

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of
Johnston Road in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, Continental Communities/Charlotte, LLC has filed a petition to close a
portion of Johnston Road in the City of Charlotte; and

Whereas, the portion of Johnston Road to be closed lies on the west side of
Johnston Road, directly across from North Community House Road at Johnston Road as
shown in the map marked "Exhibit A" and is more particularly described by metes and
bounds in a document marked "Exhibit B" both 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 it's 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 two 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 and

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's
regularly scheduled session of December 9, 2002 that it intends to close a portion of
Johnston Road 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 13th day of January, 2003 in CMGC meeting chamber, 600 East 4th 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 two successive weeks next preceding the date fixed here for such
hearing as required by N.C.G.S. 160A-299.

CERTIFICATION

I, Nancy S. Gilbert, 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 9th day of December, 2002, the reference
having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Page 115.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of
December, 2002.


Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

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

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

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 9th day of December, 2002 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, Nancy S. Gilbert, 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 9th day of December, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Pages 116-117.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of December, 2002.


Nancy S. Gilbert, CMC, Deputy City Clerk

PROPERTY TAX
TAXPAYERS AND REFUNDS REQUESTED
MORE THAN \$100

<u>Name</u>	<u>Clerical Error</u>	<u>Amount of Refund</u>
Banc of America Leasing		\$13,080.55
Tucker Properties LLC		727.78
Tucker Properties LLC		720.07
Tucker Properties LLC		720.07
Solectron Technology Inc		2,074.17
Bank of America		105.36
Waterfield Mortgage Co. Inc.		180.54
Tucker Properties		631.26
Y & W Realty		566.45
ESA 0371 Inc		1,646.65
ESA 0371 Inc		1,436.83
Colora Knits Inc		633.33
Colora Knits Inc.		292.57
Jackalopes Corner		144.49
Stork Screens-America Inc.		7,366.46
Stratis Business Center		259.79
Stratis Business Center		172.08
Ri-Ra The Irish Pub		2,159.06
Ri-Ra The Irish Pub		1,548.00
Gardner Edward E. III & wf		2,917.23
Verizon Wireless Amphitheatre		671.27
Reames Road Associates		140.94
Rehnborg Radley J & wf Jane E		166.91
1800 Camden Row LLC		102.51
Moore Eloise A		143.25
Moore Thomas Jr.		135.78
U.S. Bancorp Oliver-Allen		140.57
Rohm and Haas Company		2,293.82
Cruz Jesus Navarro		128.74
Total		\$41,306.53

CHARLOTTE CITY COUNCIL

**Resolution Authorizing the Donation of City owned property to the City of
Charlotte Housing Authority.**

WHEREAS, North Carolina General Statutes Section 160A-274
authorizes the City to donate City owned property to another governmental agency; and

WHEREAS, the City of Charlotte owns the sewer cleaner truck listed on
Exhibit A.

WHEREAS, the equipment has been declared surplus by the City; and

WHEREAS the City of Charlotte Housing Authority administrators have
expressed a need for this sewer cleaning equipment; and

NOW, THEREFORE, be it resolved by the Charlotte City Council that the
City Manager or her designee is authorized to donate the property to the City of Charlotte
Housing Authority.

CERTIFICATION

I, Nancy S. Gilbert, 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 9th day of December, 2002, the reference
having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Page 118.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of
December, 2002.



Nancy S. Gilbert, 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 **16" WATER MAIN-SERVE 14610 STUMPTOWN ROAD**; 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 **16" WATER MAIN-SERVE 14610 STUMPTOWN ROAD** and estimated to be approximately **3,429 square feet (0.07 acre) of Permanent 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. 009-311-01, said property currently owned **RHEIN INTEREST OF CHARLOTTE; 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, Nancy S. Gilbert, 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 9th day of December, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Page 119.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of December, 2002.



Nancy S. Gilbert, 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 **PROSPERITY CHURCH ROAD WIDENING-PH. II**; 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 for **PROSPERITY CHURCH ROAD WIDENING-PH. II** and estimated to be approximately **33,662 square feet (0.773 acre) of Fee Simple, Permanent 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. 029-361-24 and 029-361-11, said property currently owned by **THE TRADITION AT MALLARD CREEK, LLC; HENRY N. PHARR, II, Trustee; FIRST COLONY LIFE INSURANCE COMPANY, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

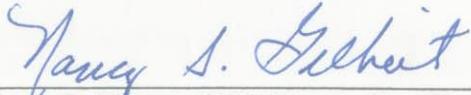
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Nancy S. Gilbert, 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 9th day of December, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Page 120.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of December, 2002.


Nancy S. Gilbert, 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 **SANITARY SEWER-SERVE TORRENCE CREEK TRIBUTARY #1 PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **SANITARY SEWER-SERVE TORRENCE CREEK TRIBUTARY #1 PROJECT**, and estimated to be approximately **25,440 square feet (0.584 acre) of Permanent Easement and Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel Nos. 009-104-07 and 009-104-08, said property currently owned by **EDWIN R. MCCOY, III and spouse, if any; GARY W. MCCOY and CATHERINE L. MCCOY; H. MICHAEL MCCOY and LUANNE B. MCCOY; JERONE C. HERRING, Trustee; BRANCH BANKING AND TRUST COMPANY, Beneficiary; ELBERT H. RICHARD, Trustee; UNITED CAROLINA BANK, 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, Nancy S. Gilbert, 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 9th day of December, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Page 121.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of December, 2002.


Nancy S. Gilbert, 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 **PARK ROAD EXTENSION SIDEWALK 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 **PARK ROAD EXTENSION SIDEWALK PROJECT** and estimated to be approximately **1,157 square feet (.027 acre) of Permanent Sidewalk 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. 221-421-20, said property currently owned by **PAULETTE DORSEY and spouse, if any; JOHN W. PRICHARD, JR., Trustee; THE MONEY CENTRE, INC., Beneficiary; PRLAP, INC., Trustee; BANK OF AMERICA, N. A., Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

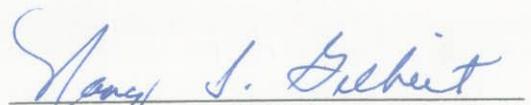
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Nancy S. Gilbert, 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 9th day of December, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Page 122.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of December, 2002.


Nancy S. Gilbert, CMC, Deputy City Clerk

FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2002 DEC 31 11:21 AM
BOOK: 14626 PAGE: 271-275 FEE: \$23.00
INSTRUMENT # 2002260750

Drawn by: City of Charlotte
Return to: City of Charlotte - Day

RESOLUTION CLOSING A PORTION OF BROWNSTONE STREET 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 Brownstone Street 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 Brownstone Street 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 Company, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the petitioner and two abutting property owners have agreed to a distribution of right-of-way as described in "Exhibit C" attached hereto and made part hereof.

WHEREAS, the public hearing was held on the 9th day of December, 2002 and City Council determined that the closing of a portion of Brownstone Street 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 December 9, 2002, that the Council hereby orders the closing of a portion of Brownstone Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in document marked "Exhibit B", both of which are attached hereto and made a part hereof.

