

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of the corner of Selwyn Avenue and Queens Road in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, **Myers Park Baptist Church** has filed a petition to close **a portion of the corner of Selwyn Avenue and Queens Road** in the City of Charlotte; and

Whereas, the portion of the corner of Selwyn Avenue and Queens Road to be closed lies beginning 50 feet from the corner radius of Selwyn Avenue and Queens Road intersection continuing approximately 56 feet south towards the front entrance of the church to its terminus as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

Whereas, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley and

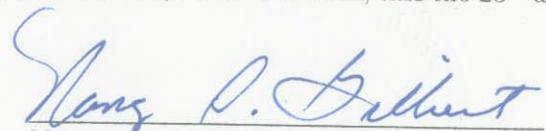
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of June 23, 2003 that it intends to close a portion of the corner of Selwyn Avenue and Queens Road and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 28<sup>th</sup> day of July, 2003 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, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 374.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of Blakeney Heath Road** in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Blakeney Heath Limited Partnership, LLC** has filed a petition to close a portion of **Blakeney Heath Road** in the City of Charlotte; and

Whereas, the portion of Blakeney Heath Road to be closed lies beginning from the property line of lot #114 continuing approximately 1,140 feet to its terminus as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

Whereas, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for two successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street or alley and

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of June 23, 2003 that it intends to close a portion of Blakeney Heath Road and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 28<sup>th</sup> day of July, 2003 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, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 375.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE portions of N. Brevard Street, E. 5<sup>th</sup> Street and four alleyways bounded by N. Caldwell Street, E. Trade Street, E. 5<sup>th</sup> Street and City Rail Corridor in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, **The City of Charlotte** has filed a petition to close **portions of N. Brevard Street, E. 5<sup>th</sup> Street and four alleyways bounded by N. Caldwell Street, E. Trade Street, E. 5<sup>th</sup> Street and City Rail Corridor** in the City of Charlotte; and

Whereas, the portions of N. Brevard Street, E. 5<sup>th</sup> Street and four alleyways bounded by N. Caldwell Street, E. Trade Street, E. 5<sup>th</sup> Street and City Rail Corridor to be closed lies starting with N. Brevard Street beginning from East Trade Street continuing approximately 340 feet northeastwardly to its terminus at the newly relocated Fifth Street. East Fifth Street beginning from the east side of newly relocated Fifth Street continuing approximately 398 feet northwestwardly to its terminus at the west side of the newly relocated Fifth Street. All alleyways within the Arena footprint are bounded by East Fifth Street, North Caldwell Street, East Trade Street and City Rail Corridor as shown in the map marked "Exhibit A-1 and A-2" and is more particularly described by metes and bounds in a document marked "Exhibit B-1 and B-2" 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 statue 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 June 23, 2003 that it intends to close portions of N. Brevard Street, E. 5<sup>th</sup> Street and four alleyways bounded by N. Caldwell Street, E. Trade Street, E. 5<sup>th</sup> Street and City Rail Corridor and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 28<sup>th</sup> day of July, 2003 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, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 376.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk



**RESOLUTION PASSED BY THE CITY COUNCIL  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON June 23, 2003**

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

WHEREAS, The City plans to install new traffic signals along Rocky River Road in Charlotte. The City will install signals at SR 2802 (Rocky River Road) and I-485 Northbound Ramp; SR 2802 (Rocky River Road and I-485 Southbound Ramp; and NC 49 (University City Boulevard) and I-485 Northbound Ramp/Loop in Charlotte.

WHEREAS, The North Carolina Department of Transportation (NCDOT) will be reimbursing the City actual costs of the project, up to \$162,925; and,

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

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

**CERTIFICATION**

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 378.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON JUNE 23, 2003**

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

WHEREAS, The City plans to install new traffic signals along Mount Holly Road in Charlotte. The  
City will install signals at Mount Holly Road and I-485; and Mount Holly Road and Rhyne Road. The  
City will also install fiber optic communications cable along Mount Holly Road from Rhyne Road to  
Tom Sadler Road.

WHEREAS, The North Carolina Department of Transportation (NCDOT) will be reimbursing the City  
actual costs of the project, up to \$444,746; and,

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

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

**CERTIFICATION**

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY  
that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of  
Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having  
been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 379.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of  
June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

FOR REGISTRATION JUDITH A. GIBSON  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2003 AUG 20 11:09 AM  
BK: 15952 PG: 744-747 FEE: \$18.00  
INSTRUMENT # 2003192943  
2003192943

RESOLUTION REGARDING PROPOSED DECLARATION OF WITHDRAWAL

WHEREAS, Wesley Heights Community Association/Nevada Graham has submitted to the City of Charlotte a proposed Declaration of Withdrawal of Dedication regarding a 15-foot alleyway running off of Litaker Avenue and depicted on a survey attached hereto as Exhibit B; and described in deed book 10574, page 387 recorded in the Mecklenburg County Public Registry.

WHEREAS, pursuant to G.S. 136-95, the Property Owners have requested that the City adopt a resolution indicating that the dedication described in the proposed declaration of withdrawal is not part of a street plan adopted under G.S. 136-66.2.

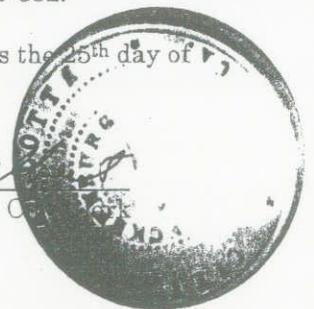
NOW THEREFORE BE IT RESOLVED by the Charlotte City Council that the alleyway depicted on Exhibit B attached hereto is not part of a street plan adopted under G.S. 136-66.2.

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Pages 380-382.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk



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

### EXHIBIT A

[Description of property at Charlotte, County of Mecklenburg, North Carolina]

That certain tract or parcel of land situated, lying and being in  
The city of Charlotte, Mecklenburg County, North Carolina and  
Being more particularly described as follows:

Parcel 1:

Being all of Lots 1, 2, 3 and 4 Block 2 of Wesley Heights as  
Recorded in Map Book 332, page 254 of the Mecklenburg County  
Public Registry.

Parcel 2:

Beginning at an existing concrete monument at the  
intersection of the westerly margin of Interstate Highway 77  
(variable public right-of-way), and the northerly margin of  
Litaker Street (variable public right-of-way), said northerly  
margin of Litaker Street being the same as the northerly margin  
of Piedmont and Northern Railroad right-of-way, and runs  
thence with the northerly margin of Litaker Street and Piedmont &  
Northern rail road right-of-way north 54-57-12 West 146.36 feet  
to a new iron rod in the easterly margin of a 15 foot alley as  
recorded in Map Book 332, page 254 in the Mecklenburg County  
Public Registry; thence with the easterly margin of said alley,  
North 35-00-59 east 221.52 feet to an existing iron rod, said  
iron rod being the southwesterly corner of E.C. Griffith Co. as  
described in deed book 1851, page 321 of said registry, thence  
with the line of E.C. Griffith Co. South 54-57-12 East 76.52  
feet to a new iron rod in the westerly margin at Interstate  
Highway 77 (variable public right-of-way), thence with the right-  
of-way of Interstate Highway 77 South 17-31-18 West 232.31 feet  
to point and place of BEGINNING: Containing 0.5667 acres or  
24,687 square feet as shown on a survey for CSX Transportation,  
Inc. by R. B. Pharr & Associates, P.A. dated September 10, 1998  
and bearing File No. W-2281.

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

THIS IS TO CERTIFY THAT ON THE 20TH DAY OF MARCH 2003 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

SIGNED Douglas E. Morrison  
R. B. PHARR & ASSOCIATES, PROFESSIONAL SURVEYORS  
420 HAWTHORNE LANE  
CHARLOTTE, N.C. 28204  
TEL. (704) 378-2184  
CREV' LH DRAWN BW REVISED

DAISY M. ROBINSON,

DEED:14187-353  
TAX NO. 073-231-10

**LEGEND**

- EIR - EXISTING IRON ROD
- NIR - NEW IRON ROD
- R/W - RIGHT-OF-WAY
- SQ.FT. - SQUARE FEET
- NCGS - NORTH CAROLINA GEODETIC SURVEY

**NOTES:**

1. NO RECOVERABLE N.C.G.S. MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
2. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
3. THE PORTION OF THE 15' ALLEY (TO BE ABANDONED AS SHOWN HEREON) IS TO BE RECOMBINED WITH THE WESLEY HEIGHTS COMMUNITY ASSOCIATION, INC. PROPERTY.

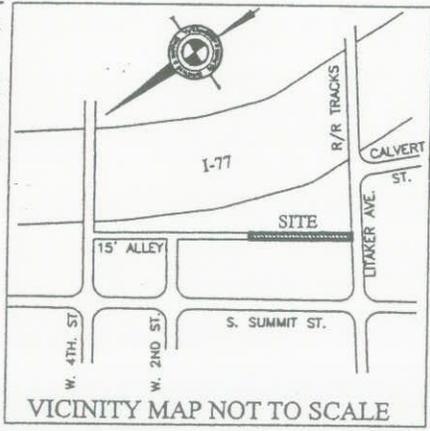
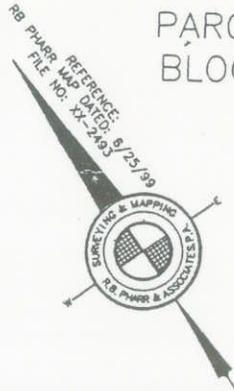
WESLEY HEIGHTS COMMUNITY ASSOCIATION, INC.  
DEED:10574-387  
TAX NO. 073-231-12

E.C.GRIFFITH CO.  
DEED:1851-0321  
TAX NO. 073-231-15

WESLEY HEIGHTS COMMUNITY ASSOCIATION, INC.  
DEED:10574-387  
TAX NO. 073-231-12

PARCEL 2

PARCEL 1  
BLOCK 2



R/W N 54° 57' 12" W 184.15' EIR  
(TIE TO THE MARGIN OF SOUTH SUMMIT AVENUE)  
N 54° 57' 12" W 14.80' EIR

LITAKER AVENUE  
(VARIABLE PUBLIC R/W)

PIEDMONT & NORTHERN RAILROAD R/W  
RAILROAD R/W WIDTH TAKEN FROM DEED: 048-01455

MAP OF:  
PORTION OF 15' ALLEYWAY TO BE REMOVED FROM DEDICATION  
CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.

PREPARED FOR WESLEY HEIGHTS COMMUNITY ASSOCIATION, INC.

SCALE 1"=30'  
MAP BOOK 332 PAGE 257  
DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

FLOOD CERTIFICATION  
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 3, 1993, PANEL #3701590013B.

(VARIABLE PUBLIC RIGHT-OF-WAY) R/W  
INTERSTATE 77

LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
Linda B. Poissant  
Review Officer  
Date 6/14/03

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



JUDITH A. GIBSON  
REGISTER OF DEEDS, MECKLENBURG  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE, NC 28202

\*\*\*\*\*  
Filed For Registration: 08/20/2003 11:09 AM  
Book: RE 15952 Page: 744-747  
Document No.: 2003192943  
RESOL 4 PGS \$18.00  
Recorder: MARILYN SMITH



