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RESOLUTION CLOSING A CERTAIN PORTION OF
THE ALLEY LOCATED BETWEEN KENSINGTON DRIVE,
SCHOOL STREET AND PECAN AVENUE IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, a Petition has been filed and received in accordance with the provisions of Chapter 160A, Section 299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to Close a portion of Kensington Alley which calls for a public hearing on the question; and

WHEREAS, the petitioners have caused a copy of the Resolution of Intent to Close a portion of the alley to be sent by registered or certified mail to all owners of property adjoining the said alley, and prominently posted a notice of the closing and public hearing in at least two places along Kensington Drive, all as required by G. S. 160-299; and

WHEREAS, the public hearing was held on 22nd day of April, 1985, and City Council determined that the closing of a portion of Kensington Alley is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of a reasonable means of ingress and egress to his or her property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of April 22, 1985, that the Council hereby orders the closing of a portion of Kensington Alley in the City of Charlotte, Mecklenburg County, North Carolina as described below:

"Beginning at a point on the southerly right of way of Kensington Drive, said point marking the common corner of Lots 17 & 18 of Block 35, recorded in Map Book 3, Page 409 of the Register of Deeds, Mecklenburg County, N.C.; thence with the arc of a circular curve to the right having a radius of 193.15 feet and an arc distance of 5.11 feet to a point; thence with the following courses and distances; S 10-54 W. 131.70 feet, S 27-00 W. 20.95 feet, N. 77-30 W. 57.96 feet, N. 12-30 E., 10 feet, S 77-30 E., 40 feet N. 66-12 E. 16.4 feet, N. 10-54 E. 134.21 feet to a point in the southerly right of way of Kensington Drive; thence with the arc of a circular curve to the right having a radius of 193.15 feet and an arc distance of 5.11 feet to the point and place of beginning. Containing 2073.01 square feet.

BE IT FURTHER RESOLVED that a certain portion of said alleyway be reserved as a private driveway easement for the purpose of ingress and egress for properties designated by tax codes 081-184-12, 081-184-13 and 081-184-14, said easement being approximately 148 feet long and 10 feet wide and shown on a plat entitled, "Map for Alley Closing", prepared by R. B. Pharr, dated July 16, 1984, a copy of which is hereto attached and marked Exhibit "A" and incorporated herein by this reference.

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

CERTIFICATION

I, Pat Sharkey, 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 22nd day of April, 1985, the reference having been made in Minute Book 84, Page _____, and recorded in full in Resolution Book 21, Page(s) 21-23.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of April, 1985.

Pat Sharkey, City Clerk

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RESOLUTION CLOSING A CERTAIN PORTION OF
INSURANCE LANE BETWEEN EAST SEVENTH STREET
AND ARMORY DRIVE IN THE CITY OF CHARLOTTE
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, a Petition has been filed and received in accordance with the provisions of Chapter 160A, Section 299 of the General Statutes of North Carolina, requesting the closing of a certain portion of Insurance Lane in the City of Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, the City Council has caused to be published a Resolution of Intent to close a certain portion of Insurance Lane all in accordance with said Statute; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a certain portion of Insurance Lane to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least two places along said street all in accordance with said Statute; and

WHEREAS, said public hearing was held on the 22nd day of April, 1985; and

WHEREAS, no persons, firms, or corporations or parties in interest have appeared in opposition to the closing of said portion of said street;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of April 22, 1985, that the Council hereby orders the closing of a portion of Insurance Lane in the City of Charlotte, Mecklenburg County, North Carolina as described below:

"Beginning at a point of intersection of the southwesterly right of way margin of East Seventh Street with the Southeasterly right of way margin of Insurance Lane, said point being located approximately 175.00 feet measured in a northwesterly direction from the westerly right of way margin of East Independence Boulevard and running thence with the southeasterly right of way margin of Insurance Lane. S 65°-17'-37" W 221.54 feet to a point; thence with a new line crossing Insurance Lane N 50°-05'-54" W 56.05 feet to a point in the northwesterly right of way margin of Insurance Lane; thence with the northwesterly right of margin of Insurance Lane in three (3) courses as follows:
(1) in easterly direction with an arc of a circular curve to the left having a radius of 71.00 feet, an arc distance of 39.36 feet to a point.
(2) N 65°-17'-37" E 151.21 feet to a point. (3) with an arc of a circular curve to the left having a radius of 31.00 feet, an arc distance of 36.82 feet to a point in the southwesterly right of way margin of East Seventh Street; thence with the southwesterly right of way margin of East Seventh Street crossing Insurance Lane S 50°-07'-03" E 65.77 feet to the point or place of beginning containing 9,205 square feet or 0.211 acres. All as shown on a map prepared by the City of Charlotte Engineering Department, dated February 20, 1985, to which reference is hereby made."

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

Approved as to form:

