

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 January 28, 2013:

Members Present:

Mayor Foxx, Councilmembers Autry, Barnes, Cannon, Cooksey, Dulin, Fallon Howard, Kinsey, Mayfield, and Pickering

Members Absent:

Councilmember Mitchell

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

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

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

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

WHEREAS, the City and New Charlotte Corporation, a North Carolina nonprofit corporation (the "*Corporation*"), previously entered into an Installment Payment Contract dated as of May 1, 1995, as amended by Amendment Number One to the Installment Payment Contract dated as of October 1, 2001, each between the City and the Corporation (collectively, the "*2001D Contract*"), in order to refinance certain law enforcement facilities of the City (the "*2001D Projects*");

WHEREAS, in connection with the 2001D Contract, the Corporation previously executed and delivered Refunding Certificates of Participation (Charlotte/Mecklenburg Law Enforcement Facilities Project), Series 2001D, evidencing proportionate undivided interests in rights to receive certain revenues pursuant to the 2001D Contract (the "*2001D Certificates*"), under a Master Trust Agreement dated as of June 15, 1993 between First Union Securities, Inc., the successor to which is the Corporation, and First Union National Bank, the successor to which is U.S. Bank National Association, as trustee (the "*Trustee*"), and Supplemental Trust Agreement, Number 3 dated as of October 15, 2001 between the Corporation and the Trustee;

WHEREAS, the City and the Corporation previously entered into an Installment Financing Contract dated as of January 1, 2012 (the "*2012 Contract*") in order to finance and refinance the Projects (as defined in the 2012 Contract), including (1) the purchase of certain personal property (the "*Equipment*") for use by various City departments for the City's general governmental purposes, and (2) the acquisition, construction, furnishing and equipping of various public safety and general governmental facilities, including the Providence Police Station, the Consolidated Fire Headquarters, the Eastway Police Station, the Steele Creek Police Station and the Sweden Road Equipment Maintenance Shop (collectively, the "*Facilities*");

WHEREAS, to secure its obligations under the 2012 Contract, the City (1) executed and delivered a Deed of Trust, Security Agreement and Fixture Filing dated as of January 1, 2012 (the "*2012 Deed of Trust*") related to all or a portion of the City's fee simple interest in the real property on which the Providence Police Station and the Consolidated Fire Headquarters are located, together with the improvements thereon, and (2) granted to the Corporation and its assignee under the 2012 Contract a security interest in the Equipment acquired with the proceeds of the 2012 Contract;

WHEREAS, the City Council of the City (the "*City Council*") hereby determines that it is in the best interest of the City to enter into (1) an amendment to the 2012 Contract (the "*Contract Amendment*," and together with the 2012 Contract, the "*Contract*") in order to (a) finance (i) the cost of acquiring additional Equipment, (ii) the cost of additional improvements to the Facilities and (iii) the cost of acquiring, constructing, renovating and equipping other public safety facilities, including the City's 911 Communications Center (collectively, the "*2013 Projects*"); (b) refinance the City's remaining installment payment obligations under the 2001D Contract corresponding to the outstanding 2001D Certificates; and (c) pay certain costs incurred in connection with the execution and delivery of the Contract Amendment; and (2) a notice of extension to the 2012 Deed of Trust (the "*Notice of Extension*," and together with the 2012 Deed of Trust, the "*Deed of Trust*") to grant a lien on all or a portion of the City's fee simple interest in the real property on which one or more of the unencumbered Facilities and the 911 Communications Center are or will be located, together with the improvements thereon, as may be required for the benefit of the entity, or its assigns, providing the funds to the City pursuant to the Amendment;

WHEREAS, the City Council hereby reaffirms each of the findings it made with respect to (1) the 2001D Contract and the 2001D Projects in the resolution adopted by the City Council on September 26, 2001 and (2) the 2012 Contract and the projects financed and refinanced thereby in the resolution adopted by the City Council on November 14, 2011;