2003192943

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 **HICKORY GROVE ROAD WIDENING PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **HICKORY GROVE ROAD WIDENING PROJECT** and estimated to be approximately **1,974 square feet (0.453 acre) of fee-simple, permanent utility easement, and temporary construction easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 099-271-37, said property currently owned by **GRADY BUTLER and spouse, if any; ROBERT J. PERREY, Trustee; INGRID E. STEGMILLER, Trustee; RYLAND MORTGAGE COMPANY, Beneficiary, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 383.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **HICKORY GROVE ROAD WIDENING PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **HICKORY GROVE ROAD WIDENING PROJECT** and estimated to be approximately **2,692 square feet (0.062 acre) of fee-simple, permanent drainage easement, 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. 103-141-06, said property currently owned by **J. DELORES RUBI and spouse, if any; PRLAP, INC., Trustee; BANK OF AMERICA, N. A., Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 384.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **FOXCROFT/FERNCLIFF STORM DRAINAGE IMPROVEMENTS PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **FOXCROFT/FERNCLIFF STORM DRAINAGE IMPROVEMENTS PROJECT** and estimated to be approximately **1,105 square feet (.025 acre) of permanent storm drainage easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 181-133-12, said property currently owned by **ORRIN W. EDWARDS, JR. and HELEN R. EDWARDS; LOUIS A. TROSCHE, Trustee; CITIBANKS, F. S. B., Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 385.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **FOXCROFT/FERNCLIFF STORM DRAINAGE IMPROVEMENTS PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **FOXCROFT/FERNCLIFF STORM DRAINAGE IMPROVEMENTS PROJECT** and estimated to be approximately **360 square feet (.008 acre) of permanent storm drainage easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 181-132-51, said property currently owned by **DAVID BOYLE and wife, LISA H. BOYLE; CHANDLER, SCHIFFMAN & ASSOCIATES, Trustees; THE PROVIDENT BANK, Beneficiary; CHARLES MYERS, Trustee; MYERS PARK MORTGAGE, INC., Beneficiary; TRSTE, INC., Trustee; WACHOVIA BANK, NATIONAL ASSOCIATION, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 386.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **FOXCROFT/FERNCLIFF STORM DRAINAGE IMPROVEMENTS PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **FOXCROFT/FERNCLIFF STORM DRAINAGE IMPROVEMENTS PROJECT** and estimated to be approximately **7,507 square feet (.172 acre) of permanent storm drainage easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 181-133-06, said property currently owned by **SARAH LOVE CARDER and spouse, if any; CHARLES MYERS, Trustee; MYERS PARK MORTGAGE, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 387.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **FOXCROFT/FERNCLIFF STORM DRAINAGE IMPROVEMENTS PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **FOXCROFT/FERNCLIFF STORM DRAINAGE IMPROVEMENTS PROJECT** and estimated to be approximately **254 square feet (.005 acre) of permanent storm drainage easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 181-132-43, said property currently owned by **RICHARD E. ROWLAND and wife, MARILYN W. ROWLAND; 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, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 388.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **HICKORY GROVE ROAD WIDENING PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **HICKORY GROVE ROAD WIDENING PROJECT**, and estimated to be approximately **2,705 square feet (0.062 acre) of fee-simple, permanent utility easement, 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. 099-271-13, said property currently owned by **BANK ONE, NATIONAL ASSOCIATION, TRUSTEE, 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, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 389.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **CENTRAL AVENUE STREETScape-PH. III PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **CENTRAL AVENUE STREETScape-PH. III PROJECT**, and estimated to be approximately **1,030 square feet (0.024 acre) of temporary construction easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 129-091-29, said property currently owned by **KENN G. FIRMAN and spouse, if any; STEVE T. JACOBS and spouse, if any, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 390.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **SOUTHWEST WATER TRANSMISSION MAIN PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **SOUTHWEST WATER TRANSMISSION MAIN PROJECT**, and estimated to be approximately **39,905 square feet (0.916 acre) of fee-simple, permanent easement, and a 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. 057-131-19, said property currently owned by **WESTVIEW CHRISTIAN CHURCH, 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, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 391.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **STUDMAN BRANCH OUTFALL AND FORCE MAIN PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **STUDMAN BRANCH OUTFALL AND FORCE MAIN PROJECT**, and estimated to be approximately **49,026 square feet (1.125 acre) of permanent easement, and a 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. 217-241-30, said property currently owned by **STEVEN F. LONG and wife, LORRAINE R. LONG; NEW SALEM, INC., Trustee; WACHOVIA BANK, N. A., Beneficiary; TRSTE, INC., Trustee; WACHOVIA BANK, N. A., Beneficiary; SPRUILLCO, LTD., Trustee; CAPITAL FACTORS, INC., Beneficiary, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 392.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **HICKORY GROVE ROAD WIDENING PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **HICKORY GROVE ROAD WIDENING PROJECT**, and estimated to be approximately **3,690 square feet (.085 acre) of fee-simple and temporary construction easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 103-201-12, said property currently owned by **JONATHAN B. LANE and spouse, if any; CHARLES N. MYERS, Trustee; MYERS PARK MORTGAGE, INC., Beneficiary; TRSTE, INC., Trustee; WACHOVIA BANK AND TRUST COMPANY (f/k/a First Union National Bank), Beneficiary, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 393.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **ENFIELD/WINDSOR PARK DRAINAGE IMPROVEMENTS PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **ENFIELD/WINDSOR PARK DRAINAGE IMPROVEMENTS PROJECT**, and estimated to be approximately **6,169 square feet (.142 acre) of permanent storm 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. 101-073-06, said property currently owned by **DIANE L. BAUCOM and spouse, if any, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 394.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
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Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **HICKORY GROVE ROAD WIDENING PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **HICKORY GROVE ROAD WIDENING PROJECT**, and estimated to be approximately **3,174 square feet (0.073 acre) of fee-simple, permanent drainage easement, 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. 099-271-04, said property currently owned by **JOHN T. BUNN and wife, BRENDA T. BUNN, 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, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 395.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **HICKORY GROVE ROAD WIDENING PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **HICKORY GROVE ROAD WIDENING PROJECT**, and estimated to be approximately **2,369 square feet (0.054 acre) of fee-simple, permanent utility easement, and temporary construction easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 099-301-43, said property currently owned by **KEITH BUTTON; ANA VICTORIA BUTTON; FORQUER, LATTIMORE & CALAWAY, Trustee; WILMINGTON FINANCE, INC., Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

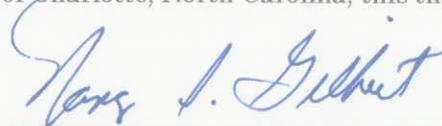
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 396.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **HICKORY GROVE ROAD WIDENING PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **HICKORY GROVE ROAD WIDENING PROJECT**, and estimated to be approximately **4,108 square feet (0.094 acre) of fee-simple, permanent drainage easement, permanent utility easement, permanent sidewalk easements, 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. 103-152-12 said property currently owned by **JOHN VAN QUACH and wife, LIEN MYCHAU QUACH; DAVID J. GUILFORD, Trustee; BARCLAYS/AMERICAN MORTGAGE CORPORATION, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 397.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **HICKORY GROVE ROAD WIDENING PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **HICKORY GROVE ROAD WIDENING PROJECT**, and estimated to be approximately **5,784 square feet (0.133 acre) of fee-simple, permanent sidewalk/utility, 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. 103-151-10, said property currently owned by **THOMAS M. LOVE and wife, KAREN S. LOVE; PHILIP A. LOGRASSO, Trustee; HSBC MORTGAGE CORPORATION, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 398.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **HICKORY GROVE ROAD WIDENING PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **HICKORY GROVE ROAD WIDENING PROJECT**, and estimated to be approximately **19,218 square feet (0.441 acre) of fee-simple, permanent utility easement, 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. 103-151-09, said property currently owned by **A. BRUCE GETTYS and wife, BETTY GETTYS, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

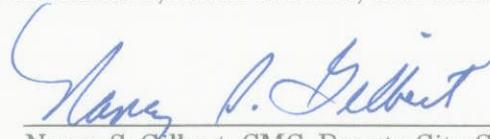
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 399.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **HICKORY GROVE ROAD WIDENING PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **HICKORY GROVE ROAD WIDENING PROJECT**, and estimated to be approximately **2,213 square feet (0.051 acre) of fee-simple and temporary construction easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 103-203-12, said property currently owned by **JOMO A. HERON and spouse, if any; HEIRS AT LAW OF GWENDOLYN B. WILLIAMS, 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, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 400.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **OUTER LOOP-MOUNT HOLLY-HUNTERSVILLE ROAD TO OAKDALE ROAD PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **OUTER LOOP-MOUNT HOLLY-HUNTERSVILLE ROAD TO OAKDALE ROAD PROJECT**, and estimated to be approximately **40,734 square feet (.936 acre) of 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. 031-421-43, said property currently owned by **CALVARY BAPTIST CHURCH OF CHARLOTTE, INC. (a/k/a as Calvary Baptist Church, Incorporated); DAVID TRENT OATES, Trustee; JOHN J. OATES and wife, JEAN STATON OATES, Beneficiary; FIRST CITIZENS BANK AND TRUST COMPANY, Beneficiary, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

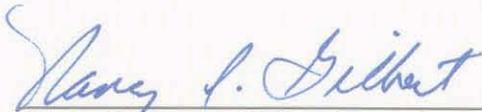
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 401.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **HICKORY GROVE ROAD WIDENING PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **HICKORY GROVE ROAD WIDENING PROJECT**, and estimated to be approximately **3,960 square feet (0.091 acre) of fee-simple and temporary construction easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 103-155-02, said property currently owned by **HOSSAM H. ALERBINI and spouse, if any; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

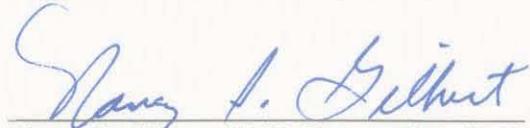
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 402.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

FOR REGISTRATION JUDITH A. GIBSON  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2003 AUG 20 11:09 AM  
BK: 15952 PG: 717-720 FEE: \$18.00  
INSTRUMENT # 2003192938



RESOLUTION CLOSING SECOND STREET BETWEEN WEST TODD LANE AND EAST TODD LANE IN  
THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close Second Street between West Todd Lane and East Todd Lane which calls for a public hearing on the question and:

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

WHEREAS, the petitioner will provide an access easement to Duke Power Company, BellSouth Telecommunications, Inc., and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 23<sup>rd</sup> day of June, 2003 and City Council determined that the closing of Second Street between West Todd Lane and East Todd Lane is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of June 23, 2003, that the Council hereby orders the closing of Second Street between West Todd Lane and East Todd Lane in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in document marked "Exhibit B", both of which are attached hereto and made a part hereof.

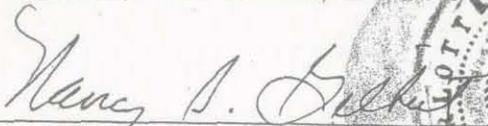
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

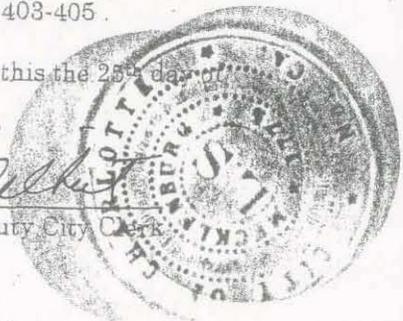
CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Pages 403-405.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23<sup>rd</sup> day of June, 2003.

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

  
Nancy S. Gilbert, CMC, Deputy City Clerk



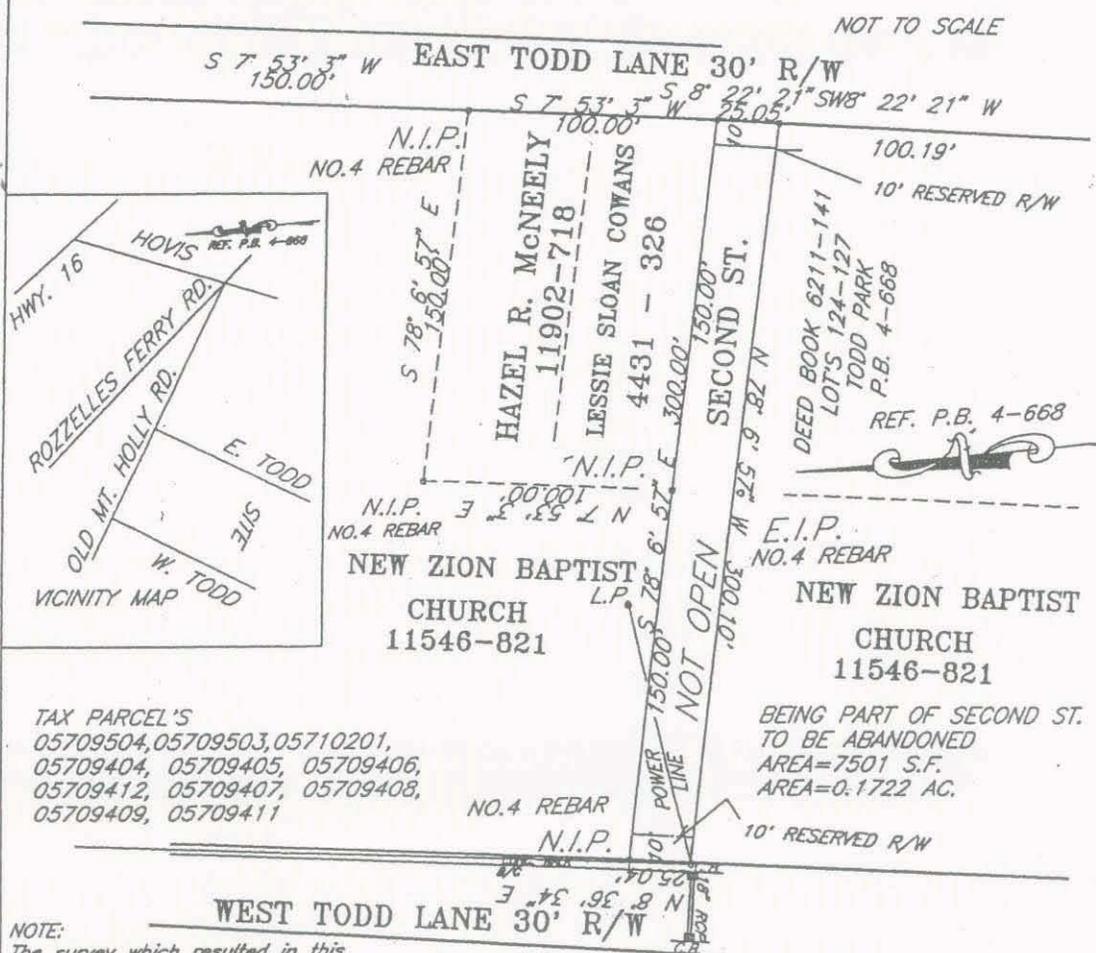
THIS IS TO CERTIFY THAT ON THE 11 DAY OF MARCH 20 03 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREOF. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE .1600 (21 NCAC 56) AND THE ERROR OF CLOSURE FOR THIS PARCEL DOES NOT EXCEED ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE REVISED MAY 8, 2003

SIGNED David W. Dickson, P.A. 3505 S. NEW HOPE RD. GASTONIA, N.C. 28056 (704) 824-0894

- NOTES: SQUARE ROOT OF THE NUMBER OF ANGLES TURNED. 1. TRAVERSE ADJUSTED BY LEAST SQUARES ADJ. METHOD. ERROR OF CLOSURE 1:10,000 2. AREA'S COMPUTED BY DMD REFERENCES: 1. DEEDS AND MAPS SHOWN HEREON. 2. MECKLENBURG COUNTY TAX MAPS AS SHOWN. 3. PLAT BOOK 4, PG. 668, MECKLENBURG CO. REGISTRY. 4. MAP ENTITLED "TODD PARK" 5. MAP ENTITLED "SURVEY FOR NEW ZION BAPTIST CHURCH" BY: DAVID W. DICKSON, P.A., DATED 9-17-2002

"Easement in favor of City of Charlotte, Duke Power Company, BellSouth Telecommunications, Inc., and all other owners of existing underground telecommunication facilities, upon, under, and across the entire property described above for access to and for the installation, maintenance, replacement, and repair of conduit, cable, wires, storm drainage, and related equipment." "Petitioner will provide an easement to City of Charlotte, Duke Power Company, BellSouth Telecommunications, Inc., and all other owners of existing underground telecommunication facilities to maintain their facilities as shown on the attached map marked Exhibit A."

LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING. Date 8/14/03 Review Officer



NOTE: The survey which resulted in this plat used only the record information noted hereon and makes no certification as to title or ownership of any parcels shown. Other documents may exist that would affect these parcels. Declaration is made to the original purchaser of the survey. This survey is not transferable to additional institutions or owners and is invalid without an original emboss.

- LEGEND: N.I.P. NEW IRON PIN E.I.P. EXISTING IRON PIN --- RIGHT OF WAY --- TIE LINE --- BOUNDARY LINE

PLAT BOOK 4, PG. 668 DEED'S 7132-078, 2710-151, 4563-661, 11763-295, 4567-944, 4567-942, 4544-885, 13708-953, 10714-496, 7499-902, 7355-623

SURVEY OF: RIGHT-OF-WAY ABANDONMENT CHARLOTTE, N.C.

THE PROPERTY OF NEW ZION BAPTIST CHURCH

SCALE 1"=60' MAP BOOK 4 PAGE 668 DEED BOOK 114 PAGE 119 227 246

FLOOD CERTIFICATION IS NOT THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEB. 26, 1982 370159 0002 B

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

EXHIBIT B

BEING THAT certain unopened portion of Second Street lying between West Todd Lane (30' R/W) and East Todd Lane, shown on David W. Dickson P.A. survey dated March 11, 2003 and being more particularly described as follows:

BEGINNING at a point located at the intersection of the easterly margin of West Todd Lane and the northerly margin of Second Street, a front corner of the property of New Zion Baptist Church as shown in Deed Book 11546-821 and running thence with the northerly margin of Second Street S 78°-6-57 E 300' to a point located in the westerly margin of East Todd Lane; thence with same, S 8°-22-21 W 25.05 to a point marking the intersection of said westerly margin of East Todd Lane with the southerly margin of Second Street; thence with the southerly margin of Second Street N 78°-6-57 W 300.10' to the easterly margin of West Todd Street; thence with same, N 08-36-34 E 25.04' to the N.I.P. marking the point of beginning.-

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



JUDITH A. GIBSON  
REGISTER OF DEEDS, MECKLENBURG  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE, NC 28202

\*\*\*\*\*

Filed For Registration: 08/20/2003 11:09 AM  
Book: RE 15952 Page: 717-720  
Document No.: 2003192938  
RESOL 4 PGS \$18.00  
Recorder: MARILYN SMITH



2003192938

FOR REGISTRATION JUDITH A. GIBSON  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2003 AUG 20 11:09 AM  
BK: 15952 PG: 712-716 FEE: \$21.00

INSTRUMENT # 2003192937



RESOLUTION CLOSING DURWOOD AVENUE BETWEEN KENILWORTH AVENUE AND HARDING PLACE IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close Durwood Avenue between Kenilworth Avenue and Harding Place which calls for a public hearing on the question and:

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

WHEREAS, the petitioner will provide an access easement to the City of Charlotte, Charlotte-Mecklenburg Utilities, BellSouth telecommunications, Inc., Duke Power Company, Piedmont Natural Gas Company, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 23<sup>rd</sup> day of June, 2003 and City Council determined that the closing of Durwood Avenue between Kenilworth Avenue and Harding Place is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

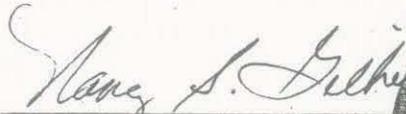
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of June 23, 2003, that the Council hereby orders the closing of Durwood Avenue between Kenilworth Avenue and Harding Place in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in document marked "Exhibit B", both of which are attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Pages 406-409.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy



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

See Sheet 2

- LEGEND
- ch. chard
  - L,R curve length & radius
  - s.f. square feet (by coordinates)
  - I.PIN iron survey stake
  - MB, DB record map and deed references
  - SS sanitary sewer line
  - W water line
  - WV water valve
  - G gas line
  - T telephone cable
  - OE overhead electric &/or telephone

NOTES:

1. Durwood Avenue is shown on plats recorded in Map Book 332 Pages 464 & 528 and Map Book 3 Page 543.
2. Utilities shown hereon have been located based on CMUD Customer Service maps, markings provided by the North Carolina One-Call Utility Locating Service and field observations of surface structures. Additional utilities may exist. Contractors should contact the North Carolina Utility Locating Service at 1-800-632-4949 before any digging or excavation is begun.
3. An easement is reserved in favor of Charlotte-Mecklenburg Utility Department, BellSouth Telecommunications, Inc., Duke Power Company, Piedmont Natural Gas Company and all other owners of existing underground telecommunication facilities upon, under and across the entire property described hereon for access to and for the installation, maintenance, replacement and repair of conduit, cable, wires, gas mains and related equipment.



Area=37,810 s.f.  
0.8680 acre  
by coordinates

THIS IS TO CERTIFY THAT THIS SURVEY IS BASED UPON MY BEST KNOWLEDGE, INFORMATION AND BELIEF. THIS SURVEY DOES NOT REFLECT A COMPLETE TITLE EXAMINATION OR UTILITIES. PRECISION IS GREATER THAN 1:10,000.

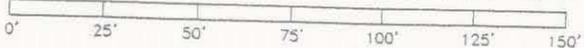
*AGZ*

**A.G. ZOUTEWELLE**  
SURVEYORS  
1418 East Fifth St. Charlotte, NC 28204

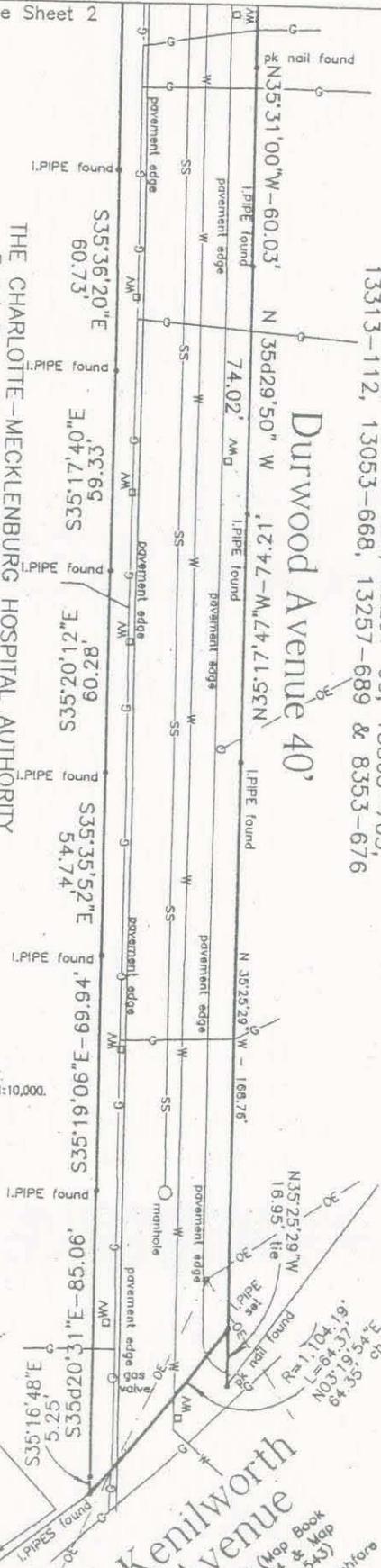
Exhibit A-1  
Copyright 2003

ABANDONMENT SURVEY (Sheet 1 of 2)  
**DURWOOD AVENUE**

CHARLOTTE, MECKLENBURG COUNTY, N.C.  
for THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY  
Scale 1" = 40'  
ANDREW G. ZOUTEWELLE January 23, 2003  
1418 East 5th Street N.C. PLS L-3098  
Telephone 704-372-9444 Charlotte, NC 28204  
Fax 704-372-9555



THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY  
Deed Book 6829-441, 6862-175, 6707-219,  
7851-307, 7827-745, 7109-477 & 8128-76



THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY  
Deed Book 11788-290, 13201-60, 13865-703,  
13313-112, 13053-668, 13257-689 & 8353-676

**Durwood Avenue 40'**

**Kenilworth Avenue**  
Public R/W (Map Book 332 Page 464 & Map Book 3 Page 543)  
Class III Major Thoroughfare

LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
*Linda B. Poissant*  
Review Officer  
Date 8/14/03

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



## Exhibit B Legal Description Durwood Avenue

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being known as Durwood Avenue as recorded in Map Book 332 Pages 464 and 528 and Map Book 3 Page 543 of the Mecklenburg County Registry, and being more particularly described as follows:

BEGINNING at an existing iron pipe located in the northerly right of way margin of Romany Road, said right of way having a width of 50 feet and said right of way being recorded in Map Book 332 Pages 464 and 528 of the Mecklenburg County Registry, said iron pipe being also located at the southwesterly terminus of the intersection curve connecting the said northerly margin of Romany Road with the southwesterly right of way margin of the aforesaid Durwood Avenue, said right of way having a width of 40 feet, said iron pipe being also located South 70-11-17 East 463.82 feet from a pk nail located at the intersection of the said northerly margin of Romany Road with the easterly right of way margin of Kenilworth Avenue, and running thence from said point and place of BEGINNING along the aforesaid intersection curve following a circular curve to the left having a radius of 50.00 feet and an arc length of 125.57 feet (chord bearing North 37-08-26 East 95.08 feet) to a point located on the aforesaid southwesterly margin of Durwood Avenue; thence along the said southwesterly margin of Durwood Avenue the following eight (8) calls: (1) North 35-26-21 West 102.20 feet to an existing iron pipe, (2) North 35-26-21 West 80.10 feet to an existing iron pipe, (3) North 35-27-38 West 60.02 feet to an existing iron pipe, (4) North 35-22-21 West 59.91 feet to an existing pk nail, (5) North 35-31-00 West 60.03 feet to an existing iron pipe, (6) North 35-29-50 West 74.02 feet to an existing iron pipe, (7) North 35-17-47 West 74.21 feet to an existing iron pipe and (8) North 35-25-29 West 168.76 feet to a new iron pipe; thence following a circular curve to the right having a radius of 1,104.19 feet and an arc length of 64.37 feet (chord bearing North 03-19-54 East 64.35 feet) to an existing iron pipe located at the intersection of the easterly right of way margin of the aforesaid Kenilworth Avenue and the northeasterly right of way margin of the aforesaid Durwood Avenue; thence following the said northeasterly margin of Durwood Avenue the following ten (10) calls: (1) South 35-16-48 East 5.25 feet to an existing iron pipe, (2) South 35-20-31 East 85.06 feet to an existing iron pipe, (3) South 35-19-06 East 69.94 feet to an existing iron pipe, (4) South 35-35-52 East 54.74 feet to an existing iron pipe, (5) South 35-20-12 East 60.28 feet to an existing iron pipe, (6) South 35-17-40 East 59.33 feet to an existing iron pipe, (7) South 35-36-20 East 60.73 feet to an existing iron pipe, (8) South 35-25-23 East 120.00 feet to an existing iron pipe, (9) South 35-25-38 East 180.10 feet to an existing iron pipe and (10) South 35-25-08 East 160.92 feet to an existing iron pipe; thence along the intersection curve connecting the aforesaid northeasterly margin of Durwood with the northwesterly right of way margin of Harding Place, said right of way having a width of 50 feet, following a circular curve to the left having a radius of 11.61 feet and an arc length of 12.46 feet (chord bearing South 65-35-19 East 11.87 feet) to a new iron pipe; thence along the following two (2) new lines: (1) following a circular curve to the right having a radius of 125.00 feet and an arc length of 116.17 feet (chord bearing South 83-07-43 West 112.03 feet) and (2) North 70-14-53 West 67.17 feet to the point and place of BEGINNING, containing 37,810 square feet (or 0.8680 acre) as shown on a survey by Andrew G. Zoutewelle dated January 23, 2003.

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



JUDITH A. GIBSON  
REGISTER OF DEEDS, MECKLENBURG  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE, NC 28202

\*\*\*\*\*

Filed For Registration: 08/20/2003 11:09 AM  
Book: RE 15952 Page: 712-716  
Document No.: 2003192937  
RESOL 5 PGS \$21.00  
Recorder: MARILYN SMITH



2003192937

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 June 23, 2003.

\* \* \*

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "City Council") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina, 28202, at 7:00 p.m. on June 23, 2003 (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, Mitchell, Mumford, Spencer, Tabor, Wheeler, and White

The following members of the City Council were absent: Graham and Lochman.

Also present: \_\_\_\_\_

The City Clerk reported to the City Council that the bond order entitled, "**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$65,000,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA**" was introduced at the regular meeting of the City Council on June 9, 2003, and was published on June 16, 2003, with notice that the City Council would hold a public hearing thereon on June 23, 2003 at 7:00 o'clock p.m.

At 7:00 o'clock p.m., the Mayor announced that the City Council would hear anyone who wished to be heard on the questions of validity of the bond order and the advisability of issuing the General Obligation Refunding Bonds. At the direction of the Mayor, the City Clerk distributed the bond order and the published notice of hearing to all requesting them.