Henry W. Underhill Jr.
City Attorney

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CERTIFICATION

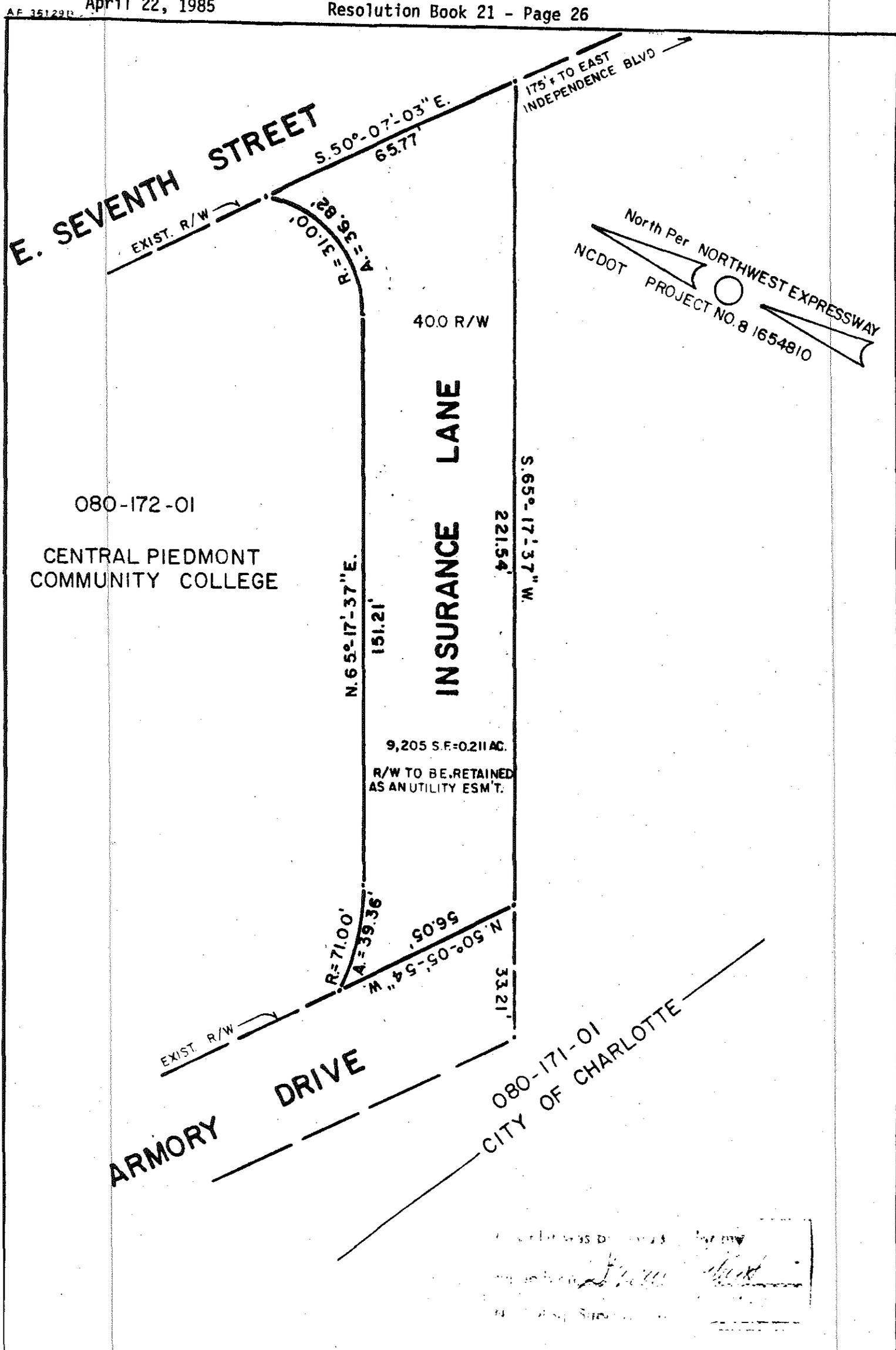
I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of April, 1985, the reference having been made in Minute Book 84, page , and recorded in full in Resolution Book 21, pages 24-26.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of April, 1985.

Pat Sharkey, City Clerk

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080-172-01
 CENTRAL PIEDMONT
 COMMUNITY COLLEGE

INSURANCE LANE

ARMORY DRIVE

080-171-01
 CITY OF CHARLOTTE

As shown on the plan
 [Signature]
 [Title]

 CHARLOTTE ENGINEERING DEPARTMENT	
REVISIONS	R/W TO BE ABANDONED BY THE CITY OF CHARLOTTE

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RESOLUTION OF THE CHARLOTTE CITY COUNCIL ENDORSING AND
ESTABLISHING A SISTER CITY AFFILIATION WITH THE CITY OF
KREFELD, WEST GERMANY

WHEREAS, the Sister City Concept was inaugurated by the President of the United States in 1956 to establish greater friendship and understanding between the peoples of the United States and other nations through the medium of direct personal contact; and

WHEREAS, all succeeding U. S. Presidents have endorsed said program, to be conducted for the broad purposes of the exchange of ideas and people between the citizens of the United States of America and the peoples of other nations; and

WHEREAS, to implement this program, Charlotte and other communities in the United States seek to affiliate with cities in other nations of similar characteristics and mutual interest; and

WHEREAS, the City of Charlotte, through its Council, does recognize and endorse this program with the hope that it will lead to a lasting friendship between the people of Charlotte and Krefeld, West Germany.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, that this Council on behalf of the people of Charlotte does hereby establish with Krefeld, West Germany, a Sister City affiliation for the purpose of creating greater mutual understanding between the peoples of the two cities and nations; and the Mayor is hereby authorized to act as official representative of Charlotte to carry out this program; and that copies of this Resolution are to be sent to the Mayor and Council of the City of Krefeld, West Germany; Sister Cities International in Washington, D. C.; and the U. S. Embassy in Germany.

This 22nd day of April, 1985.

CERTIFICATION

I, PAT SHARKEY, 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 22nd day of April, 1985, the reference having been made in Minute Book 84, and recorded in full in Resolution Book 21, at Page(s) 27.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of April, 1985.

PAT SHARKEY, CITY CLERK

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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held at the City Hall in Charlotte, North Carolina, the regular place of meeting, on April 22, 1985, at 3:00 P.M.

Present: Mayor Harvey B. Gantt, presiding, and Councilmembers Dannelly, Frech, Hammond, Juneau, Leeper, Myrick, Patterson, Spaugh, Trosch, Vinroot, and Woollen.

Absent: None.

* * * * *

Councilmember Dannelly introduced the following resolution, a copy of which had been provided to each Councilmember, which was read by title:

RESOLUTION PROVIDING FOR THE ISSUANCE OF \$37,200,000 PUBLIC IMPROVEMENT BONDS, SERIES 1985

BE IT RESOLVED by the City Council of the City of Charlotte:

Section 1. The City Council has determined and does hereby find and declare:

(a) That an order authorizing \$13,450,000 Street Improvement Bonds was adopted by the City Council (the "City Council") of the City of Charlotte on September 12, 1983, which order was approved by the vote of a majority of the qualified voters of said City who voted thereon at a referendum duly called and held on November 8, 1983; that an order authorizing \$16,000,000 Street Improvement Bonds was adopted by the City Council on September 5, 1984, which order was approved by the vote of a majority of the qualified voters of said City who voted thereon at a referendum duly called and held on November 6, 1984; and that an order auth-

orizing \$3,000,000 Street Improvement Bonds was adopted by the City Council on March 18, 1985, which order has taken effect.

