

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
AMENDING THE FISCAL YEAR 2000 CITYWIDE LEASE PURCHASE
AGREEMENT.**

WHEREAS, the City of Charlotte establishes an annual Lease Purchase Fund Agreement to finance the purchase of new and replacement equipment; and

WHEREAS, the City of Charlotte City Council has approved the Lease Purchase Agreement for fiscal year 2000 in the annual budget adoption process; and

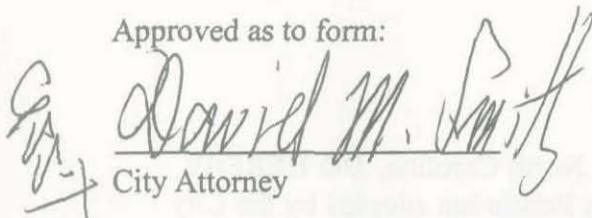
WHEREAS, the City of Charlotte capital equipment needs have changed due to the City's Solid Waste Key Business's successful bid for the North Quadrant; and

WHEREAS, the City of Charlotte desires to change the fiscal year 2000 Lease Purchase Agreement by adding the purchase of 28 new Solid Waste vehicles and increasing the authorization by \$3.5 million to up to \$17 million.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, that it does hereby amend the fiscal year 2000 Lease Purchase Agreement by adding 28 new Solid Waste vehicles and increasing the authorization by \$3.5 million to the agreement.

This 22nd day of November, 1999

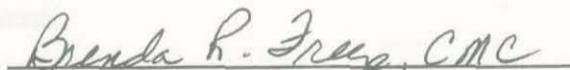
Approved as to form:


City Attorney

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 22nd day of November, 1999, the reference having been made in Minute Book 114, and recorded in full in Resolution Book 36, Page(s) 2.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 1999.


Brenda R. Freeze, CMC, City Clerk

A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES

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

1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-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 22nd day of November, 1999 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 22nd day of November, 1999, the reference having been made in Minute Book 114, and recorded in full in Resolution Book 36, Page(s) 3-4.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 1999.


Brenda R. Freeze, CMC, 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 22nd day of November, 1999 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 22nd day of November, 1999, the reference having been made in Minute Book 114, and recorded in full in Resolution Book 36, Page(s) 5-6.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 1999.

Brenda R. Freeze
for 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 **RAW WATER MAIN CATAWBA STATION TO RESERVOIRS**; 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 **RAW WATER MAIN CATAWBA STATION TO RESERVOIRS** and estimated to be approximately **109,324 square feet (2.519 acres) for a raw water line 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. 035-132-03 and 035-132-04, said property currently owned by **ARLEN DEAN BELK and wife, SUE K. BELK** or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

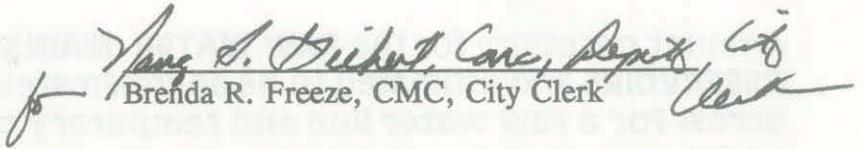
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22nd day of November, 1999, the reference having been made in Minute Book 114, and recorded in full in Resolution Book 36, Page(s) 7-8.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 1999.


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 **PAW CREEK OUTFALL RELOCATION 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 **PAW CREEK OUTFALL RELOCATION PROJECT** and estimated to be approximately **1,304.5 square feet (0.027 acre) for a permanent 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. 055-531-01, said property currently owned by **HENRY J. STUCKEY and wife, GEORGINA C. STUCKEY; SHANE R. HALL and husband, STIRLING G. HALL; RUSSELL TERRY, Possible Creditor**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

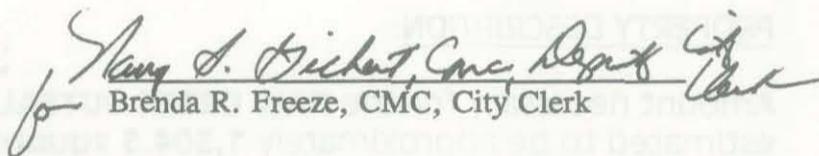
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 22nd day of November, 1999, the reference having been made in Minute Book 114, and recorded in full in Resolution Book 36, Page(s) 9-10.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 1999.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION CLOSING A PORTION OF NINTH STREET IN THE CITY OF
CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
1999 DEC 03 11:19 AM
BOOK: 10945 PAGE: 587-590 FEE: \$10.00
INSTRUMENT #: 1999214554

