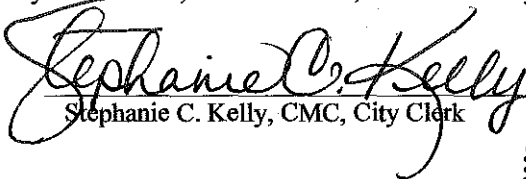
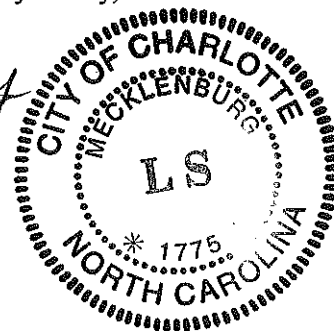


**CERTIFICATION**

I, Stephanie C. Kelly, 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 11<sup>th</sup> day May, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (950-951).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13<sup>th</sup> day of May, 2009.

  
Stephanie C. Kelly, CMC, City Clerk



RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a residual portion of 28<sup>th</sup> Street in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, Mr. Scott Wellmon has filed a petition to close a residual portion of 28<sup>th</sup> Street in the City of Charlotte; and

Whereas, the portion of 28<sup>th</sup> Street to be closed lies beginning from North Davidson Street continuing northwestwardly approximately 314 feet to its terminus at Jordan Place 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

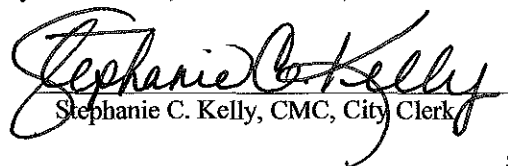
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of May 11, 2009 that it intends to close a residual portion of 28<sup>th</sup> Street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 8<sup>th</sup> day of June, 2009 in CMGC meeting chamber, 600 East 4<sup>th</sup> Street Charlotte North Carolina.

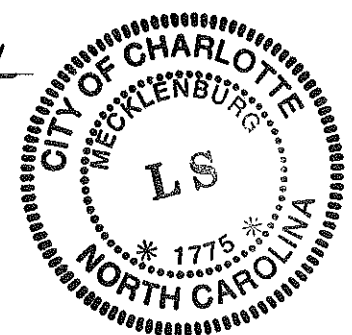
The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

CERTIFICATION

I, Stephanie C. Kelly, 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 11<sup>th</sup> day May, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 952.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13<sup>th</sup> day of May, 2009.

  
Stephanie C. Kelly, CMC, City Clerk



**RESOLUTION AUTHORIZING DONATION OF PERSONAL PROPERTY TO A  
NON-PROFIT ORGANIZATION PASSED BY THE CITY COUNCIL  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON MAY 11, 2009**

A motion was made by Council Member Mitchell and seconded by  
Council Member Carter for the adoption of the following Resolution, and upon  
being

put to a vote was duly adopted:

Whereas, North Carolina General Statute 160A-279 (a) authorizes the City to donate personal property belonging to the City of Charlotte to a non-profit organization upon adoption of a resolution by the Charlotte City Council; and

Whereas, the City of Charlotte's Public Transit Key Business (d/b/a CATS) has bicycles unclaimed by customers on revenue vehicles and facilities; and

Whereas, CATS has signage posted on public transit vehicles, at transit centers, bike racks, website, printed literature and at other high customer traffic areas indicating how to obtain lost personal property and what happens to unclaimed property after 30 days; and

Whereas, CATS has a Lost & Found facility and procedures that where lost property is stored and information recorded for a period of 30 days. The Lost and Found facility is located in CATS main transit center and is open Monday-Friday 8:00 am – 5:00 pm; and

Whereas, CATS seeks to reinvest certain unclaimed property for the betterment of the Charlotte neighborhoods and community; and

Whereas, the primary purpose of Trips for Kids-Charlotte is to combine lessons in personal responsibility, self-empowerment, achievement, and community service to kids in fragile neighborhoods so that kids are equipped with tools for building positive accomplishments and relationships within their communities and their lives; and

Whereas, Trips for Kids-Charlotte has several programs designed to achieve these goals including the:

- Earn-A-Bike program where kids have a chance to earn their own bike by completing a series of hands-on lessons in basic bike mechanics and bike safety, which also focus on personal responsibility, achievement and self-empowerment;
- Ride Program coordinates bicycle rides in the Charlotte region for kids from existing fragile neighborhoods involved in community-based organizations. Participation is usually a reward for good behavior and/or good grades. Each ride begins with a

safety session to ensure everyone understands the "rules of the trails" and all aspects of operating their bike safely.

