

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a 10-foot alleyway bounded by W. Trade Street, S. Mint Street, W. 4<sup>th</sup> Street, and S. Poplar Street in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, **TradeMark Partners, LLC** has filed a petition to close a 10-foot alleyway bounded by **W. Trade Street, S. Mint Street, W. 4<sup>th</sup> Street, and S. Poplar Street** in the City of Charlotte; and

Whereas, the portion of the 10-foot alleyway to be closed lies within the Third Ward Community beginning from S. Poplar Street continuing approximately 58 feet westwardly 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 it's 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

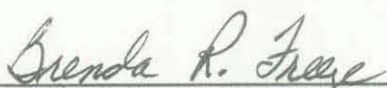
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of June 13, 2005 that it intends to close 10-foot alleyway bounded by W. Trade Street, S. Mint Street, W. 4<sup>th</sup> Street, and S. Poplar Street and that the said street (or portion 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 25<sup>th</sup> day of July, 2005 in CMGC meeting chamber, 600 East 4<sup>th</sup> 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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 682.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

  
Brenda R. Freeze, CMC, City Clerk

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY 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 property 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 13th day of June, 2005 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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 683-684.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

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

**TAXPAYERS AND REFUNDS REQUESTED  
 (Clerical Error)**

Name	Refund Amount
MCELMOYLE KAREN	\$ 9.24
TOWERS FIRST FUND LTD	42.84
DEYTON ARLEIGH GIBSON &W	183.96
TARA LOUGHLIN	16.35
TARA LOUGHLIN	16.35
TARA LOUGHLIN	18.90
LOUGHLIN TARA J	18.90
LYDAY WILLIAM D	8.50
LYDAY WILLIAM D	8.50
LYDAY WILLIAM D	8.50
LYDAY WILLIAM D	7.56
LYDAY WILLIAM D	7.56
ESTATE OF CATRHERINE H REITZEL	<u>2,083.68</u>
Total	<u>\$ 2,430.84</u>

A RESOLUTION OF THE CHARLOTTE CITY COUNCIL IDENTIFYING THE HUCKS AREA AS BEING UNDER CONSIDERATION FOR ANNEXATION BY THE CITY OF CHARLOTTE AND NOTIFICATION TO PERSONS SUBJECT TO THE ANNEXATION OF SAID AREA OF CERTAIN RIGHTS UNDER G.S. 160A-49(f1) AND (f2)

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BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that:

Section 1. Pursuant to G.S. 160A-49(i), an area known as the Hucks Area, as shown on the map attached hereto and incorporated herein by reference ("Area"), is under consideration for future annexation by the City of Charlotte ("City") pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina

Section 2. Persons subject to the annexation of the Area are hereby notified that they may have certain rights under G.S. 160A-49(f1) and (f2). A brief description of such rights is set forth in Section 3 of this Resolution. Persons subject to the annexation of the Area should not rely exclusively on the description of such rights in this Resolution and should make their own, independent determination of the extent of such rights, if any, that any of them may have. This Resolution is not intended to represent that any person subject to the annexation of the Area has any rights under G.S. 160A-49(f1) and (f2) or to set forth a complete statement of such rights.

Section 3. Persons having an interest in agricultural land, horticultural land and forestland included in the Area may have rights to a delayed effective date of annexation for such land. G.S. 160A-49(f1) generally provides that the following type of land may qualify for a delayed effective date of annexation: land being taxed at present-use value pursuant to G.S. 105-277.4 on the effective date of annexation of the Area (or any portion thereof including such land); and land that, as of the date of the resolution of intent for annexation of the Area (or any portion thereof including such land), is being used for actual production and is eligible for present-use value taxation under G.S. 105-277.4, but which has not been in actual production for the time period required by G.S. 105-277.3, if the assessor for Mecklenburg County certifies that such land meets the requirement of G. S. 160A-49(f1)(2). For land meeting the requirements of G.S. 160A-49(f1), G.S. 160A-49(f2) generally provides that the annexation of such land will not become effective until the last day of the month in which such land becomes ineligible for present-use value classification under G.S. 105-277.4 or no longer meets the requirements of G.S. 160A-49(f1)(2); provided that, such land will be considered part of the City on the effective date of the annexation ordinance for the Area (or any portion thereof including such land) for the purposes of establishing City boundaries for additional annexation(s) and exercising City authority pursuant to Article 19 of the Chapter 160A of the General Statutes of North Carolina. Until the annexation of land meeting the requirements of G.S. 160A-49(f1) becomes effective as set forth in G.S. 160A-49(f2), such land will not be subject to City property taxes under Article 12 of Chapter 105 of the General Statutes of North Carolina and will not be entitled to services from the City as a result of

annexation pursuant to Part 3, Article 4A, Chapter 160A of the General Statues North Carolina.

Section 4. This Resolution, or a copy thereof, shall be filed with the City Clerk.


Section 5. This Resolution shall remain effective as provided by G.S. 160A-49(i).

Adopted this 13th day of June, 2005.

**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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 685-687.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

  
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Brenda R. Freeze, CMC, City Clerk

# 2007 Annexation Study Area - Hucks

June 13, 2005

Resolution Book 39, Page 687

## Town of Huntersville

Mt Holly-Huntersville Rd

Alexanderana Rd

Eastfield Rd  
E Browne Rd

Dearmon Rd

Hucks Rd





I-77

Statesville Rd

Lakeview Rd

David Cox Rd

W-W T Harris Bv

-  2007 Study Area - Hucks
-  City of Charlotte June 30, 2005
-  Charlotte's ETJ
-  Mecklenburg County Line



A RESOLUTION OF THE CHARLOTTE CITY COUNCIL IDENTIFYING THE RIDGE/BEARD AREA AS BEING UNDER CONSIDERATION FOR ANNEXATION BY THE CITY OF CHARLOTTE AND NOTIFICATION TO PERSONS SUBJECT TO THE ANNEXATION OF SAID AREA OF CERTAIN RIGHTS UNDER G.S. 160A-49(f1) AND (f2)

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BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that:

Section 1. Pursuant to G.S. 160A-49(i), an area known as the Ridge/Beard Area, as shown on the map attached hereto and incorporated herein by reference ("Area"), is under consideration for future annexation by the City of Charlotte ("City") pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina

Section 2. Persons subject to the annexation of the Area are hereby notified that they may have certain rights under G.S. 160A-49(f1) and (f2). A brief description of such rights is set forth in Section 3 of this Resolution. Persons subject to the annexation of the Area should not rely exclusively on the description of such rights in this Resolution and should make their own, independent determination of the extent of such rights, if any, that any of them may have. This Resolution is not intended to represent that any person subject to the annexation of the Area has any rights under G.S. 160A-49(f1) and (f2) or to set forth a complete statement of such rights.

Section 3. Persons having an interest in agricultural land, horticultural land and forestland included in the Area may have rights to a delayed effective date of annexation for such land. G.S. 160A-49(f1) generally provides that the following type of land may qualify for a delayed effective date of annexation: land being taxed at present-use value pursuant to G.S. 105-277.4 on the effective date of annexation of the Area (or any portion thereof including such land); and land that, as of the date of the resolution of intent for annexation of the Area (or any portion thereof including such land), is being used for actual production and is eligible for present-use value taxation under G.S. 105-277.4, but which has not been in actual production for the time period required by G.S. 105-277.3, if the assessor for Mecklenburg County certifies that such land meets the requirement of G.S. 160A-49(f1)(2). For land meeting the requirements of G.S. 160A-49(f1), G.S. 160A-49(f2) generally provides that the annexation of such land will not become effective until the last day of the month in which such land becomes ineligible for present-use value classification under G.S. 105-277.4 or no longer meets the requirements of G.S. 160A-49(f1)(2); provided that, such land will be considered part of the City on the effective date of the annexation ordinance for the Area (or any portion thereof including such land) for the purposes of establishing City boundaries for additional annexation(s) and exercising City authority pursuant to Article 19 of the Chapter 160A of the General Statutes of North Carolina. Until the annexation of land meeting the requirements of G.S. 160A-49(f1) becomes effective as set forth in G.S. 160A-49(f2), such land will not be subject to City property taxes under Article 12 of Chapter 105 of the General Statutes of North Carolina and will not be entitled to services from the City as a result of

annexation pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes North Carolina.

Section 4. This Resolution, or a copy thereof, shall be filed with the City Clerk.

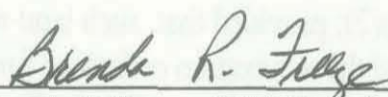
Section 5. This Resolution shall remain effective as provided by G.S. 160A-49(i).

Adopted this 13th day of June, 2005.

**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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 688-690.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.



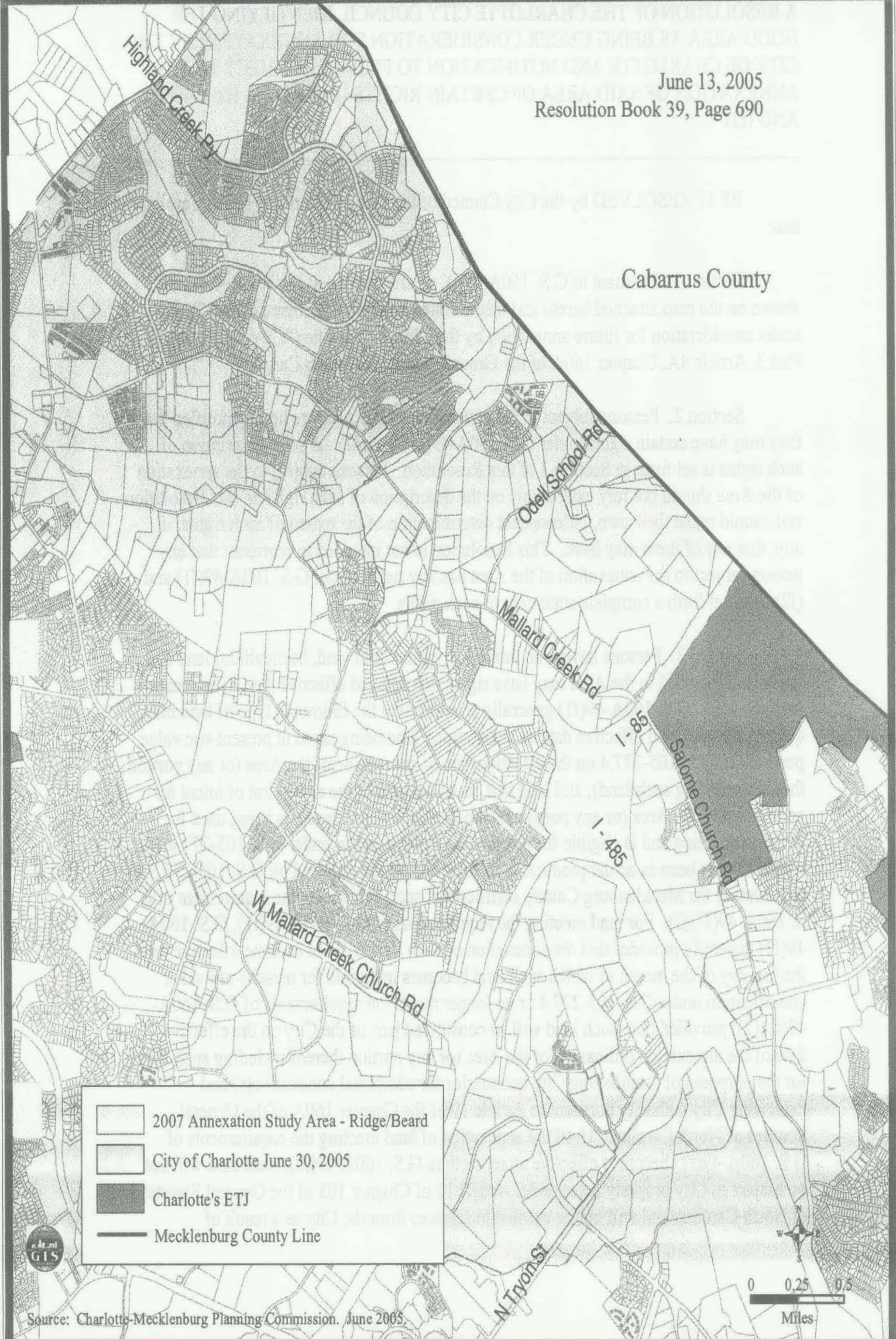
Brenda R. Freeze, CMC, City Clerk



# 2007 Annexation Study Area - Ridge/Beard

June 13, 2005  
Resolution Book 39, Page 690

Cabarrus County



A RESOLUTION OF THE CHARLOTTE CITY COUNCIL IDENTIFYING THE HOOD AREA AS BEING UNDER CONSIDERATION FOR ANNEXATION BY THE CITY OF CHARLOTTE AND NOTIFICATION TO PERSONS SUBJECT TO THE ANNEXATION OF SAID AREA OF CERTAIN RIGHTS UNDER G.S. 160A-49(f1) AND (f2)

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BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that:

Section 1. Pursuant to G.S. 160A-49(i), an area known as the Hood Area, as shown on the map attached hereto and incorporated herein by reference ("Area"), is under consideration for future annexation by the City of Charlotte ("City") pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina

Section 2. Persons subject to the annexation of the Area are hereby notified that they may have certain rights under G.S. 160A-49(f1) and (f2). A brief description of such rights is set forth in Section 3 of this Resolution. Persons subject to the annexation of the Area should not rely exclusively on the description of such rights in this Resolution and should make their own, independent determination of the extent of such rights, if any, that any of them may have. This Resolution is not intended to represent that any person subject to the annexation of the Area has any rights under G.S. 160A-49(f1) and (f2) or to set forth a complete statement of such rights.

Section 3. Persons having an interest in agricultural land, horticultural land and forestland included in the Area may have rights to a delayed effective date of annexation for such land. G.S. 160A-49(f1) generally provides that the following type of land may qualify for a delayed effective date of annexation: land being taxed at present-use value pursuant to G.S. 105-277.4 on the effective date of annexation of the Area (or any portion thereof including such land); and land that, as of the date of the resolution of intent for annexation of the Area (or any portion thereof including such land), is being used for actual production and is eligible for present-use value taxation under G.S. 105-277.4, but which has not been in actual production for the time period required by G.S. 105-277.3, if the assessor for Mecklenburg County certifies that such land meets the requirement of G. S. 160A-49(f1)(2). For land meeting the requirements of G.S. 160A-49(f1), G.S. 160A-49(f2) generally provides that the annexation of such land will not become effective until the last day of the month in which such land becomes ineligible for present-use value classification under G.S. 105-277.4 or no longer meets the requirements of G.S. 160A-49(f1)(2); provided that, such land will be considered part of the City on the effective date of the annexation ordinance for the Area (or any portion thereof including such land) for the purposes of establishing City boundaries for additional annexation(s) and exercising City authority pursuant to Article 19 of the Chapter 160A of the General Statutes of North Carolina. Until the annexation of land meeting the requirements of G.S. 160A-49(f1) becomes effective as set forth in G.S. 160A-49(f2), such land will not be subject to City property taxes under Article 12 of Chapter 105 of the General Statutes of North Carolina and will not be entitled to services from the City as a result of

annexation pursuant to Part 3, Article 4A, Chapter 160A of the General Statues North Carolina.

Section 4. This Resolution, or a copy thereof, shall be filed with the City Clerk.

Section 5. This Resolution shall remain effective as provided by G.S. 160A-49(i).

Adopted this 13th day of June, 2005.

**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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 691-693.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

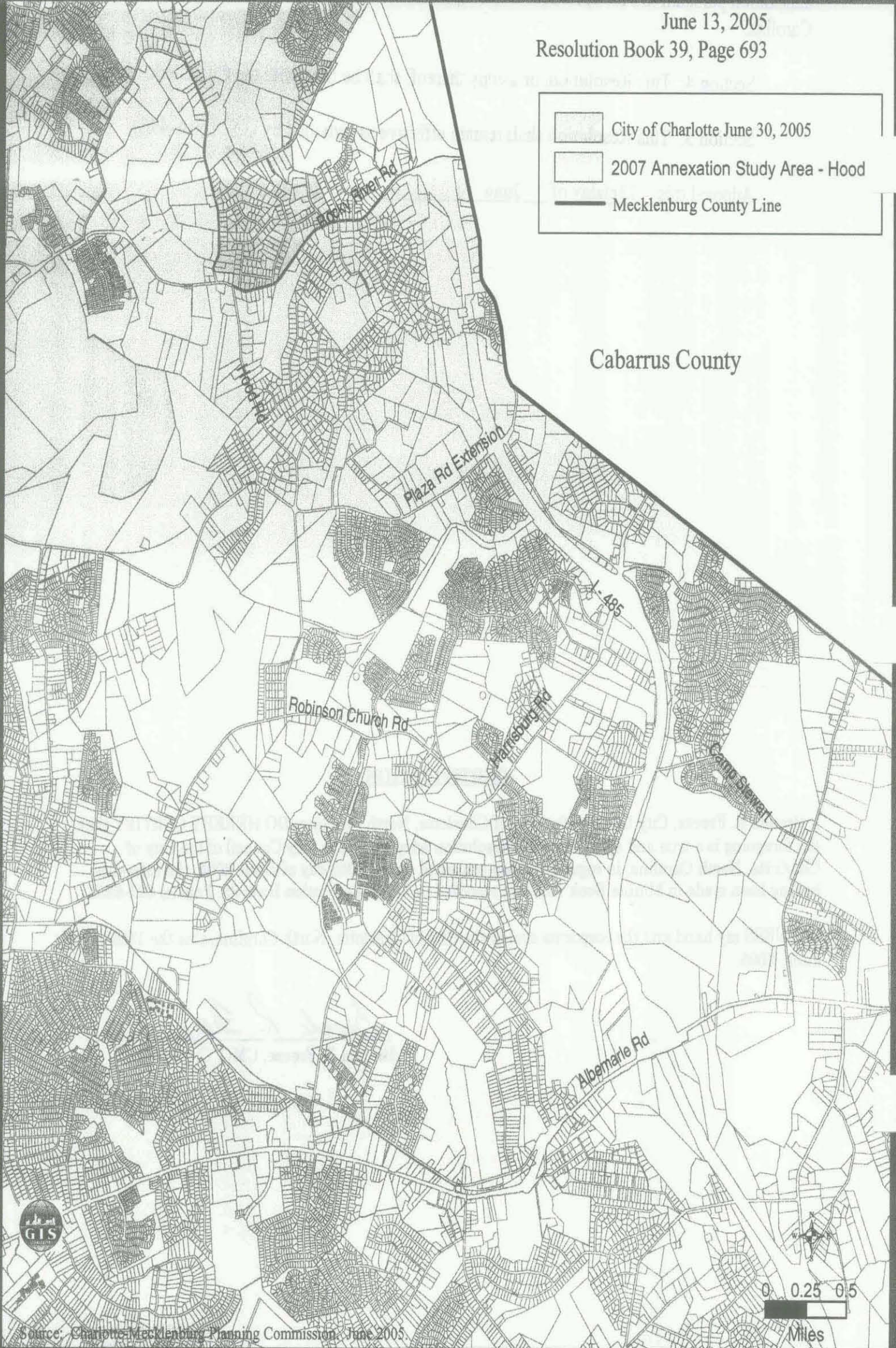
  
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Brenda R. Freeze, CMC, City Clerk

# 2007 Annexation Study Area - Hood

June 13, 2005  
Resolution Book 39, Page 693

	City of Charlotte June 30, 2005
	2007 Annexation Study Area - Hood
	Mecklenburg County Line

Cabarrus County



A RESOLUTION OF THE CHARLOTTE CITY COUNCIL IDENTIFYING THE TOM SHORT AREA AS BEING UNDER CONSIDERATION FOR ANNEXATION BY THE CITY OF CHARLOTTE AND NOTIFICATION TO PERSONS SUBJECT TO THE ANNEXATION OF SAID AREA OF CERTAIN RIGHTS UNDER G.S. 160A-49(f1) AND (f2)

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BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that:

Section 1. Pursuant to G.S. 160A-49(i), an area known as the Tom Short Area, as shown on the map attached hereto and incorporated herein by reference ("Area"), is under consideration for future annexation by the City of Charlotte ("City") pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina

Section 2. Persons subject to the annexation of the Area are hereby notified that they may have certain rights under G.S. 160A-49(f1) and (f2). A brief description of such rights is set forth in Section 3 of this Resolution. Persons subject to the annexation of the Area should not rely exclusively on the description of such rights in this Resolution and should make their own, independent determination of the extent of such rights, if any, that any of them may have. This Resolution is not intended to represent that any person subject to the annexation of the Area has any rights under G.S. 160A-49(f1) and (f2) or to set forth a complete statement of such rights.

Section 3. Persons having an interest in agricultural land, horticultural land and forestland included in the Area may have rights to a delayed effective date of annexation for such land. G.S. 160A-49(f1) generally provides that the following type of land may qualify for a delayed effective date of annexation: land being taxed at present-use value pursuant to G.S. 105-277.4 on the effective date of annexation of the Area (or any portion thereof including such land); and land that, as of the date of the resolution of intent for annexation of the Area (or any portion thereof including such land), is being used for actual production and is eligible for present-use value taxation under G.S. 105-277.4, but which has not been in actual production for the time period required by G.S. 105-277.3, if the assessor for Mecklenburg County certifies that such land meets the requirement of G.S. 160A-49(f1)(2). For land meeting the requirements of G.S. 160A-49(f1), G.S. 160A-49(f2) generally provides that the annexation of such land will not become effective until the last day of the month in which such land becomes ineligible for present-use value classification under G.S. 105-277.4 or no longer meets the requirements of G.S. 160A-49(f1)(2); provided that, such land will be considered part of the City on the effective date of the annexation ordinance for the Area (or any portion thereof including such land) for the purposes of establishing City boundaries for additional annexation(s) and exercising City authority pursuant to Article 19 of the Chapter 160A of the General Statutes of North Carolina. Until the annexation of land meeting the requirements of G.S. 160A-49(f1) becomes effective as set forth in G.S. 160A-49(f2), such land will not be subject to City property taxes under Article 12 of Chapter 105 of the General Statutes of North Carolina and will not be entitled to services from the City as a result of

annexation pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes North Carolina.

Section 4. This Resolution, or a copy thereof, shall be filed with the City Clerk.

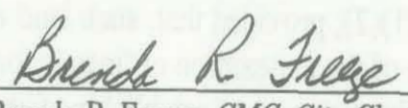
Section 5. This Resolution shall remain effective as provided by G.S. 160A-49(i).

Adopted this 13th day of June, 2005.