WHEREAS, City hereby determines that the acquisition of additional Equipment and the acquisition, construction, furnishing and equipping of the 2013 Projects are essential to the City's proper, efficient and economic operation and to the general health and welfare of its inhabitants; that the

Equipment and the 2013 Projects will provide an essential use and will permit the City to carry out public functions that it is authorized by law to perform; and that entering into the Contract Amendment is necessary and expedient for the City by virtue of the findings presented herein;

WHEREAS, the City hereby determines that the Contract Amendment allows the City to finance the additional Equipment and the 2013 Projects and to refinance the 2001D Projects and to take title thereto at a favorable interest rate currently available in the financial marketplace and on terms advantageous to the City;

WHEREAS, the City hereby determines that the estimated cost of financing the additional Equipment and the 2013 Projects and refinancing the 2001D Projects is an amount not to exceed \$52,000,000, and that such cost of financing the additional Equipment and the 2013 Projects and refinancing the 2001D Projects exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the City in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

WHEREAS, although the cost of financing the additional Equipment and the 2013 Projects and refinancing the 2001D Projects pursuant to the Contract Amendment is expected to exceed the cost thereof pursuant to a bond financing for the same undertaking, the City hereby determines that the cost of financing the additional Equipment and the 2013 Projects and refinancing the 2001D Projects pursuant to the Contract Amendment and the obligations of the City thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of financing the Equipment and the 2013 Projects and refinancing the 2001D Projects; and (3) insufficient revenues are produced by the Equipment, the 2013 Projects and the 2001D Projects so as to permit a revenue bond financing;

WHEREAS, the City has determined and hereby determines that the estimated cost of financing the Equipment and the 2013 Projects and refinancing the 2001D Projects pursuant to the Contract Amendment reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

WHEREAS, the City does not anticipate a future property tax increase to pay installment payments falling due under the Contract Amendment;

WHEREAS, the sums to fall due under the Contract Amendment will be adequate but not excessive for its proposed purpose;

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

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

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

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

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

WHEREAS, the Corporation will execute and deliver Certificates of Participation (Equipment Acquisition and Public Facilities), Series 2013A, evidencing proportionate undivided interests in rights to receive certain revenues pursuant to the Contract (the "2013A Certificates");

WHEREAS, in connection with the sale of the 2013A Certificates by the Corporation to Wells Fargo Bank, National Association and Merrill Lynch, Pierce, Fenner & Smith Incorporated (collectively, the "Underwriters"), the Corporation will enter into the Contract of Purchase (as defined below) and the City will execute a Letter of Representation to the Underwriters (the "Letter of Representation");

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

- (1) the Contract Amendment;
- (2) the Notice of Extension;
- (3) Supplemental Indenture, Number 1 dated as of April 1, 2013 (the "First Supplement") between the Corporation and the Trustee;
- (4) a Contract of Purchase to be dated on or about March 22, 2013 (the "Contract of Purchase") among the Corporation and the Underwriters; and
- (5) the Letter of Representation;

WHEREAS, to make an offering and sale of the 2013A Certificates, there will be prepared a Preliminary Official Statement (the "Preliminary Official Statement"), a draft thereof having been presented to the City Council, and a final Official Statement (collectively with the Preliminary Official Statement, the "Official Statement") with respect to the 2013A Certificates, which Official Statement will contain certain information regarding the City;

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

WHEREAS, the City Council did conduct (1) a public hearing on November 14, 2011 to receive public comment on the 2012 Contract and projects financed and refinanced thereby and (2) a public hearing on January 28, 2013 to receive public comment on the proposed Contract Amendment to finance the additional Equipment and the 2013 Projects and to refinance the 2001D Projects; and

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

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

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

Section 2. Authorization of the Official Statement. The form, terms and content of the Official Statement are in all respects authorized, approved and confirmed, and the use of the Official Statement by the Underwriters in connection with the sale of the 2013A Certificates is hereby in all respects authorized, approved and confirmed.

