

A RESOLUTION AUTHORIZING THE REFUND OF  
CERTAIN BUSINESS PRIVILEGE LICENSES

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:

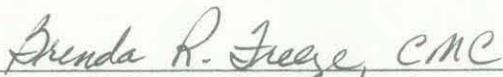
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time 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 22nd day of July, 2002 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, 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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Pages 844-845.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
Brenda R. Freeze, CMC, City Clerk

**BUSINESS PRIVILEGE LICENSE  
REFUNDS REQUESTED**

<u>Name</u>	<u>Amount of Refund</u>
Cebo Technology	\$ 25.00
Sekisui of Charlotte	30.00
A-Lan Consulting & Sales, Inc	94.00
Adams Mark Hotels & Resorts	1,245.55
Arnold Palmer Cadillac	38.86
Beauregards Restaurant & Bar	803.72
Boardwalk Billy's	1,953.45
Blackmon Service, Inc	102.55
Coyne International Enterprises	439.25
Creative Corporate	100.00
Environmental Construction Service	794.07
First Quality Cleaning Service, Inc.	28.63
Gate Petroleum Company	1,695.11
Go Dan Industries	275.55
H & S Lumber Co	1,679.21
Kimbrells Furniture Inc	1,119.41
Petro Express Inc	163.92
Thomas Street Tavern	274.55
<b>Total</b>	<b><u>\$10,862.83</u></b>

*[Faint signature and text at the bottom of the page]*

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of Mark Way and Springview Road** in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Joyce R. Lambeth** has filed a petition to close a portion of **Mark Way and Springview Road** in the City of Charlotte; and

Whereas, the portion of Mark Way to be closed lies approximately 415 feet from the intersection of Mark Way and Beechway Circle and continues northeasterly approximately 230 feet to its terminus as shown in the map marked "Exhibit A-1" and is more particularly described by metes and bounds in a document marked "Exhibit B-1" and the portion of Springview Road to be closed lies approximately 360 feet from the intersection of Springview Road and Wellingford Street and continues westwardly approximately 120 feet to its terminus as shown in the map marked "Exhibit A-2" and is more particularly described by metes and bounds in a document marked "Exhibit B-2" all 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

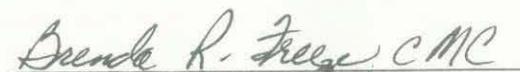
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of July 22, 2002 that it intends to close a portion of Mark Way and Springview Road and that the said streets (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 26<sup>th</sup> day of August, 2002 in CMGC meeting chamber, 600 East 4<sup>th</sup> 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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 846.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
Brenda R. Freeze, CMC, City Clerk

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of a 10-foot Alleyway bounded by Independence Boulevard, East 8<sup>th</sup> Street, Oakland Avenue, and Hawthorne Lane in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, Monte Ritchie has filed a petition to close **a portion of a 10-foot Alleyway bounded by Independence Boulevard, East 8<sup>th</sup> Street, Oakland Avenue, and Hawthorne Lane** in the City of Charlotte; and

Whereas, the portion of the 10-foot wide Alleyway to be closed is bounded by Independence Boulevard, East 8<sup>th</sup> Street, Oakland Avenue, and Hawthorne Lane and lies from Independence Boulevard southwestwardly approximately 220 feet to a mid-point 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

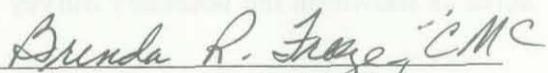
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of July 22, 2002 that it intends to close a portion of the 10-foot Alleyway bounded by Independence Boulevard, East 8<sup>th</sup> Street, Oakland Avenue, and Hawthorne Lane and that the said alleyway (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 26<sup>th</sup> day of August, 2002 in CMGC meeting chamber, 600 East 4<sup>th</sup> 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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 847.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
Brenda R. Freeze, CMC, City Clerk

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION  
OF ANNEXATION PURSUANT TO G.S. 160A-31  
PEACHTREE HILLS SUBDIVISION**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section I. A public hearing on the question of annexation of the area described herein will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 E. Fourth Street, Charlotte, N.C. at 7:00 p.m. on August 26, 2002.

Section 2. The area proposed for annexation is described as follows:

**LEGAL DESCRIPTION**

BEGINNING at an existing iron pin; said point marking the southeast corner of Lot 17 Block D as recorded in Map Book 7 Page 709 of the Mecklenburg County Public Registry, said point also marking the southwest corner of Lot 18 Block D of Crandon Park as recorded in Map Book 7 Page 709 of the Mecklenburg County Public Registry; said point also marking the northeast corner of Well Lot A on the Minor Subdivision of Well Lot Block D Crandon Park as recorded in Deed Book 8804 Page 944 of the Mecklenburg County Public Registry; thence from said point and place of BEGINNING S 75°40'08" E 160.93 Feet to a point; thence S 75°52'32"E 121.24 Feet to an existing iron pin; thence N 59°14'29"E 106.58 Feet to an existing iron pin; thence S 34°35'31" E 159.51 Feet to a concrete monument; thence S 34°27'02" E 260.18 Feet to a concrete monument; thence S 01°26'49" E 749.54 Feet to a concrete monument; thence S 57°21'17" W 99.92 Feet along the northern boundary of the land owned by Providence Development Partners LLC as recorded in Book 10153 Page 549 of the Mecklenburg County Public Registry to an existing iron pin; thence S 50°20'18"W 303.06 Feet to an existing iron pin; thence N 65°02'42" W 485.69 Feet to an existing iron pin; thence N 79°14'06" W 471.94 Feet to a found iron pin; thence N 01°10'24" E 166.03 Feet to an existing iron pin; thence N 00°26'19" W 1016.88 Feet to a point; thence N 48°15'37"E 267.58 Feet to a point, thence S 42°49'18" E 176.35 Feet, said point also marking the northwestern margin of Crandon Drive a 60 foot public right of way; thence S 42°22'11" E 59.44 Feet to a point; thence S 46°00'39" E 172.48 Feet; thence S 46°50'21"W 91.64 Feet to an existing iron pin; thence S 00°18'28" E 182.93 to an existing iron pin; thence N 37°34'47" E 305.37 Feet to the point and place of BEGINNING, containing 33.2006 acres as shown on the boundary Survey of John G. Cloer Property for Triven Properties

City of Charlotte, Mecklenburg County, North Carolina, recorded in Deed Book 4734 Page 533 in the Mecklenburg County Public Registry by Kelly S. Jamison NCPLS# 3870 dated April 12, 2001. (Deed Book 13593, Page 901)