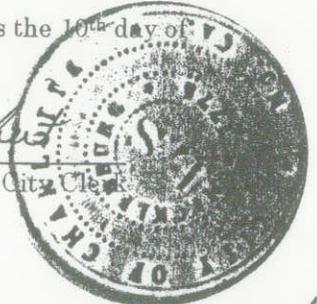
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

CERTIFICATION

I, Nancy S. Gilbert, 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 9th day of November, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Pages 123-126.

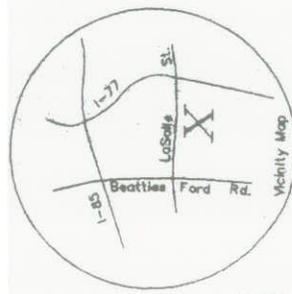
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of October, 2002.

Nancy S. Gilbert
Nancy S. Gilbert, CMC, Deputy City Clerk



THIS IS TO CERTIFY THAT THIS SURVEY IS BASED UPON THE TITLE RECORDS OF THE PUBLIC RECORDS OF MECKLENBURG COUNTY, NORTH CAROLINA, AND UPON MY BEST KNOWLEDGE, INFORMATION AND BELIEF. THIS SURVEY DOES NOT REFLECT A COMPLETE TITLE EXAMINATION. PRECISION IS GREATER THAN 1:10,000.

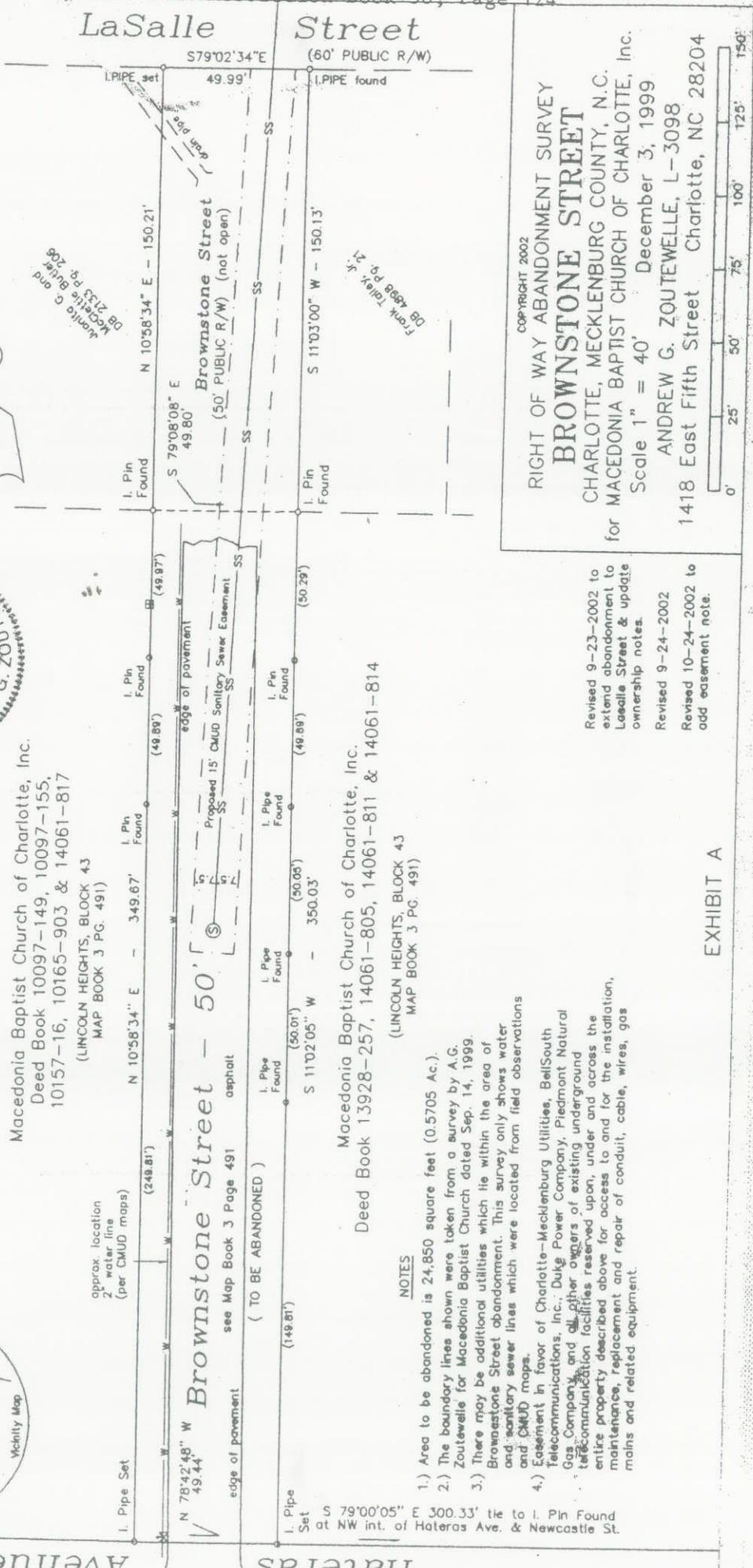
- ch. chard
- LR curve length & radius
- s.f. square feet (by coordinates)
- I.PIN iron survey stake
- conc. concrete
- a/c air conditioner
- MB, DB record map and deed references
- PP light pole
- PP power pole
- PP water line
- W- sanitary sewer manhole



AGZ



Macedonia Baptist Church of Charlotte, Inc.
Deed Book 10097-149, 10097-155,
10157-16, 10165-903 & 14061-817
(LINCOLN HEIGHTS, BLOCK 43
MAP BOOK 3 PG. 491)



Brownstone Street - 50'
see Map Book 3 Page 491
(TO BE ABANDONED)

Macedonia Baptist Church of Charlotte, Inc.
Deed Book 13928-257, 14061-805, 14061-811 & 14061-814
(LINCOLN HEIGHTS, BLOCK 43
MAP BOOK 3 PG. 491)

NOTES

- 1.) Area to be abandoned is 24,850 square feet (0.5705 Ac.).
- 2.) The boundary lines shown were taken from a survey by A.G. Zoutewelle for Macedonia Baptist Church dated Sep. 14, 1999.
- 3.) There may be additional utilities which lie within the area of Brownstone Street abandonment. This survey only shows water and sanitary sewer lines which were located from field observations and CMUD maps.
- 4.) Easement in favor of Charlotte-Mecklenburg Utilities, BellSouth Telecommunications, Inc., Duke Power Company, Piedmont Natural Gas Company, and all other owners of existing underground telecommunication facilities reserved upon, under and across the entire property described above for access to and for the installation, maintenance, replacement and repair of conduit, cable, wires, gas mains and related equipment.

COPYRIGHT 2002
RIGHT OF WAY ABANDONMENT SURVEY
BROWNSTONE STREET
CHARLOTTE, MECKLENBURG COUNTY, N.C.
for MACEDONIA BAPTIST CHURCH OF CHARLOTTE, Inc.
Scale 1" = 40' December 3, 1999
ANDREW G. ZOUTEWELLE, L-3098
1418 East Fifth Street Charlotte, NC 28204

Revised 9-23-2002 to extend abandonment to LaSalle Street & update ownership notes.
Revised 9-24-2002
Revised 10-24-2002 to add easement note.

