

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHARLOTTE RATIFYING A ONE-TIME COST OF LIVING
ADJUSTMENT FOR RETIRED CHARLOTTE FIREFIGHTERS AND
SURVIVING BENEFICIARIES TO BE EFFECTIVE JANUARY 1, 2000.**

WHEREAS, Title IV, Section 23 of the Act governing the Charlotte Firefighters' Retirement System provides that the retirement benefits payable to retirees and surviving beneficiaries may be adjusted at the discretion of the Board of Trustees of the Charlotte Firefighters' Retirement System based upon prevailing economic and funding conditions, provided such adjustment is ratified by the City of Charlotte;

WHEREAS, on January 27, 2000, the Board of Trustees approved a one-time cost of living benefit adjustment for retired Charlotte firefighters and surviving beneficiaries, such adjustment to match historical increases in the Consumer Price Index; and

WHEREAS, the Charlotte Firefighters' Retirement System is actuarially sound as certified by its actuary, Buck Consultants, Inc. and the cost of living adjustment is within the current funding capacity of the system.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlotte, Mecklenburg County, North Carolina, that the City Council ratifies the following one-time cost of living benefit adjustment for retired Charlotte firefighters and surviving beneficiaries, such adjustment being a percentage of the current annual benefit (based upon retirement date) and becoming effective January 1, 2000:

Cost of Living Adjustment to Match Historical Increases in the CPI

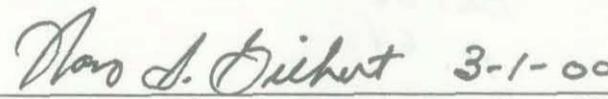
| <u>Retirement Date</u> | <u>Cost of Living Adjustment</u> | |
|--------------------------------|----------------------------------|------------------------------|
| | <u>Service Retirement</u> | <u>Disability Retirement</u> |
| Before 7/1/1987 | 41.05% | 41.05% |
| Between 7/1/1987 and 6/30/1988 | 35.88 | 35.88 |
| Between 7/1/1988 and 6/30/1989 | 34.41 | 34.41 |
| Between 7/1/1989 and 6/30/1990 | 39.47 | 28.74 |
| Between 7/1/1990 and 6/30/1991 | 33.59 | 23.32 |
| Between 7/1/1991 and 6/30/1992 | 27.72 | 17.89 |
| Between 7/1/1992 and 6/30/1993 | 20.37 | 11.11 |
| Between 7/1/1993 and 6/30/1994 | 16.75 | 7.77 |
| Between 7/1/1994 and 6/30/1995 | 13.46 | 4.74 |
| Between 7/1/1995 and 6/30/1996 | 10.48 | 1.98 |
| Between 7/1/1996 and 6/30/1997 | 7.58 | 0.00 |
| Between 7/1/1997 and 6/30/1998 | 4.95 | 0.00 |
| Between 7/1/1998 and 6/30/1999 | 1.60 | 1.60 |

This the 28th day of February, 2000.

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 28th day of February, 2000, and the reference having been made in Minutes Book 114 and recorded in full in Resolutions Book 36, pages 62 and 63.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the First day of March, 2000.


Nancy S. Gilbert, CMC, Deputy City Clerk

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND CSX TRANSPORTATION, INC. FOR CONSTRUCTION OF THE HOSKINS ROAD GRADE CROSSING.

WHEREAS, the City of Charlotte needs to widen the Hoskins Road Grade Crossing as a result of the Hoskins Road Widening project; and

WHEREAS, CSX Transportation, Inc. requires a License Agreement with the City to approve design or grade changes which encroach on their right-of-way; and

WHEREAS, the City has received an Agreement from CSX Transportation Inc. that allows the grade crossing widening to be performed by CSX Transportation, Inc. personnel. The City will reimburse CSX Transportation, Inc. for materials and labor costs, as described in the agreement, associated with the grade crossing and including new warning devices.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the City of Charlotte is granted the authority to execute said agreement for the City of Charlotte.

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 28th day of Feb., 2000, 1900, and the reference having been made in Minute Book 114, Page /////// and recorded in full in Resolutions Book 36, Page 64.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the First day of March, 1900, 2000.

Nancy S. Gilbert, Clerk
Deputy Clerk 3-1-00

2-28-00
Jen. 100-42

Scott Miller / C.S.
Res # 2

Bk. 36
Pg. 64

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on February 28, 2000.

* * *

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "City Council") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on February 28, 2000 (the "Meeting"), after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Rod Autrey, Patrick Cannon, Nancy Carter,

Mike Castano, Malcolm Graham, Don Lochman, James Mitchell, Jr., Sara Spencer,
Susan Burgess, Lynn Wheeler and Joe White.

The following members of the City Council were absent: None

Also present: City Manager Pam Syfert, City Attorney DeWitt McCarley, and Deputy City Clerk Nancy S. Gilbert

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

**RESOLUTION OF
THE CITY OF CHARLOTTE, NORTH CAROLINA
APPROVING AN INSTALLMENT PAYMENT CONTRACT WITH
NEW CHARLOTTE CORPORATION
AND RELATED MATTERS**

WHEREAS, the City of Charlotte, North Carolina (the "City") is a municipal corporation validly existing under the Constitution, statutes and laws of the State (the "State");

WHEREAS, the City has the power, pursuant to North Carolina General Statutes, to (1) purchase real and personal property, (2) enter into installment purchase contracts in order to finance the purchase of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

WHEREAS, the City Council of the City of Charlotte, North Carolina (the "City Council") has determined that it is in the best interests of the City to enter into an Installment Payment Contract dated as of March 2, 2000 (the "Contract") with the New Charlotte Corporation (the "Corporation") in order to acquire certain equipment for general governmental purposes (the "Equipment");

WHEREAS, the Corporation will execute and deliver Certificates of Participation, Series 2000 (FY2000 Equipment Acquisition Project) Evidencing Proportionate Undivided Interests in Installment Payments Pursuant to the Contract (the "2000 Certificates");

WHEREAS, in connection with the sale of the 2000 Certificates by the Corporation to First Union Securities, Inc., Banc of America Securities LLC and Wachovia Securities, Inc. (the "Underwriters"), the City desires to make certain representations and warranties to the Underwriter in the form of the City's Letter of Representations to the Underwriters (the "Letter of Representations");

WHEREAS, there has been described to the City Council the following documents (collectively, the "Instruments"), copies of which have been made available to the City Council, which the City Council proposes to approve, enter into and deliver, as applicable to effectuate the proposed installment purchase financing:

