

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 28th day of January, 2008 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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Pages 121-122.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January, 2008.


Brenda R. Freeze, CMC, City Clerk

TAXPAYERS AND REFUNDS REQUESTED
(Clerical Error)

<u>NAME</u>	<u>AMOUNT</u>
MCREE FAMILY LIMITED PTNRSHIP	\$ 712.74
MCREE FAMILY LIMITED PTNRSHIP	712.74
MCREE FAMILY LIMITED PTNRSHIP	712.74
MCREE FAMILY LIMITED PTNERSHIP	778.24
DELOATCH CHRIS W	42.00
DELOATCH CHRIS W	42.00
DELOATCH CHRIS W	42.00
DELOATCH CHRIS W	45.86
WEYERHAEUSER CO	581.1
EDWARDS JOHN R IV	124.28
ORR EUGENE RODNEY	121.94
ZELLER A BYRON	300.38
POGGO RENE	33.94
ADAMSON, BRICE G & JULIE P	178.10
ADAMSON, BRICE G & JULIE P	188.38
STUCKEY ALAN	3,147.37
SSV DEVELOPMENT LLC	1,459.7
DODO INCORPORATED	528.77
PROHASKA RONALD A	47.69
DAVIS JOSELYN MICHELLE	38.98
LUGO REINALDO LUCIANO	8.71
BROWN KRIS A	94.9
BROWN KRIS A	103.64
WILLS ANDREW JR	66.50
WILLS ANDREW JR	66.50
WILLS ANDREW JR	60.90
WILLS ANDREW JR	60.90
CARRON GWENDOLYN	127.03
COX PROPERTIES AND INVESTMENTS	<u>1,403.3</u>
TOTAL	<u>\$ 11,831.41</u>

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a residual portion of right-of-way located at the corner of Elmhurst Road and Kirkpatrick Road in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Charlotte Mecklenburg Board of Education** has filed a petition to close a residual portion of right-of-way located at the corner of Elmhurst Road and Kirkpatrick Road in the City of Charlotte; and

Whereas, the rights-of-way to be closed lies within the Dilworth Community beginning from an iron pin on the southern side of Elmhurst Road continuing approximately 85 feet around the corner radius eastwardly to an iron pin on the southern side of Kirkpatrick Road 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 January 28, 2008 that it intends to close a residual portion of right-of-way located at the corner of Elmhurst Road and Kirkpatrick Road 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 25th day of February, 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, 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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Page 123.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January, 2008.


Brenda R. Freeze, CME, City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE Quail Wood Drive in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Faison-Hollow, LLC** has filed a petition to close **Quail Wood Drive** in the City of Charlotte; and

Whereas, Quail Wood Drive to be closed lies within the Rockbridge Community beginning from Carmel Road continuing northwestwardly approximately 100 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 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 January 28, 2008 that it intends to close Quail Wood Drive 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 25th day of February, 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, 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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Page 124.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January, 2008.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE two unnamed portions of right-of-way running off of Sandy Porter Road and Township Road in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **First Centrum, LLC** has filed a petition to close two unnamed portions of right-of-way running off of Sandy Porter Road and Township Road in the City of Charlotte; and

Whereas, the two unnamed portions of right-of-way to be closed lies within the Steele Oaks/Braddock Green Community. Unnamed right-of-way #1 beginning from Sandy Porter Road continuing west approximately 1,148 feet to its terminus and unnamed right-of-way #2 beginning from Township Road continuing northwestwardly approximately 930 feet to its terminus both shown in the maps marked "Exhibit A-1 through A-3" and is more particularly described by metes and bounds in a document marked "Exhibit B-1 through B-3" all 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 January 28, 2008 that it intends to close two unnamed portions of right-of-way running off of Sandy Porter Road and Township Road and that the said streets (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 25th day of February, 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, 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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Page 125.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January, 2008.


Brenda R. Freeze, CMC, City Clerk

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

Whereas, **The City of Charlotte** has filed a petition to close a residual portion of **Heflin Street** in the City of Charlotte; and

Whereas, Heflin Street to be closed lies within the Grier Heights Community beginning approximately 595 feet from Dunn Avenue continuing south approximately 91 feet to its terminus at parcel #157-012-13 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 January 28, 2008 that it intends to close a residual portion of Heflin 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 25th day of February, 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, 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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Page 126.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January, 2008.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION

RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE U.S. DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR TRANSIT ASSISTANCE GRANTS UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964 AS AMENDED.

