

EXTRACTS FROM MINUTES OF CITY COUNCIL

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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 September 24, 2012:

Members Present: Councilmembers: John Autry, Michael Barnes, Warren Cooksey, Andy Dulin, Claire Fallon, David Howard, Patsy Kinsey, Lawana Mayfield, James Mitchell, Beth Pickering, and Mayor Anthony Foxx.

Members Absent: Mayor Pro Tem Patrick Cannon

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Councilmember Howard introduced the following 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 STORM WATER FEE REVENUE REFUNDING BONDS, SERIES 2012; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH THE TERMS AND CONDITIONS UPON 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; and

WHEREAS, the City has determined to issue its Storm Water Fee Revenue Refunding Bonds, Series 2012 (the "2012 Bonds") in an aggregate principal amount not to exceed \$25,255,000 to provide funds (1) to refund in advance of their maturities the City's Storm Water Fee Revenue Refunding Bonds, Series 2002 maturing on and after June 1, 2013 (the "2002 Bonds") and (2) to pay the costs of issuing the 2012 Bonds, as described in the Bond Order of the City adopted on September 24, 2012.

WHEREAS, the City will issue the 2012 Bonds under a General Trust Indenture dated as of May 15, 2000 between the City and First Union National Bank, the successor to which is U.S. Bank National Association, as trustee (the "Trustee"), and Series Indenture, Number 5 dated as of

November 1, 2012 (the "*Series Indenture*," and together with the General Indenture, the "*Indenture*") between the City and the Trustee;

WHEREAS, the City desires to execute and deliver a Bond Purchase Agreement to be dated on or about October 25, 2012 (the "*Purchase Contract*") among the City, the Local Government Commission of North Carolina (the "*Commission*") and Merrill Lynch, Pierce, Fenner & Smith Incorporated, on its own behalf and on behalf of Wells Fargo Bank, National Association (collectively, the "*Underwriters*"), pursuant to which the City and the Commission will sell the 2012 Bonds to the Underwriters in accordance with the terms and conditions set forth therein; and

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

1. the Series Indenture;
2. the Purchase Contract; and
3. the Preliminary Official Statement to be dated on or about October 15, 2012 (the "*Preliminary Official Statement*") with respect to the 2012 Bonds.

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

Section 1. The issuance of the 2012 Bonds by the City in the principal amount not to exceed \$25,255,000, in substantially the form and content set forth in the Series Indenture, subject to appropriate insertions and revisions to comply with the provisions of the General Indenture and the Series Indenture, is hereby in all respects approved and confirmed. The form and content of the 2012 Bonds set forth in the Series Indenture are hereby in all respects approved and confirmed, and the provisions of the General Indenture and the Series Indenture with respect to the 2012 Bonds (including without limitation the maturity dates and rates of interest) are hereby approved and confirmed and are incorporated herein by reference.

The 2012 Bonds will be special obligations of the City. The principal of, premium, if any, and interest on the 2012 Bonds will not be payable from the general funds of the City, nor will the 2012 Bonds constitute a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of the City's income, receipts or revenues except the funds which are pledged under the General Indenture and the Series Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City is pledged for the payment of the principal of, premium, if any, or interest on the 2012 Bonds, and no holder of 2012 Bonds has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

Section 2. The form and content of the Series Indenture and the exhibits thereto are hereby in all respects approved and confirmed, and the Mayor, the City Manager, the Deputy City Manager and City Clerk of the City are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Series Indenture for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Series Indenture, the Mayor, the City Manager, the Deputy City Manager, the Chief Financial Officer and City Clerk of the City, or their

respective designees, are hereby authorized, empowered and directed, individually and collectively, 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 Series Indenture as executed. The Trustee is hereby appointed as Registrar and Paying Agent thereunder.

Section 3. The 2012 Bonds will be sold to the Underwriters pursuant to the terms of the Purchase Contract. The form and content of the Purchase Contract are in all respects approved and confirmed, and the Mayor, the City Manager, the Deputy City Manager or the Chief Financial Officer of the City is hereby authorized, empowered and directed to execute and deliver the Purchase Contract for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as he may deem necessary, desirable or appropriate, his execution thereof to constitute conclusive evidence of his approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Purchase Contract, the Mayor, the City Manager, the Deputy City Manager and the Chief Financial Officer of the City, or their respective designees, are hereby authorized, empowered and directed, individually and collectively, 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 Purchase Contract as executed.

Section 4. The form and content of the Preliminary Official Statement are in all respects authorized, approved and confirmed, and the use of the Preliminary Official Statement and the Official Statement to be dated on or about October 25, 2012 (the "*Official Statement*") by the Underwriters in connection with the sale of the 2012 Bonds is hereby in all respects authorized, approved and confirmed.

Section 5. The City Manager or Chief Financial Officer of the City is hereby authorized to execute a no-arbitrage certificate to comply with Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder.

Section 6. No stipulation, obligation or agreement contained in this Resolution or contained in the 2012 Bonds, the General Indenture, the Series Indenture, the Purchase Contract or any other instrument related to the issuance of the 2012 Bonds is a stipulation, obligation or agreement of any officer, agent or employee of the City in his or her individual capacity, and no such officer, agent or employee is personally liable on the 2012 Bonds or subject to personal liability or accountability by reason of the issuance thereof.

Section 7. The Mayor, the City Manager, the Deputy City Manager, the Chief Financial Officer and the City Clerk of the City, or their respective designees, are hereby authorized, empowered and directed, individually and collectively, 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 this Resolution and the Bond Order, the General Indenture, the Series Indenture and the Purchase Contract; except that none of the above is hereby authorized or empowered to do anything or execute any document which is in contravention, in any way, of (a) the specific provisions of this Resolution or the Bond Order, (b) the specific provisions of the General Indenture or the Series Indenture, (c) any agreement to which the City is bound, (d) any rule or regulation of the City or (e) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

Section 8. The Mayor, the City Manager, the Deputy City Manager, the Chief Financial Officer and the City Clerk of the City, or their respective designees, are hereby authorized and directed, individually and collectively, to prepare and furnish, when the 2012 Bonds are issued, certified copies of all the proceedings and records of the City Council relating to the 2012 Bonds, and such other affidavits, certificates and documents as may be required to show the facts relating to the legality and marketability

of the 2012 Bonds as such facts appear on the books and records in such party's custody and control or as otherwise known to them; and all such certified copies, certificates, affidavits and documents, including any heretofore furnished, constitute representations of the City as to the truth of all statements contained therein.

Section 9. All acts and doings of the Mayor, the City Manager, the Deputy City Manager, the Chief Financial Officer and the City Clerk of the City, or their respective designees, that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the 2012 Bonds and the execution, delivery and performance of the Series Indenture and the Purchase Contract are hereby in all respects approved and confirmed.

Section 10. If any one or more of the agreements or provisions contained in this Resolution is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or is for any reason whatsoever held invalid, then such covenants, agreements or provisions will be null and void and will be deemed separable from the remaining agreements and provisions and will in no way affect the validity of any of the other agreements and provisions of this Resolution or of the 2012 Bonds authorized hereunder.

Section 11. All resolutions or parts thereof of the City Council in conflict with the provisions contained in this Resolution are, to the extent of such conflict, hereby superseded and repealed.

Section 12. This Resolution is effective on the date of its adoption.

Upon motion of Councilmember Howard, seconded by Councilmember Mitchell, the foregoing order titled "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 STORM WATER FEE REVENUE REFUNDING BONDS, SERIES 2012; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS" was adopted by the following vote: Unanimously

AYES:

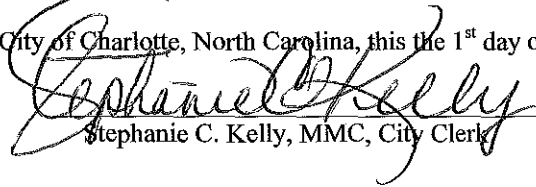
NAYS:

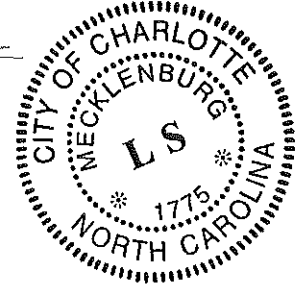
PASSED, ADOPTED AND APPROVED this 24th day of September, 2012.

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 24th day September, 2012, the reference having been made in Minute Book 133, and recorded in full in Resolution Book 43, Pages (853-857).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of October, 2012.


Stephanie C. Kelly, MMC, City Clerk



BOND ORDER
AUTHORIZING THE ISSUANCE OF NOT TO EXCEED
\$25,255,000 STORM WATER FEE REVENUE REFUNDING BONDS
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

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 and revenue refunding bonds of the City for the purposes as specified in the Act;

WHEREAS, the City has determined to issue not to exceed \$25,255,000 Storm Water Fee Revenue Refunding Bonds, Series 2012 of the City (the "*2012 Bonds*") (1) to refund in advance of their maturities the City's Storm Water Fee Revenue Refunding Bonds, Series 2002 maturing on and after June 1, 2013 (the "*2002 Bonds*") and (2) to pay the costs of issuing the 2012 Bonds;

WHEREAS, the City has determined to issue the 2012 Bonds with a fixed rate of interest;

WHEREAS, the City will issue the 2012 Bonds under a General Trust Indenture dated as of May 15, 2000 between the City and First Union National Bank, the successor to which is U.S. Bank National Association, as trustee (the "*Trustee*"), and Series Indenture, Number 5 dated as of November 1, 2012 (the "*Series Indenture*," and together with the General Indenture, the "*Indenture*") between the City and the Trustee;

WHEREAS, the City and the Local Government Commission of North Carolina (the "*Commission*") have arranged for the sale of the 2012 Bonds to Merrill Lynch, Pierce, Fenner & Smith Incorporated, on its own behalf and on behalf of Wells Fargo Bank, National Association (collectively, the "*Underwriters*"), under the terms of a Bond Purchase Agreement to be dated on or about October 25, 2012 (the "*Purchase Contract*"); and

WHEREAS, an application has been filed with the Secretary of the Commission requesting Commission approval of the 2012 Bonds as required by the Act, and the Secretary has notified the City Council that the application has been approved by the Commission;

NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA:

Section 1. To raise the money required to refund in advance of their maturities the 2002 Bonds, in addition to any funds which may be made available for such purpose from any other source, the 2012 Bonds are hereby authorized and will be issued pursuant to the Act.

Section 2. The aggregate principal amount of the 2012 Bonds authorized by this order will not exceed \$25,255,000. The 2012 Bonds hereby authorized will be special obligations of the City, secured by and paid solely from the proceeds thereof or from Net Revenues (as defined in the General Indenture).

Section 3. The issuance of the 2012 Bonds by the City, in substantially the form to be set forth in the Series Indenture, is hereby in all respects approved and confirmed. The form and content of the 2012 Bonds and the provisions of the Series Indenture with respect to the 2012 Bonds (including without limitation the maturity dates and rates of interest) will be approved and confirmed in a subsequent resolution of the City Council.

The principal of, premium, if any, and interest on the 2012 Bonds will not be payable from the general funds of the City, nor will the 2012 Bonds constitute a legal or equitable pledge, charge, lien or encumbrance on any of the City's property or on any of its income, receipts or revenues except the funds which are pledged under the Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City is pledged for the payment of the principal of, premium, if any, or interest on the 2012 Bonds, and no holder of the 2012 Bonds has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

Section 4. The 2012 Bonds will be sold to the Underwriters under the terms of the Purchase Contract as the same will be approved in a subsequent resolution of the City Council.

Section 5. The proceeds from the sale of the 2012 Bonds will be deposited in accordance with the Series Indenture.

Section 6. If any one or more of the agreements or provisions herein contained is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or is for any reason whatsoever held invalid, then such agreements or provisions will be null and void and will be deemed separable from the remaining agreements and provisions and will in no way affect the validity of any of the other agreements and provisions hereof or of the 2012 Bonds authorized hereunder.

