

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 22nd day of October, 2007 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 22nd day of October, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Pages (34-35).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of October, 2007.



Brenda R. Freeze, CMC, City Clerk

October 22, 2007

Resolution Book 41, Page 35

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

NAME	AMOUNT
WRIGHT DONALD H	\$ 39.44
STANLAND ANGELIA K	15.59
STANLAND ANGELIA K	14.28
COINMACH CORP	1,929.86
KEESE WILLIAM S	<u>179.77</u>
TOTAL	<u><u>\$ 2,178.94</u></u>

**RESOLUTION OF THE CITY OF CHARLOTTE AUTHORIZING JOINING
THE CATAWBA-WATEREE WATER MANAGEMENT GROUP**

WHEREAS, various parties entered into the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project (FERC Project No. 2232) bearing the date of December 22, 2006 ("Agreement"). Parties to that Agreement include Duke Energy Carolinas, LLC ("Duke"), who is seeking to renew a license to operate FERC Project No. 2232 ("Project") in proceedings currently pending before the Federal Energy Regulatory Commission ("FERC"), many local governments in North and South Carolina who operate public water systems and other governmental and private entities who are interested in the Catawba-Wateree River ("River"). The purpose of that Agreement is, in part, to address and manage the many, competing demands placed upon the River; and

WHEREAS, the Agreement includes provisions for the formation of the Water Management Group for the purposes identified in the Agreement. The Water Management Group is to be composed of Duke and public water systems that have the installed capacity to withdraw 100,000 gallons per day or more from the Project's reservoirs and/or regulated river reaches; and

WHEREAS, pursuant to the Agreement, the Water Management Group Convening Committee ("Convening Committee") is responsible for recommending the terms for forming the Water Management Group as set forth in the Agreement; and

WHEREAS, the Convening Committee has recommended that the Water Management Group form as a tax-exempt, non-profit corporation in accordance with the provisions of the Agreement on or before December 15, 2007. The Convening Committee has also recommended that the eligible members who form the Water Management Group adopt a standard resolution authorizing the formation of the Water Management Group using the Articles of Incorporation, Bylaws and Conflicts of Interest Policy approved by the Convening Committee, all of which are attached to the Attorneys' Memo dated September 21, 2007 to all eligible members of the Water Management Group as identified in the Agreement ("Organizational Documents"); and

WHEREAS, the City of Charlotte is eligible to join in the formation of the Water Management Group and approves the formation of the Water Management Group as recommended by the Convening Committee.

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

1. On behalf of the City of Charlotte, Barry Gullet is authorized and directed to take all actions reasonably necessary or convenient to join the Catawba-Wateree Water Management Group in accordance with the terms of the Organizational Documents, including without limitation, authorizing the filing of the Articles of Incorporation (as set forth in the Organizational Documents)

listing City of Charlotte as an initial member on or before December 15, 2007;
and

2. Barry Gullet is hereby designated as the Member Representative and Maeneen Klein is hereby designated as the Alternate of the City of Charlotte, and the same are hereby authorized and directed to: attend the organizational meeting of the Water Management Group; adopt the Bylaws and Conflicts of Interest Policy (as set forth in the Organizational Documents); elect officers and at-large directors; consider, vote and take action on such other matters as may come before the Water Management Group at that meeting; and discharge the duties and responsibilities of such positions as set forth in the Organizational Documents so long as each shall hold such position without any requirement for further approval or authorization from the City of Charlotte. Without limiting the foregoing, said Member Representative and Alternate are authorized to consider, vote and take action on those matters set forth in the agenda for said organizational meeting attached hereto as Exhibit A. The incorporator of the Catawba-Wateree Water Management Group may add one or more items to said agenda, in accordance with applicable law. Said organizational meeting shall be held on December 6, 2007, at 10:00 AM at The Baxter Hood Center, 452 S. Anderson Road, Rock Hill, SC 29730. The Charlotte-Mecklenburg Utilities Key Business Executive is authorized to remove Member Representatives and Alternates and appoint replacement Member Representatives and Alternates.

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 22nd day of October, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Pages (36-37).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of October, 2007.



