

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

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

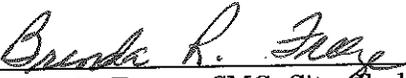
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 23rd day of January, 2006 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of January, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 39, Page(s) 950-951.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2006.


Brenda R. Freeze, CMC, City Clerk

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

Name	Refund Amount
BOURNE RAYMOND F	\$ 254.10
BOURNE RAYMOND F	254.10
SMOOT BENJAMIN L	120.54
KNICKERBOCKER PROPERTIES INC	18,961.74
LY JUAN	17.64
SOFTY VICTORIA J	146.16
SZYMANSKI KENNETH N	42.00
HERNANDEZ ANTHONY J	33.60
TARENCO CORPORATION	1,030.34
TARENCO CORPORATION	1,364.30
TARENCO CORPORATION	1,875.85
HOUSE KISHINDA K	69.72
TARENCO CORPORATION	2,205.55
TARENCO CORPORATION	2,215.03
WATSON JILL S	220.92
RHYNE SARAH B	5.88
MCMANUS RICH A	18.48
MCMANUS RICH A	18.48
MCMANUS RICH A	18.48
MCMANUS RICH A	19.57
MCMANUS RICH A	19.57
CROWN CONVERTING	3,663.58
CROWN CONVERTING	3,811.75
CROWN CONVERTING	4,223.03
CROWN CONVERTING	4,351.64
CROWN CONVERTING	4,577.79
LABELTEC INC %GRANT THORNTON	372.20
LABELTEC %GRANT THORNTON	2,335.49
LABELTEC %GRANT THORNTON LLP	2,054.83
LABELTEC %GRANT THORNTON LLP	2,276.40
LABELTEC %GRANT THORNTON	1,677.97
PHARMAPRINT %GRANT THORNTN LLP	223.23
PHARMAPRINT %GRANT THORNTN LLP	363.26
PHARMAPRINT %GRANT THORNTN LLP	174.97
PHARMAPRINT %GRANT THORNTN LLP	90.75
PHARMAPRINT %GRANT THORNTN LLP	109.21
THOMPSON CLARA	33.60
RUSSO HENRY	33.60
LITTLE CLINTON	26.46
RICHERT DANIEL J	74.76
RICHERT DANIEL J	74.76
RICHERT DANIEL J	74.76
CARLA BROWN	33.60
THOMAS DERICK J	31.92
THOMAS DERICK J	31.92
THOMAS DERICK J	31.92
THOMAS DERICK J	38.29
THOMAS DERICK J	38.29
CROWN CONVERTING %GRANT	3,663.58
COLEMAN JENNIFER L	53.76
MINTZ SEAN M	129.78
MINTZ SEAN M	129.78
HEALTHWORKS CHIROPRACTIC	175.07
JAMES TRACY L	149.52
CAMPBELL ELIZABETH CARLSON	166.95
HALPERN MARCELO	710.64
GRIFFIN PERON	108.7
COUTURE BRIAN ANTHONY	38.22
SHAH DEVANG	46.62
TOTAL	\$ 65,114.65

**RESOLUTION APPROVING AMENDMENT TO THE
CHARLOTTE FIREFIGHTERS' RETIREMENT SYSTEM ACT**

WHEREAS, Section 40 of the Charlotte Firefighters' System Act ("Act") authorizes the City Council to approve amendments to the Act, and submit those amendments to the North Carolina General Assembly; and

WHEREAS, recent changes to the Internal Revenue Code require retirement systems to transfer mandatory distributions of member contribution refunds greater to \$1,000.00 to another qualified retirement plan when the member does not instruct the retirement system to refund the contribution or roll it over to another retirement system; and

WHEREAS, the Charlotte Firefighters' Retirement System is required to make this change in order to keep its tax qualified status; and

WHEREAS, the Charlotte Firefighters' Retirement System Board of Trustees has approved an amendment to the Act, in accordance with Sections 38, 39, and 40 of the Act, at its October 26, 2005 meeting; and

WHEREAS, Section 39 of the Act provides the City Council the authority to approve changes to the Act to maintain its tax qualified status; and

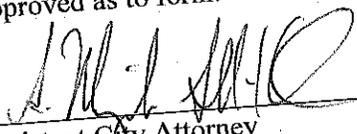
WHEREAS, Section 40 of the Act authorizes the City Council to recommend changes to the Act to the North Carolina General Assembly; and

THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of January 23, 2006 that the City hereby approves the following change to the Charlotte Firefighters' Retirement System Act and that the City submits the changes to the North Carolina General Assembly and recommends approval of the change:

The following paragraph is to be inserted into the current Section 13.1 at the end of the current Section 13.1:

"(c) In the event of a mandatory distribution greater than \$1,000 that is made without the Member's consent and is made to the Member before the Member attains the later of age 62 or Normal Retirement Age, if the Member does not elect to have such distribution paid directly to an eligible retirement plan specified by the Member in a direct rollover or to receive the distribution from the Plan, the Administrator shall pay the distribution in a direct rollover to an individual retirement plan designated by the Administrator."

Approved as to form:


Assistant City Attorney

January 23, 2006
Resolution Book 39, Page 953

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 23rd day of January, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 39, Page(s) 952-953.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2006.


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 **CINDY LANE EXTENSION 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 **CINDY LANE EXTENSION PROJECT** and estimated to be approximately **21,825.56 square feet (.501 ac.) of fee-simple interest 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. 045-292-01 and 045-292-02, said property currently owned by **VANG THAO and wife, MEE VANG THAO; HAROLD W. BEAVERS, Trustee; CORRESPONDENTS MORTGAGE COMPANY, LP, 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.

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of January, 2006.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION AUTHORIZING SALE OF THE COLISEUM PROPERTY BY
THE UPSET BID PROCESS

WHEREAS, the City of Charlotte owns a 154-acre property more particularly identified as being Tax Parcel Numbers 143-131-06, 143-141-08 and a portion of 143-131-03 located at 100 Paul Buck Boulevard in Charlotte, Mecklenburg County, North Carolina (the "Coliseum Property"); and

WHEREAS, North Carolina General Statute § 160A-269 permits the city to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the City received an offer to purchase the property described above in the amount of \$23,350,000, submitted by Pope & Land Enterprises, Inc.; and

WHEREAS, Pope & Land Enterprises, Inc. paid the required five percent (5 %) deposit on the offer; and

WHEREAS, the offer was published on 1/12/06 in a notice of sale by upset bid which included a description of the property, the amount of the offer, and the terms under which the offer might be upset; and

WHEREAS, the terms of the final sale are that Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed; the buyer must pay cash at closing; and the property will be sold subject to the condition that it not be used for spectator sporting events, entertainment and other civic events that would compete with events at the new arena; and

WHEREAS, a ten-day period has passed without any qualifying upset bid having been received;

WHEREAS, in 2003, Council approved the proceeds from the sale of this property to be part of the financing of the new arena;

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

Sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269, and upon the terms as set forth in the public notice described above, is authorized; and

No qualifying upset bid having been received after the public notice, the offer described above is hereby accepted, and the Manager or her Designee is authorized to execute the Purchase Contract and such other documents necessary to complete the sale of the Property to Pope & Land Enterprises, Inc. in accordance with the terms and conditions as advertised.

THIS THE 23RD DAY OF JANUARY, 2006.

January 23, 2006
Resolution Book 39, Page 956

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 23rd day of January, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 39, Page(s) 955-956.

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Brenda R. Freeze, CMC, City Clerk