

**RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON April 23, 2007**

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

WHEREAS, this Municipal Agreement is to provide for the undertaking of public transportation studies described in each cycle of the Planning Work Program; and,

WHEREAS, the NCDOT will reimburse the City up to \$366,480 for FY 2007; and,

WHEREAS, the format and cost sharing philosophy is consistent with past municipal agreements; and,

WHEREAS, the Chief Executive Officer of the Charlotte Area Transit System and City Clerk are hereby empowered to sign and execute the Agreement with the North Carolina Department of Transportation; and,

NOW, THEREFORE, BE IT RESOLVED that the Municipal Agreement between the North Carolina Department of Transportation and the City of Charlotte Department of Transportation, is hereby formally approved by the City Council of the City of Charlotte.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of April, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 40, Page 617.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of April, 2007.


Brenda R. Freeze, CMC, City Clerk

**RESOLUTION APPROVING INTERLOCAL AGREEMENT FOR HISTORIC
LANDMARKS COMMISSION WITH MECKLENBURG COUNTY AND TOWN OF
PINEVILLE**

WHEREAS, pursuant to the provisions of Section 160A-461 of the General Statutes of North Carolina, the City of Charlotte ("City") is authorized to enter into contracts or agreements with other units of local government to execute any undertaking; and

WHEREAS, the City of Charlotte and Mecklenburg County agreed to create the Charlotte-Mecklenburg Historic Landmarks Commission ("HLC"), a joint preservation commission, which would handle the process of designating historic properties in the City or the unincorporated areas of the County; and

WHEREAS, the HLC has provided consulting services to other municipalities in the County to assist those municipalities with designating landmarks in their communities; and

WHEREAS, the HLC wishes to formalize those relationships and become a joint planning agency for historic preservation issues through new Interlocal Agreements; and

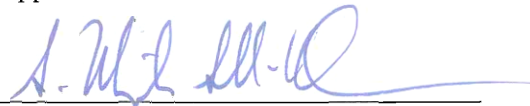
WHEREAS, the addition of new municipalities through the Interlocal Agreements will not result in changes to the method of funding of the HLC, or the selection of its members by the City and the County; and

WHEREAS, the HLC will not gain additional members as other municipalities join; and

WHEREAS, in order to formalize these relationships, the City, the County and Pineville, will need to enter into a new Historic Landmarks Commission Interlocal Cooperation Agreement which allows for the addition of additional municipalities, but only after the City Council and County Commission approve the addition of new municipalities to the joint preservation commission; and

THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of April 23, 2007, that the Council hereby approves the Interlocal Agreement for Historic Landmarks Commission with Mecklenburg County and Town of Pineville, which is attached as "Exhibit A" to this resolution and made a part hereof.

Approved as to form:



Assistant City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of April, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 40, Pages (618-619).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of April, 2007.



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 **HUBBARD ROAD SIDEWALK 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 **HUBBARD ROAD SIDEWALK PROJECT** and estimated to be approximately **6,297 square feet (.145 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. 043-192-87, said property currently owned by **MOSTAPHA ABRAHAM and spouse, if any; HIBO J. HASSEIN(a/k/a Hibo J. Hussein) n/k/a KINZI ABDALLAH and spouse, if any; WARREN D. TADLOCK, Bankruptcy Trustee; BENEFICIAL NORTH CAROLINA, INC., Judgment Creditor; 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 23rd day of April, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 40, Page 620.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of April, 2007.


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 **WEST WATER MAIN PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **WEST WATER MAIN PROJECT** and estimated to be approximately **9,341 square feet (.214 acre)** of 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. 117-103-05, said property currently owned by **SYLTOM, LLC; TALJUN, LLC; STEPHEN D. CAMPBELL, Trustee; CAROLINA COMMERCE BANK, Beneficiary, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of April, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 40, Page 621.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of April, 2007.



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 **WEST WATER MAIN PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **WEST WATER MAIN PROJECT** and estimated to be approximately **9,576 square feet (.220 acre) of 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. 117-103-07, said property currently owned by **SYLTOM, LLC; TALUUN, LLC; STEPHEN D. CAMPBELL, Trustee; CAROLINA COMMERCE BANK, Beneficiary; ADAMS OUTDOOR ADVERTISING, 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 23rd day of April, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 40, Page 622.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of April, 2007.


