

**RESOLUTION DECLARING AN INTENT TO ABANDON AND
CLOSE A PORTION OF WEDDINGTON AVENUE LOCATED BETWEEN
LAUREL AVENUE AND NORTH OF EAST SEVENTH STREET IN THE
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA**

WHEREAS, David R. Krug has filed a Petition to close a portion of Weddington Avenue in the City of Charlotte; and

WHEREAS, the portion of Weddington Avenue as petitioned to be closed lies north of East Seventh Street and east of Laurel Avenue as shown in a map marked "Exhibit A," and is more particularly described by metes and bounds in a document marked "Exhibit B," both of which are available for inspection in the Office of the City Clerk, City Hall, Charlotte, North Carolina.

WHEREAS, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said Statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, at its regularly scheduled session of July 22, 1996, that it intends to close a portion of Weddington Avenue lying east of Laurel Avenue and north of East Seventh Street, said portion of that street being more particularly described on a map and by a metes and bounds description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7:00 pm., on Monday, the 26 th day of August, 1996, at in the CMGC Meeting Chamber, 600 E. Fourth St., Charlotte, NC.

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

CERTIFICATION

I, 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 22nd day of July, 1996, the reference having been made in Minute Book 109, and recorded in full in Resolution Book 34, Page(s) 211.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of July, 1996.

Brenda R. Freeze
Brenda R. Freeze, City Clerk

A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES

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

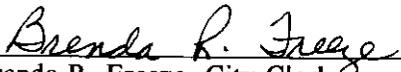
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time 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 22nd day of July, 1996 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.

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 22nd day of July, 1996, the reference having been made in Minute Book 109, and recorded in full in Resolution Book 34, Page(s) 212-213.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of July, 1996.



Brenda R. Freeze, City Clerk

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

<u>Name</u>	<u>Amount of Refund</u>
Quail Hollow Associates L P	\$25,729.24
Quail Hollow Associates L P	1,594.86
Quail Hollow Associates L P	32,377.39
Quail Hollow Property Cor	334.10
Quail Hollow Property Cor	599.59
Charlie and Barney's Bar & Grill	257.77
Carolina Shows, Inc.	771.00
Total	<u>\$61,663.95</u>

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

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

WHEREAS, the North Carolina Department of Transportation and the City of Charlotte proposed to make certain street and highway improvements consisting of the construction of sidewalks along both sides of Providence Road (NC 16) from Pineville-Matthews Road (NC 51) to Blueberry Lane; and,

WHEREAS, the Department and the Municipality propose to enter into an agreement for the construction of the aforementioned highway improvement; and,

WHEREAS, the Department shall be responsible for the design and construction of said sidewalk as part of the Providence Road (NC 16) Widening Project (U-2510C); and,

WHEREAS, said agreement provides for the Municipality to be responsible for fifty percent (50%) of all costs associated with the construction of said sidewalks inside the City limits; and,

WHEREAS, said agreement provides for the Municipality to be responsible for the relocation and adjustment of municipally-owned utilities and those under franchise agreement; and,

WHEREAS, said agreement provides for the Municipality to be responsible for all liability and maintenance responsibilities for said sidewalks upon completion of the project; and,

NOW, THEREFORE, BE IT RESOLVED that the Project U-2510C, Mecklenburg County, is hereby formally approved by the City Council of the Municipality of Charlotte and that the Transportation Director 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 22nd day of July, 1996, and the reference having been made in Minute Book 109, and recorded in full Resolution Book 34, Page 214.

WITNESS, my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of July, 1996.

(SEAL)

Brenda R. Freeze
Brenda Freeze, City Clerk

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

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly 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 July 22, 1996.

Members Present: Mayor Patrick McCrory, presiding, and Councilmembers Baker, Cannon, Greene, Jackson, Majeed, Scarborough, Spencer, and Wheeler.

Members Absent: Councilmembers Reid and Sellers

Also Present: Pam Syfert, Acting City Manager, DeWitt McCarley, City Attorney, and Brenda R. Freeze, City Clerk

* * * * *

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

RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA, DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF ENTERPRISE SYSTEMS REVENUE BONDS; REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE CITY'S ENTERPRISE SYSTEMS REVENUE BONDS, SERIES 1996; AND CERTAIN RELATED MATTERS

WHEREAS, the City Council (the "City Council") of the City of Charlotte, North Carolina (the "City") hereby determines that it is necessary to improve its water and sanitary sewer systems (the "Utilities System"), including, but not limited to the installation of water and sewer lines, expansion, rehabilitation and upgrades of treatment plants and acquisition of private water lines (the "Project") at an estimated cost not to exceed \$50,000,000 (the "Project");

