

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE Slater Road between Cindy Lane and Juniper Drive in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, Meadow Hill of Nevin, LLC has filed a petition to close **Slater Road between Cindy Lane and Juniper Drive** in the City of Charlotte; and

Whereas, the portion of Slater Road to be closed lies beginning from Cindy Lane continuing westwardly approximately 692 feet to its terminus at Juniper Drive as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

Whereas, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City 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 September 23, 2002 that it intends to close Slater Road between Cindy Lane and Juniper Drive and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 28th day of October, 2002 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 1.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


Brenda R. Freeze, CMC, City Clerk

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of
Cochrane Drive** in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, Meadow Hill, LLC has filed a petition to close **a portion of Cochrane Drive** in the City of Charlotte; and

Whereas, the portion of Cochrane Drive to be closed lies beginning from the western property line of Gordon Vann Lynn continuing westwardly approximately 459 feet to its terminus as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

Whereas, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City 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 September 23, 2002 that it intends to close a portion of Cochrane Drive and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 28th day of October, 2002 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 2.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


Brenda R. Freeze, CMC, City Clerk

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
AUTHORIZING ITS AVIATION DIRECTOR TO ACCEPT FEDERAL AVIATION
ADMINISTRATION (FAA) GRANTS**

WHEREAS, the City of Charlotte expects to be offered FAA grants through the Airport Improvement Program; and

WHEREAS, these FAA grants can be offered and must be accepted during a specific time limit which may not meet City Council's meeting schedule; and

WHEREAS, the Charlotte City Council must approve and authorize any appropriation and expenditure of these FAA grant funds; and

Whereas, the Charlotte City Council desires to authorize the City's Aviation Director to accept FAA grants on behalf of the City.


Now, therefore, be it resolved by the City Council of the City of Charlotte, in regular session duly assembled, as follows:

Pursuant to N.C.G.S. 160A-12, the City's Aviation Director is hereby authorized to accept on behalf of the City of Charlotte FAA grants.

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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 3.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **SOUTHWEST WATER TRANSMISSION MAIN 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 **SOUTHWEST WATER TRANSMISSION MAIN PROJECT**, and estimated to be approximately **18,565 square feet (0.427 acre) for Permanent Easement and 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. 035-012-23, said property currently owned by **PAW CREEK AMERICAN LEGION POST #353, INC.; and Any Other Parties in Interest**, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 4.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **SOUTHWEST WATER TRANSMISSION MAIN 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 **SOUTHWEST WATER TRANSMISSION MAIN PROJECT** and estimated to be approximately **17,972 square feet (0.413 acre) for Permanent Easement and 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. 057-011-02, said property currently owned by **JOSEPH T. RYERSON & SON, INC.; and Any Other Parties in Interest**, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 5.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **SOUTHWEST WATER TRANSMISSION MAIN 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 **SOUTHWEST WATER TRANSMISSION MAIN PROJECT** and estimated to be approximately **13,051 square feet (0.300 acre) for Permanent Easement and 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. 059-104-20, said property currently owned by **CHARLOTTE HEALTH CARE CENTER (68), INC.; JAMES M. TANNER, JR., Trustee; HIGHLAND MORTGAGE COMPANY, Beneficiary; SECRETARY OF HOUSING AND URBAN DEVELOPMENT; and Any Other Parties in Interest, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 6.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **SOUTHWEST WATER TRANSMISSION MAIN 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 **SOUTHWEST WATER TRANSMISSION MAIN PROJECT** and estimated to be approximately **4,262 square feet (0.098 acre) for Permanent Easement and 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. 059-103-02, said property currently owned by **KINGSWAY REALTY CO., INC;** **and Any Other Parties in Interest**, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 7.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **SOUTHWEST WATER TRANSMISSION MAIN 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 **SOUTHWEST WATER TRANSMISSION MAIN PROJECT** and estimated to be approximately **1,199 square feet (0.028 acre) for Permanent Easement and 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. 059-081-10, said property currently owned by **REALTY INVESTMENTS LTD. OF CHARLOTTE; BRIAN DeBRUN, Trustee; JAMESON P. WELLS, Beneficiary; and Any Other Parties in Interest**, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 8.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **SOUTHWEST WATER TRANSMISSION MAIN 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 **SOUTHWEST WATER TRANSMISSION MAIN PROJECT** and estimated to be approximately **1,760 square feet (0.040 acre) for Permanent Easement and 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. 059-071-09, said property currently owned by **RICHARD W. STIKELEATHER and spouse, if any; and Any Other Parties in Interest**, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 9.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **PROSPERITY CHURCH ROAD WIDENING-PH. II 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 **PROSPERITY CHURCH ROAD WIDENING-PH. II PROJECT** and estimated to be approximately **7,580 square feet (0.174 acre) for Fee-Simple Acquisition, Permanent Easement, and 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. 029-361-27, said property currently owned by **THE PARK ELEVATOR, LLC; E. MICHAEL GUDELY, Trustee; FIRST COMMERCE BANK, Beneficiary and Assignee; JACK IN THE BOX EASTERN DIVISION LIMITED PARTNERSHIP; and Any Other Parties in Interest**, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 10.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **ROCKY RIVER OUTFALL-PH. II 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 **ROCKY RIVER OUTFALL-PH. II PROJECT** and estimated to be approximately **9,965 square feet (0.229 acre) for Permanent Easement and 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. 007-422-01A, said property currently owned by **THOMAS G. COTTER and wife, PATRICIA A. COTTER; R. Y. WESTMORELAND & SONS, INC.; JAMES W. HERRING and wife, PHYLLIS L. HERRING; and Any Other Parties in Interest**, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 11.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **STORM WATER ECONOMIC DEVELOPMENT 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 **STORM WATER ECONOMIC DEVELOPMENT PROJECT** and estimated to be approximately **10,200 square feet (0.234 acre) for Permanent Storm Water Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 091-10-106 and 091-10-107, said property currently owned by **JOHN W. SISTRUNK and spouse, if any; and Any Other Parties in Interest**, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 12.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **BROOKSHIRE BOULEVARD 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 **BROOKSHIRE BOULEVARD WIDENING PROJECT** and estimated to be approximately **4,248 square feet (0.098 acre) for Fee-Simple Right of Way and 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. 039-043-11, said property currently owned by **RJM INVESTMENTS, INC.; and Any Other Parties in Interest**, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 13.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **GRAHAM STREET 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 **GRAHAM STREET WIDENING PROJECT** and estimated to be approximately **4,096 square feet (0.094 acre) for Fee-Simple and 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. 078-111-02, said property currently owned by **NSI ENTERPRISES, INC. (Successor to merger with National Service Industries, Inc.); NATIONAL SERVICE INDUSTRIES, INC., d/b/a South Insulation Co.; BANCOGEORGE BUILDERS, Possible Judgment Creditor, and Any Other Parties in Interest, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 14.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **LONG CREEK PUMP STATION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **LONG CREEK PUMP STATION PROJECT** and estimated to be approximately **7,220 square feet (0.166 acre) for Permanent Sanitary Sewer and 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. 031-472-32, said property currently owned by **DONLAD EUGENE KINLEY, SR. and wife, NAOMI LAVERNE KINLEY; and Any Other Parties in Interest**, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 15.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **LONG CREEK PUMP STATION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **LONG CREEK PUMP STATION PROJECT** and estimated to be approximately **4,942 square feet (0.113 acre) for Permanent Sanitary Sewer and 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. 031-472-33, said property currently owned by **DONALD EUGENE KINLEY, JR. and wife, MELANIE WHITNER KINLEY; PARKS H. WILSON, Trustee; BELMONT FEDERAL SAVINGS AND LOAN ASSOCIATION, Beneficiary; JOSEPH P. CLARK, Trustee; TRULIANT FEDERAL CREDIT UNION, Beneficiary; and Any Other Parties in Interest**, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 16.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **LONG CREEK PUMP STATION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **LONG CREEK PUMP STATION PROJECT** and estimated to be approximately **4,178 square feet (0.096 acre) for Permanent Sanitary Sewer and 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. 031-472-34, said property currently owned by **DONALD EUGENE KINLEY, SR. and wife, NAOMI LAVERNE KINLEY, and Any Other Parties in Interest**, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 17.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **LONG CREEK PUMP STATION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **LONG CREEK PUMP STATION PROJECT** and estimated to be approximately **3,626 square feet (0.083 acre) for Permanent Sanitary Sewer and 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. 031-472-35, said property currently owned by **JERRY LEE KINLEY and wife, KELLY B. KINLEY; PARKS H. WILSON, JR., Trustee; BELMONT FEDERAL SAVINGS AND LOAN ASSOCIATION, Beneficiary; and Any Other Parties in Interest**, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 18.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **LONG CREEK PUMP STATION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **LONG CREEK PUMP STATION PROJECT** and estimated to be approximately **3,650 square feet (0.084 acre) for Permanent Sanitary Sewer and 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. 031-472-36, said property currently owned by **DONALD EUGENE KINLEY, SR. and wife, NAOMI LAVERNE KINLEY, and Any Other Parties in Interest**, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 19.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **LONG CREEK PUMP STATION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **LONG CREEK PUMP STATION PROJECT** and estimated to be approximately **3,986 square feet (0.092 acre) for Permanent Sanitary Sewer and 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. 031-472-37, said property currently owned by **DONALD EUGENE KINLEY, SR. and wife, NAOMI LAVERNE KINLEY, and Any Other Parties in Interest**, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 20.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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 **LONG CREEK PUMP STATION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **LONG CREEK PUMP STATION PROJECT** and estimated to be approximately **3,704 square feet (0.085 acre) for Permanent Sanitary Sewer and 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. 031-472-38, said property currently owned by **DONALD EUGENE KINLEY, SR. and wife, NAOMI LAVERNE KINLEY, and Any Other Parties in Interest**, 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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 21.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION CLOSING BARTOW COURT AND FOUR ALLEYWAYS BOUNDED BY
ELIZABETH AVENUE, NORTH TORRENCE STREET, TRAVIS AVENUE AND PARK DRIVE 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 Bartow Court and four alleyways bounded by Elizabeth Avenue, North Torrence Street, Travis Avenue and Park Drive which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close Bartow Court and four alleyways bounded by Elizabeth Avenue, North Torrence Street, Travis Avenue and Park Drive to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to Engineering and Property Management Department, Charlotte-Mecklenburg Utilities, Piedmont Natural Gas Company, BellSouth Telecommunications, Inc., Duke Power Company, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A-1, A-2 and A-3.