AND

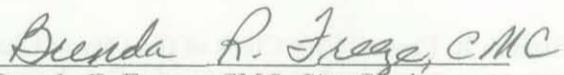
BEGINNING at a rebar set in the line of John Cloer, said point being S 37°34'47"W 125.37 Feet from an existing iron pin at the northeast corner of Well Lot Block D of Crandon Park Subdivision as recorded in Map Book 7 Page 709 in the Mecklenburg County Public Registry, said point being the southwest corner of Lot 18 Block D of Crandon Park MB7 P709 as recorded in the Mecklenburg County Public Registry; thence S 37°34'47" W 180.00 Feet to an existing iron pin; thence with the property line of John Cloer, N 00°18'28" W 140.00 Feet to a rebar set in the property line of John Cloer; thence N 88°37'30" E 110.56 Feet to the point and place of BEGINNING containing 0.1776 acres as shown on the Minor Subdivision of Well Lot Block D Crandon Park, City of Charlotte, Mecklenburg County, North Carolina, by Kelly S. Jamison NCPLS# 3870 dated August 14, 2001. (Deed Book 13576, Page 548)

Section 3. Notice of the public hearing shall be published in *The Charlotte Observer*, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of the public hearing.

#### 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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Pages 848-849.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Southwest Water Transmission Main** 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 **Southwest Water Transmission Main** and estimated to be approximately **20,643 square feet (0.473acre) for Permanent Easement and Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **059-092-02; 059-092-03; 059-092-04; 059-092-05; 059-092-06; and 059-092-07** said property currently owned by **Robert H. Stone Jr., and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

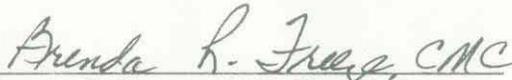
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 850.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Pence Road Streetscape** 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 **Pence Road Streetscape** and estimated to be approximately **2,565 square feet (0.059 acre)** for **Temporary Construction Easement, Permanent Sidewalk and Utility Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **109-063-74** said property currently owned by **Holly Grove Homes Associates, Inc. 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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 851.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Pence Road Streetscape** 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 **Pence Road Streetscape** and estimated to be approximately **1,551 square feet (0.036 acre) for Temporary Construction Easement, Permanent Sidewalk and Utility Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **109-061-54** said property currently owned by **Keith R. Moore and wife, Terry D. Moore 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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 852.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Pence Road Streetscape** 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 **Pence Road Streetscape** and estimated to be approximately **40,634 square feet (0.933 acre) for Fee Simple, Temporary Construction Easement, Permanent Drainage Easement and Permanent Utility Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **109-061-01, 109-084-78 and 109-084-79** said property currently owned by **Pierce Realty Company 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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 855.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Pence Road Streetscape** 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 **Pence Road Streetscape** and estimated to be approximately **2,731 square feet (0.062 acre) for Temporary Construction Easement, Permanent Sidewalk and Utility Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **109-063-74** said property currently owned by **Wal-Mart Stores, Inc. and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

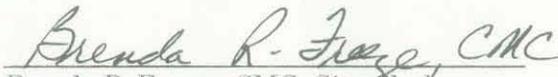
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 856.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Neighborhood Improvement, Villa Heights, 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 **Neighborhood Improvement, Villa Heights** and estimated to be approximately **2,680 square feet (0.062 acre) for Permanent Sidewalk Easement and Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **083-143-03** said property currently owned by **Donald A. Poole, and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

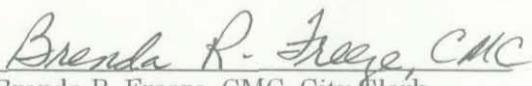
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 857.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Walker Road Sidewalk Improvements**, 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 **Walker Road Sidewalk Improvements** and estimated to be approximately **1,414 square feet (0.032 acre) for Fee Simple** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **157-132-11** said property currently owned by **TCIF, LLC** and any **other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

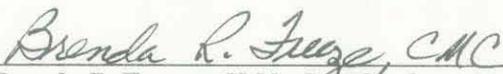
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, 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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 858.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **McDowell Creek Waste Water Treatment Plant-Off Site Water Main**, 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 **McDowell Creek Waste Water Treatment Plant-Off Site Water Main** and estimated to be approximately **4,595 square feet (0.105 acre) for Permanent Water Main 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 **013-062-19** said property currently owned by **Larry D Sherman and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

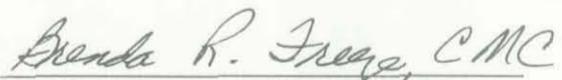
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 859.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Pence Road Streetscape** 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 **Pence Road Streetscape** and estimated to be approximately **730 square feet (0.017 acre) for Temporary Construction Easement, Permanent Sidewalk and Utility Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **109-026-57** said property currently owned by **Betty A. Dunmeyer and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

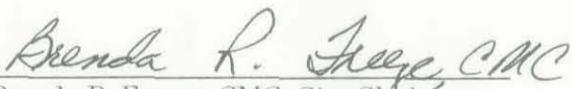
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 860.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Pence Road Streetscape** 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 **Pence Road Streetscape** and estimated to be approximately **755 square feet (0.018 acre) for Temporary Construction Easement, Permanent Sidewalk and Utility Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **109-026-56** said property currently owned by **Samuel W. Mudd and wife Deborah A. Mudd and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

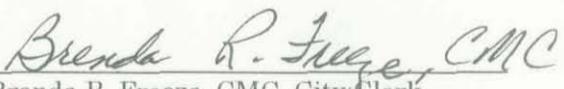
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 861.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Pence Road Streetscape** 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 **Pence Road Streetscape** and estimated to be approximately **1,169 square feet (0.027 acre)** for **Temporary Construction Easement, Permanent Sidewalk and Utility Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **109-026-58** said property currently owned by **Robert C. Giles** and any other Parties in Interest, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

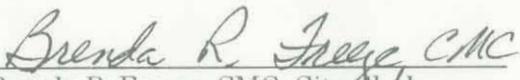
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 862.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Pence Road Streetscape** 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 **Pence Road Streetscape** and estimated to be approximately **1,248 square feet (0.029 acre)** for **Temporary Construction Easement, Permanent Sidewalk and Utility Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **109-026-59** said property currently owned by **Paulette A. Chapman any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

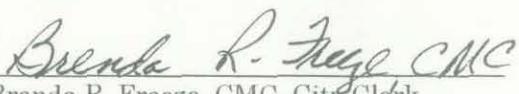
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 863.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Pence Road Streetscape** 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 **Pence Road Streetscape** and estimated to be approximately **1,177 square feet (0.027 acre)** for **Temporary Construction Easement, Permanent Sidewalk and Utility Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **109-042-16** said property currently owned by **Theresa C. Green and husband Marc Green and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