Section 7. All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 8. This Bond Order will take effect immediately on its adoption and, pursuant to Section 159-88 of the General Statutes of North Carolina, as amended, need not be published or subjected to any procedural requirements governing the adoption of ordinances or resolutions by the City Council other than the procedures set out in the Act.

Upon motion of Councilmember Howard, seconded by Councilmember Mitchell, the foregoing order titled "**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$25,255,000 STORM WATER FEE REVENUE REFUNDING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA**" was adopted by the following vote: Unanimously

AYES:

NAYS:

PASSED, ADOPTED AND APPROVED this 24th day of September, 2012.

CITY OF CHARLOTTE, NORTH CAROLINA

AND

U. S. BANK NATIONAL ASSOCIATION,

AS TRUSTEE

SERIES INDENTURE, NUMBER 5

**Dated as of
November 1, 2012**

*City of Charlotte, North Carolina
Storm Water Fee Revenue Refunding Bonds,
Series 2012*

SERIES INDENTURE
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SERIES INDENTURE

THIS SERIES INDENTURE, NUMBER 5 dated as of November 1, 2012 (this “*Series Indenture*”), is by and between the CITY OF CHARLOTTE, NORTH CAROLINA, a municipal corporation of the State of North Carolina (the “*City*”), and U.S. BANK NATIONAL ASSOCIATION, as trustee (the “*Trustee*”), having an office in Charlotte, North Carolina, duly organized and existing under the laws of the United States of America, being authorized to accept and execute trusts of the character herein set out under and by virtue of the laws of the State of North Carolina (the “*State*”).

WITNESSETH:

WHEREAS, the City proposes to issue bonds (the “*2012 Bonds*”) hereunder and under a General Trust Indenture dated as of May 15, 2000 (the “*General Indenture*,” and together with this Series Indenture, the “*Indenture*”) between the City and First Union National Bank, the successor to which is the Trustee, as trustee, and to apply the proceeds of the 2012 Bonds (1) to refund the City’s Storm Water Fee Revenue Bonds, Series 2002 maturing on and after June 1, 2013 and (2) to pay the costs of issuing the 2012 Bonds.

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein it is agreed as follows:

ARTICLE I

DEFINITIONS

Except as provided herein, all defined terms contained in Section 1.01 of the General Indenture will have the same meanings in this Series Indenture. In addition, the following words and terms, unless the context otherwise requires, have the following meanings:

“*Authorized Denomination*” means \$5,000 or any integral multiple thereof.

“*General Indenture*” means the General Trust Indenture dated as of May 15, 2000 between the City and First Union National Bank, the successor to which is the Trustee, and any amendments and supplements thereto.

“*Indenture*” means, collectively, the General Indenture and this Series Indenture.

“*Interest Payment Date*” means each June 1 and December 1, beginning June 1, 2013.

“*Mail*” means first-class United States mail, postage prepaid.

“*Owner*,” when used in this Series Indenture, means a registered owner of a 2012 Bond.

“*Record Date*” means the 15th day of the month next preceding the Interest Payment Date.

“*Redemption Date*” means the date on which 2012 Bonds have been called for redemption or are to be redeemed pursuant to this Series Indenture.

“*Redemption Price*” means, with respect to any 2012 Bond, the principal amount thereof plus the applicable premium, if any, payable on redemption thereof plus accrued interest to the Redemption Date.

“*Series Indenture*” means this Series Indenture, Number 5 and any amendments or supplements adopted in accordance with the terms thereof.

“*Series Indenture, Number 2*” means Series Indenture, Number 2 dated as of January 15, 2002 between the City and the Trustee, under which the 2002 Bonds were issued.

“*2002 Bonds*” means the \$29,840,000 aggregate principal amount of the City of Charlotte, North Carolina Storm Water Fee Revenue Refunding Bonds, Series 2002, of which \$25,775,000.00 remains outstanding.

“*2012 Bonds*” means the \$[Amount] aggregate principal amount of the City of Charlotte, North Carolina Storm Water Fee Revenue Refunding Bonds, Series 2012 issued under this Series Indenture.

“*2012 Costs of Issuance Account*” means the account by that name in the Construction Fund created pursuant to Section 5.2.

[End of Article I]

ARTICLE II

THE 2012 BONDS

Section 2.1. **Authorized Amount of 2012 Bonds.** No 2012 Bonds may be issued under the provisions of this Series Indenture and the General Indenture except in accordance with this Article. The total principal amount of 2012 Bonds that may be issued is hereby expressly limited to \$[Amount], except as provided in Sections 3.3 and 3.4 of the General Indenture.

Section 2.2. **Issuance of 2012 Bonds.** The 2012 Bonds will be designated “*City of Charlotte, North Carolina Storm Water Fee Revenue Refunding Bonds, Series 2012.*” The 2012 Bonds will be issuable as fully registered bonds in any Authorized Denomination. 2012 Bonds will be numbered from R-1 consecutively upwards. The 2012 Bonds will be substantially in the form set forth in Exhibit A with such appropriate variations, omissions and insertions as are permitted or required by this Series Indenture.

Section 2.3. **Delivery of Bonds.** Before the delivery by the Trustee of any of the 2012 Bonds, the items required under Section 2.4 of the General Indenture must be filed with the Trustee.

Section 2.4. **Details of 2012 Bonds; Payment.**

(a) The 2012 Bonds will mature on December 1 of the years and in the amounts and will bear interest (computed on the basis of a 360-day year of twelve 30-day months) as follows:

<u>YEAR OF</u> <u>MATURITY</u>	<u>PRINCIPAL</u> <u>AMOUNT</u>	<u>INTEREST</u> <u>RATE</u>	<u>YEAR OF</u> <u>MATURITY</u>	<u>PRINCIPAL</u> <u>AMOUNT</u>	<u>INTEREST</u> <u>RATE</u>
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Both the principal of and the interest on the 2012 Bonds are payable in any lawful coin or currency of the United States of America which on the respective dates of payment thereof is legal tender for the payment of public and private debts. Each 2012 Bond shall bear interest until its principal sum has been paid, but if such 2012 Bond has matured or has been called for redemption and the Redemption Date has occurred and funds are available for the payment thereof in full in accordance with the terms of the General Indenture, such 2012 Bond shall then cease to bear interest as of the maturity date or Redemption Date. The 2012 Bonds will be dated as of the date of their delivery, except that 2012 Bonds issued in exchange for or on the registration of transfer of 2012 Bonds will be dated as of the Interest Payment Date preceding the day of authentication thereof, unless (1) the date of such authentication precedes May 15, 2013, in which case they will be dated as of the date of their delivery or (2) the date of such authentication is an Interest Payment Date to which interest on the 2012 Bonds has been paid in full or duly provided for in accordance with the terms of this Series Indenture, in which case they will be dated as of such Interest Payment Date; except that if, as shown by the records of the Paying Agent, interest on the 2012 Bonds is in default, 2012 Bonds executed and delivered in exchange for or on registration of transfer of 2012 Bonds will be dated as of the date to which interest on the 2012 Bonds has been paid in full. If no interest has been paid on the 2012 Bonds, 2012 Bonds executed and delivered in exchange for or upon the registration of transfer of 2012 Bonds will be dated the date of initial authentication and delivery thereof.

(b) The 2012 Bonds will be delivered by means of a book-entry system with no physical distribution of definitive 2012 Bonds made to the public. One definitive 2012 Bond for each maturity is to be delivered to The Depository Trust Company, New York, New York

("DTC"), and immobilized in its custody. A book-entry system will be employed, evidencing ownership of the 2012 Bonds in denominations of \$5,000 or any integral multiple thereof, with transfers of beneficial ownership effected on the records of DTC and its participants (the "DTC Participants") pursuant to rules and procedures established by DTC.

Each DTC Participant will be credited in the records of DTC with the amount of such DTC Participant's interest in the 2012 Bonds. Beneficial ownership interests in the 2012 Bonds may be purchased by or through DTC Participants. The holders of these beneficial ownership interests are hereinafter referred to as the "Beneficial Owners." The Beneficial Owners will not receive definitive 2012 Bonds representing their beneficial ownership interests. The ownership interests of each Beneficial Owner will be recorded through the records of the DTC Participant from which such Beneficial Owner purchased its 2012 Bonds. Transfers of ownership interests in the 2012 Bonds will be accomplished by book entries made by DTC and, in turn, by DTC Participants acting on behalf of Beneficial Owners. SO LONG AS CEDE & CO., AS NOMINEE FOR DTC, IS THE REGISTERED OWNER OF THE 2012 BONDS, THE TRUSTEE SHALL TREAT CEDE & CO. AS THE ONLY OWNER OF THE 2012 BONDS FOR ALL PURPOSES UNDER THE GENERAL INDENTURE AND THIS SERIES INDENTURE, INCLUDING RECEIPT OF ALL PRINCIPAL AND PREMIUM, IF ANY, AND INTEREST ON THE 2012 BONDS, RECEIPT OF NOTICES, VOTING AND REQUESTING OR DIRECTING THE TRUSTEE TO TAKE OR NOT TO TAKE, OR CONSENTING TO, CERTAIN ACTIONS UNDER THE GENERAL INDENTURE OR THIS SERIES INDENTURE.

Payments of principal, interest and premium, if any, with respect to the 2012 Bonds, so long as DTC is the only Owner of the 2012 Bonds, will be paid by the Trustee directly to DTC or its nominee, Cede & Co., as provided in the Blanket Letter of Representations dated November 21, 1996 from the City to DTC (the "Letter of Representation"). DTC will remit such payments to DTC Participants, and such payments thereafter will be paid by DTC Participants to the Beneficial Owners. The Trustee and the City are not and will not be responsible or liable for payment by DTC or DTC Participants, for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC or DTC Participants.

If (a) DTC determines not to continue to act as securities depository for the 2012 Bonds or (b) the Trustee and the City determine to discontinue the book-entry system in accordance with DTC's rules and the City fails to identify another qualified securities depository to replace DTC, the City will deliver fully registered definitive 2012 Bonds in accordance with DTC's rules and procedures.

THE CITY AND THE TRUSTEE HAVE NO RESPONSIBILITY OR OBLIGATION WITH RESPECT TO (a) THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC OR ANY DTC PARTICIPANT; (b) THE PAYMENT BY DTC OR ANY DTC PARTICIPANT OF ANY AMOUNT DUE TO ANY BENEFICIAL OWNER IN RESPECT OF THE PRINCIPAL OF AND PREMIUM, IF ANY, AND INTEREST ON THE 2012 BONDS; (c) THE DELIVERY OR TIMELINESS OF DELIVERY BY DTC OR ANY DTC PARTICIPANT OF ANY NOTICE DUE TO ANY BENEFICIAL OWNER WHICH IS REQUIRED OR PERMITTED UNDER THE TERMS OF THE GENERAL INDENTURE OR THIS SERIES INDENTURE TO BE GIVEN TO OWNERS; (d) THE SELECTION OF BENEFICIAL OWNERS TO RECEIVE PAYMENTS IN THE EVENT OF ANY PARTIAL REDEMPTION OF THE 2012 BONDS; OR (e) ANY CONSENT GIVEN OR OTHER ACTION TAKEN BY DTC OR ITS NOMINEE, CEDE & CO., AS OWNER.

(c) The 2012 Bonds and any premiums on the redemption thereof prior to maturity are payable in any lawful coin or currency of the United States of America, at the designated corporate trust office of the Trustee on presentation and surrender. Interest on the 2012 Bonds will be paid by the Trustee by check or draft mailed on the Interest Payment Date to each Owner

as its name and address appear on the register kept by the Trustee at the close of business on the Record Date next preceding an Interest Payment Date. At the written request of any Owner of at least \$1,000,000 in aggregate principal amount of the 2012 Bonds, principal and interest may be payable by wire transfer at the address specified in writing by the Owner by the Record Date. CUSIP number identification with appropriate dollar amounts for each CUSIP number shall accompany all payments of principal of, premium, if any, and interest on any 2012 Bonds, whether by check or by wire transfer.

(d) The Trustee is appointed as the Paying Agent and Registrar for the 2012 Bonds.

