

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 14th day of May, 2001 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 14th day of May, 2001 the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 42-43.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.

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

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

<u>Name</u>	<u>Clerical Error</u>	<u>Amount of Refund</u>
Pulte Mortgage Corporation		\$ 548.66
Kennerly Pegg		102.95
RTWA Engineers, Inc.		567.05
ESA Management, Inc.		451.59
E and J Gallo Winery		275.12
McCain Willie		128.52
Crawford Raymon E		103.84
Cusco Inc		110.78
DRS Enterprises Inc		1,285.68
Jordan-Lewis Susan F		310.60
Total		3,784.79

CERTIFICATION

I, the undersigned, being a duly qualified and authorized officer of the City of Chicago, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of Chicago, Illinois, on the 14th day of May, 2001, and that the same is being published in full in Resolution Book 37, Page 43.

WITNESSED my hand and the corporate seal of the City of Chicago, Illinois, this 14th day of May, 2001.


Robert J. Pritzker, City Clerk

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 14th day of May, 2001 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 14th day of May, 2001 the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 44-45.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.

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

**BUSINESS PRIVILEGE LICENSE
REFUNDS REQUESTED**

<u>Name</u>	<u>Amount of Refund</u>
Essenz Salon and Spa	\$ 51.15
Illiant Management Directions	61.61
Southern Time Equipment Company, Inc	69.25
Burger King	4,843.05
Imagination Station Parties	28.00
Crescent Public Relations, Inc.	21.40
Jasrone Tropicana Mart	16.00
Expert Ilair Salon	54.00
Arbys	161.97
J.B.'s Janitorial Service	50.00
BCI Management Group	50.00
Sam's Mart	17.50
Total	\$5,423.93

CERTIFICATION

I, the undersigned, being a duly qualified and authorized officer of the City of Chicago, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of Chicago, Illinois, on this 14th day of May, 2001, the same being duly read and passed in public session of said City Council, and that the same is hereby published in full in Resolution Book 37, Page 45.



City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE an unopened portion of Academy Street in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Gateway Homes, LLC** has filed a petition to close **an unopened portion of Academy Street** in the city of Charlotte; and

Whereas, the unopened portion of Academy Street to be closed lies from North Davidson Street southwardly approximately 921 feet to its terminus at the Norfolk Southern Railway as shown in a 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

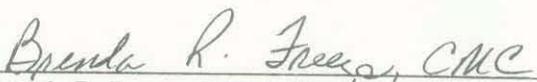
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of May 14, 2001, that it intends to close an unopened portion of Academy Street and that the said street (or portion thereof) being more particularly described on a map and by a metes and bounds description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7:00pm on Monday, the 11th day of June, 2001 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 14th day of May, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 46.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of Custer Street and three 10-foot alleyways in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, Northwest Corridor Community Real Estate Corporation has filed a petition to close a portion of Custer Street and three 10-foot alleyways in the city of Charlotte; and

Whereas, Custer Street to be closed lies from LaSalle Street southwardly approximately 357 feet to its terminus, alleyway 1 lies from Custer Street eastwardly approximately 185 feet then southwardly approximately 63 feet to its terminus, alleyway 2 lies from Custer Street westwardly approximately 175 feet to its terminus, and alleyway 3 lies from the terminus of alleyway two southwardly approximately 248 feet to its terminus as shown in the maps marked "Exhibit A,B,C, and D" and is more particularly described by metes and bounds in a document marked "Exhibit A1, B1, C1, and D1" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

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

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of May 14, 2001, that it intends to close a portion of Custer Street and three 10-foot alleyways and that the said street (or portion thereof) being more particularly described on a map and by a metes and bounds description available for inspection in the City Clerk's office, and hereby calls a public hearing on the question to be held at 7:00pm on Monday, the 11th day of June, 2001 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 14th day of May, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 47.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION TO EXCHANGE LAND AND AUTHORIZE THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHARLOTTE, THE CHARLOTTE HOUSING AUTHORITY AND MECKLENBURG COUNTY IN FIRST WARD.

WHEREAS, the City of Charlotte desires to redevelop the current First Ward Park into a mixed-use development as recommended in the First Ward Plan; and

WHEREAS, Mecklenburg County desires to relocate the existing First Ward Park to a site that is more centrally located with respect to the residential population of First Ward; and

WHEREAS, the Charlotte Housing Authority desires to redevelop its property along Seventh Street adjacent to the current First Ward Park into residential and office space; and

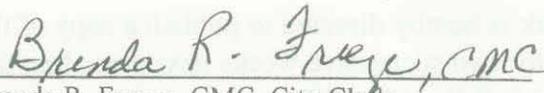
WHEREAS, the parties agree to exchange land for the purpose of the aforementioned projects in order to facilitate the development of First Ward in accordance with the terms and conditions of a Memorandum of Understanding for the Transfer of Land in Charlotte's First Ward;

NOW, THEREFORE, BE IT RESOLVED, that the City Manager of the City of Charlotte is granted the authority to execute said Memorandum of Understanding for the City of Charlotte.

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 14th day of May, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 48.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION AUTHORIZING THE EXCHANGE OF REAL
PROPERTY BETWEEN CITY OF CHARLOTTE AND SEVENTH STREET
INVESTORS, LLC.

WHEREAS, the City of Charlotte owns 1.478 acres located at the corner of North Brevard Street, East Eight Street and North Caldwell Street (Tax Parcel No. 080-064-01 in Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, Seventh Street Investors, LLC owns real property and improvements located at the corner of North Brevard Street and East Ninth Street (Tax Parcel Nos. 080-063-01 & 080-063-02) in Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, pursuant to North Carolina General Statute 160A-271, the City of Charlotte and Seventh Street Investors LLC desire to exchange their respective properties, one for the other, for full and fair consideration; and

WHEREAS, the fair market value of the City owned property is \$1,614,225.00 and the fair market value of the property owned by Seventh Street Investors, LLC is \$1,421,575.00, with the difference of \$192,650.00 in cash being paid by Seventh Street Investors, LLC to the City of Charlotte; 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 North Carolina General Statute 160A-271, that it hereby authorizes the exchange, in fee simple, of the above referenced properties between the City of Charlotte and Seventh Street Investors, LLC.

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 14th day of May, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 49-50.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.

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

RESOLUTION AUTHORIZING A RIGHT OF FIRST REFUSAL

WHEREAS, the City of Charlotte owns the real property and improvements (the "Property") located at 1017 East Morehead Street, in the City of Charlotte, Mecklenburg County, North Carolina (Tax Parcel No. 125-201-07); and

WHEREAS, Morehead Properties, Inc. desires the first opportunity to purchase the Property when the City of Charlotte decides to sell it; and

WHEREAS, Morehead Properties, Inc. has agreed to provide 120 parking spaces to the City's tenant on the Property at the below market rate of \$3,000 per year for three years with the option of six month extensions at \$2,000 each until such time as the current tenant vacates the Property; and

WHEREAS, Morehead Properties, Inc. has also agreed to comply with the Council adopted Central District Plan when it redevelops the Property; and

WHEREAS, the City Council of the City of Charlotte, having determined that entering into this contract advances the Central District Plan; and

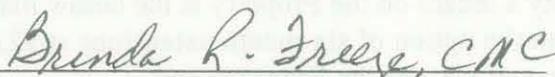
WHEREAS, notice of this proposed transaction was advertised at least ten days prior to adoption of this Resolution.

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to Section 8.22 of the City of Charlotte Charter, that it hereby authorizes the execution by the City Manager of a Right of First Refusal to Morehead Properties, Inc. including, but not limited to, the aforementioned conditions.

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 14th day of May, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 51-52.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.


Brenda R. Freeze, CMC, City Clerk

A RESOLUTION AUTHORIZING THE CITY OF CHARLOTTE TO PETITION THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO TRANSFER CERTAIN STREET SEGMENTS FROM STATE MAINTENANCE TO CITY OF CHARLOTTE MAINTENANCE, AND ONE STREET PORTION FROM CITY MAINTENANCE TO STATE MAINTENANCE EFFECTIVE JUNE 30, 2001.

WHEREAS, the City of Charlotte Department of Transportation has reviewed the maintenance requirements of the following street segments;

NCDOT Streets ABANDONED to the City of Charlotte

<u>Division</u>	<u>County</u>	<u>Municipality</u>	<u>Road</u>	<u>Street</u>	<u>Termini</u>	<u>Length</u>
Steele Creek Rd Area						
10	Mecklenburg	Charlotte	1390 Gallant Ln		From SR1143 to end of state maintenance	0.33
10	Mecklenburg	Charlotte	1343 Riverdale Dr		From NC160 (Steele Creek Rd) to end of state maintenance	0.56
10	Mecklenburg	Charlotte	1420 Cecilla Ln		From NC160 (Steele Creek Rd) to end of state maintenance	0.25
Prosperity Church Rd Area						
10	Mecklenburg	Charlotte	2475 Prosperity Church Rd		From SR2479 to Billingham Dr	0.83
10	Mecklenburg	Charlotte	5362 Old Ridge Rd		From SR2601 to SR2475	0.12
10	Mecklenburg	Charlotte	2461 Highland Creek Py		From SR2459 to Whistlers Chase Dr	0.59
10	Mecklenburg	Charlotte	2479 Allen A Brown Rd		From SR2480 to end of state maintenance	0.22
10	Mecklenburg	Charlotte	5317 White Stag Dr		From SR2480 to SR2480 (loop)	0.23
10	Mecklenburg	Charlotte	5318 Buck Ct		From SR2480 to end of state maintenance	0.02
10	Mecklenburg	Charlotte	5319 Whitetail Ct		From SR2480 to end of state maintenance	0.03
10	Mecklenburg	Charlotte	5320 Bambi Ct		From SR2480 to end of state maintenance	0.01
10	Mecklenburg	Charlotte	5321 Six Point Ln		From SR2480 to end	0.02

