

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 12th day of April, 2004 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, Brenda R. Freeze, 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 12th day of April, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 779-780.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.


Brenda R. Freeze, CMC, City Clerk

TAXPAYERS AND REFUNDS REQUESTED
MORE THAN \$100
(Clerical Error)

<u>Name</u>	<u>Refund Amount</u>
HACKNEY CHARLES L	\$ 101.64
WOOD DONALD K	102.48
MIT LIFETIME TRUST	105.00
KEHOE INVESTMENTS LLC	105.00
COBB WILLIAM S	105.00
NEALY EDITH A	105.00
DEESE CLAUDE THOMAS	105.00
MECA REAL ESTATE	105.00
COLLINS PATRICIA S	105.00
CATHEY ALBIRTUS ALEXANDER	108.99
MID STATE AUTO AUCTION OF SDL HOMES INCORPORATED	122.22 126.00
JERLEAN SCHIPHORST	130.68
STATE EMPLOYEES CREDIT UNION	135.24
MIT LIFETIME TRUST	210.00
DWELLE JOHN M SR	241.69
WALKER JILL M	294.00
MEGORDEN RICHARD II	294.84
MULVANEY GROUP LTD	409.56
ELLIOTT STUART W	422.52
REID STEVE W	478.86
BOOKER ELIZABETH JARRELL	551.25
JERLEAN SCHIPHORST	615.46
BUFFALO GIRLS LLC	1,522.98
WALGREENS #45483	1,910.64
PORTRAIT HOMES CONSTRUCTION	1,980.97
HAWTHORNE MILL LLC	2,436.00
WALGREENS CO #4548	3,530.15
PHILLIPS D L INVESTMENT	4,127.76
Total	<u>\$ 22,435.31</u>

**RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON _____**

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

WHEREAS, the North Carolina Department of Transportation is promoting a new program to encourage the development of comprehensive municipal pedestrian and bicycle plans; and

WHEREAS, the Charlotte Department of Transportation is submitting a grant application to prepare a Pedestrian Master Plan for the City of Charlotte; and

WHEREAS, the City is committed to becoming a "walkable" community and has an aggressive Sidewalk Program to build sidewalks, but does not have a comprehensive document that addresses all aspects of pedestrian mobility; and the purpose of the Pedestrian Plan is to provide a comprehensive overview of all pedestrian needs, priorities and opportunities; and

WHEREAS, the City has recently hired a full time Pedestrian Program Manager to manage the Sidewalk Program and to serve as the City's pedestrian advocate; and

WHEREAS, City staff have estimated a total cost of \$75,000 to prepare the plan and is requesting a NCDOT match of \$37,500; and whereas the remaining balance will be funded from previously appropriated sidewalk funds;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of Charlotte endorse the development of a Pedestrian Master Plan for the City of Charlotte.

CERTIFICATION

I, Brenda R. Freeze, 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 12th day of April, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 781.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.



Brenda R. Freeze, CMC, City Clerk

EXTRACTS FROM MINUTES OF CITY COUNCIL

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M. on April 12, 2004.

Members Present: Mayor McCrory, Councilmembers Burgess, Cannon, Carter, Graham, Kinsey, Lochman, Mitchell, Mumford, Tabor, Turner

Members Absent: Councilmember Lassiter

Also Present: City Manager Syfert, City Attorney McCarley, and City Clerk Freeze

* * * * *

Councilmember Cannon introduced the following resolution, a summary of which had been provided to each Councilmember, 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 A STANDBY BOND PURCHASE AGREEMENT IN CONNECTION WITH THE CITY OF CHARLOTTE, NORTH CAROLINA VARIABLE RATE AIRPORT REFUNDING REVENUE BONDS, SERIES 1993A; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE STANDBY BOND PURCHASE AGREEMENT.

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 previously issued \$107,900,000 aggregate principal amount of the City's Variable Rate Airport Refunding Revenue Bonds, Series 1993A (the "*Bonds*"), of which \$83,800,000 is currently outstanding, under the terms of (1) the Bond Order adopted by the City Council of the City on November 18, 1985 (the "*Bond Order*"), as supplemented by the First Supplemental Bond Order adopted by the City Council of the City on June 8, 1992 (the "*First Supplemental Bond Order*") and (2) the Series Resolution adopted by the City Council of the City on June 8, 1992 (the "*Series Resolution*");

WHEREAS, the City desires to execute and deliver a Standby Bond Purchase Agreement to be dated on or about April 28, 2004 (the "*2004 Standby Agreement*") between the City and JPMorgan Chase Bank (the "*Standby Purchaser*"), pursuant to which the Standby Purchaser will agree to purchase Bonds from time to time in accordance with the terms thereof, to replace the standby bond purchase agreement currently in effect; and

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

1. the 2004 Standby Agreement; and
2. the Supplement dated on or about April 28, 2004 (the "2004 Supplement") to the Official Statement dated June 18, 1993 (the "1993 Official Statement") with respect to the Bonds;

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

Section 1. The form and content of the 2004 Standby Agreement be and the same hereby are in all respects approved and confirmed, and the Mayor, the City Manager, the Director of Finance and City Clerk of the City be and they hereby are authorized, empowered, and directed to execute and deliver the 2004 Standby Agreement 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 to them seem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of his or her approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the 2004 Standby Agreement, the Mayor, the City Manager, the Director of Finance and City Clerk of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the 2004 Standby Agreement as executed.

