

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE **two alleyways located off of East 8th Street** in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Ninth Street Investors, LLC** has filed a petition to close **two alleyways located off of East 8th Street** in the City of Charlotte; and

Whereas, the portions of rights-of-way to be closed lie within the First Ward Community. An 18-foot alleyway: beginning from East 8th Street continuing in an easterly direction approximately 163-feet to its terminus, and an 11-foot alleyway running off of an 18-foot alleyway continuing in a northerly direction approximately 90-feet to its terminus at the City owned rail corridor. All shown on maps marked "Exhibits A1-A2" and is more particularly described by metes and bounds in a document marked "Exhibit B1-B2" 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

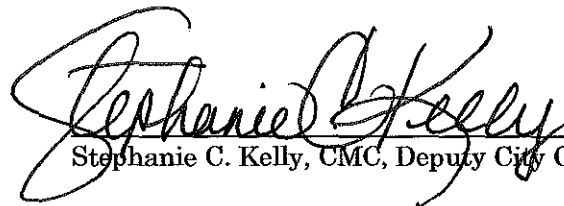
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of September 8, 2008 that it intends to close two alleyways located off of East 8th Street and that the said alleyways (or portions thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 27th day of October, 2008 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

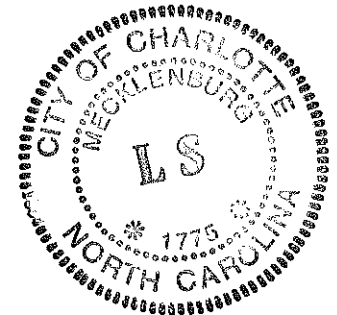
The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

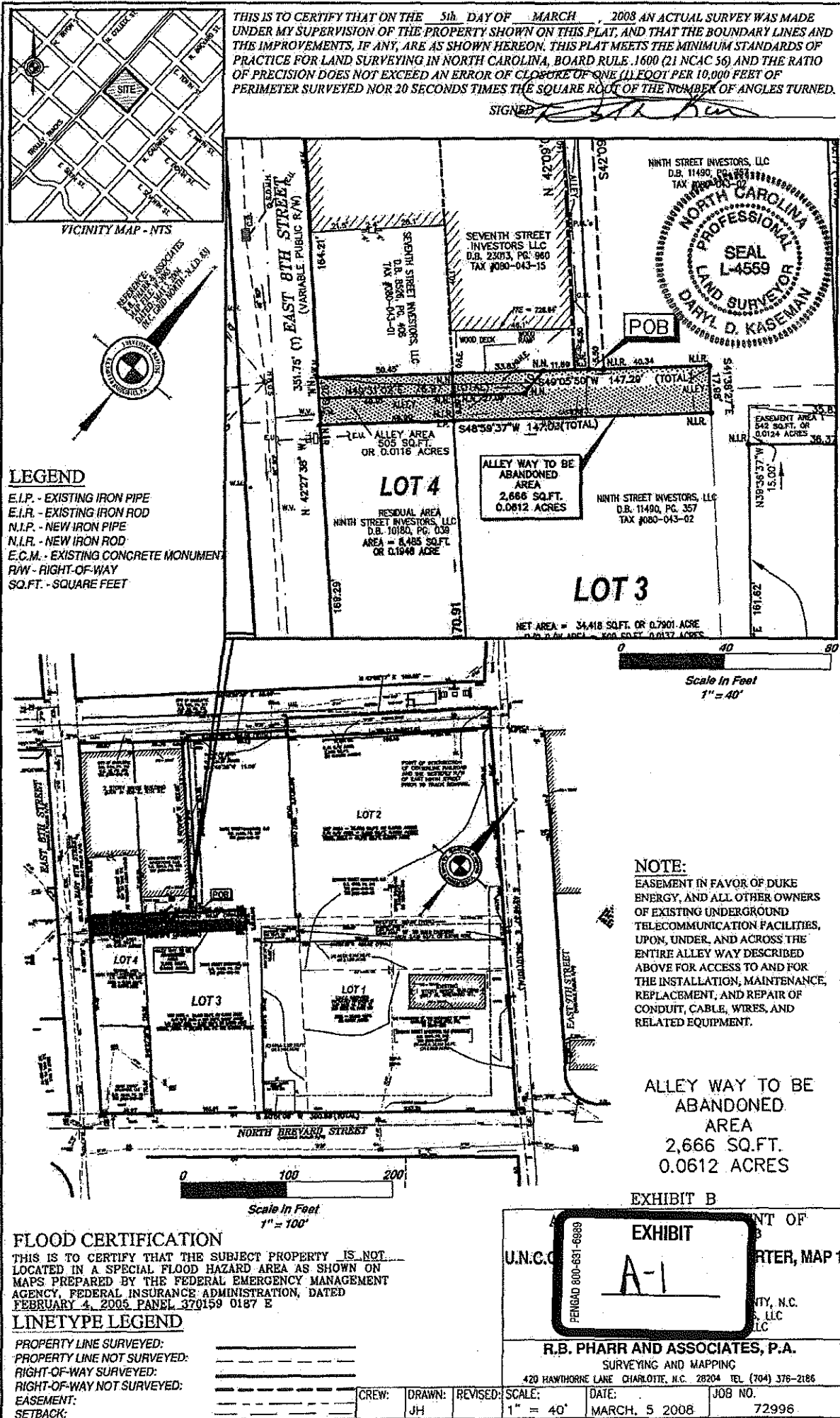
CERTIFICATION

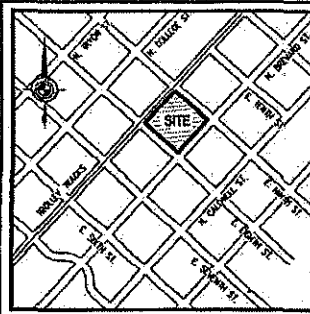
I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of September, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (600a-600b).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of September, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk

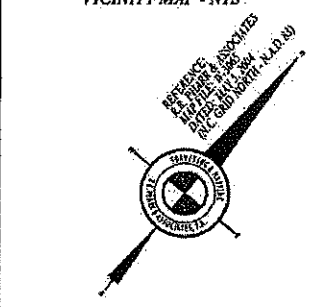






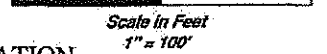
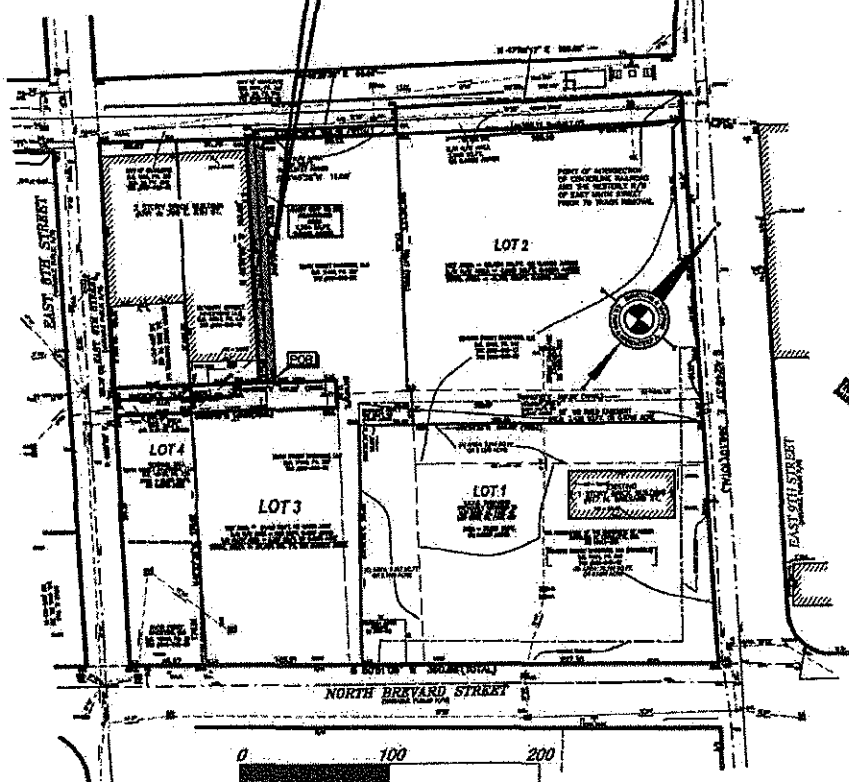
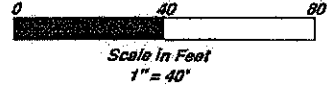
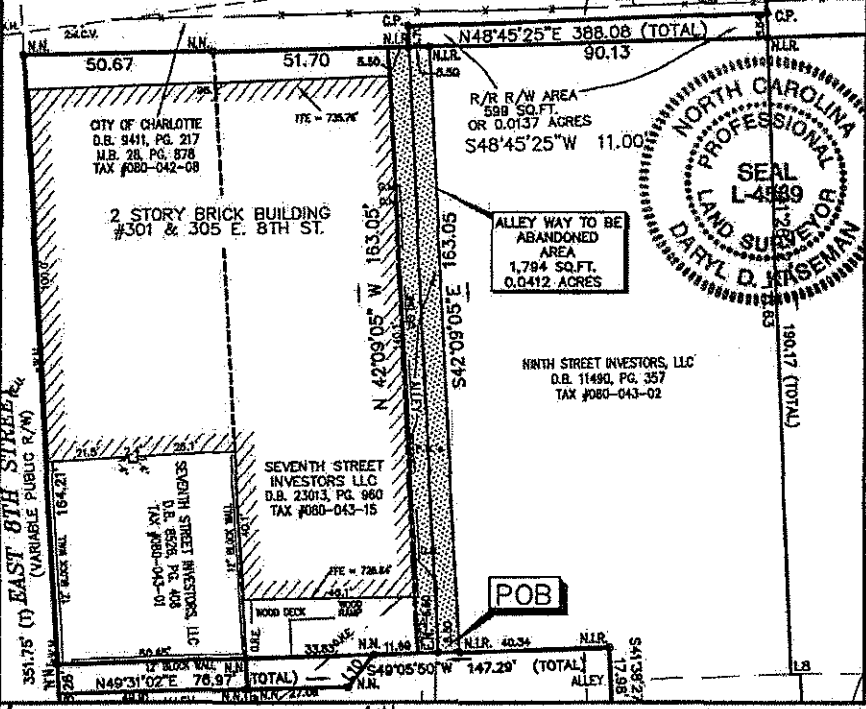
THIS IS TO CERTIFY THAT ON THE 5th DAY OF MARCH, 2008 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, 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.

SIGNED: *[Signature]*



LEGEND

- E.I.P. - EXISTING IRON PIPE
- E.L.R. - EXISTING IRON ROD
- N.I.P. - NEW IRON PIPE
- N.I.R. - NEW IRON ROD
- E.C.M. - EXISTING CONCRETE MONUMENT
- R/W - RIGHT-OF-WAY
- SQ.FT. - SQUARE FEET



NOTE:
EASEMENT IN FAVOR OF DUKE ENERGY, AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE ALLEY WAY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE, WIRES, AND RELATED EQUIPMENT.