Whereas, the Trips for Kids-Charlotte is registered as a 501(c)(3); and

Whereas, Trips for Kids-Charlotte will use the donated bicycle in these programs and to resale to provide continued funding for these programs;

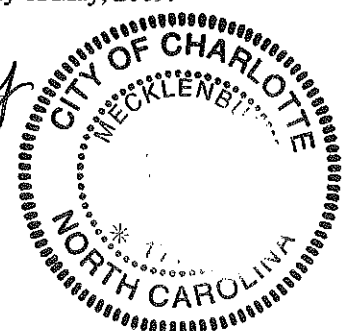
NOW, THEREFORE, be it resolved by the Charlotte City Council that the Key Business Executive of the Charlotte Area Transit System or designee are authorized to periodically determine which and how many unclaimed bicycles may be donated to Trips for Kids-Charlotte to help support its public purpose programs and to execute all documents necessary to bring about the periodic donations for a period not to exceed five (5) years.

**CERTIFICATION**

I, Stephanie C. Kelly, 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 11<sup>th</sup> day May, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (965-966).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13<sup>th</sup> day of May, 2009.

  
Stephanie C. Kelly, CMC, City Clerk



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
AUTHORIZING AMENDMENTS TO A LONG-TERM GROUND LEASE WITH  
GLOBAL SIGNAL ACQUISITIONS, LLC, ON PROPERTY LOCATED AT 1750  
SHOPTON ROAD**

---

WHEREAS, the City of Charlotte owns property at 1750 Shopton Road and entered into a land lease on May 20, 1997 with the predecessor-in-interest to Global Signal Acquisitions, LLC (current lessee) for the construction and operation of a communications tower; and

WHEREAS, the initial lease has a base term of five years with three additional five-year renewals, with a termination date of May 19, 2017, and is currently in its second renewal term; and

WHEREAS, in order to attract new tenants, and increase monthly rental payments to the City, Global Signal requested an amendment to the current lease which would allow for an additional five, 5-year renewal terms with an ultimate termination date of May 19, 2042; and

WHEREAS, North Carolina General Statute §160A-272 and City Charter § 8.131 authorizes the City to enter into long-term ground leases if authorized by the City Council by a resolution adopted at a regular meeting upon at least 10 days' public notice; and

WHEREAS, the City has given the required public notice, and the Council is convened in a regular meeting;

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

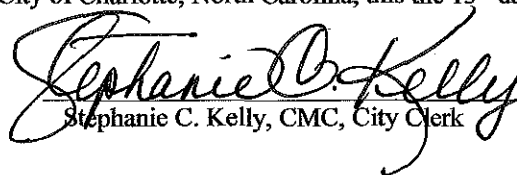
1. The amendments to lease as described above are authorized.
2. The appropriate City officials are directed to execute the lease amendment.

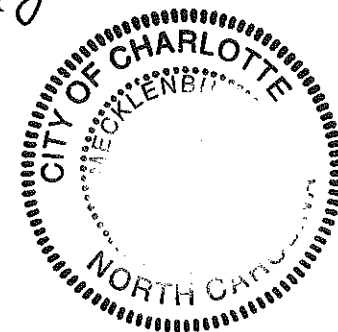
ADOPTED this 11th day of May, 2009.

**CERTIFICATION**

I, Stephanie C. Kelly, 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 11<sup>th</sup> day May, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (967-968).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13<sup>th</sup> day of May, 2009.

  
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 **THOMASBORO-HOSKINS NEIGHBORHOOD IMPROVEMENT 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 **THOMASBORO-HOSKINS NEIGHBORHOOD IMPROVEMENT PROJECT**; and estimated to be approximately **690 square feet (.016 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. 063-033-04, said property currently owned by **DARRON KENT MARTIN; VERA ANN STORY MARTIN; SCOTT A. KORBIN, Trustee; INLAND MORTGAGE CORPORATION, Beneficiary; Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

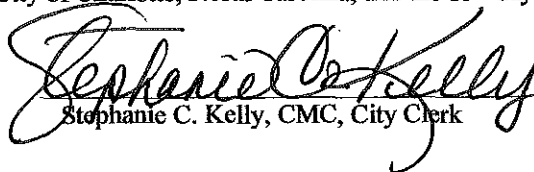
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

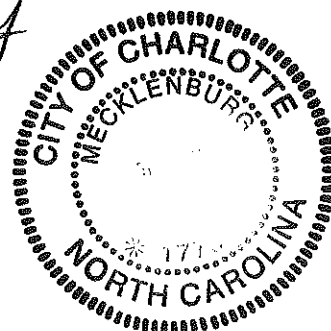
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

**CERTIFICATION**

I, Stephanie C. Kelly, 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 11<sup>th</sup> day May, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 969.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13<sup>th</sup> day of May, 2009.