WHEREAS, the City Council is considering the issuance of not to exceed \$50,000,000 Enterprise Systems Revenue Bonds, Series 1996 of the City (the "Bonds") to finance the Project;

WHEREAS, the City Council hereby (A) retains Smith Helms Mulliss & Moore, L.L.P. of Charlotte, North Carolina as bond counsel, (B) retains Alex. Brown & Sons Incorporated of Charlotte, North Carolina, as financial advisor to the City, (C) retains First Union Capital Markets Corp., NationsBanc Capital Markets, Inc. and Interstate/Johnson Lane Corporation, as underwriters, and NationsBank, N.A., as placement agent for the underwriters, (D) approves Parker, Poe, Adams & Bernstein L.L.P. of Charlotte, North Carolina, as underwriters' counsel and (E) retains First Union National Bank of North Carolina of Charlotte, North Carolina, as trustee for the Bonds; and

WHEREAS, the City Council hereby directs the Director of Finance of the City to file with the North Carolina Local Government Commission (the "Commission") an application for its approval of the Bonds, on a form prescribed by the Commission, and will (i) request in such application that the Commission approve (A) the negotiation of the sale of the Bonds to First Union Capital Markets Corp., NationsBanc Capital Markets, Inc. and Interstate/Johnson Lane Corporation, as underwriters, and NationsBank, N.A., as placement agent for the underwriters, (B) the City's use of Alex. Brown & Sons Incorporated, as financial advisor to the City for the Bonds, (C) the City's use of Smith Helms Mulliss & Moore, L.L.P., as bond counsel for the City, (D) the use of Parker, Poe, Adams & Bernstein L.L.P., as underwriters' counsel and (E) the City's use of First Union National Bank of North Carolina, as trustee, and (ii) state in such application such facts and to attach thereto such exhibits in regard to the Bonds and to the City and its financial condition, as may be required by the Commission, and to take all other action necessary to the issuance of the Bonds.

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

Section 1. That the Bonds are to be issued by the City for the purpose of providing funds (i) to finance the costs of the Project and (ii) to pay the costs of issuing the Bonds all as set out fully in the Preliminary Official Statement and other documents attached to the City's application to the Commission. The use of the proceeds of the Bonds, as described, is necessary in order to meet the expanding needs of the users of the Utilities System and to assure that the Utilities System remains in full compliance with all state and federal requirements for the provision of water and sanitary sewer services.

Section 2. That (1) shall hereby be retained to serve Smith Helms Mulliss & Moore, L.L.P., as bond counsel, (2) Alex. Brown & Sons Incorporated shall hereby be retained to serve as financial advisor, (3) First Union Capital Markets Corp., NationsBanc Capital Markets, Inc. and Interstate/Johnson Lane Corporation, as underwriters, and NationsBank, N.A., as placement agent for the underwriters, shall hereby be retained to served as underwriters and placement agent, respectively, (4) Parker, Poe, Adams & Bernstein L.L.P. shall hereby be approved as underwriters' counsel and (5) First Union National Bank of North Carolina shall hereby be retained as trustee for the Bonds.

Section 3. That the Director of Finance of the City with advise from the City Manager and bond counsel, is hereby authorized, directed and designated to file an application with the North Carolina Local Government Commission for its approval of the issuance of the Bonds.

Section 4. That the City Council finds and determines and asks the Commission to find and determine from the City's application and supporting documentation:

- (a) that the issuance of the Bonds is necessary or expedient;
- (b) that the not to exceed stated principal amount of the Bonds will be sufficient but is not excessive, when added to other moneys available to the Utilities System, for the proposed Project;
- (c) that the Utilities System as now constituted and as it will be constituted after the completion of the Project is feasible;
- (d) that the City's debt management procedure and policies are excellent; and
- (e) that the Bonds can be marketed at a reasonable interest cost to the City.

Section 5. That the Mayor, the City Manager and the Director of Finance are hereby authorized to do any and all other things necessary to complete the steps necessary for the issuance of the Bonds.

Section 6. That the City Council requests that the Commission sell the Bonds through negotiation to First Union Capital Markets Corp., NationsBanc Capital Markets, Inc. and Interstate/Johnson Lane Corporation on such terms as may be agreed on but at a true interest cost not exceeding 7.00%.

Section 7. That this Resolution shall become effective on the date of its adoption.

On motion of Councilmember Wheeler, seconded by Councilmember Rousso, the foregoing resolution entitled: **"RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA, DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF ENTERPRISE SYSTEMS REVENUE BONDS; REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE CITY'S ENTERPRISE SYSTEMS REVENUE BONDS, SERIES 1996; AND CERTAIN RELATED MATTERS"** was passed by the following vote:

AYES: Unanimous

NAYS: _____

PASSED, ADOPTED AND APPROVED this 22nd day of July, 1996.