ALLEY WAY TO BE ABANDONED AREA
1,794 SQ.FT.
0.0412 ACRES

EXHIBIT A

FLOOD CERTIFICATION

THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 4, 2005, PANEL 370159 0187 E

LINETYPE LEGEND

- PROPERTY LINE SURVEYED: _____
- PROPERTY LINE NOT SURVEYED: _____
- RIGHT-OF-WAY SURVEYED: _____
- RIGHT-OF-WAY NOT SURVEYED: _____
- EASEMENT: _____
- SETBACK: _____

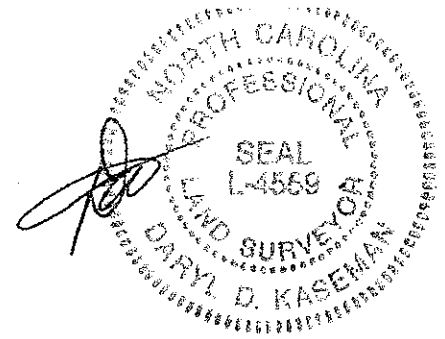
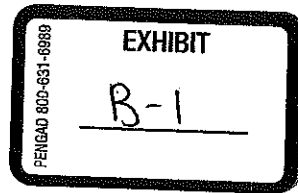
EXHIBIT A

U.N.C.C. EXHIBIT A-2

PENGAD 800-631-6989

R.B. PHARR AND ASSOCIATES, P.A.
SURVEYING AND MAPPING
420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL. (704) 376-2185

CREW:	DRAWN:	REVISED:	SCALE:	DATE:	JOB NO.
	JH		1" = 40'	MARCH, 5 2008	72996

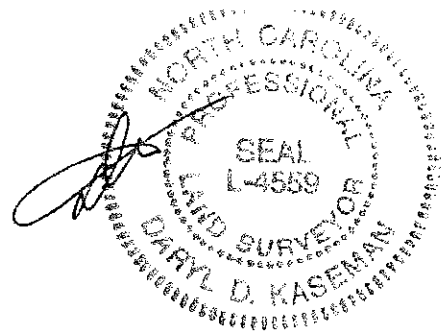
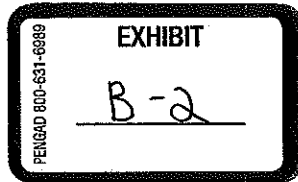


LEGAL DESCRIPTION

ALLEYWAY ABANDONMENT

ALL THAT CERTAIN PARCEL OF LAND SHOWN AS AN ALLEY RECORDED IN MAP BOOK 45, PAGE 153 IN THE MECKLENBURG COUNTY PUBLIC REGISTRY; SITUATED, LYING AND BEING IN THE CITY OF CHARLOTTE; MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING NAIL A COMMON CORNER OF SEVENTH STREET INVESTORS LLC (AS RECORDED IN DEED BOOK 23013, AT PAGE 960 MECKLENBURG COUNTY PUBLIC REGISTRY, AND NINTH STREET INVESTORS LLC, (AS RECORDED IN DEED BOOK 11490, AT PAGE 357, AND SHOWN AS LOT 3 ON MAP 45, AT PAGE 153 MECKLENBURG COUNTY PUBLIC REGISTRY; THENCE WITH THE LINE OF NINTH STREET INVESTORS THREE (3) COURSES AND DISTANCES (1) N 49-05-50 E 45.84 FEET TO A NEW IRON ROD (2) S 41-38-27 E 17.98 FEET TO A NEW IRON ROD (3) S 48-59-37 W 97.13 FEET TO A NEW IRON ROD, A POINT ON THE WESTERLY LINE OF THE AFORESAID NINTH STREET INVESTORS PROPERTY, AND THE EASTERLY LINE OF THE PROPERTY OF NINTH STREET INVESTORS AS RECORDED IN DEED BOOK 10180, AT PAGE 039, AND SHOWN AS LOT 4 (RESIDUAL AREA) ON MAP BOOK 45, AT PAGE 153) MECKLENBURG COUNTY PUBLIC REGISTRY; THENCE THROUGH THE PROPERTY OF NINTH STREET INVESTORS (RESIDUAL AREA) S 48-59-37 W 49.90 TO A NEW IRON ROD IN THE EASTERLY RIGHT OF WAY MARGIN OF EAST 8TH STREET (A VARIABLE WIDTH PUBLIC RIGHT OF WAY) AS SHOWN ON MAP BOOK 45, AT PAGE 153; THENCE N 42-27-38 W 18.26 FEET WITH THE RIGHT OF WAY LINE OF EAST 8TH STREET TO A NEW NAIL ON THE NORTHERLY LINE OF SAID ALLEY; THENCE WITH THE LINE OF SAID ALLEY AND THE PROPERTY OF SEVENTH STREET INVESTORS LLC., AS RECORDED IN DEED BOOK 8526, AT PAGE 408; MECKLENBURG COUNTY PUBLIC REGISTRY; AND THE LINE OF SEVENTH STREET INVESTORS LLC.(AS RECORDED IN DEED BOOK 23013, AT PAGE 960 MECKENBURG COUNTY REGISTRY), N 49-05-40 E 101.47 FEET TO THE POINT OF BEGINNING. CONTAINING 2,666 SQUARE FEET, OR 0.0612 ACRES OF LAND AS SHOWN ON A MAP TITLED "EXHIBIT B" BEARING JOB NUMBER 72996 BY R.B. PHARR AND ASSOCIATES, P.A. DATED MARCH 5, 2008