After the City Council had heard all persons who requested to be heard in connection with the foregoing questions, Council Member Cannon moved that the public hearing be closed. The motion was seconded by Council Member Carter and was unanimously adopted.

Council Member Cannon moved that the City Council adopt without change or amendment, and direct the City Clerk to publish a notice of adoption as prescribed by The Local Government Bond Act, the bond order entitled, "**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$65,000,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA**", which was introduced at the meeting of the City Council held on June 9, 2003.

The motion was seconded by Council Member Carter and was unanimously adopted.

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 June 23, 2003.

\* \* \*

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 June 23, 2003 (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, Mitchell, Mumford, Spencer, Tabor, Wheeler, and White

The following members of the City Council were absent: Graham and Lochman

Also present: .

Councilmember Cannon introduced the following 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:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$65,000,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2003C.**

*WHEREAS*, the Bond Order hereinafter-described has been adopted, and it is desirable to make provision for the issuance of the Bonds authorized by said Bond Order;

*NOW, THEREFORE, BE IT RESOLVED* by the City Council of the City of Charlotte, North Carolina (the "*City*"), as follows:

1. For purposes of this Resolution, the following words will have the meanings ascribed to them below:

"*Bond Order*" means the Bond Order authorizing the Bonds adopted by the City Council on June 23, 2003 and effective on its adoption.

"*Bonds*" means the City's General Obligation Refunding Bonds, Series 2003C authorized under the Bond Order.

"*City*" means the City of Charlotte, North Carolina, and its successors or assigns.

"*City Council*" means the City Council of the City.

"*Escrow Agent*" means Wachovia Bank, National Association, its successors and assigns.

"*Escrow Agreement*" means the Escrow Agreement dated as of July 15, 2003 between the City and the Escrow Agent.

*"Federal Securities"* means (a) direct obligations of the United States of America for the timely payment of which the full faith and credit of the United States of America is pledged; (b) obligations issued by any agency controlled or supervised by and acting as an instrumentality of the United States of America, the timely payment of the principal of and interest on which is fully guaranteed as full faith and credit obligations of the United States of America (including any securities described in (a) or (b) issued or held in the name of the Trustee in book-entry form on the books of the Department of Treasury of the United States of America), which obligations, in either case, are held in the name of a trustee and are not subject to redemption or purchase prior to maturity at the option of anyone other than the holder; (c) any bonds or other obligations of the State of North Carolina or of any agency, instrumentality or local governmental unit of the State of North Carolina which are (i) not callable prior to maturity or (ii) as to which irrevocable instructions have been given to the trustee or escrow agent with respect to such bonds or other obligations by the obligor to give due notice of redemption and to call such bonds for redemption on the date or dates specified, and which are rated by Moody's, if the Bonds are rated by Moody's, and S&P, if the Bonds are rated by S&P, within the highest rating category and which are secured as to principal, redemption premium, if any, and interest by a fund consisting only of cash or bonds or other obligations of the character described in clause (a) or (b) hereof which fund may be applied only to the payment of such principal of and interest and redemption premium, if any, on such bonds or other obligations on the maturity date or dates thereof or the specified redemption date or dates pursuant to such irrevocable instructions, as appropriate; or (d) direct evidences of ownership of proportionate interests in future interest and principal payments on specified obligations described in (a) held by a bank or trust company as custodian, under which the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor on the underlying obligations described in (a), and which underlying obligations are not available to satisfy any claim of the custodian or any person claiming through the custodian or to whom the custodian may be obligated.

*"Fitch Ratings"* means Fitch, Inc., a corporation organized and existing under the laws of the State of New York, its successors and their assigns and, if such corporation for any reason no longer performs the functions of a securities rating agency, *"Fitch Ratings"* will be deemed to refer to any other nationally recognized rating agency other than Moody's or S&P designed by the City.

*"Moody's"* means Moody's Investors Service, a corporation organized and existing under the laws of the State of Delaware, its successors and their assigns and, if such corporation for any reason no longer performs the functions of a securities rating agency, *"Moody's"* will be deemed to refer to any other nationally recognized rating agency other than Fitch Ratings or S&P designed by the City.

*"Refunded Bonds"* means the City's (1) Water and Sewer Bonds, Series 1995 maturing on and after April 1, 2006, (2) Water and Sewer Bonds, Series 1995A maturing on and after April 1, 2006 and (3) Public Improvement Bonds, Series 1995 maturing on and after April 1, 2006.

*"S&P"* means Standard & Poor's Ratings Services, a Division of The McGraw-Hill Companies, Inc., its successors and their assigns and, if such corporation for any reason no longer performs the functions of a securities rating agency, *"S&P"* will be deemed to refer to any other nationally recognized rating agency other than Fitch Ratings or Moody's designed by the City.

2. The City shall issue not to exceed \$65,000,000 in total aggregate principal amount of its Bonds.

3. The Bonds shall be dated as of July 1, 2003 and pay interest semiannually on April 1 and October 1, beginning October 1, 2003. The Bonds are being issued to provide funds to refund in advance of their maturities the Refunded Bonds pursuant to and in accordance with the Bond Order.

4. The City Council has ascertained and hereby determines that the average period of usefulness of the capital projects being financed by the proceeds of the Refunded Bonds was not less than 25 years computed from the date of the Refunded Bonds, and the average weighted maturity of the Bonds does not exceed the average weighted maturity of the Refunded Bonds.

5. (a) The Bonds are payable in annual installments on April 1 in each year, as follows:

<u>YEAR</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>AMOUNT</u>
2004	\$1,695,000	2013	\$4,970,000
2005	880,000	2014	5,145,000
2006	4,205,000	2015	5,385,000
2007	4,245,000	2016	2,860,000
2008	4,285,000	2017	2,940,000
2009	4,430,000	2018	3,105,000
2010	4,605,000	2019	3,230,000
2011	4,695,000	2020	3,340,000
2012	4,815,000		

The Director of Finance of the City may increase or decrease the aggregate principal amount and the principal of each maturity of the Bonds both before and after the receipt and opening of the bids for the Bonds in accordance with the Detailed Notice of Sale so long as net present value savings are at least 2% of the par amount of the Refunded Bonds.

6. The Bonds shall be numbered from "R-1" consecutively and upward. All Bonds shall bear interest from their date at a rate or rates which shall be hereafter determined on the sale thereof computed on the basis of a 360-day year of twelve 30-day months.

7. The Bonds shall be registered as to principal and interest, and the Director of Finance of the City is directed to maintain the registration records with respect thereto. The Bonds shall bear the original or facsimile signatures of the Mayor or City Manager of the City and the City Clerk of the City. An original or facsimile of the seal of the City shall be imprinted on each of the Bonds.

8. The Bonds will initially be issued by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity of each series will be issued to The Depository Trust Company, New York, New York ("DTC"), and immobilized in its custody. A book-entry system will be employed, evidencing ownership of the Bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the Bonds will be payable to DTC or its nominee as registered owner of the Bonds in immediately available funds. The principal of and interest on the Bonds will be payable to owners of Bonds shown on the records of DTC at the close of business on the 15th day of the month preceding an interest payment date or a bond payment date. The City will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

If (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Director of Finance for the City determines that the continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the City will discontinue the book-entry system with DTC. If the City fails to identify another qualified securities depository to replace DTC, the City will authenticate and deliver replacement bonds in the form of fully registered certificates.

9. The Bonds maturing on or before April 1, 2013 will not be subject to redemption prior to maturity. The Bonds maturing after April 1, 2013 will be subject to redemption prior to maturity, at the option of the City, from any moneys that may be made available for such purpose, either in whole or in part on any date on or after April 1, 2013, at the principal amount of the Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, without a redemption premium thereon.

If less than all of the Bonds are called for redemption, the City shall select the maturity or maturities of the Bonds to be redeemed in such manner as the City in its discretion may determine and DTC and its participants shall determine which of the Bonds within a maturity are to be redeemed by lot; provided, however, that the portion of any Bond to be redeemed shall be in principal amount of \$5,000 or integral multiples thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. Whenever the City elects to redeem Bonds, notice of such redemption of Bonds, (1) stating the redemption date, redemption price and identifying the Bonds or portions thereof to be redeemed by reference to their numbers, (2) stating, if the redemption is conditional on the occurrence of one or more events, what the conditions for redemption are and the manner in which Owners will be notified if the conditions precedent to a redemption do not occur and (3) further stating that on such redemption date there shall become due and payable on each Bond or portion thereof so to be redeemed, the principal thereof, and interest accrued to the redemption date and that from and after such date interest thereon shall cease to accrue, shall be given not less than 30 days nor more than 60 days before the redemption date in writing to DTC or its nominee as the registered owner of the Bonds, by prepaid certified or registered United States mail, at the address provided to the City by DTC, but any failure or defect in respect of such mailing will not affect the validity of the redemption. If DTC is not the registered owner of the Bonds, the City will give notice at the time set forth above by prepaid first class United States mail, to the then-registered owners of the Bonds or portions thereof to be redeemed at the last address shown on the registration books kept by the City. The City will also mail or transmit by facsimile a copy of the notice of redemption within the time set forth above (1) to the Local Government Commission of North Carolina (the "*Local Government Commission*"), (2) to each of the then-existing securities depositories and (3) to at least two of the then-existing national information services.

10. The Bonds and the provisions for the registration of the Bonds and for the approval of the Bonds by the Clerk of the Local Government Commission shall be in substantially the following forms:

(Form of Bond)

No. R-

\$

UNITED STATES OF AMERICA  
STATE OF NORTH CAROLINA  
CITY OF CHARLOTTE

INTEREST

<b>RATE</b>	<b>MATURITY DATE</b>	<b>DATED DATE</b>	<b>CUSIP</b>
	APRIL 1, _____	JULY 1, 2003	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: DOLLARS

GENERAL OBLIGATION REFUNDING BOND, SERIES 2003C

*THE CITY OF CHARLOTTE, NORTH CAROLINA* (the "City") acknowledges itself indebted and for value received hereby promises to pay to the Registered Owner named above, on the Maturity Date specified above, upon surrender hereof, the Principal Sum shown above and to pay to the Registered Owner hereof interest thereon from the date of this Bond until it shall mature at the Interest Rate per annum specified above, payable on October 1, 2003 and semiannually thereafter on April 1 and October 1 of each year. Principal of and interest on this Bond are payable in immediately available funds to The Depository Trust Company ("DTC") or its nominee as registered owner of the Bonds and is payable to the owner of the Bonds shown on the records of DTC at the close of business on the 15<sup>th</sup> day of the month preceding an interest payment date or a bond payment date. The City is not responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

This Bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act and a bond order adopted by the City Council of the City on June 23, 2003 and effective on its adoption. The Bonds are being issued to provide funds to refund in advance of their maturities the City's (1) Water and Sewer Bonds, Series 1995 maturing on and after April 1, 2006, (2) Water and Sewer Bonds, Series 1995A maturing on and after April 1, 2006 and (3) Public Improvement Bonds, Series 1995 maturing on and after April 1, 2006.

The Bonds maturing on or before April 1, 2013 will not be subject to redemption prior to maturity. The Bonds maturing after April 1, 2013 will be subject to redemption prior to maturity, at the option of the City, from any moneys that may be made available for such purpose, either in whole or in part on any date on or after April 1, 2013, at the principal amount of the Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, without a redemption premium thereon.

If less than all of the Bonds are called for redemption, the City shall select the maturity or maturities of the Bonds to be redeemed in such manner as the City in its discretion may determine and DTC and its participants shall determine which of the Bonds within a maturity are to be redeemed by lot; provided, however, that the portion of any Bond to be redeemed shall be in principal amount of \$5,000 or integral multiples thereof and that, in selecting Bonds for redemption, each Bond shall be considered as

representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. Whenever the City elects to redeem Bonds, notice of such redemption of Bonds, (1) stating the redemption date, redemption price and identifying the Bonds or portions thereof to be redeemed by reference to their numbers, (2) stating, if the redemption is conditional on the occurrence of one or more events, what the conditions for redemption are and the manner in which Owners will be notified if the conditions precedent to a redemption do not occur and (3) further stating that on such redemption date there shall become due and payable on each Bond or portion thereof so to be redeemed, the principal thereof, and interest accrued to the redemption date and that from and after such date interest thereon shall cease to accrue, shall be given not less than 30 days nor more than 60 days before the redemption date in writing to DTC or its nominee as the registered owner of the Bonds, by prepaid certified or registered United States mail, at the address provided to the City by DTC, but any failure or defect in respect of such mailing will not affect the validity of the redemption. If DTC is not the registered owner of the Bonds, the City will give notice at the time set forth above by prepaid first class United States mail, to the then-registered owners of the Bonds or portions thereof to be redeemed at the last address shown on the registration books kept by the City. The City will also mail or transmit by facsimile a copy of the notice of redemption within the time set forth above (1) to the Local Government Commission of North Carolina (the "*Local Government Commission*"), (2) to each of the then-existing securities depositories and (3) to at least two of the then-existing national information services.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this Bond, exist, have been performed and have happened, and that the amount of this Bond, together with all other indebtedness of the City, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on this Bond in accordance with its terms.

This Bond shall not be valid or become obligatory for any purpose until the certification hereon shall have been signed by an authorized representative of the Local Government Commission.

*IN WITNESS WHEREOF*, the City has caused this Bond to bear the original or facsimile of the signatures of the Mayor of the City and the City Clerk of the City and an original or facsimile of the seal of the City to be imprinted hereon and this Bond to be dated as of July 1, 2003.

