

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 26th day of June, 2006 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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 161-162.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.



Brenda R. Freeze, CMC, City Clerk

TAXPAYERS AND REFUNDS REQUESTED
(Clerical Error)

<u>Name</u>	<u>Refund Amount</u>
FOUST FAMILY LTD PARTNERSHIP	\$ 424.62
HARVEY LAURA	376.38
HARVEY LAURA	376.38
CUNNINGHAM SHELIA J	33.60
BENNETT DELANCY H S	85.26
PASSMORE CATHLEEN E	72.48
PASSMORE CATHLEEN E	72.48
PASSMORE CATHLEEN E	61.32
PASSMORE CATHLEEN E	61.32
BRANUM INC	74.58
BRANUM INC	38.66
WNKS/INFINITY RADIO INC	217.21
WNKS/INFINITY RADIO INC	171.06
WNKS/INFINITY RADIO INC	130.48
WNKS/INFINITY RADIO INC	83.72
WNKS/INFINITY RADIO INC	52.95
WNKS/INFINITY RADIO INC	25.05
BILLINTON JOSEPH A	9.66
PULTE HOME CORP	90.72
HOOVER JOHNNY MAX	109.62
SOLOMON DARLA C	65.52
JAMA OMER M	134.40
GEAN ALVIN	107.94
WHEELER SADIE	85.26
WHEELER SADIE	85.26
Total	<u>\$ 3,045.93</u>

**A RESOLUTION AUTHORIZING THE REFUND OF
CERTAIN BUSINESS PRIVILEGE LICENSES**

Reference is made to the schedule of "Business Privilege License Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

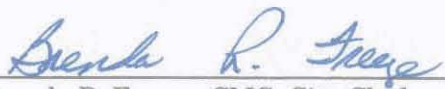
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.
3. The amounts listed on the schedule were collected through either a clerical or assessor error.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 26th day of June, 2006 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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 163-164.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.


Brenda R. Freeze, CMC, City Clerk

TAXPAYERS AND REFUNDS REQUESTED
(Clerical Error)

<u>Name</u>	<u>Refund Amount</u>
ADVANCE AUTO PARTS	\$ 2,934.30
APPLEONE	3,408.74
BIJOUX BELLAGIO-CHR/DOUG AIRPORT	50.00
CAROLINA COURTWORKS	136.78
HOORAY! SALES	199.88
LEO DOWELL INTERIORS	349.88
M & L ROOFING COMPANY	68.58
MAC'S SPEED SHOP	98.02
MARSTON COMMUNICATIONS LLC	57.52
MAXWORTH CONSULTING GROUP	125.00
NUTECH SOLUTIONS INC INTERSTATE TOWER	1,231.83
RSH PROTECTION INC	924.89
SAM'S MART 43-LSAA INC	964.78
STARBUCKS	529.00
TILE ROOFING	217.09
Total	<u>\$ 11,296.29</u>

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

A motion was made by Councilmember Carter and seconded
by Councilmember Mitchell for the adoption of the following Resolution,
and upon being put to a vote was duly adopted: unanimously.

WHEREAS, The City accepts State-maintained streets upon request and mutual agreement and / or when the streets are within an annexed area and not part of the NCDOT primary road system; and,

WHEREAS, The streets included on this list are currently located in the City limits and are maintained by NCDOT; and,

WHEREAS, These streets are not on NCDOT's primary road system and qualify for maintenance under the City's Street Maintenance Policy; and,

WHEREAS, This resolution requests NCDOT transfer maintenance responsibility for the attached list of 15 streets (1.83 miles) to the City effective June 30, 2006; and,


WHEREAS, Upon completion of the transfer, the City will receive Powell Bill funding for the newly maintained streets.

NOW, THEREFORE, BE IT RESOLVED that the Agreement for the City to accept the transfer of maintenance from NCDOT for the list of 15 streets (1.83 miles) be hereby formally approved by the City Council of the City of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute this Agreement between the Municipality and the Department of Transportation.

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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 165-166.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.


