

RESOLUTION CLOSING A PORTION OF SOUTH CALDWELL STREET 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 a portion of South Caldwell Street which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of South Caldwell Street 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 Charlotte-Mecklenburg Utilities, Duke Energy, Time Warner Cable, AT&T, Piedmont Natural Gas, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 28th day of June, 2010, and City Council determined that the closing of a portion of South Caldwell Street 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.

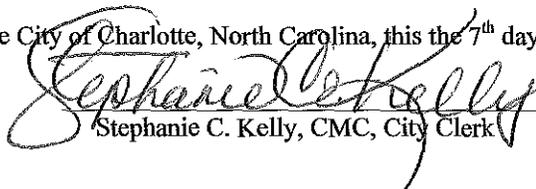
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of June 28, 2010, that the Council hereby orders the closing of a portion of South Caldwell Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the maps marked "Exhibit A", and is more particularly described by metes and bounds in the documents marked "Exhibit B-1, B-2, and B-3", 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, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Pages (572-576).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010.


Stephanie C. Kelly, CMC, City Clerk

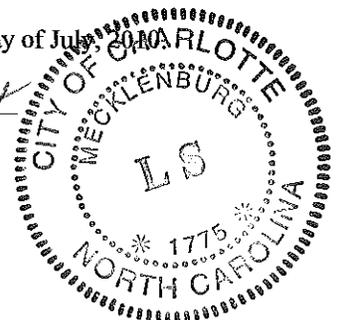
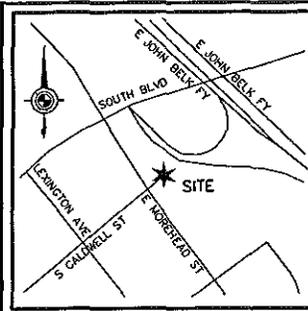


Exhibit A



VICINITY MAP - NTS

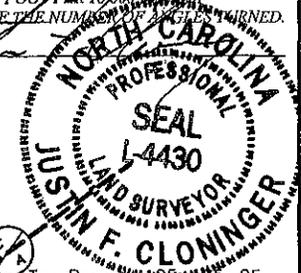
THIS IS TO CERTIFY THAT ON THE 18th DAY OF November, 2009 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1.600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 1000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

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 MARCH 2, 2009

COMMUNITY PANEL NO: 370159 4543 J

SIGNED



NOTES:

1. THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
2. ALL CORNERS MONUMENTED AS SHOWN.
3. NO RECOVERABLE NGS MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
4. THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
5. 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.
6. SUBJECT PROPERTY ZONING: B-1 & UMUD
7. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
8. E. MOREHEAD ST. IS SHOWN AS A "MAJOR THOROUGHFARE" ON THE MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION THOROUGHFARE PLAN OF 2005 AND MAY BE SUBJECT TO A FUTURE RIGHT-OF-WAY OF 40' FROM CENTERLINE.
9. THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.

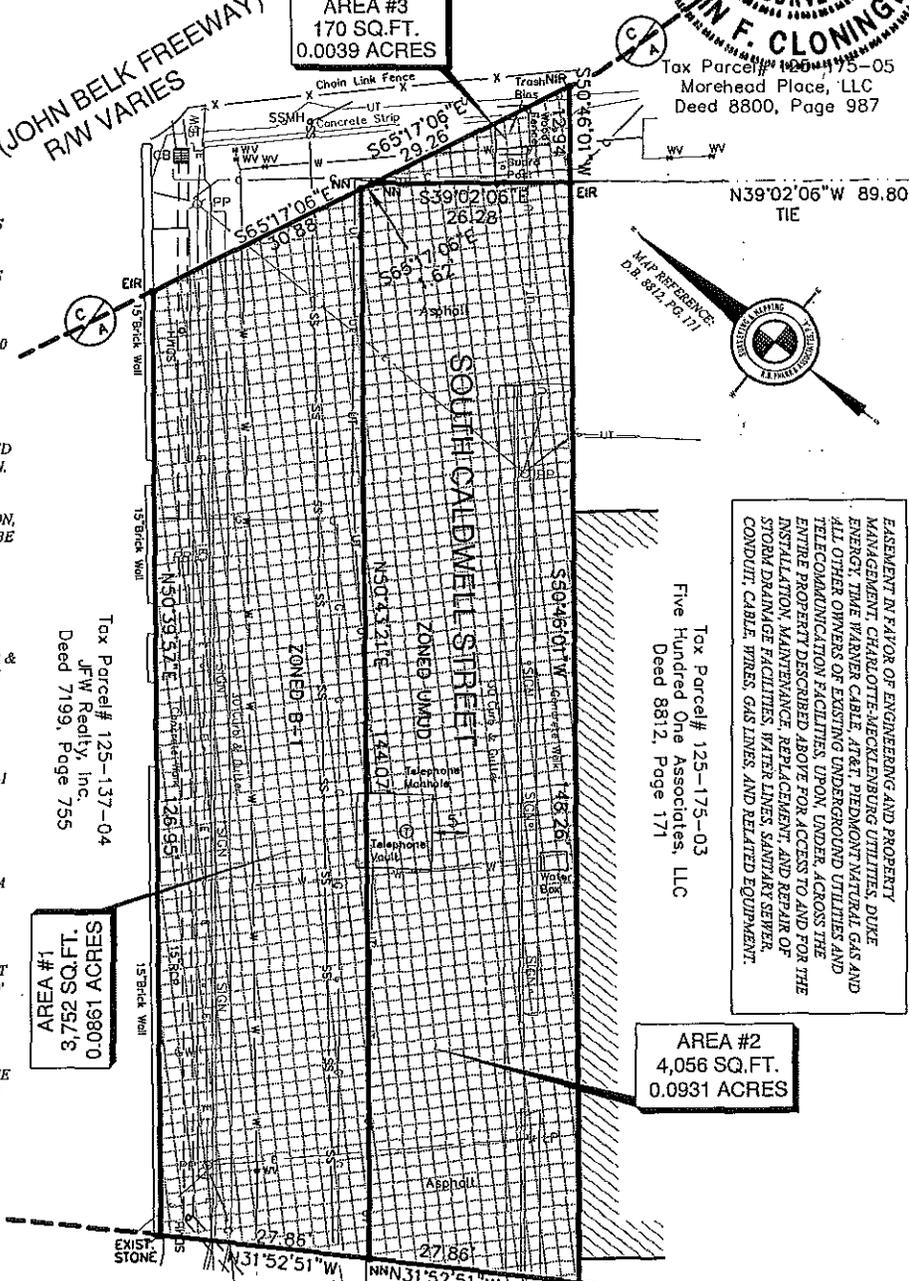
LEGEND:

- D.B. - DEED BOOK
- EIP - EXISTING IRON PIPE
- EIR - EXISTING IRON ROD
- EN - EXISTING NAIL
- N.C.G.S. - NORTH CAROLINA GEODETIC SURVEY
- NIR - NEW IRON ROD
- NN - NEW NAIL
- PG. - PAGE
- PP - POWER POLE
- R/W - RIGHT-OF-WAY
- SDMH - STORM DRAINAGE MANHOLE
- SSMH - SANITARY SEWER MANHOLE
- WV - WATER VALVE

UTILITY EASEMENT

- PROPERTY LINE
- PROPERTY LINE (NOT SURVEYED)
- RIGHT-OF-WAY
- RIGHT-OF-WAY (NOT SURVEYED)
- EASEMENT
- WATER LINE
- GAS LINE
- SANITARY SEWER LINE
- STORM SEWER LINE
- UNDERGROUND ELECTRIC
- UNDERGROUND TELEPHONE

1-277 (JOHN BELK FREEWAY)
R/W VARIES



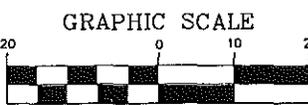
Tax Parcel# 125-137-04
JFW Realty, Inc.
Deed 7199, Page 755

Tax Parcel# 125-175-03
Five Hundred One Associates, LLC
Deed 8812, Page 171

EASEMENT IN FAVOR OF ENGINEERING AND PROPERTY MANAGEMENT CHARLOTTE-MECKLENBURG UTILITIES, DUKE ENERGY, THE WARNER CABLE AT&T, PEDEMONT WATER, GAS AND ALL OTHER OWNERS OF EXISTING UNDERGROUND UTILITIES AND TELECOMMUNICATION FACILITIES UPON UNDER ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF STORM DRAINAGE FACILITIES, WATER LINES, SANITARY SEWER, CONDUIT, CABLE, WIRES, GAS LINES, AND RELATED EQUIPMENT.

EAST MOREHEAD STREET
R/W VARIES

TOTAL AREA:
7,978 SQ. FT.
0.1831 ACRES



(IN FEET)
1 inch = 20 ft.

SURVEY OF:
**PORTION OF SOUTH CALDWELL STREET
TO BE ABANDONED**
RE: 435, 501, & 521 E. MOREHEAD ST.
CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.
DEED REFERENCE: 7199-755; 8800-987; &
8812-171
TAX PARCEL: 125-137-04; 125-175-03; &
125-175-05

R.B. PHARR AND ASSOCIATES, P.A.
SURVEYING AND MAPPING
LICENSE NO. C-1471
420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL. (704) 376-2186

CREW:	DRAWN:	REVISED:	SCALE:	DATE:	JOB NO.
FW	GER		1" = 20'	NOV 18, 2009	75725

Exhibit B-1

Legal Description

AREA #1 (To be combined with Tax Parcel # 125-137-04)

That certain parcel of land, situated, lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at an *existing stone* located at the intersection of the eastern right-of-way of East Morehead Street and the northern right-of-way of South Caldwell Street, said point also being located at the southwest corner of the JFW Realty, Inc. Property as described in Deed Book 7199, Page 755 of the Mecklenburg County Registry; thence from said point of beginning with the southern line of the aforesaid JFW Realty, Inc. Property and with the northern right-of-way of South Caldwell Street N 50°39'57" E a distance of 126.95 feet to an *existing iron rod*, said point being located on the western right-of-way of I-277 (John Belk Freeway); thence with the western right-of-way of I-277 S 65°17'06" E a distance of 30.88 feet to a *new nail*, said point being located in the existing center line of South Caldwell Street; thence with the center line of South Caldwell Street S 50°43'21" W a distance of 144.07 feet to a *new nail*, said point being located on the eastern right-of-way of East Morehead Street; thence with the eastern right-of-way of East Morehead Street N 31°52'51" W a distance of 27.86 feet to the POINT OF BEGINNING; Containing 3,752 square feet or 0.0861 acres as shown on a survey by R.B. Pharr and Associates P.A. dated November 18, 2009, (Job No. 75725).

Exhibit B-2

Legal Description

AREA #2 (To be combined with Tax Parcel # 125-175-03)

That certain parcel of land, situated, lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at a *new nail* located in the center line of South Caldwell Street on the eastern right-of-way of East Morehead Street, said point also being located S 31°52'51" E a distance of 27.86 feet from an *existing stone* located at the intersection of the eastern right-of-way of East Morehead Street and the northern right-of-way of South Caldwell Street; thence from said point of beginning with the center line of South Caldwell Street N 50°43'21" E a distance of 144.07 feet to a *new nail*, said point being located on the western right-of-way of I-277 (John Belk Freeway); thence with the western right-of-way of I-277 S 65°17'06" E a distance of 1.62 feet to a *new nail*; thence leaving the right-of-way of I-277 and through South Caldwell Street S 39°02'06" E a distance of 26.28 feet to an *existing iron rod*, said point being located at the northeast corner of the Five Hundred One Associates, LLC Property as described in Deed Book 8812, Page 171 of the Mecklenburg County Registry, said point also being located on the southern right-of-way of South Caldwell Street; thence with the aforesaid Five Hundred One Associates, LLC Property and with the southern right-of-way of South Caldwell Street S 50°46'01" W a distance of 148.26 feet to a *new iron rod*, said point being located on the eastern right-of-way of East Morehead Street; thence with the eastern right-of-way of East Morehead Street N 31°52'51" W a distance of 27.86 feet to the POINT OF BEGINNING; Containing 4,056 square feet or 0.0931 acres as shown on a survey by R.B. Pharr and Associates P.A. dated November 18, 2009, (Job No. 75725).

Exhibit B-3

Legal Description

AREA #3 (To be combined with Tax Parcel # 125-175-05)

That certain parcel of land, situated, lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at an *existing iron rod* located on the southern right-of-way of South Caldwell Street, said point also being located N 50°46'01" E a distance of 148.26 feet from a *new iron rod* located at the intersection of the eastern right-of-way of East Morehead Street and the southern right-of-way of South Caldwell Street; thence from said point of beginning through South Caldwell Street N 39°02'06" W a distance of 26.28 feet to a *new nail*, said point being located on the western right-of-way of I-277 (John Belk Freeway); thence with the western right-of-way of I-277 S 65°17'06" E a distance of 29.26 feet to a *new iron rod*, said point being located on the southern right-of-way of South Caldwell Street, said point also being located at a northern corner of the Morehead Place, LLC Property as described in Deed Book 8800, Page 987 of the Mecklenburg County Registry; thence with the aforesaid Morehead Place, LLC Property and with the southern right-of-way of South Caldwell Street S 50°46'01" W a distance of 12.94 feet to the POINT OF BEGINNING; Containing 170 square feet or 0.0039 acres as shown on a survey by R.B. Pharr and Associates P.A. dated November 18, 2009, (Job No. 75725).