10	Mecklenburg	Charlotte	2794 Fairlea Dr	of state maintenance From SR2475 to end of state maintenance	0.40
10	Mecklenburg	Charlotte	2795 Driwood Ct	From SR2467 to end of state maintenance	0.18

Reames Rd Area

none

McKee Rd Area

none

US29 Area

10	Mecklenburg	Charlotte	5800 Astoria Dr	From Harris Houston Rd to end of state maintenance	0.30
10	Mecklenburg	Charlotte	5801 Whitebridge Ln	From SR5800 to end of state maintenance	0.12
10	Mecklenburg	Charlotte	2468 Gene Downs Rd	From SR2467 to SR5301	0.40
10	Mecklenburg	Charlotte	2792 Raynham Rd	From SR2468 to end of state maintenance	0.28
10	Mecklenburg	Charlotte	2797 Stormley Dr	From SR2468 to SR2792	0.14
10	Mecklenburg	Charlotte	2793 Hanloch Ct	From SR2468 to end of state maintenance	0.06
10	Mecklenburg	Charlotte	5301 Wetherburn Ln	From SR2468 to end of state maintenance	0.09
10	Mecklenburg	Charlotte	5302 Halliwell St	From SR5301 to Headquarters Farm Rd	0.40
10	Mecklenburg	Charlotte	5303 Peyton Ct	From SR5302 to end of state maintenance	0.11
10	Mecklenburg	Charlotte	5363 Woodrose Ct	From SR5302 to end of state maintenance	0.07

Back Creek Church Rd Area

10	Mecklenburg	Charlotte	2841 SR 2841 Rd	From SR2828 to end of state maintenance	0.09
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10	Mecklenburg	Charlotte	2829 Middle Acres Rd	From SR2831 to end of state maintenance	0.37
10	Mecklenburg	Charlotte	2985 Timber Ridge Rd	From SR2827 to 1500' E of SR2985*	0.28
10	Mecklenburg	Charlotte	5086 Coreopsis Ln	From SR2827 to end of state maintenance	0.15
10	Mecklenburg	Charlotte	5092 Liatris Ln	From SR5086 to SR5093	0.10
10	Mecklenburg	Charlotte	5093 Celandine Ct	From 290' E of SR5092* to end of state maintenance	0.13
10	Mecklenburg	Charlotte	5091 Valeria Ct	From SR5092 to end of state maintenance	0.05
10	Mecklenburg	Charlotte	5087 Yarrow Rd	From SR5086 to end of state maintenance	0.14
10	Mecklenburg	Charlotte	5088 Purslane Ct	From SR5087 to end of state maintenance	0.03
10	Mecklenburg	Charlotte	5089 Rosemallow Rd	From SR2827 to end of state maintenance	0.18
10	Mecklenburg	Charlotte	5090 Pimpernel Rd	From SR5089 to Hellebore Rd	0.16
10	Mecklenburg	Charlotte	5006 Oren Thompson Rd	Existing City Limits to end of state maintenance	0.36
10	Mecklenburg	Charlotte	5010 Linda Lou Ct	From SR5006 to end of state maintenance	0.07
10	Mecklenburg	Charlotte	5009 David Earl Dr	From SR5006 to end of state maintenance	0.28
10	Mecklenburg	Charlotte	5011 Christina Marie Ct	From SR5009 to end of state maintenance	0.03
10	Mecklenburg	Charlotte	5012 Clint Ln	From SR5006 to end of state maintenance	0.04

Mt Holly / Huntersville Area

10	Mecklenburg	Charlotte	2276 Forest Dr	From SR2113 to end of state maintenance	0.5
10	Mecklenburg	Charlotte	2365 Williamsburg Cr	From SR2004 to end of state maintenance	0.15
10	Mecklenburg	Charlotte	5166 Lake Spring Av	From SR2113 to SR5517	0.28
10	Mecklenburg	Charlotte	5512 Heather View Ct	From SR5166 to end of state maintenance	0.06
10	Mecklenburg	Charlotte	5167 Highland Ridge Ln	From SR5166 to end of state maintenance	0.06
10	Mecklenburg	Charlotte	5168 Cypress Forest Dr	From SR5166 to end of state maintenance	0.19
10	Mecklenburg	Charlotte	5517 Babbitt Wy	From SR2004 to	0.40

SR5518					
10	Mecklenburg	Charlotte	5580 Kaladar Ct	From SR5517 to end of state maintenance	0.03
10	Mecklenburg	Charlotte	5579 Vermel Ct	From SR5517 to end of state maintenance	0.03
10	Mecklenburg	Charlotte	5581 Whittel Pl	From SR5517 to end of state maintenance	0.09
10	Mecklenburg	Charlotte	5171 Barrister Wy	From SR2004 to SR5175	0.23
10	Mecklenburg	Charlotte	5172 Steinbeck Ct	from SR5171 to end of state maintenance	0.12
10	Mecklenburg	Charlotte	5173 McCartney Wy	from SR5171 to end of state maintenance	0.19
10	Mecklenburg	Charlotte	5174 Abbey Brook Ct	from SR5173 to end of state maintenance	0.06
10	Mecklenburg	Charlotte	5573 Harmony Bridge PI	from SR5173 to end of state maintenance	0.08
10	Mecklenburg	Charlotte	5501 Sheltonham Wy	From SR2004 to SR5522	0.24
10	Mecklenburg	Charlotte	5522 Piccone Brook Ln	From SR5501 to SR5523	0.11
10	Mecklenburg	Charlotte	5523 Etherton Ct	From SR5522 to end of state maintenance	0.10
10	Mecklenburg	Charlotte	5175 Carastan Dr	From SR5518 to end of state maintenance	0.16
10	Mecklenburg	Charlotte	5518 Londonshire Dr	From 101' NE of SR5519* to end of state maintenance	0.34
10	Mecklenburg	Charlotte	5519 Raven Park Dr	From SR5518 to end of state maintenance	0.11
10	Mecklenburg	Charlotte	5576 Pickering Grove Ln	From SR5518 to end of state maintenance	0.16
10	Mecklenburg	Charlotte	5577 Golden Oak Ct	From SR5576 to end of state maintenance	0.06
10	Mecklenburg	Charlotte	5578 Red Cypress St	From SR5576 to end of state maintenance	0.09
10	Mecklenburg	Charlotte	5521 Beldgreen Ct	From SR5518 to end of state maintenance	0.08
10	Mecklenburg	Charlotte	5566 Treyburn Dr	From SR2113 to SR5568	0.34
10	Mecklenburg	Charlotte	5508 Secretariat Dr	From SR2110 to end of state maintenance	0.17
10	Mecklenburg	Charlotte	5509 Fetlock Ct	From SR5580 to end of state maintenance	0.05
10	Mecklenburg	Charlotte	5569 Kimmel Ln	From SR5566 to end	0.13

				of state maintenance	
10	Mecklenburg	Charlotte	5570 Montmore Ct	From SR5569 to end of state maintenance	0.03
10	Mecklenburg	Charlotte	5568 Rotherham Ln	From SR5566 to end of state maintenance	0.09
10	Mecklenburg	Charlotte	5567 Brimberry Ct	From SR5568 to end of state maintenance	0.03
10	Mecklenburg	Charlotte	5149 Woodford Bridge Dr	From SR2074 to end of state maintenance	0.35
10	Mecklenburg	Charlotte	5513 Rhian Brook Ln	From SR2074 to SR5514	0.20
10	Mecklenburg	Charlotte	5514 Martindale Ln	From SR5513 to SR5516	0.04
10	Mecklenburg	Charlotte	5516 Belstead Brook Ct	From 336' E of SR5514 to end of state maintenance	0.15
10	Mecklenburg	Charlotte	5515 Kirkstone Ct	From SR5514 to end of state maintenance	0.07
10	Mecklenburg	Charlotte	5150 Oak Manor Ln	From SR5149 to SR5151	0.07
10	Mecklenburg	Charlotte	5151 Gidleigh Ct	from 215' NE of SR5150* to end of state maintenance	0.09
10	Mecklenburg	Charlotte	5571 Ambleside Dr	From SR5149 to end of state maintenance	0.28
10	Mecklenburg	Charlotte	5572 Holbrook Square Ct	From SR5572 to end of state maintenance	0.05
10	Mecklenburg	Charlotte	5574 Cullingford Ln	From SR5572 to end of state maintenance	0.12
10	Mecklenburg	Charlotte	5575 Royce Hall Ln	From SR5574 to end of state maintenance	0.05
10	Mecklenburg	Charlotte	5146 Canter Post Dr	From SR2004 to SR5180	0.11
10	Mecklenburg	Charlotte	5180 Trotter Rd	From 287' E of SR5146* to end of state maintenance	0.42
10	Mecklenburg	Charlotte	5550 Morgan Rn	From SR5180 to end of state maintenance	0.11
10	Mecklenburg	Charlotte	5179 Appaloosa Way Ln	From SR5550 to SR5144	0.15
10	Mecklenburg	Charlotte	5154 Bridle Ct	From SR5146 to end of state maintenance	0.13
10	Mecklenburg	Charlotte	5144 Claiborne Woods Rd	From SR5549 to end of state maintenance	0.32
10	Mecklenburg	Charlotte	5145 Hunting Woods	From SR5144 to end of state maintenance	0.04