Brenda R. Freeze, CMC, City Clerk

NCDOT Streets ABANDONED to the City of Charlotte - May 15 2006

Division	County	Municipality	SR #	Street Name	Termini	Length
10	Mecklenburg	Charlotte	1918	Country Ln	From SR1666 to end of NCDOT maintenance	0.29
10	Mecklenburg	Charlotte	1935	Hannibal Ct	From Northwoods Forest Dr to end of cul-de-sac	0.03
10	Mecklenburg	Charlotte	1977	Hatter Ridge Tr.	From Misty Vale Rd to end of cul -de-sac	0.04
10	Mecklenburg	Charlotte	5507	Coach Wood Ct	From Claiborne Woods Ct to end of cul-de-sac	0.12
10	Mecklenburg	Charlotte	5176	Palomino Ct	From Claiborne Woods Ct to end of cul-de-sac	0.04
10	Mecklenburg	Charlotte	1919	Axar Rd	From SR 1568 to end of cul-de-sac	0.16
10	Mecklenburg	Charlotte	2314	Gilbert St	From Beatties Ford Rd to Newland Rd	0.17
10	Mecklenburg	Charlotte	2594	Hoyt Hinson	From Nevin Rd to end of NCDOT maintenance	0.21
10	Mecklenburg	Charlotte	1567	Split Pine Ct	From Broad Oak Dr to end of road	0.03
10	Mecklenburg	Charlotte	1656	Boyer St	From US 29 to SR 5901	0.31
10	Mecklenburg	Charlotte	4949	Oldecastle Ct	From Landing Green Dr to cul-de-sac	0.11
10	Mecklenburg	Charlotte	4973	Millingden Ct	From Landing Green Dr to cul-de-sac	0.07
10	Mecklenburg	Charlotte	4797	Carisbrook Ln	From Ducksbill Dr to cul-de-sac	0.08
10	Mecklenburg	Charlotte	1555	Lazy Willow	From Thicket Ct to cul-de-sac	0.11
10	Mecklenburg	Charlotte	1584	Hanway Ct	From Stephendale Dr to cul-de-sac	0.06

Total number of miles ABANDONED to City= 1.83

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 **CYRUS/DOUGLAS STREAM RESTORATION 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 **CYRUS/DOUGLAS STREAM RESTORATION PROJECT** and estimated to be approximately **11,662 square feet (.268 acre) of storm drainage 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. 129-081-02, said property currently owned by **ANGELO FORLIDAS and spouse, if any; PHILLIPS J. FORLIDAS and spouse, if any, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 167.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.


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 **SOUTH BOULEVARD MEDIAN 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 BOULEVARD MEDIAN PROJECT AND TYVOLA STORM DRAINAGE IMPROVEMENT** and estimated to be approximately **23,856 square feet (.548 acre)** of **fee-simple, 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. 171-141-31, said property currently owned by **CRIT-NC 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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 168.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.


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 **SOUTH BOULEVARD MEDIAN 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 BOULEVARD MEDIAN PROJECT** and estimated to be approximately **10,882 square feet (.249 acre) of fee-simple, sidewalk and utility easement, utility easement, permanent bus shelter 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. 171-141-35, said property currently owned by **KIMCO DEVELOPMENT OF TYVOLA, INC., FOOD TOWN STORES, INC., Possible Lessee; HTL ENTERPRISES, INC., Possible Lessee; HOLIDAY HEALTH CLUBS OF THE SOUTHEAST, INC., Possible Lessee, 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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 169.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.



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 **SOUTH BOULEVARD MEDIAN PROJECT AND TYVOLA STORM DRAINAGE IMPROVEMENT 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 BOULEVARD MEDIAN PROJECT AND TYVOLA STORM DRAINAGE IMPROVEMENT PROJECT** and estimated to be approximately **36,972 square feet (.848 acre) of fee-simple (front only), permanent sidewalk easement (front only), permanent storm drainage (front and rear), sewer right-of-way (rear only) and temporary construction easement (front and rear parcel)** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 171-141-33 and 171-141-34, said property currently owned by **HARRY CHARLES YETT, JR; DIANE T. YETT; WILLIAM MICHAEL YETT; DIANE W. YETT; WISNER M. WASHAM; JUDITH B. WASHAM; KIMCO DEVELOPMENT OF TYVOLA, INC., Possible Lessee; CLOCK RESTAURANT, INC., Possible Lessee, 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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 170.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.


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 **SOUTH BOULEVARD MEDIAN 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 BOULEVARD MEDIAN PROJECT AND TYVOLA STORM DRAINAGE IMPROVEMENT** and estimated to be approximately 22,324 square feet (.512 acre) of fee-simple, sidewalk/utility easement, utility easement, storm drainage 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. 171-141-41, said property currently owned by **HARRY CHARLES YETT, JR.; DIANE T. YETT; WILLIAM MICHAEL YETT; JUDITH A. YETT; WISNER M. WASHAM and WACHOVIA BANK, N. A., Co-Trustees of the Sue B. Miller Testamentary Trust; KIMCO DEVELOPMENT OF TYVOLA, INC.; Possible Lessee; ROBERT B. BLYTHE, Trustee; BARCLAYS BANK PLC, Beneficiary; HANCOCK FABRICS, Possible Lessee; ROSS STORES, INC., Possible Lessee; PHAR-MOR, INC., Possible Lessee, SUNTRUST BANKS, INC., Possible Lessee; MICHAELS STORES, INC., Possible Lessee; TOYS "R" US, INC., Possible Lessee; OFFICE MAX, INC., Possible Lessee; SRI SHOE WAREHOUSE, INC., Possible Lessee; 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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 171.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.