  
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 **THOMASBORO-HOSKINS NEIGHBORHOOD IMPROVEMENT 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 **THOMASBORO-HOSKINS NEIGHBORHOOD IMPROVEMENT PROJECT**; and estimated to be approximately **5,725 square feet (.131 acre) of fee-simple area, storm drainage easement, sidewalk and utility easement, 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. 065-103-01, said property currently owned by **SONYA & SOPHIA ENTERPRISE, LLC; FARID HABBIFARD; RICHARD J. VANDER WOUDE, Trustee; WAMCO XXV, LTD., Beneficiary, Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

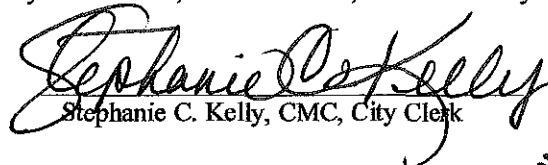
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

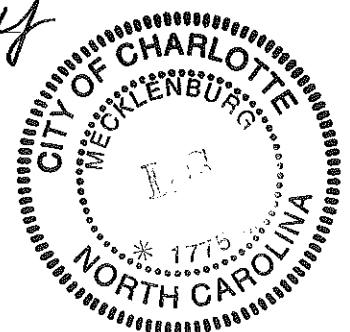
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

**CERTIFICATION**

I, Stephanie C. Kelly, 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 11<sup>th</sup> day May, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 970.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13<sup>th</sup> day of May, 2009.

  
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 **US29/NC49-UNIVERSITY CITY BOULEVARD PHASE I AND PHASE II-NORTH TRYON WIDENING 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 **US29/NC49-UNIVERSITY CITY BOULEVARD PHASE I AND PHASE II-NORTH TRYON WIDENING PROJECT** and estimated to be approximately **10,364 square feet (.238 acre) of fee-simple area, storm drainage easement, and a 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. 047-221-25, said property currently owned by **DONALD WILSON KILLIAN; DEBORAH B. KILLIAN, Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

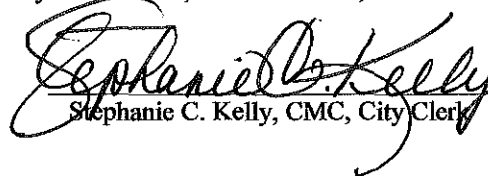
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, 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 11<sup>th</sup> day May, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Page 971.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13<sup>th</sup> day of May, 2009.

  
Stephanie C. Kelly, CMC, City Clerk



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 7:00 p.m. on May 11, 2009:

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

Members Absent:

\* \* \* \* \*  
\* \* \*

Councilmember Mitchell introduced the following resolution, a summary of which had been provided to each Councilmember, copy of which was available with the City Council and which was read by title:

**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT WITH NEW CHARLOTTE CORPORATION TO FINANCE AND REFINANCE CERTAIN NASCAR HALL OF FAME FACILITIES AND RELATED MATTERS**

*WHEREAS*, the City of Charlotte, North Carolina (the “City”) is a municipal corporation validly existing under the Constitution, statutes and laws of the State of North Carolina (the “State”);

*WHEREAS*, the City has the power, pursuant to the General Statutes of the State, to (1) purchase real and personal property, (2) enter into installment purchase contracts to finance the purchase of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

*WHEREAS*, the City and New Charlotte Corporation (the “Corporation”) previously entered into an Installment Purchase Contract dated as of February 1, 2007 (the “2007 Contract”) in order to finance (1) the construction, equipping and furnishing of the NASCAR Hall of Fame (the “HOF”), (2) the construction, equipping and furnishing of a ballroom to be connected to the HOF and the Convention Center (the “Ballroom”), (3) the construction of a parking facility adjacent to the HOF (the “Parking Facility”), (4) the renovation and improvement of the Convention Center to allow for light rail (the “Convention Center Renovation” and collectively with the HOF, the Ballroom and the Parking Facility, the “Projects”) and (5) costs related to the execution and delivery of the Contract;

*WHEREAS*, the Corporation previously executed and delivered Taxable Commercial Paper Certificates of Participation (NASCAR Hall of Fame Facilities), Series 2007C, evidencing proportionate undivided interests in rights to receive certain Revenues under the Contract (the "2007C Certificates") under an Indenture of Trust dated as of February 1, 2007 (the "General Indenture") and Supplemental Indenture, Number 1 dated as of February 1, 2007, each between the Corporation and U.S. Bank National Association, as trustee (the "Trustee");

*WHEREAS*, the City Council of the City (the "City Council") has determined it is in the best interest of the City to enter into Amendment Number One to the Installment Purchase Contract dated as of June 1, 2009 (the "Contract Amendment," and together with the 2007 Contract, the "Contract") with the Corporation to pay (1)(a) the cost of refunding a portion of the City's Installment Payments corresponding to a portion of the Outstanding 2007C Certificates (the "Refunded Certificates") and (b) additional costs of the Projects and (2) certain costs related to the execution and delivery of the Contract Amendment;

*WHEREAS*, the Corporation will execute and deliver Certificates of Participation (NASCAR Hall of Fame Facilities), Series 2009C, evidencing proportionate undivided interests in rights to receive certain Revenues pursuant to the Contract (the "2009C Certificates") under the General Indenture and Supplemental Indenture, Number 2 dated as of June 1, 2009 between the Corporation and the Trustee;

*WHEREAS*, in connection with the sale of the 2009C Certificates by the Corporation to Merrill Lynch, Pierce, Fenner & Smith Incorporated and Wachovia Bank, National Association (collectively, the "Underwriters"), the Corporation will enter into the Contract of Purchase (as defined below) and the City will execute a Letter of Representation to the Underwriters (the "Letter of Representation");