**CERTIFICATION**

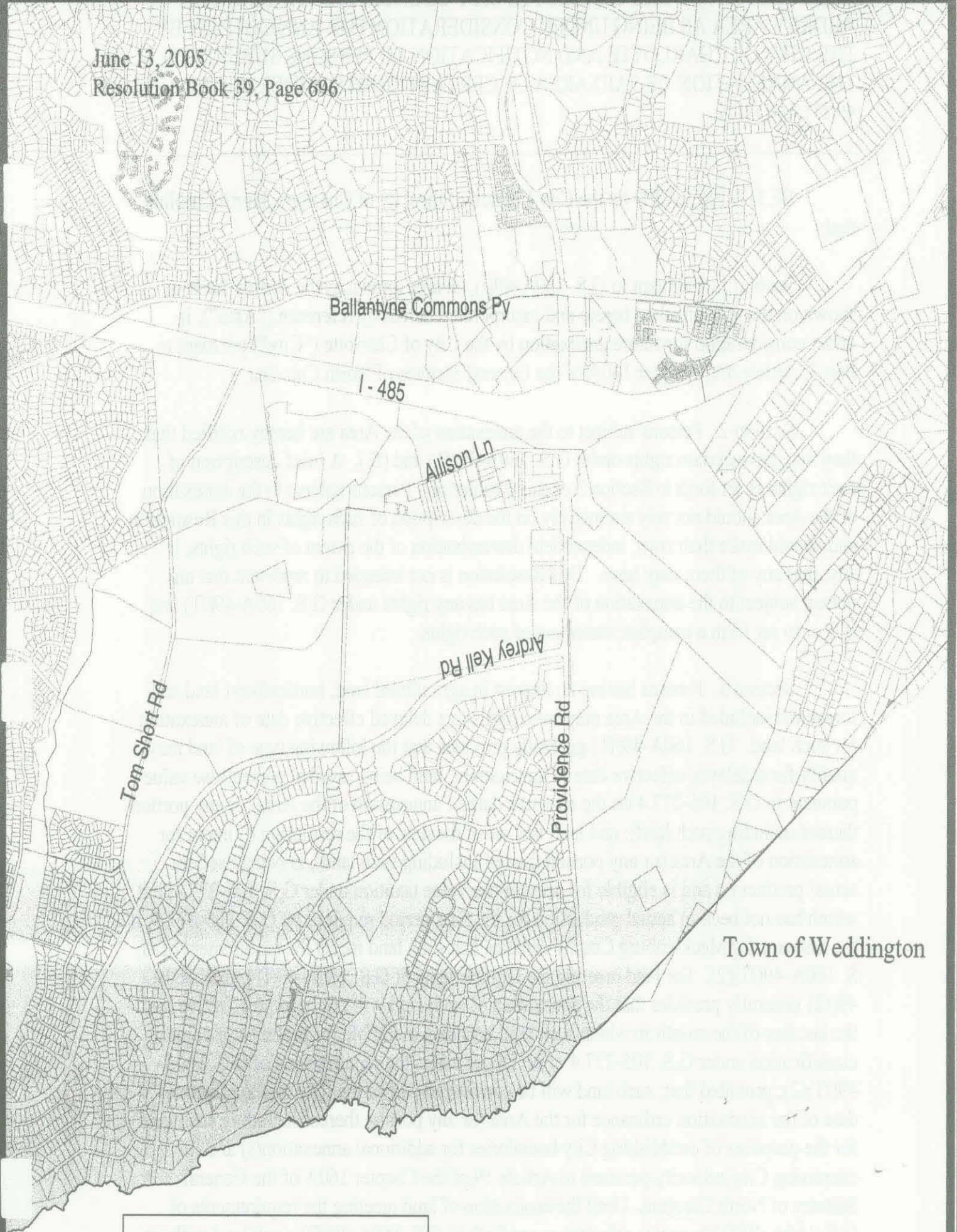
I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 694-696.




WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

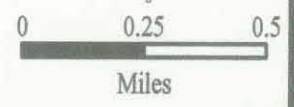
  
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Brenda R. Freeze, CMC, City Clerk

# 2007 Annexation Study Area - Tom Short

June 13, 2005  
Resolution Book 39, Page 696



	2007 Study Area - Tom Short
	City of Charlotte June 30, 2005
	Mecklenburg County Line



A RESOLUTION OF THE CHARLOTTE CITY COUNCIL IDENTIFYING THE ARDREY AREA AS BEING UNDER CONSIDERATION FOR ANNEXATION BY THE CITY OF CHARLOTTE AND NOTIFICATION TO PERSONS SUBJECT TO THE ANNEXATION OF SAID AREA OF CERTAIN RIGHTS UNDER G.S. 160A-49(f1) AND (f2)

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BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that:

Section 1. Pursuant to G.S. 160A-49(i), an area known as the Ardrey Area, as shown on the map attached hereto and incorporated herein by reference ("Area"), is under consideration for future annexation by the City of Charlotte ("City") pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina

Section 2. Persons subject to the annexation of the Area are hereby notified that they may have certain rights under G.S. 160A-49(f1) and (f2). A brief description of such rights is set forth in Section 3 of this Resolution. Persons subject to the annexation of the Area should not rely exclusively on the description of such rights in this Resolution and should make their own, independent determination of the extent of such rights, if any, that any of them may have. This Resolution is not intended to represent that any person subject to the annexation of the Area has any rights under G.S. 160A-49(f1) and (f2) or to set forth a complete statement of such rights.

Section 3. Persons having an interest in agricultural land, horticultural land and forestland included in the Area may have rights to a delayed effective date of annexation for such land. G.S. 160A-49(f1) generally provides that the following type of land may qualify for a delayed effective date of annexation: land being taxed at present-use value pursuant to G.S. 105-277.4 on the effective date of annexation of the Area (or any portion thereof including such land); and land that, as of the date of the resolution of intent for annexation of the Area (or any portion thereof including such land), is being used for actual production and is eligible for present-use value taxation under G.S. 105-277.4, but which has not been in actual production for the time period required by G.S. 105-277.3, if the assessor for Mecklenburg County certifies that such land meets the requirement of G.S. 160A-49(f1)(2). For land meeting the requirements of G.S. 160A-49(f1), G.S. 160A-49(f2) generally provides that the annexation of such land will not become effective until the last day of the month in which such land becomes ineligible for present-use value classification under G.S. 105-277.4 or no longer meets the requirements of G.S. 160A-49(f1)(2); provided that, such land will be considered part of the City on the effective date of the annexation ordinance for the Area (or any portion thereof including such land) for the purposes of establishing City boundaries for additional annexation(s) and exercising City authority pursuant to Article 19 of the Chapter 160A of the General Statutes of North Carolina. Until the annexation of land meeting the requirements of G.S. 160A-49(f1) becomes effective as set forth in G.S. 160A-49(f2), such land will not be subject to City property taxes under Article 12 of Chapter 105 of the General Statutes of North Carolina and will not be entitled to services from the City as a result of



annexation pursuant to Part 3, Article 4A, Chapter 160A of the General Statues North Carolina.

Section 4. This Resolution, or a copy thereof, shall be filed with the City Clerk.


Section 5. This Resolution shall remain effective as provided by G.S. 160A-49(i).

Adopted this 13th day of June, 2005.

**CERTIFICATION**

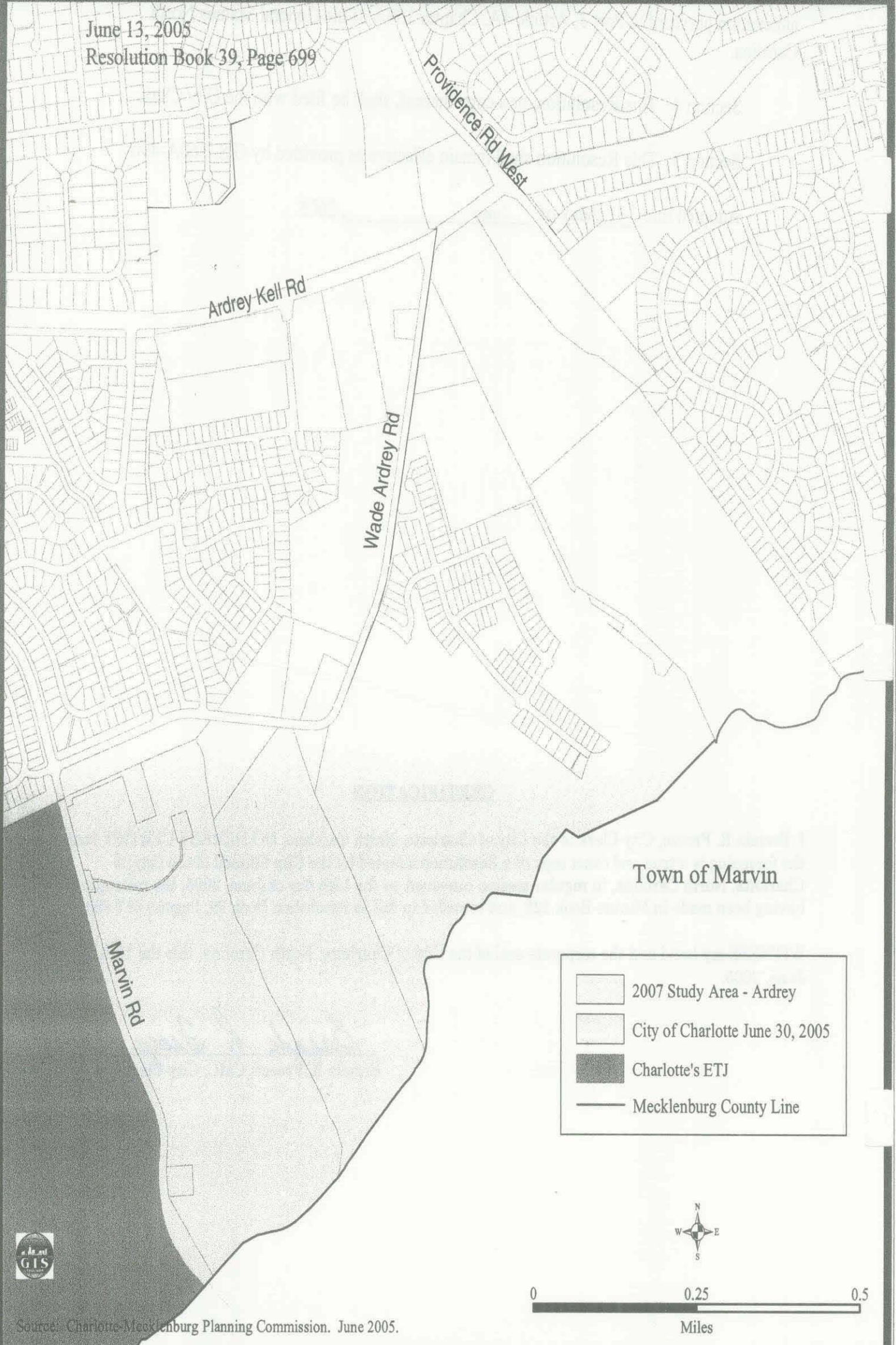
I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 697-699.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

  
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Brenda R. Freeze, CMC, City Clerk

# 2007 Annexation Study Area - Ardrey

June 13, 2005  
Resolution Book 39, Page 699



A RESOLUTION OF THE CHARLOTTE CITY COUNCIL IDENTIFYING THE PROVIDENCE POINTE AREA AS BEING UNDER CONSIDERATION FOR ANNEXATION BY THE CITY OF CHARLOTTE AND NOTIFICATION TO PERSONS SUBJECT TO THE ANNEXATION OF SAID AREA OF CERTAIN RIGHTS UNDER G.S. 160A-49(f1) AND (f2)

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BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that:

Section 1. Pursuant to G.S. 160A-49(i), an area known as the Providence Pointe Area, as shown on the map attached hereto and incorporated herein by reference ("Area"), is under consideration for future annexation by the City of Charlotte ("City") pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina

Section 2. Persons subject to the annexation of the Area are hereby notified that they may have certain rights under G.S. 160A-49(f1) and (f2). A brief description of such rights is set forth in Section 3 of this Resolution. Persons subject to the annexation of the Area should not rely exclusively on the description of such rights in this Resolution and should make their own, independent determination of the extent of such rights, if any, that any of them may have. This Resolution is not intended to represent that any person subject to the annexation of the Area has any rights under G.S. 160A-49(f1) and (f2) or to set forth a complete statement of such rights.

Section 3. Persons having an interest in agricultural land, horticultural land and forestland included in the Area may have rights to a delayed effective date of annexation for such land. G.S. 160A-49(f1) generally provides that the following type of land may qualify for a delayed effective date of annexation: land being taxed at present-use value pursuant to G.S. 105-277.4 on the effective date of annexation of the Area (or any portion thereof including such land); and land that, as of the date of the resolution of intent for annexation of the Area (or any portion thereof including such land), is being used for actual production and is eligible for present-use value taxation under G.S. 105-277.4, but which has not been in actual production for the time period required by G.S. 105-277.3, if the assessor for Mecklenburg County certifies that such land meets the requirement of G. S. 160A-49(f1)(2). For land meeting the requirements of G.S. 160A-49(f1), G.S. 160A-49(f2) generally provides that the annexation of such land will not become effective until the last day of the month in which such land becomes ineligible for present-use value classification under G.S. 105-277.4 or no longer meets the requirements of G.S. 160A-49(f1)(2); provided that, such land will be considered part of the City on the effective date of the annexation ordinance for the Area (or any portion thereof including such land) for the purposes of establishing City boundaries for additional annexation(s) and exercising City authority pursuant to Article 19 of the Chapter 160A of the General Statutes of North Carolina. Until the annexation of land meeting the requirements of G.S. 160A-49(f1) becomes effective as set forth in G.S. 160A-49(f2), such land will not be subject to City property taxes under Article 12 of Chapter 105 of the General Statutes of North Carolina and will not be entitled to services from the City as a result of

annexation pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes North Carolina.

Section 4. This Resolution, or a copy thereof, shall be filed with the City Clerk.

Section 5. This Resolution shall remain effective as provided by G.S. 160A-49(i).

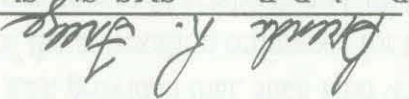
Adopted this 13th day of June, 2005.

**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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 700-702.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

Brenda R. Freeze, CMC, City Clerk



# 2007 Annexation Study Area - Providence Pointe

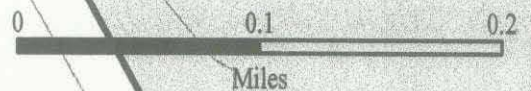
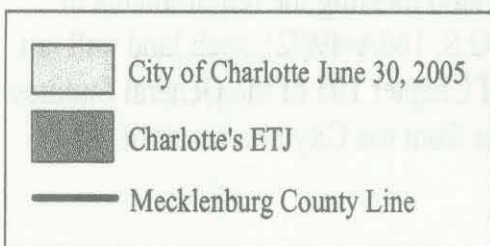
June 13, 2005  
Resolution Book 39, Page 702

Providence Rd West

Pacific Echo Dr

Prescott Hill Av

Lancaster County, S. C.



Source: Charlotte-Mecklenburg Planning Commission. June 2005.

A RESOLUTION OF THE CHARLOTTE CITY COUNCIL IDENTIFYING THE BEREWICK AREA AS BEING UNDER CONSIDERATION FOR ANNEXATION BY THE CITY OF CHARLOTTE AND NOTIFICATION TO PERSONS SUBJECT TO THE ANNEXATION OF SAID AREA OF CERTAIN RIGHTS UNDER G.S. 160A-49(F1) AND (F2)

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that:

Section 1. Pursuant to G.S. 160A-49(i), an area known as the Berewick Area, as shown on the map attached hereto and incorporated herein by reference ("Area"), is under consideration for future annexation by the City of Charlotte ("City") pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina

Section 2. Persons subject to the annexation of the Area are hereby notified that they may have certain rights under G.S. 160A-49(F1) and (F2). A brief description of such rights is set forth in Section 3 of this Resolution. Persons subject to the annexation of the Area should not rely exclusively on the description of such rights in this Resolution and should make their own, independent determination of the extent of such rights, if any, that any of them may have. This Resolution is not intended to represent that any person subject to the annexation of the Area has any rights under G.S. 160A-49(F1) and (F2) or to set forth a complete statement of such rights.

Section 3. Persons having an interest in agricultural land, horticultural land and forestland included in the Area may have rights to a delayed effective date of annexation for such land. G.S. 160A-49(F1) generally provides that the following type of land may qualify for a delayed effective date of annexation: land being taxed at present-use value pursuant to G.S. 105-277.4 on the effective date of annexation of the Area (or any portion thereof including such land); and land that, as of the date of the resolution of intent for annexation of the Area (or any portion thereof including such land), is being used for actual production and is eligible for present-use value taxation under G.S. 105-277.4, but which has not been in actual production for the time period required by G.S. 105-277.3, if the assessor for Mecklenburg County certifies that such land meets the requirement of G.S. 160A-49(F1)(2). For land meeting the requirements of G.S. 160A-49(F1)(2), G.S. 160A-49(F2) generally provides that the annexation of such land will not become effective until the last day of the month in which such land becomes ineligible for present-use value classification under G.S. 105-277.4 or no longer meets the requirements of G.S. 160A-49(F1)(2); provided that, such land will be considered part of the City on the effective date of the annexation ordinance for the Area (or any portion thereof including such land) for the purposes of establishing City boundaries for additional annexation(s) and exercising City authority pursuant to Article 19 of the Chapter 160A of the General Statutes of North Carolina. Until the annexation of land meeting the requirements of G.S. 160A-49(F1) becomes effective as set forth in G.S. 160A-49(F2), such land will not be subject to City property taxes under Article 12 of Chapter 105 of the General Statutes of North Carolina and will not be entitled to services from the City as a result of

annexation pursuant to Part 3, Article 4A, Chapter 160A of the General Statues North Carolina.

Section 4. This Resolution, or a copy thereof, shall be filed with the City Clerk.

Section 5. This Resolution shall remain effective as provided by G.S. 160A-49(i).

Adopted this 13th day of June, 2005.

**CERTIFICATION**

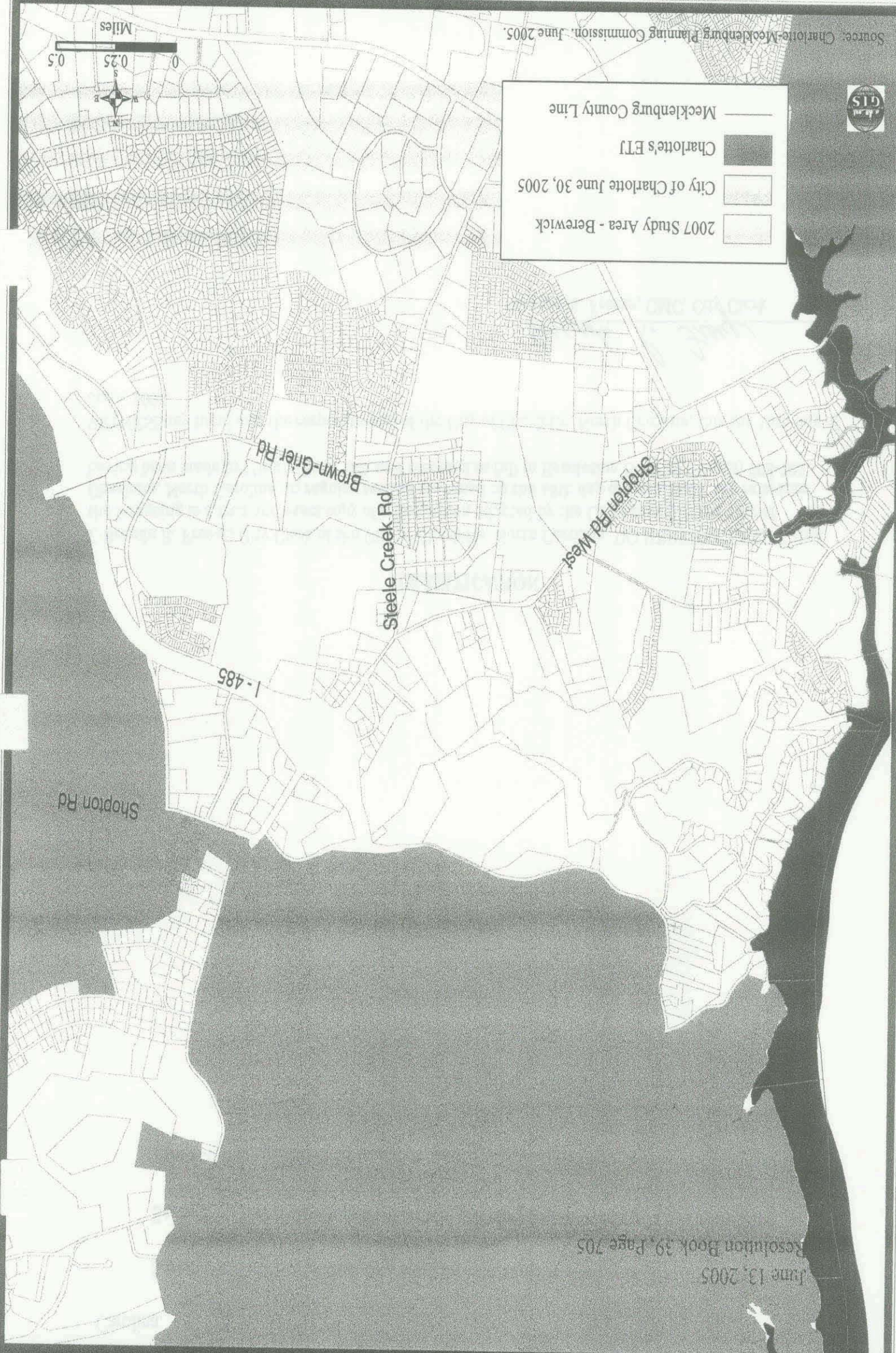
I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 703-705.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

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


# 2007 Annexation Study Area - Berewick

June 13, 2005  
Resolution Book 39, Page 705



Source: Charlotte-Mecklenburg Planning Commission, June 2005.





A RESOLUTION OF THE CHARLOTTE CITY COUNCIL IDENTIFYING THE BELMEADE AREA AS BEING UNDER CONSIDERATION FOR ANNEXATION BY THE CITY OF CHARLOTTE AND NOTIFICATION TO PERSONS SUBJECT TO THE ANNEXATION OF SAID AREA OF CERTAIN RIGHTS UNDER G.S. 160A-49(f1) AND (f2)

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BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that:

Section 1. Pursuant to G.S. 160A-49(i), an area known as the Belmeade Area, as shown on the map attached hereto and incorporated herein by reference ("Area"), is under consideration for future annexation by the City of Charlotte ("City") pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina

Section 2. Persons subject to the annexation of the Area are hereby notified that they may have certain rights under G.S. 160A-49(f1) and (f2). A brief description of such rights is set forth in Section 3 of this Resolution. Persons subject to the annexation of the Area should not rely exclusively on the description of such rights in this Resolution and should make their own, independent determination of the extent of such rights, if any, that any of them may have. This Resolution is not intended to represent that any person subject to the annexation of the Area has any rights under G.S. 160A-49(f1) and (f2) or to set forth a complete statement of such rights.

