

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

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

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

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 28th day of August, 2006 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 248-249.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of August, 2006.


Brenda R. Freeze, CMC, Deputy City Clerk

**TAXPAYERS AND REFUNDS REQUESTED
(Clerical Error)**

<u>Name</u>	<u>Refund Amount</u>
2006-009205 PAPPAS DINO MIKE	\$ 123.25
2006-009206 PAPPAS DINO MIKE	123.25
2006-009207 PAPPAS DINO MIKE	123.25
2006-009210 SOUTHERN KOREAN PRESBYTERIAN	3,426.87
2006-009211 PAPPAS TOMMY	123.25
2006-009212 PAPPAS TOMMY	123.25
2006-009213 PAPPAS TOMMY	123.25
2005-009166 GARNER CRAYMON L JR	62.16
2005-009195 MARKOVICH MICHAEL M	35.28
2006-009220 WATSON MONICA M	13.02
2006-009221 WATSON MONICA M	13.02
2006-009222 WATSON MONICA M	13.02
2006-009223 ROBINSON JOEL D	82.32
2006-009224 ROBINSON JOEL D	82.32
2006-009225 ROBINSON JOEL D	82.32
2006-009227 NATIONAL DIAGNOSTICS INC	386.96
2006-009228 BHARTI BRAJESH	360.36
Total	<u>\$ 5,297.15</u>

ACTION A

RESOLUTION

EXTRACT FROM THE MINUTES OF A regular
MEETING OF THE Charlotte City Council
HELD ON August 28, 2006

The following resolution was introduced by _____,
seconded by _____, read in full, considered
and adopted.

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND
RATIFYING THE EXECUTION OF THE GRANT AGREEMENTS FOR PROJECT
NUMBERS 3-37-0012-54 BETWEEN THE UNITED STATES OF
AMERICA AND THE CITY OF CHARLOTTE, NORTH CAROLINA

BE IT RESOLVED, by the _____ CITY COUNCIL _____ of
THE CITY OF CHARLOTTE, NORTH CAROLINA

SECTION 1. That said City Council hereby
authorizes, adopts, approves, accepts and ratifies the execution of
a Grant Agreement between the Federal Aviation Administration on
behalf of the United States of America and the City of Charlotte,
North Carolina

SECTION 2. That the Execution of said Grant Agreement in
quadruplicate on behalf of said City Council by
T. J. Orr, Aviation Director and the impression of
the official seal of the City of Charlotte and the attestation
by Brenda Freeze; City Clerk is
hereby authorized, adopted, approved, accepted and ratified.

SECTION 3. That the Aviation Director is hereby
authorized to execute payment requests under these Grant Agreements
on behalf of said City of Charlotte.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 40, Page(s) 250-251.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.



Brenda R. Freeze, CMC, City Clerk

ACTION A

RESOLUTION

EXTRACT FROM THE MINUTES OF A regular
MEETING OF THE Charlotte City Council
HELD ON August 28, 2006

The following resolution was introduced by _____,
seconded by _____, considered and adopted.

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND
RATIFYING THE EXECUTION OF THE REIMBURSABLE AGREEMENTS SO-0703-07P
AND SO-0704-07P BETWEEN THE UNITED STATES OF AMERICA AND THE CITY
OF CHARLOTTE, NORTH CAROLINA

BE IT RESOLVED, by the CITY COUNCIL of
THE CITY OF CHARLOTTE, NORTH CAROLINA

SECTION 1. That said City Council hereby
authorizes, adopts, approves, accepts and ratifies the execution of
the Reimbursable Agreements between the Federal Aviation
Administration on behalf of the United States of America and the
City of Charlotte, North Carolina

SECTION 2. That the Execution of said Reimbursable
Agreements in triplicate on behalf of said City Council by
T. J. Orr, Aviation Director and the impression of the
official seal of the City of Charlotte and the attestation by
Brenda Freeze; City Clerk is hereby authorized, adopted,
approved, accepted and ratified.

SECTION 3. That upon receipt of requests by the Aviation
Director, the Finance Director is hereby authorized to issue
checks in payment of the amounts to be disbursed under these

Reimbursable Agreements on behalf of said City of Charlotte.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 40, Page(s) 252-253.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of August, 2006.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION REGARDING PROPOSED DECLARATION OF WITHDRAWAL

WHEREAS, The Housing Authority of the City of Charlotte, NC has submitted to the City of Charlotte a proposed Declaration of Withdrawal of Dedication regarding a 10-foot alleyway running off of East 16th Street as depicted on a survey attached hereto as Exhibit A; and recorded in the Mecklenburg County Registry of Deeds Office in Map Book 230, Page 3, East End.

WHEREAS, pursuant to G.S. 136-95, the Property owners have requested that the City adopt a resolution indicating that the dedicated described in the proposed declaration of withdrawal is not part of a street plan adopted under G.S. 136-66.2

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina that the street depicted on Exhibit A attached hereto is not part of a street plan adopted under G.S. 136-66.2.

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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 254.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of August, 2006.


Brenda R. Freeze, CMC, City Clerk

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

**PROPOSED DECLARATION OF
WITHDRAWAL**

**TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF
CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA**

The HOUSING AUTHORITY OF THE CITY OF CHARLOTTE, N.C. and its Ground Lessee SEIGLE 60, LLC (the "petitioners") respectfully file this petition and request that a portion of an unused 10' alley located in the East End Subdivision on 16th Street, lying approximately 150.55 feet from the intersection from 16th Street and Seigle Avenue as shown on a survey attached hereto as Exhibit A and more particularly described by a *metes and bounds legal description as shown on the survey* and made a part hereof as Exhibit B, be withdrawn from public dedication in accordance with the provisions of Chapter 136, Section 96 of the General Statutes of North Carolina.

The alley was dedicated under a plat, dated September 26, 1907, and recorded in the Mecklenburg County Register of Deeds Office in Map Book 230 at Page 3. After an extensive search of records affecting the property, no record of acceptance by the City of Charlotte was found and a 1970 tax map showed the alley closed. Pursuant to N.C.G.S. 136-96, the alley is presumptively abandoned.

This proposed declaration of withdrawal is needed to incorporate a portion of the alley right of way into adjacent property owned by the petitioners for a proposed low-income multifamily housing development project.

In further support of this Petition, your petitioners respectfully allege that:

1. The petitioners own all property adjacent to that portion of alley to be withdrawn.
2. The withdrawal from public dedication of the alley located on 16th Street near Seigle Avenue is not contrary to the public interest.
3. The dedication described in this proposed declaration of withdrawal is not part of a street plan adopted under N.C.G.S. 136-66.2
4. No individual, partnership or corporation owning property in the vicinity of 16th Street near Seigle Avenue or in the subdivision in which it is located will be deprived of reasonable means of ingress and egress to his, her or its property by virtue of

the withdrawal.

5. No portion of the alley previously dedicated or conveyed by the dedicator was for street or highway purposes nor necessary to afford convenient ingress or egress to any lot or parcel of land sold and conveyed by the dedicator of such street or highway.

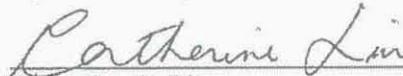
6. To the best of our knowledge, the alley has not been previously accepted by the North Carolina Department of Transportation or the City of Charlotte for maintenance.

WHEREFORE, petitioners respectfully request the City Council of the City of Charlotte approve this Petition to withdraw the alley from public dedication.

Respectfully submitted the 1st day of August, 2006

HOUSING AUTHORITY OF THE CITY OF
CHARLOTTE, N.C.
a public body corporate and politic

By its Attorney:



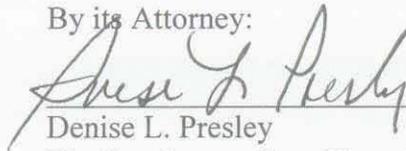
Catherine P. Liu
The Banks Law Firm, P. A.
P.O. Box 14350
Research Triangle Park, North Carolina 27709
Telephone: (919) 474-9137 ext. 239
Facsimile: (919) 474-9537

WHEREFORE, petitioners respectfully request the City Council of the City of Charlotte approve this Petition to withdraw the alley from public dedication.

Respectfully submitted the 1st day of August, 2006

SEIGLE 60, LLC,
a North Carolina limited liability company

By its Attorney:



Denise L. Presley
The Brockmann Law Firm, P.C.
8037 Corporate Center Drive, Suite 100
Charlotte, North Carolina 28226
Telephone: (704)541-5779
Facsimile: (704)542-9735

EXHIBIT B

LYING AND BEING in the City of Charlotte, Mecklenburg County, North Carolina and particularly described as follows:

BEGINNING at a PK Nail found at the intersection of the northwesterly margin of Seigle Avenue (50' public right-of-way) and the northeasterly margin of East 16th Street (50' public right-of-way) thence with the northeasterly margin of East 16th Street North 57-00-00 West 239.78' (passing iron pipes at 150.55' and 160.57', corners of an unused 10' alley, per Map Book 230, Page 3) to an Iron Pipe found at the southerly corner of the property of Patricia G. Newton (Deed Book 7075, Page 108); thence with the southeasterly line of Newton, North 32-44-31 East 149.34 feet to an Iron Pipe found at the corner of Lots 9, 15, 14 and 8, Block 20, the westerly corner of Florine B. Dennis (Deed Book 7541, Page 480), thence with, southwesterly line of Dennis South 56-45-22 East 49.79 feet to an Iron Pin set; thence continuing with the property of Dennis (Deed Book 17808, Page 630) South 58-19-30 East 30.09 feet to an Iron Pipe set on the northwesterly margin of 10' alley, the southerly corner of Dennis; thence, South 59-00-16 East 10.02 feet to an Iron Pin set on the southerly margin of aforementioned 10' alley, a corner of Haim Azizy (Deed Book 18576, Page 63); thence with the line of Azizy, Habitat for Humanity (Deed Book 10314, Page 97) and Abena Onyina Antwi and Kofi Antwi (Deed Book 10697, Page 801) South 56-56-02 East 150.55' to an Iron Pin set at the back of concrete walk on the northwesterly margin of Seigle Avenue; thence, with the margin of Seigle Avenue South 33-00-00 West 150.00 feet to the Beginning (passing an Iron Pin at 3.07 feet), containing 35,970 square feet, more or less, and being Lots 1,2,3,7 and 8 and a portion of 10' alley, Block 20 of East End Subdivision as recorded in Map Book 230, Page 3, all as shown on ALTA/ACSM LAND TITLE SURVEY by Andrew G. Zoutewelle, L-3089, dated February 3, 2006.