(b) That none of said \$13,450,000 Street Improvement Bonds, \$16,000,000 Street Improvement Bonds and \$3,000,000 Street Improvement Bonds has been issued, that \$3,000,000 notes have been issued and are outstanding in anticipation of the sale of said \$3,000,000 Street Improvement Bonds and that it is necessary at this time to issue \$2,800,000 of said \$13,450,000 Street Improvement Bonds, \$3,400,000 of said \$16,000,000 Street Improvement Bonds and all of said \$3,000,000 Street Improvement Bonds, said bonds to be designated \$9,200,000 Street Improvement Bonds and \$3,000,000 of the proceeds thereof to be applied to the payment of said outstanding notes.

(c) That an order authorizing \$47,400,000 Coliseum Bonds (the "Coliseum Bonds") was adopted by the City Council on September 5, 1984, which order was approved by the vote of a majority of the qualified voters of said City who voted thereon at a referendum duly called and held on November 6, 1984.

(d) That none of the Coliseum Bonds has been issued, that no notes have been issued in anticipation of the receipt of the proceeds of the sale of any of the Coliseum Bonds and that it is necessary at this time to issue \$7,000,000 Coliseum Bonds.

(e) That an order authorizing \$32,700,000 Public Building Bonds (the "Public Building Bonds") was adopted by the City Council on February 27, 1984, which order was approved by the vote of a majority of the qualified voters of said City who voted thereon at a referendum duly called and held on May 8, 1984.

(f) That none of the Public Building Bonds has heretofore been issued, that no notes have been issued in anticipation of the receipt of the proceeds of the sale of any of the Public

Building Bonds and that it is necessary at this time to issue \$15,000,000 of the Public Building Bonds.

(g) That an order authorizing \$4,000,000 Transit Facilities Bonds (the "Transit Facilities Bonds") was adopted by the City Council on March 9, 1981, which order was approved by the vote of a majority of the qualified voters of said City who voted thereon at a referendum duly called and held on April 28, 1981.

(h) That \$1,500,000 of the Transit Facilities Bonds have been issued; that no notes have been issued in anticipation of the receipt of the proceeds of the sale of the balance of the Transit Facilities Bonds and that it is necessary at this time to issue \$1,000,000 of the balance of the Transit Facilities Bonds.

(i) That two orders authorizing \$2,000,000 Parks Bonds (the "Parks Bonds") and \$3,000,000 Land Acquisition Bonds (the "Land Acquisition Bonds"), respectively, were adopted by the City Council on February 11, 1985, which orders have taken effect.

(j) That none of the Parks Bonds and the Land Acquisition Bonds have heretofore been issued, that \$5,000,000 notes have been issued in anticipation of the receipt of the proceeds of the sale of the Parks Bonds and the Land Acquisition Bonds and that it is necessary to issue at this time all of the Parks Bonds and Land Acquisition Bonds, the proceeds thereof to be applied to the payment of said outstanding notes.

(k) That it is desirable to consolidate the bonds hereinabove referred to in this resolution into a single issue for purposes of sale, said bonds as consolidated to be designated "Public Improvement Bonds, Series 1985".

(l) That the maximum period of usefulness of the improvements to be undertaken with the proceeds of said bonds is estimated as a period of 37.5 years from May 1, 1985, the date of

the bonds authorized hereby, and that such period expires on November 1, 2022.

Section 2. Pursuant to said order, there shall be issued bonds of the City of Charlotte (the "Issuer") in the aggregate principal amount of \$37,200,000, designated "Public Improvement Bonds, Series 1985" and dated May 1, 1985 (the "Bonds"). The Bonds shall be stated to mature (subject to the right of prior redemption as hereinafter set forth) annually, May 1, \$1,900,000 1986 to 1996, inclusive, \$2,500,000 1997, \$3,200,000 1998, \$3,800,000 1999, \$4,400,000 2000, and \$2,400,000 2001, and shall bear interest at a rate or rates to be determined by the Local Government Commission of North Carolina at the time the Bonds are sold, which interest to the respective maturities thereof shall be payable on November 1, 1985, and semiannually thereafter on May 1 and November 1 of each year. The Bonds shall be issuable in fully registered form in the denomination of \$5,000 or any multiple thereof and shall be numbered.

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated upon an interest payment date in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest and any redemption premium on the Bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof. The principal of and any redemption premium on each Bond

shall be payable to the registered owner thereof or his registered assigns or legal representative at the principal office of the Bond Registrar mentioned hereinafter upon the presentation and surrender thereof as the same shall become due and payable. Payment of the interest on each Bond shall be made by said Bond Registrar on each interest payment date to the person appearing on the registration books of the Issuer hereinafter provided for as the registered owner of such Bond (or the previous Bond or Bonds evidencing the same debt as that evidenced by such Bond) at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on such registration books.

Section 3. The Bonds shall bear the facsimile signatures of the Mayor and the City Clerk and a facsimile of the corporate seal of the Issuer shall be imprinted on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the facsimile signature of the Secretary of said Commission and the certificate of authentication of said Bond Registrar to be endorsed on all Bonds shall be executed as provided hereinafter.

In case any officer of the Issuer or the Local Government Commission of North Carolina whose facsimile signature shall appear on any Bonds shall cease to be such officer before the delivery of such Bonds, such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any Bond may bear the facsimile signatures of such persons at the actual time of the execution of such Bond shall be the proper officers to sign such

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Bond although at the date of such Bond such persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

The Bonds and the endorsements thereon shall be in substantially the following forms:

[Front Side of Bond]

No. \$.....

United States of America
State of North Carolina
County of Mecklenburg

CITY OF CHARLOTTE

Public Improvement Bond, Series 1985

<u>Maturity Date</u>	<u>Interest Rate</u>	<u>Cusip</u>
.....

