


**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 26th day of September, 1994 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 26th day of September, 1994, the reference having been made in Minute Book 106 and recorded in full in Resolution Book 33, page(s) 28-29.

Brenda Freeze  
City Clerk

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

<u>Name</u>	<u>Amount of Refund</u>
General Electric Capital	\$ 372.06
First Union Natnl Bank	2,470.40
Little China Restaurant	470.80
Leasing Solutions Inc	819.83
Leasing Solutions Inc	487.43
Leasing Solutions Inc	318.99
Quail Hollow Country Club	480.29
Quail Hollow Country Club	162.03
Quail Hollow Country Club	357.41
Redmond Charles E	125.64
Crow-Klein-Wyatt #1	2,217.63
City-County Tax Collector	32,353.35
Total	<u>\$40,635.86</u>

A RESOLUTION AUTHORIZING THE CITY OF CHARLOTTE TO PETITION THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO TRANSFER CERTAIN STREET SEGMENTS FROM STATE MAINTENANCE TO THE CITY OF CHARLOTTE MAINTENANCE EFFECTIVE UPON APPROVAL BY NORTH CAROLINA BOARD OF TRANSPORTATION.

WHEREAS, the City of Charlotte Department of Transportation has reviewed the maintenance requirements of the following street segments:

MILES	STREET NAME	SR#	DESCRIPTION
0.05	Wild Willow Ln	4953	Hickory Forest Dr to cul-de-sac
0.25	Stone Path Ln	4954	Elmstone Dr to cul-de-sac
0.11	Hawkwood Lane	4955	Stonepath Ln to cul-de-sac
0.13	Shining Rock Cr	4956	Stonepath Ln to cul-de-sac
0.18	Thorn Hill Club Dr	4957	Elmstone Dr to SE cul-de-sac
0.11	Hastings Mill Ln	4958	Elmstone Dr to cul-de-sac
0.13	Whitfield Ridge Dr	4959	Elmstone Dr to cul-de-sac
0.16	Wolf Run Dr	4960	Whitfield Ridge Dr to cul-de-sac
0.55	Piper Glen Dr	4961	Rea Road - Old City Limits @ Links Drive
0.40	Old Course Dr	4962	Piper Glen Dr Looping @ Piper Glen
0.21	Strawberry Ln	4925	Hasting old City Limits to Rosecliff
0.37	Rosecliff Dr	4926	Strawberry Ln to Browne's Pond Ln
0.30	Browne's Pond Ln	4927	Rosecliff Dr to cul-de-sac
0.26	Coburn Ct	4928	Browne's Pond Ln to Cabell View
0.20	Pineland Pl	4929	Browne's Pond Ln to cul-de-sac
0.09	Cahill Ln	4930	Pineland Pl to cul-de-sac
0.05	Fairway Ridge	4932	City Limits to Sir Francis Drake
0.24	Sir Francis Drake	4933	Dead End to cul-de-sac
0.05	Virginia Dare Ct	4934	Sir Francis Drake Dr - cul-de-sac
	Hickory Forest Dr	4876	Creek Dale Ln to cul-de-sac
	Stevensville	4878	Hickory Forest Dr to cul-de-sac
0.33	Providence Arbours Dr	4478	McKee Rd to cul-de-sac
0.06	Heatherton Pl	4479	Providence Arbours Dr - cul-de-sac
0.05	Belvoir Ct	4480	Providence Arbours Dr - cul-de-sac
0.12	Avonwood Ln	4481	Providence Arbours Dr - cul-de-sac
0.20	Newfound Hollow	1970	Mt Holly Huntersville Rd to North Canyon Rd
0.20	North Canyon Rd	1971	cul-de-sac to cul-de-sac
0.04	Rock Knoll Dr	1975	North Canyon to cul-de-sac
0.50	Elmstone Dr	4915	
0.10	Creek Dale Ln	4963	Hickory Forest Dr to cul-de-sac

WHEREAS, the City Department of Transportation believes that the transfer of maintenance responsibility of the above-described street segments from the North Carolina Department of Transportation to the City of Charlotte to be in the best interest of the citizens of the area and community as a whole; and

WHEREAS, subject to the North Carolina Department of Transportation's acceptance, the street segments should be added to maintenance by the City of Charlotte.