EXHIBIT A

LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Linda B. Poissant
Review Officer

12/27/02
Date

Return to: City of Charlotte
City of Charlotte - Hwy

Exhibit B

Legal Description Brownstone Street

Being all that certain tract or parcel of land lying within the City of Charlotte, Mecklenburg County, North Carolina and known as a portion of Brownstone Street as depicted on a plat of Lincoln Heights as recorded in Map Book 3 Page 491 of the Mecklenburg County Registry, and being more particularly described as follows:

Beginning at a new iron pipe located at the intersection of the northerly right of way margin of Hateras Avenue (50 feet in width) with the easterly right of way margin of Brownstone Street (50 feet in width) as shown on the aforesaid plat of Lincoln Heights, said point being also located North 79-00-05 West 300.33 feet from an existing iron pipe located at the intersection of the said northerly margin of Hateras Avenue with the westerly right of way margin of Newcastle Street (width varies from 50 feet), and running thence from said point and place of BEGINNING along the said northerly margin of Hateras Avenue North 78-42-48 West 49.44 feet to a new iron pipe; thence along the westerly right of way margin of Brownstone Street North 10-58-34 East 349.67 feet to an existing iron pin; thence continuing with the westerly right of way margin of Brownstone Street North 10-58-34 East 150.21 feet to a new iron pipe; thence along the southerly right of way margin of LaSalle Street (60 feet in width) South 79-02-34 East 49.99 feet to an existing iron pipe; thence along the aforesaid easterly margin of Brownstone Street South 11-03-00 West 150.13 feet to an existing iron pin; thence along the said easterly margin of Brownstone Street South 11-02-05 West 350.03 feet to the point and place of BEGINNING, containing 24,850 square feet as shown on a survey by Andrew G. Zoutewelle dated December 3, 1999 as revised on September 23, 2002.

by: City of Charlotte
Return to: City of Charlotte - Box

Exhibit C

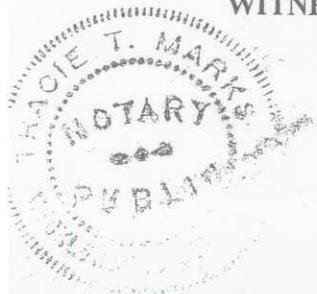
I, Juanita McClettie, owner of tax parcel 075-048-17, do hereby consent to the abandonment of the right-of-way adjoining my property and further described in Exhibits A and B herein attached. That, once abandoned, the described right-of-way will become the property of Frank Talley, Jr. Frank Talley will be responsible for the maintenance of the abandoned right-of-way.

Juanita McClettie
Juanita McClettie

STATE OF North Carolina
COUNTY OF mecklenburg

I, Tracie T. Marks, a Notary Public, certify that Juanita McClettie personally came before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this 25th day of November, 2002.



Tracie T. Marks
NOTARY PUBLIC

My commission expires: July 8, 2004

Drawn by: **City of Charlotte**
Return to: **City of Charlotte - Box**

RESOLUTION STATING THE INTENT OF THE CITY OF CHARLOTTE TO PAY
ECONOMIC LOSS TO QUALIFIED SOLID WASTE COLLECTION FIRMS
UNDER G. S. 160-49.3

BE IT RESOLVED by the City of Charlotte, North Carolina:

Section 1. That the City of Charlotte intends to pay the economic loss, as defined by G.S. §160A-49.3 (f), to those solid waste collection firms operating within areas proposed for annexation, as described in resolutions adopted September 17, 2002, including any subsequent amendments thereto.

Section 2. That such firms have substantially satisfied the requirements of G. S. 160A-49.3.

Section 3. That such economic loss shall not be paid until the annexation which gives rise to such loss becomes effective.

Section 4. That the names of such firms and the total amount of such economic loss are set forth below:

Waste Industries, Inc.	\$336,833.92
Select Sanitation	<u>78,232.00</u>
	\$415,065.92

This the 9th day of December, 2002.

APPROVED AS TO FORM:



Senior Deputy City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 9th day of December, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Page 127.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of December, 2002.



Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AMENDING REPORT OF PLANS FOR
SERVICES FOR PARKWAY PLAZA AREA

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

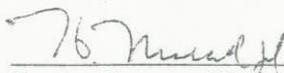
Section 1. That the following pages are deleted from the report of plans for services for the Parkway Plaza Area, as originally approved by the City Council on September 23, 2002: 5, 7, 28, 34, 35 and 36.

Section 2. That, except as noted in Section 3, the pages attached hereto and incorporated herein are substituted in lieu of the pages deleted from said report in Section 1 above.

Section 3. That the attached page 26a is a new page to be added to said report. Pages 35 and 36 of said report are deleted and no pages are being substituted in lieu of said pages.

Adopted this the 9th day of December, 2002.

Approved as to form:



Senior Deputy City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 9th day of December, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Pages 128-133.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of December, 2002.



Nancy S. Gilbert, CMC, Deputy City Clerk

PART I: THE PROPOSED AREA

General Description of the Area

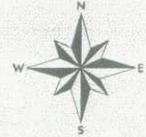
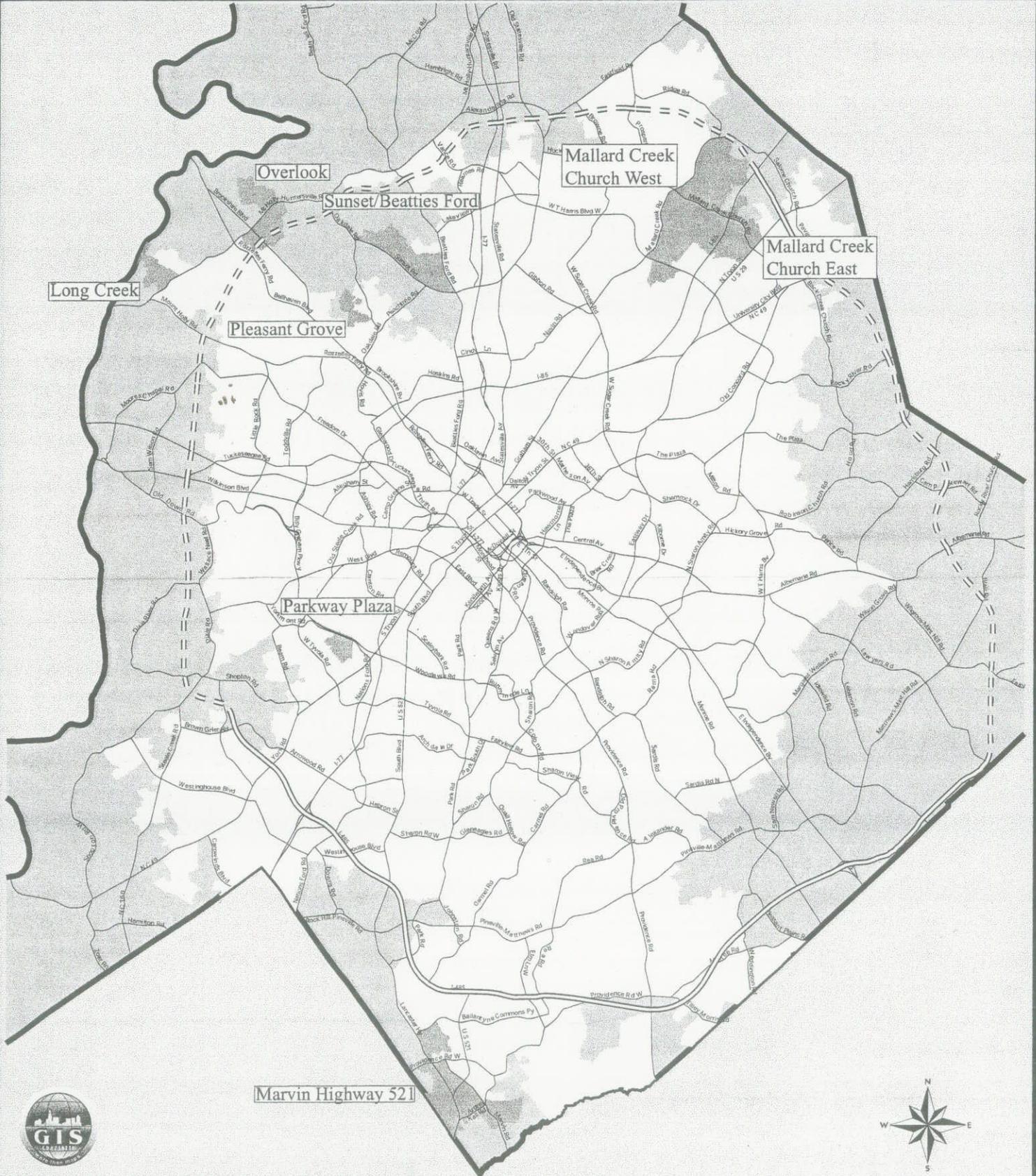
The Parkway Plaza area is located entirely within the existing City limits west southwest of the central business district, along Billy Graham Parkway. The area is predominantly developed as a business park with some residential development, including the Courtney Ridge apartment complex. The area contains 221.3 acres and has an estimated population of 635.