The City of Charlotte, a municipal corporation in Mecklenburg County, North Carolina, is justly indebted and for value received hereby promises to pay to

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the principal office of First Union National Bank, in the City of Charlotte, North Carolina (the "Bond Registrar"), the principal sum of

..... DOLLARS

and to pay interest on such principal sum from the date hereof or from the May 1 or November 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is a May 1 or November 1 to which interest shall

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have been paid, in which case from such date, such interest to the maturity hereof being payable on November 1, 1985 and semiannually thereafter on May 1 and November 1 in each year, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this Bond (or the previous bond or bonds evidencing the same debt as that evidenced by this Bond) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on the bond registration books of said City. Both the principal of and the interest on this Bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the full faith and credit of said City of Charlotte are hereby irrevocably pledged.

ADDITIONAL PROVISIONS OF THIS BOND ARE SET FORTH ON THE REVERSE HEREOF AND SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS IF SET FORTH HERE.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the resolution mentioned hereinafter until this Bond shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, said City of Charlotte, by resolution duly adopted by its City Council, has caused this Bond to bear the facsimile signatures of its Mayor and its City Clerk and

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a facsimile of its corporate seal to be imprinted hereon, all as of the 1st day of May, 1985.

[Facsimile signature]
Mayor

[Facsimile signature]
City Clerk

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within Bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

[Facsimile Signature]
Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds designated herein and issued under the provisions of the within-mentioned Resolution.

First Union National Bank,
Bond Registrar

By _____
Authorized Signatory

Date of authentication: _____

[Reverse Side of Bond]

This Bond is one of an issue of Bonds designated "Public Improvement Bonds, Series 1985" (the "Bonds") and issued by said City for the purpose of providing funds, with any other available funds, for the undertaking of various public improvements in the City of Charlotte, and this Bond is issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, eight orders adopted by the City Council of said City, which have taken

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effect, and a resolution duly passed by said City Council (the "Resolution").

The Bonds at the time outstanding maturing prior to May 1, 1996 are not subject to redemption prior to maturity. The Bonds maturing on May 1, 1996 and thereafter may be redeemed, at the option of said City, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than May 1, 1995, at the principal amount of the Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, plus a redemption premium of $1/2$ of 1% of the principal amount of each Bond to be redeemed for each calendar year or part thereof between the redemption date and the maturity date of such Bond, such premium not to exceed 2% of such principal amount.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by said City in such manner as said City in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof to be redeemed shall be called in the inverse order of their maturities.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, said City shall cause a notice of such redemption to be filed with the Bond Registrar and

mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part at his address appearing upon the registration books of said City. On the date fixed for redemption, notice having been given as aforesaid, the Bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of such Bonds or portions thereof on such date and, if moneys for payment of such redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the Bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this Bond shall be called for redemption, a new Bond or Bonds in principal amount equal to the unredeemed portion hereof will be issued to the registered owner hereof or his legal representative upon the surrender hereof.

The Bonds are issuable in fully registered form in the denomination of \$5,000 or any multiple thereof. At the principal office of the Bond Registrar, in the manner and subject to the conditions provided in the Resolution, Bonds may be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of authorized denominations and bearing interest at the same rate.

The Bond Registrar shall keep at its principal office the books of said City for the registration of transfer of Bonds. The transfer of this Bond may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for this Bond a new Bond or Bonds, registered in the name of the transferee, of authorized

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denominations, in an aggregate principal amount equal to the unredeemed principal amount of this Bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of such mailing or of any Bond called for redemption in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within said City sufficient to pay the principal of and the interest on this Bond as the same shall become due; and that the total indebtedness of said City, including this Bond, does not exceed any constitutional or statutory limitation thereon.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto

the within bond and all rights thereunder and hereby irrevocably constitutes and appoints

_____ attorney

to register the transfer of said bond on the books kept for

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registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

NOTICE: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

Section 4. The Bonds maturing prior to May 1, 1996 will not be subject to redemption prior to maturity. The Bonds maturing on May 1, 1996 and thereafter will be redeemable, at the option of the Issuer, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than May 1, 1995, at the principal amount of the Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, plus a redemption premium of 1/2 of 1% of the principal amount of each Bond to be redeemed for each calendar year or part thereof between the redemption date and the maturity date of such Bond, such premium not to exceed 2% of such principal amount.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by the Issuer in such manner as the Issuer in its discretion may determine; provided, however, that the portion of any Bond to be re-

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deemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof to be redeemed shall be called in the inverse order of their maturities.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any bonds to be redeemed, whether such redemption be in whole or in part, the Issuer shall cause a notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part at his address appearing upon the registration books of the Issuer. Each such notice shall set forth the date designated for redemption, the redemption price to be paid, the maturities of the Bonds to be redeemed and, if less than all of the Bonds of any one maturity then outstanding, shall be called for redemption, the distinctive numbers and letters, if any, of such Bonds to be redeemed and, in the case of any Bond to be redeemed in part only, the portion of the principal amount thereof to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall state also that on or after the redemption date, upon surrender of such Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of such Bond will be issued.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of and the redemption premium, if any, on the Bonds or portions thereof called for redemption as well as the interest accruing thereon to the redemption date thereof.

On the date fixed for redemption, notice having been given in the manner and under the conditions hereinabove provided, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to such date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption shall cease to accrue, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender such Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the redemption premium, if any, on such principal amount, and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

Section 5. Bonds, upon surrender thereof at the principal office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be

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exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Bond may be registered only upon the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar.

Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any such exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any

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portion thereof and ending at the close of business on the day of such mailing or of any Bond called for redemption in whole or in part pursuant to Section 4 of this Resolution.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any such Bond and the interest on any such Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the redemption premium, if any, and interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to then current commercial standards and for the timely payment of principal, interest and any redemption premium with respect to the Bonds. First Union National Bank, in the City of Charlotte, North Carolina, is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively the "Bond Registrar"), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at its principal office the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

Section 6. The Bonds will be delivered in such authorized denominations and registered in such names as the purchaser may request no later than five days prior to the date of their delivery. If the purchaser fails to submit such information by

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the required time, then a single Bond will be issued for each maturity date registered in the name of the successful bidder or the senior manager of the successful bidding group.