Section 3. Persons having an interest in agricultural land, horticultural land and forestland included in the Area may have rights to a delayed effective date of annexation for such land. G.S. 160A-49(f1) generally provides that the following type of land may qualify for a delayed effective date of annexation: land being taxed at present-use value pursuant to G.S. 105-277.4 on the effective date of annexation of the Area (or any portion thereof including such land); and land that, as of the date of the resolution of intent for annexation of the Area (or any portion thereof including such land), is being used for actual production and is eligible for present-use value taxation under G.S. 105-277.4, but which has not been in actual production for the time period required by G.S. 105-277.3, if the assessor for Mecklenburg County certifies that such land meets the requirement of G.S. 160A-49(f1)(2). For land meeting the requirements of G.S. 160A-49(f1), G.S. 160A-49(f2) generally provides that the annexation of such land will not become effective until the last day of the month in which such land becomes ineligible for present-use value classification under G.S. 105-277.4 or no longer meets the requirements of G.S. 160A-49(f1)(2); provided that, such land will be considered part of the City on the effective date of the annexation ordinance for the Area (or any portion thereof including such land) for the purposes of establishing City boundaries for additional annexation(s) and exercising City authority pursuant to Article 19 of the Chapter 160A of the General Statutes of North Carolina. Until the annexation of land meeting the requirements of G.S. 160A-49(f1) becomes effective as set forth in G.S. 160A-49(f2), such land will not be subject to City property taxes under Article 12 of Chapter 105 of the General Statutes of North Carolina and will not be entitled to services from the City as a result of

annexation pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes North Carolina.

Section 4. This Resolution, or a copy thereof, shall be filed with the City Clerk.

Section 5. This Resolution shall remain effective as provided by G.S. 160A-49(i).

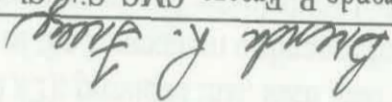
Adopted this 13th day of June, 2005.

**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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 706-708.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

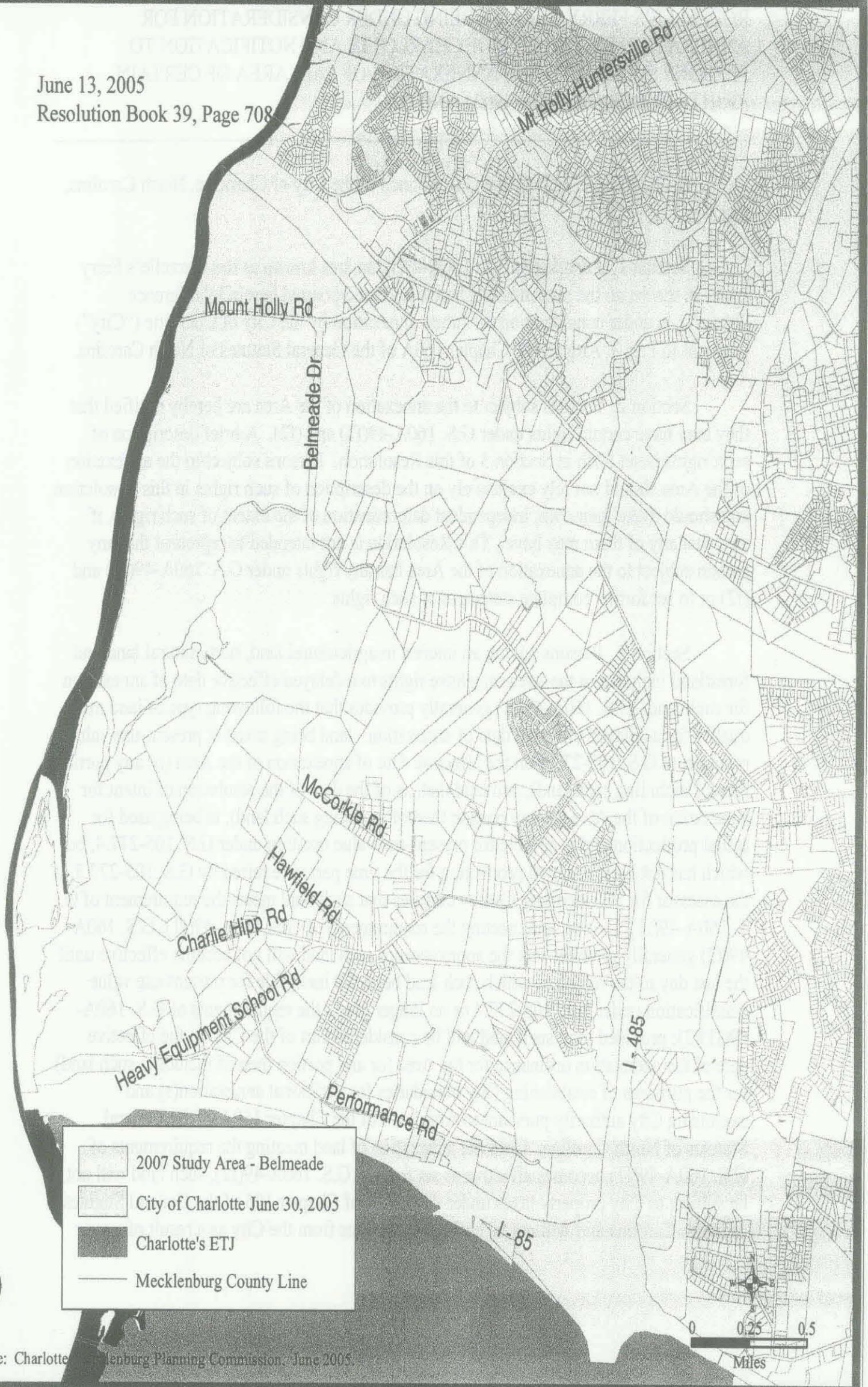
Brenda R. Freeze, CMC, City Clerk



# 2007 Annexation Study Area - Belmeade

June 13, 2005

Resolution Book 39, Page 708



A RESOLUTION OF THE CHARLOTTE CITY COUNCIL IDENTIFYING THE ROZZELLE'S FERRY AREA AS BEING UNDER CONSIDERATION FOR ANNEXATION BY THE CITY OF CHARLOTTE AND NOTIFICATION TO PERSONS SUBJECT TO THE ANNEXATION OF SAID AREA OF CERTAIN RIGHTS UNDER G.S. 160A-49(F1) AND (F2)

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that:

Section 1. Pursuant to G.S. 160A-49(i), an area known as the Rozzelle's Ferry Area, as shown on the map attached hereto and incorporated herein by reference ("Area"), is under consideration for future annexation by the City of Charlotte ("City") pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina

Section 2. Persons subject to the annexation of the Area are hereby notified that they may have certain rights under G.S. 160A-49(F1) and (F2). A brief description of such rights is set forth in Section 3 of this Resolution. Persons subject to the annexation of the Area should not rely exclusively on the description of such rights in this Resolution and should make their own, independent determination of the extent of such rights, if any, that any of them may have. This Resolution is not intended to represent that any person subject to the annexation of the Area has any rights under G.S. 160A-49(F1) and (F2) or to set forth a complete statement of such rights.

Section 3. Persons having an interest in agricultural land, horticultural land and forestland included in the Area may have rights to a delayed effective date of annexation for such land. G.S. 160A-49(F1) generally provides that the following type of land may qualify for a delayed effective date of annexation: land being taxed at present-use value pursuant to G.S. 105-277.4 on the effective date of annexation of the Area (or any portion thereof including such land); and land that, as of the date of the resolution of intent for annexation of the Area (or any portion thereof including such land), is being used for actual production and is eligible for present-use value taxation under G.S. 105-277.4, but which has not been in actual production for the time period required by G.S. 105-277.3, if the assessor for Mecklenburg County certifies that such land meets the requirement of G.S. 160A-49(F1)(2). For land meeting the requirements of G.S. 160A-49(F2) generally provides that the annexation of such land will not become effective until the last day of the month in which such land becomes ineligible for present-use value classification under G.S. 105-277.4 or no longer meets the requirements of G.S. 160A-49(F1)(2); provided that, such land will be considered part of the City on the effective date of the annexation ordinance for the Area (or any portion thereof including such land) for the purposes of establishing City boundaries for additional annexation(s) and exercising City authority pursuant to Article 19 of the Chapter 160A of the General Statutes of North Carolina. Until the annexation of land meeting the requirements of G.S. 160A-49(F1) becomes effective as set forth in G.S. 160A-49(F2), such land will not be subject to City property taxes under Article 12 of Chapter 105 of the General Statutes of North Carolina and will not be entitled to services from the City as a result of

annexation pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes North Carolina.

Section 4. This Resolution, or a copy thereof, shall be filed with the City Clerk.

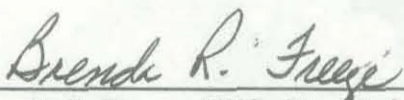
Section 5. This Resolution shall remain effective as provided by G.S. 160A-49(i).

Adopted this 13th day of June, 2005.

**CERTIFICATION**

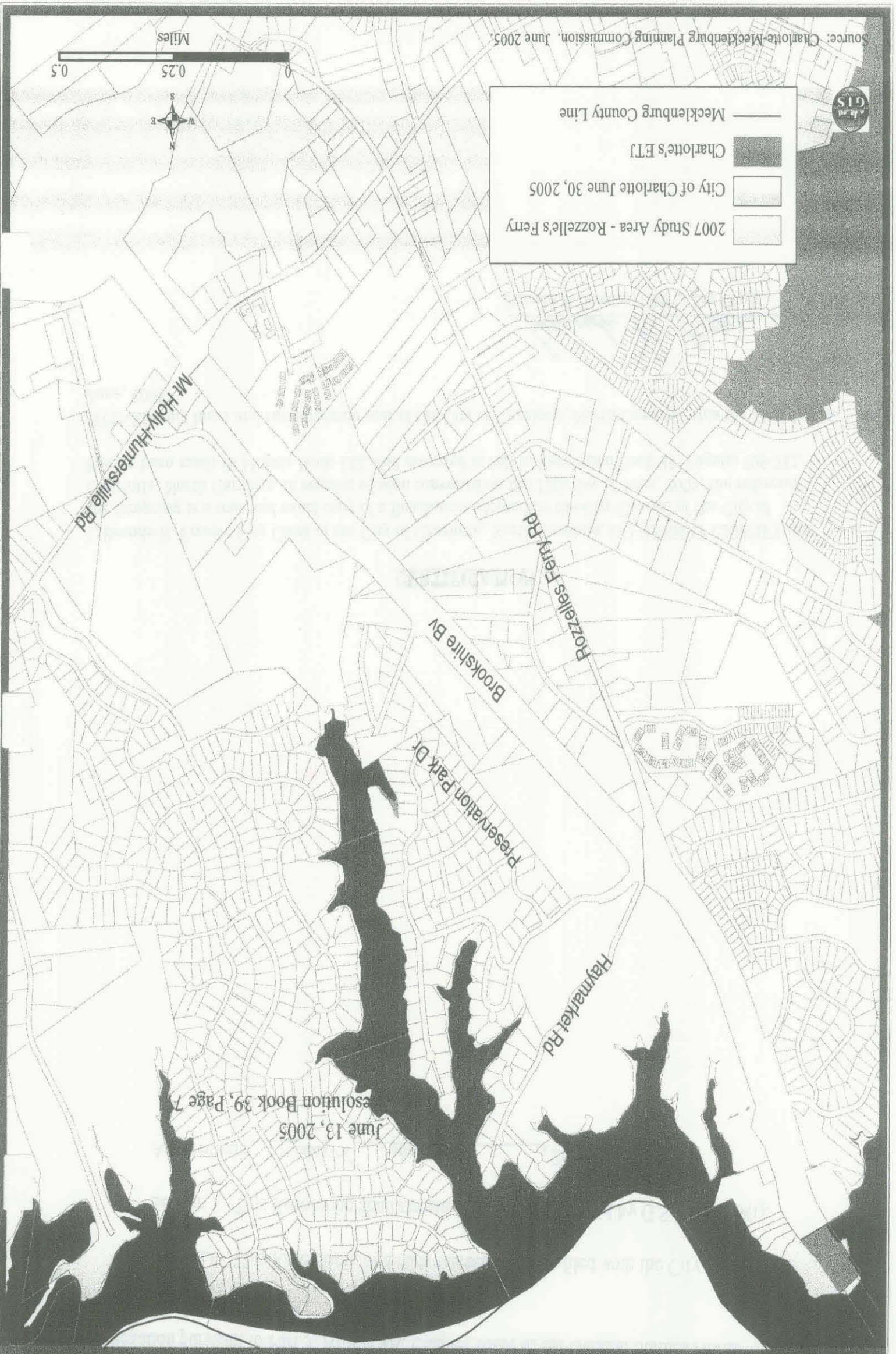
I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 709-711.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

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

# 2007 Annexation Study Area - Rozzelle's Ferry

June 13, 2005  
Resolution Book 39, Page 7



Source: Charlotte-Mecklenburg Planning Commission, June 2005.

- Mecklenburg County Line
- Charlotte's ETJ
- City of Charlotte June 30, 2005
- 2007 Study Area - Rozzelle's Ferry

Miles  
0.5  
0.25  
0



## RESOLUTION OF ADOPTION

### City of Charlotte Hazard Mitigation Plan

WHEREAS, the citizens and property within City of Charlotte are subject to the effects of natural hazards and man-made hazard events that pose threats to lives and cause damages to property, and with the knowledge and experience that certain areas, i.e., flood hazard areas, are particularly susceptible to flood hazard events; and

WHEREAS, the City desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has in Section 1 Part 166A of the North Carolina General Statutes (adopted in Session Law 2001-214—Senate Bill 300 effective July 1, 2001), states in Item (a) (2) "For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after November 1, 2004, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act"; and

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local government must develop an All-Hazards Mitigation Plan in order to receive future Hazard Mitigation Grant Program Funds, and

WHEREAS, it is the intent of the City Council of the City of Charlotte to fulfill this obligation in order that the City will be eligible for state assistance in the event that a state of disaster is declared for a hazard event affecting the Town;

NOW, therefore, be it resolved that the City Council of the City of Charlotte hereby:

1. Adopts the Mecklenburg County Hazard Mitigation Plan; and
2. Vests the City Manager with the responsibility, authority, and the means to:
  - (a) Inform all concerned parties of this action.
  - (b) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map, and identify floodplain or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining floodplain and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
  - (c) Adjust the boundaries of the City of Charlotte and the municipal planning jurisdiction whenever a municipal annexation or extraterritorial jurisdiction revision results in a

change whereby the municipality assumes or relinquishes the authority to adopt and enforce floodplain management regulations for a particular area in order that all Flood Hazard Boundary Maps (FHBMs) and Flood Insurance Rate Maps (FIRMs) accurately represent current planning jurisdiction boundaries. Provide notification of boundary revisions along with a map suitable for reproduction, clearly delineating municipal corporate limits and extrajurisdictional jurisdiction boundaries to all concerned parties.

- 3. Appoints the City Manager to assure that the Hazard Mitigation Plan is reviewed annually and in greater detail at least once every five years to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the City of Charlotte City Council for consideration.
- 4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

Adopted on the 13th day of June, 2005

Pat McSwain  
Mayor

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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 712-713.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

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



A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **SOUTH CORRIDOR INFRASTRUCTURE PROJECT; NEW BERN SIDEWALKS 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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT; NEW BERN SIDEWALKS PROJECT** and estimated to be approximately 1,583 square feet (.036 acre) of sidewalk and utility 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. 147-017-07, said property currently owned by **WELSH PARTNERS, LLC; W. SWOPE MONTGOMERY, JR., Trustee; BANK OF NORTH CAROLINA, 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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 714.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

  
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 SOUTH CORRIDOR INFRASTRUCTURE PROJECT; SHARON ROAD WEST SIGNATURE INTERSECTION 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 SOUTH CORRIDOR INFRASTRUCTURE PROJECT: SHARON ROAD WEST SIGNATURE INTERSECTION PROJECT and estimated to be approximately 5,957 square feet (.137 acre) of sidewalk and utility 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. 173-234-01, said property currently owned by TUCKER FAMILY, LLC, 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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 715.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

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

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **SOUTH BOULEVARD/INWOOD DRIVE STORM WATER PROJECT-PHASE II**; 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 **SOUTH BOULEVARD/INWOOD DRIVE STORM WATER PROJECT-PHASE II** and estimated to be approximately **888 square feet (.020 acre) of storm drainage easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 171-011-43, said property currently owned by **ALTON C. COGGIN and wife, PATRICIA COGGIN, 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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 716.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

  
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 TUCKASEEGEE ROAD STREETScape; 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 TUCKASEEGEE ROAD STREETScape and estimated to be approximately 593 square feet (.014 acre) of sidewalk and utility 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. 065-047-17, said property currently owned by CALVIN RANKIN and spouse, if any; CHARLES R. CUNNINGHAM, Trustee; THE MONEY CENTRE, INC., 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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 717.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

Brenda R. Freeze, CMC, City Clerk

*Brenda R. Freeze*

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 **TUCKASEEGEE ROAD STREETScape**; 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 **TUCKASEEGEE ROAD STREETScape** and estimated to be approximately **2,073 square feet (.048 acre) of fee-simple, existing right-of-way, sidewalk and utility 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. 065-054-04, said property currently owned by **WILLIAM CLINTON BALDWIN and spouse, if any; SAMUEL S. WILLIAMS, Trustee; ELSIE C. KEZIAH, Beneficiary; MECKLENBURG COUNTY TAX COLLECTOR, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

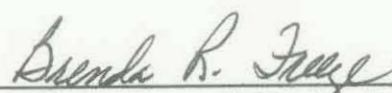
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 718.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

  
Brenda R. Freeze, CMC, City Clerk

RESOLUTION CLOSING A PORTION OF CLARKSON 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 a portion of Clarkson Street for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of Clarkson 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 public hearing was held on the 13<sup>th</sup> day of June, 2005 and City Council determined that the closing of a portion of 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 June 13, 2005, that the Council hereby orders the closing of a portion of Clarkson Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and its 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.

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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 719-721.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

Brenda R. Freeze, CMC, City Clerk

*Brenda R. Freeze*

June 13, 2005

Resolution Book 39, Page 720

Charlotte Rescue Mission Inc.

**Tax Parcel No. 073-242-17, Tax Parcel No. 073-242-16**

Deed: 2121/357/ Deed: 4187/625

## **“Exhibit B”**

### Legal Description of 0.086 AC. Portion:

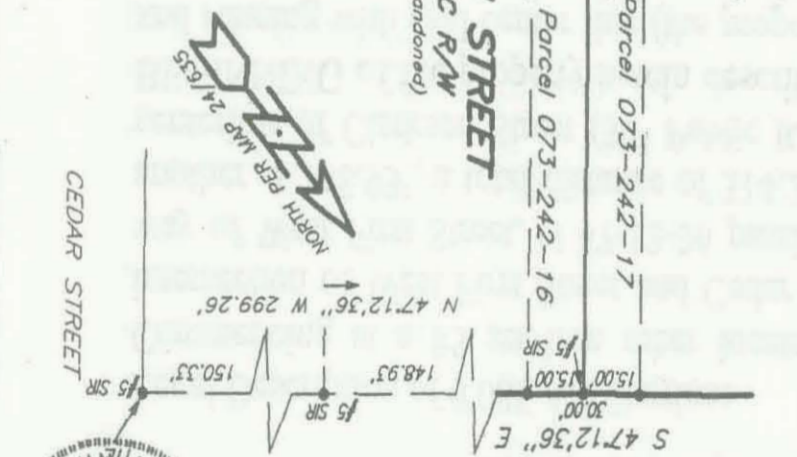
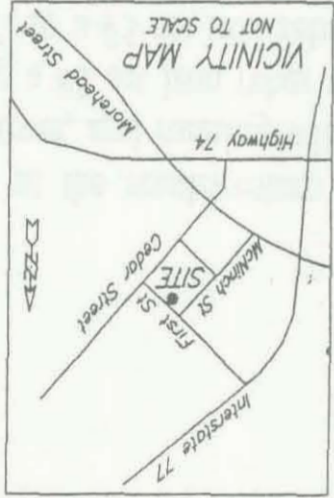
Commencing at a #5 set iron rebar located at the southwestern corner of the intersection of West First Street and Cedar Street, and running with the right-of-way of West First Street, N 47-12-36 passing a #5 set iron rebar at 150.33' and another at 148.93', a total distance of 314.26', to a #5 set iron rebar marking the centerline of Clarkson Street (30' Public R/W) to be abandoned, the POINT OF BEGINNING of the property herein described; thence, leaving West First Street, and running with said center line (the proposed new property line) S 42-47-30 W 246.26' to a #5 set iron rebar on the property line of N.C. Department of Transportation as recorded in Map Book 23, page 635 of the Mecklenburg County Registry; thence N 64-17-00 W 11.69' to a point; thence with a circular curve to the right having a radius 985.80' as chorded by N 64-10-06 W 4.00' an arc distance of 4.00' to a point, the corner of the property of Charlotte Rescue Mission, Inc. as Deeded in Book 2121, page 357 of the Mecklenburg County Registry, thence with said property line N 42-47-30 E 250.85 to a point on the right-of-way of West First Street; thence with said right-of-way, S 47-12-36 E 15.00' to the point of beginning, containing 0.086 AC. or 3728 sq. ft. as shown hereon and to be conveyed to Charlotte Rescue Mission, Inc. upon the abandonment of Clarkson Street.

### Legal Description of 0.084 AC. Portion:

Commencing at a #5 set iron rebar located at the southwestern corner of the intersection of West First Street and Cedar Street, and running with the right-of-way of West First Street, N 47-12-36 W passing a #5 set iron rebar at 150.33', a total distance of 299.26', to a point, being the property corner of Christian Rehabilitation Center, Inc. as Deeded in Book 4187, page 625 of the Mecklenburg County Registry, the POINT OF BEGINNING of the property herein described; thence, leaving said right-of-way, S 42-47-30 W 241.65' to a point on the property line of NC Department of Transportation as recorded in Map Book 23, page 635 of the Mecklenburg County Registry; thence N 64-17-00 W 15.69' to a #5 set iron rebar at the center line of Clarkson Street (30' Public R/W) to be abandoned, thence with said center line (the proposed new property line) N 42-47-30 E 246.26' to a #5 set iron rebar on the right-of-way of West First Street; thence S 47-12-36 E 15.00' to the point of beginning, containing 0.084 AC. or 3659 sq. ft. as shown hereon and to be conveyed to Christian Rehabilitation Center, Inc. upon the abandonment of Clarkson Street.

