

RESOLUTION CLOSING AN UNOPENED RIGHT OF WAY KNOWN AS HASTY AVENUE IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

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WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close an unopened right-of-way known as Hasty Avenue which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close an unopened right-of-way known as Hasty Avenue to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least two (2) places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to the City of Charlotte, Charlotte Mecklenburg Utilities, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 9<sup>th</sup> day of November, 2009 and City Council determined that the closing of an unopened right-of-way known as Hasty Avenue is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

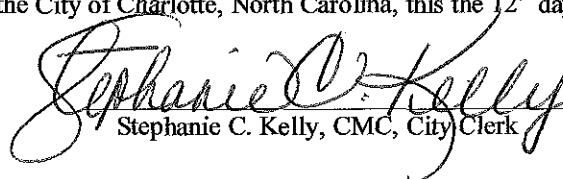
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of November 9, 2009, that the Council hereby orders the closing of an unopened right-of-way known as Hasty Avenue in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in document marked "Exhibit B", both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

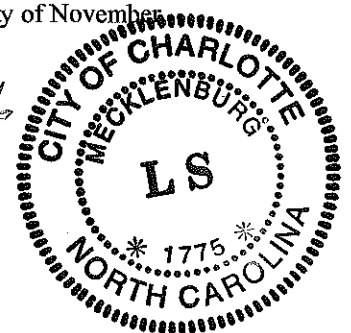
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

**CERTIFICATION**

I, Stephanie C. Kelly, 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 November, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 42, Pages (242-244).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12<sup>th</sup> day of November, 2009.

  
Stephanie C. Kelly, CMC, City Clerk



**A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES**

Reference is made to the schedule of "Taxpayers and Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

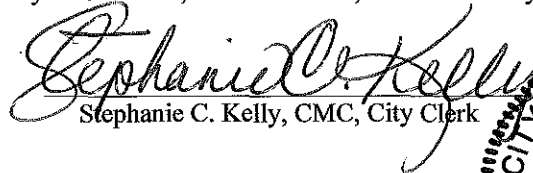
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

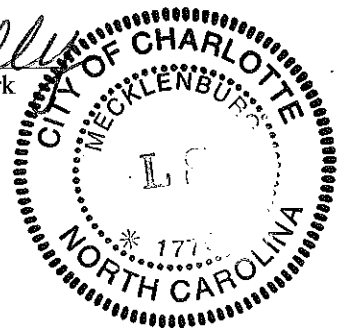
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 9th day of November, 2009 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

**CERTIFICATION**

I, 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 November, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 42, Pages (245-246).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12<sup>th</sup> day of November, 2009.

  
Stephanie C. Kelly, CMC, City Clerk



RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE an unopened right-of-way known as **Jackson Place and a portion of Jackson Drive** in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Charlotte Douglas International Airport** has filed a petition to close an unopened right-of-way known as **Jackson Place and a portion of Jackson Drive** in the City of Charlotte; and

Whereas, the unopened right-of-way known as Jackson Place and a portion of Jackson Drive to be closed lies beginning from West Blvd continuing northeastwardly approximately 375 feet to its terminus at Jackson Drive as shown in the map marked "Exhibit A-1" and a portion of an unopened right-of-way known as Jackson Drive to be closed lies beginning from Airport Drive and continuing eastwardly approximately 359 feet to its terminus as shown in the map marked "Exhibit A-2" 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; and

Whereas, the procedure for closing streets and alleys as outlined in the North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley.

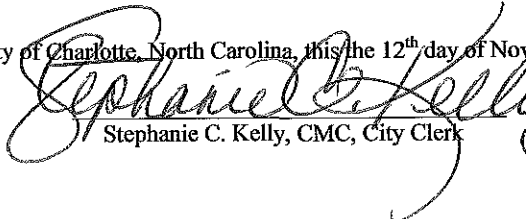
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of November 9, 2009, that it intends to close an unopened right-of-way known as Jackson Place and a portion of Jackson Drive (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 14<sup>th</sup> day of December, 2009 in CMGC meeting chamber, 600 East 4<sup>th</sup> Street Charlotte North Carolina.

