

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON THE PETITION  
REQUESTING THE ANNEXATION OF PROPERTY TO CITY OF  
CHARLOTTE PURSUANT TO G.S. 160A-31, AS AMENDED**

WHEREAS, a petition requesting the annexation of the area described herein has been received;  
and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made.

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

Section 1. That a public hearing on the question of annexation of the area described herein will be held in the CMGC Meeting Chamber, 600 E. Fourth St., Charlotte, N.C., at 7:00 o'clock PM., on the 14th day of December, 1998.

Section 2. The area proposed for annexation is described as follows:

SEE ATTACHED EXHIBIT "A"

Section 3. Legal notice of said public hearing shall be published in the Charlotte Observer, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of said public hearing.

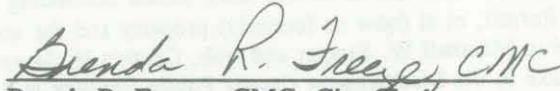
LYING AND BEING in Mecklenburg County, North Carolina and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the right-of-way of Mt. Holly-Huntersville Road (S.R. #1666, a 60-foot right-of-way), said point being the northeasterly corner of the property conveyed to Donald G. Sneed by deed recorded in Book 9090, Page 541 in the Mecklenburg County Public Registry, and running thence with and along the northerly boundary of the said Sneed (now or formerly) property and the northerly boundary of the property conveyed to Philip A. Scott and wife, June M. Scott by deed recorded in Book 8869, Page 231 in the Mecklenburg County Public Registry N 56-54-43 W 1,420.31 feet to an old iron (passing an old iron on said line at 34.33 feet marking the northerly margin of the right-of-way of Mt. Holly-Huntersville Road (S.R. # 1666, a 60-foot right-of-way) and an old iron on said line at 1,301.92 feet); thence continuing with and along the northerly boundary of said Scott (now or formerly) property the following two (2) courses and distances: (1) N 25-27-19 E 115.46 feet to an old iron; and (2) S 89-05-52 W 550.66 feet to an old iron; thence with and along the northerly boundary of the property conveyed to Luther E. Hardee and wife, Deborah T. Hardee by deed recorded in Book 4521, Page 945 in the Mecklenburg County Public Registry the following two (2) courses and distances: (1) N 40-33-21 W 332.85 feet to a new iron pin (passing an old iron on said line at 180.74 feet); and (2) N 64-42-15 W 989.35 feet to an old iron in the easterly boundary of the property conveyed to Vanderbilt Mortgage & Finance, Inc. by deed recorded in Book 9054, Page 789 in the Mecklenburg County Public Registry; thence with and along the easterly boundary of the said Vanderbilt Mortgage & Finance, Inc. (now or formerly) property, N 25-11-49 E 481.09 feet to an old iron in the southerly boundary of certain property acquired by Thomas A. Belk, Jr. by will; thence with and along the southerly boundary of the said Belk (now or formerly) property and the southerly boundary of certain property acquired by Kathryn A. Parrott, et al by will (said property being also described in that certain deed recorded in Book 4380, Page 205 in the Mecklenburg County Public Registry) S 64-36-14 E 1,844.38 feet to an old iron; thence continuing along the southerly boundary of the said Parrott, et al (now or formerly) property and the southerly boundary of the property conveyed to Marshall W. Sawyer and wife, Cynthia H. Sawyer by deed recorded in Book 5809, Page 352 in the Mecklenburg County Public Registry N 43-43-21 E 1,050.29 feet to an old iron; thence continuing along the southerly boundary of the said Sawyer (now or formerly) property, the southerly boundary of the property conveyed to Sidney L. Suggs and wife, Jewell T. Suggs by deed recorded in Book 5721, Page 207 in the Mecklenburg County Public Registry and the southerly boundary of the property conveyed to the Curry Family Partnership, LLC by deed recorded in Book 9043, Page 900 in the Mecklenburg County Public Registry S 67-02-21 E 836.37 feet to a 1/2" rebar; thence continuing with and along the southerly boundary of the said Curry Family Partnership, LLC (now or formerly) property S 66-20-43 E 1,580.20 feet to a point in the right-of-way of Mt. Holly-Huntersville Road (passing an old iron on said line at 1,540.22 feet marking the northerly margin of the right-of-way of Mt. Holly-Huntersville Road (S.R. #1666, a 60-foot right-of-way)); thence the following three (3) courses and distances within the right-of-way of Mt. Holly-Huntersville Road (S.R. #1666, a 60-foot right-of-way): (1) S 65-01-47 W 1,093.11 feet to a point; (2) In a southwesterly direction with the arc of a circular curve to the left having a radius of 7,946.38 feet and a chord bearing and distance of S 63-35-53 W 397.08 feet, an arc distance of 397.12 feet to a point; and (3) S 62-09-59 W 753.13 feet to the point or place of BEGINNING, containing 93.509 acres (1.542 acres within the right-of-way of the aforesaid Mt. Holly-Huntersville Road and 91.967 acres outside of said right-of-way) according to a plat of Hugh E. White, Jr., NCRLS (Carolina Surveyors, Inc.) dated October 8, 1997, reference to which is hereby made for a more particular description.