WHEREAS, pursuant to the provisions of Chapter 160AA-299 of the general statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a portion of Ninth Street which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of Ninth Street to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to the City of Charlotte Engineering Property Management Division, Charlotte-Mecklenburg Utility Department, BellSouth Telecommunications, Inc., and Duke Power Company to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 22nd day of November, 1999, and City Council determined that the closing of the portion of Ninth 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 November 22, 1999, that the Council hereby orders the closing of the portion of Ninth 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.

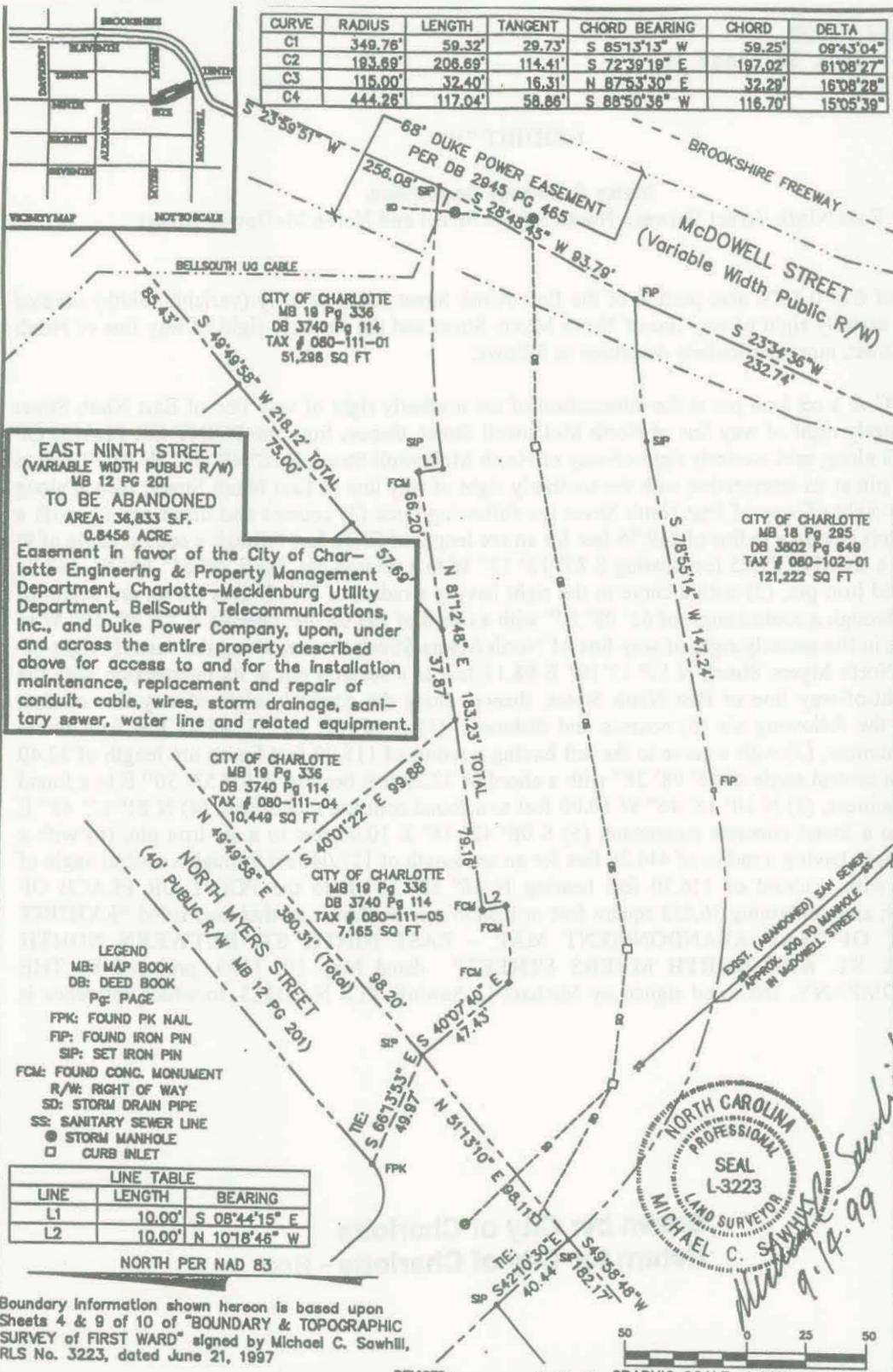
CERTIFICATION

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 22nd day of November, 1999, the reference having been made in Minute book 114, and recorded in full in resolution book 36, page(s) 13-15.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 1999.