Section 7. The action of the Director of Finance of the Issuer in applying to the Local Government Commission of North Carolina to advertise and sell the Bonds and the action of the Local Government Commission of North Carolina in asking for sealed bids for the Bonds by publishing notices and printing and distributing an Official Statement relating to the sale of the Bonds are hereby ratified and confirmed. Such Official Statement, dated April 12, 1985 and presented at this meeting, is hereby approved and the Mayor, the City Manager and the Director of Finance are each hereby authorized to execute such Official Statement for and on behalf of the Issuer.

Section 8. There shall be printed on the reverse of each of the Bonds the legal opinion of Brown, Wood, Ivey, Mitchell & Petty, bond counsel to the Issuer, with respect to the validity of the Bonds, and there shall be printed immediately following such legal opinion a certificate bearing the facsimile signature of the Mayor of the Issuer, said certificate to be in substantially the following form:

I HEREBY CERTIFY that the foregoing is a true and correct copy of the legal opinion on the bonds therein described which was manually signed by Brown, Wood, Ivey, Mitchell & Petty, New York, N.Y., and was dated as of the date of delivery of and payment for said bonds.

[Facsimile signature]
Mayor of the City of
Charlotte, North Carolina

Section 9. This resolution shall take effect upon its passage.

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Upon motion of Councilmember Dannelly, seconded by Councilmember Spaugh, the foregoing resolution entitled: "RESOLUTION PROVIDING FOR THE ISSUANCE OF \$37,200,000 PUBLIC IMPROVEMENT BONDS, SERIES 1985" was passed by the following vote:

Ayes: Councilmembers Dannelly, Frech, Hammond, Juneau, Leeper, Myrick, Patterson, Spaugh, Trosch, Vinroot, and Woolen

Noes: None

CERTIFICATION

I, PAT SHARKEY, 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 22nd day of April, 1985, the reference having been made in Minute Book 84, and recorded in full in Resolution Book 21, at Page(s) 28-45.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of April, 1985.

PAT SHARKEY, CITY CLERK

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Thereupon, Councilmember Dannelly introduced the following resolution, a copy of which had been provided to each Councilmember, which was read by title:

RESOLUTION PROVIDING FOR THE ISSUANCE OF
\$20,000,000 WATER AND SEWER BONDS, SERIES 1985

BE IT RESOLVED by the City Council of the City of Charlotte:

Section 1. The City Council has determined and does hereby find and declare:

(a) That two orders authorizing \$30,460,000 Sanitary Sewer Bonds and \$3,050,000 Water Bonds, respectively, were adopted by the City Council of the City of Charlotte on September 12, 1983, each of which orders were approved by the vote of a majority of the qualified voters of said City who voted thereon at a referendum duly called and held on November 8, 1983; that an order authorizing \$11,385,000 Water Bonds was adopted by the City Council of the City of Charlotte on September 5, 1984, which order was approved by the vote of a majority of the qualified voters of said City who voted thereon at a referendum duly called and held on November 6, 1984.

(b) That none of said bonds has heretofore been issued, that no notes have been issued on anticipation of the receipt of the proceeds of the sale of said bonds, and that is necessary at this time to issue \$13,000,000 of said Sanitary Sewer Bonds, \$2,400,000 of said \$3,050,000 Water Bonds and \$4,600,000 of said \$11,385,000 Water Bonds.

(c) That it is in the best interests of the City to consolidate said bonds into a single issue for purposes of sale, said bonds to be in the aggregate principal amount of \$20,000,000 and to be designated "Water and Sewer Bonds, Series 1985".

(d) That the maximum period of usefulness of the improvements to be undertaken with the proceeds of said bonds is estimated as a period of 40 years from May 1, 1985, the date of the bonds authorized hereby, and that such period expires on May 1, 2025.

Section 2. Pursuant to said order, there shall be issued bonds of the City of Charlotte (the "Issuer") in the aggregate principal amount of \$20,000,000 designated "Water and Sewer Bonds, Series 1985" and dated May 1, 1985 (the "Bonds"). The Bonds shall be stated to mature (subject to the right of prior redemption as hereinafter set forth) annually, May 1, \$500,000 1986 to 1996, inclusive, \$2,000,000 1997 to 2003, inclusive, and \$500,000 2004, and shall bear interest at a rate or rates to be determined by the Local Government Commission of North Carolina at the time the Bonds are sold, which interest to the respective maturities thereof shall be payable on November 1, 1985, and semiannually thereafter on May 1 and November 1 of each year. The Bonds shall be issuable in fully registered form in the denomination of \$5,000 or any multiple thereof and shall be numbered.

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless

it is (a) authenticated upon an interest payment date in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest and any redemption premium on the Bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof. The principal of and any redemption premium on each Bond shall be payable to the registered owner thereof or his registered assigns or legal representative at the principal office of the Bond Registrar mentioned hereinafter upon the presentation and surrender thereof as the same shall become due and payable. Payment of the interest on each Bond shall be made by said Bond Registrar on each interest payment date to the person appearing on the registration books of the Issuer hereinafter provided for as the registered owner of such Bond (or the previous Bond or Bonds evidencing the same debt as that evidenced by such Bond) at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on such registration books.

Section 3. The Bonds shall bear the facsimile signatures of the Mayor and the City Clerk and a facsimile of the corporate seal of the Issuer shall be imprinted on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the fac-

simile signature of the Secretary of said Commission and the certificate of authentication of said Bond Registrar to be endorsed on all Bonds shall be executed as provided hereinafter.

In case any officer of the Issuer or the Local Government Commission of North Carolina whose facsimile signature shall appear on any Bonds shall cease to be such officer before the delivery of such Bonds, such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any Bond may bear the facsimile signatures of such persons at the actual time of the execution of such Bond shall be the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

The Bonds and the endorsements thereon shall be in substantially the following forms:

[Front Side of Bond]

No. \$.....

United States of America
State of North Carolina
County of Mecklenburg

CITY OF CHARLOTTE.