Brenda R. Freeze, CMC, City Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON OCTOBER 22, 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, NCDOT will widen Providence Road (NC16) from I-485 south through Weddington in Union County from two to four lanes; and,

WHEREAS, The project will include sidewalks on both sides of Providence Road within the Charlotte City Limits between I-485 and the Union County Line; and,

WHEREAS, The estimated total cost of the sidewalk construction within Charlotte is \$295,000. The municipal agreement will provide for the City to pay fifty percent (50%) of the actual cost of the work which is estimated to be \$147,500; and,

WHEREAS, Construction of this project is expected to begin February 2008 and be completed by July 2010; and,

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

NOW, THEREFORE, BE IT RESOLVED, that this resolution authorizing the Key Business Executive of the Charlotte Department of Transportation to execute a municipal agreement with the NCDOT to partner with the NCDOT to construct sidewalks on both sides of Providence Road within the Charlotte City Limits between I-485 and the Union County Line, with the City paying 50% of the actual cost of the work. The City's estimated portion is \$147,500 and is hereby formally approved by the City Council of the City of Charlotte and the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the aforementioned groups.

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 22nd day of October, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Page 38.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of October, 2007.



Brenda R. Freeze, CMC, City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE an unopened right-of-way running off of Foster Avenue in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, BSP/Foster, LLC has filed a petition to close an unopened right-of-way running off of Foster Avenue in the City of Charlotte; and

Whereas, the unopened right-of-way to be closed lies within the Olmsted Community beginning from Foster Avenue continuing south approximately 293 feet to its terminus as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

Whereas, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley and


Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of November 12, 2007 that it intends to close an unopened right-of-way running off of Foster 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 10th day of December, 2007 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of November, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Page 39.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 2007.


Brenda R. Freeze, EMC, City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE Conway Avenue running off of Annlin Avenue in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **William C. Wilcox** has filed a petition to close **Conway Avenue running off of Annlin Avenue** in the City of Charlotte; and

Whereas, Conway Avenue to be closed lies within the Ashbrook Community beginning from Annlin Avenue continuing east approximately 197 feet to its terminus as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

Whereas, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring it's intent to close the street and calling a public hearing on the question; said statue 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 November 12, 2007 that it intends to close Conway Avenue running off of Annlin 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 10th day of December, 2007 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of November, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Page 40.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 2007.



Brenda R. Freeze, CMC, City Clerk

RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE,
NORTH CAROLINA ON NOVEMBER 12, 2007

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

WHEREAS, this Municipal Agreement is for the reimbursement to the State for the relocation and adjustment of municipally-owned water and sewer lines along NC Highway 16 from the Mecklenburg County line to south of I-485; and

WHEREAS, the City will reimburse NCDOT for actual costs not to exceed \$650,580; and

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

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 and the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the North Carolina 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 12th day of November, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Page 41.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 2007.


Brenda R. Freeze, CMC, City Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON NOVEMBER 12, 2007**

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

WHEREAS, The Federal Government requires that all bridge structures on public roads be inspected every two years; and,

WHEREAS, The NCDOT will share the cost (80%) of inspecting qualifying bridges; and,

WHEREAS, The City's portion (20%) is estimated to be \$64,000 and is included in the budget; and,

WHEREAS, City Council is asked to approve a Municipal Agreement between the City and NCDOT related to the inspection of City maintained bridges; and,

NOW, THEREFORE, BE IT RESOLVED, that this resolution authorizing the Key Business Executive of the Charlotte Department of Transportation to execute a municipal agreement with the NCDOT to share the cost (80%) of inspecting qualifying bridges on public roads every two years, is hereby formally approved by the City Council of the City of Charlotte and the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the aforementioned groups.

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 12th day of November, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Page 42.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 2007.



Brenda R. Freeze, GMC, City Clerk

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31
APS PROPERTY**

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 December 10, 2007.

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

LEGAL DESCRIPTION

APS Investments, Inc.