LEGAL DESCRIPTION

ALLEYWAY ABANDONMENT

ALL THAT CERTAIN PARCEL OF LAND SHOWN AS A 10 FOOT ALLEY AS RECORDED IN MAP BOOK 45, PAGE 153 IN THE MECKLENBURG COUNTY PUBLIC REGISTRY; SITUATED, LYING AND BEING IN THE CITY OF CHARLOTTE; MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING NAIL, A WESTERLY CORNER OF THE NINTH STREET INVESTORS, LLC PROPERTY (AS RECORDED IN DEED BOOK 11490, AT PAGE 357), AND THE SOUTHEASTERLY CORNER OF SEVENTH STREET INVESTORS, LLC (AS RECORDED IN DEED BOOK 23013, AT PAGE 960) AND IN THE NORTHERLY MARGIN OF AN ALLEY (AS SHOWN ON MAP BOOK 45, AT PAGE 153 IN THE MECKLENBURG COUNTY REGISTRY); THENCE WITH THE SOUTHERLY LINE OF SEVENTH STREET INVESTORS, LLC S 49-05-50 W 5.50 FEET TO A CALCULATED POINT; THENCE WITH THE WESTERLY MARGIN OF A 10' ALLEY RUNNING THROUGH THE PROPERTY OF SEVENTH STREET INVESTORS LLC. (AS SHOWN IN MAP 45 AT PAGE 153), N 42-09-05 W 163.05 FEET TO A CALCULATED POINT ON THE NORTHERLY LINE OF SEVENTH STREET INVESTORS, LLC. AND ON THE SOUTHERLY LINE OF PROPERTY OF THE CITY OF CHARLOTTE (AS RECORDED IN DEED BOOK 9411, AT PAGE 217); THENCE WITH THE SOUTHERLY LINE OF THE CITY OF CHARLOTTE PROPERTY N 48-45-25 E 5.50 FEET TO A NEW IRON ROD, THE NORTHEASTERLY CORNER OF SEVENTH STREET INVESTORS LLC., AND THE NORTHWESTERLY CORNER OF NINTH STREET INVESTORS LLC.; THENCE WITH THE NORTHERLY LINE OF NINTH STREET INVESTORS N 48-45-25 E 5.50 FEET TO A CALCULATED POINT; THENCE WITH THE EASTERLY MARGIN OF A 10' ALLEY RUNNING THROUGH THE PROPERTY OF NINTH STREET INVESTORS LLC.(AS SHOWN IN MAP 45 AT PAGE 153), S 42-09-05 E 163.05 FEET TO A NEW IRON ROD ON THE LINE OF NINTH STREET INVESTORS LLC AND ON THE NORTHERLY LINE OF AN ALLEY AS SHOWN ON MAP 45, AT PAGE 153, MECKLENBURG COUNTY PUBLIC REGISTRY; THENCE WITH THE LINE OF NINTH STREET INVESTORS LLC. S 49-05-50 W 5.50 FEET TO THE POINT OF BEGINNING. CONTAINING 1,794 SQUARE FEET, OR 0.0412 ACRES OF LAND AS SHOWN ON A MAP TITLED "EXHIBIT A" BEARING JOB NUMBER 72996 BY R.B. PHARR AND ASSOCIATES, P.A. DATED MARCH 5, 2008

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF
CHARLOTTE, NORTH CAROLINA ON SEPTEMBER 22, 2008**

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 G.S. 180-904(f) authorizes a governing body to designate an official,
by name or by position, to make recommendations concerning the suitability of persons
or locations for ABC permits; and

WHEREAS the City of **Charlotte**, County of **Mecklenburg**, wishes to notify the
NC ABC Commission of its designation as required by G.S. 18B-904(f);

BE IT THEREFORE RESOLVED that the Deputy Chief for the Charlotte-
Mecklenburg Police Department Field Services Group or his designee is hereby
designated to notify the North Carolina Alcoholic Beverage Control Commission of the
recommendations of the City of **Charlotte**, County of **Mecklenburg**, regarding the
suitability of persons and locations for ABC permits within its jurisdiction.


BE IT FURTHER RESOLVED that notices to the City of **Charlotte**, County of
Mecklenburg, should be mailed or delivered to the official designated above at the
following address:

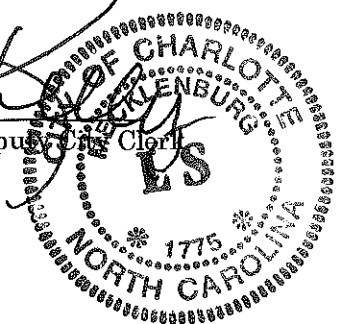
Mailing Address: Charlotte-Mecklenburg Police Department
601 East Trade Street
Office Location: 1st Floor-Field Services Division
City: Charlotte, North Carolina 28202
Phone Number: 704-432-0428

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 22nd day of September, 2008, the
reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Page 605.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of
September, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



Resolution - McCausland Building-Thacker's Restaurant

A Resolution of the City Council of the City of Charlotte calling for a Public Hearing to be held by the City Council on the Question of designating the property known as the "McCausland Building-Thacker's Restaurant" (listed under Tax Parcel Numbers 12501313-12501316, including the façade of the building listed under Tax Parcel Numbers 12501313-12501316 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of August 1, 2008) as a Historic Landmark. The property is owned by TGB Condominium Association, and is located at 221 South Tryon Street, Charlotte, North Carolina.

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has made an investigation and report on the historic, architectural, educational, and cultural significance of the property as described below; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has recommended that the City Council adopt an ordinance designating the property described below as a Historic Landmark pursuant to Chapter 160A, Article 19, as amended of the General Statutes of North Carolina; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has determined that the property described below meets the criteria for designation because of special significance in terms of its history, architectural, and/or cultural importance, and because it possesses integrity of design, setting, workmanship, materials, feeling and/or association as required by N.C.G.S. 160A-400.5.

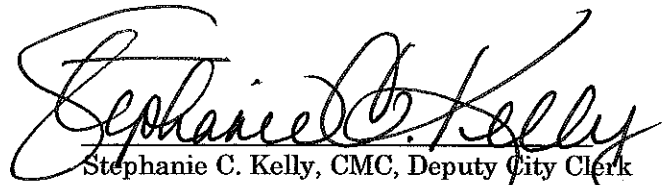
NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlotte, Mecklenburg County, North Carolina, that the City Council will hold a public hearing at which interested parties will have an opportunity to be heard on the question of the designation of the property known as the "McCausland Building-Thacker's Restaurant" (listed under Tax Parcel Numbers 12501313-12501316, including the façade of the building listed under Tax Parcel Numbers 12501313-12501316 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of August 1, 2008) as a Historic Landmark.

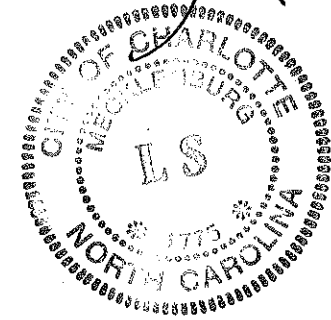
BE IT FURTHER RESOLVED that reasonable notice of the time and place of the public hearing shall be given.

