

**CHARLOTTE CITY COUNCIL**

**RESOLUTION  
ADOPTING THE CHARLOTTE BUSINESS INCLUSION PROGRAM**

The Charlotte City Council makes the following findings:

*WHEREAS*, in October 2010, the City retained MGT of America, Inc. (MGT) to conduct a Disparity Study analyzing the availability and utilization of minority and women owned business enterprises (“MWBEs”) on City contracts.

*WHEREAS*, the main goals of the Disparity Study were to: (a) determine whether disparity exists between the number of MWBE firms available to perform on City contracts and the City’s utilization of these firms; (b) determine the extent to which any disparities found are attributable to discrimination; and (c) recommend modifications to the City’s Small Business Opportunity (“SBO”) Program to remedy the effects of any discrimination identified.

*WHEREAS*, the Disparity Study was an update of an earlier disparity study conducted by MGT in 2003, and reviewed the City’s expenditures for the period from July 1, 2005 through June 30, 2010.

*WHEREAS*, on September 26, 2011 MGT presented its Disparity Study findings and recommendations to Council, concluding that substantial disparities continue to exist between the availability and utilization of MWBEs, both in City contracting and in the private sector.

*WHEREAS*, despite these findings of disparity, MGT did not recommend adding race and gender conscious measures to the SBO Program at that time because: (a) utilization of minority and women firms significantly increased under the SBO Program; and (b) the disparities found in the 2011 Disparity Study were in large part due to greater MWBE availability in recent years; (c) the SBO Program was more effective than the City’s prior MWBE Program and other race and gender conscious programs in remediating disparity; and (d) the anecdotal evidence linking disparity to discrimination in the 2011 Disparity Study was not as dramatic as in some instances where race and gender conscious programs have been upheld.

*WHEREAS*, following MGT’s presentation, Council referred the matter to the Economic Development Committee for review.

*WHEREAS*, on questioning from City Council, the Economic Development Committee and a Disparity Study Advisory Committee established by City Council shortly after the Disparity Study began, Dr. Vince Eagan with MGT acknowledged that the SBO Program had not been successful in fully eradicating disparities in the availability vs. utilization of minority and women-owned firms, and that there was anecdotal and other evidence linking such disparities to discrimination.

**WHEREAS**, Dr. Eagan further acknowledged that non-minority firms were disproportionately benefitting from the SBO Program.

**WHEREAS**, the Economic Development Committee was particularly concerned that substantial disparity and discrimination continued to occur on City contracts despite the City having devoted substantial resources to staffing for the SBO Program, and having vigorously enforced the Program for approximately seven years as of the end of the study period, rejecting non-compliant low bids from contractors on at least fourteen occasions.

**WHEREAS**, after further review of the Disparity Study and the questioning of Dr. Eagan, the Economic Development Committee recommended that the City retain Franklin Lee of Tydings & Rosenberg, LLC to review the methodology, findings and policy recommendations of MGT, and to offer an independent opinion regarding whether legal grounds exist to use race and gender conscious measures to address the disparities and discrimination documented in the 2011 Disparity Study.

**WHEREAS**, on February 13, 2012, City Council approved the Committee recommendation to retain Franklin Lee for such purpose.

**WHEREAS**, on May 9, 2012 Franklin Lee provided a written memorandum to the City (the "Lee Report"), which included the following findings and conclusions:

- MGT's stated methodologies for the 2011 Disparity Study were appropriate and in keeping with controlling legal precedent and industry standards to the extent available data permitted.
- The 2011 Disparity Study documented substantial disparity in the underutilization of MWBE firms in all categories of prime contracts entered into by the City. It further found substantial disparity in the underutilization of certain categories of MBE firms in subcontracting for construction and for architecture, engineering and surveying. The SBO Program was not fully successful in remediating these disparities.
- The robust body of anecdotal data collected by MGT identified recognized forms of marketplace discrimination that is adversely affecting the ability of MWBE firms attempting to do business on City of Charlotte contracts. In some instances alleged discrimination was directly attributed to the City. In other instances it was attributed to prime contractors and the private sector.
- The quantity and quality of MGT's anecdotal data compares favorably with other disparity studies, and when combined with the private sector market analysis and regression analysis included in the study, establishes a strong basis for concluding that marketplace discrimination occurs in much more than a few isolated incidents.
- Race and gender neutral measures such as the SBO Program are not adequate to address the marketplace discrimination found in the 2011 Disparity Study, as evidenced in part by the fact that substantial disparities continue to exist

despite eight years of aggressive enforcement of the SBO Program by the City.