TOGETHER WITH any and all right, title, and interest, if any, in and to that portion of the 10' alley lying between the said Lots 1-3 and the said Lot 7 in Block 20 of East End as depicted on plat recorded in Map Book 230, Page 3, Mecklenburg County Public Registry.

Note: Map Book 230, Page 3 is attached.

RESOLUTION REGARDING PROPOSED DECLARATION OF WITHDRAWAL

WHEREAS, The Housing Authority of the City of Charlotte, NC has submitted to the City of Charlotte a proposed Declaration of Withdrawal of Dedication regarding a 10-foot alleyway running off of East 16th Street as depicted on a survey attached hereto as Exhibit A; and recorded in the Mecklenburg County Registry of Deeds Office in Map Book 230, Page 3, East End.

WHEREAS, pursuant to G.S. 136-95, the Property owners have requested that the City adopt a resolution indicating that the dedicated described in the proposed declaration of withdrawal is not part of a street plan adopted under G.S. 136-66.2

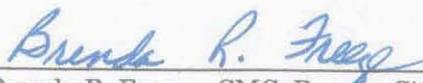
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina that the street depicted on Exhibit A attached hereto is not part of a street plan adopted under G.S. 136-66.2.

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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 254.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of August, 2006.


Brenda R. Freeze, CMC, Deputy City Clerk

North Carolina Governor's Highway Safety Program
Local Governmental Resolution
Form GHSP-02-A

WHEREAS, the City of Charlotte (herein called the "Agency") has completed an application contract for traffic safety funding; and that the Charlotte City Council (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE CHARLOTTE CITY COUNCIL IN OPEN MEETING ASSEMBLED IN THE CITY OF CHARLOTTE, NORTH CAROLINA, THIS 28TH DAY OF AUGUST, 2006, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Capt. David Haggist is authorized to file, on behalf of the Governing Body, an Application contract in the form prescribed by the Governor's Highway Safety Program in the amount of \$53,724 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of \$17,908 as required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption

DONE AND ORDERED in open meeting by Mayor Pat McCrory

ATTESTED BY Brenda Freeze

DATE: August 28, 2006

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 255-256.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of August, 2006.



Brenda R. Freeze, CMC, 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 **BRIAR CREEK RELIEF SEWER-PH. I 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 **BRIAR CREEK RELIEF SEWER-PH. I PROJECT** and estimated to be approximately **3,843 square feet (.088 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 175-111-85, said property currently owned by **SAMUEL R. SHIREY and wife, LAURA H. SHIREY; JILL JEWETT, Trustee; MARINE MIDLAND MORTGAGE CORPORATION, Beneficiary, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

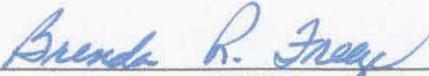
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 257.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of August, 2006.


Brenda R. Freeze, CMC, 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 **BRIAR CREEK RELIEF SEWER-PH. I 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 **BRIAR CREEK RELIEF SEWER-PH. I PROJECT** and estimated to be approximately **6,282 square feet (.144 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 175-111-67, said property currently owned by **SAMUEL R. SHIREY and wife, LAURA H. SHIREY, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 258.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of August, 2006.


Brenda R. Freeze, CMC, 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 **BRIAR CREEK RELIEF SEWER-PH. I 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 **BRIAR CREEK RELIEF SEWER-PH. I PROJECT** and estimated to be approximately **1,888 square feet (.043 acre) of sanitary sewer easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 153-105-21, said property currently owned by **R. DANIEL WERTS (a/k/a Robert Daniel Werts) and spouse, if any, MECKLENBURG COUNTY TAX COLLECTOR, and Any Other Parties in Interest, or the owners' successor-in-interest.**

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 259.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of August, 2006.


Brenda R. Freeze, CMC, 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 **JEFFERSON STORM WATER CAPITAL IMPROVEMENTS-PHASE I 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 **JEFFERSON STORM WATER CAPITAL IMPROVEMENTS-PHASE I PROJECT** and estimated to be approximately **2,168 square feet (.050 acre) of storm drainage easement, utility easement, and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 187-213-19, said property currently owned by **NELSON DETWEILER and wife, JILL B. DETWEILER, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 260.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of August, 2006.


Brenda R. Freeze, CMC, 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 **ROZZELLES FERRY ROAD STREETScape 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 **ROZZELLES FERRY ROAD STREETScape PROJECT** and estimated to be approximately **352 square feet (.008 acre) of sidewalk and utility easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 069-041-20, said property currently owned by **RONALD L. PIERCE; ELONEY S. PIERCE; RANDY P. HELTON, Trustee; AMERICAN COMMUNITY BANK, Beneficiary; MECKLENBURG COUNTY TAX COLLECTOR; TAICHENNA MURRAY, Possible Judgment Creditor; CHARLOTTE-MEKLENBURG HOSPITAL AUTHORITY, Possible Judgment Creditor, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 261.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of August, 2006.


Brenda R. Freeze, CMC, 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 **ROZZELLES FERRY ROAD STREETScape 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 **ROZZELLES FERRY ROAD STREETScape PROJECT** and estimated to be approximately **923 square feet (.021 acre) of sidewalk and utility easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 071-143-05, said property currently owned by **LATONYA R. DAVIS and spouse, if any; MECKLENBURG COUNTY TAX COLLECTOR; NORTH CAROLINA DEPARTMENT OF REVENUE; TRUSTEE FOR RICHARD EURY; TRUSTEE FOR TOMMY T. QUICK; UNITED STATES OF AMERICA, and Any Other Parties in Interest, or the owners' successor-in-interest.**

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 262.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of August, 2006.


Brenda R. Freeze, CMC, Deputy City Clerk

RESOLUTION CLOSING A PORTION OF PERIMETER PARKWAY LOCATED BETWEEN PERIMETER WOODS DRIVE AND W.T. HARRIS BOULEVARD IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-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 Perimeter Parkway located between Perimeter Woods Drive and W.T. Harris Boulevard which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of Perimeter Parkway located between Perimeter Woods Drive and W.T. Harris Boulevard 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 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to Charlotte-Mecklenburg Utilities, BellSouth Telecommunications, Inc., Duke Power Company, Piedmont Natural Gas, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached maps marked "Exhibit A-1, A-4, A-5 & A-6".

WHEREAS, the public hearing was held on the 28th day of August, 2006 and City Council determined that the closing of a portion of Perimeter Parkway located between Perimeter Woods Drive and W.T. Harris Boulevard is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of August 28, 2006, that the Council hereby orders the closing of a portion of Perimeter Parkway located between Perimeter Woods Drive and W.T. Harris Boulevard in the City of Charlotte Mecklenburg County, North Carolina as shown in the maps marked "Exhibit A-1, A-4, A-5 & A-6", and is more particularly described by metes and bounds in document marked "Exhibit B and C", both of which are attached hereto and made a part hereof. This abandonment will be contingent upon the petitioner/developer dedicating/recording the right-of-way needed for the realignment of Perimeter Parkway, posting a construction bond to include the cost of the new roadway and City approval of the subdivision plan.

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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 263-270.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of August, 2006.


Brenda R. Freeze, CMC, Deputy City Clerk

EXHIBIT A-5



- NOTES:**
1. ALL CORNERS MONUMENTED AS SHOWN.
 2. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
 3. NO MOSS MOUNDAGE RECOVERED WITHIN 2000'.
 4. THE RIGHT OF WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHTS OF WAY SURVEYED AND DOES NOT CERTIFY TO THE RIGHTS OF WAY WIDTH OF ANY ADJACENT PROPERTIES.

CHAIN	BEARING	ANGLE	CORNER BEARING & DISTANCE	LINE NUMBER
C1	50.00'	78.98'	S85°11.17' W 68.98'	1
C2	185.53'	126.90'	N02°10.14' W 120.17'	2
C3	185.53'	88.69'	N02°51.51' W 88.69'	3
C4	185.53'	28.55'	N02°32.92' E 28.55'	4
C5	117.00'	23.90'	N02°32.92' E 23.90'	5
C6	38.42'	46.81'	N02°32.92' E 46.81'	6
C7	193.75'	21.11'	S71°00.18' E 38.55'	7
C8	193.75'	94.54'	S02°32.92' W 78.61'	8
C9	193.75'	88.69'	S02°32.92' W 88.69'	9
C10	501.60'	213.87'	N11°04.11' W 504.00'	10
C11	413.50'	312.80'	N11°50.21' W 311.82'	11
C12	178.00'	51.00'	S02°32.92' E 50.81'	12
C13	200.00'	41.30'	S71°00.18' E 41.30'	13
C14	104.25'	192.00'	N02°32.92' E 191.81'	14
C15	104.25'	58.10'	N11°04.11' W 58.10'	15
C16	178.00'	58.10'	N11°04.11' W 58.10'	16
C17	54.65'	36.83'	N87°42.48' E 36.83'	17
C18	178.00'	58.97'	N02°32.92' E 58.97'	18
C19	178.00'	95.87'	N02°32.92' E 95.87'	19
C20	178.00'	1.75'	N02°32.92' E 1.75'	20

PERIMETER PARKWAY

VARIABLE PUBLIC R/W
MAP BOOK 23, PAGE 595

"EASEMENT IN FAVOR OF CITY OF CHARLOTTE, CHARLOTTE-MECKLENBURG UTILITIES, BELLSOUTH TELECOMMUNICATIONS, INC., DUNE POWER COMPANY, PRESIDENT NATURAL GAS AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, OPEN, UNSEALED, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF WATER LINES, SEWER LINES, GAS LINES, SANITARY LINES, CONDUIT, CABLE, WIRES, AND RELATED EQUIPMENT."



THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 4, 2004, COMMUNITY PANEL 1, 370158, 0106 E.

FLOOD CERTIFICATION

THIS IS TO CERTIFY THAT ON THE _____ DAY OF _____, 20__ OS, AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAN AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAN MEETS THE USUAL STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1690 (21 NCAC 56) AND THE RULES OF PRECISION DOCS NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NON 20 SECONDS TRIM THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

SIGNED: *Justin F. Clowinger*



ABANDONMENT MAP OF:
PERIMETER PARKWAY

MAP BOOK 23, PAGE 595

STREET LIES BETWEEN TAX PARCEL JS
025-113-11, 12, 15, 16, 18 & 025-114-01
THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC.

R.B. PHARR & ASSOCIATES, P.A.
SURVEYING & MAPPING

420 HARRINGTON LANE, CHARLOTTE, NC 28204 TEL: (704) 374-7188

SCALE: 1"=50'

DATE: OCTOBER 3, 2005

THE NO. W-537 DEAL

DBS NO. 06630

REVISIONS:
11/04/05 - TO SHOW PHASE LINE
12/13/05 - LABEL PHASE LINE

DATE: _____ BY: _____ FOR: _____



TRACT 1
PERIMETER WOODS LAND, LLC
DB: 13821-281
MAP BOOK 37, PAGE 1
TAX NUMBER: 025-114-01

TRACT 2
PERIMETER WOODS LAND, LLC
DB: 13821-281
MAP BOOK 37, PAGE 1
TAX NUMBER: 025-114-01

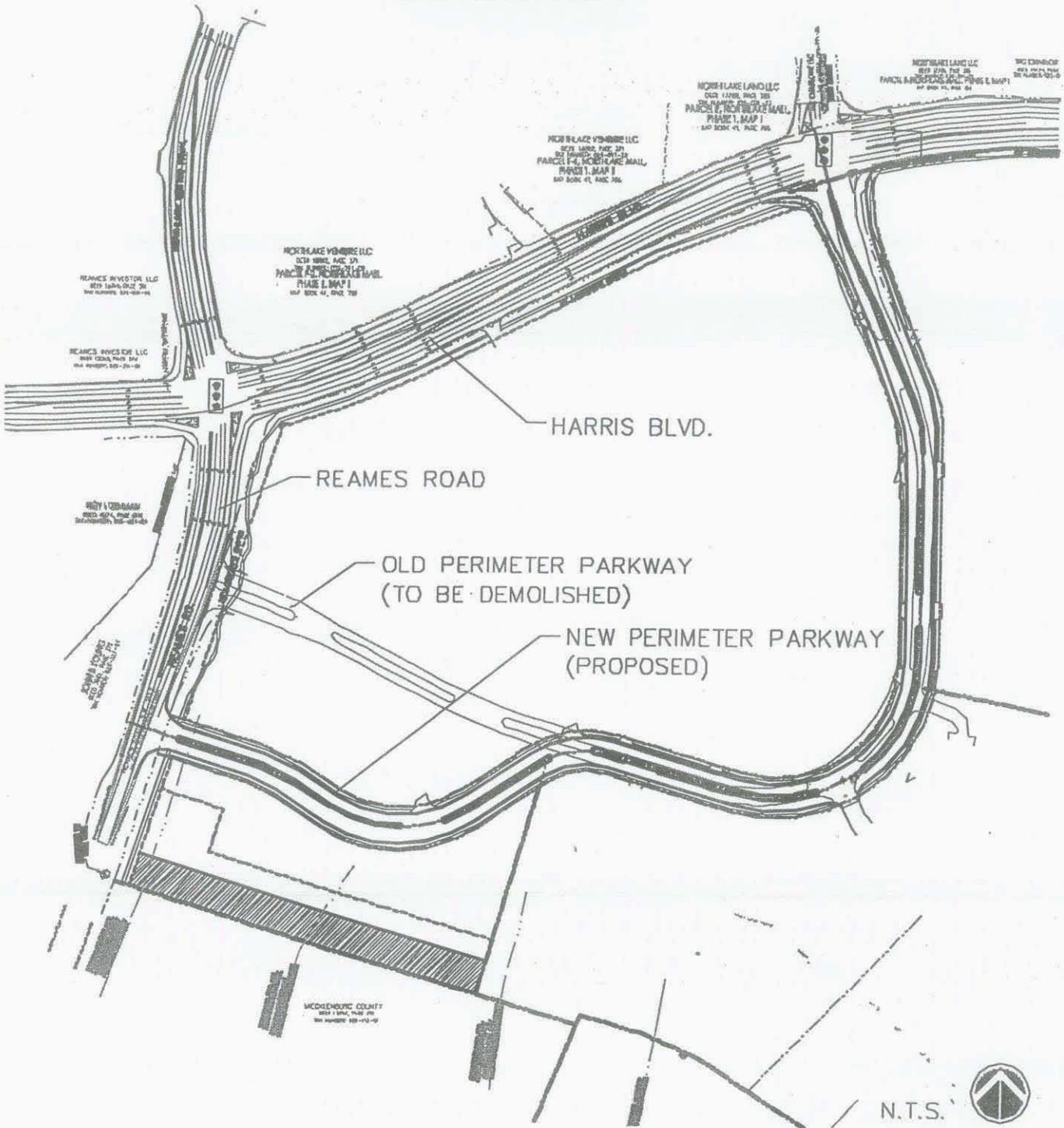
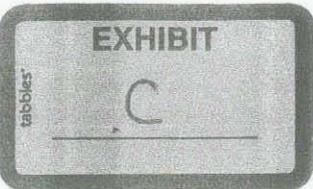
LEGEND:
PROPERTY LINE NOT SURVEYED
RIGHT-OF-WAY SURVEYED
R/W - RIGHT OF WAY

LEGEND:
MOSS - NORTH CAROLINA GEODETIC SURVEY
DB - DEED BOOK
EP - EXISTING ROAD PIN
LW - LAND WARRANT
M/R - MAP BOOK ROAD
R/W - RIGHT OF WAY

EXHIBIT B
(Phase 2)

TO LOCATE THE POINT OF BEGINNING, commence at an existing iron pin located at the common intersection of the easterly right-of-way margin of Reames Road (S.R. 2113, a variable width public right-of-way), the northerly right-of-way margin of Perimeter Parkway (a variable width public right-of-way) as shown on Map Book 23 at Page 595, Mecklenburg County Registry, and the southerly boundary of the property owned (now or formerly) by Perimeter Woods Land, LLC as described in Deed Book 13521 at Page 281, Map Book 37 at Page 1, Tract II, Mecklenburg County Registry; thence with the northerly margin of said Perimeter Parkway and the southerly boundary of the Perimeter Woods Land, LLC property the following nine (9) courses and distances: (1) with the arc of a circular curve to the left having a radius of 60.00 feet, an arc distance of 87.09 feet, said arc being subtended by a chord bearing S. 29-23-52 E. 79.64 feet to an existing iron pin; (2) S. 69-51-31 E. 6.62 feet to a 3/8" new iron rod; (3) with the arc of a circular curve to the right having a radius of 1,946.50 feet, an arc distance of 135.68 feet, said arc being subtended by a chord bearing S. 69-04-04 E. 135.66 feet to an existing iron rod; (4) S. 60-07-51 E. 92.50 feet to a 3/8" existing iron rod; (5) with the arc of a circular curve to the left having a radius of 1,937.50 feet, an arc distance of 94.34 feet, said arc being subtended by a chord bearing S. 62-57-34 E. 94.33 feet to a 1/2" existing iron rod; (6) S. 61-33-53 E. 110.00 feet to a 3/8" existing iron rod; (7) with the arc of a circular curve to the left having a radius of 1,599.50 feet, an arc distance of 335.00 feet, said arc being subtended by a chord bearing S. 67-33-53 E. 334.39 feet to a 3/8" existing iron rod; (8) S. 73-33-53 E. 390.00 feet to a 3/8" existing iron rod; and (9) with the arc of a circular curve to the left having a radius of 307.50 feet, an arc distance of 187.36 feet, said arc being subtended by a chord bearing S. 88-58-48 E. 184.48 feet to a point located in the northerly margin of Perimeter Parkway and the southerly boundary of the Perimeter Woods Land, LLC property, such point being the point and place of BEGINNING; thence from said Beginning point continuing along the northerly margin of Perimeter Parkway the following thirteen (13) courses and distances: (1) with the arc of a circular curve to the left having a radius of 307.50 feet, an arc distance of 63.52 feet, said arc being subtended by a chord bearing N. 65-36-23 E. 63.41 feet to a 3/8" existing iron rod; (2) N. 43-53-25 E. 44.35 feet to a 3/8" existing iron rod; (3) with the arc of a circular curve to the left having a radius of 298.49 feet, an arc distance of 263.26 feet, said arc being subtended by a chord bearing N. 26-12-09 E. 254.81 feet to a 3/8" existing iron rod; (4) N. 00-56-07 E. 350.00 feet to a 3/8" existing iron rod; (5) with the arc of a circular curve to the left having a radius of 473.50 feet, an arc distance of 212.80 feet, said arc being subtended by a chord bearing N. 11-56-23 W. 211.02 feet to a 1/2" existing iron rod; (6) N. 24-59-03 W. 118.26 feet to an existing iron pin; (7) N. 24-47-18 W. 19.66 feet to an existing iron pin; (8) N. 24-42-52 W. 16.96 feet to an existing iron pin; (9) with the arc of a circular curve to the right having a radius of 1,261.50 feet, an arc distance of 247.64 feet, said arc being subtended by a chord bearing N. 19-07-20 W. 247.24 feet to an existing iron pin; (10) N. 13-40-33 W. 59.18 feet to an existing iron pin; (11) with the arc of a circular curve to the left having a radius of 38.22 feet, an arc distance of 27.12 feet, said arc being subtended by a chord bearing N. 71-08-16 W. 26.55 feet to an existing iron pin; (12) S. 88-29-01 W. 38.39 feet to an existing iron pin; and (13) with the arc of a circular curve to the left having a radius of 117.05 feet, an arc distance of 40.67 feet, said arc being subtended by a chord bearing S. 78-25-23 W. 40.46 feet to an existing iron pin located in the southerly margin of Reames Road (S.R. 2113, a variable width right-of-way); thence with the southerly margin of Reames Road N. 71-