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

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs;

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provision of Title VI of Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies equipment contracts, or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlotte, North Carolina:

1. That the City Manager or designee is authorized to execute and file applications on behalf of the City of Charlotte with the U.S. Department of Transportation to aid in the financing of transit assistance; and that the Chief Executive Officer of the Charlotte Area Transit System is authorized to execute and file applications with the North Carolina Department of Transportation, to aid in the financing of transit assistance.
2. That the City Manager or designee is authorized to execute and file with such applications an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964; and that the Chief Executive Officer or designee of the Charlotte Area Transit System is authorized to execute and file with such applications an assurance or any other

document required by the North Carolina Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

3. That the Chief Executive Officer of the Charlotte Area Transit System is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the project
4. That the City Manager or designee is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
5. That the City Manager or designee is authorized to execute grant agreements and any amendments thereto on behalf of the City of Charlotte with the U.S. Department of Transportation for aid in the financing of the transit assistance projects; and that the Chief Executive Officer or designee is authorized to execute grant agreements and any amendments thereto on behalf of the Charlotte Area Transit System with the North Carolina Department of Transportation for aid in the financing of the transit assistance projects.

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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Pages (127-128).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January, 2008.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **2005 ANNEXATION-BROOKSHIRE WEST AREA SANITARY SEWER PROJECT**;

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 **2005 ANNEXATION-BROOKSHIRE WEST AREA SANITARY SEWER PROJECT** and estimated to be approximately **3,500 square feet (.080 acre)** of **sanitary sewer 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. 031-172-10, said property currently owned by **JASON PERKINS and spouse, if any; KRISTEN PERKINS and spouse, if any; NICHOLAS WAKER and spouse, if any; CHARLES R. BUCKLEY, III, Trustee; TELCO FEDERAL CREDIT UNION, Beneficiary; THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY, Possible Judgment Creditor, MECKLENBURG COUNTY TAX COLLECTOR, and Any Other Parties in Interest, or the owners' successor-in-interest.**

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Page 129.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January, 2008.



Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **CENTRAL AVENUE AT SHARON AMITY 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 **CENTRAL AVENUE AT SHARON AMITY PROJECT** and estimated to be approximately 4,134 square feet (.095 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. 103-041-28, said property currently owned by **MORRIS INVESTMENT COMPANY (f/k/a "Houston Properties, Inc.")**, 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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Page 130.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January, 2008.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION

RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE U.S. DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR TRANSIT ASSISTANCE GRANTS UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964 AS AMENDED.

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

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs;

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provision of Title VI of Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies equipment contracts, or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlotte, North Carolina:

1. That the City Manager or designee is authorized to execute and file applications on behalf of the City of Charlotte with the U.S. Department of Transportation to aid in the financing of transit assistance; and that the Chief Executive Officer of the Charlotte Area Transit System is authorized to execute and file applications with the North Carolina Department of Transportation, to aid in the financing of transit assistance.
2. That the City Manager or designee is authorized to execute and file with such applications an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964; and that the Chief Executive Officer or designee of the Charlotte Area Transit System is authorized to execute and file with such applications an assurance or any other

document required by the North Carolina Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

3. That the Chief Executive Officer of the Charlotte Area Transit System is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the project
4. That the City Manager or designee is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
5. That the City Manager or designee is authorized to execute grant agreements and any amendments thereto on behalf of the City of Charlotte with the U.S. Department of Transportation for aid in the financing of the transit assistance projects; and that the Chief Executive Officer or designee is authorized to execute grant agreements and any amendments thereto on behalf of the Charlotte Area Transit System with the North Carolina Department of Transportation for aid in the financing of the transit assistance projects.

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 28th day of January, 2008, the reference having been made in Minute Book 125, and recorded in full in Resolution Book 41, Pages (131-132).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of January, 2008.


Brenda R. Freeze, CMC, City Clerk