			Rd		of state maintenance	
10	Mecklenburg	Charlotte	5181 Tarpan Ct	From SR5144 to end	of state maintenance	0.02
10	Mecklenburg	Charlotte	5143 Copenhagen Ln	From SR2004 to	SR5144	0.09
10	Mecklenburg	Charlotte	5153 Stable Ct	From SR5144 to end	of state maintenance	0.05
10	Mecklenburg	Charlotte	5549 Woodcock Ln	From SR5144 to end	of state maintenance	0.21
10	Mecklenburg	Charlotte	5555 Bulle Rock Ct	From SR5549 to end	of state maintenance	0.05
10	Mecklenburg	Charlotte	5554 Derby Meadows Ct	From SR5549 to end	of state maintenance	0.04
10	Mecklenburg	Charlotte	2354 Potomac Bv	From SR2112 to end	of state maintenance	0.47

Additional streets ABANDONED to the City of Charlotte (not in annexation areas)

10	Mecklenburg	Charlotte	1411 Ed Brown Rd	From NC160 (Steele Creek Rd) to SR1410		0.33
10	Mecklenburg	Charlotte	1144 Ed Brown Rd	From SR1116 to	SR1410	0.21
10	Mecklenburg	Charlotte	1122 Moss Rd (2 sections)	From NC49 to existing	city limits	0.81
				From SR1120 to	existing city limits	0.19
10	Mecklenburg	Charlotte	Freshwell Rd	From SR1124 to	Pytchley Ln	0.21
10	Mecklenburg	Charlotte	4349 Stonemeade Dr	From SR3445 to end	of state maintenance	0.30
10	Mecklenburg	Charlotte	4359 Chestnut Hill Dr	From SR3445 to	SR3445 (loop)	0.86
10	Mecklenburg	Charlotte	5083 Pavillion Bv	From Pavillion Bv to	end of state maintenance	0.34
10	Mecklenburg	Charlotte	5508 Secretariat Dr	From SR2110 to end	of state maintenance	0.17
10	Mecklenburg	Charlotte	5509 Fetlock Ct	From SR5580 to end	of state maintenance	0.05
10	Mecklenburg	Charlotte	1176 Horseshoe Ln	From NC160 to end	of state maintenance	0.41
10	Mecklenburg	Charlotte	3626 Williams Pond Ln	From SR3649 to	SR3445	0.58

City of Charlotte Street Returned to NCDOT

<u>Division</u>	<u>County</u>	<u>Municipality</u>	<u>Road</u>	<u>Street</u>	<u>Termini</u>	<u>Length</u>
10	Mecklenburg	Charlotte	Ballantyne Commons Pkwy.	Williams Pond Lane to Elm Lane		0.46

WHEREAS, subject to the North Carolina Department of Transportation's agreement, the street segments should be added to maintenance by the City of Charlotte, with one designated roadway added to maintenance by the North Carolina Department of Transportation effective June 30, 2001.

NOW THEREFORE BE IT RESOLVED BY THE CHARLOTTE CITY COUNCIL THAT:

- (1) The City of Charlotte will petition the North Carolina Department of Transportation to return from the State Road System the following street segments:

STREET SEGMENTS ABANDONED TO THE CITY OF CHARLOTTE

Segment	County	Municipality	Street	Termini	Length
10	Mecklenburg	Charlotte	Ballantyne Commons Pkwy.	Williams Pond Lane to Elm Lane	0.46
11	Mecklenburg	Charlotte	Ballantyne Commons Pkwy.	Williams Pond Lane to Elm Lane	0.46
12	Mecklenburg	Charlotte	Ballantyne Commons Pkwy.	Williams Pond Lane to Elm Lane	0.46
13	Mecklenburg	Charlotte	Ballantyne Commons Pkwy.	Williams Pond Lane to Elm Lane	0.46
14	Mecklenburg	Charlotte	Ballantyne Commons Pkwy.	Williams Pond Lane to Elm Lane	0.46
15	Mecklenburg	Charlotte	Ballantyne Commons Pkwy.	Williams Pond Lane to Elm Lane	0.46
16	Mecklenburg	Charlotte	Ballantyne Commons Pkwy.	Williams Pond Lane to Elm Lane	0.46
17	Mecklenburg	Charlotte	Ballantyne Commons Pkwy.	Williams Pond Lane to Elm Lane	0.46
18	Mecklenburg	Charlotte	Ballantyne Commons Pkwy.	Williams Pond Lane to Elm Lane	0.46
19	Mecklenburg	Charlotte	Ballantyne Commons Pkwy.	Williams Pond Lane to Elm Lane	0.46
20	Mecklenburg	Charlotte	Ballantyne Commons Pkwy.	Williams Pond Lane to Elm Lane	0.46

WHEREAS, the City Department of Transportation believes the transfer of maintenance responsibility of the above described street segments from the North Carolina Department of Transportation to the City of Charlotte; and the City of Charlotte to the North Carolina Department of Transportation to be in the best interest of the citizens of the area and the community as a whole; and

WHEREAS, subject to the North Carolina Department of Transportation's acceptance, the street segments should be added to maintenance by the City of Charlotte, with one designated roadway added to maintenance by the North Carolina Department of Transportation, effective June 30, 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE CHARLOTTE CITY COUNCIL THAT:

- (1) The City of Charlotte will petition the North Carolina Department of Transportation to delete from the State Road System the following street segments:

NCDOT Streets ABANDONED to the City of Charlotte

<u>Division</u>	<u>County</u>	<u>Municipality</u>	<u>Road</u>	<u>Street</u>	<u>Termini</u>
Steele Creek Rd Area					
10	Mecklenburg	Charlotte	1390	Gallant Ln	From SR1143 to end of state maintenance
10	Mecklenburg	Charlotte	1343	Riverdale Dr	From NC160 (Steele Creek Rd) to end of state maintenance
10	Mecklenburg	Charlotte	1420	Cecilla Ln	From NC160 (Steele Creek Rd) to end of state maintenance
Prosperity Church Rd Area					
10	Mecklenburg	Charlotte	2475	Prosperity Church Rd	From SR2479 to Billingham Dr
10	Mecklenburg	Charlotte	5362	Old Ridge Rd	From SR2601 to SR2475
10	Mecklenburg	Charlotte	2461	Highland Creek	From SR2459 to

			Py		
10	Mecklenburg	Charlotte	2479	Allen A Brown Rd	Whistlers Chase Dr From SR2480 to end of state maintenance
10	Mecklenburg	Charlotte	5317	White Stag Dr	From SR2480 to SR2480 (loop)
10	Mecklenburg	Charlotte	5318	Buck Ct	From SR2480 to end of state maintenance
10	Mecklenburg	Charlotte	5319	Whitetail Ct	From SR2480 to end of state maintenance
10	Mecklenburg	Charlotte	5320	Bambi Ct	From SR2480 to end of state maintenance
10	Mecklenburg	Charlotte	5321	Six Point Ln	From SR2480 to end of state maintenance
10	Mecklenburg	Charlotte	2794	Fairlea Dr	From SR2475 to end of state maintenance
10	Mecklenburg	Charlotte	2795	Driwood Ct	From SR2467 to end of state maintenance

Reames Rd Area

none

McKee Rd Area

none

US29 Area

10	Mecklenburg	Charlotte	5800	Astoria Dr	From Harris Houston Rd to end of state maintenance
10	Mecklenburg	Charlotte	5801	Whitebridge Ln	From SR5800 to end of state maintenance
10	Mecklenburg	Charlotte	2468	Gene Downs Rd	From SR2467 to SR5301
10	Mecklenburg	Charlotte	2792	Raynham Rd	From SR2468 to end of state maintenance
10	Mecklenburg	Charlotte	2797	Stormley Dr	From SR2468 to SR2792
10	Mecklenburg	Charlotte	2793	Hanloch Ct	From SR2468 to end of state maintenance
10	Mecklenburg	Charlotte	5301	Wetherburn Ln	From SR2468 to end

10	Mecklenburg	Charlotte	5302 Halliwell St	of state maintenance From SR5301 to Headquarters Farm Rd
10	Mecklenburg	Charlotte	5303 Peyton Ct	From SR5302 to end of state maintenance
10	Mecklenburg	Charlotte	5363 Woodrose Ct	From SR5302 to end of state maintenance

Back Creek Church Rd Area

10	Mecklenburg	Charlotte	2841 SR 2841 Rd	From SR2828 to end of state maintenance
10	Mecklenburg	Charlotte	2829 Middle Acres Rd	From SR2831 to end of state maintenance
10	Mecklenburg	Charlotte	2985 Timber Ridge Rd	From SR2827 to 1500' E of SR2985*
10	Mecklenburg	Charlotte	5086 Coreopsis Ln	From SR2827 to end of state maintenance
10	Mecklenburg	Charlotte	5092 Liatris Ln	From SR5086 to SR5093
10	Mecklenburg	Charlotte	5093 Celandine Ct	From 290' E of SR5092* to end of state maintenance
10	Mecklenburg	Charlotte	5091 Valeria Ct	From SR5092 to end of state maintenance
10	Mecklenburg	Charlotte	5087 Yarrow Rd	From SR5086 to end of state maintenance
10	Mecklenburg	Charlotte	5088 Purslane Ct	From SR5087 to end of state maintenance
10	Mecklenburg	Charlotte	5089 Rosemallow Rd	From SR2827 to end of state maintenance
10	Mecklenburg	Charlotte	5090 Pimpernel Rd	From SR5089 to Hellebore Rd
10	Mecklenburg	Charlotte	5006 Oren Thompson Rd	Existing City Limits to End of state maintenance
10	Mecklenburg	Charlotte	5010 Linda Lou Ct	From SR5006 to end of state maintenance
10	Mecklenburg	Charlotte	5009 David Earl Dr	From SR5006 to end of state maintenance
10	Mecklenburg	Charlotte	5011 Christina Marie Ct	From SR5009 to end of state maintenance
10	Mecklenburg	Charlotte	5012 Clint Ln	From SR5006 to end of state maintenance