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

- (1) The City of Charlotte will petition the North Carolina Department of Transportation to delete from the State Road System the following street segments:

MILES	STREET NAME	SR#	DESCRIPTION
0.05	Wild Willow Ln	4953	Hickory Forest Dr to cul-de-sac
0.25	Stone Path Ln	4954	Elmstone Dr to cul-de-sac
0.11	Hawkwood Lane	4955	Stonepath Ln to cul-de-sac
0.13	Shining Rock Cr	4956	Stonepath Ln to cul-de-sac
0.18	Thorn Hill Club Dr	4957	Elmstone Dr to SE cul-de-sac
0.11	Hastings Mill Ln	4958	Elmstone Dr to cul-de-sac
0.13	Whitfield Ridge Dr	4959	Elmstone Dr to cul-de-sac
0.16	Wolf Run Dr	4960	Whitfield Ridge Dr to cul-de-sac
0.55	Piper Glen Dr	4961	Rea Road - Old City Limits @ Links Drive
0.40	Old Course Dr	4962	Piper Glen Dr Looping @ Piper Glen
0.21	Strawberry Ln	4925	Hasting old City Limits to Rosecliff
0.37	Rosecliff Dr	4926	Strawberry Ln to Browne's Pond Ln
0.30	Browne's Pond Ln	4927	Rosecliff Dr to cul-de-sac
0.26	Coburn Ct	4928	Browne's Pond Ln to Cabell View
0.20	Pineland Pl	4929	Browne's Pond Ln to cul-de-sac
0.09	Cahill Ln	4930	Pineland Pl to cul-de-sac
0.05	Fairway Ridge	4932	City Limits to Sir Francis Drake
0.24	Sir Francis Drake	4933	Dead End to cul-de-sac
0.05	Virginia Dare Ct	4934	Sir Francis Drake Dr - cul-de-sac
	Hickory Forest Dr	4876	Creek Dale Ln to cul-de-sac
	Stevensville	4878	Hickory Forest Dr to cul-de-sac
0.33	Providence Arbours Dr	4478	McKee Rd to cul-de-sac
0.06	Heatherton Pl	4479	Providence Arbours Dr - cul-de-sac
0.05	Belvoir Ct	4480	Providence Arbours Dr - cul-de-sac
0.12	Avonwood Ln	4481	Providence Arbours Dr - cul-de-sac
0.20	Newfound Hollow	1970	Mt Holly Huntersville Rd to North Canyon Rd
0.20	North Canyon Rd	1971	cul-de-sac to cul-de-sac
0.04	Rock Knoll Dr	1975	North Canyon to cul-de-sac
0.50	Elmstone Dr	4915	
0.10	Creek Dale Ln	4963	Hickory Forest Dr to cul-de-sac

- (2) The above-described street segments be added to the maintenance responsibility of the City of Charlotte, and
- (3) The above-described transfer of maintenance responsibility becomes effective upon approval by the North Carolina Board of Transportation.

APPROVED AS TO FORM:

  
Asst. City Attorney

CERTIFICATION

I, Brenda R. 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 26th day of September, 1994, the reference having been made in Minute Book 106 and recorded in full in Resolution Book 33, Page(s) 30-32.

WITNESS my hand and corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1994.

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Brenda R. Freeze, City Clerk

CERTIFIED COPY OF RESOLUTION

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

WHEREAS, the Department of Transportation, an agency of the State of North Carolina, pursuant to the provisions of G.S. 136-18 (12) proposes to contract with the Federal Highway Administration to obtain Federal-Aid funds for the improvements in the protective devices at certain highway-railway crossings on the Municipal Street System for which the Municipality is responsible; and

WHEREAS, the Municipality will reimburse the Department of Transportation for any and all expense incurred in the planning, design and installation of the protective devices incurred by the Department of Transportation, not reimbursed by the Federal Highway Administration; and

WHEREAS, in order to carry out the aforesaid projects and to promote the public interest and general welfare of the Municipality, it is necessary for the Municipality to enter into a contract with the Department of Transportation to provide for the installation and maintenance of the protective devices at certain highway-railroad crossings on the Municipal Street System.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Director of the Department of Transportation and the Clerk of the Municipality of Charlotte, are hereby formally authorized to enter into a contract with the Department of Transportation to obtain Federal-Aid highway funds necessary to improve the protective devices at the said grade crossing, for the Department of Transportation to perform certain work, and the Director of the Department of Transportation and Clerk of the Municipality are hereby empowered to sign and execute the required agreement between the Municipality and the Department of Transportation.

I, Brenda R. Freeze, City Clerk of the Municipality of Charlotte, do hereby certify that the above is a true and correct copy of the excerpts of the Minutes of the governing body of the said Municipality of a meeting duly held on the 26th day of September, 19 94.

