

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

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

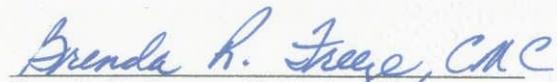
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 9th day of June, 2003 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38, Pages 360-361.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of June, 2003.


Brenda R. Freeze, CMC, City Clerk

**PROPERTY TAX
TAXPAYERS AND REFUNDS REQUESTED
MORE THAN \$100**

<u>Name</u>	<u>Clerical Error</u>	<u>Amount of Refund</u>
BB&T Mortgage		\$ 200.58
BB&T Mortgage		200.58
BB&T Mortgage		200.58
BB&T Mortgage		200.58
BB&T Mortgage		202.72
Total		\$1,005.04

A RESOLUTION AUTHORIZING THE REFUND OF
CERTAIN BUSINESS PRIVILEGE LICENSES

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

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

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 9th day of June, 2003 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38, Pages 362-363.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of June, 2003.


Brenda R. Freeze, CMC, City Clerk

**BUSINESS PRIVILEGE LICENSE
REFUNDS REQUESTED**

<u>Name</u>	<u>Amount of Refund</u>
Carolina Parenting Inc	\$ 30.66
Independence Nissan	2,190.41
Renco Management, Inc	120.02
Lynn Schilb Design	39.31
Total	\$2,380.40

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of Perrin Place in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **The Charlotte-Mecklenburg Board of Education** has filed a petition to close **a portion of Perrin Place** in the City of Charlotte; and

Whereas, the portion of Perrin Place to be closed lies beginning approximately 1450 feet from the intersection of Providence Road and Perrin Place continuing approximately 104 feet eastwardly to its terminus as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

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

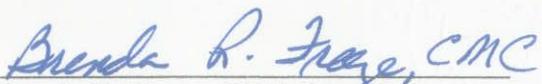
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of June 9, 2003 that it intends to close a portion of Perrin Place and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 28th day of July, 2003 in CMGC meeting chamber, 600 East 4th Street Charlotte North Carolina.

The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38, Page 364.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of June, 2003.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION AUTHORIZING THE PRIVATE SALE OF REAL
PROPERTY FROM CITY OF CHARLOTTE TO REALESTATE
INVESTMENT CORPORATION, LLC (FEREBEE).

WHEREAS, the City of Charlotte owns ± 10 acres of real property located at 3200 Northerly Drive (a portion of Tax Parcel# 077-081-01) in the vicinity of the I-85 Service Road and further identified as a portion of the Statesville Avenue Landfill site in Charlotte, Mecklenburg County, North Carolina (the "City Property"); and

WHEREAS, RealEstate Investment Corporation, LLC, Ferebee Family Limited Partnership, Caldwell Street Partners, LLC and Joseph B. Ferebee/Tiffany W. Ferebee (collectively "Ferebee") own real property zoned I-2 in the Optimist Park neighborhood (Tax Parcel #s 081-064-01, 081-064-02, 081-064-13, 081-064-14, 081-064-05, 081-064-06, 081-064-07, 081-063-07, 081-064-08, 081-063-06, 081-063-08, 081-064-04) on which Ferebee has obtained all necessary permits to build an asphalt plant (the "Ferebee Property"); and

WHEREAS, the proposed use of the Ferebee Property for an asphalt plant is inconsistent with the land use recommended in the Charlotte City Council adopted Optimist Park Plan; and

WHEREAS, the City proposes to sell the City Property to Ferebee for use as an asphalt plant site in lieu of the Ferebee Property in the Optimist Park neighborhood; and

WHEREAS, Ferebee desires to purchase the City Property for \$50,000.00; and

WHEREAS, the City Property is a preferred site for the location of the proposed asphalt plant because it is:

- Accessible to I-85 and I-77
- City owned
- Located one-half mile from residential areas
- Natural separation from residential areas by I-85, I-85 Service Road, and the Statesville Avenue Landfill
- Appropriate zoning in place
- Adjacent to other industrial uses
- Proposed use does not conflict with any adopted land use plan for the site
- Limited or no traffic impacts and traffic would not be routed through any residential areas
- Limited or no environmental impacts; and

WHEREAS, Ferebee has agreed to convey to the City of Charlotte, negative easements over the Ferebee Property prohibiting its use for an asphalt plant and to not oppose or protest a City of Charlotte initiated rezoning of the Ferebee Property from I-2 to Mixed Use Development District in accordance with the Optimist Park Plan; and

WHEREAS, the City Council of the City of Charlotte, has determined that the conveyance of the City Property required for relocation of the proposed asphalt plant will advance the Council adopted Optimist Park Plan; and

WHEREAS, notice of this proposed transaction was advertised at least ten (10) days prior to adoption of this Resolution.