Mt Holly / Huntersville Area

10	Mecklenburg	Charlotte	2276 Forest Dr	From SR2113 to end
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10	Mecklenburg	Charlotte	2365 Williamsburg Cr	of state maintenance From SR2004 to end of state maintenance
10	Mecklenburg	Charlotte	5166 Lake Spring Av	From SR2113 to SR5517
10	Mecklenburg	Charlotte	5512 Heather View Ct	From SR5166 to end of state maintenance
10	Mecklenburg	Charlotte	5167 Highland Ridge Ln	From SR5166 to end of state maintenance
10	Mecklenburg	Charlotte	5168 Cypress Forest Dr	From SR5166 to end of state maintenance
10	Mecklenburg	Charlotte	5517 Babbitt Wy	From SR2004 to SR5518
10	Mecklenburg	Charlotte	5580 Kaladar Ct	From SR5517 to end of state maintenance
10	Mecklenburg	Charlotte	5579 Vermel Ct	From SR5517 to end of state maintenance
10	Mecklenburg	Charlotte	5581 Whittel Pl	From SR5517 to end of state maintenance
10	Mecklenburg	Charlotte	5171 Barrister Wy	From SR2004 to SR5175
10	Mecklenburg	Charlotte	5172 Steinbeck Ct	from SR5171 to end of state maintenance
10	Mecklenburg	Charlotte	5173 McCartney Wy	from SR5171 to end of state maintenance
10	Mecklenburg	Charlotte	5174 Abbey Brook Ct	from SR5173 to end of state maintenance
10	Mecklenburg	Charlotte	5573 Harmony Bridge Pl	from SR5173 to end of state maintenance
10	Mecklenburg	Charlotte	5501 Sheltonham Wy	From SR2004 to SR5522
10	Mecklenburg	Charlotte	5522 Piccone Brook Ln	From SR5501 to SR5523
10	Mecklenburg	Charlotte	5523 Etherton Ct	From SR5522 to end of state maintenance
10	Mecklenburg	Charlotte	5175 Carastan Dr	From SR5518 to end of state maintenance
10	Mecklenburg	Charlotte	5518 Londonshire Dr	From 101' NE of SR5519* to end of state maintenance
10	Mecklenburg	Charlotte	5519 Raven Park Dr	From SR5518 to end of state maintenance
10	Mecklenburg	Charlotte	5576 Pickering Grove Ln	From SR5518 to end of state maintenance
10	Mecklenburg	Charlotte	5577 Golden Oak Ct	From SR5576 to end

10	Mecklenburg	Charlotte	5578 Red Cypress St	of state maintenance From SR5576 to end of state maintenance
10	Mecklenburg	Charlotte	5521 Beldgreen Ct	From SR5518 to end of state maintenance
10	Mecklenburg	Charlotte	5566 Treyburn Dr	From SR2113 to SR5568
10	Mecklenburg	Charlotte	5508 Secretariat Dr	From SR2110 to end of state maintenance
10	Mecklenburg	Charlotte	5509 Fetlock Ct	From SR5580 to end of state maintenance
10	Mecklenburg	Charlotte	5569 Kimmel Ln	From SR5566 to end of state maintenance
10	Mecklenburg	Charlotte	5570 Montmore Ct	From SR5569 to end of state maintenance
10	Mecklenburg	Charlotte	5568 Rotherham Ln	From SR5566 to end of state maintenance
10	Mecklenburg	Charlotte	5567 Brimberry Ct	From SR5568 to end of state maintenance
10	Mecklenburg	Charlotte	5149 Woodford Bridge Dr	From SR2074 to end of state maintenance
10	Mecklenburg	Charlotte	5513 Rhian Brook Ln	From SR2074 to SR5514
10	Mecklenburg	Charlotte	5514 Martindale Ln	From SR5513 to SR5516
10	Mecklenburg	Charlotte	5516 Belstead Brook Ct	From 336' E of SR5514 to end of state maintenance
10	Mecklenburg	Charlotte	5515 Kirkstone Ct	From SR5514 to end of state maintenance
10	Mecklenburg	Charlotte	5150 Oak Manor Ln	From SR5149 to SR5151
10	Mecklenburg	Charlotte	5151 Gidleigh Ct	from 215' NE of SR5150* to end of state maintenance
10	Mecklenburg	Charlotte	5571 Ambleside Dr	From SR5149 to end of state maintenance
10	Mecklenburg	Charlotte	5572 Holbrook Square Ct	From SR5572 to end of state maintenance
10	Mecklenburg	Charlotte	5574 Cullingford Ln	From SR5572 to end of state maintenance
10	Mecklenburg	Charlotte	5575 Royce Hall Ln	From SR5574 to end of state maintenance
10	Mecklenburg	Charlotte	5146 Canter Post Dr	From SR2004 to SR5180

10	Mecklenburg	Charlotte	5180 Trotter Rd	From 287' E of SR5146* to end of state maintenance
10	Mecklenburg	Charlotte	5550 Morgan Rn	From SR5180 to end of state maintenance
10	Mecklenburg	Charlotte	5179 Appaloosa Way Ln	From SR5550 to SR5144
10	Mecklenburg	Charlotte	5154 Bridle Ct	From SR5146 to end of state maintenance
10	Mecklenburg	Charlotte	5144 Claiborne Woods Rd	From SR5549 to end of state maintenance
10	Mecklenburg	Charlotte	5145 Hunting Woods Rd	From SR5144 to end of state maintenance
10	Mecklenburg	Charlotte	5181 Tarpan Ct	From SR5144 to end of state maintenance
10	Mecklenburg	Charlotte	5143 Copenhagen Ln	From SR2004 to SR5144
10	Mecklenburg	Charlotte	5153 Stable Ct	From SR5144 to end of state maintenance
10	Mecklenburg	Charlotte	5549 Woodcock Ln	From SR5144 to end of state maintenance
10	Mecklenburg	Charlotte	5555 Bulle Rock Ct	From SR5549 to end of state maintenance
10	Mecklenburg	Charlotte	5554 Derby Meadows Ct	From SR5549 to end of state maintenance
10	Mecklenburg	Charlotte	2354 Potomac Bv	From SR2112 to end of state maintenance

Additional streets ABANDONED to the City of Charlotte (not in annexation areas)

10	Mecklenburg	Charlotte	1411 Ed Brown Rd	From NC160 (Steele Creek Rd) to SR1410
10	Mecklenburg	Charlotte	1144 Ed Brown Rd	From SR1116 to SR1410
10	Mecklenburg	Charlotte	1122 Moss Rd (2 sections)	From NC49 to existing City limits From SR1120 to existing city limits
10	Mecklenburg	Charlotte	Freshwell Rd	From SR1124 to Pychley Ln
10	Mecklenburg	Charlotte	4349 Stonemeade Dr	From SR3445 to end of state maintenance
10	Mecklenburg	Charlotte	4359 Chestnut Hill Dr	From SR3445 to SR3445 (loop)
10	Mecklenburg	Charlotte	5083 Pavillion Bv	From Pavillion Bv to End of state maintenance

10	Mecklenburg	Charlotte	5508 Secretariat Dr	From SR2110 to end of state maintenance
10	Mecklenburg	Charlotte	5509 Fellock Ct	From SR5580 to end of state maintenance
10	Mecklenburg	Charlotte	1176 Horseshoe Ln	From NC160 to end of state maintenance
10	Mecklenburg	Charlotte	3626 Williams Pond Ln	From SR3649 to SR3445

(2.) The above described street segments will be added to the maintenance responsibility of the City of Charlotte, and

(3.) The City of Charlotte will petition the North Carolina Department of Transportation to add to the State Road System the following road segment:

City of Charlotte Street Returned to NCDOT

<u>Division</u>	<u>County</u>	<u>Municipality</u>	<u>Road</u>	<u>Street</u>	<u>Termini</u>	<u>Length</u>
10	Mecklenburg	Charlotte	Ballantyne Commons Pkwy.	Williams Pond Lane to Elm Lane		0.46

(4.) The above described transfers of maintenance responsibility will become effective on June 30, 2001, subject to approval by the North Carolina Board of Transportation.

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 14th day of May, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 53-67.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.

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

EXTRACTS FROM MINUTES OF CITY COUNCIL

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M. on May 14, 2001.

