

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of an unopened street running off of Clark Boulevard in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, Crescent Resources, Inc has filed a petition to close a portion of an unopened street running off of Clark Boulevard in the City of Charlotte; and

Whereas, the portion of Street to be closed lies within the Bank of America (University City) Community beginning from Clark Boulevard continuing approximately 1,316 feet northwestwardly 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

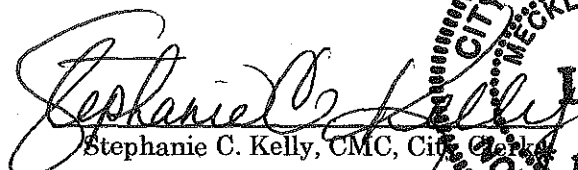
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of December 8, 2008 that it intends to close a portion of an unopened street running off of Clark Boulevard (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 12th day of January, 2009 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

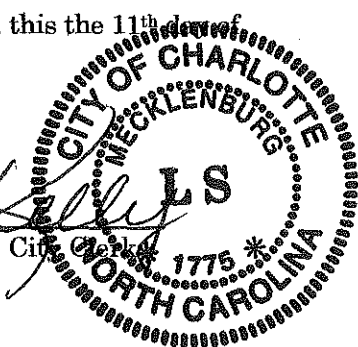
The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

CERTIFICATION

I, 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 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 788.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of December, 2008.


Stephanie C. Kelly, CMC, City Clerk



RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a 10-foot alleyway running off of Dotger Avenue in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, One Randolph Place, LLC has filed a petition to close a 10-foot alleyway running off of Dotger Avenue in the City of Charlotte; and

Whereas, the 10-foot alleyway to be closed lies within the Located within the Crescent Height Neighborhood beginning Dotger Avenue as shown in the map continuing approximately 390 feet northwestwardly to its terminus 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

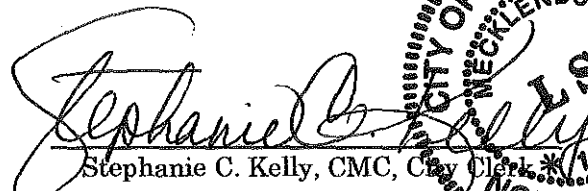
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of December 8, 2008 that it intends to close a 10-foot alleyway running off of Dotger Avenue (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 12th day of January, 2009 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

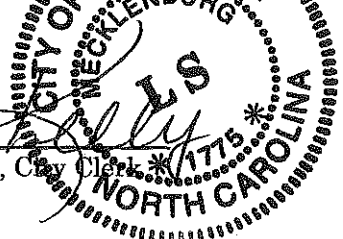
The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

CERTIFICATION

I, 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 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 789.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8th day of December, 2008.


Stephanie C. Kelly, CMC, City Clerk *1775*



RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE two alleyways bounded by N. Alexander Street, E. 36th Street, N. Davidson Street and Mercury Street in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, North Davison Acquisitions has filed a petition to close two alleyways bounded by N. Alexander Street, E. 36th Street, N. Davidson Street and Mercury Street in the City of Charlotte; and

Whereas, the two alleyways bounded by N. Alexander Street, E. 36th Street, N. Davidson Street and Mercury Street to be closed lies within the Historic North Charlotte Neighborhood Association. Alleyway (1) – beginning from N. Alexander Street continuing approximately 489 feet northwestwardly to its terminus, and Alleyway (2) – beginning from E. 36th Street continuing approximately 135 feet northeastwardly and turning northwestwardly continuing approximately 187 feet to its terminus at N. Davidson Street, as shown in the maps 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 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 December 8, 2008 that it intends to close two alleyways bounded by N. Alexander Street, E. 36th Street, N. Davidson Street and Mercury 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 12th day of January, 2009 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, 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 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 790.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of December, 2008.


Stephanie C. Kelly, CMC, City of Charlotte, North Carolina



RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of Main Street in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Anthony Hunt** has filed a petition to close **a portion of Main Street** in the City of Charlotte; and

Whereas, the portion of Main Street to be closed lies within the Cherry Community beginning from its intersecting point at Avant Street continuing southeastwardly approximately 354-feet to its terminus at Baxter 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

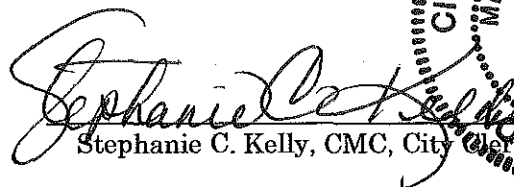
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of December 8th, 2008 that it intends to close a portion of Main Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 12th day of January, 2008 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, 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 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 791.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8th day of December, 2008.


Stephanie C. Kelly, CMC, City Clerk



RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of a 10-foot alleyway running off of W. Worthington Avenue in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Charles Allen Gordon and Patricia Moore Gorgon** has filed a petition to close **a portion of a 10-foot alleyway running off of W. Worthington Avenue** in the City of Charlotte; and

Whereas, the portion of a 10-foot alleyway running off of W. Worthington Avenue to be closed lies within the Wilmore Neighborhood beginning from W. Worthington Avenue continuing approximately 65-feet southwestwardly 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

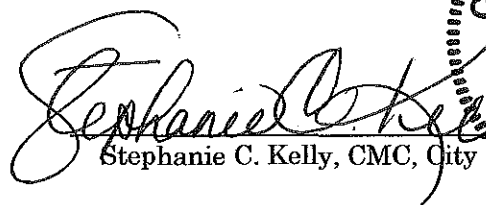
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of December 8th, 2008 that it intends to close a portion of a 10-foot alleyway running off of W. Worthington Avenue and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 12th day of January, 2009 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, 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 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 792.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8th day of December, 2008.


Stephanie C. Kelly, CMC, City Clerk



**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:

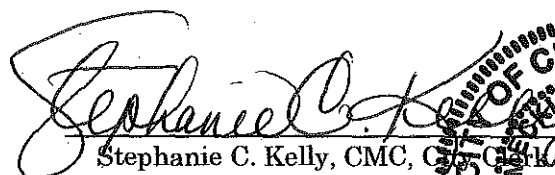
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

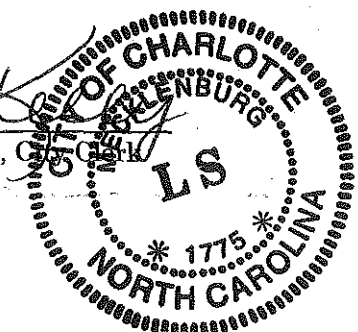
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 8th day of December 2008 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule 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 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (793-794).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of December, 2008.


Stephanie C. Kelly, CMC, City Clerk



**BUSINESS PRIVILEGE LICENSE
REFUNDS REQUESTED**

NAME	AMOUNT
Terry Polk - Crown Cab #V25	\$ 50.00
Viper Electric & Maintenance	37.37
King Green of Charlotte	85.72
Barnes Grading & Site Development Inc	<u>306.72</u>
TOTAL	<u><u>\$ 479.81</u></u>

EXTRACTS FROM MINUTES OF CITY COUNCIL

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 4:00 p.m. on December 8, 2008.

