

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:

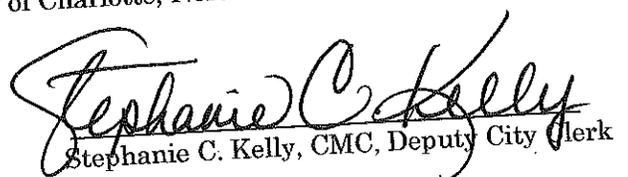
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time 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 13th day of February, 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, Stephanie C. Kelly, 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 13th day of February, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 39, Page(s) 957-958.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of February, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

TAXPAYERS AND REFUNDS REQUESTED
(Clerical Error)

Name	Refund Amount
CASE CREDIT CORPORATION	\$ 540.54
CHARLOTTETOWN MALL INC	898.8
CHARLOTTETOWN MALL INC	898.8
GREEN GARDENS INC	403.62
JONES ERIC	110.88
ARRINGTON LOUISE D	93.4
ARRINGTON LOUISE D	93.4
CIT SYSTEMS LEASING & CRA	1,070.75
S M FOOD	343.84
TAYLOR DEMETRIA H	99.96
TAYLOR DEMETRIA H	99.96
KRANSON INDUSTRIES	133.75
STOLLER JAMES T	76.86
STOLLER JAMES T	76.86
STEWART SCOTT A	13.02
ROSCHMAN JOHN A	680.4
FIRST X REALTY LP	69.3
RAY MARTHA LEE	26.46
Total	\$ 5,730.60

**RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON February 13, 2006**

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

WHEREAS, The Mecklenburg-Union Metropolitan Planning Organization (MUMPO) and the North Carolina Department of Transportation (NCDOT) have approved the City of Charlotte's request for CMAQ funding to construct right-turn lanes at the intersections of Tyvola Road and Old Pineville Road, and Woodlawn Road and Old Pineville Road as part of the South Corridor Infrastructure Program; and,

WHEREAS, NCDOT will reimburse to the City up to eighty percent (\$540,000) of the total project costs (\$675,000); and,

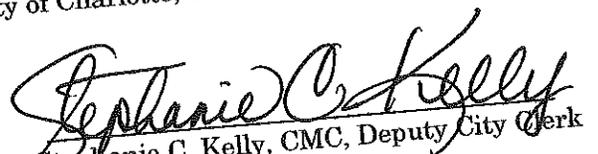
WHEREAS, The City will provide a twenty percent match (\$135,000) and cover any additional costs that exceed the federal (CMAQ) amount of \$540,000; and,

NOW, THEREFORE, BE IT RESOLVED that the Municipal Agreement between the North Carolina Department of Transportation and the City of Charlotte Department of Transportation, is hereby formally approved by the City Council of the City of Charlotte and the Director of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

CERTIFICATION

I, Stephanie C. Kelly, 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 13th day of February, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 39, Page 959.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of February, 2006.


Stephanie C. Kelly, 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 **FRED D. ALEXANDER BOULEVARD-SECTION C 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 **FRED D. ALEXANDER BOULEVARD-SECTION C PROJECT**, and estimated to be approximately **51,882 square feet (1.191 ac.) of fee-simple plus existing right-of-way and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 035-211-12, said property currently owned by **JAMES W. TORRENCE, JR. (a/k/a JAY TORRENCE and a/k/a JAMES WOODROW TORRENCE, JR.) and wife, REBEKAH W. TORRENCE; LARRY D. TUCKER, Trustee; RITA L. TUCKER, Beneficiary, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

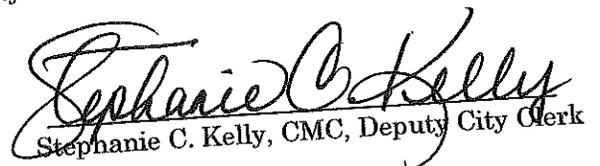
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, 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 13th day of February, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 39, Page 960.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of February, 2006.


Stephanie C. Kelly, 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 8" SANITARY SEWER-IDLEWILD ROAD (MINT HILL-MATTHEWS) 12801 AND 12925 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 8" SANITARY SEWER-IDLEWILD ROAD (MINT HILL-MATTHEWS) 12801 AND 12925 PROJECT and estimated to be approximately 1,000 square feet (0.0230 ac.) of temporary construction easement and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 135-331-48, said property currently owned by STEVEN G. HAYNIE and wife, JUDY B. HAYNIE; A. BURTON SHUFORD, Trustee; MERS (a/k/a Mortgage Electronic Registration Systems, Inc.), Beneficiary, and Any Other Parties in Interest, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

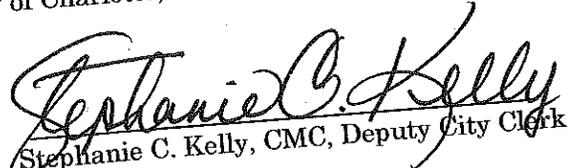
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, 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 13th day of February, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 39, Page 961.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of February, 2006.