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

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



This is not a certified survey and no reliance may be placed in its accuracy.

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

I, RICHARD B. HOBBS, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Richard B. Hobbs
 Date: 12/2/99
 Review Officer

<p>EXHIBIT "A" RIGHT OF WAY ABANDONMENT MAP EAST NINTH STREET BETWEEN NORTH McDOWELL ST. AND NORTH MYERS STREET PER MAP BOOK 12 PAGE 20 CITY OF CHARLOTTE MECKLENBURG COUNTY, NC</p>	<p>REVISIONS: 9-14-99</p> <p>PROJECT NUMBER: ESL 03 SURVEYED BY: MCS DRAWN BY: MCS CHECKED BY: MCS DRAWING SCALE: 1" = 50' ISSUE DATE: 5/10/99 CAD FILE: NINTHRW.dwg (R14)</p>	<p>THE SURVEY COMPANY, INC. 4105-C STUART ANDREW BLVD CHARLOTTE, NC 28217 (704)561-9970 (704)561-9972 FAX EMAIL: SURVEYCO@VNET.NET</p>
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EXHIBIT "B"

**Metes & Bounds Description
East Ninth Street Between North Myers Street and North McDowell Street**

BEING all of that 0.8456 acre portion of the East Ninth Street Right of Way (variable width) situated between the easterly right of way line of North Myers Street and the westerly right of way line of North McDowell Street, more particularly described as follows:

BEGINNING at a set iron pin at the intersection of the northerly right of way line of East Ninth Street with the westerly right of way line of North McDowell Street; thence, from the POINT OR PLACE OF BEGINNING along said westerly right-of-way of North McDowell Street, S 28° 48' 45" W 93.79 feet to a found iron pin at its intersection with the southerly right of way line of East Ninth Street; thence along the southerly right-of-way of East Ninth Street the following three (3) courses and distances: (1) with a curve to the left having a radius of 349.76 feet for an arc length of 59.32 feet through a central angle of 9° 43' 04" with a chord of 59.25 feet bearing S 85° 13' 13" W to a set iron pin, (2) S 78° 55' 14" W, 147.24 feet to a found iron pin, (3) with a curve to the right having a radius of 193.69 feet for an arc length of 206.69 feet through a central angle of 61° 08' 27" with a chord of 197.02 feet bearing N 72° 39' 19" W to a set iron pin in the easterly right of way line of North Myers Street; thence, along the easterly right-of-way line of North Myers Street, N 51° 13' 10" E 98.11 feet to a set iron pin at its intersection with the northerly right-of-way line of East Ninth Street; thence, along the northerly right-of-way line of East Ninth Street the following six (6) courses and distances: (1) S 40° 07' 40" E, 47.43 feet to a found concrete monument, (2) with a curve to the left having a radius of 115.00 feet for an arc length of 32.40 feet through a central angle of 16° 08' 28" with a chord of 32.29 feet bearing N 87° 53' 30" E to a found concrete monument, (3) N 10° 18' 46" W 10.00 feet to a found concrete monument, (4) N 81° 12' 48" E 183.23 feet to a found concrete monument, (5) S 08° 42' 14" E 10.00 feet to a set iron pin, (6) with a curve to the right having a radius of 444.26 feet for an arc length of 117.04 feet through a central angle of 15° 05' 39" with a chord of 116.70 feet bearing N 88° 50' 36" E to the POINT OR PLACE OF BEGINNING; and containing 36,833 square feet or 0.8456 acre as shown on that map titled "**EXHIBIT A - RIGHT OF WAY ABANDONMENT MAP - EAST NINTH ST. BETWEEN NORTH McDOWELL ST. AND NORTH MYERS STREET**" dated May 10, 1999, prepared by THE SURVEY COMPANY, INC. and signed by Michael C. Sawhill, PLS No. 3223, to which reference is hereby made.

trinity.lgl

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

THE SURVEY COMPANY, INC.
10000 WOODHOLLOW DRIVE
CHARLOTTE, NORTH CAROLINA 28226
TEL: 704.525.1100 FAX: 704.525.1101
WWW.TSCINC.COM