FORM OF ASSIGNMENT

ASSIGNMENT

*FOR VALUE RECEIVED* the undersigned hereby sells, assigns and transfers unto

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(Please print or typewrite Name and Address,  
including Zip Code, and Federal Taxpayer Identification or  
Social Security Number of Assignee)

---

the within 2003B Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

---

Attorney to register the transfer of the within 2003B Bond on the books kept for registration thereof,  
with full power of substitution in the premises.

Dated: \_\_\_\_\_  
Signature guaranteed by: \_\_\_\_\_

---

NOTICE: Signature must be guaranteed by  
a Participant in the Securities Transfer  
Agent Medallion Program ("Stamp") or  
similar program.

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NOTICE: The signature to this assignment must  
correspond with the name as it appears on the  
face of the within Bond in every particular,  
without alteration, enlargement or any change  
whatever.

**TRANSFER FEE MAY BE REQUIRED**

11. The City covenants to take such action as may be required in the opinion of nationally recognized bond counsel to cause the Bonds and all actions of the City with respect to the proceeds thereof to comply with Internal Revenue Code of 1986, as amended (the "Code"). In particular, the City covenants as follows:

(a) At least one of the following two conditions will be satisfied for the Bonds: (1) less than 10% of the proceeds of the Bonds, reduced by costs of issuance, will be used directly or indirectly in the business of a person other than a state or local governmental unit or (2) less than 10% of the principal or interest on the Bonds will be (under the terms of such issue or any underlying arrangement) directly or indirectly (A) secured by an interest in property used or to be used in a private business or any interest in payments made with respect to such property or (B) to be derived from payments made with respect to property, or borrowed money, used or to be used in a private business;

(b) Less than 5% of the proceeds of the Bonds, reduced by costs of issuance, will be used by nongovernmental persons for a use unrelated to the purposes for which the Bonds are being issued;

(c) It will not loan directly or indirectly more than 5% of the proceeds of the Bonds to nongovernmental persons;

(d) It will not enter into any management contract with respect to the facilities refinanced with the proceeds of the Bonds unless it obtains an opinion of nationally recognized bond counsel that such management contract will not impair the exclusion from a recipient's gross income for federal income tax purposes of the interest on the Bonds;

(e) The City acknowledges that the continued exclusion of interest on the Bonds from a recipient's gross income for federal income tax purposes depends, in part, on compliance with the arbitrage limitations imposed by Section 148 of the Code. The City covenants to comply with all the requirements of Section 148 of the Code, including the rebate requirements, and it shall not permit at any time any of the proceeds of the Bonds or other funds of the City to be used, directly or indirectly, to acquire any asset or obligation, the acquisition of which would cause the Bonds to be "*arbitrage bonds*" for purposes of Section 148 of the Code;

(f) The Bonds shall not be "*federally guaranteed*" as defined in Section 149(b) of the Code;

(g) The City covenants to file or cause to be filed Form 8038G in accordance with Section 149(e) of the Code.

12. The proceeds from the sale of the 2003C Bonds, less the costs of issuance of the 2003C Bonds to be paid from the proceeds of the 2003C Bonds and less the accrued interest on the 2003C Bonds, shall be deposited with the Escrow Agent, in an Escrow Fund created pursuant to the Escrow Agreement. The City Manager and the Director of Finance of the City are hereby authorized and directed to enter into the Escrow Agreement, a form of which has been made available to the City Council, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City Council's approval of any and all changes, modifications, additions or deletions therein from the form and content of the Escrow Agreement presented to the City Council, and that from and after the execution and delivery of the Escrow Agreement, the City Manager and the Director of Finance 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 as executed. Proceeds of the 2003C Bonds to be used to pay the costs of issuance of the 2003C Bonds shall be deposited in a separate segregated account held by the City and invested and reinvested by the Director of Finance as permitted by the laws of the State of North Carolina. The Director of Finance shall keep and maintain adequate records pertaining to such account and all disbursements therefrom so as to satisfy the requirements of the laws of the State of North Carolina and to assure that the City maintains its covenants with respect to the exclusion of the interest on the 2003C Bonds from gross income for purposes of federal income taxation. To the extent any funds remain in such account on October 1, 2003, the Director of Finance shall apply them to pay interest on the 2003C Bonds on that date. The Director of Finance is hereby directed to hold proceeds of the 2003C Bonds representing accrued interest in a separate, segregated account and apply amounts held in such account to pay accrued interest on the 2003C Bonds on the first interest payment date with respect to the 2003C Bonds.

13. Actions taken by officials of the City to select paying and transfer agents, and a bond registrar, or alternate or successor agents and registrars pursuant to Section 159E-8 of the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, are hereby authorized and approved.

14. The Local Government Commission is hereby requested to sell the Bonds through a competitive sale to the bidder whose bid results in the lowest interest cost to the City, determined on the basis of the true interest cost method.

15. The Mayor, the City Manager, the Director of Finance and the City Clerk of the City are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the Bonds and to turn the Bonds over to the registrar and transfer agent of the City for delivery through the facilities of DTC to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

16. The form and content of the Preliminary Official Statement to be dated on or about June 25, 2003 together with the final Official Statement to be dated on or about July 8, 2003 are in all respects authorized, approved and confirmed, and the Mayor, the City Manager, the Director of Finance and the City Clerk of the City are authorized, empowered and directed to execute and deliver the Official Statement in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as shall to the Mayor, City Manager or the Director of Finance of the City seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the approval of the City Council of any and all changes, modifications, additions or deletions therein from the form and content of the Official Statement presented to the City Council.

17. The Mayor, the City Manager, the Director of Finance and the City Clerk of the City are authorized and directed to execute and deliver for and on behalf of the City any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the documents contemplated hereinabove or as may be deemed necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

18. The City agrees, in accordance with Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission (the "SEC") and for the benefit of the Registered Owners and beneficial owners of the Bonds, as follows:

(1) by not later than seven months after the end of each Fiscal Year, beginning with the Fiscal Year ending June 30, 2003, to provide to each nationally recognized municipal securities information repository ("NRMSIR") and to the state information depository ("SID"), if any, for the State, in each case as designated by the SEC, the audited financial statements of the City for such Fiscal Year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or if such audited financial statements are not then available, unaudited financial statements of the City for such Fiscal Year to be replaced subsequently by audited financial statements of the City to be delivered within 15 days after such audited financial statements become available for distribution;

(2) by not later than seven months after the end of each Fiscal Year, beginning with the Fiscal Year ending June 30, 2003, to provide to each NRMSIR and to the SID, if any, in each case as designated by the SEC, (a) the financial and statistical

data as of a date not earlier than the end of the preceding Fiscal Year for the type of information included under the captions "**THE CITY--DEBT INFORMATION**" and "**TAX INFORMATION**" (excluding information on overlapping units) in the Official Statement referred to in Section 16 and (b) the combined budget of the City for the current Fiscal Year to the extent such items are not included in the audited financial statements referred to in clause (1) above;

(3) to provide in a timely manner to each NRMSIR or to the Municipal Securities Rulemaking Board (the "*MSRB*"), and to the SID, if any, notice of any of the following events with respect to the Bonds, if material:

- (a) principal and interest payment delinquencies;
- (b) non-payment related defaults;
- (c) unscheduled draws on the debt service reserves reflecting financial difficulties;
- (d) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (e) substitution of any credit or liquidity providers, or their failure to perform;
- (f) adverse tax opinions or events affecting the tax-exempt status of the Bonds;
- (g) modification to the rights of the beneficial owners of the Bonds;
- (h) call of any of the Bonds for redemption;
- (i) defeasance of any of the Bonds;
- (j) release, substitution or sale of any property securing repayment of the Bonds;
- (k) rating changes; and

(4) to provide in a timely manner to each NRMSIR or to the *MSRB*, and to the SID, if any, notice of a failure of the City to provide required annual financial information described in (1) or (2) above on or before the date specified.

The City agrees that its undertaking under this Paragraph is intended to be for the benefit of the registered owners and the beneficial owners of the Bonds and is enforceable by any of the registered owners and the beneficial owners of the Bonds, including an action for specific performance of the City's obligations under this Paragraph, but a failure to comply will not be an event of default and will not result in acceleration of the payment of the Bonds. An action must be instituted, had and maintained in the manner provided in this Paragraph for the benefit of all of the registered owners and beneficial owners of the Bonds.

The City may modify from time to time, consistent with the Rule, the information provided or the format of the presentation of such information, to the extent necessary or appropriate in the judgment of the City, but:

(1) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law or change in the identity, nature or status of the City;

(2) the information to be provided, as modified, would have complied with the requirements of the Rule as of the date of the Official Statement, after taking into account any amendments or interpretations of the Rule as well as any changes in circumstances;

(3) any such modification does not materially impair the interest of the registered owners or the beneficial owners, as determined by nationally recognized bond counsel or by the approving vote of the registered owners of a majority in principal amount of the Bonds.

Any annual financial information containing modified operating data or financial information will explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Paragraph terminate on payment, or provision having been made for payment in a manner consistent with the Rule, in full of the principal of and interest on the Bonds.

19. Those portions of this Resolution other than Paragraph 18 may be amended or supplemented, from time to time, without the consent of the owners of the Bonds if in the opinion of nationally recognized bond counsel, such amendment or supplement would not adversely affect the interests of the owners of the Bonds and would not cause the interest on the Bonds to be included in the gross income of a recipient thereof for federal income tax purposes. This Resolution may be amended or supplemented with the consent of the owners of a majority in aggregate principal amount of the outstanding Bonds, exclusive of Bonds, if any, owned by the City, but a modification or amendment (1) may not, without the express consent of any owner of Bonds, reduce the principal amount of any Bond, reduce the interest rate payable on it, extend its maturity or the times for paying interest, change the monetary medium in which principal and interest is payable, or reduce the percentage of consent required for amendment or modification and (2) as to an amendment to Paragraph 18, must be limited as described therein.

Any act done pursuant to a modification or amendment consented to by the owners of the Bonds is binding on all owners of the Bonds and will not be deemed an infringement of any of the provisions of this Resolution, whatever the character of the act may be, and may be done and performed as fully and freely as if expressly permitted by the terms of this Resolution, and after consent has been given, no owner of a Bond has any right or interest to object to the action, to question its propriety or to enjoin or restrain the City from taking any action pursuant to a modification or amendment.

If the City proposes an amendment or supplemental resolution to this Resolution requiring the consent of the owners of the Bonds, the Registrar shall, on being satisfactorily indemnified with respect to expenses, cause notice of the proposed amendment to be sent to each owner of the Bonds then outstanding by first-class mail, postage prepaid, to the address of such owner as it appears on the registration books; but the failure to receive such notice by mailing by any owner, or any defect in the

mailing thereof, will not affect the validity of any proceedings pursuant hereto. Such notice shall briefly set forth the nature of the proposed amendment and shall state that copies thereof are on file at the principal office of the Registrar for inspection by all owners of the Bonds. If, within 60 days or such longer period as shall be prescribed by the City following the giving of such notice, the owners of a majority in aggregate principal amount of Bonds then outstanding have consented to the proposed amendment, the amendment will be effective as of the date stated in the notice.

20. Nothing in this Resolution shall preclude (a) the payment of the Bonds from the proceeds of refunding bonds or (b) the payment of the Bonds from any legally available funds.

If the City causes to be paid, or has made provisions to pay, on maturity or on redemption before maturity, to the owners of the Bonds the principal of the Bonds (including interest to become due thereon), through setting aside trust funds or setting apart in a reserve fund or special trust account created pursuant to this Resolution or otherwise, or through the irrevocable segregation for that purpose in some sinking fund or other fund or trust account with an escrow agent or otherwise, moneys sufficient therefor, including, but not limited to, interest earned or to be earned on Federal Securities, the City shall so notify Moody's, S&P and Fitch Ratings, and then the such Bonds shall be considered to have been discharged and satisfied, and the principal of the Bonds (including and interest thereon) shall no longer be deemed to be outstanding and unpaid; provided, however, that nothing in this Resolution requires the deposit of more than such Federal Securities as may be sufficient, taking into account both the principal amount of such Federal Securities and the interest to become due thereon, to implement any such defeasance.

If such a defeasance occurs and after the City receives an opinion of a nationally recognized accounting firm that the segregated moneys or Federal Securities together with interest earnings thereon are sufficient to effect a defeasance, the City shall execute and deliver all such instruments as may be necessary to effect such a defeasance and desirable to evidence such release, discharge and satisfaction. Provisions shall be made by the City, for the mailing of a notice to the owners of the Bonds that such moneys are so available for such payment.

Upon motion of Councilmember Cannon \_\_\_\_\_, seconded by Councilmember Carter \_\_\_\_\_, the foregoing order entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$65,000,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2003C" was adopted by the following vote:

AYES: UNANIMOUS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NAYS: N/A \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

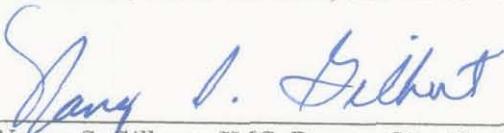
*PASSED, ADOPTED AND APPROVED* this 23rd day of June, 2003.

\* \* \* \*

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Pages 410-423.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.   \*\*

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
ADOPTING THE TWO -YEAR BUDGET PLAN FOR FISCAL YEARS 2004 AND 2005.**

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WHEREAS, the City of Charlotte recognizes the importance of developing long-range financial planning; and

WHEREAS, the City of Charlotte develops and analyzes the issues, policies, and financial assumptions which impact the Operating Budget of the City; and

WHEREAS, the City of Charlotte has developed a two-year Operating Budget Plan which includes a tax rate of 42.0¢ per \$100 of assessed valuation for FY2004 and estimates the same rate of 42.0¢ for FY2005; a total budget for FY2004 of \$736,497,568 and \$758,586,161 for FY2005; and includes 6,002.00 authorized positions in FY2004 and 6,010.00 authorized positions in FY2005.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, that it does hereby adopt the Operating Budget Plan for fiscal years 2004 to 2005.