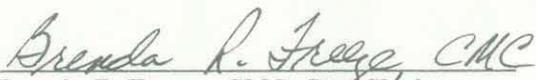
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 864.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Pence Road Streetscape** 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 **Pence Road Streetscape** and estimated to be approximately **8,479 square feet (0.195 acre)** for **Temporary Construction Easement, Permanent Sidewalk and Utility Easement and Permanent Drainage Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **109-042-97 and 109-042-98** said property currently owned by **Heatherwood Associates and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

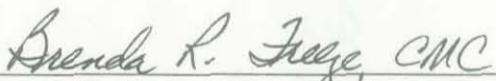
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 865.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Edwards Branch Watershed Improvements**, 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 **Edwards Branch Watershed Improvements** and estimated to be approximately **2,827 square feet (0.065 acre) for Permanent Storm Drainage/Conservation 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 **131-113-53** said property currently owned by **Garrett A. Van Dreel and wife, Ludmila Van Dreel, and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

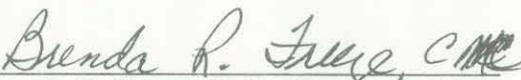
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 866.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Edwards Branch Watershed Improvements**, 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 **Edwards Branch Watershed Improvements** and estimated to be approximately **1,390 square feet (0.032 acre) for Permanent Storm Drainage/Conservation 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 **131-051-15** said property currently owned by **Emma Veronica Street and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

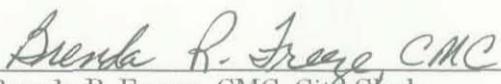
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 867.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Brookshire Boulevard Widening** 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 **Brookshire Boulevard Widening** and estimated to be approximately **1,605 square feet (0.037 acre) for 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 **039-018-01** said property currently owned by **Pepperwood, Inc. 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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 868.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Brookshire Boulevard Widening** 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 **Brookshire Boulevard Widening** and estimated to be approximately **6,698 square feet (0.154 acre) for Fee Simple, Right of Way, Temporary Construction Easement, Permanent Utility Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **039-044-09 and 039-044-07** said property currently owned by **Pert Investments, LLC, and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

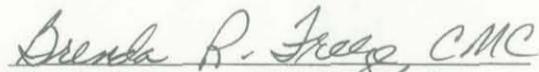
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, 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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 869.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Brookshire Boulevard Widening** 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 **Brookshire Boulevard Widening** and estimated to be approximately **3,915 square feet (0.090 acre) for Temporary Construction Easement, Permanent Utility Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **039-017-09** said property currently owned by **James L. Fulmer and wife, Nancy H. Fulmer, and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

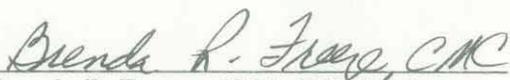
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 870.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Brookshire Boulevard Widening** 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 **Brookshire Boulevard Widening** and estimated to be approximately **5,113 square feet (0.117 acre)** for **Fee Simple, Right of Way, Permanent Drainage 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 **039-012-04** said property currently owned by **FFCA/PI 1984 Property Co. Bojangles Corporation . 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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 871.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Brookshire Boulevard Widening** 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 **Brookshire Boulevard Widening** and estimated to be approximately **28,579 square feet (0.656 acre)** for **Fee Simple, Right of Way, 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 **039-036-13** said property currently owned by **Fannie Lee Kistler Estate 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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 872.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Brookshire Boulevard Widening** 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 **Brookshire Boulevard Widening** and estimated to be approximately **1,421 square feet (0.033 acre) for Fee Simple, Right of Way, and Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **039-034-19 and 039-034-20** said property currently owned by **W. H. Keistler, Jr. and wife, Dorothy Keistler and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

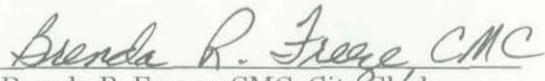
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 873.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Brookshire Boulevard Widening** 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 **Brookshire Boulevard Widening** and estimated to be approximately **1,280 square feet (0.029 acre) for Fee Simple, Right of Way, and Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **039-043-10** said property currently owned by **Fannie Lee Kistler Estate and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

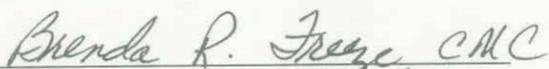
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 874.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Brookshire Boulevard Widening** 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 **Brookshire Boulevard Widening** and estimated to be approximately **5,457 square feet (0.125 acre) for Fee Simple, Right of Way, 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 **039-042-10** said property currently owned by **Fannie Lee Kistler Estate and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

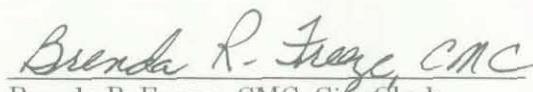
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 875.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Brookshire Boulevard Widening** 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 **Brookshire Boulevard Widening** and estimated to be approximately **2,779 square feet (0.064 acre)** for **Fee Simple, Right of Way, 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 **039-041-27** said property currently owned by **Fannie Lee Kistler Estate 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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 876.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Freedom Drive (NC 27) Widening** 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 **Freedom Drive (NC 27) Widening** and estimated to be approximately **6,185 square feet (0.142 acre) for Fee Simple** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **059-012-16** said property currently owned by **Joseph G. Marion and wife, Mildred Y. Marion and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

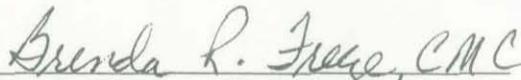
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 877.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Brookshire Boulevard Widening** 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 **Brookshire Boulevard Widening** and estimated to be approximately **1,910 square feet (0.044 acre) for Fee Simple, Right of Way, Permanent Drainage 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 **039-012-14** said property currently owned by **Nash Properties, LLC and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

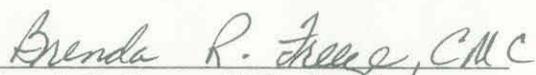
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, 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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 878.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Brookshire Boulevard Widening** 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 **Brookshire Boulevard Widening** and estimated to be approximately **4,305 square feet (0.099 acre) for Fee Simple, Right of Way, and Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No **039-015-08** said property currently owned by **Shreeji Properties, Inc. 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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 879.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Brookshire Boulevard Widening** 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 **Brookshire Boulevard Widening** and estimated to be approximately **2,133 square feet (0.049 acre)** for **Fee Simple, Right of Way, 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 **039-012-16** said property currently owned by **Siroos Amiri, Hassan Radmanegh, Lenrae Weaver, Ali Bahmanyar, Laura Bahmanyar and Nastaran Robinson and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

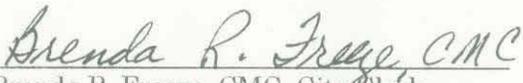
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 880.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 **Brookshire Boulevard Widening** 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 **Brookshire Boulevard Widening** and estimated to be approximately **3,467 square feet (0.080 acre) for Fee Simple, Right of Way, Permanent Drainage 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 **039-012-24** said property currently owned by **Bharti Patel and Ashokkumar Patel and any other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

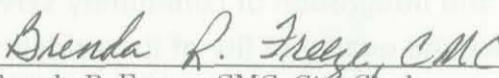
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Page 881.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
Brenda R. Freeze, CMC, City Clerk



VOICES & CHOICES  
*of the Central Carolinas*

## QUALITY OF LIFE RESOLUTION

The City of Charlotte is a progressive, prosperous city located in the Carolina Piedmont. It is the nation's 25<sup>th</sup> largest city with a population of 576,000, and the 2<sup>nd</sup> largest banking center.