- The 2011 Disparity Study establishes a strong basis in evidence that supports the use of narrowly tailored race and gender conscious remedies to more fully remedy the ongoing effects of marketplace discrimination on City contracts.

**WHEREAS**, on May 17, 2012 Franklin Lee presented and discussed his findings and conclusions with the Economic Development Committee.

**WHEREAS**, on June 25, 2012, on recommendation of the Economic Development Committee, City Council accepted and adopted the findings, conclusions and analyses set forth or referenced in Chapters 1 through 6 of the 2011 Disparity Study and in the Lee Report.

**WHEREAS**, on June 25, 2012, Council further directed City staff to work with the Economic Development Committee to draft a SBE/MWBE Program that utilizes both race and gender neutral measures and race and gender conscious measures to remediate the discrimination and address the marketplace barriers documented in MGT's Disparity Study Update Report, consistent with the findings and conclusions set forth in the Lee Report.

**WHEREAS**, City staff developed the attached Charlotte Business Inclusion Program (the "CBI Program") with input from City Council's Economic Development Committee, the Disparity Study Advisory Committee, and from stakeholders in the local business community.

**WHEREAS**, on December 4, 2012 and December 13, 2012, staff hosted two community forums to share information regarding the proposed program changes and seek feedback from stakeholders.

**WHEREAS**, on March 25, 2013 City Council held a public hearing on the proposed CBI Program.

**WHEREAS**, participants at the community forums and the public hearing reported additional instances of discrimination and marketplace barriers, and expressed support for the proposed CBI Program.

**WHEREAS**, in considering adoption of the CBI Program, City Council reaffirms and accepts the findings and conclusions set forth or referenced in Chapters 1 through 6 of the 2011 Disparity Study, the appendices to the 2011 Disparity Study and the Lee Report.

**WHEREAS**, City Council acknowledges that years of vigorously enforcing race and gender neutral remedies has failed to fully eliminate the substantial underutilization of minority and women firms in City contracts.

**WHEREAS**, the City of Charlotte has a compelling interest to remedy the ongoing effects of marketplace discrimination against minority and women owned businesses and to avoid becoming a passive participant in private sector discrimination.

**WHEREAS**, the City of Charlotte is fully committed to not only remedying the ongoing effects of marketplace discrimination, but also to using its spending powers in a manner that promotes a robust and inclusive economy that fully utilizes all segments of its business population, regardless of race or gender.

**WHEREAS**, based upon an extensive factual predicate, City Council has determined that a narrowly tailored combination of race and gender neutral and race and gender conscious remedies is necessary to serve those compelling interests and needs of the City of Charlotte.

**WHEREAS**, City Council further finds that continuation of a small business opportunity program establishing goals and good faith efforts requirements in City contracts will benefit the City because:

- Helping small businesses participate in City contracts will facilitate small business growth and profitability in the Charlotte Combined Statistical Area (CSA).
- Facilitating small business growth and profitability in the Charlotte CSA will promote economic growth and development within the City of Charlotte.
- Encouraging small business growth in the Charlotte CSA will also promote competition on City contracts by increasing the number of bidders.
- Small business standards set at roughly one quarter of the size standards established by the Small Business Administration (SBA) for businesses participating in SBA programs are reasonably reflective of business size in the Charlotte CSA.

**WHEREAS**, North Carolina General Statutes §143-128.2, 143-128.2., 143-128.1, 143-128.3, 143-128.4 and 143-131 authorize and require the City to have minority and women business participation program for certain City contracts.

**WHEREAS**, Section 8.88 of the Charlotte City Charter authorizes the City to establish a Small Business Enterprise Program using goals and good faith efforts requirements in City contracts to promote the development of small businesses in the Charlotte Combined Statistical Area.

