

**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 27th day of July, 1998 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 27th day of July, 1998, the reference having been made in Minute Book 112, and recorded in full in Resolution Book 35, Page(s) 227-227A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of July, 1998.

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

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

<u>Name</u>	<u>Amount of Refund</u>
	<u>Clerical Error</u>
Kitrick Serdon Investments	\$ 201.75
Hendrick Automotive Group	753.85
Hendrick Automotive Group	1,482.68
Rehab Center Inc	171.04
Rehab Center Inc	407.23
Russell Finex Inc.	1,202.83
Russell Finex Inc.	560.32
Russel Finex Inc.	240.47
General Electric Capital Corp	43,101.69
Charlotte Diesel Driving	388.75
Charlotte Diesel Driving	292.93
Charlotte Diesel Driving	266.65
Worthy James A	564.11
Worthy James A	564.11
Worthy James A	459.89
Worthy James A	459.89
Worthy James A	459.89
<b>Total</b>	<b><u>\$51,578.08</u></b>

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON THE PETITION  
REQUESTING THE ANNEXATION OF PROPERTY TO CITY OF  
CHARLOTTE PURSUANT TO G.S. 160A-31, AS AMENDED**

**WHEREAS, a petition requesting the annexation of the area described herein has been received; and**

**WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made.**

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

**Section 1. That a public hearing on the question of annexation of the area described herein will be held in the CMGC Meeting Chamber, 600 E. Fourth St., Charlotte, NC, at 7:00 pm on the 24th day of August, 1998.**

**Section 2. The area proposed for annexation is described as follows:**

**Tract 1**

**BEGINNING** at a new iron pin in the southeasterly margin of West Tyvola Road (formerly Wilmont Road 60 foot right-of-way), said point being the westerly most corner of a 5.472 acre parcel of land owned by the City of Charlotte (Irwin Creek Disposal Plant property) and furthermore said point of **BEGINNING** being located along said margin of West Tyvola Road from the intersection of the westerly margin of the 200 foot Southern Railway right-of-way and the southeasterly margin of West Tyvola Road S. 36-34-37 W. 532.04 feet to the **BEGINNING** and runs thence with the southwesterly lines of the City of Charlotte property in three (3) courses and distances as follows: 1) S. 41-01-33 E. 559.14 feet to an existing iron pin; 2) S. 36-30-53 W. 157.90 feet to an existing iron pin; 3) S. 38-03-44 E. 427.00 feet to an existing iron pin, said point being in the westerly margin of said Southern Railway right-of-way; thence with the City of Charlotte property in ten (10) courses and distances as follows: 1) S. 31-31-53 W. 275.95 feet to an existing iron pin; 2) S. 31-28-07 W. 209.15 feet to an existing iron pin; 3) S. 31-29-29 W. 438.11 feet to an existing iron pin; 4) S. 31-31-58 W. 75.87 feet to an existing iron pin; 5) S. 31-03-24 W. 216.81 feet to an existing iron pin; 6) N. 42-01-22 W. 52.67 feet to an existing iron pin; 7) S. 08-10-35 E. 262.70 feet to a stone; 8) S. 03-10-20 W. 107.80 feet to an existing iron pin; 9) S. 56-25-07 W. 134.14 feet to an existing iron pin; 10) S. 56-20-08 W. 95.59 feet to an existing iron pin, said point being the northeast corner of the Larry S. Campbell property as described in deed book 3687, page 935 of the Mecklenburg County Public Registry; thence with the northerly line of Campbell's property N. 58-35-32 W. 725.50 feet to a new iron pin in the easterly margin of Hefner Drive (variable width public dedicated right-of-way); thence continuing with the old northerly line of the Campbell property and crossing said Hefner Drive N. 58-35-32 W. 59.96 feet to a new iron pin in the westerly margin of Hefner Drive, said point

being a corner of the Larry S. Campbell property; thence continuing with the northerly line of Campbell's property N. 58-35-32 W. 236.57 feet to a new iron pin in the southeasterly margin of West Tyvola Road (having variable width right-of-way at this location); thence with the southeasterly margin of West Tyvola Road in eight (8) courses and distances as follows: 1) N. 30-32-51 E. 237.96 feet to an existing concrete monument; 2) N. 53-29-45 E. 66.35 feet to an existing concrete monument at the southeasterly intersection of Hefner Drive and West Tyvola Road; 3) N. 19-57-41 E. 75.21 feet to an existing concrete monument at the northeasterly intersection of the aforesaid streets; 4) N. 25-39-43 E. 94.68 feet to an existing iron pin; 5) N. 38-56-03 W. 22.15 feet to a point; 6) N. 31-22-07 E. 1,011.53 feet to a new iron pin; 7) N. 33-56-04 E. 126.65 feet to a new iron pin; 8) N. 36-34-37 E. 571.80 feet to the point and place of **BEGINNING**. Containing 44.603 acres or 1,942,871 square feet of land including 0.952 acre or 41,460 square feet of land within Hefner Drive as shown on a survey entitled "Annexation Map For: Childress Klein Properties" prepared by R.B. Pharr & Associates, P.A. dated September 13, 1996, last revised December 31, 1997 bearing File No. W-1107AN, Sheet 1 of 2.

Less and except that portion of Hefner Drive (variable public right-of-way) lying in the City of Charlotte and more particularly described as follows:

**BEGINNING** at an existing concrete monument at the northeasterly intersection of West Tyvola Road (variable public right-of-way) and Hefner Drive (variable public right-of-way) and run thence with the easterly margin of Hefner Drive in eight (8) courses and distances as follows: 1) S. 58-52-22 E. 183.37 feet to an existing concrete monument; 2) with the arc of a circular curve to the right having a radius of 103.30 feet, an arc distance of 165.80 feet (chord: S. 13-48-58 E. 148.57 feet) to an existing concrete monument; 3) S. 31-07-44 W. 103.95 feet to a point; 4) S. 58-52-16 E. 20.00 feet to a point; 5) S. 31-07-44 W. 20.00 feet to a point; 6) N. 58-52-16 W. 20.00 feet to a point; 7) S. 31-07-44 W. 145.44 feet to a point; 8) with the arc of a circular curve to the left having a radius of 25.00 feet, an arc distance of 1.92 feet (chord: S. 28-57-26 W. 1.92 feet) to a point in the northerly line of the L.S. Campbell property as described in deed book 3687, page 935 of the Mecklenburg County Public Registry; thence crossing Hefner Drive N. 58-35-32 W. 59.96 feet to a point in the westerly margin of Hefner Drive, said point also being in the northerly line of said L.S. Campbell property; thence with the westerly margin of Hefner Drive in three (3) courses and distances as follows: 1) with the arc of a circular curve to the left having a radius of 25.00 feet, an arc distance of 1.69 feet (chord: N. 27-15-02 E. 1.69 feet) to an existing concrete monument; 2) N. 25-18-29 E. 300.32 feet to a new iron pin; 3) N. 58-52-22 W. 183.16 feet to an existing concrete monument, said point being the southeasterly intersection of West Tyvola Road and Hefner Drive; thence with the easterly margin of West Tyvola Road, if extended N. 19-57-41 E. 75.21 feet to the point and place of **BEGINNING**. Containing 0.952 acre or 41,460 square feet as shown on the aforesaid survey prepared by R.B. Pharr & Associates, P.A. dated September 13, 1996 and last revised December 31, 1997.

Tract 1-A

BEGINNING at an existing concrete monument located at the intersection of the northerly margin of the right of way of Billy Graham Parkway (Right of Way varies) and the easterly margin of the right of way of West Tyvola Road (Right of Way varies) and continuing along the easterly margin of the right of way of West Tyvola Road the following two courses and distances : (1) N. 09-24-23 W. 28.55 feet to an existing concrete monument, and (2) N. 32-16-03 E. 225.49 feet to an existing concrete monument located in the southwesterly corner of Lot 22 as shown on Map of C. S. Bostic Property recorded in Map Book 3, at Page 335, in the office of the Register of Deeds, Mecklenburg County, North Carolina; thence with the southerly line of said Lot 22 the following two courses and distances: (1) S. 58-33-00 E. 928.99 feet to an existing iron pin and (2) N. 89-25-08 E. 80.07 feet to an existing stone located in the westerly line of the property of the City of Charlotte (now or formerly); thence with the westerly line of the City of Charlotte property S. 50-47-19 W. 678.05 feet to a point located in the bed of Taggart Creek and passing through a new iron pin at 653.05 feet; thence within the bed of Taggart Creek the following two courses and distances: (1) N. 13-03-07 W. 401.96 feet to a new iron pin, and (2) N. 68-42-51 W. 95.14 feet to an existing concrete monument located in the northerly margin of the right of way Billy Graham Parkway; thence with the northerly margin of Billy Graham Parkway the following three courses and distances: (1) N. 04-57-39 W. 22.59 feet to a point, (2) N. 44-45-29 W. 271.12 feet to an existing concrete monument, and (3) N. 59-53-10 W. 104.80 feet to the point and place of BEGINNING, and containing approximately 7.542 acres, as shown on the survey by R. B. Pharr & Associates entitled survey for Childress Klein Properties C. S. Bostic Property, dated October 8, 1997 to which reference is hereby made, and identified on that survey as "Area 3".

Tract 1-B

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

Parcel One:

Commencing at an existing concrete monument located on the easterly right-of-way margin of West Tyvola Road (variable public R/W) at the intersection of the easterly right-of-way margin of West Tyvola Road and the northerly right-of-way margin of Billy Graham Parkway (variable public R/W), and being in the westerly property line of J. Donald Childress and Fred W. Klein, Jr., now or formerly, as described in Deed recorded in Book 9330, Page 346 of the Mecklenburg County Public Registry; thence along the easterly right-of-way margin of West Tyvola Road and along the westerly property line of J. Donald Childress and Fred W. Klein, Jr., now or formerly, North 32-16-03 East 225.49 feet to an existing concrete monument located at the northwesterly corner of the property of J. Donald Childress and Fred W. Klein, Jr., now or formerly; thence along the northerly property line of J. Donald Childress and Fred W. Klein, Jr., now or formerly, South 58-33-00 East 295.30 feet to a new iron pin located on the easterly right-of-way margin of Hefner Drive (variable public R/W),

being the POINT AND PLACE OF BEGINNING; thence along the easterly right-of-way margin of Hefner Drive the following three courses and distances: (1) with the arc of a circular curve to the right having a radius of 25.00 feet, an arc length of 17.04 feet, and being subtended by a chord bearing of North 54-47-33 East 16.71 feet to a new iron pin; (2) with the arc of a circular curve to the left having a radius of 50.00 feet, an arc length of 74.76 feet, and being subtended by a chord bearing of North 31-28-53 East 67.99 feet to a new iron pin; and (3) with the arc of a circular curve to the right having a radius of 25.00 feet, an arc length of 16.57 feet, and being subtended by a chord bearing of North 07-37-44 East 16.27 feet to a new iron pin located at the southwesterly corner of the property of J. Donald Childress and Fred W. Klein, Jr., now or formerly, as described in Deed recorded in Book 5989, Page 311, among others, of the Mecklenburg Public Registry; thence leaving the easterly right-of-way margin of Hefner Drive and along the southerly property line of J. Donald Childress and Fred W. Klein, Jr., now or formerly, South 58-13-24 East 725.80 feet to an existing iron pin located in the westerly property line of the City of Charlotte, now or formerly; thence along the westerly property line of the City of Charlotte, now or formerly, South 56-37-31 West 57.02 feet to an existing stone located at the northeasterly corner of the property of J. Donald Childress and Fred W. Klein, Jr., now or formerly, as described in Deed recorded in Book 9330, Page 346 of the Mecklenburg Public Registry; thence along the northerly property line of J. Donald Childress and Fred W. Klein, Jr., now or formerly, the following two (2) courses and distances: (1) South 89-25-08 West 80.07 feet to an existing iron pin; and (2) thence North 58-33-00 West 633.69 feet to the Point of Beginning, containing 1.505 acres, more or less, as shown on a survey for Childress Klein Properties, dated October 8, 1997, by R.B. Pharr & Associates, P.A.