- (1) the form of the Contract;
- (2) the form of the Letter of Representation from the City to the Underwriters;
- (3) the form of the Contract of Purchase to be dated on or about March 2, 2000 between the Corporation and the Underwriters (the "Purchase Contract");

WHEREAS, to make an offering and sale of the 2000 Certificates, there will be prepared a Preliminary Official Statement (the "Preliminary Official Statement"), a draft thereof having been presented to the City Council, and a final Official Statement (collectively with the Preliminary Official Statement, the "Official Statement") with respect to the 2000 Certificates, which Official Statement will contain certain information regarding the City;

WHEREAS, it appears that each of the Instruments and the Preliminary Official Statement is in an appropriate form and is an appropriate instrument for the purposes intended;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AS FOLLOWS:

Section 1. Ratification of Instruments. That all actions of the City, the City Manager, the City Director of Finance, the City Clerk, the City Attorney and their respective designees, whether previously or hereinafter taken, in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

Section 2. Authorization of the Official Statement. That the form, terms and content of the Preliminary Official Statement to be dated on or about February 22, 2000 are in all respects authorized, approved and confirmed, and the use of the Preliminary Official Statement and of the final Official Statement to be dated on or about March 2, 2000 (the "Official Statement") by the Underwriters in connection with the sale of the 2000 Certificates is hereby in all respects authorized, approved and confirmed.

Section 3. Authorization to Execute the Contract. That the City approves the acquisition of the Equipment in accordance with the terms of the Contract, which will be a valid, legal and binding obligation of the City in accordance with its terms. The form and content of the Contract shall be and the same hereby are in all respects authorized, approved and confirmed, and the City Manager and the City Clerk and their respective designees shall be and they hereby are authorized, empowered and directed to execute and deliver the Contract, including necessary counterparts, in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all changes, modifications, additions or deletions therein from the form and

content of the Contract presented to the City Council, and that from and after the execution and delivery of the Contract, the City Manager, the City Director of Finance and the City Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Contract as executed.

Section 4. Financing Statements. That the form and content of the Financing Statements shall be and the same hereby are in all respects authorized, approved and confirmed, and the City Manager or her designee shall be and they hereby are authorized, empowered and directed to execute and deliver the Financing Statements, in substantially the form and content presented to the Board of Commissioners, but with such changes, modifications, additions or deletions therein as shall to her seem necessary, desirable or appropriate, her execution thereof to constitute conclusive evidence of the City's approval of any and all changes, modifications, additions or deletions therein from the form and content of the Financing Statements presented to the Board of Commissioners.

Section 5. Letter of Representations; Purchase Contract. That the form and content of the Purchase Contract shall be and the same hereby is in all respects approved, and the City Manager is authorized to execute the Letter of Representations for the purposes stated therein; and

Section 6. City Representative. That the City Manager, the City Director of Finance, the City Treasurer and the City Debt Manager are hereby designated as the City's Representatives to act on behalf of the City in connection with the transaction contemplated by the Instruments and the Preliminary Official Statement, and each is authorized to proceed with the acquisition of the Equipment in accordance with the Instruments and to seek opinions as a matter of law from the City Attorney, which City Attorney is authorized to furnish on behalf of the City, and opinions of law from such other attorneys for all documents contemplated hereby as required by law. The City's representative and/or designee or designees are in all respects authorized on behalf of the City to supply all information pertaining to the City as purchaser under the Contract for use in the Preliminary Official Statement and the transactions contemplated by the Instruments or the Preliminary Official Statement, the City Manager, the City Clerk and the City Director of Finance of the City or their respective designees are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by the Instruments or the Preliminary Official Statement or as they deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 7. Severability. That if any section, phrase or provision of this Resolution shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 8. Repealer. That all motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

Section 9. Effective Date. This Resolution will take effect immediately on its adoption.

On motion of Councilmember Wheeler, seconded by Councilmember White, the foregoing resolution entitled "RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING AN INSTALLMENT PAYMENT CONTRACT WITH NEW CHARLOTTE CORPORATION AND RELATED MATTERS" was duly adopted by the following vote:

AYES: Rod Autrey, Susan Burgess, Patrick Cannon, Nancy Carter, Mike Castano,
Malcolm Graham, Don Lochman, James Mitchell, Jr., Sara Spencer, Lynn Wheeler, Joe White

NAYS: None

CITY OF CHARLOTTE, NORTH CAROLINA

[SEAL]

By: *Sara A. Spencer*
City Clerk

STATE OF NORTH CAROLINA)
)
CITY OF CHARLOTTE) ss:

The undersigned City Clerk of the City of Charlotte, North Carolina (the "City"), a municipal corporation, validly organized and existing under the Constitution and laws of the State of North Carolina, hereby certifies that the foregoing is a true, correct and complete copy of a resolution adopted by a majority of the City Council of the City present and voting at a meeting duly called and held on February 28, 2000, in accordance with law, and that such resolution has not been repealed, revoked, rescinded or amended but is in full force and effect on the date hereof. Recorded in Minutes Book 114.

WITNESS the following signature and seal of the City, this 15 day of March, 2000.

Agate Nancy A. Deibert, Inc
City Clerk,
City of Charlotte, North Carolina

(SEAL)

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 **MONROE ROAD/SHARON AMITY ROAD-INTERSECTION IMPROVEMENTS 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 **MONROE ROAD/SHARON AMITY ROAD-INTERSECTION IMPROVEMENTS** and estimated to be approximately **1,990.961 square feet (0.0457 acre) for fee-simple 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. 161-107-15, said property currently owned by **REGINALD JAY SUMMERS and wife, BARBARA M. SUMMERS; MICHAEL S. HUNTER, Trustee; ALONZA COATS and wife, NANCY L. COATS, Beneficiary; JAMES P. McGOWAN, Trustee; UNITED CAROLINA BANK, Beneficiary**; or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

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 MONROE ROAD/VILLAGE LAKE DRIVE INTERSECTION IMPROVEMENTS 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 owner 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 procedure of the laws of the State of North Carolina:

CERTIFICATION

PROPERTY DESCRIPTION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and certified copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of February, 2000, and the reference having been made in Minutes Book 114 and recorded in full in Resolutions Book 36 at pages 70 and 71.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the First day of March, 2000.