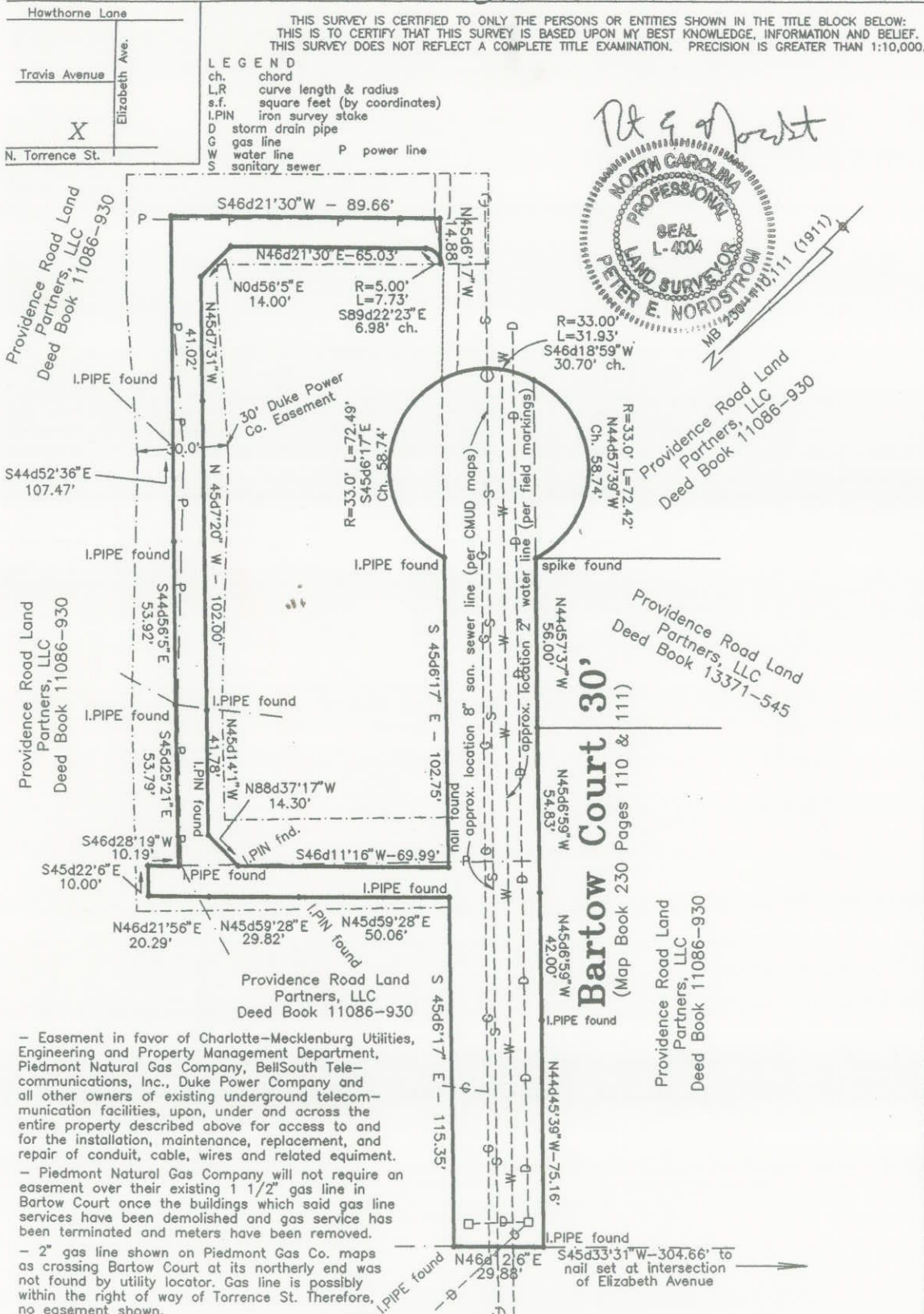
WHEREAS, the petitioner and abutting property owner have agreed to a distribution of right-of-way as described in "Exhibit C" attached hereto and made part hereof.