Parcel Two:

Commencing at an existing concrete monument located on the easterly right-of-way margin of West Tyvola Road (variable public R/W) at the intersection of the easterly right-of-way margin of West Tyvola Road and the northerly right-of-way margin of Billy Graham Parkway (variable public R/W), and being in the westerly property line of J. Donald Childress and Fred W. Klein, Jr., now or formerly, as described in Deed recorded in Book 9330, Page 346 of the Mecklenburg Public Registry; thence along the easterly right-of-way margin of West Tyvola Road and along the westerly property line of J. Donald Childress and Fred W. Klein, Jr., now or formerly, North 32-16-03 East 225.49 feet to an existing concrete monument, being the POINT AND PLACE OF BEGINNING; thence continuing along the easterly right-of-way margin of West Tyvola Road North 30-54-11 East 99.91 feet to a new iron pin located at the southwesterly corner of the property of J. Donald Childress and Fred W. Klein, Jr., now or formerly, as described in Deed recorded in Book 5989, Page 311, among others, of the Mecklenburg Public Registry; thence along the southerly property line of J. Donald Childress and Fred W. Klein, Jr., now or formerly, South 58-13-24 East 236.20 feet to a new iron pin located on the westerly right-of-way margin of Hefner Drive (variable public R/W); thence along the westerly right-of-way margin of Hefner Drive the following three courses and distances: (1) with the arc of a circular curve to the right having a radius of 25.00 feet, an arc length of 16.88 feet, and being subtended by a chord bearing of South 54-58-24 West 16.56 feet to a new iron pin; (2) with the arc of a circular curve to the left having a radius of 50.00 feet, an arc

length of 74.77 feet, and being subtended by a chord bearing of South 31-28-53 West 67.99 feet to a new iron pin; and (3) with the arc of a circular curve to the right having a radius of 25.00 feet, an arc length of 17.04 feet, and being subtended by a chord bearing of South 08-12-29 West 16.74 feet to a new iron pin located in the northerly property line of J. Donald Childress and Fred W. Klein, Jr., now or formerly, as described in Deed recorded in Book 9330, Page 346 of the Mecklenburg Public Registry; thence along the northerly property line of J. Donald Childress and Fred W. Klein, Jr., now or formerly, North 58-33-00 West 235.20 feet to the Point of Beginning, containing 0.511 acres, more or less, as shown on a survey for Childress Klein Properties, dated October 8, 1997, by R.B. Pharr & Associates, P.A.

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Tract 2

To find the true point and place of **BEGINNING**, commence at a new iron pin lying in the southeasterly margin of the right-of-way of West Tyvola Road (currently 60 foot public right-of-way), said point being located along said margin of West Tyvola Road from the intersection of the westerly margin of the 200 foot Southern Railway right-of-way and the southeasterly margin of West Tyvola Road S. 36-34-37 W. 532.04 feet to said new iron pin, the southwesterly corner of the City of Charlotte property (Irwin Creek Disposal Plant property); thence continuing from said new iron pin the following three (3) courses and distances as follows: 1) N. 41-01-33 W. 30.71 feet to a point lying in the centerline of West Tyvola Road; 2) along the centerline of West Tyvola Road S. 36-34-37 W. 164.04 feet to a point; 3) N. 42-15-01 W. 30.58 feet to an existing iron pin located in the northwesterly margin of West Tyvola Road and the true point and place of **BEGINNING** and runs thence with the northwesterly margin of the right-of-way of West Tyvola Road the following seven (7) courses and distances: 1) S. 36-34-37 W. 421.66 feet to a point; 2) S. 33-56-04 W. 129.38 feet to a point; 3) S. 31-22-07 W. 991.52 feet to an existing iron pin; 4) N. 39-06-56 W. 20.38 feet to a new iron pin; 5) S. 35-21-00 W. 123.59 feet to a new iron pin; 6) S. 55-12-31 W. 63.88 feet to a new iron pin; 7) S. 35-56-40 W. 379.51 feet to an existing iron pin located in the easterly margin of the right-of-way of Billy Graham Parkway; thence continuing along the easterly margin of the right-of-way of Billy Graham Parkway in thirteen (13) courses and distances as follows: 1) S. 73-15-21 W. 73.54 feet to an existing iron pin; 2) S. 89-15-01 W. 295.53 feet to an existing iron pin; 3) N. 75-49-28 W. 317.66 feet to an existing iron pin; 4) N. 64-39-28 W. 241.29 feet to a new iron pin; 5) N. 39-04-00 W. 201.06 feet to a point in the centerline of Taggart Creek; thence continuing with the northerly margin of Billy Graham Parkway, 6) N. 17-15-20 W. 49.36 feet to a point; 7) N. 32-17-47 W. 86.52 to a point; 8) N. 01-15-59 E. 173.12 feet to a point; 9) N. 37-06-41 W. 185.63 feet to a point; 10) N. 62-11-43 W. 50.40 feet to a point; 11) N. 15-17-00 W. 45.33 feet to a point; 12) N. 08-43-06 E. 150.58 feet to a point; 13) N. 09-32-11 E. 223.78 feet to a point, said point being the southeast corner of the G.W. McCoy, et al property as described in deed book 4913, page 217 of said registry; thence with the easterly lines of said McCoy's property in common with the centerline of said Taggart Creek, more or less in six (6) courses and distances as follows: 1) N. 09-32-11 E. 178.62 feet to a point; 2) N. 15-08-11 E. 126.90 feet to a point; 3) N. 35-39-11 E. 153.10 feet to a point; 4) N. 52-52-11 E. 140.90 feet to a point; 5) N. 32-50-18 E. 180.98 feet to a point; 6) thence leaving the creek N. 29-20-52 W. 178.47 feet to a new iron pin, said point being a common corner of property conveyed to: 1) T. R. Collins as described in deed book 5066, page 946 of said registry; and 2) L.M. Cooper as described in deed book 1335, page 320 of said registry; thence with the southeasterly lines of: 1) said L.M. Cooper; 2) J. Cooper, by entirety property (deed book 2016, page 98); 3) Erwin Potts Alexander, et al by will property (deed book 1801, page 322); 4) Z. Woods, et al property (deed book 3607, page 18); 5) D. Woods property (deed book 1242, page 112); and, 6) M.B.J. Stanley property (deed book 1797, page 25) N. 57-32-00 E. 1354.18 feet to an existing iron pin, said pin being the southwest corner of the E. A. Davis Estate property as described in deed book 2686, page 91 of said registry; thence with the E.A. Davis line S. 32-17-47 E. 370.89 feet to a new iron pin, said pin being the southerly most corner of the E. A. Davis property; thence with the easterly line of the E. A. Davis property and the easterly line of the property of L. J. Stinson as



described in deed book 5959, page 670 of said registry N 38-05-13 E 287.79 feet to a point in the southerly margin of the right-of-way of Rebecca Avenue; thence along said margin of Rebecca Avenue S 50-33-04 E 50.01 feet to a point located in the northwesterly corner of the property of R. E. Grant as described in deed book 4462, page 118 of said registry; thence along the westerly line of said Grant property and the property of S. Cummings as described in deed book 5007, page 300 S 38-05-13 W 306.97 feet to an existing iron pin in the southwesterly corner of said Cummings property; thence with the southwesterly and southerly lines of said Cummings property in two (2) courses and distances as follows: 1) S. 32-17-47 E. 121.35 feet to a new iron pin; 2) N. 56-46-32 E. 31.71 feet to an existing iron pin, said pin being the southwest corner of the J.N. Pope property as described in deed book 3932, page 158 of said registry; thence with the southerly line of the Pope property S. 58-15-38 E. 99.50 feet to an existing iron pin, said point being the southwest corner of a second tract conveyed to J.N. Pope as described in deed book 3515, page 159 of said registry; thence with the southwesterly lines of: 1) said J.N. Pope property; 2) G.B. Barley, by entirety property (deed book 1212, page 509); 3) L.P. Stutts property (deed book 6385, page 537); 4) J.R. Denson property (deed book 1989, page 393 and deed book 3137, page 407); and, 5) J.N. Pope, by entirety property (deed book 1099, page 3), S. 42-15-01 E. 837.88 feet to the point and place of **BEGINNING**. Containing 94.746 acres or 4,127,135 square feet of land as shown on a boundary survey entitled "Annexation Map For: Childress Klein Properties" prepared by R. B. Pharr & Associates, P.A. dated September 13, 1996, last revised December 31, 1997 and bearing file no. W-1107AN, Sheet 2 of 2.

**Section 3. Legal notice of said public hearing shall be published in the \_\_\_\_\_ Charlotte Observer \_\_\_\_\_, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of said public hearing.**

**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 27th day of July, 1998, the reference having been made in Minute Book 112, and recorded in full in Resolution Book 35, Page(s) 228-234.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of July, 1998.

C#179178.1

\_\_\_\_\_  
Brenda R. Freeze, CMC, 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 27, 1998.

Present: Mayor Pat McCrory, presiding, and  
Councilmembers Autry, Baker, Cannon, Greene, Jackson, Majeed, Reid,  
Rouso, Spencer, and Wheeler

Absent: Councilmember Sellers

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

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Councilmember Rouso 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 \$98,300,000  
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 \$98,300,000 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 or otherwise the responsibility of the State, 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 sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings 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 \$40,000,000  
STORM WATER 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 Storm Water Bonds in an aggregate principal amount not exceeding \$40,000,000 for the purpose of providing funds, with any other available funds, for related studies, plans and design, and acquiring, constructing, reconstructing, improving, installing and providing storm drainage facilities on public and private property, within and without the corporate limits of said City, to correct drainage problems, prevent flooding and erosion and improve storm water quality, 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 City Treasurer 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 \$98,300,000 STREET BONDS" was passed on first reading.

Thereupon the order entitled: "ORDER AUTHORIZING \$40,000,000 STORM WATER BONDS" was passed on first reading.

On motion duly made, seconded and passed, the City Council fixed 7:00 P.M., August 24, 1998, 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 27, 1998 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. 112 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. 35 of said City Council beginning at page 235 and ending at page 239.

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 28th day of July, 1998.

---

City Clerk

Brenda R. Freeze, CMC

(SEAL)

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 **HOSKINS ROAD WIDENING 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 **HOSKINS ROAD WIDENING PROJECT** and estimated to be approximately **4,156 square feet for fee-simple and 4,023 square feet for 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. 039-011-02, said property currently owned by **CLYDE R. MCGEE and spouse, if any; PAUL M. MCGEE and spouse, if any; FRED A. MCGEE and spouse, if any; EDWIN W. HAMER, JR. and spouse, if any; HANNAH H. STOCKWELL 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.