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG
PLAT NO. 10000
RECORDED IN THE REGISTER OF DEEDS OFFICE
ON 11/22/99 AT 10:00 AM
BY CLERK OF COURTS

EXHIBIT A - RIGHT OF WAY ABANDONMENT MAP - EAST NINTH ST. BETWEEN NORTH McDOWELL ST. AND NORTH MYERS STREET
DATE: MAY 10, 1999
PREPARED BY: THE SURVEY COMPANY, INC.
DRAWN BY: MICHAEL C. SAWHILL, PLS NO. 3223

Pages 16, 17, 18

These pages

were not used

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on November 22, 1999.

* * *

A regular meeting of the City Council of the City of Charlotte, North Carolina (the "City Council") was held in the Meeting Chamber at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on November 22, 1999 (the "Meeting"), after proper notice, and was called to order by the Mayor, and upon the roll being called, the following members of the City Council answered present: Councilmembers Autrey, Baker,

Erdman, Greene, Jackson, Reid, Sellers, Spencer, and Wheeler

The following members of the City Council were absent: Councilmembers Cannon, and Majeed

Also present: Pamela A. Syfert, City Manager, DeWitt McCarley, City Attorney,

and Brenda R. Freeze, City Clerk
Council member Wheeler introduced the following resolution (the "Resolution"), a summary of which had been provided to each Council member:

**RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA,
AUTHORIZING THE NEGOTIATION OF AN AMENDMENT TO AN
INSTALLMENT PURCHASE CONTRACT, DIRECTING THE
PUBLICATION OF NOTICE WITH RESPECT THERETO AND
PROVIDING FOR CERTAIN OTHER RELATED MATTERS
THERETO**

WHEREAS, the City of Charlotte, North Carolina (the "City") is a duly and regularly created, organized and validly existing municipal corporation of the State of North Carolina, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the "State");

WHEREAS, the City has the power, pursuant to North Carolina General Statutes, to (1) purchase real and personal property, (2) enter into installment purchase contracts in order to finance the purchase of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

WHEREAS, the City has previously entered into an Amended and Restated Installment Purchase Contract dated as of August 1, 1993 (the "1993 Contract") between the City and New Charlotte Corporation (the "Corporation") with respect to the New Charlotte Convention Center (the "Convention Center") and provided a security interest in the Convention Center and the site on which it is located through a Deed of Trust and Security Agreement dated as of June 1, 1991 (the "Deed of Trust") from the City to the deed of trust trustee named therein;

WHEREAS, the City Council of the City of Charlotte, North Carolina (the "City Council"), determines that it is in the best interests of the City to enter into (a) an amendment to the 1993 Contract (the "2000 Contract Amendment") with the Corporation in order to (1) acquire a parcel of land located

on the corner bordered by Stonewall Street and Caldwell Street (the "*Scott Parcel*"), (2) construct certain meeting facilities and parking facilities for the benefit of the Convention Center on the south side of Stonewall Street (the "*Meeting and Parking Facilities*") and (3) construct certain improvements to the Convention Center, including a bridge across Stonewall Street and renovations to the Convention Center to accommodate light rail through it (the "*Trolley Improvements*" and, collectively with the Scott Parcel and the Meeting and Parking Facilities, the "*2000 Project*"); (b) an amendment to the Deed of Trust so as to add the Scott Parcel thereto (the "*2000 Deed of Trust Amendment*"); and (c) a Parking Facility Management Agreement dated as of March 1, 2000 (the "*Parking Management Agreement*") between the City and an entity to be created with respect to the parking facilities portion of the Meeting and Parking Facilities;

WHEREAS, the City hereby determines that the acquisition of the 2000 Project is essential to the City's proper, efficient and economic operation and to the general health and welfare of its inhabitants; that the 2000 Project will provide an essential use and will permit the City to carry out public functions that it is authorized by law to perform; and that entering into the 2000 Contract Amendment is necessary and expedient for the City by virtue of the findings presented herein;

WHEREAS, the City hereby determines that the 2000 Contract Amendment allows the City to purchase the 2000 Project and take title thereto at a favorable interest rate currently available in the financial marketplace and upon terms advantageous to the City;

WHEREAS, the City hereby determines that the estimated cost of the acquisition of the 2000 Project is an amount not to exceed \$38,000,000 and that such cost of the acquisition of the 2000 Project exceeds the total amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the City in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