Members Present: Councilmembers Autrey, Burgess, Carter, Castano, Graham,
Lochman, Spencer, Wheeler, and White

Members Absent: Councilmembers Cannon and Mitchell

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

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

**BOND ORDER AUTHORIZING THE ISSUANCE OF
NOT TO EXCEED \$150,000,000 WATER AND SEWER SYSTEM REVENUE BONDS
OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

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

WHEREAS, the City has previously issued under the terms of the General Trust Indenture dated as of November 1, 1996 between the City and First Union National Bank of North Carolina, the successor to which is First Union National Bank, as trustee, (the "Trustee"), as amended by Series Indenture, Number 2 dated as of August 15, 1999 between the Issuer and the Trustee (the "General Indenture"), its Water and Sewer System Revenue Bonds in the aggregate principal amount of \$215,375,000, of which \$213,275,000 remains outstanding;

WHEREAS, the City has further determined to issue its Water and Sewer System Revenue Bonds, Series 2001 (the "2001 Bonds") in an aggregate principal amount not to exceed \$150,000,000 to provide funds to finance the capital costs of improvements to the water and sanitary sewer systems of the City (the "Water and Sewer System"), including, but not limited to, the extension of existing water and sewer lines and rehabilitation or replacement of others; construction of new water and sewer mains and outfalls; rehabilitation and upgrades of water and wastewater treatment plants; and acquisition of land for the Water and Sewer System;

WHEREAS, the City will issue the 2001 Bonds under the General Indenture and Series Indenture, Number 4 dated as of May 15, 2001 (the "*Series Indenture*") between the City and the Trustee; and

WHEREAS, the City and the LGC have arranged for the sale of the 2001 Bonds to Banc of America Securities LLC, First Union National Bank, Scott & Stringfellow Inc., trading as BB&T Capital Markets, and Salomon Smith Barney Inc. (the "*Underwriters*") under the terms of a Bond Purchase Agreement to be dated on or about May 24, 2001 (the "*Purchase Contract*"); and

WHEREAS, an application has been filed with the Secretary of the LGC requesting LGC approval of the 2001 Bonds as required by the Act, and the Secretary has notified the City Council (the "*City Council*") of the City that the application has been approved by the LGC.

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

Section 1. In order to raise the money required to finance the capital costs of improvements to the Water and Sewer System, including, but not limited to, the extension of existing water and sewer lines and rehabilitation or replacement of others; construction of new water and sewer mains and outfalls; rehabilitation and upgrades of water and wastewater treatment plants; and acquisition of land for the Water and Sewer System, in addition to any funds which may be made available for such purpose from any other source, the 2001 Bonds are hereby authorized and shall be issued pursuant to the Act.

Section 2. The aggregate principal amount of the 2001 Bonds authorized by this order shall not exceed \$150,000,000. The 2001 Bonds hereby authorized shall be special obligations of the City, secured by and paid solely from the proceeds thereof or from revenues, income, receipts and other money received or accrued by or on behalf of the City from or in connection with the operation of the City's Water and Sewer System.

Section 3. The issuance of the 2001 Bonds by the City, in substantially the form to be set forth in the Series Indenture, be and the same hereby is in all respects approved and confirmed. The form and content of the 2001 Bonds and the provisions of the Series Indenture with respect to the 2001 Bonds (including without limitation the maturity dates and rates of interest) shall be approved and confirmed in a subsequent resolution of the City Council.

The principal of, premium, if any, and interest on the 2001 Bonds shall not be payable from the general funds of the City, nor shall they constitute a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of its income, receipts or revenues except the funds which are pledged under the Indentures. Neither the credit nor the taxing power of the State of North Carolina or the City are pledged for the payment of the principal of, premium, if any, or interest on the 2001 Bonds, and no holder of the 2001 Bonds has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

Section 4. The 2001 Bonds shall be sold to the Underwriters under the terms of the Purchase Contract as the same shall be approved in a subsequent resolution of the City Council.

Section 5. The proceeds from the sale of the 2001 Bonds shall be deposited in accordance with the Series Indenture.

Section 6. If any one or more of the agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements

or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the 2001 Bonds authorized hereunder.

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

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

Upon motion of Councilmember Burgess, seconded by Councilmember Wheeler, the foregoing order entitled: **"BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$150,000,000 WATER AND SEWER SYSTEM REVENUE BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA"** was adopted by the following vote:

AYES: Unanimous

NAYS: None

PASSED, ADOPTED AND APPROVED this 14th day of May, 2001.

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

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 bond order entitled **"BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$150,000,000 WATER AND SEWER SYSTEM REVENUE BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA"** adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of May, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 68-71.

WITNESS my hand and the seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.

[SEAL]

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

EXTRACTS FROM MINUTES OF CITY COUNCIL

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M. on May 14, 2001.

Members Present: Councilmembers Autrey, Burgess, Carter, Castano, Graham,
Lochman, Spencer, Wheeler and White

Members Absent: Councilmembers Cannon and Mitchell

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

* * * * *

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF CITY OF CHARLOTTE, NORTH CAROLINA WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2001; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS.

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

WHEREAS, the City has previously issued under the terms of the General Trust Indenture dated as of November 1, 1996 between the City and First Union National Bank of North Carolina, the successor to which is First Union National Bank, as trustee, (the "Trustee"), as amended by Series Indenture, Number 2 dated as of August 15, 1999 between the Issuer and the Trustee (the "General Indenture"), its Water and Sewer System Revenue Bonds in the aggregate principal amount of \$215,375,000, of which \$213,275,000 remains outstanding;

WHEREAS, the City has determined to issue its Water and Sewer System Revenue Bonds, Series 2001 (the "2001 Bonds") in an aggregate principal amount of not to exceed \$150,000,000 to provide funds to finance the capital costs of improvements to the water and sanitary sewer systems of the City (the "Water and Sewer System"), including, but not limited to, the extension of existing water and sewer lines and rehabilitation or replacement of others; construction of new water and sewer mains and outfalls; rehabilitation and upgrades of water and wastewater treatment plants; and acquisition of land (the "Project"), as described in the Bond Order of the City adopted on May 14, 2001;

WHEREAS, the City will issue the 2001 Bonds under the General Indenture and Series Indenture, Number 4 dated as of May 15, 2001 (the "Series Indenture") between the City and the Trustee;

WHEREAS, the City desires to execute and deliver a Bond Purchase Agreement dated May 24, 2001 (the "Purchase Contract") among the City, the Local Government Commission of North Carolina (the "Commission") and Banc of America Securities LLC, First Union National Bank, Scott & Stringfellow Inc., trading as BB&T Capital Markets, and Salomon Smith Barney Inc. (the "Underwriters"), pursuant to which the City and the Commission will sell the 2001 Bonds to the Underwriters in accordance with the terms and conditions set forth therein; and

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

1. the Series Indenture;
2. the Purchase Contract;
3. the Preliminary Official Statement to be dated on or about May 15, 2001 (the "Preliminary Official Statement") with respect to the 2001 Bonds;

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

Section 1. That the issuance of the 2001 Bonds by the City in the principal amount not to exceed \$150,000,000, in substantially the form and content set forth in the Series Indenture, subject to appropriate insertions and revisions in order to comply with the provisions of the General Indenture and the Series Indenture, be and the same hereby are in all respects approved and confirmed, and the form and content of the 2001 Bonds set forth in the Series Indenture be and the same hereby are in all respects approved and confirmed, and the provisions of the General Indenture and the Series Indenture with respect to the 2001 Bonds (including without limitation the maturity dates and rates of interest) be and the same hereby are approved and confirmed and are incorporated herein by reference.

The 2001 Bonds shall be special obligations of the City. The principal of, premium, if any, and interest on the 2001 Bonds shall not be payable from the general funds of the City, nor shall they constitute a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of its income, receipts or revenues except the funds which are pledged under the General Indenture and the Series Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City are pledged for the payment of the principal of, premium, if any, or interest on

the 2001 Bonds, and no holder of 2001 Bonds has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

Section 2. That the form and content of the Series Indenture and the exhibits thereto be and the same hereby are in all respects approved and confirmed, and the Mayor, the City Manager and City Clerk of the City, or their respective designees, be and they hereby are authorized, empowered and directed to execute and deliver the Series Indenture for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the Series Indenture, the Mayor, the City Manager, the Director of Finance and City Clerk of the City, or their respective designees, are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Series Indenture as executed. The Trustee is hereby appointed as Registrar and Paying Agent thereunder.

Section 3. That the 2001 Bonds shall be sold to the Underwriters pursuant to the terms of the Purchase Contract. The form and content of each of the Purchase Contract is in all respect approved and confirmed, and the Mayor, the City Manager or the Director of Finance of the City, or their respective designees, are hereby authorized, empowered and directed to execute and deliver each of the Purchase Contract for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as shall to him or her seem necessary, desirable or appropriate, his execution thereof to constitute conclusive evidence of his or her approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the Purchase Contract, the Mayor, the City Manager and the Director of Finance of the City, or their respective designees, are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Purchase Contract as executed.

Section 4. The form and content of the Preliminary Official Statement are in all respects authorized, approved and confirmed, and the use of the Preliminary Official Statement and the Official Statement to be dated on or about May 24, 2001 (the "*Official Statement*") by the Underwriters in connection with the sale of the 2001 Bonds is hereby in all respects authorized, approved and confirmed. The Mayor, the City Manager or Director of Finance of the City is authorized to execute the Official Statement on behalf of the City.

Section 5. The City Manager or Director of Finance of the City is hereby authorized to execute a no-arbitrage certificate in order to comply with Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder.

Section 6. No stipulation, obligation or agreement herein contained or contained in the 2001 Bonds, the General Indenture, the Series Indenture, the Purchase Contract or any other instrument related to the issuance of the 2001 Bonds shall be deemed to be a stipulation, obligation or agreement of any officer, agent or employee of the City in his or her individual capacity, and no such officer, agent or employee shall be personally liable on the 2001 Bonds or be subject to personal liability or accountability by reason of the issuance thereof.