RESOLUTION CLOSING A PORTION OF EAST 19TH STREET 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 a portion of East 19th Street which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of East 19th Street 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 public hearing was held on the 28th day of June, 2010, and City Council determined that the closing of a portion of East 19th Street 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.

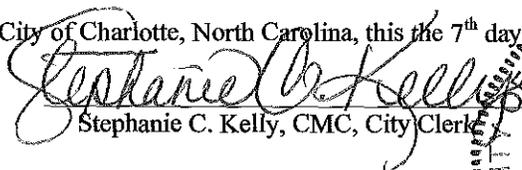
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of June 28, 2010, that the Council hereby orders the closing of a portion of East 19th Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the maps marked "Exhibit A", and is more particularly described by metes and bounds in the 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, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Pages (577-579).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010.


Stephanie C. Kelly, CMC, City Clerk

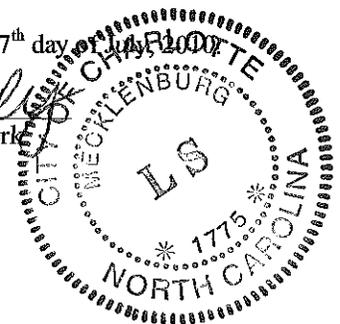
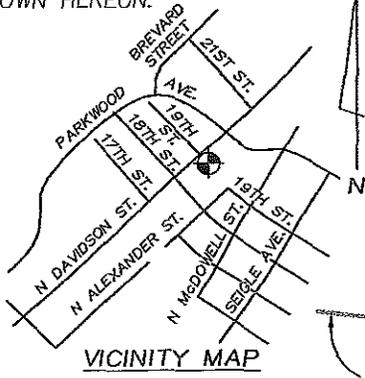


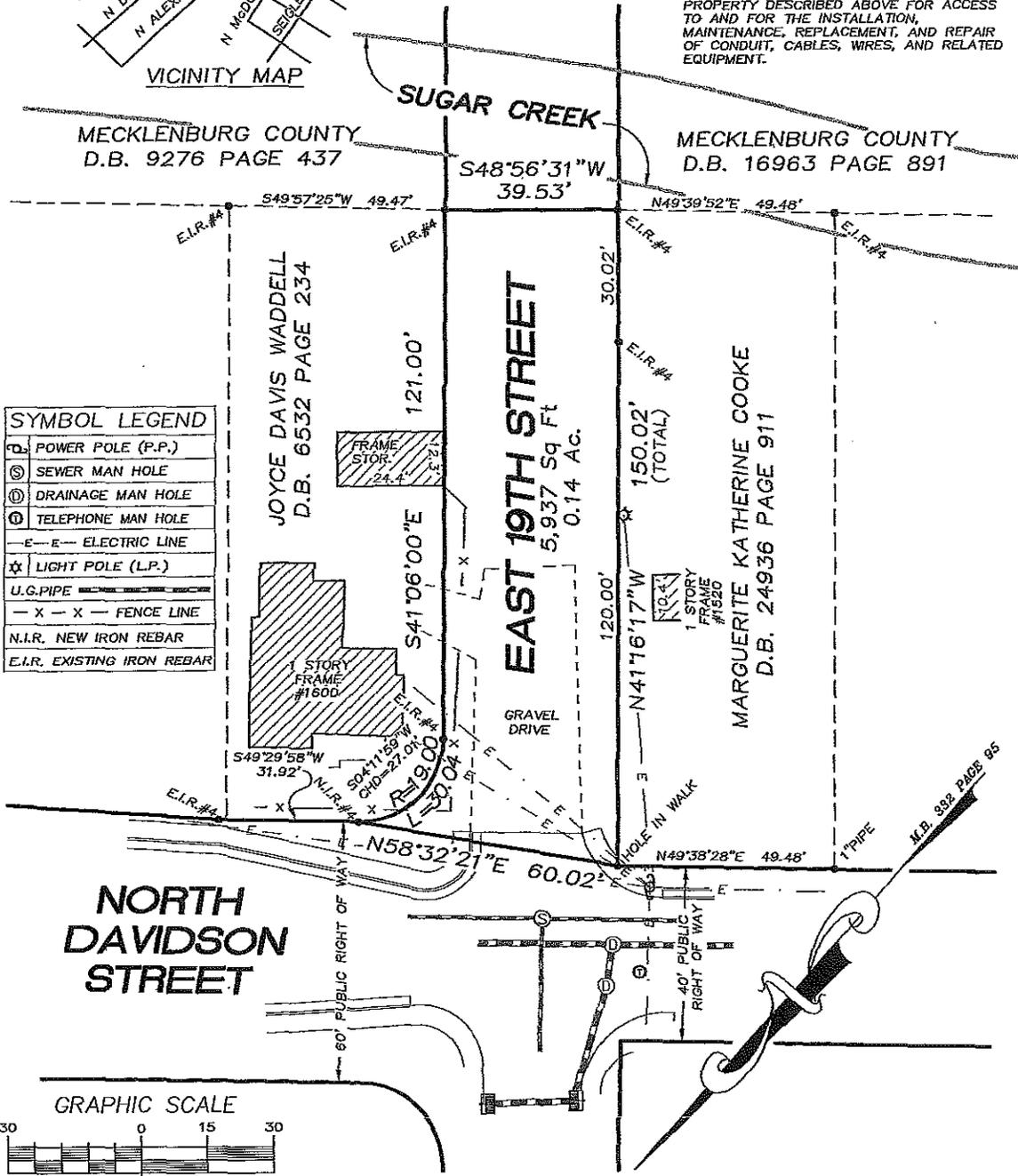
EXHIBIT A

THIS IS TO CERTIFY THAT ON THE 9TH DAY OF FEBRUARY, 2010, SURVEYED THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE PROPERTY LINES, AND THE IMPROVEMENTS IF ANY ARE AS SHOWN HEREON.



SIGNED: *Jack R. Christian*
 REGISTERED SURVEYOR
 JACK R. CHRISTIAN & ASSOCIATES
 7811 OLD CONCORD RD, CHARLOTTE, N.C. 28213
 PHONE: (704)596-2214
 DAVIDS1520
 EDC

NOTE:
 EASEMENT IN FAVOR OF DUKE POWER COMPANY AND ALL OTHER OWNERS OF EXISTING UNDERGROUND UTILITIES, AND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLES, WIRES, AND RELATED EQUIPMENT.



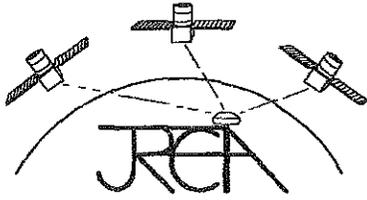
SYMBOL LEGEND

	POWER POLE (P.P.)
	SEWER MAN HOLE
	DRAINAGE MAN HOLE
	TELEPHONE MAN HOLE
	E-E-E ELECTRIC LINE
	L.P. LIGHT POLE (L.P.)
	U.G. PIPE
	- X - X - FENCE LINE
	N.I.R. NEW IRON REBAR
	E.I.R. EXISTING IRON REBAR

R/W ABANDONMENT SURVEY
 OF
A PORTION OF EAST 19TH STREET

SCALE 1"=30'
 CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA
 THE PROPERTY OF: CITY OF CHARLOTTE
 MAP RECORDED IN BOOK 332 AT PAGE 95 DEED RECORDED IN BOOK _____ PAGE _____

EXHIBIT B



**JACK R. CHRISTIAN + ASSOCIATES
-SURVEYING-**

PHONE (704) 596-2214 FAX (704) 596-2338
7811 OLD CONCORD ROAD, CHARLOTTE, N.C. 28213
P.O. BOX 185 NEWELL, N.C. 28126

February 9th, 2010

Legal Description:

Beginning at a hole in a concrete walk on the corner of the southeast right of way line of North Davidson Street (40 foot right of way) and the southwest right of way line of East 19th Street (40 foot right of way) and also being the northernmost corner of the Marguerite Katherine Cooke property as recorded in deed book 24936 page 911 of the Mecklenburg County public registry said point bearing N 49°38'28" E 49.48 feet from a one inch pipe on the westernmost corner of said Cooke property; thence from said beginning point a new line N 58°32'21" E 60.02 feet to a new iron rebar (#4) on the southeastern 60 foot right of way line of North Davidson Street and the northwestern boundary of the Joyce Davis Waddell property as recorded in deed book 6532 page 234 of the Mecklenburg County public registry; thence with said Waddell property two calls:

- 1.) with the arc of a circular curve to the left having a radius of 19.00 feet and arc length of 30.04 feet and being subtended by a chord bearing of S 4°11'59" W and chord length of 27.01 feet to an existing iron rebar (#4) on the northeastern right of way line of East 19th Street
- 2.) with said right of way S 41°06'00" E 121.00 feet to an existing iron rebar (#4) the southernmost corner of said Waddell property; thence a new line through said right of way S 48°56'31" W 39.53 feet an existing iron rebar (#4) the easternmost corner of said Cooke property; thence with said Cooke property and southwestern right of way of East 19th Street N 41°16'17" W 150.02 feet, passing an existing iron rebar (#4) at 30.02 feet, to the point and place of beginning and containing 0.14 acres or 5,937 square feet as shown on a survey by Jack R. Christian titled "A Portion of East 19th Street" and dated February 9, 2010 to which reference is hereby made for a more complete and accurate description.

RESOLUTION CLOSING TWO RESIDUAL PORTIONS OF BAXTER STREET 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 two residual portions of Baxter Street which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close two residual portions of Baxter Street 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 public hearing was held on the 28th day of June, 2010, and City Council determined that the closing of two residual portions of Baxter Street 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.

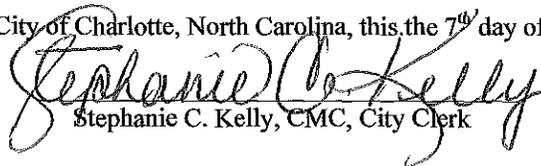
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of June 28, 2010, that the Council hereby orders the closing of two residual portions of Baxter Street in the City of Charlotte Mecklenburg County, North Carolina as shown in the maps marked "Exhibit A-1, A-2, A-3, A-4, and A-5", and is more particularly described by metes and bounds in the documents marked "Exhibit B-1, B-2, B-3, B-4, and B-5", both of which are attached hereto and made a part hereof.

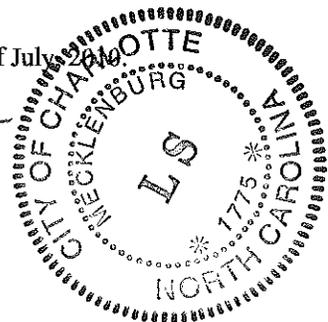
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Pages (580-590).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010.

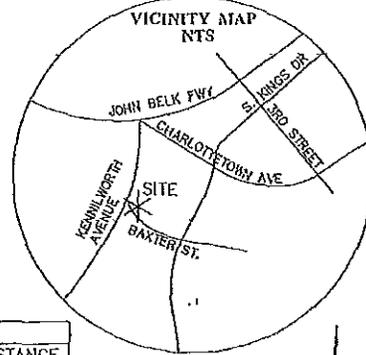
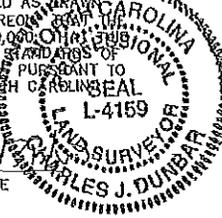

Stephanie C. Kelly, CMC, City Clerk



I HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION OF THE DEED(S) AND/OR MAP(S) AS SHOWN HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS ARE THOSE FROM THE DEED(S) AND/OR MAP(S) AS SHOWN HEREON. THE RATIO OF PRECISION AS CALCULATED EXCEEDS 1:10,000. THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA PURSUANT TO TITLE 21, CHAPTER 56, SECTION 1600 OF THE NORTH CAROLINA ADMINISTRATIVE CODE.

CHARLES J. DUNBAR, NCPLS L-4159

DATE



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S33°21'56"W	3.77
L2	S24°37'37"W	33.89
L3	S04°49'58"W	101.92

CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD BRG.	CHORD DIST.
C1	163.00	115.67	S15°23'16"E	113.26
C2	318.31	16.57	N37°37'05"W	16.57

MECKLENBURG COUNTY
DB 16600, PG 798
TAX PARCEL
ID# 125-227-04

MIDTOWN
REDEVELOPMENT
PARTNERS, LLC
DB 20148 PG 294

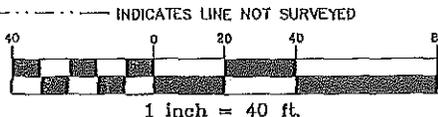
- LEGEND**
- PP = UTILITY POLE
 - WV = WATER VALVE
 - WVT = WATER VAULT
 - CB = CATCH BASIN
 - EP = EDGE OF PAVEMENT
 - BC = BACK OF CURB
 - IRF = IRON REBAR FOUND
 - FCM = FOUND CONCRETE MONUMENT
 - IRS = IRON REBAR SET
 - MNS = MAG NAIL SET
 - POB = POINT OF BEGINNING
 - ROW = RIGHT OF WAY

GENERAL NOTES:
ALL DIMENSIONS ARE IN US SURVEY FEET AND DECIMALS THEREOF AND REPRESENT HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE SHOWN.

THIS BOUNDARY SURVEY IS BASED ON EXISTING PHYSICAL EVIDENCE OBSERVED ON THE DATE OF THE FIELD SURVEY.

BASIS OF BEARINGS:
BEARINGS ARE BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83.