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to Section 8.22(d) of the City of Charlotte Charter, that it hereby authorizes the conveyance of fee simple interest in the above referenced City Property to Ferebee.

This the 9th day of June, 2003.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38, Pages 365-366.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of June, 2003.


Brenda R. Freeze, CMC, City Clerk

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on June 9, 2003.

* * *

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "City Council") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina, 28202, at 7:00 p.m. on June 9, 2003 (the "Meeting"), after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Councilmembers Cannon, Carter, Cogdell, Graham, Lochman, Mitchell, Mumford, Spencer, Tabor, Wheeler, and White

The following members of the City Council were absent: _____.

Also present: _____.

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

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

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

Not to exceed \$65,000,000 of General Obligation Refunding Bonds to pay the costs of refunding in advance of their maturities (1) the City of Charlotte, North Carolina \$17,765,000 Water and Sewer Bonds, Series 1995 maturing on and after April 1, 2006, (2) the City of Charlotte, North Carolina \$18,480,000 Water and Sewer Bonds, Series 1995A and maturing on and after April 1, 2006 and (3) \$22,005,000 Public Improvement Bonds, Series 1995 maturing on and after April 1, 2006.

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 Article 4 of Chapter 159 of the General Statutes, Section 52.

NOW, THEREFORE, BE IT RESOLVED that the City Council meeting in open session on the 9th day of June, 2003, 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 in order to lower debt service costs to the City.

B. *Facts Supporting the Amount of Bonds Proposed.* The sums estimated for these bonds are adequate and not excessive for the proposed purpose.

C. *Past Debt Management Policies.* The City's debt management policies have been carried out in compliance with law. The City employs a full-time 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 City Council which shows budget to actual comparisons semiannually and otherwise as the City Manager deems necessary or as a member of the City Council may request.

E. *Retirement of Debt.* The schedule for issuing the bonds does not require a property tax increase. The schedule for issuance calls for issuing all of the bonds in Fiscal Year 2003-2004.

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

AYES: UNANIMOUS

NAYS:

PASSED, ADOPTED AND APPROVED this 9th day of June, 2003.

The following bond order was introduced by reading the titles thereof:

**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$65,000,000
GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

WHEREAS, the City of Charlotte, North Carolina has issued its Water and Sewer Bonds, Series 1995 (the "1995 Water and Sewer Bonds"), Water and Sewer Bonds, Series 1995A (the "1995A Water and Sewer Bonds") and Public Improvement Bonds, Series 1995 (the "1995 Public Improvement Bonds");

WHEREAS, the City Council of the City of Charlotte, North Carolina deems it advisable to refund \$17,765,000 in aggregate principal amount of the 1995 Water and Sewer Bonds maturing on and after April 1, 2006;

WHEREAS, the City Council of the City of Charlotte, North Carolina deems it advisable to refund \$18,480,000 in aggregate principal amount of the 1995A Water and Sewer Bonds maturing on and after April 1, 2006;

WHEREAS, the City Council of the City of Charlotte, North Carolina deems it advisable to refund \$22,005,000 in aggregate principal amount of the 1995 Public Improvement Bonds maturing on and after April 1, 2006;

WHEREAS, an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the bonds hereinafter described as required by the Local Government Bond Act, and the Secretary of the Local Government Commission has notified the City Council that the application has been accepted for submission to the Local Government Commission.

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

Section 1. The City Council of the City of Charlotte, North Carolina deems it advisable to refund (1) \$17,765,000 in aggregate principal amount of the 1995 Water and Sewer Bonds maturing on and after April 1, 2006, (2) \$18,480,000 in aggregate principal amount of the 1995A Water and Sewer Bonds maturing on and after April 1, 2006 and (3) \$22,005,000 in aggregate principal amount of the 1995 Public Improvement Bonds maturing on and after April 1, 2006.

Section 2. In order to raise the money required to pay the costs of refunding 1995 Water and Sewer Bonds, 1995A Water and Sewer Bonds and the 1995 Public Improvement Bonds as set forth above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Refunding Bonds of the City of Charlotte, North Carolina are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such General Obligation Refunding Bonds authorized by this bond order shall be and not exceed \$65,000,000.

Section 3. A tax sufficient to pay the principal of and interest on said General Obligation Refunding Bonds when due shall be annually levied and collected.

Section 4. A sworn statement of the City's debt has been filed with the City Clerk and is open to public inspection.

Section 5. This bond order shall take effect upon its adoption.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38, Page.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of June, 2003.