Nancy S. Gilbert, CMC, Deputy City Clerk

3-1-00

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 **MONROE ROAD/VILLAGE LAKE DRIVE-INTERSECTION IMPROVEMENTS 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 **MONROE ROAD/VILLAGE LAKE DRIVE-INTERSECTION IMPROVEMENTS PROJECT** and estimated to be approximately **1,186 square feet (0.027 acre) for fee-simple 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. 191-093-01 through 191-093-10, said property currently owned by **MARILYN R. EDDLEMAN and spouse, if any; BOB B. FOX and spouse, if any; CHARLES A. HAGER and spouse, if any; CHERIE D. RATCLIFF and spouse, if any; NOVICE B. SIGMON and spouse, if any; LESTER MARVIN MOORE and wife, MAGGIE T. MOORE; LESTER MARVIN MOORE and spouse, if any; DAVID ALAN VARNER and spouse, if any; NEAL G. HELMS, Trustee; DOVER MORTGAGE COMPANY, Beneficiary; G. ROBERT TURNER, III, et al., Trustee; HOME FEDERAL SAVINGS AND LOAN ASSOCIATION, Beneficiary; TIM, INC., Trustee; NATIONS BANK OF NORTH CAROLINA, N. A., Beneficiary; E. K. CARTER, JR., Trustee; CHEMICAL FINANCIAL SERVICES CORPORATION, Beneficiary; ROGER S. CARDINAL, Trustee; LESTER MARVIN MOORE, Beneficiary; ROBERT N. BURRIS, Trustee; CITIZENS SAVINGS MORTGAGE CORPORATION, Beneficiary; NEW SALEM, INC., Trustee; WACHOVIA BANK OF NORTH CAROLINA, N.A., Beneficiary; CITIZENS FINANCIAL SERVICES, INCORPORATED, Trustee; CITIZENS SAVINGS BANK, Beneficiary, JOHN C. MacNEILL, JR., Trustee; COASTAL MORTGAGE SERVICES, INC., Beneficiary; or the owners' successor-in-interest.**

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, 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 28th day of February, 2000, the reference having been made in Minute Book 114 and recorded in full in Resolutions Book 36 at pages 72 and 73.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the First Day of March, 2000.


Nancy S. Gilbert, CMC, Deputy City Clerk

3-1-00

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 **MONROE ROAD/VILLAGE LAKE DRIVE-INTERSECTION IMPROVEMENTS 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 **MONROE ROAD/VILLAGE LAKE DRIVE-INTERSECTION IMPROVEMENTS PROJECT** and estimated to be approximately **4,501 square feet (0.103 acre) for fee-simple, permanent 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. 191-094-99, said property currently owned by **CHARLOTTE CONDOMINIUM INVESTORS, INC.; HARLON DEVELOPMENT CORPORATION (a/k/a HARLON CONSTRUCTION CORPORATION); DUANE K. FOURNIER, Trustee; UNITED CAROLINA BANK, Beneficiary; CHARLES L. FULTON, Trustee; THIRD FINANCIAL SERVICES, INC., Beneficiary; THE REFLECTIONS II ASSOCIATION OF UNIT OWNERS, INC., Possible Judgment Creditor**; or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

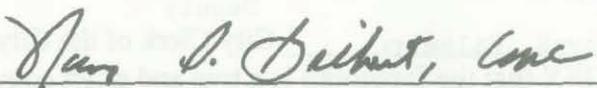
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 certified copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of February, 2000, and the reference having been made in Minutes Book 114 and recorded in full in Resolutions Book 36 at pages 74 and 75.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the First day of March, 2000.


Nancy S. Gilbert, CMC, Deputy City Clerk
3-1-00

RESOLUTION CLOSING AN ALLEYWAY BETWEEN SOUTH TRYON STREET
AND CAMDEN ROAD IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY,
NORTH CAROLINA.

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close an alleyway between South Tryon Street and Camden Road which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close an alleyway between South Tryon Street and Camden Road to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the public hearing was held on the 28th day of February, 2000, and City Council determined that the closing of the alleyway between South Tryon Street and Camden Road is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of February 28, 2000, that the Council hereby orders the closing of the alleyway between South Tryon Street and Camden Road in the City of Charlotte Mecklenburg County, North Carolina as shown in a map marked "Exhibit A" and is more particularly described by metes and bounds in a 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.