**NOW THEREFORE BE IT RESOLVED** that the Charlotte City Council hereby:

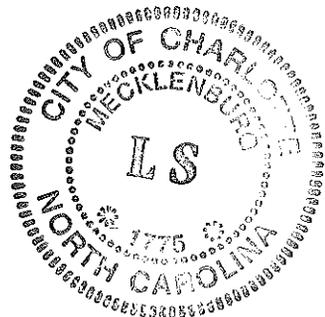
1. Approves and adopts the Charlotte Business Inclusion Program attached to this Resolution (the "CBI Program"); and

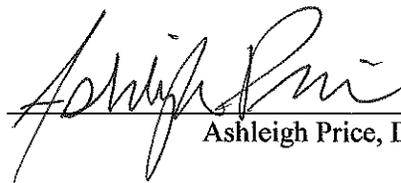
2. Directs that City staff work toward implementing the CBI Program to go into effect on July 1, 2013; and
3. Authorizes the City Manager to take such actions to implement, administer and amend the CBI Program as he deems appropriate from time to time, all as set forth in the attached Program; and
4. Directs that this resolution be reflected in the minutes the Charlotte City Council.

**CERTIFICATION**

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 238-242.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10<sup>th</sup> day of April, 2013.



  
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Ashleigh Price, Deputy City Clerk

RESOLUTION AUTHORIZING THE CONVEYANCE OF THE CAROLINA  
THEATRE PROPERTY TO FOUNDATION FOR THE CAROLINAS

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WHEREAS, the City of Charlotte owns the Carolina Theatre property, a .416 acre property located at 222 N. Tryon St. in Charlotte, North Carolina, and having tax identification number 080-011-10 (the "Property"); and

WHEREAS, said Foundation for the Carolinas, a North Carolina nonprofit corporation, desires to purchase the Property for One Dollar for redevelopment to include renovation and restoration of the historic Carolina Theatre and for office or other uses permitted by law; and

WHEREAS, City of Charlotte Charter §8.22 authorizes the City to convey real property by private sale when it determines that the sale will advance or further any Council-adopted urban revitalization or land use plan or policy; and

WHEREAS, the City Council of the City of Charlotte has determined that the sale of the Property to Foundation For the Carolinas will advance its Council-adopted Center City 2020 Vision Plan and its goal to renovate, restore and preserve the historic Carolina Theatre; and

WHEREAS, North Carolina General Statute §160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation, if the city is authorized by law to appropriate money to the corporation; and

WHEREAS, North Carolina General Statutes §160A-400.1 and §160A-400.12 authorize a city to engage in historic preservation activity, and to appropriate money to a nonprofit corporation for that purpose; and

WHEREAS, the City and Foundation For the Carolinas ("FFTC"), have negotiated and agreed upon terms for the City's conveyance of the Property to FFTC for \$1 in exchange for FFTC undertaking the restoration and preservation of the Carolina Theatre in accordance with Historic Landmarks Commission guidelines and in a timely manner, pursuant to a specific schedule; and

WHEREAS, notice of the proposed transaction was advertised at least ten days prior to the adoption of this Resolution, and shall also be advertised once after adoption of this Resolution, and closing of this sale shall take place no sooner than ten days after the second publication.

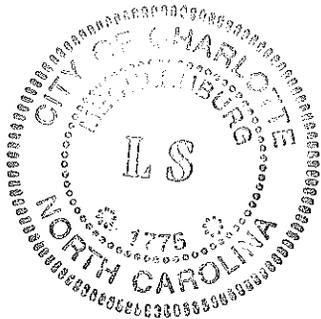
NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to §8.22 of the City of Charlotte Charter and §160A-279 of the North Carolina General Statutes, that it hereby authorizes the private sale of the above referenced Property as follows:

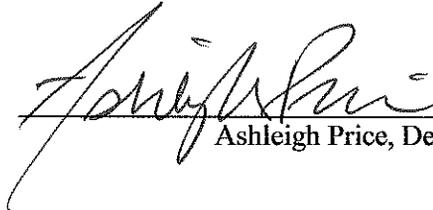
1. The City Manager or his Designee is authorized to execute all documents necessary to convey the Property described above to Foundation For the Carolinas or its affiliate, upon the terms advertised.
2. The consideration for this conveyance is the historic renovation, rehabilitation and improvement of the Property in accordance with the Purchase and Sale Agreement between the City and Foundation For the Carolinas.
3. A notice summarizing the contents of this resolution shall be published, and the Property may be sold at any time after 10 days after publication.

**CERTIFICATION**

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 243-244.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of April, 2013.



