

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

Whereas, **Rea Contracting, LLC** has filed a petition to close **a portion of Griffith Street** in the City of Charlotte; and

Whereas, the portion of Griffith Street to be closed lies within the vicinity of the Brookhill Community beginning 130 feet east from Griffith Street continuing north approximately 341 feet to its terminus 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 January 22, 2007 that it intends to close a portion of Griffith Street 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 26th day of February, 2007 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of January, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 529.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2007.



Brenda R. Freeze, CMC, City Clerk

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on January 22, 2007.

* * *

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 Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on January 22, 2007 (the "Meeting"), after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Councilmember: Barnes, Burgess,

Carter, Dulin, Foxx, Kinsey, Lassiter, Lochman, Mitchell, Mumford, and Turner.
Councilmember Foxx excused from voting.

The following members of the City Council were absent: _____

Also present: _____

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

**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH
CAROLINA APPROVING AN INSTALLMENT PURCHASE
CONTRACT AND AN AMENDMENT TO AN
INSTALLMENT PURCHASE 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 of North Carolina (the "State");

WHEREAS, the City has the power, pursuant to the General Statutes of the State, to (1) purchase real and personal property, (2) enter into installment purchase contracts 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 (the "City Council") has determined it is in the best interest of the City to enter into (a) an Installment Purchase Contract dated as of February 1, 2007 (the "Contract") with New Charlotte Corporation (the "Corporation") to finance (1) the construction, equipping and furnishing of the NASCAR Hall of Fame (the "HOF"), (2) the construction, equipping and furnishing of a ballroom to be connected to the HOF and the Convention Center (the "Ballroom"), (3) the construction of a parking facility adjacent to the HOF (the "Parking Facility"), (4) the renovation and improvement of the Convention Center to allow for light rail (the "Convention Center Renovation" and collectively with the HOF, the Ballroom and the Parking Facility, the "Projects") and (5) costs related to the execution and delivery of the Contract; and (b) a Deed of Trust and Security Agreement dated as of February 1, 2007 (the "Deed of Trust") from the City to the deed of trust trustee named therein to provide a security interest in the City's interest in all or a portion of the real property on which the HOF, the Ballroom and the Parking Facility will be located (the "Sites") and the improvements thereon;

WHEREAS, the Corporation and the City entered into an Amended and Restated Installment Purchase Contract dated as of August 1, 1993, as amended (the "*Amended and Restated Installment Purchase Contract*"), to finance various convention center facilities including the purchase of several tracts of real property that will now be used for the Projects and, therefore, the City Council has determined it is in the best interest of the City to enter into Amendment Number Six to the Amended and Restated Installment Purchase Contract dated as of February 1, 2007 (the "*Contract Amendment*" and together with the Amended and Restated Installment Purchase Contract, the "*1993 Contract*") with New Charlotte Corporation (the "*Corporation*") to finance the defeasance of certain portions of installment financing obligations (the "*Defeasance*") under the 1993 Contract, the proceeds of which were used to purchase the real property that will now be used for Projects;

WHEREAS, the Corporation will execute and deliver (1) Taxable Refunding Certificates of Participation (Convention Facility Project), Series 2007B, Evidencing Proportionate Undivided Interests in Rights to receive certain Revenues pursuant to the 1993 Contract (the "*Refunding Certificates*") under the Indenture of Trust dated as of June 1, 1991 between the Corporation and U.S. Bank National Association, as successor trustee, and a Supplemental Indenture, Number 7 dated as of February 1, 2007 between the Corporation and U.S. Bank National Association, as trustee, and (2) Taxable Commercial Paper Certificates of Participation (NASCAR Hall of Fame Facilities), Series 2007C, Evidencing Proportionate Undivided Interests in Rights to Receive Revenues Pursuant to the Contract (the "*CP Certificates*") under an Indenture of Trust dated as of February 1, 2007 between the Corporation and U.S. Bank National Association, as trustee, and a Supplemental Indenture, Number 1 dated as of February 1, 2007 between the Corporation and U.S. Bank National Association, as trustee and issuing and paying agent;

WHEREAS, in connection with the sale of the Refunding Certificates by the Corporation to Banc of America Securities LLC and Wachovia Bank, National Association (collectively, the "*Underwriters*"), the City desires to make certain representations and warranties to the Underwriters in the form of the City's Letter of Representations to the Underwriters (the "*Letter of Representations*");