Section 3. Authorization to Execute the Contract Amendment. The City approves the financing of the additional Equipment and the 2013 Projects and the refinancing of the 2001D Projects in accordance with the terms of the Contract Amendment, which will be a valid, legal and binding obligation of the City in accordance with its terms. The form and content of the Contract Amendment are hereby authorized, approved and confirmed in all respects, and the City Manager or the Deputy City Manager and the City Clerk and their respective designees are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Contract Amendment, including necessary counterparts, in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all changes, modifications, additions or deletions therein from the form and content of the Contract Amendment presented to the City Council. From and after the execution and delivery of the Contract Amendment, the City Manager, the Chief Financial Officer and the City Clerk 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 Contract Amendment as executed.

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

Financial Officer of the City 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 Notice of Extension as executed.

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

Section 6. City Representative. The City Manager, the Deputy City Manager, the Chief Financial Officer, the City Treasurer and the City Debt Manager are hereby designated as the City's representatives to act on behalf of the City in connection with the transaction contemplated by the Instruments and the Official Statement, and each is authorized to proceed with the financing of the additional Equipment and the 2013 Projects and the refinancing the 2001D Projects in accordance with the Instruments and to seek opinions as a matter of law from the City Attorney, which City Attorney is authorized to furnish on behalf of the City, and opinions of law from such other attorneys for all documents contemplated hereby as required by law. The City's representatives or designees are in all respects authorized, individually and collectively, on behalf of the City to supply all information pertaining to the City as purchaser under the Contract Amendment for use in the Official Statement and the transactions contemplated by the Instruments or the Official Statement. The City Manager, the City Clerk and the Chief Financial Officer 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 or appropriate to consummate the transactions contemplated by the Instruments or the Official Statement or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution.

Section 7. Financing Team. The financing team of Parker Poe Adams & Bernstein LLP, as special counsel, DEC Associates, Inc., as financial advisor, Wells Fargo Bank, National Association and Merrill Lynch, Pierce, Fenner & Smith Incorporated, as underwriters, U.S. Bank National Association, as trustee, and McGuireWoods LLP, as underwriters' counsel, is approved.

Section 8. Severability. If any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 9. Repealer. All motions, orders, resolutions and parts thereof in conflict with this Resolution are hereby repealed.

Section 10. Effective Date. This Resolution is effective on the date of its adoption.

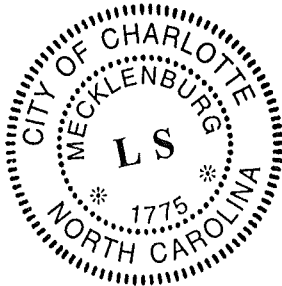
CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 123-129.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.



Ashleigh Price, Deputy City Clerk



CHARLOTTE CITY COUNCIL

**RESOLUTION
APPROVING AMENDMENTS TO THE BROOKLYN VILLAGE / KNIGHTS
BASEBALL STADIUM INTERLOCAL COOPERATION AGREEMENT AND
THE BROOKLYN VILLAGE AFFORDABLE HOUSING AGREEMENT AND
DECLARATION OF RESTRICTIVE COVENANTS**

WHEREAS, under G.S. 160A-461, units of local government may enter into interlocal cooperation undertakings with each other for the contractual exercise by one unit of local government for the other unit of local government of any power, function, public enterprise, right, privilege, or immunity of local government; and

WHEREAS, pursuant to G.S. 160A-274, any governmental unit may, upon such terms and conditions as it deems wise, with or without consideration, exchange with, lease to, lease from, sell to, or purchase from any other governmental unit any interest in real or personal property; and

WHEREAS, the City of Charlotte and Mecklenburg County have previously entered into that certain "Brooklyn Village / Knights Baseball Stadium Interlocal Cooperation Agreement" dated May 14, 2007 (the "Interlocal Agreement"); and

WHEREAS, the City and the County amended the Interlocal Agreement effective as of December 7, 2007 to defer the time for closing on the sale of certain real property by the County to Brooklyn Village LLC (the "Second Ward Property"); and

WHEREAS, the City, the County and Brooklyn Village LLC entered into the Brooklyn Village Affordable Housing Agreement and Declaration of Restrictive Covenants effective as of December 7, 2007 (the "Declaration of Restrictive Covenants"), contemplating that the County would sell the Second Ward Property to Brooklyn Village LLC and requiring that any development of the Second Ward Property by Brooklyn Village LLC or its successors include affordable housing; and

WHEREAS, the County and Brooklyn Village LLC entered into an Agreement of Sale for County Property dated January 17, 2008 (the "Sales Agreement") under which the County agreed to sell the Second Ward Property to Brooklyn Village LLC; and

WHEREAS, the County and Brooklyn Village LLC amended the Sales Agreement effective September 8, 2010 to defer the time for closing under the Sales Agreement; and

WHEREAS, by agreement dated October 11, 2011, Brooklyn Village LLC assigned its rights as Buyer under the Sales Agreement to Spectrum Investment Services, Inc. ("Spectrum"), as allowed by the Sales Agreement; and

WHEREAS, the County and Spectrum amended the Sales Agreement effective as

of November 20, 2012 to extend the time for Spectrum to close on purchase of the Second Ward Property to June 1, 2013 (the "Second Extension to Sales Agreement"); and

WHEREAS, the City and the County desire to amend the Interlocal Agreement and restate the Declaration of Restrictive Covenants to reflect the extension granted in the Second Extension to Sales Agreement:

WHEREAS, N.C. Gen. Stat. 160A-461 requires that such Interlocal Agreements "be ratified by resolution of the governing board of each unit spread upon its minutes", now, therefore, be it

RESOLVED that the Charlotte City Council:

1. Approves and ratifies the Second Amendment to Brooklyn Village / Knights Baseball Stadium Interlocal Cooperation Agreement with Mecklenburg County (the "Second Amendment to Interlocal Agreement"); and
2. Approves and ratifies the Restated Brooklyn Village Affordable Housing Agreement and Declaration of Restrictive Covenants (the "Restated Declaration of Restrictive Covenants"); and
3. Authorizes the City Manager to execute the Second Amendment to Interlocal Agreement and the Restated Declaration of Restrictive Covenants in substantially the form presented to City Council with technical corrections and minor modifications as she may deem necessary consistent with the spirit and intent of the transactions, to record the Restated Declaration of Restrictive Covenants and to take all actions necessary to effectuate the transactions contemplated by the Second Amendment to the Interlocal Agreement and the Restated Declaration of Restrictive Covenants.

Adopted the 28th day of January, 2013



CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 130-131.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.

**RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON JANUARY 28, 2013**

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

WHEREAS, The North Carolina General Statutes §160A-280 authorizes the City of Charlotte to donate personal property that is no longer being used by the City to a nonprofit organization within the United States upon adoption of a resolution by the City of Charlotte City Council; and

WHEREAS, The City owns John Deere Gator(property #F71791) and trailer(property #FDY-020), which are no longer being used by the Charlotte Fire Department; and

WHEREAS, The Couloak Little League is in need of the units described above; and

WHEREAS, The Charlotte Interim City Manager has recommended the John Deere Gator and trailer be donated to the Couloak Little League.

NOW, THEREFORE, BE IT RESOLVED by the Charlotte City Council that the Interim City Manager or his designee is authorized to donate to the Couloak Little League, the unit's described. above.

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 132.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.



Ashleigh Price
Ashleigh Price, Deputy City Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON JANUARY 28, 2013**

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

WHEREAS, The North Carolina General Statutes §160A-280 authorizes the City of Charlotte to donate personal property that is no longer being used by the City to another governmental unit within the United States upon adoption of a resolution by the City of Charlotte City Council; and

WHEREAS, The City owns smokehouse, which are no longer being used by the Charlotte Fire Department; and

WHEREAS, The Harrisburg Fire Department is in need of the units described above; and

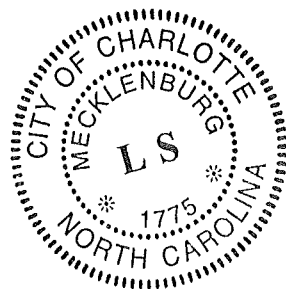
WHEREAS, The Charlotte Interim City Manager has recommended the smokehouse be donated to the Harrisburg Fire Department.

NOW, THEREFORE, BE IT RESOLVED by the Charlotte City Council that the Interim City Manager or his designee is authorized to donate to the Harrisburg Fire Department, the unit's described above.

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 133.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.




Ashleigh Price, Deputy City Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON JANUARY 28, 2013**

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

WHEREAS, this Municipal Agreement is to provide for the undertaking of sidewalk construction on Nevin and Gibbon roads as described in the Transportation Capital Investment Plan; and,

WHEREAS, the NCDOT will reimburse the City up to \$994,000 for FY2013; and,

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

WHEREAS, the City Manager and City Clerk are hereby empowered to sign and execute the Agreement with the North Carolina Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Agreement between the North Carolina Department of Transportation and the City of Charlotte Department of Transportation, is hereby formally approved by the City Council of the City of Charlotte.

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 134.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.



Ashleigh Price
Ashleigh Price, Deputy City Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON JANUARY 28, 2013**

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

WHEREAS, this Municipal Agreement is to provide for the undertaking of sidewalk construction on South Tryon Street as described in the Transportation Capital Investment Plan; and,

WHEREAS, the NCDOT will reimburse the City up to \$1,075,000 for FY2013; and,

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

WHEREAS, the City Manager and City Clerk are hereby empowered to sign and execute the Agreement with the North Carolina Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Agreement between the North Carolina Department of Transportation and the City of Charlotte Department of Transportation, is hereby formally approved by the City Council of the City of Charlotte.

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 135.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.




Ashleigh Price, Deputy City Clerk

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/her designee is authorized to donate surplus personal property described on Exhibit A, to Goodwill Industries of the Southern Piedmont.

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 136-137.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.



Ashleigh Price

Ashleigh Price, Deputy City Clerk

Exhibit - A (January 28, 2013 Council meeting)

<u>Donation Type</u>	<u>Quantity</u>
Computer Processors	403
Laptops	24
Computer Monitors	209
Misc. other electronics	12
Printers/Scanners/Faxes	50
Servers	50
TV's	44
Total	<u>792</u> items

RESOLUTION AUTHORIZING THE CONVEYANCE OF APPROXIMATELY 1.18
ACRES OF LAND TO DUKE ENERGY CAROLINAS, LLC

WHEREAS, the City of Charlotte intends to own approximately 1.18 acres of property through a ledger transaction with Mecklenburg County, more particularly identified as being Tax Parcel 04924105, located at 7738 North Tryon Street Charlotte, Mecklenburg County, North Carolina (the "Property"); and

WHEREAS, Duke Energy Carolinas, LLC ("Duke") requires a portion of the property located at 7738 North Tryon Street for the relocation of Duke's transmission facilities, a relocation which is necessary for the BLE project; and

WHEREAS, Duke must be able to accomplish this transmission line relocation before it can begin any distribution line relocation which is also necessary for the BLE project. As part of the transfer to Duke, the deed will specify that the property may only be used by Duke for the relocation, operation and maintenance of their transmission facilities; and

WHEREAS, Duke will be responsible for paying all property tax levies and maintenance of the grounds. The City will retain the remainder of the property at 7738 North Tryon Street to accommodate BLE-associated improvements such as road widening, sidewalks, landscaping; and

WHEREAS, the present fair market value of the Property is approximately Four Hundred and Thirty Seven Thousand and Five Hundred Dollars (\$437,500.00); and

WHEREAS, the City Council of the City of Charlotte has determined that the transfer of the Property to Duke will advance its 2030 Transit Corridor System Plan, in that the transfer will provide necessary property to facilitate the construction of the LYNX Blue Line Extension Northeast Corridor Light Rail Project; and

WHEREAS, notice of the proposed transaction was advertised at least ten days prior to the adoption of this Resolution.

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to Section 8.22(d) of the City of Charlotte Charter, that it hereby authorizes the transfer of the above referenced Property as follows:

The City will convey fee simple title to Duke Energy Carolinas, LLC. The City Manager or said Designee is authorized to execute the Purchase Contract and such other documents necessary to complete the transfer of the Property to Duke Energy Carolinas, LLC in accordance with the terms and conditions as advertised.


THIS THE 28TH DAY OF JANUARY, 2013.

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 138-139.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.





Ashleigh Price, Deputy 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.

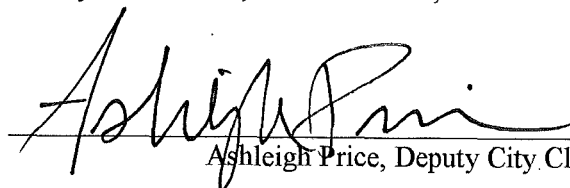
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 28th day of January 2013 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 140-141.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.




Ashleigh Price, Deputy City Clerk

Property Tax Refund Request

Quartersawn Woodworks	<u>\$ 352.64</u>
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**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 28th day of January 2013 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, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 142-143.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.





Ashleigh Price, Deputy City Clerk

Business Privilege License Tax Refund Requests

Adof Entertainment Group, Inc	\$ 409.71
StudioEast	84.33
Transcription Variations Unlimited	<u>99.00</u>
	<u>\$ 593.04</u>

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 **BEATTIES FORD ROAD WIDENING-PHASE 3 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 **BEATTIES FORD ROAD WIDENING-PHASE 3 PROJECT** and estimated to be **989 square feet (.023 acre) of fee-simple area and 892 square feet (.02 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.: 041-113-01, said property currently owned by **WILLIAM R. COAXUM and wife, VIVIAN COAXUM; COUNTRYWIDE HOME LOANS, INC., Lender; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., 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, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 144.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.




Ashleigh Price, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **BEATTIES FORD ROAD WIDENING-PHASE 3 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 **BEATTIES FORD ROAD WIDENING-PHASE 3 PROJECT** and estimated to be **112 square feet (.003 acre) of fee-simple area; 13,016 square feet (.299 acre) of fee-simple within the existing right-of-way; 113 square feet (.003 acre) of storm drainage easement; 3,890 square feet (.089 acre) of temporary construction easement and 26 square feet (.001 acre) of utility easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 041-221-09, said property currently owned by **LEROY L. WRAY and wife, BETTY C. WRAY**; 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, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 145.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.




Ashleigh Price, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **BLUE LINE EXTENSION 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 **BLUE LINE EXTENSION PROJECT** and estimated to be **2,687 square feet (.062 acre) of fee-simple area; 640 square feet (.015 acre) of access easement and utility easement; 1,469 square feet (.034 acre) of temporary construction easement; 5,089 square feet (.117 acre) of utility easement and 26 square feet (.001 acre) of storm drainage easement and utility easement,** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 049-401-01, said property currently owned by **SOUTH CENTRAL OIL CO.; FIRST BANK, Beneficiary; ACME RETAIL, INC.; Lessee; ACME PETROLEUM AND FUEL COMPANY, 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.

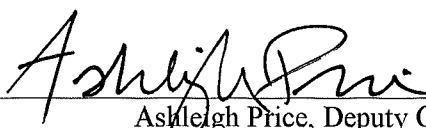
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 146.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.





Ashleigh Price, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **BLUE LINE EXTENSION 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 **BLUE LINE EXTENSION PROJECT** and estimated to be **2,672 square feet (.061 acre) of fee-simple area; 323 square feet (.007 acre) of access easement and utility easement; 4,809 square feet (.11 acre) of temporary construction easement, and 194 square feet (.004 acre) of utility easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 047-451-17, said property currently owned by **8001 NORTH TRYON, LLC; CENTRAL CAROLINA BANK, Beneficiary; BRANCH BANKING & 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.

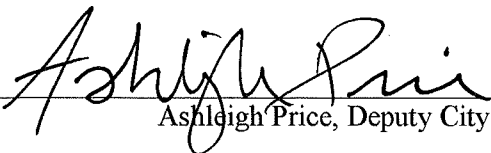
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 147.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.




Ashleigh Price, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **BLUE LINE EXTENSION 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 **BLUE LINE EXTENSION PROJECT** and estimated to be **7,124 square feet (.164 acre) of fee-simple area and 5,204 square feet (.119 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.: 049-331-04 and 049-331-05, said property currently owned by **NEW HAMPTON PRESBYTERIAN CHURCH**; 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.

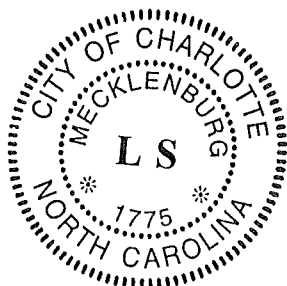
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 148.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.


Ashleigh Price, Deputy City Clerk



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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **BLUE LINE EXTENSION 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 **BLUE LINE EXTENSION PROJECT** and estimated to be **9,577 square feet (.22 acre) of fee-simple area; 352 square feet (.008 acre) of sidewalk and utility easement; 502 square feet (.012 acre) of access easement and utility easement; 4,655 square feet (.107 acre) of temporary construction easement, and 4,056 square feet (.093 acre) of utility easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 049-331-37, said property currently owned by **TRYON, LLC; CELLCO PARTNERSHIP, d/b/a "VERIZON WIRELESS", Tenant**, 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, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 149.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.





Ashleigh Price, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **GAYNOR STORM DRAINAGE IMPROVEMENT PROJECT**;

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **GAYNOR STORM DRAINAGE IMPROVEMENT PROJECT** and estimated to be **7,517 square feet (.173 acre) of storm drainage easement and 1,257 square feet (.029 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.: 185-03C-99, said property currently owned by **GAYNOR ARMS ASSOCIATION, LTD.**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

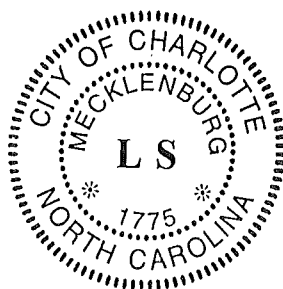
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

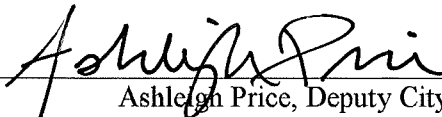
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 150.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.




Ashleigh Price, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **IDLEWILD ROAD ROADWAY IMPROVEMENT PROJECT**;

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **IDLEWILD ROAD ROADWAY IMPROVEMENT PROJECT** and estimated to be **7,722 square feet (.177 acre) of fee-simple area; 146 square feet (.003 acre) of water main easement, and 5,403 square feet (.124 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.: 135-064-10, said property currently owned by **PATRICIA D. DOWDY and spouse, if any; MECKLENBURG COUNTY TAX COLLECTOR; HOUSEHOLD REALTY CORPORATION, Beneficiary; HSBC BANK NEVADA, NA, Possible Judgment Creditor**, 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, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 151.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.





Ashleigh Price, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **LITTLE ROCK ROAD REALIGNMENT 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 **LITTLE ROCK ROAD REALIGNMENT PROJECT** and estimated to be **9,484 square feet (.218 acre) of fee-simple area; 908 square feet (.021 acre) of storm drainage easement; 166 square feet (.004 acre) of sidewalk and utility easement; 1,449 square feet (.033 acre) of slope easement; 7,572 square feet (.174 acre) of temporary construction easement, and 166 square feet (.004 acre) of utility easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 059-212-22, said property currently owned by **VIRGILIO J. MAYORGA and MARTHA P. MAYORGA; BCAPB LLC TRUST 2007-AB1, 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, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of January, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 152.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 2013.




Ashleigh Price, Deputy City Clerk