WHEREAS, the public hearing was held on the 23rd day of September, 2002 and City Council determined that the closing of Bartow Court and four alleyways bounded by Elizabeth Avenue, North Torrence Street, Travis Avenue and Park Drive 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 September 23, 2002, that the Council hereby orders the closing of Bartow Court and four alleyways bounded by Elizabeth Avenue, North Torrence Street, Travis Avenue and Park Drive in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A-1, A-2 and A-3", and is more particularly described by metes and bounds in document marked "Exhibit B-1, B-2 and B-3", 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.

EXHIBIT A-1



Pt 9 of Map 111

NORTH CAROLINA PROFESSIONAL LAND SURVEYOR SEAL
 L-4004
PETER E. NORDSTROM
 MB 2500-110,111 (1911)

- Easement in favor of Charlotte-Mecklenburg Utilities, Engineering and Property Management Department, Piedmont Natural Gas Company, BellSouth Telecommunications, Inc., Duke Power Company and all other owners of existing underground telecommunication facilities, upon, under and across the entire property described above for access to and for the installation, maintenance, replacement, and repair of conduit, cable, wires and related equipment.

- Piedmont Natural Gas Company will not require an easement over their existing 1 1/2" gas line in Bartow Court once the buildings which said gas line services have been demolished and gas service has been terminated and meters have been removed.

- 2" gas line shown on Piedmont Gas Co. maps as crossing Bartow Court at its northerly end was not found by utility locator. Gas line is possibly within the right of way of Torrence St. Therefore, no easement shown.

N. Torrence Street 40'

Copyright 2002
ABANDONMENT SURVEY OF
BARTOW COURT + BARTOW COURT ALLEY
 CHARLOTTE, MECKLENBURG COUNTY, N.C.
 for PROVIDENCE ROAD LAND PARTNERS, LLC
 Description taken from Map Book 230 Pages 110 & 111
 Scale 1" = 40' February 2, 1998

Revised 3-21-2000
 Revised 5-17-2002
 Revised 5-30-2002
 Revised 7-16-2002

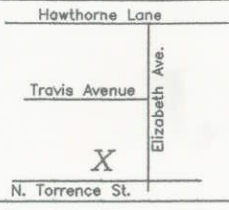
EXHIBIT B-1

Legal Descriptions of Bartow Court & Bartow Court Alley

Bartow Court and Bartow Court Alley

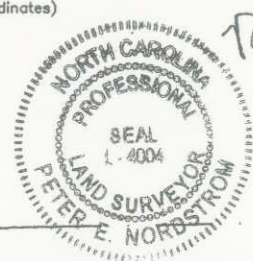
Being all that certain tract or parcel of land located in Charlotte, Mecklenburg County, North Carolina, known as Bartow Court and the Bartow Court Alley, and being more particularly described as follows:

BEGINNING at an existing iron pipe located at the intersection of the southeasterly margin of North Torrence Street and the southwesterly margin of Bartow Court, said iron being located North 45-33-31 East 304.66 feet from a nail at the intersection of the said southeasterly margin of North Torrence Street with the northeasterly margin of Elizabeth Avenue, and running thence from said point and place of BEGINNING North 46-12-06 East 29.88 feet to an existing iron pipe at the intersection of the said southeasterly margin of North Torrence Street with the Northeasterly margin of Bartow Court; thence South 45-06-17 East 115.35 feet to an existing iron located at the intersection of the said northeasterly margin of Bartow Court with the Northwesterly margin of Bartow Court Alley; thence following the said Bartow Court Alley the following eighteen (18) calls: (1) North 45-59-28 East 50.06 feet to an existing iron pin, (2) North 45-59-28 East 29.82 feet to a point, (3) North 46-21-56 East 20.29 feet to a point, (4) South 45-22-06 East 10.00 feet to a point, (5) South 46-28-19 West 10.19 feet to an existing iron pipe, (6) South 45-25-21 East 53.79 feet to an existing iron pipe, (7) South 44-56-05 East 53.92 feet to an existing iron pipe, (8) South 44-52-36 East 107.47 feet to a point, (9) South 46-21-30 West 89.66 feet to a point, (10) North 45-06-17 West 14.88 feet to a point, (11) following an arc of a circular curve to the left having a radius of 5.00 feet and an arc length of 7.73 feet (chord bearing South 89-22-23 East 6.98 feet) to a point, (12) North 46-21-30 East 65.03 feet to a point, (13) North 00-56-05 East 14.00 feet to a point, (14) North 45-07-31 West 41.02 feet to a point, (15) North 45-07-20 West 102.00 feet to an existing iron pipe, (16) North 45-14-01 West 41.78 feet to an existing iron pin, (17) North 88-37-17 West 14.30 feet to an existing iron pin and (18) South 46-11-16 West 69.99 feet to an existing nail at the intersection of the southeasterly margin of said Bartow Court Alley and the said northeasterly margin of Bartow Court; thence South 45-06-17 East 102.75 feet to an existing iron pipe located at the point of curve of the cul-de-sac of Bartow Court, thence following the said cul-de-sac of Bartow Court the following three (3) calls: (1) following the arc of a circular curve to the right having a radius of 33.00 feet and an arc length of 72.49 feet (chord bearing South 45-06-17 East 58.74 feet) to a point, (2) following the arc of a circular curve to the right having a radius of 33.00 feet and an arc length of 31.93 feet (chord bearing South 46-18-59 West 30.70 feet) to a point and (3) following the arc of a circular curve to the right having a radius of 33.00 feet and an arc length of 72.42 feet (chord bearing North 44-57-39 West 58.74 feet) to an existing spike, thence following the southwesterly margin of the said Bartow Court the following four (4) calls: (1) North 44-57-37 West 56.00 feet to a point, (2) North 45-06-59 West 54.83 feet to a point, (3) North 45-06-59 West 42.00 feet to an existing iron pipe and (4) North 44-45-39 West 75.16 feet to the point and place of