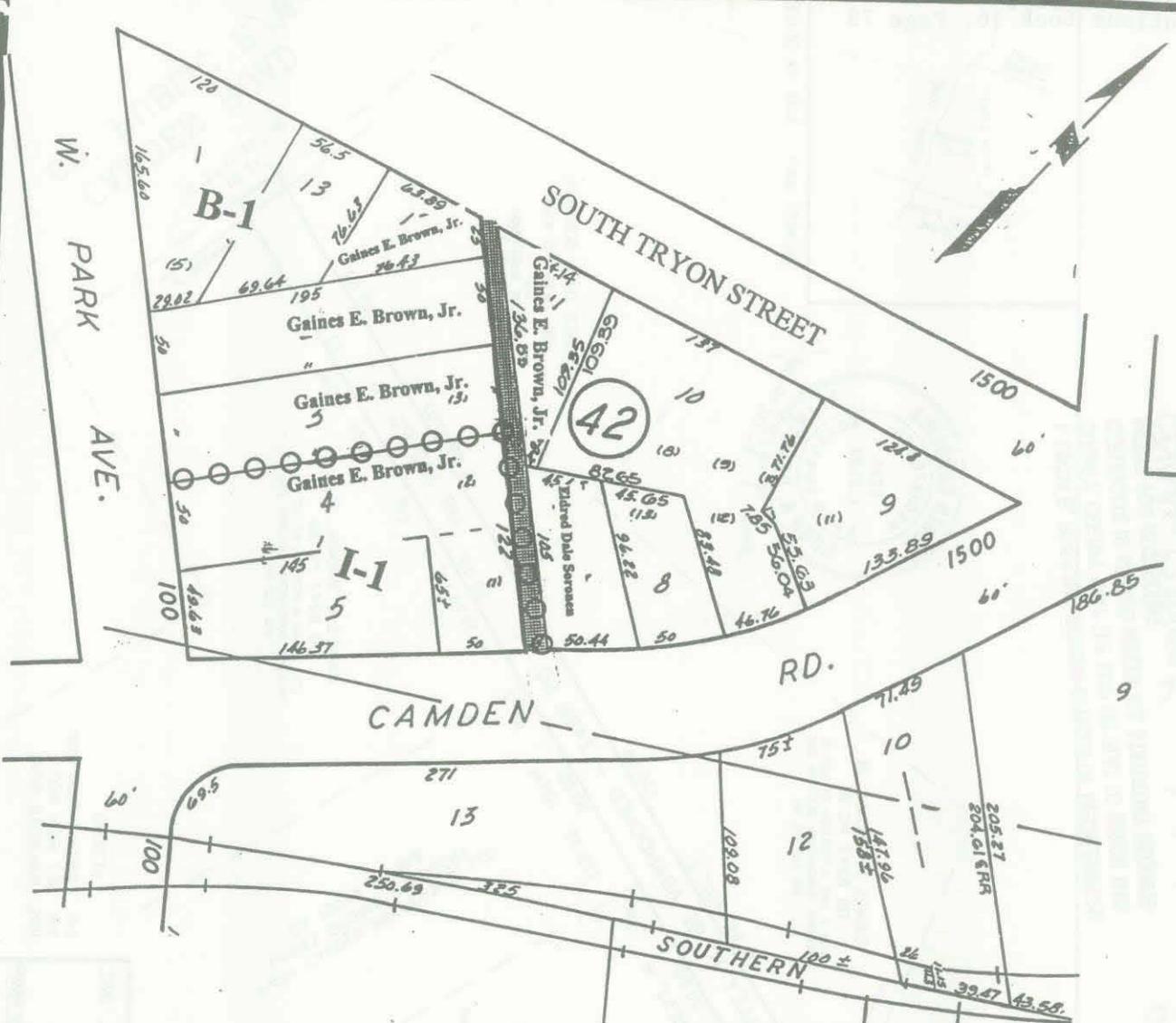
CERTIFICATION

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 28th day of February, 2000, the reference having been made in Minute book 114, and recorded in full in resolution book 36, page(s) 76-79.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the First day of March, 2000.

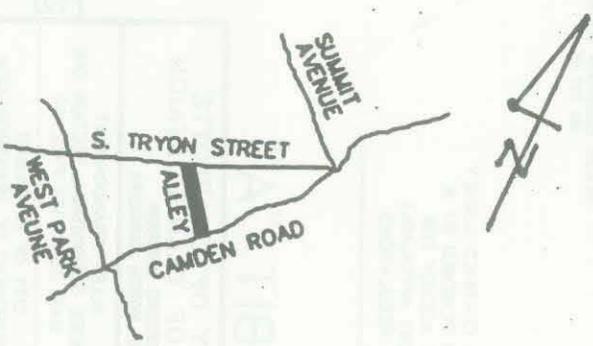
Nancy S. Gilbert, CMC
Nancy S. Gilbert, CMC, Deputy City Clerk
2-1-00

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



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

I, 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
 3/16/00
 Date



Vicinity Map

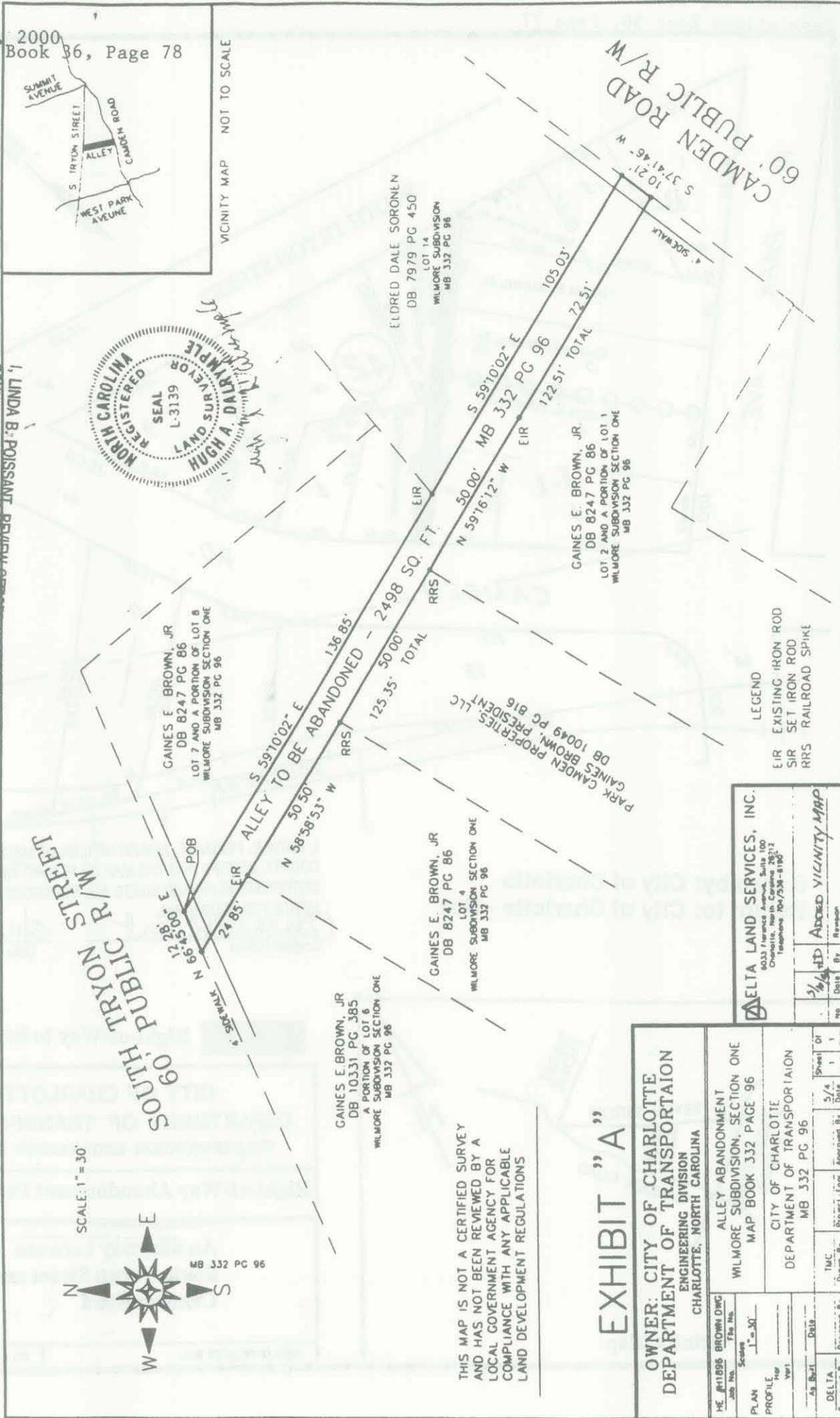
Right-of-Way to be Abandoned

CITY OF CHARLOTTE
DEPARTMENT OF TRANSPORTATION
 TRANSPORTATION ENGINEERING DIVISION

Right-of-Way Abandonment Petition: 99-14

An alleyway between South Tryon Street and Camden Road

| | |
|-----------------|----------|
| ROS/PROJECT NO. | FILE NO. |
|-----------------|----------|



VICINITY MAP NOT TO SCALE

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

Linda B. Poissant
Review Officer
Date: 3/14/00

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

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS

EXHIBIT "A"