*WHEREAS*, there have been described to the City Council the forms of the following documents (collectively, the "Instruments"), copies of which have been made available to the City Council, which the City Council proposes to approve, enter into and deliver, as applicable, to effectuate the proposed installment financing:

- (1) the Contract Amendment;
- (2) the Letter of Representation; and
- (3) a Contract of Purchase to be dated on or about June 11, 2009 among the Corporation and the Underwriters (the "Contract of Purchase");

*WHEREAS*, to make an offering and sale of the 2009C Certificates, there will be prepared a Preliminary Official Statement (the "Preliminary Official Statement"), a draft thereof having been presented to the City Council, and a final Official Statement (collectively with the Preliminary Official Statement, the "Official Statement") with respect to the 2009C Certificates, which Official Statement will contain certain information regarding the City;

*WHEREAS*, it appears that each of the Instruments is in an appropriate form and is an appropriate instrument for the purposes intended;

*WHEREAS*, the City has previously determined that (1) the acquisition of the Projects is important to the City's proper, efficient and economic operation and to the general health and welfare of its inhabitants and (2) the Projects will permit the City to carry out public functions that the City is authorized by law to perform, and the City hereby determines that entering into the Contract Amendment is necessary and expedient by virtue of the findings presented herein;

*WHEREAS*, the City hereby determines that the cost of completing the Projects and of refinancing the Refunded Certificates exceeds the total amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the City in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

*WHEREAS*, the City hereby determines that the cost of financing the completion of the Projects and refinancing the Refunded Certificates pursuant to the Contract Amendment and the obligations of the City thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would decrease the financial benefits of completing the Projects and refinancing the Refunded Certificates; and (3) insufficient revenues are produced by the Projects so as to permit a revenue bond financing;

*WHEREAS*, the City hereby determines that the estimated cost of financing the Projects and refinancing the Refunded Certificates pursuant to the Contract Amendment reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

*WHEREAS*, the City does not anticipate future property tax increases to pay installment payments falling due under the Contract in any fiscal year during the term of the Contract and such payments are adequate and not excessive for their purpose;

*WHEREAS*, the City is not in default under any of its debt service obligations;

*WHEREAS*, the City's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the City has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget Ordinance;

*WHEREAS*, past audit reports of the City indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the City has not been censured by the North Carolina Local Government Commission (the "LGC"), external auditors or any other regulatory agencies in connection with such management and contract obligation payment policies;

*WHEREAS*, the City has filed an application to the LGC for approval of the Contract Amendment;

*WHEREAS*, the City Council hereby reaffirms each of the findings it made with respect to the Contract and the projects financed thereby in the resolution adopted by the City Council on December 11, 2006; and

*WHEREAS*, with respect to the 2009C Certificates, Parker Poe Adams & Bernstein LLP, Charlotte, North Carolina, will serve as special counsel and Corporation's counsel, DEC Associates, Inc., Charlotte, North Carolina, will serve as financial advisor, Merrill Lynch, Pierce, Fenner & Smith Incorporated, Charlotte, North Carolina, and Wachovia Bank, National Association, Charlotte, North Carolina, will serve as underwriters, U.S. Bank National Association, Charlotte, North Carolina, will serve as trustee, McGuireWoods LLP, Charlotte, North Carolina, will serve as underwriters' counsel, and

Waters and Company LLC of Birmingham, Alabama, will serve as financial consultant (collectively, the "Financing Team");

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

*Section 1. Ratification of Instruments.* That all actions of the City, the City Manager, the Director of Finance, the City Clerk, the City Attorney and their respective designees, whether previously or hereinafter taken, in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

*Section 2. Authorization of the Official Statement.* That the form, terms and content of the Official Statement are in all respects authorized, approved and confirmed, and the use of the Official Statement by the Underwriters in connection with the sale of the 2009C Certificates is hereby in all respects authorized, approved and confirmed.

*Section 3. Authorization of Contract Amendment.* That the City approves the refinancing of the Refunded Certificates and the financing of the additional costs of the Projects in accordance with the Contract Amendment, which will be a valid, legal and binding obligation of the City in accordance with its terms. The form and content of the Contract Amendment are hereby in all respects authorized, approved and confirmed, and the City Manager and the City Clerk and their respective designees are hereby authorized, empowered and directed to execute and deliver the Contract Amendment, including necessary counterparts, in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all changes, modifications, additions or deletions therein from the form and content of the Contract Amendment presented to the City Council, and that from and after the execution and delivery of the Contract Amendment, the City Manager, the Director of Finance and the City Clerk 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 Contract Amendment as executed.

*Section 4. Letter of Representation.* That the form and content of the Contract of Purchase are hereby in all respects approved, and the City Manager is authorized to execute the Letter of Representation for the purposes stated therein.