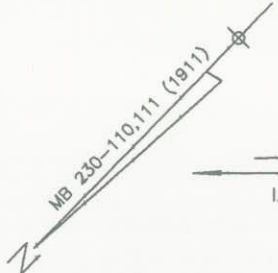


THIS SURVEY IS CERTIFIED TO ONLY THE PERSONS OR ENTITIES SHOWN IN THE TITLE BLOCK BELOW
 THIS IS TO CERTIFY THAT THIS SURVEY IS BASED UPON MY BEST KNOWLEDGE, INFORMATION AND BELIEF
 THIS SURVEY DOES NOT REFLECT A COMPLETE TITLE EXAMINATION. PRECISION IS GREATER THAN 1:10.

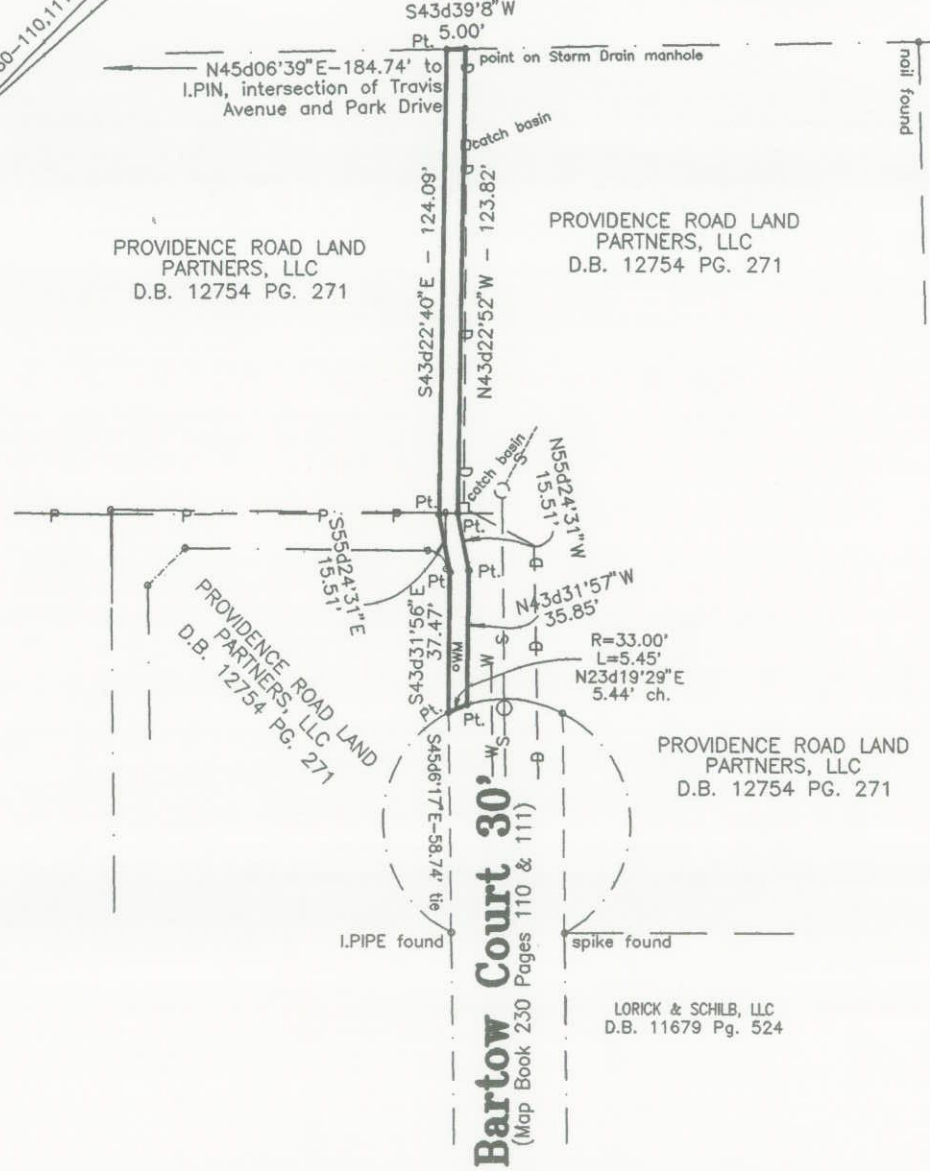
LEGEND
 ch. chord
 L,R curve length & radius
 s.f. square feet (by coordinates)
 I.PIN iron survey stake
 D storm drain pipe
 G gas line
 W water line
 S sanitary sewer
 P power line
 WM water meter
 Pt. Calculated Point



Pt 9. Nordstrom



Travis Avenue 50'
 public R/W



Copyright 2002 REVISD 7-16-02

**ABANDONMENT SURVEY OF
 BARTOW COURT SIDEWALK**
 CHARLOTTE, MECKLENBURG COUNTY, N.C.
 for PROVIDENCE ROAD LAND PARTNERS, LLC
 Description taken from Map Book 230 Pages 110 & 111
 Scale 1" = 40' February 2, 1998
 A.G. ZOUTEWELLE, P.A.
 1418 East Fifth Street Charlotte, NC 28204



BEGINNING, as shown on a survey by Andrew G. Zoutewelle dated February 2, 1998 (last revised March 21, 2000).