A RESOLUTION AUTHORIZING COMPENSATION FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS the City Council of the City of Charlotte desires a lot that is necessary to acquire certain property as indicated below for the BEATTY'S FORD ROAD LAKE WINDING PROJECT;

WHEREAS the City wishes to deal with the acquisition of certain real property of this property has been unable to reach an agreement with the owner at the purchase price or other reasonable offer, and the owner has failed to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that compensation for the property indicated to be indicated herein be as follows: the authority and jurisdiction of the laws of the State of 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 27th day of July, 1998, the reference having been made in Minute Book 112, and recorded in full in Resolution Book 35, Page(s) 240-241.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of July, 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 **BEATTIES FORD ROAD 4-LANE WIDENING 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 **BEATTIES FORD ROAD 4-LANE WIDENING PROJECT** and estimated to be approximately **1,306.8 square feet (0.03 ac.) fee-simple; 2,395.8 square feet (0.055 ac.) temporary construction easement; 871 square feet (0.055 ac.) permanent utility easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel Nos. 075-073-28 and 075-073-29, said property currently owned by **PAUL A. MCGILL, D.D.S., P.A. and spouse, if any; GAINY ACOUSTICAL & FLOORING, INC., Judgment Holder; RICHMOND & SON CONSTRUCTION CO., Judgment Holder**, 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.

RESOLUTION CLOSING AN ALLIWAY OFF PEARSON AVENUE  
IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-207 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution to close an Allway off Pearson Avenue which calls for a public hearing on the question and

WHEREAS, the petition has caused a copy of the Resolution to be filed in the Office of the City Clerk and a copy of the Resolution to be sent to the owner of property abutting the said street (or portion thereof), and prominently posted a notice of the hearing and public hearing to at least two places along an Allway off Pearson Avenue, as required by

**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 27th day of July, 1998, the reference having been made in Minute Book 112, and recorded in full in Resolution Book 35, Page(s) 242-243.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of July, 1998.

Brenda R. Freeze, CMC, City Clerk

**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 27th day of July, 1998, the reference having been made in Minute Book 112, page 242-243, and recorded in full in Resolution Book 35, page 242-243.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of July, 1998.



Brenda R. Freeze, CMC, City Clerk

Return for City of Charlotte - Box

RESOLUTION CLOSING AN ALLEYWAY OFF PECAN 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 an Alleyway off Pecan Avenue which calls for a public hearing on the question; and;

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to Close an Alleyway off Pecan Avenue 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 an Alleyway off Pecan Avenue, all as required by N.C.G.S. 160A-299; and

WHEREAS, the public hearing was held on the 27th day of July, 1998, and City Council determined that the closing of an alleyway off Pecan Avenue 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.

WHEREAS, the petitioner will provide an easement to Piedmont Natural Gas Company to maintain their facilities as shown on the map attached hereto and made a part hereof marked "Exhibit A," and,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of July 27, 1998, that the Council hereby orders the closing of an Alleyway off Pecan Avenue 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", both of which are 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**

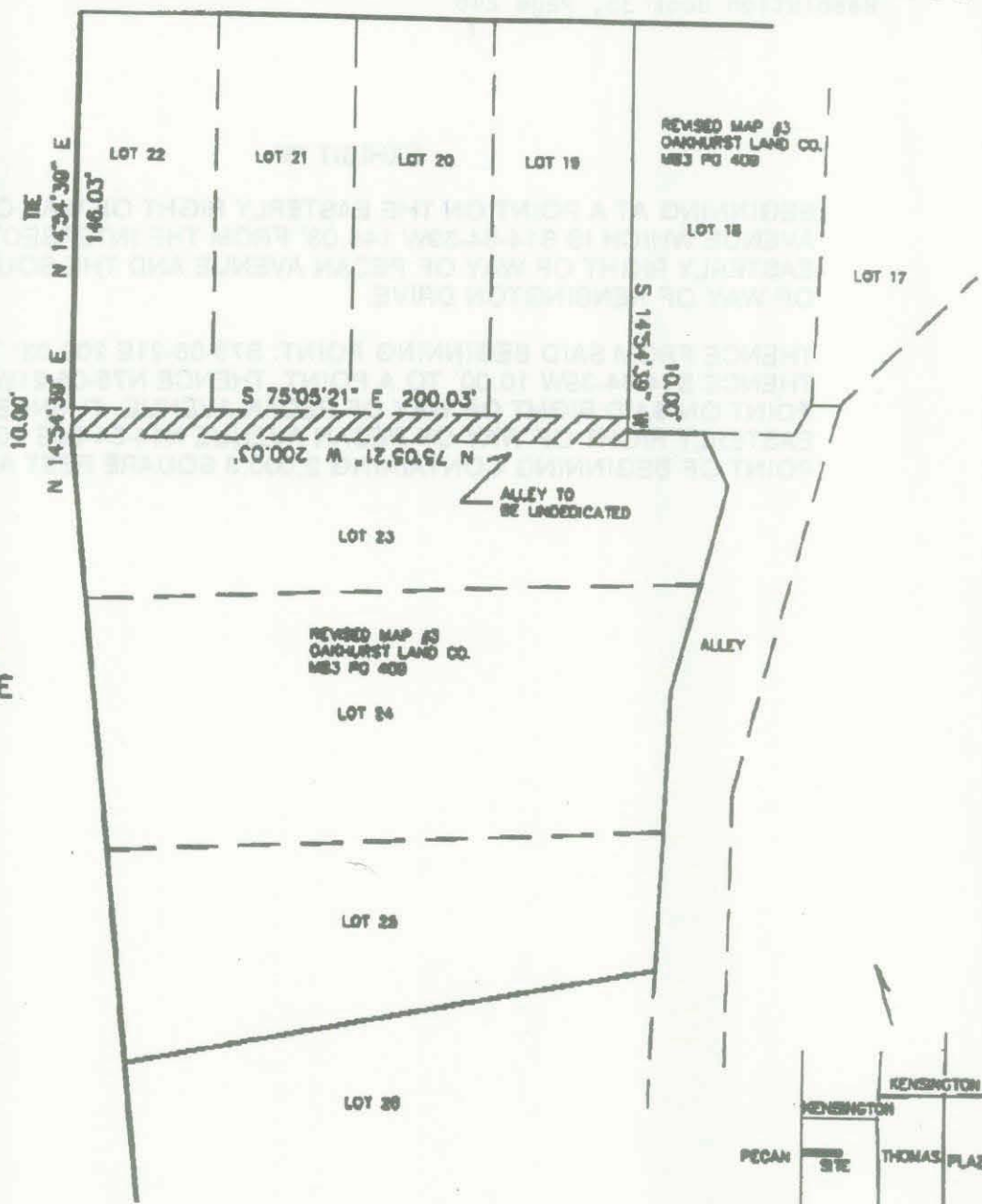
I, Brenda Freeze, City Clerk of the City of Charlotte, North Carolina do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of July, 1998, the reference having been made in Minute Book 112, page \_\_\_\_\_, and recorded in full in Resolution Book 35, page 244-246.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of July, 1998.

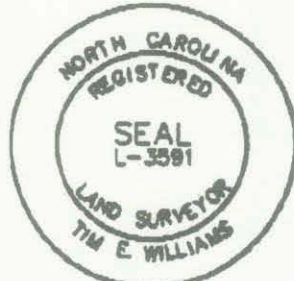
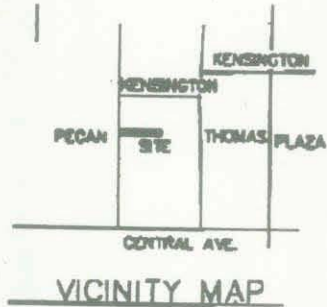
Drawn by: City of Charlotte  
Return to: City of Charlotte - Box

  
Brenda R. Freeze, CMC, City Clerk





PECAN AVENUE



GRAPHIC SCALE 1 inch = 30 ft.

NOTE: THERE MAY BE ERRORS IN ANY EASEMENTS, AGREEMENTS, OR RIGHTS-OF-WAY OF RECORD PRIOR TO DATE OF THIS PLAT, WHICH WERE NOT VISIBLE AT THE TIME OF OUR INSPECTION.

NOTE: MAP NOT FOR RECORDATION.

SEARCHES BASED ON RECORD PLAT NOTED BELOW.

I CERTIFY THAT ON THE DATE SPECIFIED HEREON, I SURVEYED THE PROPERTY SHOWN ON THIS PLAT, ALL WORKING AND DONE UNDER MY SUPERVISION.

*Tim E. Williams*  
T. E. WILLIAMS      NCLS

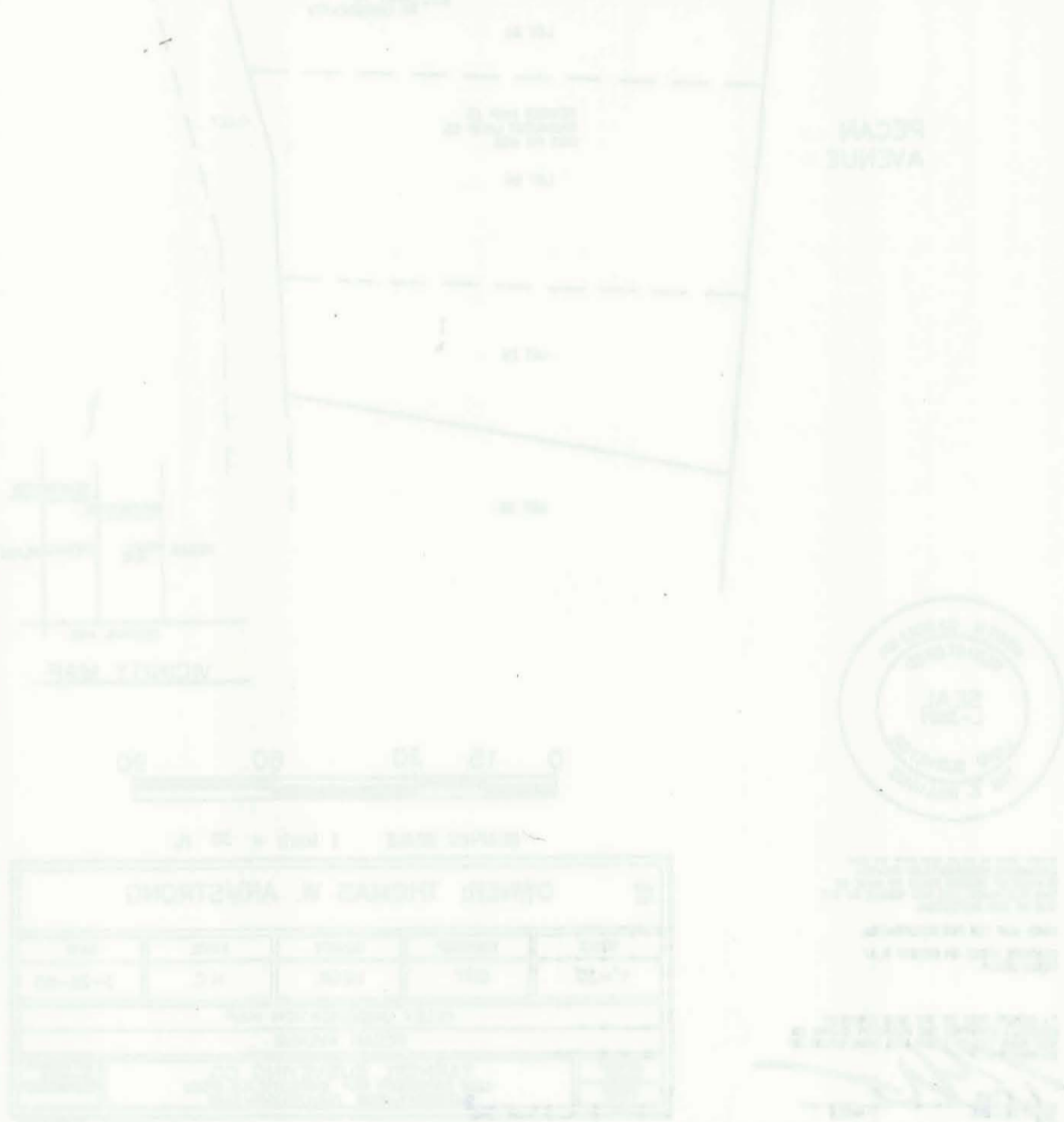
OWNER: THOMAS W. ARMSTRONG				
SCALE	TOWNSHIP	COUNTY	STATE	DATE
1" = 30'	CITY	MECK.	N.C.	3-26-98
ALLEY UNDEDICATION MAP				
PECAN AVENUE				
DATE	TARHEEL SURVEYING CO. 4326 SANDHURST WAY CHARLOTTE, N.C. 28209 P: (704) 847-8889 FAX: (704) 848-8328			MAP NO. L-409

ATTACHED PECAN AND

EXHIBIT "B"

BEGINNING AT A POINT ON THE EASTERLY RIGHT OF WAY OF PECAN AVENUE WHICH IS S14-54-39W 148.03' FROM THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF PECAN AVENUE AND THE SOUTHERLY RIGHT OF WAY OF KENSINGTON DRIVE.

