

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of Meacham Street located between South Boulevard and Lyndhurst Avenue in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, **G. Patrick Hunter, Jr.** has filed a petition to close a portion of **Meacham Street located between South Boulevard and Lyndhurst Avenue** in the City of Charlotte; and

Whereas, the portion of Meacham Street to be closed lies within the Dilworth Community beginning from South Boulevard continuing approximately 877 feet southeastwardly to its terminus at Lyndhurst Avenue as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

Whereas, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, requires that City Council first adopt a resolution declaring 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

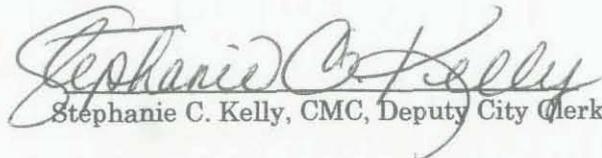
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of May 8, 2006 that it intends to close a portion of Meacham Street located between South Boulevard and Lyndhurst Avenue and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 12<sup>th</sup> day of June, 2006 in CMGC meeting chamber, 600 East 4<sup>th</sup> Street Charlotte North Carolina.

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

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of May, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 40, Page 91.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of May, 2006.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a 10-foot alleyway running off of East 35<sup>th</sup> Street in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, **Mr. Gary Walker** has filed a petition to close a **10-foot alleyway running off of East 35<sup>th</sup> Street** in the City of Charlotte; and

Whereas, the alleyway to be closed lies within the Historic North Charlotte Community beginning from East 35<sup>th</sup> Street continuing approximately 228 feet southwestwardly to its terminus at an existing 20-foot alleyway as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

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

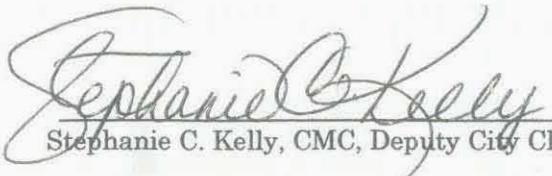
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of May 8, 2006 that it intends to close a 10-foot alleyway running off of East 35<sup>th</sup> Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 12<sup>th</sup> day of June, 2006 in CMGC meeting chamber, 600 East 4<sup>th</sup> Street Charlotte North Carolina.

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

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of May, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 40, Page 92.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of May, 2006.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

**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:

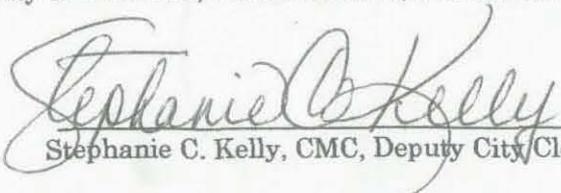
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time 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 8th day of May, 2006 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of May, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 40, Page (s) 93-94.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of May, 2006.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

**TAXPAYERS AND REFUNDS REQUESTED**  
**(Clerical Error)**

<u>Name</u>	<u>Refund Amount</u>
CORY MARK E JR	\$ 98.70
RATCLIFFE LOUIS G INC	762.82
RATCLIFFE LOUIS G INC	762.82
RATCLIFFE LOUIS G INC	762.82
COLLINS JEFF R	81.48
COLLINS JEFF R	81.48
COLLINS JEFF R	81.48
METROLINA MINI STORAGE LLC	128.35
DECOR CORPORATION	395.04
POWERS ANTHONY B	471.66
ROSEDALE SUBDIVISION LLC	821.64
BARDSLEY ANDREW D	51.24
ORTIZ RICHARD L	43.43
ORTIZ RICHARD L	43.43
ORTIZ RICHARD L	43.26
ORTIZ RICHARD L	43.26
ORTIZ RICHARD L	43.26
SMITH SHONTA	434.34
RETAIL SHOP-CHARLOTTE LLC	2,412.48
MAUNEY LEONARD E	37.80
MAUNEY LEONARD E	37.80
MAUNEY LEONARD E	37.80
LIPFORD DONALD D	42.00
LIPFORD DONALD D	42.00
CREECH CHARLES M III	92.40
Total	<u>\$ 7,852.79</u>