NO FEDERAL OR STATE AGENCY HORIZONTAL CONTROL MONUMENT WAS FOUND WITHIN 2000 FEET OF THE SUBJECT PROPERTY.



PREPARED BY:



5200 77 CENTER DRIVE
SUITE 500
CHARLOTTE, NC 28217

FIELD SURVEYED: 8/31/07

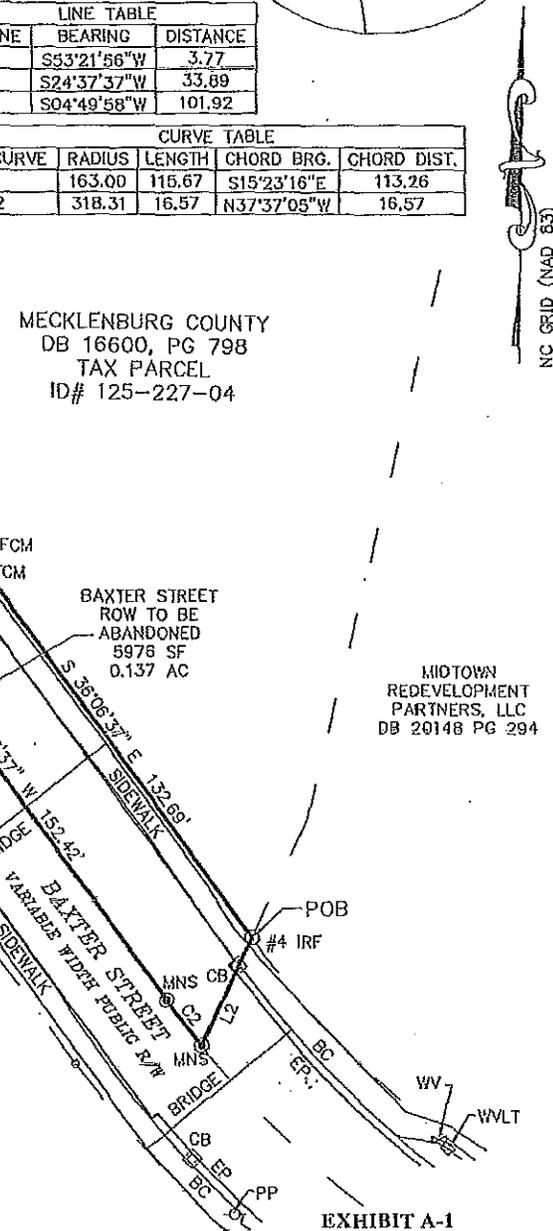


EXHIBIT A-1

 CHARLOTTE ENGINEERING & PROPERTY MANAGEMENT	I-277/INDEPENDENCE BLVD. INTERSECTION PROJECT PHASE III
	RIGHT OF WAY ABANDONMENT OF A PORTION OF BAXTER STREET ADJOINING THE PROPERTY OF MECKLENBURG COUNTY CITY OF CHARLOTTE, MECKLENBURG CO., NC
512-03-038 PROJECT	1"=40' SCALE
EAV PREPARED BY	8/31/2007 DATE
G:\SURVEYS\DCM\MIDTOWN\ROWS\ABANDON1.dwg CAD FILE PATH	

EXHIBIT B-1

DESCRIPTION OF LANDS SURVEYED
RIGHT OF WAY ABANDONMENT ~~//////~~
REFERENCE EXHIBIT A-1

A PORTION OF BAXTER STREET RIGHT OF WAY LYING BETWEEN KENILWORTH AVENUE AND SOUTH KINGS DRIVE, IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND #4 REBAR MARKING THE SOUTHERLY COMMON CORNER OF THOSE LANDS CONVEYED TO MIDTOWN REDEVELOPMENT PARTNERS, LLC, AS DESCRIBED IN DEED BOOK 20148, PAGE 294, PUBLIC REGISTRY OF MECKLENBURG COUNTY, NORTH CAROLINA AND MECKLENBURG COUNTY, A POLITICAL SUBDIVISION AS DESCRIBED IN DEED BOOK 16600, PAGE 798 OF SAID PUBLIC REGISTRY, SAID CORNER BEING ON THE NORTHERLY RIGHT OF WAY LINE OF BAXTER STREET;

THENCE THROUGH SAID BAXTER STREET RIGHT OF WAY ON THE FOLLOWING FOUR (4) NEW COURSES:

- 1) S 24°37'37" W A DISTANCE OF 33.89 FEET TO A SET MAG NAIL;
- 2) ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 318.31 FEET, AN ARC LENGTH OF 16.57 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS N 37°37'05" W 16.57 FEET TO A SET MAG NAIL;
- 3) N 36°06'37" W A DISTANCE OF 152.42 FEET TO A SET MAG NAIL;
- 4) THENCE N 04°27'45" E A DISTANCE OF 113.53 FEET TO A FOUND CONCRETE MONUMENT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF BAXTER STREET;

THENCE ALONG THE NORTHEASTERLY AND NORTHERLY RIGHT OF WAY LINE OF BAXTER STREET ON THE FOLLOWING THREE (3) COURSES:

- 1) ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 163.00 FEET, AN ARC LENGTH OF 115.67 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS S 15°23'16" E 113.26 FEET TO A FOUND CONCRETE MONUMENT;
- 2) S 53°21'56" W A DISTANCE OF 3.77 FEET TO A FOUND CONCRETE MONUMENT;
- 3) S 36°06'37" E A DISTANCE OF 132.69 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

CONTAINING 5976 SQUARE FEET, OR 0.137 ACRES OF LAND MORE OR LESS;
SUBJECT TO EASEMENTS AND RESTRICTIONS.

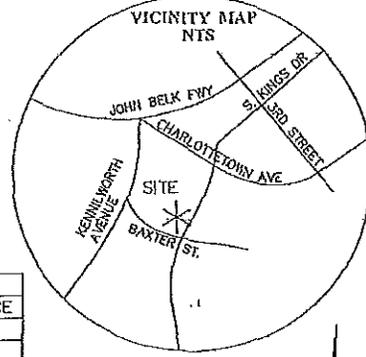


I HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION OF THE DEED(S) AND/OR MAP(S) AS SHOWN HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DERIVED FROM THE DEED(S) AND/OR MAP(S) AS SHOWN HEREON; RATIO OF PRECISION AS CALCULATED EXCEEDS 1:10,000; THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA PURSUANT TO TITLE 21, CHAPTER 56, SECTION .1600 OF THE NORTH CAROLINA ADMINISTRATIVE CODE.

CHARLES J. DUNBAR, NCPLS L-4159

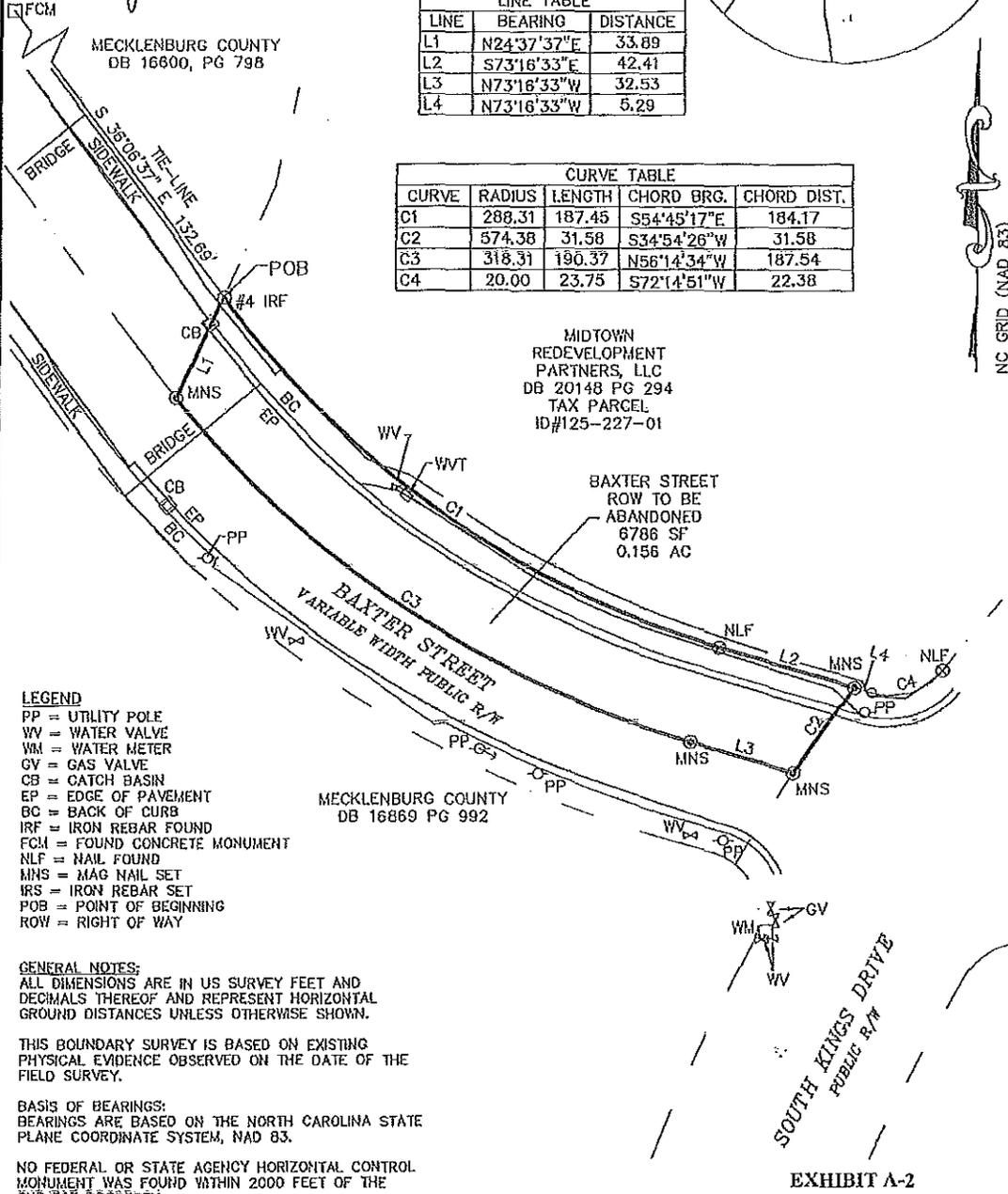
DATE

8/31/07



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N24°37'37"E	33.89
L2	S73°16'33"E	42.41
L3	N73°16'33"W	32.53
L4	N73°16'33"W	5.29

CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD BRG.	CHORD DIST.
C1	288.31	187.45	S54°45'17"E	184.17
C2	574.38	31.58	S34°54'26"W	31.58
C3	318.31	190.37	N56°14'34"W	187.54
C4	20.00	23.75	S72°14'51"W	22.38



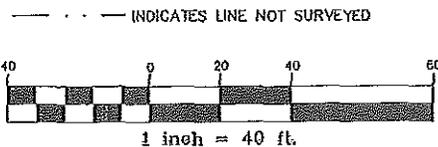
- LEGEND**
- PP = UTILITY POLE
 - WV = WATER VALVE
 - WM = WATER METER
 - GV = GAS VALVE
 - CB = CATCH BASIN
 - EP = EDGE OF PAVEMENT
 - BC = BACK OF CURB
 - IRF = IRON REBAR FOUND
 - FCM = FOUND CONCRETE MONUMENT
 - NLF = NAIL FOUND
 - MNS = MAG NAIL SET
 - IRS = IRON REBAR SET
 - POB = POINT OF BEGINNING
 - ROW = RIGHT OF WAY

GENERAL NOTES:
 ALL DIMENSIONS ARE IN US SURVEY FEET AND DECIMALS THEREOF AND REPRESENT HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE SHOWN.

THIS BOUNDARY SURVEY IS BASED ON EXISTING PHYSICAL EVIDENCE OBSERVED ON THE DATE OF THE FIELD SURVEY.

BASIS OF BEARINGS:
 BEARINGS ARE BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83.

NO FEDERAL OR STATE AGENCY HORIZONTAL CONTROL MONUMENT WAS FOUND WITHIN 2000 FEET OF THE SUBJECT PROPERTY.