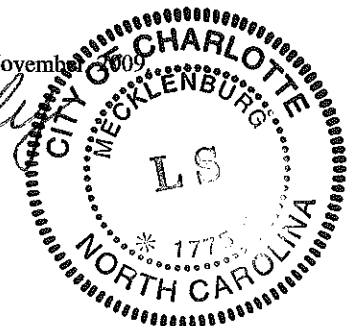
The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

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 November, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 42, Page 249.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12<sup>th</sup> day of November, 2009.

  
Stephanie C. Kelly, CMC, City Clerk



**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a 10-foot alleyway between South Mint Street and South Church Street** in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Prida Land Holdings, LLC** has filed a petition to close a **10-foot alleyway between South Mint Street and South Church Street** in the City of Charlotte; and

Whereas, a 10-foot alleyway between South Mint Street and South Church Street to be closed begins at South Church Street and continues approximately 410 feet northwestwardly to its terminus at South Mint Street, as shown in the map marked "Exhibit A-1" and is more particularly described by metes and bounds in the document marked "Exhibit B-1" 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 the North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley.

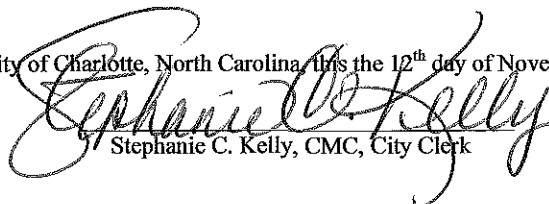
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of November 9, 2009, that it intends to close a 10-foot alleyway between South Mint Street and South Church Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 14<sup>th</sup> day of December, 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 November, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 42, Page 250.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12<sup>th</sup> day of November, 2009.

  
Stephanie C. Kelly, CMC, City Clerk



**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a residual portion of Shopton Road West in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, the **City of Charlotte** has filed a petition to close a **residual portion of Shopton Road West** in the City of Charlotte; and

Whereas, a residual portion of Shopton Road West to be closed lies along the shared boundary of Dixie/Berryhill Community and Steele Creek Community beginning at Steele Creek Road and continuing approximately 1200 feet southwestwardly to its terminus, as shown in the maps marked "Exhibit A-1, A-2, and A-3" and is more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

Whereas, the procedure for closing streets and alleys as outlined in the North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley.

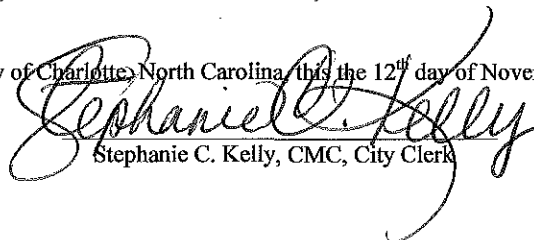
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of November 9, 2009, that it intends to close a residual portion of Shopton Road West and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 14<sup>th</sup> day of December, 2009, in CMGC meeting chamber, 600 East 4<sup>th</sup> Street Charlotte North Carolina.

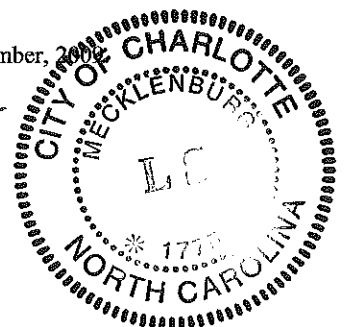
The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

**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 November, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 42, Page 251.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12<sup>th</sup> day of November, 2009.

  
Stephanie C. Kelly, CMC, City Clerk



**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of West 3<sup>rd</sup> Street and a residual portion of South Mint Street in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, Mecklenburg County has filed a petition to close a portion of West 3<sup>rd</sup> Street and a residual portion of South Mint Street in the City of Charlotte; and

Whereas, a portion of West 3<sup>rd</sup> Street and a residual portion of South Mint Street lies within the Third Ward Community. A portion of West Third Street: beginning at South Graham Street and continuing approximately 515-feet southeastwardly to its terminus at South Mint Street. A residual portion of South Mint Street: beginning at West 3<sup>rd</sup> Street and continuing approximately 214-feet northeastwardly to its terminus, as shown in the maps marked "Exhibits A-1 and A-2" and is more particularly described by metes and bounds in documents marked "Exhibit B-1 and B-2" all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