Standards and Criteria

STATEMENT SHOWING THAT THE AREA PROPOSED TO BE ANNEXED MEETS THE LEGISLATIVE STANDARDS PRESCRIBED BY G.S. 160A-48.

- A. The area proposed to be annexed meets the general standards of G.S. 160A-48(b) as follows:
1. The area is contiguous, as defined in G.S. 160A-53, to the City's boundary as of the time of the beginning of this annexation proceeding.
 2. The aggregate boundary of the area is 17,767.0 feet, of which 17,767.0 feet or one hundred percent (100 percent) coincides with the present City boundary.
 3. No part of the area is included within the boundary of another incorporated municipality.
- B. Except for the portion of the area described in Section E below as "subsection (d) land", the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The part of the area remaining after removing the subsection (d) land qualifies for annexation under the standards of two and three-tenths persons per acre of land. The developed part of the area has an estimated total population of 3.61 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 285 dwelling units in the area (280 multi-family and 5 single family), which when multiplied by the average household size (2.48 for multi-family and 2.88 for single family, according to the latest federal decennial census) results in an estimated total resident population of 635. This population, when divided by the total number of acres (175.7) in the developed portion of the area, results in a population density of 3.61 persons per acre.
- C. The area proposed to be annexed does not meet the requirements of G.S. 160A-48(c)(2).
- D. The area proposed to be annexed does not meet the requirements of G.S. 160A-48(c)(3).
- E. A portion of the proposed annexation area does not meet the requirements of G.S. 160A-48(c), as described in B, C, and D above, but does meet the requirements of G.S. 160A-48(d)(2). This area - known as "subsection (d) land" - does not exceed twenty-five

2003 Annexation Qualifying Areas Revised



Page 26a, Parkway Plaza

OTHER FINANCING INFORMATION. Appendix B contains information on financing the extension of City services into the area that is not included in the foregoing Plan for Services, including without limitation, start-up expenditures to be incurred during the current fiscal year. Appendix B includes both the amount and funding source of those expenditures.

Parkway Plaza: page 28

PART III: FIRE PROTECTION IMPACT STATEMENT

Steele Creek Volunteer Fire Department

The Steele Creek Volunteer Fire Department provides fire suppression services to Parkway Plaza, and the Mecklenburg County Fire Marshal's Office provides fire prevention services. The Steele Creek VFD serves as an insurance district as defined by G.S. 153A-233 and does not levy a fire tax on the property it protects. It also reports that it does not employ full-time personnel.

The Steele Creek Volunteer Fire Department estimates that the area of its fire district is 90 square miles; it did not estimate the population it protects. The population of Parkway Plaza is estimated to be .635 and the area .35 square mile. Based on this information, annexation will result in a .39 percent reduction in the area and an unknown reduction in the population served by the Steele Creek Volunteer Fire Department.

After annexation, the Charlotte Fire Department will provide all fire protection services to Parkway Plaza, possibly supplemented by a contract for fire suppression with the Steele Creek Volunteer Fire Department.

Fire Suppression

The Steele Creek Volunteer Fire Department operates 2 pumpers, 3 water tankers, and 2 brush trucks for fire suppression services. Volunteer firefighters' response is based on their individual ability to leave home or work when dispatched for a fire. Steele Creek VFD reports that an average of 8 volunteers respond during daylight hours (8:00 a.m. to 6:00 p.m.) and 16 at night (6:01 p.m. to 7:59 a.m.).

At the first report of a structure fire in the Parkway Plaza annexation area, the Steele Creek Station 2 is also dispatched to assist the Steele Creek VFD. The Mecklenburg County communications center provides dispatching to all Mecklenburg County volunteer fire departments, receiving calls through the 911 emergency number. Additional assistance is

APPENDIX A

STATISTICAL SUMMARY PER ANNEXATION STATUTORY REQUIREMENTS

PARKWAY PLAZA
 AREA IN TERMS OF STATUTORY REQUIREMENTS
 (STATISTICS COMPILED JUNE, 2002)

STATUTORY PREREQUISITE

At least one-eighth (1/8) of the total boundary (or 12.5%) of the area must coincide with the present municipal boundary.

	<u>Measured or Calculated</u>	<u>Statutory Standard</u>
1. Total boundary	17,767.0 ft.	
2. Boundary contiguous with municipal boundary	17,767 ft.	
3. Proportion of total boundary contiguous with the municipal boundary	100%	>= 12.5%

(area meets this statutory prerequisite)

QUALIFYING CRITERIA subsection C-1

Has a resident population equal to at least 2.3 persons for each acre of land within the developed part of the area.

	<u>Measured or Calculated</u>	<u>Statutory Standard</u>
1. Total number of dwellings in developed part of area		
Single family	5	
Multi-family	280	
2. Average number of persons per household (2000 Census)		
Single family	2.88	
Multi-family	2.48	
3. Estimated population of developed part of the area	635	
4. Acreage of developed part of the area	175.7	
5. Population per acre in developed part of area	3.61	>= 2.3

(area qualifies under subsection C-1)

A RESOLUTION AMENDING REPORT OF PLANS FOR
SERVICES FOR PLEASANT GROVE AREA

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

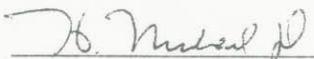
Section 1. That the following page is deleted from the report of plans for services for the Pleasant Grove Area, as originally approved by the City Council on September 23, 2002: 7.