WITNESS my hand and the official seal of the Municipality, this the 27th day of September, 19 94.

\_\_\_\_\_  
Brenda R. Freeze, City Clerk

(SEAL)

Municipality of: Charlotte

**RESOLUTION**

EXTRACT FROM THE MINUTES OF A regular MEETING  
OF THE Charlotte City Council HELD ON September 26,  
1994

The following resolution was introduced by Councilmember Scarborough  
seconded by Councilmember Wheeler read in full, considered

and adopted.

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND  
RATIFYING THE EXECUTION OF THE GRANT AGREEMENT FOR PROJECT  
NUMBER 3-37-0012-21 BETWEEN THE UNITED STATES OF  
AMERICA AND THE CITY OF CHARLOTTE, NORTH CAROLINA

BE IT RESOLVED, by the CITY COUNCIL of THE CITY OF CHARLOTTE, NORTH CAROLINA

SECTION 1. That said City Council hereby

authorizes, adopts, approves, accepts and ratifies the execution of  
Grant Amendment between the Federal Aviation Administration on

behalf of the United States of America and

the City of Charlotte, North Carolina

SECTION 2. That the Execution of said Grant Agreement in

quadruplicate on behalf of said City Council

by T. J. Orr, Aviation Director

and the impression of the official seal of the City of Charlotte

and the attestation by Brenda Freeze; City Clerk is  
hereby authorized, adopted, approved, accepted and ratified.

SECTION 3. That the Aviation Director is hereby  
authorized to execute payment requests under this Grant Agreement

on behalf of said City of Charlotte.

CERTIFICATION

I, Brenda R. 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 26th day of September, 1994, the reference having been made in Minute Book 106 and recorded in full in Resolution Book 33, Page(s) 34-35.

WITNESS my hand and corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1994.

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Brenda R. Freeze, 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 Carmel Road Widening; 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

Edward R. McHenry, Jr.; Jane L. McHenry; Wachovia Bank & Trust Company, Beneficiary; Any Other Parties in Interest

Property Description

1,254.70 square feet for fee-simple; 2,602.60 square feet for a temporary construction easement; and any additional property or interest as the City may determine to complete the project, as it relates to Tax Parcel No. 211-173-02.

Appraised Value

\$ 4,200.00 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:

  
\_\_\_\_\_  
Deputy City Attorney

CERTIFICATION

I, Brenda R. 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 26th day of September, 1994, the reference having been made in Minute Book 106 and recorded in full in Resolution Book 33, Page(s) 36-37.

WITNESS my hand and corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1994.

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Brenda R. Freeze, 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 Mallard Creek Tributary Outfall Project; and

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

James Frosst Alexander; Martha B. Alexander; Edward C. Boone, and spouse, if any; John William Alexander and spouse, if any; Stella Alexander Harman and spouse, if any; Any Other Parties in Interest.

Property Description


13,673.60 square feet for fee-simple; 14,493.80 square feet for a temporary construction easement; and any additional property or interest as the City may determine to complete the project, as it relates to Tax Parcel No. 047-181-14.

Appraised Value

\$ 3,100.00 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:



Deputy City Attorney

CERTIFICATION

I, Brenda R. 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 26th day of September, 1994, the reference having been made in Minute Book 106 and recorded in full in Resolution Book 33, Page(s) 38-39.

WITNESS my hand and corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1994.

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Brenda R. Freeze, 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 Dedham Place Sanitary Sewer Right-of-Way Project; and

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

Michael J. Zupon and wife, Lorraine S. Zupon; NationsBank Mortgage Corporation, Beneficiary; Central Carolina Bank and Trust Company, Beneficiary; Any Other Parties in Interest

Property Description

1,845 square feet for a permanent 15-foot sanitary sewer easement; 1,872 square feet for a temporary construction easement; and any additional property or interest as the City may determine to complete the project, as it relates to Tax Parcel No. 183-111-48.

Appraised Value

\$ 6,350.00 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, Brenda R. 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 26th day of September, 1994, the reference having been made in Minute Book 106 and recorded in full in Resolution Book 33, Page(s) 40-41.

WITNESS my hand and corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1994.

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Brenda R. Freeze, City Clerk

## RESOLUTION

EXTRACT FROM THE MINUTES OF A regular  
MEETING OF THE Charlotte City Council  
HELD ON September 26, 1994

The following resolution was introduced by Councilmember Martin  
seconded by Councilmember Scarborough, read in full, considered  
and adopted.