PREPARED BY:
PBS&J
 5200 77 CENTER DRIVE
 SUITE 600
 CHARLOTTE, NC 28217

FIELD SURVEYED: 8/31/07

MIDTOWN REDEVELOPMENT PARTNERS, LLC
 DB 20148 PG 294
 TAX PARCEL ID#125-227-01

BAXTER STREET ROW TO BE ABANDONED
 6786 SF
 0.156 AC

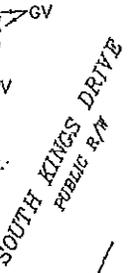


EXHIBIT A-2

 CHARLOTTE ENGINEERING & PROPERTY MANAGEMENT	I-277/INDEPENDENCE BLVD. INTERSECTION PROJECT PHASE III
	RIGHT OF WAY ABANDONMENT OF A PORTION OF BAXTER STREET ADJOINING THE PROPERTY OF MIDTOWN DEVELOPMENT PARTNERS, LLC CITY OF CHARLOTTE, MECKLENBURG CO., NC
512-03-038 PROJECT EAV PREPARED BY	1"=40' SCALE 8/31/2007 DATE C:\SURVEYS\DCM\MIDTOWN\OWS\ABANDON2.dwg CAD FILE PATH

EXHIBIT B-2

DESCRIPTION OF LANDS SURVEYED
RIGHT OF WAY ABANDONMENT ~~XXXX~~
REFERENCE EXHIBIT ~~XXXX~~ A-2

A PORTION OF BAXTER STREET RIGHT OF WAY LYING BETWEEN KENILWORTH AVENUE AND SOUTH KINGS DRIVE, IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND #4 REBAR MARKING THE SOUTHERLY COMMON CORNER OF THOSE LANDS CONVEYED TO MIDTOWN REDEVELOPMENT PARTNERS, LLC, AS DESCRIBED IN DEED BOOK 20148, PAGE 294, PUBLIC REGISTRY OF MECKLENBURG COUNTY, NORTH CAROLINA AND MECKLENBURG COUNTY, A POLITICAL SUBDIVISION AS DESCRIBED IN DEED BOOK 16600, PAGE 798 OF SAID PUBLIC REGISTRY, SAID CORNER BEING ON THE NORTHERLY RIGHT OF WAY LINE OF BAXTER STREET;

THENCE ALONG SAID RIGHT OF WAY LINE ON THE FOLLOWING TWO (2) COURSES:

- 1) ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 288.31 FEET, AN ARC LENGTH OF 187.45 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS S 54°45'17" E 184.17 FEET TO A FOUND NAIL IN CONCRETE;
- 2) S 73°16'33" E A DISTANCE OF 42.41 FEET TO A SET MAG NAIL;

THENCE THROUGH SAID BAXTER STREET RIGHT OF WAY ON THE FOLLOWING FOUR (4) NEW COURSES:

- 1) ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 574.38 FEET, AN ARC LENGTH OF 31.58 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS S 34°54'26" W 31.58 FEET TO A SET MAG NAIL;
- 2) N 73°16'33" W A DISTANCE OF 32.53 FEET TO A SET MAG NAIL;
- 3) ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 318.31 FEET, AN ARC LENGTH OF 190.37 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS N 56°14'34" W 187.54 FEET TO A SET MAG NAIL;
- 4) N 24°37'37" E A DISTANCE OF 33.89 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

CONTAINING 6786 SQUARE FEET, OR 0.156 ACRES OF LAND MORE OR LESS;
SUBJECT TO EASEMENTS AND RESTRICTIONS.



GENERAL NOTES:
ALL DIMENSIONS ARE IN US SURVEY FEET AND DECIMALS THEREOF AND REPRESENT HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE SHOWN.

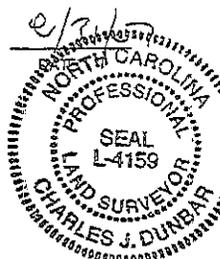
THIS BOUNDARY SURVEY IS BASED ON EXISTING PHYSICAL EVIDENCE OBSERVED ON THE DATE OF THE FIELD SURVEY.

BASIS OF BEARINGS:
BEARINGS ARE BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD'83.

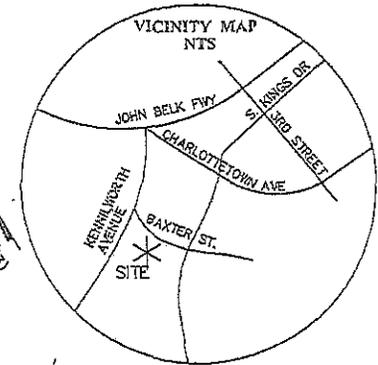
NO FEDERAL OR STATE AGENCY HORIZONTAL CONTROL MONUMENT WAS FOUND WITHIN 2000 FEET OF THE SUBJECT PROPERTY.

I HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION OF THE DEED(S) AND/OR MAP(S) AS SHOWN HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM THE DEED(S) AND/OR MAP(S) AS SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED EXCEEDS 1:10,000; THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA PURSUANT TO TITLE 21, CHAPTER 56, SECTION .1600 OF THE NORTH CAROLINA ADMINISTRATIVE CODE.

Charles J. Dunbar
CHARLES J. DUNBAR, NCPLS L-4159

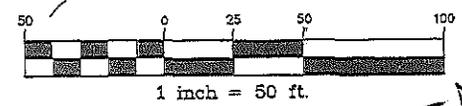


MIDTOWN REDEVELOPMENT PARTNERS, LLC
DB 20148 PG 294

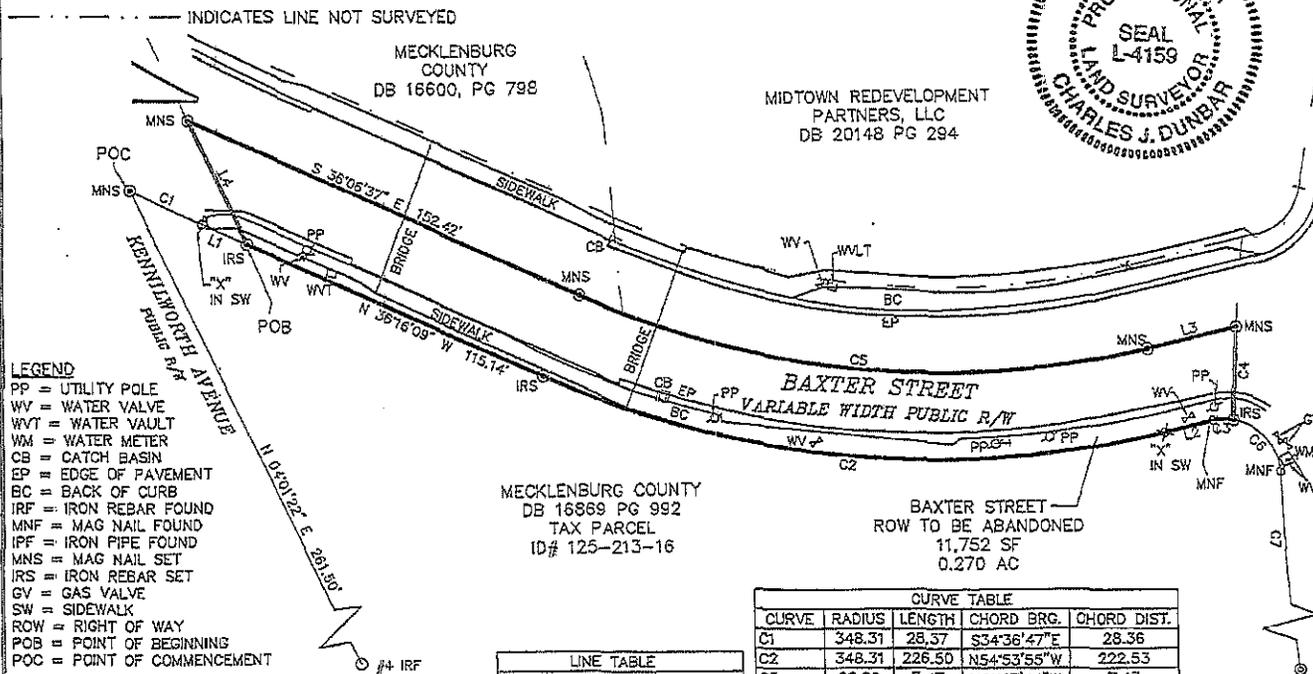


SOUTH KINGS DRIVE
VARIABLE WIDTH PUBLIC R/W

BAXTER STREET
VARIABLE WIDTH PUBLIC R/W



EXHIBIT



- LEGEND**
- PP = UTILITY POLE
 - WV = WATER VALVE
 - WVT = WATER VAULT
 - WM = WATER METER
 - CB = CATCH BASIN
 - EP = EDGE OF PAVEMENT
 - BC = BACK OF CURB
 - IRF = IRON REBAR FOUND
 - MNF = MAG NAIL FOUND
 - IPF = IRON PIPE FOUND
 - MNS = MAG NAIL SET
 - IRS = IRON REBAR SET
 - GV = GAS VALVE
 - SW = SIDEWALK
 - ROW = RIGHT OF WAY
 - PCB = POINT OF BEGINNING
 - POC = POINT OF COMMENCEMENT

MECKLENBURG COUNTY
DB 16869 PG 992
TAX PARCEL
ID# 125-213-16

BAXTER STREET
ROW TO BE ABANDONED
11,752 SF
0.270 AC

CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD BRG.	CHORD DIST.
C1	348.31	28.37	S34°36'47\"E	28.36
C2	348.31	226.50	N54°53'55\"W	222.53
C3	20.00	7.47	N61°07'44\"W	7.43
C4	574.38	32.84	S31°41'38\"W	32.84
C5	318.31	208.94	S54°45'05\"E	203.32
C6	20.00	26.51	N12°26'56\"W	24.61
C7	592.93	127.92	N22°00'20\"E	127.87

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S36°16'09\"E	17.61
L2	N73°33'44\"W	17.58
L3	S73°16'33\"E	32.53
L4	N04°27'45\"E	48.57

PREPARED BY:
PBS&C
5200 77 CENTER DRIVE
SUITE 500
CHARLOTTE, NC 28217
FIELD SURVEYED: 8/31/07



CHARLOTTE
ENGINEERING & PROPERTY
MANAGEMENT

I-277/INDEPENDENCE BLVD.
INTERSECTION PROJECT
PHASE III

RIGHT OF WAY ABANDONMENT
OF A PORTION OF BAXTER STREET
ADJOINING THE PROPERTY OF
MECKLENBURG COUNTY
CITY OF CHARLOTTE, MECKLENBURG CO., NC

512-03-038 PROJECT	1\"/>
EAV PREPARED BY	8/31/2007 DATE

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CAD FILE PATH

EXHIBIT B-3

DESCRIPTION OF LANDS SURVEYED
RIGHT OF WAY ABANDONMENT ~~0-10~~
REFERENCE EXHIBIT ~~A-1~~ A-3

A PORTION OF BAXTER STREET RIGHT OF WAY LYING BETWEEN KENILWORTH AVENUE AND SOUTH KINGS DRIVE, IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A SET MAG NAIL MARKING THE NORTHWESTERLY CORNER OF THOSE LANDS CONVEYED TO MECKLENBURG COUNTY, A POLITICAL SUBDIVISION AS DESCRIBED IN DEED BOOK 16869, PAGE 992, PUBLIC REGISTRY OF MECKLENBURG COUNTY, NORTH CAROLINA, SAID CORNER BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF BAXTER STREET; THENCE ALONG SAID RIGHT OF WAY LINE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 348.31 FEET, AN ARC LENGTH OF 28.37 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS S 34°36'47" E 28.36 FEET TO A FOUND "X" MARK IN THE CONCRETE SIDEWALK; THENCE CONTINUE ALONG SAID RIGHT OF WAY S 36°16'09" E A DISTANCE OF 17.61 FEET TO A SET # 5 REBAR, SAID REBAR BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN BEING DESCRIBED;

THENCE THROUGH SAID BAXTER STREET RIGHT OF WAY ON THE FOLLOWING FIVE (5) NEW COURSES:

- 1) N 04°27'45" E A DISTANCE OF 48.57 FEET TO A SET MAG NAIL;
- 2) S 36°06'37" E A DISTANCE OF 152.42 FEET TO A SET MAG NAIL;
- 3) ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 318.31 FEET, AN ARC LENGTH OF 206.94 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS S 54°45'05" E 203.32 FEET TO A SET MAG NAIL;
- 4) S 73°16'33" E 32.53 FEET TO A SET MAG NAIL;
- 5) ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 574.38 FEET, AN ARC LENGTH OF 32.84 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS S 31°41'38" W 32.84 FEET TO A SET # 5 REBAR ON THE SOUTHERLY RIGHT OF WAY LINE OF BAXTER STREET;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE ON THE FOLLOWING FOUR (4) COURSES:

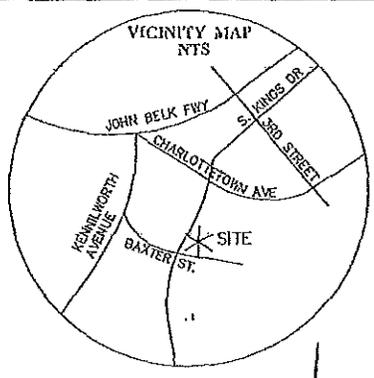
- 1) ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, AN ARC LENGTH OF 7.47 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS N 61°07'44" W 7.43 FEET TO A FOUND MAG NAIL;
- 2) N 73°33'44" W A DISTANCE OF 17.59 FEET TO A FOUND "X" MARK IN THE CONCRETE SIDEWALK;
- 3) ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 348.31 FEET, AN ARC LENGTH OF 226.50 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS N 54°53'55" W 222.53 FEET TO A SET # 5 REBAR;
- 4) N 36°16'09" W A DISTANCE OF 115.14 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

CONTAINING 11752 SQUARE FEET, OR 0.270 ACRES OF LAND MORE OR LESS;
SUBJECT TO EASEMENTS AND RESTRICTIONS.