**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 23rd day of November, 1998, the reference having been made in Minute Book 113, and recorded in full in Resolution Book 35, Page(s) 411-412A.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of November, 1998.

  
Brenda R. Freeze, CMC, City Clerk

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

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

WHEREAS, the Department and the Municipality, on the 7th day of July, 1989, entered into a certain Municipal Agreement, which was amended on the 26th day of September, 1994, as to the improvement of US 74 (Independence Boulevard) to include a Reversible High Occupancy Vehicle (HOV) Lane between Brookshire Freeway and Sharon Amity Road, in Charlotte, under Project U-209; and,

WHEREAS, Project U-0209 has been constructed in various segments from Brookshire Freeway to Eastway Drive, including a HOV Lane; and,

WHEREAS, the Municipality has requested and the Department agrees to the interim use of the HOV Lane for two-way bus lanes until construction of the next segment of Project U-0209 between Eastway Drive and Sharon Amity Road is completed, at which time the HOV Lane will revert to the intended purpose or to a mutually agreed upon purpose; and,

WHEREAS, the Municipality will construct at the Eastway Drive end of the project an eastbound exit lane and a westbound entrance lane to the HOV lane in accordance with plans prepared by the Municipality and reviewed and approved by the Department; and,

WHEREAS, upon completion of the construction of the westbound entrance lane, and initiation of the bus lane operations, the Department shall reimburse the Municipality a lump-sum payment of \$211,000 upon approval by the 10th Division Engineer and the Department's Fiscal Branch of an invoice from the Municipality; and,

WHEREAS, the Municipality will be responsible for any required betterment work (reviewed and approved by the Department's 10th Division Engineer) to the pavement, pavement markings, drainage system, concrete barriers, etc. to accommodate bus traffic in the HOV Lane; and,

WHEREAS, the Municipality, at no expense to the Department, will be responsible for the maintenance of the HOV pavement, drainage structures and the HOV side of the barriers for the bus lanes.

NOW, THEREFORE, BE IT RESOLVED that this Supplemental Municipal Agreement to Project U-0209 is hereby formally approved by the City Council of the City of Charlotte and that the Director of the Charlotte Department of Transportation and Clerk of this Municipality are hereby empowered to sign and execute the agreement with the Department of Transportation.

I, Brenda 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 23rd day of November, 1998, and the reference having been made in Minute Book 113, and recorded in full in Resolution Book 35, Page (s) 413-414.

WITNESS, my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of November, 1998.