THENCE FROM SAID BEGINNING POINT: S75-05-21E 200.03' TO A POINT, THENCE S14-54-39W 10.00' TO A POINT, THENCE N75-05-21W 200.03' TO A POINT ON SAID RIGHT OF WAY OF PECAN AVENUE, THENCE WITH THE EASTERLY RIGHT OF WAY OF PECAN AVENUE N14-54-39E 10.00' TO SAID POINT OF BEGINNING CONTAINING 2,000.3 SQUARE FEET AND 0.45 ACRES.



OWNER'S RECORD IN KANSAS COUNTY				
NO.	DATE	BY	AMOUNT	REMARKS
1	1998-07-27	...	...	...

**RESOLUTION CLOSING EIGHT (8) ALLEYS AND A PORTION OF ONE (1) STREET, ALL LOCATED WITHIN PETITIONER'S GATEWAY VILLAGE PROJECT AND ALL LYING WITHIN THE AREA BOUNDED BY WEST TRADE STREET, INTERSTATE 77, WEST 5TH STREET AND THE RAILROAD TRACKS JUST EAST OF NORTH CEDAR STREET (THE FIRST ALLEY BEING LOCATED IN THE 700 BLOCK OF WEST TRADE STREET, THE SECOND ALLEY BEING LOCATED IN THE 800 BLOCK OF WEST TRADE STREET, THE THIRD ALLEY BEING LOCATED IN THE 800 BLOCK OF WEST TRADE STREET, THE FOURTH ALLEY BEING LOCATED IN THE 800 BLOCK OF WEST TRADE STREET, THE FIFTH ALLEY BEING LOCATED IN THE 900 BLOCK OF WEST TRADE STREET, THE SIXTH ALLEY BEING LOCATED IN THE 900 BLOCK OF WEST TRADE STREET, STREET, THE SEVENTH ALLEY BEING LOCATED IN THE 1000 BLOCK OF WEST 5TH STREET, THE EIGHTH ALLEY BEING LOCATED IN THE 1100 BLOCK OF WEST TRADE STREET, AND THE STREET BEING THAT PORTION OF NORTH CLARKSON STREET LYING BETWEEN WEST TRADE STREET AND WEST 5TH STREET), AND ALL 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 aforementioned eight alleys and portion of North Clarkson Street all lying within the area bounded by West Trade Street, Interstate 77, West 5th Street and the railroad tracks just East of North Cedar 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 the aforementioned eight alleys and portion of North Clarkson Street, all lying within the area bounded by West Trade Street, Interstate 77, West 5th Street and the railroad tracks just East of North Cedar 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 the aforementioned eight alleys and portion of North Clarkson Street, all as required by N.C.G.S. 160A-299; and

**WHEREAS**, the public hearing was held on the 27th day of July, 1998 and City Council determined that the closing of the aforementioned eight alleys and portion of North Clarkson 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, North Carolina at its regularly assembled meeting of July 27, 1998, that the Council hereby orders the closing of the aforementioned eight alleys and portion of North Clarkson Street in the City of Charlotte, Mecklenburg County, North Carolina as more

particularly shown in Exhibits A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8 and A-9, respectively, and are more particularly described by metes and bounds in Exhibits B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, and B-9, respectively, all of which are 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 27th day of July, 1998, the reference having been made in Minute Book 112, page \_\_\_\_\_, and recorded in full in Resolution Book 35, page 247-263.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of July, 1998.

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

THIS IS TO CERTIFY THAT ON THE 06 DAY OF APRIL 19 38 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 58) 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.

REFERENCE: P.A.  
 ZOUTENWILLE A.G.C.  
 NORRIS SURVEY JOB  
 DATED MAY 16, 1997



SIGNED C. Clark Neilson  
 R. B. PHARR & ASSOCIATES, REGISTERED SURVEYORS  
 432 HORTHORNE LANE  
 CHARLOTTE, N.C. 28204  
 TEL. (704) 378-2186

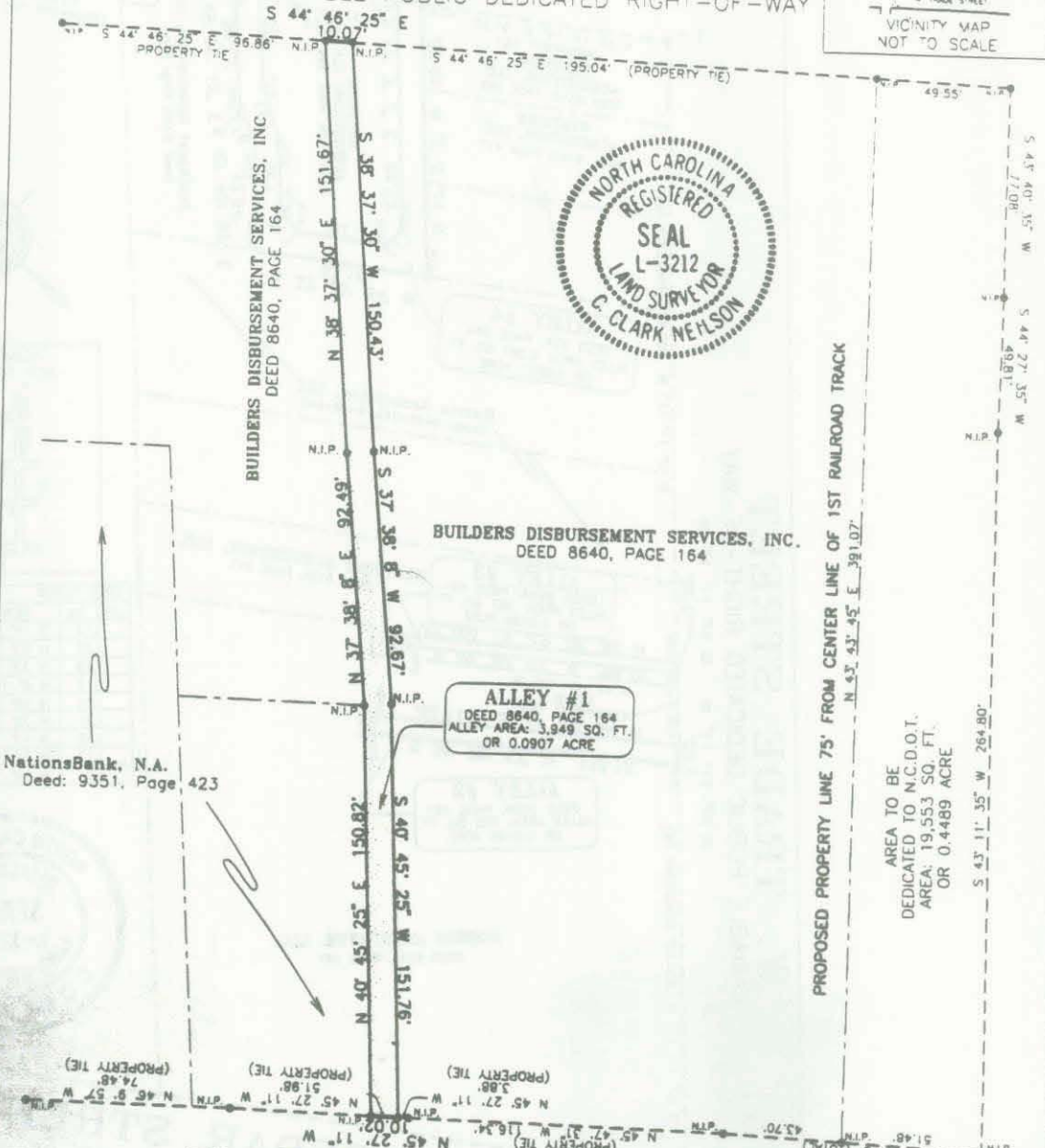
CREW	DM	TC	REVISED
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EXHIBIT A-1



W. 5TH STREET

VARIABLE PUBLIC DEDICATED RIGHT-OF-WAY



W. TRADE STREET

VARIABLE PUBLIC DEDICATED RIGHT-OF-WAY  
 ABANDONMENT MAP OF:  
 ALLEY #1

700 BLOCK

CHARLOTTE N.C.

PREPARED FOR COUSINS/NATIONS BANK RE: GATEWAY VILLAGE, LLC

SCALE 1" = 40'  
 MAP BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

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



THIS IS TO CERTIFY THAT ON THE 06 DAY OF APRIL 19 98 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 1800 (21 NCAC 58) 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.

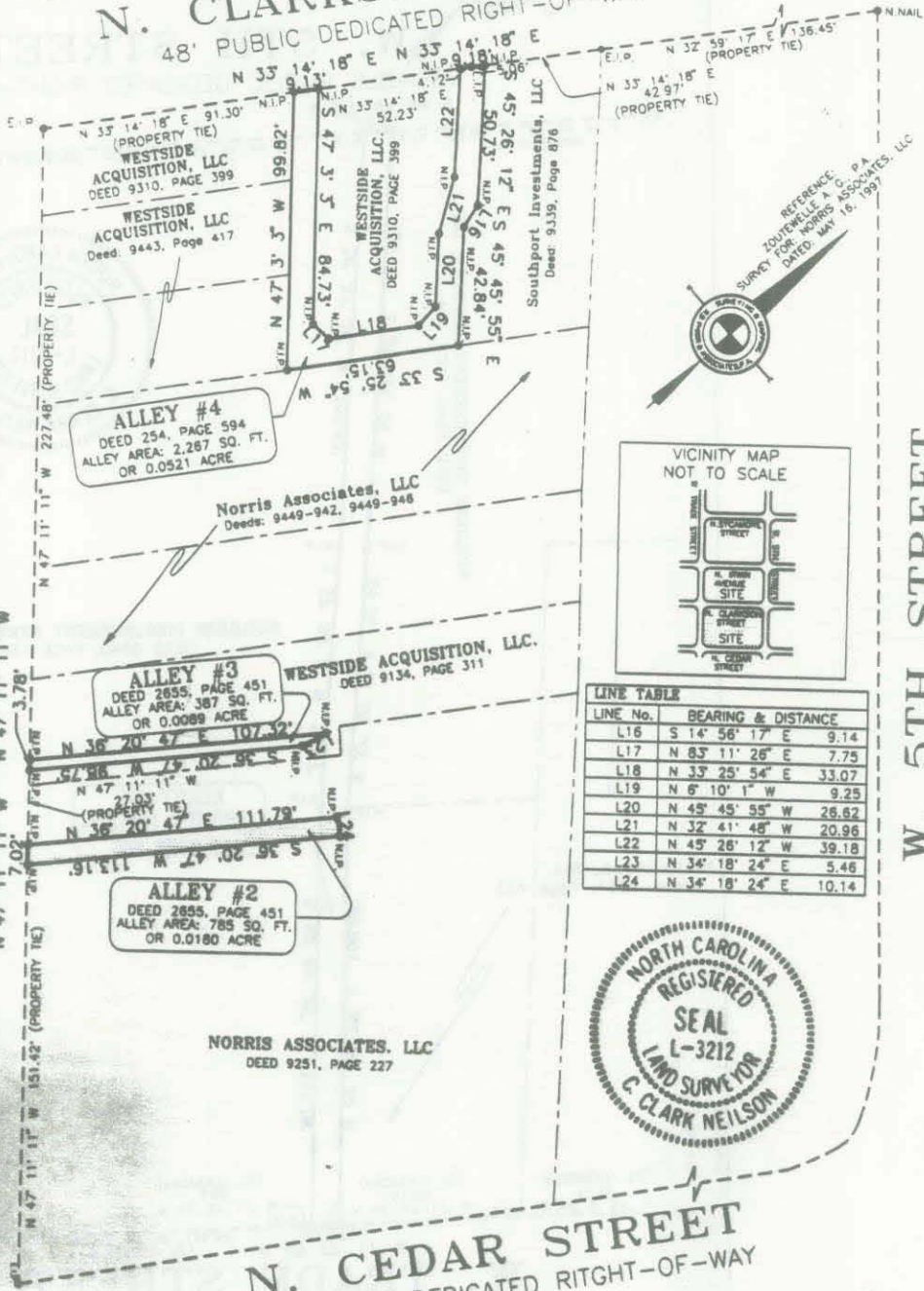
SIGNED *C. Clark Neilson*  
 R. B. PHARR & ASSOCIATES, REGISTERED SURVEYORS  
 420 HANTHORNE LANE  
 CHARLOTTE, N.C. 28225  
 TEL. (704) 378-2198