| | | | | | |
|---|--------------|---|---------------|---|------------|
| OWNER: CITY OF CHARLOTTE DEPARTMENT OF TRANSPORTATION ENGINEERING DIVISION CHARLOTTE, NORTH CAROLINA | | ALLEY ABANDONMENT WILMORE SUBDIVISION, SECTION ONE MAP BOOK 332 PAGE 96 | | CITY OF CHARLOTTE DEPARTMENT OF TRANSPORTATION MB 332 PG 96 | |
| Job No. HE_011895 BROWN.DWG | Scale 1"=30' | Drawn By: M.C. | Project: Eng. | Approved By: 3/4 | Sheet of 1 |
| PLAN | PROFILE | DESIGNED BY | CHECKED BY | DATE | NO. |
| DATE | DATE | DATE | DATE | DATE | DATE |

DELTA LAND SERVICES, INC.
6033 Francis Avenue, Suite 100
Charlotte, North Carolina 28212
Telephone 704/738-8180

Linda B. Poissant
Date: 3/14/00

3/14/00
Date By: Reviewer

- LEGEND
- EIR EXISTING IRON ROD
 - SIR SET IRON ROD
 - RRS RAILROAD SPIKE

LEGAL DESCRIPTION FOR EXHIBIT "A"
Alley Abandonment

A parcel of land lying and being in the City of Charlotte, County of Mecklenburg, State of North Carolina, and being more particularly described as follows:

BEGINNING at a point located on the southeasterly margin of South Tryon Street (a 60-foot public right-of-way), said point also being the southwesterly corner of Lot 7, Block 1, of the Wilmore Subdivision Section One, as recorded in the Mecklenburg County Public Registry, Map Book 332, at Page 96; thence along the southerly line of said Lot 7 S 59°10'02" E a distance of 136.85 feet to the southeasterly corner of said Lot 7, Block 1, and the southwesterly corner of Lot 14, Block 1, of said Wilmore Subdivision Section One, also being an existing iron rod; thence along the southerly line of said Lot 14, Block 1, S 59°10'02" E a distance of 105.03 feet to a point on the westerly margin of Camden Road (a 60-foot public right-of-way); thence along the westerly margin of said Camden Road S 37°41'46" W a distance of 10.21 feet to the northeasterly corner of Lot 1, Block 1, of said Wilmore Subdivision Section One; thence along the northeasterly line of said Lots 1, 2, 3, 4 and 6, Block 1, of said Wilmore Subdivision Section One the following five (5) courses:

- (1) Along the northeasterly line of said Lot 1, Block 1, N 59°16'12" W a distance of 72.51 feet to an existing iron rod, being the northeasterly corner of said Lot 2, Block 1;
- (2) Along the northeasterly line of said Lot 2, Block 1, N 59°16'12" W a distance of 50.00 feet to an existing railroad spike, being the northeasterly corner of said Lot 3, Block 1;
- (3) Along the northeasterly line of said Lot 3, Block 1, N 58°58'53" W a distance of 50.00 feet to an existing railroad spike, being the northeasterly corner of said Lot 4, Block 1;
- (4) Along the northeasterly line of said Lot 4, Block 1, N 58°58'53" W a distance of 50.50 feet to an existing iron rod, being the northeasterly corner of said Lot 6, Block 1;
- (5) Along the northeasterly line of said Lot 6, Block 1, N 58°58'53" W a distance of 24.85 feet to a point on the southeasterly line of South Tryon Street;

Thence along the southeasterly line of said South Tryon Street N 66°45'00" E a distance of 12.28 feet to the POINT OF BEGINNING, containing 2,498.0 square feet, more or less.

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

RESOLUTION CLOSING A PORTION OF BORDEN ROAD IN THE
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a portion of Borden Road which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of Borden Road to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to Duke Power Company, to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 28th day of February, 2000, and City Council determined that the closing of the portion of Borden Road is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of February 28, 2000, that the Council hereby orders the closing of the portion of Borden Road in the City of Charlotte Mecklenburg County, North Carolina as shown in a map marked "Exhibit A" and is more particularly described by metes and bounds in a 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.