Being that piece, parcel, or tract of land lying in Crab Orchard Township, Mecklenburg County, North Carolina; being a portion of the APS Investments, Inc. property as recorded in Deed Book 12566 Page 289; and being more particularly described as follows:

Commencing at a NCDOT R/W Disk located at the intersection of the Southwestern right-of-way of I-485 and the Southeastern right-of-way of Caldwell Road; thence (4) calls along the Southwestern right-of-way of I-485: (1) S 24-38-47 E for a distance of 741.07 feet to a NCDOT R/W Disk; thence (2) S 22-09-12 E for a distance of 264.79 feet to a NCDOT R/W Disk; thence (3) S 79-31-12 E for a distance of 13.93 feet to a NCDOT R/W Disk; thence (4) S 24-36-50 E for a distance of 243.91 feet to a iron rod, THE POINT OF BEGINNING.

Thence from THE POINT OF BEGINNING (2) calls along the Southwestern right-of-way of I-485 (1) S 24-39-31 E for a distance of 1016.03 feet to a NCDOT R/W Disk; thence (2) S 24-37-05 E for a distance of 302.39 feet to a point in the center of a creek; thence with the center of said creek (36) calls as follows:

(1): S 38-47-06 W	Distance: 10.66	(2): S 35-10-38 W	Distance: 38.09
(3): S 54-32-09 W	Distance: 26.01	(4): S 40-56-51 W	Distance: 25.41
(5): S 49-28-45 W	Distance: 73.99	(6): S 60-47-21 W	Distance: 46.11
(7): S 14-06-10 W	Distance: 33.55	(8): S 42-55-57 W	Distance: 28.94
(9): S 52-01-33 W	Distance: 41.98	(10): S 54-34-13 W	Distance: 23.09
(11): S 50-16-47 W	Distance: 26.08	(12): S 35-39-10 W	Distance: 32.48
(13): S 46-44-05 W	Distance: 78.57	(14): S 18-26-36 W	Distance: 103.20
(15): S 21-09-40 W	Distance: 51.67	(16): S 55-48-12 W	Distance: 55.58
(17): S 53-32-16 W	Distance: 39.03	(18): S 38-47-00 W	Distance: 32.05
(19): S 88-10-39 W	Distance: 29.55	(20): S 41-29-56 W	Distance: 28.46
(21): S 68-58-24 W	Distance: 18.16	(22): N 82-05-29 W	Distance: 26.63
(23): S 51-14-53 W	Distance: 22.43	(24): S 38-16-35 W	Distance: 23.07
(25): S 30-45-41 W	Distance: 27.21	(26): S 53-49-23 W	Distance: 22.99

(27): S 49-45-00 W	Distance: 29.82	(28): S 47-01-45 W	Distance: 11.87
(29): S 00-26-05 W	Distance: 11.37	(30): S 06-02-44 W	Distance: 18.38
(31): S 00-51-54 W	Distance: 14.67	(32): S 21-07-36 W	Distance: 24.02
(33): S 74-05-19 W	Distance: 21.19	(34): S 65-09-47 W	Distance: 36.45
(35): S 54-23-59 W	Distance: 31.91	(36): S 24-27-55 W	Distance: 52.07

to a point in the center of said creek and the Southeastern property line of the Stafford Caldwell, LLC property as recorded in Deed Book 21162 Page 783; thence (2) calls along said property line (1) N 13-44-38 W for a distance of 1442.92 feet to a iron pipe; thence (2) N 42-33-08 E for a distance of 857.54 feet to an iron rod; the point of beginning containing 27.90 acres more or less, as shown on a map prepared by McKim & Creed entitled "ALTA/ACSM Land Title Survey of 27.90 Acre Tract for Crosland Land Company", dated 05/04/07.