  
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Ashleigh Price, Deputy City Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF  
CHARLOTTE, NORTH CAROLINA ON APRIL 8, 2013**

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

WHEREAS, A Municipal Agreement between the City and the North Carolina Department of  
Transportation (NCDOT) will allow the City to be reimbursed for the traffic signal work  
associated with the Independence Blvd widening project; and,

WHEREAS, the Municipal Agreement provides for reimbursement not to exceed \$472,000 of  
the total cost of the project; and,

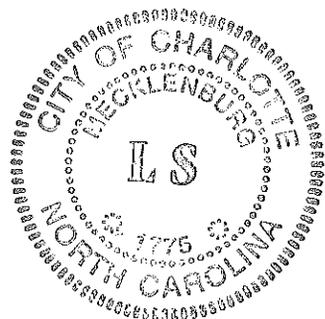
WHEREAS, the format and cost sharing philosophy is consistent with past Municipal  
Agreements: and,

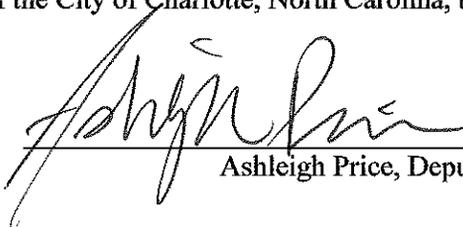
NOW, THEREFORE, BE IT RESOLVED that this resolution authorizing the City Manager to  
execute a municipal agreement with the NCDOT for NCDOT to reimburse the City up to  
\$472,000 for the traffic signal work associated with the Independence Blvd widening project, is  
hereby formally approved by the City Council of the City of Charlotte and the City Manager and  
Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the  
aforementioned groups.

**CERTIFICATION**

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY  
that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of  
Charlotte, North Carolina, in regular session convened on the 8th day of April, 2013, the reference having  
been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 245.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of  
April, 2013.



  
Ashleigh Price, Deputy City Clerk

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

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

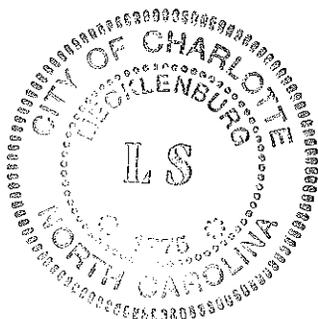
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

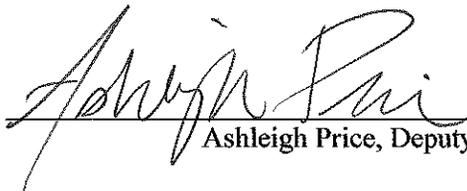
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 8th day of April 2013 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

**CERTIFICATION**

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 246-247.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of April, 2013.



  
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Ashleigh Price, Deputy City Clerk

April 8, 2013

Resolution Book 44, Page 247

**Mecklenburg County  
Business Tax Collections  
City Refunds**

<b>Business Privilege License Tax Refund Request</b>	
<b>BUSINESS NAME</b>	<b>AMT DUE</b>
IBS 2011 Inc	\$476.77

**RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE Mooney Avenue in the City of Charlotte, Mecklenburg County, North Carolina**

*Whereas, Herrin Brothers Coal & Ice Company has filed a petition to close Mooney Avenue in the City of Charlotte; and*

Whereas, Mooney Avenue is an unopened right of way located within the North Charlotte Community (NoDa), beginning at its intersecting point with Academy Street as a 50-foot wide right of way, continuing approximately 398 feet east to its terminus at its intersecting point with Anderson Street, and consisting of 20,124 square feet, as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

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

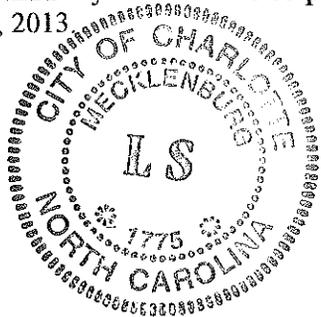
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of April 8, 2013, that it intends to close Mooney Avenue and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 13<sup>th</sup> day of May 2013, in CMGC meeting chamber, 600 East 4<sup>th</sup> Street, Charlotte, North Carolina.