This 23rd day of June 2003

**CERTIFICATION**

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 424.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
ADOPTING THE FIVE-YEAR CAPITAL INVESTMENT PLAN FOR FISCAL YEARS  
2004 to 2008.**

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

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

WHEREAS, the City of Charlotte has a five-year Capital Investment Plan based on policy assumptions, so stated in the FY2004-2008 Capital Investment Plan that balance the potential physical development planning with long-range financial capacity; and

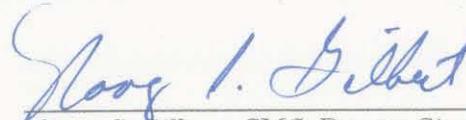
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, that it does hereby adopt the Capital Investment Plan for fiscal years 2004 to 2008.

This 23rd day of June 2003

**CERTIFICATION**

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 425.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE ADOPTING CHANGES TO  
THE CITY PAY PLANS AND EMPLOYEE GROUP INSURANCE PLANS FOR FISCAL YEAR 2004**

WHEREAS, the City of Charlotte desires to provide its employees with a competitive pay package and recognizes the importance of rewarding employees for their performance; and

WHEREAS, the City of Charlotte desires to provide its employees with a competitive benefits package;

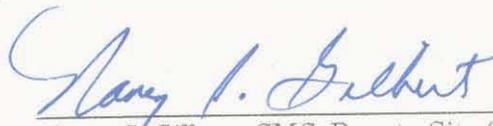
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in its regular session duly assembled, that it does hereby adopt the pay and benefits recommendations for fiscal year 2004.

This 23th day of June, 2003

**CERTIFICATION**

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 426.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk

A RESOLUTION OF THE CHARLOTTE CITY COUNCIL IDENTIFYING THE STEELE CREEK AREA AS BEING UNDER CONSIDERATION FOR ANNEXATION BY THE CITY OF CHARLOTTE AND NOTIFICATION TO PERSONS SUBJECT TO THE ANNEXATION OF SAID AREA OF CERTAIN RIGHTS UNDER G.S. 160A-49(f1) AND (f2)

---

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

Section 1. Pursuant to G.S. 160A-49(i), an area known as the Steele Creek Area, as shown on the map attached hereto and incorporated herein by reference ("Area"), is under consideration for future annexation by the City of Charlotte ("City") pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina

Section 2. Persons subject to the annexation of the Area are hereby notified that they may have certain rights under G.S. 160A-49(f1) and (f2). A brief description of such rights is set forth in Section 3 of this Resolution. Persons subject to the annexation of the Area should not rely exclusively on the description of such rights in this Resolution and should make their own, independent determination of the extent of such rights, if any, that any of them may have. This Resolution is not intended to represent that any person subject to the annexation of the Area has any rights under G.S. 160A-49(f1) and (f2) or to set forth a complete statement of such rights.

Section 3. Persons having an interest in agricultural land, horticultural land and forestland included in the Area may have rights to a delayed effective date of annexation for such land. G.S. 160A-49(f1) generally provides that the following type of land may qualify for a delayed effective date of annexation: land being taxed at present-use value pursuant to G.S. 105-277.4 on the effective date of annexation of the Area (or any portion thereof including such land); and land that, as of the date of the resolution of intent for annexation of the Area (or any portion thereof including such land), is being used for actual production and is eligible for present-use value taxation under G.S. 105-277.4, but which has not been in actual production for the time period required by G.S. 105-277.3, if the assessor for Mecklenburg County certifies that such land meets the requirement of G.S. 160A-49(f1)(2). For land meeting the requirements of G.S. 160A-49(f1), G.S. 160A-49(f2) generally provides that the annexation of such land will not become effective until the last day of the month in which such land becomes ineligible for present-use value classification under G.S. 105-277.4 or no longer meets the requirements of G.S. 160A-49(f1)(2); provided that, such land will be considered part of the City on the effective date of the annexation ordinance for the Area (or any portion thereof including such land) for the purposes of establishing City boundaries for additional annexation(s) and exercising City authority pursuant to Article 19 of the Chapter 160A of the General Statutes of North Carolina. Until the annexation of land meeting the requirements of G.S. 160A-49(f1) becomes effective as set forth in G.S. 160A-49(f2), such land will not be subject to City property taxes under Article 12 of Chapter 105 of the General Statutes of North Carolina and will not be entitled to services from the City as a result of

annexation pursuant to Part 3, Article 4A, Chapter 160A of the General Statues North Carolina.

Section 4. This Resolution, or a copy thereof, shall be filed with the City Clerk.

Section 5. This Resolution shall remain effective as provided by G.S. 160A-49(i).

Adopted this 23rd day of June, 2003.

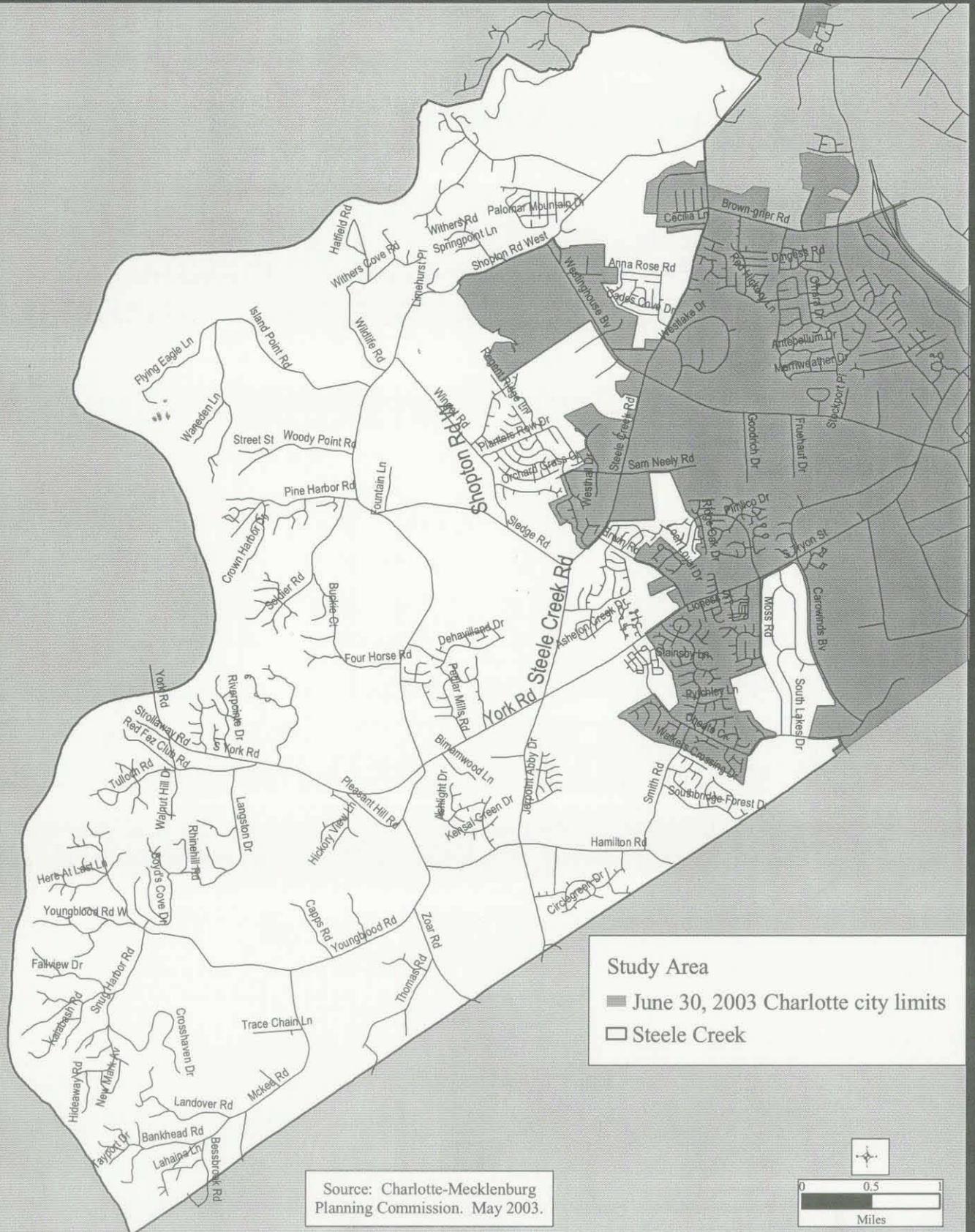
CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 427-429.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

# Steele Creek 2005 Annexation Study Area



A RESOLUTION OF THE CHARLOTTE CITY COUNCIL IDENTIFYING THE BROOKSHIRE/LAKEFRONT AREA AS BEING UNDER CONSIDERATION FOR ANNEXATION BY THE CITY OF CHARLOTTE AND NOTIFICATION TO PERSONS SUBJECT TO THE ANNEXATION OF SAID AREA OF CERTAIN RIGHTS UNDER G.S. 160A-49(f1) AND (f2)

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

Section 1. Pursuant to G.S. 160A-49(i), an area known as the Brookshire/Lakefront Area, as shown on the map attached hereto and incorporated herein by reference ("Area"), is under consideration for future annexation by the City of Charlotte ("City") pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina

Section 2. Persons subject to the annexation of the Area are hereby notified that they may have certain rights under G.S. 160A-49(f1) and (f2). A brief description of such rights is set forth in Section 3 of this Resolution. Persons subject to the annexation of the Area should not rely exclusively on the description of such rights in this Resolution and should make their own, independent determination of the extent of such rights, if any, that any of them may have. This Resolution is not intended to represent that any person subject to the annexation of the Area has any rights under G.S. 160A-49(f1) and (f2) or to set forth a complete statement of such rights.

Section 3. Persons having an interest in agricultural land, horticultural land and forestland included in the Area may have rights to a delayed effective date of annexation for such land. G.S. 160A-49(f1) generally provides that the following type of land may qualify for a delayed effective date of annexation: land being taxed at present-use value pursuant to G.S. 105-277.4 on the effective date of annexation of the Area (or any portion thereof including such land); and land that, as of the date of the resolution of intent for annexation of the Area (or any portion thereof including such land), is being used for actual production and is eligible for present-use value taxation under G.S. 105-277.4, but which has not been in actual production for the time period required by G.S. 105-277.3, if the assessor for Mecklenburg County certifies that such land meets the requirement of G. S. 160A-49(f1)(2). For land meeting the requirements of G.S. 160A-49(f1), G.S. 160A-49(f2) generally provides that the annexation of such land will not become effective until the last day of the month in which such land becomes ineligible for present-use value classification under G.S. 105-277.4 or no longer meets the requirements of G.S. 160A-49(f1)(2); provided that, such land will be considered part of the City on the effective date of the annexation ordinance for the Area (or any portion thereof including such land) for the purposes of establishing City boundaries for additional annexation(s) and exercising City authority pursuant to Article 19 of the Chapter 160A of the General Statutes of North Carolina. Until the annexation of land meeting the requirements of G.S. 160A-49(f1) becomes effective as set forth in G.S. 160A-49(f2), such land will not be subject to City property taxes under Article 12 of Chapter 105 of the General Statutes

of North Carolina and will not be entitled to services from the City as a result of annexation pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes North Carolina.

Section 4. This Resolution, or a copy thereof, shall be filed with the City Clerk.

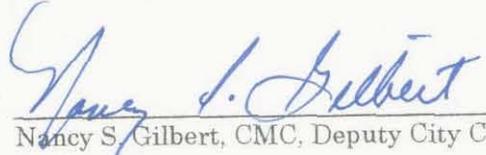
Section 5. This Resolution shall remain effective as provided by G.S. 160A-49(i).

Adopted this 23rd day of June, 2003.