Section 2. That, except as noted in Section 3, the page attached hereto and incorporated herein is substituted in lieu of the page deleted from said report in Section 1 above.

Section 3. That the attached page 26a is a new page to be added to said report.

Adopted this the 9th day of December, 2002.

Approved as to form:



Senior Deputy City Attorney

CERTIFICATION

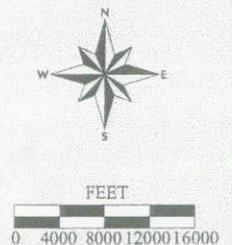
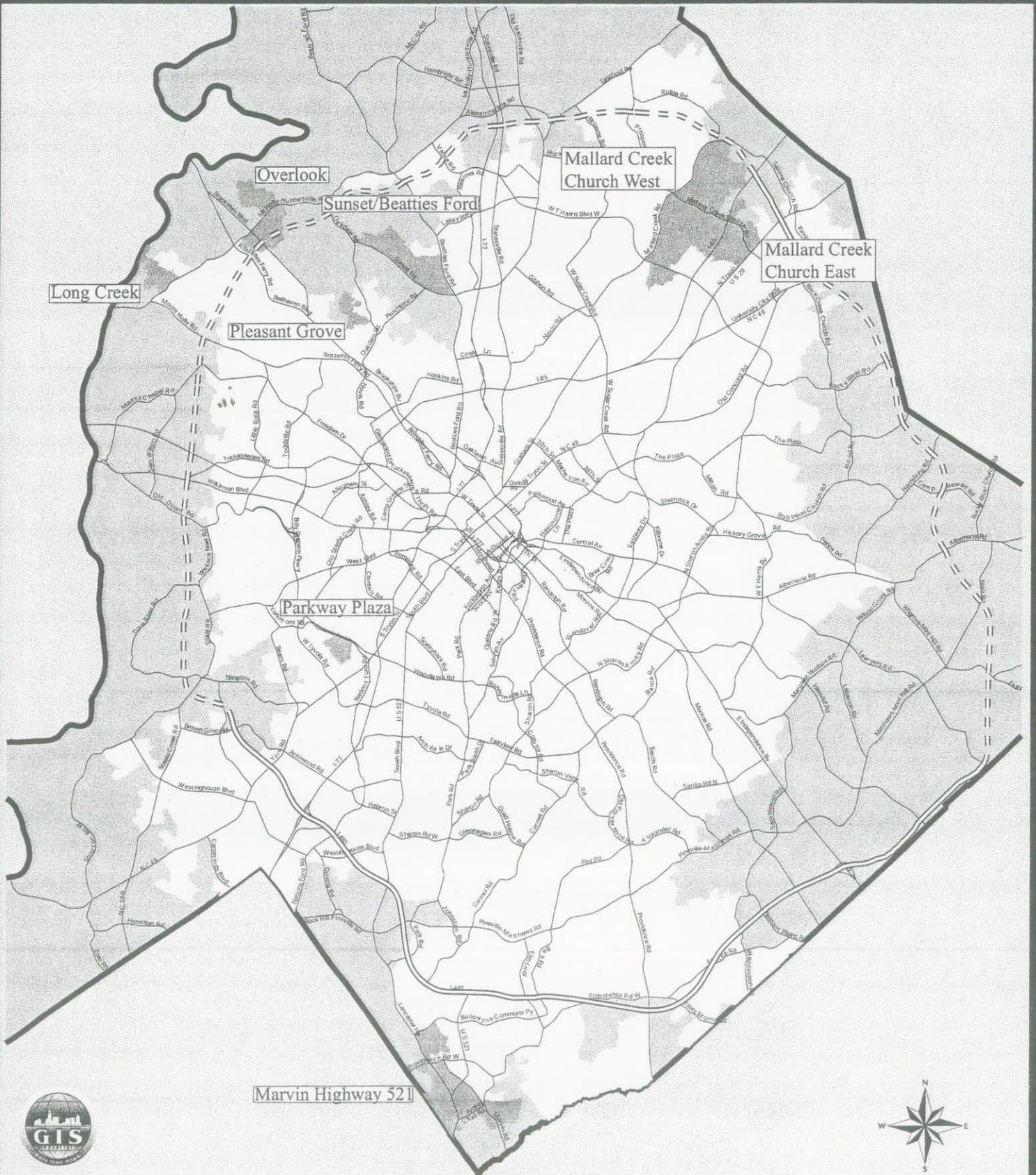
I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of December, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Pages 134-136.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of December, 2002.



Nancy S. Gilbert, CMC, Deputy City Clerk

2003 Annexation Qualifying Areas Revised



Page 26a, Pleasant Grove

OTHER FINANCING INFORMATION. Appendix B contains information on financing the extension of City services into the area that is not included in the foregoing Plan for Services, including without limitation, start-up expenditures to be incurred during the current fiscal year. Appendix B includes both the amount and funding source of those expenditures.

A RESOLUTION AMENDING REPORT OF PLANS FOR
SERVICES FOR SUNSET/BEATTIES FORD AREA

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

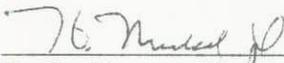
Section 1. That the following page is deleted from the report of plans for services for the Sunset/Beatties Ford Area, as originally approved by the City Council on September 23, 2002: 7.

Section 2. That, except as noted in Section 3, the page attached hereto and incorporated herein is substituted in lieu of the page deleted from said report in Section 1 above.

Section 3. That the attached page 26a is a new page to be added to said report.

Adopted this the 9th day of December, 2002.

Approved as to form:



Senior Deputy City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 9th day of December, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Pages 137-139.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of December, 2002.



Nancy S. Gilbert, CMC, Deputy City Clerk

Page 26a, Sunset/Beatties Ford

OTHER FINANCING INFORMATION. Appendix B contains information on financing the extension of City services into the area that is not included in the foregoing Plan for Services, including without limitation, start-up expenditures to be incurred during the current fiscal year. Appendix B includes both the amount and funding source of those expenditures.

A RESOLUTION AMENDING REPORT OF PLANS FOR
SERVICES FOR OVERLOOK AREA

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

Section 1. That the following page is deleted from the report of plans for services for the Overlook Area, as originally approved by the City Council on September 23, 2002: 8.

Section 2. That, except as noted in Section 3, the page attached hereto and incorporated herein is substituted in lieu of the page deleted from said report in Section 1 above.

Section 3. That the attached page 27a is a new page to be added to said report.

Adopted this the 9th day of December, 2002.