Exhibit A

THIS IS TO CERTIFY THAT ON THE 8th DAY OF FEBRUARY 2002 I SURVEYED THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE TITLE LINES AND THE WALLS OF THE BUILDINGS, IF ANY, ARE AS SHOWN HEREON.



Charlotte Rescue Mission, Inc.  
Tax Parcel No. 073-242-17  
Deed: 2121/357

Christian Rehabilitation Ctr., Inc.  
Tax Parcel No. 073-242-16  
Deed: 4187/625

LEGAL DESCRIPTION OF 0.086 AC. PORTION:  
Commencing at a  $\frac{1}{4}$  set iron rebar located at the southwestern corner of the intersection of West First Street and Cedar Street, and running with the right-of-way of West First Street, N 47-12-36 W passing a  $\frac{1}{4}$  set iron rebar at 150.33', and another at 148.93', a total distance of 314.26', to a  $\frac{1}{4}$  set iron rebar marking the centerline of Clarkston Street (30' Public R/W) to be abandoned, thence, leaving West First Street, the property herein described, thence, leaving West First Street, and running with said center line (the proposed new property line) S 42-47-30 W 246.26' to a  $\frac{1}{4}$  set iron rebar on the property line of N.C. Department of Transportation as recorded in Map Book 23, Page 635 of the Mecklenburg County Registry, thence N 64-17-00 W 11.69' to a point, thence with a circular curve to the right having a radius of 985.80', as chorde by N 64-10-06 W 4.00', on an arc distance of 4.00', to a point, the corner of the property of Charlotte Rescue Mission, Inc. as Deeded in Book 2121, Page 357 of the Mecklenburg County Registry, thence with said property line N 42-47-30 E 250.85' to a point on the right-of-way of West First Street, thence with said right-of-way, S 47-12-36 E 15.00' to the point of beginning, containing 0.084 AC. or 3728 Sq. Ft. as shown hereon and to be conveyed to Charlotte Rescue Mission Inc. upon the abandonment of Clarkston Street.

LEGAL DESCRIPTION OF 0.084 AC. PORTION:  
Commencing at a  $\frac{1}{4}$  set iron rebar located at the southwestern corner of the intersection of West First Street and Cedar Street, and running with the right-of-way of West First Street, N 47-12-36 W passing a  $\frac{1}{4}$  set iron rebar at 150.33', a total distance of 299.26', to a point, being the property corner of Christian Rehabilitation Center, Inc. as Deeded in Book 4187, Page 625 of the Mecklenburg County Registry, the POINT OF BEGINNING of the property herein described, thence, leaving said right-of-way, S 42-47-30 W 241.65', to a point on the property line of N.C. Department of Transportation as recorded in Map Book 23, Page 635 of the Mecklenburg County Registry, thence N 64-17-00 W 15.69' to a  $\frac{1}{4}$  set iron rebar at the center line of Clarkston Street (30' Public R/W) to be abandoned, thence with said center line (the proposed new property line) N 42-47-30 E 246.26' to a  $\frac{1}{4}$  set iron rebar on the right-of-way of West First Street, thence with said right-of-way, S 47-12-36 E 15.00' to the point of beginning, containing 0.084 AC. or 3659 Sq. Ft. as shown hereon and to be conveyed to Christian Rehabilitation Center, Inc. upon the abandonment of Clarkston Street.

CURVE DIRECTION	RADIUS LENGTH	CHORD
C1	N64°10'06"W 985.80	4.00

R/W ABANDONMENT MAP  
OF  
A Portion of  
CLARKSON STREET  
CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

CAROLINA SURVEYORS, INC.  
P.O. BOX 267  
PINEVILLE, N.C. 28134



RESOLUTION CLOSING A RESIDUAL PORTION OF EAST 16<sup>TH</sup> 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 a residual portion of East 16<sup>th</sup> 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 a residual portion of East 16<sup>th</sup> 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 public hearing was held on the 13<sup>th</sup> day of June, 2005 and City Council determined that the closing of a residual portion of East 16<sup>th</sup> 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 June 13, 2005, that the Council hereby orders the closing of a residual portion of East 16<sup>th</sup> 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.

**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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 722-724.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

  
Brenda R. Freeze, CMC, City Clerk

PROPERTY DESCRIPTION

A tract or parcel of land lying and being in the City of Charlotte, Mecklenburg County, N.C. and more particularly described as follows:

BEGINNING at a computed point on the southwesterly right of way margin of East Sixteenth Street, said point being South 41 degrees 57 minutes 00 seconds East 72.36 feet from an iron pipe found at the intersection of the easterly right of way margin of Parkwood Avenue and the southwesterly right of way margin of East Sixteenth Street; thence from said point and place of BEGINNING and with the southwesterly right of way margin of East Sixteenth Street South 41 degrees 57 minutes 00 seconds East 40.00 feet to a computed point; thence leaving East Sixteenth Street and running South 48 degrees 03 minutes 00 seconds West 30.00 feet to a computed point; thence North 41 degrees 57 minutes 00 seconds West 40.00 feet to a computed point; thence North 48 degrees 03 minutes 00 seconds East 30.00 feet to the point and place of BEGINNING, containing 1,200 square feet, more or less.

EXHIBIT B

COPYRIGHT 2005

*Right of Way Abandonment*

CHARLOTTE, MECKLENBURG COUNTY, N.C.

Tuscan-Landcraft, LLC

Scale 1" = 30' January 24, 2005

ANDREW G. ZOUTEWELLE, L-3098

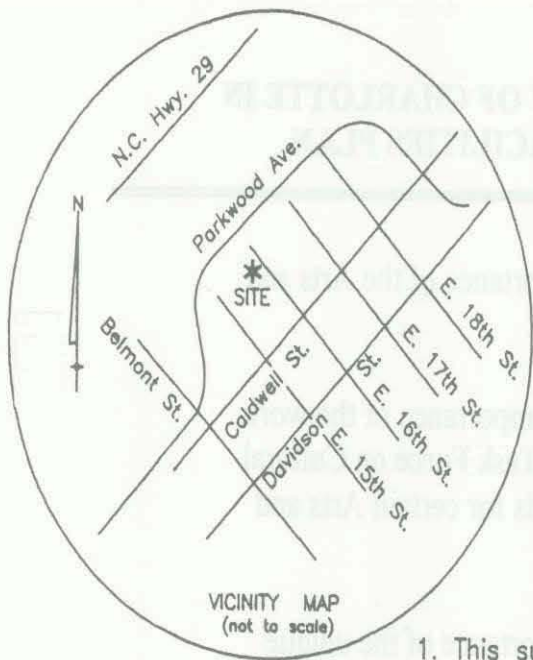
1418 East Fifth Street Charlotte, N.C. 28204

Telephone 704-372-9444 Fax. 704-372-9555



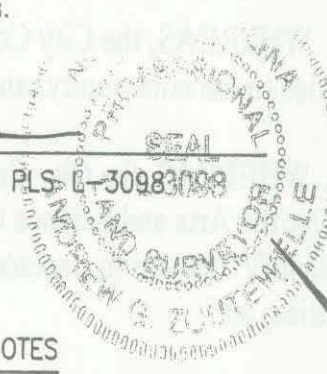
Scale: 1" = 30'

**A.G. ZOUTEWELLE**  
**SURVEYORS**  
 1418 East Fifth St. Charlotte, NC 28204



STATE OF NORTH CAROLINA, Mecklenburg County  
 I, ANDREW G. ZOUTEWELLE, do hereby certify that this map was drawn from an actual field survey performed under my supervision; that the precision is 1:15,000; that the angular precision is less than 7.5 seconds per angle; that this map is not intended to meet GS 47-30 recording requirements.

*Andrew G. Zoutewelle*  
 Andrew G. Zoutewelle, PLS L-30983098 Date 1/24/05



GENERAL NOTES

1. This survey does not reflect a complete title examination.
2. Source of title recorded in Deed Book 14085 Page 228. See also Map Book 1580 Page 499.
3. The right of way to be abandoned is recorded in Deed Book 5427 Page 559.
4. Boundary shown is based on survey by A.G. Zoutewelle dated March 30, 2004.

DB 14085-228 (2002)

**Parkwood Avenue**  
 85' Public R/W per Deed Book 11114 Pg. 941  
 Major Thoroughfare

Dead End **East 16th St. - 40'**  
 (See MB 1580-499)

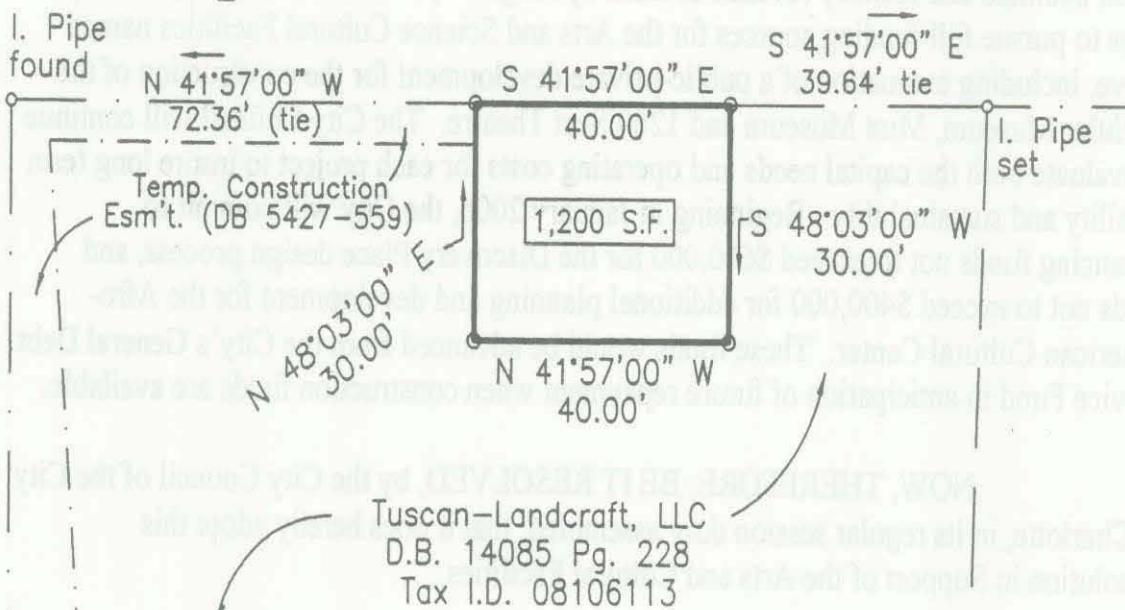


EXHIBIT A

LEGEND

ch.	chord
L,R	curve length & radius
s.f.	square feet (by coordinates)
IPF	iron pipe found
conc.	concrete
a/c	air conditioner
MB, DB	record map and deed references

COPYRIGHT 2005

**Right of Way Abandonment**

CHARLOTTE, MECKLENBURG COUNTY, N.C.

Tuscan-Landcraft, LLC

Scale 1" = 30' January 24, 2005

ANDREW G. ZOUTEWELLE, L-3098

1418 East Fifth Street Charlotte, N.C. 28204  
 Telephone 704-372-9444 Fax. 704-372-9555



Scale: 1" = 30'

**A.G. ZOUTEWELLE**  
**SURVEYORS**  
 1418 East Fifth St. Charlotte, NC 28204

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE IN SUPPORT OF THE ARTS AND SCIENCE CULTURAL FACILITIES PLAN**

---

WHEREAS, the City Council recognizes the importance of the Arts and Cultural facilities to the community; and,

WHEREAS, the City Council acknowledges the importance of the work accomplished by the Arts and Science Council and the Mayor's Task Force on Cultural Facilities to identify renovation, replacement and expansion needs for certain Arts and Cultural Facilities; and,

WHEREAS, the City Council recognizes the importance of the unique public-private partnership, which has funded the construction and operation of outstanding cultural facilities; and,

WHEREAS, there is a need for City Council to continue due diligence on the proposed plans for the renovation of Discovery Place; expansion of the Afro-American Cultural Center; construction of a new museum to house the Bechtler Art Collection; construction of a relocated Mint Museum; and, construction of a new 1200 Seat Proscenium Theatre,

THEREFORE, by means of this resolution the City Council resolves that it will evaluate and identify revenue sources by August 1, 2005 and take the necessary steps to pursue full funding sources for the Arts and Science Cultural Facilities named above, including evaluation of a public-private development for the construction of the Bechtler Museum, Mint Museum and 1200 Seat Theatre. The City Council will continue to evaluate both the capital needs and operating costs for each project to insure long term viability and sustainability. Beginning in January 2006, the City will commit to advancing funds not to exceed \$600,000 for the Discovery Place design process, and funds not to exceed \$400,000 for additional planning and development for the Afro-American Cultural Center. These funds would be advanced from the City's General Debt Service Fund in anticipation of future repayment when construction funds are available.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, that it does hereby adopt this Resolution in Support of the Arts and Cultural Facilities.

This 13th day of June, 2005.

**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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 725.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

  
Brenda R. Freeze, CMC, City Clerk

June 13, 2005

Resolution Book 39, Page 726

**RESOLUTION APPROVING AN  
INTERLOCAL AGREEMENT**

WHEREAS, the City of Charlotte has the power pursuant to Article 20 of Chapter 160A of the North Carolina General Statutes and S.L. 2001-402, s. 2 to enter into interlocal agreements with other North Carolina municipalities; and

WHEREAS, in 2001 the General Assembly ratified House Bill 715 (S.L. 2001-402), a bill that amended Part IV of Chapter 908 of the 1983 Session Laws, as amended by Chapters 821 and 922 of the 1989 Session Laws; and

WHEREAS, Section 2 of House Bill 715 amended Section 9 of Chapter 908 of the 1983 Session Laws, as amended by Chapters 821 and 922 of the 1989 Session Laws, by adding a new sub-subdivision 9.(a)(4)b. ("sub-subdivision 9.(a)(4)b."); and

WHEREAS, sub-subdivision 9.(a)(4)b. obligates the City of Charlotte to transfer specified funds to the towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville ("Mecklenburg towns"); and

WHEREAS, sub-subdivision 9.(a)(4)b. further directs the City of Charlotte and the Mecklenburg towns to work in good faith to execute an interlocal agreement that may increase the amount to be distributed by the City of Charlotte to the Mecklenburg towns; and

WHEREAS, the City of Charlotte and the Mecklenburg towns have worked in good faith and have agreed to an increase in the amount to be distributed to the towns as set forth in an interlocal agreement, which increase the parties intend to establish as the arrangement regarding the allocation among the parties of the proceeds of taxes levied pursuant to Part IV of Chapter 908 of the 1983 Session Laws, as amended by Chapters 821 and 922 of the 1989 Session Laws and S.L. 2001-402.

BE IT RESOLVED by the City Council of the City of Charlotte that the Mayor of the City of Charlotte is hereby authorized and directed to execute an Interlocal Agreement by and among the City of Charlotte and the towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville in substantially the form attached to this resolution, with any necessary minor additions, deletions, or changes, and that this resolution shall be spread upon the minutes.

**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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 726.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of June, 2005.

  
Brenda R. Freeze, CMC, City Clerk

June 13, 2005

Resolution Book 39, Page 727

RESOLUTION AUTHORIZING THE CONVEYANCE OF .474 ACRES  
OF LAND TO PREFERRED PARKING SERVICE, INC.

WHEREAS, the City of Charlotte owns a .474-acre property more particularly identified as being all of Tax Parcel No. 080-052-03 and located at 213 N. Caldwell St. in Charlotte, Mecklenburg County, North Carolina (the "Property"); and

WHEREAS, in 2003 the City Council declared the property to be surplus and approved a private sale disposition process which would include a restriction that the property not be used after the sale for surface parking; and

WHEREAS, said Preferred Parking Service, Inc. now desires to purchase the Property for One Million, Six Hundred Fifty-Two Thousand Six Hundred Forty Dollars (\$1,652,640.00) for a use consistent with the property's UMUD zoning classification, including commercial surface parking; and

WHEREAS, the present fair market value of the Property is approximately One Million Two Hundred Eighty Thousand Eight Hundred Dollars (\$1,280,800); and

WHEREAS, the City Council of the City of Charlotte has determined that the sale of the Property to Preferred Parking Service, Inc. will advance its Economic Development Strategic Plan and Center City 2010 Plan in that the sale will provide funds to facilitate the construction of a multi-purpose sports and entertainment facility to be located in the uptown area; and

WHEREAS, notice of the proposed transaction was advertised at least ten days prior to the adoption of this Resolution.

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to Section 8.22(d) of the City of Charlotte Charter, that it hereby authorizes the private sale of the above referenced Property as follows:

The previously imposed restriction on use of the Property for surface parking is hereby removed, and the City will convey fee simple title to Preferred Parking Service, Inc. for One Million, Six Hundred Fifty-Two Thousand Six Hundred and Forty Dollars (\$1,652,640.00). The City Manager or her Designee is authorized to execute the Purchase Contract and such other documents necessary to complete the sale of the Property to Preferred Parking Service, Inc. in accordance with the terms and conditions as advertised.

THIS THE 13<sup>TH</sup> DAY OF JUNE, 2005.


June 13, 2005

Resolution Book 39, Page 728

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 13th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 727-728 .

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of July, 2005.

  
Brenda R. Freeze, CMC, City Clerk



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
ADOPTING THE TWO -YEAR BUDGET PLAN FOR FISCAL YEARS 2006 AND 2007.**

---

WHEREAS, the City of Charlotte recognizes the importance of developing long-range financial planning; and

WHEREAS, the City of Charlotte develops and analyzes the issues, policies, and financial assumptions which impact the Operating Budget of the City; and

WHEREAS, the City of Charlotte has developed a two-year Operating Budget Plan which includes a tax rate of 42.0¢ per \$100 of assessed valuation for FY2006 and estimates the same rate of 42.0¢ for FY2007; a total budget for FY2006 of \$1.42 billion and \$1.46 billion for FY2007; and includes 6,259.00 authorized positions in FY2006 and 6,376.00 authorized positions in FY2007.


NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, that it does hereby adopt the Operating Budget Plan for fiscal years 2006 to 2007.

This 20th day of June 2005.

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 729.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of June, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
ADOPTING THE FIVE-YEAR CAPITAL INVESTMENT PLAN FOR FISCAL YEARS  
2006 to 2010.**

---

WHEREAS, the City of Charlotte recognizes the importance of developing long range capital investment planning to maintain the growth and vitality of the community; and

WHEREAS, the City of Charlotte continuously develops and reviews the policy, financial and planning assumptions and impacts of capital investment projects for the City; and

WHEREAS, the City of Charlotte has a five-year Capital Investment Plan based on policy assumptions, so stated in the FY2006-2010 Capital Investment Plan that balances the potential physical development planning with long-range financial capacity; and

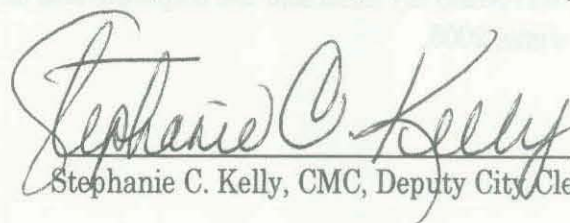
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, that it does hereby adopt the Capital Investment Plan for fiscal years 2006 to 2010.

This 20th day of June 2005

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 730.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of June, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE ADOPTING CHANGES TO THE CITY PAY PLANS AND EMPLOYEE GROUP INSURANCE PLANS FOR FISCAL YEAR 2006**

**WHEREAS**, the City of Charlotte desires to provide its employees with a competitive pay package and recognizes the importance of rewarding employees for their performance; and

**WHEREAS**, the City of Charlotte desires to provide its employees with a competitive benefits package;

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

in its regular session duly assembled, that it does hereby adopt the pay and benefits

recommendations for fiscal year 2006.

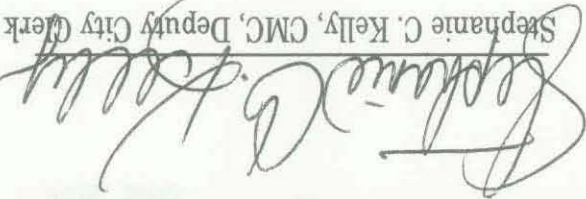
This 20th day of June, 2005

**CERTIFICATION**

I, **Stephanie C. Kelly**, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY

**CERTIFY** that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page 731.

**WITNESS** my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of June, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
ADOPTING THE BUDGET PLAN FOR FISCAL YEAR 2007.**

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WHEREAS, the City of Charlotte recognizes the importance of developing long- range financial planning; and

WHEREAS, the Council acknowledges that there are structural budget issues not addressed in the FY2006 budget; and

WHEREAS, the City has significant capital infrastructure needs due to continued growth and development, particularly in general public infrastructure such as roads, sidewalks, and neighborhood improvements; and

WHEREAS, the City continues to face increasing service delivery needs, particularly in core City services such as Public Safety and Transportation; and

WHEREAS, the slower growth in property taxes and the loss of sales taxes due to the ad valorem method of distribution while operating and capital needs continue to grow has resulted in increasing pressure on the General Fund to meet core services and essential capital expenditures; and

WHEREAS, there is concern that the pressures cited above and the delay in addressing certain key capital and operating needs in this budget may make it appear that the City is less concerned than in prior years about its long term financial outlook or potential ramifications for the City's AAA bond rating,

THEREFORE, by means of this resolution the City Council resolves that it will study alternative revenue sources in cooperation with Mecklenburg County, and expenditure reductions for consideration in the next budget year to address critical needs, especially the Capital Improvement Program. Furthermore, the City Council Budget Committee will be charged with studying this issue and making recommendations to City Council on the process to review revenues and expenditures, and ways to meet the critical needs of the City and maintain its financial well being and AAA credit standing.

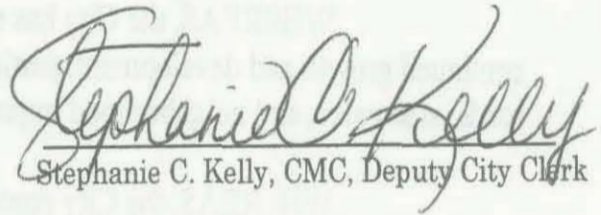
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, that it does hereby adopt the Operating Budget Process Plan for fiscal year 2007.

This 20th day of June 2005

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 732-733.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of June, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION  
OF ANNEXATION PURSUANT TO G.S. 160A-31  
Portions of Northlake Mall and Northlake Centre Parkway**

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

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the area described herein will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 E. Fourth Street, Charlotte, N.C. at 7:00 p.m. on July 25, 2005.