**A RESOLUTION AUTHORIZING THE REFUND OF  
CERTAIN BUSINESS PRIVILEGE LICENSES**

Reference is made to the schedule of "Business Privilege License 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:

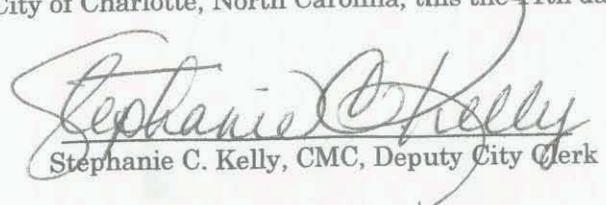
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time 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 8th day of May, 2006 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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of May, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 40, Page (s) 95-96.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of May, 2006.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

**TAXPAYERS AND REFUNDS REQUESTED  
 (Clerical Error)**

<u>Name</u>	<u>Refund Amount</u>
AA TEX LAWN	\$ 24.00
ALLURE SPA AND SALON	142.20
BANTEK WEST INC	1,382.26
BRIDGEWAY SOLUTIONS	840.01
CAFÉ CAROLINA AND BAKERY	1,268.99
CFS LOGISTICS	1,485.00
CHOICE TRANSLATING INC	98.76
CONSTRUCTION CONSULTING	78.96
DHAKAD ASSOCIATES INC	86.81
DRINKARD RESEARCH & DEVELOPMENT	201.11
DYNATECH	81.73
EASY SPIRIT #6367 ATTN LEASE ADMINISTRATION	435.20
FAMILY PRESERVATION	325.46
FINLAY FINE JEWELRY	230.00
FINLAY FINE JEWELRY	230.00
FONTE MARKETING	106.41
FREEDOM GROUPS LLC	1,566.42
GYMBOREE RETAIL STORES INC	500.00
HAJOCA CORP	1,644.70
HEAVENLY HAM	18.47
HOME INSTEAD SENIOR CARE	222.11
IRON MOUNTAIN	181.83
JUST FRESH	85.00
LIDS - HAT WORLD INC	291.00
MADISON AND LEX	84.79
MAN FUNG INTERNATIONAL LTD	78.06
MARSTON COMMUNICATIONS	57.51
METAL AND STONE	77.60
NATIONAL MULTI TECH LTD	25.88
NINE WEST #7485 ATTN LEASE ADMINISTRATION	429.80
PANERA BREAD	534.00
PARTYLAND	296.59
PAYLESS SHOESOURCE INC	182.00
PETRO EXPRESS #65	62.50
PRECISION MACHINE COMPONENTS INC	36.00
PROFESSIONAL RESOURCE OPTIONS	47.07
RAINMAKER IRRIGATION CO	534.32
REPROPRINTING CENTERS - ATTN: JOHN A PORTER	421.41
RESOURCE PROPERTIES	50.00
ROCKDALE PIPELINE INC	1,950.00
TAYLOR PAINTING	328.80
TOOL TIME	39.84
TRADITIONS HOMES INC	100.00
UNIQUE GIFT BASKETS	25.00
URBAN OUTFITTERS INC	2,000.00
URBAN SPORTS & ENTERTAINMENT	3,622.66
<b>Total</b>	<b>\$ 22,510.26</b>

COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

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

WHEREAS, the Municipality has requested enhancement funding for the Center City Parking and Way-finding system, including, but not limited to, signing, traffic-flow and distribution improvements, Mecklenburg County, North Carolina; and,

WHEREAS, the Department of Transportation has programmed funding in the 2006-2012 Transportation Improvement Program, as revised, for said program under Project C-4955, Mecklenburg County; and,

WHEREAS, the Municipality proposes to enter into an Agreement with the North Carolina Department of Transportation for said program as described in said Agreement; and,