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 22nd day of September, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (606-607).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of September, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



RESOLUTION TO AUTHORIZE THE EXCHANGE OF REAL PROEPRTY
BELONGING TO THE CITY OF CHARLOTTE FOR OTHER REAL PROPERTY
BELONGING TO THE SOUTH 36R LLC PROPERTY

WHEREAS, the City of Charlotte owns two tracts of real property, totaling 11.375 acres and valued at \$1,413,000. The first tract is 6.938 acres on Beam Road, tax parcels 143-122-04/05/06/07/08/10/11. The second tract is 4.437 acres on Beam Road, tax parcels 143-122-13/14; and

WHEREAS, the South 36R LLC Property owns 36.2494 acres of land valued at \$2,936,000, tax parcels 143-122-01 and 143-122-02. They want to trade 8.343 acres of that property (valued at \$592,000) to the airport for the City's adjacent land on Beam Road; and

WHEREAS, the City desires to exchange its property, which has been appraised by an MAI appraiser as having a value of \$1,413,000 for the property owned by the South 36R LLC Property having a value of \$592,00 plus pay the City the difference in values of \$821,000;,, and

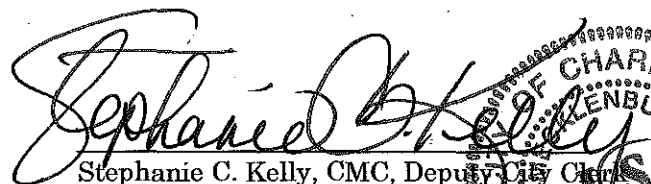
WHEREAS, notice of Council's intent to authorize the exchange was published at least 10 days before the adoption of this resolution as required by North Carolina General Statute

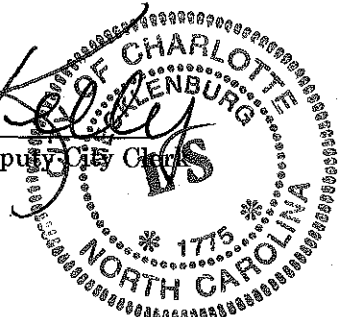
NOW, THEREFORE, BE IT RESOLVED that the Charlotte City Council hereby authorizes the exchange of real property as heretofore described.

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 22nd day of September, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Page 608.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of September, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



RESOLUTION TO AUTHORIZE THE EXCHANGE OF REAL PROEPRTY
BELONGING TO THE CITY OF CHARLOTTE FOR OTHER REAL PROPERTY
BELONGING TO THE BOARD OF EDUCATION AND THE EXCHANGE OF
PROPERTY BETWEEN THE CITY AND BERRYHILL BAPTIST CHURCH

WHEREAS, the City of Charlotte owns .575 acres of real property on
Denver Avenue, tax parcels 061-081-03, 061-081-04, 061-081-05; and

WHEREAS, the Board of Education owns two parcels of land totaling
.555 acres, one on Walkers Ferry Road, tax parcel 113-361-18; and one on
Denver Avenue, tax parcel 061-081-02; and

WHEREAS, the City desires to exchange its .575 acres (total tax value
\$25,000) for the .555 acres (total tax value \$27,100) of land owned by the
Board of Education; and

WHEREAS, following the trade with the Board of Education, the City
desires to exchange the .474 acres acquired from the Board of Education on
Walkers Ferry Road with Berryhill Baptist Church for .474 acres of land on the
east side of the Church's property at 9050 Walkers Ferry Road. Following this
exchange, the Church will have the same acreage of land as before the
exchange.

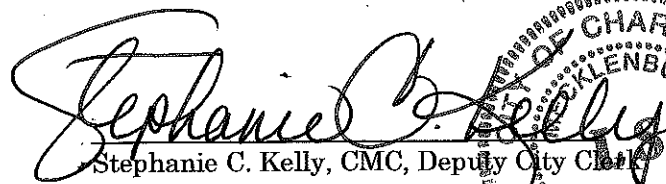
WHEREAS, notice of Council's intent to authorize the exchange was
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by North Carolina General Statute

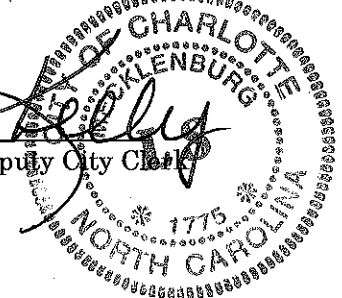
NOW, THEREFORE, BE IT RESOLVED that the Charlotte City Council
hereby authorizes the exchange of real property as heretofore described.

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CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the
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reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Page 609.

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Stephanie C. Kelly, CMC, Deputy City Clerk



RESOLUTION TO AUTHORIZE THE EXCHANGE OF REAL PROEPRTY
BELONGING TO THE CITY OF CHARLOTTE FOR OTHER REAL PROPERTY
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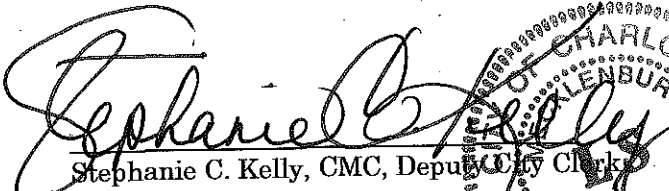
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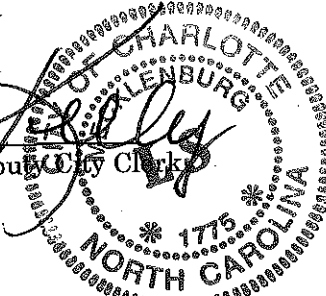
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City of Charlotte, North Carolina, in regular session convened on the 22nd day of September, 2008, the
reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Page 610.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of
September, 2008.