CITY OF CHARLOTTE, NORTH CAROLINA

[SEAL]

By: Brenda R. Freeze
Brenda R. Freeze, City Clerk

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

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held at the Meeting Chamber, the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M., on July 22, 1996.

Present: Mayor Patrick McCrory, presiding, and
Councilmembers Baker, Cannon, Greene, Jackson, Majeed, Rousso,
Scarborough, Spencer, and Wheeler

Absent: Councilmembers Reid and Councilmember Sellers

Also present: Pam Syfert, Acting City Manager, DeWitt McCarley,
City Attorney, and Brenda R. Freeze, City Clerk

* * * * *
Wheeler (for Street Bonds)
Councilmember Rousso (for Neighborhood) introduced the
following two orders authorizing bonds, a summary of which had
been provided to each Councilmember, copies of which were
available with the City Clerk and which were read by title:

ORDER AUTHORIZING \$66,375,000
STREET BONDS

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, is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Street Bonds in an aggregate principal amount not exceeding \$66,375,000 for the

purpose of providing funds, with any other available funds, for enlarging, extending and improving the street and road system of said City, including streets and roads constituting a part of the state highway system, including, without limiting the generality of the foregoing, related studies, plans and design and acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads and intersections and acquiring, constructing, reconstructing or improving bridges, overpasses, underpasses, grade crossings, sidewalks, curbs, gutters and drains and providing related landscaping, lighting, traffic controls, signals and markers and acquiring any necessary land, interests in land and rights-of-way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect when approved by the voters of said City at a referendum as provided in said Act.

ORDER AUTHORIZING \$32,000,000
NEIGHBORHOOD IMPROVEMENT BONDS

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, is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Neighborhood

Improvement Bonds in an aggregate principal amount not exceeding \$32,000,000 for the purpose of providing funds, with any other available funds, for infrastructure improvements in various neighborhoods of said City, including, without limiting the generality of the foregoing, related studies, plans and design and acquiring, constructing, reconstructing, improving, installing or providing curbs, gutters, storm drainage facilities on public and private property and sidewalks and acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads and intersections and providing related landscaping and lighting and acquiring any necessary equipment, land, interests in land and rights-of-way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect when approved by the voters of said City at a referendum as provided in said Act.

The City Council thereupon designated any of the Director of Finance, the Deputy Director of Finance or the City Treasurer as the officer whose duty it shall be to make and file with the City Clerk the sworn statement of debt of the City which is required by The Local Government Bond Act, as amended, to be filed after a bond order has been introduced and before the public hearing thereon.

Thereupon the Director of Finance filed with the City Clerk, in the presence of the City Council, the sworn statement of debt as so required.

Thereupon the order entitled: "ORDER AUTHORIZING \$66,375,000 STREET BONDS" was passed on first reading.

Thereupon the order entitled: "ORDER AUTHORIZING \$32,000,000 NEIGHBORHOOD IMPROVEMENT BONDS" was passed on first reading.

On motion duly made, seconded and passed, the City Council fixed 7:00 P.M., August 26, 1996, at the Meeting Chamber, the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, in Charlotte, North Carolina, as the hour, day and place for the public hearing upon the foregoing orders and directed that the City Clerk publish said orders, together with the appended statement giving notice of said hearing as required by The Local Government Bond Act, as amended, once in The Charlotte Observer not later than the sixth day before said date.

* * * * *

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 recorded proceedings of the City Council of said City at a regular meeting held on July 22, 1996 as relates in any way to the introduction and passage on first reading of two orders authorizing bonds of said City and the calling of a public hearing upon such orders and that references regarding said proceedings are recorded in Minute Book No. 109 of said City Council, beginning at page ___ and ending at page ___,

and a full copy of the foregoing orders is recorded in Resolution Book No. 34 of said City Council, beginning at page 220 and ending at page 224.

I DO 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, 600 East Fourth Street, 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 as of a date not less than seven days before the date of said meeting in accordance with G.S. § 143-318.12.

WITNESS my hand and the seal of said City, this 24th day of July, 1996.