Whereas, the procedure for closing streets and alleys as outlined in the North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley; and

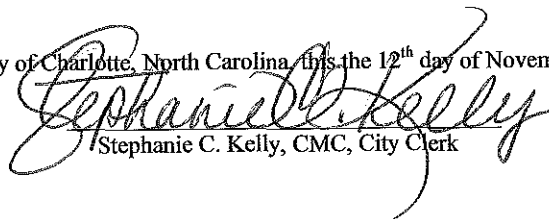
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of November 9, 2009, that it intends to close a portion of West 3<sup>rd</sup> Street and a residual portion of South Mint Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 14th day of December 2009 in CMGC meeting chamber, 600 East 4<sup>th</sup> Street, Charlotte, North Carolina.

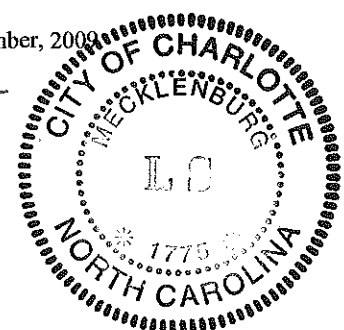
The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

**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 November, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 42, Page 252.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12<sup>th</sup> day of November, 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 November 9, 2009.

Members Present: Councilmembers Barnes, Burgess, Carter, Cooksey, Dulin, Foxx, Kinsey, Lassiter, and Peacock.

Members Absent: Councilmembers Mitchell, and Turner.

Also Present: Mayor

\* \* \* \* \*

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

**RESOLUTION ADOPTING THE BOND ORDER AUTHORIZING THE  
ISSUANCE OF WATER AND SEWER SYSTEM REVENUE BONDS OF THE  
CITY OF CHARLOTTE, NORTH CAROLINA IN THE AGGREGATE  
PRINCIPAL AMOUNT NOT TO EXCEED \$400,000,000**

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

*WHEREAS*, the City has determined to issue its Water and Sewer System Revenue Bonds, Series 2009B (the “2009B Bonds”) in an aggregate principal amount not to exceed \$400,000,000 to provide funds to (1) refinance all of the City’s outstanding Water and Sewer System Commercial Paper Revenue Bond Anticipation Notes, Series 2004 (the “Commercial Paper”), the proceeds of which were used to improve the City’s water and sanitary sewer systems (collectively, the “Water and Sewer System”), including, but not limited to, the extension of existing water and sewer lines and rehabilitation or replacement of others; construction of new water and sewer mains and outfalls; rehabilitation and upgrades of water and wastewater treatment plants; and acquisition of land, (2) finance the additional costs of extensions, additions and capital improvements to, or renewal and replacement of capital assets of, or purchasing and installing new equipment for the Water and Sewer System (collectively with the projects being refinanced, the “Project”) and (3) pay a portion of the interest on the 2009B Bonds through January 1, 2011;

**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 November 9, 2009.

Members Present: Councilmembers Barnes, Burgess, Carter, Cooksey, Dulin, Foxx Kinsey, Lassiter, and Peacock.

Members Absent: Councilmembers Mitchell, and Turner.

Also Present: Mayor

\* \* \* \* \*

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, AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF CITY OF CHARLOTTE, NORTH CAROLINA WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2009B; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS.**

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

*WHEREAS*, the City has determined to issue its Water and Sewer System Revenue Bonds, Series 2009B (the "*2009B Bonds*") in an aggregate principal amount not to exceed \$400,000,000 to provide funds to (1) refinance all of the City's outstanding Water and Sewer System Commercial Paper Revenue Bond Anticipation Notes, Series 2004 (the "*Commercial Paper*"), the proceeds of which were used to improve the City's water and sanitary sewer systems (collectively, the "*Water and Sewer System*"),



**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF  
CHARLOTTE, NORTH CAROLINA ON November 9, 2009**

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

WHEREAS, A Municipal Agreement between the City and the North Carolina Department of Transportation (NCDOT) will allow the City to be reimbursed for the installation of a traffic signal with steel poles and mast arms at the intersection of Johnston Road (US 521) and Ballantyne Crossing Avenue by NCDOT; and