23-52 E. 277.44 feet to an existing iron pin located in the westerly boundary of the property owned (now or formerly) by Perimeter Woods Land, LLC as described in Deed Book 13521 at Page 281, Mecklenburg County Registry, and the easterly margin of Perimeter Parkway; thence with the westerly boundary of the Perimeter Woods Land, LLC property and the easterly margin of Perimeter Parkway the following twelve (12) courses and distances: (1) S. 38-11-26 W. 89.71 feet to an existing iron pin; (2) with the arc of a circular curve to the left having a radius of 176.02 feet, an arc distance of 51.00 feet, said arc being subtended by a chord bearing S. 05-35-00 E. 50.83 feet to an existing iron pin; (3) S. 13-43-16 E. 18.87 feet to an existing iron pin; (4) with the arc of a circular curve to the left having a radius of 1,064.80 feet, an arc distance of 204.99 feet, said arc being subtended by a chord bearing S. 19-17-53 E. 204.67 feet to an existing iron pin; (5) S. 14-51-54 E. 19.70 feet to an existing iron pin; (6) S. 14-58-01 E. 16.66 feet to an existing iron pin; (7) S. 24-04-10 E. 11.64 feet to a 3/8" new iron rod; (8) S. 21-32-04 E. 130.31 feet to a 3/8" new iron rod; (9) with the arc of a circular curve to the right having a radius of 557.50 feet, an arc distance of 233.79 feet, said arc being subtended by a chord bearing S. 11-04-41 E. 232.08 feet to a 3/8" new iron rod; (10) S. 00-56-07 W. 350.00 feet to a 3/8" existing iron rod; (11) with the arc of a circular curve to the right having a radius of 382.50 feet, an arc distance of 104.44 feet, said arc being subtended by a chord bearing S. 08-45-26 W. 104.11 feet to a 3/8" new iron rod; and (12) with the arc of a circular curve to the right having a radius of 382.50 feet, an arc distance of 361.81 feet, said arc being subtended by a chord bearing S. 43-40-40 W. 348.48 feet to a point located in the southerly margin of Perimeter Parkway and the northerly boundary of the property owned (now or formerly) by Perimeter Woods Business Park LLC as described in Deed Book 13521 at Page 275, A Revision of Tract E-1, Perimeter Woods, Map 4, Tract E-1, Map Book 31. at Page 483, Mecklenburg County Registry; thence crossing the width of Perimeter Parkway N. 22-17-07 W. 75.13 feet to the POINT OR PLACE OF BEGINNING, containing 3.0525 acres, or 132,967 square feet, and being further identified as Phase 2 on the Abandonment Map of Perimeter Parkway prepared by R.B. Pharr & Associates, P.A., dated October 3, 2005, last revised June 30, 2006, reference to which this survey is hereby made.



N.T.S.

Project Number 101.1425.00	Principal in Charge <u>Jim Gamble</u>
	Project Manager <u>Brian Dey</u>
Bulletin Drawing	Drawn By <u>Brian Dey</u>
	Issue Date <u>12/16/05</u>
<i>This drawing and the design shown are the property of LITTLE DIVERSIFIED ARCHITECTURAL CONSULTING. The reproduction, copying or other use of this drawing without the written consent is prohibited and any infringement will be subject to legal action.</i>	
© 2006 0006	

Project Name Perimeter Woods
Sheet Title Perimeter Parkway Alignment

LITTLE
 DIVERSIFIED ARCHITECTURAL CONSULTING

5815 Westpark Drive Charlotte, NC 28217
 T: 704.525.6350 F: 704.561.8700
www.littleonline.com

RESOLUTION CLOSING A PORTION OF PERIMETER PARKWAY LOCATED BETWEEN PERIMETER WOODS DRIVE AND REAMES ROAD IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-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 Perimeter Parkway located between Perimeter Woods Drive and Reames Road which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of Perimeter Parkway located between Perimeter Woods Drive and Reames Road 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 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to Charlotte-Mecklenburg Utilities, BellSouth Telecommunications, Inc., Duke Power Company, Piedmont Natural Gas, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached maps marked "Exhibit A-1, A-2, A-3 & A-4".

WHEREAS, the public hearing was held on the 28th day of August, 2006 and City Council determined that the closing of a portion of Perimeter Parkway located between Perimeter Woods Drive and Reames Road is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of August 28, 2006, that the Council hereby orders the closing of a portion of Perimeter Parkway located between Perimeter Woods Drive and Reames Road in the City of Charlotte Mecklenburg County, North Carolina as shown in the maps marked "Exhibit A-1, A-2, A-3 & A-4", and is more particularly described by metes and bounds in document marked "Exhibit B and C", both of which are attached hereto and made a part hereof. This abandonment will be contingent upon the petitioner/developer dedicating/recording the right-of-way needed for the realignment of Perimeter Parkway, posting a construction bond to include the cost of the new roadway and City approval of the subdivision plan.

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.

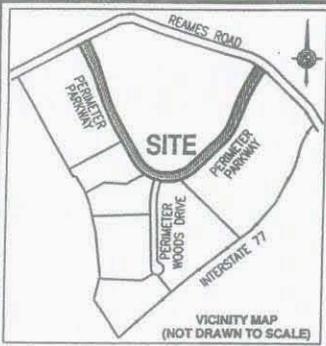
CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 271-278.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of August, 2006.


Brenda R. Freeze, CMC, Deputy City Clerk

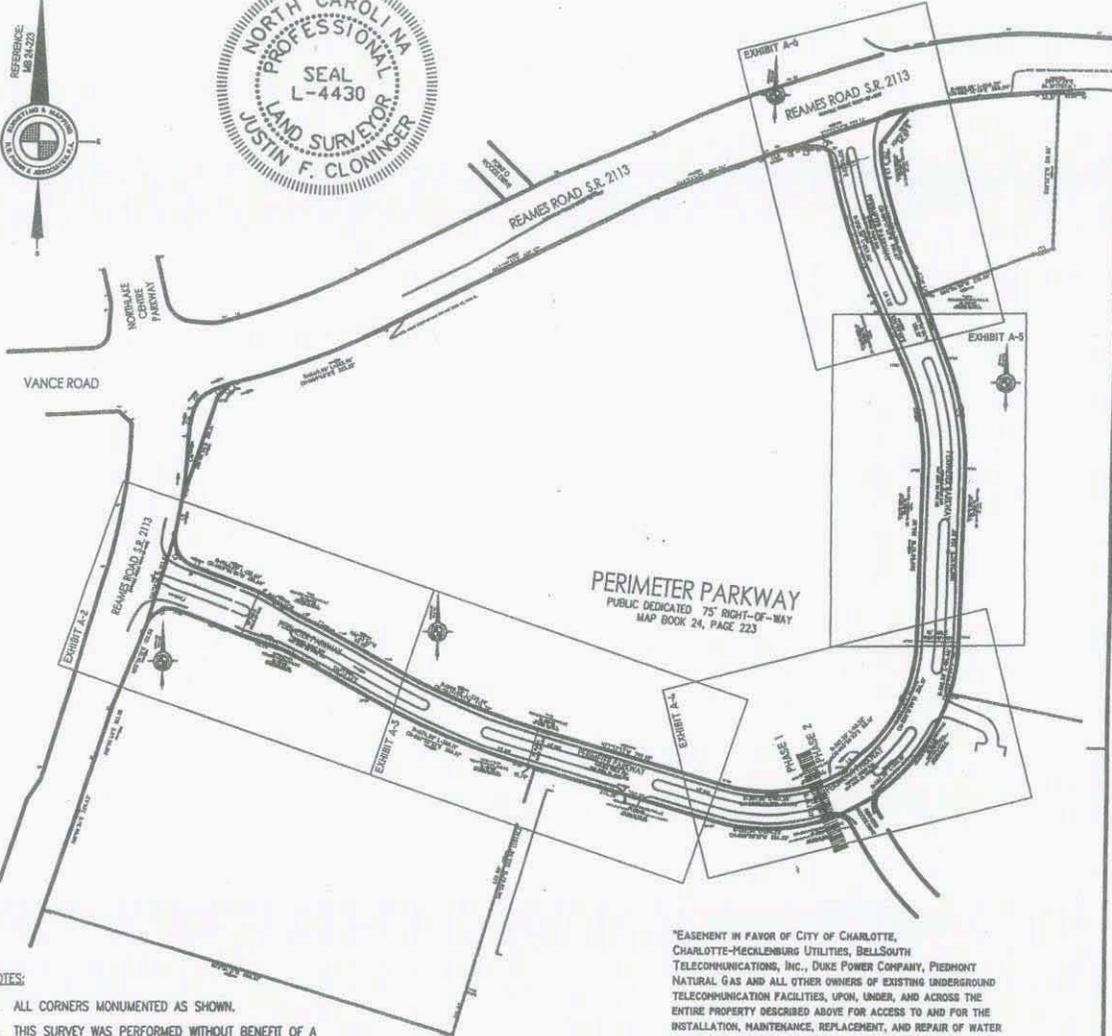
EXHIBIT A-1



FLOOD CERTIFICATION
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT
LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON
MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT
AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED
FEBRUARY 4, 2004 COMMUNITY PANEL # 370159 0106 E.