EXHIBIT B-1 2

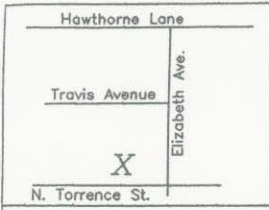
Legal Description of Bartow Court Pedestrian Easement

Bartow Court Pedestrian Easement

Being all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at the intersection of the northwesterly margin of Travis Avenue and the northeasterly margin of Bartow Court as Bartow Court existed prior to the closing of a portion of Bartow Court by the City Council of the City of Charlotte by Resolution adopted on March 28, 1977, and runs from said point of BEGINNING with the said northeasterly margin of Bartow Court (as it formerly existed) N. 45-00-25 W. 123.82 feet to a point; thence N. 57-02-04 W. 15.51 feet; thence N. 45-09-30 W. 35.94 feet to a point in the margin of the proposed cul-de-sac to be located at the end of that portion of Bartow Court which remains open; thence with the margin of said cul-de-sac and with the arc of a circular curve to the left having a radius of 33.0 feet an arc distance of 5.42 feet to a point in the northeasterly margin of Bartow Court (as it formerly existed); thence with the northeasterly margin of Bartow Court (as it formerly existed); S. 45-09-30 E. 37.48 feet; thence S. 57-02-04 E. 15.51 feet; thence S. 45-00-25 E. 124.34 feet to a point in the northwesterly margin of Travis Avenue; thence with said northwesterly margin of Travis Avenue S. 44-56-55 W. 5.0 feet to the point or place of BEGINNING, and being a strip of land 5 feet in width as shown on a survey by R.B. Pharr and Associates, Registered Surveyors, dated March 23, 1977.

Exhibit A-3

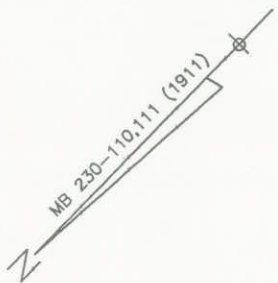


THIS SURVEY IS CERTIFIED TO ONLY THE PERSONS OR ENTITIES SHOWN IN THE TITLE BLOCK BELOW: THIS IS TO CERTIFY THAT THIS SURVEY IS BASED UPON MY BEST KNOWLEDGE, INFORMATION AND BELIEF. THIS SURVEY DOES NOT REFLECT A COMPLETE TITLE EXAMINATION. PRECISION IS GREATER THAN 1:10,000.

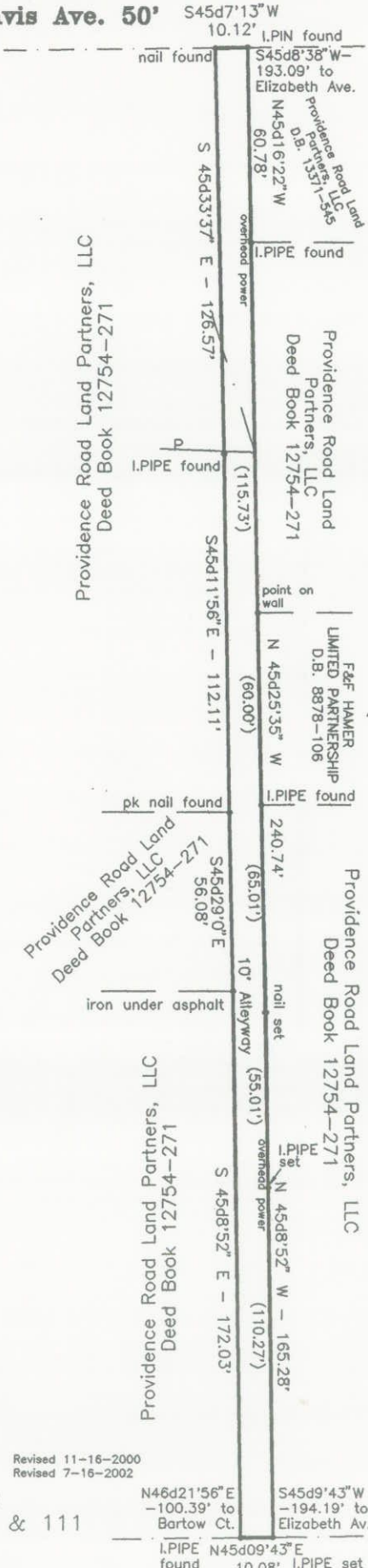
- LEGEND**
 ch. chord
 L,R curve length & radius
 s.f. square feet (by coordinates)
 I.PIN iron survey stake
 D storm drain pipe
 G gas line
 W water line
 S sanitary sewer
 P power line

Travis Ave. 50'

Pt. 9.9 North



Note: This alleyway is shown on plats recorded in Map Book 127 Page 47 and Map Book 230 Pages 110 and 111.



Copyright 2002
ABANDONMENT SURVEY OF TRAVIS AVENUE ALLEY
 CHARLOTTE, MECKLENBURG COUNTY, N.C.
 for PROVIDENCE ROAD LAND PARTNERS, LLC
 Description taken from Map Book 230 Pages 110 & 111
 Scale 1" = 40' February 2, 1998
 A.G. ZOUTEWELLE, P.A.

Revised 11-16-2000
 Revised 7-16-2002

N. Torrence Street 40'

1418 East Fifth Street Charlotte, NC 28204

EXHIBIT B-3


Legal Description of Travis Avenue Alley

Being all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being known as the Travis Avenue Alley, and being more particularly described as follows:

BEGINNING at an existing iron pin located in the northwesterly margin of Travis Avenue, said iron being located North 45-08-38 East 193.09 feet from the intersection of the said northwesterly margin of Travis Avenue with the northeasterly margin of Elizabeth Avenue, and running thence with the northeasterly boundary of Lorick Enterprises, Inc. (Deed Book 3994 Page 313) North 45-16-22 West 60.78 feet to an existing iron pipe; thence with the northeasterly boundaries of East Park, LLC (Deed Book 10663 Page 909), F&F Hamer Limited Partnership (Deed Book 8878 Page 106) and East Park, LLC (Deed Book 10650 Page 565) North 45-25-35 West 240.74 feet to a new nail; thence with the northeasterly boundaries of Novant Health, Inc. (Deed Book 7925 Page 486) and East Park, LLC (Deed Book 11086 Page 930) North 45-08-52 West 165.28 feet to a new iron pipe located in the southeasterly margin of North Torrence Street; thence along said margin of North Torrence Street North 45-09-43 East 10.08 feet to an existing iron pipe; thence with the southwesterly boundary of East Park, LLC (Deed Book 11086 Page 930) South 45-08-52 East 172.03 feet to an iron under asphalt; thence with the southwesterly boundary of Lorick Enterprises, Inc. (Deed Book 3994 Page 313) South 45-29-00 East 56.08 feet to an existing pk nail; thence with the southwesterly boundary of East Park, LLC (Deed Book 10663 Page 909) the following two (2) calls: (1) South 45-11-56 East 112.11 feet to an existing iron pipe and (2) South 45-33-37 East 126.57 feet to an existing nail; thence with the said northwesterly margin of Travis Avenue South 45-07-13 West 10.12 feet to the point and place of BEGINNING, as shown on a survey by Andrew G. Zoutewelle dated February 2, 1998 as revised March 21, 2000.