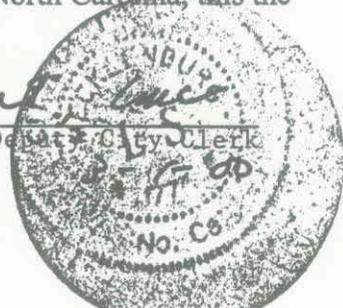
CERTIFICATION

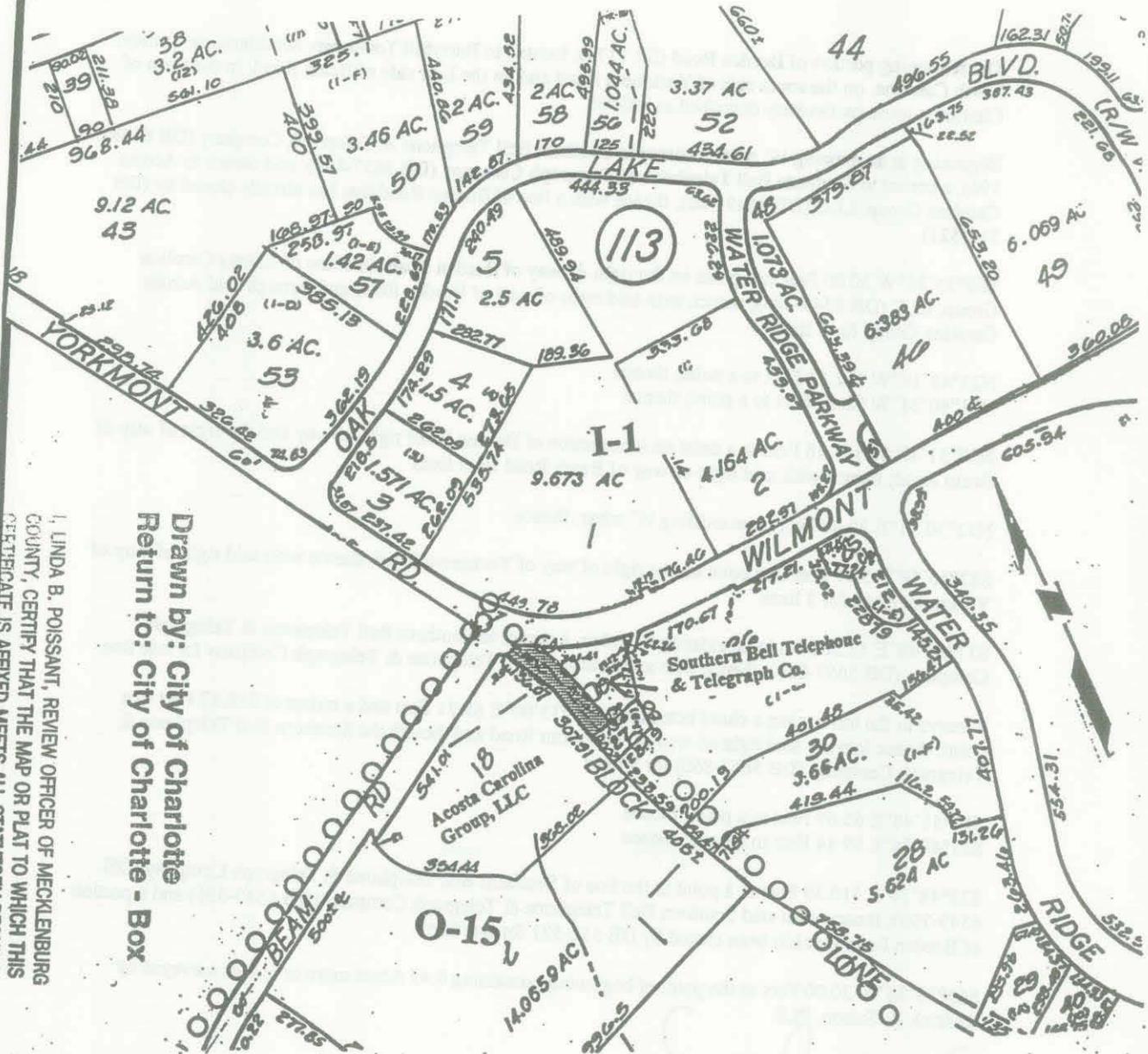
I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of February _____, 2000, the reference having been made in Minute book 114, and recorded in full in resolution book 36, page(s) 80-83.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the First day of March, 2000.

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


Nancy S. Gilbert, CMC, Deputy City Clerk





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

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

Linda B. Poissant
 Review Officer

3/1/00



Vicinity Map

Right-of-Way to be Abandoned

CITY OF CHARLOTTE
DEPARTMENT OF TRANSPORTATION
 TRANSPORTATION ENGINEERING DIVISION

Right-of-Way Abandonment Petition: 99-22

Borden Road

RQS/PROJECT NO. FILE NO.

DESCRIPTION
OF
REQUEST OF ROAD CLOSURE

The remaining portion of Borden Road (SR 1174), located in Berryhill Township, Mecklenburg County, North Carolina, on the south side of Yorkmont Road and on the East side of Beam Road, in the town of Charlotte: more particularly described as follows

Beginning at an existing 1/2" rebar a corner to Southern Bell Telephone & Telegraph Company (DB 6549-396), a corner to Southern Bell Telephone & Telegraph Company (DB 5657-860), and corner to Acosta Carolina Group, LLC (DB 8549-186); thence with a line of Borden Road that has already closed by (DB 518-521)

S65°35'36"W 30.00 Feet to a point on the right-of-way of Borden Road, in a line of Acosta Carolina Group, LLC (DB 8549-186); thence with said right-of-way of Borden Road and through said Acosta Carolina Group for 3 lines

N23°48'14"W 112.13 Feet to a point; thence
N21°40'24"W 92.02 Feet to a point; thence

N37°51'48"W 136.18 Feet to a point on intersection of Borden Road right-of-way and the right of way of Beam Road; thence with said right-of-way of Beam Road for 2 lines

N52°30'11"E 25.88 Feet to an existing 1/2" rebar; thence

S82°15'58"E 5.89 Feet to a point on the right of way of Yorkmont Road; thence with said right-of-way of Yorkmont Road for 2 lines

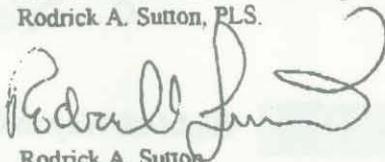
S37°51'48"E 12.28 Feet to an existing 1/2" rebar, a corner to Southern Bell Telephone & Telegraph Company (DB 5657-860); thence with and Southern Bell Telephone & Telegraph Company for one line

A curve to the left having a chord bearing of S63°33'00"E 69.21 Feet and a radius of 568.87 Feet to a point; thence leaving said right-of-way of Yorkmont Road and through the Southern Bell Telephone & Telegraph Company (DB 5657-860) for 3 lines

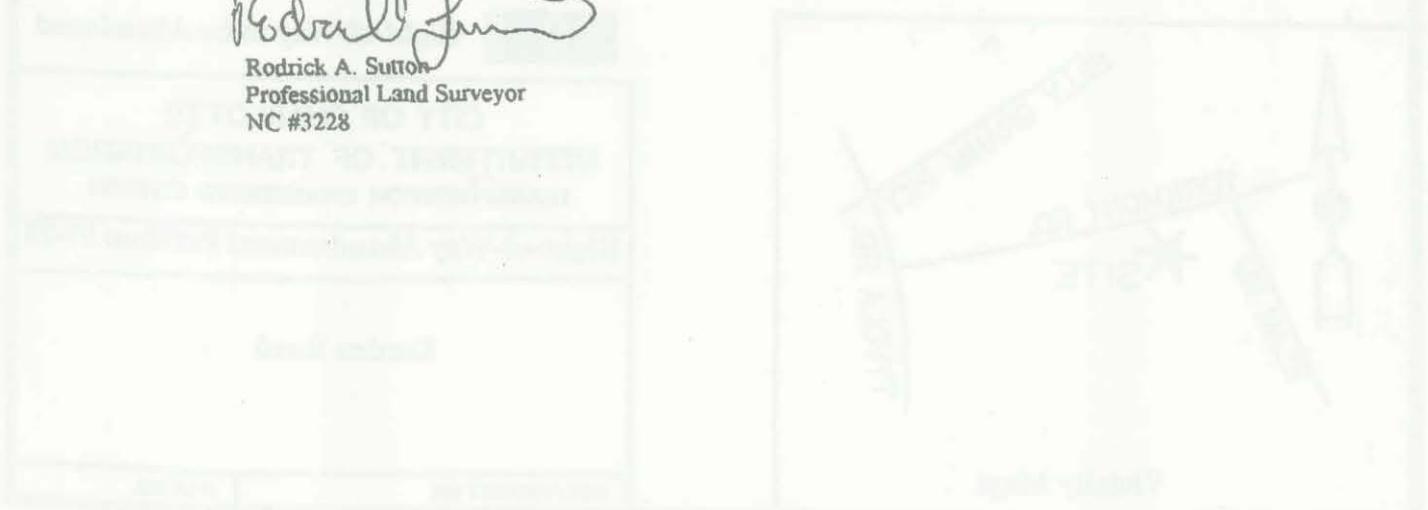
S37°51'48"E 65.69 Feet to a point; thence
S21°40'24"E 99.44 Feet to a point; thence