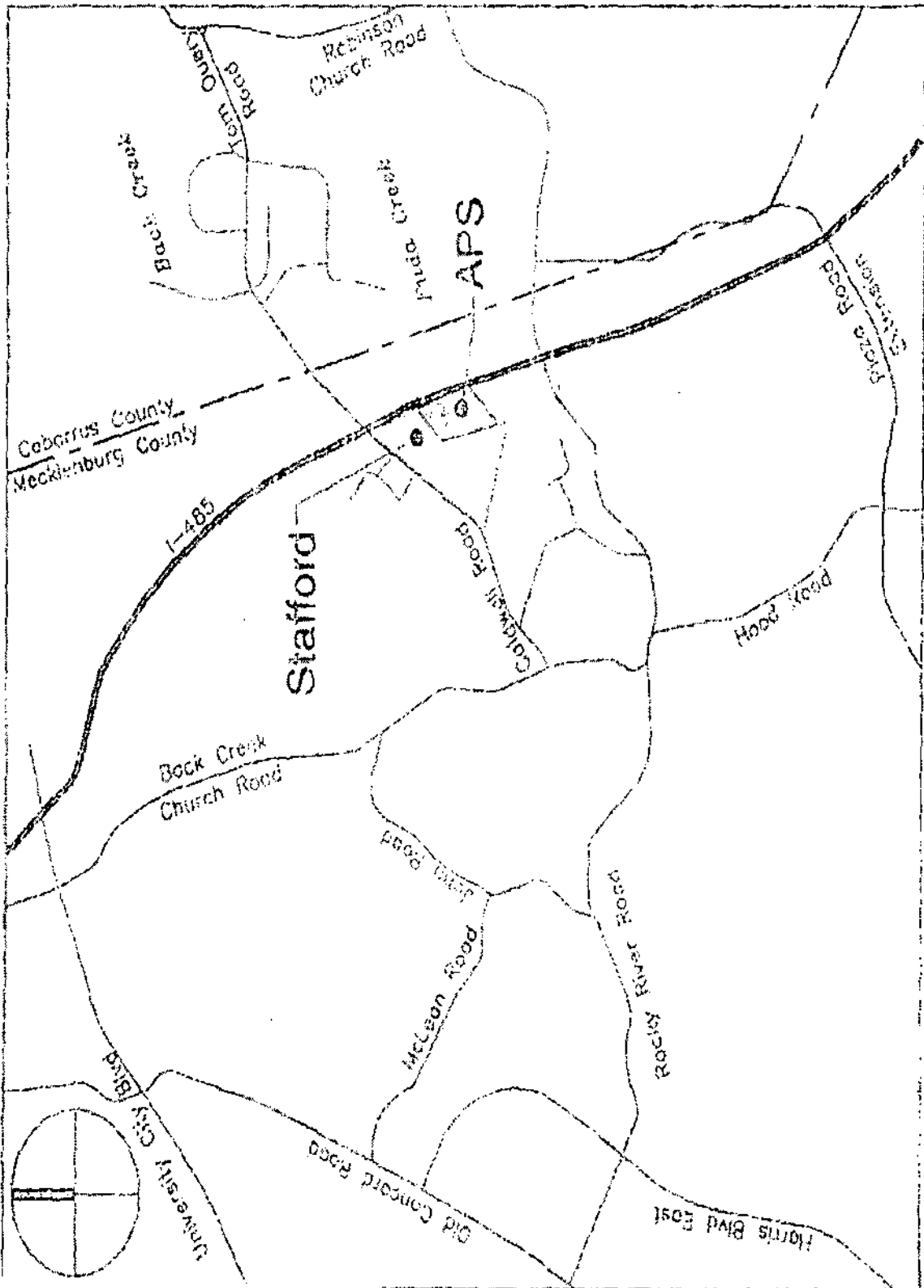
Section 3. Notice of the public hearing shall be published in the *Mecklenburg Times*, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of the public hearing.

CERTIFICATION

I, 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 12th day of November, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Pages (43-45).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 2007.


Brenda R. Freeze, CMC, City Clerk



VICINITY MAP

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE TO EXECUTE
A DEED CONVEYING A RIGHT OF WAY TO THE NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION

WHEREAS, the City of Charlotte (City) has recently completed construction of the on-ramp from Harlee Avenue onto Josh Birmingham Parkway; and

WHEREAS, the above-referenced on-ramp connects to a North Carolina Department of Transportation (NCDOT) road; and

WHEREAS, the City wishes to convey Right of Way for the on-ramp to NCDOT for the purposes of road maintenance.

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

The Charlotte City Council hereby authorizes the City Manager to execute a fee simple deed conveying a Right of Way for the on-ramp from Harlee Avenue to Josh Birmingham Parkway to the North Carolina 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 12th day of November, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Page 46.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of November, 2007.



Brenda R. Freeze, CMC, City Clerk