

June 24, 1985  
Resolution Book 21 - Page 138

RESOLUTION APPROVING AND AUTHORIZING THE ENTERING INTO OF AN AGREEMENT RELATING TO THE ISSUANCE BY THE CITY OF ITS NOTE IN THE PRINCIPAL AMOUNT OF \$800,000 AND THE ISSUANCE BY THE CITY OF THE \$800,000 NOTE (312 WEST TRADE STREET PROJECT) AUTHORIZING THE LOAN OF THE PROCEEDS OF THE NOTE TO THE PEACE BUILDING, INC., A NORTH CAROLINA CORPORATION, AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF THE NOTE PURCHASE AGREEMENT, THE MORTGAGE LOAN AGREEMENT, THE ASSIGNMENT AND APPROVING THE FORM OF DEED OF TRUST AND LIMITED GUARANTY, ASSIGNMENT OF LEASE AND ENDORSEMENT OF MORTGAGE NOTE AND AUTHORIZING EXECUTION AND DELIVERY OF CLOSING CERTIFICATES, ALL IN CONNECTION WITH FINANCING AN UPTOWN REDEVELOPMENT PROJECT.

BE IT RESOLVED by the City Council (the "Council") of the City of Charlotte (the "City"):

Section 1. The Memorandum of Agreement relating to the financing of the rehabilitation of the building at 312 West Trade Street (the "Project") for The Peace Building, Inc. (the "Company") in the Uptown Redevelopment Project Area \_\_\_\_\_, City of Charlotte, Mecklenburg County, North Carolina, is hereby approved in the form presented at this meeting and attached hereto as Exhibit A, and the Mayor or the Mayor pro tem of the Council and the Clerk or the Assistant Clerk of the City are hereby authorized to execute and deliver in any number of signed counterparts such Memorandum of Agreement for and on behalf of the City, and the City is hereby authorized to issue, subject to the terms and in accordance with North Carolina General Statutes 160A-500526, a promissory note in an amount not exceeding \$800,000 (the "Note") to pay a portion of the cost of the Project. Such Note shall be designated the "City of Charlotte Promissory Note (312 West Trade Street Project)" and the Note shall be substantially in the form and denomination and have the terms and provisions of that which has been presented to the City at this meeting, and the Mayor or Mayor pro tem are hereby authorized to execute and deliver the Note for and on behalf of the City in substantially such form with such changes therein, additions thereto and omissions therefrom as those executing the Note shall approve, their execution and delivery thereof constituting the conclusive approval of the City of any changes therein, additions thereto and omissions therefrom.

Section 2. The Note shall be issued pursuant to the Note Purchase Agreement, dated as of \_\_\_\_\_, 1985 (the "Note Purchase Agreement"), among the City, the Company and NCNB National Bank of North Carolina (the "Purchaser"), in the form of that which has been presented to the Council at this meeting.

The terms and conditions on which the Purchaser has agreed to purchase the Note, as set forth therein, are hereby approved and accepted, and the City hereby confirms its agreement to sell the Note to the Purchaser at the purchase price and otherwise upon the terms and conditions set forth in the Note Purchase Agreement; and the Mayor or Mayor pro tem are hereby authorized to execute and deliver the Note Purchase Agreement, in any number of signed counterparts, for and on behalf of the City in substantially such form with such changes therein, additions thereto and omissions therefrom as those executing the Note Purchase Agreement shall approve, their execution and delivery thereof constituting the conclusive approval by the City of any changes therein or additions thereto or omissions therefrom, and the same are hereby further authorized to deliver the City to the Purchaser upon evidence satisfactory to counsel for the City of payment therefor.

Section 3. For the purpose of providing funds for paying the cost of the renovation, construction, rehabilitation and equipping of the Project, the loan of the proceeds of the Note to the Company, on the terms and conditions contained in the Mortgage Loan Agreement described hereinafter, is hereby authorized and approved.

Section 4. The loan of the proceeds of the sale of the City Note shall be made pursuant to the Mortgage Loan Agreement dated as of \_\_\_\_\_, 1985 (the "Loan Agreement") among the City and the Company in the form of that which has been presented to the Council at this meeting. The terms and conditions on which the Company has agreed to accept and repay the loan, as set forth herein, are hereby approved and accepted, and the City hereby affirms its agreement to make the loan; and the Mayor or Mayor pro tem are hereby authorized to execute and deliver the Loan Agreement, in any number of signed counterparts, for and on behalf of the City in substantially such form with such changes therein, additions thereto and omissions therefrom as those executing the Loan Agreement shall approve, their execution and delivery thereof constituting the conclusive approval of the City of any changes therein or additions thereto or omissions therefrom.

Section 5. The City hereby approves the form of the Company's promissory note (the "Mortgage Note"), to be dated as of the date of the issuance of the Note, presented to the Council at this meeting in the form attached to the Loan Agreement. The City hereby authorizes the endorsement and pledge of the Mortgage Note to the Purchaser without recourse, in substantially the form of the endorsement and pledge appearing on the form of the Mortgage Note as security for the Note.

Section 6. The City hereby approves the form of the Deed of Trust from the Company to a trustee for the benefit of the City and the form of the Limited Guaranty, from the Shareholders of the Company to the Purchaser, each dated as of \_\_\_\_\_, 1985, and each in substantially the form of that which have been presented to the City at this meeting.

Section 7. The City hereby approves the Assignment, dated as of \_\_\_\_\_, 1985, from the City to Purchaser, in the form of that which has been presented to the City at this meeting, and the Mayor or Mayor pro tem are hereby authorized to execute and deliver the Assignment, in any number of counterparts, for and on behalf of the City in substantially such form with such changes therein, additions thereto and omissions therefrom as those executing the Assignment shall approve, their execution and delivery thereof constituting the conclusive approval of the City of any changes therein or additions thereto or omissions therefrom.

Section 8. The City hereby approves the Assignment of Lease, dated as of \_\_\_\_\_, 1985, from the Company to the City in substantially the form of that which has been presented to the Council at this meeting, and the Mayor or the Mayor pro tem are hereby authorized to execute and deliver the Assignment of Lease in any number of signed counterparts, for and on behalf of the City in substantially such form with such changes therein, additions thereto and omissions therefrom as those executing the Assignment of Lease shall approve, their execution and delivery thereof constituting the conclusive approval of the City of any changes therein or additions thereto or omissions therefrom.

Section 9. The Mayor or Mayor pro tem are hereby authorized to act as "City Representatives" of the City pursuant to the Loan Agreement.

Section 10. The Mayor or the Mayor pro tem or their designee are hereby authorized and directed to execute and deliver such certificates and statements and any other agreements as may be required by or referred to in the Note Purchase Agreement and the Loan Agreement or as otherwise required in connection with the issuance and sale of the Note. Such officers are further authorized and directed to sign and to cause to be filed such financing statements and to cause to be recorded such instruments as counsel to the City shall deem necessary or desirable in connection with the issuance and sale of the Note, such officers shall be entitled to rely on the advice of counsel to the City in deciding to take or not to take any action in connection with the issuance of the Note.

Section 11. The Mayor and Mayor pro tem are hereby authorized and directed to execute and cause to be filed with the Internal Revenue Service on behalf of the City an Information Return for Private Activity Bond Issues (Form 8038).

Section 12. Pursuant to G.S. 159E-8(a) and as provided in the Note Purchase Agreement, the City hereby appoints itself as Bond Registrar in connection with the issuance, sale, delivery, transfer, registration and payment of the Note. In such capacity, the City shall maintain a system of registration, within the meaning of G.S. 159E-2(14), of the certified registered obligation issued under the Note Purchase Agreement.

Section 13. The Mayor and Mayor pro tem are hereby authorized and directed, pursuant to Executive Order 113, to execute and deliver to the North Carolina Department of Commerce an application for Volume Limitation allocation (as defined in that Executive Order) in substantially the form attached hereto as Exhibit D.

Section 14. Attached hereto as Exhibit E is a description of the Project for which the City Note is to be issued, a cost breakdown for the Project and the proposed closing date for the subject transaction.

Section 15. The City hereby agrees 1) to use any Volume Limitation allocation granted by the Department of Commerce only for the Project, 2) to use that allocation within the time limits specified in the allocation document (or within any extension of time granted by the Department of Commerce in writing), 3) that any unused portion of that allocation will revert back for future use by the Department of Commerce, and 4) to report to the Department of Commerce the principal amount of the City Note within ten days after closing.

Section 16. It is hereby certified under penalty of perjury that this resolution and the application to be made in connection herewith are not made in consideration of any bribe, gift, gratuity or direct or indirect contribution to any political campaign.

Section 17. This resolution shall take effect upon its issuance.

Council member Dannelly moved the passage of the foregoing motion entitled as indicated above, and Council member Murick seconded the motion, and the resolution was passed by the following Ayes: Council members Dannelly, Frech, Hammond, Juneau, Leeper, Murick, Trosch and Woollen.  
Notes: Council members None.

June 24, 1985  
Resolution Book 21 - Page 142

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I. PAT SHARKEY, City Clerk of the City of Charlotte and keeper of the official minutes of the City Council of the City of Charlotte, DO HEREBY CERTIFY that the foregoing is a true copy of certain of the proceedings of the City Council Of the City of Charlotte taken at a meeting held on June 10, 1985, and is a complete copy of so much of the recorded minutes Of said meeting as relates in any way to the passage of the resolution hereinabove set forth.

I DO HEREBY FURTHER CERTIFY that regular meetings of said Council are held on the second Monday at designated districts, the fourth Monday of each month at 3:00 p. m. in the Council Chambers in City Hall, Charlotte, North Carolina, and on the third Monday of each month at 6:00 p.m. in the Board of Education Center, Charlotte, North Carolina.

WITNESS my hand and the official seal of the Charlotte City Council this 25th day of June, 1985.

PAT SHARKEY, CITY CLERK

CERTIFICATION

I, PAT SHARKEY, 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 sessions convened on the 24th day of June, 1985, the reference having been made in Minute Book 84, and recorded in full in Resolution Book 21, at Page(s) 138-142.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of June, 1985.

PAT SHARKEY, CITY CLERK

June 24, 1985  
Resolution Book 21 - Page 143

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE ADOPTING THE FIVE YEAR CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 1986 TO 1990.

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

WHEREAS, the City of Charlotte continuously develops and review the priorities and impact of capital improvement projects for the City; and

WHEREAS, the City of Charlotte has a five year Capital Improvement Program based on priorities developed in fiscal year 1985 that balances the potential physical development planning with long-range financial capacity.

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 Improvement Program for fiscal years 1986 to 1990.

This 24th day of June, 1985.

Approved as to form:  
Henry W. Underhill Jr.  
City Attorney

CERTIFICATION

I, PAT SHARKEY, 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 24th day of June, 1985, the reference having been made in Minute Book 84, and recorded in full in Resolution Book 21, at Page(s) 143.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of June, 1985.

Pat Sharkey  
PAT SHARKEY, CITY CLERK

RESOLUTION AMENDING THE PAY PLAN  
OF THE  
CITY OF CHARLOTTE

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the Pay Plan heretofore adopted by the City Council to be effective October 1, 1960, as subsequently amended, is hereby further amended as follows:

- a. The pay schedule adjustment, pay range adjustments, job class additions, deletions and title changes, as presented in the report entitled FY86 Recommended Salary and Benefit Adjustments, be adopted in their entirety.
- b. The Management Pay Plan, as described in Table 3 of the report entitled FY86 Recommended Salary and Benefit Adjustments, be adopted for assistant department head and other managerial positions.
- c. The revisions to the group insurance plan as presented in the report entitled FY86 Recommended Salary and Benefit Adjustments be adopted in their entirety.

BE IT FURTHER RESOLVED that this resolution shall be effective on July 3, 1985.

APPROVED AS TO FORM:

Henry W. Underhill Jr.  
City Attorney

CERTIFICATION

I, PAT SHARKEY, 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 24th day of June, 1985, the reference having been made in Minute Book 84, and recorded in full in Resolution Book 21, at Page(s) 144.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of June, 1985.

\_\_\_\_\_  
PAT SHARKEY, CITY CLERK

June 24, 1985  
Resolution Book 21 - Page 145

RESOLUTION AMENDING THE  
DEFERRED COMPENSATION PLAN OF THE CITY OF CHARLOTTE

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

The Deferred Compensation Plan of the City of Charlotte,  
as set forth in Resolution Book 19, page 414-425, be amended  
to comply with Section 457 of the Internal Revenue Code as  
follows:

- 1. The last sentence of section 2.09 is amended to read as follows:

If the Participant will not become eligible to receive benefits under a basic retirement plan maintained by the Employer, the Participant's alternate Normal Retirement Age may not be earlier than attainment of age 55 and may not be later than attainment of age 70.

- 2. Section 2.12 is amended to read as follows:

Retirement: The first date upon which both of the following shall have occurred with respect to a Participant: Separation from Service and attainment of age 65.

- 3. Section 2.13 is amended to read as follows:

Separation from Service: Severance of the Participant's employment with the Employer which constitutes a "separation from service" within the meaning of section 402(e)(4)(A)(iii) of the Internal Revenue Code. In general, a Participant shall be deemed to have severed his employment with the Employer for purposes of this Plan when, in accordance with the established practices of the Employer, the employment relationship is considered to have actually terminated. In the case of a Participant who is an independent contractor of the Employer, Separation from Service shall be deemed to have occurred when the Participant's contract under which services are performed has completely expired and

terminated, there is no foreseeable possibility that the Employer will renew the contract or enter into a new contract for the Participant's services, and it is not anticipated that the Participant will become an Employee of the Employer.

4. The first sentence of section 5.02 is amended to read as follows:

For each of the last three (3) taxable years of a Participant ending before his attainment of Normal Retirement Age, the maximum amount of Deferred Compensation shall be the lesser of: (1) \$15,000 or (2) the sum of (i) the Normal Limitation for the taxable year, and (ii) that portion of the Normal Limitation for each of the prior taxable years of the Participant commencing after 1978 during which: the Plan was in existence, compensation (if any) deferred under the plan was subject to the limitations set forth in section 5.01, and the Participant was eligible to participate in the Plan (or in any other plan established under section 457 of the Internal Revenue Code by an employer within the same State as the Employer), in excess of the amount of Deferred Compensation for each such prior taxable year (including amounts deferred under such other plan).

5. Section 6.03 is amended to read as follows:

Acceptance of Transfers: Pursuant to an appropriate written agreement, the Employer may accept and credit to a Participant's Account amounts transferred from another employer within the same State representing amounts held by such other employer under an eligible State deferred compensation plan described in section 457 of the Internal Revenue Code. Any such transferred amount shall not be treated as a deferral subject to the limitations of Article V, except that, for purposes of applying the limitations of Sections 5.01 and 5.02, an amount deferred during any taxable year under the plan from which the transfer is accepted shall be treated as if it had been deferred under this Plan during such taxable year and compensation paid by the transferor employer shall be treated as if it had been paid by the Employer. A transfer shall be accepted from an eligible State deferred compensation plan maintained by another employer only if (i) the Participant has separated from service with that employer in order to accept employment with the Employer, and (ii) the other employer's plan provides that such transfer will automatically be made.

6. The last sentence of section 7.01 is amended to read as follows:

Notwithstanding the foregoing, the Participant may irrevocably elect within 60 days following Separation from Service to have the distribution of benefits commence on a date other than that described in the preceding sentence which is at least 60 days after the date such election is delivered in writing to the Employer and forwarded to the Administrator but not later than 60 days after the close of the Plan Year of the Participant's attainment of Normal Retirement Age or Separation from Service, whichever is later.

7. The first sentence of section 7.04 is amended to read as follows:

Should the Participant die after he has begun to receive benefits under a payment option, the remaining payments, if any, under the payment option shall be payable to the Participant's Beneficiary commencing within 60 days after the Participant's death, unless the Beneficiary elects payment under a different payment option at least 30 days prior to the date that the first payment becomes payable to the Beneficiary.

8. The first two sentences of section 7.05 are amended to read as follows:

Should the Participant die before he has begun to receive the benefits provided by Section 7.01, a death benefit equal to the value of the Participant's Account shall be payable to the Beneficiary commencing no later than 60 days after the later of the close of the Plan Year in which the Participant attained or would have attained Normal Retirement Age or the close of the Plan Year in which the Participant separated from service. Such death benefit shall be paid in a lump sum unless the Beneficiary elects a different payment option within 90 days of the participant's death, provided further that such election must be made prior to the benefit payment date specified in the preceding sentence.

9. Section 7.06 is deleted, and section 7.02 is amended to delete reference to section 7.06.



June 24, 1985  
Resolution Book 21 - Page 149

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE  
THAT CERTAIN 10-FOOT ALLEYWAY RUNNING BETWEEN PARK DRIVE AND  
EAST 5TH STREET AND THAT CERTAIN 10-FOOT ALLEYWAY EXTENDING FROM PARK DRIVE  
APPROXIMATELY 240' TOWARDS EAST 5TH STREET  
IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, BSI/King's has filed a Petition to close that certain 10-foot alleyway running between Park Drive and East 5th Street lying in Block 6 as shown on map of Highland Park Company recorded in Map Book 190 at Page 188 of the Mecklenburg County Public Registry; and that certain 10-foot alleyway extending from Park Drive approximately 240' towards East 5th Street lying in Block 5 as shown on map of Highland Park Company recorded in Map Book 190 at Page 188 of the Mecklenburg County Public Registry in the City of Charlotte; and