Approved as to form:

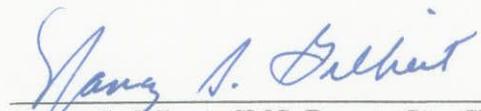


Senior Deputy City Attorney

CERTIFICATION

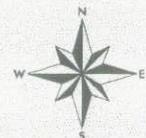
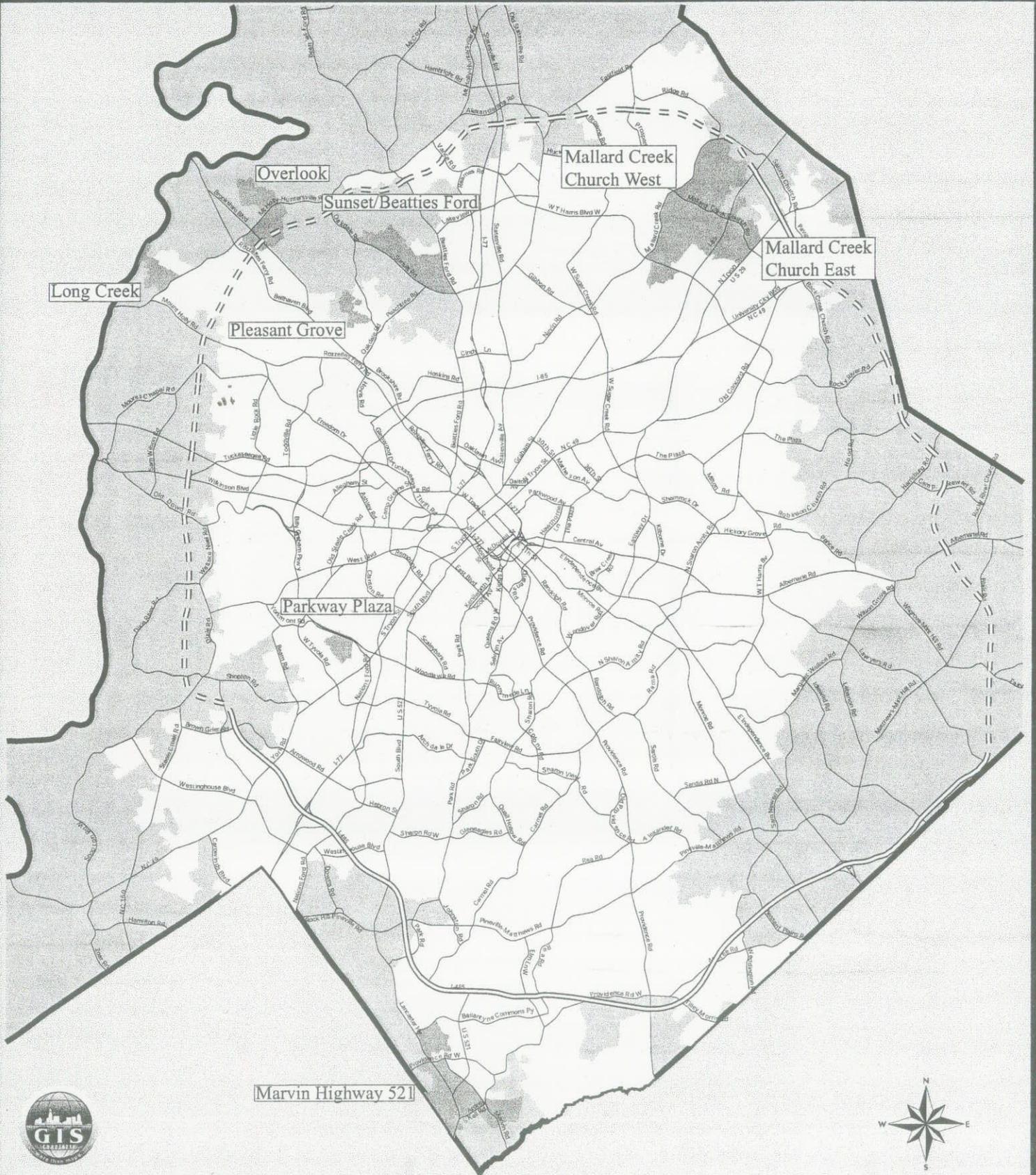
I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of December, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Pages 140-142.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of December, 2002.



Nancy S. Gilbert, CMC, Deputy City Clerk

2003 Annexation Qualifying Areas Revised



Page 27a, Overlook

OTHER FINANCING INFORMATION. Appendix B contains information on financing the extension of City services into the area that is not included in the foregoing Plan for Services, including without limitation, start-up expenditures to be incurred during the current fiscal year. Appendix B includes both the amount and funding source of those expenditures.

A RESOLUTION AMENDING REPORT OF PLANS FOR
SERVICES FOR LONG CREEK AREA

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

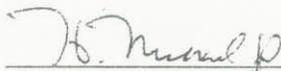
Section 1. That the following page is deleted from the report of plans for services for the Long Creek Area, as originally approved by the City Council on September 23, 2002: 7.

Section 2. That, except as noted in Section 3, the page attached hereto and incorporated herein is substituted in lieu of the page deleted from said report in Section 1 above.

Section 3. That the attached page 26a is a new page to be added to said report.

Adopted this the 9th day of December, 2002.

Approved as to form:



Senior Deputy City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 9th day of December, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Pages 143-145.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of December, 2002.



Nancy S. Gilbert, CMC, Deputy City Clerk

Page 26a, Long Creek

OTHER FINANCING INFORMATION. Appendix B contains information on financing the extension of City services into the area that is not included in the foregoing Plan for Services, including without limitation, start-up expenditures to be incurred during the current fiscal year. Appendix B includes both the amount and funding source of those expenditures.

A RESOLUTION AMENDING REPORT OF PLANS FOR
SERVICES FOR MARVIN/HIGHWAY 521 AREA

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

Section 1. That the following pages are deleted from the report of plans for services for the Marvin/Highway 521 Area, as originally approved by the City Council on September 23, 2002: 5, 7, 28, 34, 35 and 36.

Section 2. That, except as noted in Section 3, the pages attached hereto and incorporated herein are substituted in lieu of the pages deleted from said report in Section 1 above.

Section 3. That the attached page 26a is a new page to be added to said report. Pages 35 and 36 of said report are deleted and no pages are being substituted in lieu of said pages.

Adopted this the 9th day of December, 2002.

Approved as to form:

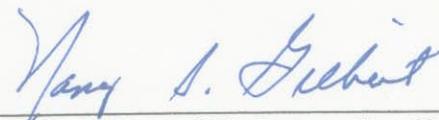


Senior Deputy City Attorney

CERTIFICATION

I, Nancy S. Gilbert, 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 9th day of December, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Pages 146-151.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of December, 2002.



Nancy S. Gilbert, CMC, Deputy City Clerk

PART I: THE PROPOSED AREA

General Description of the Area

The Marvin/Highway 521 area is located south of the present City limits between Wade Ardrey Road and the South Carolina State Line. Ballantyne Country Club, Maplecrest, Bridgehampton Club, and Southampton are some of the subdivisions included within the annexation boundaries. (The area does not include the area currently being developed for the county landfill.) The area contains 1,457.6 acres and has an estimated residential population of 2,957.

Standards and Criteria

STATEMENT SHOWING THAT THE AREA PROPOSED TO BE ANNEXED MEETS THE LEGISLATIVE STANDARDS PRESCRIBED BY G.S. 160A-48.

- A. The area proposed to be annexed meets the general standards of G.S. 160A-48(b) as follows:
1. The area is contiguous, as defined in G.S. 160A-53, to the City's boundary as of the time of the beginning of this annexation proceeding.
 2. The aggregate boundary of the area is 64,773.2 feet, of which 25,622.8 feet or forty percent (40 percent) coincides with the present City boundary.
 3. No part of the area is included within the boundary of another incorporated municipality.
- B. Except for the portion of the area described in Section E below as "subsection (d) land", the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The part of the area remaining after removing the subsection (d) land qualifies for annexation under the standards of two and three-tenths persons per acre of land as set forth in G.S. 160A-48(c)(1). The developed area has an estimated total population of 2.54 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 1,422 dwelling units in the area (712 single family and 710 multi-family), which when multiplied by the average household size (2.94 for single family and 1.71 for multi-family, according to the latest federal decennial census) results in an estimated total resident population of 2,957. This population, when divided by the total number of acres (1162.8) in the developed portion of the area, results in a population density of 2.54 persons per acre.

2003 Annexation Qualifying Areas Revised



Page 26a, Marvin/Highway 521

OTHER FINANCING INFORMATION. Appendix B contains information on financing the extension of City services into the area that is not included in the foregoing Plan for Services, including without limitation, start-up expenditures to be incurred during the current fiscal year. Appendix B includes both the amount and funding source of those expenditures.

Marvin/Highway 521: page 28

PART III: FIRE PROTECTION IMPACT STATEMENT

Carolina Volunteer Fire Department

The Carolina Volunteer Fire Department provides fire suppression services to the Marvin/Highway 521 area, and the Mecklenburg County Fire Marshal's Office provides fire prevention services. The Carolina VFD serves as an insurance district as defined by G.S. 153A-233 and does not levy a fire tax on the property it protects. It also reports that it does not employ full-time personnel.

The Carolina Volunteer Fire Department did not estimate the area of its fire district nor the population it protects. The population of Marvin/Highway 521 is estimated to be 2,957 and the area 2.3 square miles. Based on this information, annexation of will result in an unknown reduction in the area and in the population served by the Carolina Volunteer Fire Department.

After annexation, the Charlotte Fire Department will provide all fire protection services to the Marvin/Highway 521 area, possibly supplemented by a contract for fire suppression with the Carolina Volunteer Fire Department.

Fire Suppression

The Carolina Volunteer Fire Department operates 2 pumpers, one water tanker, one ladder, one heavy rescue truck, and 2 brush trucks for fire suppression services. Volunteer firefighters' response is based on their individual ability to leave home or work when dispatched for a fire. Carolina VFD did not report the average number of volunteers who respond during daylight hours (8:00 a.m. to 6:00 p.m.) and at night (6:01 p.m. to 7:59 a.m.).

At the first report of a structure fire in Marvin/Highway 521, the Pineville Volunteer Fire Department is also dispatched to assist the Carolina VFD. The Mecklenburg County communications center provides dispatching to all Mecklenburg County volunteer fire departments, receiving calls through the 911 emergency number. Additional assistance is

arvin/Highway 521:Page 34

APPENDIX A

STATISTICAL SUMMARY PER ANNEXATION STATUTORY REQUIREMENTS

**MARVIN/HIGHWAY 521
 AREA IN TERMS OF STATUTORY REQUIREMENTS
 (STATISTICS COMPILED JUNE, 2002)**

STATUTORY PREREQUISITE

At least one-eighth (1/8) of the total boundary (or 12.5%) of the area must coincide with the present municipal boundary.

	<u>Measured or Calculated</u>	<u>Statutory Standard</u>
1. Total boundary	64,773.2 ft.	
2. Boundary contiguous with municipal boundary	25,622.8 ft.	
3. Proportion of total boundary contiguous with the municipal boundary	39.6%	>= 12.5%

(area meets this statutory prerequisite)

QUALIFYING CRITERIA subsection C-1

Has a resident population equal to at least 2.3 persons for each acre of land within the developed part of the area.

	<u>Measured or Calculated</u>	<u>Statutory Standard</u>
1. Total number of dwellings in developed part of area		
Single Family	712	
Multi-Family	710	
2. Average number of persons per household (2000 Census)		
Single Family	2.94	
Multi-Family	1.71	
3. Estimated population of developed part of the area	2957	
4. Acreage of developed part of the area	1162.8	
5. Population per acre in developed part of area	2.54	>= 2.3

(area qualifies under subsection C-1)

A RESOLUTION AMENDING REPORT OF PLANS FOR
SERVICES FOR MALLARD CREEK CHURCH WEST AREA

BE IT RESOLVED by the City Council of the City of Charlotte, North
Carolina:

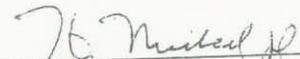
Section 1. That the following pages are deleted from the report of plans for
services for the Mallard Creek Church West Area, as originally approved by the City
Council on September 23, 2002: 7 and 13.

Section 2. That, except as noted in Section 3, the pages attached hereto
and incorporated herein are substituted in lieu of the pages deleted from said
report in Section 1 above.

Section 3. That the attached page 26a is a new page to be added to said
report.

Adopted this the 9th day of December, 2002.

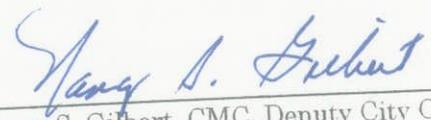
Approved as to form:


Senior Deputy City Attorney

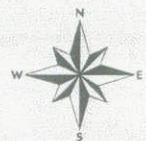
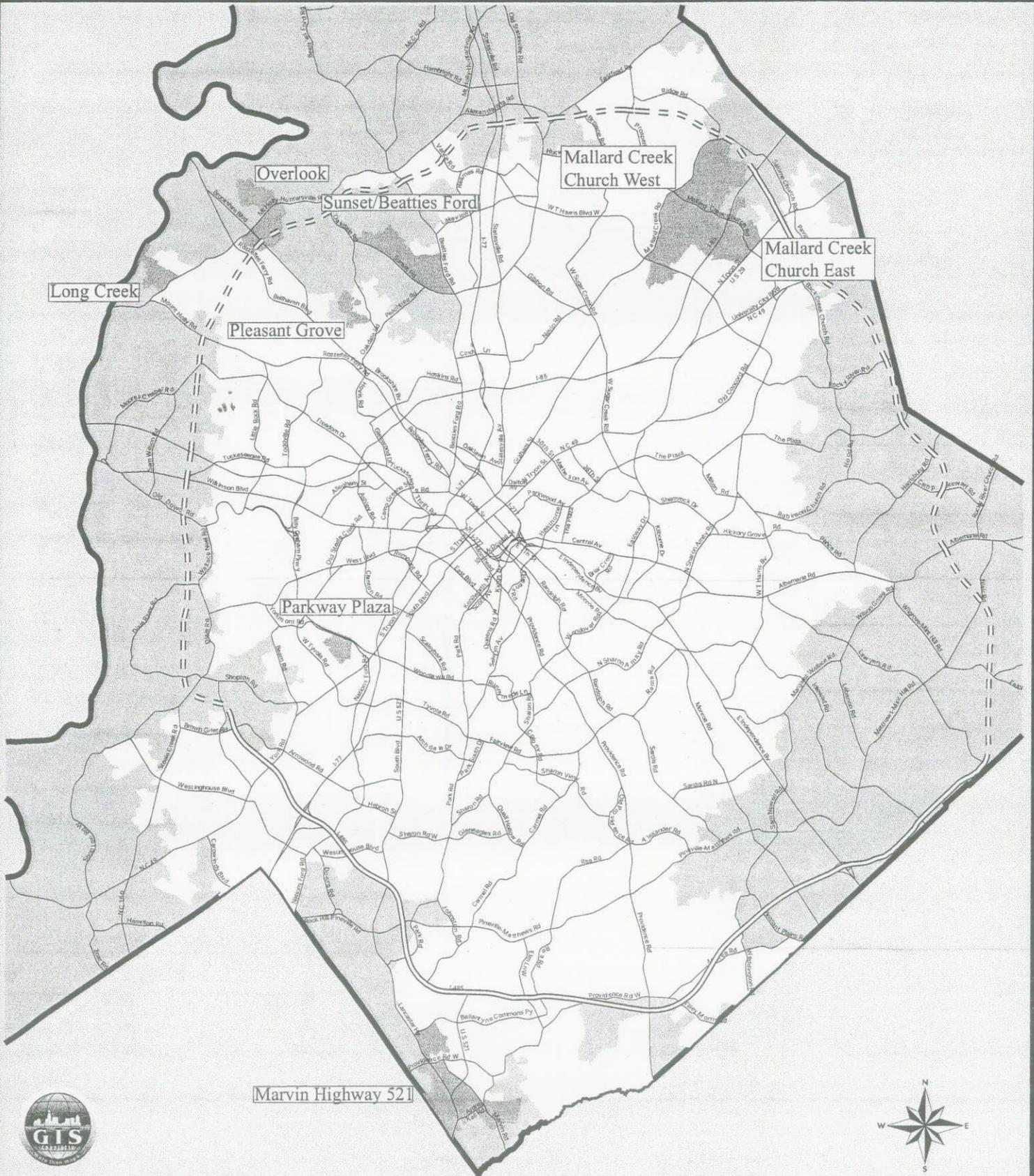
CERTIFICATION