(SEAL)

*Brenda R. Freeze*

Brenda Freeze, City Clerk, CMC

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

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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 **BEATTIES FORD ROAD 4-LANE 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 **BEATTIES FORD ROAD 4-LANE WIDENING PROJECT** and estimated to be approximately **784.08 square feet (0.018 ac.) fee-simple; 566.28 square feet (.013 ac.) for temporary construction easement; 217.8 square feet (.005 ac.) for permanent utility easement**; and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 075-073-33, said property currently owned by **HEIRS AT LAW OF JOHN WILSON PERRY; CHARLOTTE MEMORIAL HOSPITAL, Possible Judgment Creditor; REPUBLIC BANK & TRUST CO., Possible Judgment Creditor; NATIONSBANK, N. A., Possible Judgment Creditor; GALE INDUSTRIES, INC., Possible Judgment Creditor; UNITED STATES DEPARTMENT OF TREASURY, Department of Internal Revenue Service, Possible Judgment 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.

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

WHEREAS the City Council of the City of Charlotte has adopted the following resolution:

RESOLVED that the City Council of the City of Charlotte do hereby authorize the City Clerk to execute the following resolution:

WHEREAS the City Council of the City of Charlotte has adopted the following resolution:

**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 23rd day of November, 1998, the reference having been made in Minute Book 113, and recorded in full in Resolution Book 35, Page(s) 415-416.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of November, 1998.

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

EXTRACT FROM MINUTES  
OF MEETING OF CITY COUNCIL OF  
THE CITY OF CHARLOTTE

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held at the Meeting Chamber in the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, in Charlotte, North Carolina, the regular place of meeting, at 7:00 P.M. on November 23, 1998.

Present: Mayor Pat McCrory, presiding, and  
Councilmembers Autrey, Baker, Cannon, Greene, Jackson, Majeed, Reid,  
Rousso, Sellers, Spencer, and Wheeler

Absent: None

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

\* \* \* \* \*

The City Council received from the Mecklenburg County Board of Elections a certified copy of the proceedings of said Board of Elections taken on November 6, 1998, evidencing said Board's determination of the result of the canvass of the returns of the special bond referendum held in the City of Charlotte on November 3, 1998 upon the question of approving \$98,300,000 Street Bonds of said City.

After said proceedings had been considered and reviewed by the City Council, Councilmember Rousso introduced the

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

RESOLUTION DECLARING THE RESULT OF THE SPECIAL BOND REFERENDUM HELD IN THE CITY OF CHARLOTTE ON NOVEMBER 3, 1998 UPON THE QUESTION OF APPROVING \$98,300,000 STREET BONDS.

BE IT RESOLVED by the City Council of the City of Charlotte:

Section 1. The City Council of the City of Charlotte, having received from the Mecklenburg County Board of Elections a certified copy of the proceedings of said Board of Elections taken on November 6, 1998, evidencing said Board's determination of the result of the canvass of the returns of the special bond referendum held in the City of Charlotte on November 3, 1998 upon the question of approving \$98,300,000 Street Bonds of said City, does hereby declare and certify the result of said referendum to be the result which is set forth in the following statement, which statement has been prepared by said City Council:

STATEMENT OF THE RESULT  
of the  
SPECIAL BOND REFERENDUM  
held in the  
CITY OF CHARLOTTE, NORTH CAROLINA  
on November 3, 1998  
UPON THE QUESTION OF APPROVING  
\$98,300,000 STREET BONDS

(a) At a special bond referendum held in the City of Charlotte on November 3, 1998, 326,577 voters were registered and qualified to vote.

(b) At said referendum 82,083 votes were cast for the order adopted on August 24, 1998, authorizing not exceeding \$98,300,000 Street Bonds of the City of Charlotte, North Carolina, for the

purpose of providing funds, with any other available funds, for enlarging, extending and improving the street and road system of said City, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State, including, without limiting the generality of the foregoing, related studies, plans and design and acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads and intersections and acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting, traffic controls, signals and markers and acquiring any necessary land, interests in land and rights-of-way, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, and 29,709 votes were cast against said order, and that a majority of the qualified voters of said City who voted thereon at said referendum having voted in favor of the approval of said order, said order was thereby approved and is in force and effect.

Section 2. The City Clerk of the City of Charlotte shall file a copy of the foregoing statement of the result of said referendum in the office of the City Clerk by including said statement in this resolution in the minutes of said City Council and shall publish such statement once in The Charlotte Observer.