WHEREAS, although the cost of financing the acquisition of the 2000 Project pursuant to the 1993 Contract, as amended by the 2000 Contract Amendment (collectively, the "*Contract*"), is expected to exceed the cost of financing the acquisition of the 2000 Project pursuant to a bond financing for the same undertaking, the City hereby determines that the cost of financing the acquisition of the 2000 Project pursuant to the Contract and the obligations of the City thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of acquiring, constructing, improving and equipping the 2000 Project; and (3) insufficient revenues are produced by the 2000 Project so as to permit a revenue bond financing;

WHEREAS, the City hereby determines that the estimated cost of financing the acquisition of the 2000 Project pursuant to the Contract reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

WHEREAS, the City does not anticipate future property tax increases solely to pay installment payments falling due under the Contract in any fiscal year during the term of the Contract and such payments are adequate and not excessive for their purpose;

WHEREAS, Parker, Poe, Adams & Bernstein L.L.P., as special counsel ("*Special Counsel*"), will render an opinion to the effect that entering into the 2000 Contract Amendment and the transactions

contemplated thereby are authorized by law and constitute a purpose for which public funds may be expended pursuant to the Constitution and laws of the State;

WHEREAS, no deficiency judgment may be rendered against the City in any action for its breach of the Contract, and the taxing power of the City is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract;

WHEREAS, the City is not in default under any of its debt service obligations;

WHEREAS, the City's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the City has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget Ordinance;

WHEREAS, past audit reports of the City indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the City has not been censured by the Local Government Commission of North Carolina (the "LGC"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

WHEREAS, a public hearing on the 2000 Contract Amendment after publication of a notice with respect to such public hearing must be held and approval of the LGC with respect to entering the 2000 Contract Amendment must be received;

WHEREAS, the City hereby determines that all findings, conclusions and determinations of the City in this Resolution are subject to modification or affirmation after all interested parties have been afforded the opportunity to present their comments at a public hearing regarding the execution and delivery of the 2000 Contract Amendment and the 2000 Deed of Trust Amendment and the acquisition of the 2000 Project to be financed thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AS FOLLOWS:

Section 1. Authorization to Negotiate 2000 Contract Amendment and 2000 Deed of Trust Amendment. That the City Manager and the Director of Finance, with advice from the City Attorney and Special Counsel, are hereby authorized and directed to proceed and negotiate on behalf of the City for the financing of the acquisition of the 2000 Project for a principal amount not to exceed \$38,000,000 under the 2000 Contract Amendment to be entered into in accordance with the provisions of Section 160A-20 of the General Statutes of North Carolina and to provide in connection with the Contract, as security for the City's obligations thereunder, the 2000 Deed of Trust Amendment conveying a lien and interest in the Scott Parcel as may be required by the entity, or its assigns, providing the funds to the City under the Contract.

Section 2. Application to LGC. That the Director of Finance or his designee is hereby directed to file with the LGC an application for its approval of the 2000 Contract Amendment and all relevant transactions contemplated thereby (including the Parking Management Agreement) on a form prescribed by the LGC and to state in such application such facts and to attach thereto such exhibits regarding the City and its financial condition as may be required by the LGC.

Section 3. Direction to Retain Special Counsel and Financial Advisor. That the City Manager and the Director of Finance, with advice from the City Attorney, are hereby authorized and directed to retain the assistance of Parker, Poe, Adams & Bernstein L.L.P., Charlotte, North Carolina, as Special Counsel, and the City Manager and the Director of Finance are authorized to retain J. C. Bradford & Co., Charlotte, North Carolina to serve as financial advisor.

Section 4. Public Hearing. That a public hearing (the "Public Hearing") shall be conducted by the City Council on January 24, 2000 at 7:00 p.m., or as soon thereafter as practicable, in the Meeting Chamber, Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, concerning the 2000 Contract Amendment, the 2000 Deed of Trust Amendment, the proposed acquisition of the 2000 Project and any other transactions contemplated therein and associated therewith.

Section 5. Notice of Public Hearing. That the City Clerk is hereby directed to cause a notice of the Public Hearing, in the form attached hereto as Exhibit A, to be published once in a qualified newspaper of general circulation within the City no fewer than 10 days prior to the Public Hearing.

Section 6. Repealer. That all motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

Section 7. Effective Date. That this Resolution shall become effective on the date of its adoption.