Brenda R. Freeze, 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 Wheeler and
seconded by Councilmember Rousso for the adoption of the
following Resolution, and upon being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation, with participation by the City of Charlotte, acquired real property Between Cedar Street and Interstate 77 in downtown Charlotte; and,

WHEREAS, the City of Charlotte wishes to lease Tracts #3 and #6 from the Department to construct parking for the NFL Stadium and retail customers in Charlotte; and,

WHEREAS, the City of Charlotte, at no expense to the Department, shall construct the improvements and charge a fee for parking; and,

WHEREAS, the City of Charlotte and the Department shall share the net proceeds from parking fees on a 60/40% ratio, with the Department receiving 60% and the City of Charlotte receiving 40%; and,

WHEREAS, the City of Charlotte shall assume all maintenance and liability responsibilities for the parking facilities on Tracts #3 and #6.

NOW, THEREFORE, BE IT RESOLVED that Project 9.9080106, 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 22nd day of July, 1996, and the reference having been made in Minute Book 109, and recorded in full in Resolution Book 34, Page 225.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of July, 1996.

Brenda R. Freeze
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 **Beards Creek & Crooked Creek Trunks and Pump Station Project**; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **Beards Creek & Crooked Creek Trunks and Pump Station Project**, estimated to be approximately 1,701 square feet (.039 acre) for a 15' sanitary sewer easement and 2,269 square feet (.052 acre) 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. 193-322-11, said property currently owned by: ROBERT GUY POWELL III and wife, MARILYN COREY POWELL; THOMAS H. LEGGETT, Trustee; UNITED CAROLINA BANK, Beneficiary; or the owners' successors-in-interest.

ESTIMATED JUST COMPENSATION:

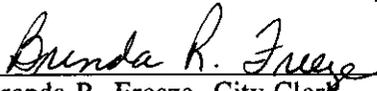
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, 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 22nd day of July, 1996, the reference having been made in Minute Book 109, and recorded in full in Resolution Book 34, Page(s) 226-227.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of August, 1996.



Brenda R. Freeze, City Clerk

RESOLUTION CLOSING POINSETT STREET
LOCATED BETWEEN McARTHUR AVENUE AND JUSTICE AVENUE
IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY,
NORTH CAROLINA

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

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

WHEREAS, the petitioner has provided easements to Charlotte-Mecklenburg Utility Department, Duke Power Company, and BellSouth Telecommunications, Inc. for the installation, maintenance, replacement, and repair of their facilities as shown in an attached map marked "Exhibit A".

WHEREAS, the public hearing was held on the 22nd day of July, 1996, and City Council determined that the closing of (name of street) is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly assembled meeting of July 22, 1996, that the Council hereby orders the closing of Poinsett Street in the City of Charlotte, Mecklenburg County, North Carolina as shown in a map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" attached hereto and made a part hereof.

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 22nd day of July, 1996, the reference having been made in Minute Book 109, page , and recorded in full in Resolution Book 34, page 228-230.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 24th day of July, 1996.

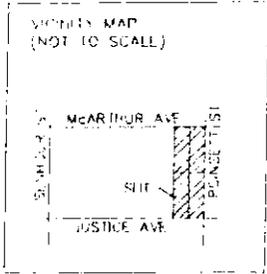
Brenda R. Freeze
Brenda R. Freeze, City Clerk

THIS IS TO CERTIFY THAT ON THE 22nd DAY OF JULY, 1996, THAT MAP WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES WERE PLOTTED FROM INFORMATION PROVIDED BY OTHERS. NO ACTUAL FIELD SURVEY WAS PERFORMED IN THE PREPARATION OF THIS MAP.
 REVISED MARCH 21, 1996 - SHOW SANITARY SEWER EASEMENT.

SIGNED

C. Clark Nelson

R. B. PHARR & ASSOCIATES, REGISTERED SURVEYORS
 1000 W. HARRIS STREET
 CHARLOTTE, N.C. 28204
 TEL. (704) 336-2186



MATTHEW YOUNG
 DEED 4331, PAGE 997

LOT 11
 BLOCK 22
 STATESVILLE AVENUE TERRACE
 MAP BOOK 4-676

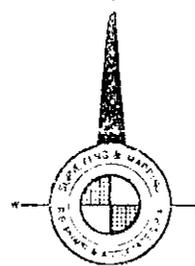
MAGGIE COLEMAN
 DEED 1374, PAGE 370

LOT 10
 BLOCK 22
 STATESVILLE AVENUE TERRACE
 MAP BOOK 4-676

SAINT JAMES UNITED
 CHURCH OF GOD
 DEED 7990, PAGE 928

UTILITIES:
 SEWER - EARL LINEBERGER (391-5094)
 DUKE POWER COMPANY - BILLY COFFEY (594-9345)
 BELLSOUTH - JAY BONDYLOTT (357-3801)

MCARTHUR AVENUE
 (50' R/W - NOT OPEN)