WHEREAS, said alleyways petitioned are to be closed are as shown on map marked "Exhibit A", and are 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 street and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that 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 four 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 alleyways; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly scheduled session of June 24, 1985, that it intends to close that certain 10-foot alleyway running between Park Drive and East 5th Street lying in Block 6 as shown on map of Highland Park Company recorded in Map Book 190 at Page 188 of the Mecklenburg County Public Registry; and that certain 10-foot alleyway extending from Park Drive approximately 240' towards East 5th Street lying in Block 5 as shown on map of Highland Park Company recorded in Map Book 190 at Page 188 of the Mecklenburg County Public Registry, said alleyways being more particularly described on a map and by a metes and bound description available for inspection in the City Clerk's Office, and hereby calls a public hearing on the question to be held at 3:00 p.m., on Monday, the 12th day of August, 1985, at Charlotte, North Carolina. The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for four successive weeks next preceding the date fixed here for such hearing, as required by N.C.G.S. 160A-299.

JWA018:KR  
R: 4/24/85/cw

June 24, 1985  
Resolution Book 21 - Page 150

CERTIFICATION

I, PAT SHARKEY, 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 24th day of June, 1985, the reference having been made in Minute Book 84, and recorded in full in Resolution Book 21, at Page(s) 149-150.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of June, 1985.

\_\_\_\_\_  
PAT SHARKEY, CITY CLERK

June 24, 1985  
Resolution Book 21 - Page 151

rm 3530-Sheet 4  
Revised Sept. 1984

Extracts from minutes of meeting of the City Council of the City of  
Charlotte, North Carolina, held on the 24th day of June, 1985.

RESOLUTION

Be it resolved by the City Council in regular meeting assembled that the  
Mayor of said City be, and he hereby is, authorized to enter into an  
agreement with the SEABOARD SYSTEM RAILROAD, INC., and to sign same on behalf  
of said City whereby said Railroad grants unto said City the right or license  
to install and maintain a water main across the right of way and under tracks  
of said Railroad at Charlotte, North Carolina, as particularly described in  
said agreement, which agreement is dated January 31, 1985, a copy of which  
agreement is filed with the City Council.

I certify the above to be a true and correct copy.

\_\_\_\_\_  
Clerk

CERTIFICATION

I, PAT SHARKEY, 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 24th day of June, 1985, the reference having been  
made in Minute Book 84, and recorded in full in Resolution Book  
21, at Page(s) 151.

WITNESS my hand and the corporate seal of the City of Charlotte,  
North Carolina, this the 25th day of June, 1985.

\_\_\_\_\_  
PAT SHARKEY, CITY CLERK

June 24, 1985  
Resolution Book 21 - Page 152

A RESOLUTION AUTHORIZING THE  
REFUND OF CERTAIN TAXES

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

1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within eight years from the date the amounts were due to be paid.
3. The amounts listed on the schedule were collected through clerical error or by a tax illegally levied and assessed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 24th day of June, 19 85, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form:

Henry W. Chadwick Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 24th day of June, 19 85, the reference having been made in Minute Book 84 and recorded in full in Resolution Book 21, page(s) 152.

Pat Sharkey  
City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Ditch Witch of Charlotte Inc.	\$1,287.76	Clerical Error
Carolina Sound, Addl. '83	\$ 51.18	Clerical Error
Barclays American Leasing, Inc.	\$ 144.86	Clerical Error
Jant, Kim Ann	\$ 20.04	Clerical Error
Jant, William C.	\$ 13.77	Clerical Error
Patton, Ethelyn M.	\$ 74.23	Illegal Levy
Dow Chemical Co., Dowell Div.	\$ 25.60	Clerical Error
Rahmes, Susan Jane	\$ 46.89	Illegal Levy
<b>TOTAL</b>	<b><u>\$1,664.33</u></b>	

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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 purpose of street improvements, a permanent utility easement, and a construction easement in the project known as "Transit Radius Improvements-North Tryon and East 9th Streets"; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, as amended, being the Charter of The City of Charlotte, condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended:

<u>Parties in Interest</u>	<u>Property Description</u>	<u>Appraised Value</u>
Herbert R. Spaugh, Jr. and William A. White, Jr. as General Partners of S.W.S. Properties	520 North Tryon St. (Same as above)	\$ 1,950.00 (Same as above)
J. L. Carter, Jr., as Trustee for Mutual Savings & Loan Association	(Same as above)	(Same as above)
Mutual Savings & Loan Association	(Same as above)	(Same as above)

Any Other Parties of Record

IT IS FURTHER RESOLVED that the appraised value of 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.