Charlotte is part of the Central Carolinas Region and is the center city of a fourteen-county, two state region.

### Charlotte City Council Resolution

WHEREAS, the City of Charlotte recognizes that growth and development decisions can impact neighboring jurisdictions and the region; and

WHEREAS, the City of Charlotte recognizes that it is a part of a larger economic region which calls for collaborative planning, and

WHEREAS, the City of Charlotte is willing to make a commitment to the accommodation and encouragement of planned growth and development, to the orderly extension of community services, to the enhancement of the quality of life, and the promotion of the economic viability of our community and the region; and

WHEREAS, the City of Charlotte's population growth may strain the City's natural resources and public infrastructure, and

WHEREAS, the City of Charlotte wishes to continue to grow and prosper while avoiding tax increases, improving public services and protecting our communities' quality of life, and

WHEREAS, the City of Charlotte supports planned growth and development to maximize efficiency through coordination among jurisdictions, provide for the orderly extension and integration of community services, promote the economic vitality of Charlotte and enhance the quality of life of its residents; and

WHEREAS, the City of Charlotte desires to voluntarily and collaboratively set forth programs/ordinances/incentives that illustrate their commitment to address the nature and location of growth within its individual and overlapping jurisdictions and the region as a whole; and

## QUALITY OF LIFE RESOLUTION

WHEREAS, the protection of the City of Charlotte's land, water, air and open space resources is essential to the existence of our residents' quality of life and a strong economy, and

WHEREAS, the protection of the City of Charlotte's tree canopy is essential to long term environmental quality and tree protection standards have been adopted, and

WHEREAS, the City of Charlotte has taken some actions toward enhancing the quality of life in the region such as the following:

- Smart Growth Principles
- 2025 Integrated Transit and Land Use Plan
- CWAC Neighborhood Revitalization
- Business Corridor Revitalization
- Revision of the Zoning Ordinance to support mixed-use and infill development
- Transit Station Area Planning

WE RESOLVE to employ a planning approach that integrates land use, transportation, infrastructure, open space and natural resource elements to complement the larger regional vision.

WE RESOLVE to focus growth through policies that coordinate development with planned infrastructure and the expansion of local travel alternatives.

WE RESOLVE to continue improvements in zoning standards and processes to support innovative mix of land uses, protect natural resources, and focus growth in planned locations.

WE RESOLVE to preserve open spaces to support recreational opportunities, new tourism, and to minimize adverse impacts on our community's rural history and identity.

WE RESOLVE to protect our communities' creeks, streams, and drinking water supplies.

WE RESOLVE to achieve clean and healthful air as determined by national, state and local air quality standards for the well being of our citizens and the economic vitality of our communities and shall act proactively at the local level to achieve this goal.

WE RESOLVE to reduce the amount of waste sent to landfills with expanded recycling and composting programs, salvage and reuse of construction and demolition waste.

## QUALITY OF LIFE RESOLUTION

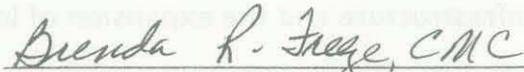
BE IT FURTHER RESOLVED, Charlotte City Council will use the General Development Policies, Smart Growth Principles, 2025 Land Use Plan and 2025 Transportation Plan to further contribute to a liveable and sustainable community and region.

ADOPTED the 22<sup>nd</sup> day of July, 2002.

### 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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Pages 882-884.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
Brenda R. Freeze, CMC, City Clerk

**EXTRACTS FROM MINUTES OF CITY COUNCIL**

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M. on July 22, 2002.

Members Present: Councilmembers Cannon, Carter, Cogdell, Graham, Lochman, Mitchell, Mumford, Spencer, Tabor, Wheeler, and White

Members Absent: None

Also Present: City Manager Pamela A. Syfert, City Attorney DeWitt McCarley,  
City Clerk Brenda Freeze  
\* \* \* \* \*

Councilmember Wheeler introduced the following order, a summary of which had been provided to each Councilmember, which was read by title:

**RESOLUTION ADOPTING THE BOND ORDER AUTHORIZING THE ISSUANCE OF  
VARIABLE RATE WATER AND SEWER SYSTEM REFUNDING REVENUE BONDS  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA IN THE AGGREGATE  
PRINCIPAL AMOUNT NOT TO EXCEED \$140,000,000**

*WHEREAS*, the City of Charlotte, North Carolina (the "City") is authorized by The State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 *et seq.* (the "Act") to issue, subject to the approval of the Local Government Commission of North Carolina (the "LGC"), at one time or from time to time, revenue bonds and revenue refunding bonds of the City for the purposes as specified in the Act; and

*WHEREAS*, the City has previously issued under the terms of the General Trust Indenture dated as of November 1, 1996 between the City and First Union National Bank of North Carolina, the successor to which is Wachovia Bank, National Association, as trustee, (the "Trustee"), as amended (the "General Indenture"), its Water and Sewer System Revenue Bonds in the aggregate principal amount of \$539,840,000, of which \$534,910,000 remains outstanding;

*WHEREAS*, the City has determined to issue its Variable Rate Water and Sewer System Refunding Revenue Bonds, Series 2002C (the "2002C Bonds") in an aggregate principal amount not to exceed \$140,000,000 to provide funds to refund in advance of their maturity all or a portion of the \$54,770,000 aggregate principal amount of the City's Water and Sewer System Revenue Bonds, Series 1999 maturing on or after June 1, 2010 (the "Refunded 1999 Bonds") and all or a portion of the \$78,625,000 aggregate principal amount of the City's Water and Sewer System Revenue Bonds, Series

2000 maturing on or after June 1, 2011 (the "Refunded 2000 Bonds" and collectively with the Refunded 1999 Bonds, the "Refunded Bonds");

WHEREAS, the City will issue the 2002C Bonds under the General Indenture and Series Indenture, Number 6 dated as of August 1, 2002 (the "Series Indenture") between the City and the Trustee; and

WHEREAS, the City and the LGC have arranged for the sale of the 2002C Bonds to Wachovia Bank, National Association (the "Underwriter") under the terms of a Bond Purchase Agreement to be dated the day before the 2002C Bonds are issued (the "Purchase Agreement"); and

WHEREAS, an application has been filed with the LGC requesting approval of the 2002C Bonds as required by the Act, and the Acting Secretary of the LGC has notified the City Council (the "City Council") of the City that the application has been approved by the LGC.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Charlotte, North Carolina, as follows:

**Section 1.** In order to raise the money required to refund the Refunded Bonds, in addition to any funds which may be made available for such purpose from any other source, the 2002C Bonds are hereby authorized and shall be issued pursuant to the Act.