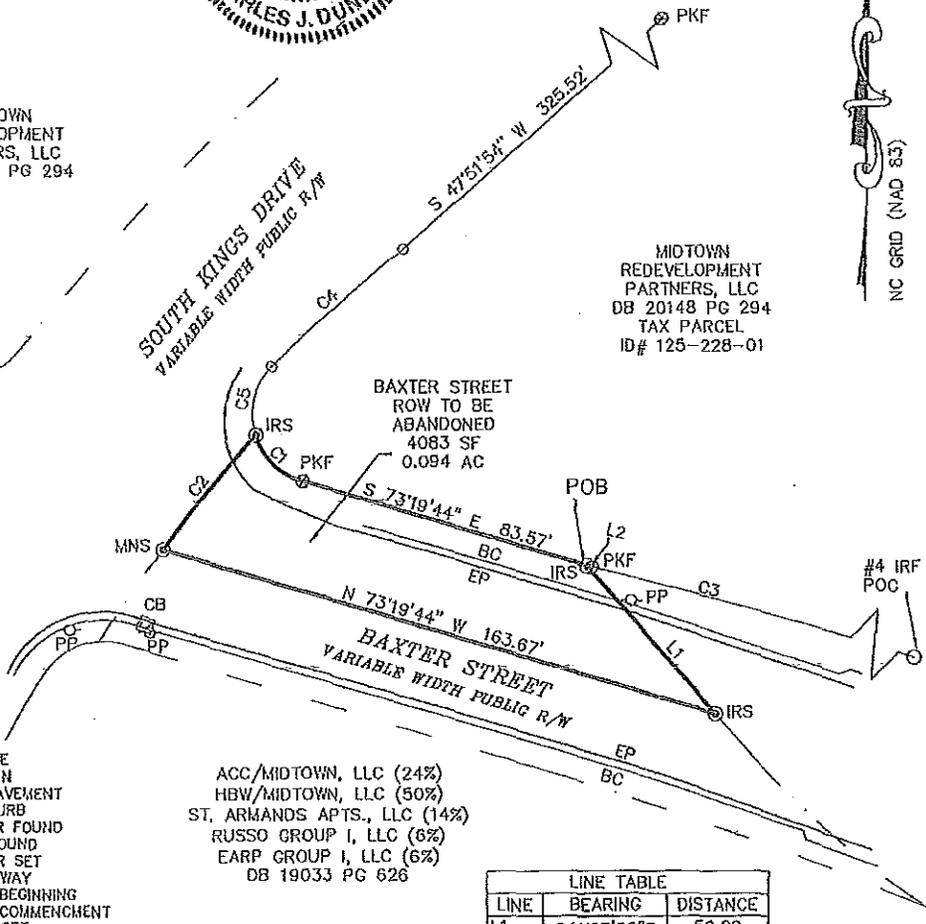
I HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION OF THE DEED(S) AND/OR MAP(S) AS SHOWN HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM THE DEED(S) AND/OR MAP(S) AS SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED EXCEEDS 1:10,000; THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA PURSUANT TO TITLE 21, CHAPTER 56, SECTION .1600 OF THE NORTH CAROLINA ADMINISTRATIVE CODE.

[Signature]
 CHARLES J. DUNBAR, NCPLS L-4159



MIDTOWN REDEVELOPMENT PARTNERS, LLC
 DB 20148 PG 294

MIDTOWN REDEVELOPMENT PARTNERS, LLC
 DB 20148 PG 294
 TAX PARCEL ID# 125-228-01



- LEGEND**
- PP = UTILITY POLE
 - CB = CATCH BASIN
 - EP = EDGE OF PAVEMENT
 - BC = BACK OF CURB
 - IRF = IRON REBAR FOUND
 - PKF = PK NAIL FOUND
 - IRS = IRON REBAR SET
 - ROW = RIGHT OF WAY
 - POB = POINT OF BEGINNING
 - POC = POINT OF COMMENCEMENT
 - MNS = MAG NAIL SET

- ACC/MIDTOWN, LLC (24%)
- HBW/MIDTOWN, LLC (50%)
- ST. ARMANDS APTS., LLC (14%)
- RUSSO GROUP I, LLC (6%)
- EARP GROUP I, LLC (6%)
- DB 19033 PG 626

LINE	BEARING	DISTANCE
L1	S41°07'20"E	56.29
L2	N73°19'44"W	1.54

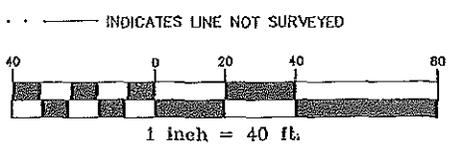
CURVE	RADIUS	LENGTH	CHORD BRG.	CHORD DIST.
C1	20.00	19.64	S45°49'48"E	18.86
C2	489.38	41.80	N38°48'06"E	41.79
C3	1279.70	114.80	N73°51'31"W	114.76
C4	632.93	49.47	S47°34'56"W	49.46
C5	20.00	21.04	S12°26'13"W	20.08

GENERAL NOTES:
 ALL DIMENSIONS ARE IN US SURVEY FEET AND DECIMALS THEREOF AND REPRESENT HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE SHOWN.

THIS BOUNDARY SURVEY IS BASED ON EXISTING PHYSICAL EVIDENCE OBSERVED ON THE DATE OF THE FIELD SURVEY.

BASIS OF BEARINGS:
 BEARINGS ARE BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, RAD 83.

NO FEDERAL OR STATE AGENCY HORIZONTAL CONTROL MONUMENT WAS FOUND WITHIN 2000 FEET OF THE SUBJECT PROPERTY.



PREPARED BY:
PBS&P
 5200 77 CENTER DRIVE
 SUITE 500
 CHARLOTTE, NC 28217
 FIELD SURVEYED: 8/31/07

EXHIBIT **A-4**

CHARLOTTE
 ENGINEERING & PROPERTY
 MANAGEMENT

**I-277/INDEPENDENCE BLVD.
 INTERSECTION PROJECT
 PHASE III**

**RIGHT OF WAY ABANDONMENT
 OF A PORTION OF BAXTER STREET
 ADJOINING THE PROPERTY OF
 MIDTOWN DEVELOPMENT
 PARTNERS, LLC**

CITY OF CHARLOTTE, MECKLENBURG CO., NC

512-03-038 PROJECT	1"=40' SCALE	G:\SURVEYS\OGH\MIDTOWN\DWG\ABANDON3.dwg CAD FILE PATH
EAV PREPARED BY	8/31/2007 DATE	

EXHIBIT B-4

DESCRIPTION OF LANDS SURVEYED
RIGHT OF WAY ABANDONMENT ~~A-2~~
REFERENCE EXHIBIT ~~A-2~~ A-4

A PORTION OF BAXTER STREET RIGHT OF WAY LYING BETWEEN SOUTH KINGS DRIVE AND CECIL STREET, IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND # 4 REBAR AT THE WESTERLY TERMINUS OF THE TURN RADIUS IN THE NORTHWESTERLY QUADRANT OF THE INTERSECTION OF BAXTER STREET AND CECIL STREET, A SOUTHEASTERLY CORNER OF THOSE LANDS CONVEYED TO MIDTOWN REDEVELOPMENT PARTNERS, LLC, AS DESCRIBED IN DEED BOOK 20148, PAGE 294, PUBLIC REGISTRY OF MECKLENBURG COUNTY, NORTH CAROLINA, SAID CORNER BEING ON THE NORTHERLY RIGHT OF WAY LINE OF BAXTER STREET; THENCE ALONG SAID RIGHT OF WAY LINE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1279.70 FEET, AN ARC LENGTH OF 114.80 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS N 73°51'31" W 114.76 FEET TO A FOUND PK NAIL; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE N 73°19'44" W A DISTANCE OF 1.54 FEET TO A SET # 5 REBAR, SAID REBAR BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN BEING DESCRIBED;

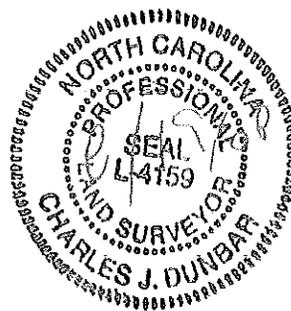
THENCE THROUGH SAID BAXTER STREET RIGHT OF WAY ON THE FOLLOWING THREE (3) NEW COURSES:

- 1) S 41°07'20" E A DISTANCE OF 56.29 FEET TO A SET # 5 REBAR;
- 2) N 73°19'44" W A DISTANCE OF 163.67 FEET TO A SET MAG NAIL;
- 3) ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 489.38 FEET, AN ARC LENGTH OF 41.80 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS N 38°48'06" E 41.79 FEET TO A SET # 5 REBAR ON THE NORTHERLY RIGHT OF WAY LINE OF BAXTER STREET;

THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF BAXTER STREET ON THE FOLLOWING TWO (2) COURSES:

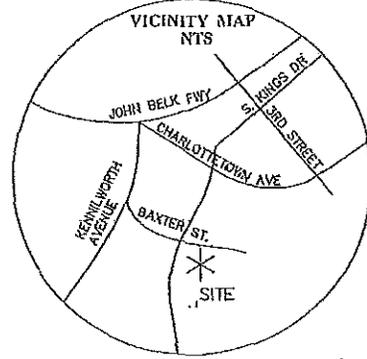
- 1) ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, AN ARC LENGTH OF 19.64 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS S 45°49'45" E 18.86 FEET TO A FOUND PK NAIL;
- 2) S 73°19'44" E A DISTANCE OF 83.57 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

CONTAINING 4083 SQUARE FEET, OR 0.094 ACRES OF LAND MORE OR LESS;
SUBJECT TO EASEMENTS AND RESTRICTIONS.



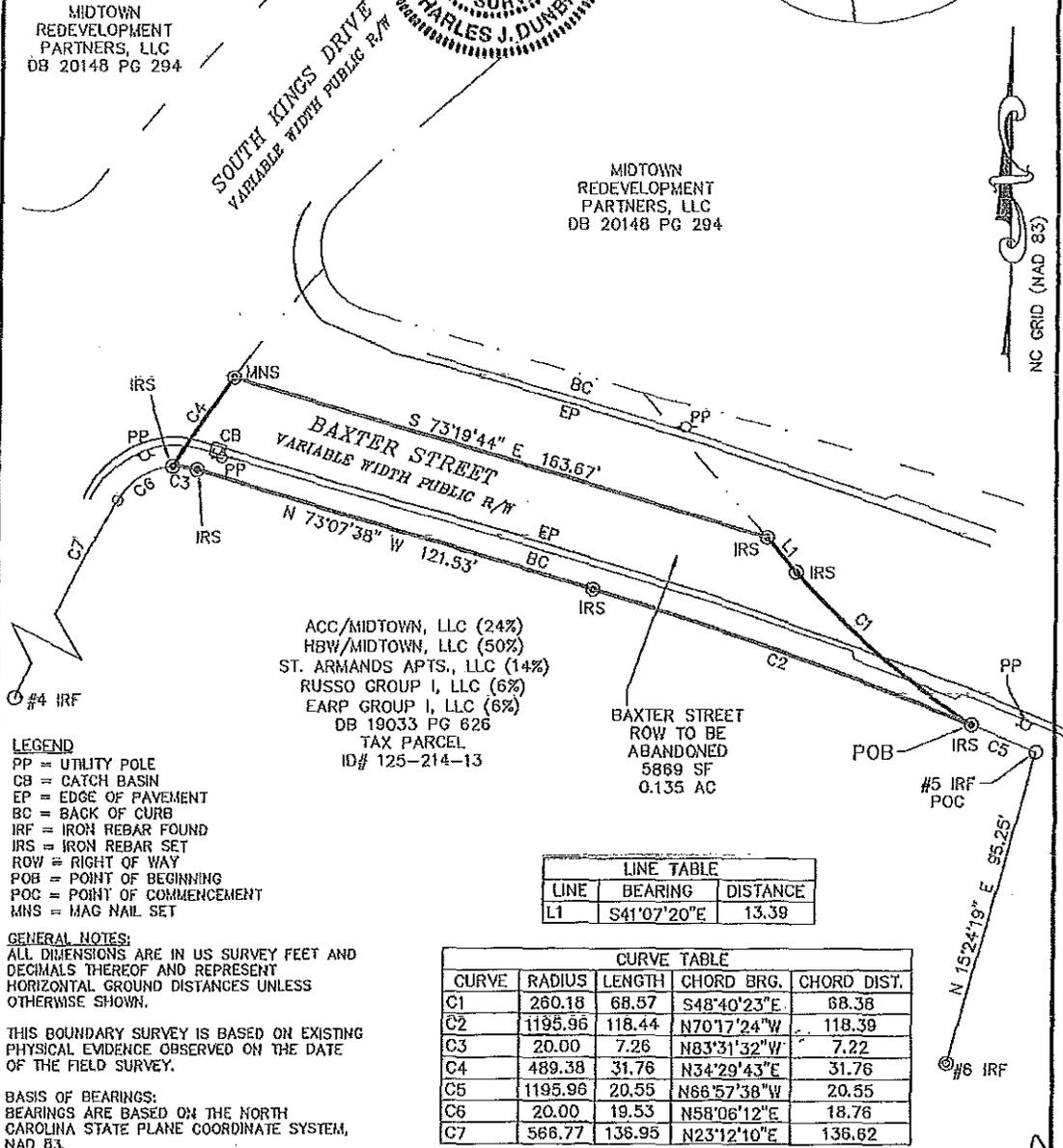
I HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION OF THE DEED(S) AND/OR MAP(S) AS SHOWN HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM THE DEED(S) AND/OR MAP(S) AS SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED EXCEEDS 1:10,000; THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA PURSUANT TO TITLE 21, CHAPTER 56, SECTION .1600 OF THE NORTH CAROLINA ADMINISTRATIVE CODE.