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

All those certain two (2) tracts of land lying and being in Long Creek Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

Tract One:

BEGINNING at a point located at the intersection of the northerly right-of-way margin of Reames Road (Future Harris Blvd. - N.C. 24) (currently a variable width public right-of-way) and the easterly right-of-way margin of Point O' Woods Drive (formerly a 60-foot public right-of-way) as shown on a plat recorded in Map Book 41 at Page 766 in the Mecklenburg County, North Carolina, Public Registry, said point also being on the city limits line of the City of Charlotte; thence running with the northerly right-of-way margin of Reames Road and the city limits line of the City of Charlotte, the following twelve (12) courses and distances: (1) N 63-25-05 E 49.80 feet to a point, (2) N 67-10-09 E 63.40 feet to a point, (3) N 67-10-09 E 147.23 feet to a point, (4) with the arc of a circular curve to the right having a radius of 1,991.30 feet, an arc distance of 19.12 feet (Chord Bearing = N 63-41-36 E 19.12 feet) to a point, (5) with the arc of a circular curve to the right having a radius of 1,991.30 feet, an arc distance of 270.92 feet (Chord Bearing = N 67-51-58 E 270.71 feet) to a point, (6) N 72-01-46 E 13.60 feet to a point, (7) N 72-01-46 E 219.71 feet to a point, (8) N 72-01-46 E 10.76 feet to a point, (9) with the arc of a circular curve to the right having a radius of 2,005.05 feet, an arc distance of 210.71 feet (Chord Bearing = N 81-45-58 E 210.61 feet) to a point, (10) with the arc of a circular curve to the right having a radius of 1,935.00 feet, an arc distance of 183.40 feet (Chord Bearing = S 88-22-23 E 183.33 feet) to a point, (11) with the arc of a circular curve to the right having a radius of 2,046.20 feet, an arc distance of 42.20 feet (Chord Bearing = S 87-58-46 E 42.19 feet) to a point and (12) N 86-09-06 E 5.55 feet to a point; thence leaving the northerly right-of-way margin of Reames Road and the city limits line of the City of Charlotte, with the arc of a circular curve to the left having a

radius of 7.00 feet, an arc distance of 4.63 feet (Chord Bearing = N 21-26-11 E 4.55 feet) to a point; then N 02-28-34 E 25.43 feet to a point; then N 00-00-05 W 35.88 feet to a point; then with the arc of a circular curve to the right having a radius of 194.00 feet, an arc distance of 204.31 feet (Chord Bearing = N 30-10-12 E 195.00 feet) to a point; then with the arc of a circular curve to the left having a radius of 2.00 feet, an arc distance of 5.52 feet (Chord Bearing = N 18-46-00 W 3.93 feet) to a point; then S 82-07-37 W 37.07 feet to a point; then with the arc of a circular curve to the right having a radius of 901.00 feet, an arc distance of 273.83 feet (Chord Bearing = N 89-10-00 W 272.77 feet) to a point; then with the arc of a circular curve to the right having a radius of 501.00 feet, an arc distance of 122.84 feet (Chord Bearing = N 73-26-08 W 122.54 feet) to a point; then N 26-18-18 E 27.18 feet to a point; then N 63-41-42 W 19.00 feet to a point; then N 26-18-18 E 17.36 feet to a point; then with the arc of a circular curve to the left having a radius of 4.00 feet, an arc distance of 5.11 feet (Chord Bearing = N 10-18-26 W 4.77 feet) to a point; then with the arc of a circular curve to the right having a radius of 75.00 feet, an arc distance of 54.87 feet (Chord Bearing = N 25-57-35 W 53.66 feet) to a point; then N 05-00-00 W 250.59 feet to a point; then with the arc of a circular curve to the right having a radius of 78.00 feet, an arc distance of 82.69 feet (Chord Bearing = N 25-22-09 E 78.87 feet) to a point; then N 55-44-17 E 191.27 feet to a point; then with the arc of a circular curve to the left having a radius of 29.00 feet, an arc distance of 55.71 feet (Chord Bearing = N 00-42-27 E 47.53 feet) to a point; then with the arc of a circular curve to the right having a radius of 531.00 feet, an arc distance of 146.13 feet (Chord Bearing = N 46-26-22 W 145.67 feet) to a point; then with the arc of a circular curve to the left having a radius of 269.00 feet, an arc distance of 94.32 feet (Chord Bearing = N 48-36-03 W 93.84 feet) to a point; then N 58-38-32 W 16.48 feet to a point; then with the arc of a circular curve to the left having a radius of 29.00 feet, an arc distance of 38.02 feet (Chord Bearing = S 83-47-43 W 35.36 feet) to a point; then S 46-13-59 W 261.25 feet to a point; then with the arc of a circular curve to the right having a radius of 49.00 feet, an arc distance of 10.38 feet (Chord Bearing = S 40-09-53 W 10.36 feet) to a point; then S 72-49-35 W 150.38 feet to a point; then with the arc of a circular curve to the right having a radius of 78.02 feet, an arc distance of 44.67 feet (Chord Bearing = S 89-13-53 W 44.06 feet) to a point; then N 74-22-14 W 437.43 feet to a point; then with the arc of a circular curve to the left having a radius of 49.00 feet, an arc distance of 90.35 feet (Chord Bearing = S 52-48-24 W 78.08 feet) to a point; then S 89-59-01 W 46.00 feet to a point; then with the arc of a circular curve to the right having a radius of 345.00 feet, an arc distance of 54.64 feet (Chord Bearing = N 04-31-15 E 54.58 feet) to a point; then N 09-03-29 E 122.88 feet to a concrete monument having N.C. Grid Co-ordinates as follows: N = 588,212.11 feet and E = 1,446,829.91 feet; then N 73-49-23 W 158.63 feet to a point; then with the arc of a circular curve to the left having a radius of 730.00 feet, an arc distance 246.66 feet (Chord Bearing = N 08-06-22 E 245.48 feet) to a point; then N 02-07-06 E 57.45 feet to a point; then with the arc of a circular curve to the left having a radius of 973.26 feet, an arc distance of 164.29 feet (Chord Bearing = N 08-31-13 W 164.09 feet) to a point; then N 13-21-22 W 11.77 feet to a point; then with the arc of a circular curve to the right having a radius of 33.76 feet, an arc distance of 26.48 feet (Chord Bearing = N 09-07-06 E 25.81 feet) to a point; then N 64-05-58 W 30.54 feet to a point; then N

13-21-23 W 82.47 feet to a point; thence N 16-45-49 E 13.48 feet to a point; thence N 76-38-38 E 78.95 feet to a point; thence N 06-05-23 W 111.66 feet to a point; thence S 49-20-00 W 107.58 feet to a point; thence with the arc of a circular curve to the right having a radius of 633.61 feet, an arc distance of 255.65 feet (Chord Bearing = N 01-40-43 E 253.92 feet) to a point; thence with the arc of a circular curve to the right having a radius of 633.61 feet, an arc distance of 60.34 feet (Chord Bearing = N 15-57-58 E 60.32 feet) to a point; thence with the arc of a circular curve to the right having a radius of 633.61 feet, an arc distance of 30.17 feet (Chord Bearing = N 20-03-31 E 30.17 feet) to a point; thence with the arc of a circular curve to the right having a radius of 633.61 feet, an arc distance of 30.17 feet (Chord Bearing = N 22-47-13 E 30.17 feet) to a point; thence with the arc of a circular curve to the right having a radius of 633.61 feet, an arc distance of 150.42 feet (Chord Bearing = N 30-57-08 E 150.07 feet) to a point; thence N 40-41-01 E 23.39 feet to a point; thence N 49-20-14 E 25.11 feet to a point; thence N 49-20-14 E 640.91 feet to a point; thence N 41-22-49 W 86.73 feet to a point; thence with the arc of a circular curve to the left having a radius of 2,510.62 feet, an arc distance of 413.91 feet (Chord Bearing = N 30-50-32 E 413.44 feet) to a point; thence S 63-52-51 E 41.86 feet to a point; thence N 34-07-22 E 138.64 feet to a point; thence N 11-12-41 W 41.18 feet to a point; thence N 67-42-01 W 41.86 feet to a point; thence with the arc of a circular curve to the left having a radius of 2,510.62 feet, an arc distance of 559.03 feet (Chord Bearing = N 15-55-14 E 557.88 feet) to a point; thence S 89-57-05 E 62.38 feet to a point; thence N 08-27-31 E 158.29 feet to a point; thence N 40-15-43 W 96.99 feet to a point; thence with the arc of a circular curve to the left having a radius of 870.21 feet, an arc distance of 295.11 feet (Chord Bearing = N 10-22-01 W 293.70 feet) to a point; thence S 18-02-56 W 184.23 feet to a point; thence S 18-02-56 W 140.81 feet to a point; thence S 09-53-54 E 25.23 feet to a point; thence S 02-04-57 W 201.87 feet to a point; thence S 18-02-16 W 458.49 feet to a point; thence S 68-27-52 E 45.14 feet to a point; thence with the arc of a circular curve to the right having a radius of 2,410.63 feet, an arc distance of 96.43 feet (Chord Bearing = S 22-40-53 W 96.42 feet) to a point; thence N 66-10-21 W 35.30 feet to a point; thence S 22-24-41 W 79.30 feet to a point; thence S 29-01-01 W 190.13 feet to a point; thence S 35-59-50 W 142.54 feet to a point; thence S 56-14-29 E 45.14 feet to a point; thence with the arc of a circular curve to the right having a radius of 2,410.63 feet, an arc distance of 52.79 feet (Chord Bearing = S 34-23-10 W 52.79 feet) to a point; thence with the arc of a circular curve to the right having a radius of 2,410.63 feet, an arc distance of 541.81 feet (Chord Bearing = S 41-27-08 W 540.67 feet) to a point; thence N 42-06-32 W 32.03 feet to a point; thence S 47-40-28 W 72.02 feet to a point; thence S 09-01-03 E 36.69 feet to a point; thence S 48-40-00 W 23.48 feet to a point; thence with the arc of a circular curve to the left having a radius of 743.61 feet, an arc distance of 171.34 feet (Chord Bearing = S 35-39-53 W 170.96 feet) to a point; thence N 60-56-16 W 47.08 feet to a point; thence S 25-14-33 W 105.35 feet to a point; thence S 14-02-11 W 101.38 feet to a point; thence S 82-30-52 W 31.66 feet to a point; thence S 11-52-25 W 38.74 feet to a point; thence S 79-30-34 E 12.38 feet to a point; thence N 49-20-14 E 98.25 feet to a point; thence with the arc of a circular curve to the left having a radius of 743.61 feet, an arc distance of 76.68 feet (Chord Bearing = S 13-27-55 W 76.65 feet) to a point; thence with the arc of a circular curve to the left having a radius of 743.61 feet, an arc distance of 35.43 feet (Chord Bearing = S 09-08-46 W 35.43 feet) to a point; thence with the arc of a circular curve to the left having a radius of 743.61 feet, an arc distance of

123.94 feet (Chord Bearing = S 03-00-23 W 123.79 feet) to a point; thence with the arc of a circular curve to the left having a radius of 743.61 feet, an arc distance of 150.39 feet (Chord Bearing = S 07-33-44 E 150.14 feet) to a point; thence S 13-21-22 E 18.99 feet to a point; thence S 49-20-00 W 51.31 feet to a point on the city limits line of the City of Charlotte; thence running with the city limits line of the City of Charlotte the following seven (7) courses and distances: (1) S 20-49-03 E 86.38 feet to a point, (2) S 13-22-35 E 334.35 feet to a point, (3) S 60-07-12 W 319.37 feet to a point, (4) S 33-44-15 E 255.24 feet to a point, (5) S 29-20-50 E 446.75 feet to a point, (6) S 57-30-40 W 415.21 feet to a point and (7) S 41-02-16 E 884.48 feet to a point located at the intersection of the northerly right-of-way margin of Reames Road and the easterly right-of-way margin of Point O' Woods Drive, the POINT AND PLACE OF BEGINNING.

Tract Two:

Commencing at a point located at the intersection of the northerly right-of-way margin of Reames Road (Future Harris Blvd. - N.C. 24) (currently a variable width public right-of-way) and the easterly right-of-way margin of Point O' Woods Drive (formerly a 60-foot public right-of-way) in the city limits line of the City of Charlotte; thence running with the northerly right-of-way margin of Reames Road and the city limits line of the City of Charlotte, the following thirteen (13) courses and distances: (1) N 63-25-05 E 49.80 feet to a point, (2) N 67-10-09 E 63.40 feet to a point, (3) N 67-10-09 E 147.23 feet to a point, (4) with the arc of a circular curve to the right having a radius of 1,991.30 feet, an arc distance of 19.12 feet (Chord Bearing = N 63-41-36 E 19.12 feet) to a point, (5) with the arc of a circular curve to the right having a radius of 1,991.30 feet, an arc distance of 270.92 feet (Chord Bearing = N 67-51-58 E 270.71 feet) to a point, (6) N 72-01-46 E 13.60 feet to a point, (7) N 72-01-46 E 219.71 feet to a point, (8) N 72-01-46 E 10.76 feet to a point, (9) with the arc of a circular curve to the right having a radius of 2,005.05 feet, an arc distance of 210.71 feet (Chord Bearing = N 81-45-58 E 210.61 feet) to a point, (10) with the arc of a circular curve to the right having a radius of 1,935.00 feet, an arc distance of 183.40 feet (Chord Bearing = S 88-22-23 E 183.33 feet) to a point and (11) with the arc of a circular curve to the right having a radius of 2,046.20 feet, an arc distance of 42.20 feet (Chord Bearing = S 87-58-46 E 42.19 feet) to a point, (12) N 86-09-06 E 5.55 feet to a point and (13) N 86-09-06 E 70.24 feet to a point, the TRUE POINT AND PLACE OF BEGINNING; thence from said TRUE POINT AND PLACE OF BEGINNING, leaving the northerly right-of-way of Reames Road and the city limits line of the City of Charlotte, with the arc of a circular curve to the right having a radius of 49.00 feet, an arc distance of 44.25 feet (Chord Bearing = N 54-09-43 W 42.76 feet) to a point; thence with the arc of a circular curve to the right having a radius of 99.00 feet, an arc distance of 63.67 feet (Chord Bearing = N 09-52-05 W 62.58 feet) to a point; thence with the arc of a circular curve to the right having a radius of 174.00 feet, an arc distance of 223.43 feet (Chord Bearing = N 45-20-28 E 208.39 feet) to a point; thence N 82-07-37 E 188.80 feet to a point; thence with the arc of a circular curve to the left having a radius of 511.00 feet, an arc distance of 178.53 feet (Chord Bearing = N 72-07-05 E 177.62 feet) to a point; thence S 58-43-56 E 71.70 feet to a point located in the westerly right-of-way margin of Interstate 77; thence running with the westerly right-of-way margin of Interstate 77, the following two (2) courses and distances: (1) S 31-16-04



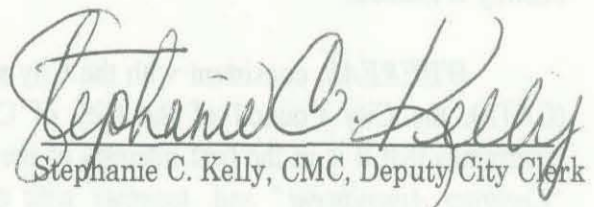
W 177.03 feet to a point and (2) S 38-05-31 W 171.18 feet to a point located at the intersection of the westerly right-of-way margin of Interstate 77 and the northerly right-of-way margin of Reames Road in the city limits line of the City of Charlotte, said point having N. C. Grid Co-ordinates as follows: N = 587,099.15 feet and E = 1,448,581.14 feet; thence running with the northerly right-of-way margin of Reames Road and the city limits line of the City of Charlotte, the following four (4) courses and distances: (1) S 89-46-29 W 100.38 feet to a point, (2) S 89-46-29 W 113.44 feet to a point, (3) with the arc of a circular curve to the left having a radius of 1,991.42 feet, an arc distance of 98.61 feet (Chord Bearing = N 83-26-32 W 98.60 feet) to a point and (4) S 86-09-06 W 10.97 feet to a point, the TRUE POINT AND PLACE OF BEGINNING.

Section 3. Notice of the public hearing shall be published in Mecklenburg Times, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of the public hearing.

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 734-738.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of June, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

**WHEREAS**, consistent with the City's financial policies for the Charlotte Area Transit System (CATS), the City Council of the City of Charlotte, North Carolina (the "City Council"), hereby determines that it is in the best interests of the City to enter into (a) an amendment to the Contract (the "Contract Amendment" and, together with the 2003 Contract, the "Contract") to finance (1) the construction of a light rail maintenance facility (the "Light Rail Maintenance Facility"), (2) the

Facility is located;  
constructed with the proceeds of the Contract and the real property on which the New Bus Maintenance provide a security interest in the new bus maintenance facility (the "New Bus Maintenance Facility") December 1, 2003 (the "Deed of Trust") from the City to the deed of trust trustee named therein to finance mass transit facilities and equipment and (b) a Deed of Trust and Security Agreement dated as of December 1, 2003 (the "2003 Contract") with New Charlotte Corporation (the "Corporation") to **WHEREAS**, the City previously entered into (a) an Installment Purchase Contract dated as of

some or all of the property purchased to secure repayment of the purchase price;  
of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in purchase real and personal property, (2) enter into installment purchase contracts to finance the purchase **WHEREAS**, the City has the power, pursuant to the North Carolina General Statutes, to (1)

organized and validly existing municipal corporation of the State of North Carolina, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the "State"); **WHEREAS**, the City of Charlotte, North Carolina (the "City") is a duly and regularly created,

**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT, DIRECTING A PUBLIC HEARING BE HELD AND THE PUBLICATION OF NOTICE WITH RESPECT THERETO AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO**

Council member Mumford introduced the following resolution (the "Resolution"), a summary of which had been provided to each Council member:

Also present: City Manager Syfert, City Attorney McCarley and Deputy City Clerk Kelly.

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "City Council") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 6:00 p.m. on June 20, 2005 (the "Meeting"), after proper notice, and was called to order by Mayor McCrory, and upon the roll being called, the following members of the City Council answered present: Councilmembers Burgess, Cannon, Carter, Kinsey, Lassiter, Lochman, Mitchell, Mumford, Phipps, Tabor and Turner.

\* \* \*

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 6:00 p.m. on June 20, 2005.

acquisition of light rail vehicles (the "*Vehicles*"), (3) the acquisition of buses (the "*Buses*"), (4) the acquisition and installation of traffic control equipment (the "*Equipment*"), (5) the construction of a parking facility (the "*Parking Facility*"), (6) improvements to the Davidson Street Bus Maintenance Facilities (the "*Existing Bus Maintenance Facilities*"), (7) the construction of Rosa Parks Transit Center (the "*Rosa Parks Transit Center*"), (8) improvements to the Uptown Transit Center (the "*Uptown Transit Center*" and, collectively with the Light Rail Maintenance Facility, the Vehicles, the Buses, the Equipment, the Existing Bus Maintenance Facilities and the Rosa Parks Transit Center, the "*Transit Projects/Phase II*") and (9) the costs of executing and delivering the Contract Amendment; and (b) a notice of extension of the Deed of Trust (the "*Notice of Extension*") to extend the Deed of Trust to provide a security interest in the sites of the Light Rail Maintenance Facility, the Parking Facility and the Existing Bus Maintenance Facilities and all improvements thereon and in the City's interest in the Uptown Transit Center and the Rosa Parks Transit Center;

**WHEREAS**, the City hereby determines that the acquisition of the Transit Projects/Phase II is essential to the City's proper, efficient and economic operation and to the general health and welfare of its inhabitants; that the Transit Projects/Phase II will provide an essential use and will permit the City to carry out public functions that it is authorized by law to perform; and that entering into the Contract Amendment is necessary and expedient for the City by virtue of the findings presented herein;

**WHEREAS**, the City hereby determines that the Contract Amendment allow the City to purchase the Transit Projects/Phase II and take title thereto at a favorable interest rate currently available in the financial marketplace and upon terms advantageous to the City;

**WHEREAS**, the City hereby determines that the cost of the acquisition and construction of the Transit Projects/Phase II exceeds the total amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the City in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

**WHEREAS**, although the cost of financing the Transit Projects/Phase II pursuant to the Contract Amendment is expected to exceed the cost of financing the Transit Projects/Phase II pursuant to a bond financing for the same undertaking, the City hereby determines that the cost of the Transit Projects/Phase II pursuant to the Contract Amendment and the obligations of the City thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of acquiring, constructing, improving and equipping the Transit Projects/Phase II; and (3) insufficient revenues are produced by the Transit Projects/Phase II so as to permit a revenue bond financing;

**WHEREAS**, the City hereby determines that the estimated cost of financing the acquisition of the Transit Projects/Phase II pursuant to the Contract Amendment reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

**WHEREAS**, the City does not anticipate future property tax increases to pay installment payments falling due under the Contract Amendment in any fiscal year during the term of the Contract Amendment and such payments are adequate and not excessive for their purpose;

*Section 2. Application to LGC.* That the Director of Finance or his designee is hereby directed to file with the LGC an application for its approval of the Contract Amendment and all relevant transactions contemplated thereby on a form prescribed by the LGC and to state in such application such facts and to attach thereto such exhibits regarding the City and its financial condition as may be required by the LGC.

*Section 1. Authorization to Negotiate Contract Amendment and Notice of Extension.* That the City Manager and the Director of Finance, with advice from the City Attorney and Special Counsel, are hereby authorized and directed to proceed and negotiate on behalf of the City for the financing of the Transit Projects/Phase II for a principal amount not to exceed \$200,000,000 under the Contract Amendment, to be entered into in accordance with the provisions of Section 160A-20 of the General Statutes of North Carolina and to provide as security for the City's obligations thereunder, the Notice of Extension extending the Deed of Trust to convey a lien and security interest in the Light Rail Maintenance Facility, the Parking Facility, the Existing Bus Maintenance Facilities, the Rosa Parks Transit Center and the Uptown Transit Center as may be required by the entity, or its assigns, providing the funds to the City under the Contract Amendment.

*NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AS FOLLOWS:*

*WHEREAS,* the City hereby determines that all findings, conclusions and determinations of the City in this Resolution are subject to modification or affirmation after all interested parties have been afforded the opportunity to present their comments at a public hearing regarding the execution and delivery of the Contract Amendment, the Notice of Extension and the acquisition of the Transit Projects/Phase II to be financed thereby.