Section 2.5. *Arbitrage and Tax Covenants.* The City covenants that it will not take or permit, or omit to take or cause to be taken, any action that would adversely affect the exclusion from federal income taxation of the interest on the 2012 Bonds and, if it should take or permit, or omit to take or cause to be taken, any such action, the City will take or cause to be taken all lawful actions within its power necessary to rescind or correct such actions or omissions promptly upon having knowledge thereof. The City acknowledges that the continued exclusion of interest on the 2012 Bonds from an Owner's gross income for federal income tax purposes depends, in part, upon compliance with the arbitrage limitations imposed by Section 148 of the Code. The City covenants that it will comply with all the requirements of Section 148 of the Code, including the rebate requirements, and that it will not permit at any time any of the proceeds of the 2012 Bonds or other funds under their control be used, directly or indirectly, to acquire any asset or obligation, the acquisition of which would cause the 2012 Bonds to be "arbitrage bonds" for purposes of Section 148 of the Code.

Section 2.6. *Notification of Rating Agency; LGC.* The Trustee hereby agrees to promptly notify the LGC, Moody's, if the 2012 Bonds are rated by Moody's, Fitch, if the 2012 Bonds are rated by Fitch and S&P, if the 2012 Bonds are rated by S&P, at the address set forth in Section 7.6, of (1) any appointment of a successor Trustee, (2) any amendment or supplement to the General Indenture or this Series Indenture, (3) any provision for payment of the 2012 Bonds in accordance with Article X of the General Indenture and (4) the giving of notice of the call for redemption of any 2012 Bonds pursuant to Section 3.3.

[End of Article II]

ARTICLE III

REDEMPTION OF 2012 BONDS

Section 3.1. ***Optional Redemption of 2012 Bonds.*** The 2012 Bonds maturing on or before December 1, 20__ are not subject to call and redemption prior to maturity. The 2012 Bonds maturing on or after December 1, 20__ may be redeemed prior to their maturities, at the option of the City, from any funds that may be available for such purpose, either in whole or in part on any date on or after December 1, 20__. The 2012 Bonds called for redemption under this Section shall be redeemed at a Redemption Price equal to the par amount of the 2012 Bonds plus accrued interest thereon to the date of redemption.

Section 3.2. ***[Reserved].***

Section 3.3. ***Notice of Redemption.*** Notice of redemption will be given by the Trustee not less than 30 days nor more than 60 days before the Redemption Date (1) to the LGC by Mail or facsimile transmission, (2)(a) to DTC or its nominee by registered or certified mail at the address provided to the Trustee by DTC or as otherwise permitted by DTC's rules and procedures or (b) if DTC or its nominee is no longer the Owner of the 2012 Bonds, by Mail to the then-registered Owners of 2012 Bonds to be redeemed at the last address shown on the registration books kept by the Registrar and (3) to the Municipal Securities Rulemaking Board (the "MSRB") in a electronic format as prescribed by the MSRB.

Such notice must (1) specify the 2012 Bonds to be redeemed, the Redemption Date, the Redemption Price and the place or places where amounts due on such redemption must be payable (which must be the designated office of the Paying Agent) and if less than all of the 2012 Bonds are to be redeemed, the numbers of the 2012 Bonds and the portions of 2012 Bonds to be redeemed, (2) state that on the Redemption Date, the 2012 Bonds to be redeemed will cease to bear interest and (3) state, if the redemption is conditional on the occurrence of one or more events, what the conditions for redemption are and the manner in which Owners will be notified if the conditions precedent to a redemption do not occur. If notice is given, the failure to receive such notice or any defect therein will not affect the validity of any proceedings for such redemption, and failure to give notice to the LGC or to all Owners will not affect the validity of any proceedings with respect to any Owner to whom such notice is properly given. Any notice mailed as provided in this Section will be conclusively presumed to have been given, whether or not the Owner receives the notice. If at the time of mailing of notice of redemption there is not on deposit with the Trustee moneys sufficient to redeem the Bonds called for redemption, which moneys are or will be available for redemption of the Bonds, such notice will state that it is conditional on the deposit of the redemption moneys with the Trustee not later than the opening of business on the Redemption Date. Any notice, once given, may be withdrawn by notice delivered in the manner set forth above, on receipt by the Trustee of written instructions from the City with respect to such withdrawal.

If moneys are on deposit in the Bond Fund to pay the Redemption Price of the 2012 Bonds called for redemption and premium, if any, thereon on a Redemption Date, 2012 Bonds or portions thereof thus called and provided for as hereinabove specified will not bear interest after such Redemption Date and will not be considered to be Outstanding or to have any other rights under the General Indenture or this Series Indenture other than the right to receive payment. No payment of principal will be made by the Paying Agent on any 2012 Bonds or portions thereof called for redemption until such 2012 Bonds or portions thereof have been delivered for payment or cancellation or the Paying Agent has received the items required by Section 3.5 of the General Indenture with respect to any mutilated, lost, stolen or destroyed 2012 Bonds.

Section 3.4. ***Selection of 2012 Bonds To Be Redeemed.*** In the case of any partial redemption of 2012 Bonds, the City will select the maturity or maturities of the 2012 Bonds to be redeemed and DTC will select the 2012 Bonds within the same maturity pursuant to its rules and procedures or, if the book-entry system with DTC or any other securities depository has been discontinued, the Trustee will select the 2012 Bonds to be redeemed by lot in such manner as the Trustee in its discretion may deem proper. For this purpose, each Authorized Denomination of principal amount represented by any 2012 Bond will be considered a separate 2012 Bond for purposes of selecting the 2012 Bonds to be redeemed. Immediately on selection of the 2012 Bonds to be redeemed the Trustee shall notify the Registrar of the specific 2012 Bonds to be redeemed.

If a 2012 Bond subject to redemption is in a denomination larger than the minimum Authorized Denomination, a portion of such 2012 Bond may be redeemed, but only in a principal amount such that the unredeemed portion of such 2012 Bond is equal to an Authorized Denomination. For any 2012 Bond in a denomination of more than the minimum Authorized Denomination, the Trustee shall treat each such 2012 Bond as representing a single 2012 Bond in the minimum Authorized Denomination plus that number of 2012 Bonds that is obtained by dividing the remaining principal amount of such 2012 Bond by the minimum Authorized Denomination.

If it is determined that one or more, but not all, of the Authorized Denominations of principal amount represented by any 2012 Bond is to be called for redemption, then, on written notice of intention to redeem such Authorized Denominations of principal amount of such 2012 Bond, the Owner of such 2012 Bond, on surrender of such 2012 Bond to the Paying Agent for payment of the principal amount of such 2012 Bond, will be entitled to receive new 2012 Bonds in the aggregate principal amount of the unredeemed balance of the principal amount of such 2012 Bond. New 2012 Bonds representing the unredeemed balance of the principal amount of such 2012 Bonds will be issued to the Owner thereof without charge therefor.

If the Owner of any 2012 Bond of a denomination greater than the amount being redeemed fails to present such 2012 Bond to the Paying Agent for payment and exchange as aforesaid, such 2012 Bond will, nevertheless, become due and payable on the date fixed for redemption to the extent of the denomination being redeemed and to that extent only.

Section 3.5. ***No Partial Redemption After Default.*** Anything in this Series Indenture to the contrary notwithstanding, if an Event of Default occurs and is continuing hereunder there will be no redemption of less than all of the 2012 Bonds Outstanding.

Section 3.6. ***Payment of Redemption Price.*** The City will cause to be deposited in the Bond Fund, solely out of the Trust Estate, an amount sufficient to pay the Redemption Price of 2012 Bonds to be redeemed on the Redemption Date, and such 2012 Bonds will be deemed to be paid within the meaning of Article X of the General Indenture.

[End of Article III]

ARTICLE IV

AMENDMENTS

This Series Indenture and the rights and obligations of the City and the Owners may be modified or amended at the same times, in the same manner and for the same purposes as the General Indenture, but if the modification or amendment affects only the 2012 Bonds, the percentage to be applied under Section 7.3 of the General Indenture will be applied only to the Outstanding 2012 Bonds.

Before the City and the Trustee enter into any supplemental indenture pursuant to this Section, there must have been delivered to the Trustee and the City an opinion of Bond Counsel stating that such supplemental indenture is authorized or permitted by this Series Indenture, complies with the terms hereof, will, upon the execution and delivery thereof, be valid and binding upon the City in accordance with its terms and will not adversely affect the exclusion from the gross income of the recipients thereof of interest on the 2012 Bonds for federal income tax purposes.

A copy of all supplemental indentures executed and delivered pursuant to Section 7.3 of the General Indenture or for the purpose of issuing additional bonds pursuant to Section 6.8 of the General Indenture shall be sent to Moody's (if the 2012 Bonds are rated by Moody's), S&P (if the 2012 Bonds are rated by S&P) and Fitch (if the 2012 Bonds are rated Fitch).

[End of Article IV]

ARTICLE V

APPLICATION OF 2012 BOND PROCEEDS; FUNDS AND ACCOUNTS; INVESTMENTS

Section 5.1. *Application of 2012 Bond Proceeds.* On delivery of the 2012 Bonds to the underwriters for the 2012 Bonds, such underwriters will transfer to the Trustee \$[Deposit Amount], which is equal to \$[Amount], the par amount of the 2012 Bonds, less the Underwriters' discount in the amount of \$[UD], plus the net original issue premium on the 2012 Bonds in the amount of \$[Premium]. The Trustee will dispose of the proceeds as follows:

- (1) \$[Bond Fund Deposit] will be deposited in the Bond Fund; and
- (2) the balance of the proceeds from the 2012 Bonds will be deposited in the 2012 Costs of Issuance Account of the Construction Fund to pay the Costs of Issuance of the 2012 Bonds.

The City will cause to be deposited in the Bond Fund from its own funds an amount equal to \$[City Contribution]. The City authorizes the Trustee to debit such amount from the City's deposit account held by Wells Fargo Bank, National Association.

The City hereby directs the Trustee, without need for further requisition, to use \$[Bond Fund Deposit] of 2012 Bond proceeds deposited in the Bond Fund and \$[City Contribution] of the money deposited by the City in the Bond Fund as set forth above and the amount equal to \$[DSRF Amount] that is on deposit in the 2002 Bonds Account of the Reserve Fund, to redeem the 2002 Bonds on the date the 2012 Bonds are issued at a redemption price of 101% of the principal amount thereof plus accrued interest thereon to the redemption date in accordance with the terms of Series Indenture, Number 2.

Section 5.2. *2012 Costs of Issuance Account of Construction Fund.* The City hereby establishes and creates a 2012 Costs of Issuance Account within the Construction Fund. There shall be deposited into the 2012 Costs of Issuance Account of the Construction Fund that portion of the proceeds of the 2012 Bonds set forth in Section 5.1. The 2012 Costs of Issuance Account will be applied for the payment of Costs of Issuance with respect to the 2012 Bonds on the filing from time to time with the Trustee of a requisition signed by a City Representative in the form attached hereto as Exhibit B, together with a voucher or other appropriate documentation as may be required by the Trustee. Any balance remaining in the 2012 Costs of Issuance Account on May 25, 2013 will be deposited in the Bond Fund and applied to the payment of interest due on the 2012 Bonds.