CHARLES J. DUNBAR, NCPLS L-4159



MIDTOWN REDEVELOPMENT PARTNERS, LLC DB 20148 PG 294

MIDTOWN REDEVELOPMENT PARTNERS, LLC DB 20148 PG 294



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S41°07'20"E	13.39

CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD BRG.	CHORD DIST.
C1	260.18	68.57	S48°40'23"E	68.38
C2	1195.96	118.44	N70°17'24"W	118.39
C3	20.00	7.26	N83°31'32"W	7.22
C4	489.38	31.76	N34°29'43"E	31.76
C5	1195.96	20.55	N66°57'38"W	20.55
C6	20.00	19.53	N58°06'12"E	18.76
C7	566.77	136.95	N23°12'10"E	136.62

EXHIBIT A-5



**1-277/INDEPENDENCE BLVD.
INTERSECTION PROJECT
PHASE III**

**RIGHT OF WAY ABANDONMENT
OF A PORTION OF BAXTER STREET
ADJOINING THE PROPERTY OF
ACC/MIDTOWN, LLC, ET AL
CITY OF CHARLOTTE, MECKLENBURG CO., NC**

512-03-035 PROJECT	1"=40' SCALE
EAV PREPARED BY	8/31/2007 DATE

G:\SURVEYS\03H\MIDTOWN\04\ABANDON4.dwg
CAD FILE PATH

EXHIBIT B-5

DESCRIPTION OF LANDS SURVEYED
RIGHT OF WAY ABANDONMENT ~~(22)~~
REFERENCE EXHIBIT ~~(22)~~ A-5

A PORTION OF BAXTER STREET RIGHT OF WAY LYING BETWEEN SOUTH KINGS DRIVE AND CECIL STREET, IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND # 5 REBAR MARKING THE NORTHEASTERLY CORNER OF THOSE LANDS CONVEYED TO ACC / MIDTOWN, LLC, ET AL, AS DESCRIBED IN DEED BOOK 19033, PAGE 626, PUBLIC REGISTRY OF MECKLENBURG COUNTY, NORTH CAROLINA, SAID CORNER BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF BAXTER STREET; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1195.96 FEET, AN ARC LENGTH OF 20.55 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS N 66°57'38" W 20.55 FEET TO A SET # 5 REBAR, SAID REBAR BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN BEING DESCRIBED;

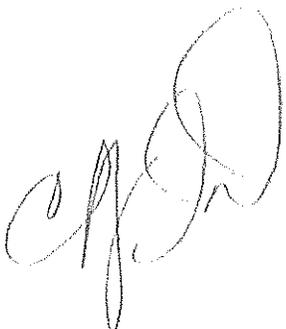
THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE ON THE FOLLOWING THREE (3) COURSES:

- 1) ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1195.96 FEET, AN ARC LENGTH OF 118.44 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS N 70°17'24" W 118.39 FEET TO A SET # 5 REBAR;
- 2) N 73°07'38" W ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 121.53 FEET TO A SET # 5 REBAR;
- 3) ALONG SAID RIGHT OF WAY ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, AN ARC LENGTH OF 7.26 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS N 83°31'32" W 7.22 FEET TO A SET # 5 REBAR;

THENCE THROUGH SAID BAXTER STREET RIGHT OF WAY ON THE FOLLOWING FOUR (4) NEW COURSES:

- 1) ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 489.38 FEET, AN ARC LENGTH OF 31.76 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS N 34°29'43" E 31.76 FEET TO A SET MAG NAIL;
- 2) S 73°19'44" E A DISTANCE OF 163.67 FEET TO A SET # 5 REBAR;
- 3) S 41°07'20" E A DISTANCE OF 13.39 FEET TO A SET # 5 REBAR;
- 4) ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 260.18 FEET, AN ARC LENGTH OF 68.57 FEET, BEING SUBTENDED BY A CHORD WHICH BEARS S 48°40'23" E 68.38 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

CONTAINING 5869 SQUARE FEET, OR 0.135 ACRES OF LAND MORE OR LESS;
SUBJECT TO EASEMENTS AND RESTRICTIONS.



RESOLUTION CLOSING NESBITT DRIVE 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 Nesbitt Drive which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close Nesbitt Drive 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 Charlotte-Mecklenburg Utilities, Duke Energy, Time Warner Cable, AT&T, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 28th day of June, 2010, and City Council determined that the closing of Nesbitt Drive 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.

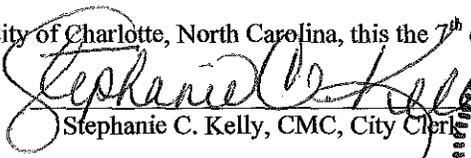
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of June 28, 2010, that the Council hereby orders the closing Nesbitt Drive in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in the document marked "Exhibit B", both of which are attached hereto and made a part hereof.

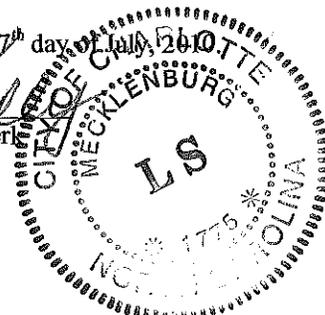
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

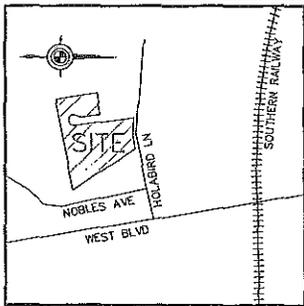
CERTIFICATION

I, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Pages (591-593).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010

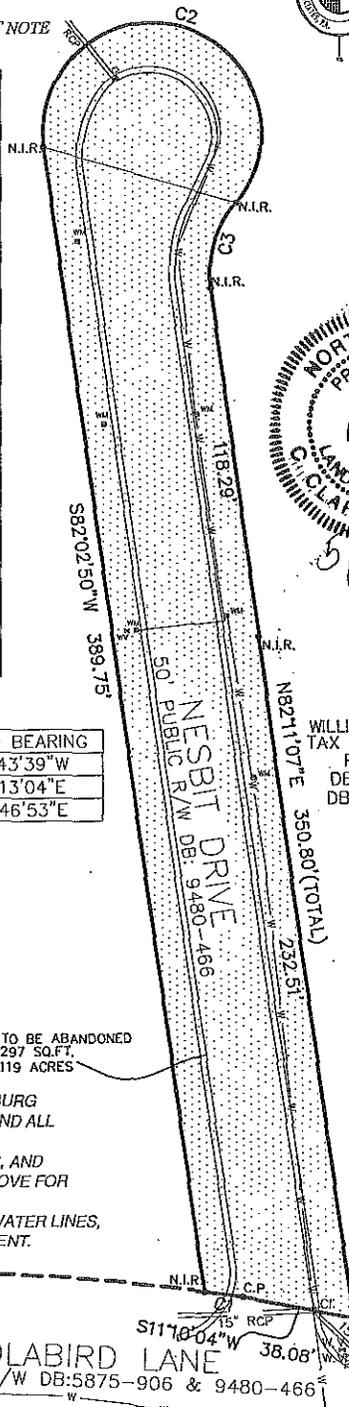
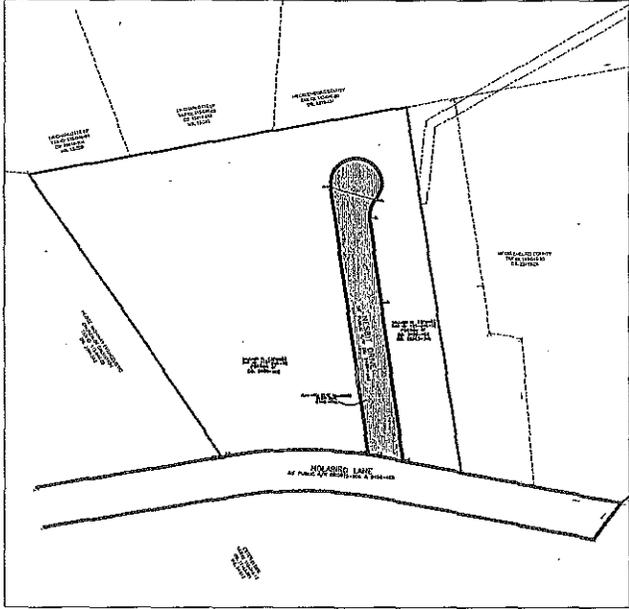
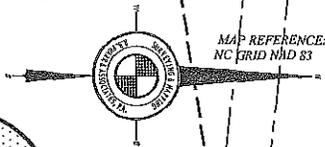

Stephanie C. Kelly, CMC, City Clerk





THIS IS TO CERTIFY THAT ON THE 18TH DAY OF FEBRUARY, 2009 AN EXHIBIT 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 ARE BASED ON A SURVEY BY R.B. PHARR & ASSOCIATES, DATED JULY 7, 2006, BEARING FILE NO. W-3355A. 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.

FLOOD CERTIFICATION
 THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT SIGNED *C. Clark Neilson*
 LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 4, 2004.
 COMMUNITY PANEL NO: 370159 0185E
 REVISION: 10-06-2009 TO AND EASEMENT NOTE



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	665.14'	13.04'	13.04'	S08°43'39"W
C2	37.00'	147.28'	67.58'	N16°13'04"E
C3	37.00'	31.04'	30.14'	S73°46'53"E

WILLIAM H. STEWART
 TAX ID: 115-046-12
 PORTION OF
 DB: 9480-468
 DB: 25263-310

* STREET R/W AND BOUNDARY INFORMATION IS BASED ON A SURVEY BY R.B. PHARR & ASSOCIATES, DATED JUNE 7, 2009, BEARING FILE NO. W-3355A

WILLIAM H. STEWART
 TAX ID: 115-046-12
 PORTION OF
 DB: 9480-468

R/W AREA TO BE ABANDONED
 22,297 SQ. FT.
 0.5119 ACRES

EASEMENT NOTE

EASEMENT IN FAVOR OF CHARLOTTE-MECKLENBURG UTILITIES, DUKE ENERGY, TIME WARNER, AT&T AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF SEWER LINES, WATER LINES, CONDUIT, CABLE, WIRES, AND RELATED EQUIPMENT.

N55°41'09"E 492.78'
 N11°56'16"W 10.34' (TIE)

L=201.62'
 R=665.14'
 C LEN=200.85'
 BRC=N00°31'05"W

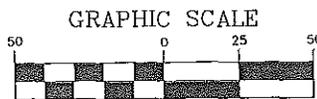
S11°10'04"W 38.08'
 60' PUBLIC R/W DB:5875-906 & 9480-466

HOLABIRD LANE

LEGEND:

- D.B. - DEED BOOK
- ECM - EXISTING CONCRETE MONUMENT
- EIP - EXISTING IRON PIPE
- EIR - EXISTING IRON ROD
- EMM - EXISTING METAL MONUMENT
- EY - EXISTING NAIL
- M.B. - MAP BOOK
- N.C.G.S. - NORTH CAROLINA GEODETIC SURVEY
- NIR - NEW IRON ROD
- NN - NEW NAIL
- PG. - PAGE
- R/W - RIGHT-OF-WAY
- PROPERTY LINE
- PROPERTY LINE (NOT SURVEYED)
- RIGHT-OF-WAY
- RIGHT-OF-WAY (NOT SURVEYED)
- EASEMENT
- SETBACK

R/W AREA TO BE ABANDONED
 22,297 SQ. FT. OR
 0.5119 ACRE



(IN FEET)
 1 inch = 50 ft.

R/W ABANDONMENT OF:

NESBIT DRIVE

CITY OF CHARLOTTE,
 MECKLENBURG COUNTY, NORTH CAROLINA
 DEED REFERENCE: 9480-468
 TAX PARCEL #: 115-046-12

R.B. PHARR AND ASSOCIATES, P.A.

SURVEYING AND MAPPING
 420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL (704) 376-2186

CREW:	DRAWN:	REVISED:	SCALE:	DATE:	JOB NO.
	JH		1" = 50'	FEB 18, 2009	74919

EXHIBIT B

LEGAL DESCRIPTION

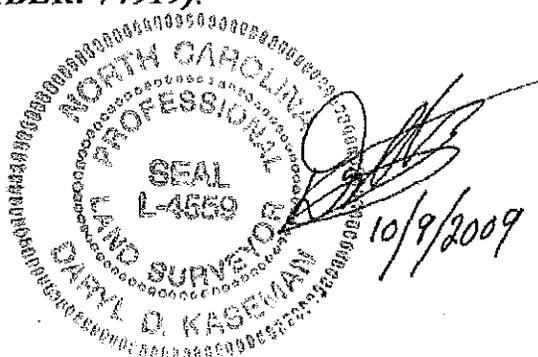
[NESBIT DRIVE TO BE ABANDONED]

THAT CERTAIN PARCEL OR TRACT OF LAND, SITUATED, LYING AND BEING IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A NEW IRON ROD LOCATED ON THE NORTHERLY RIGHT OF WAY LINE OF HOLABIRD LANE (60' PUBLIC RIGHT OF WAY) AND THE EASTERLY CORNER OF THE WILLIAM H. STEWART PROPERTY, AS DESCRIBED IN DEED BOOK 9480 AT PAGE 468, MECKLENBURG COUNTY PUBLIC REGISTRY, (ALSO BEING THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF HOLABIRD LANE; A 60' PUBLIC RIGHT OF WAY AND THE WESTERLY RIGHT OF WAY LINE OF NESBIT DRIVE; A 50' PUBLIC RIGHT OF WAY); THE POINT AND PLACE OF BEGINNING;

THENCE WITH THE WESTERLY RIGHT OF WAY OF NESBIT DRIVE THE FOLLOWING FOUR (4) COURSES AND DISTANCES (1) S 82°02'50" W, 389.75 FEET TO A NEW IRON ROD; (2) WITH THE ARC OF A CIRCULAR CURVE TURNING TO THE RIGHT HAVING A RADIUS OF 37.00 FEET, FOR AN ARC LENGTH OF 147.28, (CHORD BEARING N 16°13'04" E, A DISTANCE OF 67.58 FEET), TO A NEW IRON ROD; (3) WITH THE ARC OF A CIRCULAR CURVE TURNING TO THE LEFT HAVING A RADIUS OF 37.00 FEET, FOR AN ARC LENGTH OF 31.04, (CHORD BEARING S 73°46'53" E, A DISTANCE OF 30.14 FEET), TO A NEW IRON ROD; (4) N 82°11'07" E, 350.80 FEET TO A NEW IRON ROD ON THE SOUTHEASTERLY CORNER OF THE PROPERTY OF MECKLENBURG COUNTY AS DESCRIBED IN DEED BOOK 22413, AT PAGE 23, MECKLENBURG COUNTY PUBLIC REGISTRY, ALSO BEING THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF NESBIT DRIVE AND THE WESTERLY RIGHT OF WAY LINE OF HOLABIRD LANE; THENCE WITH THE WESTERLY RIGHT OF WAY LINE OF HOLABIRD LANE, TWO (2) COURSES AND DISTANCES WITH A NEW LINE ACROSS NESBIT DRIVE (1) S 11°10'04" W, 38.08 FEET TO A CALCULATED POINT; (2) WITH THE ARC OF A CIRCULAR CURVE TURNING TO THE LEFT HAVING A RADIUS OF 665.14 FEET, FOR AN ARC LENGTH OF 13.04, (CHORD BEARING: S 08°43'39" W A DISTANCE OF 13.04 FEET), TO THE POINT OF BEGINNING, CONTAINING 22,297 SQUARE FEET OR 0.5119 ACRES MORE OR LESS, AS SHOWN ON A MAP BY R.B. PHARR AND ASSOCIATES P.A. DATED FEBRUARY 18, 2009, (JOB NUMBER: 74919).