*WHEREAS,* a public hearing on the Contract Amendment with respect to the financing of the Transit Projects/Phase II after publication of a notice with respect to such public hearing must be held and approval of the LGC with respect to entering the Contract Amendment must be received;

*WHEREAS,* past audit reports of the City indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the City has not been censured by the Local Government Commission of North Carolina (the "LGC"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

*WHEREAS,* the City's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the City has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget Ordinance;

*WHEREAS,* the City is not in default under any of its debt service obligations;

*WHEREAS,* no deficiency judgment may be rendered against the City in any action for its breach of the Contract and the taxing power of the City is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract;

*WHEREAS,* Parker Poe Adams & Bernstein L.L.P., as special counsel ("Special Counsel"), will render an opinion to the effect that entering into the Contract Amendment and the transactions contemplated thereby are authorized by law;

**Section 3. Direction to Retain Special Counsel and Financial Advisor.** That the City Manager and the Director of Finance, with advice from the City Attorney, are hereby authorized and directed to retain the assistance of Parker Poe Adams & Bernstein L.L.P., Charlotte, North Carolina, as Special Counsel, and the City Manager and the Director of Finance are authorized to retain DEC Associates, Inc., Charlotte, North Carolina to serve as financial advisor.

**Section 4. Public Hearing.** That a public hearing (the "Public Hearing") shall be conducted by the City Council on July 25, 2005 at 7:00 p.m., or as soon thereafter as practicable, in the Meeting Chamber, Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, concerning the Contract Amendment, the Notice of Extension, the proposed financing of the Transit Projects/Phase II and any other transactions contemplated therein and associated therewith.

**Section 5. Notice of Public Hearing.** That the City Clerk is hereby directed to cause a notice of the Public Hearing, in the form attached hereto as Exhibit A, to be published once in a qualified newspaper of general circulation within the City no fewer than 10 days prior to the Public Hearing.

**Section 6. Repealer.** That all motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

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

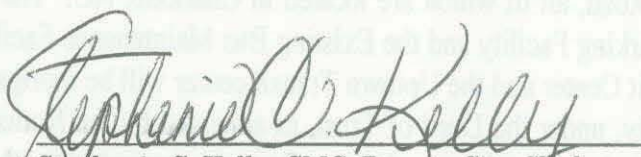
On motion of Councilmember Mumford, seconded by Councilmember Tabor, the foregoing resolution titled "**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT, DIRECTING A PUBLIC HEARING BE HELD AND THE PUBLICATION OF NOTICE WITH RESPECT THERETO AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO**" was duly adopted by the following vote: unanimously.

*PASSED, ADOPTED AND APPROVED* this 20th day of June, 2005.

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution titled "**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT, DIRECTING A PUBLIC HEARING BE HELD AND THE PUBLICATION OF NOTICE WITH RESPECT THERETO AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO**" adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of June, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 739-744.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of June, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

The Light Rail Maintenance Facility will be located in the City at 3200 South Boulevard; the Parking Facility will be located in the City at 9508 South Boulevard; the Existing Bus Maintenance Facilities are located at 900, 901 and 929 Davidson Street; the Uptown Transit Center is located at 310 East Trade Street; and the Rosa Parks Transit is located at intersection of Rosa Parks Place and Beattie's Ford Road, all of which are located in Charlotte, NC. The sites of the Light Rail Maintenance Facility, the Parking Facility and the Existing Bus Maintenance Facilities and the City's interest in the Rosa Parks Transit Center and the Uptown Transit Center will be mortgaged, together with the New Bus Maintenance Facility, under the Deed of Trust, as amended by the Notice of Extension. In addition, to further secure the City's obligations under the Contract Amendment, the City will create a security interest in the Vehicles, the Buses and the Equipment. Upon payment by the City of all installment payments due under the 2003 Contract, as amended by the Deed of Trust, the Deed of Trust, as amended by the Notice

2. Authorized the City to proceed to provide, in connection with the Contract Amendment, a notice of extension of the Deed of Trust (the "Notice of Extension") to create a lien and security interest in the sites of the Light Rail Maintenance Facility, the Parking Facility, the Existing Bus Maintenance Facilities and all improvements thereon and in the City's interest in the Rosa Parks Transit Center and the Uptown Transit Center as may be required for the benefit of the entity, or its assigns, providing the funds to the City under the Contract Amendment.

1. Authorized the City to proceed with the financing of (1) the construction of a light rail maintenance facility (the "Light Rail Maintenance Facility"), (2) the acquisition of light rail vehicles (the "Vehicles"), (3) the acquisition of buses (the "Buses"), (4) the acquisition and installation of traffic control equipment (the "Equipment"), (5) the construction of a parking facility (the "Parking Facility"), (6) improvements to the Davidson Street Bus Maintenance Facilities (the "Existing Bus Maintenance Facilities"), (7) the construction of Rosa Parks Transit Center (the "Rosa Parks Transit Center"), (8) improvements to the Uptown Transit Center (the "Uptown Transit Center" and, collectively with the Light Rail Maintenance Facility, the Vehicles, the Buses, the Equipment, the Parking Facility, the Existing Bus Maintenance Facilities and the Rosa Parks Transit Center, the "Transit Projects/Phase II") and (9) the costs of executing and delivering an amendment to the 2003 Contract (the "Contract Amendment"); and

At its June 20, 2005 meeting, the City Council of the City of Charlotte, North Carolina (the "City"), adopted a resolution which:

The City of Charlotte, North Carolina (the "City") previously entered into (a) an Installment Purchase Contract dated as of December 1, 2003 (the "2003 Contract") to finance mass transit facilities and equipment and (b) a Deed of Trust and Security Agreement dated as of December 1, 2003 (the "Deed of Trust") to provide a security interest in the new bus maintenance facility (the "New Bus Maintenance Facility") constructed with the proceeds of the 2003 Contract and the real property on which the New Bus Maintenance Facility is located.

**CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

**NOTICE OF PUBLIC HEARING**

**EXHIBIT A**

of Extension, and any lien created thereunder will terminate and the City's title to the Transit Projects/Phase II will be unencumbered.

*NOTICE IS HEREBY GIVEN* that on the 25th day of July, 2005 at 7:00 p.m., or as soon thereafter as practicable, in the Meeting Chamber, Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, a public hearing will be conducted concerning the approval of the execution and delivery of the Contract Amendment. All interested parties are invited to present comments at the public hearing regarding the execution and delivery of the Contract Amendment, the Notice of Extension and the Transit Projects/Phase II to be financed thereby.

/s/ Brenda R. Freeze  
Brenda R. Freeze  
City Clerk  
City of Charlotte, North Carolina

*DECLARATION*

**A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY 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 property 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 25th day of July, 2005 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 745-746.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



**TAXPAYERS AND REFUNDS REQUESTED**  
 (Clerical Error)

Name	Refund Amount
BALLEW FAY	\$ 78.61
BASS KATHRYN	4.11
BASS KATHRYN	4.11
BASS KATHRYN	4.11
BASS KATHRYN	3.78
BASS KATHRYN	3.78
BLAIS BRIAN A	259.98
CASILLO FRANK	51.65
CASILLO FRANK	51.65
CASILLO FRANK	12.60
CASILLO FRANK	12.60
CCBCC OPERATIONS, LLC	498.89
CCBCC OPERATIONS, LLC	357.10
CCBCC OPERATIONS, LLC	128.77
CUDE ROGER L	239.82
DORTY JACKIE ELLISON	74.76
DORTY JACKIE ELLISON	74.76
FASTSIGNS	727.43
FELTON BARBARA	156.66
HAIGHT DANIEL B	199.50
HARRINGTON SHIRLEY DIANE	183.12
HELMS THOMAS WAYNE	66.64
HELMS THOMAS WAYNE	52.92
HELMS THOMAS WAYNE	52.92
LEO'S DELICATESSEN	76.34
LEOS DELICATESSEN	76.34
PHOENIX CAPITAL SERVICES	10.52
RAMIREZ JOSE LUIS	5.46
RATLIFF KAY W	233.31
RATLIFF KAY W	233.31
ROBERTS ROBERTA	42.00
THOMPSON, DOROTHY	64.68
WOOD PROTECTION PRODUCTS INC	765.74
WRIGHT JOHN E	87.14
WRIGHT JOHN E	87.14
WRIGHT JOHN E	87.14
WRIGHT JOHN E	80.64
WRIGHT JOHN E	80.64
<b>Total</b>	<b>\$ 5,230.67</b>

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of a 15-foot alleyway between Wesley Heights Way and W. 4<sup>th</sup> Street in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, **South Central Oil Company** has filed a petition to close a portion of a 15-foot alleyway between Wesley Heights Way and W. 4<sup>th</sup> Street in the City of Charlotte; and

Whereas, the portion of the 15-foot alleyway to be closed lies within the Wesley Heights Community beginning from Wesley Heights Way continuing southwestwardly approximately 142 feet to its terminus approximately 285 feet from W. 4<sup>th</sup> Street 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 it's 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 it's regularly scheduled session of July 25, 2005 that it intends to close a portion of a 15-foot alleyway between Wesley Heights Way and W. 4<sup>th</sup> Street 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 22<sup>nd</sup> day of August, 2005 in CMGC meeting chamber, 600 East 4<sup>th</sup> 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 747.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE **Kohler Avenue and a portion of Benson Street** in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Charlotte Mecklenburg Housing Partnership, Inc.** has filed a petition to close **Kohler Avenue and a portion of Benson Street** in the City of Charlotte; and

Whereas, the portions of right-of-way to be abandoned lie within the Double Oaks Community. Kohler Avenue - beginning from Statesville Avenue continuing west approximately 250 feet to its terminus and Benson Street - beginning 1,077 feet from Woodward Avenue continuing north approximately 44 feet to its terminus as shown in the map marked "Exhibit A-1 and A-2" and is more particularly described by metes and bounds in a document marked "Exhibit B-1 and B-2" 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 it's 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 it's regularly scheduled session of July 25, 2005 that it intends to close Kohler Avenue and a portion of Benson Street 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 22<sup>nd</sup> day of August, 2005 in CMGC meeting chamber, 600 East 4<sup>th</sup> 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 748.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of  
E. 9<sup>th</sup> Street between Clarice Avenue and Ridgeway Avenue in the City of Charlotte,  
Mecklenburg County, North Carolina

Whereas, Richard A. Cohen has filed a petition to close a portion of E. 9<sup>th</sup>  
Street between Clarice Avenue and Ridgeway Avenue in the City of Charlotte; and

Whereas, the portion of E. 9<sup>th</sup> Street to be closed lies within the Elizabeth  
Community beginning from Clarice Avenue continuing northwestwardly approximately  
395 feet to its terminus at Ridgeway Avenue 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 it's 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 it's  
regularly scheduled session of July 25, 2005 that it intends to close a portion of E. 9<sup>th</sup>  
Street between Clarice Avenue and Ridgeway Avenue 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 22<sup>nd</sup> day of August, 2005 in CMGC  
meeting chamber, 600 East 4<sup>th</sup> 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the  
foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North  
Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book  
122, and recorded in full in Resolution Book 39, Page(s) 749.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on July 25, 2005.

\* \* \*

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "City Council") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on July 25, 2005 (the "Meeting"), after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Mayor McCrory, Councilmembers Burgess, Cannon, Carter, Kinsey, Lassiter, Lochman, Mitchell, Mumfor, Phipps, Tabor, and Turner.

The following members of the City Council were absent: \_\_\_\_\_

Also present: City Manager Syfert, City Attorney, McCarley, and Deputy City Clerk Kelly

Council member Kinsey introduced the following resolution (the "Resolution"), a summary of which had been provided to each Council member:

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA AUTHORIZING THE EXECUTION AND DELIVERY OF INTEREST RATE SWAP AGREEMENTS FOR THE CITY WITH RESPECT TO ITS GENERAL OBLIGATION BONDS, SERIES 2007 AND ITS WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2006**

**WHEREAS**, by Section 159-193 *et seq.* of the General Statutes of North Carolina, the City Council (the "City Council") of the City of Charlotte, North Carolina (the "City") is authorized to enter into interest rate hedging instruments for the purpose of managing interest rate risk on or interest rate costs of the City's obligations, subject to the approval of the North Carolina Local Government Commission; and

**WHEREAS**, the City Council has previously adopted a policy setting forth the guidelines on which the City will consider entering into interest rate hedging instruments;

**WHEREAS**, consistent with the City Council's policy, the Director of Finance has recommended that the City execute (1) an interest rate swap agreement (the "Water and Sewer System Bond Swap") with Wachovia Bank, National Association ("Wachovia") for the purpose of achieving an effective fixed interest cost relating to all or a portion of the City's up to \$400,000,000 Water and Sewer System Revenue Bonds, Series 2006 (the "2006 Water and Sewer Bonds") and (2) an interest rate swap agreement (the "General Obligation Bond Swap" and collectively with the Water and Sewer System Bond Swap, the "Swaps") with Bank of America, N. A. ("Bank of America") for the purpose of achieving an effective fixed interest cost relating to all or a portion of the City's up to \$150,000,000 General Obligation Bonds, Series 2007 (the "2007 General Obligation Bonds");

**WHEREAS**, the City Council has determined to retain Parker Poe Adams & Bernstein L.L.P., as bond counsel for the Swaps, to retain DEC Associates, Inc. as swap advisor for the Swaps and to retain Waters & Co., as financial consultant for the Swaps; and

**WHEREAS**, before the City can execute and deliver the Swaps, the Swaps are subject to the approval of the North Carolina Local Government Commission (the "LGC");

**WHEREAS**, in connection with the LGC's consideration of the Swap, the City Council hereby determines that (a) the annual audits of the City show the City to be in strict compliance with debt management policies and that the budgetary and fiscal management policies are in compliance with law, (b) the entering into the Swaps is necessary or expedient to achieve a fixed interest cost on the 2006 Water and Sewer Bonds and the 2007 General Obligation Bonds and (c) the City has considered the nature and the amount of its outstanding debt and the proposed Swaps as well as its credit rating and any effect thereon; and

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

Section 1. **Application to the LGC**. The Director of Finance or his designee is hereby directed to file with the LGC an application for its approval of the Swaps and all relevant transactions contemplated thereby on a form prescribed by the LGC and to state in such application such facts and to attach thereto such exhibits regarding the City and its financial condition as may be required by the LGC.

Section 2. **Execution of Water and Sewer System Swap**. The City Manager and the Director of Finance are hereby authorized to negotiate, execute and deliver the Water and Sewer System Bond Swap and the documents related thereto with Wachovia for the purpose of achieving an effective fixed interest cost with respect to the portion of the 2006 Water and Sewer Bonds subject thereto. The fixed interest rate that the City will pay under the Water and Sewer System Bond Swap shall not exceed 4.90%.

Section 3. **Execution of General Obligation Swap**. The City Manager and the Director of Finance are hereby authorized to negotiate, execute and deliver the General Obligation Bond Swap and the documents related thereto with Bank of America, N.A., for the purpose of achieving an effective fixed interest cost with respect to the portion of the 2007 General Obligation Bonds subject thereto. The fixed interest rate that the City will pay under the 2007 General Obligation Bonds Swap shall not exceed 4.90%.

Section 4. **Financing Team**. That (1) Parker Poe Adams & Bernstein L.L.P. is hereby retained to serve as bond counsel for the Swaps, (2) DEC Associates, Inc. is hereby retained to serve as swap advisor for the Swaps and (3) Waters & Co. is hereby retained to serve as financial consultant for the Swaps.

Section 5. **Conflicting Provisions**. All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 6. **Effective Date**. This Resolution is effective immediately on the date of its adoption.

On motion of Councilmember Kinsey, seconded by Councilmember Mitchell, the foregoing resolution titled "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA AUTHORIZING THE EXECUTION AND DELIVERY OF INTEREST RATE SWAP AGREEMENTS FOR THE CITY WITH RESPECT TO ITS GENERAL OBLIGATION BONDS, SERIES 2007 AND ITS WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2006" was duly adopted by the following vote:

Unanimous

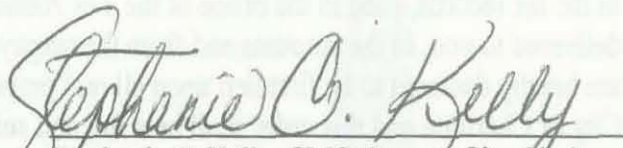
July 25, 2005  
Resolution Book 39, Page 752

STATE OF NORTH CAROLINA )  
 ) ss:  
CITY OF CHARLOTTE )

I, *Stephanie C. Kelly*, Deputy City Clerk of the City of Charlotte, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of a resolution titled "**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE EXECUTION AND DELIVERY OF INTEREST RATE SWAP AGREEMENTS FOR THE CITY WITH RESPECT TO ITS GENERAL OBLIGATION BONDS, SERIES 2007 AND ITS WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2006**" adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 750-752.

**WITNESS** my hand and the seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

[SEAL]

  
Stephanie C. Kelly, CMC, Deputy City Clerk



**CERTIFICATION**

I, *Stephanie C. Kelly*, Deputy City Clerk of the City of Charlotte, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of a resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 750-752.



July 25, 2005

Resolution Book 39, Page 753

ORDER OF COLLECTION

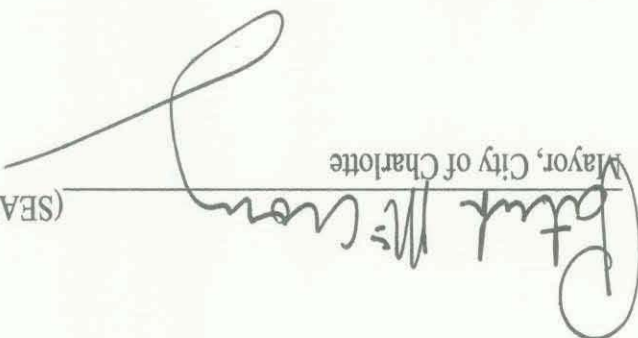
NORTH CAROLINA, CHARLOTTE

TO THE TAX COLLECTOR OF MECKLENBURG COUNTY

GENERAL STATUTE 105-321(b)

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records, filed in the office of the Tax Assessor and the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be first lien upon all real property of the respective taxpayers in the City of Charlotte and this order shall be a full and sufficient authority to direct, require and enable you to levy on and sell any real and personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand official seal, this 28<sup>th</sup> day of July, 2005.

  
Mayor, City of Charlotte  
(SEAL)

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 753.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 **ROZZELLES FERRY ROAD 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 **ROZZELLES FERRY ROAD PROJECT** and estimated to be approximately **2,441 square feet (.056 acre) of sidewalk and utility 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 Nos. 065-126-04; 065-126-03; 065-126-02, said property currently owned by **GEORGE HOUSIADAS and wife, MARIA HOUSIADAS, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

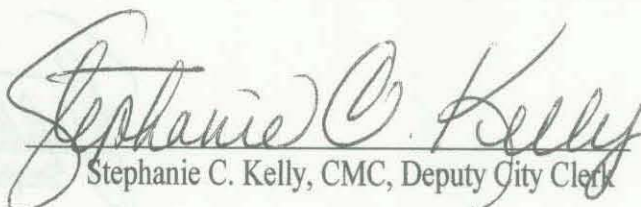
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 754.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 **ROZZELLES FERRY ROAD 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 **ROZZELLES FERRY ROAD PROJECT** and estimated to be approximately **3,507 square feet (.081 acre) of sidewalk and utility 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. 069-041-05, said property currently owned by **MASON L. BUTLER and spouse, if any; JAMES A. BUTLER and spouse, if any; CYNTHIA WRIGHT HARLEY and spouse, if any; SUSAN TURNER and spouse, if any; DEBRA TIMMERMAN and spouse, if any; KENNETH HAWKINS and spouse, if any; KATHIE REYNOLDS 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 755.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 **ROZZELLES FERRY ROAD 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 **ROZZELLES FERRY ROAD PROJECT** and estimated to be approximately **3,232 square feet (.074 acre) of sidewalk and utility 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. 069-041-06, said property currently owned by **JACKIE LEE BECK and wife, LYNDA B. BECK; 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 756.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: NEW BERN SIDEWALKS**;

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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: NEW BERN SIDEWALKS** and estimated to be approximately **1,692 square feet (.039 acre)** of sidewalk and utility 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. 145-061-22, said property currently owned by **CHARLOTTE FLEXXSPACE, LTD.; DANIEL S. HUFFFENUS, Trustee; LEHMAN BROTHERS BANK, FSB, 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 757.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE/DEWITT LANE EXTENSION;**

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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE/DEWITT LANE EXTENSION** and estimated to be approximately **26,293 square feet (.604 acre) of fee-simple, storm drainage, 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. 149-012-07, said property currently owned by **ROSEBRO REALTY COMPANY, 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 758.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 SOUTH CORRIDOR INFRASTRUCTURE PROJECT; REMOUNT/IDEAL WAY/SOUTH BOULEVARD INTERSECTION; 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 SOUTH CORRIDOR INFRASTRUCTURE PROJECT: REMOUNT/IDEAL WAY/SOUTH BOULEVARD INTERSECTION and estimated to be approximately 879 square feet (.020 acre) of sidewalk and utility 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. 121-041-13, said property currently owned by WILLIAM L. PLEMMONS, JR. and spouse, if any; CHARLOTTE-MECKLENBURG TAX COLLECTOR; SHIELD ENGINEERING, INC., Judgment Creditor, and Any Other Parties in Interest, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

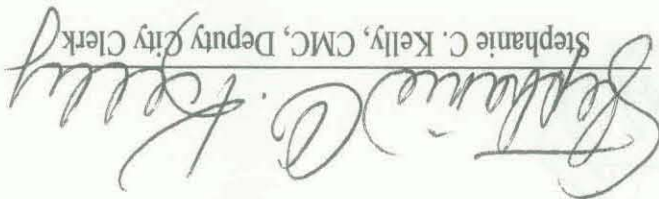
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 759.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: SOUTH BOULEVARD SIDEWALK IMPROVEMENTS**; 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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: SOUTH BOULEVARD SIDEWALK IMPROVEMENTS** and estimated to be approximately 281 square feet (.006 acre) of **sidewalk and utility 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. 149-062-05, said property currently owned by **TALLEY LIMITED PARTNERSHIP; ROBERT E. HENDERSON, Trustee; THE SAVINGS & TRUST COMPANY OF PENNSYLVANIA, Beneficiary/Assignee; JAMES BRYANT, III, Trustee; SOUTHERN NATIONAL BANK OF NORTH CAROLINA (n/k/a BB&T), Beneficiary, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