[End of Article V]

ARTICLE VI

ADDITIONAL COVENANTS

The City agrees, in accordance with Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission (the "SEC") to provide:

(1) by not later than seven months after the end of each Fiscal Year, beginning with the Fiscal Year ended June 30, 2012, to the MSRB, the audited financial statements of the City for the preceding Fiscal Year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or if such audited financial statements are not then available, unaudited financial statements of the City for such Fiscal Year to be replaced subsequently by audited financial statements of the City to be delivered within 15 days after such audited financial statements become available for distribution;

(2) by not later than seven months from the end of each Fiscal Year of the City, beginning with the Fiscal Year ended June 30, 2012, to the MSRB the financial and statistical data as of the date not earlier than the end of the preceding Fiscal Year for the type of information included under the captions "**THE STORM WATER FACILITIES--STORM WATER FEES,**" "**--NUMBER OF ACCOUNTS**" and "**--MAJOR ACCOUNTS**" in the Official Statement related to the 2012 Bonds (excluding any information on overlapping units);

(3) in a timely manner not in excess of 10 Business Days after the occurrence of the event, to the MSRB notice of any of the following events with respect to the 2012 Bonds:

- (a) principal and interest payment delinquencies;
- (b) non-payment related defaults, if material;
- (c) unscheduled draws on the debt service reserves reflecting financial difficulties;
- (d) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (e) substitution of any credit or liquidity providers, or their failure to perform;
- (f) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material events affecting the tax status of the 2012 Bonds;
- (g) modification of the rights of the Beneficial Owners of the 2012 Bonds, if material;
- (h) call of any of the 2012 Bonds, if material, and tender offers;

- (i) defeasance of any of the 2012 Bonds;
- (j) release, substitution or sale of any property securing repayment of the 2012 Bonds, if material;
- (k) rating changes;
- (l) bankruptcy, insolvency, receivership or similar event of the City;
- (m) the consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to such actions, other than pursuant to its terms, if material; and
- (n) the appointment of a successor or additional trustee, or the change in the name of a trustee, if material;

(4) in a timely manner, to the MSRB, notice of a failure of the City to provide required annual financial information described in (1) or (2) above on or before the date specified.

The City agrees to provide all documents described in this section in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The City agrees that its undertaking under this Article is intended to be for the benefit of the Owners and the beneficial owners of the 2012 Bonds and is enforceable by the Trustee or by any of them, including an action for specific performance of the City's obligations under this Article, but a failure to comply will not be an event of default under Section 9.1 of the General Indenture and will not result in acceleration of the payment of the 2012 Bonds. An action must be instituted, had and maintained in the manner provided in this paragraph for the benefit of all of the Owners and beneficial owners of the 2012 Bonds.

The City may modify from time to time, consistent with the Rule, the information provided to the extent necessary or appropriate in the judgment of the City, but:

- (1) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law or change in the identity, nature or status of the City;
- (2) the information to be provided, as modified, would have complied with the requirements of the Rule as of the date of the Official Statement, after taking into account any amendments or interpretations of the Rule as well as any changes in circumstances; and
- (3) any such modification does not materially impair the interest of the Owners or the beneficial owners, as determined by the Trustee or Bond Counsel or by the approving vote of the Owners of a majority in principal amount of the 2012 Bonds pursuant to Section 7.3 of the General Indenture.

Any annual financial information containing modified operating data or financial information will explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Article terminate on payment, or provision having been made for payment in a manner consistent with the Rule, in full of the principal of and interest on the 2012 Bonds.

The City may discharge its undertakings described above by transmitting the documents or notices referred to above in a manner subsequently authorized or required by the SEC in lieu of the manner described above.

[End of Article VI]

ARTICLE VII

MISCELLANEOUS

Section 7.1. **Parties Interested Herein.** Nothing in this Series Indenture expressed or implied is intended or will be construed to confer on, or to give to any person other than the City, the Trustee, the Paying Agent and the Owners, any right, remedy or claim under or by reason of this Series Indenture or any covenant, condition or stipulation hereof; and all the covenants, stipulations, promises and agreements in this Series Indenture contained by and on behalf of the City or the Trustee will be for the sole and exclusive benefit of the City, the Trustee, the Paying Agent and the Owners.

Section 7.2. **Titles, Headings, Captions, Etc.** The titles, captions and headings of the articles, sections and subdivisions of this Series Indenture have been inserted for convenience of reference only and will in no way modify or restrict any of the terms or provisions hereof.

Section 7.3. **Severability.** If any provision of this Series Indenture is held invalid or unenforceable by any court of competent jurisdiction, such holding will not invalidate or render unenforceable any other provision hereof.

Section 7.4. **Governing Law.** This Series Indenture will be governed and construed in accordance with the laws of the State.

Section 7.5. **Execution in Counterparts.** This Series Indenture may be executed in several counterparts, each of which will be an original and all of which will constitute but one and the same instrument.

Section 7.6. **Notices.** All notices, certificates or other communications will be sufficiently given and will be deemed given when delivered or mailed by certified or registered mail, postage prepaid, as follows: if to the City, to the City of Charlotte, North Carolina, 600 East Fourth Street, Charlotte, North Carolina 28202-2847, Attention: Chief Financial Officer; if to the Trustee, the Registrar or Paying Agent to U.S. Bank National Association, Hearst Tower, 214 N. Tryon Street, 27th Floor, Charlotte, North Carolina 28202, Attention: Corporate Trust Services; if the 2012 Bonds are rated by Moody's, then to Moody's Investors Service, 99 Church Street, New York, New York 10003; if the 2012 Bonds are rated by S&P, then to Standard & Poor's Ratings Services, a Division of McGraw Hill Companies, Inc., 55 Water Street, New York, New York 10041, and if the 2012 Bonds are rated by Fitch, then to Fitch Ratings, One State Street Plaza, New York, New York 10004. The City, the Trustee and the rating agencies, may, by written notice, designate any further or different addresses to which subsequent notices, certificates or other communications will be sent.

Section 7.7. **Payments Due on Holidays.** If the date for making any payment or the last day for performance of any act or the exercising of any right, as provided in this Series Indenture, is not a Business Day, such payment may be made or act performed or right exercised on the next day that is a Business Day with the same force and effect as if done on the nominal date provided in this Series Indenture.

[Signatures Begin on Following Page]

IN WITNESS WHEREOF, the City and the Trustee have caused this Series Indenture to be executed in their respective corporate names by their duly authorized officials or officers, all as of the date first above written..

CITY OF CHARLOTTE, NORTH CAROLINA

[SEAL]

Attest:

By: _____
W. Curtis Walton, Jr.
City Manager

By: _____
Stephanie C. Kelly
City Clerk

[Signatures Continued on the Following Page]

September 24, 2012
Resolution Book 43, Page 876

[Counterpart signature page to the Series Indenture, Number 5 dated as of November 1, 2012 between the
City of Charlotte, North Carolina and U. S. Bank National Association]

U. S. BANK NATIONAL ASSOCIATION, as
Trustee

By: _____
Patrick L. Teague
Vice President

APPENDIX A

FORM OF 2012 BOND

CITY OF CHARLOTTE, NORTH CAROLINA
STORM WATER FEE REVENUE REFUNDING BONDS,
SERIES 2012

No. R- _____ \$

INTEREST RATE DATED DATE MATURITY DATE CUSIP
% [November 13, 2012] December 1, 20__ 16104P__

REGISTERED OWNER: CEDE & Co.

PRINCIPAL AMOUNT: _____ DOLLARS

The City of Charlotte, North Carolina (the "City"), a municipal corporation of the State of North Carolina (the "State"), for value received, promises to pay, but solely from the sources and in the manner hereinafter provided, to the Owner named above the Principal Amount stated above on the Maturity Date set forth above (or earlier as hereinafter described), and to pay such Owner at the address as it appears on the registration books kept by U. S. Bank National Association, the Registrar, the Trustee and the Paying Agent for the 2012 Bonds (the "Registrar," the "Paying Agent" and the "Trustee"), at the close of business on the 15th day of the month preceding each hereinafter-described Interest Payment Date (each, a "Record Date"), interest on such Principal Amount at the Interest Rate set forth above from the Interest Payment Date next preceding the date of authentication (unless (a) the date of authentication precedes May 15, 2013 in which case this 2012 Bond will bear interest from the date of its delivery, or (b) the date of authentication is an Interest Payment Date, in which case this 2012 Bond will bear interest from such date) until the principal hereof shall have been paid or provided for in accordance with the Indenture hereinafter referred to semiannually on June 1 and December 1 in each year, beginning June 1, 2013 (each an "Interest Payment Date"). Both principal and interest and any premium on the redemption before the maturity of all or part hereof are payable in lawful coin or currency of the United States of America and (except for interest which is payable by check or draft as stated above) are payable at the designated corporate trust office of the Paying Agent in Charlotte, North Carolina.

THE 2012 BONDS ARE SPECIAL OBLIGATIONS OF THE CITY. THE PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE 2012 BONDS ARE NOT PAYABLE FROM THE GENERAL FUNDS OF THE CITY, NOR DO THEY CONSTITUTE A LEGAL OR EQUITABLE PLEDGE, CHARGE, LIEN, OR ENCUMBRANCE UPON ANY OF ITS PROPERTY OR UPON ANY OF ITS INCOME, RECEIPTS, OR REVENUES EXCEPT THE FUNDS WHICH ARE PLEDGED UNDER THE INDENTURE (HEREINAFTER DEFINED). NEITHER THE CREDIT NOR THE TAXING POWER OF THE STATE OR THE CITY IS PLEDGED FOR THE PAYMENT OF THE PRINCIPAL OF, PREMIUM, IF ANY, OR INTEREST ON THE 2012 BONDS, AND NO OWNER OF THIS 2012 BOND HAS THE RIGHT TO COMPEL THE EXERCISE OF THE TAXING POWER BY THE STATE OR THE CITY OR THE FORFEITURE OF ANY OF ITS PROPERTY IN CONNECTION WITH ANY DEFAULT.

The 2012 Bonds will be initially delivered by means of a book-entry system with no physical distribution of definitive 2012 Bonds made to the public. One definitive 2012 Bond for each maturity will be delivered to The Depository Trust Company, New York, New York ("DTC"), and immobilized in its custody. A book-entry system will be employed, evidencing ownership of the 2012 Bonds in

Authorized Denominations (as defined below) with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Principal of, premium, if any, and interest on this 2012 Bond will be payable to DTC or its nominee as registered owner of the 2012 Bonds by wire transfer in immediately available funds. The City, the Paying Agent and the Trustee are not responsible or liable for maintaining, supervising, or reviewing the records maintained by DTC, its participants or persons acting through such participants.

If (a) DTC determines not to continue to act as securities depository for the 2012 Bonds or (b) the Trustee and the City determine to discontinue the book-entry system in accordance with DTC's rules and the City fails to identify another qualified securities depository to replace DTC, the City will deliver fully registered definitive 2012 Bonds in accordance with DTC's rules and procedures.

The City, the Paying Agent, the Registrar and the Trustee have no responsibility or obligation with respect to (a) the accuracy of any records maintained by DTC; (b) the payment by DTC of any amount in respect of the principal of and premium, if any, and interest on the 2012 Bonds; (c) the delivery or timeliness of delivery by DTC of any notice which is required or permitted under the terms of the Indenture (hereinafter defined) to be given to Owners; (d) the selection of Owners to receive payments in the event of any partial redemption of the 2012 Bonds; or (e) any consent given or other action taken by DTC, or its nominee.

This Bond is one of an issue of Bonds designated "*Storm Water Fee Revenue Refunding Bonds, Series 2012*" (the "*2012 Bonds*") issued under a General Trust Indenture dated as of May 15, 2000 (the "*General Indenture*") between the City and First Union National Bank, the successor to which is the Trustee, as trustee, and Series Indenture, Number 5 dated as of November 1, 2012 (the "*Series Indenture*," and together with the General Indenture and all supplements thereto, the "*Indenture*") between the City and the Trustee. Unless the context indicates otherwise, all capitalized, undefined terms used herein have the meanings ascribed to them in the Indenture. The 2012 Bonds are being issued (a) to refund in advance of their maturities the City's Storm Water Fee Revenue Refunding Bonds, Series 2002 (the "*2002 Bonds*") maturing on and after June 1, 2013 and (b) to pay the costs of issuing the 2012 Bonds. The City has previously issued under the General Indenture multiple series of its Storm Water Fee Revenue Bonds (the "*Prior Bonds*"). The 2012 Bonds will be on parity with the Prior Bonds and any additional Bonds issued by the City under the General Indenture.

The 2012 Bonds, together with interest thereon, are special obligations of the City payable solely from Revenues (except to the extent paid out of moneys attributable to Bond proceeds or the income from the temporary investment thereof and, under certain circumstances, proceeds from insurance and condemnation awards) after payment of the Current Expenses related to the Storm Water Facilities and constitute a valid claim of the respective Owners thereof only against the funds and other moneys held by the Trustee for the benefit of the Owners of the 2012 Bonds, which amounts are pledged and assigned pursuant to the Indenture for the equal and ratable payment of the 2012 Bonds and will be used for no other purpose than to pay the principal of, premium, if any, and interest on the 2012 Bonds, except as may be otherwise expressly authorized in the Indenture.

As used herein, "*Revenues*" means all rents, rates, fees, charges, assessments or other charges or other income received by the City as authorized by Section 160A-314 of the General Statutes of North Carolina, as amended, from the County pursuant to the Interlocal Agreement or imposed directly by the City in connection with the management and operation of the Storm Water Facilities, and all parts thereof, including amounts received from the investment or deposit of moneys in any Fund or Account (but not including amounts received from interest or other investment income earned in (a) the Construction Fund and (b) during the construction period, if the related Series Indenture directs that such earnings be deposited in the Construction Fund, the Reserve Fund), all as calculated in accordance with generally

accepted accounting principles except as otherwise provided in the Indenture, but shall not include (1) net proceeds of insurance or condemnation awards or other extraordinary items, (2) any amounts received by the City representing sales or use taxes which may be required by law or agreement to be paid to the State or a governmental unit thereof or (3) any refundable moneys attributable to the Storm Water Facilities. "Current Expenses" means the current expenses of operation, maintenance and current repair of the Storm Water Facilities included in the City's Annual Budget, as calculated in accordance with generally accepted accounting principles except as otherwise provided herein, which may include, without limiting the generality of the foregoing: insurance premiums; any rebate required to be paid to the United States Government; fees and expenses of the Trustee and any Paying Agent; fees and expenses of any entity providing credit support or liquidity for any Series of the Bonds; administrative and engineering expenses of the City relating solely to the Storm Water Facilities; labor; executive compensation; the cost of materials and supplies used for current operations; and charges for the accumulation of appropriate reserves for current expenses not annually recurrent, but which are such as may reasonably be expected to be incurred as determined by the City in accordance with generally accepted accounting principles except as otherwise provided herein. "Current Expenses" will not include (1) any allowance for depreciation or replacements of capital assets related to the Storm Water Facilities, (2) moneys payable as Interest and as interest on General Obligation Indebtedness, Subordinate Indebtedness or Other Indebtedness, and (3) moneys deposited or transferred to the Reserve Fund pursuant to the applicable Series Indenture.

For the benefit of the Owners of the Prior Bonds, the 2012 Bonds and any additional bonds issued under the General Indenture, the City has assigned under the General Indenture the City's rights to all Net Revenues and to all moneys and securities held by the Trustee, the City or any other depositories in any and all of the funds and accounts established under the Indenture, except the Storm Water Fund, the Storm Water Debt Service Fund, the Capital Improvement Fund and the Surplus Fund, to the Trustee in trust.

Reference is made to the Indenture for a more complete statement of the provisions thereof and of the rights of the City, the Trustee and the Owners of the Bonds. Copies of the Indenture are on file and may be inspected at the office of the Trustee in Charlotte, North Carolina. By the purchase and acceptance of this Bond, the Owner hereof signifies assent to all of the provisions of the aforementioned documents.

This Bond is issued and the General Indenture and the Series Indenture were each made and entered into under and pursuant to the Constitution and laws of the State, and particularly in conformity with the provisions, restrictions and limitations of General Statutes of North Carolina Section 159-80 *et seq.*, as amended.

This Bond is exchangeable upon the presentation and surrender hereof at the designated corporate trust office of the Registrar for a 2012 Bond or 2012 Bonds of other Authorized Denominations. Upon surrender for registration of transfer, duly endorsed for transfer or accompanied by an assignment duly executed by the Owner hereof or his or her attorney duly authorized in writing, the Registrar will authenticate and deliver in the name of the transferee or transferees a new fully registered 2012 Bond or 2012 Bonds. The Registrar may require the payment by any Owner requesting registration of transfer or exchange of 2012 Bonds of any tax, fee or other governmental charge required to be paid with respect to such registration of transfer or exchange. The Registrar is not required to register the transfer of or exchange any 2012 Bonds selected, called or being called for redemption in whole or in part. The person in whose name this Bond is registered will be deemed and regarded as the absolute owner hereof for all purposes, and payment of this Bond will be made only to or upon the written order of the Owner hereof to his or her legal representative. All such payments will be valid and effectual to satisfy and discharge this Bond to the extent of the sum or sums paid.

Notwithstanding anything provided above, payment of interest on the 2012 Bonds may, at the option of any Owner in an aggregate principal amount of at least \$1,000,000, be transmitted by wire transfer to such Owner to the address specified in writing by the Owner by the relevant Record Date.

The 2012 Bonds maturing on or before December 1, 20__, are not subject to call and redemption prior to maturity. The 2012 Bonds maturing on or after December 1, 20__ may be redeemed prior to their maturities, at the option of the City, from any funds that may be available for such purpose, either in whole or in part on any date on or after December 1, 20__. The 2012 Bonds called for redemption under this Section shall be redeemed at a Redemption Price equal to the par amount of the 2012 Bonds plus accrued interest thereon to the date of redemption.

Notice of redemption will be given by the Trustee not less than 30 days nor more than 60 days before the Redemption Date (1) to the LGC by Mail or facsimile transmission, (2)(a) to DTC or its nominee by registered or certified mail at the address provided to the Trustee by DTC or as otherwise permitted by DTC's rules and procedures or (b) if DTC or its nominee is no longer the Owner of the 2012 Bonds, by Mail to the then-registered Owners of 2012 Bonds to be redeemed at the last address shown on the registration books kept by the Registrar and (3) to the Municipal Securities Rulemaking Board (the "MSRB") in a electronic format as prescribed by the MSRB

Such notice must (1) specify the 2012 Bonds to be redeemed, the Redemption Date, the Redemption Price and the place or places where amounts due on such redemption must be payable (which must be the designated office of the Paying Agent) and if less than all of the 2012 Bonds are to be redeemed, the numbers of the 2012 Bonds and the portions of 2012 Bonds to be redeemed, and (2) state that on the Redemption Date, the 2012 Bonds to be redeemed will cease to bear interest and (3) state, if the redemption is conditional on the occurrence of one or more events, what the conditions for redemption are and the manner in which Owners will be notified if the conditions precedent to a redemption do not occur. If notice is given, the failure to receive such notice or any defect therein will not affect the validity of any proceedings for such redemption, and failure to give notice to the LGC or to all Owners will not affect the validity of any proceedings with respect to any Owner to whom such notice is properly given. Any notice mailed as provided in the Series Indenture will be conclusively presumed to have been given, whether or not the Owner receives the notice. If at the time of mailing of notice of redemption there is not on deposit with the Trustee moneys sufficient to redeem the 2012 Bonds called for redemption, which moneys are or will be available for redemption of the 2012 Bonds, such notice will state that it is conditional on the deposit of the redemption moneys with the Trustee not later than the opening of business on the Redemption Date. Any notice, once given, may be withdrawn by notice delivered in the manner set forth above, on receipt by the Trustee of written instructions from the City with respect to such withdrawal.

In the case of any partial redemption of 2012 Bonds, the City will select the maturity or maturities of the 2012 Bonds to be redeemed, and DTC will select the 2012 Bonds within the same maturity pursuant to its rules and procedures or, if the book-entry system with DTC or any other securities depository has been discontinued, the Trustee will select the 2012 Bonds to be redeemed by lot in such manner as the Trustee in its discretion may deem proper.

If a 2012 Bond subject to redemption is in a denomination larger than the minimum Authorized Denomination, a portion of such 2012 Bond may be redeemed, but only in a principal amount such that the unredeemed portion of such 2012 Bond is equal to an Authorized Denomination. For any 2012 Bond in a denomination of more than the minimum Authorized Denomination, the Trustee shall treat each such 2012 Bond as representing a single 2012 Bond in the minimum Authorized Denomination plus that number of 2012 Bonds that is obtained by dividing the remaining principal amount of such 2012 Bond by the minimum Authorized Denomination

If it is determined that one or more, but not all, of the Authorized Denominations of principal amount represented by any 2012 Bond is to be called for redemption, then, on written notice of intention to redeem such Authorized Denominations of principal amount of such 2012 Bond, the Owner of such 2012 Bond, upon surrender of such 2012 Bond to the Paying Agent for payment of the principal amount of the 2012 Bond, will be entitled to receive new 2012 Bonds in the aggregate principal amount of the unredeemed balance of the principal amount of such 2012 Bond. New 2012 Bonds representing the unredeemed balance of the principal amount of such 2012 Bonds will be issued to the Owner thereof without charge therefor.

If the Owner of any 2012 Bond of a denomination greater than the amount being redeemed fails to present such 2012 Bond to the Paying Agent for payment and exchange as aforesaid, such 2012 Bond will, nevertheless, become due and payable on the date fixed for redemption to the extent of the denomination being redeemed and to that extent only.

The Indenture permits amendment thereto on the agreement of the City and the Trustee and with the approval of the registered Owners of not less than a majority in aggregate principal amount of the Bonds at the time Outstanding. The Indenture also contains provisions permitting the City and the Trustee to enter into amendments to the Indenture without the consent of the Owners of the Bonds for certain purposes.

Any consent or request by the Owner of this Bond is conclusive and binding on such Owner and on all future Owners of this Bond and of any Bond issued on the transfer of this Bond whether or not notation of such consent or request is made on this Bond.

This Bond is issued with the intent that the laws of the State of North Carolina govern its legality, validity, enforceability and construction.

All acts, conditions and things required to happen, exist and be performed precedent to and in the issuance of this Bond and the execution of the Indenture have happened, existed and have been performed as so required.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Indenture until it shall have been authenticated by the execution by the Authenticating Agent (as defined in the Indenture) of the certificate of authentication endorsed hereon.

[Signatures Begin on Following Page]

IN WITNESS WHEREOF, the City of Charlotte, North Carolina has caused this Bond to be executed with the manual or facsimile signatures of the City Manager and City Clerk, and has caused the City's official seal or a facsimile thereof to be impressed or imprinted hereon.

CITY OF CHARLOTTE, NORTH CAROLINA

By: _____
W. Curtis Walton, Jr.
City Manager

[SEAL]

By: _____
Stephanie C. Kelly
City Clerk

The issue hereof has been approved under the
provisions of The State and Local Government Revenue Bond Act.

T. VANCE HOLLOMAN
Secretary of the Local Government Commission

September 24, 2012
Resolution Book 43, Page 883

CERTIFICATE OF AUTHENTICATION

Date of Authentication: November 13, 2012

This Bond is one of the Storm Water Fee Revenue Refunding Bonds, Series 2012 designated herein issued under the provisions of the within-mentioned Indenture.

U. S. BANK NATIONAL ASSOCIATION,
as Registrar and Paying Agent

By: _____
Patrick L. Teague
Vice President

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto:

(Please print or typewrite Name, Address,
including Zip Code, and Federal Taxpayer Identification or
Social Security Number of Assignee)

the within 2012 Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

Attorney to register the transfer of the within 2012 Bond on the books kept for registration thereof,
with full power of substitution in the premises.

Dated: _____

Signature guaranteed by:

NOTICE: Signature must be guaranteed by a participant of the Securities Transfer Agent Medallion Program ("*STAMP*") or similar program.

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within 2012 Bond in every particular, without alteration, enlargement or any change whatever.

TRANSFER FEE MAY BE REQUIRED

EXHIBIT B
FORM OF REQUISITION

U.S. Bank National Association
214 North Tryon Street, 27th Floor
Charlotte, North Carolina 28202
Attention: Corporate Trust Services

Re: Disbursement from the 2012 Costs of Issuance Account of the Construction Fund (the "2012 Costs of Issuance Account") relating the City of Charlotte, North Carolina Storm Water Fee Revenue Refunding Bonds, Series 2012

Dear :

Pursuant to Section 5.2 of Series Indenture, Number 5 dated as of November 1, 2012 (the "Series Indenture") between the City of Charlotte, North Carolina and U.S. Bank National Association, as trustee, we hereby request you to disburse from the 2012 Construction Account as follows:

1. The amount to be disbursed is \$_____.
2. The name and address of the person, firm or corporation to whom the disbursement should be made is as follows:

3. The purpose of the disbursement is to _____.
4. The disbursement herein requested is for work actually performed or for service actually rendered.

DATED this ___ day of _____, _____.

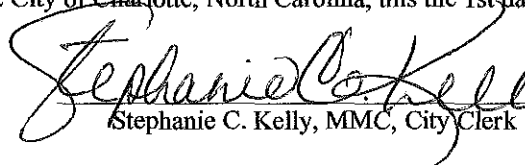
CITY OF CHARLOTTE, NORTH CAROLINA

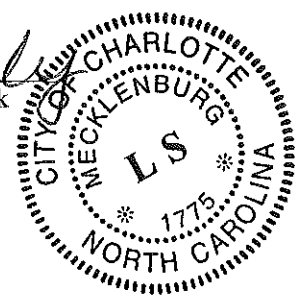
By: _____
City Representative

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 24th day September, 2012, the reference having been made in Minute Book 133, and recorded in full in Resolution Book 43, Pages (858-886).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of October, 2012.


Stephanie C. Kelly, MMC, 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:

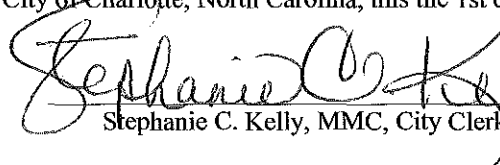
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

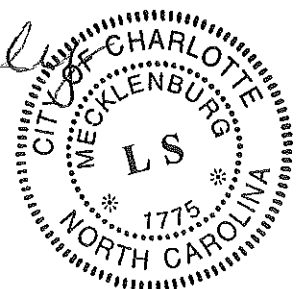
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 24th day of September 2012 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this 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 24th day September, 2012, the reference having been made in Minute Book 133, and recorded in full in Resolution Book 43, Pages (887-895).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of October, 2012.


Stephanie C. Kelly, MMC, City Clerk



Property Tax Refund Requests

Name	Amount
100 Q LLC	15,047.92
2347 EASTWAY DR LLC	1,283.14
5628 FAIRVIEW LLC	519.73
8601 MCALPINES LLC	2,645.66
ABBEY APARTMENTS LLC THE	13,879.78
ABI NORTH PARK L P	4,025.73
ADAMS, JOHN WAYNE	2,200.07
ADKINS, CHARLES T	368.31
AEGON USA REALTY ADVISORS LLC	8,336.60
AHERN, D H	272.79
ALBRIGHT, JEFFREY G	792.21
ALLISON, WILLIAM E JR	60.36
ALPERT, ERIC D	598.34
ALPHA SOLUTIONS LLC	9.97
AMERICAN HOME MORTGAGE SERVICING INC	348.34
AMERICAN WASH TECHNOLOGIES LLC	228.09
ANDERSEN, BRETTON W	19.01
ARCADE SQUARE LIMITED PARTNERSHIP	9,883.51
ARCHER, NANCY	28.03
ARK VENTURES INC	1,938.96
ATHERTON MILL (EA) LLC	20,986.24
ATKINS, WILLIAM HENRY	342.64
AUSTIN, BILL R	430.09
BAC TAX SERVICES CORPORATION	4,225.82
BALLANTYNE COUNTRY CLUB, INC	29,739.42
BALLANTYNE EAST LLC	122,096.60
BALLANTYNE MEDICAL TWO LLC	17,287.23
BALLANTYNE ONE LLC	12,534.38
BALLANTYNE RESORT LLC	57,992.29
BALLANTYNE TWO LLC	12,534.38
BANK OF AMERICA N A	62,807.36
BARKER, DAVID L	847.85
BARNHILL, GRADY MICHAEL	254.25
BARRIER, JOSEPH L &W	2,246.44
BARROWS, FRANK CLEMENCE	599.76
BARTON, ALTHEA M	401.57
BB&T	2,435.57
BCI 21	3,303.86
BEAVER, WILLIAM M	446.26
BELK CHARLOTTE INC	52,993.73
BELK, BASCOM V JR	715.23
BELK, WILLIAM IRWIN	1,277.90
BELL PARTNERS INC MANAGING AGENT	13,690.63
BERKADIA COMMERCIAL MORTGAGE	6,556.91
BERRYHILL REALTY CO	142.56
BINOUARLENTINA, BAL	106.52
BISHOP DULANEY AND JOYNER PA	8,196.57
BLACK, S THOMAS	388.75
BLACKMON & BLACKMON FLP #1	1,888.66
BLS PARTNERS LLC	1,935.64
BOESE, WILLIAM THOMAS	41.82
BOSTON NATIONAL TITLE LLC	278.97

BOYER, JEFFREY L	105.50
BRANFUL LLC	544.63
BRE RETAIL RESIDUAL OWNER 1 LLC	11,881.10
BREEDEN, RALPH	354.54
BRIXHAM GREEN TWO LLC	18,524.76
BROOKSHIRE, RICHARD G	631.61
BROWDER, MATTHEW D	172.24
BROWN INVESTMENTS PROPERTIES	3,421.71
BROWN, BRANDON	551.75
BROWN, JACQUELINE A	980.88
BRUNER, ROBERT B	12.36
BUANA VISTA LLC	6,545.44
CAC VENTURES LLC	890.61
CALTIS, JOHN D	141.79
CAMDEE LAND COMPANY LLC	1,230.86
CAMDEN PROPERTY TRUST	39,344.39
CARE III LLC	2,148.06
CARLISLE, WILMA R	156.35
CAROLINAS HEALTHCARE FOUNDATION	52,006.18
CARSTARPHEN, J MARTIN IV	644.90
CBRE INVESTORS AAF CALSTRS	20,252.25
CBREI AAF CALSTRS-SOUTHPARK	24,415.33
CCR BUILDING LLC	971.86
CENLAR FED SAVINGS BANK	83.15
CHAMBERS, LUDWELL LEE	369.74
CHANDLER BUILDING LLC	17,434.57
CHANDLER, E JAMES	827.86
CHARLOTTE 1031 DST	18,404.53
CHARLOTTE MANAGEMENT ASSOCIATES	2,158.05
CHARLOTTE SODA BLASTING INC	284.18
CHARLOTTE WOODS REALTY %CHURCHILL	9,010.03
CHASE	2,557.73
CHAU, NAM MY	416.86
CHESHIRE CHASE LIMITED PARTNERSHIP	4,903.50
CHICAGO TITLE INSURANCE COMPANY	5,892.94
CICLE K STORES INC	1,189.76
CINTAS CORP NO 45	3,463.05
CITIMORTGAGE INC	1,584.92
CK NORTH PARK XV LLC	2,008.82
CK NORTH PARK XVI LLC	2,473.61
COFFEY CREEK ASSOCIATES LP	4,891.63
COLLEGE 8TH STREET LIMITED PARTNERSHIP	6,131.72
COLONIAL PLACE APARTMENTS	1,014.77
COLONIAL PROPERTIES SERVICES INC	4,152.63
COLOUMBIA NORTH CAROLINA MORROCROFT	711.91
COMER III, WALTER	352.63
CORELOGIC COMMERCIAL REAL ESTATE SERVICE	531,573.88
CORELOGIC TAX SERVICES LLC	687.66
CORTES, CARLOS R	75.69
COTTON, JAMES	432.95
CRANE, SAMUEL JACKSON III	216.23
CRAWFORD BUILDINGS LLC	27,623.67
CREEK CLUB LTD	1,900.95
CRESCENT RESOURCES LLC	23,996.26
CROSLAND GROUP INC THE BY	2,600.68

CROSLAND-ERWIN-MERRIFIELD ASSOCIATES	51,390.69
CROWN CRAWFORD MANGEMENT	108.07
CSI LEASING INC	778.34
CUSHMAN, JOHN U JR	221.46
CUTTER, FRANCES F	138.97
D V SHAH CORP	678.17
DAHER LITTLE HOLDINGS LLC	3,286.75
DANIEL A. FANDINO	2,073.75
DC PROPERTY LLC	623.51
DECONTI, RAPHAEL STEVEN	152.06
DHILLON HOTELS INC	353.58
DLBT INC	6,296.90
DLTB INC	5,046.06
DMCP LLC	1,873.85
DOTSON, BRUCE	279.44
DOYLE & WALLACE PLLC	414.42
DUNCAN, DONALD G	391.60
DUNHILL HOTEL GROUP LIMITED PARTNERSHIP	7,430.45
EAST COAST TOWNHOMES LLC	2,948.37
EASTLAND FIELDS LLC	2,478.85
EDWARD, MARILYN	1,381.03
ELIZEBETH POINT LLC	1,243.70
ESTES EXPRESS LINES	2,708.85
FAIRFIELD OAK POINTE LLC	9,481.93
FALLS, BOYD P	21.87
FAT CITY INVESTMENT ASSOCIATES LLC	8,368.94
FAULK, MARILYN P	91.72
FEDEX NATIONAL LTL	15,526.02
FIFTH THIRD BANK	2,301.59
FIRST AMERICAN TITLE INSURANCE COMPANY MORTGAGE SERVICES-NTP	388.27
FIRST PRESBYTERIAN CHURCH CHARLOTTE	4,414.33
FIRST PRESBYTERIAN CHURCH TRUSTEES	1,748.53
FISHER, REBECCA B	106.93
FLIPPIN, ROBERT K	5,445.40
FOGLE, FRED A	286.57
FOSTER CRAWFORD LLC	127.37
FOX, JOHN W	3,622.25
FRANKS, WILLIE K	113.57
FRENETTE BUILDING LLC	19,906.75
FRENETTE LAND LLC	4,694.40
G PARTNERSHIP	9,524.81
GALENTINE, PAUL G III	898.68
GEG PROPERTY MANAGEMNET LLC	1,113.94
GILMAN, DAVID	285.76
GMAC MORTGAGE LLC	1,279.37
GOFORTH, WILLIAM L	7.66
GOHEEN-MCLEAN, INC	245.22
GOLDEN B ENTERPRISES LTD	769.89
GR MANAGEMENT LLC	7,898.55
GRAY, EDWIN	235.24
GREEN, GARY RICHARD	1,438.54
GREG OTT'S CENTER FOR PHYSICAL THERAPY & SPORTS PERFORMANCE LLC	393.93
GRIFFIN, ALAN B	6.12
GRIFFITH E C CO	5,132.57
GRIFFITH, GROUP LLC	2,095.32

GRUBB MANAGEMENT INC AAF	33,270.79
H R INVESTMENTS	2,619.02
HALL BUILDING LLC	4,693.92
HARPER INVESTORS LLC	21,723.59
HARRELISSON, HARVEY D JR	382.68
HAUPTFUHRER, CAMMIE R	1,356.80
HAWKINS STREET HOLDINGS	4,606.60
HEALEY, RYAN	177.26
HEIN, ERIC P	321.27
HENDERSON, ANNE B	61.44
HIDDEN VALLEY APARTMENTS	4,676.81
HIGBEE COMPANY	8,473.96
HIGH REAL ESTATE GROUP	42,633.42
HILL, O HALSEY	48.47
HIXON BUILDING LLC	17,434.57
HOLQUIST, GARY V	66.54
HOLTON, REXFORD G	499.47
HOLYFIELD, WILLIAM G III	4.75
HOMEBUILDERS, LLC	317.94
HOOTS, BRYAN RANDALL	976.14
HOUCHINS, ROBERT CARTER	435.51
HSBC MORTGAGE CORPORATION	628.27
HUCKO, MATTHEW	174.89
INDYMAC MORTGAGE SERVICES DIV OF ONEWEST	711.91
INGRAM, MICHAEL L	27.57
IRT PARTNERS LP	6,363.44
IVEY J B CO	26,096.72
J L JAMIESON LLC, .	697.65
JACOBSON CHARLOTTE WEST LLC	18,781.86
JAMESTOWN BOB LLC	805.54
JARRELL FAMILY LLC	324.01
JOHNSON WALES UNIVERSITY	4,716.82
JOHNSON, LAURA JOYCE	321.66
JONES, GREGORY HERBERT	673.39
JONES, RAYMOND C	85.07
JULKA, CHAD L	741.85
JUNIPER ANTLERS LANE LLC	943.27
JUNIPER REDDMAN LLC	483.31
K PARTNERSHIP	7,945.41
KAIN, PAMELA ANN	444.82
KENLEY, CALVIN JR	1,563.53
KENNELLY, KEVIN T	736.62
KINGS CROSSING MEDICAL PLAZA OA INC	54.24
KLAPHEKE, CHARLES G III	301.31
KOPETZKY, BRIAN	1,012.73
L. A. PAGE LAW FIRM PLLC	1,088.60
LAMB, AARON PAUL	582.65
LANCE INC	255.68
LANE ALLYSON MILLIS R/T, .	123.56
LAW OFFICE GEORGE H SPERRY JR ESQ CPA	116.33
LCOR INCORPORATED	13,369.33
LERNER, HARRY	414.41
LICARI, RYAN P	46.58
LINGENFELTER, CHERYL D	1,012.73
LION'S HEAD APT LTD	5,892.94

LJW LAND LLC	47.53
LNGERSOLL-RAND COMPANY	3,736.79
LOWE'S HOME CENTERS INC	7,851.41
MACK, LISBETH A	239.05
MACY'S CORPORATE SERVICE INC	24,406.77
MAHAVIR MUNI INC	1,639.47
MAIER, ROBERT A	474.28
MANHEIM REMARKETING INC	2,189.90
MARTIN, LYRIC B	47.53
MAY GROUP LLC	83.16
MBL-208 LLC .	1,414.08
MCALPINE LLC	4,877.84
MCDOWELL, DOUGLAS D	79.37
MCGARITY, MICHAEL WYLIE	91.24
MCGINN, LLOYD E JR	46.10
MCGOWAN, MICHAEL WILLIAM	153.96
MCKELVEY, ANNE B	694.32
MCMILLAN & TERRY PA	140.54
MENK, EMIL JOSEPH	173.94
MILLER REALTY VENTURES LLC	1,168.09
MILLER, GRAYDON A III	2.85
MIRANDA PARTNERS II LP	1,342.08
MIT LIFETIME TRUST	285.15
MOK, ALAN C L/T	543.20
MOON, HENRY C	444.82
MOORE, BANKS C	141.62
MOORE, PETER F &W	469.05
MORRISON PLACE LLC %	14,630.20
MOUNIE HOMES INC	248.08
MOZER, ERIC HERBERT	1,030.32
MV GRAHAM II LLC	7,380.45
MV TRYON II LLC	1,474.22
NADINE A NEEL PA	42.30
NAMKOONG, WON	143.20
NATIONAL TAX SEARCH LLC	103,428.28
NEAL, MARTHA	474.28
NEW BROOKSTONE LLC	3,801.90
NEXCO INC	95.51
NICHOLS JR, RICHARD L	547.35
NICHOLSON, DALLAS S	63.67
NINTH STREET INVESTORS LLC	21,591.81
NMHG FINANCIAL SERVICES INC	91.64
NORA DEAN PARKER ALBRIGHT	539.86
NORRIS INC	466.22
NORTH CAROLINA HOUSING FINANCE AGENCY	2,818.17
NXT CAPITAL LLC	5,415.23
OAK PARK AT BRIAR CREEK LLC %	5,482.88
OAKDALE APARTMENTS LLC	287.88
OFFICES ON SIX LLC	8,991.55
OLD PROVIDENCE RACQUET CLUB	3,940.18
OLSHEFSKI, JOSEPH M	2,109.58
ORDERS REALTY COMPANY	516.11
PATEL, VONT FOUND	182.50
PATTERSON PROPERTY LLC	3,252.53
PECKHAM ELIZABETH	429.60

September 24, 2012

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PERCIVAL, ROBERT H	325.54
PERRY, GLENN B	1,364.88
PHH MORTGAGE CORP/ROCHESTER	1,067.84
PINEWOOD PROVIDENCE INVESTORS LLC	188.02
PIRAEUS PROPERTIES LLC	532.13
PITT, AMY T	691.47
PIZZAGALLI PROPERTIES LLC	44,131.47
PLUNKETT, STEVEN R	75.09
PLYLER, MICHAEL MATTHEW	568.85
PNEUMAFIL CORPORATION	1,389.59
PORTER, A ALEXANDER	7,704.54
POST APARTMENT HOMES L P ATTN:	14,494.74
POURLLOS, JIMMIE	1,459.47
PREFERRED PARKING SERVICE	4,713.20
PROSPERITY SENIORS LLC	7,128.56
PRUDENTIAL INSURENCE COMPANY OF	3,643.18
RADFORD, MICHAEL LEE	477.60
RBC BANK (USA) MORTGAGE LOAN DEPT	548.42
RED OAK PARTNERS LLC	2,556.30
REDUS CHARLOTTE HOUSING LLC	240.48
REGIONS MORTGAGE	76.52
RENALDO, DONALD P	1,298.84
RICHARDSON BUILDING LLC	16,162.83
RICHARDSON, MARK S	1,048.84
RINALDI, JOSEPH A	87.92
RJR INVESTMENT LLC	670.55
ROBICSEK, JOHN CHRISTOPHER	458.60
ROBINSON REALTY INC OPERATING ACCT	3,283.22
RODGERS WILLIAM A FAMILY NO 1	6,305.45
ROLFE, CHRISTOPHER C	9.99
ROSS, LOLA M	3,146.54
ROWLAND, RICHARD E	986.11
RUSHMORE TWO LAND LLC	9,044.23
SAM'S MART INC	1,651.46
SANDERS, WILLIAM SCOTT	178.21
SCHAEFER SYSTEMS INTERNATIONAL INC.	4,129.65
SCHNEIDER RESOURCES INC	2,311.55
SCHWARZ, JOHN L	461.45
SEAGLE, BENJAMIN F III	226.68
SEARS ROEBUCK CO DEPT768	3,962.05
SEEVERS, LAURENCE E	102.16
SEVENTH STREET INVESTORS LLC	66,982.48
SHAH, PRAVINCHANDRA	295.60
SHEVLIN, PATRICK J	304.16
SHOUPE, CORNELIA G	10.46
SHREEJI HOSPITALITY QUEEN CITY LLC	1,687.56
SIMMONS BUILDING LLD	16,852.89
SIX BOYS LLC	216.71
SMATHERS, ROBERT H	755.63
SMITH, ANNE M	74.59
SMITH, SAMUEL H JR	984.69
SNYDER, CHARLES H	272.75
SOUTH CHURCH ST PROPERTY HOLDIN	1,479.23
STALLINGS, GARY E	241.44
STATE EMPLOYEE'S CREDIT UNION	407.27

STEGALL, JEFFREY	926.44
STEVENSON, MICHAEL E	141.12
STEWART, BARNEY III	124.04
STIKELEATHER, RICHARD W	509.94
STRINGFELLOW, JUDSON W	471.43
SUNSET CROSSING SHOPPING CENTER	10,962.78
TAYLOR PAIGE INCORPORATED	601.24
TCHERKEZIAN, ROLAND H	681.95
TESTAMENTARY SUPPLEMENTAL NEEDS TRUST	595.94
TETA, ALBERT J	254.73
THE BANK OF NEW YORK MELON	5,255.18
THE FIRST REALM LLC	2,866.64
THE MCCLATCHY COMPANY	53,211.99
THOMAS, MICHAEL	565.99
THOMPSON, BRENNEMAN LINE	315.08
THROWER, JOHN HAMPTON	339.78
TIAA-CREF	58,972.62
TISON, ROMA W	317.45
TOTAL MORTGAGE SOLUTIONS LP	140.21
TOWNES AT UNIVERSITY POINTE LLC	28,450.08
TRIMBLE, JAMES	76.99
TRIMONT REAL ESTATE ADVISORS	26,000.24
TRIPLE CROWN LLC	42.76
TRIPONT NORTH LLC	632.37
TRITEX REAL ESTATE ADVISORS INC	17,226.41
TRSTE III KANNAPOLIS LLC	254.73
TRYON FOREST LIMITED	7,601.92
TRY-STAR LLC	69.86
TULUMARIS, TERESA P	498.52
TURNER III, ROBERT G	1,364.41
TUTWILER, JOHN B	522.74
TYSON, BOBBY LADELL	829.77
UBELL, DONALD P	508.51
UE RETAIL LLC	1,103.97
US BANCORP SERVICE PROVIDERS	682.42
USF HOLLAND INC	174.89
VALU TREE REAL ESTATE TAX SERVICES	976.13
VEER INVESTMENTS LLC	1,445.21
VILLAGE OAKS PROPERTIES	2,368.65
VISION VENTURES CONSTRUCTION S ERVICES	71.28
WALKER, FLOYD G	55.70
WALLACH, CHARLES F	135.92
WATTS, DAVID W	97.24
WEBB, G HOWARD JR	922.00
WEISIGER, FREDRICK CHILDS	30.13
WELLMON, BRENDA	464.79
WELLS FARGO HOME MORTGAGE	12,855.74
WEST, MARK IRWIN	114.54
WHARTON, SUZANNE C	54.66
WILBURN AUTO BODY SHOP INC	390.64
WILCOX, GEORGE	154.47
WILLIAMS, DARRELL E	513.73
WILLIAMS, J MORRIS JR	285.62
WITTER, DONALD R III	613.06
WOLF, GREGORY C	284.66

September 24, 2012
Resolution Book 43, Page 895

WOMBLE CARLYLE SANDRIDGE & RICE LLP	5,018.96
WRIGHT, DOUGLAS B	60.82
YOUNG TERRY ASSOCIATES	1,241.79
ZALECKI, MICHAEL	3,437.87
Grand Total	2,546,776.74

**A RESOLUTION AUTHORIZING THE REFUND OF
CERTAIN BUSINESS PRIVILEGE LICENSES**

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

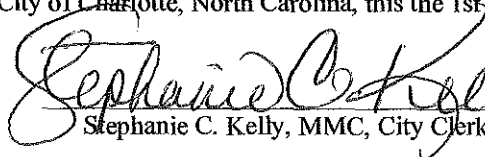
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

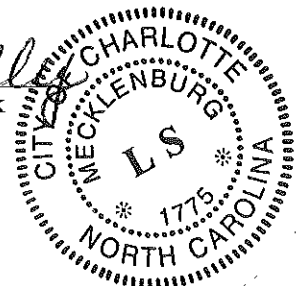
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 24th day of September 2012 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Stephanie C. Kelly, 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 24th day September, 2012, the reference having been made in Minute Book 133, and recorded in full in Resolution Book 43, Pages (896-898).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of October, 2012.


Stephanie C. Kelly, MMC, City Clerk



Business Privilege License Tax Refund Requests

BUSINESS NAME	AMT DUE
Phisiotherapy Corporation	\$ 50.00
April Sullivan / Born 2 Shyne Hair Studio	17.50
Priority One Security	217.42
Premier Healthcare Alliance	2,000.00
ASCO Valve, Inc	500.00
7-Eleven Inc	2,576.94
7-Eleven Inc	4,497.61
Zebra Restaurant	481.49
Duckworth's Cheesesteakery #3101	2,456.15
iconnect Technologies LLC	1,944.87
	<u>\$ 14,741.98</u>

September 24, 2012

Resolution Book 43, Page 898

**List of Computers and Related Equipment for Donation
September 24, 2012 Council Business Meeting**

<u>Donation Type</u>	<u>Quantity</u>
Computer Processors	181
Laptops	19
Computer Monitors	133
Misc. other electronics	41
Printers/Scanners/Faxes	70
TV's	21
Total	<u>465 items</u>

CHARLOTTE CITY COUNCIL

Resolution Authorizing Donation of Personal Property

Whereas, North Carolina G.S. 160A-280 allows a city to donate any personal property that the governing board deems to be surplus, obsolete, or unused to a nonprofit organization and;

Whereas, the City Manager has recommended that the property listed on the attached Exhibit A (the "Property") be declared as surplus; now therefore, and

Whereas, the City Manager recommends that the Property be donated to Goodwill Industries of the Southern Piedmont; and

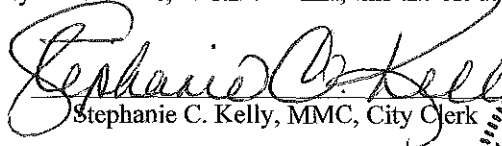
Whereas, City staff posted a public notice of the proposed donation at least five days prior to the adoption of this resolution;

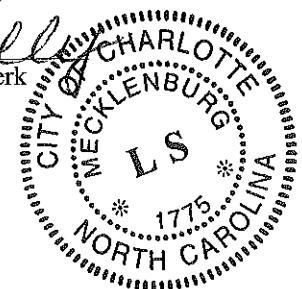
Be it resolved, by the Charlotte City Council that the City Manager or his designee is authorized to donate surplus personal property described on Exhibit A, to Goodwill Industries of the Southern Piedmont.