On motion of Council member Wheeler, seconded by Council member Greene, the foregoing resolution entitled "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA AUTHORIZING THE NEGOTIATION OF AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT, DIRECTING THE PUBLICATION OF NOTICE WITH RESPECT THERETO AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO" was duly adopted by the following vote:

AYES: Unanimous

NAYS: None

CITY OF CHARLOTTE, NORTH CAROLINA

[SEAL]

By: Nancy S. Diebel, CMC,
City Clerk
for Brenda R. Freeze, CMC, City Clerk

STATE OF NORTH CAROLINA)
)
CITY OF CHARLOTTE)

ss:

The undersigned City Clerk of the City of Charlotte, North Carolina (the "City"), a municipal corporation, validly organized and existing under the Constitution and laws of the State of North Carolina, hereby certifies that the foregoing is a true, correct and complete copy of a resolution adopted by a majority of the City Council of the City present and voting at a meeting duly called and held on November 22, 1999, in accordance with law, and that such resolution has not been repealed, revoked, rescinded or amended but is in full force and effect on the date hereof.

WITNESS the following signature and seal of the City, this 22nd day of November, 1999.

Nancy S. Diebert, CMC

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

(SEAL)

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 22nd day of November, 1999, the reference having been made in Minute Book 114, and recorded in full in Resolution Book 36, Page(s) 19-24

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 1999.

Nancy S. Diebert, CMC, Deputy
for Brenda R. Freeze, CMC, City Clerk *C. R. Clerk*

EXHIBIT A

NOTICE OF PUBLIC HEARING

CITY COUNCIL OF THE
CITY OF CHARLOTTE, NORTH CAROLINA

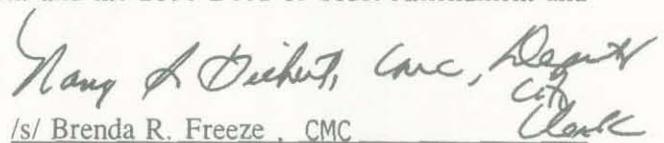
At its November 22, 1999 meeting, the City Council of the City of Charlotte, North Carolina (the "City"), adopted a resolution which:

1. Authorized the City to proceed to (1) acquire a parcel of land located on the corner bordered by Stonewall Street and Caldwell Street (the "Scott Parcel"), (2) construct certain meeting facilities and parking facilities for the benefit of the New Charlotte Convention Center (the "Convention Center") on the south side of Stonewall Street (the "Meeting and Parking Facilities") and (3) construct certain improvements to the Convention Center, including a bridge across Stonewall Street and renovations to the Convention Center to accommodate light rail through it (the "Trolley Improvements" and, collectively with the Scott Parcel and the Meeting and Parking Facilities, the "2000 Project") pursuant to an amendment (the "2000 Contract Amendment") to the Amended and Restated Installment Purchase Contract dated as of August 1, 1993 (together with the 2000 Contract Amendment, the "Contract") to increase the principal amount payable thereunder by an amount not to exceed \$38,000,000 under which the City will make certain installment payments, for the acquisition of the 2000 Project, in order to make the 2000 Project available to the City; and

2. Authorized the City to proceed to provide, in connection with the 2000 Contract Amendment, as grantor, an amendment (the "2000 Deed of Trust Amendment") to the Deed of Trust and Security Agreement dated as of June 1, 1991 (together with the 2000 Deed of Trust Amendment, the "Deed of Trust") under which the Scott Parcel, will be mortgaged by the City to create such lien thereon as may be required for the benefit of the entity, or its assigns, providing the funds to the City under the Contract.

The Scott Parcel will be mortgaged under the Deed of Trust. Upon payment by the City of all installment payments due under the Contract, the Deed of Trust and any lien created thereunder will terminate and the City's title to the Scott Parcel will be unencumbered.

NOTICE IS HEREBY GIVEN that on the 24th day of January, 2000 at 7:00 p.m., or as soon thereafter as practicable, in the Meeting Chamber, Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, a public hearing will be conducted concerning the approval of the execution and delivery of the 2000 Contract Amendment and the 2000 Deed of Trust Amendment. All interested parties are invited to present comments at the public hearing regarding the execution and delivery of the 2000 Contract Amendment and the 2000 Deed of Trust Amendment and the 2000 Project to be financed thereby.


/s/ Brenda R. Freeze, CMC

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