EXHIBIT A-2

N. CLARKSON STREET  
 48' PUBLIC DEDICATED RIGHT-OF-WAY

W. TRADE STREET  
 VARIABLE PUBLIC DEDICATED RIGHT-OF-WAY

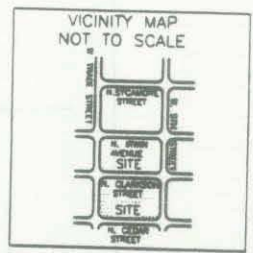
W. 5TH STREET  
 VARIABLE PUBLIC DEDICATED RIGHT-OF-WAY



ALLEY #4  
 DEED 254, PAGE 594  
 ALLEY AREA: 2,267 SQ. FT.  
 OR 0.0521 ACRE

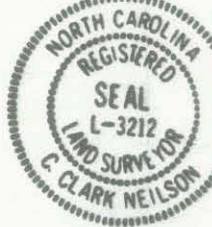
ALLEY #3  
 DEED 2855, PAGE 451  
 ALLEY AREA: 367 SQ. FT.  
 OR 0.0089 ACRE

ALLEY #2  
 DEED 2855, PAGE 451  
 ALLEY AREA: 785 SQ. FT.  
 OR 0.0180 ACRE



LINE TABLE

LINE No.	BEARING & DISTANCE
L16	S 14° 56' 17" E 9.14
L17	N 83° 11' 26" E 7.75
L18	N 33° 25' 54" E 33.07
L19	N 6° 10' 1" W 9.25
L20	N 45° 45' 55" W 26.62
L21	N 32° 41' 48" W 20.96
L22	N 45° 28' 12" W 39.18
L23	N 34° 18' 24" E 5.46
L24	N 34° 18' 24" E 10.14



N. CEDAR STREET  
 50' PUBLIC DEDICATED RIGHT-OF-WAY

ABANDONMENT MAP OF: **800 BLOCK**  
 ALLEY #2  
 CHARLOTTE N.C.

PREPARED FOR COUSINS/NATIONSBANK RE: GATEWAY VILLAGE, LLC  
 SCALE 1" = 40'  
 MAP BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

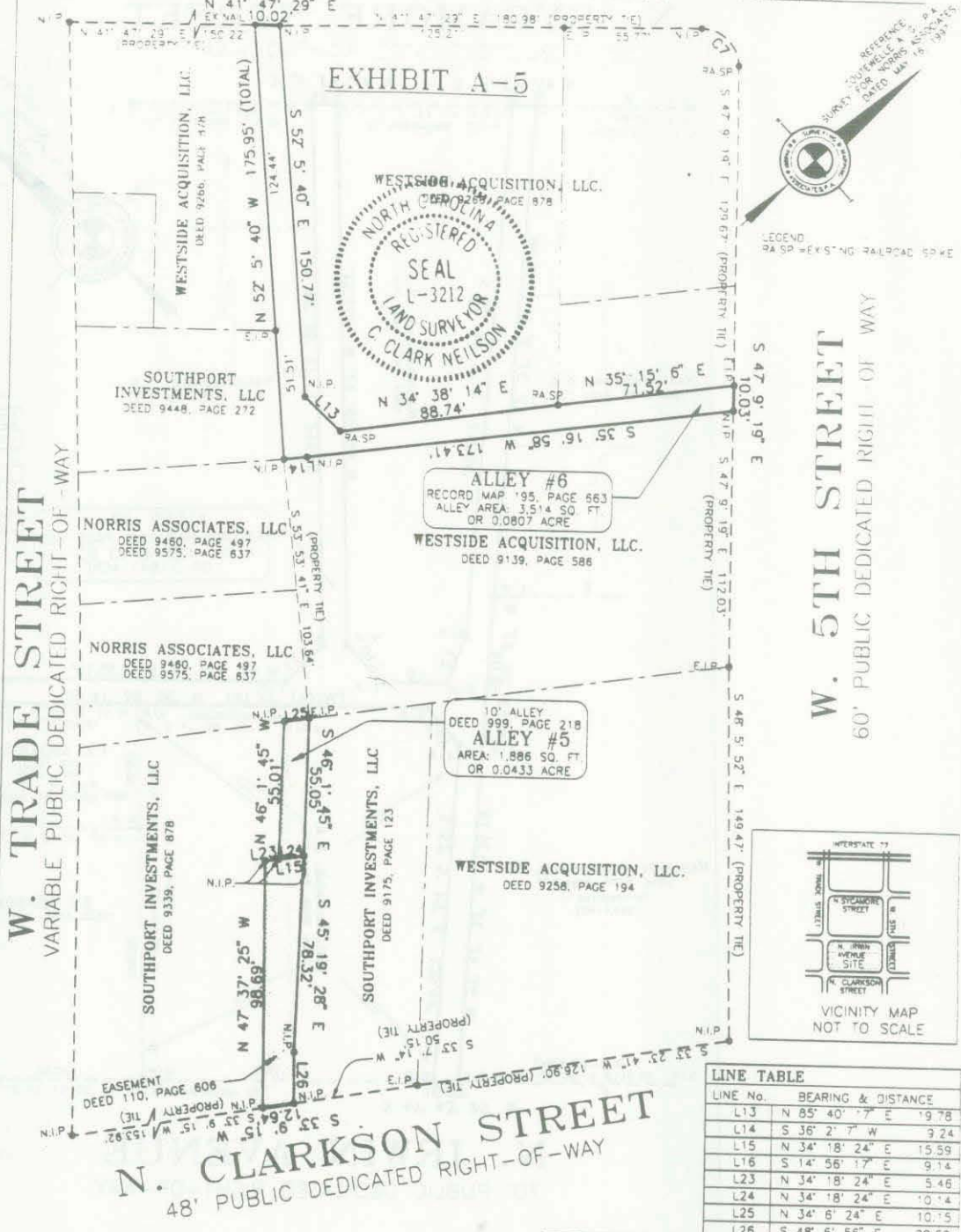
FLOOD CERTIFICATION  
 THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT  
 LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON  
 MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT  
 AGENCY FEDERAL INSURANCE ADMINISTRATION, DATED  
 FEBRUARY 26, 1982

THIS IS TO CERTIFY THAT ON THE 15 DAY OF APRIL 19 98 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 1800 (21 NCAC 58) 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.

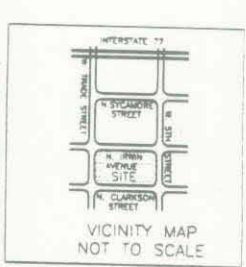
**N. IRWIN AVENUE**  
 10' PUBLIC DEDICATED RIGHT-OF-WAY

SIGNED *C. Clark Neilson*

R. B. PHARR & ASSOCIATES, REGISTERED SURVEYORS  
 470 HAMPDEN LANE  
 CHARLOTTE, NC 28204  
 TEL: (704) 375-2188



LEGEND  
 RA SP = EXISTING RAILROAD SPK



LINE No.	BEARING & DISTANCE
L13	N 85° 40' 17" E 19.78
L14	S 36° 2' 7" W 9.24
L15	N 34° 18' 24" E 15.59
L16	S 14° 56' 17" E 9.14
L23	N 34° 18' 24" E 5.48
L24	N 34° 18' 24" E 10.14
L25	N 34° 6' 24" E 10.15
L26	S 48° 6' 56" E 20.59

CURVE No.	RADIUS	ARC	CHORD BEARING & DISTANCE
C7	15.00	23.84	N 87° 19' 5" E 21.41

ABANDONMENT MAP OF:  
 ALLEY #5

CHARLOTTE, N.C.

PREPARED FOR COUSINS/NATIONSBANK RE: GATEWAY VILLAGE, LLC  
 SCALE 1" = 40'  
 MAP BOOK 195 PAGE 663  
 DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

**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 25, 1982.

THIS IS TO CERTIFY THAT ON THE 26 DAY OF APRIL 1998 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 1800 (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

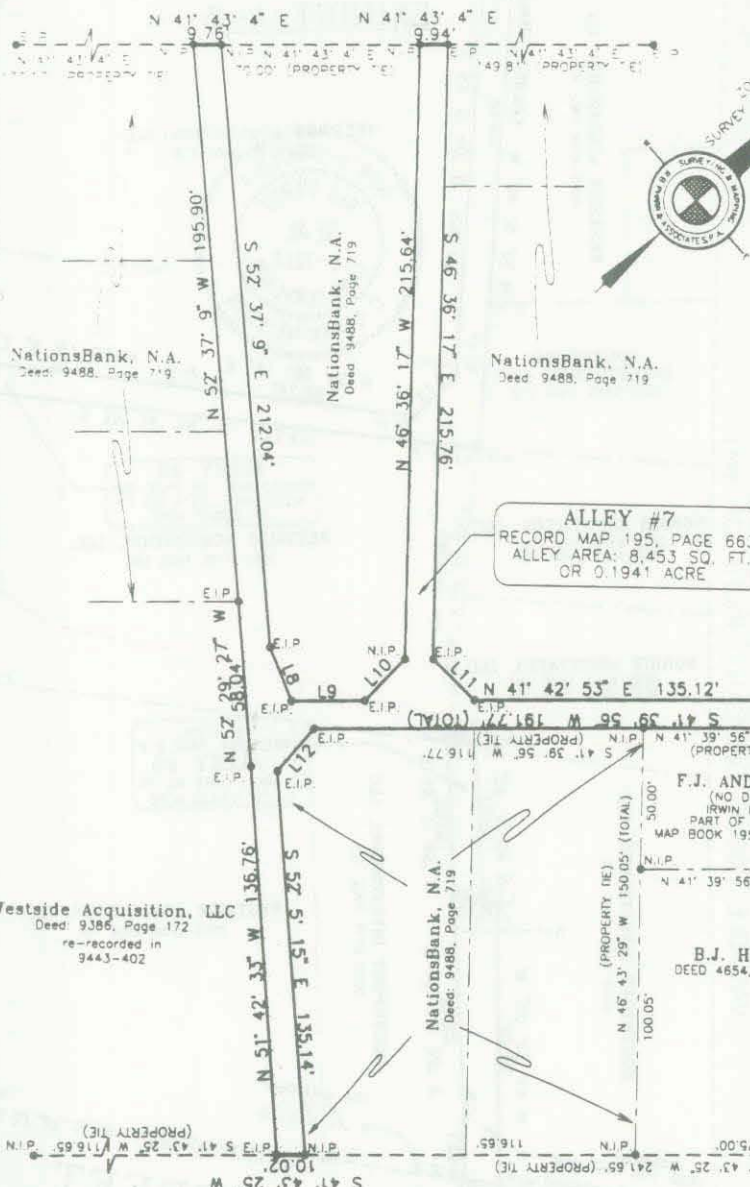
EXHIBIT A-7

SIGNED *C. Clark Nelson*

R. B. PHARR & ASSOCIATES, REGISTERED SURVEYORS  
 420 - AMFICONE, AVE.  
 CHARLOTTE, N.C. 28204  
 TEL: 354-174-2766

DM ENAMN RE-SCD

N. SYCAMORE STREET  
 60' PUBLIC DEDICATED RIGHT-OF-WAY



LINE TABLE

LINE No	BEARING & DISTANCE	
L8	S 70° 24' 8" E	20.04
L9	N 41° 35' 41" E	25.87
L10	N 3° 37' 7" W	20.25
L11	N 88° 5' 47" E	20.33
L12	S 7° 36' 51" E	19.82

