Book 102 of the minutes of said City Council on page(s) \_\_\_\_\_ and a full copy of the foregoing resolution is recorded in Resolution Book 31 on page(s) 298-302.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held (with certain exceptions not applicable to said meeting) 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., the third Monday of each month at 6:00 P.M. (zoning), 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 North Carolina General Statutes,

Sec. 143-318.12, as of a date not less than seven days before  
said meeting.

WITNESS my hand and the official seal of said City, this 26th  
day of August, 1993.

Brenda P. Freay  
City Clerk

(SEAL)

EXTRACT FROM MINUTES OF  
MEETING 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 the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M. on August 23, 1993.

Present: Mayor Richard Vinroot, presiding, and Councilmembers Campbell, Clodfelter, Hammond, McCrory, Majeed, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler

Absent: None

Also Present: City Manager, O. Wendell White, City Attorney, Henry Underhill and City Clerk, Brenda R. Freeze

\* \* \* \* \*

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

RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES WITH RESPECT TO ACQUISITION, CONSTRUCTION AND/OR EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS WITH PROCEEDS OF DEBT

RESOLVED, by the City Council (the "City Council") of the City of Charlotte (the "Issuer") that the Issuer hereby finds, represents and covenants:

1. The Issuer intends to pay after adoption of this resolution certain expenditures of the nature described below (hereinafter sometimes called "original expenditures") incurred or to be incurred with respect to capital projects and expects to reimburse the payment of such original expenditures with proceeds

of obligations (hereinafter sometimes called "reimbursement obligations").

2. The City Council has determined that the funds to be advanced to pay the original expenditures will be available on a temporary basis and that it is necessary and desirable to declare the "official intent" of the Issuer with respect to the proposed reimbursement (hereinafter sometimes called the "reimbursement" or the "reimbursement allocation") of the original expenditures with the proceeds of the reimbursement obligations and otherwise to meet the requirements of Treas. Reg. § 1.150-2 (or successor provisions).

3. The Issuer reasonably expects to reimburse the payment of the original expenditures with proceeds of obligations which will constitute reimbursement obligations.

4. The original expenditures will be paid for certain costs in connection with the Airport Underground Storage Tank program (collectively, the "project"). The maximum principal amount of obligations expected to be issued for such purposes is \$600,000.

5. This declaration of official intent to reimburse expenditures is not declared as a matter of course or in an amount substantially in excess of the amount expected to be necessary for the project (e.g., a blanket declaration). In addition, the Issuer does not have a pattern of making blanket declarations or of failure to reimburse actual original expenditures covered by official intents (other than in extraordinary circumstances).

6. This declaration of official intent is occurring on or before payment of any related original expenditure, except as otherwise provided in Treas. Reg. § 1.150-2(f) [relating to costs of issuance of any bond and certain de minimis expenditures] or (2) [relating to certain preliminary expenditures].

7. The reimbursement allocation contemplated hereby will occur not later than 18 months after the later of (a) the date on which the original expenditure is paid, or (b) the date on which the project for which the original expenditure is paid is placed in service (as described in Treas. Reg. § 1.150-2(c)), or abandoned, but in no event more than three years after the original expenditure is paid.

8. The reimbursement allocation contemplated hereby will be an allocation in writing that evidences the Issuer's use of proceeds of a reimbursement bond to reimburse an original expenditure. An allocation made within 30 days after the issue date of a reimbursement bond may be treated as made on the issue date.

9. The original expenditures will be capital expenditures (as defined in Treas. Reg. § 1.150-1(b)), a cost of issuance for a bond, an expenditure for certain extraordinary working capital items (as described in Treas. Reg. § 1.148-6(d)(3)(ii)(B)), or a grant (as defined in Treas. Reg. § 1.148-6(d)(4)). Generally, the term "capital expenditure" means any cost of a type that is properly chargeable to capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Treas. Reg. § 1.150-2(c)) under general federal income tax principles. Placed in service, as so defined, means, with respect to a facility, the date on which, based on all the facts and circumstances: (a) the facility has reached a degree of completion which would permit its operation at substantially its design level; and (b) the facility is, in fact, in operation at such level.

10. The Issuer will not make any reimbursement allocation that employs an abusive arbitrage device under Treas. Reg. § 1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under §§ 142 through 147 of the Internal Revenue Code.

11. Within one year after a reimbursement allocation, funds corresponding to the proceeds of a reimbursement bond for which a reimbursement allocation was made will not be used in a manner that results in the creation of replacement proceeds (as defined in Treas. Reg. § 1.148-1) of that issue or another issue. However, the preceding sentence does not apply to amounts deposited in a bona fide debt service fund (as defined in Treas. Reg. § 1.148-1).

12. The Issuer may rely from time to time upon an opinion of its bond counsel or other nationally recognized bond counsel to the effect that the Issuer need not comply with any requirement or requirements of any of the provisions of this resolution, or that the Issuer must comply with a requirement or requirements not contained in this resolution, in order to comply with the provisions of Treas. Reg. § 1.150-2 (or successor provisions), as may be amended or otherwise changed with any requirement or requirements inconsistent with the provisions of this resolution.

13. This resolution shall take effect upon its passage.

Upon motion of Councilmember Patterson, seconded by Councilmember Wheeler, the foregoing resolution entitled:  
"RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE CERTAIN  
EXPENDITURES WITH RESPECT TO ACQUISITION, CONSTRUCTION AND/OR

EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS WITH PROCEEDS OF DEBT"

was passed by the following vote:

Ayes: Councilmembers Campbell, Clodfelter, Hammond, McCrory,  
Majeed, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler

Noes: None

\* \* \* \* \*

I, Brenda R. Freeze, 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 said City Council at a regular meeting held August 23, 1993, as relates in any way to the passage of a resolution declaring official intent to reimburse certain expenditures with proceeds of certain reimbursement obligations, that all required notices of such meeting were given and that a reference regarding said proceedings is recorded in Minute Book 102 of the minutes of said City Council on page(s) \_\_\_\_\_ and a full copy of the foregoing resolution is recorded in Resolution Book 31 on page(s) 303-307.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held (with certain exceptions not applicable to said meeting) 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., the third Monday of each month at 6:00 P.M. (zoning), 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 North Carolina General Statutes, Sec. 143-318.12, as of a date not less than seven days before said meeting.

WITNESS my hand and the official seal of said City, this 26th day of August, 1993.

Brenda R. Freese  
City Clerk

(SEAL)