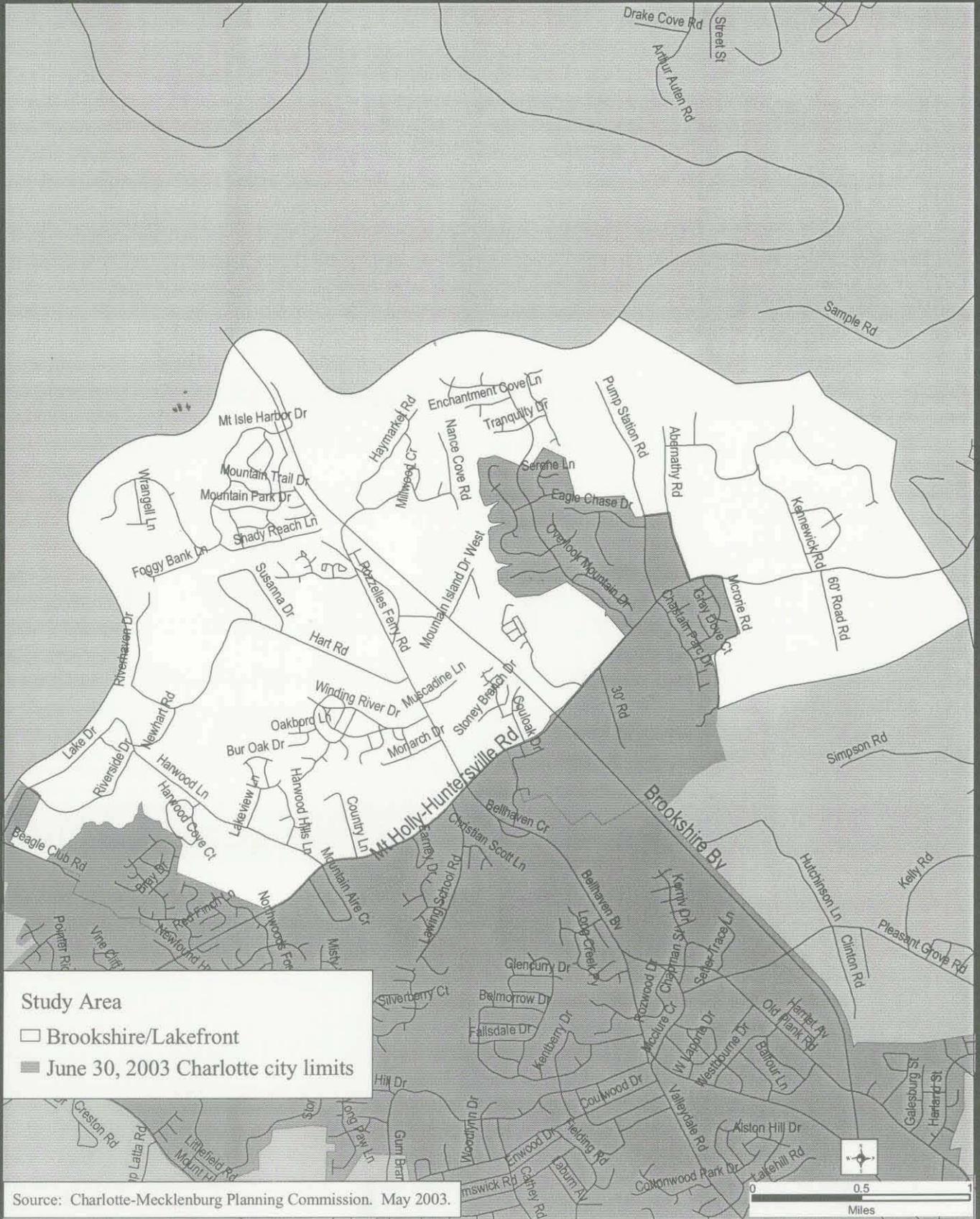
CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 430-432.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

# Brookshire/Lakefront 2005 Annexation Study Area



A RESOLUTION OF THE CHARLOTTE CITY COUNCIL IDENTIFYING THE MALLARD CREEK CHURCH EAST AREA AS BEING UNDER CONSIDERATION FOR ANNEXATION BY THE CITY OF CHARLOTTE AND NOTIFICATION TO PERSONS SUBJECT TO THE ANNEXATION OF SAID AREA OF CERTAIN RIGHTS UNDER G.S. 160A-49(f1) AND (f2)

---

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

Section 1. Pursuant to G.S. 160A-49(i), an area known as the Mallard Creek Church East Area, as shown on the map attached hereto and incorporated herein by reference ("Area"), is under consideration for future annexation by the City of Charlotte ("City") pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina

Section 2. Persons subject to the annexation of the Area are hereby notified that they may have certain rights under G.S. 160A-49(f1) and (f2). A brief description of such rights is set forth in Section 3 of this Resolution. Persons subject to the annexation of the Area should not rely exclusively on the description of such rights in this Resolution and should make their own, independent determination of the extent of such rights, if any, that any of them may have. This Resolution is not intended to represent that any person subject to the annexation of the Area has any rights under G.S. 160A-49(f1) and (f2) or to set forth a complete statement of such rights.

Section 3. Persons having an interest in agricultural land, horticultural land and forestland included in the Area may have rights to a delayed effective date of annexation for such land. G.S. 160A-49(f1) generally provides that the following type of land may qualify for a delayed effective date of annexation: land being taxed at present-use value pursuant to G.S. 105-277.4 on the effective date of annexation of the Area (or any portion thereof including such land); and land that, as of the date of the resolution of intent for annexation of the Area (or any portion thereof including such land), is being used for actual production and is eligible for present-use value taxation under G.S. 105-277.4, but which has not been in actual production for the time period required by G.S. 105-277.3, if the assessor for Mecklenburg County certifies that such land meets the requirement of G.S. 160A-49(f1)(2). For land meeting the requirements of G.S. 160A-49(f1), G.S. 160A-49(f2) generally provides that the annexation of such land will not become effective until the last day of the month in which such land becomes ineligible for present-use value classification under G.S. 105-277.4 or no longer meets the requirements of G.S. 160A-49(f1)(2); provided that, such land will be considered part of the City on the effective date of the annexation ordinance for the Area (or any portion thereof including such land) for the purposes of establishing City boundaries for additional annexation(s) and exercising City authority pursuant to Article 19 of the Chapter 160A of the General Statutes of North Carolina. Until the annexation of land meeting the requirements of G.S. 160A-49(f1) becomes effective as set forth in G.S. 160A-49(f2), such land will not be subject to City property taxes under Article 12 of Chapter 105 of the General Statutes

of North Carolina and will not be entitled to services from the City as a result of annexation pursuant to Part 3, Article 4A, Chapter 160A of the General Statues North Carolina.

Section 4. This Resolution, or a copy thereof, shall be filed with the City Clerk.

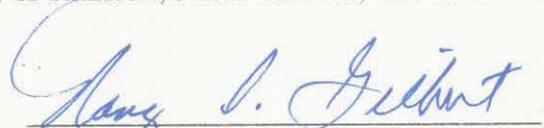
Section 5. This Resolution shall remain effective as provided by G.S. 160A-49(i).

Adopted this 23rd day of June, 2003.

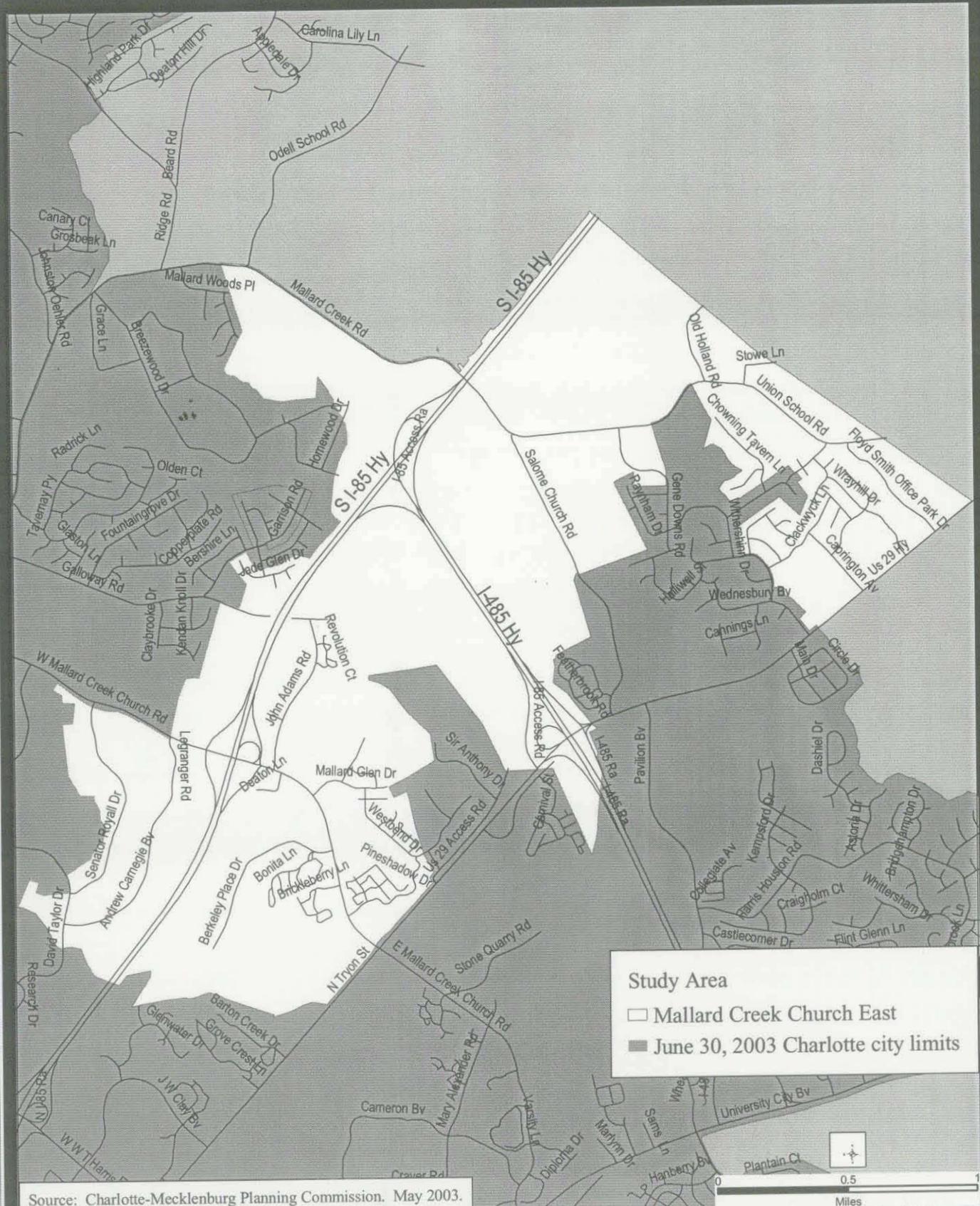
CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 433-435.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk

# Mallard Creek Church East 2005 Annexation Study Area



Source: Charlotte-Mecklenburg Planning Commission, May 2003.

A RESOLUTION OF THE CHARLOTTE CITY COUNCIL IDENTIFYING THE HARRISBURG ROAD AREA AS BEING UNDER CONSIDERATION FOR ANNEXATION BY THE CITY OF CHARLOTTE AND NOTIFICATION TO PERSONS SUBJECT TO THE ANNEXATION OF SAID AREA OF CERTAIN RIGHTS UNDER G.S. 160A-49(f1) AND (f2)

---

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

Section 1. Pursuant to G.S. 160A-49(i), an area known as the Harrisburg Road Area, as shown on the map attached hereto and incorporated herein by reference ("Area"), is under consideration for future annexation by the City of Charlotte ("City") pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina

Section 2. Persons subject to the annexation of the Area are hereby notified that they may have certain rights under G.S. 160A-49(f1) and (f2). A brief description of such rights is set forth in Section 3 of this Resolution. Persons subject to the annexation of the Area should not rely exclusively on the description of such rights in this Resolution and should make their own, independent determination of the extent of such rights, if any, that any of them may have. This Resolution is not intended to represent that any person subject to the annexation of the Area has any rights under G.S. 160A-49(f1) and (f2) or to set forth a complete statement of such rights.

Section 3. Persons having an interest in agricultural land, horticultural land and forestland included in the Area may have rights to a delayed effective date of annexation for such land. G.S. 160A-49(f1) generally provides that the following type of land may qualify for a delayed effective date of annexation: land being taxed at present-use value pursuant to G.S. 105-277.4 on the effective date of annexation of the Area (or any portion thereof including such land); and land that, as of the date of the resolution of intent for annexation of the Area (or any portion thereof including such land), is being used for actual production and is eligible for present-use value taxation under G.S. 105-277.4, but which has not been in actual production for the time period required by G.S. 105-277.3, if the assessor for Mecklenburg County certifies that such land meets the requirement of G. S. 160A-49(f1)(2). For land meeting the requirements of G.S. 160A-49(f1), G.S. 160A-49(f2) generally provides that the annexation of such land will not become effective until the last day of the month in which such land becomes ineligible for present-use value classification under G.S. 105-277.4 or no longer meets the requirements of G.S. 160A-49(f1)(2); provided that, such land will be considered part of the City on the effective date of the annexation ordinance for the Area (or any portion thereof including such land) for the purposes of establishing City boundaries for additional annexation(s) and exercising City authority pursuant to Article 19 of the Chapter 160A of the General Statutes of North Carolina. Until the annexation of land meeting the requirements of G.S. 160A-49(f1) becomes effective as set forth in G.S. 160A-49(f2), such land will not be subject to City property taxes under Article 12 of Chapter 105 of the General Statutes of North Carolina and will not be entitled to services from the City as a result of

annexation pursuant to Part 3, Article 4A, Chapter 160A of the General Statues North Carolina.

Section 4. This Resolution, or a copy thereof, shall be filed with the City Clerk.

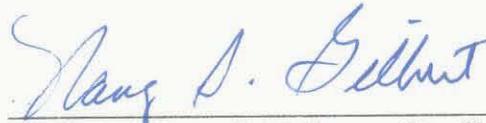
Section 5. This Resolution shall remain effective as provided by G.S. 160A-49(i).

Adopted this 23rd day of June, 2003.

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 436-438.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk



A RESOLUTION OF THE CHARLOTTE CITY COUNCIL IDENTIFYING THE COMMUNITY HOUSE ROAD AREA AS BEING UNDER CONSIDERATION FOR ANNEXATION BY THE CITY OF CHARLOTTE AND NOTIFICATION TO PERSONS SUBJECT TO THE ANNEXATION OF SAID AREA OF CERTAIN RIGHTS UNDER G.S. 160A-49(f1) AND (f2)

---

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

Section 1. Pursuant to G.S. 160A-49(i), an area known as the Community House Road Area, as shown on the map attached hereto and incorporated herein by reference ("Area"), is under consideration for future annexation by the City of Charlotte ("City") pursuant to Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina

Section 2. Persons subject to the annexation of the Area are hereby notified that they may have certain rights under G.S. 160A-49(f1) and (f2). A brief description of such rights is set forth in Section 3 of this Resolution. Persons subject to the annexation of the Area should not rely exclusively on the description of such rights in this Resolution and should make their own, independent determination of the extent of such rights, if any, that any of them may have. This Resolution is not intended to represent that any person subject to the annexation of the Area has any rights under G.S. 160A-49(f1) and (f2) or to set forth a complete statement of such rights.