Section 2. The form and content of the 2004 Supplement are in all respects authorized, approved and confirmed, and the use of 2004 Supplement is hereby in all respects authorized, approved and confirmed. The Mayor, the City Manager or Director of Finance of the City is authorized to execute the 2004 Supplement on behalf of the City.

Section 3. The Mayor, the City Manager, the Director of Finance and the City Clerk of the City, or their respective designees, are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by the 2004 Standby Agreement; except that none of the above is authorized or empowered to do anything or execute any document which is in contravention, in any way, of (1) the specific provisions of this Resolution or the 2004 Standby Agreement, (2) any agreement to which the City is bound, (3) any rule or regulation of the City or (4) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

Section 4. All acts and doings of the Mayor, the City Manager, the Director of Finance and the City Clerk of the City, and their respective designees, that are in conformity with the purposes and intents of this Resolution and in the furtherance of the execution, delivery and performance of the 2004 Standby Agreement shall be, and the same hereby are, in all respects approved and confirmed.

Section 5. 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 for any reason whatsoever is held invalid, then such covenants, agreements or provisions are null and void and deemed to be separable from the remaining agreements and provisions and in no way will affect the validity of any of the other agreements and provisions hereof.

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 **CLEAR CREEK BASIN SANITARY SEWER-GRAVITY 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 **CLEAR CREEK BASIN SANITARY SEWER-GRAVITY PROJECT** and estimated to be approximately **36,116 square feet (.829 acre) for permanent sanitary sewer easement and temporary construction easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel Nos. 137-131-06 and 137-131-07, said property currently owned by **RICHARD D. NEWTON and wife, LISA D. NEWTON; DAVID A. VAUGHN and wife, AMY H. VAUGHN; LARRY D. STONE and wife, DIANE A. STONE; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, 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 12th day of April, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 785.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **CLEAR CREEK BASIN SANITARY SEWER-GRAVITY 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 **CLEAR CREEK BASIN SANITARY SEWER-GRAVITY PROJECT** and estimated to be approximately **30,545 square feet (.701 acre) for permanent sanitary sewer easement and temporary construction easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel Nos. 137-131-14 and 137-131-16, said property currently owned by **BETTY BRAFFORD HOUGH and spouse, if any, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, 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 12th day of April, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 786.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **HICKORY GROVE ROAD WIDENING PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **HICKORY GROVE ROAD WIDENING PROJECT** and estimated to be approximately **3,777 square feet (.087 acre) for fee-simple, existing right-of-way and temporary construction easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 103-155-01, said property currently owned by **HESHAM ABDUL RAHMAN and spouse, if any; JAMES E. WITHEROW, Trustee; FT MORTGAGE CORPORATION, Beneficiary; TIM, INC., Trustee for NATIONSBANK, N. A. (n/k/a BANK OF AMERICA), Beneficiary; STATE OF NORTH CAROLINA, Possible Judgment Creditor; THE PRESBYTERIAN HOSPITAL, Possible Judgment Creditor; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, 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 12th day of April, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 787.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **CHARLESTON/MONROE STORM DRAINAGE 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 **CHARLESTON/MONROE STORM DRAINAGE IMPROVEMENTS PROJECT** and estimated to be approximately **2,967 square feet (.069 acre) for permanent and temporary construction easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 163-013-22, said property currently owned by **DEBORAH E. BRANHAM and spouse, if any; SCOTT A. KORBIN, Trustee; INLAND MORTGAGE CORPORATION, Beneficiary; A. ROBERT KUCAB, Trustee; NORTH CAROLINA HOUSING FINANCE AGENCY, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, 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 12th day of April, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 788.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.



Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **SANITARY SEWER-SERVE VERHOEFF DRIVE 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 **SANITARY SEWER-SERVE VERHOEFF DRIVE PROJECT** and estimated to be approximately **11,502 square feet (.264 acre) for sanitary sewer easement and temporary construction easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 017-201-05, said property currently owned by **WACHOVIA BANK & TRUST COMPANY, N. A., CHARLOTTE, NC, Trustee; CHARLOTTE-MECKLENBURG TAX COLLECTOR; TOWN OF HUNTERSVILLE, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, 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 12th day of April, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 789.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.