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 24th day September, 2012, the reference having been made in Minute Book 133, and recorded in full in Resolution Book 43, Page 899.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of October, 2012.


Stephanie C. Kelly, MMC, 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 **2011 ANNEXATION-8" SANITARY SEWER-9511 AND 9515 GWYNNE CIRCLE 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 **2011 ANNEXATION-8" SANITARY SEWER-9511 AND 9515 GWYNNE CIRCLE PROJECT** and estimated to be **1,784 square feet (.041 acre) of sanitary sewer easement and 1,714 square feet (.039 acre) of 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.: 111-143-35; said property currently owned by **BARANKO ENTERPRISE, INC.; INSTITUTIONS FOOD HOUSE, INC., Possible Judgment Creditor; MECKLENBURG COUNTY TAX COLLECTOR**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

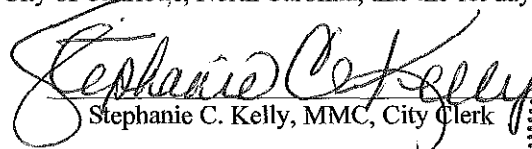
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

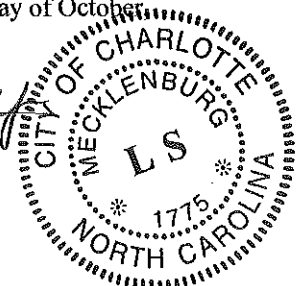
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 24th day September, 2012, the reference having been made in Minute Book 133, and recorded in full in Resolution Book 43, Page 900.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of October, 2012.


Stephanie C. Kelly, MMC, 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 **2011 ANNEXATION-8" SANITARY SEWER-6900-7500 CEDARBROOK 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 **2011 ANNEXATION-8" SANITARY SEWER-6900-7500 CEDARBROOK PROJECT** and estimated to be **24 square feet (.001 acre) of sanitary sewer easement and 1,356 square feet (.031 acre) of 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.: 111-451-06; said property currently owned by **TRACEY L. COTHRAN and spouse, if any; HSBC BANK USA, N. A., Beneficiary; BRANCH BANKING AND TRUST COMPANY, Beneficiary**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

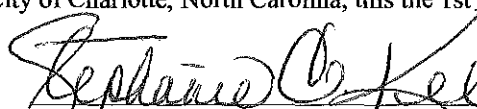
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

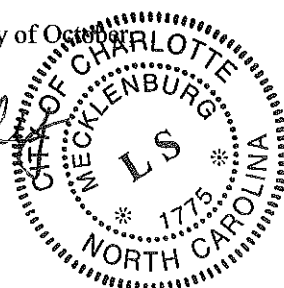
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 24th day September, 2012, the reference having been made in Minute Book 133, and recorded in full in Resolution Book 43, Page 901.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of October 2012.


Stephanie C. Kelly, MMC, 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 **2011 ANNEXATION-TUKALAKE DRIVE/SALAMANDER COURT 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 **2011 ANNEXATION- TUKALAKE DRIVE/SALAMANDER COURT PROJECT** and estimated to be **4,514 square feet (.104 acre) of sanitary sewer easement and 3,012 square feet (.069 acre) of 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.: 111-122-44; said property currently owned by **AGUSTIN CERVANTES and wife, MARIA ISABEL CERVANTES**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

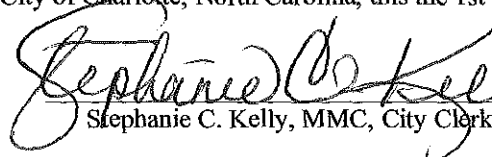
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

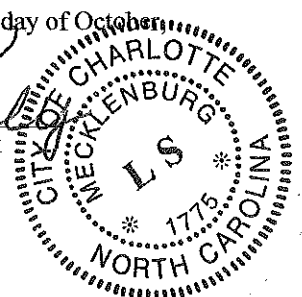
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 24th day September, 2012, the reference having been made in Minute Book 133, and recorded in full in Resolution Book 43, Page 902.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of October, 2012.


Stephanie C. Kelly, MMC, 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 **BALLANTYNE COMMONS PARKWAY/ELM LANE INTERSECTION 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 **BALLANTYNE COMMONS PARKWAY/ELM LANE INTERSECTION IMPROVEMENTS PROJECT** and estimated to be **207 square feet (.005 acre) of sidewalk and utility easement; 1,916 square feet (.044 acre) of utility easement and 4,520 square feet (.104 acre) of 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.: 223-605-02; said property currently owned by **WELLS FARGO, NATIONAL ASSOCIATION**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

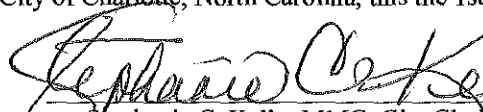
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

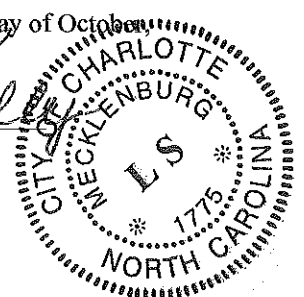
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 24th day September, 2012, the reference having been made in Minute Book 133, and recorded in full in Resolution Book 43, Page 903.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of October, 2012.


Stephanie C. Kelly, MMC, 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 **BALLANTYNE COMMONS PARKWAY/ELM LANE INTERSECTION 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 **BALLANTYNE COMMONS PARKWAY/ELM LANE INTERSECTION IMPROVEMENTS PROJECT** and estimated to be **14,560 square feet (.334acre) of fee-simple area; 622 square feet (.014 acre) of storm drainage easement; 3,368 square feet (.077 acre) of sidewalk/utility easement; 6,978 square feet (.160 acre) of utility easement, and 18,536 square feet (.426 acre) of 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.: 225-041-19; said property currently owned by **ZENITH INVESTMENT GRANTOR TRUST, SUMMIT DE CORPORATION, Trustee; FIRST TRUST BANK, Beneficiary; JOEY'S OF STONECREST, LLC, Lessee; FIREBIRD'S OF STONECREST, LLC, Lessee; BISCUITS IN FLIGHT, LLC, Lessee; MATTRESS FIRM, INC., Lessee; BONEY, WILSON & SONS, INC., Lessee; REGAL CINEMAS, INC., Lessee; CHICK-FIL-A, INC., Lessee; JOJO CAFÉ, INC., Lessee; BORDER'S, INC., Lessee; NEW CARGO FURNITURE, INC., Lessee; HARRIS-TEETER, INC., Lessee; METROLINA RESTAURANT GROUP, LLC; Lessee; FESTIVUS, INC., Lessee; MICHAELS STORES, INC., Lessee, or the owners' successor-in-interest.**

ESTIMATED JUST COMPENSATION:

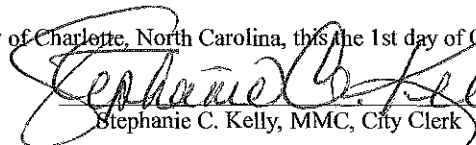
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

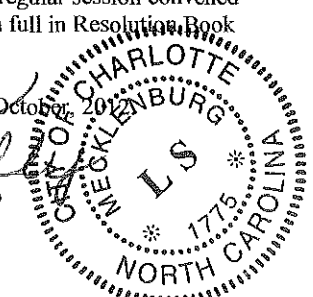
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 24th day September, 2012, the reference having been made in Minute Book 133, and recorded in full in Resolution Book 43, Page 904.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of October, 2012.


Stephanie C. Kelly, MMC, 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 **BALLANTYNE COMMONS PARKWAY/ELM LANE INTERSECTION 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 **BALLANTYNE COMMONS PARKWAY/ELM LANE INTERSECTION IMPROVEMENTS PROJECT** and estimated to be **16,680 square feet (.383 acre) of fee-simple area; 48 square feet (.001 acre) of utility easement, and 15,773 square feet (.362 acre) of 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.: 225-041-23; said property currently owned by **TARGET CORPORATION (Successor by merger of Marshall Field Stores)**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

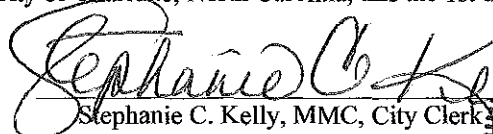
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

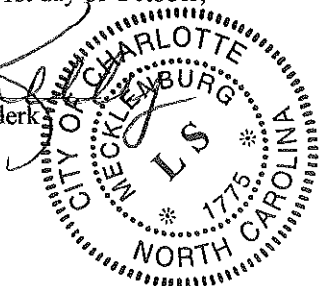
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 24th day September, 2012, the reference having been made in Minute Book 133, and recorded in full in Resolution Book 43, Page 905.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of October, 2012.


Stephanie C. Kelly, MMC, 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 **CHEROKEE/SCOTLAND STORM DRAINAGE IMPROVEMENT PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **CHEROKEE/SCOTLAND STORM DRAINAGE IMPROVEMENT PROJECT** and estimated to be **137 square feet (.003 acre) of storm drainage easement and 48 square feet (.001 acre) of 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.: 155-101-15; said property currently owned by **MICHAEL C. LOEFFLER and wife, HOLLY H. LOEFFLER; WELLS FARGO BANK, N. A., Beneficiary**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

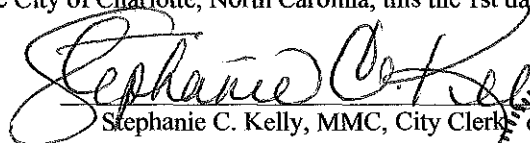
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

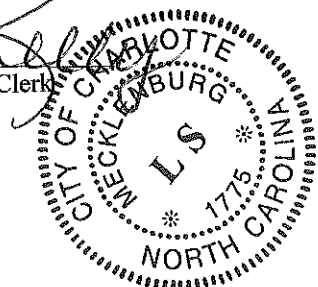
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 24th day September, 2012, the reference having been made in Minute Book 133, and recorded in full in Resolution Book 43, Page 906.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of October, 2012.


Stephanie C. Kelly, MMC, 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 **CHEROKEE/SCOTLAND STORM DRAINAGE IMPROVEMENT PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **CHEROKEE/SCOTLAND STORM DRAINAGE IMPROVEMENT PROJECT** and estimated to be **4,165 square feet (.096 acre) of storm drainage easement and 444 square feet (.010 acre) of 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.: 155-103-48; said property currently owned by **MICHAEL S. WEISS and wife, PATRICIA W. WEISS; BANK OF AMERICA, NA, Beneficiary**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

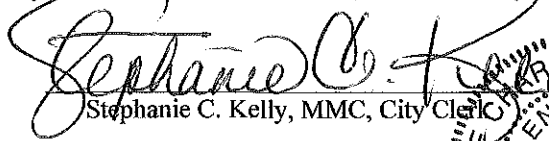
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 24th day September, 2012, the reference having been made in Minute Book 133, and recorded in full in Resolution Book 43, Page 907.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of October, 2012.


Stephanie C. Kelly, MMC, City Clerk