Approved as to form:

Henry W. Underhill Jr.  
City Attorney

CERTIFICATION

I, PAT SHARKEY, 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 24th day of June, 1985, and the reference having been made in Minute Book 84, Page \_\_\_\_\_, and recorded in full in Resolutions Book 21, Page 153.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 25th day of June, 1985.

\_\_\_\_\_  
City Clerk

June 24, 1985  
Resolution Book 21 - Page 154

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 purpose of sanitary sewer improvements and a temporary construction easement in the project known as "1982 Annexation Sewer-Phase I"; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, as amended, being the Charter of The City of Charlotte, condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended:

<u>Parties in Interest</u>	<u>Property Description</u>	<u>Appraised Value</u>
Robert R. Beatty, III and wife, Brenda Maynard Beatty	Tax Parcel No. 227-051-24 (Off of Elizabeth Lane)	\$ 1,150.00

Any Other Parties of Record

IT IS FURTHER RESOLVED that the appraised value of 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.

Approved as to form:

*T. H. Marshall, Jr.*  
Deputy City Attorney

CERTIFICATION

I, PAT SHARKEY, 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 24th day of June, 1985, and the reference having been made in Minute Book 84, Page       , and recorded in full in Resolutions Book 21, Page 154.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 25th day of June, 1985.

\_\_\_\_\_  
City Clerk

June 24, 1985  
Resolution Book 21 - Page 155

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 purpose of sanitary sewer improvements and a temporary construction easement in the project known as "1982 Annexation Sewer-Phase I"; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, as amended, being the Charter of The City of Charlotte, condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended:

<u>Parties in Interest</u>	<u>Property Description</u>	<u>Appraised Value</u>
Elizabeth Smithey Maynard; Howard Allen Maynard, Jr. (and spouse, if any); Brenda Maynard Beatty (and spouse, if any); Melissa Maynard Fogle (and spouse, if any)	Tax Parcel No. 227-141-08A (Off of Elizabeth Lane)	\$ 8,100.00

Any Other Parties of Record

IT IS FURTHER RESOLVED that the appraised value of 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.

Approved as to form:

Henry W. Underhill Jr.  
City Attorney

CERTIFICATION

I, PAT SHARKEY, 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 24th day of June, 19 85, and the reference having been made in Minute Book 84, Page       , and recorded in full in Resolutions Book 21, Page 155.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 25th day of June, 19 85.

\_\_\_\_\_  
City Clerk

June 24, 1985  
Resolution Book 21 - Page 156

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 purpose of sanitary sewer improvements and a temporary construction easement in the project known as "1982 Annexation Sewer-Phase I"; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, as amended, being the Charter of The City of Charlotte, condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended:

<u>Parties in Interest</u>	<u>Property Description</u>	<u>Appraised Value</u>
Norman W. Milas and wife, Mary F. Milas	2720 Millstone Lane	\$ 2,075.00
Alfred H. Iseley, as Trustee for Wachovia Mortgage Company	(Same as above)	(Same as above)
Wachovia Mortgage Company	(Same as above)	(Same as above)
Any Other Parties of Record		

IT IS FURTHER RESOLVED that the appraised value of 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.

Approved as to form:

H. M. M... ..  
Deputy City Attorney

CERTIFICATION

I, PAT SHARKEY, 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 24th day of June, 1985, and the reference having been made in Minute Book 84, Page       , and recorded in full in Resolutions Book 21, Page 156.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 25th day of June, 1985.

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City Clerk

June 24, 1985  
Resolution Book 21 - Page 157

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

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<u>Parties in Interest</u>	<u>Property Description</u>	<u>Appraised Value</u>
Elizabeth S. Maynard	Tax Parcel No. 227-141-01 (Off of Elizabeth Lane)	\$3,900.00

Any Other Parties of Record

IT IS FURTHER RESOLVED that the appraised value of 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.

Approved as to form:

Henry W. Underhill Jr.  
City Attorney

CERTIFICATION

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\_\_\_\_\_  
City Clerk

June 24, 1985  
Resolution Book 21 - Page 158

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

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<u>Parties in Interest</u>	<u>Property Description</u>	<u>Appraised Value</u>
Cornelis A. M. Mermans and wife, Johanna J. A. Mermans	740 Matthews-Wedding-ton Road	\$ 4,450.00

Any Other Parties of Record

IT IS FURTHER RESOLVED that the appraised value of 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.

Approved as to form:

*Pat Merial*  
Deputy City Attorney

CERTIFICATION

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