Members Present: Barnes, Burgess, Carter, Cooksey, Dulin, Foxx,
Lassiter, Mitchell, Peacock, and Turner.

Members Absent: Kinsey

Also Present: Mayor

* * * * *

Councilmember Burgess introduced the following resolution, a summary of which had been provided to each Councilmember, which was read by title:

A RESOLUTION APPROVING REMARKETING AGENTS FOR THE CITY OF CHARLOTTE'S VARIABLE RATE WATER AND SEWER REVENUE BONDS, SERIES 2002B, AND THE CITY OF CHARLOTTE'S VARIABLE RATE WATER AND SEWER REVENUE REFUNDING BONDS, SERIES 2002C, AND RELATED MATTERS

WHEREAS, the City of Charlotte, North Carolina (the "City") is authorized by The State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 et seq. (the "Act"), to issue, subject to the approval of the Local Government Commission of North Carolina, at one time or from time to time revenue bonds and revenue refunding bonds of the City for the purposes as specified in the Act; and

WHEREAS, the City previously issued \$114,430,000 aggregate principal amount of the City's Variable Rate Water and Sewer System Revenue Bonds, Series 2002B (the "2002B Bonds"), all of which are currently outstanding, under the terms of the General Trust Indenture dated as of November 1, 1996, as amended (the "General Indenture"), between the City and First Union National Bank of North Carolina, the successor to which is U.S. Bank National Association, as trustee (the "Trustee"), and Series Indenture, Number 5 dated as of February 15, 2002 (the "2002B Series Indenture") among the City, First Union National Bank, the successor to which is the Trustee, and Branch Banking and Trust Company, as co-trustee, and, in connection therewith, appointed Banc of America Securities LLC as remarketing agent for the 2002B Bonds;

WHEREAS, the City previously issued \$108,390,000 aggregate principal amount of the City's Variable Rate Water and Sewer System Revenue Refunding Bonds, Series 2002C (the "2002C Bonds," and together with the 2002B Bonds, the "Bonds"), of which \$104,470,000 is currently outstanding, under the terms of the General Indenture and Series Indenture, Number 6 dated as of August 1, 2002 (the "2002C Series Indenture") between the City and First Union National Bank, the successor to which is the Trustee, and, in connection therewith, appointed Wachovia Bank, National Association as remarketing agent for the 2002C Bonds;

WHEREAS, the City desires to appoint Wachovia Bank, National Association as successor remarketing agent for the 2002B Certificates, and a copy of the form of a Remarketing Agreement dated as of December 15, 2008 (the "2002B Remarketing Agreement") between the City and Wachovia Bank, National Association has been filed with the City and has been made available to the City Council;

WHEREAS, the City desires to appoint Banc of America Securities LLC as successor remarketing agent for the 2002C Bonds, and a copy of the form of a Remarketing and Interest Services Agreement dated as of December 15, 2008 (the "2002C Remarketing Agreement," and collectively with the 2002B Remarketing Agreement, the "Remarketing Agreements") between the City and Banc of America Securities LLC has been filed with the City and has been made available to the City Council;

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

Section 1. The form and content of the Remarketing Agreements are hereby in all respects approved and confirmed, and the Mayor, the City Manager or the Director of Finance of the City is hereby authorized, empowered, and directed to execute and deliver the Remarketing Agreements for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as he or she may deem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of his or her approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the Remarketing Agreements, the Mayor, the City Manager and the Director of Finance of the City 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 Remarketing Agreements as executed. Wachovia Bank, National Association is appointed as remarketing agent for the 2002B Bonds, and Banc of America Securities LLC is appointed as remarketing agent for the 2002C Bonds, each effective at such time as the Director of Finance of the City may determine after the approval thereof by the North Carolina Local Government Commission.

Section 2. The Mayor, the City Manager, the Director of Finance of the City and the City Clerk of the City, 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 in order to consummate the transactions contemplated by the Remarketing Agreements; except that none of the above is authorized or empowered to do anything or execute any document which is in contravention, in any way, of (1) the specific provisions of this Resolution or the Remarketing Agreements, (2) any agreement to which the City is bound, (3) any rule or regulation of the City or (4) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

Section 3. All acts and doings of the Mayor, the City Manager, the Director of Finance of the City and the City Clerk of the City that are in conformity with the purposes and intents of this Resolution and in the furtherance of the transfer of the remarketing of the 2002B Bonds from Banc of America Securities LLC to Wachovia Bank, National Association, the transfer of the remarketing of the 2002C Bonds from Wachovia Bank, National Association to Banc of America Securities LLC and the execution, delivery and performance of the Remarketing Agreements are in all respects approved and confirmed.

Section 4. If any one or more of the agreements or provisions contained in this Resolution is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or for any reason whatsoever is held invalid, then such covenants, agreements or provisions are null and void and deemed to be separable from the remaining

agreements and provisions and in no way will affect the validity of any of the other agreements and provisions hereof.

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

Section 6. This Resolution is effective on its adoption.

On motion of Councilmember Burgess, seconded by Councilmember Carter, the foregoing order entitled: "A RESOLUTION APPROVING REMARKETING AGENTS FOR THE CITY OF CHARLOTTE'S VARIABLE RATE WATER AND SEWER REVENUE BONDS, SERIES 2002B, AND THE CITY OF CHARLOTTE'S VARIABLE RATE WATER AND SEWER REVENUE REFUNDING BONDS, SERIES 2002C, AND RELATED MATTERS" was adopted by the following vote:

Unanimously

AYES:

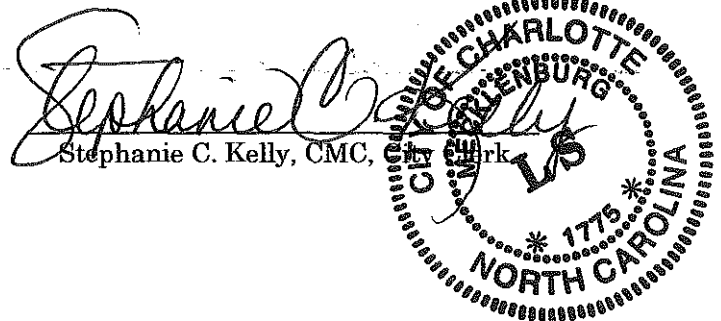
NAYS:

PASSED, ADOPTED AND APPROVED this 8th day of December, 2008.

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 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (721-723).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of December, 2008.



EXTRACTS FROM MINUTES OF CITY COUNCIL

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 4:00 p.m. on December 8, 2008.

Members Present: Barnes, Burgess, Carter, Cooksey, Dulin, Foxx, Lassiter, Mitchell, Peacock, and Turner.