WHEREAS, Banc of America Securities LLC (the "*Dealer*") will serve as the dealer for the CP Certificates under the terms of a Commercial Paper Dealer Agreement dated as of February 1, 2006 (the "*Dealer Agreement*") among the Corporation, the City and the Dealer;

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 financings:

- (1) the Contract Amendment;
- (2) the Letter of Representations;
- (3) the Contract of Purchase dated on or about February 15, 2007 between the Corporation and the Underwriters (the "*Purchase Contract*");
- (4) the Escrow Agreement dated as of February 1, 2007 between the City and U.S. Bank National Association, as escrow agent (the "*Escrow Agreement*");
- (5) the Preliminary Official Statement related to the Refunding Certificates (the "*Preliminary Official Statement*") containing certain information regarding the City;

- (6) the Contract;
- (7) the Deed of Trust;
- (8) the Dealer Agreement;
- (9) the Issuing and Paying Agency Agreement dated as of February 1, 2007 among the City, the Corporation and U.S. Bank National Association, as issuing and paying agent (the "*IPA Agreement*");
- (10) the Standby Certificate Purchase Agreement dated as of February 1, 2007 (the "*Standby Agreement*") between the City and KBC Bank N.V., acting through its New York Branch, as liquidity provider for the CP Certificate;
- (11) the Offering Memorandum related to the CP Certificates (the "*Offering Memorandum*") containing certain information regarding the City;

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

WHEREAS, the City Council did conduct a public hearing on January 8, 2007, to receive public comment on the proposed installment financings for the Projects and the Defeasance;

WHEREAS, the City has filed an application to the North Carolina Local Government Commission for approval of the Contract and the Contract Amendment;

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 (a) the form, terms and content of the Preliminary Official Statement are in all respects authorized, approved and confirmed, and the use of the Preliminary Official Statement and the final Official Statement related to the Refunding Certificates substantially in the form of the Preliminary Official Statement (the "*Official Statement*") by the Underwriters in connection with the sale of the Refunding Certificates is hereby in all respects authorized, approved and confirmed and (b) the Mayor, the City Manager and the Director of Finance are hereby authorized, empowered and directed to execute and deliver the Official Statement, 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 Preliminary Official Statement presented to the City Council.

Section 3. Authorization of the Offering Memorandum. That the form, terms and content of the Offering Memorandum are in all respects authorized, approved and confirmed, and the use of the Offering Memorandum related to the CP Certificates by the Dealer in connection with the sale of the CP Certificates is hereby in all respects authorized, approved and confirmed.

Section 4. Authorization of Contract Amendment. That the City approves the Defeasance in accordance with the terms of the Contract Amendment, which will be a valid, legal and binding obligation of the City in accordance with its terms. The form and content of the Contract Amendment 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 Amendment, 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 Amendment presented to the City Council, and that from and after the execution and delivery of the Contract Amendment, 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 Amendment as executed.

Section 5. Authorization of Contract. That the City approves the acquisition and construction of the Projects 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 6. Authorization of Other Instruments. That the form and content of the other Instruments 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 Instruments to which the City is a party, 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 Instruments presented to the City Council, and that from and after the execution and delivery of the Instruments, 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 Instruments as executed.

Section 7. 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 each is authorized to proceed with the Projects and the Defeasance in accordance with the Instruments and to seek opinions as a matter of law from the City Attorney, which the City Attorney is authorized to furnish on behalf of the City, and opinions of law from such other attorneys for all documents contemplated hereby. 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 and the Contract Amendment and

the transactions contemplated by the Instruments, 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 to consummate the transactions contemplated by the Instruments or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution.

Section 8. 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 9. Repealer. That all motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

Section 10. Effective Date. This Resolution will take effect immediately on its adoption.

On motion of Councilmember Burgess, seconded by Councilmember Carter, the foregoing resolution titled "**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA APPROVING AN INSTALLMENT PURCHASE CONTRACT AND AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT WITH NEW CHARLOTTE CORPORATION AND RELATED MATTERS**" was duly adopted by the following vote:

AYES:

NAYS:

PASSED, ADOPTED AND APPROVED this 22nd day of January, 2007.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of January, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Pages (530-535).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2007.



Brenda R. Freeze, CMC, City Clerk

North Carolina Governor's Highway Safety Program
LOCAL GOVERNMENTAL RESOLUTION
Form GHSP-02-A

(To be completed, attached to and become part of Form GHSP-02, Highway Safety Project Contract.)

