

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE A PORTION OF
EXCESS RIGHT-OF-WAY ON CARMEL ROAD IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA**

WHEREAS, Mr. & Mrs. Green has filed a Petition to close a portion of Carmel Road in the City of Charlotte; and

WHEREAS, that portion of Carmel Road petitioned to be closed lies at 5300 Carmel Road shown on a map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B," all 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 February 23, 1998, that it intends to close a portion of Carmel Road lying at 5300 Carmel Road, 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 23rd day of March, 1998, in the Council's Meeting Chamber, Charlotte-Mecklenburg Government Center, 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 Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of February, 1998, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 933.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of February, 1998.


Brenda R. Freeze, City Clerk, CMC

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 **SIX MILE CREEK OUTFALL PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to 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 **SIX MILE CREEK OUTFALL PROJECT** and estimated to be approximately 185,396.95 square feet (4.26 acre) for a 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. 231-141-01, said property currently owned by **CY N. BAHAKEL and spouse, if any**, 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.

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 23rd day of February, 1998, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 934-935.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of February, 1998.

Brenda R. Freeze
Brenda R. Freeze, CMC, 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 **SIX MILE CREEK OUTFALL PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to 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 **SIX MILE CREEK OUTFALL PROJECT** and estimated to be approximately 77,018.65 square feet (1.77 acre) for a 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 Nos. 231-131-05, 231-141-05, 231-141-06, 231-141-07, said property currently owned by **STAR CITY DEVELOPMENT COMPANY CO., INC.**; **ELLIOTT SCHWARTZ, Trustee**; **NANCY SCHWARTZ STERNOFF** and **SUSAN SCHWARTZ ROTH, Beneficiaries**, or the owner's 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.

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 23rd day of February, 1998, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 936-937.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of February, 1998.



Brenda R. Freeze, CMC, 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 **1997 ANNEXATION-HIGHLAND CREEK 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 **1997 ANNEXATION-HIGHLAND CREEK PROJECT** and estimated to be approximately 20,083.03 square feet (0.461 acre) for a 15-foot 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. 029-231-06, said property currently owned by **WESTBROOK HIGHLAND CREEK GOLF, L.L.C.**; **FIRST AMERICAN TITLE INSURANCE COMPANY, Trustee**; **PW REAL ESTATE INVESTMENTS, INC., Beneficiary**; 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.

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 23rd day of February, 1998, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 938-939.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of February, 1998.



Brenda R. Freeze, CMC, City Clerk

RESOLUTION OF THE CHARLOTTE CITY COUNCIL OF COMMITMENT FOR THE
TAUBMAN COMPANY DURING THE DUE DILIGENCE PERIOD

WHEREAS, on February 23, 1997, the Charlotte City Council approved a contract for the purchase of the "old" Convention Center from The Taubman Company; and

WHEREAS, City Council will demonstrate a commitment to working with The Taubman Company by this resolution of support and authorization for the City Manager to spend deposit interest earnings in support of the due diligence period. This expenditure would be within the constraints outlined below:

WHEREAS, by accepting the Taubman proposal, the City has a vested interest in bringing this sale to closure. If City Council authorizes the City Manager to work with the Taubman project during the due diligence period, it would be within the framework outlined as follows; and

WHEREAS, The City would not expend any funds in excess of anticipated interest earnings on the funds Taubman deposits with the City; and

WHEREAS, The City's expenditure of funds would follow as closely as possible the progress of the due diligence period. The City would be willing to invest as real progress is being made, but not to exceed interest earned on the funds deposited; and

WHEREAS, the City Manager would report progress to City Council bi-monthly.

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 23rd day of February 19 98 and the reference having been made in Minute Book 111, Page , and recorded in full in Resolutions Book 34, Page 940.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of February 19 98.

Brenda R. Freeze

Brenda R. Freeze, CMC, City Clerk

RESOLUTION OF THE CHARLOTTE CITY COUNCIL AMENDING THE CITY'S ATTENDANCE POLICY TO ALLOW FOR EXCUSED ABSENCES OF MEMBERS OF A BOARD, COMMITTEE, OR COMMISSION WHO ALSO HOLD AN ELECTIVE PUBLIC OFFICE

WHEREAS, on February 10, 1997, the Charlotte City Council adopted a Resolution establishing certain policies and procedures relating to, among other things, attendance requirements for members of boards, committees, and commissions; and

WHEREAS, it is recognized that, while holders of elective public office are often among the most valuable members of appointed boards, committees, and commissions, the duties of an elective public office often prevent such individuals from attending certain meetings of the appointive board, committee, or commission; and

WHEREAS, the City Council desires to allow for excused absences by members of a board, committee, or commission who also hold elective public office.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that the February 10, 1997 "Resolution of the Charlotte City Council Establishing its Policies and Procedure for Public Notification, Nomination, and Appointment of Persons to Boards, Committees, and Commissions, and Stating City Policies for Consecutive Terms, Oaths of Office, Residency, and Attendance, and for the Submittal of Review Reports of Boards and Commissions" is hereby amended by adding a new sentence to the end of the first paragraph of Section 5. Attendance Policy to read as follows:


"Notwithstanding the foregoing, the City Clerk may, on a case-by-case basis, excuse the absence of a member of a board, committee, or commission who also holds an elective public office when such absence is by reason of the member having to attend to the duties of the elective public office. For purposes of the attendance policy only, a member whose absence has been excused shall be considered to have attended the meeting."

This amendment shall apply retroactively to February 10, 1997.

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 23rd day of February, 1998, the reference having been made in Minute Book 111, and recorded in full in Resolution Book 34, Page(s) 941.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of February, 1998.



Brenda R. Freeze, CMC, City Clerk