Members Absent: Kinsey

Also Present: Mayor

* * * * *

Councilmember Burgess introduced the following resolution, a summary of which had been provided to each Councilmember, which was read by title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF A STANDBY BOND PURCHASE AGREEMENT IN CONNECTION WITH THE CITY OF CHARLOTTE, NORTH CAROLINA VARIABLE RATE WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2006B; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE STANDBY BOND PURCHASE AGREEMENT

WHEREAS, the City of Charlotte, North Carolina (the "City") is authorized by The State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 et seq. (the "Act"), to issue, subject to the approval of the Local Government Commission of North Carolina, at one time or from time to time revenue bonds and revenue refunding bonds of the City for the purposes as specified in the Act; and

WHEREAS, the City has previously issued \$300,000,000 aggregate principal amount of the City's Variable Rate Water and Sewer System Revenue Bonds, Series 2006B (the "Bonds"), of which \$289,795,000 is currently outstanding, under the terms of the General Trust Indenture dated as of November 1, 1996, as amended (the "General Indenture"), between the City and First Union National Bank of North Carolina, the successor to which is U.S. Bank National Association, as trustee (the "Trustee"), and Series Indenture, Number 9 dated as of July 15, 2006 (the "Series Indenture") between the City and Wachovia Bank, National Association, the successor to which is the Trustee;

WHEREAS, in connection with the issuance of the Bonds, the City executed and delivered the Standby Bond Purchase Agreement dated as of July 15, 2006 (the "*Original Standby Agreement*") among the City, DEPFA BANK, plc, acting through its New York Branch, as liquidity provider for the Bonds, and Wachovia Bank, National Association, the successor to which is the Trustee, pursuant to which DEPFA agreed to purchase Bonds from time to time in accordance with the terms thereof;

WHEREAS, the City has determined that it is in its best interests to deliver a Substitute Liquidity Facility under the Series Indenture to replace the Original Standby Agreement and therefore desires to execute and deliver a Standby Bond Purchase Agreement to be dated on or about December 30, 2008 (the "*Replacement Standby Agreement*") among the City, Wachovia Bank, National Association or its successor, as substitute liquidity provider for the Bonds, and the Trustee; and

WHEREAS, copies of the forms of the following documents relating to the transactions described above have been filed with the City:

1. the Replacement Standby Agreement; and
2. the Remarketing Circular dated on or about December 22, 2008 (the "*Remarketing Circular*") with respect to the remarketing of the Bonds after the execution and delivery of the Replacement Standby Agreement;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA DOES RESOLVE AS FOLLOWS:

Section 1. The form and content of the Replacement Standby Agreement are hereby in all respects approved and confirmed, and the Mayor, the City Manager, the Director of Finance of the City and City Clerk of the City are hereby authorized, empowered, and directed to execute and deliver the Replacement Standby Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the Replacement Standby Agreement, the Mayor, the City Manager, the Director of Finance and City Clerk of the City 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 Replacement Standby Agreement as executed.

Section 2. The form and content of the Remarketing Circular are in all respects authorized, approved and confirmed, and the use of Remarketing Circular is hereby in all respects authorized, approved and confirmed. The Mayor, the City Manager or Director of Finance of the City is authorized to execute the Remarketing Circular on behalf of the City.

Section 3. The Mayor, the City Manager, the Director of Finance of the City and the City Clerk of the City, 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 in order to consummate the transactions contemplated by the Replacement Standby Agreement; except that none of the above is authorized or empowered to do anything or execute any document which is in contravention, in

any way, of (1) the specific provisions of this Resolution or the Replacement Standby Agreement, (2) any agreement to which the City is bound, (3) any rule or regulation of the City or (4) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

Section 4. All acts and doings of the Mayor, the City Manager, the Director of Finance of the City and the City Clerk of the City, and their respective designees, that are in conformity with the purposes and intents of this Resolution and in the furtherance of the execution, delivery and performance of the Replacement Standby Agreement shall be, and the same hereby are, in all respects approved and confirmed.

Section 5. If any one or more of the agreements or provisions contained in this Resolution is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or for any reason whatsoever is held invalid, then such covenants, agreements or provisions are null and void and deemed to be separable from the remaining agreements and provisions and in no way will affect the validity of any of the other agreements and provisions hereof.

Section 6. All resolutions or parts thereof of the City Council in conflict with the provisions contained in this Resolution are, to the extent of such conflict, hereby superseded and repealed.

Section 7. This Resolution is effective on its adoption.

Upon motion of Councilmember Burgess, seconded by Councilmember Carter, the foregoing order entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF A STANDBY BOND PURCHASE AGREEMENT IN CONNECTION WITH THE CITY OF CHARLOTTE, NORTH CAROLINA VARIABLE RATE WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2006B; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE STANDBY BOND PURCHASE AGREEMENT"** was adopted by the following vote: Unanimously

AYES:

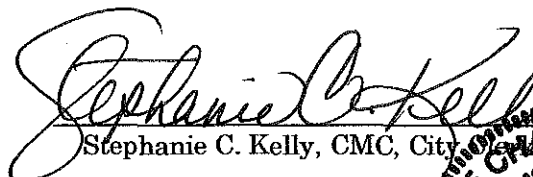
NAYS:

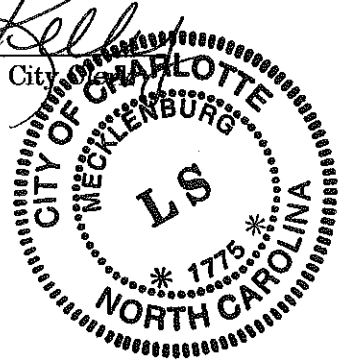
PASSED, ADOPTED AND APPROVED this 8th day of December, 2008.

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 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (798-801).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of December, 2008.


Stephanie C. Kelly, CMC, City



ACTION A

RESOLUTION

EXTRACT FROM THE MINUTES OF A regular
MEETING OF THE Charlotte City Council
HELD ON December 8, 2008.

The following resolution was introduced by _____
seconded by _____, read in full, considered
and adopted.

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND
RATIFYING THE EXECUTION OF THE MUNICIPAL AGREEMENT FOR A PROJECT
KNOWN AS CONSTRUCTION OF THE INTERCHANGE WITH SR 1148 (GARRISON
ROAD) TO I-485 - TIP PROJECT #R-2248 H BETWEEN THE NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION AND THE CITY OF CHARLOTTE/
CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT.

BE IT RESOLVED, by the CITY COUNCIL of
THE CITY OF CHARLOTTE, NORTH CAROLINA

SECTION 1. That said City Council hereby
authorizes, adopts, approves, accepts and ratifies the execution
of a municipal agreement between the North Carolina Department of
Transportation and the City of Charlotte, North Carolina

SECTION 2. That the Execution of said Municipal Agreement
in quadruplicate on behalf of said City Council by T. J.
Orr, Aviation Director and the impression of the official seal
of the City of Charlotte and the attestation by Brenda Freeze;
City Clerk is hereby authorized, adopted, approved, accepted and

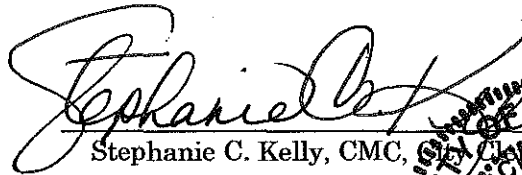
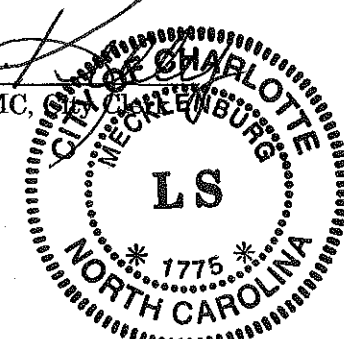
ratified.