Stephanie C. Kelly, CMC, Deputy 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 **NIGHTINGALE STORM WATER CAPITAL IMPROVEMENT 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 **NIGHTINGALE STORM WATER CAPITAL IMPROVEMENT PROJECT** and estimated to be approximately **12,308 square feet (.283 acre)** of **storm drainage easement, conservation 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. 221-224-52, said property currently owned by **COREY CLARK and spouse, if any; JOHN C. WARREN, Trustee; BRANCH BANKING AND TRUST COMPANY, Beneficiary, Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

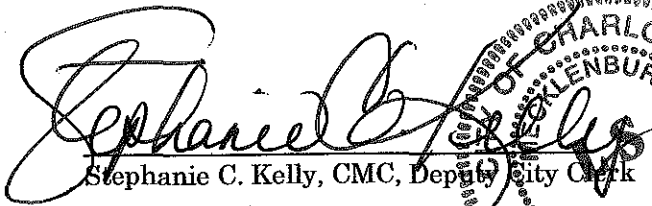
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

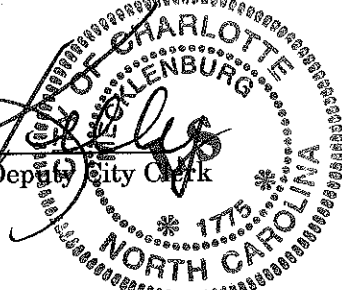
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 22nd day of September, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Page 611.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of September, 2008.


Stephanie C. Kelly, CMC, Deputy 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 **NIGHTINGALE STORM WATER CAPITAL IMPROVEMENT 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 **NIGHTINGALE STORM WATER CAPITAL IMPROVEMENT PROJECT** and estimated to be approximately **1,629 square feet (.037 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. 221-386-19, said property currently owned by **ALLISON M. SCHWEIZER and husband, ANATOL K. SCHWEIZER; PRLAP, INC., Trustee; BANK OF AMERICA, N. A., Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

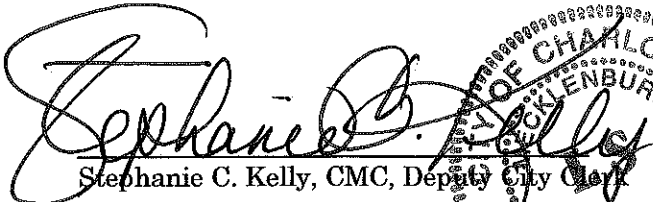
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.


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 22nd day of September, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Page 612.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of September, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on September 22, 2008.

* * *

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "City Council") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on September 22, 2008 (the "Meeting"), after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Barnes, Burgess, Carter, Cooksey,

Dulin, Foxx, Kinsey, Lassiter, Mitchell, Peacock, and Turner

The following members of the City Council were absent: _____

Also present: _____

Councilmember Burgess introduced the following resolution (the "Resolution"), a summary of which had been provided to each Council member, a copy of which was available with the City Clerk and which was read by title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF FOUR SERIES OF AIRPORT REVENUE BONDS OF THE CITY OF CHARLOTTE; THE PRIVATE SALE OF THE BONDS; AUTHORIZE TERMINATION PAYMENTS IN CONJUNCTION WITH THE TERMINATION OF TWO INTEREST RATE SWAP AGREEMENTS AND CERTAIN RELATED MATTERS;

WHEREAS, the City Council hereby determines that it is necessary (1) to improve Charlotte Douglas International Airport (the "Airport"), including, but not limited to the acquisition, rehabilitation, renovation, expansion and construction of (a) certain improvements to the Airport, consisting of the (i) construction of a new runway, taxiway, taxiway bridges and navigational aids, (ii) construction of an aircraft deicing facility, (iii) rehabilitation and renovation of storm drain facilities, (iv) construction of a new valet parking deck, (v) upgrades to and expansion of the Airport's existing parking revenue control system, (vi) planning costs associated with expansion of the terminal complex, (vii) modifications to the security checkpoints in the passenger terminal building, (viii) expansion of the Airport's airline fuel storage and delivery system and (b) other improvements at the Airport consistent with the Airport's mission (the "2008 Improvements"), (2) refund in advance of their maturities the City's Variable Rate Airport Refunding Revenue Bonds, Series 1993A (the "1993A Bonds"), the City's Variable Rate Airport Refunding Revenue Bonds, Series 1997A (the "1997A Bonds"), the City's Variable Rate Demand Airport Revenue Bonds, Series 1999D, and the City's Variable Rate Demand Airport Revenue Bonds, Series 2004D (collectively, the "Refunded Bonds"), (3) fund a debt service reserve for each series of the 2008 Bonds, (4) finance interest rate swap termination payments associated with the 1993A Bonds and 1997A Bonds, and (5) to pay the costs of issuance of the 2008 Bonds (as hereinafter defined); and

WHEREAS, in order to obtain a portion of the funds to acquire, construct and equip the 2008 Improvements and to refund the Refunded Bonds, the City has determined to approve the transactions described herein whereby the City will authorize and approve the issuance of, among other things, four series of its airport revenue bonds, one to be known as "City of Charlotte, North Carolina Airport Revenue Bonds, Series 2008A" (the "2008A Bonds") in an aggregate principal amount not to exceed \$287,095,000, a second to be known as "City of Charlotte, North Carolina Airport Refunding Revenue Bonds, Series 2008B" (the "2008B Bonds") in an aggregate principal amount not to exceed \$73,615,000, a third to be known as "City of Charlotte, North Carolina Airport Refunding Revenue Bonds, Series 2008C" (the "2008C Bonds") in an aggregate principal amount not to exceed \$45,080,000, a fourth to be known as "City of Charlotte, North Carolina Variable Rate Airport Refunding Revenue Bonds, Series 2008D" (the "2008D Bonds" together with the 2008A Bonds, the 2008B Bonds and the 2008C Bonds, the "2008 Bonds") in an aggregate principal amount not to exceed \$50,000,000; and