ALLEY #7  
 RECORD MAP 195, PAGE 663  
 ALLEY AREA: 8,453 SQ. FT.  
 OR 0.1941 ACRE

1000 BLOCK

ABANDONMENT MAP OF:  
 ALLEY #7

CHARLOTTE N.C.

PREPARED FOR COUSINS/NATIONSBANK RE: GATEWAY VILLAGE, LLC  
 SCALE 1"=40'  
 MAP BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

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

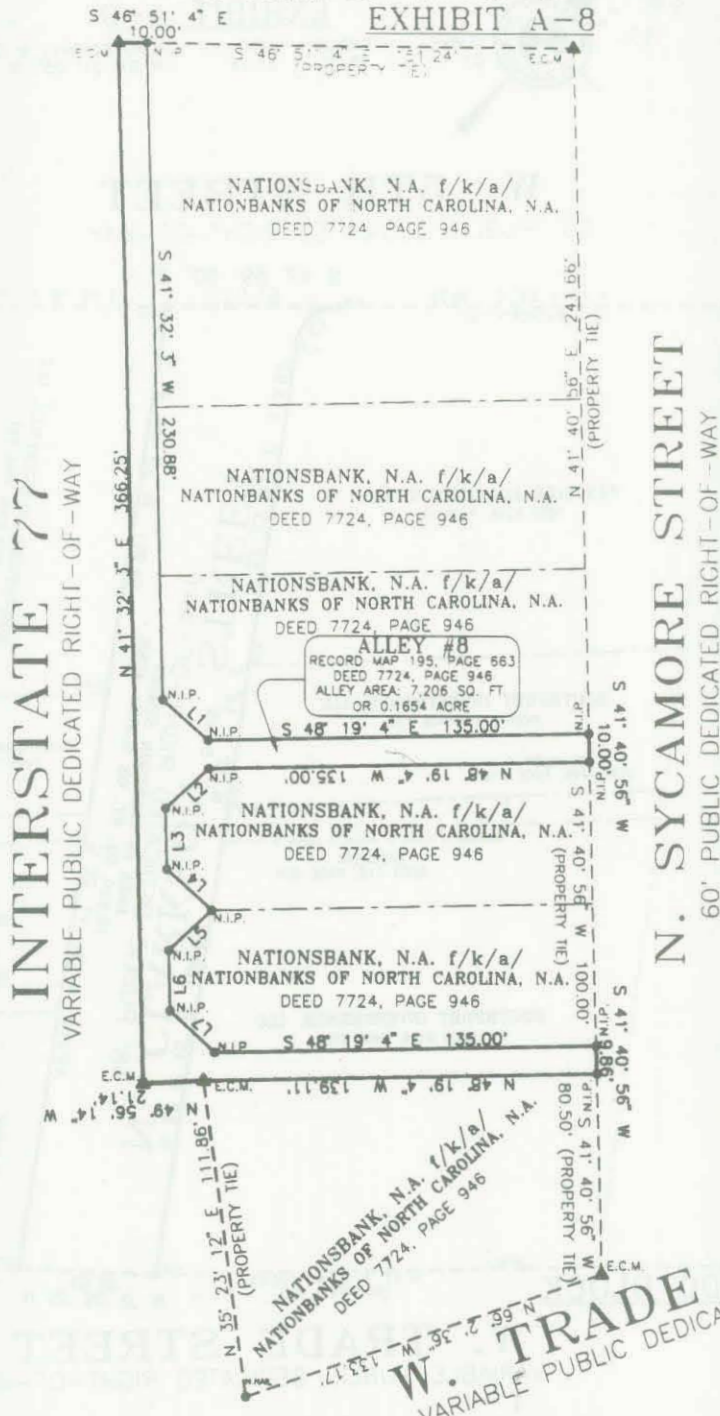
THIS IS TO CERTIFY THAT ON THE 25 DAY OF APRIL 19 98 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1800 (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 Neilson*  
 R. B. PHARR & ASSOCIATES, REGISTERED SURVEYORS  
 422 ANTHONY LANE  
 CHARLOTTE, N.C. 28204  
 TEL: 704.374.2799

**W. 5TH STREET**

VARIABLE PUBLIC DEDICATED RIGHT-OF-WAY

**EXHIBIT A-8**



**LINE TABLE**

LINE No.	BEARING & DISTANCE
L1	S 5° 5' 52" E 21.40
L2	S 89° 50' 18" W 20.80
L3	S 41° 32' 3" W 21.31
L4	S 4° 29' 50" E 21.40
L5	S 89° 18' 24" W 20.80
L6	S 41° 32' 3" W 21.03
L7	S 4° 0' 6" E 21.40



**W. TRADE STREET**  
 VARIABLE PUBLIC DEDICATED RIGHT-OF-WAY

ABANDONMENT MAP OF:  
 ALLEY #8  
 1100 BLOCK

CHARLOTTE N.C.

PREPARED FOR: COUSINS/NATIONSBANK RE: GATEWAY VILLAGE, LLC  
 SCALE: 1"=40'  
 MAP BOOK: 195 PAGE: 663  
 DEED BOOK: 7724 PAGE: 946

**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 25, 1982.

THIS IS TO CERTIFY THAT ON THE 26 DAY OF JULY 1998 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 1800 (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 Neilson  
R. B. PHARR & ASSOCIATES, REGISTERED SURVEYORS  
672 HARTHOVE AVE  
CHARLOTTE, N.C. 28204  
TEL: (704) 378-2186

REFERENCE TO  
ZONING MAP A-206  
DATED MAY 16, 1997

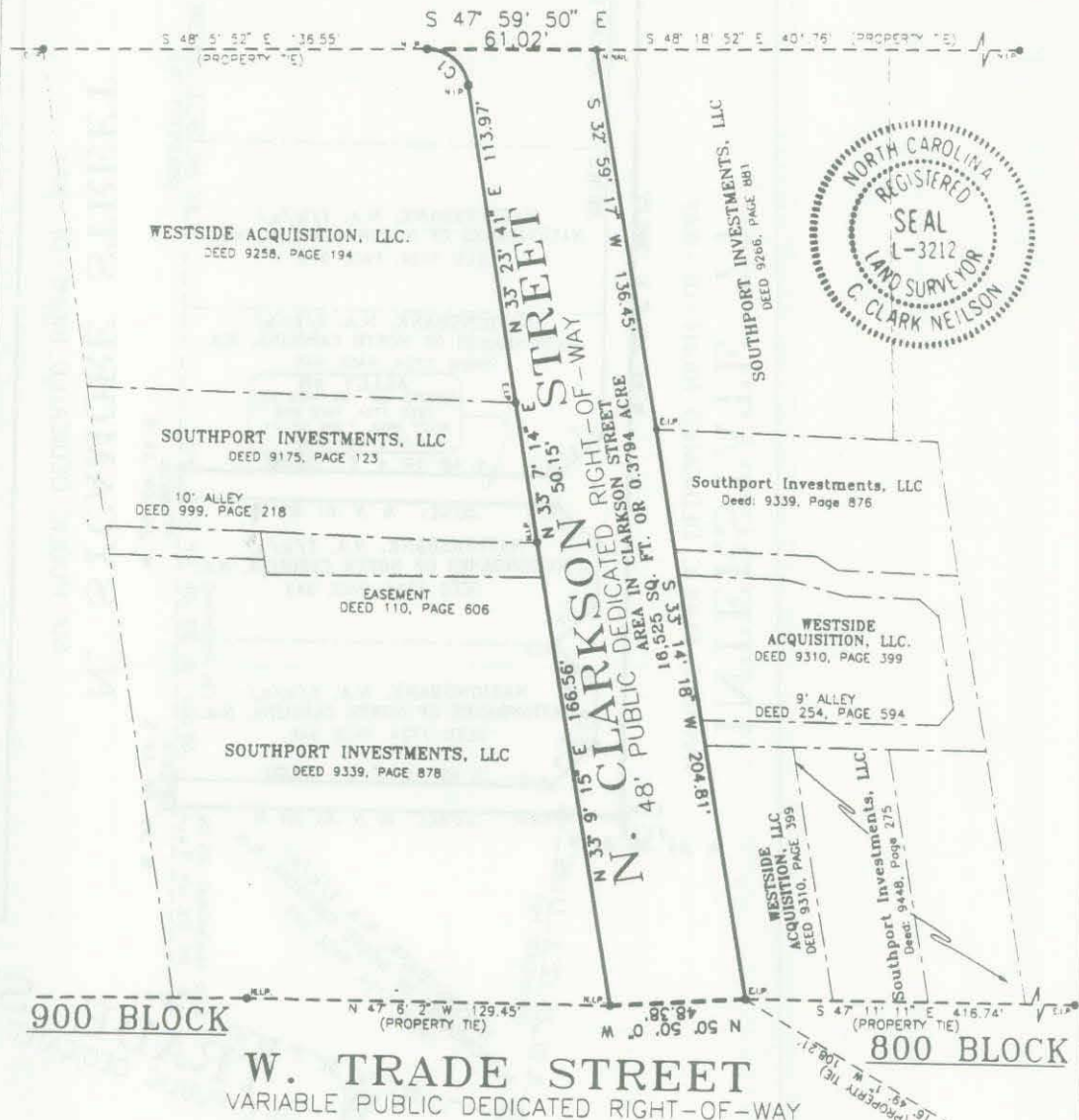


EXHIBIT A-9

CURVE C1  
RADIUS 15.00  
ARC 21.33  
CHORD BEARING & DISTANCE  
N 07° 21' 05" W 19.58'



W. 5TH STREET  
60' PUBLIC DEDICATED RIGHT-OF-WAY



W. TRADE STREET  
VARIABLE PUBLIC DEDICATED RIGHT-OF-WAY

ABANDONMENT MAP OF:  
A PORTION OF NORTH CLARKSON STREET (48' Public Right-of-Way)  
CHARLOTTE N.C.