SECTION 3. That the Aviation Director is
hereby authorized to execute payment requests under the Municipal
Agreement on behalf of said City of Charlotte.

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 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (802-803).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of December, 2008.


Stephanie C. Kelly, CMC, 

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

WHEREAS, the City Council for the City of Charlotte finds as a fact that it is necessary to acquire certain real property, as indicated below, for Airport purposes pursuant to the Charlotte Douglas International Airport Master Plan; and

WHEREAS, the City in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owner regarding just compensation, and, therefore, has been unable to negotiate a purchase price; and

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, utilizing the procedures of Article 9 of Chapter 136 of the North Carolina General Statutes as authorized by 7.81 of the Charter of the City of Charlotte, and otherwise under the authority and procedures of the laws of the State of North Carolina.

B. Parties in Interest

Clark Associates, a North Carolina general partnership
 John Drane Clark and wife Shelley Tompkins Clark
 Rene Clark a/k/a Sarah Rene Clark, Trustee of the Sarah Rene Clark Declaration of Trust U/T/D March 30, 2004 and husband Richard S. Davis
 Mae Beverly Clark McGhee and husband William L. McGhee
 Ann Marie Clark Brotzman and husband Lloyd E. Brotzman, Jr.
 John Douglas Clark, Sr. and wife Phyllis Barnette Clark
 John Douglas Clark, Jr. and wife Susan H. Clark
 Estate of Susanne Price Clark
 Duke Power Company, Easements
 State Highway Commission, Easements
 City-County Tax Collector
 Atlanta & Charlotte AirLine Railway Company, Right-of-Ways
 Southern Railroad, Atlantic & Richmond Air Line Railway Co, Right-of-Ways
 Southern Bell Telephone and Telegraph Company, Inc. , Easement

C. Property description

D. Appraised Value

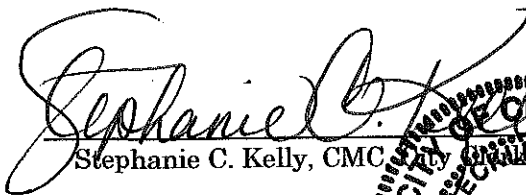
\$395,000 or such other amount as may be subsequently determined pursuant to applicable City, FAA or other Federal Regulations.

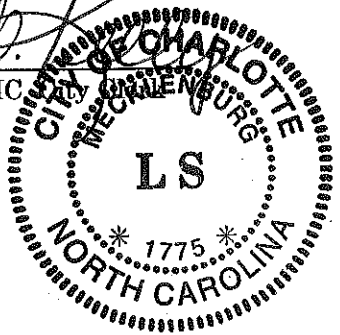
IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (804-805).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of December, 2008.


Stephanie C. Kelly, CMC



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

WHEREAS, the City Council for the City of Charlotte finds as a fact that it is necessary to acquire certain real property, as indicated below, for Airport purposes pursuant to the Charlotte Douglas International Airport Master Plan; and

WHEREAS, the City in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owner regarding just compensation, and, therefore, has been unable to negotiate a purchase price; and

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, utilizing the procedures of Article 9 of Chapter 136 of the North Carolina General Statutes as authorized by 7.81 of the Charter of the City of Charlotte, and otherwise under the authority and procedures of the laws of the State of North Carolina.

B. Parties in Interest

BT Property, LLC, a Delaware limited liability company
Duke Power Company, Easements
State Highway Commission, Easements
City-County Tax Collector
Atlanta & Charlotte AirLine Railway Company, Easement
Class Corridor, LLC, Easement
Southern Bell Telephone and Telegraph Company, Inc. , Easement

C. Property description

D. Appraised Value

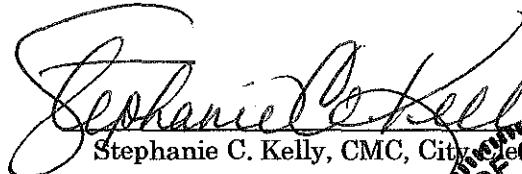
\$1,000,800 or such other amount as may be subsequently determined pursuant to applicable City, FAA or other Federal Regulations.

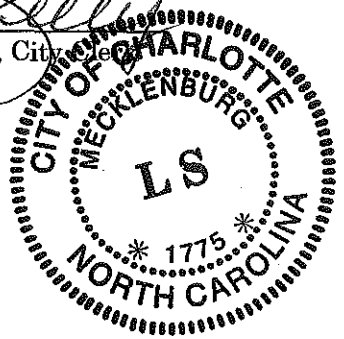
IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (806 - 807).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of December, 2008.


Stephanie C. Kelly, 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 **MUDDY CREEK 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 **MUDDY CREEK STREAM RESTORATION PROJECT** and estimated to be approximately **468 square feet (.011 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. 133-132-30, said property currently owned by **HSBC MORTGAGE SERVICES, INC., Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

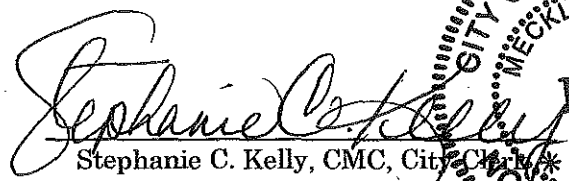
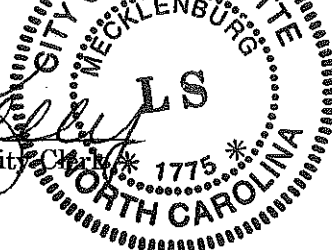
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 808.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of December, 2008.


Stephanie C. Kelly, 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 **SOUTHWEST WATER TRANSMISSION MAIN-PH. C 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 **SOUTHWEST WATER TRANSMISSION MAIN-PH. C PROJECT** and estimated to be approximately **7,312 square feet (.168 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. 199-551-14, said property currently owned by **J & N CHARLOTTE I, LLC; DAVID A. BUEHLER, Trustee; COLUMBUS BANK & TRUST COMPANY, Beneficiary, Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

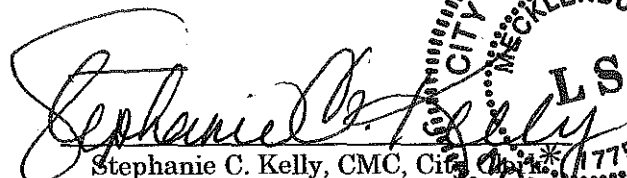
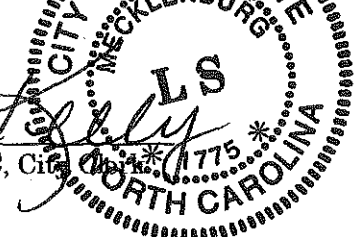
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 809.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8th day of December, 2008.