Brenda R. Freeze, CMC, City Clerk

After the introduction of the bond order, Councilmember Tabor introduced the following resolution, a summary of which had been provided to each Council member, a copy of which was available with the City Clerk and which was read by title:

A RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA CALLING A PUBLIC HEARING ON THE BOND ORDER, DIRECTING PUBLICATION OF NOTICE OF SAID PUBLIC HEARING AND FILING OF A DEBT STATEMENT.

WHEREAS, bond orders entitled:

“BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$65,000,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA.”

has been introduced at a meeting of the City Council of the City of Charlotte, North Carolina this 9th day of June, 2003 and the City Council desires to provide for the holding of a public hearing thereon on Monday, June 23, 2003 and the submission of a statement of debt in connection therewith as required by the Local Government Bond Act.

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

1. The public hearing upon said bond order shall be held on the 23rd day of June, 2003 at 7:00 o'clock p.m. in Meeting Chamber, Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, 28202.
2. The City Clerk is hereby directed to cause a copy of the bond order to be published with a notice of such hearing in the form prescribed by law in a qualified newspaper no fewer than six days before such public hearing.
3. The City's Director of Finance is hereby directed to file with the City Clerk before publication of the bond order with the notice of such public hearing, a statement setting forth the debt incurred or to be incurred, the appraised value of property subject to taxation by the City and the net debt of the City.

Upon motion of Councilmember Tabor, seconded by Councilmember Mitchell, the foregoing order entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA CALLING A PUBLIC HEARING ON THE BOND ORDER; DIRECTING PUBLICATION OF NOTICE OF SAID PUBLIC HEARING AND FILING OF A DEBT STATEMENT”** was adopted by the following vote:

AYES: UNANIMOUS

NAYS:

PASSED, ADOPTED AND APPROVED this 9th day of June, 2003.

STATE OF NORTH CAROLINA)
)
CITY OF CHARLOTTE) SS:

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, *DO HEREBY CERTIFY* that the foregoing is a true and exact copy of the resolutions entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA CALLING A PUBLIC HEARING ON THE BOND ORDER, DIRECTING PUBLICATION OF NOTICE OF SAID PUBLIC HEARING AND FILING OF A DEBT STATEMENT" and "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA MAKING CERTAIN STATEMENTS OF FACT CONCERNING PROPOSED BOND ISSUE," each adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 9th day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38, Page(s) 371-372.

WITNESS my hand and the seal of the City of Charlotte, North Carolina, this the 11th day of June, 2003.

(SEAL)

Brenda R. Freeze, CMC

Brenda R. Freeze, CMC, City Clerk
City of Charlotte, North Carolina

**RESOLUTION APPROVING THE MECKLENBURG COUNTY
10-YEAR SOLID WASTE MANAGEMENT PLAN
DATED JULY 1, 2003**

WHEREAS, better planning for solid waste will help protect public health and the environment, provide for an improved solid waste management system, better utilize our natural resources, control the cost of solid waste management; and

WHEREAS, N.C. General Statute 130A-309.09A(b) requires each unit of local government, either individually or in cooperation with other units of local government, to develop a 10-year comprehensive solid waste management plan; and

WHEREAS, the City of Charlotte approved the Mecklenburg County Solid Waste Plan, dated September, 1988 (the "Plan"); and

WHEREAS, the City of Charlotte approved changes to the Plan in the document entitled "Mecklenburg County Solid Waste Management Plan" Proposed 1990 Revisions; and

WHEREAS, the City of Charlotte approved revisions to the Plan in the document entitled "Mecklenburg County Solid Waste Management Plan" dated January 8, 1992; and

WHEREAS, the City of Charlotte approved revisions to the Plan in the document entitled "Mecklenburg County Solid Waste Management 10-Year Plan" dated July 1, 1997; and

WHEREAS, the City of Charlotte approved revisions to the Plan in the document entitled "Mecklenburg County Solid Waste Management 10-Year Plan" dated July 1, 2000; and

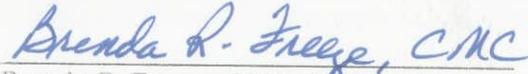
WHEREAS, the Mecklenburg County Board of Commissioners on May 6, 2003 approved revisions to the Plan in the attached document entitled "Mecklenburg County Solid Waste Management 10-Year Plan" dated July 1, 2003; now, therefore, be it

RESOLVED that the City of Charlotte hereby approves the revisions to the Mecklenburg County Solid Waste Management Plan as outlined in the attached document entitled "Mecklenburg County Solid Waste Management 10-Year Plan" dated July 1, 2003.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of June, 2003, the reference having been made in Minute Book 119, and recorded in full in Resolution Book 38, Page 373.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of June, 2003.


Brenda R. Freeze, CMC, City Clerk