THIS IS TO CERTIFY THAT ON THE 300 DAY OF OCTOBER 20 05 AN ACTUAL
SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES
AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE
FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE .1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT
EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES
THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

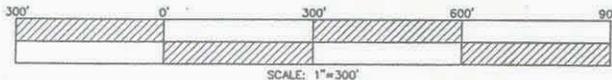
SIGNED *Justin F. Cloninger*



- NOTES:
1. ALL CORNERS MONUMENTED AS SHOWN.
 2. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
 3. NO NCOS MONUMENT RECOVERED WITHIN 2000'.
 4. THE RIGHT OF WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHTS OF WAY SURVEYED AND DOES NOT CERTIFY TO THE RIGHTS OF WAY WIDTH OF ANY ADJACENT PROPERTIES.

EASEMENT IN FAVOR OF CITY OF CHARLOTTE, CHARLOTTE-MECKLENBURG UTILITIES, BELLSOUTH TELECOMMUNICATIONS, INC., DUKE POWER COMPANY, PIEDMONT NATURAL GAS AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF WATER LINES, SEWER LINES, GAS LINES, DRAINAGE LINES, CONDUIT, CABLE, WIRES, AND RELATED EQUIPMENT.

AREA OF PHASE 1: 113,056 SQ.FT. OR 2.5954 ACRES
AREA OF PHASE 2: 132,967 SQ.FT. OR 3.0525 ACRES
TOTAL AREA OF RW: 246,023 SQ.FT. OR 5.6479 ACRES



CURVE	RADIUS	ARC	CHORD BEARING & DISTANCE
C1	50.00'	75.58'	S05°11'17"W 68.59'
C2	1853.50'	129.20'	N89°04'04"W 129.17'
C3	1862.50'	86.69'	N82°53'54"W 86.69'
C4	1866.30'	39.53'	N88°36'22"E 39.53'
C4A	1866.30'	23.98'	N69°14'52"E 23.98'
C5	117.05'	40.67'	N78°25'23"E 40.66'
C6	38.22'	27.12'	S71°08'16"E 26.55'
C7	1937.50'	94.34'	N62°57'34"W 94.33'
C8	60.00'	87.09'	S28°23'52"E 79.64'
C9	1049.70'	66.69'	N10°16'19"E 66.68'
C10	557.50'	233.79'	N11°04'41"W 232.06'
C11	473.50'	212.80'	N11°56'23"W 211.02'
C12	176.02'	51.00'	S05°35'00"E 50.83'
C13	280.00'	41.39'	S73°08'12"W 41.35'
C14(1)	1049.70'	197.90'	N06°38'04"E 197.61'
C15	1049.70'	131.12'	N04°52'24"E 131.04'
C16	176.02'	55.10'	N10°28'23"E 54.87'
C17	54.63'	36.93'	N38°42'48"E 36.23'
C18(1)	176.02'	55.97'	N67°03'25"E 55.73'
C19	176.02'	55.97'	N67°05'30"E 55.73'
C20	176.02'	1.73'	N75°53'05"E 1.73'

LEGEND:
NCOS - NORTH CAROLINA GEODETIC SURVEY
DB - DEED BOOK
EIP - EXISTING IRON PIN
NIR - NEW IRON ROD
MB - MAP BOOK
R/W - RIGHT OF WAY

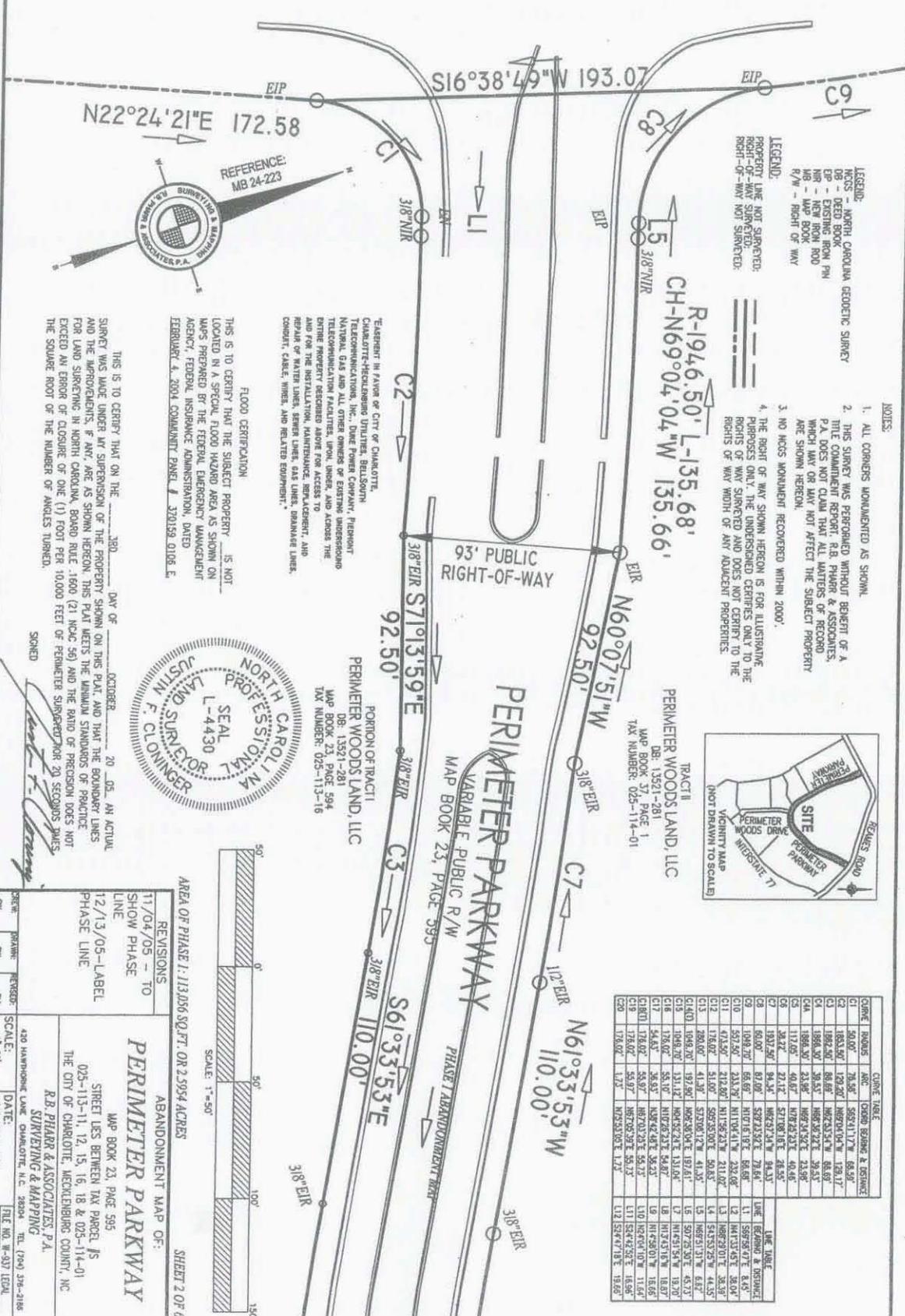
LEGEND:
PROPERTY LINE NOT SURVEYED: ---
RIGHT-OF-WAY SURVEYED: ==
RIGHT-OF-WAY NOT SURVEYED: - - -

LINE	BEARING & DISTANCE
L1	S69°56'47"E 8.45'
L2	N43°33'43"E 38.04'
L3	N88°29'01"E 38.39'
L4	S45°53'25"W 44.35'
L5	N89°51'31"W 6.62'
L6	S07°25'30"E 45.73'
L7	N14°51'56"W 19.70'
L8	N14°43'10"W 18.87'
L9	N14°58'01"W 16.66'
L10	N2°04'10"W 11.64'
L11	S24°42'52"E 16.86'
L12	S24°47'18"E 19.66'

<p>REVISIONS</p> <p>11/04/05 - TO SHOW PHASE LINE</p> <p>12/13/05 - LABEL PHASE LINE</p> <p>6/30/06 - CHANGE PHASE LINE</p>	<p>ABANDONMENT MAP OF:</p> <p>PERIMETER PARKWAY</p> <p>MAP BOOK 23, PAGE 595</p> <p>STREET LIES BETWEEN TAX PARCEL #S 025-113-11, 12, 15, 16, 18 & 025-114-01</p> <p>THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC</p> <p>R.B. PHARR & ASSOCIATES, P.A.</p> <p>SURVEYING & MAPPING</p> <p>420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL. (704) 376-2106</p>
<p>CREW: CW DW SM</p> <p>DRAWING: DW</p> <p>REVISED: SM</p>	<p>SCALE: 1"=300'</p> <p>DATE: OCTOBER 3, 2005</p> <p>FILE NO. W-37 LEGAL</p> <p>JOB NO. 66030</p>

EXHIBIT A-2

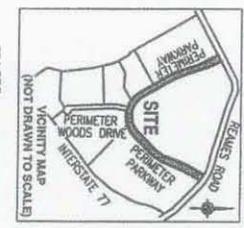
REAMES ROAD S.R. 2113 (VARIABLE PUBLIC RIGHT-OF-WAY)



LEGEND:
 MEAS - NORTH CAROLINA GEODETIC SURVEY
 EIP - EXISTING RIGHT-OF-WAY
 NR - NEW RIGHT-OF-WAY
 MB - MAP BOOK
 R/W - RIGHT OF WAY

LEGEND:
 PROPERTY LINE NOT SURVEYED
 RIGHT-OF-WAY NOT SURVEYED
 RIGHT-OF-WAY NOT SURVEYED

- NOTES:**
1. ALL CORNERS MONUMENTED AS SHOWN.
 2. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT, R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
 3. NO HOGS MONUMENT RECOVERED WITHIN 2000'.
 4. THE RIGHT OF WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHTS OF WAY WIDTH OF ANY ADJACENT PROPERTIES.