Brenda R. Freeze, CMC, City Clerk

FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2007 APR 27 03:26 PM
BK: 22136 PG: 311-316 FEE: \$26.00
INSTRUMENT # 2007085620



RESOLUTION CLOSING TWO PORTIONS OF BREVARD STREET/CALDWELL STREET CONNECTOR 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 two portions of Brevard Street/Caldwell Street Connector which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close two portions of Brevard Street/Caldwell Street Connector 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 23rd day of April, 2007 and City Council determined that the closing of the two portions of Brevard Street/Caldwell Street Connector 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 April 23, 2007, that the Council hereby orders the closing of two portions of Brevard Street/Caldwell Street Connector in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A1 & A-2", and is more particularly described by metes and bounds in document marked "Exhibit B-1 & B-2", 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.

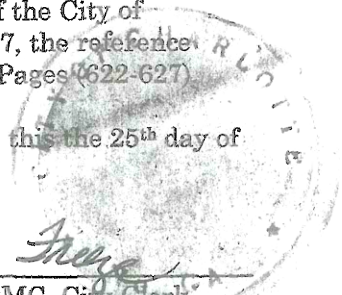
CERTIFICATION

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 23rd day of April, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 40, Pages 622-627.

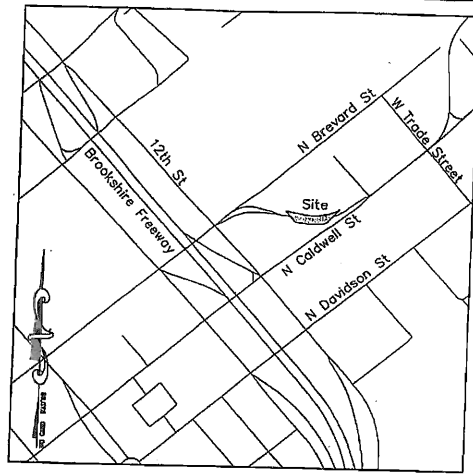
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of April, 2007.

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


Brenda R. Freeze, CMC, City Clerk



- Legend**
- EIP Existing Iron Pin
 - PK PK Nail
 - CM Concrete Monument
 - PT Calculated Point
 - R/W Right-of-Way
 - N/F Now or Formerly
 - CGF Combined Grid Factor



Vicinity Map - Not to Scale
Notes:

1. Deed Reference(s) - DB 3796-850, DB 3855-8, DB 3749-732, 736, 746
2. Tax Parcel ID - N/A
3. Current Owner - City of Charlotte
4. Area in Connector Street: ±0.292 Acres; determined by coordinate computation.
5. Grid distance = Horizontal distance X Combined Grid Factor (0.999844572)
6. All bearings are NC Grid Bearings.
7. All distances are shown horizontal.

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	43.86	280.88	43.82	S82°46'08"E

LINE TABLE		
LINE	LENGTH	BEARING
L1	10.75	S78°48'10"E

I, David B. Boyles, certify that this map was drawn from an actual survey made under my supervision. The ratio of precision as calculated is 1/10,000+. I hereby affix my hand and seal this 9th day of November, 2006.