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

THEREFORE, NOW BE IT RESOLVED BY THE Charlotte City Council _____ IN OPEN
(Governing Body)
MEETING ASSEMBLED IN THE CITY OF Charlotte _____, NORTH CAROLINA,
THIS 22 ___ DAY OF January _____, 20 07 ___, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Capt. David Haggist _____ is authorized to file, on behalf of the Governing
(Name and Title of Representative)
Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal
funding in the amount of \$7500 _____ to be made to the Governing Body to assist in defraying
(Federal Dollar Request)
the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of \$2500 _____ as
(Local Cash Appropriation)
required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangement for other
appropriate persons to furnish such information, data, documents and reports as required by the contract, if
approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by Mayor Pat McCrory _____
(Chairperson/Mayor)

ATTESTED BY Brenda R. Frege
(Clerk)

SEAL

DATE 1/22/2007

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of January, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Pages (536-537).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2007.



Brenda R. Freeze, CMC, City Clerk

RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE,
NORTH CAROLINA ON JANUARY 22, 2007

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

WHEREAS, this Municipal Agreement is for the reimbursement to the State for the relocation and adjustment of municipally-owned water and sewer lines along I-485 from north of NC 27 to northeast Oakdale Road; and,

WHEREAS, the City will reimburse NCDOT for actual costs not to exceed \$1,471,140.45; and,

WHEREAS, the format and cost sharing philosophy is consistent with past municipal agreements;

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 North Carolina Department of Transportation.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of January, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 538.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2007.


Brenda R. Freeze, CMC, City Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON January 22, 2007**

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

WHEREAS, NCDOT authorized the installation of a traffic signal and interconnect cable in relation to the design and construction to widen the I-485 Westbound ramp at South Boulevard. A Municipal Agreement between the City and NCDOT is needed in order for the City to be reimbursed for the work it has done; and,

WHEREAS, The Municipal Agreement provides for the City to be reimbursed, by NCDOT, for all work it has performed on this project not to exceed \$250,000; and,

WHEREAS, The format and cost sharing philosophy is consistent with past municipal agreements; and,

NOW, THEREFORE, BE IT RESOLVED, that this resolution authorizing the Key Business Executive of the Charlotte Department of Transportation to execute a municipal agreement with the NCDOT for the installation of a traffic signal and interconnect cable in relation to the design and construction to widen the I-485 Westbound ramp at South Boulevard, 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 aforementioned groups.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of January, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 539.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2007.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION AUTHORIZING THE LEASE OF ARENA STREET LEVEL
RETAIL SPACE TO GREGORY & NICCOLAI GROUP, INC.,
D/B/A "BELLACINO'S PIZZA AND GRINDERS"

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, "Bellacino's Pizza and Grinders" desires to lease approximately 4,131 square feet of the Property for a restaurant 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, "Bellacino's Pizza and Grinders" has agreed to pay market rent in the average annual amount of Ninety Eight Thousand Eight Hundred Twenty Two Dollars (\$98,822) for the first five years, with the annual rent increasing by three percent (3%) for each successive year; 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 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 Gregory & Niccolai Group, Inc., d/b/a "Bellacino's Pizza and Grinders" 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 22ND DAY OF JANUARY, 2007.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of January, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Pages (540-541).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2007.



Brenda R. Freeze, CMC, City Clerk

RESOLUTION AUTHORIZING THE CONVEYANCE OF 10.6 ACRES OF VACANT LAND TO CHARLOTTE-MECKLENBURG SCHOOLS LOCATED AT OLD STATESVILLE ROAD IN HUNTERSVILLE (A PORTION OF TAX CODE 017-051-15)

WHEREAS, the City owns a 12.9 acre tract of land along Old Statesville Road in Huntersville that houses a Charlotte-Mecklenburg Utility water tower; and

WHEREAS, The City of Charlotte proposes to declare 10.6 acres of vacant land from the parent tract as surplus; and

WHEREAS, Charlotte-Mecklenburg Schools (a/k/a CMS) now desires to purchase 10.6-acre parcel of vacant land at \$47,250 per acre for additional parking for North Mecklenburg High School and Blythe Elementary School; and

WHEREAS, It is in the public interest to assist CMS in their parking situation while returning revenue to the Utility Department; and

WHEREAS, the City proposes to accept said Offer subject to advertisement and a ten day waiting period for any dissenting comments.