**WHEREAS**, USAir operates over 500 daily flights to 145 non-stop destinations, including London and Frankfurt from Charlotte/Douglas International Airport; and,

**WHEREAS**, USAir provides a vital contribution to the economy of the Charlotte region providing safe and efficient air service linking our community with the nation and the world, and fueling the growth of commerce and industry in our area; and,

**WHEREAS**, USAir locally employs over 7,000 highly skilled workers, directly contributing over \$350,000,000 annually to the region's economy; and,

**WHEREAS**, the adverse financial conditions of the aviation industry in the last few years, coupled with the recent airline tragedies have proved to be difficult for the aviation industry, especially for USAir and its employees;

**NOW, THEREFORE BE IT RESOLVED**, that the City of Charlotte hereby expresses appreciation and continued support to USAir and its employees for their dedication and service to our community.

This, the 26th day of September, 1994.

SPONSOR SEAL      Signed: \_\_\_\_\_  
                            Title: City Clerk  
                            Of The: City of Charlotte, North Carolina

CERTIFICATION

I, Brenda R. 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 26th day of September, 1994, the reference having been made in Minute Book 106 and recorded in full in Resolution Book 33, Page(s) 42-43.

WITNESS my hand and corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1994.

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Brenda R. Freeze, City Clerk



RESOLUTION AFFIRMING THE ESSENTIALITY OF  
WATER, SEWER, AND STORM WATER DRAINAGE  
CAPITAL PROJECTS TO BE FINANCED WITH VOTER-  
APPROVED GENERAL OBLIGATION BONDS ON THE  
UPCOMING NOVEMBER REFERENDUM BALLOT OR WITH  
OTHER FINANCING METHODS, SUCH AS, BUT NOT  
LIMITED TO, REVENUE BONDS

WHEREAS, the City Council (the "City Council") of the City of Charlotte ("the City") has determined on July 25, 1994 that it was essential to implement the water, sewer and storm projects described in the bond referendum on November 8, 1994 for the purpose of authorizing \$69,110,000 water bonds, \$59,730,000 sanitary sewer bonds, and \$25,000,000 storm water drainage bonds;

WHEREAS, given current market conditions, general obligation bonds are the most cost-effective method of financing these capital projects;

WHEREAS, the 1994 Bond Committee has recommended that City Council take action confirming that these projects will be undertaken with either voter-approved general obligation bonds or other financing methods, such as, but not limited to, revenue bonds;

WHEREAS, proceeds from general obligation bonds issued pursuant to the above-referenced referendum authorized bonds could be used for certain water, sewer, and storm water drainage capital projects which are needed at present;

WHEREAS, the City's utility systems have historically operated on a self-supporting basis generating sufficient funds to pay operations and maintenance, as well as all necessary debt service, which philosophy will be continued with the proceeds of the bonds to be approved in the referendum;

WHEREAS, the City Council has determined that the proposed bonds are important to the City and its residents and that among the projects to be funded in whole or part with the bond proceeds are:

From Water Bonds - to upgrade pumping stations, construct and expand water treatment facilities, construct and rehabilitate storage tanks and construct or extend various water mains throughout the existing system;

From Sewer Bonds - to expand and improve existing treatment plant facilities, relocate, rehabilitate, extend and construct various sewer lines, pumping stations and related facilities;

From Storm Drainage Bonds - to begin the process of rehabilitating the City's existing storm drainage system and improve public health and safety by reducing street and private property flooding and erosion.

RESOLVED, that this City Council determined on July 25, 1994 that the water, sewer, and storm drainage projects proposed to be financed by the proceeds of voter-approved general obligation bonds on the upcoming November referendum ballot continue to be essential to meet the current needs and future demands of the City's infra-structure, that a sound financing program is necessary to complete certain water and sewer projects currently in progress and that the timely completion of such projects are necessary to meet the current and future water and sewer needs of the City and to promote and insure public health and safety and the maintenance of the City's storm water drainage program in a sound environmental fashion;

FURTHER RESOLVED, that City Council continues to urge active support for the general obligation bonds as the most economical method of financing such needed projects;

FURTHER RESOLVED, that these projects be undertaken at present with financing from either voter-approved general obligation bonds or other financing methods;

FURTHER RESOLVED, by the City Council that the appropriate officers of the City and the 1994 Bond Committee 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.

This resolution shall take effect upon its passage.

CERTIFICATION

I, Brenda R. 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 26th day of September, 1994, the reference having been made in Minute Book 106 and recorded in full in Resolution Book 33, Page(s) 44-46.

WITNESS my hand and corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1994.

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Brenda R. Freeze, City Clerk