Stephanie C. Kelly, 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 **WEST MOREHEAD 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 **WEST MOREHEAD STREETSCAPE PROJECT** and estimated to be approximately **1,933 square feet (0.44 ac.) 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. 067-031-01, said property currently owned by **TRIPLE G. AUTOMOTIVE, INC.; MECKLENBURG COUNTY TAX COLLECTOR, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

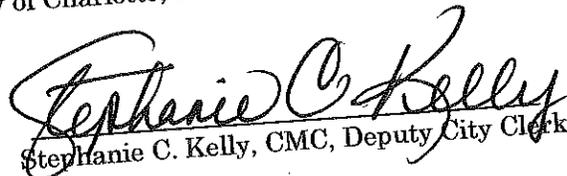
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, 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 13th day of February, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 39, Page 962.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of February, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

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

Whereas, **RBPAI, LLC** has filed a petition to close a residual portion of Forest Drive in the City of Charlotte; and

Whereas, the residual portion of Forest Drive to be closed lies within the Myers Park Community beginning from South Wendover Road continuing southeastwardly approximately 250 feet to its terminus at parcel #18113251 owned by David M. Boyle 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 its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for 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 its regularly scheduled session of February 13, 2006 that it intends to close a residual portion of Forest Drive 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 27th day of March, 2006 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, Stephanie C. Kelly, 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 13th day of February, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 39, Page 963.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of February, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

RESOLUTION

RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE U.S. DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR TRANSIT ASSISTANCE GRANTS UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964 AS AMENDED.

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

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

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

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

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies equipment contracts, or consultant and other services.

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

1. That the City Manager or designee is authorized to execute and file applications on behalf of the City of Charlotte with the U.S. Department of Transportation to aid in the financing of transit assistance; and that the Chief Executive Officer of the Charlotte Area Transit System is authorized to execute and file applications with the North Carolina Department of Transportation, to aid in the financing of transit assistance.
2. That the City Manager or designee is authorized to execute and file with such applications an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964; and that the Chief Executive Officer or designee of the Charlotte Area Transit System is authorized to execute and file with such applications an assurance or any other

document required by the North Carolina Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

3. That the Chief Executive Officer of the Charlotte Area Transit System is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the project
4. That the City Manager or designee is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
5. That the City Manager or designee is authorized to execute grant agreements and any amendments thereto on behalf of the City of Charlotte with the U.S. Department of Transportation for aid in the financing of the transit assistance projects; and that the Chief Executive Officer or designee is authorized to execute grant agreements and any amendments thereto on behalf of the Charlotte Area Transit System with the North Carolina Department of Transportation for aid in the financing of the transit assistance projects.

CERTIFICATION

I, Stephanie C. Kelly, 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 13th day of February, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 39, Page(s) 964-965.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of February, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

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

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

WITNESSETH:

WHEREAS, according to G.S. 136-66.2, Section 1, the General Assembly requires each municipality, with the cooperation of the Department of Transportation (the "Department") to develop a comprehensive transportation plan that will serve present and anticipated travel demand, and,

WHEREAS, the Department may provide financial assistance in the preparation of such plans, and,

WHEREAS, the Department is initiating a new program to encourage the development of comprehensive municipal bicycle plans and pedestrian plans, and,

WHEREAS, to encourage the development of comprehensive local bicycle plans and pedestrian plans, the Department's Division of Bicycle and Pedestrian Transportation (DBPT) and the Transportation Planning Branch (TPB) have created a matching grant program to fund plan development, and,

WHEREAS, the Department and the Municipality have agreed that a comprehensive plan is needed to evaluate and identify critical municipal needs for planning and/or implementation of Bicycle improvements, and,

WHEREAS, the Department and the Municipality have agreed to participate in the cost of this comprehensive plan with the Municipality agreeing to coordinate and oversee the study in accordance with the provisions hereinafter set forth, and,

WHEREAS, the City of Charlotte desires to enter into a municipal agreement with the Department whereby the Municipality shall develop a Bicycle or Pedestrian Comprehensive Plan (Estimated cost of Study is \$150,000), and,

WHEREAS, the Department shall reimburse the Municipality's actual costs of the Study in an amount not to exceed \$75,000 in accordance with the amount requested in the Municipality's submitted 2005 Comprehensive Bicycle and Pedestrian Planning Grant Initiative application, and,

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

CERTIFICATION

I, Stephanie C. Kelly, 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 13th day of February, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 39, Page(s) 966-967.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of February, 2006.