David B. Boyles
Registration No.: L-3135 NC

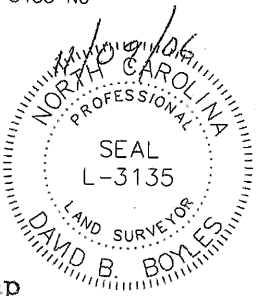
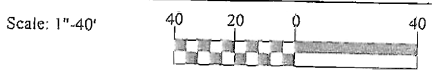
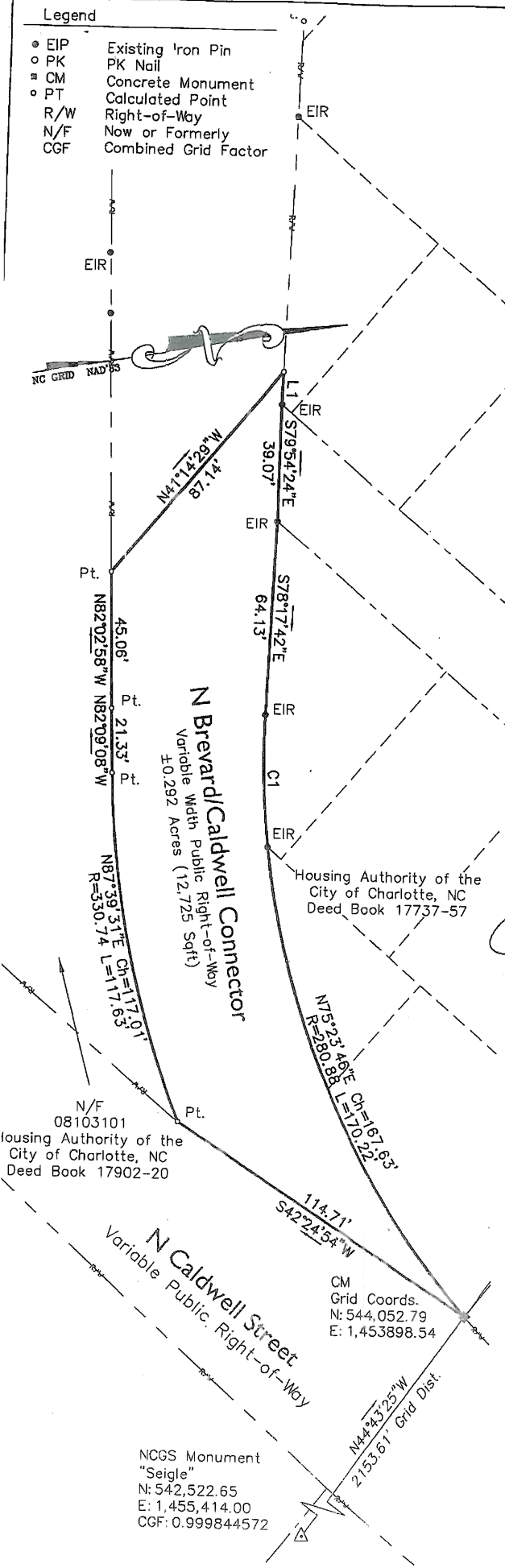


Exhibit Map for Mecklenburg County, City of Charlotte, Mecklenburg County, North Carolina

LandDesign Surveying
Phone: (704) 376-7777
Fax: (704) 376-2448
223 North Graham St.
Charlotte, NC 28202



Date: November 9, 2006
Project Number: 4106112
Revision 1:
Revision 2:

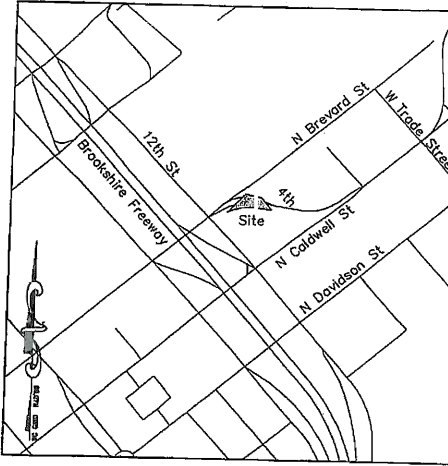


LINDA B. FOISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
Linda B. Foissant
Date: 11/9/06
Review Officer

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

Legend

- EIP Existing Iron Pin
- PK PK Nail
- CM Concrete Monument
- PT Calculated Point
- R/W Right-of-Way
- N/F Now or Formerly
- CGF Combined Grid Factor



Vicinity Map - Not to Scale

Notes:

1. Deed Reference(s) - DB 3796-850, DB 3855-8, DB 3749-732, 736, 746
2. Tax Parcel ID - N/A
3. Current Owner - City of Charlotte
4. Area in Connector Street: ±0.287 Acres; determined by coordinate computation.
5. Grid distance = Horizontal distance X Combined Grid Factor (0.999844572)
6. All bearings are NC Grid Bearings.
7. All distances are shown horizontal.

LINE TABLE		
LINE	LENGTH	BEARING
L1	6.13	N85°31'36"W

I, David B. Boyles, certify that this map was drawn from an actual survey made under my supervision. The ratio of precision as calculated is 1/10,000+. I hereby affix my hand and seal this 9th day of November, 2006.