Water and Sewer Bond, Series 1985

<u>Maturity Date</u>	<u>Interest Rate</u>	<u>Cusip</u>
.....

The City of Charlotte, a municipal corporation in Mecklenburg County, North Carolina, is justly indebted and for value received hereby promises to pay to

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the principal office of First Union National Bank, in the City of Charlotte and State of North Carolina (the "Bond Registrar"), the principal sum of

..... DOLLARS

and to pay interest on such principal sum from the date hereof or from the May 1 or November 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is a May 1 or November 1 to which interest shall have been paid, in which case from such date, such interest to the maturity hereof being payable on November 1, 1985 and semiannually thereafter on May 1 and November 1 in each year, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this Bond (or the previous bond or bonds evidencing the same debt as that evidenced by this Bond) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on the bond registration books of said City. Both the principal of and the interest on this Bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the full faith and credit of said City of Charlotte are hereby irrevocably pledged.

ADDITIONAL PROVISIONS OF THIS BOND ARE SET FORTH ON THE REVERSE HEREOF AND SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS IF SET FORTH HERE.

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This Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the resolution mentioned hereinafter until this Bond shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, said City of Charlotte, by resolution duly adopted by its City Council, has caused this Bond to bear the facsimile signatures of its Mayor and its City Clerk and a facsimile of its corporate seal to be imprinted hereon, all as of the 1st day of May, 1985.

[Facsimile signature]
Mayor

[Facsimile signature]
City Clerk

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within Bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

[Facsimile signature]
Secretary, Local Government Commission

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CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds designated herein and issued under the provisions of the within-mentioned Resolution.

First Union National Bank,
Bond Registrar

By _____
Authorized Signatory

Date of authentication: _____

[Reverse Side of Bond]

This Bond is one of an issue of Bonds designated "Water and Sewer Bonds, Series 1985" (the "Bonds") and issued by said City for the purpose of providing funds, with any other available funds, for the improvement of the water and sanitary sewer systems of the City of Charlotte, and this Bond is issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, three orders adopted by the City Council of said City, each of which was approved by the vote of a majority of the qualified voters of said City who voted thereon at a referendum duly called and held, and a resolution duly passed by said City Council (the "Resolution").

The Bonds at the time outstanding maturing prior to May 1, 1996 are not subject to redemption prior to maturity. The Bonds maturing on May 1, 1996 and thereafter may be redeemed, at the option of said City, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than May 1, 1995, at the principal amount of the Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, plus a redemption premium of 1/2 of 1% of the principal amount of each Bond to be redeemed for each calendar

year or part thereof between the redemption date and the maturity date of such Bond, such premium not to exceed 2% of such principal amount.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by said City in such manner as said City in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof to be redeemed shall be called in the inverse order of their maturities.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, said City shall cause a notice of such redemption to be filed with the Bond Registrar and mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part at his address appearing upon the registration books of said City. On the date fixed for redemption, notice having been given as aforesaid, the Bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of such Bonds or portions thereof on such date and, if moneys for payment of such redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the Bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this Bond shall be called for redemption,

a new Bond or Bonds in principal amount equal to the unredeemed portion hereof will be issued to the registered owner hereof or his legal representative upon the surrender hereof.

The Bonds are issuable in fully registered form in the denomination of \$5,000 or any multiple thereof. At the principal office of the Bond Registrar, in the manner and subject to the conditions provided in the Resolution, Bonds may be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of authorized denominations and bearing interest at the same rate.

The Bond Registrar shall keep at its principal office the books of said City for the registration of transfer of Bonds. The transfer of this Bond may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for this Bond a new Bond or Bonds, registered in the name of the transferee, of authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this Bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of such mailing or of any Bond called for redemption in whole or in part pursuant to the Resolution.

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It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within said City sufficient to pay the principal of and the interest on this Bond as the same shall become due; and that the total indebtedness of said City, including this Bond, does not exceed any constitutional or statutory limitation thereon.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto

the within bond and all rights thereunder and hereby irrevocably constitutes and appoints

_____ attorney

to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

NOTICE: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within bond

in every particular, without alteration or enlargement or any change whatever.

Section 4. The Bonds maturing prior to May 1, 1996 will not be subject to redemption prior to maturity. The Bonds maturing on May 1, 1996 and thereafter will be redeemable, at the option of the Issuer, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than May 1, 1995, at the principal amount of the Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, plus a redemption premium of 1/2 of 1% of the principal amount of each Bond to be redeemed for each calendar year or part thereof between the redemption date and the maturity date of such Bond, such premium not to exceed 2% of such principal amount.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by the Issuer in such manner as the Issuer in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof to be redeemed shall be called in the inverse order of their maturities.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any bonds to be redeemed, whether such redemption be in whole or in part, the Issuer shall cause a

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notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part at his address appearing upon the registration books of the Issuer. Each such notice shall set forth the date designated for redemption, the redemption price to be paid, the maturities of the Bonds to be redeemed and, if less than all of the Bonds of any one maturity then outstanding shall be called for redemption, the distinctive numbers and letters, if any, of such Bonds to be redeemed and, in the case of any Bond to be redeemed in part only, the portion of the principal amount thereof to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall state also that on or after the redemption date, upon surrender of such Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of such Bond will be issued.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of and the redemption premium, if any, on the Bonds or portions thereof called for redemption as well as the interest accruing thereon to the redemption date thereof.

On the date fixed for redemption, notice having been given in the manner and under the conditions hereinabove provided, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to such date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption shall cease to accrue, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed

outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender such Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the redemption premium, if any, on such principal amount, and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

Section 5. Bonds, upon surrender thereof at the principal office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Bond may be registered only upon the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar.

Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of

any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any such exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of such mailing or of any Bond called for redemption in whole or in part pursuant to Section 4 of this Resolution.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any such Bond and the interest on any such Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the redemption premium, if

any, and interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to then current commercial standards and for the timely payment of principal, interest and any redemption premium with respect to the Bonds. First Union National Bank, in the City of Charlotte, North Carolina, is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively the "Bond Registrar"), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at its principal office the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

Section 6. The Bonds will be delivered in such authorized denominations and registered in such names as the purchaser may request no later than five days prior to the date of their delivery. If the purchaser fails to submit such information by the required time, then a single Bond will be issued for each maturity date registered in the name of the successful bidder or the senior manager of the successful bidding group.