Stephanie C. Kelly, CMC, City of Charlotte


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

WHEREAS, the City Council for the City of Charlotte finds as a fact that it is necessary to acquire certain real property, as indicated below, for Airport purposes pursuant to the Charlotte Douglas International Airport Master Plan; and

WHEREAS, the City in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owner regarding just compensation, and, therefore, has been unable to negotiate a purchase price; and

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, utilizing the procedures of Article 9 of Chapter 136 of the North Carolina General Statutes as authorized by 7.81 of the Charter of the City of Charlotte, and otherwise under the authority and procedures of the laws of the State of North Carolina.

B. Parties in Interest

BT Property, LLC, a Delaware limited liability company
Duke Power Company, Easements
State Highway Commission, Easements
City-County Tax Collector
Atlanta & Charlotte AirLine Railway Company, Easement
Class Corridor, LLC, Easement
Southern Bell Telephone and Telegraph Company, Inc., Easement

C. Property Description

Part of that tract or parcel of land situate in the City of Charlotte, County of Mecklenburg, State of North Carolina conveyed to BT Property, LLC, a Delaware limited liability company and described in a deed from BT-OH, LLC, a Delaware limited liability company, (successor in interest to Ralcar Corporation, a North Carolina corporation) made the 30th day of June, 1999 and recorded in the Mecklenburg County Registry Office on September 17, 1999 in Deed Book 10767 at Page 811 and being more particularly described as follows:

BEGINNING at a point marked by an iron pin monument at the most southwesterly corner of the above referenced property conveyed to said BT Property, LLC, a Delaware limited liability company, said point being further defined and located as having North Carolina Grid Coordinates - North American Datum of 1983 (NAD83-2001 HARN adjustment) of (N=166,026.770MT or N=544,706.16240FT; E=430648.136MT or E=1,412,884.76088FT) and being located N.48°15'48"W., a distance of 8,991.900 feet from a National Geodetic Survey horizontal control monument established by the North Carolina Geodetic Survey designated "CLT E" having North Carolina Grid Coordinates (NAD83-2001 HARN) of (N=164,202.553MT or 538,721.21FT; E=432,692.952MT or 1,419,593.46FT); said point also being on the common boundary between said lands of BT Property, LLC, a Delaware limited

liability company, on the east, and lands conveyed to Clark Associates, a North Carolina general partnership, on the west, and described in two (2) deeds made the 24th day of November, 1987 recorded in the Mecklenburg County Registry Office on December 14, 1987 in Deed Book 5657 at Page 913 and in Deed Book 5657 at page 916; running thence along the said common boundary between said lands of BT Property, LLC, a Delaware limited liability company, on the east, and said lands of Clark Associates, on the west, the following three (3) courses:

1.) Following the arc of a curve to the left having a radius of 650.00 feet, subtended by a chord which bears N.43°09'19"W. a distance of 128.738 feet, an arc length of 128.95 feet to a point of tangency;

2.) N.48°50'19"W. a distance of 150.00 feet to a point of curvature;

3.) Following the arc of a curve to the right having a radius of 900.00 feet, subtended by a chord which bears N.28°49'19"W. a distance of 616.131 feet, an arc length of 628.84 feet to a point therein;

Thence, leaving said common boundary line and running through said lands of BT Property, LLC, a Delaware limited liability company, N.87°05'36"E. a distance of 1,891.48 feet to a point in the common boundary line of said BT Property, LLC, a Delaware limited liability company, on the west, and lands conveyed to The City of Charlotte recorded in the Mecklenburg County Registry Office in Deed Book 6759 at Page 697, on the east, S.05°36'19"E. a distance of 204.73 feet to a point, said point being the common boundary of said BT Property, LLC, a Delaware limited liability company on the north, and said Clark Associates on the south; thence along said common boundary the following five (5) courses;

1.) S.63°32'21"W. a distance of 764.68 feet to a point of curvature;

2.) Following the arc of a curve to the right having a radius of 2,729.93 feet, subtended by a chord which bears S.65°20'07"W. a distance of 171.129 feet, an arc length of 171.16 feet to a point marked by an iron pin monument;

3.) S.33°45'06"W. a distance of 121.64 feet to a point of curvature marked by an iron pin monument;

4.) Following the arc of a curve to the right having a radius of 1,810.08 feet, subtended by a chord which bears S.75°31'14"W. a distance of 291.506 feet, an arc length of 291.82 feet to a point of tangency marked by an iron pin monument;

5.) S.80°08'21"W. a distance of 224.44 feet to THE POINT OF BEGINNING; containing 22.237 acres or 968,652 square feet of land, more or less.

All bearings are referred to North Carolina Grid North (True North at the 79°00'00" Meridian of West Longitude).

All distances are as measured (geodetic), to obtain grid distances on the "North Carolina Coordinate System" multiply the measured distance by the average combined scale and elevation factor (combined grid factor "cgf") of 0.999838909.

This survey is tied to the Charlotte Douglas International Airport horizontal control with coordinates held to a local origin at the National Geodetic Survey NGS horizontal control monument designated "CLT E" Subject to all easements and restrictions of record, if any.

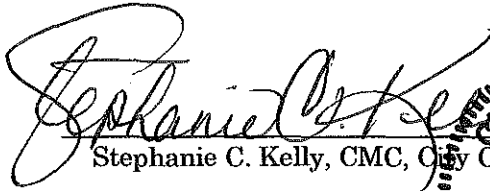
D. Appraised Value

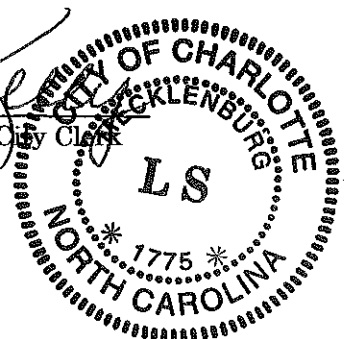
\$1,000,800 or such other amount as may be subsequently determined pursuant to applicable City, FAA or other Federal Regulations. IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the office of the Clerk of Superior Court, Mecklenburg County, North 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 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (810 - 812).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of December, 2008.


Stephanie C. Kelly, CMC, City Clerk



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

WHEREAS, the City Council for the City of Charlotte finds as a fact that it is necessary to acquire certain real property, as indicated below, for Airport purposes pursuant to the Charlotte Douglas International Airport Master Plan; and

WHEREAS, the City in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owner regarding just compensation, and, therefore, has been unable to negotiate a purchase price; and

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, utilizing the procedures of Article 9 of Chapter 136 of the North Carolina General Statutes as authorized by 7.81 of the Charter of the City of Charlotte, and otherwise under the authority and procedures of the laws of the State of North Carolina.