Section 3. Persons having an interest in agricultural land, horticultural land and forestland included in the Area may have rights to a delayed effective date of annexation for such land. G.S. 160A-49(f1) generally provides that the following type of land may qualify for a delayed effective date of annexation: land being taxed at present-use value pursuant to G.S. 105-277.4 on the effective date of annexation of the Area (or any portion thereof including such land); and land that, as of the date of the resolution of intent for annexation of the Area (or any portion thereof including such land), is being used for actual production and is eligible for present-use value taxation under G.S. 105-277.4, but which has not been in actual production for the time period required by G.S. 105-277.3, if the assessor for Mecklenburg County certifies that such land meets the requirement of G.S. 160A-49(f1)(2). For land meeting the requirements of G.S. 160A-49(f1), G.S. 160A-49(f2) generally provides that the annexation of such land will not become effective until the last day of the month in which such land becomes ineligible for present-use value classification under G.S. 105-277.4 or no longer meets the requirements of G.S. 160A-49(f1)(2); provided that, such land will be considered part of the City on the effective date of the annexation ordinance for the Area (or any portion thereof including such land) for the purposes of establishing City boundaries for additional annexation(s) and exercising City authority pursuant to Article 19 of the Chapter 160A of the General Statutes of North Carolina. Until the annexation of land meeting the requirements of G.S. 160A-49(f1) becomes effective as set forth in G.S. 160A-49(f2), such land will not be subject to City property taxes under Article 12 of Chapter 105 of the General Statutes of North Carolina and will not be entitled to services from the City as a result of

annexation pursuant to Part 3, Article 4A, Chapter 160A of the General Statues North Carolina.

Section 4. This Resolution, or a copy thereof, shall be filed with the City Clerk.

Section 5. This Resolution shall remain effective as provided by G.S. 160A-49(i).

Adopted this 23rd day of June, 2003.

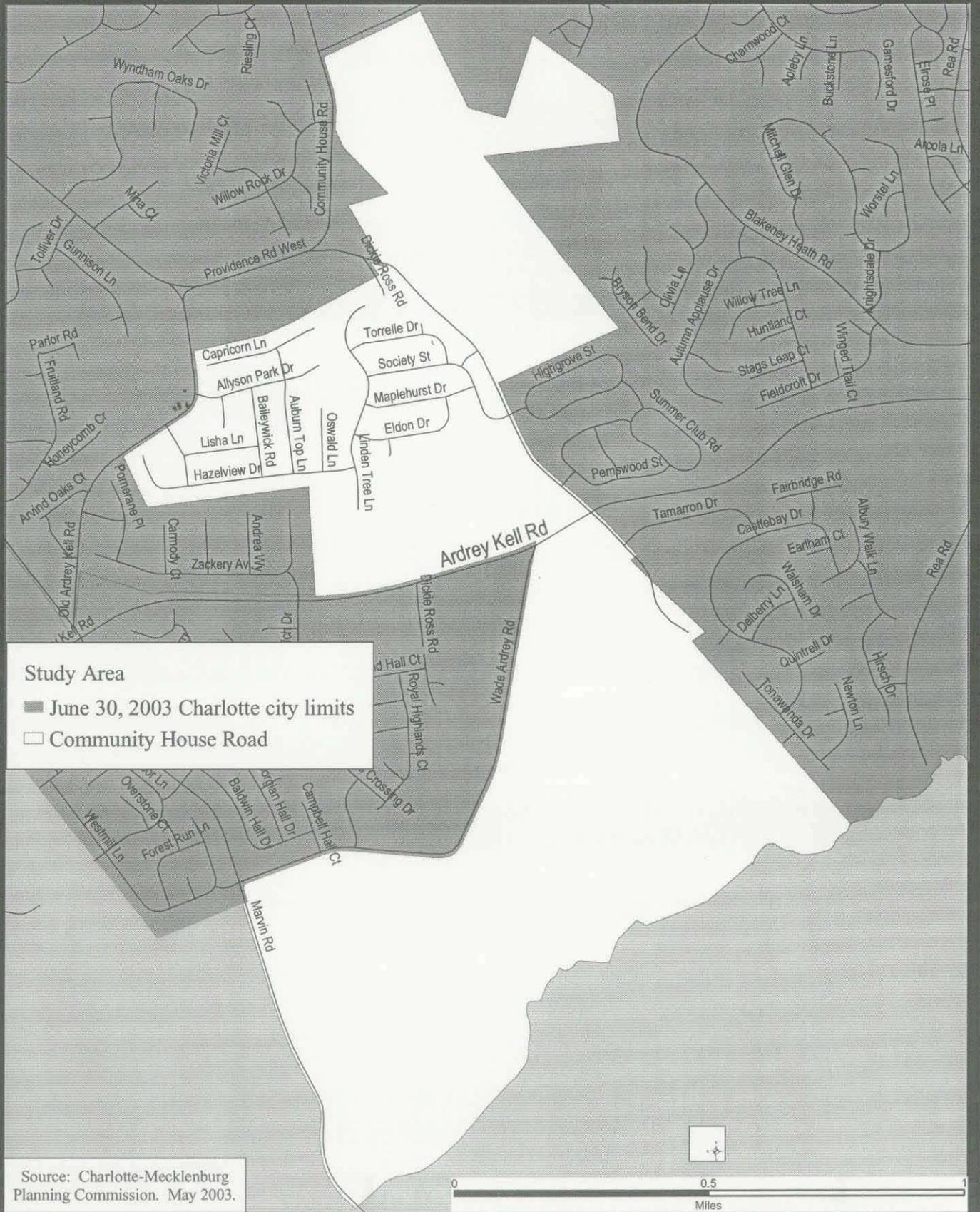
CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Page 439-441.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
Nancy S. Gilbert, CMC, Deputy City Clerk

# Community House Road 2005 Annexation Study Area



**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE TO APPROVE AND RATIFY AN INTELLOCAL AGREEMENT WITH MECKLENBURG COUNTY FOR CONSOLIDATION OF THE CITY/COUNTY RADIO SYSTEM**

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WHEREAS, the City of Charlotte and Mecklenburg County currently share an 800 MHz trunked Radio System consisting of five primary Simulcast tower sites, three limited use SmartZone sites and related operations (the "Radio System");

WHEREAS, the Radio System supports public safety needs and provides service to various City and County departments and other local government entities;

WHEREAS, the City and County have both funded capital expenditures to build the Radio System, and have shared in the cost of operations and the physical management of their respective equipment;

WHEREAS, the County holds the FCC licenses for the system, and has previously assumed responsibility for system administration and user management;

WHEREAS, no interlocal agreement has been executed or implemented to govern the City's and County's respective rights and obligations regarding the Radio System;

WHEREAS, concerns have arisen regarding the current state of the Radio System and the need for hardware and software upgrades;

WHEREAS, in January 2000, City and County management retained a consultant to review the operation and management of the system and provide recommendations regarding functional consolidation;

WHEREAS, in June 2000, the consultant delivered a written report which included the following recommendations:

1. The City and County should immediately develop an interlocal agreement to address operation, funding, and future development of the Radio System.
2. The interlocal agreement should provide for operation and management of the Radio System to be consolidated under one department. After consideration of mission, staffing, and number of users, consolidation should be under the City of Charlotte.
3. The Radio System Users Group should be formalized and given responsibility and authority to make recommendations regarding system development, growth, and operation.
4. A formal strategic plan should be developed and adopted to keep abreast of current technology and provide for future growth.
5. Radio users should pay a charge per radio that is sufficient to fund both the operation and continued capital upgrade of the system
6. Until revenues from the charge per radio are sufficient to keep the system current with technology, the City and the County should share the cost of upgrading the system.

WHEREAS, in 2000 the Charlotte City Council and by the Mecklenburg County Board of Commissioners each adopted resolutions directing the City of Charlotte and Mecklenburg County to negotiate in good faith an interlocal agreement to consolidate the operation, management, maintenance, and cost structure of the Radio System consistent with the consultant's recommendations stated above: and

WHEREAS, in light of the events of September 11, 2001, the County and the City recognize the need to ensure efficient and effective public safety communications in the Mecklenburg County region;

WHEREAS, the County and the City have made the enhancement of homeland security an increased priority, and both entities are committed to securing grant funds for the radio system and to assisting each other in the recruitment of regional users for the system;

WHEREAS, the City and County management teams have negotiated regarding the terms of an interlocal agreement, and the City management team has provided to City Council copies of an agreement with which City management is willing to proceed:

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

1. Approves and ratifies the attached Interlocal Agreement for Consolidation of Radio System with Mecklenburg County, including all exhibits; and
2. Authorizes the City Manager to fill in the blanks in the Interlocal Agreement to reflect the date on which the Agreement will be executed (which will be determined when it is approved by Mecklenburg County), and any amounts in the Agreement that are calculated based on the execution date; and
3. Approves the Sublease Agreement for the WDAV tower site that is included as Exhibit F of the Interlocal Agreement for Consolidation of Radio System with Mecklenburg County.

June 23, 2003  
Resolution Book 38, Page 445

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Pages 442-445.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

  
\_\_\_\_\_  
Nancy S. Gilbert, CMC, Deputy City Clerk

**RESOLUTION AUTHORIZING THE SALE OF THE OLD CONVENTION CENTER PROPERTY TO ARENA HOLDINGS, LLC AS THE HIGH BIDDER OF AN UPSET BID PROCESS**

WHEREAS, the City of Charlotte owns certain property generally described as a full City block between East Trade Street and East Fourth Street and consisting of approximately 3.25 acres of real property and the improvements thereon, (Tax Parcel # 125 -011-01) and commonly referred to as the Old Convention Center property; and

WHEREAS, the Charlotte City Council has determined that the sale of this property is in furtherance of its Council adopted Economic Development Strategic Plan in that the sale of the property will provide funds to facilitate the construction of a multi -purpose sports and entertainment facility to be located in the uptown area; and

WHEREAS, North Carolina General Statute Section 160A-269 and Section 8.22 of the City of Charlotte Charter permit the City to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the City received an offer to purchase the property described above, in the amount of Fourteen Million Dollars (\$14,000,000.00), submitted by Arena Holdings, LLC in the form of a Contract for Sale and Purchase agreement; and

WHEREAS, Arena Holdings, LLC has paid a deposit in the amount of 75% of its offer; and

WHEREAS, notice of the proposed sale, describing the property, amount of the offer and the terms under which the offer may be upset was published on April 27, 2003 in *The Charlotte Observer*; and

WHEREAS, the deadline for the upset bid period was May 8, 2003 and no upset bids were received during the upset bid period.

NOW THEREFORE, THE CITY COUNCIL FOR THE CITY OF CHARLOTTE RESOLVES THAT:

1. The offer to purchase the Old Convention Center property in the amount of Fourteen Million Dollars as submitted by Arena Holdings is accepted.
2. The City Manager for the City of Charlotte is authorized to execute all documents necessary for the conveyance of the property to Arena Holdings, LLC.

June 23, 2003  
Resolution Book 38, Page 447

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Pages 446-447.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.

A handwritten signature in blue ink that reads "Nancy S. Gilbert". The signature is written in a cursive style with a large initial "N".

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Nancy S. Gilbert, CMC, Deputy City Clerk

## RESOLUTION

### RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF CHARLOTTE TO ENTER INTO A JOINT COOPERATION AGREEMENT WITH THE CHARLOTTE MECKLENBURG REGIONAL HOUSING CONSORTIUM

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**WHEREAS**, the City of Charlotte, North Carolina has determined that the health and welfare of the City may benefit from increasing the availability of safe, affordable and standard housing;

**WHEREAS**, the City of Charlotte has determined that providing safe, affordable, and standard housing will benefit the work force productivity and area economic development;

**WHEREAS**, a cooperative approach to providing housing in the Charlotte Mecklenburg Regional area will avoid duplication of effort and promote more delivery of housing services;

**WHEREAS**, a consortium of local governments will be entitled to receive funds from the U.S. Department of Housing and Urban Development that they would be ineligible to receive as individual entities;

**WHEREAS**, the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended, makes provisions whereby units of general local governments may enter into cooperating agreements and form Consortiums to undertake or assist undertaking affordable housing pursuant to the HOME Investment Partnership Program;

**WHEREAS**, the City of Charlotte, North Carolina, as Lead Entity, along with other regional units of general local governments desire to establish the Charlotte Mecklenburg Regional Housing Consortium to undertake or assist in the undertaking of affordable housing under the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended; and

**WHEREAS**, Article 20 Chapter 160A of the North Carolina General Statutes authorize units of local government to enter into contracts or agreements with each other in order to execute any undertaking.

**NOW THEREFORE**, be it resolved by the City Council of the City of Charlotte that:

- 1) The City of Charlotte hereby supports the renewal of the agreement to establish the the Charlotte Mecklenburg Regional Housing Consortium. The Mayor of the City of Charlotte is authorized to execute an agreement with other cooperating units of general purpose local government in Mecklenburg County to establish this Consortium.

- 2) The Mayor is further authorized to sign all contracts, approved by the City Attorney, with other governmental agencies as may be required to carry out activities of the Cooperation Agreement.

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23<sup>rd</sup> day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38 at Pages 448-449.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25<sup>th</sup> day of June, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk