

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 9th day of June, 1997 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up 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 9th day of June, 1997, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 660-661.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of June, 1997.



Brenda R. Freeze, City Clerk

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

<u>Name</u>	<u>Amount of Refund</u>
<u>Illegal Purpose</u>	
Arrowood - Southern Company	\$1,390.04
Arrowood - Southern Company	311.01
Southern Region Industrial	957.65
<u>Clerical Error</u>	
City-County Tax Collector	520.63
First Image Management Co	798.88
Gantt Roy Thomas	190.79
Appletree Deli	202.22
Elbert Assoc	288.60
Elbert Assoc	288.60
Elbert Assoc	288.60
Elbert Assoc	293.99
Douglas Development Co	360.20
Douglas Development Co	360.20
Douglas Development Co	360.20
Douglas Development Co	366.94
Sloan Raymond M	1,505.95
<u>Board of Equalization Review Adjustment</u>	
O/E Systems, Inc.	199.26
<u>Board of County Commission Adjustment</u>	
Alfa Forest Limited	780.59
Total	<u>\$9,464.35</u>

June 9, 1997
Resolution Book 34, Page 662

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE ALLEY
LOCATED BETWEEN GREENWOOD CLIFF AND HARDING PLACE IN THE CITY
OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA**

WHEREAS, James H. Henderson has filed a Petition to close the alley located between Greenwood Cliff and Harding Place in the City of Charlotte; and

WHEREAS, the alley petitioned to be closed lies as shown in the tax map marked as Exhibit "A", a survey marked as Exhibit "B", and is more particularly described by metes and bounds in a document marked as Exhibit "C", all of which are available for inspection in the Office of the City Clerk, City Hall, Charlotte, North Carolina; and

WHEREAS, the procedure for closing streets and alleys as outlined in N.C.G.S. §160A-299 requires that Council first adopt a resolution declaring its intent to close the alley 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 alley 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:


NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly scheduled session of June 9, 1997, that it intends to close the alley lying between Greenwood Cliff and Harding Place, said alley being more particularly described on a map, a survey and by a metes and bounds description available for inspection in the City Clerk's Office, and hereby calls a public hearing on the question to be held at 7:00 p.m., on Monday, the 28th day of July, 1997, 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 9th day of June, 1997, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 662.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of June, 1997.


Brenda R. Freeze, City Clerk

June 9, 1997
Resolution Book 34, Page 663

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE A
20 FOOT UNNAMED ROAD LOCATED NEAR THE NORTHEASTERLY CORNER OF
TYVOLA ROAD AND NATIONS FORD ROAD IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA**

WHEREAS, Feld Development Corporation (NC) has a filed a Petition to close a 20 foot unnamed road in the City of Charlotte; and

WHEREAS, said 20 foot unnamed road petitioned to be closed is located near the northeasterly corner of Tyvola Road and Nations Ford Road, as shown on the map marked "Exhibit A" and is more particularly described by metes and bounds on a document marked "Exhibit B", both of which are attached to the aforesaid Petition and available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

WHEREAS, the procedure for closing streets and alleys as outlined in the 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 resolutions should 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 in 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 June 9, 1997, that it intends to close that 20 foot unnamed road located near the northeasterly corner of Tyvola Road and Nations Ford Road, said street being more particularly described on a map and by metes and bounds description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7:00 p.m., on Monday, the 28th day of July, 1997, 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 preceding the date affixed 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 9th day of June, 1997, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 663.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of June, 1997.


Brenda R. Freeze, City Clerk

June 9, 1997
Resolution Book 34, Page 664

**RESOLUTION DECLARING AN INTENT TO ABANDON AND
CLOSE A PORTION OF LORNA STREET LOCATED BETWEEN
SHENANDOAH AVENUE AND INDEPENDENCE FREEWAY IN
THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH
CAROLINA**

WHEREAS, a portion of Lorna Street, petitioned to be closed lies between Shenandoah Avenue and Independence Freeway 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, Charlotte-Mecklenburg Government Center, 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

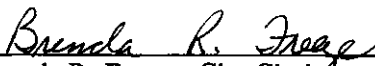
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, at its regularly scheduled session of June 9, 1997, that it intends to close a portion of Lorna Street lying between Shenandoah Avenue and Independence Freeway, said street (or portion thereof) being more particularly described on a map and by a metes and bounds description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7:00 p.m., on Monday, the 28th day of July, 1997, 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 9th day of June, 1997, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 664.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of June, 1997.


Brenda R. Freeze, City Clerk

June 9, 1997
Resolution Book 34, Page 665

**RESOLUTION DECLARING AN INTENT TO ABANDON AND
CLOSE A PORTION OF BASCOM STREET LOCATED BETWEEN
SHENANDOAH AVENUE AND INDEPENDENCE FREEWAY IN
THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH
CAROLINA**

WHEREAS, a portion of Bascom Street petitioned to be closed lies between Shenandoah Avenue and Independence Freeway 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, Charlotte-Mecklenburg Government Center, 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

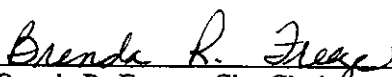
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, at its regularly scheduled session of June 9, 1997, that it intends to close a portion of Bascom Street lying between Shenandoah Avenue and Independence Freeway, said street being more particularly described on a map and by 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 p.m., on Monday, the 28th day of July, 1997, 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 9th day of June, 1997, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 665.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of June, 1997.


Brenda R. Freeze, City Clerk

June 9, 1997
Resolution Book 34, Page 666

**RESOLUTION DECLARING AN INTENT TO ABANDON
AND CLOSE WASENA STREET LOCATED BETWEEN
SHENANDOAH AVENUE AND INDEPENDENCE FREEWAY
IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY,
NORTH CAROLINA**

WHEREAS, Wasena Street, petitioned to be closed lies between Shenandoah Avenue and Independence Freeway 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, Charlotte-Mecklenburg Government Center, 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

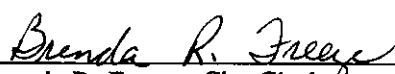
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, at its regularly scheduled session of June 9, 1997, that it intends to close Wasena Street lying between Shenandoah Avenue and Independence Freeway, said street (or portion thereof) being more particularly described on a map and by a metes and bounds description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7:00 p.m., on Monday, the 28th day of July, 1997, 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 9th day of June, 1997, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 666.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of June, 1997.


Brenda R. Freeze, City Clerk

June 9, 1997
Resolution Book 34, Page 667

15

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

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

WHEREAS, the City of Charlotte proposes to make certain improvements under the Federal-Aid Highway Bridge Replacement and Rehabilitation Program, said improvements to consist of the replacement of Bridge #56 over Norfolk Southern Corporation on SR 2861, Mecklenburg County; and,

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

WHEREAS, under the proposed agreement, the City of Charlotte shall participate in the total allowable project costs to the extent of twenty percent (20%), with the Department of Transportation to reimburse the City of Charlotte for eighty percent (80%) of the total allowable project costs as set out in the agreement. The estimated project cost is \$1,400,000.

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

This resolution was passed and adopted the 9th day of June, 1997.

CERTIFICATION

I, Nancy S. Gilbert, Deputy 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 9th day of June, 1997, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 667.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of June, 1997.

Brenda R. Freeze
Brenda R. Freeze, City Clerk

June 9, 1997
Resolution Book 34, Page 668

**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 Wheeler 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 propose to enter into an agreement for the production of a bicycle map and safety brochure for the Charlotte/Mecklenburg Urban Area; and,

WHEREAS, the City of Charlotte shall be responsible for the development, printing and production of the bike map/brochure; and,

WHEREAS, the Department of Transportation shall participate in the actual project costs not to exceed \$50,000.

NOW, THEREFORE, BE IT RESOLVED that Project E-2932, 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, Clerk of the Municipality of Charlotte, 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 9th day of June, 19 97, and the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page 668.

WITNESS, my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of June, 19 97.

SEAL

Brenda R. Freeze
Brenda Freeze, City Clerk

June 9, 1997
Resolution Book 34, Page 669

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 **Four Mile Creek Relief Sewer 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 **Four Mile Creek Relief Sewer Project**, and estimated to be approximately 70,855 square feet (1.63 ac.) for a 25-foot permanent sanitary sewer easement and 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. 227-141-08, said property currently owned by **PROVIDENCE PLANTATION LIMITED PARTNERSHIP**, or the owners' successor-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.

June 7, 1997
Resolution Book 34, page 670

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 9th day of June, 1997, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 669-670.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of June, 1997.



Brenda R. Freeze, City Clerk

**RESOLUTION CLOSING
TWO ALLEYS, ONE RUNNING OFF OF WEST SIXTH
STREET AND LOCATED BETWEEN 237 NORTH TRYON
STREET AND 109 WEST SIXTH STREET
AND ONE RUNNING OFF OF WEST FIFTH STREET
AND LOCATED BETWEEN 203 NORTH TRYON STREET
AND 108-112 WEST FIFTH STREET IN THE
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.**

JUDITH A GIBSON REG OF DEEDS MECK NC
FILED FOR REGISTRATION 07/03/97 12:13

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 two alleys more fully described herein, which calls for a public hearing on the questions: and

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

WHEREAS, The petitioner will provide easements to Piedmont Natural Gas Company and Bellsouth Telecommunications, Inc. to maintain their facilities as shown on the map attached hereto and made a part hereof marked Exhibit A-1; and

WHEREAS, the public hearing was held on the 9th day of June, 1997, and City Council determined that the closing of the two alleys 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 June 9, 1997, that the Council hereby orders the closing of two alleys in the City of Charlotte, Mecklenburg County, North Carolina as described below:

See Exhibit A-1 and Exhibit A-2 (Surveys) and
Exhibit B-1 and Exhibit B-2 (Metes and Bounds Descriptions)
both 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 9th day of June, 1997, the reference having been made in Minutes Book 111, and recorded in full in the Resolution Book 34, page 671-671D

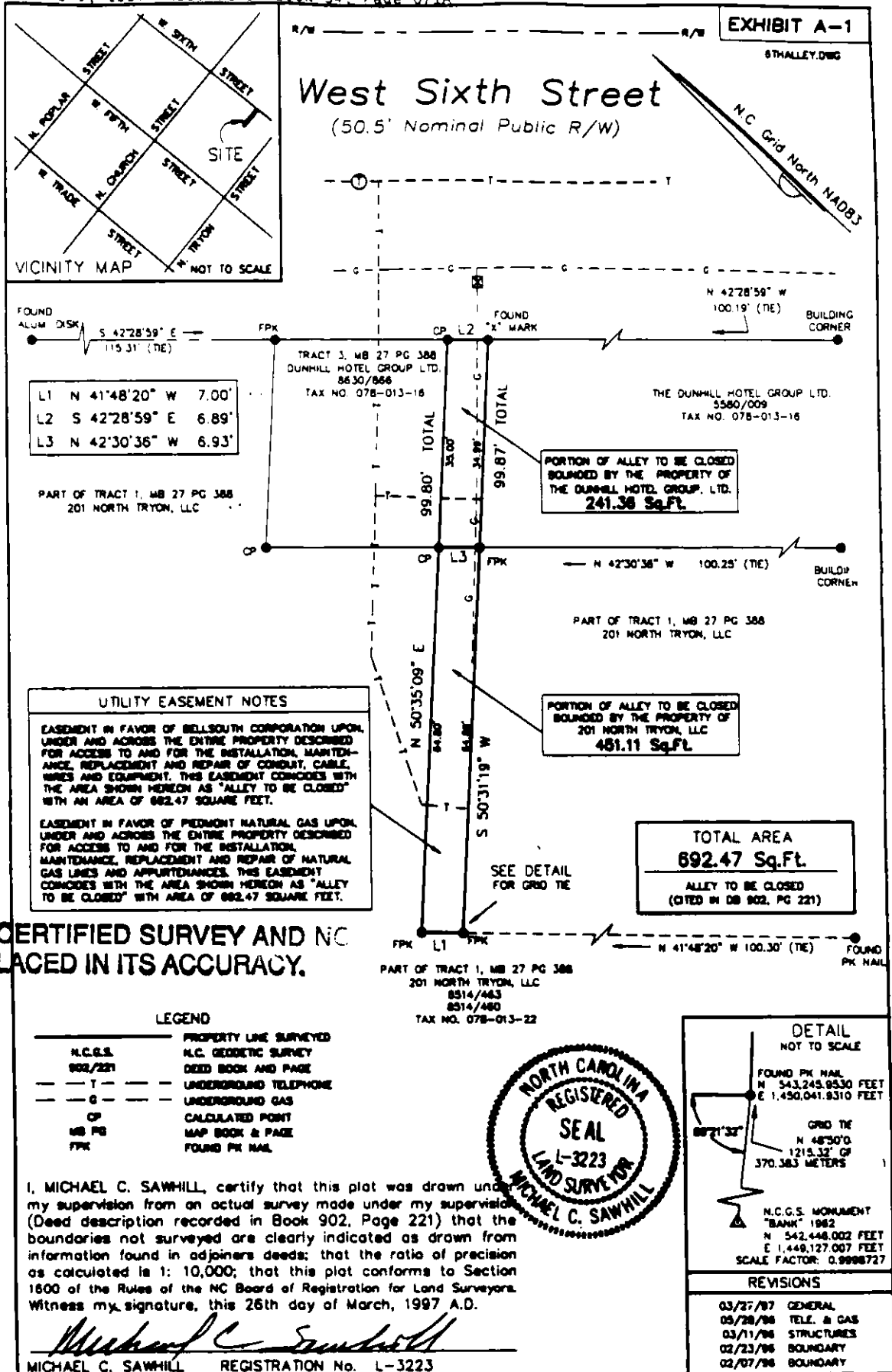
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of June, 1997.


Brenda R. Freeze



Drawn by and return to:
City of Charlotte - Box

BMC



THIS MAP IS NOT A CERTIFIED SURVEY AND NO RELIANCE MAY BE PLACED IN ITS ACCURACY.

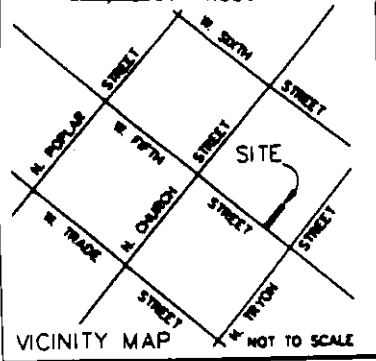
RIGHT OF WAY CLOSING MAP
Alley at W. Sixth Street Behind Dunhill Hotel
Bounded By The Property Of The Dunhill
Hotel Group, Ltd. & 201 North Tryon, LLC
109 West Sixth Street
Charlotte, North Carolina

DSAtlantic
 4644 Parkway Plaza Blvd., Suite 185
 Charlotte, North Carolina 28217
 704 328 0800

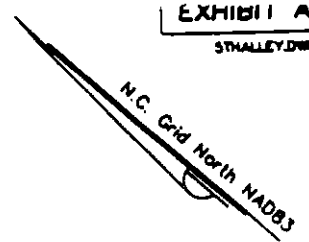
PROJECT NO.: 9203-14
 SURVEYED BY: DEG
 DRAWN BY: MCS
 CHECKED BY: 1" = 20'
 DATE: JANUARY 4, 1997

L1 N 41°46'41" W 10.10'
L2 S 41°56'34" E 14.84'

EXHIBIT A-2
STALLEY.DWG



PART OF TRACT 1, MB 27, PG 388
201 NORTH TRYON, LLC
8514/451 8647/238 8514/448
TAX NO. 078-013-22



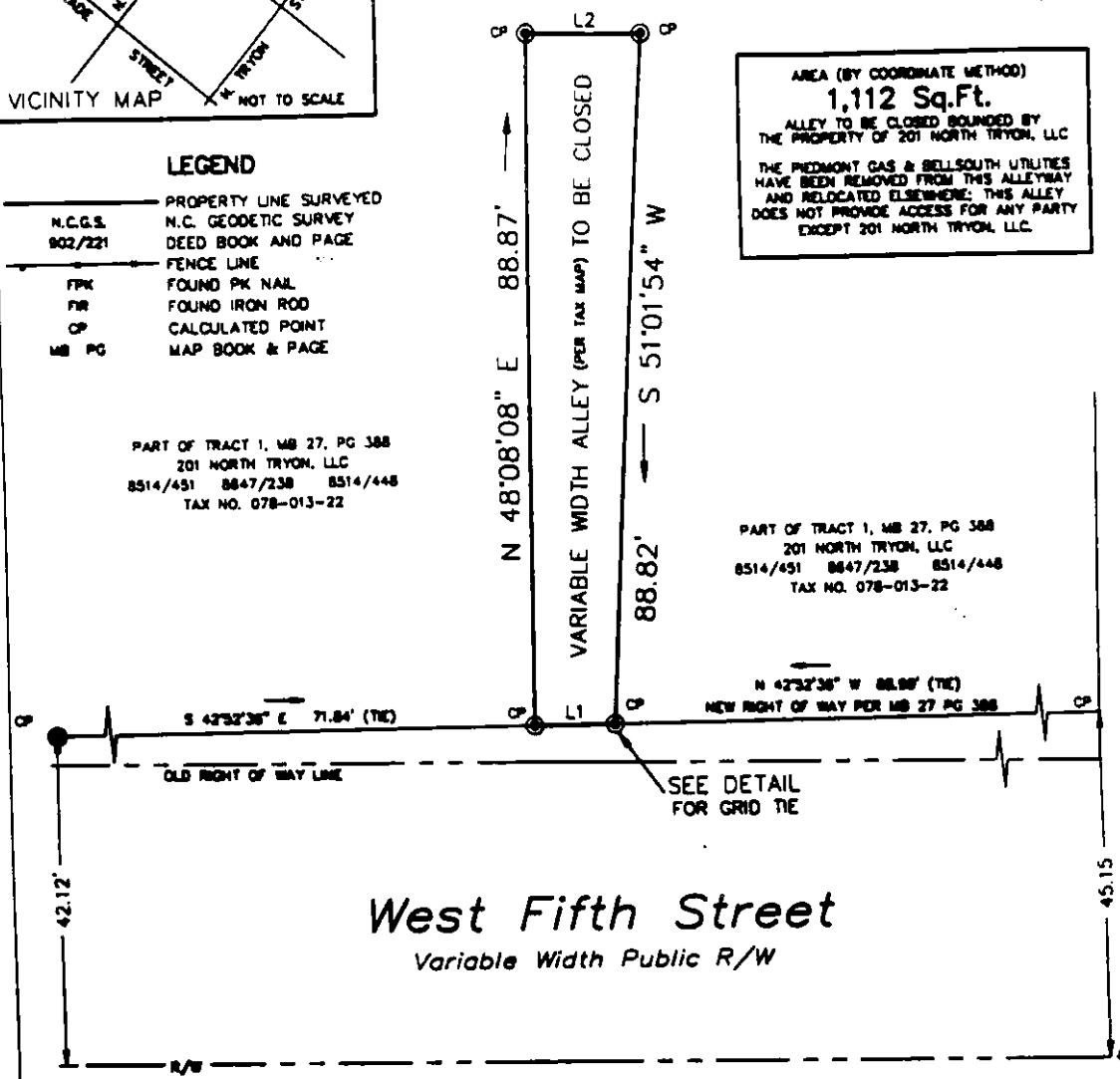
AREA (BY COORDINATE METHOD)
1,112 Sq.Ft.
ALLEY TO BE CLOSED BOUNDED BY
THE PROPERTY OF 201 NORTH TRYON, LLC
THE PIEDMONT GAS & BILLSOUTH UTILITIES
HAVE BEEN REMOVED FROM THIS ALLEYWAY
AND RELOCATED ELSEWHERE; THIS ALLEY
DOES NOT PROVIDE ACCESS FOR ANY PARTY
EXCEPT 201 NORTH TRYON, LLC.

LEGEND

—	PROPERTY LINE SURVEYED
N.C.G.S. 802/221	N.C. GEODETIC SURVEY DEED BOOK AND PAGE
—	FENCE LINE
FPK	FOUND PK NAIL
FR	FOUND IRON ROD
CP	CALCULATED POINT
MB PG	MAP BOOK & PAGE

PART OF TRACT 1, MB 27, PG 388
201 NORTH TRYON, LLC
8514/451 8647/238 8514/448
TAX NO. 078-013-22

PART OF TRACT 1, MB 27, PG 388
201 NORTH TRYON, LLC
8514/451 8647/238 8514/448
TAX NO. 078-013-22



THIS MAP IS NOT A CERTIFIED SURVEY AND NO RELIANCE MAY BE PLACED IN ITS ACCURACY.

I, MICHAEL C. SAWHILL, certify that this plat was drawn under my supervision from an actual survey made under my supervision that the boundaries not surveyed are clearly indicated as drawn from information found in adjoining deeds; that the ratio of precision as calculated is 1: 10,000+; that this plat conforms to Section 1600 of the Rules of the Board of Registration for Land Surveyors. Witness my signature, this 26th day of March, 1998 A.D.



Michael C. Sawhill
MICHAEL C. SAWHILL REGISTRATION No. L-3223

DETAIL NOT TO SCALE
CALCULATED POINT
N 543,084.783 F
E 1,448,526.911 F
GRID TIE
N 48°58'56"
827.74' GROUND
282.74 METERS (G)
N.C.G.S. MONUMENT
"BANK" 1982
N 542,448.082 F
E 1,448,127.087 F
SCALE FACTOR: 0.9998
REVISIONS:
03/27/97 GENERAL
02/08/98 ADJOINER

RIGHT OF WAY CLOSING MAP
Alley at W. Fifth Street Bounded By
The Property of 201 North Tryon, LLC
108 West Fifth Street
Charlotte, North Carolina
PREPARED FOR TRAVELL CROW COMPANY

DSAtlantic
4044 Parkway Plaza Blvd., Suite 100
Charlotte, North Carolina 28217
704-385-8888
PROJECT NO.: 92034.14
SURVEYED BY: WRC
DRAWN BY: MCS
CHECKED BY: 1" = 20'
DATE: JANUARY 27, 1997

June 9, 1997
Resolution Book 34, Page 671C

EXHIBIT B-1

WEST SIXTH STREET ALLEY

~~METES~~ METES AND BOUNDS DESCRIPTION

BEING all of that 692.47 square foot tract situated in the City of Charlotte, North Carolina, as shown on that Final Plat titled "201 North Tryon - Map 1" as recorded in Map Book 27, Page 388, Mecklenburg County Registry, more particularly described by metes and bounds as follows:

COMMENCING at North Carolina Geodetic Survey monument "Bank 1962", said monument having NAD 83 State Plane coordinates of North: 542,446.002 feet, and East: 1,449,127.007 feet;

THENCE, North 48° 50' 08"E, 1,215.32 feet (ground distance) to a found PK nail, an interior corner of Tract 1, said final plat;

THENCE, N 41° 48' 20" W, 7.00 feet to a found PK nail;

THENCE, North 50° 35' 09" East, 99.80 feet to a calculated point in the southwesterly right of way line of West Sixth Street (a 50.5 foot wide public right of way).

THENCE, with said right of way line, S 42° 28' 59" E, 6.89 feet, to a found "x" mark in concrete sidewalk at the northerly building corner, of the Dunhill Hotel;

THENCE, with the northwesterly line of that Dunhill Hotel Group, Ltd. tract described in Deed Book 5580, Page 009, Mecklenburg County Registry, S 50° 31' 19" W, 99.87 feet to the Point of Beginning and containing 692.47 square feet of land as shown on survey entitled "Right of Way Closing Map - Alley at West Sixth Street behind Dunhill Hotel" dated January 4, 1997 and signed and sealed by Michael C. Sawhill, NCRLS L-3223 to which reference is hereby made.

EXHIBIT B-2

WEST FIFTH STREET ALLEY

~~METS~~ AND BOUNDS DESCRIPTION

BEING all of that 1,112 square foot tract situated in the City of Charlotte, North Carolina, shown as a variable width alley on Mecklenburg County Tax Map 78, Page 1, and on that Final Plat titled "201 North Tryon - Map 1" as recorded in Map Book 27, Page 388, Mecklenburg County Registry, more particularly described by metes and bounds as follows:

COMMENCING at North Carolina Geodetic Survey monument "Bank 1962", said monument having NAD 83 State Plane coordinates of North: 542,446.002 feet and East: 1,449,127.007 feet;

THENCE, N 48° 58' 59" E, 927.74 feet (ground distance) to a calculated point in the northeasterly right of way line of West Fifth Street, which point bears N 42° 52' 36" W, 88.99 feet from the most southerly corner of Tract 1, said Final Plat of 201 North Tryon - Map 1;

THENCE, with the northeasterly right of way line of West Fifth Street, N 41° 46' 41" W, 10.10 feet to a calculated point;

THENCE, departing said West Fifth Street right of way line, N 48° 08' 08" E, 88.87 feet to a calculated point;

THENCE, S 41° 56' 34" E, 14.84 feet to a calculated point;

THENCE, S 51° 01' 54" W, 88.82 feet to the Point of Beginning and containing 1,112 square feet of land as shown on survey entitled "Right of Way Closing Map - Alley at West Fifth Street" by DSAntlantic Corporation, dated January 27, 1996 and signed and sealed by Michael C. Sawhill, NCRLS L-3223 to which reference is hereby made.

June 9, 1997
Resolution Book 34, Page 672

RESOLUTION CLOSING ALLEYWAY RUNNING BEHIND AND BETWEEN LOTS 32 THROUGH 37, AND LOTS 17 THROUGH 22 OF PIEDMONT PARK SUBDIVISION, AS SHOWN ON MAP RECORDED IN BOOK 202, PAGE 485, 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 the alleyway which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to Close the alleyway running behind and between Lots 32 through 37, and Lots 17 through 22 to be sent by registered or certified mail to all owners of property adjoining and said alleyway (or portion thereof), and prominently posted a notice of the closing and public hearing at least two places along the said alleyway, all as required by G.S. 160A-299; and

WHEREAS, the public hearing was held on the 9th day of June, 1997, and City Council determined that the closing of the alleyway is not contrary to the public interest, and that no individual, firm or corporation owning property 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 June 9, 1997, that the Council hereby orders the closing of the alleyway in the City of Charlotte, Mecklenburg County, North Carolina as described below:

BEGINNING at a point in the northerly margin of Brookshire Freeway East at the southerly corner of Lot 22 of Piedmont Park Subdivision (as shown on Map recorded in Book 202, Page 485, Mecklenburg Public Registry); THENCE N 38-10-32 E 309.02 feet to a point in the common corner of Lots 1, 4, 16 and 17 of Piedmont Park Subdivision; thence S 50-52-38 E 10.0 feet to a point in the rear line of lot 4; thence S 38-10-32 W 224.45 feet to a point; thence N 76-51-18 E 288.46 feet to a point in the rear line of Lot 7; thence along said rear line S 70-46-24 E 9.34 feet to a point in the common corner of Lots 7, 8 and 37; thence S 76-51-18 W 53.64 feet to a point; thence S 13-8-42 E 5.0 feet to an iron pin in the rear corner of lots 36 and 37; thence S 76-51-18 W 256.95 feet to a point; thence S 38-10-32 W 61.23 feet to a point in the northerly margin of Brookshire Freeway East; thence N 30-4-18 W 10.77 feet to the point and place of BEGINNING.

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.

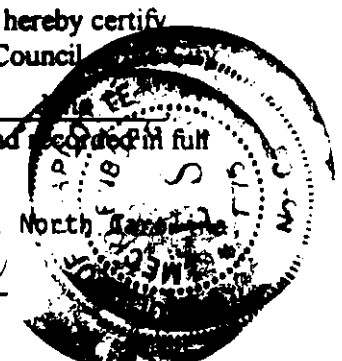
CERTIFICATION

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 Charlotte, North Carolina, in regular session convened on the 9th day of June, 1997, the reference having been made in Minute Book 111, page , and recorded in full Resolution Book 34, page 672-672D

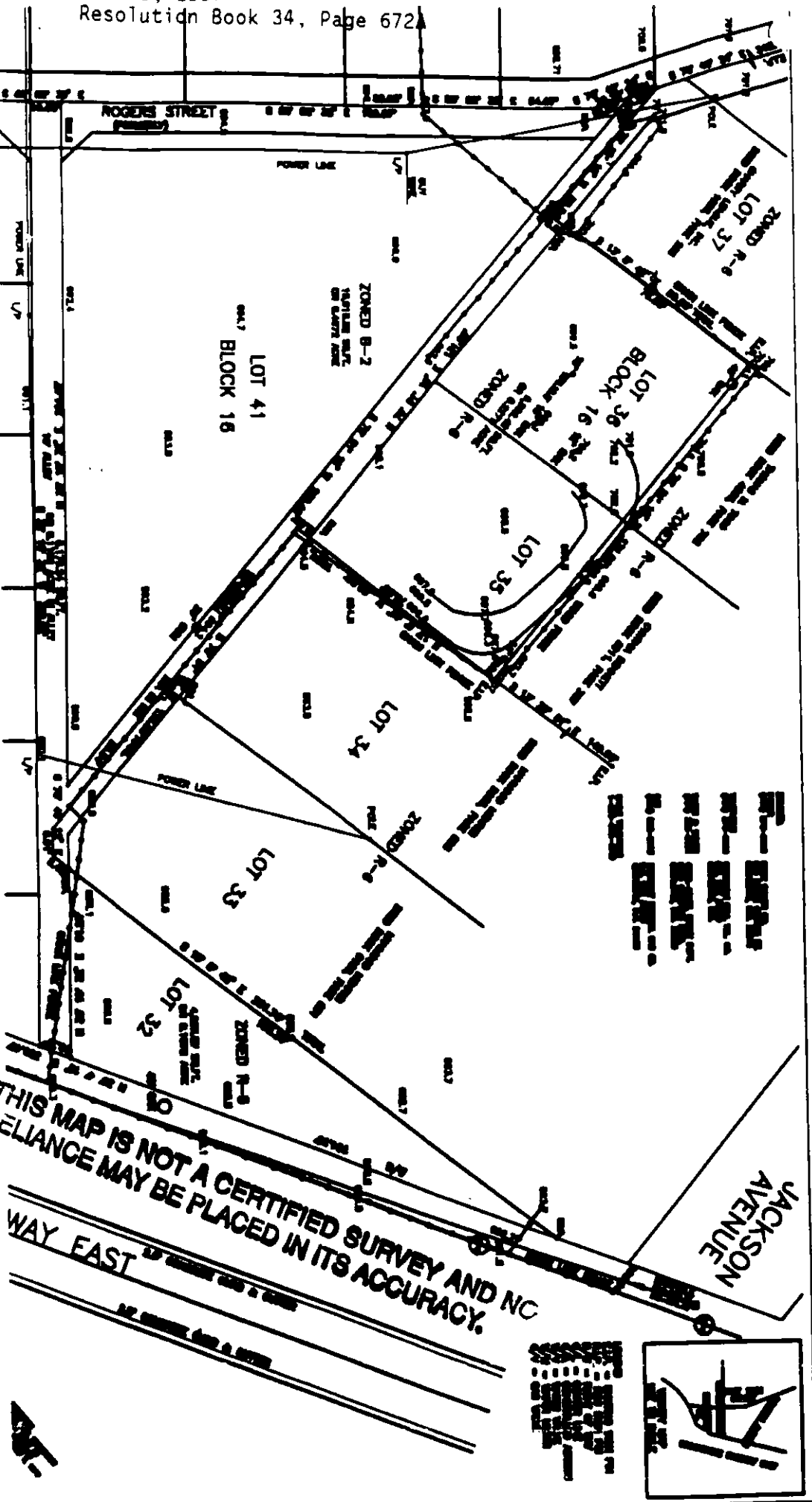
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 13th day of June, 1997.

Brenda R. Freeze
Brenda Freeze, City Clerk



BK: 09139 PG: 0091/0096 # 3 16.00
JUDITH A GIBSON REG OF DEEDS MECK NC
FILED FOR REGISTRATION 07/03/97 12:13

*Drawn by and return to
City of Charlotte - Box*



THIS MAP IS NOT A CERTIFIED SURVEY AND NO RELIANCE MAY BE PLACED IN ITS ACCURACY.

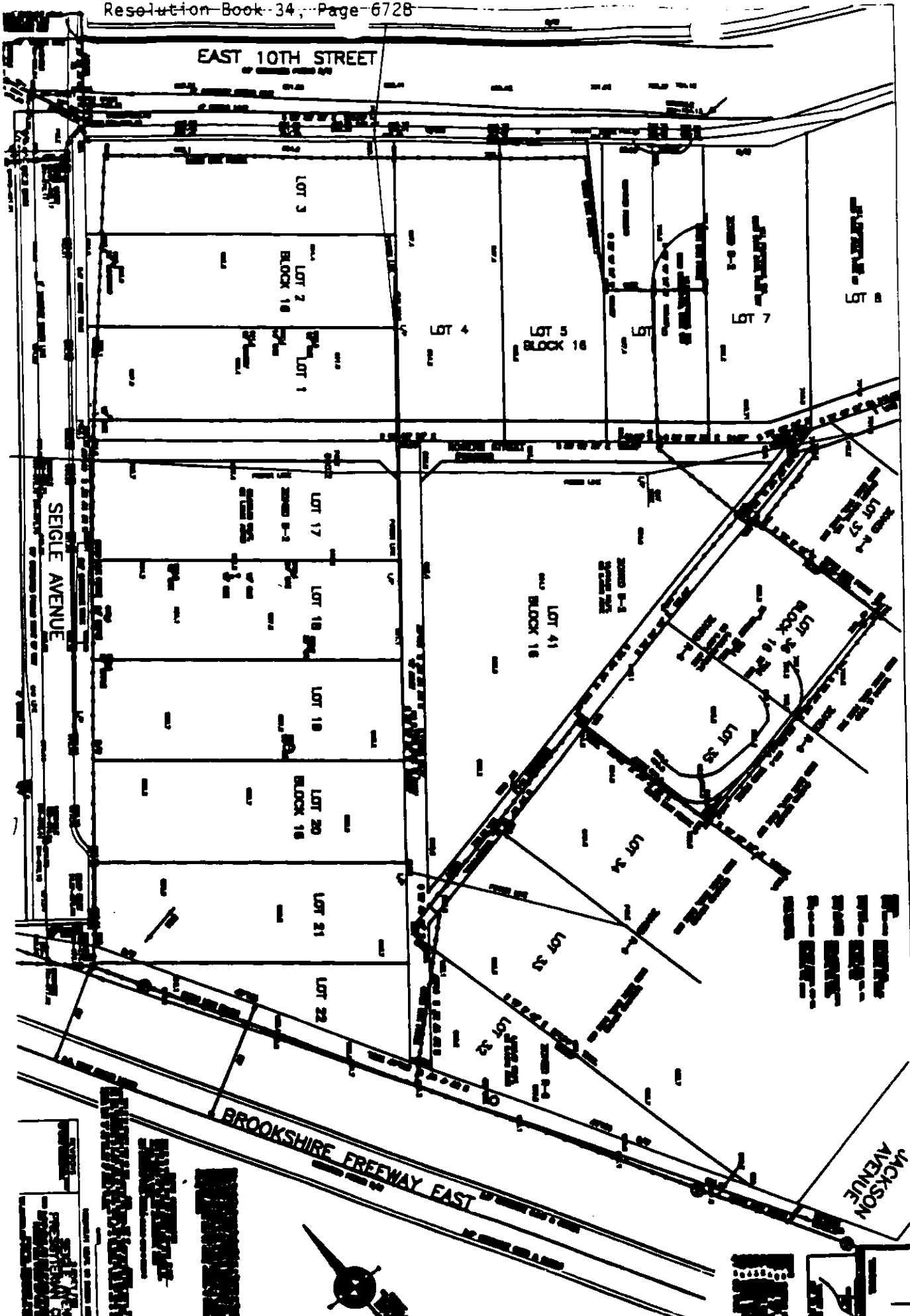
Source of Boundary Information: Plat recorded in Book 202, Page 485, Mecklenburg Public Registry, and survey of R.B. Pharr dated January 25, 1996.

NOTE: Easement in favor of Duke Power Company and Bellsouth Telecommunications, Inc. upon, under, and across the entire property described above for access to and for the installation, maintenance, replacement and repair of conduit, cable wires and related equipment.

EXHIBIT
A

June 9, 1997

Resolution Book 34, Page 6728



THIS MAP IS NOT A CERTIFIED SURVEY AND NO
RELIANCE MAY BE PLACED IN IT
COURACY.

EXHIBIT
B

METES AND BOUNDS DESCRIPTION

Located in the City of Charlotte, Mecklenburg County, North Carolina as described below:

BEGINNING at a point in the northerly margin of Brookshire Freeway East at the southerly corner of Lot 22 of Piedmont Park Subdivision (as shown on Map recorded in Book 202, Page 485, Mecklenburg Public Registry); **THENCE** N 38-10-32 E 309.02 feet to a point in the common corner of Lots 1, 4, 16 and 17 of Piedmont Park Subdivision; **thence** S 50-52-38 E 10.0 feet to a point in the rear line of lot 4; **thence** S 38-10-32 W 224.45 feet to a point; **thence** N 76-51-18 E 288.46 feet to a point in the rear line of Lot 7; **thence** along said rear line S 70-46-24 E 9.34 feet to a point in the common corner of Lots 7, 8 and 37; **thence** S 76-51-18 W 53.64 feet to a point; **thence** S 13-8-42 E 5.0 feet to an iron pin in the rear corner of lots 36 and 37; **thence** S 76-51-18 W 256.95 feet to a point; **thence** S 38-10-32 W 61.23 feet to a point in the northerly margin of Brookshire Freeway East; **thence** N 30-4-18 W 10.77 feet to the point and place of **BEGINNING**.

**METES AND BOUNDS DESCRIPTION
EXHIBIT "C"**

June 9, 1997
Resolution Book 34, Page 672D



EXHIBIT
D

**RESOLUTION SUPPORTING THE CITY OF CHARLOTTE'S PARTICIPATION IN
THE INTERNATIONAL RESOURCE CITIES PROGRAM**

WHEREAS, the City has been selected by the International City/County Management Association to participate in this program as a partner with Cape Town, South Africa.

WHEREAS, the International Resource Cities Program seeks to promote and support the process of decentralization, democratization, and local empowerment in developing and transitional countries.

WHEREAS, participation in the program offers opportunities for the City to take a leadership role in municipal development overseas.

WHEREAS, involvement in the International Resource Cities program will strengthen the professional skills of City employees and enhance their self-confidence and job satisfaction.

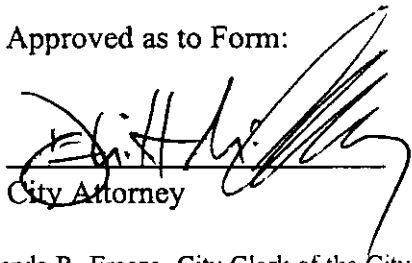
WHEREAS, recognition of technical expertise will enhance the stature of the City at the regional, national, and international levels.

WHEREAS, international linkages can assist the City in focusing on economic development issues and to identify the types of support needed by local businesses to expand to the international level.

WHEREAS, municipal linkages promote cross-cultural understanding and increase community awareness of international development issues and the impacts of the globalization of the economy at home and abroad.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Charlotte do hereby fully support our participation in the International Resource Cities Program.

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 9th day of June, 1997, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 673.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of June, 1997.



Brenda R. Freeze, City Clerk

RESOLUTION OF THE CHARLOTTE CITY COUNCIL TO SEEK AMENDMENTS TO N.C.G.S. 160A-168 TO PERMIT THE LIMITED DISCLOSURE OF PERSONNEL INFORMATION AND TO ADOPT INTERIM PROCEDURES PENDING THE AMENDMENT OF N.C.G.S. 160A-168

WHEREAS, City Council has adopted a Citizens Review Board Ordinance, City Ordinance Section 16-34, *et seq.*; and

WHEREAS, In order to effectuate the terms of this Ordinance in a manner that will be in the best interests of the citizens of this community and the officers of the Charlotte-Mecklenburg Police Department, it is necessary to seek an amendment to N.C.G.S. 160A-168 to allow the limited disclosure of personnel information that currently is not subject to disclosure under 160A-168.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that the City shall at the earliest opportunity seek to have the North Carolina Legislature amend N.C.G.S. 160A-168 to allow for the limited release of the disposition of disciplinary charges against police officers; and

BE IT FURTHER RESOLVED that, pending the amendment of N.C.G.S. 160A-168, the following interim procedures shall be followed in order to implement the provisions of the Citizens Review Board ordinance:

1. Upon the completion of the internal administrative hearing in a disciplinary matter that is covered by the Citizens Review Board Ordinance, the Chief of Police will make a recommended disposition of the allegation(s) of misconduct. The Chief of Police or his designee will inform the officer of his recommendation, but the disciplinary disposition and the penalty imposed, if any, will not yet be final. The Chief of Police or his designee will then forward a copy of the allegations and a summary of the case to the City Manager. The complainant shall not be informed of the disposition of the disciplinary charges until Council has authorized the disclosure as forth below.
2. The City Manager will review each case and determine whether disclosure of the employment action is essential to maintaining public confidence in the administration of city services or to maintaining the level and quality of city services. The City Manager shall make this determination in writing which shall be retained in the office of the Manager or the City Clerk. This written determination shall be available for public inspection and shall become part of the employee's personnel file.
3. With regard to each such case, the City Manager shall advise City Council

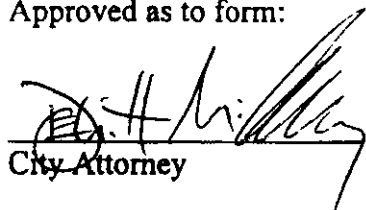
whether the release of the personnel action to the complainant is essential to maintaining public confidence in the administration of city services or to maintaining the level and quality of city services. The Manager shall seek the concurrence of City Council to release the personnel information to the complainant consisting of the Police Chief's disposition of the disciplinary charges along with a statement of the facts and circumstances upon which the Chief relied in reaching his decision. "Disposition" of disciplinary charges is defined as whether the charges were classified as: sustained, not sustained, exonerated, unfounded, or placed in an information file. The City Manager will take these cases to City Council as soon as possible after the Chief of Police has advised the City Manager of the recommended outcome of the case. These matters will be placed on City Council's consent agenda.

4. City Council will approve the release of the facts and circumstances upon which the Chief relied and the disposition of the charges against the police officer to the complainant. In addition, City Council will approve the release of the above described information to the Citizens Review Board members, and to any other person who must be made aware of the results for the purposes of the appeals hearing before the Citizens Review Board should a hearing ensue.

5. Immediately after City Council has approved the release of the personnel information as described above, the Chief shall advise the complainant of the disposition of the disciplinary charges. The complainant then shall have seven (7) calendar days after receiving notification of the disposition to file an appeal with the Citizens Review Board.

This 9th day of June, 1997.

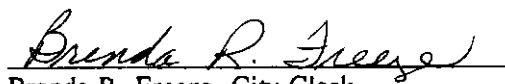
Approved as to form:


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 9th day of June, 1997, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 674-675.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of June, 1997.


Brenda R. Freeze, City Clerk