EXHIBIT C-1

I, Mr. F.W. Lorick, Jr. as President of Lorick & Schilb, LLC, owner of tax parcels 080-196-08 and 080-196-13, do hereby consent to the abandonment of the public rights-of-way adjoining my property, further described in Exhibits A-1, A-2 and A-3 herein attached. That, once abandoned, the entire right of way will become the property of East Park, LLC. The petitioner will be responsible for the maintenance of the abandoned right of way.



F.W. Lorick, Jr.
President, Lorick & Schilb, LLC

State of N.C.
County of Meck

I, Ruth W. Kennedy, a Notary Public, certify that Mark Lorick personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this 12th day of January, 2001.

My commission expires _____

EXHIBIT C

I, Francis H. Hamer authorized signer for F & F Hamer Limited Partnership, owner of tax parcel 080-196-05, do hereby consent to the abandonment of the public rights-of-way adjoining my property, further described in Exhibits A-1, A-2 and A-3 herein attached. That, once abandoned, the entire right of way will become the property of Providence Road Land Partners, L.L.C. The petitioner will be responsible for the maintenance of the abandoned right of way.

Francis H. Hamer
Authorized Signer for F & F Hamer Limited Partnership

State of North Carolina
County of Mecklenburg

I, Francis H. Stord, a Notary Public, certify that Francis H. Hamer personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this 29 day of June, 2002.

My commission expires 10-7-2003

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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Pages 22-31.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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

RESOLUTION CLOSING A OLD EAST THIRD STREET (FORMERLY KNOWN AS SHORTER AVENUE) BETWEEN INDEPENDENCE BOULEVARD AND CHERRY STREET 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 Old East Third Street (formerly known as Shorter Avenue) between Independence Boulevard and Cherry 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 Old East Third Street (formerly known as Shorter Avenue) between Independence Boulevard and Cherry Street to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to Charlotte-Mecklenburg Utilities, BellSouth Telecommunications, Inc., Duke Power Company, Piedmont Natural Gas Company and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the petitioner and abutting property owner have agreed to a distribution of right-of-way as described in "Exhibit C" attached hereto and made part hereof.

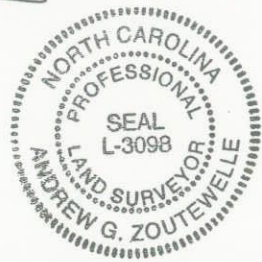
WHEREAS, the public hearing was held on the 23rd day of September, 2002 and City Council determined that the closing of Old East Third Street (formerly known as Shorter Avenue) between Independence Boulevard and Cherry Street is not contrary to the public interest, and that no individual, firm or corporation 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 September 23, 2002, that the Council hereby orders the closing of Old East Third Street (formerly known as Shorter Avenue) between Independence Boulevard and Cherry Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in document marked "Exhibit B", both of which are attached hereto and made a part hereof.

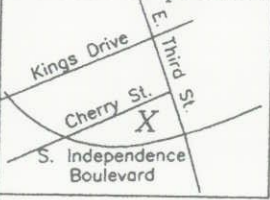
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

THIS SURVEY IS CERTIFIED TO ONLY THE PERSONS OR ENTITIES SHOWN IN THE TITLE BLOCK BELOW. THIS IS TO CERTIFY THAT THIS SURVEY IS BASED UPON MY BEST KNOWLEDGE, INFORMATION AND BELIEF. THIS SURVEY DOES NOT REFLECT A COMPLETE TITLE EXAMINATION OR UTILITIES. PRECISION IS GREATER THAN 1:10,000.