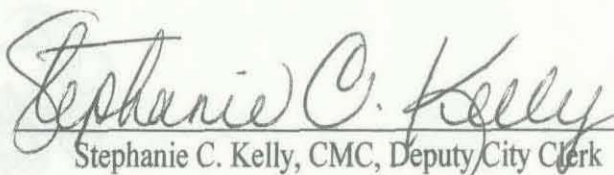
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 760.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: WOODLAWN SIDEWALK**; 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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: WOODLAWN SIDEWALK** and estimated to be approximately **947 square feet (.022 acre) of 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. 171-013-19, said property currently owned by **KENNETH DAVIS CANNON and spouse, if any; JAMES C. BLAINE, Trustee; STATE EMPLOYEES' 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 761.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: WOODLAWN SIDEWALK**; 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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: WOODLAWN SIDEWALK** and estimated to be approximately **812 square feet (.019 acre) of 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. 171-014-13, said property currently owned by **WENDEL CRENSHAW and wife, DIANNE CRENSHAW; EMMETT JAMES HOUSE, Trustee; BILL R. MCLAUGHLIN, Trustee; UNION PLANTERS BANK, N. A., Beneficiary; CITY OF CHARLOTTE, 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 762.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 SOUTH CORRIDOR INFRASTRUCTURE PROJECT; WOODLAWN SIDEWALK; 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 SOUTH CORRIDOR INFRASTRUCTURE PROJECT; WOODLAWN SIDEWALK and estimated to be approximately 419 square feet (.010 acre) of 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. 171-014-10, said property currently owned by TONYA MOORE and spouse, if any; FIRST AMERICAN TITLE INSURANCE COMPANY, Trustees; OPTION ONE MORTGAGE CORPORATION, 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 763.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: WOODLAWN SIGNATURE INTERSECTION**; 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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: WOODLAWN SIGNATURE INTERSECTION** and estimated to be approximately **2,031 square feet (.047 acre)** of **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. 149-073-20, said property currently owned by **OMNIVITA HOSPITALITY, INC.; JOHN SURLS Trustee; STATE BANK OF TEXAS, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

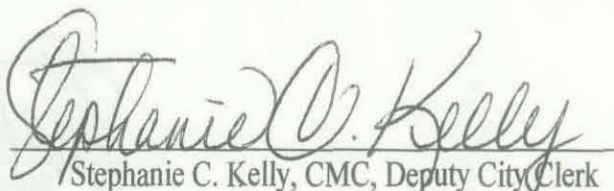
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 764.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 SOUTH CORRIDOR INFRASTRUCTURE PROJECT; and WOODLAWN SIGNATURE INTERSECTION; 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 SOUTH CORRIDOR INFRASTRUCTURE PROJECT: WOODLAWN SIGNATURE INTERSECTION and estimated to be approximately 526 square feet (.012 acre) of 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. 169-012-04, said property currently owned by PASSIVE INVESTORS, INC.; HOWARD A. KALKA, ESQ., Trustee; INTEGRATED RESOURCES LIFE INSURANCE COMPANY, Beneficiary; ROBERT P. SHULMAN, ESQ., Trustee; MARTIN S. KIMMEL and MILTON COOPER, Beneficiaries, 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 765.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: WOODLAWN SIGNATURE INTERSECTION**; 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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: WOODLAWN SIGNATURE INTERSECTION** and estimated to be approximately **2,521 square feet (.058 acre)** of **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. 169-012-09, said property currently owned by **WOODSO CORPORATION; HOWARD A. KALKA, ESQ., Trustee; INTEGRATED RESOURCES LIFE INSURANCE COMPANY, Beneficiary; ROBERT P. SHULMAN, ESQ., Trustee; MARTIN S. KIMMEL and MILTON COOPER, Beneficiaries, 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 766.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 **TUCKASEEGEE ROAD STREETScape**; 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 **TUCKASEEGEE ROAD STREETScape** and estimated to be approximately **10,177 square feet (.234 acre) of fee-simple, existing 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. 065-031-03, said property currently owned by **THE BANK OF NEW YORK; CITY OF CHARLOTTE; CHARLOTTE-MECKLENBURG TAX COLLECTOR, 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 767.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 **TUCKASEEGEE ROAD STREETScape**; 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 **TUCKASEEGEE ROAD STREETScape** and estimated to be approximately **538 square feet (.012 acre) of sidewalk and utility 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. 065-053-26, said property currently owned by **LAWRENCE R. INGALLS 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 768.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 TUCKASEEGEE ROAD STREETSCAPE; 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 TUCKASEEGEE ROAD STREETSCAPE and estimated to be approximately 1,149 square feet (.026 acre) of sidewalk and utility 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. 071-095-13, said property currently owned by T&S ENTERPRISES OF NC, INC.; TRSST, INC., Trustee; WACHOVIA BANK, NATIONAL ASSOCIATION, Beneficiary, and Any Other Parties in Interest, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

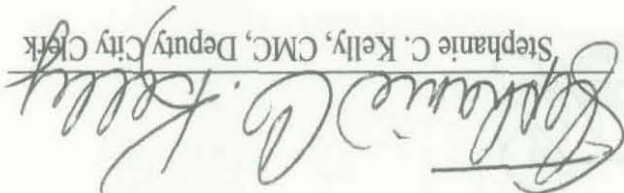
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 769.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 **TUCKASEEGEE ROAD STREETScape**; 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 **TUCKASEEGEE ROAD STREETScape** and estimated to be approximately **1,223 square feet (.028 acre)** of **fee-simple, existing right-of-way, sidewalk and utility 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. 065-044-17, said property currently owned by **JOHN ROBERT HARRILL and spouse, if any; LEMUEL ROSS HARRILL and spouse, if any; HAMLIN L. WADE, Trustee; FOUNDERS FEDERAL CREDIT UNION, Beneficiary; STATE OF NORTH CAROLINA; CHARLOTTE-MECKLENBURG TAX COLLECTOR, 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 770.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy 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 TUCKASEEGEE ROAD STREETSCAPE; 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 TUCKASEEGEE ROAD STREETSCAPE and estimated to be approximately 3,622 square feet (.083 acre) of fee-simple, existing right-of-way, sidewalk and utility 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. 065-055-20, said property currently owned by LAWRENCE R. INGALLS (a/k/a Lawrence Raymond Ingalls) and wife, JOANNA INGALLS (a/k/a Joanna Marie Ingalls); CB SERVICES CORP., Trustee; MERS (Mortgage Electronic Registration Systems, Inc.), 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 771.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

RESOLUTION PROVIDING APPROVAL OF THE FINANCING OF THE ACQUISITION, REHABILITATION AND EQUIPPING OF A MULTIFAMILY HOUSING FACILITY KNOWN AS OAK PARK AT NATIONS FORD APARTMENTS IN THE CITY OF CHARLOTTE, NORTH CAROLINA WITH MULTIFAMILY HOUSING REVENUE BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$8,250,000

WHEREAS, the City Council of the City of Charlotte (the "City") met in Charlotte, North Carolina at 7:00 p.m. on the 25<sup>th</sup> day of July, 2005; and

WHEREAS, the Housing Authority of the City of Charlotte, N.C. (the "Issuer") has tentatively agreed to assist Charlotte Oak Park LLC, a North Carolina limited liability company (the "Borrower") in the financing of the acquisition, rehabilitation and equipping of a multifamily residential rental project known as Oak Park at Nations Ford Apartments, consisting of approximately 202 units (the "Development"), located at Dinadon Drive in the City of Charlotte, Mecklenburg County, North Carolina through the issuance of its not to exceed \$8,250,000 Variable Rate Demand Multifamily Housing Revenue Bonds (Oak Park at Nations Ford Project) Series 2005 (the "Bonds"); and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that any bonds issued by the Issuer to finance a project such as the Development may only be issued after approval of the plan of financing by the City following a public hearing with respect to such plan; and

WHEREAS, on April 19, 2005, the Issuer held a public hearing with respect to the issuance of the Bonds to finance, in part, the Development (as evidenced by the Certificate and Summary of Public Hearing attached hereto) and has requested the City to approve the issuance of the Bonds as required by the Code; and

WHEREAS, the City has determined that approval of the issuance of the Bonds is solely to satisfy the requirement of Section 147(f) of the Code and shall in no event constitute an endorsement of the Bonds or the Development or the creditworthiness of the Borrower, nor shall such approval in any event be construed to obligate the City of Charlotte, North Carolina for the payment of the principal of or premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Issuer, or to constitute the Bonds or any of the agreements or obligations of the Issuer an indebtedness of the City of Charlotte, North Carolina, within the meaning of any constitutional or statutory provision whatsoever.

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

1. The proposed low and moderate income housing development consisting of the acquisition, rehabilitation and equipping of the Development described above in the City of Charlotte, Mecklenburg County, North Carolina by the Borrower and the issuance of the Issuer's multifamily housing revenue bonds therefor in an amount not to exceed \$8,250,000 are hereby approved for purposes of Section 147(f) of the Code. The Mayor and the City Clerk are hereby

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*Stephanie C. Kelly*  
Stephanie C. Kelly, CMC, Deputy City Clerk

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 772-773.

**CERTIFICATION**

2. This resolution shall take effect immediately upon its passage.  
Council member Carter moved the passage of the foregoing resolution and Council member Mitchell seconded the motion, and the resolution was passed by the following vote:

authorized to execute such approval certificates as may be required to evidence the City's approval of the issuance of the Bonds for purposes of Section 147(f) of the Code.

RESOLUTION PROVIDING APPROVAL OF THE FINANCING OF THE  
ACQUISITION, REHABILITATION AND EQUIPPING OF A  
MULTIFAMILY HOUSING FACILITY KNOWN AS STONEHAVEN EAST  
APARTMENTS IN THE CITY OF CHARLOTTE, NORTH CAROLINA WITH  
MULTIFAMILY HOUSING REVENUE BONDS IN AN AGGREGATE  
AMOUNT NOT TO EXCEED \$8,750,000

WHEREAS, the City Council of the City of Charlotte (the "City") met in Charlotte, North Carolina at 7:00 p.m. on the 25<sup>th</sup> day of July, 2005; and

WHEREAS, the Housing Authority of the City of Charlotte, N.C. (the "Issuer") has tentatively agreed to assist Charlotte Stonehaven LLC, a North Carolina limited liability company (the "Borrower") in the financing of the acquisition, rehabilitation and equipping of a multifamily residential rental project known as Stonehaven East Apartments, consisting of approximately 240 units (the "Development"), located at 7000 Fernwood Drive in the City of Charlotte, Mecklenburg County, North Carolina through the issuance of its not to exceed \$8,750,000 Variable Rate Demand Multifamily Housing Revenue Bonds (Stonehaven East Project) Series 2005 (the "Bonds"); and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that any bonds issued by the Issuer to finance a project such as the Development may only be issued after approval of the plan of financing by the City following a public hearing with respect to such plan; and

WHEREAS, on April 19, 2005, the Issuer held a public hearing with respect to the issuance of the Bonds to finance, in part, the Development (as evidenced by the Certificate and Summary of Public Hearing attached hereto) and has requested the City to approve the issuance of the Bonds as required by the Code; and

WHEREAS, the City has determined that approval of the issuance of the Bonds is solely to satisfy the requirement of Section 147(f) of the Code and shall in no event constitute an endorsement of the Bonds or the Development or the creditworthiness of the Borrower, nor shall such approval in any event be construed to obligate the City of Charlotte, North Carolina for the payment of the principal of or premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Issuer, or to constitute the Bonds or any of the agreements or obligations of the Issuer an indebtedness of the City of Charlotte, North Carolina, within the meaning of any constitutional or statutory provision whatsoever.

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

1. The proposed low and moderate income housing development consisting of the acquisition, rehabilitation and equipping of the Development described above in the City of Charlotte, Mecklenburg County, North Carolina by the Borrower and the issuance of the Issuer's multifamily housing revenue bonds therefor in an amount not to exceed \$8,750,000 are hereby approved for purposes of Section 147(f) of the Code. The Mayor and the City Clerk are hereby

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*Stephanie C. Kelly*  
Stephanie C. Kelly, CMC, Deputy City Clerk

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.  
122, and recorded in full in Resolution Book 39, Page(s) 774-775.  
Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book  
I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North

**CERTIFICATION**

2. This resolution shall take effect immediately upon its passage.  
Council member Carter moved the passage of the foregoing resolution and Council member Mitchell seconded the motion, and the resolution was passed by the following vote:

authorized to execute such approval certificates as may be required to evidence the City's approval of the issuance of the Bonds for purposes of Section 147(f) of the Code.

**RESOLUTION**

**RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE U.S. DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR TRANSIT ASSISTANCE GRANTS UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964 AS AMENDED.**

A motion made by Cannon and seconded by Lassiter for the adoption of the following Resolution, and upon being put to a vote was duly adopted: \_\_\_\_\_

**WHEREAS**, the Secretary of Transportation is authorized to make grants for mass transportation projects;

**WHEREAS**, the contract for the financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs;

**WHEREAS**, it is required by the U.S. Department of Transportation in accordance with the provision of Title VI of Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

**WHEREAS**, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies equipment contracts, or consultant and other services.

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

1. The City Manager is authorized to execute and file applications on behalf of the City of Charlotte with the U.S. Department of Transportation to aid in the financing of transit assistance; and that the Chief Executive Officer of the Charlotte Area Transit System is authorized to execute and file applications with the North Carolina Department of Transportation, to aid in the financing of transit assistance.
2. That the City Manager is authorized to execute and file with such applications an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964; and that the Chief Executive Officer of the Charlotte Area Transit System is authorized to execute and file with such applications an assurance or any other document required by the North Carolina Department of

Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

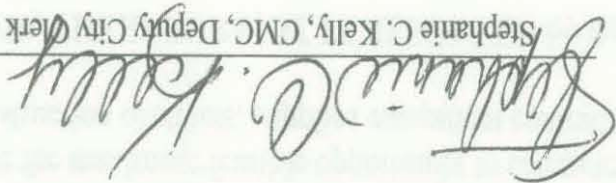
3. That the Chief Executive Officer of the Charlotte Area Transit System is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the project.
4. That the City Manager or his designee is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.

5. That the City Manager is authorized to execute grant agreements and any amendments thereto on behalf of the City of Charlotte with the U.S. Department of Transportation for aid in the financing of the transit assistance projects; and that the Chief Executive Officer is authorized to execute grant agreements and any amendments thereto on behalf of the Charlotte Area Transit System with the North Carolina Department of Transportation for aid in the financing of the transit assistance projects.

### CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 776-777.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION  
OF ANNEXATION PURSUANT TO G.S. 160A-31  
NORTH LAKE MALL PHASE II**

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

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the area described herein will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 E. Fourth Street, Charlotte, N.C. at 7:00 p.m. on August 22, 2005.

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

**LEGAL DESCRIPTION**

All that certain tract of land lying and being in Long Creek Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at a point located at the northeasternmost corner of Northlake Centre Parkway as shown on a map recorded in Map Book 43 at Page 57 in the Mecklenburg County, North Carolina, Public Registry; thence with the arc of a circular curve to the left having a radius of 638.98 feet, an arc distance of 176.48 feet (Chord Bearing = S 43-49-06 E 175.92 feet) to a point; thence N 38-16-10 E 48.43 feet to a point; thence S 55-59-52 E 78.10 feet to a point; thence S 41-12-30 E 75.55 feet to a point; thence S 41-12-30 E 18.75 feet to a point; thence S 48-13-09 W 48.43 feet to a point; thence with the arc of a circular curve to the right having a radius of 738.97 feet, an arc distance of 105.57 feet (Chord Bearing = S 37-41-18 E 105.48 feet) to a point; thence N 56-24-15 E 22.18 feet to a point; thence S 45-00-10 E 56.37 feet to a point; thence S 08-23-44 E 38.84 feet to a point; thence S 26-17-48 E 165.35 feet to a point; thence S 37-29-11 E 129.39 feet to a point; thence S 17-52-51 W 42.23 feet to a point; thence S 54-58-42 W 94.98 feet to a point; thence S 03-48-49 E 490.00 feet to a point; thence with the arc of a circular curve to the left having a radius of 638.98 feet, an arc distance of 248.28 feet (Chord Bearing = S 14-56-42 E 246.72 feet) to a point; thence S 26-04-35 E 22.81 feet to a point; thence S 26-04-35 E 93.54 feet to a point; thence with the following ten (10) calls (describing lands owned by the State of North Carolina which lands separate the boundary of the City of Charlotte from the area petitioning for annexation and is included in the area being annexed pursuant to G.S. 160A-31(f): (1) S 26-04-35 E 325.32 feet to a point; (2) thence S 26-04-34 E 11.47 feet to a point; (3) thence with the arc of a circular curve to the right having a radius of 870.21 feet, an arc distance of 91.04 feet (Chord Bearing = S 23-04-46 E 91.00 feet) to a point; (4) thence S 18-02-56 W 184.23 feet to a point; (5) thence S 18-02-56 W 140.81 feet to a point; (6) thence N 09-53-35 W 174.60 feet to a point; (7) thence N 76-44-35 E 64.83 feet to a point; (8) thence with the arc of a circular curve to the left having a radius of

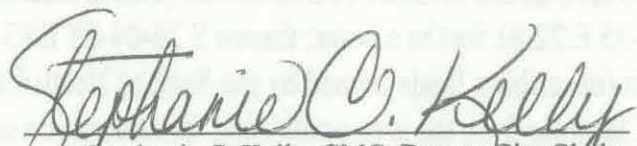
770.21 feet, an arc distance of 172.32 feet (Chord Bearing = N 19-40-01 W 171.96 feet) to a point; (9) thence N 26-04-34 W 7.39 feet to a point; and (10) thence N 26-04-36 W 332.67 feet to a point; thence N 26-04-35 W 113.07 feet to a point; thence S 63-55-24 W 75.00 feet to a point; thence N 24-19-44 W 52.47 feet to a point; thence N 38-01-39 E 69.36 feet to a point; thence N 73-03-01 W 2.15 feet to a point; thence N 08-05-16 W 643.90 feet to a point; thence N 08-05-24 W 202.80 feet to a point; thence with the arc of a circular curve to the left having a radius of 638.98 feet, an arc distance of 468.49 feet (Chord Bearing = N 29-23-24 W 458.06 feet) to a point; thence with the arc of a circular curve to the left having a radius of 739.09 feet, an arc distance of 39.07 feet (Chord Bearing = N 48-52-48 W 39.06 feet) to a point; thence with the arc of a circular curve to the right having a radius of 738.97 feet, an arc distance of 147.80 feet (Chord Bearing = N 41-38-08 W 147.55 feet) to a point; thence with the arc of a circular curve to the right having a radius of 738.97 feet, an arc distance of 101.82 feet (Chord Bearing = N 31-57-32 W 101.74 feet) to a point; thence with the arc of a circular curve to the left having a radius of 75.00 feet, an arc distance of 103.41 feet (Chord Bearing = N 67-30-36 W 95.41 feet) to a point located at the intersection of the westerly margin of Northlake Centre Parkway and the southerly right-of-way margin of Alexanderana Road; thence with the arc of a circular curve to the right having a radius of 780.21 feet, an arc distance of 274.75 feet (Chord Bearing = N 78-51-32 E 273.33 feet) to a point located at the intersection of the easterly margin of Northlake Centre Parkway and the southerly right-of-way margin of Alexanderana Road; thence with the arc of a circular curve to the left having a radius of 65.00 feet, an arc distance of 143.20 feet (Chord Bearing = S 28-54-15 W 115.95 feet) to a point; thence with the arc of a circular curve to the left having a radius of 638.98 feet, an arc distance of 18.91 feet (Chord Bearing = S 35-03-30 E 18.91 feet) to a point, the POINT AND PLACE OF BEGINNING.

Section 3. Notice of the public hearing shall be published in the *Mecklenburg Times*, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of the public hearing.

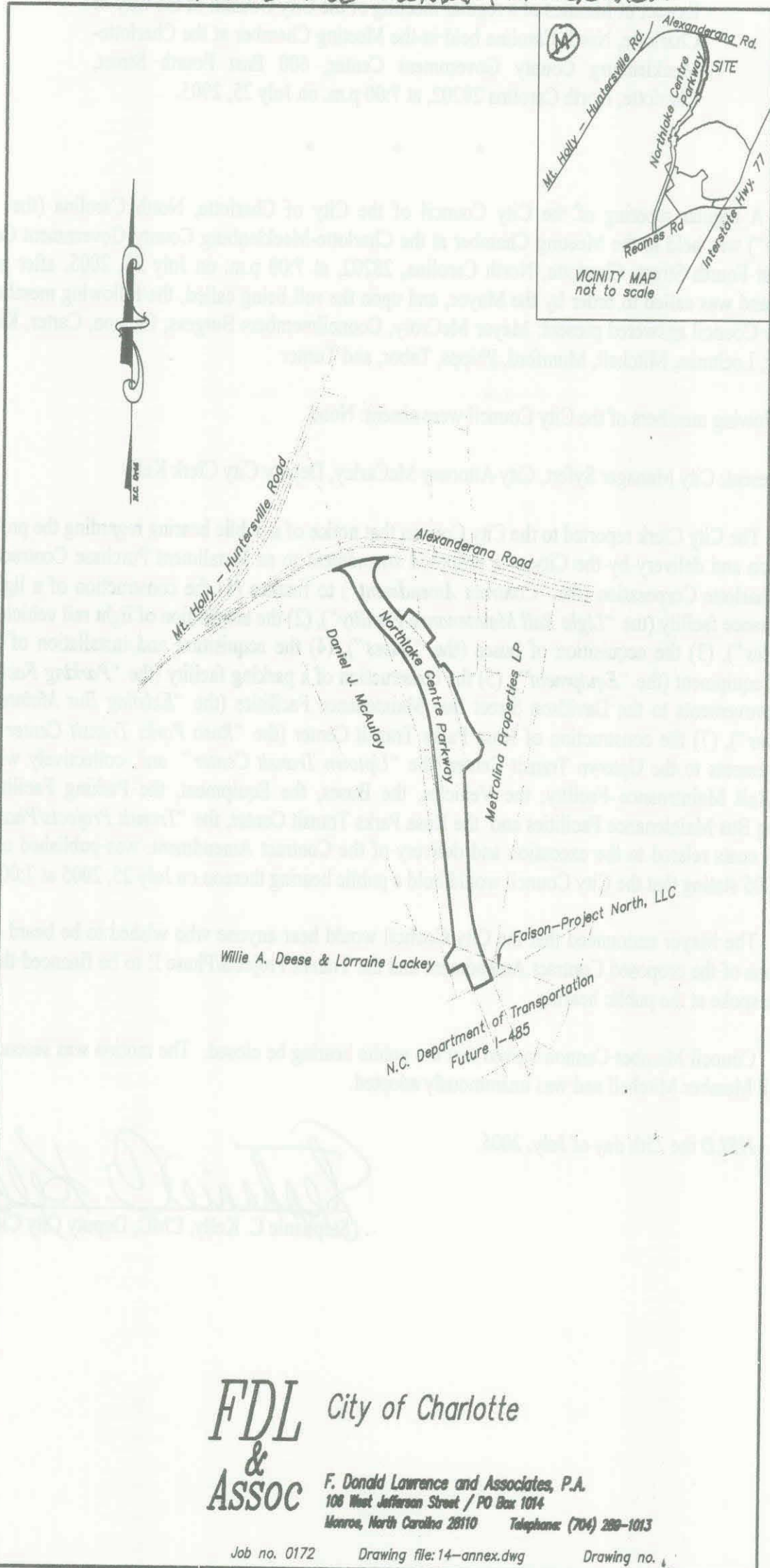
**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 778-780.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

# PHASE II NORTHLAKE MALL VOLUNTARY ANNEXATION



**FDL** City of Charlotte  
&  
**ASSOC**

F. Donald Lawrence and Associates, P.A.  
108 West Jefferson Street / PO Box 1014  
Monroe, North Carolina 28110 Telephone: (704) 288-1013

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on July 25, 2005.