B. Parties in Interest

Clark Associates, a North Carolina general partnership
John Drane Clark and wife Shelley Tompkins Clark
Rene Clark a/k/a Sarah Rene Clark, Trustee of the Sarah Rene Clark Declaration of Trust U/T/D
March 30, 2004 and husband Richard S. Davis
Mae Beverly Clark McGhee and husband William L. McGhee
Ann Marie Clark Brotzman and husband Lloyd E. Brotzman, Jr.
John Douglas Clark, Sr. and wife Phyllis Barnette Clark
John Douglas Clark, Jr. and wife Susan H. Clark
Estate of Susanne Price Clark
Duke Power Company, Easements
State Highway Commission, Easements
City-County Tax Collector
Atlanta & Charlotte AirLine Railway Company, Right-of-Ways
Southern Railroad, Atlantic & Richmond Air Line Railway Co, Right-of-Ways
Southern Bell Telephone and Telegraph Company, Inc. , Easement

C. Property Description

Part of that tract or parcel of land situate in the City of Charlotte, County of Mecklenburg, State of North Carolina conveyed to Clark Associates, a North Carolina general partnership from Host Rene Clark and described in two (2) deeds made the 24th day of November, 1987 recorded in the Mecklenburg County Registry Office on December 14, 1987 in Deed Book 5657 at Page 913 and in Deed Book 5657 at page 916 and being more particularly described as follows:

BEGINNING at a point in the easterly right of way boundary of US Interstate Route 485, said point being further defined and located as having North Carolina Grid Coordinates - North

American Datum of 1983 (NAD83-2001 HARN adjustment) of 165,937.581MT or N=544,413.548345FT; E 430296.145MT or E=1,411,729.93491FT and being located N.54°05'58"W., a distance of 9,735.007 feet from a National Geodetic Survey horizontal control monument established by the North Carolina Geodetic Survey designated "CLT E" having North Carolina Grid Coordinates (NAD83-2001 HARN) of (N=164,202.553MT or 538,721.21FT; E=432,692.952MT or 1,419,593.46FT); said point also being at the intersection of the centerline of the 200 foot right of way of the Southern Railroad (originally The Atlanta and Richmond Airline Company in North Carolina and described in a deed recorded in said Registry Office in Deed Book 17 at Page 571) with the easterly highway boundary of US Interstate Route 485; said point also lying in the northerly boundary of lands heretofore conveyed to the City Of Charlotte and being the most southwesterly corner of the remaining property conveyed to Clark Associates, a North Carolina general partnership and described in a deed recorded in said Registry Office in Deed Book 5657 at Page 913; running thence along the above mentioned easterly right of way boundary of I-485 and being the common boundary line between said lands conveyed to Clark Associates, on the west, and said Interstate Route 485, on the east, the following five (5) courses:

1.) N.06°29'21"E., passing a point marked by a concrete monument with aluminum disk set in the northerly right of way boundary of the Southern Railroad at a distance of 102.70 feet, a total distance of 116.16 feet to a point marked by an existing aluminum disk monument (NCDOT-Right Of Way);

2.) S.83°05'54"W. a distance of 15.14 feet to a point marked by an existing aluminum disk monument (NCDOT-ROW);

3.) N.02°00'55"W. a distance of 83.48 feet to a point marked by an existing aluminum disk monument (NCDOT-ROW);

4.) N.06°18'01"E. a distance of 229.66 feet to a point marked by an existing aluminum disk monument (NCDOT-ROW);

5.) Thence, continuing along said highway boundary, N.08°43'42"E. a distance of 578.64 feet to a point marked by a concrete monument with aluminum disk set therein; thence, leaving said interstate boundary and running through said lands of Clark, N.87°05'36"E. a distance of 549.53 feet to a point in the common boundary between said lands of Clark, on the west, and lands conveyed to Ralcar Corporation, a North Carolina corporation and described in a deed recorded in said Registry Office in Deed Book 5388 at Page 009, on the east, the following three (3) courses:

1.) Following the arc of a curve to the left having a radius of 900.00 feet, subtended by a chord which bears S.28°49'19"E. a distance of 616.131 feet, an arc length of 628.845 feet to a point of tangency;

2.) S.48°50'19"E. a distance of 150.00 feet to a point of curvature;

3.) Following the arc of a curve to the right having a radius of 650.00 feet, subtended by a chord which bears S.43°09'19"E. a distance of 128.738 feet, an arc length of 128.95 feet to a point in the northerly right of way boundary of the said Southern Railroad right of way, said right of way boundary also being the common boundary line between said lands of "Clark", on the

south, and said lands of "Railcar", on the north; thence continuing along said common boundary line the following five courses;

1.) N.80°08'21"E. a distance of 224.44 feet to a point of curvature marked by an iron pin monument;

2.) Thence, following the arc of a curve to the left having a radius of 1,810.08 feet, subtended by a chord which bears N.75°31'14"E. a distance of 291.506 feet, an arc length of 291.82 feet to a point therein marked by an iron pin monument;

3.) N.33°44'47"E. a distance of 121.64 feet to a point of curvature;

4.) Following the arc of a curve to the left having a radius of 2,729.93 feet, subtended by a chord which bears N.65°20'07"E. a distance of 171.129 feet, an arc length of 171.16 feet to a point of tangency marked by an iron pin monument;

5.) N.63°32'21"E. a distance of 764.68 feet to a point therein;

Thence, along the common boundary between lands conveyed to The City of Charlotte and described in a deed recorded in said Registry Office in Deed Book 6759 at page 697 on the east, and said lands of Clark Associates, on the west, S.05°36'19"E. 341.23 feet to a point marked by an existing concrete monument in the common boundary between said lands of "Clark" and lands conveyed to the City Of Charlotte recorded in Deed Book 12247 at Page 579; thence, along the common boundary between the last mentioned lands conveyed to the City of Charlotte, on the south, and said lands of Clark Associates, on the north, S.82°42'41"W. a distance of 145.57 feet to a point marked by an existing concrete monument in the southerly boundary of said 200 foot railroad right of way; thence continuing with the southerly boundary of said lands of "Clark" and crossing the aforementioned 200 foot right of way of Southern Railroad, S.84°29'23"W. a distance of 282.65 feet to a point in the centerline of said 200 foot right of way of the Southern Railroad, thence along said centerline of the 200 foot railroad right of way and being the southerly boundary of said lands of "Clark" the following four (4) courses:

1.) S.63°32'21"W. a distance of 286.39 feet to a point of curvature;

2.) Following the arc of a curve to the right having a radius of 1,910.08 feet, subtended by a chord which bears S.71°50'21"W. a distance of 551.463 feet, an arc length of 553.40 feet to a point of tangency;

3.) S.80°08'21"W. a distance of 1,083.31 feet to a point of curvature;

4.) Following the arc of a curve to the right having a radius of 5,729.65 feet, subtended by a chord which bears S.81°47'10"E. a distance of 329.334 feet, an arc length of 329.38 feet to THE POINT OF BEGINNING; containing 24.242 acres or 1,056,006 square feet of land, more or less.

All bearings are referred to North Carolina Grid North (True North at the 79°00'00" Meridian of West Longitude).

All distances are as measured (geodetic), to obtain grid distances on the "North Carolina Coordinate System" multiply the measured distance by the average combined scale and elevation factor (combined grid factor "cgf") of 0.999838909.