**Section 2.** The aggregate principal amount of the 2002C Bonds authorized by this order shall not exceed \$140,000,000. The 2002C Bonds hereby authorized shall be special obligations of the City, secured by and paid solely from the proceeds thereof or from revenues, income, receipts and other money received or accrued by or on behalf of the City from or in connection with the operation of the City's Water and Sewer System (as defined in the General Indenture).

**Section 3.** The issuance of the 2002C Bonds by the City, in substantially the form to be set forth in the Series Indenture, be and the same hereby is in all respects approved and confirmed. The form and content of the 2002C Bonds and the provisions of the Series Indenture with respect to the 2002C Bonds (including without limitation the maturity dates and rates of interest) shall be approved and confirmed in a subsequent resolution of the City Council.

The principal of, premium, if any, purchase price and interest on the 2002C Bonds shall not be payable from the general funds of the City, nor shall they constitute a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of its income, receipts or revenues except the funds which are pledged under the General Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City are pledged for the payment of the principal of, premium, if any, purchase price or interest on the 2002C Bonds, and no holder of the 2002C Bonds has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

**Section 4.** The 2002C Bonds shall be sold to the Underwriter under the terms of the Purchase Agreement, as each shall be approved in a subsequent resolution of the City Council.

**Section 5.** The proceeds from the sale of the 2002C Bonds shall be deposited in accordance with the Series Indenture.

*Section 6.* If any one or more of the agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the 2002C Bonds authorized hereunder.

*Section 7.* All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

*Section 8.* This Bond Order shall take effect immediately on its adoption and pursuant to §159-88 of the General Statutes of North Carolina, as amended, need not be published or subjected to any procedural requirements governing the adoption of ordinances or resolutions by the City Council other than the procedures set out in the Act.

Upon motion of Councilmember Wheeler, seconded by Councilmember Mitchell, the foregoing resolution entitled: **"RESOLUTION ADOPTING THE BOND ORDER AUTHORIZING THE ISSUANCE OF VARIABLE RATE WATER AND SEWER SYSTEM REFUNDING REVENUE BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$140,000,000"** was adopted by the following vote:

AYES: Unanimous

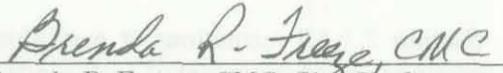
NAYS:

*PASSED, ADOPTED AND APPROVED* this 22nd day of July, 2002.

**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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Pages 885-888.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
Brenda R. Freeze, CMC, City Clerk

EXTRACTS FROM MINUTES OF CITY COUNCIL

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M. on July 22, 2002.

Members Present: Councilmembers Cannon, Carter, Cogdell, Graham, Lochman, Mitchell, Mumford, Spencer, Tabor, Wheeler, and White

Members Absent: None

Also Present: City Manager Pamela A. Syfert, City Attorney DeWitt McCarley, City Clerk Brenda R. Freeze

\* \* \* \* \*

Councilmember Wheeler introduced the following resolution, a summary of which had been provided to each Councilmember, which was read by title:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF CITY OF CHARLOTTE, NORTH CAROLINA VARIABLE RATE WATER AND SEWER SYSTEM REFUNDING REVENUE BONDS, SERIES 2002C; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS.**

*WHEREAS*, the City of Charlotte, North Carolina (the "City") is authorized by The State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 et seq. (the "Act"), to issue, subject to the approval of the Local Government Commission of North Carolina, at one time or from time to time revenue bonds and revenue refunding bonds of the City for the purposes as specified in the Act; and

*WHEREAS*, the City has previously issued under the terms of the General Trust Indenture dated as of November 1, 1996 between the City and First Union National Bank of North Carolina, the successor to which is Wachovia Bank, National Association, as trustee, (the "Trustee"), as amended (the "General Indenture"), its Water and Sewer System Revenue Bonds in the aggregate principal amount of \$539,840,000, of which \$534,910,000 remains outstanding;

*WHEREAS*, the City has determined to issue its Variable Rate Water and Sewer System Refunding Revenue Bonds, Series 2002C (the "2002C Bonds") in an aggregate principal amount not to exceed \$140,000,000 to provide funds to refund in advance of their maturity all or a portion of the \$54,770,000 aggregate principal amount of the City's Water and Sewer System

Revenue Bonds, Series 1999 maturing on or after June 1, 2010 (the "*Refunded 1999 Bonds*") and all or a portion of the \$78,625,000 aggregate principal amount of the City's Water and Sewer System Revenue Bonds, Series 2000 maturing on or after June 1, 2011 (the "*Refunded 2000 Bonds*") and collectively with the Refunded 1999 Bonds, the "*Refunded Bonds*"), all as described in the Bond Order of the City adopted on July 22, 2002;

*WHEREAS*, the City will issue the 2002C Bonds under the General Indenture and Series Indenture, Number 6 dated as of August 1, 2002 (the "*Series Indenture*") between the City and the Trustee; and

*WHEREAS*, the City desires to execute and deliver a Bond Purchase Agreement to be dated the day before the 2002C Bonds are issued (the "*Purchase Agreement*") among the City, the Commission and Wachovia Bank, National Association (the "*Underwriter*"), pursuant to which the City and the Commission will sell the 2002C Bonds to the Underwriter in accordance with the terms and conditions set forth therein; and

*WHEREAS*, copies of the forms of the following documents relating to the transactions described above have been filed with the City:

1. the Series Indenture;
2. the Purchase Agreement;
3. the Escrow Agreement dated as of August 1, 2002 (the "*Escrow Agreement*") between the City and Wachovia Bank, National Association, as escrow agent, with respect to the refunding of the Refunded Bonds;
4. the Standby Bond Purchase Agreement dated as of August 1, 2002 (the "*Standby Agreement*") among the City, Bank of America, N.A., as liquidity provider, and the Trustee for the 2002C Bonds;
5. the Remarketing and Interest Services Agreement dated as of August 1, 2002 (the "*Remarketing Agreement*") between the City and Wachovia Bank, National Association, as remarketing agent for the 2002C Bonds;
6. the Master Agreement to be dated the date of execution thereof, between the City and a financial institution to be determined by the Finance Director, including all schedules and annexes thereto and all transactions entered into thereunder and when amended or supplemented, such supplement as amended or supplemented (the "*Swap Agreement*"), relating to the 2002C Bonds; and
7. the Official Statement (the "*Official Statement*") with respect to the 2002C Bonds;

*NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA DOES RESOLVE AS FOLLOWS:*

**Section 1.** That the issuance of the 2002C Bonds by the City in the principal amount not to exceed \$140,000,000, in substantially the form and content set forth in the Series Indenture, subject to appropriate insertions and revisions in order to comply with the provisions of the General Indenture and the Series Indenture, be and the same hereby are in all respects approved and confirmed, and the form and content of the 2002C Bonds set forth in the Series Indenture be and the same hereby are in all respects approved and confirmed, and the provisions of the General Indenture and the Series Indenture with respect to the 2002C Bonds (including without limitation the maturity dates and rates of interest) be and the same hereby are approved and confirmed and are incorporated herein by reference.

The 2002C Bonds shall be special obligations of the City. The principal of, premium, if any, purchase price and interest on the 2002C Bonds shall not be payable from the general funds of the City, nor shall they constitute a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of its income, receipts or revenues except the funds which are pledged under the General Indenture and the Series Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City are pledged for the payment of the principal of, premium, if any, purchase price or interest on the 2002C Bonds, and no holder of 2002C Bonds has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

**Section 2.** That the form and content of the Series Indenture and the exhibits thereto be and the same hereby are in all respects approved and confirmed, and the Mayor, the City Manager and City Clerk of the City, or their respective designees, be and they hereby are authorized, empowered and directed to execute and deliver the Series Indenture for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, 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 their approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the Series Indenture, the Mayor, the City Manager, the Director of Finance and City Clerk of the City, or their respective designees, 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 Series Indenture as executed. The Trustee is hereby appointed as Registrar and Paying Agent thereunder.

**Section 3.** That the City Council requests that the Commission sell the 2002C Bonds through negotiation to Wachovia Bank, National Association pursuant to the terms of the Purchase Agreement but at an initial interest rate not exceeding 6.00%. The form and content of the Purchase Agreement is in all respect approved and confirmed, and the Mayor, the City Manager or the Director of Finance of the City, or their respective designees, are hereby authorized, empowered and directed to execute and deliver the Purchase Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as shall to him or her seem necessary, desirable or appropriate, his execution thereof to constitute conclusive evidence of his or her approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the Purchase Agreement, the Mayor, the City Manager and the Director of Finance of the City, or their respective designees, 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 Purchase Agreement as executed.

**Section 4.** The form and content of the Escrow Agreement, the Standby Agreement, the Remarketing Agreement and the Swap Agreement be and the same hereby are in all respects approved and confirmed, and the Mayor, the City Manager, the Director of Finance and City Clerk of the City be and they hereby are authorized, empowered, and directed to execute and deliver the Escrow Agreement, the Standby Agreement, the Remarketing Agreement and the Swap Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of his or her approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the Escrow Agreement, the Standby Agreement, the Remarketing Agreement and the Swap Agreement, the Mayor, the City Manager, the Director of Finance and City Clerk of the City 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 Escrow Agreement, the Standby Agreement, the Remarketing Agreement and the Swap Agreement as executed.

**Section 5.** That the City Manager and the Director of Finance are hereby authorized to execute and deliver the Swap Agreement (with one or more Confirmations related thereto) in conjunction with the 2002C Bonds at a fixed interest rate payable by the City not to exceed 4.75%.

**Section 6.** The form and content of the Official Statement are in all respects authorized, approved and confirmed, and the use of Official Statement by the Underwriter in connection with the sale of the 2002C Bonds is hereby in all respects authorized, approved and confirmed. The Mayor, the City Manager or Director of Finance of the City is authorized to execute the Official Statement on behalf of the City.

**Section 7.** The City Manager or Director of Finance of the City is hereby authorized to execute a no-arbitrage certificate in order to comply with Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder.

**Section 8.** No stipulation, obligation or agreement herein contained or contained in the 2002C Bonds, the General Indenture, the Series Indenture, the Purchase Agreement, the Escrow Agreement, the Standby Agreement, the Remarketing Agreement and the Swap Agreement or any other instrument related to the issuance of the 2002C Bonds shall be deemed to be a stipulation, obligation or agreement of any officer, agent or employee of the City in his or her individual capacity, and no such officer, agent or employee shall be personally liable on the 2002C Bonds or be subject to personal liability or accountability by reason of the issuance thereof.

**Section 9.** The Mayor, the City Manager, the Director of Finance and the City Clerk 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 (a) this Resolution and the Bond Order, (b) the General Indenture, (c) the Series Indenture, (d) the Purchase Agreement, (e) the Escrow Agreement, (f) the Standby Agreement, (g) the Remarketing Agreement and (h) the Swap Agreement; except that none of the above shall be authorized or empowered to do anything or execute any document which is in contravention, in any way, of (1)

the specific provisions of this Resolution or the Bond Order, (2) the specific provisions of the General Indenture or the Series Indenture, (3) the specific provisions of the Purchase Agreement, the Escrow Agreement, the Standby Agreement, the Remarketing Agreement and the Swap Agreement, (4) any agreement to which the City is bound, (5) any rule or regulation of the City or (6) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

**Section 10.** The Mayor, the City Manager, the Director of Finance and the City Clerk of the City, or their respective designees, are hereby authorized and directed to prepare and furnish, when the 2002C Bonds are issued, certified copies of all the proceedings and records of the Board relating to the 2002C Bonds, and such other affidavits, certificates and documents as may be required to show the facts relating to the legality and marketability of the 2002C Bonds as such facts appear on the books and records in such party's custody and control or as otherwise known to them; and all such certified copies, certificates, affidavits and documents, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

**Section 11.** All acts and doings of the Mayor, the City Manager, the Director of Finance and the City Clerk of the City, and their respective designees, that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the 2002C Bonds and the execution, delivery and performance of the Series Indenture and the Purchase Agreement shall be, and the same hereby are, in all respects approved and confirmed.

**Section 12.** If any one or more of the agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the 2002C Bonds authorized hereunder.