WHEREAS, The Municipal Agreement provides for reimbursement not to exceed \$241,390, to include \$80,000 of State contingency funding and \$161,390 of funding from the neighborhood association for steel poles/mast arms; and

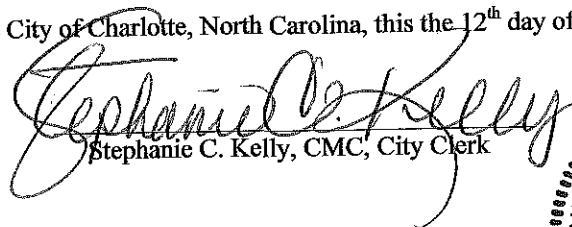
WHEREAS, The format and cost sharing philosophy is consistent with past municipal agreements; and

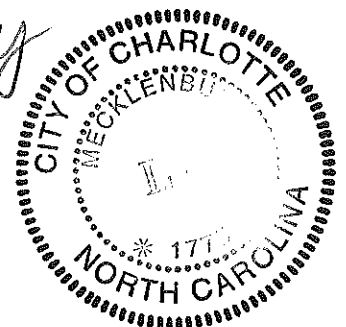
NOW, THEREFORE, BE IT RESOLVED that this resolution authorizing the Key Business Executive of the Charlotte Department of Transportation to execute a municipal agreement with the NCDOT for NCDOT to reimburse the City up to \$241,390 for the signal installation at Johnston Road (US 521) and Ballantyne Crossing Avenue, is hereby formally approved by the City Council of the City of Charlotte and the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the aforementioned groups.

**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 November, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 42, Page 261.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12<sup>th</sup> day of November, 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 **2009 ANNEXATION-HOOD ROAD SOUTH SANITARY SEWER IMPROVEMENTS 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 **2009 ANNEXATION-HOOD ROAD SOUTH SANITARY SEWER IMPROVEMENTS PROJECT** and estimated to be approximately **7,014 square feet (.161 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 108-112-08, said property currently owned by **BETTY BYNUM OWENS and spouse, if any; BARBARA BYNUM RAINEY and spouse, if any; JAMES W. BYNUM and spouse, if any; THOMAS BYNUM and spouse, if any; RALPH BYNUM and spouse, if any; L'TANGA BYNUM ANDERSON (a/k/a "Ltanga Bynum Anderson") and spouse, if any; MECKLENBURG COUNTY TAX COLLECTOR; FIA CARD SERVICES, NA, MBNA AMERICA BANK, Possible Judgment Creditor; MICHAEL McCLENDON, Possible Judgment Creditor; STATE OF NORTH CAROLINA, Possible Judgment Creditor; TIME WANER CABLE, Possible Judgment Creditor; NISSAN MOTOR ACCEPTANCE CORPORATION, Possible Judgment Creditor, Any Other Parties in Interest, or the owners' successor-in-interest.**

ESTIMATED JUST COMPENSATION:

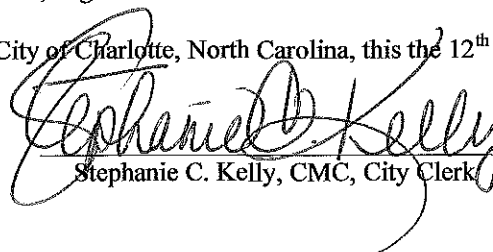
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

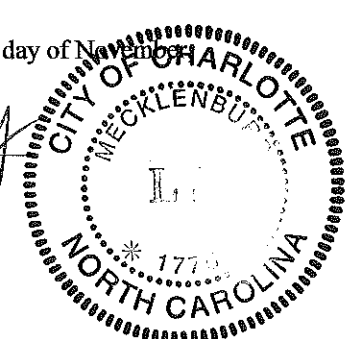
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

**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 November, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 42, Page 262.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12<sup>th</sup> day of November, 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 **2009 ANNEXATION-HOOD ROAD SOUTH SANITARY SEWER IMPROVEMENTS 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 **2009 ANNEXATION-HOOD ROAD SOUTH SANITARY SEWER IMPROVEMENTS PROJECT** and estimated to be approximately **27,098 square feet (.622 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 108-112-04, said property currently owned by **JOHN EARL MAHLER and spouse, if any, MECKLENBURG COUNTY TAX COLLECTOR, Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