*Section 5. City Representative.* That the City Manager, the Director of Finance, the City Treasurer and the City Debt Manager are hereby designated as the City's Representatives to act on behalf of the City in connection with the transaction contemplated by the Instruments and the Official Statement, and each is authorized to proceed with the refinancing of the Refunded Certificates and the acquisition of the Projects in accordance with the Instruments and to seek opinions as a matter of law from the City Attorney, which City Attorney is authorized to furnish on behalf of the City, and opinions of law from such other attorneys for all documents contemplated hereby as required by law. The City's representative and/or designee or designees are in all respects authorized on behalf of the City to supply all information pertaining to the City as purchaser under the Contract for use in the Official Statement and the transactions contemplated by the Instruments or the Official Statement, the City Manager, the City Clerk and the Director of Finance 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 to consummate the transactions contemplated by the Instruments or the Official Statement or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution.

May 11, 2009

Resolution Book 41, Page 963

*Section 6. Financing Team.* That the Financing Team for the 2009C Certificates is hereby approved.

*Section 7. Severability.* That if any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

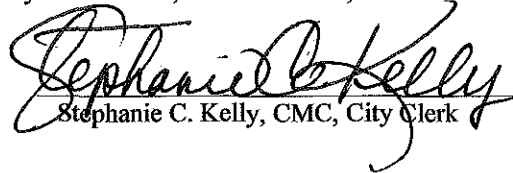
*Section 8. Repealer.* That all motions, orders, resolutions and parts thereof in conflict with this Resolution are hereby repealed.

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

**CERTIFICATION**

I, Stephanie C. Kelly, 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 11<sup>th</sup> day May, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (959-964).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13<sup>th</sup> day of May, 2009.

  
Stephanie C. Kelly, CMC, City Clerk



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 7:00 p.m. on May 11, 2009:

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

Members Absent:

\* \* \* \* \*

\* \* \*

Councilmember Mitchell introduced the following resolution, a summary of which had been provided to each Councilmember, copy of which was available with the City Council and which was read by title:

**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT WITH NEW CHARLOTTE CORPORATION TO FINANCE CERTAIN CONVENTION CENTER FACILITIES AND RELATED MATTERS**

*WHEREAS*, the City of Charlotte, North Carolina (the “City”) is a municipal corporation validly existing under the Constitution, statutes and laws of the State of North Carolina (the “State”);

*WHEREAS*, the City has the power, pursuant to the General Statutes of the State, to (1) purchase real and personal property, (2) enter into installment purchase contracts to finance the purchase of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

*WHEREAS*, the City and New Charlotte Corporation (the “Corporation”) previously entered into an Amended and Restated Installment Purchase Contract dated as of August 1, 1993, as previously amended (the “1993 Contract”), in order to finance, in part, the acquisition of the City’s new Convention Center (the “1993 Project”);

*WHEREAS*, the City and the Corporation previously entered into an Installment Purchase Contract dated as of February 1, 2007 (the “2007 Contract”) in order to finance various projects related to the NASCAR Hall of Fame facilities (the “Hall of Fame”) and the Convention Center, and the Corporation previously executed and delivered Taxable Commercial Paper Certificates of Participation



(NASCAR Hall of Fame Facilities), Series 2007C, evidencing proportionate undivided interests in rights to receive certain Revenues under the 2007 Contract (the "2007C Certificates");

*WHEREAS*, the City Council of the City (the "City Council") has determined it is in the best interest of the City to enter into Amendment Number Seven to the Amended and Restated Installment Purchase Contract dated as of June 1, 2009 (the "Contract Amendment," and together with the 1993 Contract, the "Contract") with the Corporation in order to finance (1) the cost of adding to and improving the 1993 Project through the acquisition of the ballroom located in the Hall of Fame, a pedestrian bridge connecting the Convention Center to the Hall of Fame and light rail improvements related thereto (the "2009B Project") by (a) refunding in advance of their maturity a portion of the City's Installment Payments corresponding to a portion of the 2007C Certificates, the proceeds of which were applied to the construction of the 2009B Project and (b) financing the completion of the 2009B Project and (2) certain costs related to the execution and delivery of the Contract Amendment;

*WHEREAS*, the Corporation will execute and deliver Certificates of Participation (Convention Facility Project), Series 2009B, evidencing proportionate undivided interests in rights to receive certain Revenues pursuant to the Contract (the "2009B Certificates") under the Indenture of Trust dated as of June 1, 1991 between the Corporation and NNCB National Bank of North Carolina, N.A., the successor to which is U.S. Bank National Association, as trustee (the "Trustee"), and Supplemental Indenture, Number 8 dated as of June 1, 2009 between the Corporation and the Trustee;

*WHEREAS*, in connection with the sale of the 2009B Certificates by the Corporation to Merrill Lynch, Pierce, Fenner & Smith Incorporated and Wachovia Bank, National Association (collectively, the "Underwriters"), the Corporation will enter into the Contract of Purchase (as defined below) and the City will execute a Letter of Representation to the Underwriters (the "Letter of Representation");

*WHEREAS*, there have been described to the City Council the forms of the following documents (collectively, the "Instruments"), copies of which have been made available to the City Council, which the City Council proposes to approve, enter into and deliver, as applicable, to effectuate the proposed installment financing:

- (1) the Contract Amendment;
- (2) the Letter of Representation; and
- (3) a Contract of Purchase to be dated on or about June 11, 2009 among the Corporation and the Underwriters (the "Contract of Purchase");

*WHEREAS*, to make an offering and sale of the 2009B Certificates, there will be prepared a Preliminary Official Statement (the "Preliminary Official Statement"), a draft thereof having been presented to the City Council, and a final Official Statement (collectively with the Preliminary Official Statement, the "Official Statement") with respect to the 2009B Certificates, which Official Statement will contain certain information regarding the City;

*WHEREAS*, it appears that each of the Instruments is in an appropriate form and is an appropriate instrument for the purposes intended;

*WHEREAS*, the City hereby determines that the acquisition of the 2009B Project is important to the City's proper, efficient and economic operation and to the general health and welfare of its inhabitants; that the 2009B Project will permit the City to carry out public functions that the City is

authorized by law to perform; and that entering into the Contract Amendment is necessary and expedient by virtue of the findings presented herein;

*WHEREAS*, the City hereby determines that the cost of the 2009B Project exceeds the total amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the City in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

*WHEREAS*, the City hereby determines that the cost of financing the acquisition of the 2009B Project pursuant to the Contract Amendment and the obligations of the City thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would decrease the financial benefits of acquiring the 2009B Project; and (3) insufficient revenues are produced by the 2009B Project so as to permit a revenue bond financing;

*WHEREAS*, the City hereby determines that the estimated cost of financing the 2009B Project pursuant to the Contract Amendment reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

*WHEREAS*, the City does not anticipate future property tax increases to pay installment payments falling due under the Contract in any fiscal year during the term of the Contract and such payments are adequate and not excessive for their purpose;

*WHEREAS*, the City is not in default under any of its debt service obligations;

*WHEREAS*, the City's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the City has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget Ordinance;

*WHEREAS*, past audit reports of the City indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the City has not been censured by the North Carolina Local Government Commission (the "LGC"), external auditors or any other regulatory agencies in connection with such management and contract obligation payment policies;

*WHEREAS*, the City has filed an application to the LGC for approval of the Contract Amendment;

*WHEREAS*, the City Council hereby reaffirms each of the findings it made with respect to the Contract and the projects financed thereby in the resolution adopted by the City Council on June 10, 1991; and

*WHEREAS*, with respect to the 2009B Certificates, Parker Poe Adams & Bernstein LLP, Charlotte, North Carolina, will serve as special counsel and Corporation's counsel, DEC Associates, Inc., Charlotte, North Carolina, will serve as financial advisor, Merrill Lynch, Pierce, Fenner & Smith Incorporated, Charlotte, North Carolina, and Wachovia Bank, National Association, Charlotte, North Carolina, will serve as underwriters, U.S. Bank National Association, Charlotte, North Carolina, will serve as trustee, McGuireWoods LLP, Charlotte, North Carolina, will serve as underwriters' counsel, and

Waters and Company LLC of Birmingham, Alabama, will serve as financial consultant (collectively, the "Financing Team");

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

***Section 1. Ratification of Instruments.*** That all actions of the City, the City Manager, the Director of Finance, the City Clerk, the City Attorney and their respective designees, whether previously or hereinafter taken, in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

***Section 2. Authorization of the Official Statement.*** That the form, terms and content of the Official Statement are in all respects authorized, approved and confirmed, and the use of the Official Statement by the Underwriters in connection with the sale of the 2009B Certificates is hereby in all respects authorized, approved and confirmed.

***Section 3. Authorization of Contract Amendment.*** That the City approves the financing of the 2009B Project in accordance with the Contract Amendment, which will be a valid, legal and binding obligation of the City in accordance with its terms. The form and content of the Contract Amendment are hereby in all respects authorized, approved and confirmed, and the City Manager and the City Clerk and their respective designees are hereby authorized, empowered and directed to execute and deliver the Contract Amendment, including necessary counterparts, in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all changes, modifications, additions or deletions therein from the form and content of the Contract Amendment presented to the City Council, and that from and after the execution and delivery of the Contract Amendment, the City Manager, the Director of Finance and the City Clerk 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 Contract Amendment as executed.

***Section 4. Letter of Representation.*** That the form and content of the Contract of Purchase are hereby in all respects approved, and the City Manager is authorized to execute the Letter of Representation for the purposes stated therein.

***Section 5. City Representative.*** That the City Manager, the Director of Finance, the City Treasurer and the City Debt Manager are hereby designated as the City's Representatives to act on behalf of the City in connection with the transaction contemplated by the Instruments and the Official Statement, and each is authorized to proceed with the refunding of the Refunded Certificates and the acquisition of the Projects in accordance with the Instruments and to seek opinions as a matter of law from the City Attorney, which City Attorney is authorized to furnish on behalf of the City, and opinions of law from such other attorneys for all documents contemplated hereby as required by law. The City's representative and/or designee or designees are in all respects authorized on behalf of the City to supply all information pertaining to the City as purchaser under the Contract for use in the Official Statement and the transactions contemplated by the Instruments or the Official Statement, the City Manager, the City Clerk and the Director of Finance 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 to consummate the transactions contemplated by the Instruments or the Official Statement or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution.