**Section 13.** All resolutions or parts thereof of the Board in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

**Section 14.** This Resolution shall take effect upon its adoption.

Upon motion of Councilmember Wheeler, seconded by Councilmember Mitchell, the foregoing order entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF CITY OF CHARLOTTE, NORTH CAROLINA VARIABLE RATE WATER AND SEWER SYSTEM REFUNDING REVENUE BONDS, SERIES 2002C; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS" was adopted by the following vote:

AYES: Unanimous



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 July 22, 2002.

\* \* \*

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 July 22, 2002 (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: Cannon, Carter, Cogdell, Graham, Lochman, Mitchell, Mumford, Spencer, Tabor, Wheeler, and White

The following members of the City Council were absent: None

Also present: City Manager Pamela A. Syfert, City Attorney DeWitt McCarley,  
City Clerk Brenda R. Freeze

Councilmember Cannon 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 COUNCIL OF THE CITY OF CHARLOTTE,  
NORTH CAROLINA AUTHORIZING THE DIRECTOR OF FINANCE TO APPLY TO THE  
LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF THE CITY'S PROPOSED  
GENERAL OBLIGATION PUBLIC IMPROVEMENTS BOND FINANCING AND  
GENERAL OBLIGATION HOUSING BOND FINANCING AND  
TO SUBMIT SUCH APPLICATION TO THE LOCAL GOVERNMENT COMMISSION**

**WHEREAS**, the City Council (the "City Council") of the City of Charlotte, North Carolina (the "City") proposes to set a public hearing on the following Bond Orders entitled:

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$80,000,000 GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;" and

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$20,000,000 GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;"

**WHEREAS**, it is necessary, as a condition to the consideration and adoption of the Bond Orders, to submit an Application to the Local Government Commission for Approval of the Bonds, all in the manner required by The Local Government Bond Act.

**NOW, THEREFORE**, be it resolved by the City Council that the Director of Finance of the City is hereby directed to file with the Local Government Commission an application for its approval of the General Obligation Public Improvements Bonds and General Obligation Housing Bonds hereinbefore described, on a form prescribed by said Commission, and (1) to request in such application that said Commission approve the City's use of Parker Poe Adams & Bernstein L.L.P. of Charlotte, North Carolina, as bond counsel for the City and (2) to state in such application such facts and to attach thereto such exhibits in regard to such General Obligation Public Improvements Bonds and General Obligation Housing Bonds and to the City and its financial condition, as may be required by said Commission.

**BE IT FURTHER RESOLVED** that this Resolution shall become effective on the date of its adoption.

Upon motion of Councilmember Cannon, seconded by Councilmember Wheeler, the foregoing resolution entitled: **"RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA AUTHORIZING THE DIRECTOR OF FINANCE TO APPLY TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF THE CITY'S PROPOSED GENERAL OBLIGATION PUBLIC IMPROVEMENTS BOND FINANCING AND GENERAL OBLIGATION HOUSING BOND FINANCING AND TO SUBMIT SUCH APPLICATION TO THE LOCAL GOVERNMENT COMMISSION"** was adopted by the following vote:

AYES: Unanimous

NAYS: \_\_\_\_\_

**PASSED, ADOPTED AND APPROVED** this 22nd day of July, 2002.

**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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Pages 895-897.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

*Brenda R. Freeze, CMC*  
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 Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on July 22, 2002.

\* \* \*

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 July 22, 2002 (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: Cannon, Carter, Cogdell, Graham, Lochman, Mitchell, Mumford, Spencer, Tabor, Wheeler, and White

The following members of the City Council were absent: None

Also present: City Manager Pamela A. Syfert, City Attorney DeWitt McCarley, City Clerk Brenda R. Freeze

Councilmember Cannon 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 COUNCIL  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA  
DIRECTING THE PUBLICATION OF NOTICE OF INTENTION  
TO APPLY TO THE LOCAL GOVERNMENT  
COMMISSION FOR APPROVAL OF BONDS**

**WHEREAS**, the City Council (the "City Council") of the City of Charlotte, North Carolina (the "City") is considering the issuance of general obligation bonds of the City which shall be for the following purposes and in the following maximum amounts:

\$80,000,000 of bonds to provide funds to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, resurfacing,

grading or improving streets, roads, intersections and parking lots; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; and the acquisition of land and rights-of-way in land required therefor; and

\$20,000,000 of bonds to pay the capital costs of acquiring, constructing, developing, equipping and furnishing housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including without limitation loans, grants, interest supplements and other programs of financial assistance to persons of low income, or moderate income, or low and moderate income, and developers of housing for persons of low income, or moderate income, or low and moderate income, and construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council that the City Clerk is hereby directed to cause a copy of the "NOTICE OF INTENTION TO APPLY TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF BONDS" to be published in the *Charlotte Observer* on or about July 25, 2002.

Upon motion of Councilmember Cannon, seconded by Councilmember Wheeler, the foregoing resolution entitled: "**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO APPLY TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF BONDS**" was adopted by the following vote:

AYES: Unanimous

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

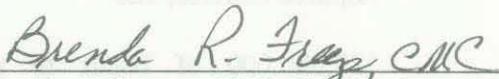
\_\_\_\_\_

\_\_\_\_\_

**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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Pages 898-900.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

  
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 Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on July 22, 2002.

\* \* \*

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 July 22, 2002 (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: Cannon, Carter, Cogdell, Graham, Lochman, Mitchell, Mumford, Spencer, Tabor, Wheeler, and White

The following members of the City Council were absent: None

Also present: City Manager Pamela A. Syfert, City Attorney DeWitt McCarley, City Clerk Brenda R. Freeze

Councilmember Cannon 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 COUNCIL  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA  
MAKING CERTAIN STATEMENTS OF FACT  
CONCERNING PROPOSED BOND ISSUE**

**WHEREAS**, the City Council (the "City Council") of the City of Charlotte, North Carolina (the "City") is considering the issuance of bonds of the City which shall be for the following purposes and in the following maximum amount:

\$80,000,000 of bonds to provide funds to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads and intersections; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; designing and constructing transit station infrastructure

improvements, including parking facilities; and the acquisition of land and rights-of-way in land required therefor; and

\$20,000,000 of bonds to pay the capital costs of acquiring, constructing, developing, equipping and furnishing housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including without limitation loans, grants, interest supplements and other programs of financial assistance to persons of low income, or moderate income, or low and moderate income, and developers of housing for persons of low income, or moderate income, or low and moderate income, and construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor.