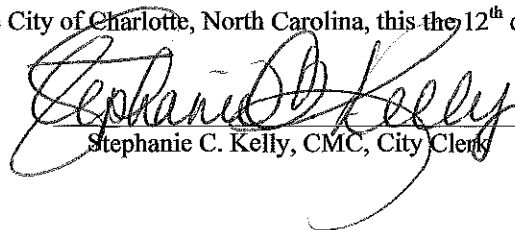
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

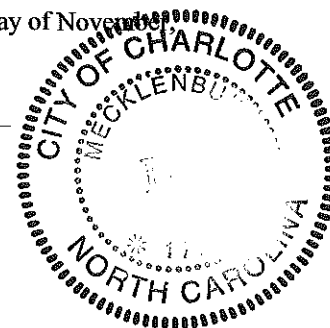
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 November, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 42, Page 263.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12<sup>th</sup> day of November, 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 **2009 ANNEXATION-HOOD ROAD SOUTH SANITARY SEWER IMPROVEMENTS 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 **2009 ANNEXATION-HOOD ROAD SOUTH SANITARY SEWER IMPROVEMENTS PROJECT** and estimated to be approximately **46,390 square feet (1.065 acre)** of **sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 108-071-13, said property currently owned by **WALLACE ROAD, LLC; KENNETH C. BROWN, PATRICIA M. VOGEL and RONNIE D. BLANTON, Trustees; FIRST CHARTER BANK, Beneficiary; MECKLENBURG COUNTY TAX COLLECTOR, Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

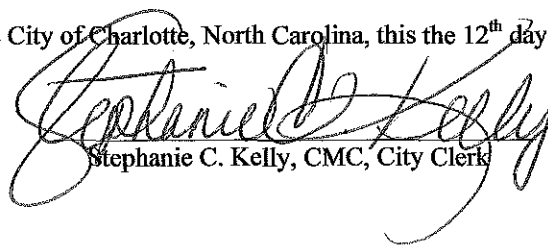
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

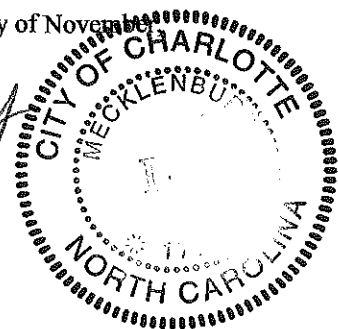
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 November, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 42, Page 264.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12<sup>th</sup> day of November, 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 **FY08 ACCESSIBLE RAMP INSTALLATION 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 **FY08 ACCESSIBLE RAMP INSTALLATION PROJECT** and estimated to be approximately **2,673 square feet (.061 acre) of sidewalk and utility easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 123-033-03, said property currently owned by **200 EAST BLAND STREET, L. L. C.; CICCONE-HARRIS, L. L. C., Lessee; THE TITLE COMPANY OF NORTH CAROLINA, INC., Trustee; AMRESCO COMMERCIAL FINANCE, INC., Beneficiary; JILLIAN'S BILLIARD CLUB OF CHARLOTTE, NC, INC., Lessee; GRANICE GEYER-SMITH, Trustee; FLEET NATIONAL BANK, Beneficiary; ADELPHIA GGF, INC., Lessee, Any Other Parties in Interest, or the owners' successor-in-interest.**

ESTIMATED JUST COMPENSATION:

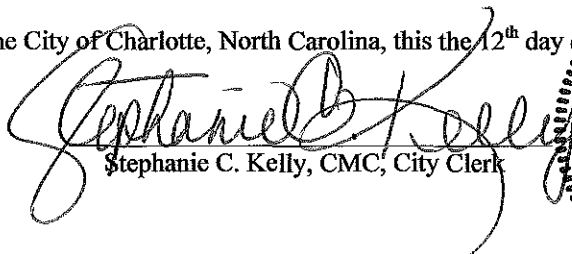
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 November, 2009, the reference having been made in Minute Book 128, and recorded in full in Resolution Book 42, Page 265.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12<sup>th</sup> day of November 2009.

  
Stephanie C. Kelly, CMC, City Clerk

