

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 **BRYANT FARMS 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 **BRYANT FARMS ROAD SIDEWALK PROJECT** and estimated to be approximately **485 square feet (.011 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. 229-043-99 and 229-042-99, said property currently owned by **ELIZABETH TOWNES HOMEOWNERS ASSOCIATION; TIM, INC., Trustee; NATIONSBANK, N. A., 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 10th day of September, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Page 1.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of September, 2007.



Brenda R. Freeze, CMC, City Clerk

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG
CITY OF CHARLOTTE

WITNESSETH:

WHEREAS, the economic health of Charlotte is an important policy objective of the City of Charlotte, under which the City undertakes efforts to recruit and retain a diversity of businesses, increase the quality of jobs and expand the tax base;

WHEREAS, in 2006 the North Carolina General Assembly passed legislation creating a new tax credit program, Article 3J Tax Credits that replaced the William S. Lee Tax Credit Act;

WHEREAS, Article 3J Tax Credits offers tax credits to new and expanding businesses for creating jobs and investing in real and business property, subject to certain State defined thresholds;

WHEREAS, municipalities with a population greater than 10,000 have the ability to define qualifying areas of poverty as Urban Progress Zones, in which qualifying eligible businesses receive enhanced Article 3J Credits.

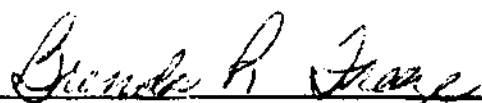
WHEREAS, the role of the City Council is to request the designation of an area no larger than 15% of the total area of the City as an Urban Progress Zone in which every census tract and census block group meets specific criteria related to poverty and zoning criteria;

NOW, THEREFORE, BE IT RESOLVED that the Charlotte City Council hereby requests that the North Carolina Secretary of Commerce designate an Urban Progress Zone comprised of census tracts and census block groups depicted and identified in Exhibit A.

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 10th day of September, 2007, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Pages (2-4).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of September, 2007.



Brenda R. Freeze, CMG, City Clerk

EXHIBIT A
Proposed Urban Progress Zone
Identification of Census Tracts and Census Block Groups

*Source: 2000 Census

Tracts - 20% poverty				
Tract	Population	% Below Poverty	Total # Below Poverty	Square Miles
1	1127	29.03%	327	0.73
3	422	41.91%	177	0.31
4	672	25.68%	173	0.67
5	2351	23.64%	556	0.65
6	1755	50.42%	885	0.42
8	3099	43.29%	1342	0.52
9	2224	23.71%	527	0.43
13	4319	22.68%	980	1.01
14	2656	22.25%	591	0.82
26	922	31.00%	286	0.27
36	3874	28.41%	1101	1.12
37	2148	45.75%	983	0.98
39.01	3369	36.28%	1222	6.54
39.02	3667	28.46%	1044	2.28
41	3812	24.87%	948	1.44
42	3625	24.16%	876	1.06
45	3639	29.89%	1088	1.41
46	3162	22.72%	718	0.87
47	2469	34.81%	859	0.43
48	4009	20.78%	833	1.26
50	2424	29.55%	716	0.38
51	2628	31.11%	818	2.13
52	3056	31.03%	948	1.41
43.02.03	1215	27.98%	340	0.34

Eligible Tracts Adjacent to 20% Poverty (Based on 50% or more Non-Residential Zoning)				
Tract	Population	% Below Poverty	Total # Below Poverty	Square Miles
40	4574	17.81%	815	3.90
38.03.03	659	0.59%	4	3.21
44	2410	14.09%	340	3.08
38.02.02	1792	8.87%	159	0.99
38.02.03	541	31.98%	173	1.33

Combined area of adjacent tracts (in square miles): 12.51
 Percent of proposed zone: 35%
 Combined area of proposed zone (in square miles): 40
 Percent of City: 13.74%