FLOOD CERTIFICATION

THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 4, 2004 (COMMITMENT PANEL # 370159, 0106 E).

THIS IS TO CERTIFY THAT ON THE _____ DAY OF _____, 20____, AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAN, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAN MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED FOR 20 SECONDS PER THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

EMERGENCY IN FAVOR OF CHARLOTTE, CAROLINA (RECOMMENDING UTILITIES, BELLSOUTH, TUBULAR, CATV, POWER, INC., DUNE POWER COMPANY, FRIEDRICH NATIONAL GAS SALES), OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, GRANTING ACCESS TO CROSS THE DRIVE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND REPAIR OF WATER LINES, SEWER LINES, GAS LINES, DEBRIS LINES, CABLE, WIRE, AND RELATED EQUIPMENT.

PORTION OF TRACT II
 PERIMETER WOODS LAND, LLC
 MAP BOOK 23, PAGE 281
 MAP BOOK 23, PAGE 281
 TAX NUMBER: 025-114-01

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
C1	S61°33'53\"/>				

AREA OF PHASE I: 113,056 SQ. FT. OR 2.5954 ACRES

ABANDONMENT MAP OF:
PERIMETER PARKWAY

REVISIONS
 11/04/05 - TO SHOW PHASE LINE
 12/13/05 - LABEL PHASE LINE

MAP BOOK 23, PAGE 595

STREET LINES BETWEEN TAX PARCELS IS 025-115-11, 12, 15, 16, 18 & 025-114-01 THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC

R.B. PHARR & ASSOCIATES, P.A.
 SURVEYING & MAPPING

420 HAMBORNE LANE CHARLOTTE, NC 28204 TEL: (704) 336-2188

SCALE: 1"=50'

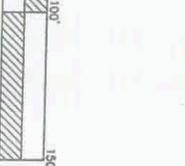
DATE: OCTOBER 3, 2005

SHEET 2 OF 6

EXHIBIT A-3

THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 4, 2004 COMPLAINT PANEL # 270159 0106 E.

FLOOD CERTIFICATION



R-1674.50' L-350.71'
CH-S67°33'53"E 350.07'

PORTION OF TRACT I
PERIMETER WOODS LAND, LLC
DR: 13521-281
MAP BOOK 23, PAGE 594
TAX NUMBER: 023-113-16

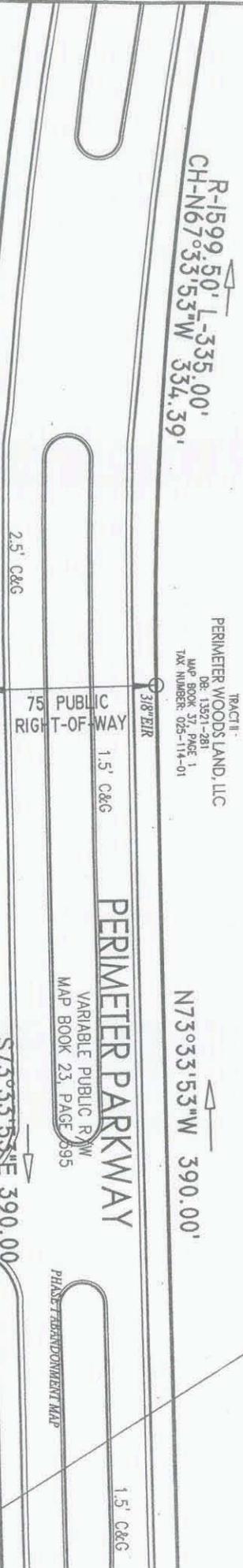
THIS IS TO CERTIFY THAT ON THE DATE OF THIS SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON THIS PLAN MEETS THE MINIMUM STANDARDS OF PRACTICE EXCEPT AN ERROR OF CLOSURE OF ONE (1) FOOT PER 1,000 FEET OF PERIMETER SURVEYED FOR 20 SECONDS. ANGLES



SIGNED: *Justin F. Clowinger*
OCTOBER 20, 2005, AN ACTUAL DAY OF

PERIMETER WOODS BUSINESS PARK LLC
DR: 13521-275
MAP BOOK 31, PAGE 483
TAX NUMBER: 023-113-15

ABANDONMENT MAP OF:
PERIMETER PARKWAY
MAP BOOK 23, PAGE 595
SHEET 3 OF 6



R-1599.50' L-335.00'
CH-N67°33'53"W 334.39'

TRACT II:
PERIMETER WOODS LAND, LLC
DR: 13521-281
MAP BOOK 23, PAGE 1
TAX NUMBER: 023-114-01

N73°33'53"W 390.00'

EXHIBIT A-4



CHORD BEARING & DISTANCE	CHORD BEARING & DISTANCE
C1 50.00'	73.50'
C2 183.50'	128.20'
C3 183.50'	128.20'
C4 183.50'	128.20'
C5 183.50'	128.20'
C6 183.50'	128.20'
C7 183.50'	128.20'
C8 183.50'	128.20'
C9 183.50'	128.20'
C10 183.50'	128.20'
C11 183.50'	128.20'
C12 183.50'	128.20'
C13 183.50'	128.20'
C14 183.50'	128.20'
C15 183.50'	128.20'
C16 183.50'	128.20'
C17 183.50'	128.20'
C18 183.50'	128.20'
C19 183.50'	128.20'
C20 183.50'	128.20'

LEGEND:
PROPERTY LINE NOT SURVEYED:
RIGHT-OF-WAY SURVEYED:
RIGHT-OF-WAY NOT SURVEYED:
R/W - RIGHT OF WAY

- NOTES:**
- ALL CORNERS MONUMENTED AS SHOWN.
 - THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT, R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
 - NO MONUMENT RECOVERED WITHIN 2000'.
 - THE RIGHT OF WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHTS OF WAY WIDTH OF ANY ADJACENT PROPERTIES.

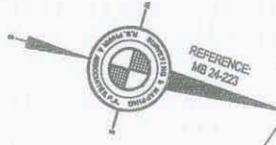


DATE	BY	SCALE	DATE
11/04/05	SM	1"=50'	OCTOBER 3, 2005

420 HANCOCK LANE CHARLOTTE, N.C. 28204 TEL: (704) 378-2188
FAX: (704) 378-1000
R.B. PHARR & ASSOCIATES, P.A.
SURVEYING & MAPPING

EXHIBIT A-4

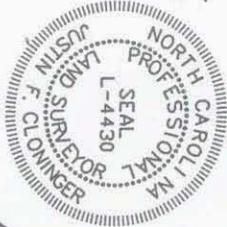
1. ALL CORNERS MONUMENTED AS SHOWN.
2. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE CURATIVE REPORT, RE: PHASES & ASSOCIATED P.A. DOES NOT AFFECT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
3. NO NCOS MONUMENT RECOVERED WITHIN 2000.



CURVE	POINTS	ARC	CHORD BEARING & DISTANCE
C1	50.00'	75.54'	S65°41'17"W 68.50'
C2	183.50'	128.00'	N87°04'04"W 128.17'
C3	188.25'	98.69'	N62°33'54"W 98.69'
C4	198.83'	39.53'	N68°28'27"E 39.53'
C5	117.05'	40.67'	N78°25'23"E 40.67'
C6	38.22'	21.12'	S71°08'15"E 28.55'
C7	183.22'	94.31'	N62°27'24"W 94.31'
C8	180.00'	81.00'	S67°32'52"E 79.64'
C9	104.47'	53.89'	N11°19'13"E 62.68'
C10	53.25'	21.22'	N11°19'13"E 21.02'
C11	423.50'	212.22'	S02°33'02"E 211.62'
C12	126.00'	81.00'	S70°08'17"W 41.35'
C13	104.83'	19.29'	N02°30'04"E 187.61'
C14	194.83'	131.12'	N02°30'04"E 131.04'
C15	104.83'	38.83'	N12°28'22"E 54.82'
C16	178.02'	58.97'	N58°48'48"E 38.43'
C17	54.85'	28.43'	N58°48'48"E 38.43'
C18	178.02'	58.97'	N67°03'25"E 55.73'
C19	178.02'	58.97'	N67°03'25"E 55.73'
C20	178.02'	1.73'	N75°31'00"E 1.73'

ENCUMBRANCE IN FAVOR OF CITY OF CHARLOTTE, CHARLOTTE-MECKLENBURG UTILITIES, BALLSOUTH TELECOMMUNICATIONS, INC., DUNE POWER COMPANY, FLEMING NATURAL GAS AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF WATER MAINS, SEWER LINES, GAS LINES, CABLES, POWER LINES, CABLE, WIRE, AND RELATED EQUIPMENT.

THIS IS TO CERTIFY THAT ON THE 30th DAY OF OCTOBER, 2005, AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1600 (21 NCAC 50) AND THE RULES OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED FOR 20 SECONDS ANGLES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.



THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 4, 2004, COMMAND NUMBER 1-320159-0106-E.