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 **4,666 square feet (.107 ac.)** of permanent access easement and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 171-241-36, said property currently owned by **VILLAGE ON THE PARK ASSOCIATION, INC.**; **NORMAN W. JAMESON** and wife, **NAOMI R. JAMESON**; **FRANCINE M. LEE** and spouse, if any; **MATTHEW A. FLEISHMAN** and spouse, if any; **J. BARRY AMBROSE** and spouse, if any; **JOHN E. JONES** and spouse, if any; **LYNN H. STEELE** and wife, **EVELYN J. STEELE**; **JAMIE R. MARTIN** and spouse, if any; **MATTHEW WELCH** and spouse, if any; **SAMUEL R. SHIREY** and wife, **LAURA H. SHIREY**; **YEVGENY FROLOV** and wife, **SVETLANA B. FROLOV**; **ANDREW G. WEST** and spouse, if any; **SABRINA MOULTON** and spouse, if any; **JAMES C. BLAINE**, Trustee; **STATE EMPLOYEES' CREDIT UNION**, Beneficiary; **SHAPIRO & KREISMAN**, Trustees; **COUNTRYWIDE HOME LOANS, INC.**, Beneficiary; **R. GRATTAN BROWN, JR.** and **CHARLES A. NEALE**, Trustees; **CENTRAL CAROLINA BANK**, Beneficiary; **PETER CHASTAIN & ASSOCIATES, P. A.**, Trustee; **ABN AMRO MORTGAGE GROUP, INC.**, Beneficiary; **FIRST AMERICAN TITLE INSURANCE AGENCY, Trustee**; **JPMORGAN CHASE BANK, N. A.**, Beneficiary; **TRSTE, INC.**, Trustee; **WACHOVIA MORTGAGE CORPORATION**, Beneficiary; **SERVCO FINANCIAL SERVICE, INC.**, Trustee; **TIMOTHY M. BARTOSH**, Trustee; **CTX MORTGAGE COMPANY, INC.**, Beneficiary; **PRLAP, INC.**, Trustee; **BANK OF AMERICA, N. A.**, Beneficiary; **MICHAEL L. RIDDLE**, Trustee; **KELLNER MORTGAGE INVESTMENTS I, LTD.**, 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, Stephanie C. Kelly, 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 13th day of February, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 39, Page(s) 968-969.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of February, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

RESOLUTION AUTHORIZING THE LEASE OF ARENA STREET LEVEL
RETAIL SPACE TO "MATT'S CHICAGO DOG"

WHEREAS, the City of Charlotte owns property more particularly identified as Charlotte Bobcats Arena located at 333 E. Trade St. in Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, the Arena contains a certain amount of vacant street level activity or retail space ("the Property") which is suitable for retail business or restaurant development, which has not been incorporated into the Arena and which the Council finds is currently surplus to its needs; and

WHEREAS, the Arena Use and Operating Agreement gives the City the right and option to lease the Property for its own benefit upon such market terms and conditions it determines; and

WHEREAS, "Matt's Chicago Dog" desires to lease approximately 2,000 square feet of the Property for a restaurant for a term of ten years, with the right to renew the lease for one additional ten year term; and

WHEREAS, in consideration of leasing the Property, "Matt's Chicago Dog" has agreed to pay market rent in the amount of Fifty Thousand Dollars (\$50,000) annually for the first five years, with the annual rent increasing by ten percent (10%) for each successive five year period; and

WHEREAS, Section 8.131 of the Charter of the City of Charlotte authorizes the city to lease its property for terms of more than ten years upon resolution of the City Council adopted at a regular meeting after ten days public notice; and

WHEREAS, the required notice has been published and Council is convened in a regular meeting;

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to Section 8.131 of the City of Charlotte Charter, that it hereby authorizes the lease of the above referenced Property as follows:

The City Council hereby approves lease of the city property described above to "Matt's Chicago Dog" for ten years, with the lessee holding a right to renew for an additional ten-year period, and authorizes the City Manager or her Designee to execute any instruments necessary to the lease.

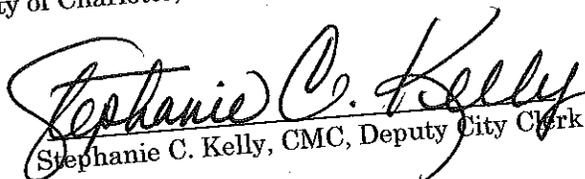
THIS THE 13TH DAY OF FEBRUARY, 2006.