\* \* \*

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "City Council") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina, 28202, at 7:00 p.m. on July 25, 2005, after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Mayor McCrory, Councilmembers Burgess, Cannon, Carter, Kinsey, Lassiter, Lochman, Mitchell, Mumford, Phipps, Tabor, and Turner

The following members of the City Council were absent: None

Also present: City Manager Syfert, City Attorney McCarley, Deputy City Clerk Kelly

The City Clerk reported to the City Council that notice of a public hearing regarding the proposed execution and delivery by the City of a proposed amendment to an Installment Purchase Contract with New Charlotte Corporation (the "Contract Amendment") to finance (1) the construction of a light rail maintenance facility (the "Light Rail Maintenance Facility"), (2) the acquisition of light rail vehicles (the "Vehicles"), (3) the acquisition of buses (the "Buses"), (4) the acquisition and installation of traffic control equipment (the "Equipment"), (5) the construction of a parking facility (the "Parking Facility"), (6) improvements to the Davidson Street Bus Maintenance Facilities (the "Existing Bus Maintenance Facilities"), (7) the construction of Rosa Parks Transit Center (the "Rosa Parks Transit Center"), (8) improvements to the Uptown Transit Center (the "Uptown Transit Center" and, collectively with the Light Rail Maintenance Facility, the Vehicles, the Buses, the Equipment, the Parking Facility, the Existing Bus Maintenance Facilities and the Rosa Parks Transit Center, the "Transit Projects/Phase II") and (9) costs related to the execution and delivery of the Contract Amendment, was published on July 11<sup>th</sup>, 2005 stating that the City Council would hold a public hearing thereon on July 25, 2005 at 7:00 p.m.

The Mayor announced that the City Council would hear anyone who wished to be heard on the questions of the proposed Contract Amendment and the Transit Projects/Phase II to be financed thereby. No one spoke at the public hearing.

Council Member Cannon moved that the public hearing be closed. The motion was seconded by Council Member Mitchell and was unanimously adopted.

HELD the 25th day of July, 2005.

*Stephanie C. Kelly*  
Stephanie C. Kelly, CMC, Deputy City Clerk

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on July 25, 2005.

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A regular meeting of the City Council of the City of Charlotte, North Carolina (the "City Council") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on July 25, 2005 (the "Meeting"), after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Mayor McCrory, Councilmembers Burgess, Cannon, Carter, Kinsey, Lassiter, Lochman, Mitchell, Mumford, Phipps, Tabor, and Turner

The following members of the City Council were absent: None

Also present: City Manager Syfert, City Attorney McCarley, Deputy City Clerk Kelly

Councilmember Cannon introduced the following resolution (the "Resolution"), a summary of which had been provided to each Council member, a copy of which was available with the City Clerk and which was read by title:

**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT WITH NEW CHARLOTTE CORPORATION AND RELATED MATTERS**

*WHEREAS*, the City of Charlotte, North Carolina (the "City") is a municipal corporation validly existing under the Constitution, statutes and laws of the State of North Carolina (the "State");

*WHEREAS*, the City has the power, pursuant to the General Statutes of the State, to (1) purchase real and personal property, (2) enter into installment purchase contracts to finance the purchase of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

*WHEREAS*, the City previously entered into (a) an Installment Purchase Contract dated as of December 1, 2003 (the "2003 Contract") with New Charlotte Corporation (the "Corporation") to finance mass transit facilities and equipment and (b) a Deed of Trust and Security Agreement dated as of December 1, 2003 (the "Deed of Trust") from the City to the deed of trust trustee named therein to provide a security interest in the new bus maintenance facility (the "New Bus Maintenance Facility") constructed with the proceeds of the Contract and the real property on which the New Bus Maintenance Facility is located;

*WHEREAS*, consistent with the City's financial policies for the Charlotte Area Transit System (CATS), the City Council of the City of Charlotte, North Carolina (the "City Council"), has determined that it is in the best interests of the City to enter into (a) an amendment to the Contract (the "Contract Amendment" and, together with the 2003 Contract, the "Contract") to finance (1) the construction of a light rail maintenance facility (the "Light Rail Maintenance Facility"), (2) the acquisition of light rail vehicles (the "Vehicles"), (3) the acquisition of buses (the "Buses"), (4) the acquisition and installation of traffic control equipment (the "Equipment"), (5) the construction of a parking facility (the "Parking

Facility"), (6) improvements to the Davidson Street Bus Maintenance Facilities (the "Existing Bus Maintenance Facilities"), (7) the construction of Rosa Parks Transit Center (the "Rosa Parks Transit Center"), (8) improvements to the Uptown Transit Center (the "Uptown Transit Center" and, collectively with the Light Rail Maintenance Facility, the Buses, the Equipment, the Existing Bus Maintenance Facilities and the Rosa Parks Transit Center, the "Transit Projects/Phase II") and (9) the costs of executing and delivering the Contract Amendment; and (b) a notice of extension of the Deed of Trust (the "Notice of Extension") to extend the Deed of Trust to provide a security interest in the sites of the Light Rail Maintenance Facility, the Parking Facility and the Existing Bus Maintenance Facilities and all improvements thereon and in the City's interest in the Uptown Transit Center and the Rosa Parks Transit Center;

WHEREAS, to further secure the City's obligations under the Contract, the City will create a security interest in the Vehicles, the Buses and the Equipment under the Contract Amendment;

WHEREAS, the Corporation will execute and deliver Certificates of Participation (Transit Projects/Phase II), Series 2005E Evidencing Proportionate Undivided Interests in Rights to Receive Revenues Pursuant to the Contract (the "2005E Certificates") and Variable Rate Certificates of Participation (Transit Projects/Phase II), Series 2005F Evidencing Proportionate Undivided Interests in Rights to Receive Revenues Pursuant to the Contract (the "2005F Certificates") and collectively with the 2005E Certificates, the "2005 Certificates");

WHEREAS, in connection with the sale of the 2005E Certificates by the Corporation to UBS Financial Services Inc., Banc of America Securities LLC and Wachovia Bank, National Association (collectively, the "2005E Underwriters") and in connection with the sale of the 2005F Certificates to UBS Financial Services Inc. (the "2005F Underwriter" and together with the 2005E Underwriters, the "Underwriters"), the City desires to make certain representations and warranties to the Underwriters in the form of two of the City's Letter of Representations to the respective Underwriters (the "Letters of Representations");

WHEREAS, there has been described to the City Council the following documents (collectively, the "Instruments"), copies of which have been made available to the City Council, which the City Council proposes to approve, enter into and deliver, as applicable to effectuate the proposed installment purchase financing:

- (1) the Contract Amendment;
- (2) the Notice of Extension;
- (3) the Letters of Representations;
- (4) the Contract of Purchase dated on or about August 18, 2005 between the Corporation and the 2005E Underwriters (the "2005E Purchase Contract");
- (5) the Contract of Purchase dated on or about August 30, 2005 between the Corporation and the 2005F Underwriter (the "2005F Purchase Contract" and together with the 2005E Purchase Contract, the "Purchase Contracts");
- (6) the Remarketing Agreement dated as of August 15, 2005 (the "Remarketing Agreement") between the City and UBS Financial Services Inc. related to the 2005F Certificates;

(7) the Standby Certificate Purchase Agreement dated as of August 15, 2005 (the "Standby Agreement") between the City and DEPFA Bank plc related to the 2005F Certificate;

(8) the Preliminary Official Statement related to the 2005E Certificates (the "2005E POS") and the Official Statement related to the 2005F Certificates (the "2005F OS"), each containing certain information regarding the City;

*WHEREAS*, it appears that each of the Instruments is in an appropriate form and is an appropriate instrument for the purposes intended;

*WHEREAS*, the City Council did conduct a public hearing on July 25, 2005, to receive public comment on the proposed Contract Amendment to acquire the Transit Projects/Phase II;

*WHEREAS*, the City has filed an application to the North Carolina Local Government Commission for approval of the Contract Amendment;

*NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AS FOLLOWS:*

**Section 1. Ratification of Instruments.** That all actions of the City, the City Manager, the City Director of Finance, the City Clerk, the City Attorney and their respective designees, whether previously or hereinafter taken, in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

**Section 2. Authorization of the Official Statement.** That (a) the form, terms and content of the 2005E POS are in all respects authorized, approved and confirmed, and the use of the 2005E POS and the final Official Statement related to the 2005E Certificates substantially in the form of the 2005E POS (the "2005E OS") by the 2005E Underwriters in connection with the sale of the 2005E Certificates is hereby in all respects authorized, approved and confirmed, (b) the form, terms and content of the 2005F OS are in all respects authorized, approved and confirmed, and the use of the 2005F OS by the 2005F Underwriter in connection with the sale of the 2005F Certificates is hereby in all respects authorized, approved and confirmed and (c) the Mayor, the City Manager and the Director of Finance are hereby authorized, empowered and directed to execute and deliver the 2005E OS and the 2005F OS, in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all changes, modifications, additions or deletions therein from the form and content of the 2005E OS and the 2005F OS presented to the City Council.

**Section 3. Authorization to Execute the Contract Amendment.** That the City approves the acquisition of the Transit Projects/Phase II in accordance with the terms of the Contract Amendment, which will be a valid, legal and binding obligation of the City in accordance with its terms. The form and content of the Contract Amendment shall be and the same hereby are in all respects authorized, approved and confirmed, and the City Manager and the City Clerk and their respective designees shall be and they hereby are authorized, empowered and directed to execute and deliver the Contract Amendment, including necessary counterparts, in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all changes, modifications, additions or deletions therein from the form and content of the Contract Amendment presented to the City Council, and that from and after the execution and delivery of the

Contract Amendment, the City Manager, the City Director of Finance and the City Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Contract Amendment as executed.

**Section 4. Notice of Extension.** That the form and content of the Notice of Extension shall be and the same hereby are in all respects authorized, approved and confirmed, and the City Manager and the City Clerk are hereby authorized, empowered and directed to execute and deliver the Notice of Extension, including necessary counterparts, in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all changes, modifications, additions or deletions from the form and content of the Notice of Extension presented to the City Council, and that from and after the execution and delivery of the Notice of Extension, the City Manager and the City Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Notice of Extension as executed.

**Section 5. Standby Agreement; Remarketing Agreement.** That the City Manager and the City Clerk and their respective designees shall be and they hereby are authorized, empowered and directed to execute and deliver the Standby Agreement and the Remarketing Agreement, including necessary counterparts, in substantially the form and content of the Standby Agreement and the Remarketing Agreement, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all changes, modifications, additions or deletions from the form and content of the Standby Agreement and the Remarketing Agreement, and that from and after the execution and delivery of the Standby Agreement and the Remarketing Agreement, the City Manager and the City Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Standby Agreement and the Remarketing Agreement as executed.

**Section 6. Letters of Representations; Purchase Contracts.** That the form and content of the Purchase Contracts shall be and the same hereby is in all respects approved, and the City Manager is authorized to execute the Letters of Representations for the purposes stated therein.

**Section 7. City Representative.** That the City Manager, the City Director of Finance, the City Treasurer and the City Debt Manager are hereby designated as the City's Representatives to act on behalf of the City in connection with the transaction contemplated by the Instruments, and each is authorized to proceed with the acquisition and construction of the Transit Projects/Phase II in accordance with the Instruments and to seek opinions as a matter of law from the City Attorney, which the City Attorney is authorized to furnish on behalf of the City, and opinions of law from such other attorneys for all documents contemplated hereby. The City's Representative and/or designee or designees are in all respects authorized on behalf of the City to supply all information pertaining to the City as purchaser under the Contract and the transactions contemplated by the Instruments, the City Manager, the City Clerk and the City Director of Finance or their respective designees are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by the Instruments or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution.



**Section 8. Sources of Payment.** That the City expects to make the payments due under the Contract in accordance with the Charlotte Area Transit System (CATS) Financial Policies adopted by the City Council.

**Section 9. Severability.** That if any section, phrase or provision of this Resolution shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

**Section 10. Repealer.** That all motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

**Section 11. Effective Date.** This Resolution will take effect immediately on its adoption.

On motion of Councilmember Cannon, seconded by Councilmember Mitchell, the foregoing resolution titled **"RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT WITH NEW CHARLOTTE CORPORATION AND RELATED MATTERS"** was duly adopted by the following vote:

Unanimous

*PASSED, ADOPTED AND APPROVED* this 25th day of July, 2005.

STATE OF NORTH CAROLINA             )  
   )        ss:  
CITY OF CHARLOTTE                 )

I, *Stephanie C. Kelly*, Deputy City Clerk of the City of Charlotte, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of a resolution titled **"RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT WITH NEW CHARLOTTE CORPORATION AND RELATED MATTERS"** adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of July, 2005, the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 781-786.

**WITNESS** my hand and the seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

[SEAL]



Stephanie C. Kelly, CMC, Deputy City Clerk



July 25, 2005

Resolution Book 39, Page 787

RESOLUTION CLOSING A 10-FOOT ALLEYWAY BOUNDED BY W. TRADE STREET, S. MINT STREET, W. 4<sup>TH</sup> STREET, AND S. POPLAR 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 a 10-foot alleyway bounded by W. Trade Street, S. Mint Street, W. 4<sup>th</sup> Street, and S. Poplar 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 a 10-foot alleyway bounded by W. Trade Street, S. Mint Street, W. 4<sup>th</sup> Street, and S. Poplar 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 public hearing was held on the 25<sup>th</sup> day of July, 2005 and City Council determined that the closing of a 10-foot alleyway bounded by W. Trade Street, S. Mint Street, W. 4<sup>th</sup> Street, and S. Poplar 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 25, 2005, that the Council hereby orders the closing of a 10-foot alleyway bounded by W. Trade Street, S. Mint Street, W. 4<sup>th</sup> Street, and S. Poplar 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.

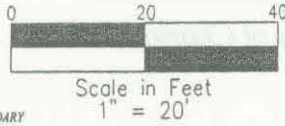
**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25<sup>th</sup> day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 787-789.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of July, 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

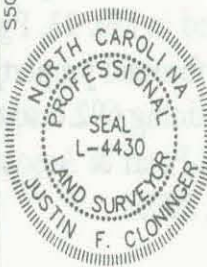
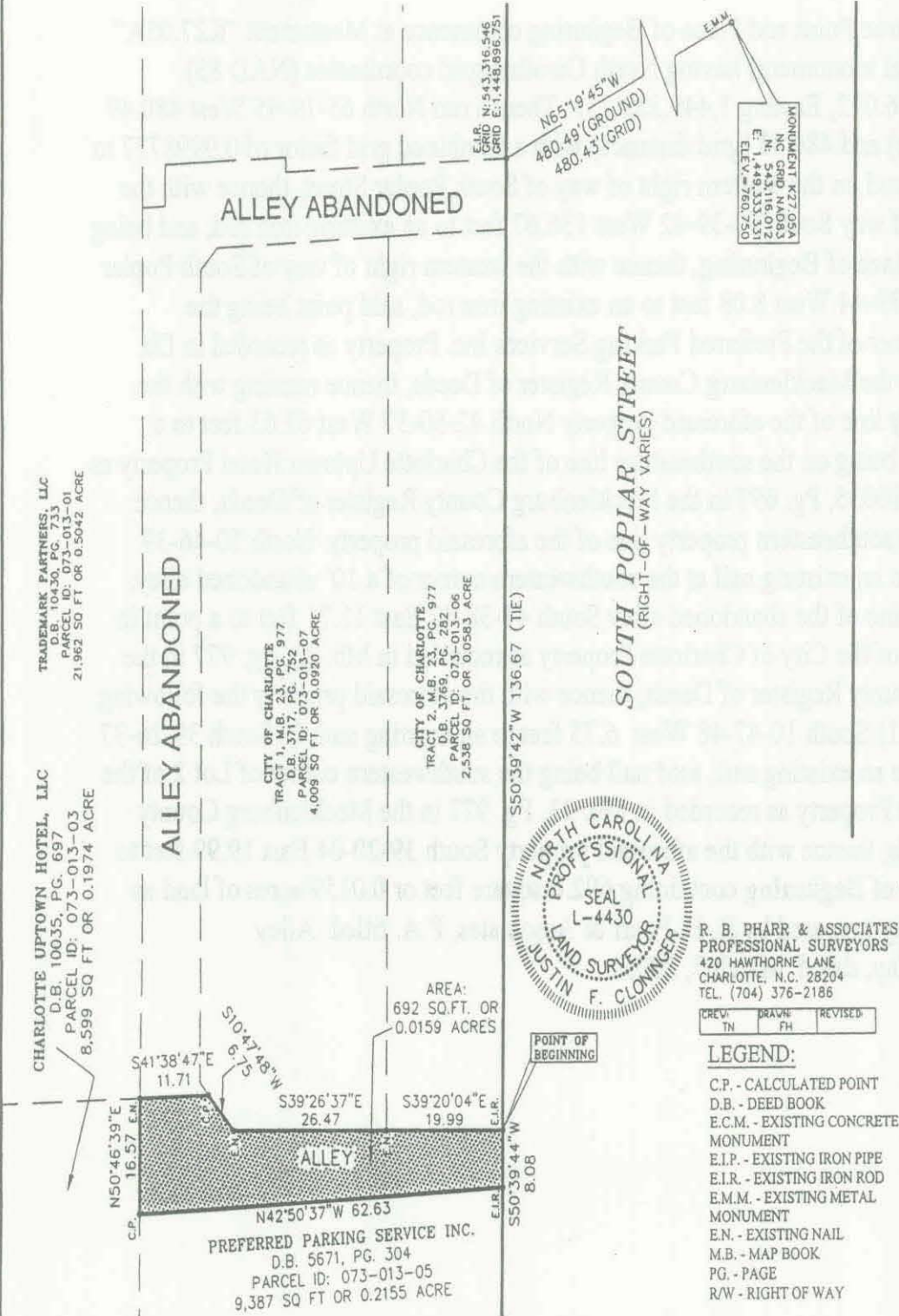
EXHIBIT "A"  
 ALLEY ABANDONMENT MAP  
 FOR: CITY OF CHARLOTTE  
 CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC  
 DATE: MARCH 7, 2005; JOB NO.: 64280



VICINITY MAP  
 NOT TO SCALE

NOTES:

1. THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
2. NO BOUNDARY WAS PERFORMED AT THE TIME OF THIS SURVEY. ALL BOUNDARY INFORMATION IS BASED ON MAP PREPARED BY R.B. PHARR & ASSOCIATES DATED OCTOBER 1, 2004.
3. NO RECOVERABLE NCGS MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
4. THE COMBINED GRID FACTOR FOR THE SITE IS 0.9998727.



R. B. PHARR & ASSOCIATES  
 PROFESSIONAL SURVEYORS  
 420 HAWTHORNE LANE  
 CHARLOTTE, N.C. 28204  
 TEL. (704) 376-2186

CREV	DRAWN	REVISED
TN	FH	

- LEGEND:**
- C.P. - CALCULATED POINT
  - D.B. - DEED BOOK
  - E.C.M. - EXISTING CONCRETE MONUMENT
  - E.I.P. - EXISTING IRON PIPE
  - E.I.R. - EXISTING IRON ROD
  - E.M.M. - EXISTING METAL MONUMENT
  - E.N. - EXISTING NAIL
  - M.B. - MAP BOOK
  - PG. - PAGE
  - R/W - RIGHT OF WAY

THIS IS TO CERTIFY THAT ON THE 5th DAY OF OCTOBER 20 04 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

SIGNED Justin F. Cloninger

EXHIBIT "B"

LEGAL DESCRIPTION  
Alley Abandonment  
City of Charlotte

That certain tract or parcel of land situated, lying and being in the City of Charlotte, North Carolina and being more particularly described as follows:

To arrive at the true Point and Place of Beginning commence at Monument "K27.05A" (an existing metal monument) having North Carolina grid coordinates (NAD 83) Northing 543,116.012, Easting 1,449,333.331. Thence run North 65-19-45 West 480.49 (ground distance) and 480.43 (grid distance) with a combined grid factor of 0.9998727 to an existing iron rod on the western right of way of South Poplar Street, thence with the aforesaid right of way South 50-39-42 West 136.67 feet to an existing iron rod, and being the **Point and Place of Beginning**, thence with the western right of way of South Poplar Street South 50-39-44 West 8.08 feet to an existing iron rod, said point being the northeastern corner of the Preferred Parking Services Inc. Property as recorded in Db. 5671, Pg. 304 in the Mecklenburg County Register of Deeds, thence running with the northern property line of the aforesaid property North 42-50-37 West 62.63 feet to a point, said point being on the southeastern line of the Charlotte Uptown Hotel Property as recorded in Db. 10035, Pg. 697 in the Mecklenburg County Register of Deeds, thence running with the southeastern property line of the aforesaid property North 50-46-39 East 16.57 feet to an existing nail at the southwestern corner of a 10' abandoned alley, thence with the line of the abandoned alley South 41-38-47 East 11.71 feet to a point in the line of Lot 1 of the City of Charlotte Property as recorded in Mb. 23, Pg. 977 in the Mecklenburg County Register of Deeds, thence with the aforesaid property the following two (2) courses: 1) South 10-47-48 West 6.75 feet to an existing nail, 2) South 39-26-37 East 26.47 feet to an existing nail, said nail being the southwestern corner of Lot 2 of the City of Charlotte Property as recorded in Mb. 23, Pg. 977 in the Mecklenburg County Register of Deeds, thence with the aforesaid property South 39-20-04 East 19.99 feet to **Point and Place of Beginning** containing 692.0 square feet or 0.0159 acres of land as shown on a survey prepared by R. B. Pharr & Associates, P.A. titled: Alley Abandonment Map, dated March 7, 2005.

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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE/DEWITT LANE EXTENSION**;

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 **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE/DEWITT LANE EXTENSION** and estimated to be approximately **2,193 square feet (.050 acre) of 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. 149-012-38, said property currently owned by **GHAZANFAR M. ZAREY and wife, ANITA HOLIT-ZAREY, 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in a regular session convened on the 25th day of July, 2005 the reference having been made in Minute Book 122, and recorded in full in Resolution Book 39, Page(s) 790

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of July 2005.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