PERIMETER WOODS BUSINESS PARK LLC
 A REVISION OF TRACT E-1, PERIMETER WOODS, MAP 4, TRACT E-1
 MAP BOOK 31, PAGE 483
 TAX NUMBER: 025-113-15

LEGEND:
 NCOS - NORTH CAROLINA GEODESIC SURVEY
 DB - DEED BOOK
 EP - EXISTING IRON PIN
 NR - NEW IRON ROD
 MB - MAP BOOK
 R/W - RIGHT OF WAY

DATE	BY	REVISIONS
11/04/05	TO	SHOW PHASE
12/13/05	TO	PHASE LINE
1/3/06	TO	RE-LABEL CURVE
6/30/06	TO	CHANGE PHASE LINE

ABANDONMENT MAP OF:
PERIMETER PARKWAY
 MAP BOOK 23, PAGE 395
 STREET LIES BETWEEN TAX PARCELS AS 025-113-11, 12, 15, 16, 18, & 025-114-01
 THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC
 R.B. PHARR & ASSOCIATES, P.A.
 SURVEYING & MAPPING
 430 HAWTHORNE LANE, CHARLOTTE, N.C. 28204
 TEL: (704) 376-2166
 DATE: OCTOBER 3, 2005
 FILE NO. W-537 (EOL)
 LOR NO. 60203

AREA OF PHASE 1: 113,156 SQ.FT. OR 2,594 ACRES
 AREA OF PHASE 2: 132,967 SQ.FT. OR 3,0525 ACRES
 SCALE: 1"=50'

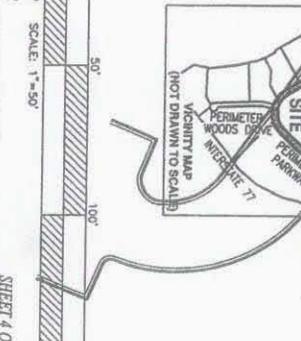
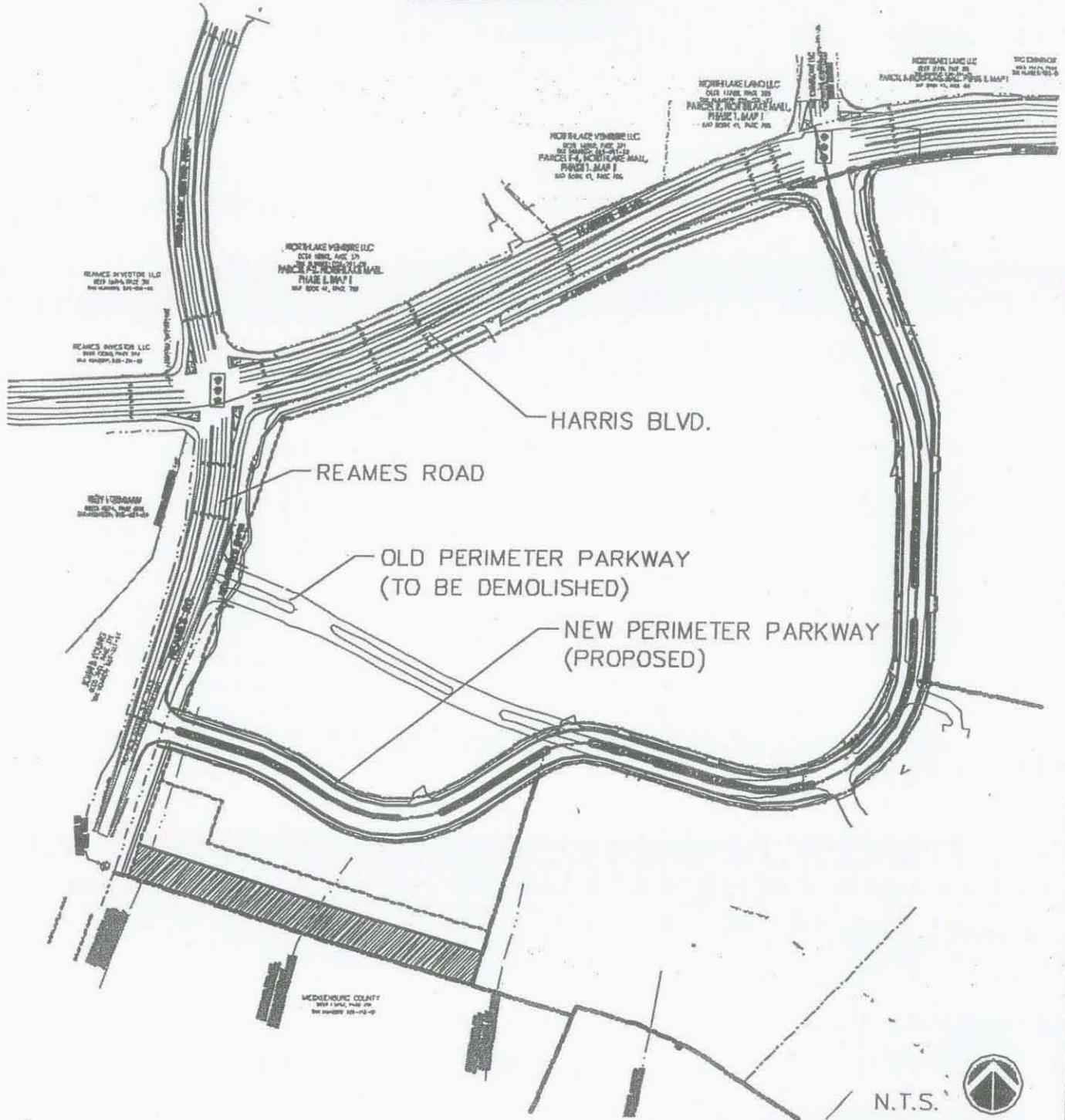
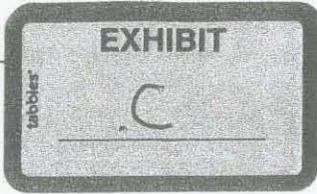


EXHIBIT B
(Phase 1)

BEGINNING at an existing iron pin located at the common intersection of the easterly right-of-way margin of Reames Road (S.R. 2113, a variable width public right-of-way), the northerly right-of-way margin of Perimeter Parkway (a variable width public right-of-way) as shown on Map Book 23 at Page 595, Mecklenburg County Registry, and the southerly boundary of the property owned (now or formerly) by Perimeter Woods Land, LLC as described in Deed Book 13521 at Page 281, Map Book 37 at Page 1, Tract II, Mecklenburg County Registry; thence with the northerly margin of said Perimeter Parkway and the southerly boundary of the Perimeter Woods Land, LLC property the following nine (9) courses and distances: (1) with the arc of a circular curve to the left having a radius of 60.00 feet, an arc distance of 87.09 feet, said arc being subtended by a chord bearing S. 29-23-52 E. 79.64 feet to an existing iron pin; (2) S. 69-51-31 E. 6.62 feet to a 3/8" new iron rod; (3) with the arc of a circular curve to the right having a radius of 1,946.50 feet, an arc distance of 135.68 feet, said arc being subtended by a chord bearing S. 69-04-04 E. 135.66 feet to an existing iron rod; (4) S. 60-07-51 E. 92.50 feet to a 3/8" existing iron rod; (5) with the arc of a circular curve to the left having a radius of 1,937.50 feet, an arc distance of 94.34 feet, said arc being subtended by a chord bearing S. 62-57-34 E. 94.33 feet to a 1/2" existing iron rod; (6) S. 61-33-53 E. 110.00 feet to a 3/8" existing iron rod; (7) with the arc of a circular curve to the left having a radius of 1,599.50 feet, an arc distance of 335.00 feet, said arc being subtended by a chord bearing S. 67-33-53 E. 334.39 feet to a 3/8" existing iron rod; (8) S. 73-33-53 E. 390.00 feet to a 3/8" existing iron rod; and (9) with the arc of a circular curve to the left having a radius of 307.50 feet, an arc distance of 187.36 feet, said arc being subtended by a chord bearing N. 88-58-48 E. 184.48 feet to a point located in the northerly margin of Perimeter Parkway and the southerly boundary of the Perimeter Woods Land, LLC property; thence crossing the width of Perimeter Parkway S. 22-17-07 E 75.13 feet to a point located in the southerly margin of Perimeter Parkway and the northerly boundary of the property owned (now or formerly) by Perimeter Woods Business Park LLC as described in Deed Book 13521 at Page 275, A Revision of Tract E-1, Perimeter Woods, Map 4, Tract E-1, Map Book 31 at Page 483, Mecklenburg County Registry; thence with the southerly margin of Perimeter Parkway the following nine (9) courses and distances: (1) with the arc of a circular curve to the right having a radius of 382.50 feet, an arc distance of 234.23 feet, said arc being subtended by a chord bearing S. 88-36-21 W. 234.23 feet to a 3/8" new iron rod; (2) N. 73-33-53 W. 390.00 feet to a 3/8" existing iron rod; (3) with the arc of a circular curve to the right having a radius of 1,674.50 feet, an arc distance of 350.71 feet, said arc being subtended by a chord bearing N. 67-33-53 W. 350.07 feet to a 3/8" existing iron rod; (4) N. 61-33-53 W. 110.00 feet to a 3/8" existing iron rod; (5) with the arc of a circular curve to the left having a radius of 1,862.50 feet, an arc distance of 86.69 feet, said arc being subtended by a chord bearing N. 62-53-54 W. 86.69 feet to a 3/8" existing iron rod; (6) N. 71-13-59 W. 92.50 feet to a 3/8" existing iron rod; (7) with the arc of a circular curve to the left having a radius of 1,853.50 feet, an arc distance of 129.20 feet, said arc being subtended by a chord bearing N. 69-04-04 W. 129.17 feet to a 3/8" new iron rod; (8) N. 69-58-47 W. 8.45 feet to a 3/8" new iron rod; and (9) with the arc of a circular curve to the left having a radius of 50.00 feet, an arc distance of 75.58 feet, said arc being subtended by a chord bearing S. 65-41-17 W. 68.59 feet to an existing iron pin located in the easterly margin of said Reames Road; thence with the easterly margin of Reames Road N. 16-38-49 E. 193.07 feet to the POINT OR PLACE OF BEGINNING, containing 2.5954 acres, or 113,056 square feet, and being further identified as Phase I on the Abandonment Map of Perimeter Parkway prepared by R.B. Pharr &

August 28, 2006
Resolution Book 40, Page 277

Associates, P.A., dated October 3, 2005, last revised June 30, 2006, reference to which this survey is hereby made.