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Charlotte, that:

Contingent upon the property not receiving opposition to selling this property from the advertisement, this above referenced Property is declared to be surplus, and pursuant to Section 8.22(d) of the City of Charlotte Charter, Council hereby authorizes the private sale of Property as follows:

The City will convey fee simple title to CMS 10.6 acres (based upon final survey) for a projected amount of Five Hundred Thousand Eight Hundred Fifty Dollars (\$500,850.00). The City Manager or her Designee is authorized to execute the Deed and such other documents necessary to complete the sale of the Property to CMS in accordance with the terms and conditions as advertised.

THIS THE 22nd DAY OF JANUARY, 2007

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of January, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 542.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2007.


Brenda R. Freeze, CMC, 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 **POTTS STREET PARALLEL OUTFALL 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 **POTTS STREET PARALLEL OUTFALL PROJECT** and estimated to be approximately **19,096 square feet (.438 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 007-053-19, said property currently owned by **JACK GARRISON GRIFFITH 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of January, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 543.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2007.



Brenda R. Freeze, CMC, 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 **POTTS STREET PARALLEL OUTFALL 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 **POTTS STREET PARALLEL OUTFALL PROJECT** and estimated to be approximately **8,754 square feet (.201 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 007-051-21, said property currently owned by **JOHN L. CATHEY and spouse, if any; GUY E. CLINE, III, Trustee; LINCOLN BANK OF NORTH CAROLINA, Beneficiary, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of January, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 544.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2007.



Brenda R. Freeze, CMC, 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 **POTTS STREET PARALLEL OUTFALL 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 **POTTS STREET PARALLEL OUTFALL PROJECT** and estimated to be approximately **11,278 square feet (.259 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 007-051-22, said property currently owned by **EVA GRIFFITH CATHEY 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of January, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 545.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2007.



Brenda R. Freeze, CMC, 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 **POTTS STREET PARALLEL OUTFALL 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 **POTTS STREET PARALLEL OUTFALL PROJECT** and estimated to be approximately **10,179 square feet (.234 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 007-051-23, said property currently owned by **EVA GRIFFITH CATHEY 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of January, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 546.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2007.


Brenda R. Freeze, CMC, 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 **POTTS STREET PARALLEL OUTFALL 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 **POTTS STREET PARALLEL OUTFALL PROJECT** and estimated to be approximately **1,194 square feet (.004 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 007-051-13, said property currently owned by **ELAINE C. McARN; JERRY DALE McARN; KENNETH W. CALDWELL; JUDITH K. CALDWELL; REBECCA C. BROWN; DONALD E. BROWN, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of January, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 547.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2007.


Brenda R. Freeze, CMC, 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 **POTTS STREET PARALLEL OUTFALL 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 **POTTS STREET PARALLEL OUTFALL PROJECT** and estimated to be approximately **7,861 square feet (.180 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 007-018-06, said property currently owned by **ALEXANDER TRUCKING COMPANY OF DAVIDSON, INC.; HEIRS AT LAW OF J. M. FISHER, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of January, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 548.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2007.


Brenda R. Freeze, CMC, 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 **POTTS STREET PARALLEL OUTFALL 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 **POTTS STREET PARALLEL OUTFALL PROJECT** and estimated to be approximately **13,486 square feet (.310 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 007-018-18, said property currently owned by **MILDRED C. ALEXANDER (a/k/a Mildred Cashion Alexander) and spouse, if any; ALAN R. BYRD, Lessee, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of January, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 549.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2007.



Brenda R. Freeze, CMC, 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 **POTTS STREET PARALLEL OUTFALL 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 **POTTS STREET PARALLEL OUTFALL PROJECT** and estimated to be approximately **1,354 square feet (.031 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 007-018-17, said property currently owned by **HEIRS OF NANCY LULA FISHER; MOLENE RAHME and spouse, if any; MARIE FISHER BJORNEBOE and spouse, if any; WILLIAM (BILLY) FISHER and spouse, if any; JAMES FISHER and spouse, if any; DELANA FISHER and spouse, if any; JOHNNY FISHER and spouse, if any; FRANCES CHRISTINE (MARY) REYNOLDS and spouse, if any, COUNTY OF MECKLENBURG, Tax Lienholder; TOWN OF DAVIDSON, Tax Lienholder, and Any Other Parties in Interest, or the owners' successor-in-interest.**

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of January, 2007, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 550.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2007.


Brenda R. Freeze, CMC, City Clerk