I, Nancy S. Gilbert, 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 9th day of December, 2002, the reference
having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Pages 152-155.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of
December, 2002.


Nancy S. Gilbert, CMC, Deputy City Clerk

2003 Annexation Qualifying Areas Revised



FIRE PROTECTION. The Fire Department provides the residents of Charlotte with a high level of fire protection and suppression services, and maintains standards consistent with the requirements of the Insurance Services Office. The City enjoys a favorable insurance rating of "three." Protection is afforded by 964 full-time employees operating 35 engine companies, 12 ladder companies, 4 water tankers, 2 air crash/fire/rescue companies, 5 brush trucks, 2 heavy rescue squads, and 2 hazardous materials trucks. The Department's equipment is housed in 35 strategically located fire stations.

In order to provide a commensurate level of fire protection to the Mallard Creek Church West area, the Charlotte Fire Department will build a new station in the vicinity of Mallard Creek Road and Mallard Creek Church Road. The cost to acquire the site, design and construct the new three-bay fire station is estimated at \$2,300,000. The cost of the station will be appropriated from the Pay-As-You-Go Fund, a capital account that is funded from property taxes. Additional start-up costs of \$1,154,870 will be incurred from the General Fund to cover the cost of equipment and personnel assigned to the new station. To operate during the first year, the Fire Department will incur additional expenditures of \$1,604,623, which will be appropriated from the General Fund. (This new fire station will serve both the Mallard Creek West and Mallard Creek East areas. The full capital cost of the new station, start-up costs and first year operating costs are included in this report, but are allocated for economic analysis purposes to both areas. Upon the annexation of the Mallard Creek Church West area, the City will proceed with the construction and operation of the new station, without regard to the annexation of the Mallard Creek Church East area.)

Until the new station is completed a reasonable level of fire protection for the Mallard Creek Church East area will be provided from existing facilities located at Station 31 at 3820 Ridge Road and Station 35 at 1120 Pavilion Boulevard. Service will commence on the effective date of annexation.

A contract with a rural fire department to provide fire protection is also an acceptable method of providing fire protection. If a volunteer fire department serving the annexation area makes a written request for a good faith offer, the City is required to make a good faith effort to negotiate a five-year contract with the volunteer fire department to provide fire protection in the area to be annexed. The written request must be delivered to the City Clerk no later than 15 days before the annexation public hearing.

TRANSIT. The Charlotte Area Transit System (CATS) presently has a fleet of 281 buses serving sixty-seven routes, including express service, neighborhood-community shuttles and activity center circulators. The nearest routes serving the proposed annexation area are the Number 29 UNCC/Southpark Crosstown, Number 54X University Research Park Express and the Uni-Park Rider Shuttle. This proposed annexation is located within the corridor area of a

Page 26a, Mallard Creek Church West

OTHER FINANCING INFORMATION. Appendix B contains information on financing the extension of City services into the area that is not included in the foregoing Plan for Services, including without limitation, start-up expenditures to be incurred during the current fiscal year (start-up expenditures for the extension of fire service is included in the foregoing Plan for Services). Appendix B includes both the amount and funding source of those expenditures.

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 **CALDWELL AND FIFTH STREETS WIDENING PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the for **CALDWELL AND FIFTH STREETS WIDENING PROJECT**, and estimated to be approximately **10,490 square feet (0.241 acre) in Fee Simple** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel Nos. 080-053-08 and 080-053-22, said property currently owned by **B & K INVESTMENT COMPANY; KEITH ENTERTAINMENT, LTD., Possible Lessee; THE UNDERGROUND OF CHARLOTTE, INC., Possible Lessee; L & M BONDED, LLC, 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, Nancy S. Gilbert, 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 9th day of December, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Page 156.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of December, 2002.


Nancy S. Gilbert, 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 **CALDWELL AND FIFTH STREETS WIDENING PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the for the **CALDWELL AND FIFTH STREETS WIDENING PROJECT**, and estimated to be approximately **3,920 square feet (0.090 acre) in Fee Simple**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 125-023-11, said property currently owned by **CALDWELL CORNER, LLC, 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, Nancy S. Gilbert, 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 9th day of December, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Page 157.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of December, 2002.


Nancy S. Gilbert, 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 **CALDWELL AND FIFTH STREETS WIDENING PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the for **CALDWELL AND FIFTH STREETS WIDENING PROJECT**, and estimated to be approximately **15,914 square feet (0.365 acre) in Fee Simple** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel Nos. 125-023-12 and 125-023-13, said property currently owned by **THE TRUSTEES OF DAVIDSON COLLEGE; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

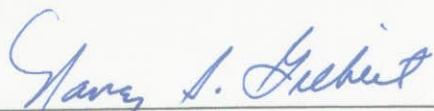
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Nancy S. Gilbert, 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 9th day of December, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Page 158.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of December, 2002.



Nancy S. Gilbert, 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 **CALDWELL AND FIFTH STREETS WIDENING PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the for **CALDWELL AND FIFTH STREETS WIDENING PROJECT**, and estimated to be approximately **9,800 square feet (0.225 acre) in Fee Simple** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 080-052-09, said property currently owned by **G. HOWARD WEBB, JR. and spouse, if any; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Nancy S. Gilbert, 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 9th day of December, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38 at Page 159.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of December, 2002.


Nancy S. Gilbert, CMC, Deputy City Clerk