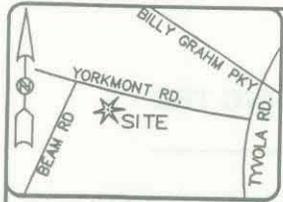
S23°48'14"E 110.39 Feet to a point in the line of Southern Bell Telephone & Telegraph Company (DB 6549-396); thence with said Southern Bell Telephone & Telegraph Company (DB 6549-396) and a portion of Borden Road that has been closed by DB 518-521 for one line

S65°35'36"W 30.00 Feet to the point of beginning containing 0.45 Acres more or less as surveyed by Rodrick A. Sutton, PLS.



Rodrick A. Sutton
Professional Land Surveyor
NC #3228

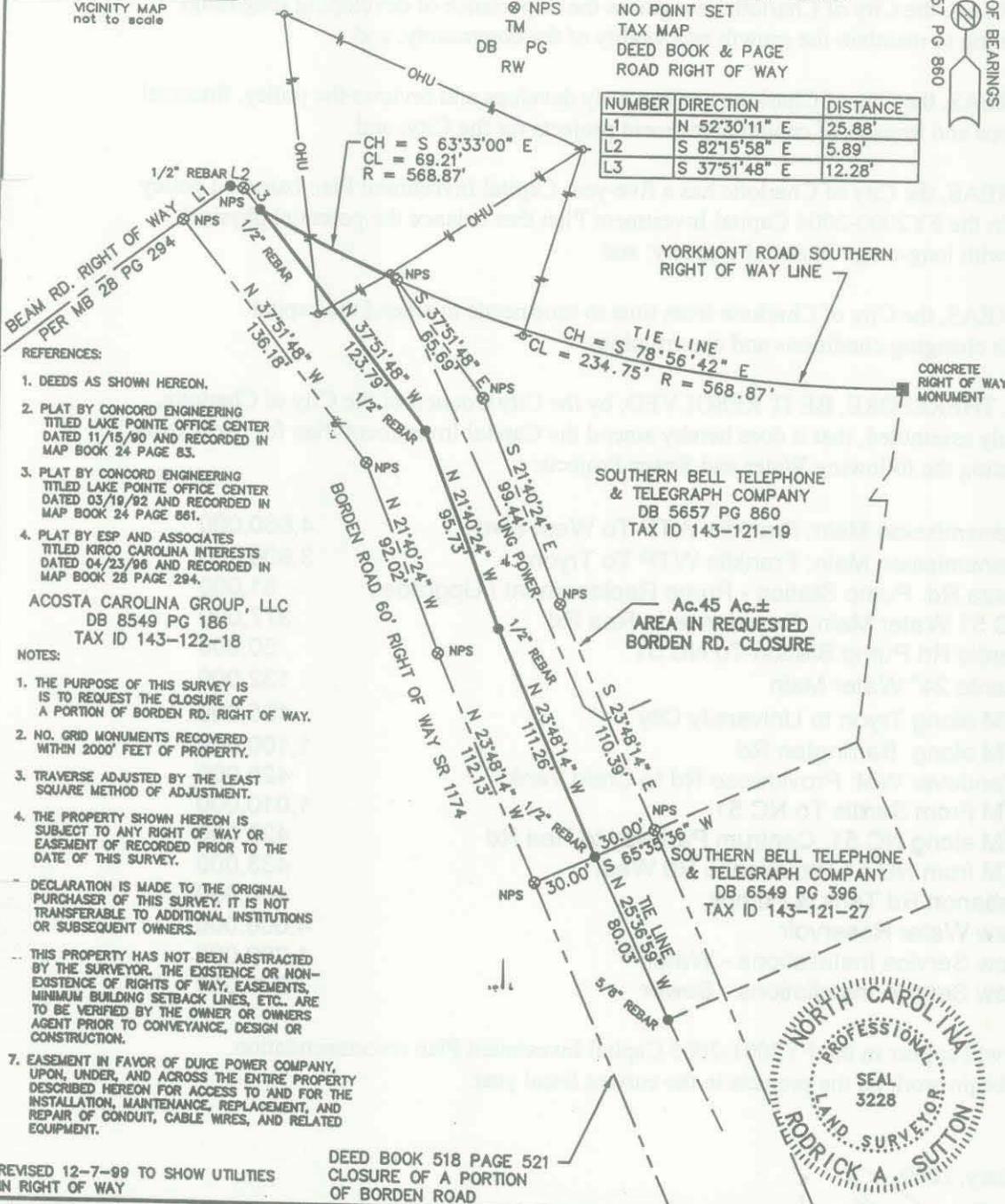
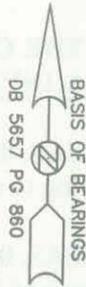




LEGEND

- PROPERTY LINE
- - - - - TIE LINE
- - - - - ADJOINING PROPERTY LINE
- - - - - RIGHT OF WAY LINE
- - - - - UNDER GROUND POWER
- EXISTING PROPERTY CORNER
- NO POINT SET
- ⊙ TAX MAP
- DB DEED BOOK & PAGE
- PG DEED BOOK & PAGE
- RW ROAD RIGHT OF WAY

| NUMBER | DIRECTION | DISTANCE |
|--------|---------------|----------|
| L1 | N 52°30'11" E | 25.88' |
| L2 | S 82°15'58" E | 5.89' |
| L3 | S 37°51'48" E | 12.28' |



REFERENCES:

1. DEEDS AS SHOWN HEREON.
2. PLAT BY CONCORD ENGINEERING TITLED LAKE POINTE OFFICE CENTER DATED 11/15/90 AND RECORDED IN MAP BOOK 24 PAGE 83.
3. PLAT BY CONCORD ENGINEERING TITLED LAKE POINTE OFFICE CENTER DATED 03/19/92 AND RECORDED IN MAP BOOK 24 PAGE 861.
4. PLAT BY ESP AND ASSOCIATES TITLED KIRCO CAROLINA INTERESTS DATED 04/23/96 AND RECORDED IN MAP BOOK 28 PAGE 294.