February 13, 2006
Resolution Book 39, Page 971

CERTIFICATION

I, Stephanie C. Kelly, 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 13th day of February, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 39, Page(s) 970-971.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of February, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

RESOLUTION AUTHORIZING THE LEASE OF ARENA STREET LEVEL
RETAIL SPACE TO DUNKIN DONUTS INVESTMENTS, INC., OR A
QUALIFIED FRANCHISEE THEREOF

WHEREAS, the City of Charlotte owns property more particularly identified as Charlotte Bobcats Arena located at 333 E. Trade St. in Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, the Arena contains a certain amount of vacant street level activity or retail space ("the Property") which is suitable for retail business or restaurant development, which has not been incorporated into the Arena and which the Council finds is currently surplus to its needs; and

WHEREAS, the Arena Use and Operating Agreement gives the City the right and option to lease the Property for its own benefit upon such market terms and conditions it determines; and

WHEREAS, Dunkin Donuts Investments, Inc. desires to lease approximately 1,835 square feet of the Property for a Dunkin Donuts/Baskin Robbins shop for a term of ten years, with the right to renew the lease for two additional five year terms; and

WHEREAS, in consideration of leasing the Property, Dunkin Donuts Investments, Inc. has agreed to pay market rent in the amount of Forty-five Thousand Eight Hundred Seventy-five Dollars (\$45,875) annually for the first five years, with the annual rent increasing by ten percent (10%) for each successive five year period; and

WHEREAS, Section 8.131 of the Charter of the City of Charlotte authorizes the city to lease its property for terms of more than ten years upon resolution of the City Council adopted at a regular meeting after ten days public notice; and

WHEREAS, the required notice has been published and Council is convened in a regular meeting;

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to Section 8.131 of the City of Charlotte Charter, that it hereby authorizes the lease of the above referenced Property as follows:

The City Council hereby approves lease of the city property described above to Dunkin Donuts Investments, Inc. or a qualified franchisee thereof for ten years, with the lessee holding a right to renew for two additional five-year periods, and authorizes the City Manager or her Designee to execute any instruments necessary to the lease.

THIS THE 13TH DAY OF FEBRUARY, 2006.

February 13, 2006
Resolution Book 39, Page 973

CERTIFICATION

I, Stephanie C. Kelly, 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 13th day of February, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 39, Page(s) 972-973.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of February, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk

RESOLUTION AUTHORIZING THE LEASE OF ARENA STREET LEVEL
RETAIL SPACE TO "RED'S CAROLINA BBQ"

WHEREAS, the City of Charlotte owns property more particularly identified as Charlotte Bobcats Arena located at 333 E. Trade St. in Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, the Arena contains a certain amount of vacant street level activity or retail space ("the Property") which is suitable for retail business or restaurant development, which has not been incorporated into the Arena and which the Council finds is currently surplus to its needs; and

WHEREAS, the Arena Use and Operating Agreement gives the City the right and option to lease the Property for its own benefit upon such market terms and conditions it determines; and

WHEREAS, "Red's Carolina BBQ" desires to lease approximately 4,250 square feet of the Property for a restaurant for a term of ten years, with the right to renew the lease for one additional ten year term; and

WHEREAS, in consideration of leasing the Property, "Red's Carolina BBQ" has agreed to pay market rent in an amount averaging Ninety Thousand One Hundred Dollars (\$90,100) annually for the first five years, the amount of One Hundred Sixteen Thousand Eight Hundred Seventy Five Dollars (\$116,875) annually for the second five years, with the annual rent thereafter increasing by ten percent (10%) for each successive five year period; and

WHEREAS, Section 8.131 of the Charter of the City of Charlotte authorizes the city to lease its property for terms of more than ten years upon resolution of the City Council adopted at a regular meeting after ten days public notice; and

WHEREAS, the required notice has been published and Council is convened in a regular meeting;

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to Section 8.131 of the City of Charlotte Charter, that it hereby authorizes the lease of the above referenced Property as follows:

The City Council hereby approves lease of the city property described above to "Red's Carolina BBQ" for ten years, with the lessee holding a right to renew for an additional ten-year period, and authorizes the City Manager or her Designee to execute any instruments necessary to the lease.

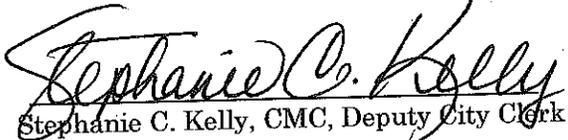
THIS THE 13TH DAY OF FEBRUARY, 2006.

February 13, 2006
Resolution Book 39, Page 975

CERTIFICATION

I, Stephanie C. Kelly, 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 13th day of February, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 39, Page(s) 974-975.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of February, 2006.


Stephanie C. Kelly, CMC, Deputy City Clerk