Project Number 101.1425.00	Principal in Charge <u>Jen Garble</u> Project Manager <u>Brian Dry</u> Drawn By <u>Brian Dry</u> Issue Date <u>12/16/05</u>
Bulletin Drawing	<i>This drawing and the design shown are the property of Little Diversified Architectural Consulting. The reproduction, copying or other use of this drawing without the written consent is prohibited and any infringement will be subject to legal action.</i> © 2006 LDC

Project Name Perimeter Woods
Sheet Title Perimeter Parkway Alignment

LITTLE
DIVERSIFIED ARCHITECTURAL CONSULTING

5815 Westpark Drive, Charlotte, NC 28217
T: 704.525.6350 F: 704.561.8700
www.littleonline.com

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on August 28, 2006.

* * *

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "City Council") was held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on August 28, 2006 (the "Meeting"), after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Councilmember Barnes, Burgess, Carter, Dulin, Foxx, Kinsey, Lassiter, Lochman, Mumford and Turner.

The following members of the City Council were absent: Councilmember Mitchell

Also present: Mayor

Burgess, Council Member of the City Council of the City of Charlotte, North Carolina (the "City"), introduced the following Bond Order, copies of which have been made available to the City Council:

**BOND ORDER AUTHORIZING THE ISSUANCE OF \$85,200,000
GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS
OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

WHEREAS, the City Council of the City of Charlotte, North Carolina (the "City Council") has ascertained and hereby determines that it is necessary to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads, intersections, parking lots and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; and the acquisition of land and rights-of-way in land required therefor; and

WHEREAS, an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the General Obligation Public Improvements Bonds hereinafter described as required by the Local Government Bond Act, and the City Clerk has notified the City Council that the application has been accepted for submission to the Local Government Commission.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Charlotte, North Carolina, as follows:

Section 3. A sworn statement of the City's debt has been filed with the City Clerk and is open to public inspection.

Section 4. This bond order shall take effect when approved by the voters of the City at a referendum scheduled for November 7, 2006.

Burgess, Council Member of the City Council of the City of Charlotte, North Carolina (the "City"), then introduced the following Bond Order, copies of which have been made available to the City Council:

**BOND ORDER AUTHORIZING THE ISSUANCE OF \$25,000,000
GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENT BONDS
OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

WHEREAS, the City Council of the City of Charlotte, North Carolina (the "City Council") has ascertained and hereby determines that it is necessary to pay the capital costs of infrastructure improvements in various neighborhoods of the City, including the cost of related studies, plans and design; acquiring, constructing, reconstructing, improving, installing or providing curbs, gutters, storm drainage and sidewalks; paving, resurfacing, grading or improving streets, roads and intersections; and providing related landscaping and lighting and acquiring any necessary equipment, land, interests in land and rights-of-way therefor; and

WHEREAS, an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the General Obligation Neighborhood Improvement Bonds hereinafter described as required by the Local Government Bond Act, and the City Clerk has notified the City Council that the application has been accepted for submission to the Local Government Commission.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Charlotte, North Carolina, as follows:

Section 1. In order to raise the money required for the housing purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Neighborhood Improvement Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such General Obligation Neighborhood Improvement Bonds authorized by this order shall be \$25,000,000.

Section 2. A tax sufficient to pay the principal of and interest on said General Obligation Neighborhood Improvement Bonds when due shall be annually levied and collected.

Section 3. A sworn statement of the City's debt has been filed with the City Clerk and is open to public inspection.

Section 4. This bond order shall take effect when approved by the voters of the City at a referendum scheduled for November 7, 2006.

Section 1. In order to raise the money required for the public improvement purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Public Improvements Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such General Obligation Public Improvements Bonds authorized by this order shall be \$85,200,000.

Section 2. A tax sufficient to pay the principal of and interest on said General Obligation Public Improvements Bonds when due shall be annually levied and collected.

Section 3. A sworn statement of the City's debt has been filed with the City Clerk and is open to public inspection.

Section 4. This bond order shall take effect when approved by the voters of the City at a referendum scheduled for November 7, 2006.

Burgess, Council Member of the City Council of the City of Charlotte, North Carolina (the "City"), then introduced the following Bond Order, copies of which have been made available to the City Council:

**BOND ORDER AUTHORIZING THE ISSUANCE OF \$10,000,000
GENERAL OBLIGATION HOUSING BONDS
OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

WHEREAS, the City Council of the City of Charlotte, North Carolina (the "City Council") has ascertained and hereby determines that it is necessary to pay the capital costs of acquiring, constructing, developing, equipping and furnishing housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including without limitation loans, grants, interest supplements and other programs of financial assistance to persons of low income, or moderate income, or low and moderate income, and developers of housing for persons of low income, or moderate income, or low and moderate income, and construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor; and

WHEREAS, an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the General Obligation Housing Bonds hereinafter described as required by the Local Government Bond Act, and the City Clerk has notified the City Council that the application has been accepted for submission to the Local Government Commission.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Charlotte, North Carolina, as follows:

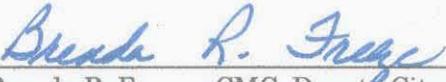
Section 1. In order to raise the money required for the housing purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Housing Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such General Obligation Housing Bonds authorized by this order shall be \$10,000,000.

Section 2. A tax sufficient to pay the principal of and interest on said General Obligation Housing Bonds when due shall be annually levied and collected.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 279-282.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of August, 2006.


Brenda R. Freeze, CMC, Deputy City Clerk

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on August 28, 2006.

* * *

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "City Council") was held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on August 28, 2006 (the "Meeting"), after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Councilmember Barnes, Burgess, Carter, Dulin, Foxx, Kinsey, Lassiter, Lochman, Mumford and Turner.

The following members of the City Council were absent: Councilmember Mitchell

Also present: Mayor

Councilmember Burgess introduced the following resolution (the "Resolution"), a summary of which had been provided to each Council member, a copy of which was available with the City Clerk and which was read by title:

RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA REGARDING BOND ORDERS AUTHORIZING THE ISSUANCE OF \$85,200,000 GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS, AUTHORIZING THE ISSUANCE OF \$10,000,000 GENERAL OBLIGATION HOUSING BONDS AND \$25,000,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS, SETTING A PUBLIC HEARING THEREON AND DIRECTING PUBLICATION OF A NOTICE OF SAID PUBLIC HEARING

WHEREAS, bond orders entitled:

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$85,200,000 GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;"

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$10,000,000 GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;" and

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$25,000,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;"

have been introduced at a meeting of the City Council (the "City Council") of the City of Charlotte, North Carolina this 28th day of August, 2006; and

WHEREAS, the City Council desires to provide for the holding of a public hearing thereon on September 11, 2006 and the submission of a statement of debt in connection therewith as required by The Local Government Bond Act.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA that the public hearing on said bond orders shall be held on the 11th day of September, 2006 at 7:00 p.m. in the Meeting Chamber, Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, 28202.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of said bond orders to be published with a notice of such hearing in the form prescribed by law in the *Charlotte Observer* on or before the 1st day of September, 2006.

BE IT FURTHER RESOLVED that the Director of Finance is hereby directed to file prior to publication of the bond orders with the notice of such public hearing, a statement setting forth the debt incurred or to be incurred, the net debt of the City, the assessed value of property subject to taxation by the City and the percentage that net debt of the City bears to the assessed value of property subject to taxation.

BE IT FURTHER RESOLVED that this Resolution shall become effective on the date of its adoption.

Upon motion of Councilmember Burgess, seconded by Councilmember Carter, the foregoing resolution entitled: **"RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA REGARDING BOND ORDERS AUTHORIZING THE ISSUANCE OF \$85,200,000 GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS, AUTHORIZING THE ISSUANCE OF \$10,000,000 GENERAL OBLIGATION HOUSING BONDS AND \$25,000,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS, SETTING A PUBLIC HEARING THEREON AND DIRECTING PUBLICATION OF A NOTICE OF SAID PUBLIC HEARING"** was adopted by the following vote: Unanimous

AYES: _____

NAYS: _____

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 23-285.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of August, 2006.


Brenda R. Freeze, CMC, Deputy City Clerk

RCA of Council support for US National Whitewater Center

RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON AUGUST 28, 2006

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

WHEREAS, the U.S. NATIONAL WHITEWATER CENTER, INC. (hereinafter referred to as "Developer") is developing the U.S. National Whitewater Center ("Center"), an outdoor recreation and environmental learning center open to the public and consisting of mountain-biking trails, a climbing center, running trails, camping area, and a multiplechannel, customized whitewater river for rafting, canoeing, and kayaking, and located near the intersection off-85 and I-485 along the Catawba River; and,

WHEREAS, the permanent public access to the Center will be by means of a to be constructed public road known as the Whitewater Parkway; and,

WHEREAS, while the Whitewater Parkway is being built, the desirable temporary public access to the Center is by Hawfield Road, which is maintained by the North Carolina Department of Transportation ("NCDOT"); and,

WHEREAS, the State of North Carolina has allocated at least \$1,000,000 to the construction of access to the Center; and,

WHEREAS, NCDOT Division 10 staff has stated that the allocation of these funds for this project will not be subject to the equity formula;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte, North Carolina supports the request for the use of these funds to construct improvements for both permanent and temporary access to the Center.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of August, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 286.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of August, 2006.


Brenda R. Freeze, CMC, Deputy City Clerk