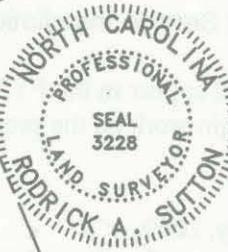
ACOSTA CAROLINA GROUP, LLC
DB 8549 PG 186
TAX ID 143-122-18

NOTES:

1. THE PURPOSE OF THIS SURVEY IS TO REQUEST THE CLOSURE OF A PORTION OF BORDEN RD. RIGHT OF WAY.
 2. NO. GRID MONUMENTS RECOVERED WITHIN 2000' FEET OF PROPERTY.
 3. TRAVERSE ADJUSTED BY THE LEAST SQUARE METHOD OF ADJUSTMENT.
 4. THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY RIGHT OF WAY OR EASEMENT OF RECORDED PRIORITY TO THE DATE OF THIS SURVEY.
- DECLARATION IS MADE TO THE ORIGINAL PURCHASER OF THIS SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
- THIS PROPERTY HAS NOT BEEN ABSTRACTED BY THE SURVEYOR. THE EXISTENCE OR NON-EXISTENCE OF RIGHTS OF WAY, EASEMENTS, MINIMUM BUILDING SETBACK LINES, ETC., ARE TO BE VERIFIED BY THE OWNER OR OWNERS AGENT PRIOR TO CONVEYANCE, DESIGN OR CONSTRUCTION.
7. EASEMENT IN FAVOR OF DUKE POWER COMPANY, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED HEREON FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE WIRES, AND RELATED EQUIPMENT.

REVISED 12-7-99 TO SHOW UTILITIES IN RIGHT OF WAY

DEED BOOK 518 PAGE 521
CLOSURE OF A PORTION OF BORDEN ROAD



AccuTech Surveying & Mapping, LLP

SURVEYORS and LAND PLANNERS
615 UNION CEMETERY RD. SW
CONCORD, NC 28027
(704) 784-3286

I, RODRICK A. SUTTON, CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DB. 5657, PG. 860); THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES WAS 1:48,000+; THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN DB. 24, PG. 83; AND THAT THE ANGULAR ERROR OF CLOSURE WAS 2" PER TURN.

WITNESS MY HAND AND OFFICIAL SEAL THIS 21st DAY OF OCTOBER, 1999.

REGISTERED LAND SURVEYOR LICENSE NO. L-3228

REQUEST FOR RIGHT OF WAY CLOSURE SURVEY

PROPERTY OWNER: SOUTHERN BELL TELEPHONE COMPANY
BERRYHILL TWP. MECKLENBURG CO., NC

ADDRESS 4429 WILMONT ROAD CHARLOTTE, NC

TAX ID 143-121-19

LEGAL REF: DEED BOOK 5657 PAGE 860

SURVEY FOR: PARSONS

SCALE 1" = 60' DATE: 10-21-99

SCALE IN FEET

ACCUTECH PROJECT: H:\PROJECTS\99225

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AMENDING THE FIVE-YEAR CAPITAL INVESTMENT PLAN FOR FISCAL YEARS 2000 TO 2004.

WHEREAS, the City of Charlotte recognizes the importance of developing long-range capital investment planning to maintain the growth and vitality of the community; and

WHEREAS, the City of Charlotte continuously develops and reviews the policy, financial and planning assumptions and impacts of capital investment projects for the City; and

WHEREAS, the City of Charlotte has a five-year Capital Investment Plan based on policy assumptions, so stated in the FY2000-2004 Capital Investment Plan that balance the potential physical development planning with long-range financial capacity; and

WHEREAS, the City of Charlotte from time to time needs to amend the capital plan to correspond with changing conditions and opportunities.

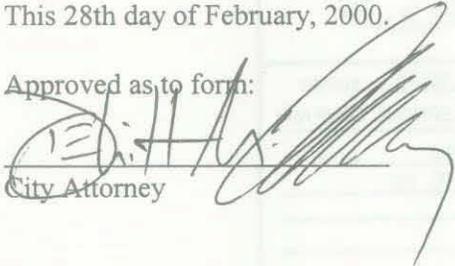
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, that it does hereby amend the Capital Investment Plan for fiscal years 2000 to 2004 incorporating the following Water and Sewer Projects:

| | | |
|-------|--|-----------|
| 63539 | Transmission Main: Franklin WTP To West Blvd | 4,660,000 |
| 63530 | Transmission Main: Franklin WTP To Tryon | 3,600,000 |
| 63531 | Plaza Rd. Pump Station - Pump Replacement / Upgrades | 61,000 |
| 63423 | NC 51 Water Main: Providence to Rea Rd | 377,000 |
| 63424 | Sardis Rd Pump Station To NC 51 | 50,000 |
| 63425 | Starita 24" Water Main | 132,000 |
| 63426 | WM along Tryon to University City | 195,000 |
| 63427 | WM along Barrington Rd | 1,100,000 |
| 63421 | Wendover WM: Providence Rd to Craig Tank | 425,000 |
| 63428 | WM From Sardis To NC 51 | 1,010,000 |
| 63422 | WM along NC 51: Centrum Parkway to Rea Rd | 423,000 |
| 63429 | WM from NC 51 Providence Rd West | 433,000 |
| 63532 | Lebanon Rd Tank & Pumps | 400,000 |
| 63564 | Raw Water Reservoir | 4,000,000 |
| 63430 | New Service Installations - Water | 1,200,000 |
| 63216 | New Service Installations - Sewer | 370,000 |

Each of these projects will appear in the FY2001-2005 Capital Investment Plan recommendation. Opportunities exist to begin work on the projects in the current fiscal year.

This 28th day of February, 2000.

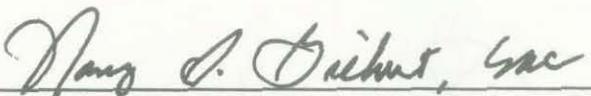
Approved as to form:


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 certified copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of February, 2000, and the reference having been made in Minutes Book 114 and recorded in full in Resolutions Book 36 at pages 84 and 85.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the First day of March, 2000.


Nancy S. Gilbert, CMC, Deputy City Clerk
3-1-00