REFERENCE TO MAP ON
 R.B. PHARR & ASSOCIATES MAP ON
 LOT 3, BLOCK 22, STATESVILLE AVENUE
 TERRACE, DATE: JAN 27, 1997

C.L. PRICE
 DEED 5432, PAGE 284

LOT 20
 BLOCK 22
 STATESVILLE AVENUE TERRACE
 MAP BOOK 4-676

R.E. KUNKLEMAN
 DEED 2862, PAGE 487

LOT 7
 BLOCK 23
 STATESVILLE AVENUE TERRACE
 MAP BOOK 4-676

POINSETT STREET
 (50' R/W - NOT OPEN)

TOTAL AREA TO BE
 REMOVED FROM DEDICATION:
 15,000 SQ. FT.
 0.344 ACRE

LINE TABLE

L1	S 89° 59' 00" E	25.00'
L2	S 89° 59' 00" E	25.00'
L3	S 89° 59' 00" E	25.00'

JUSTICE AVENUE
 (50' R/W - NOT OPEN)

A MAP OF:
 A PORTION OF POINSETT STREET TO BE REMOVED FROM DEDICATION

CHARLOTTE, N.C.
 MAGGIE COLEMAN

MAP PREPARED FOR:
 SCALE 1" = 40'
 MAP BOOK 4 PAGE 676

EASEMENTS IN FAVOR OF CHARLOTTE-MECKLENBURG UTILITY DEPT., DUKE POWER CO., AND BELLSOUTH TELECOMMUNICATIONS, INC. UPON, UNDER, AND ACROSS THE AREA SHOWN FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF SANITARY SEWER LINE, POLES, CABLE, WIRE, AND RELATED EQUIPMENT, INCLUDING THE RIGHT TO TRIM TREES AND VEGETATION AS REQUIRED.

LEGAL DESCRIPTION

A Portion of Poinsett Street to be Removed From Dedication

Being a portion of the 50-foot right-of-way of Poinsett Street located in Charlotte, Mecklenburg County, North Carolina, and being specifically that portion of the right-of-way of Poinsett Street bounded by McArthur Avenue to the north and Justice Avenue to the south as shown in Map Book 4, Page 676 of the Mecklenburg County Public Registry, and being more particularly described as follows:

BEGINNING at a point formed by the intersection of the southerly margin of McArthur Avenue (50-foot public right-of-way) with the easterly margin of Poinsett Street (50-foot public right-of-way), said point also being the northwesterly corner of Lot 20, Block 23, Statesville Avenue Terrace, as shown in Map Book 4, Page 676 of the Mecklenburg County Public Registry, and runs thence with the easterly margin of Poinsett Street South 00-01-00 West 300.00 feet to a point at the southwesterly corner of Lot 1, Block 23, said point being the intersection of the easterly margin of Poinsett Street with the northerly margin of Justice Avenue (50-foot public right-of-way); thence along the northerly margin of Justice Avenue and crossing Poinsett Street North 89-33-00 West 50.00 feet to a point at the southeasterly corner of Lot 10, Block 22, said point being the intersection of the northerly margin of Justice Avenue with the westerly margin of Poinsett Street; thence with the westerly margin of Poinsett Street North 00-01-00 East 300.00 feet to a point at the northeasterly corner of Lot 11, Block 22, said point being the intersection of the westerly margin of Poinsett Street with the southerly margin of McArthur Avenue; thence with the southerly margin of McArthur Avenue, and crossing Poinsett Street, South 89-33-00 East 50.00 feet to the point and place of **BEGINNING**, containing 15,000 square feet or 0.344 acre within the margins of Poinsett Street to be removed from dedication, and being shown on a map prepared by R. B. Pharr & Associates, P.A., dated January 25, 1996.

RESOLUTION CLOSING CHINA GROVE CHURCH ROAD
LOCATED SOUTH OF PACKARD STREET IN THE CITY OF
CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to Close a portion of China Grove Church 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 China Grove Church 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 China Grove Church Road, all as required by G.S. 160A-299; and

WHEREAS, the petitioner has provided easements to Duke Power Company, BellSouth Telecommunications, Inc., and City of Charlotte to access and maintain their facilities as shown in the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 22nd of July, 19 96 , and City Council determined that the closing of a portion of China Grove Church 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, at its regularly assembled meeting of July 22, 1996, that the Council hereby orders the closing of a portion of China Grove Church Road in the City of Charlotte, Mecklenburg County, North Carolina as shown in the map marked Exhibit A and described by metes and bounds in Exhibit B attached hereto and made a part hereof.

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 22nd day of July, 19 96, the reference having been made in Minute Book 109, page , and recorded in full in Resolution Book 34, page 231-233.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 24th day of July, 1996.