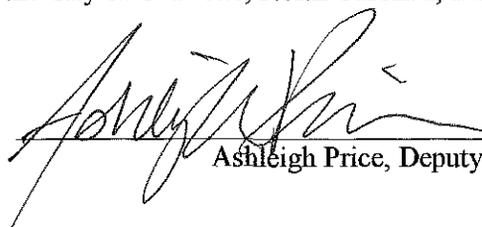
The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for four successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

**CERTIFICATION**

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 248.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10<sup>th</sup> day of April, 2013



  
Ashleigh Price, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **BLUE LINE EXTENSION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **BLUE LINE EXTENSION PROJECT** and estimated to be **5,199 square feet (.119 acre) of fee simple; 5,450 square feet (.125 acre) of access easement and utility easement; 18,766 square feet (.431 acre) of temporary construction easement, and 4,621 square feet (.106 acre) in access easement, utility easement, and storm drainage easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 097-131-115, said property currently owned by **DA DAI MAI and KIM P. MAI**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

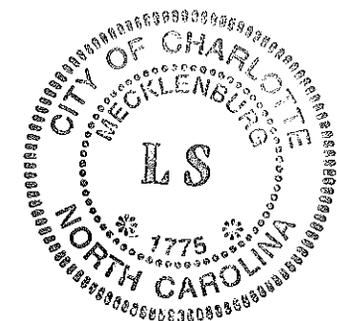
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 249.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of April, 2013.



  
Ashleigh Price, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **BLUE LINE EXTENSION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **BLUE LINE EXTENSION PROJECT** and estimated to be **361 square feet (.008 acre) of storm drainage easement; 10,358 square feet (.238 acre) of access easement and utility easement; 6,472 square feet (.149 acre) of temporary construction easement, and 87 square feet (.002 acre) of access easement, utility easement, and storm drainage easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 097-131-16, said property currently owned by **FIRST INDUSTRIAL B & L, LLC; UNITED CAROLINA BANK, Beneficiary; BRANCH BANKING AND TRUST COMPANY, Beneficiary; NORTH PARK CENTER, INC., Possible Lessee/Tenant; CONTINENTAL PROPERTIES COMPANY, Possible Lessee/Tenant; THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 250.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of April, 2013.



  
Ashleigh Price, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **BLUE LINE EXTENSION PROJECT**; and

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

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

**PROPERTY DESCRIPTION:**

Amount necessary for the **BLUE LINE EXTENSION PROJECT** and estimated to be **535 square feet (.012 acre) of fee simple area; 1,379 square feet (.032 acre) of temporary construction easement, and 2,943 square feet (.068 acre) of utility easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 047-221-33, said property currently owned by **DDR BELGATE, LP**, or the owners' successor-in-interest.

**ESTIMATED JUST COMPENSATION:**

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

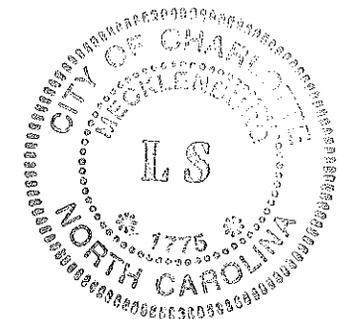
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

**CERTIFICATION**

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 251.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of April, 2013.

  
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Ashleigh Price, Deputy City Clerk



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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **BLUE LINE EXTENSION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **BLUE LINE EXTENSION PROJECT** and estimated to be **13,604 square feet (.312 acre) of fee simple area; 5,498 square feet (.126 acre) of temporary construction easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 047-231-08, said property currently owned by **DDR BELGATE, LP**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

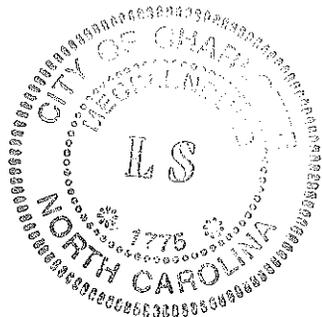
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 252.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of April, 2013.