WHEREAS, under the proposed Agreement and subject to the Agreement provisions, the Department shall reimburse the Municipality to the extent of eighty percent (80%) of the approved eligible costs up to the maximum federal amount of \$3,032,800; and,

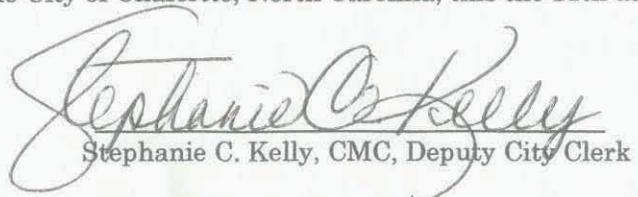
WHEREAS, the Municipality shall provide twenty percent (20%) matching funds, and the Municipality shall be responsible for all costs that exceed the federal amount of \$3,032,800.

NOW, THEREFORE, BE IT RESOLVED that the Agreement for Project C-4955 in Mecklenburg County is hereby formally approved by the City Council of the City of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute this Agreement between the Municipality and the Department of Transportation.

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of May, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 40, Page 97.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of May, 2006.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON MAY 8, 2006**

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

WHEREAS, this Municipal Agreement is for the construction of a left turn lane on Brown Grier Road at Gallant Drive that was approved originally by Council on September 27, 2004 in the amount of \$100,000; and,

WHEREAS, the project includes grading, drainage, base, paving, striping, pavement markers, erosion control, traffic control, and seeding and mulching; and,

WHEREAS, the Municipal Agreement provides for the City to perform all work for the project with construction costs reimbursed by the NCDOT; and,

WHEREAS, the construction contract for the project is \$175,604, which is more than the original estimated cost. In order to cover the increase in construction and any unexpected miscellaneous costs, an amendment increasing the amount of the Municipal Agreement by \$85,000 is needed; and,

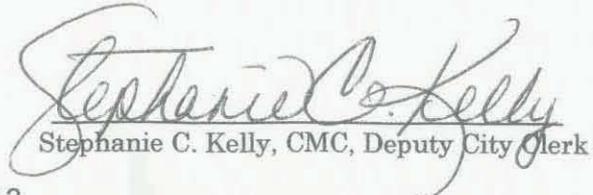
WHEREAS, the NCDOT has agreed to the increase in the Municipal Agreement and will reimburse the City for actual costs not to exceed \$185,000

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

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of May, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 40, Page 98.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of May, 2006.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **BRIAR CREEK RELIEF SEWER-PHASE I PROJECT**;

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **BRIAR CREEK RELIEF SEWER-PHASE I PROJECT** and estimated to be approximately **12,140 square feet (.279 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 175-102-48, said property currently owned by **CHRISTOPHER MARK TROTTER and wife, ANN HAWES TROTTER; DEPARTMENT OF THE TREASURY-INTERNAL REVENUE SERVICE, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

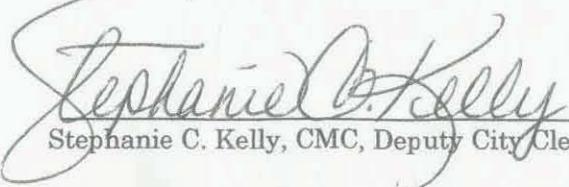
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of May, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 40, Page 99.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of May, 2006.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **BRIAR CREEK RELIEF SEWER-PHASE I PROJECT**;

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **BRIAR CREEK RELIEF SEWER-PHASE I PROJECT** and estimated to be approximately **6,236 square feet (.143 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 175-102-46, said property currently owned by **JULIUS W. LEE, JR. and wife, PAMELA A. LEE; ROBERT G. FOX, JR., Trustee; FIRST CHARTER NATIONAL BANK, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of May, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 40, Page 100.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of May, 2006.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **BRIAR CREEK RELIEF SEWER-PHASE I PROJECT**;

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **BRIAR CREEK RELIEF SEWER-PHASE I PROJECT** and estimated to be approximately **9,103 square feet (.209 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 175-102-45, said property currently owned by **MICHAEL S. REALON and wife, NONA L. PATTERSON; CHARLES MYERS, Trustee; MERS (Mortgage Electronic Registration Systems, Inc.), Beneficiary; PHILIP E. GREER, Trustee; STATE EMPLOYEES' CREDIT UNION, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of May, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 40, Page 101.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of May, 2006.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **BRIAR CREEK RELIEF SEWER-PHASE I PROJECT**;

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **BRIAR CREEK RELIEF SEWER-PHASE I PROJECT** and estimated to be approximately **2,448 square feet (.056 acre) of sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 155-123-36, said property currently owned by **STEPHEN JOHN MANZANO and spouse, if any; KRISTIN PERNOLL MANZANO and spouse, if any; G. ROBERT TURNER, III/H. JOE KING, JR./J. HAROLD BARNES, JR., Co-Trustees; HOME FEDERAL SAVINGS AND LOAN ASSOCIATION (or Successor in Interest); TIM, INC., Trustee; NATIONSBANK, N. A. (n/ka Bank of America), and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

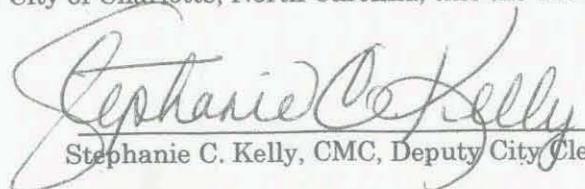
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of May, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 40, Page 102.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of May, 2006.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

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

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

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **MT. HOLLY-HUNTERSVILLE ROAD WIDENING PROJECT** and estimated to be approximately **4,180 square feet (.096 acre) of storm drainage easement, utility easement, and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 033-041-19, said property currently owned by **ROBERT L. RIVENBARK and wife, CARINA L. RIVENBARK; KEMP M. CAUSEY; Trustee; N. C. FEDERAL SAVINGS AND LOAN ASSOCIATION (or Successor-in-Interest); BERLIN FRANCIS BARHAM, JR., Trustee; BERLIN FRANCIS BARHAM, JR., M. D., P. A. PROFIT SHARING PLAN, Beneficiary; RALPH H. FALLS, JR., Trustee; MARGARETHE E. LAWING, Beneficiary, and Any Other Parties in Interest, or the owners' successor-in-interest.**

ESTIMATED JUST COMPENSATION:

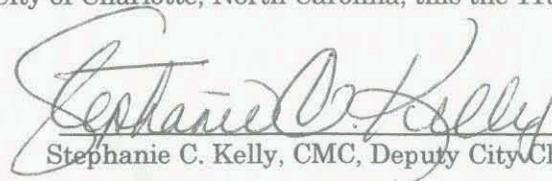
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of May, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 40, Page 103.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of May, 2006.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE ROAD NORTH (EXMORE-SOUTH)**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **SOUTH CORRIDOR INFRASTRUCTURE PROJECT: OLD PINEVILLE ROAD NORTH (EXMORE-SOUTH)** and estimated to be approximately **5,544 square feet (.127 acre) of sidewalk and utility easement, and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 149-062-15, said property currently owned by **FLYLO PROPERTIES, LLC; SOUTHLAND ASSOCIATES, INC., Trustee; CENTRAL CAROLINA BANK AND TRUST COMPANY, Beneficiary; X HOLDINGS, LLC, Trustee; NEWDOMINION BANK, Beneficiary, and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

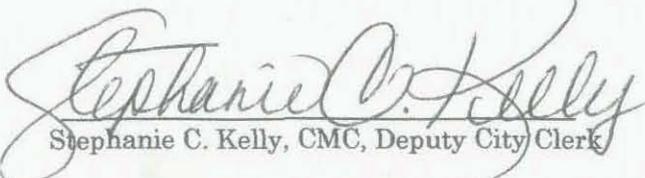
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of May, 2006, the reference having been made in Minute Book 123, and recorded in full in Resolution Book 40, Page 104.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of May, 2006.

  
Stephanie C. Kelly, CMC, Deputy City Clerk