Section 7. The action of the Director of Finance of the Issuer in applying to the Local Government Commission of North Carolina to advertise and sell the Bonds and the action of the Local Government Commission of North Carolina in asking for sealed bids for the Bonds by publishing notices and printing and distributing an Official Statement relating to the sale of the Bonds are hereby ratified and confirmed. Such Official Statement, dated April 12, 1985 and presented at this meeting, is hereby approved and the Mayor, the City Manager and the Director of Finance are

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each hereby authorized to execute such Official Statement for and on behalf of the Issuer.

Section 8. There shall be printed on the reverse of each of the Bonds the legal opinion of Brown, Wood, Ivey, Mitchell & Petty, bond counsel to the Issuer, with respect to the validity of the Bonds, and there shall be printed immediately following such legal opinion a certificate bearing the facsimile signature of the Mayor of the Issuer, said certificate to be in substantially the following form:

I HEREBY CERTIFY that the foregoing is a true and correct copy of the legal opinion on the bonds therein described which was manually signed by Brown, Wood, Ivey, Mitchell & Petty, New York, N.Y., and was dated as of the date of delivery of and payment for said bonds.

[Facsimile signature]
Mayor of the City of
Charlotte, North Carolina

Section 9. This resolution shall take effect upon its passage.

Upon motion of Councilmember Dannelly, seconded by Councilmember Spaugh, the foregoing resolution entitled:

"RESOLUTION PROVIDING FOR THE ISSUANCE OF \$20,000,000 WATER AND SEWER BONDS, SERIES 1985" was passed by the following vote:

Ayes: Councilmembers Dannelly, Frech, Hammond, Juneau, Leeper, Myrick, Patterson, Spaugh, Trosch, Vinroot, and Woolen

Noes: None

* * * * *

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of the City

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held on April 22, 1985, the record having been made in Minute Book 84, beginning at page _____ and ending at page _____, and is a true copy of so much of said minutes as relates in any way to the passage of two resolutions providing for the issuance of \$37,200,000 Public Improvement Bonds, Series 1985 and \$20,000,000 Water and Sewer Bonds, Series 1985 of said City.

I DO HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held on the second Monday of each month at 7:30 P.M. at various places in the City designated from time to time by the City Council, on the third Monday of each month at 6:00 P.M. at the Education Center and on the fourth Monday of each month at 3:00 P.M. at the City Hall in Charlotte, North Carolina has been on file in my office pursuant to G.S. 143-318.12 as of a date not less than seven days before said meeting.

WITNESS my hand and the corporate seal of said City,
this 23rd day of April, 1985.

City Clerk

[SEAL]

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RESOLUTION AMENDING THE PAY PLAN
OF THE
CITY OF CHARLOTTE

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the Pay Plan heretofore adopted by the City Council to be effective October 1, 1960, as subsequently amended, is hereby further amended as follows:

Add class no. 1662, Treatment Plant Supervisor II
Pay Range 23, Pay Steps A-F inclusive.

Add class no. 1612, Treatment Plant Operations
Supervisor, Pay Range 19, Pay Steps A-F inclusive.

Add class no. 1509, Laboratory Assistant, Pay
Range 10, Pay Steps A-F inclusive.

Change the classification title of class no. 1660,
Treatment Plant Supervisor to Treatment Plant
Supervisor I, Pay Range 19, Pay Steps A-F inclusive.

BE IT FURTHER RESOLVED that this resolution shall be effective on the date of its adoption.

APPROVED AS TO FORM:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of April, 1985, the reference having been made in Minute Book 84, and is recorded in full in Resolution Book 21 at Page 63.

Pat Sharkey
City Clerk

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RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE U. S. DEPARTMENT OF TRANSPORTATION AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR A PLANNING GRANT UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED.

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects;

WHEREAS, the Contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs;

WHEREAS, it is required by the U. S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964, and other pertinent directives, and the U. S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that Minority Business Enterprises (Disadvantaged Business Enterprise and Women Business Enterprise) be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts and purchase orders when procuring construction contracts, supplies, equipment contracts, or consultant and other services:

NOW, THEREFORE, BE IT RESOLVED by the Charlotte City Council;

1. That the City Manager is authorized to execute and file an application on behalf of the City of Charlotte with the U. S. Department of Transportation and North Carolina Department of Transportation, to aid the financing of a technical studies grant to implement specific items of the FY-1986 Charlotte Urbanized Area Unified Planning Work Program;
2. That the City Manager is authorized to execute and file with such application an assurance or any other document required by the U. S. Department of Transportation or North Carolina Department of Transportation effectuating the purposes of this grant;
3. That the Director of the Charlotte Department of Transportation is authorized to furnish such additional information as the U. S. Department of Transportation may require in connection with the application or the project;

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- 4. That City Manager is authorized to set forth and execute minority business enterprise (disadvantaged business enterprise and women enterprise) policies and procedures in connection with the project's procurement needs.
- 5. That the Mayor or Mayor Pro-Tem is authorized to execute a grant agreement on behalf of the City of Charlotte with the U. S. Department of Transportation to aid in the financing of assistance for FY 1986 Planning.

Approved as to form:

Henry W. Henderson Jr. City Attorney

CERTIFICATION

I, as 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 22nd day of April, 1985.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of April, 1985.

City Clerk

(SEAL)

COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

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

WHEREAS, the North Carolina Department of Transportation proposes to make certain traffic control improvements under Project 9.8109050, Mecklenburg County, said project to consist of the installation of traffic signals at the intersection of SR 3687 (Park Road) and Gleneagles Road - Sharon Road West; and,

WHEREAS, the Department of Transportation desires to enter into an agreement with the City of Charlotte whereby the Municipality shall install the traffic signals to be furnished by said Municipality; and,

WHEREAS, the Department of Transportation shall reimburse the City of Charlotte a lump sum amount of \$15,500.00 for the work performed by the Municipality.