This survey is tied to the Charlotte Douglas International Airport horizontal control with coordinates held to a local origin at the National Geodetic Survey NGS horizontal control monument designated "CLT E" Subject to all easements and restrictions of record, if any.

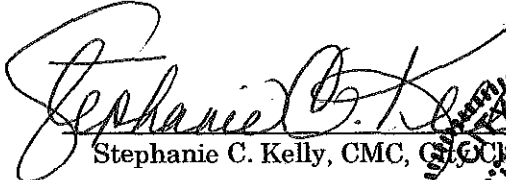
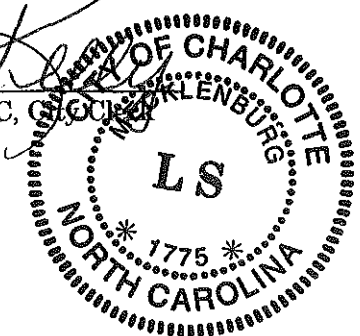
D. Appraised Value

\$395,000 or such other amount as may be subsequently determined pursuant to applicable City, FAA or other Federal Regulations. IT IS FURTHER RESOLVED that the appraised value of 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.

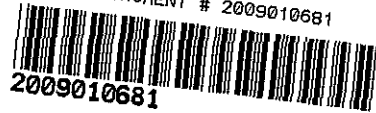
CERTIFICATION

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 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (813-814).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of December, 2008.


Stephanie C. Kelly, CMC, CLERK OF SUPERIOR COURT


FOR REGISTRATION J. DAVID GRANBERRY
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2009 JAN 29 08:31:46 AM
BK: 24405 PG: 253-256 FEE: \$18.00
INSTRUMENT # 2009010681



RESOLUTION CLOSING A PORTION OF 31ST 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 31st 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 portion of 31st 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 8th day of December, 2008 and City Council determined that the closing of a portion of 31st 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 December 8, 2008, that the Council hereby orders the closing of a portion of 31st Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A" is more particularly described by metes and bounds in the document marked "Exhibit B" both of which are attached hereto and made a part hereof.

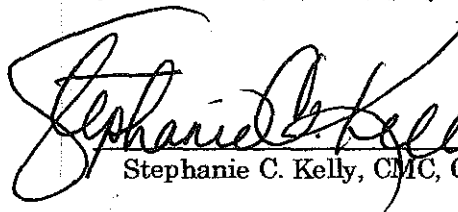
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

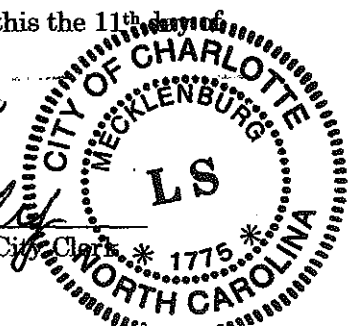
CERTIFICATION

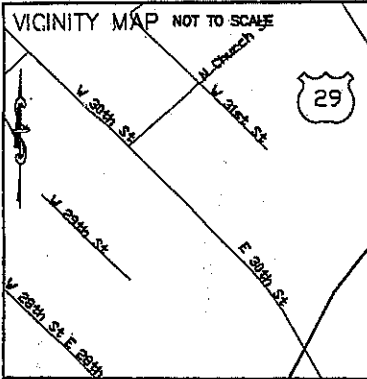
I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (817-820).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of December, 2008.

Drawn By: City of Charlotte
Return to: City of Charlotte-Box 227


Stephanie C. Kelly, CMC, City Clerk





THIS MAP IS NOT A BOUNDARY SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

SURVEY NOTES:
 1.) NORTH ORIENTATION BASED ON D. L. PHILLIPS SURVEY BY GEOSCIENCE GROUP, DATED 11/05/2008.
 2.) ALL IMPROVEMENTS NOT SHOWN.
 3.) THIS PARCEL SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

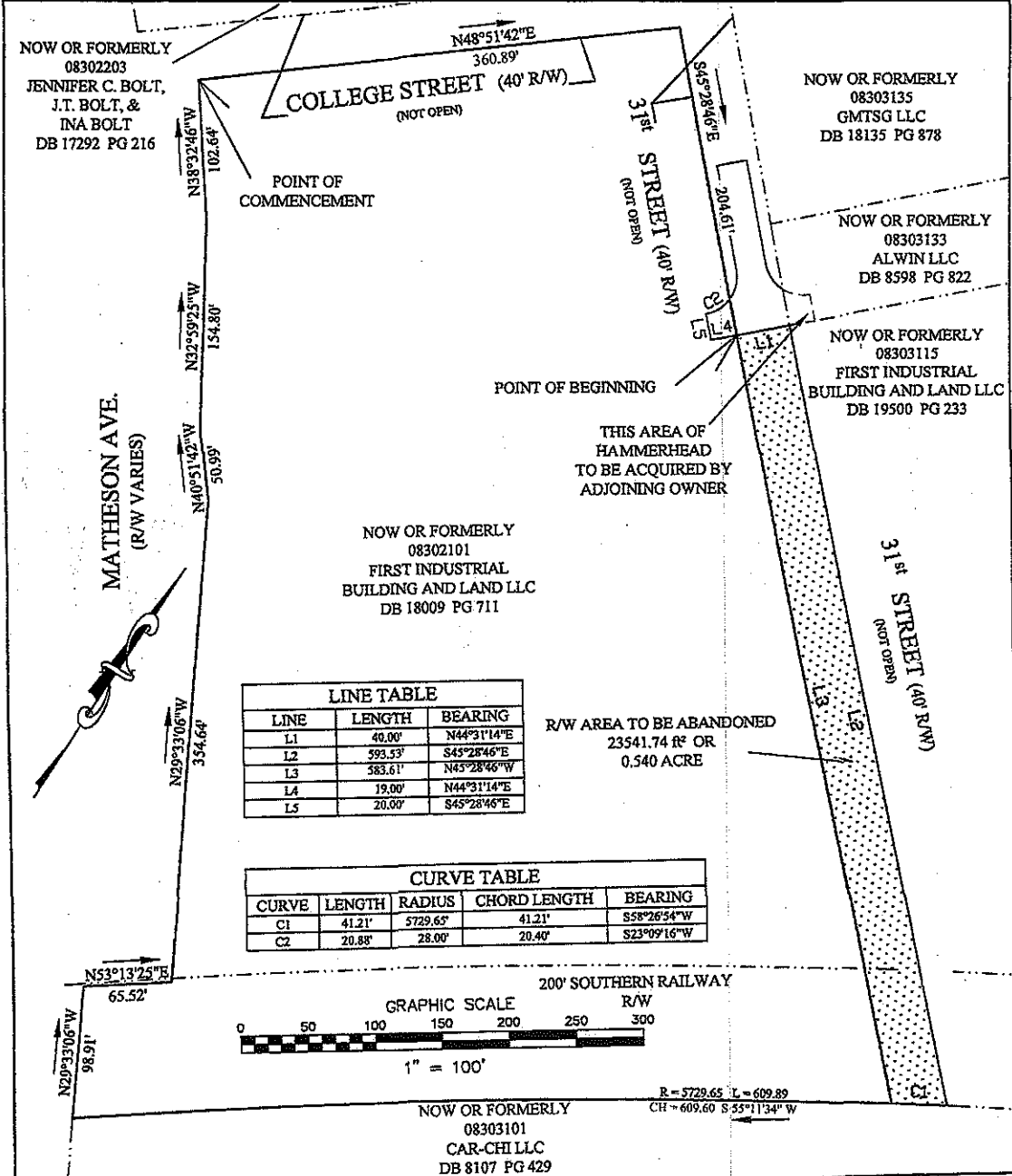
THIS IS TO CERTIFY THAT ON THE 7th DAY OF JULY 2008 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAN, AND THAT THE BOUNDARY PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA BOARD RULE .1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

SIGNATURE: *[Signature]*

LEGEND:
 ● IRON FOUND
 ○ IRON SET
 DB/PG DB/PG
 [Hatched Box] ABANDONED RIGHT-OF-WAY

C1 CURVE DATA
 L1 LINE DATA
 ⊕ BENCHMARK

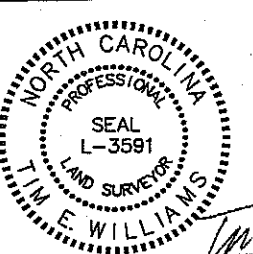
FORESITE ENGINEERING & LAND SURVEYING
 5950 Fairview Road
 Suite 100
 Charlotte, NC 28210
 (704) 553-6171
 (704) 553-8860 Fax



I, Jeff Boenisch, Review Officer of Mecklenburg County, certify that the map or plat to which this certificate is affixed meets all statutory requirements for recording.

Signature: *[Signature]*
 Date: 12-23-08

Drawn By: City of Charlotte
 Return to: City of Charlotte-Box

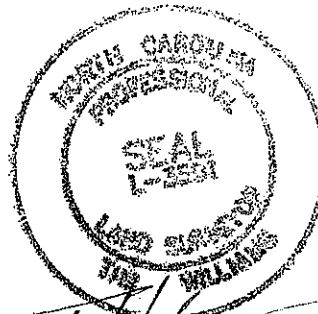


RIGHT-OF-WAY ABANDONMENT OF 31 st STREET (40' R/W) LOCATED IN CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA	
SURVEYED BY: FORESITE SURVEYING	DRAWING DATE: 2/17/2008
CHECKED BY: TEW	SURVEY DATE: 2/17/2008
DRAWN BY: GBD	SCALE: 1" = 100'
CREW CHIEF: PTC	FORESITE JOB NO.: 299.003FS
REVISED: 6/13/08 ADDED HAMMERHEAD CGS	SHEET OF SHEET 1 OF 1

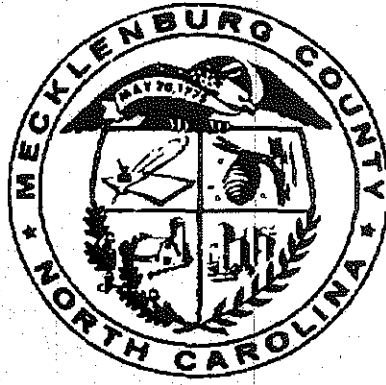
EXHIBIT "B"

Property Description

Commencing at a point being the intersection of the easterly R/W of Matheson Ave. and the southerly R/W of College St. (unopened). Thence from said point of commencement along the southerly R/W of College Street N48-51-42E 360.89 to a point, said point being in the southwesterly R/W of 31st street (not open), thence along said R/W S45-28-46E 232.04' to the Point of Beginning. Thence from said Point of Beginning N44-31-14E 40.00 to a point, said point being in the northeasterly R/W of 31st Street (not open), thence along said R/W S45-28-46E 593.53' to a point, thence proceeding across said R/W with a non-tangent circular curve to the left having a radius of 5729.65' an arc distance of 41.21' (chord: S58-26-54W 41.21) to a point, said point being in the southwesterly R/W of 31st Street (not open), thence with said R/W N45-28-46W 583.61' to the Point of Beginning containing 23,541.74 square feet and 0.540 acres.



Drawn By: City of Charlotte
Return to: City of Charlotte-Box



J. DAVID GRANBERRY
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: 01/29/2009 08:31:46 AM
Book: RE 24405 Page: 253-256
Document No.: 2009010681
RESOL 4 PGS \$18.00
Recorder: LYVANH PHETSARATH



2009010681

RESOLUTION AUTHORIZING THE CONVEYANCE OF 1.3 ACRES
OF LAND TO CHARLOTTE MECKLENBURG HOUSING PARTNERSHIP

WHEREAS, the City of Charlotte owns +/-1.3 acres of land more particularly identified as being all of Tax Parcel No. 075-133-02 and located in the Statesville Ave. corridor in Charlotte, North Carolina (the "Property"); and

WHEREAS, North Carolina General Statute §160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation, if the city is authorized by law to appropriate money to the corporation; and

WHEREAS, North Carolina General Statutes §160A-457 and §160A-20.1 authorize a city to engage in housing and economic community development activity, and to appropriate money to a nonprofit corporation for that purpose; and

WHEREAS, the City and the Charlotte Mecklenburg Housing Partnership ("CMHP"), a nonprofit corporation, have engaged in negotiations for the City's investment and participation in the Double Oaks Redevelopment project, which will convert 576 deteriorating apartment units built in 1949 to a new mixed use and mixed income community wherein 51% of the new housing will be affordable to low income families and which is expected to generate over \$120 million in public and private development; and

WHEREAS, CMHP desires to acquire and include the Property in its Double Oaks Redevelopment project, to be constructed on approximately 98 acres surrounding the Property; and

WHEREAS, conveyance of the Property and redevelopment of the Double Oaks community will assist the City in meeting the housing needs of low and middle- income families;

NOW THEREFORE, THE CITY COUNCIL FOR THE CITY OF CHARLOTTE
HEREBY RESOLVES THAT:

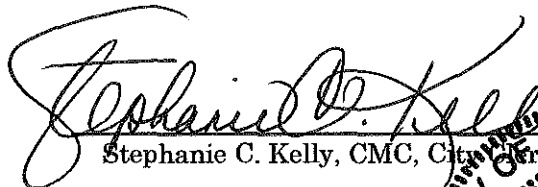
1. The City Manager or his Designee is authorized to execute all documents necessary to convey the Property described above at no cost to Charlotte Mecklenburg Housing Partnership.
2. The consideration for this conveyance is the renovation, rehabilitation and improvement of the Property and its surrounding area in accordance with the Double Oaks Development Funding Agreement between the City and CMHP.
3. A notice summarizing the contents of this resolution shall be published, and the Property may be conveyed at any time after 10 days after publication.

THIS THE 8TH DAY OF DECEMBER, 2008.

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 8th day of December, 2008, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (820-821).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of December, 2008.


Stephanie C. Kelly, CMC, City Clerk