  
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Ashleigh Price, Deputy City Clerk



A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
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WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **BLUE LINE EXTENSION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **BLUE LINE EXTENSION PROJECT** and estimated to be **5,135 square feet (.118 acre) of fee simple area; 423 square feet (.01 acre) of access easement and utility easement; 744 square feet (.017 acre) of temporary construction easement, and 2,972 square feet (.068 acre) of utility easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 047-211-08, said property currently owned by **UNIVERSITY FINANCIAL PROPERTIES LIMITED PARTNERSHIP (f/k/a "University Bank Properties Limited Partnership"); BANK OF AMERICA, Possible Lessee/Tenant, or the owners' successor-in-interest.**

ESTIMATED JUST COMPENSATION:

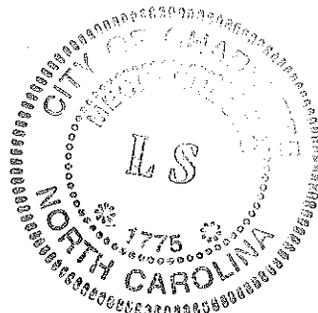
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

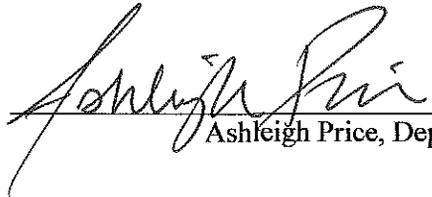
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 253.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of April, 2013.



  
Ashleigh Price, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **BLUE LINE EXTENSION PROJECT**; and

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

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

**PROPERTY DESCRIPTION:**

Amount necessary for the **BLUE LINE EXTENSION PROJECT** and estimated to be **12,329 square feet (.283 acre) of fee simple area and 3,222 square feet (.074 acre) of temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 047-272-01, said property currently owned by **McDONALD'S CORPORATION** or the owners' successor-in-interest.

**ESTIMATED JUST COMPENSATION:**

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

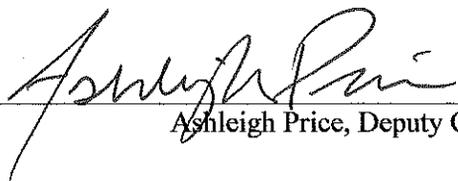
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

**CERTIFICATION**

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 254.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of April, 2013.



  
Ashleigh Price, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **BLUE LINE EXTENSION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **BLUE LINE EXTENSION PROJECT** and estimated to be **11,560 square feet (.265 acre) of temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 047-291-47, said property currently owned by **DAGGER PROPERTIES, LLC; FARAZ AHMED SYED, Lessee/Tenant; MECKLENBURG COUNTY TAX COLLECTOR**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

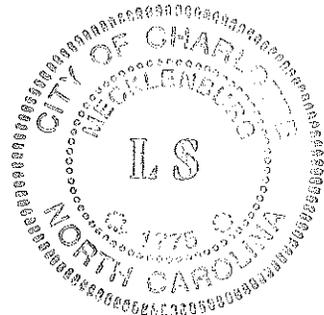
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

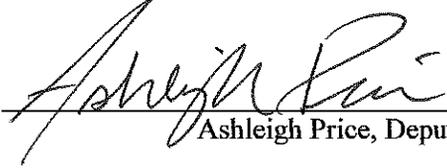
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 255.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of April, 2013.



  
Ashleigh Price, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **BEATTIES FORD ROAD WIDENING-PH. 3 PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **BEATTIES FORD ROAD WIDENING-PH. 3 PROJECT** and estimated to be

**1,531 square feet (.035 acre) of fee simple area; 644 square feet (.015 acre) of storm drainage easement; 3,744 square feet (.086 acre) of temporary construction easement, and 691 square feet (.016 acre) of utility easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 041-081-12, said property currently owned by **PAUL O. HOLMES and wife, ANITA C. HOLMES; PARAMOUNT MORTGAGE SERVICES, INC., Beneficiary;**  
or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

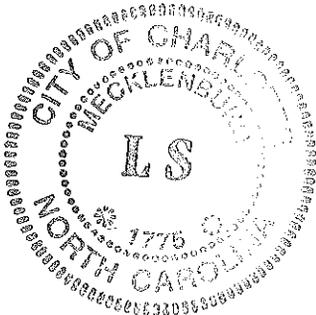
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

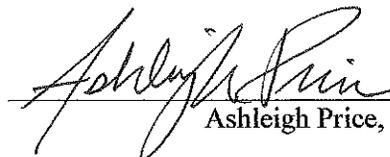
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Ashleigh Price, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of April, 2013, the reference having been made in Minute Book 134, and recorded in full in Resolution Book 44, Page(s) 256.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of April, 2013.



  
Ashleigh Price, Deputy City Clerk