74919.DWG G:\749\74919\



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 Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on June 28, 2010.

* * *

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 Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on June 28, 2010 (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:

The following members of the City Council were absent:

Also present:

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

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

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

\$156,600,000 of bonds to provide funds to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads, intersections, parking lots and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and

markers; and the acquisition of land and rights-of-way in land required therefor;

\$15,000,000 of bonds to pay the capital costs of acquiring, constructing, developing, equipping and furnishing housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including without limitation loans, grants, interest supplements and other programs of financial assistance to persons of low income, or moderate income, or low and moderate income, and developers of housing for persons of low income, or moderate income, or low and moderate income, and construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor; and

\$32,000,000 of bonds to provide funds to pay the capital costs of infrastructure improvements in various neighborhoods of the City, including the cost of related studies, plans and design; acquiring, constructing, reconstructing, improving, installing or providing curbs, gutters, storm drainage and sidewalks; paving, resurfacing, grading or improving streets, roads and intersections; and providing related landscaping and lighting and acquiring any necessary equipment, land, interests in land and rights-of-way therefor.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City Clerk is hereby directed to cause a copy of the "NOTICE OF INTENTION TO APPLY TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF BONDS" to be published in *The Mecklenburg Times* on or about July 2, 2010.

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

AYES:

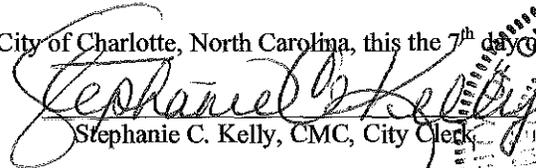
NAYS:

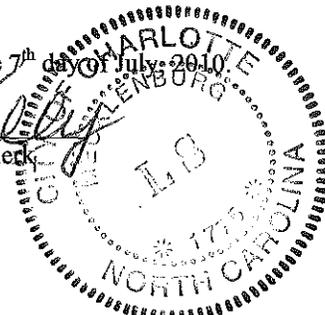
PASSED, ADOPTED AND APPROVED this 28th day of June, 2010.

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Pages (594-596).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010.


Stephanie C. Kelly, CMC, City Clerk



Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on June 28, 2010.

* * *

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 Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on June 28, 2010 (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:

The following members of the City Council were absent:

Also present:

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

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

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

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$156,600,000 GENERAL OBLIGATION PUBLIC IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;"

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$15,000,000 GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;" and

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$32,000,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;"

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

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

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

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

AYES:

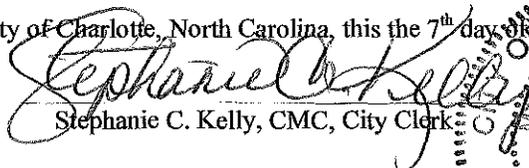
NAYS:

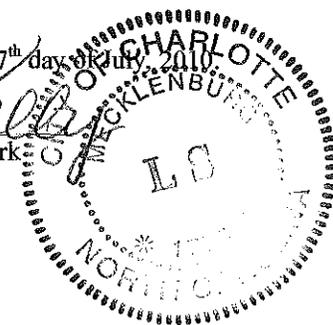
PASSED, ADOPTED AND APPROVED this 28th day of June, 2010.

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Pages (597-599).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010.


Stephanie C. Kelly, CMC, City Clerk



Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on June 28, 2010.

* * *

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 Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on June 28, 2010 (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:

The following members of the City Council were absent:

Also present:

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

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

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

\$156,600,000 of bonds to provide funds to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads, intersections, parking lots and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; and the acquisition of land and rights-of-way in land required therefor;

\$15,000,000 of bonds to pay the capital costs of acquiring, constructing, developing, equipping and furnishing housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including without limitation loans, grants, interest supplements

and other programs of financial assistance to persons of low income, or moderate income, or low and moderate income, and developers of housing for persons of low income, or moderate income, or low and moderate income, and construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor; and

\$32,000,000 of bonds to provide funds to pay the capital costs of infrastructure improvements in various neighborhoods of the City, including the cost of related studies, plans and design; acquiring, constructing, reconstructing, improving, installing or providing curbs, gutters, storm drainage and sidewalks; paving, resurfacing, grading or improving streets, roads and intersections; and providing related landscaping and lighting and acquiring any necessary equipment, land, interests in land and rights-of-way therefor.

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

NOW, THEREFORE, BE IT RESOLVED that the City Council, meeting in open session on the 28th day of June, 2010, has made the following factual findings in regard to this matter:

A. **Facts Regarding Necessity of Proposed Financing.** The proposed bonds are necessary and expedient to pay (1) the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads, intersections, parking lots and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; and the acquisition of land and rights-of-way in land required therefor; (2) the capital costs of acquiring, constructing, developing, equipping and furnishing housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including without limitation loans, grants, interest supplements and other programs of financial assistance to persons of low income, or moderate income, or low and moderate income, and developers of housing for persons of low income, or moderate income, or low and moderate income, and construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor and (3) the capital costs of infrastructure improvements in various neighborhoods of the City, including the cost of related studies, plans and design; acquiring, constructing, reconstructing, improving, installing or providing curbs, gutters, storm drainage and sidewalks; paving, resurfacing, grading or improving streets, roads and intersections; and providing related landscaping and lighting and acquiring any necessary equipment, land, interests in land and rights-of-way therefor.

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

C. *Past Debt Management Procedures and Policies.* The City's debt management procedures and policies are excellent and have been carried out in compliance with law. The City employs a Director of Finance to oversee compliance with applicable laws relating to debt management. The City Council requires annual audits of City finances. In connection with these audits, compliance with laws is reviewed. The City is not in default in any of its debt service obligations. The City Attorney reviews all debt-related documents for compliance with laws.

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

E. *Increase in Taxes; Retirement of Debt.* The increase in taxes, if any, necessary to service the proposed debt will not be excessive. The schedule for issuance anticipates issuing all of the bonds in more than one series during fiscal years 2012 through 2014.

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

AYES:

NAYS:

PASSED, ADOPTED AND APPROVED this 28th day of June, 2010.

**NOTICE OF INTENTION TO APPLY TO THE
LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF BONDS**

NOTICE IS HEREBY GIVEN of intention of the undersigned to file application with the Local Government Commission, Raleigh, North Carolina for its approval of the issuance of general obligation bonds of the City of Charlotte, North Carolina which shall be for the following purposes and in the following maximum amounts:

\$156,600,000 of bonds to provide funds to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads, intersections, parking lots and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; and the acquisition of land and rights-of-way in land required therefor;

\$15,000,000 of bonds to pay the capital costs of acquiring, constructing, developing, equipping and furnishing housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including without limitation loans, grants, interest supplements and other programs of financial assistance to persons of low income, or moderate income, or low and moderate income, and developers of housing for persons of low income, or moderate income, or low and moderate income, and construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor; and

\$32,000,000 of bonds to provide funds to pay the capital costs of infrastructure improvements in various neighborhoods of the City, including the cost of related studies, plans and design; acquiring, constructing, reconstructing, improving, installing or providing curbs, gutters, storm drainage and sidewalks; paving, resurfacing, grading or improving streets, roads and intersections; and providing related landscaping and lighting and acquiring any necessary equipment, land, interests in land and rights-of-way therefor.

Any citizen or taxpayer of the City of Charlotte, North Carolina objecting to the issuance of any or all of said bonds, within seven (7) days after the date of publication of this notice, may file with the Local Government Commission and with the undersigned a written statement setting forth each objection to the proposed bond issue and such statement shall contain the name and address of the person filing it.

CITY OF CHARLOTTE, NORTH CAROLINA

/s/ Stephanie C. Kelly
City Clerk
City of Charlotte, North Carolina

June 28, 2010

Resolution Book 42, Page 604

FY 2011-2015 Adopted Capital Investment Plan Bonds Schedule (in millions)

	Proposed 2010 Bond
<u>Housing and Neighborhood Development</u>	
Neighborhood Improvements	\$ 25.0
Neighborhood Improvements - Boulevard Homes	7.0
Affordable Housing	15.0
Area Plan Projects	5.0
Traffic Calming Program	3.0
Pedestrian and Traffic Safety Program	2.0
Sidewalk Construction Program	15.0
Total	\$ 72.0
<u>Transportation</u>	
Bridge Program	2.0
Farm-to-Market Road Improvement Program:	
- Oakdale Road Improvements	8.0
- Johnston-Oehler Road Improvements	14.3
Minor Roadway Improvement Program	1.5
Intersection Improvement Construction Projects:	
- Ballantyne Commons/Elm Lane	7.2
- Scaleybark/South Boulevard	2.0
- McKee Rd/Providence Rd **	7.0
- Arrowood Rd/Nations Ford Rd **	2.0
Public-Private Participation Program	3.0
Thoroughfare and Street Projects:	
- Beatties Ford Rd (Capps Hill Mine to Sunset)	13.0
- Brevard and Eighth Street Improvements	5.5
- Idlewild Rd (Piney Grove to Margaret Wallace)	8.0
State Highway Participation Program	3.0
Street Connectivity Program	4.0
Traffic Control Devices Upgrade Program	4.0
Traffic Flow Enhancement (coordinated signals)	5.0
Bicycle Program	2.0
City Center Transportation Implementation	4.0
NE Corridor: Access Improvements	20.0
Non-System Residential Streets Program **	2.0
Total	\$ 117.5
<u>Economic Development</u>	
Business Corridor/Pedscape Infrastructure	4.6
North Tryon Redevelopment*	9.5
Total	\$ 14.1
Total 2010 Bond Referendum	\$ 203.6

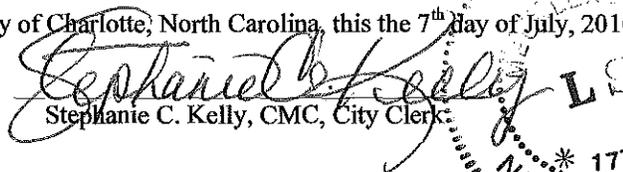
* Funded from Reserve for Economic Development Initiatives

** New projects

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Pages (600-605).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010.


Stephanie C. Kelly, CMC, City Clerk



**MECKLENBURG COUNTY
MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

WHEREAS, the citizens and property within Mecklenburg County are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the county are particularly vulnerable to flooding, winter storms, hurricanes and tropical storms, severe thunderstorms and tornadoes, droughts, wildfires and earthquakes; and

WHEREAS, Mecklenburg County and the City of Charlotte desire to seek ways to mitigate the impact of identified hazard risks; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has in Section 1 Part 166A of the North Carolina General Statutes (adopted in Session Law 2001-214 --- Senate Bill 300 effective July 1, 2001), states therein in Item (a) (2) "For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after August 1, 2002, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act"; and

WHEREAS, Section 322 of the Disaster Mitigation Act of 2000 amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act to require local governments to develop an All-Hazards Mitigation Plan in compliance with 44 CFR Part 201 in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding, and that said Plan must be updated and re-adopted within a five year cycle; and

WHEREAS, the City of Charlotte, Mecklenburg County and its other participating municipal jurisdictions have performed a comprehensive review and evaluation of each section of the previously approved 2005 Multi-jurisdictional Hazard Mitigation Plan and has updated the said Plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management; and

WHEREAS, it is the intent of the Charlotte City Council to fulfill this obligation in order that the City will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the City of Charlotte and Mecklenburg County;

NOW, therefore, be it resolved that the Charlotte City Council hereby:

1. Adopts the 2010 Mecklenburg County Multi-Jurisdictional Hazard Mitigation Plan; and

2. Vests the Charlotte-Mecklenburg Emergency Management Office with the responsibility, authority, and the means to:
 - (a) Inform all concerned parties of this action.
 - (b) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain areas, and cooperate with neighboring communities with respect to management of adjoining floodplain areas in order to prevent exacerbation of existing hazard impacts.