PREPARED FOR COUSINS/NATIONSBANK RE: GATEWAY VILLAGE, LLC  
SCALE 1" = 40'  
MAP BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

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-1

### Alley #1

#### Legal Description:

**BEGINNING** at a point in the northeasterly margin of W. Trade Street (variable width public right-of-way), said point being located in three (3) courses and distances along said margin of W. Trade Street from the southeast corner of the Builders Disbursement Services, Inc. property (now or formerly) as described in Deed Book 8640, Page 164 of the Mecklenburg County Public Registry as follows: 1) N. 44-09-43 W. 95.18 feet to a new iron pin; 2) N. 45-47-31 W. 116.34 feet to a new iron pin; and 3) N. 45-27-11 W. 3.88 feet to the **BEGINNING** and runs thence with the northeasterly margin of W. Trade Street N. 45-27-11 W. 10.02 feet to a new iron pin, said point being the southeast corner of the NationsBank property as described in Deed Book 9351, Page 423 of said Registry; thence with the southeasterly line of the NationsBank property N. 40-45-25 E. 150.82 feet to a new iron pin, said point being a corner of the aforesaid Builders Disbursement Services, Inc. property; thence with two (2) lines of the Builders Disbursement property as follows: 1) N. 37-38-08 E. 92.49 feet to a new iron pin; and 2) N. 38-37-30 E. 151.67 feet to a new iron pin in the southwesterly margin of W. 5th Street (variable width public right-of-way); thence with the southwesterly margin of W. 5th Street, if extended S. 44-46-25 E. 10.07 feet to a new iron pin; thence with the southeasterly margin of the 10 foot alley herein described in common with the property lines of the Builders Disbursement property in three (3) courses and distances as follows: 1) S. 38-37-30 W. 150.43 feet to a new iron pin; 2) S. 37-38-08 W. 92.67 feet to a new iron pin; and 3) S. 40-45-25 W. 151.76 feet to the point and place of **BEGINNING**. Containing 3,949 square feet or 0.0907 acre of land as shown on a map prepared by R.B. Pharr & Associates, P.A. dated April 6, 1998.

**EXHIBIT B-2**

**Alley #2**

**Legal Description:**

**BEGINNING** at a new iron pin in the northeasterly margin of W. Trade Street (variable width public right-of-way), said point being located from an existing iron pin marking the northwest intersection of W. Trade Street and N. Cedar Street (50 foot public right-of-way) N. 47-11-11 W. 151.42 feet to the **BEGINNING**, and runs thence with the northeasterly margin of W. Trade Street N. 47-11-11 W. 7.02 feet to a new iron pin; thence in three (3) courses and distances as follows: 1) N. 36-20-47 E. 111.79 feet to a new iron pin; 2) N. 34-18-24 E. 10.14 feet to a new iron pin; and 3) S. 36-20-47 W. 113.16 feet to the point and place of **BEGINNING**. Containing 785 square feet or 0.0180 acre of land as shown on a survey prepared by R.B. Pharr & Associates, P.A. dated April 6, 1998.

## EXHIBIT B-3

### Alley #3

#### Legal Description:

**BEGINNING** at a new iron pin in the northeasterly margin of W. Trade Street (variable width public right-of-way), said point being located along said margin from an existing iron pin marking the southeast intersection of W. Trade Street and N. Clarkson Street (48 foot public right-of-way) S. 47-11-11 E. 227.48 feet to the **BEGINNING**, and runs thence three (3) courses and distances as follows: 1) N. 36-20-47 E. 107.32 feet to a new iron pin; 2) S. 34-18-24 W. 5.46 feet to a new iron pin; and 3) S. 36-20-47 W. 98.75 feet to a new iron pin in the northeasterly margin of W. Trade Street; thence with the northeasterly margin of W. Trade Street N. 47-11-11 W. 3.78 feet to the point and place of **BEGINNING**. Containing 387 square feet or 0.0089 acre of land as shown on a survey prepared by R.B. Pharr & Associates, P.A. dated April 6, 1998.



## EXHIBIT B-4

### Alley #4

#### Legal Description:

**BEGINNING** at a new iron pin in the southeasterly margin of the right-of-way of N. Clarkson Street (48 foot public right-of-way), said point being located from the northeast intersection of N. Clarkson Street and W. Trade Street (variable width public right-of-way) N. 33-14-18 E. 91.30 feet to the **BEGINNING** and runs thence with the southeasterly margin of N. Clarkson Street N. 33-14-18 E. 9.13 feet to a new iron pin, said point being a corner of the Westside Acquisition, LLC property as described in Deed Book 9310, Page 399 of the Mecklenburg County Public Registry; thence with seven (7) courses and distances of the aforesaid Westside Acquisition, LLC property as follows: 1) S. 47-03-03 E. 84.73 feet to a new iron pin; 2) N. 83-11-26 E. 7.75 feet to a new iron pin; 3) N. 33-25-54 E. 33.07 feet to a new iron pin; 4) N. 06-10-01 W. 9.25 feet to a new iron pin; 5) N. 45-45-55 W. 26.62 feet to a new iron pin; 6) N. 32-41-48 W. 20.96 feet to a new iron pin; and 7) N. 45-26-12 W. 39.18 feet to a new iron pin in the southeasterly margin of N. Clarkson Street; thence with the southeasterly margin of N. Clarkson Street N. 33-14-18 E. 9.18 feet to a new iron pin; thence five (5) courses and distances as follows: 1) S. 45-26-12 E. 50.73 feet to a new iron pin; 2) S. 14-56-17 E. 9.14 feet to a new iron pin; 3) S. 45-45-55 E. 42.84 feet to a new iron pin; 4) S. 33-25-54 W. 63.15 feet to a new iron pin; and 5) N. 47-03-03 W. 99.82 feet to the point and place of **BEGINNING**. Containing 2,267 square feet or 0.0521 acre of land as shown on a survey prepared by R.B. Pharr & Associates, P.A. dated April 6, 1998.

## EXHIBIT B-5

### Alley #5

#### Legal Description:

**BEGINNING** at a new iron pin in the northwesterly margin of N. Clarkson Street (48 foot public right-of-way), said point being the easternmost corner of the Southport Investments, LLC property as described in Deed Book 9339, Page 878 of the Mecklenburg County Public Registry, and furthermore said point of **BEGINNING** being located along said margin from a new iron pin marking the northwest intersection of W. Trade Street (variable width public right-of-way) and N. Clarkson Street N. 33-09-15 E. 153.92 feet to the **BEGINNING**, and runs thence with the northeasterly lines of the Southport Investments, LLC property in three (3) courses and distances as follows: 1) N. 47-37-25 W. 98.69 feet to a new iron pin; 2) N. 34-18-24 E. 5.46 feet to a new iron pin; and 3) N. 46-01-45 W. 55.01 feet to a new iron pin in the southeasterly line of the Norris Associates, LLC property as described in Deed Book 9575, Page 637 and Deed Book 9460, Page 497 of said Registry; thence with said line N. 34-06-24 E. 10.15 feet to an existing iron pin, said point being the northwest corner of the Southport Investments, LLC property as described in Deed Book 9175, Page 123 of said Registry; thence with the southwesterly line of the Southport Investments, LLC property in three (3) courses and distances as follows: 1) S. 46-01-45 E. 55.05 feet to a new iron pin; 2) S. 45-19-28 E. 78.32 feet to a new iron pin; and 3) S. 48-06-56 E. 20.59 feet to a new iron pin in the northwesterly margin of N. Clarkson Street; thence with the northwesterly margin of N. Clarkson Street S. 33-09-15 W. 12.64 feet to the point and place of **BEGINNING**. Containing 1,886 square feet or 0.0433 acre of land as shown on a survey prepared by R.B. Pharr & Associates, P.A. dated April 6, 1998.

## EXHIBIT B-6

### Alley #6

#### Legal Description:

**BEGINNING** at an existing nail in the southeasterly margin of the right-of-way of N. Irwin Avenue (70 foot public right-of-way), said point being located along said margin from a new iron pin marking the southeast intersection of W. Trade Street (variable width public right-of-way) and N. Irwin Avenue N. 41-47-29 E. 150.22 feet to the **BEGINNING**, and runs thence with the southeasterly margin of N. Irwin Avenue N. 41-47-29 E. 10.02 feet to a new iron pin; thence with four (4) courses and distances as follows: 1) S. 52-05-40 E. 150.77 feet to a new iron pin; 2) N. 85-40-17 E. 19.78 feet to an existing railroad spike; 3) N. 34-38-14 E. 88.74 feet to an existing railroad spike; and 4) N. 35-15-06 E. 71.52 feet to an existing iron pin in the southwesterly margin of the right-of-way of W. 5th Street (60 foot public right-of-way), said point being the easternmost corner of the Westside Acquisition, LLC property as described in Deed Book 9266, Page 878 of the Mecklenburg County Public Registry; thence with the southwesterly margin of W. 5th Street S. 47-09-19 E. 10.03 feet to a new iron pin, said point being the northernmost corner of the Westside Acquisition, LLC property as described in Deed Book 9139, Page 586 of said Registry; thence with the northwesterly line of the Westside Acquisition, LLC property in two (2) courses and distances as follows: 1) S. 35-16-58 W. 173.41 feet to a new iron pin; and 2) S. 36-02-07 W. 9.24 feet to a new iron pin; thence N. 52-05-40 W. 175.95 feet to the point and place of **BEGINNING**. Containing 3,514 square feet or 0.0807 acre of land as shown on a survey prepared by R.B. Pharr & Associates, P.A. dated April 6, 1998.

## EXHIBIT B-7

### Alley #7

#### Legal Description:

**BEGINNING** at an existing iron pin in the southwesterly margin of W. 5th Street (60 foot public right-of-way), said point being the northerly most corner of the F.J. Anderson property, and furthermore being located along said margin of W. 5th Street from a new iron pin marking the northwest intersection of W. 5th Street and N. Irwin Avenue (70 foot public right-of-way) N. 46-43-32 W. 150.13 feet to the **BEGINNING**, and runs thence with the northwesterly lines of the F.J. Anderson property and the NationsBank, N.A. property as described in Deed Book 9488, Page 719 of the Mecklenburg County Public Registry S. 41-39-56 W. 191.77 feet to an existing iron pin; thence continuing with the westerly lines of the aforesaid NationsBank, N.A. property in two (2) courses and distances as follows: 1) S. 07-36-51 E. 19.82 feet to an existing iron pin; and 2) S. 52-05-15 E. 135.14 feet to a new iron pin in the northwesterly margin of N. Irwin Avenue; thence with the northwesterly margin of N. Irwin Avenue S. 41-43-25 W. 10.02 feet to an existing iron pin, said point being the southeast corner of the Westside Acquisition, LLC property as described in Deed Book 9386, Page 172 re-recorded in Deed Book 9443, Page 402 of said Registry; thence with the northeasterly line of the Westside Acquisition, LLC property in two (2) courses and distances as follows: 1) N. 51-42-33 W. 136.76 feet to an existing iron pin; and 2) N. 52-29-27 W. 58.04 feet to an existing iron pin, said point being the southeast corner of the NationsBank, N.A. property as described in Deed Book 9488, Page 719 of said Registry; thence with the northeasterly line of the NationsBank property N. 52-37-09 W. 195.90 feet to a new iron pin in the southeasterly margin of N. Sycamore Street (60 foot public right-of-way); thence with said margin of N. Sycamore Street N. 41-43-04 E. 9.76 feet to a new iron pin, said point being a corner of the aforesaid NationsBank property; thence with five (5) lines of the NationsBank property as follows: 1) S. 52-37-09 E. 212.04 feet to an existing iron pin; 2) S. 70-24-08 E. 20.04 feet to an existing iron pin; 3) N. 41-35-41 E. 25.87 feet to an existing iron pin; 4) N. 03-37-07 W. 20.25 feet to a new iron pin; and 5) N. 46-36-17 W. 215.64 feet to a new iron pin in the southeasterly margin of N. Sycamore Street; thence with said margin of N. Sycamore Street N. 41-43-04 E. 9.94 feet to an existing iron pin, said point being a corner of the aforesaid NationsBank property; thence with three (3) courses and distances of the NationsBank property as follows: 1) S. 46-36-17 E. 215.76 feet to an existing iron pin; 2) N. 86-05-47 E. 20.33 feet to an existing iron pin; and 3) N. 41-42-53 E. 135.12 feet to a new iron pin in the southwesterly margin of W. 5th Avenue; thence with said margin of W. 5th Avenue S. 46-43-32 E. 9.80 feet to the point and place of **BEGINNING**. Containing 8,453 square feet or 0.1941 acre of land as shown on a survey prepared by R.B. Pharr & Associates, P.A. dated April 6, 1998.