*Section 6. Financing Team.* That the Financing Team for the 2009B Certificates is hereby approved.

*Section 7. Severability.* That if any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

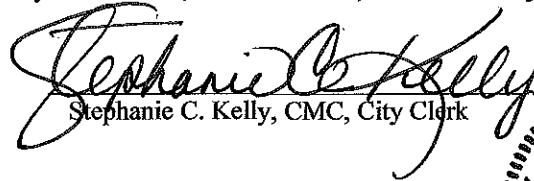
*Section 8. Repealer.* That all motions, orders, resolutions and parts thereof in conflict with this Resolution are hereby repealed.

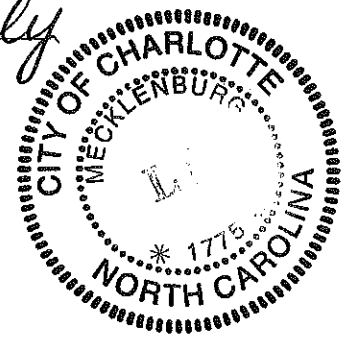
*Section 9. Effective Date.* That this Resolution is effective on the date of its adoption.

**CERTIFICATION**

I, Stephanie C. Kelly, 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 11<sup>th</sup> day May, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (953-958).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13<sup>th</sup> day of May, 2009.

  
Stephanie C. Kelly, CMC, City Clerk



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 7:00 p.m. on May 11, 2009:

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

Members Absent:

\* \* \* \* \*

\* \* \*

Councilmember Mitchell introduced the following resolution, a summary of which had been provided to each Councilmember, copy of which was available with the City Council and which was read by title:

**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING AN INSTALLMENT FINANCING CONTRACT TO PROVIDE FOR THE ACQUISITION AND INSTALLATION OF CERTAIN EQUIPMENT AND THE CONSTRUCTION, FURNISHING AND EQUIPPING OF CERTAIN PROJECTS SET FORTH THEREIN**

*WHEREAS*, the City of Charlotte, North Carolina (the "City") is a municipal corporation duly created and validly existing under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the "State");

*WHEREAS*, the City has the power, pursuant to the General Statutes of North Carolina, to (1) purchase real and personal property, (2) enter into installment financing contracts to finance the purchase or improvement of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased or improved to secure repayment of the purchase price;

*WHEREAS*, the City Council of the City (the "City Council") hereby determines that it is in the best interest of the City to enter into (1) an installment financing contract (the "Contract") with New Charlotte Corporation, a North Carolina nonprofit corporation, in order to finance (a) the purchase of certain personal property (the "Equipment") for use by various City departments for the City's general governmental purposes, (b) (i) the construction, furnishing and equipping of a police station (the "Police Station"), (ii) the construction, furnishing and equipping of five fire stations (the "Fire Stations") and

certain costs associated with the acquisition of future fire stations and (iii) improvements to the City's operational facilities for street maintenance, light equipment maintenance and solid waste personnel (the "Central Yard Improvements") (collectively, the "Projects") and (c) certain costs related to the execution and delivery of the Contract; and (2) a deed of trust, security agreement and fixture filing (the "Deed of Trust") related to all or a portion of the City's fee simple interest in the real property on which the Police Station and one or more of the Fire Stations will be located (the "Sites," and together with the improvements thereon, the "Mortgaged Property");

*WHEREAS*, in order to secure the City's obligations under the Contract, the City will (1) enter into the Deed of Trust and (2) grant to the Corporation and its assignee under the Contract a security interest in the Equipment acquired with the proceeds of the Contract;

*WHEREAS*, Parker Poe Adams & Bernstein LLP, as special counsel ("*Special Counsel*"), will render an opinion to the effect that entering into the Contract and the transactions contemplated thereby are authorized by law;

*WHEREAS*, no deficiency judgment may be rendered against the City in any action for its breach of the Contract, and the taxing power of the City is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract;

*WHEREAS*, the City is not in default under any of its debt service obligations;

*WHEREAS*, the City's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the City has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget ordinance;

*WHEREAS*, past audit reports of the City indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the City has not been censured by the North Carolina Local Government Commission (the "*LGC*"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

*WHEREAS*, the Corporation will execute and deliver Certificates of Participation (Equipment Acquisition and Public Facilities), Series 2009A, evidencing proportionate undivided interests in rights to receive certain Revenues pursuant to the Contract (the "*2009A Certificates*");

*WHEREAS*, in connection with the sale of the 2009A Certificates by the Corporation to Merrill Lynch, Pierce, Fenner & Smith Incorporated and Wachovia Bank, National Association (collectively, the "*Underwriters*"), the Corporation will enter into the Contract of Purchase (hereinafter defined) and the City will execute a Letter of Representation to the Underwriters (the "*Letter of Representation*");