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 **SOUTH BOULEVARD MEDIAN 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 BOULEVARD MEDIAN PROJECT AND TYVOLA STORM DRAINAGE IMPROVEMENT** and estimated to be approximately **34,417 square feet (.790 acre)** of **storm drainage easement, sidewalk/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. 171-141-30, said property currently owned by **HARRY CHARLES YETT, JR.; DIANE T. YETT; WILLIAM MICHAEL YETT; JUDITH A. YETT; WISNER M. WASHAM and WACHOVIA BANK, N. A., Co-Trustees of the Sue B. Miller Testamentary Trust; ROBERT B. BLYTHE, Trustee; BARCLAYS BANK PLC, Beneficiary; KIMCO DEVELOPMENT OF TYVOLA, INC., Possible Lessee; PHAR-MOR, INC., Possible Lessee; SUNTRUST BANKS, INC., Possible Lessee; HANCOCK FABRICS, Possible Lessee; MICHAELS STORES, INC., Possible Lessee; TOYS "R" US, INC., Possible Lessee; OFFICE MAX, INC., Possible Lessee; SRI SHOE WAREHOUSE, INC., Possible Lessee; ROSS STORES, INC., Possible Lessee, 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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 172.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION AUTHORIZING THE CONVEYANCE OF .4 ACRES
OF LAND TO BATSON-COOK DEVELOPMENT COMPANY

WHEREAS, the City of Charlotte owns an approximately 18,000 square foot (.4 acre) property more particularly identified as being an outparcel on the Charlotte Bobcats Arena site and located at the northwest corner of Caldwell and Trade Streets 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; and

WHEREAS, said Batson-Cook Development Company now desires to purchase the Property for Two Million Five Hundred Thousand Dollars (\$2,500,000.00) for development of a hotel and condominium tower which would include parking and retail; and

WHEREAS, the present fair market value of the Property is approximately Two Million Five Hundred Thousand Dollars (\$2,500,000); and

WHEREAS, the City Council of the City of Charlotte has determined that the sale of the Property to Batson-Cook Development Company will advance its Economic Development Strategic Plan, Center City 2010 Plan, and First Ward 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 City will convey fee simple title to Batson-Cook Development Company for Two Million Five Hundred Thousand Dollars (\$2,500,000.00). 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 Batson-Cook Development Company in accordance with the terms and conditions as advertised.

THIS THE 26TH DAY OF JUNE, 2006.

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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 173-174.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION APPROVING COMPREHENSIVE RELICENSING AGREEMENT FOR THE CATAWBA-WATEREE HYDRO PROJECT

WHEREAS, the Catawba-Wateree Hydroelectric Project (the "Project") owned by Duke Power Company LLC ("Duke") consists of 13 hydroelectric generation stations located on 11 reservoirs (including Mt. Island Lake and Lake Norman) on the Catawba and Wateree rivers in North and South Carolina, and for which, in 1958, the Federal Energy Regulatory Commission ("FERC") issued a 50-year operating license that will expire on August 31, 2008; and

WHEREAS, the City of Charlotte has direct interests in the Project for a number of reasons, including without limitation the location of the water intakes for the Charlotte-Mecklenburg Utilities' water treatment and distribution system on Mt. Island Lake and Lake Norman; and

WHEREAS, Duke undertook a Relicensing Process (the "Relicensing Process") for the Project to obtain a new FERC operating license (the "New License"); and

WHEREAS, the City of Charlotte, represented by Barry Gullet and others, participated as a stakeholder in the Relicensing Process during the period from 2003 through 2006; and

WHEREAS, the results of three years of negotiations among more than 75 organizations, together representing a broad set of interests in the Project, were initially captured in a non-binding Agreement-In-Principle in April 2006 and were then formalized in a contractual Comprehensive Relicensing Agreement ("Final Agreement") (signature copy dated June 8, 2006) that will run for the period of the New License, 40-50 years; and

WHEREAS, the Final Agreement contemplates further changes in the form of technical corrections; and

WHEREAS, the City Council has reviewed and considered the benefits and commitments of becoming a Party to the Final Agreement and has concluded that it is in the City of Charlotte's best interests to become a Party to the Final Agreement; and

NOW, THEREFORE, BE IT RESOLVED, that Pam Syfert, City Manager, is authorized to sign the Final Agreement on behalf of the City of Charlotte after the technical corrections to the Final Agreement have been made, if she determines that the Final Agreement and other documents associated with the Relicensing Process are satisfactory to the City Manager in form and content.

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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 175-176.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.



Brenda R. Freeze, CMC, City Clerk