## EXHIBIT B-8

### Alley #8

#### Legal Description:

**BEGINNING** at a new iron pin in the northwesterly margin of N. Sycamore Street (60 foot public right-of-way), said point being located from an existing concrete monument at the northwest intersection of W. Trade Street (variable public right-of-way) and N. Sycamore Street N. 41-40-56 E. 80.50 feet and runs thence with the property conveyed to NationsBank, N.A. (f/k/a) NationsBank of North Carolina, N.A. in Deed Book 7724, Page 946 of the Mecklenburg County Public Registry N. 48-19-04 W. 139.11 feet to an existing concrete monument in the southeasterly margin of the right-of-way of Interstate Highway #77 (variable width right-of-way); thence with said right-of-way of Interstate #77 in two (2) courses and distances as follows: 1) N. 49-56-14 W. 21.14 feet to an existing concrete monument; and 2) N. 41-32-03 E. 366.25 feet to an existing concrete monument, said point being the southeast intersection of W. 5th Street (variable width right-of-way) and Interstate Highway #77; thence with the southerly margin of W. 5th Street S. 46-51-04 E. 10.00 feet to a new iron pin, said point being the northern-most corner of the aforesaid NationsBank, N.A. property; thence with three (3) lines of the NationsBank property as follows: 1) S. 41-32-03 W. 230.88 feet to a new iron pin; 2) S. 05-05-52 E. 21.40 feet to a new iron pin; and 3) S. 48-19-04 E. 135.00 feet to a new iron pin in the northwesterly margin of N. Sycamore Street; thence with the northwesterly margin of N. Sycamore Street S. 41-40-56 W. 10.00 feet to a new iron pin; thence with eight (8) lines of the aforesaid NationsBank property as follows: 1) N. 48-19-04 W. 135.00 feet to a new iron pin; 2) S. 89-50-18 W. 20.80 feet to a new iron pin; 3) S. 41-32-03 W. 21.31 feet to a new iron pin; 4) S. 04-29-50 E. 21.40 feet to a new iron pin; 5) S. 89-18-24 W. 20.80 feet to a new iron pin; 6) S. 41-32-03 W. 21.03 feet to a new iron pin; 7) S. 04-00-06 E. 21.40 feet to a new iron pin; and 8) S. 48-19-04 E. 135.00 feet to a new iron pin in the northwesterly margin of N. Sycamore Street; thence with the northwesterly margin of N. Sycamore Street S. 41-40-56 W. 9.86 feet to the point and place of **BEGINNING**. Containing 7,206 square feet or 0.1654 acre of land as shown on a map prepared by R.B. Pharr & Associates, P.A. dated April 6, 1998.

## EXHIBIT B-9

### A Portion of N. Clarkson Street To Be Removed From Dedication

#### Legal Description:

**BEGINNING** at an existing iron pin marking the northeast intersection of W. Trade Street (variable width public right-of-way) and N. Clarkson Street (48 foot public right-of-way), said point being the westernmost corner of that certain parcel of land conveyed to Westside Acquisition, LLC in Deed Book 9310, Page 399 of the Mecklenburg County Public Registry and runs thence with the northeasterly margin of W. Trade Street, if extended N. 50-50-00 W. 48.38 feet to a new iron pin marking the northwest intersection of W. Trade Street and N. Clarkson Street, said point being the southeast corner of that certain parcel of land conveyed to Southport Investments, LLC as described in Deed Book 9339, Page 878 of said Registry; thence with the westerly margin of N. Clarkson Street in four (4) courses and distances as follows: 1) N. 33-09-15 E. 166.56 feet to a new iron pin; 2) N. 33-07-14 E. 50.15 feet to an existing iron pin; 3) N. 33-23-41 E. 113.97 feet to a new iron pin; and 4) with the arc of a circular curve to the left having a radius of 15.00 feet, an arc distance of 21.33 feet (chord: N. 07-21-05 W. 19.58 feet) to a new iron pin in the southwesterly margin of W. 5th Street (60 foot public right-of-way), said point being the northeast corner of that certain parcel of land conveyed to Westside Acquisition, LLC as described in Deed Book 9258, Page 194 of said Registry; thence with the southwesterly margin of W. 5th Street, if extended S. 47-59-50 E. 61.02 feet to a new nail marking the southeast intersection of W. 5th Street and N. Clarkson Street, said point being the northwest corner of the Southport Investments, LLC property as described in Deed Book 9266, Page 881 of said Registry; thence with the southeasterly margin of N. Clarkson Street in two (2) courses and distances as follows: 1) S. 32-59-17 W. 136.45 feet to an existing iron pin; and 2) S. 33-14-18 W. 204.81 feet to the point and place of **BEGINNING**. Containing 16,525 square feet or 0.3794 acre of land as shown on a map prepared by R.B. Pharr & Associates, P.A. dated April 6, 1998.

RESOLUTION OF INTENT TO CONSIDER AN ORDINANCE AMENDING THE CHARTER OF THE CITY OF CHARLOTTE TO: (1) CHANGE THE TERM OF THE MAYOR TO FOUR YEARS; (2) CHANGE THE TERMS OF THE CITY COUNCIL TO FOUR YEARS (CONCURRENT); (3) CHANGE THE MODE OF ELECTION OF THE COUNCIL TO APPORTION FIVE MEMBERS OF THE COUNCIL TO THE CITY AT LARGE AND SIX MEMBERS OF THE COUNCIL TO SINGLE-MEMBER ELECTORAL DISTRICTS, WITH CANDIDATES RESIDING IN AND REPRESENTING THE DISTRICTS BUT NOMINATED AND ELECTED BY ALL OF THE QUALIFIED VOTERS OF THE CITY; AND/OR (4) CHANGE THE ELECTION OF MAYOR AND COUNCIL MEMBERS TO THE NONPARTISAN PRIMARY AND ELECTION METHOD

WHEREAS, pursuant to G.S. 160A-101 and 160A-102, the City Council of the City of Charlotte may adopt an ordinance to amend the Charter of the City of Charlotte to implement any of the optional forms set out in G.S. 160A-101; and

WHEREAS, G.S. 160A-102 requires that proposed Charter amendments first be submitted to a public hearing and that due notice thereof be published not less than ten (10) days prior to the date fixed for the public hearing;

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

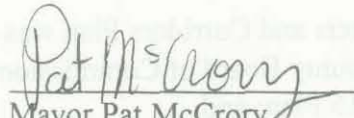
1. The City Council hereby intends to consider an ordinance amending the Charter of the City of Charlotte, as set forth in Chapter 713 of the 1965 Session Laws of North Carolina, as amended, to:

- a. Change the term of the mayor to four years, as authorized by G.S. 160A-101(8)a.;
- b. Change the terms of the city council to four years (concurrent), as authorized by G.S. 160A-101(4);
- c. Change the mode of election of the council to apportion five members of the council to the city at large and six members of the council to single-member electoral districts, with candidates residing in and representing the districts but nominated and elected by all of the qualified voters of the city, as authorized by G.S. 160A-101(6)c.; and/or
- d. Change the election of mayor and council members to the nonpartisan primary and election method, as authorized by G.S. 160A-101(7)d.

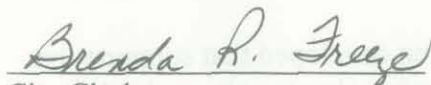
2. A public hearing on the proposed ordinance is hereby called in the Council Chambers, 600 E. Fourth St., Charlotte, North Carolina at 7:30 pm. on Tuesday, September 8, 1998.

3. The City Clerk is hereby directed to cause to be published a proper notice of the public hearing called, which notice shall contain a summary of the proposed Charter amendments.

Adopted this 27th day of July, 1998.

  
Mayor Pat McCrory


ATTEST:

  
City Clerk

**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 27th day of July, 1998, the reference having been made in Minute Book 112, and recorded in full in Resolution Book 35, Page(s) 264A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of July, 1998.

  
Brenda R. Freeze, CMC, City Clerk



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
REQUESTING THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS TO  
CONDUCT AN ADVISORY REFERENDUM IN NOVEMBER 1998 FOR A ½ CENT  
SALES TAX FOR TRANSIT.**

WHEREAS, the Centers and Corridors Plan was officially adopted by the Charlotte City Council and Mecklenburg County Board of Commissioners in 1994 and reaffirmed through inclusion in the approved 2015 Plan; and

WHEREAS, the Centers and Corridors Plan established a coordinated growth strategy for Charlotte-Mecklenburg; and

WHEREAS, a Transit/Land-Use Plan has recently been developed that supports the Centers and Corridors Plan and establishes a framework for enhancing transit service in Charlotte-Mecklenburg; and

WHEREAS, the Transit/Land-Use Plan outlines a financially feasible transit plan that includes rapid transit service in five corridors; and

WHEREAS, a local funding source is vital to funding the Plan and demonstrating the local commitment needed to attract matching state and federal funding.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, that it does hereby request that the Mecklenburg County Board of Commissioners take the steps necessary to conduct an advisory referendum for a 1/2 cent sales tax in November 1998.

This 27th day of July, 1998

**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 a regular session convened on the 27th day of July, 1998, the reference having been made in Minute Book 112, and recorded in full in Resolution Book 35, Page(s) 265.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of July, 1998.

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

**Resolution approving the designation of the First Ward Master Plan as a "Community Development Plan" and the designation of First Ward as a "Community Development Project Area," pursuant to NCGS Section 160A-456 et. seq.**

**WHEREAS**, the City of Charlotte owns certain properties in the First Ward District; and

**WHEREAS**, the City of Charlotte is desirous of having said properties developed in accordance with the First Ward District Master Plan; and

**WHEREAS**, NCGS 160A-456 et. seq., entitled "Community Development Programs and Activities" shares many of the goals extolled in the First Ward Master Plan, particularly with regards to mixed income housing and revitalization of older neighborhoods; and

**WHEREAS**, NCGS 160A-456 et. seq. authorizes the City of Charlotte to sell property via private sale and negotiation to redevelopers who will develop said property in accordance with a designated community development plan.

**NOW, THEREFORE, BE IT RESOLVED**, that the First Ward Master Plan be designated a "Community Development Plan" and that First Ward be designated a "Community Development Project Area" pursuant to NCGS Section 160A-456 et. seq.

**CERTIFICATION**

I, Brenda Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby acknowledge 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 27th day of July month, 1998, and the reference having been made in Minute Book 112, Page     , and recorded in full in Resolution Book 35, Page 266.

WITNESS my hand and the corporate seal of the City of Charlotte of North Carolina, the 28th day of July, 1998.

Brenda R. Freeze, CMC, City Clerk