Aug 22

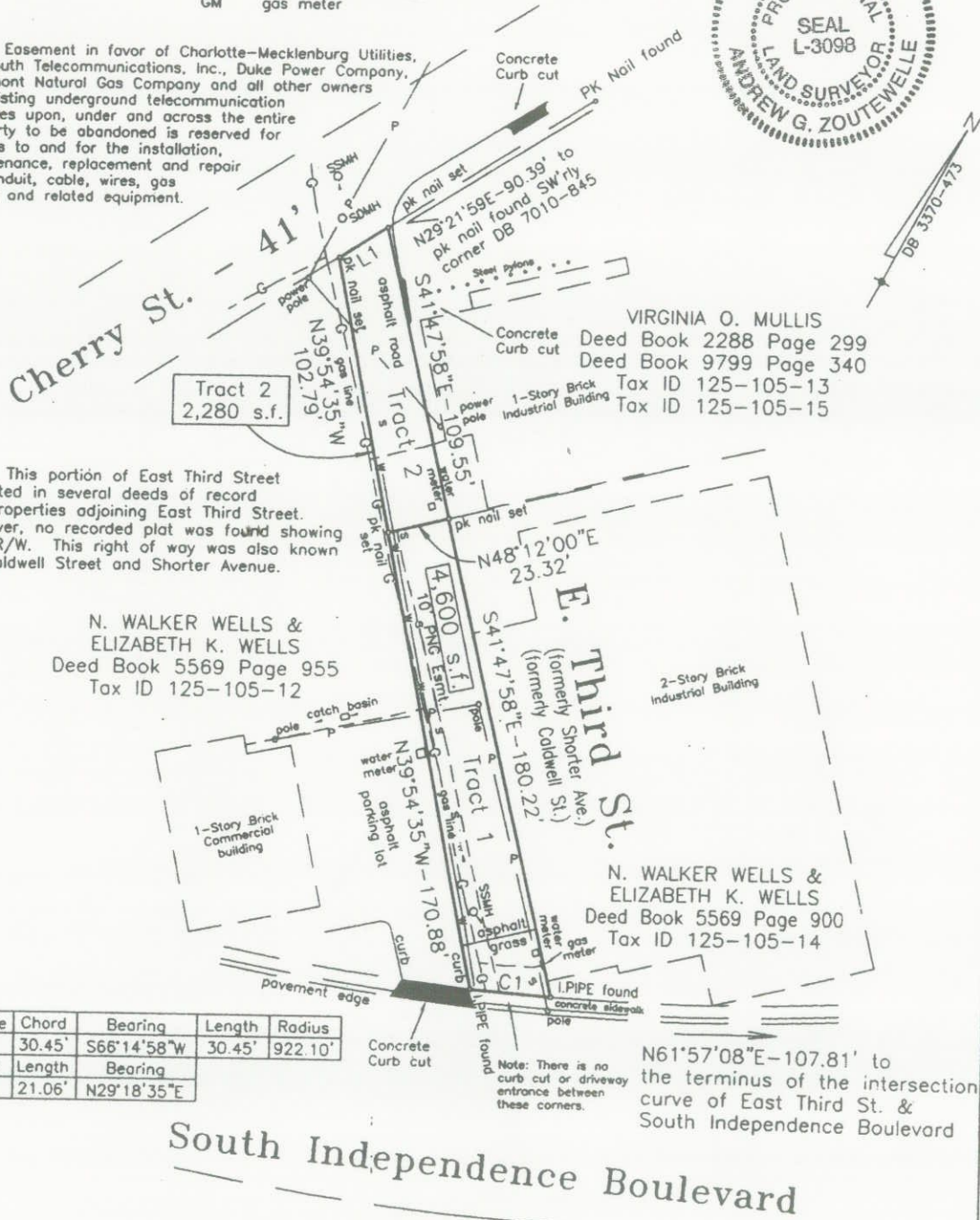


- LEGEND**
- s.f. square feet (by coordinates)
 - s sanitary sewer line
 - G Piedmont Natural Gas main
 - P overhead Duke and BellSouth wires
 - w approx. location CMUD water line
 - SSMH sanitary sewer manhole
 - SDMH storm drain manhole
 - GM gas meter



Note: Easement in favor of Charlotte-Mecklenburg Utilities, BellSouth Telecommunications, Inc., Duke Power Company, Piedmont Natural Gas Company and all other owners of existing underground telecommunication facilities upon, under and across the entire property to be abandoned is reserved for access to and for the installation, maintenance, replacement and repair of conduit, cable, wires, gas mains and related equipment.

Note: This portion of East Third Street is noted in several deeds of record for properties adjoining East Third Street. However, no recorded plat was found showing this R/W. This right of way was also known as Caldwell Street and Shorter Avenue.



Tract 2
2,280 s.f.

VIRGINIA O. MULLIS
Deed Book 2288 Page 299
Deed Book 9799 Page 340
Tax ID 125-105-13
Tax ID 125-105-15

N. WALKER WELLS &
ELIZABETH K. WELLS
Deed Book 5569 Page 955
Tax ID 125-105-12

E. Third St.
(formerly Shorter Ave.)
(formerly Caldwell St.)

N. WALKER WELLS &
ELIZABETH K. WELLS
Deed Book 5569 Page 900
Tax ID 125-105-14

Curve	Chord	Bearing	Length	Radius
C1	30.45'	S66°14'58"W	30.45'	922.10'
Line	Length	Bearing		
L1	21.06'	N29°18'35"E		

Note: There is no curb cut or driveway entrance between these corners.

N61°57'08"E-107.81' to the terminus of the intersection curve of East Third St. & South Independence Boulevard

South Independence Boulevard

Note: Utilities are shown based on markings provided by the NC One-Call Utility Locating Service.

Copyright 2002

ABANDONMENT PLAT OF
EAST THIRD STREET
CHARLOTTE, MECKLENBURG COUNTY, N.C.
for N. WALKER WELLS & ELIZABETH K. WELLS
Scale 1" = 50'
ANDREW G. ZOUTEWELLE
1418 East Fifth Street

September 4, 2002
N.C. PLS L-3098
Charlotte, NC 28204

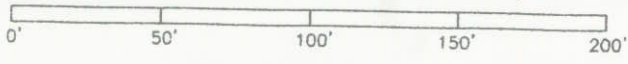


Exhibit B-1
Legal Description
East Third Street, Tract 1

Being all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina and being known as a portion of the old East Third Street (also known as Shorter Avenue, also known as Caldwell Street) and being more particularly described as follows:

Beginning at an existing iron pipe located at the intersection of the northwesterly margin of South Independence Boulevard and the northeasterly margin of the old non-maintained portion of East Third Street (also known as Shorter Avenue, also known as Caldwell Street), said iron pipe also being located at the southeasterly corner of N. Walker Wells and Elizabeth K. Wells as recorded in Deed Book 5569 Page 900 of the Mecklenburg County Registry, said iron pipe also being located South 61-57-08 West 107.81 feet from the southeasterly terminus of the intersection curve of the said northwesterly margin of South Independence Boulevard with the southwesterly margin of the current location of East Third Street, and running thence from said point and place of BEGINNING following the northwesterly margin of the aforesaid South Independence Boulevard along a circular curve to the right having a radius of 922.10 feet and an arc length of 30.45 feet (chord bearing South 66-14-58 West 30.45 feet) to an existing iron pipe located at the northeasterly corner of N. Walker Wells and Elizabeth K. Wells as recorded in Deed Book 5569 Page 955 of the Mecklenburg County Registry; thence following the northeasterly boundary of said Wells and the southwesterly boundary of the aforesaid old East Third Street North 39-54-35 West 170.88 feet to a new pk nail; thence following a new line North 48-12-00 East 23.32 feet to a new pk nail located on the northeasterly boundary of the aforesaid old East Third Street, said nail being located at the southwesterly corner of N. Walker Wells and Elizabeth K. Wells as recorded in Deed Book 5569 Page 900 of the Mecklenburg County Registry; thence following the southwesterly boundary of Wells and the northeasterly boundary of the aforesaid old East Third Street South 41-47-58 East 180.22 feet to the point and place of BEGINNING, containing 4,600 square feet as shown on a survey by Andrew G. Zoutewelle dated September 4, 2002.