Brenda R. Freeze

Brenda R. Freeze, City Clerk

LEGAL DESCRIPTION

A Portion of China Grove Church Road
To Be Removed From Dedication

Being a portion of the 40-foot wide right-of-way of China Grove Church Road located in Charlotte, Mecklenburg County, North Carolina, said portion of China Grove Church Road being more particularly described as follows:

TRACT 1

BEGINNING at an existing iron pin on the westerly margin of China Grove Church Road (40-foot right-of-way), said iron being the southeasterly rear corner of Lot 49, Sterling Forest Subdivision, Phase 2, as shown in Map Book 26, Page 557 of the Mecklenburg County Public Registry, and runs thence from said **BEGINNING** point with a new line North 81-51-21 East 21.83 feet to a new nail in the center line of China Grove Church Road; thence with the center line of China Grove Church Road with the arc of a circular curve to the left having a radius of 642.86 feet for an arc distance of 135.95 feet (chord: South 14-12-09 East 135.70 feet) to a new iron pin in the northerly margin of Interstate Highway 485 (variable right-of-way); thence with the northerly margin of Interstate Highway 485 the following two (2) courses and distances: 1.) North 61-08-31 West 34.16 feet to a new iron pin; 2.) with the arc of a circular curve to the right having a radius of 697.37 feet for an arc distance of 30.63 feet (chord: North 16-02-16 West 30.63 feet) to a new iron pin on the westerly margin of China Grove Church Road, said iron also being the southeasterly corner of the North Carolina Department of Transportation Property; thence with the westerly margin of China Grove Church Road with the arc of a circular curve to the right having a radius of 697.37 feet for an arc distance of 114.85 feet to the point and place of **BEGINNING**, containing 2,932 square feet or 0.064 acre as shown on a map by R. B. Pharr & Associates, P.A., dated May 5, 1996.

TRACT 2

BEGINNING at an existing iron pin marking the intersection of the easterly margin of China Grove Church Road (40-foot right-of-way) with the northerly margin of Interstate Highway 485 (variable right-of-way), said iron being the southwesterly corner of the Miller Cureton Associates, Inc. Property as described in Deed Book 7800, Page 821 of the Mecklenburg County Public Registry and runs thence with the northerly margin of Interstate Highway 485 North 61-08-31 West 34.16 feet to a new iron pin in the center line of China Grove Church Road; thence with the center line of China Grove Church Road with the arc of a circular curve to the right having a radius of 642.86 feet for an arc distance of 135.95 feet (chord: North 14-12-09 West 135.70 feet) to a new nail; thence North 81-51-21 East 21.80 feet to a new iron pin on the easterly margin of China Grove Church Road; thence with the easterly margin of China Grove Church Road with the arc of a circular curve to the left having a radius of 635.00 feet for an arc distance of 157.15 feet (chord: South 15-24-01 East 156.75 feet) to the point and place of **BEGINNING**, containing 3,356 square feet or 0.074 acre as shown on a map by R. B. Pharr and Associates, P.A., dated May 5, 1996.

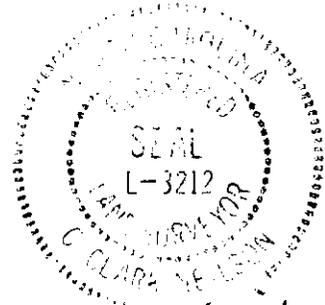
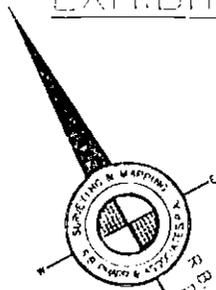
July 22, 1996

Ordinance Book 47, Page 233

R.B. PHARR & ASSOCIATES, P.A.
1900 EAST SEVENTH STREET
CHARLOTTE, N.C. 28204
376-2186

EXHIBIT A

DATE: MAY 29, 1996



E.I.P. IN THE
NORTHEAST
CORNER OF
LOT 52.
(M.B. J-489)

REFERENCE: 1983
R.B. PHARR MAP XX-1983
DATE: APRIL 12, 1993

C. Clark Nelson

MILLER CURETON ASSOCIATES INC.
7800-821
205-104-22

STERLING FOREST
SUBDIVISION PHASE 2
MAP BOOK 26, PAGE 557

CHINA GROVE CHURCH ROAD
(40' PUBLIC R/W)
NET AREA: 3,356 SQ.FT. S 15' 24" CHORD: 156.75'
OR 0.074 ACRE

LOT 49

LOT 43

N.C.D.O.T.
NET AREA: 3,835 SQ.FT.
OR 0.084 ACRE

NET AREA: 2,932 SQ.FT.
OR 0.064 ACRE

I-485 (OUTER LOOP)
(VARIABLE PUBLIC R/W)

NOTE: EASEMENT IN FAVOR OF DUKE POWER COMPANY, BILLSOUTH TELECOMMUNICATIONS, INC., AND CITY OF CHARLOTTE UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE, WIRES, STORM DRAIN PIPE, AND RELATED EQUIPMENT.