Section 7. The Mayor, the City Manager, the Director of Finance and the City Clerk of the City, or their respective designees, are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by (1) this Resolution and the Bond Order, (2) the General Indenture, (3) the Series Indenture, and (4) the documents presented to this meeting; except that none of the above shall be authorized or empowered to do anything or execute any document which is in contravention, in any way, of (a) the specific provisions of this Resolution or the Bond Order, (b) the specific provisions of the General Indenture or the Series Indenture, (c) any agreement to which the City is bound, (d) any rule or regulation of the City or (e) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

Section 8. The Mayor, the City Manager, the Director of Finance and the City Clerk of the City, or their respective designees, are hereby authorized and directed to prepare and furnish, when the 2001 Bonds are issued, certified copies of all the proceedings and records of the Board relating to the 2001 Bonds, and such other affidavits, certificates and documents as may be required to show the facts relating to the legality and marketability of the 2001 Bonds as such facts appear on the books and records in such party's custody and control or as otherwise known to them; and all such certified copies, certificates, affidavits and documents, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

Section 9. All acts and doings of the Mayor, the City Manager, the Director of Finance and the City Clerk of the City, and their respective designees, that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the 2001 Bonds and the execution, delivery and performance of the Series Indenture and the Purchase Contract shall be, and the same hereby are, in all respects approved and confirmed.

Section 10. If any one or more of the agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the 2001 Bonds authorized hereunder.

Section 11. All resolutions or parts thereof of the Board in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 12. This Resolution shall take effect upon its adoption.

Upon motion of Councilmember Burgess, seconded by Councilmember Wheeler, the foregoing order entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF CITY OF CHARLOTTE, NORTH CAROLINA WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2001; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS" was adopted by the following vote:

Section 7. The Mayor, the City Manager, the Director of Finance and the City Clerk of the City, or their respective designees, are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by (1) this Resolution and the Bond Order, (2) the General Indenture, (3) the Series Indenture, and (4) the documents presented to this meeting; except that none of the above shall be authorized or empowered to do anything or execute any document which is in contravention, in any way, of (a) the specific provisions of this Resolution or the Bond Order, (b) the specific provisions of the General Indenture or the Series Indenture, (c) any agreement to which the City is bound, (d) any rule or regulation of the City or (e) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

Section 8. The Mayor, the City Manager, the Director of Finance and the City Clerk of the City, or their respective designees, are hereby authorized and directed to prepare and furnish, when the 2001 Bonds are issued, certified copies of all the proceedings and records of the Board relating to the 2001 Bonds, and such other affidavits, certificates and documents as may be required to show the facts relating to the legality and marketability of the 2001 Bonds as such facts appear on the books and records in such party's custody and control or as otherwise known to them; and all such certified copies, certificates, affidavits and documents, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

Section 9. All acts and doings of the Mayor, the City Manager, the Director of Finance and the City Clerk of the City, and their respective designees, that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the 2001 Bonds and the execution, delivery and performance of the Series Indenture and the Purchase Contract shall be, and the same hereby are, in all respects approved and confirmed.

Section 10. If any one or more of the agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the 2001 Bonds authorized hereunder.

Section 11. All resolutions or parts thereof of the Board in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 12. This Resolution shall take effect upon its adoption.

Upon motion of Councilmember Burgess, seconded by Councilmember Wheeler, the foregoing order entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF CITY OF CHARLOTTE, NORTH CAROLINA WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2001; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS" was adopted by the following vote:

RESOLUTION

A motion was made by Councilmember Burgess and seconded by
(Name and Title)

Councilmember Wheeler for the adoption of the following resolution, and upon being put to a
(Name and Title)
vote was duly accepted:

WHEREAS, a Grant in the amount of \$400,000 has been approved by the Department based on total estimated cost of \$12,106,491; and

WHEREAS, an amount equal to or greater than fifty percent (50%) of the total estimated project cost has been appropriated by the Sponsor for this Project.

NOW THEREFORE, BE AND IT IS RESOLVED THAT THE AVIATION DIRECTOR

(Title)

of the Sponsor be and he hereby is authorized and empowered to enter into a Grant Agreement with the Department, thereby binding the Sponsor to the fulfillment of its obligation incurred under this Grant Agreement or any mutually agreed upon modification thereof.

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 14th day of May, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 77.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.

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

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **JOHNSTON ROAD IMPROVEMENTS-PH. II**; 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 **JOHNSTON ROAD IMPROVEMENTS-PH. II**, and estimated to be approximately **17,133 square feet (0.393 acre) for fee-simple, permanent utility easement, and a temporary construction easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 221-471-90, said property currently owned by **CARMEL CROSSING TOWNHOUSE ASSOCIATION, Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of May, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 78-79.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.

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

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **JOHNSTON ROAD IMPROVEMENTS-PH. II**; 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 **JOHNSTON ROAD IMPROVEMENTS-PH. II**, and estimated to be approximately **27,065 square feet (0.621 acre) for fee-simple, permanent drainage easement, permanent utility easement, and a temporary construction easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 221-452-75, said property currently owned by **RENAISSANCE ON CARMEL HOMEOWNERS ASSOCIATION, INC., Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

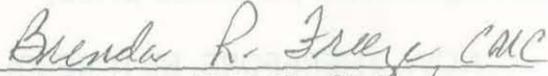
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of May, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 80-81.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **JOHNSTON ROAD IMPROVEMENTS-PH. II**; 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 **JOHNSTON ROAD IMPROVEMENTS-PH. II**, and estimated to be approximately **21,363 square feet (0.490 acre) for fee-simple, permanent utility easement, and a temporary construction easement**, and any additional property or interest as the City may determine to complete the Project, as it relates to common area (no tax code number), said property currently owned by **RENAISSANCE GARDEN HOMEOWNERS ASSOCIATION, Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

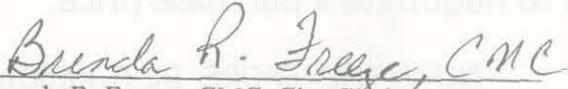
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of May, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 82-83.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **NORTH MECKLENBURG/ROCKY RIVER OUTFALL-PH. II 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 **NORTH MECKLENBURG/ROCKY RIVER OUTFALL-PH. II PROJECT** and estimated to be approximately **47,562 square feet (1.092 acre) for permanent 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. 007-251-18, said property currently owned by **ALBERT F. BATTS and wife, MARTHA CODY BATTS; WILLIAM R. POPE, Trustee; MOORESVILLE FEDERAL SAVINGS AND LOAN ASSOCIATION, Beneficiary; Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

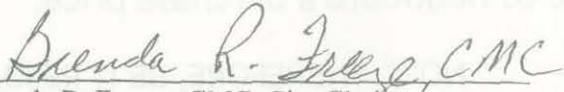
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of May, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 84-85.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **NORTH MECKLENBURG/ROCKY RIVER OUTFALL-PH. II 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 **NORTH MECKLENBURG/ROCKY RIVER OUTFALL-PH. II PROJECT** and estimated to be approximately **6,199 square feet (0.143 acre) for a permanent 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. 007-251-19, said property currently owned by **CURT A. HUNTLEY and wife, GAYLE L. HUNTLEY; RALPH R. MCMILLAN, Trustee; NATIONAL CITY MORTGAGE COMPANY, Beneficiary; CHRISTINE NEEL, Trustee; FIRST UNION NATIONAL BANK of NORTH CAROLINA, Beneficiary; DENNIS DEAN CHINN and wife, GWYNN CHINN; R. PATRICK SNODDY, Trustee; CITICORP HOMEOWNERS, INC.; Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of May, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 86-87.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.

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



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

RESOLUTION CLOSING AN ALLEYWAY OFF EAST SEVENTH STREET IN THE
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

FOR REGISTRATION JUDITH A. GILBERT
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2001 JUL 03 09:10 AM
BOOK 12409 PAGE 773-776 FEE \$10.00
INSTRUMENT # 2001108684

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 an alleyway off East Seventh 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 an alleyway off East Seventh 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 14th day of May, 2001, and City Council determined that the closing of the alleyway off East Seventh 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 May 14, 2001, that the Council hereby orders the closing of the alleyway off East Seventh Street in the City of Charlotte Mecklenburg County, North Carolina as shown in a map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B", both of which are attached hereto and made a part hereof.

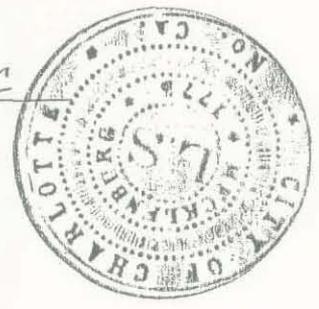
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

CERTIFICATION

I, 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 14th day of May, 2001, the reference having been made in Minute book 116, and recorded in full in resolution book 37, page(s) 88-90.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.

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



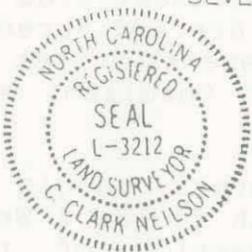
Drawn by: City of Charlotte
Return to: City of Charlotte - Box



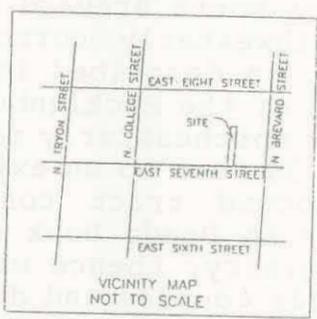
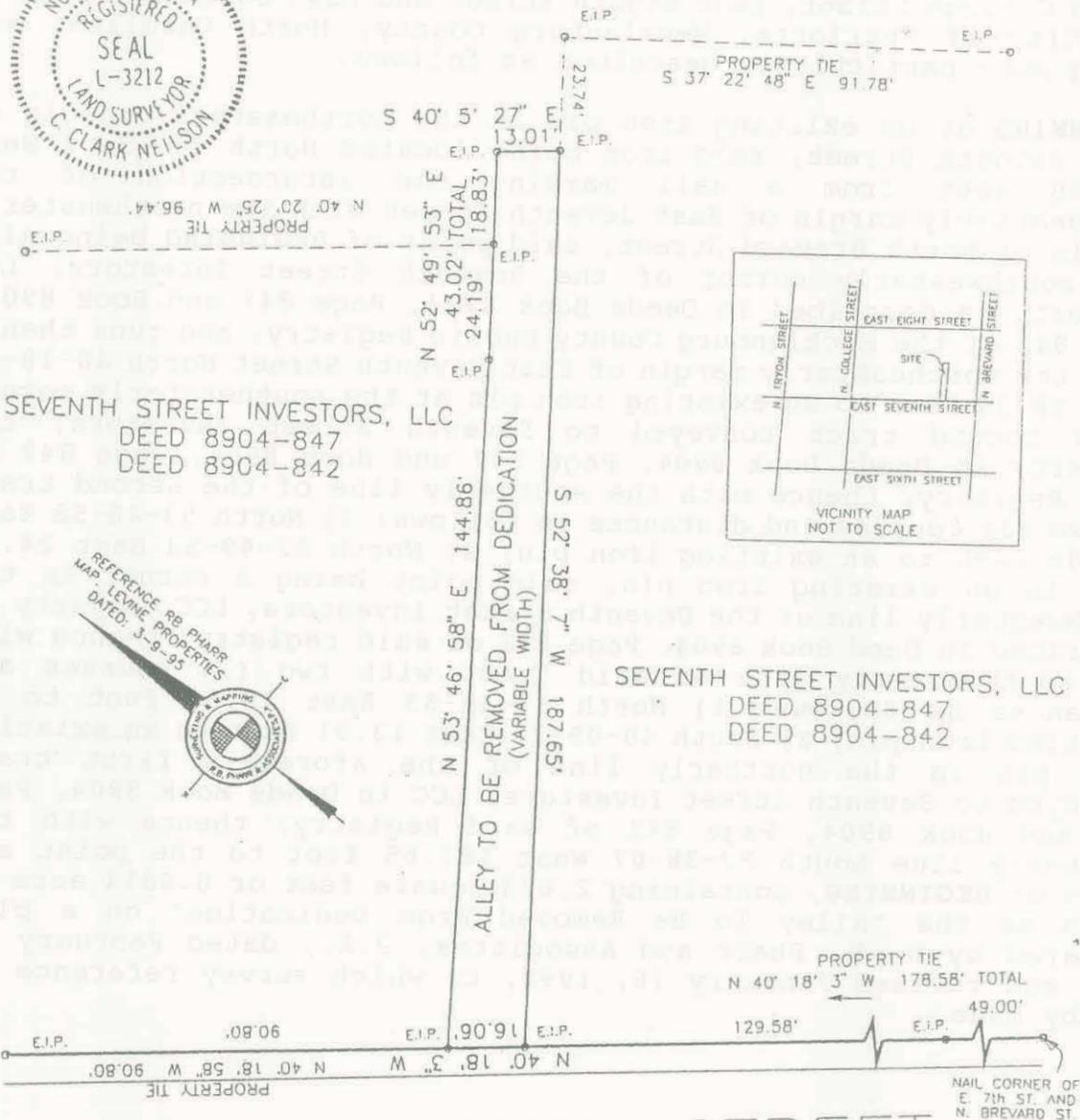
THIS IS TO CERTIFY THAT ON THE 9th DAY OF FEBRUARY 19 98 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1600 (21 NCAC 36) AND THE ERROR OF CLOSURE FOR THIS PARCEL DOES NOT EXCEED ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.
 REVISED 2-12-98 TO CORRECT ADJACENT PROPERTY OWNERS SIGNED C. Clark Neilson

EXHIBIT A

R. B. PHARR & ASSOCIATES, REGISTERED SURVEYORS
 430 HAWTHORNE LANE
 CHARLOTTE, N.C. 28204
 TEL. (704) 376-2166
 CREW: _____ DRAWN: _____ REVISOR: _____
 DWI

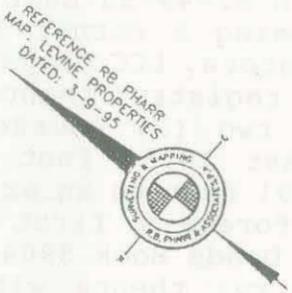


SEVENTH STREET INVESTORS, LLC
 DEED 8904-842



SEVENTH STREET INVESTORS, LLC
 DEED 8904-847
 DEED 8904-842

SEVENTH STREET INVESTORS, LLC
 DEED 8904-847
 DEED 8904-842



I, LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 Linda B. Poissant
 Review Officer
 6/14/01
 DATE

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

EAST SEVENTH STREET

AREA OF ALLEYWAY:
 2,673 SQ. FT.
 0.0614 ACRE

SURVEY OF:
 ALLEYWAY TO BE REMOVED FROM DEDICATION

CHARLOTTE N.C.
 LEVINE PROPERTIES

SURVEY FOR _____
 SCALE 1" = 30'
 MAP BOOK _____ PAGE _____
 DEED BOOK _____ PAGE _____

FLOOD CERTIFICATION
 THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 26, 1993

TAX NUMBER: 080-021-PART OF BLOCK

44463

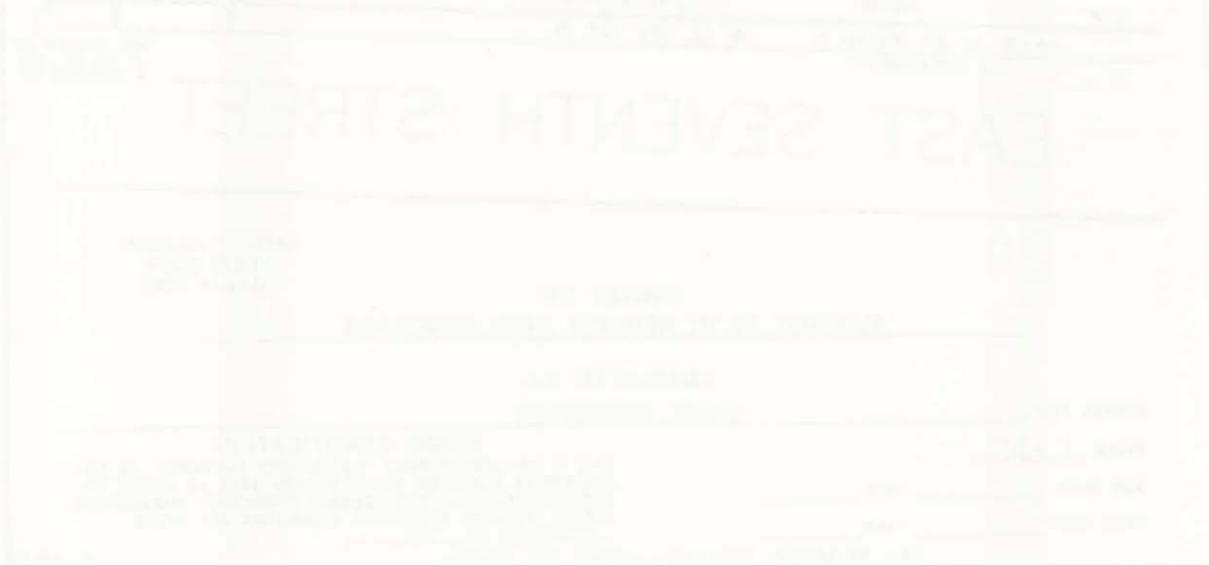
EXHIBIT B

LEGAL DESCRIPTION

Alley On The North Side of East Seventh Street
To Be Removed From Dedication
Seventh Street Investors, LCC

Being an alley of variable width located on the northeast side of East Seventh Street in the block bounded by North Brevard Street, North College Street, East Eighth Street and East Seventh Street in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pin in the northeasterly margin of East Seventh Street, said iron being located North 40-18-03 West 178.58 feet from a nail marking the intersection of the northeasterly margin of East Seventh Street with the northwesterly margin of North Brevard Street, said point of **BEGINNING** being also the southwesterly corner of the Seventh Street Investors, LCC Property as described in Deeds Book 8904, Page 847 and Book 8904, Page 842 of the Mecklenburg County Public Registry, and runs thence with the northeasterly margin of East Seventh Street North 40-18-03 West 16.06 feet to an existing iron pin at the southeasterly corner of a second tract conveyed to Seventh Street Investors, LCC Property in Deeds Book 8904, Page 847 and Book 8904, Page 842 of said Registry; thence with the southerly line of the second tract in two (2) courses and distances as follows: 1) North 53-46-58 East 144.86 feet to an existing iron pin; 2) North 52-49-53 East 24.19 feet to an existing iron pin, said point being a corner in the southwesterly line of the Seventh Street Investors, LCC property as described in Deed Book 8904, Page 842 of said registry; thence with the southwesterly line of said Tract with two (2) courses and distances as follows: 1) North 52-49-53 East 18.83 feet to an existing iron pin; 2) South 40-05-27 East 13.01 feet to an existing iron pin in the northerly line of the aforesaid first tract conveyed to Seventh Street Investors, LCC in Deeds Book 8904, Page 847 and Book 8904, Page 842 of said Registry; thence with the northerly line South 52-38-07 West 187.65 feet to the point and place of **BEGINNING**, containing 2,673 square feet or 0.0614 acre as shown as the "Alley To Be Removed From Dedication" on a plat prepared by R. B. Pharr and Associates, P.A., dated February 9, 1998 and revised February 16, 1998, to which survey reference is hereby made.