*WHEREAS*, there have been described to the City Council the forms of the following documents (collectively, the "*Instruments*"), copies of which have been made available to the City Council, which the City Council proposes to approve, enter into and deliver, as applicable, to effectuate the proposed installment financing:

- (1) the Contract;

- (2) the Deed of Trust;
- (3) the Indenture of Trust dated as of June 1, 2009 (the "*Indenture*") between the Corporation and U.S. Bank National Association, as trustee;
- (4) the Contract of Purchase to be dated on or about June 11, 2009 among the Corporation and the Underwriters (the "*Contract of Purchase*"); and
- (5) the Letter of Representation;

*WHEREAS*, to make an offering and sale of the 2009A Certificates, there will be prepared a Preliminary Official Statement (the "*Preliminary Official Statement*"), a draft thereof having been presented to the City Council, and a final Official Statement (collectively with the Preliminary Official Statement, the "*Official Statement*") with respect to the 2009A Certificates, which Official Statement will contain certain information regarding the City;

*WHEREAS*, it appears that each of the Instruments and the Preliminary Official Statement is in an appropriate form and is an appropriate instrument for the purposes intended;

*WHEREAS*, the City Council did conduct a public hearing on May 11, 2009, to receive public comment on the proposed Contract to acquire the Equipment and the Projects; and

*WHEREAS*, the City has filed an application to the LGC for approval of the Contract;

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

*Section 1. Ratification of Instruments.* That all actions of the City, the City Manager, the Director of Finance, the City Clerk, the City Attorney and their respective designees, whether previously or hereinafter taken, in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

*Section 2. Authorization of the Official Statement.* That the form, terms and content of the Official Statement are in all respects authorized, approved and confirmed, and the use of the Official Statement by the Underwriters in connection with the sale of the 2009A Certificates is hereby in all respects authorized, approved and confirmed.

*Section 3. Authorization to Execute the Contract.* That the City approves the acquisition of the Equipment and the Projects in accordance with the terms of the Contract, which will be a valid, legal and binding obligation of the City in accordance with its terms. The form and content of the Contract shall be and the same hereby are in all respects authorized, approved and confirmed, and the City Manager and the City Clerk and their respective designees shall be and they hereby are authorized, empowered and directed to execute and deliver the Contract, including necessary counterparts, in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all changes, modifications, additions or deletions therein from the form and content of the Contract presented to the City Council, and that from and after the execution and delivery of the Contract, the City Manager, the Director of Finance and the City Clerk



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 Contract as executed.

*Section 4. Authorization to Execute the Deed of Trust.* That the City approves the form and content of the Deed of Trust, and the Deed of Trust is in all respects authorized, approved and confirmed. The City Manager and the City Clerk and their respective designees are hereby authorized, empowered and directed to execute and deliver the Deed of Trust, including necessary counterparts, in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate. Execution by the City Manager and the City Clerk or their respective designees shall constitute conclusive evidence of the City's approval of any and all such changes, modifications, additions or deletions therein from the form and content of the Deed of Trust presented to the City Council and from and after the execution and delivery of the Deed of Trust, the City Manager, the City Clerk 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 Deed of Trust as executed.

*Section 5. Letter of Representation.* That the form and content of the Contract of Purchase are hereby in all respects approved, and the City Manager is authorized to execute the Letter of Representation for the purposes stated therein.

*Section 6. City Representative.* That the City Manager, the Director of Finance, the City Treasurer and the City Debt Manager are hereby designated as the City's Representatives to act on behalf of the City in connection with the transaction contemplated by the Instruments and the Official Statement, and each is authorized to proceed with the acquisition of the Equipment and the Projects in accordance with the Instruments and to seek opinions as a matter of law from the City Attorney, which City Attorney is authorized to furnish on behalf of the City, and opinions of law from such other attorneys for all documents contemplated hereby as required by law. The City's representative and/or designee or designees are in all respects authorized on behalf of the City to supply all information pertaining to the City as purchaser under the Contract for use in the Official Statement and the transactions contemplated by the Instruments or the Official Statement, the City Manager, the City Clerk and the Director of Finance 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 to consummate the transactions contemplated by the Instruments or the Official Statement or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution.

*Section 7. Severability.* That if any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

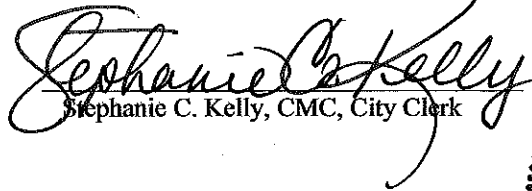
*Section 8. Repealer.* That all motions, orders, resolutions and parts thereof in conflict with this Resolution are hereby repealed.

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

**CERTIFICATION**

I, Stephanie C. Kelly, 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 11<sup>th</sup> day May, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 41, Pages (945-949).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13<sup>th</sup> day of May, 2009.

  
Stephanie C. Kelly, CMC, City Clerk