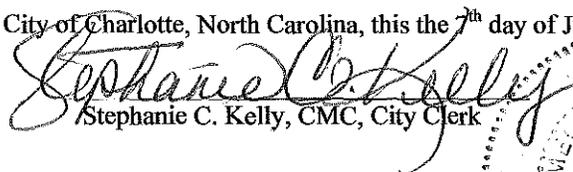
3. Appoints the Charlotte-Mecklenburg Emergency Management Office to assure that the Hazard Mitigation Plan is reviewed annually and every five years as specified in the Plan to assure that the Plan is in compliance with all State and Federal regulations and that any substantial revisions or amendments to the Plan (those that result in fundamental changes to the Plan) are developed and presented to the Mecklenburg County Board of Commissioners for consideration.

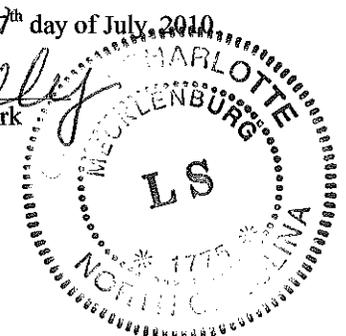
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Pages (606-607).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010


Stephanie C. Kelly, CMC, City Clerk



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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **CONWAY/BRIABEND STORM WATER 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 **CONWAY/BRIABEND STORM WATER IMPROVEMENTS PROJECT** and estimated to be approximately **45,031 square feet (1.034 acre) of storm drainage easement, sidewalk and utility easement, conservation easement, easement to be abandoned, 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 Nos.: 149-061-01, 149-094-13 and 149-115-61, said property currently owned by **CONWAY ASSOCIATES, L. P.; STEWART TITLE GUARANTY COMPANY, Trustee; DYNEX COMMERCIAL, INC., Beneficiary**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

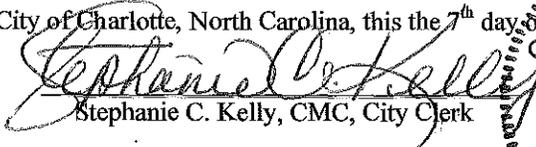
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

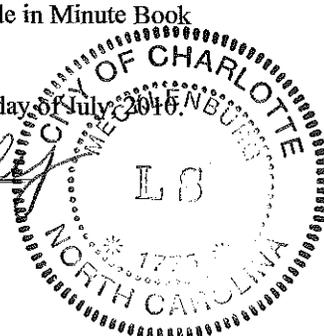
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Page 608.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010.


Stephanie C. Kelly, CMC, City Clerk



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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **CONWAY/BRIABEND STORM WATER 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 **CONWAY/BRIABEND STORM WATER IMPROVEMENTS PROJECT** and estimated to be approximately **1,336 square feet (.031 acre) of sanitary sewer easement, 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.: 149-073-17, said property currently owned by **FONVILLE & CO.**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

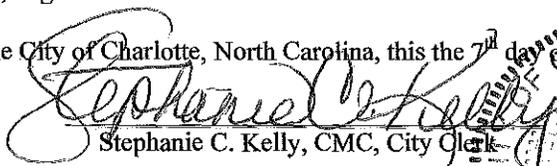
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

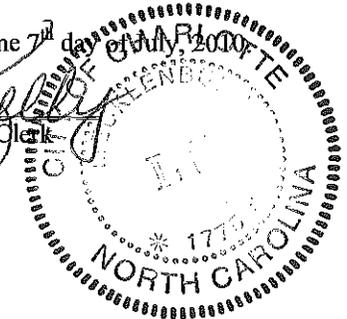
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Page 609.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28th day of June, 2010.


Stephanie C. Kelly, CMC, City Clerk



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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **HIDDEN VALLEY NEIGHBORHOOD IMPROVEMENT PROJECT-PHASE 6**; 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 **HIDDEN VALLEY NEIGHBORHOOD IMPROVEMENT PROJECT** and estimated to be approximately **1,560 square feet (.036 acre) of sidewalk and 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.: 089-211-04, said property currently owned by **MIRNA MACHUCA RAMOS and spouse, if any; LANCE A. SELLERS, Trustee; PEOPLES BANK, Beneficiary**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

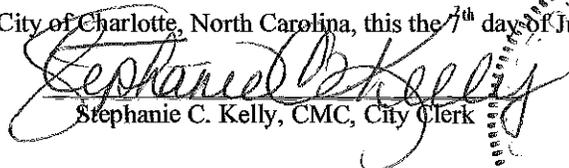
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Page 610.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010.


Stephanie C. Kelly, CMC, City Clerk



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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **HIDDEN VALLEY NEIGHBORHOOD IMPROVEMENT PROJECT-PHASE 6**; 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 **HIDDEN VALLEY NEIGHBORHOOD IMPROVEMENT PROJECT** and estimated to be approximately **1,616 square feet (.037 acre) of sidewalk and 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.: 089-212-08, said property currently owned by **HEIRS OF WALTER DEAN HUMPHRIES; ROBERT LINDSEY, Trustee; C. I. T. FINANCIAL SERVICES CORPORATION, Beneficiary; C. H. FREDRICKSON, Trustee; AMERICAN GENERAL FINANCE, INC., Beneficiary; CHARLOTTE-MECKLENBURG TAX COLLECTOR**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

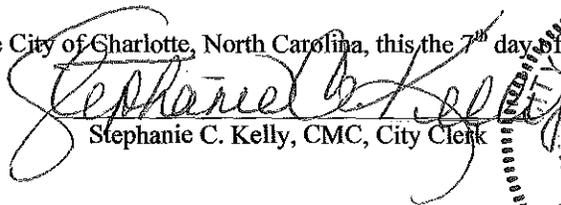
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Page 611.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010.


Stephanie C. Kelly, CMC, City Clerk



June 28, 2010
Resolution Book 42, Page 612

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 **HIDDEN VALLEY NEIGHBORHOOD IMPROVEMENT PROJECT-PHASE 6**; 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 **HIDDEN VALLEY NEIGHBORHOOD IMPROVEMENT PROJECT** and estimated to be approximately **2,500 square feet (.057 acre) of sidewalk and 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.: 089-212-09, said property currently owned by **JUVENTINA PERALTA and spouse, if any; ISRAEL PERALTA and spouse, if any; CHARLOTTE-MECKLENBURG TAX COLLECTOR**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

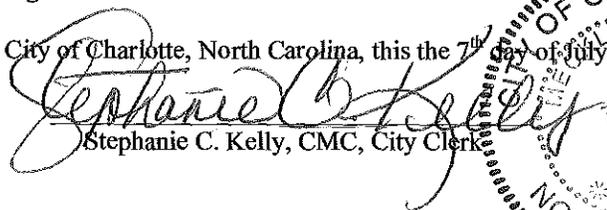
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

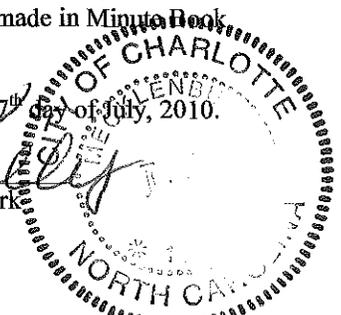
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Page 612.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010.


Stephanie C. Kelly, CMC, City Clerk



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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **HIDDEN VALLEY NEIGHBORHOOD IMPROVEMENT PROJECT-PHASE 6**; 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 **HIDDEN VALLEY NEIGHBORHOOD IMPROVEMENT PROJECT** and estimated to be approximately **3,200 square feet (.073 acre) of sidewalk and 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.: 089-212-14, said property currently owned by **THE HEIRS OF EARL JUNIOR GREEN; CHARLOTTE-MECKLENBURG TAX COLLECTOR**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

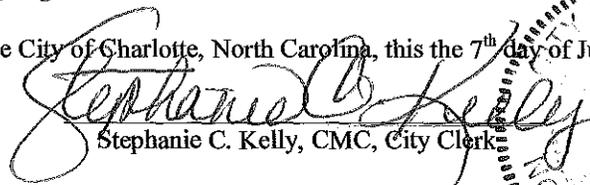
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

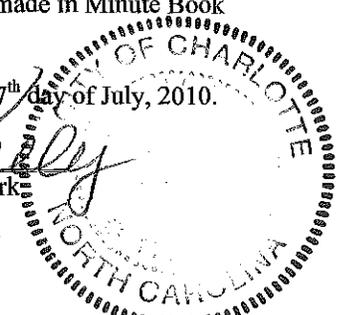
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Page 613.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010.


Stephanie C. Kelly, CMC, City Clerk



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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **HIDDEN VALLEY NEIGHBORHOOD IMPROVEMENT PROJECT-PHASE 6**; 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 **HIDDEN VALLEY NEIGHBORHOOD IMPROVEMENT PROJECT** and estimated to be approximately **3,225 square feet (.074 acre) of storm drainage easement, sidewalk and utility easement, overlapping storm drainage and sidewalk/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.: 089-221-16, said property currently owned by **WIGGINS INVESTMENTS, LLC; KEITH D. WIGGINS; CYNTHIA K. WIGGINS; BB&T COLLATERAL SERVICE CORPORATION, Trustee; BRANCH BANKING AND TRUST COMPANY, Beneficiary, CHARLOTTE-MECKLENBURG TAX COLLECTOR**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

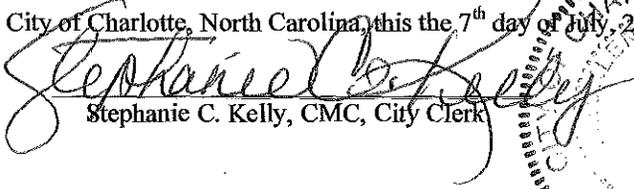
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Page 614.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010.


Stephanie C. Kelly, CMC, City Clerk



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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **KIMMERLY GLEN LANE ACQUISITION 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 **KIMMERLY GLEN LANE ACQUISITION PROJECT** and estimated to be approximately **3,022 square feet (.069 acre) of fee-simple** interest and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 099-281-93, said property currently owned by **CARMEL INVESTMENT CORPORATION; JAMES W. KISER, III, Trustee; NCNB NATIONAL BANK OF NORTH CAROLINA (k/n/a "BANK OF AMERICA"), Beneficiary, CHARLOTTE-MECKLENBURG TAX COLLECTOR**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

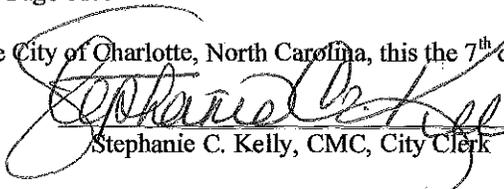
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

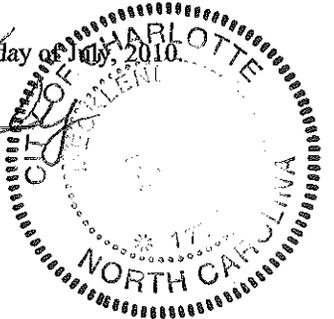
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Page 615.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010.


Stephanie C. Kelly, CMC, City Clerk



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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **McKEE CREEK INTERCEPTOR-MECKLENBURG COUNTY 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 **McKEE CREEK INTERCEPTOR-MECKLENBURG COUNTY PROJECT** and estimated to be approximately **1,611 square feet (.037 acre) of sanitary sewer easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 111-081-04, said property currently owned by **CAROLINA COMMERCE BANK (n/k/a "Carolina Trust Bank")**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

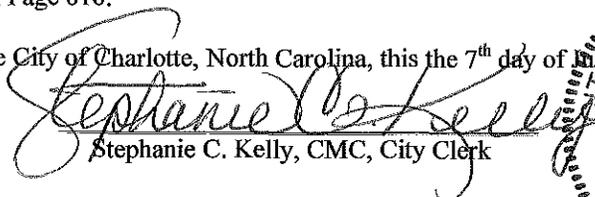
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Page 616.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010.


Stephanie C. Kelly, CMC, City Clerk



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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **STATESVILLE ROAD WIDENING (I-85 to SUNSET) 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 **STATESVILLE ROAD WIDENING (I-85 to SUNSET) PROJECT** and estimated to be approximately **16,158 square feet (.371 acre) of fee-simple area, existing right-of-way, storm drainage easement, utility easement, combined utility and sidewalk easement, and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 045-312-06, said property currently owned by **CHARLES HERBERT COCHRANE, JR. and wife, PATRICIA LYNN COCHRANE; PHILIP A. LOGRASSO, Trustee; HSBC MORTGAGE CORPORATION (USA), Beneficiary**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

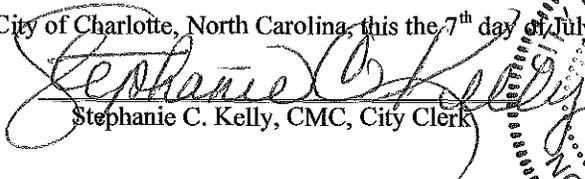
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Stephanie C. Kelly, 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 28th day June, 2010, the reference having been made in Minute Book 130, and recorded in full in Resolution Book 42, Page 617.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 7th day of July, 2010.


Stephanie C. Kelly, CMC, City Clerk