NOW, THEREFORE, BE IT RESOLVED that the agreement for the installation of traffic signals is hereby formally approved by the City Council of the Municipality of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, Pat Sharkey, Clerk of the Municipality of Charlotte, do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the meeting of the City Council duly held on the 22nd day of April, 1985.

WITNESS, my hand and the official seal of said Municipality on this the 24th day of April, 1985.

(SEAL)

CLERK
MUNICIPALITY OF CHARLOTTE
NORTH CAROLINA

APPROVED AS TO FORM:

Henry W. Chadwick Jr.
City Attorney

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RESOLUTION ESTABLISHING A
MONEY PURCHASE (401 a) PLAN
FOR THE CITY MANAGER

WHEREAS, the establishment of a Money Purchase Plan will benefit the City Manager by providing funds for retirement and funds for his beneficiary(ies) in the event of death; and

WHEREAS, the City of Charlotte desires that its Money Purchase Plan be administered by the International City Management Association - Retirement Corporation (ICMA-RC);

NOW THEREFORE BE IT RESOLVED that the City of Charlotte establishes a Money Purchase Plan in the form of the ICMA Retirement Corporation Prototype Money Purchase Plan and Trust, and that the Personnel Director for the City of Charlotte be authorized to execute all necessary Plan adoption agreements and future amendments as the need may arise, subject to compensation levels approved for the City Manager by the City Council. The Plan and the Trust forming a part hereof are established and shall be maintained for the exclusive benefit of the City Manager and his beneficiary(ies).

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of April, 1985, the reference having been made in Minute Book 84, and is recorded in full in Resolution Book 21 at Page 67.

Pat Sharkey, City Clerk

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A RESOLUTION AUTHORIZING THE
REFUND OF CERTAIN 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 certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within eight years from the date the amounts were due to be paid.
3. The amounts listed on the schedule were collected through clerical error or by a tax illegally levied and assessed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 22nd day of April, 19 85, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of April, 19 85, the reference having been made in Minute Book 84 and recorded in full in Resolution Book 21, page(s) 68-69.

Pat Sharkey
City Clerk

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TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Cox, John Blair & wf. Elsie C.	\$ 10.14	Clerical Error
Compton Contracting Co.	\$ 229.42	Clerical Error
Cox, John Blair & wf. Elsie C.	\$ 8.51	Clerical Error
Compton Contracting Co.	\$ 237.14	Clerical Error
Cox, John Blair & wf. Elsie C.	\$ 8.64	Clerical Error
Elleby, Jesse Lee & wf. Burnetta	\$ 47.10	Clerical Error
Grissom, Willie J.	\$ 31.12	Illegal Levy
Wyatt, Mary Christine Grig	\$ 70.71	Illegal Levy
Inter-Con Specialties, Inc.	\$ 66.25	Clerical Error
Compton Contracting Co.	\$ 591.63	Clerical Error
Clyburn, Leona Marese	\$ 14.51	Clerical Error
Dew, Jerry Thomas Sr.	\$ 7.40	Illegal Levy
Dew, Jerry Thomas Sr.	\$ 7.40	Illegal Levy
Dulin, Robert Jordan	\$ 25.72	Illegal Levy
Forrest, Velvon Burgess	\$ 32.96	Clerical Error
Linder, Naomi Marion	\$ 16.07	Clerical Error
Patterson, Lewis Ray	\$ 14.01	Clerical Error
TOTAL	<u>\$1,418.73</u>	

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A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO W.A.H., INC., OWNER, AND W. R. JONES, JR., TRUSTEE FOR ATLAS SUPPLY COMPANY, P. & S. ENTERPRISES, A NORTH CAROLINA PARTNERSHIP WHOSE GENERAL PARTNERS ARE FLETCHER G. KEITH AND WILLIAM H. CARLISLE, AND ANY OTHER OWNERS OF RECORD AT THE TIME OF CONDEMNATION, LOCATED AT 5933 ALBEMARLE ROAD, IN THE CITY OF CHARLOTTE FOR CONSTRUCTION OF THE REALIGNMENT OF JENKINS DRIVE AND TWO PERMANENT EASEMENTS FOR TRAFFIC SIGNAL AND LIGHTING POLES.

WHEREAS, the City Council finds as a fact that it is necessary to acquire an additional portion of the property belonging to W.A.H., Inc., Owner, and W. R. Jones, Jr., Trustee for Atlas Supply Company, P. & S. Enterprises, a North Carolina partnership whose general partners are Fletcher G. Keith and William H. Carlisle, and any other owners of record at the time of condemnation, located at 5933 Albemarle Road in the City of Charlotte, for construction of a realignment of Jenkins Drive and two permanent easements for traffic signal and lighting poles; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners and tenants for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council and the City of Charlotte, that pursuant to Section 7.81, Chapter 437 of the 1983 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, condemnation proceedings are hereby authorized to be instituted against additional property of W.A.H., Inc., Owner and W. R. Jones, Jr., Trustee for Atlas Supply Company, P. & S. Enterprises, a North Carolina partnership whose general partners are Fletcher G. Keith and William H. Carlisle, and any other owners of record at the time of condemnation, located at 5933 Albemarle Road in the City of Charlotte, Mecklenburg County, North Carolina, under the procedures set forth in Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that \$1,100, the amount of the appraised value of said additional property, is hereby authorized to be deposited in the Office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of an amendment to the original Complaint and Declaration of Taking, filed as 85-CVS-1375.

This additional resolution of condemnation is undertaken in order to allow amendment of the original condemnation action filed in Mecklenburg County Superior Court as 85-CVS-1375 to include in the property taken an additional 165 square feet of permanent easement and increase the deposit to cover the value of such easement.

Approved as to form:

Durant on Escott
Assistant City Attorney

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CERTIFICATION

I, PAT SHARKEY, 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 22nd day of April, 1985, the reference having been made in Minute Book 84, and recorded in full in Resolution Book 21, at Page(s) 70-71.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of April, 1985.

PAT SHARKEY, CITY CLERK