TOTAL AREA: 7,191 SQ.FT.
OR 0.158 ACRE

NOTE: THE REAR PROPERTY LINE OF THE NCDOT PROPERTY WAS PLACED 1.0 FOOT OFF FENCE LINE.

CURVE TABLE			
CURVE	CHORD	RADIUS & ARC	
C1	S 07° 28' 04" E 18.68'	R=635.00	L=18.68

MAP OF:
A PORTION OF CHINA GROVE CHURCH ROAD TO BE REMOVED FROM DEDICATION

CHARLOTTE N.C.

THE PROPERTY OF KAREN A.C. SHAW / PRECIOUS CHILD ACADEMY

SCALE 1"=30'

MAP BOOK 26 PAGE 557
DEED BOOK 3 PAGE 489

FLOOD CERTIFICATION
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 26, 1982

**RESOLUTION CLOSING BEECH STREET
LOCATED BETWEEN MULBERRY CHURCH ROAD
AND SLOAN DRIVE
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 Abandon and Close Beech Street which calls for a public hearing on the question; and,

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

WHEREAS, the public hearing was held on the 22nd day of July, 1996, and City Council determined that the closing of Beech Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly assembled meeting of July 22, 1996, that the Council hereby orders the closing of Beech Street in the City of Charlotte, Mecklenburg County, North Carolina as shown in map marked as Exhibit A attached hereto and described by metes and bounds in Exhibit B attached hereto.

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 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 22nd day of July, 1996, the reference having been made in Minute Book 109, page , and recorded in full in Resolution Book 34, page 234-236

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of July, 1996.

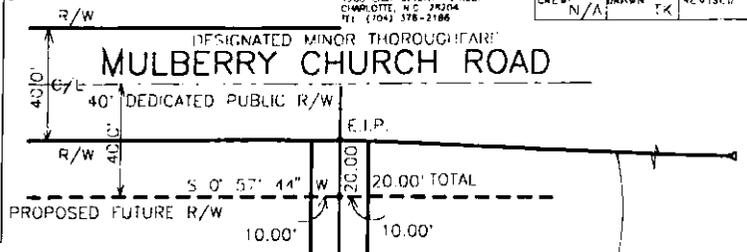
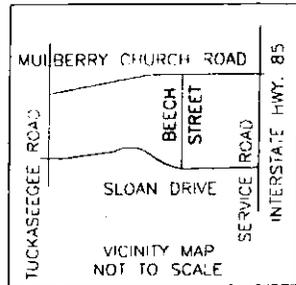


Brenda R. Freeze, City Clerk

July 22, 1996
 Resolution Book 34,
 Page 235

THIS IS TO CERTIFY THAT ON THE 30 DAY OF JANUARY 19 96 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1600 (21 NCAC 56) AND THE ERROR OF CLOSURE FOR THIS PARCEL DOES NOT EXCEED ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

SIGNED: C. Clark Nelson
 R. B. PHARR & ASSOCIATES, REGISTERED SURVEYORS
 1900 EAST SEVENTH STREET
 CHARLOTTE, N.C. 28204
 TEL: (704) 376-2186



REFERENCE SURVEY BY R.B. PHARR DATED 4/21/95



MULBERRY ASSOCIATES
 DEED BOOK 8382, PAGE 51

WESTERN STEER-MOM'N'POPS, INC
 DEED BOOK 5271, PAGE 850

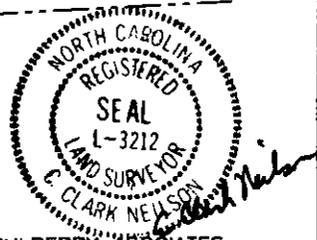
LOT 18
 BLOCK 3

LOT 17

LOT 7
 BLOCK 2

MULBERRY ASSOCIATES
 DEED BOOK 8137, PAGE 746

WESTERN STEER-MOM'N'POPS, INC.
 DEED BOOK 5434, PAGE 464



MULBERRY ASSOCIATES
 DEED BOOK 5172, PAGE 396

LEGEND
 E.I.P. = EXISTING IRON PIN
 N.I.P. = NEW IRON PIN
 R/W = RIGHT OF WAY
 C/L = CENTER LINE

NOTE:
 NO N.C.G.S. MONUMENT LOCATED WITHIN
 2000' OF SUBJECT PROPERTY.