David B. Boyles
 Registration No.: L 3135 NC

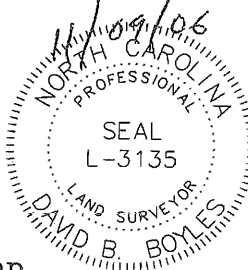
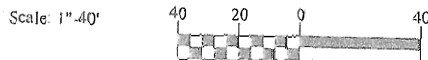


Exhibit Map
 for
Mecklenburg County
City of Charlotte,
Mecklenburg County,
North Carolina

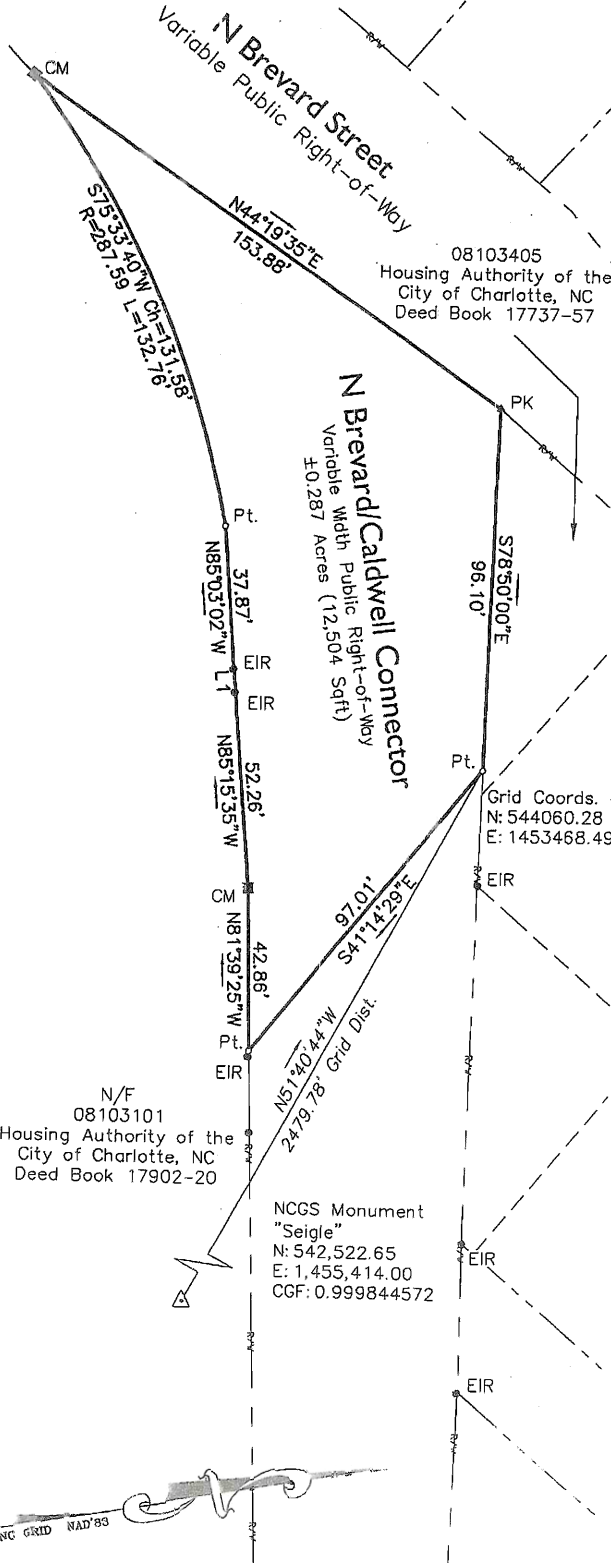
LandDesign Phone: (704) 376-7777
Surveying Fax: (704) 376-2448
 223 North Graham St.
 Charlotte, NC 28202



Date: November 9, 2006 Revision 1:
 Project Number: 4106112 Revision 2:

LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

David B. Boyles
 Survey Officer Date: 4/26/07



Description

Exhibit B-1

Commencing from North Carolina Grid Monument "Seigle", having grid coordinates of N:542522.65 E:1455414.00, THENCE North 44 degrees 43 minutes 25 seconds West for a grid distance of 2153.61 feet to a concrete r/w monument at the corner of the Housing Authority of the City of Charlotte, NC (now or formerly) as described in Deed Book 17737, Page 57 of the Mecklenburg County Register of Deeds, THENCE with the northern right of way of N. Caldwell St. South 42 degrees 24 minutes 54 seconds West for a distance of 114.71 feet to a point at the corner of the Housing Authority of the City of Charlotte (now or formerly), as described in Deed Book 17902, Page 20; THENCE with the lines of the Housing Authority along a curve to the right having a radius of 330.74 feet and an arc length of 117.63 feet, being subtended by a chord of South 87 degrees 39 minutes 31 seconds West for a distance of 117.01 feet to a point; THENCE North 82 degrees 09 minutes 08 seconds West for a distance of 21.33 feet to a point; THENCE North 82 degrees 02 minutes 58 seconds West for a distance of 45.06 feet to a point; THENCE with a new line crossing the right of way of the Brevard/Caldwell Connector North 41 degrees 14 minutes 40 seconds West for a distance of 87.14 feet to a point on the line of the Housing Authority; THENCE South 78 degrees 48 minutes 10 seconds East for a distance of 10.75 feet to an iron rebar on the northern right of way of Calvine Street; THENCE South 79 degrees 54 minutes 42 seconds East for a distance of 39.07 feet to an iron rebar on the southern right of way of Calvine Street; THENCE continuing with the lines of the Housing Authority South 78 degrees 17 minutes 42 seconds East for a distance of 64.13 feet to an iron rebar; THENCE along a curve to the left having a radius of 280.88 feet and an arc length of 43.86 feet, being subtended by a chord of South 82 degrees 46 minutes 08 seconds East for a distance of 43.82 feet to an iron rebar; THENCE along a curve to the left having a radius of 280.88 feet and an arc length of 170.22 feet, being subtended by a chord of North 75 degrees 23 minutes 46 seconds East for a distance of 167.63 feet to the POINT OF BEGINNING. Said property contains 0.292 acres more or less.

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

Description
Exhibit B-2

Commencing from North Carolina Grid Monument "Seigle", having grid coordinates of N:542522.65 E:1455414.00, THENCE North 51 degrees 40 minutes 44 seconds West for a grid distance of 2,479.78 feet to a point on the line of the Housing Authority of the City of Charlotte, NC, (now or formerly), as described in Deed Book 17737, Page 57, of the Mecklenburg County Register of Deeds, THENCE with a new line crossing the right of way of the Brevard/Caldwell Connector South 41 degrees 14 minutes 29 seconds East for a distance of 97.01 feet to a point on the line of the Housing Authority of the City of Charlotte (now or formerly), as described in Deed Book 17902, Page 20; THENCE with the lines of the Housing Authority the following five (5) courses and distances: 1) North 81 degrees 39 minutes 25 seconds West for a distance of 42.86 feet to a concrete r/w monument; 2) THENCE North 85 degrees 15 minutes 35 seconds West for a distance of 52.26 feet to an iron rebar; 3) North 85 degrees 31 minutes 36 seconds West for a distance of 6.13 feet to an iron rebar; 4) THENCE North 85 degrees 03 minutes 02 seconds West for a distance of 37.87 feet to a point; 5) THENCE along a curve to the left having a radius of 287.59 feet and an arc length of 132.76 feet, being subtended by a chord of South 75 degrees 33 minutes 40 seconds West for a distance of 131.58 feet to a concrete r/w monument; THENCE with a new line along the southern right of way of N. Brevard Street, having a variable width public right of way, North 44 degrees 19 minutes 33 seconds East for a distance of 153.88 feet to a PK nail; THENCE South 78 degrees 50 minutes 00 seconds East for a distance of 96.10 feet to the POINT OF BEGINNING. Said property contains 0.287 acres more or less.

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



JUDITH A. GIBSON
REGISTER OF DEEDS, MECKLENBURG
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE, NC 28202

PLEASE RETAIN YELLOW TRAILER PAGE

It is part of the recorded document, and must be submitted with original for re-recording
and/or cancellation.

Filed For Registration: 04/27/2007 03:26 PM
Book: RE 22136 Page: 311-316
Document No.: 2007085620
RESOL 6 PGS \$26.00
Recorder: ROBIN MADDOX



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