Exhibit B-2
Legal Description
East Third Street, Tract 2

Being all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina and being known as a portion of the old East Third Street (also known as Shorter Avenue, also known as Caldwell Street) and being more particularly described as follows:

Beginning at a new pk nail located on the northeasterly margin of the old non-maintained portion of East Third Street (also known as Shorter Avenue, also known as Caldwell Street), said pk nail also being located at the southwesterly corner Virginia O. Mullis as recorded in Deed Book 2288 Page 299 and Deed Book 9799 Page 340, said pk nail also being located at the westerly or northwesterly corner of N. Walker Wells and Elizabeth K. Wells as recorded in Deed Book 5569 Page 900 of the Mecklenburg County Registry, said pk nail also being located the following two (2) calls from the from the southeasterly terminus of the intersection curve of the intersection of the northwesterly margin of South Independence Boulevard with the southwesterly margin of the current location of East Third Street: (1) South 61-57-08 West 107.81 feet and (2) North 41-47-58 West 180.22 feet, and running thence from said point and place of BEGINNING following a new line South 48-12-00 West 23.32 feet to a new pk nail located on the northeasterly boundary line of N. Walker Wells and Elizabeth K. Wells as recorded in Deed Book 5569 Page 955 of the Mecklenburg County Registry, said pk nail being also located on the southwesterly margin of the aforesaid old non-maintained portion of East Third Street; thence following the said northeasterly boundary of said Wells and the southwesterly margin of the said old East Third Street North 39-54-35 West 102.79 feet to a new pk nail located at the intersection of the said southwesterly margin of the old non-maintained portion of East Third Street with the southeasterly margin of Cherry Street (said Cherry Street having a width of 41 feet); thence following a new line North 29-18-35 East 21.06 feet to a new pk nail located at the intersection of the aforesaid northeasterly margin of the old non-maintained portion of East Third Street and the said southeasterly margin of Cherry Street, said nail being located at the westerly or southwesterly corner of the aforesaid Virginia O. Mullis property; thence following the said Virginia O. Mullis and the aforesaid northeasterly margin of the old non-maintained portion of East Third Street South 41-47-58 East 109.55 feet to the point and place of BEGINNING, containing 2,280 square feet as shown on a survey by Andrew G. Zoutewelle dated September 4, 2002.

EXHIBIT C

We, **N. Walker Wells and Elizabeth K. Wells**, owner of tax parcels 125-105-12 and 125-105-14 do hereby consent to the abandonment of the entire right-of-way E. THIRD ST. (FORMERLY SHORTER AVE. AND FORMERLY CALDWELL ST.) between Cherry Street and S. Independence Boulevard, further shown in Exhibit A as Tract 1 and Tract 2, and collectively described as Tract 1 in Exhibit B-1 and Tract 2 in Exhibit B-2, all herein attached. That, once abandoned, we, N. Walker Wells and Elizabeth K. Wells, will acquire Tract 1 as shown in Exhibit A and described by metes and bounds in Exhibit B-1, and that Robert B. Mullis, Jr., Virginia Mullis-Phifer and William P. Mullis, Sr., as equal tenants in common, will acquire Tract 2 as shown in Exhibit A and more particularly described by metes and bounds in Exhibit B-2.



N. Walker Wells



Elizabeth K. Wells

Sworn to and subscribed before me:

M. D. Brake Notary

My commission expires: 04-20-04

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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Pages 32-37.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


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

RESOLUTION AUTHORIZING THE EXCHANGE AND LEASE OF REAL
PROPERTY BETWEEN THE CITY OF CHARLOTTE AND THE UNITED STATES
OF AMERICA AND FURTHER AUTHORIZING THE CITY TO ENTER INTO A
CONTRACT WITH FREEMAN, MCCLINTOCK & WELLS FOR THE SALE OF
REAL PROPERTY

WHEREAS, the City of Charlotte owns a 3.273 acres tract of real property located at North Davidson Street and East Fourth Street in Charlotte, North Carolina and having an appraised value at \$10,600,000.00; and

WHEREAS, the United States of America owns the real property and improvements located at 401 West Trade Street, Charlotte North Carolina and commonly known as the Charles R. Jonas Federal Building/Courthouse and having an appraised value of \$10,700,000.00; and

WHEREAS, the City of Charlotte and the United States of America desire to exchange the aforementioned two parcels of land; and

WHEREAS, the real property and improvements located at 401 West Trade Street constitutes full and fair consideration for the City's property; and

WHEREAS, the United States of America, by and through the United States General Services Administration, desires to build a new federal courthouse on the City property located at North Davidson Street and East Fourth Street; and

WHEREAS, after the exchange of the aforementioned properties, the United States of America desires to enter into a Lease Agreement whereby it would lease the real property and improvements located at 401 West Trade Street from the City of Charlotte until completion of construction of the new courthouse for a rental amount based on fair market value to be determined at the beginning of the lease period, but estimated to be \$1,100,000.00 per year; and

WHEREAS, the lease period does not exceed ten (10) years and the Charlotte City Council has determined that the real property and improvements located at 401 West Trade Street will not be needed by the City for the term of the aforementioned Lease; and

WHEREAS, in the event that the City of Charlotte does obtain fee ownership of the real property and improvements located at 401 West Trade Street, Freeman, McClintock & Wells has offered to purchase the real property and improvements located at 401 West Trade Street from the City for a net purchase price of \$10,800,000.00, said purchase price to be subjected to a future competitive bid process; and

WHEREAS, the sale of the real property and improvements located at 401 West Trade Street will further the Charlotte City Council's policy to promote development in the Center City area in further of the Council adopted Asset management Plan; and

WHEREAS, notice of the proposed land exchange, Lease agreement and Purchase and Sale Contract was published at least ten (10) days prior to adoption of this Resolution.

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte and pursuant to North Carolina General Statutes §§ 160A-269, 160A-271 and 160A-272, and Charlotte City Charter provision Section 8.22 (d) has determined that the exchange constitutes full and fair consideration for the City property, that the property located at 401 West Trade Street will not be needed by the City for the term of the lease, that the sale of the property at 401 West Trade Street is in furtherance of Council's policy to promote development in the Center City and the City's Asset Management Plan, and that it hereby authorizes the City Manager to enter into and execute agreements and documents necessary for: (A) the exchange in fee simple of the aforementioned properties (B) a lease agreement for the real property and improvements located at 401 West Trade Street for a term not to exceed ten years, and (C) the sale of the real property and improvements located at 401 West Trade Street for a net purchase price of \$10,800,000.00 and conditioned on the City acquiring fee simple ownership of the real property and improvements located at 401 West Trade Street and the purchase price being subjected to a competitive sale process.

This the 23^h day of September, 2002.

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 September, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Pages 38-39.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of September, 2002.


Brenda R. Freeze, CMC, City Clerk