Brenda R. Freeze, CMC, City Clerk

RECEIVED
AUG 3 2004
NEIGHBORHOOD DEVELOPMENT

Communications Resolution
Among
City of Charlotte Neighborhood Development, Charlotte Housing Authority and
Charlotte-Mecklenburg Housing Partnership, Inc.

Whereas, the City of Charlotte Neighborhood Development, Charlotte Housing Authority and Charlotte-Mecklenburg Housing Partnership, Inc. represent the three major funders and providers of low and moderate-income households in Charlotte-Mecklenburg.

Whereas, the preservation and production of affordable housing are major and critical issues facing Charlotte-Mecklenburg.

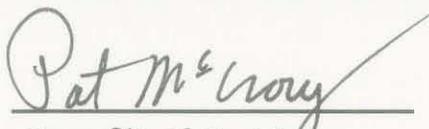
Whereas, the resources to address local affordable housing are limited; and therefore, require cooperation, collaboration and communication among the major housing organizations to address the community's affordable housing needs.

Whereas, the mutual success of all the major housing organizations requires an environment of mutual goodwill, respect and trust which in turn requires a high level of communication.

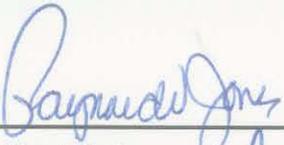
Therefore, Let It Be Resolved, that the City of Charlotte Neighborhood Development, Charlotte Housing Authority and Charlotte-Mecklenburg Housing Partnership, Inc. pledge to the following;

1. Engage in regular communications to share information and resolve any issues between the organizations pertaining to affordable housing in Charlotte-Mecklenburg;
2. Direct the respective organization chief executives and key staffs to meet jointly, at least quarterly, to share information on housing development and finance and discuss issues relevant to the production and preservation of affordable housing; and
3. Participate in an annual planning session to review capital funding requests and recommend local funding priorities to the Charlotte Housing Trust Fund and City Council.

This resolution is agreed to and binding upon all parties as represented by the signatures of fixed below, on _____, 2004



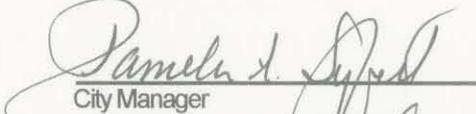
Mayor, City of Charlotte



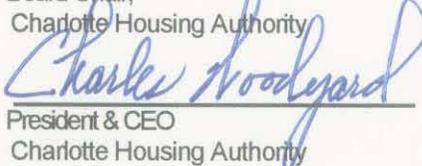
Board Chair,
Charlotte Housing Authority



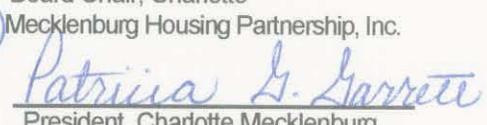
Board Chair, Charlotte
Mecklenburg Housing Partnership, Inc.



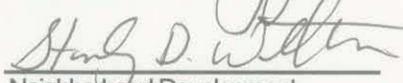
City Manager



President & CEO
Charlotte Housing Authority



President, Charlotte Mecklenburg
Housing Partnership, Inc.



Neighborhood Development
Key Business Executive

CERTIFICATION

I, Brenda R. Freeze, 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 12th day of April, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 790-791.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.



Brenda R. Freeze, CMC, City Clerk

RESOLUTION
AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN
THE CITY OF CHARLOTTE AND MECKLENBURG COUNTY

WHEREAS, under Article 20 of Chapter 160A of the North Carolina General Statutes, as amended, cities and counties are authorized to enter into interlocal cooperation undertakings with other local governments for the joint exercise of any power, function, public enterprise, right, privilege, or immunity of local governments in North Carolina; and

WHEREAS, the City of Charlotte and Mecklenburg County have, or soon will, enter into a Development Agreement among the City, the County, Developers, Owners, and Guarantors for a project referred to as the Elizabeth Avenue Redevelopment project; and

WHEREAS, the Development Agreement contemplates certain public participation in the Elizabeth Avenue Redevelopment project; and

WHEREAS, the City and the County have negotiated an Interlocal Agreement that establishes the rights and responsibilities of the City and the County with respect to the public participation in the Elizabeth Avenue Redevelopment project; and

WHEREAS, G.S. § 160A-461 requires that such agreement "...shall be ratified by resolution of the governing board of each unit spread upon its minutes"; now, therefore, be it

RESOLVED by the Charlotte City Council that the above-referenced Interlocal Agreement is hereby approved and the City Manager is hereby authorized to execute such Agreement in substantially the form attached to this resolution and that this resolution shall be spread upon the minutes.

CERTIFICATION

I, Brenda R. Freeze, 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 12th day of April, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 792.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 2004.



Brenda R. Freeze, CMC, City Clerk