EXISTING NAIL

SLOAN DRIVE
 60' DEDICATED PUBLIC R/W
 SURVEY OF:

8,054.60 SQ.FT.
 OR 0.1849 ACRE TOTAL

BEECH STREET RIGHT OF WAY ABANDONMENT

CHARLOTTE N.C.

THE PROPERTY OF MULBERRY ASSOCIATES

SCALE 1" = 50'

MAP BOOK 4 PAGE 163

DEED BOOK PAGE

TAX NUMBER: 061-222-STREET

FLOOD CERTIFICATION

THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 26, 1982.

EXHIBIT B

To find the point of Beginning, Commence at an existing nail located within the right-of-way of Sloan Drive (60' Public Right-of-Way), also being located S 03-13-57 W 200.79 feet from an existing nail located at the northwesterly corner of property owned by Mulberry Associates, now or formerly, more particularly described in Deed recorded in Deed Book 8137, at Page 746 of the Mecklenburg Public Registry; thence from said existing nail, running S 89-02-57 E 19.04 feet to an existing iron pin located in the easterly right-of-way margin of Sloan Drive and the southerly line of the property of Mulberry Associates, and being the POINT AND PLACE OF BEGINNING; thence from said Beginning Point, running N 00-33-01 W 10.00 feet to a point, thence through the lands of Mulberry Associates, S 89-02-57 E 242.25 feet to a point located within the property of Mulberry Associates, now or formerly, more particularly described in Deed recorded in Deed Book 8382, at Page 51 of the Mecklenburg Public Registry; thence continuing through the lands of Mulberry Associates, S 89-01-57 E 160.74 feet to a point located in the westerly margin of the proposed future right-of-way of Mulberry Church Road (currently a 40' public right-of-way, Proposed 80' public right-of-way); thence along the proposed future right-of-way of Mulberry Church Road S 00-57-44 W 20.00 feet to a point, said point located within the property of Western Steer-Mom'N'Pops, Inc., now or formerly, as described in Deed recorded in Deed Book 5271, at Page 850 of the Mecklenburg Public Registry; thence through the property of Western Steer-Mom'N'Pops, Inc., N 89-01-57 W 160.74 feet to a point located in the northeasterly corner of the property of Western Steer-Mom'N'Pops, Inc., now or formerly, as described in Deed recorded in Deed Book 5434, at Page 464 of the Mecklenburg Public Registry; thence continuing through the property of Western Steer-Mom'N'Pops, Inc., N 89-01-57 W 34.03 feet to a point located in the easterly line of the property of Mulberry Associates, now or formerly, as described in Deed recorded in Deed Book 5172, at Page 396 of the Mecklenburg Public Registry; thence through the lands of Mulberry Associates, N 89-02-57 W 207.69 feet to a point located in the easterly margin of the right-of-way of Sloan Drive; thence along the easterly margin of Sloan Drive, N 00-33-01 W 10.00 feet to the point and place of Beginning, containing 8,054.60 sq. ft., or 0.1849 acres, as shown on survey of "Beech Street Right of Way Abandonment" by R. B. Pharr & Associates, Registered Surveyors, dated January 30, 1996.

The property described above is intended to be the same property identified as Beech Street on plat recorded in Map Book 4, Page 163 of the Mecklenburg County Public Registry.

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

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

WHEREAS, said Department of Transportation and this Municipality
propose to enter into an Agreement for certain improvements along
I-77 with certain responsibilities for each party; and,

WHEREAS, said Department of Transportation agrees to replace the
existing fencing along I-77 from LaSalle Street to Oaklawn Avenue
with a brick wall, to be designed and constructed by the Department
in accordance with its standard policies and procedures; and,

WHEREAS, the Department agrees to construct a brick wall in lieu
of a metal panel wall subject to reimbursement by the Municipality
for the betterment costs associated with the brick material; and,

WHEREAS, this Municipality agrees to reimburse the Department of
Transportation for the costs of the wall that exceed \$3,154,000 up to
a maximum amount of \$500,000 with reimbursement in one (1) lump sum
payment upon completion of the work and within thirty (30) days of
invoicing by the Department.

NOW, THEREFORE, BE IT RESOLVED that resolution 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.

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 22nd day of July, 1996, the
reference having been made in Minute Book 109, and recorded in full in Resolution
Book 34, Page(s) 237.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of
July, 1996.

Brenda R. Freeze
Brenda R. Freeze, City Clerk