WHEREAS, AIG Financial Products ("AIG-FP") and the City entered into an Interest Rate Swap Agreement dated as of June 1, 1992 (the "1992 Swap Agreement"), a Liquidity Guaranty Agreement dated as of June 1, 1992 (the "1992 Liquidity Guaranty"), an Interest Rate Swap Agreement dated as of December 1, 1993 (the "1993 Swap Agreement" and collectively with the 1992 Swap Agreement, the "Swap Agreements"), and a Liquidity Guaranty Agreement dated as of December 1, 1993 (the "1993 Liquidity Guaranty" and collectively with the 1992 Liquidity Guaranty Agreement, the "Liquidity Guaranties"), relating to the 1993A Bonds and 1997A Bonds; and in conjunction with the refunding of the 1993A Bonds and 1997A Bonds the City wishes to terminate such agreements by entering into a Termination Agreement (the "Termination Agreement"), a form of which has been presented to the City Council, whereby the City would pay an amount (the "Termination Amount") to AIG-FP and the City and AIG-FP would terminate all of their respective rights and obligations under the Swap Agreements and Liquidity Guaranties; and

WHEREAS, the City Council wants to (A) retain Parker Poe Adams & Bernstein LLP of Charlotte, North Carolina, as bond counsel; (B) retain Merrill Lynch, Pierce, Fenner & Smith Incorporated of New York, New York, Banc of America Securities LLC of Charlotte, North Carolina, and Wachovia Bank, National Association, of Charlotte, North Carolina, as underwriters for the 2008A Bonds, the 2008B Bonds and the 2008C Bonds (the "2008ABC Underwriters"); (C) retain Banc of America Securities LLC of Charlotte, North Carolina of Charlotte, North Carolina, as underwriter for the 2008D Bonds (the "2008D Underwriter" and collectively with the 2008ABC Underwriters, the "Underwriters"); (D) approve the selection by the Underwriters of McGuireWoods LLP of Charlotte, North Carolina, as Underwriters' counsel; (E) retain Newton and Associates, Inc. of Charlotte, North Carolina, as airport consultant, and DEC Associates, Inc. of Charlotte, North Carolina, as financial advisor; (F) retain Bank of America, N.A., of Charlotte, North Carolina, to provide an irrevocable, direct-pay letter of credit for the 2008D Bonds and (G) retain U. S. Bank National Association of Charlotte, North Carolina, as trustee for the 2008 Bonds (collectively, the "Financing Team"); and

WHEREAS, the City Council wants the Director of Finance of the City to file with the Local Government Commission of North Carolina (the "Commission") an application for its approval of the 2008 Bonds, on a form prescribed by the Commission, and (1) request in such application that the Commission approve (A) the negotiation of the sale of the 2008 Bonds to the Underwriters, (B) the City's use of the Financing Team in connection with the issuance of the 2008 Bonds; and (2) state in such application such facts and to attach thereto such exhibits in regard to the 2008 Bonds and to the City and its financial condition, as may be required by the Commission, and to take all other action necessary to the issuance of the 2008 Bonds.

WHEREAS, a form of the Preliminary Official Statement with respect to the 2008A Bonds (the "2008A Preliminary Official Statement") and of the Preliminary Official Statement with respect to the

2008B Bonds and the 2008C Bonds (the "2008BC Preliminary Official Statement") has been made available to the City Council;

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

Section 1. That the 2008 Bonds are to be issued by the City in one or more series for the purpose of providing funds (1) to finance the costs of the 2008 Improvements, (2) to refund the Refunded Bonds, (3) to fund a debt service reserve for each series of the 2008 Bonds, (4) finance interest rate swap termination payments associated with the 1993A Bonds and 1997A Bonds, and (5) to pay the costs of issuing the 2008 Bonds all as set out fully in the documents attached to the City's application to the Commission. The use of the proceeds of the 2008 Bonds, as described, is necessary in order to meet the expanding needs of the users of the Airport and to assure that the Airport remains in full compliance with all state and federal requirements for the provision of aviation services.

Section 2. That the Financing Team is hereby approved in connection with the issuance by the City of the 2008 Bonds.

Section 3. That the Director of Finance of the City with advice from the City Manager and bond counsel, is hereby authorized, directed and designated to file an application with the North Carolina Local Government Commission for its approval of the issuance of the 2008 Bonds.

Section 4. That the City Council finds and determines and asks the Commission to find and determine from the City's application and supporting documentation:

- (a) that the issuance of the 2008 Bonds is necessary or expedient;
- (b) that the not to exceed stated principal amount of the 2008 Bonds will be sufficient but is not excessive, when added to other moneys available to the Airport, to refund the Refunded Bonds and finance the 2008 Improvements;
- (c) that the Airport as now constituted and after the completion of the 2008 Improvements is feasible;
- (d) that the City's debt management procedure and policies are excellent; and
- (e) that the 2008 Bonds can be marketed at a reasonable interest cost to the City.

Section 5. That the Mayor, the City Manager and the Director of Finance are hereby authorized to do any and all other things necessary to complete the steps necessary for the issuance of the 2008 Bonds.

Section 6. That the form and content of the Termination Agreement is in all respects authorized, approved and confirmed.

Section 7. That the City Manager or Director of Finance is hereby authorized to execute the form of the Termination Agreement, as may be modified, supplemented or amended on the advice of Bond Counsel, and to authorize the payment by the City of a Termination Amount in an amount not to exceed \$20,000,000.00, and do any and all other things necessary to complete the steps necessary for the execution of the Termination Agreement.

Section 8. That the City Council requests that the Commission sell (1) the 2008A Bonds, the 2008B Bonds and the 2008C Bonds through negotiation to the 2008ABC Underwriters on such terms as may be agreed on but at a true interest cost not exceeding 6.50% and (2) the 2008D Bonds through negotiation to the 2008D Underwriter on such terms as may be agreed on but at an initial interest cost not

exceeding 4.50%. The form and content of the 2008A Preliminary Official Statement with respect to the 2008A Bonds and the 2008BC Preliminary Official Statement with respect to the 2008B Bonds and the 2008C Bonds are in all respects authorized, approved and confirmed, and the use of the 2008A Preliminary Official Statement and the 2008BC Official Statement by the 2008ABC Underwriters in connection with the sale of the 2008A Bonds, the 2008B Bonds and the 2008C Bonds, respectively, is hereby in all respects authorized, approved and confirmed.