Submitted for: City of Charlotte - 300
Census Job: City of Charlotte

RESOLUTION CLOSING A 60-FOOT STREET OFF WALLACE ROAD IN THE
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

MECKLENBURG COUNTY, NC
2001 JUL 03 09:10 AM
BOOK 12409 PAGE 769-772 FEE \$10.00
INSTRUMENT # 2001108883

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 60-foot street off Wallace Road 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 60-foot street off Wallace Road 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 BellSouth Telecommunications, Inc., Duke Power Company and all other owners of existing underground telecommunication facilities to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 14th day of May, 2001, and City Council determined that the closing of the 60-foot street off Wallace Road 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 May 14, 2001, that the Council hereby orders the closing of the 60-foot street off Wallace Road in the City of Charlotte Mecklenburg County, North Carolina as shown in a map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B", both of which are attached hereto and made a part hereof.

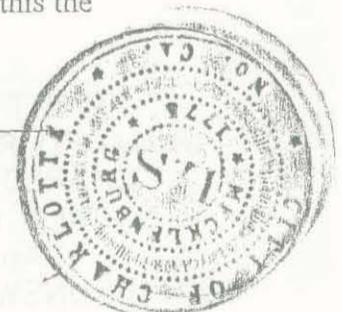
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

CERTIFICATION

I, 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 14th day of May, 2001, the reference having been made in Minute book 116, and recorded in full in resolution book 37, page(s) 91-93.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.

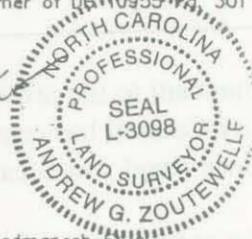
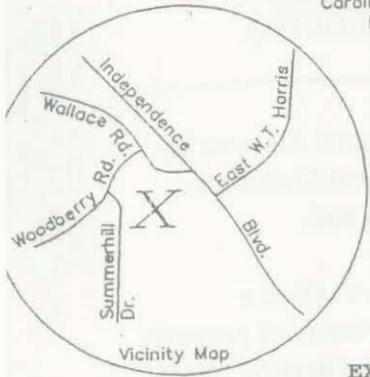
Brenda R. Freeze, CMC
Brenda R. Freeze, CMC, City Clerk



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

THIS SURVEY IS CERTIFIED TO ONLY THE PERSONS OR ENTITIES SHOWN IN THE TITLE BLOCK BELOW. THIS IS TO CERTIFY THAT THIS SURVEY IS BASED UPON MY BEST KNOWLEDGE, INFORMATION AND BELIEF. THIS SURVEY DOES NOT REFLECT A COMPLETE TITLE EXAMINATION. PRECISION IS GREATER THAN 1:10,000.

Carolina Evangelistic Assoc.
DB 4016 Pg. 240 N 81d5'18" W 60.00'



Hassan Radmanesh Et Al.
Deed Book 10955 Page 301

EXHIBIT A

R = 120.00'
L = 50.58'
S 20d37'27" W
50.21' Ch.

R = 180.00'
L = 75.24'
N 20'24'21" E
Ch. 74.69'

Carolina Evangelistic Association of Charlotte, N.C., Incorporated
Deed Book 2771 Page 81

Hassan Radmanesh, Mohamad Reza Radmanesh, Nahid Radmanesh
Deed Book 10955 Page 301



- LEGEND
- ch cord
 - R, L curve length & radius
 - f. square feet (by coordinates)
 - PIN Iron survey stake
 - onc. concrete
 - /c air conditioner
 - DB record map and deed references
 - underground electric line
 - IT underground telephone line
 - IE overhead electric line
 - IT overhead telephone line

- NOTES
- 1.) Public Right of Way to be abandoned recbrded in Deed Book 3627 Page 357 and corrected in Deed Book 3773 Page 926.
 - 2.) Easement to Carolina Evangelistic Assoc. of Charlotte Inc. recorded in Deed Book 2771 Page 81 also to be abandoned.
 - 3.) The underground utilities shown hereon were located from markings by the NC ONE Call utility locating service. There may be additional utilities not shown.
 - 4.) Easement in favor of BellSouth Telecommunications, Inc. and Duke Power Company and all other owners of existing underground telecommunication facilities, upon, under, and across the entire property shown hereon for access to and for the installation, maintenance, replacement, and repair of conduit, cable, wires, and related equipment.

*** CAUTION ***
THERE MAY BE UTILITIES OTHER THAN THOSE SHOWN. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN HEREON. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THEIR LOCATIONS.

CALL BEFORE YOU DIG
1-800-632-4949

Revised 8-31-00 to show utilities.
Revised 2-09-01 to add additional names of Radmanesh parcel.

LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
Linda B. Poissant
Date 6/14/01
Review Officer

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

RIGHT OF WAY ABANDONMENT SURVEY
UNNAMED RIGHT OF WAY OFF OF WALLACE ROAD
CHARLOTTE, MECKLENBURG COUNTY, N.C.
SCALE 1" = 100' JANUARY 5, 2000
Andrew G. Zoutewelle, L-3098
1914 BRUNSWICK AVENUE, Charlotte, NC 28207

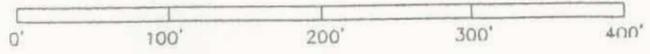


Exhibit B

BEGINNING at a point in the margin of the right of way of Wallace Rd, 60' public right of way, at the north western corner of the property owned by Carolina Evangelistic Association of Charlotte, NC, Incorporated, now or formerly, as shown in Deed Book 2771 at Page 81 in the Mecklenburg County Public Registry, and running thence with the arc of circular curve to the left having a radius of 20.00 feet and an arc distance of 30.00 feet to a point and continuing with the said Carolina Evangelistic property, S. 32 42 2 W. 560.78 feet to a point and thence with the arc of a circular curve to the left having a radius of 120.00 feet and an arc distance of 50.58 feet to a point and thence S. 8 32 53 W. 267.38 feet to a found pipe, thence N. 81 5 18 W. 60.00 feet to a found pipe, and thence with the property line of Hassan Radmanesh, et al, now or formerly, as shown in Deed Book 10955 at Page 301 in the Mecklenburg County Public Registry and thence running with the said Radmanesh property, N. 08 32 53 E. 266.64 feet to a set pipe and thence with the arc of a circular curve to the right having a radius of 180.00 feet and an arc distance of 75.24 feet to a set pipe, thence N. 32 42 02 E. 561.78 feet to a found pipe and thence with the arc of a circular curve to the left having a radius of 20.00 feet and an arc distance of 31.03 feet to a found pin and thence with the margin of the right of way of the said Wallace Rd., S. 57 17 22 E. 82.09 feet to the point and place of beginning, all as shown on the survey by Andrew G. Zoutwelle, NCRLS, dated January 5, 2000 and being a 60' public right of way and being the same property dedicated in Deed Book 3627 at page 357 and corrected at Deed Book 3773 at page 926 in the Mecklenburg County Public Registry.

**CHARLOTTE CITY COUNCIL RESOLUTION AUTHORIZING
ENFORCEMENT OF MECKLENBURG COUNTY COMMERCIAL
SOURCE SEPARATION ORDINANCE**

WHEREAS, North Carolina House Bill 859 established a State goal of 40% per capita reduction in disposal of municipal solid waste by June 30, 2001; and

WHEREAS, as part of the triennial revision, on November 13, 2000 the City of Charlotte adopted a Solid Waste Management 10-Year Plan, effective July 1, 2000, which established a 2006 per capita waste reduction goal of 19% from fiscal year 1999 and a 2010 per capita waste reduction goal of 23% from fiscal year 1999; and

WHEREAS, as part of the triennial revision to the Solid Waste Management 10-Year Plan, the implementation of a mandatory source separation program is to be pursued as part of "Commercial Waste Reduction" as described in the Solid Waste Management 10-Year Plan; and

WHEREAS, Mecklenburg County has the authority pursuant to N.C.G.S. §153A-136 to require participation in a recycling program by requiring separation of designated materials by the owner or occupant of improved property prior to disposal; and

WHEREAS, the municipalities in North Carolina have been granted the authority by N.C.G.S. §160A-317 to require participation in a recycling program by requiring separation of designated materials by the owner or occupant of improved property prior to disposal; and

WHEREAS, N.C.G.S. §153A-122 authorizes municipalities by resolution to permit County ordinances to be enforced within the municipality's corporate limits; now therefore be it

RESOLVED by the Charlotte City Council, pursuant to the authority cited above, that Mecklenburg County is authorized to implement and enforce within the corporate limits of the City of Charlotte, the Ordinance entitled "Mecklenburg County Ordinance to Require the Source Separation of Designated Materials from the Municipal Solid Waste Stream for the Purpose of Participation in a Recycling Program".

ADOPTED the ____ day of _____, 2001.

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 14th day of May, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 94-95.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of May, 2001.

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

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 14th day of May, 2001, the reference having been made in Minute Book 116, and recorded in full in Resolution Book 37, Page(s) 94-95.

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