**WHEREAS**, certain findings of fact by the City Council must be presented to enable the Local Government Commission of the State of North Carolina to make certain determinations as set forth in Section 159-52 the North Carolina General Statutes, as amended.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council, meeting in open session on the 22nd day of July, 2002, has made the following factual findings in regard to this matter:

A. ***Facts Regarding Necessity of Proposed Financing.*** The proposed bonds are necessary and expedient to pay (1) the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads and intersections; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; designing and constructing transit station infrastructure improvements, including parking facilities; and the acquisition of land and rights-of-way in land required therefor; and (2) the capital costs of acquiring, constructing, developing, equipping and furnishing housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including without limitation loans, grants, interest supplements and other programs of financial assistance to persons of low income, or moderate income, or low and moderate income, and developers of housing for persons of low income, or moderate income, or low and moderate income, and construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor.

B. ***Facts Supporting the Amount of Bonds Proposed.*** The sums estimated for these bonds are adequate and not excessive for the proposed purposes. Estimates for the proposed construction and renovation have been carefully analyzed and determined by persons knowledgeable about the construction and renovation.

C. ***Past Debt Management Procedures and Policies.*** The City's debt management procedures and policies are excellent and have been carried out in compliance with law. The City employs a Director of Finance to oversee compliance with applicable laws relating to debt management. The City Council requires annual audits of City finances. In connection with these audits, compliance

with laws is reviewed. The City is not in default in any of its debt service obligations. The City Attorney reviews all debt-related documents for compliance with laws.

D. *Past Budgetary and Fiscal Management Policies.* The City's budgetary and fiscal management policies have been carried out in compliance with laws. Annual budgets are closely reviewed by the City Council before final approval of budget ordinances. Budget amendments changing a function total or between functions are presented to the City Council at regular City Council meetings. The Director of Finance presents financial information to the City Council which shows budget to actual comparisons annually and otherwise as the City Manager deems necessary or as a member of the City Council may request.

E. *Increase in Taxes; Retirement of Debt.* The schedule for issuing the bonds will require a property tax increase to pay principal and interest on the bonds, but the increase in taxes necessary to service the proposed debt will not be excessive. The schedule for issuance anticipates issuing all of the bonds in not more than two or more series during fiscal years 2002 through 2004.

Upon motion of Councilmember Cannon \_\_\_\_\_, seconded by Councilmember Wheeler \_\_\_\_\_, the foregoing resolution entitled: "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA MAKING CERTAIN STATEMENTS OF FACT CONCERNING PROPOSED BOND ISSUE" was adopted by the following vote:

AYES: Unanimous

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Pages 901-904.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

Brenda R. Freeze, CMC  
Brenda R. Freeze, CMC, City Clerk

RESOLUTION AUTHORIZING THE CITY MANAGER AND DESIGNEES TO  
CONTRACT, ACQUIRE REAL PROPERTY, AND APPROVE EASEMENTS AND  
ENCROACHMENTS IN CITY PROPERTY AND RIGHT-OF-WAY

WHEREAS, the City of Charlotte has been granted certain corporate powers, including, but not limited to, the power to contract, to acquire real property, and to grant easements and encroachments in city property and right-of-way; and

WHEREAS, pursuant to G.S. 160A-12, when a power conferred by charter or general law without directions or restrictions as to how it is to be exercised or performed, such power may be carried into execution as provided by resolution of the City Council; and

WHEREAS, the power to contract in an amount below the formal bid threshold is conferred without directions or restrictions as to by whom it may be exercised or performed; and

WHEREAS, the power to acquire real property is conferred without directions or restrictions as to by whom it may be exercised or performed; and

WHEREAS, the power to grant easements and encroachments over, through, under, or across any city property or the right-of-way of any public street or alley is conferred without directions or restrictions as to by whom it may be exercised or performed; and

WHEREAS, repealed provisions of the City Charter and previous resolutions of the City Council provided the City Manager and the City Manager's designees with limited authority to contract, acquire real property, and approve easements and encroachments in city property and right-of-way; and

WHEREAS, the City Council desires to restate the City Manager's authority to contract, acquire real property, and approve easements and encroachments in city property and right-of-way in accordance with the repealed provisions of the City Charter and previous resolutions of the City Council.

NOW, THEREFORE, be it resolved by the City Council of the City of Charlotte, in regular session duly assembled as follows:

1. The City Manager and the City Manager's designees are authorized to award, approve, and execute contracts or agreements of any kind or nature on behalf of the City when the amount of such contract or agreement does not exceed fifty thousand dollars (\$50,000); provided that the City Council shall have approved a sufficient appropriation in the annual budget for the current fiscal year for the general purpose specified in the contract or agreement. In addition, the City Manager and the City Manager's designees are authorized to approve or execute amendments to contracts or agreements, including contracts initially approved by the City Council, when the amount in question does not exceed fifty thousand dollars (\$50,000). Furthermore, the City Manager and the City Manager's designees are authorized to award, approve, and execute

contracts for the construction and installation of water and sewer lines that will eventually become a part of the City utility system, regardless of the amount, where the construction and installation is the sole responsibility and is at the sole expense of another person, firm, or corporation.

2. The City Manager and the City Manager's designees, which may be the Deputy and Assistant Managers, are authorized to award, approve and execute contracts or agreements of any kind or nature on behalf of the City when the amount of such contract or agreement exceeds fifty thousand dollars (\$50,000) but does not exceed one hundred thousand dollars (\$100,000); provided that the City Council shall have approved a sufficient appropriation in the annual budget for the current fiscal year for the general purpose specified in the contract or agreement. In addition, the City Manager and the City Manager's designees, which may be the Deputy or Assistant City Managers, are authorized to approve and execute amendments to contracts or agreements, including contracts initially approved by the City Council, when the amount in question exceeds fifty thousand dollars (\$50,000) but does not exceed one hundred thousand dollars (\$100,000). The City Manager shall submit periodic reports to the City Council summarizing all contracts and amendments to contracts approved by the City Manager or the City Manager's designees pursuant to the authority delegated in this section.

3. The City Manager and the City Manager's designees are authorized to approve the acquisition by the City of real property having a value of ten thousand dollars (\$10,000) or less.

4. The City Manager and the City Manager's designees are authorized to grant easements and encroachments over, through, under, or across any city property or the right-of-way of any public street or alley.

5. All contracts, real estate acquisitions, and easements and encroachments previously awarded, approved, executed, or granted prior to the adoption of this resolution which, had they been awarded, approved, executed, or granted after the adoption of this resolution, would have been authorized by this resolution, are hereby ratified.

This the 22nd day of July 2002.

**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 22<sup>nd</sup> day of July, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 37, Pages 905-907.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24<sup>th</sup> day of July, 2002.

Brenda R. Freeze, CMC  
Brenda R. Freeze, CMC, City Clerk