Section 9. That this Resolution is effective on the date of its adoption.

On motion of Councilmember Mitchell, seconded by Councilmember Barnes, the foregoing resolution titled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF FOUR SERIES OF AIRPORT REVENUE BONDS OF THE CITY OF CHARLOTTE; THE PRIVATE SALE OF THE BONDS; AUTHORIZE TERMINATION PAYMENTS IN CONJUNCTION WITH THE TERMINATION OF TWO INTEREST RATE SWAP AGREEMENTS AND CERTAIN RELATED MATTERS" was duly adopted by the following vote: Unanimously

AYES:

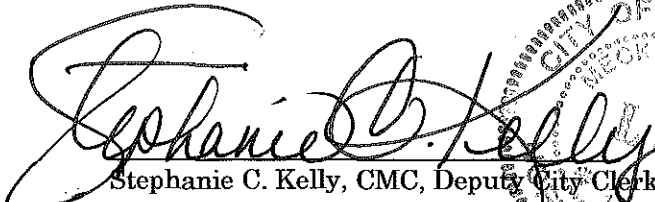
NAYS:

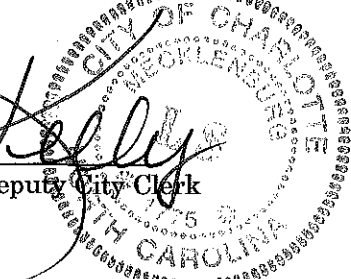
PASSED, ADOPTED AND APPROVED this 22nd day of September, 2008.

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 22nd day of September, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (613-616).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of September, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 6:00 p.m. on September 22, 2008.

* * *

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "City Council") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina, 28202, at 6:00 p.m. on September 22, 2008, after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Barnes, Burgess, Carter, Cooksey, Dulin, Foxx, Kinsey, Lassiter, Mitchell, Peacock, and Turner.

The following members of the City Council were absent:

Also present:

The City Clerk reported to the City Council that notice of a public hearing regarding the proposed issuance of the City's Airport Revenue Bonds in one or more series or issues (the "Bonds"), in an aggregate principal amount not to exceed \$405,790,000, the interest on which will be excludible from gross income for federal income tax purposes, to (1) finance all or a portion of the cost of the acquisition, rehabilitation, renovation, expansion and construction of certain improvements to the Charlotte Douglas International Airport (the "Airport"), including the (a) construction of a new runway, taxiway, taxiway bridges and navigational aids, (b) construction of an aircraft deicing facility, (c) rehabilitation and renovation of storm drain facilities, (d) construction of a new valet parking deck, (e) upgrades to and expansion of the Airport's existing parking revenue control system, (f) planning costs associated with expansion of the terminal complex, (g) modifications to the security checkpoints in the passenger terminal building, (h) expansion of the Airport's airline fuel storage and delivery system, (i) terminal roadway signage and other improvements at the Airport consistent with the Airport's mission, (2) refund all of the City's outstanding Variable Rate Airport Refunding Revenue Bonds, Series 1993A, currently outstanding in the aggregate principal amount of \$62,100,000, (3) refund all of the City's outstanding Variable Rate Airport Refunding Revenue Bonds, Series 1997A, currently outstanding in the aggregate principal amount of \$42,085,000, (4) finance interest rate swap termination payments, and (5) pay all or a portion of the costs of issuing the Bonds, was published on September 5, 2008 stating that the City Council would hold a public hearing thereon on September 22, 2008 at 6:00 p.m.

The Mayor announced that the City Council would hear anyone who wished to be heard regarding the proposed issuance of the Bonds and the nature and location of the projects described above to be financed thereby. No one spoke at the public hearing.

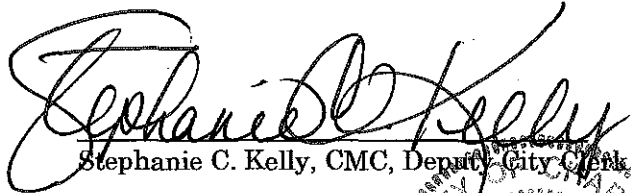
Council Member Mitchell moved that the public hearing be closed. The motion was seconded by Council Member Barnes and was unanimously adopted.

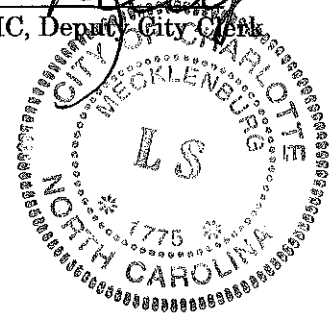
HELD the 22nd day of September, 2008.

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 22nd day of September, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (617-618).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of September, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AMENDING THE FIVE-YEAR CAPITAL INVESTMENT PLAN FOR FISCAL YEARS 2009 TO 2013.

WHEREAS, the City of Charlotte recognizes the importance of developing long-range capital investment planning to maintain the growth and vitality of the community; and

WHEREAS, the City of Charlotte continuously develops and reviews the policy, financial and planning assumptions and impacts of capital investment projects for the City; and

WHEREAS, the City of Charlotte has a five-year Capital Investment Plan based on policy assumptions, so stated in the FY2009-2013 Capital Investment Plan, that balances potential physical development with long-range financial capacity; and


WHEREAS, The Capital Investment Plan is amended from time to time to reflect changes in capital planning of the community to address project scope, financing and other conditions.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, that it does hereby amend the Capital Investment Plan for fiscal years 2009 to 2013 by increasing the NASCAR Hall of Fame project budget by \$32,000,000 in Certificates of Participation and increasing developer participation by \$3,900,000 for the parking deck and loading dock.

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 22nd day of September, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Page 619.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of September, 2008.


Stephanie C. Kelly, CMC, Deputy City Clerk