A statement in substantially the following form shall be published with the foregoing statement: Any action or proceeding

challenging the regularity or validity of this bond referendum must be begun within 30 days after [date of publication].

City Council  
of the  
City of Charlotte, North Carolina

Section 3. This resolution shall take effect upon its passage.

Upon motion of Councilmember Rouso, seconded by Councilmember Wheeler, the foregoing resolution entitled:

"RESOLUTION DECLARING THE RESULT OF THE SPECIAL BOND REFERENDUM HELD IN THE CITY OF CHARLOTTE ON NOVEMBER 3, 1998, UPON THE QUESTION OF APPROVING \$98,300,000 STREET BONDS" was passed by the following vote:

Ayes: Councilmembers Unanimous

Noes: None

\* \* \* \* \*

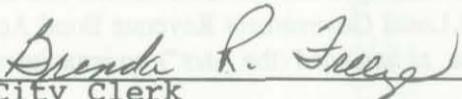
I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the recorded proceedings of the City Council of said City at a regular meeting held on November 23, 1998, as relates in any way to the declaration of the result of the special bond referendum held on November 3, 1998 upon the question of approving \$98,300,000 Street Bonds of said City and that references regarding said proceedings are recorded in Minute Book No. 113 of said City Council, beginning at page      and ending at page     , and a full copy of the foregoing resolution

declaring the result of the special bond referendum is recorded in Resolution Book No. 35 of said City Council, beginning at page 417 and ending at page 421.

I HEREBY FURTHER CERTIFY that a copy of the statement of the result of the referendum adopted by the resolution set forth in the foregoing extract has been filed in the office of the City Clerk.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held (with certain exceptions not applicable to said meeting) at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, in Charlotte, North Carolina in the Conference Center on the first Monday of each month at 5:00 P.M. (workshop); and in the Meeting Chamber on the second Monday of each month at 7:00 P.M., the third Monday of each month at 6:00 P.M. (zoning) and the fourth Monday of each month at 7:00 P.M., has been on file in the office of the City Clerk as of a date not less than seven days before the date of said meeting in accordance with G.S. § 143-318.12.

WITNESS my hand and the seal of said City, this 24th day of November, 1998.

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

[SEAL]

Extract of Minutes of a regular meeting of the City Council of the City of Charlotte, North Carolina held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on November 23, 1998.

\* \* \*

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 Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, at 7:00 p.m. on November 23, 1998 (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: Councilmember Autrey, Baker, Cannon,

Greene, Jackson, Majeed, Reid, Rousso, Sellers, Spencer, and Wheeler.

The following members of the City Council were absent: None

Also present: Pam Syfert, City Manager, DeWitt McCarley, City Attorney, and

Brenda R. Freeze, City Clerk

Councilmember Wheeler introduced the following resolution (the "Resolution"), a summary of which had been provided to each Council member:

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$25,000,000 IN SPECIAL FACILITIES REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION OF A CREW TRAINING CENTER FOR THE USE OF US AIRWAYS, INC. AND LOCATED AT CHARLOTTE/DOUGLAS INTERNATIONAL AIRPORT IN THE CITY OF CHARLOTTE, NORTH CAROLINA.**

**WHEREAS**, 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, is empowered by The State and Local Government Revenue Bond Act, Section 159-80 *et. seq.* of the General Statutes of North Carolina, as amended (the "Act"), to issue its revenue bonds for the purposes as specified in the Act;

**WHEREAS**, the City has received a request from US Airways, Inc. ("US Airways"), requesting that the City issue its revenue bonds to finance the acquisition of a crew training center to be located at Charlotte/Douglas International Airport in Charlotte, North Carolina to be leased by the City to US Airways (the "Project");

**WHEREAS**, such assistance will induce US Airways to locate the Project in the City;

**WHEREAS**, the City, on the basis of representations by US Airways, has determined that the estimated costs of the acquisition of the Project, including underwriting discounts or commissions, if any, and legal, accounting, financing and printing expenses, will require an issue of special facilities revenue

bonds in an aggregate principal amount not to exceed \$25,000,000 and has requested the City to issue its special facilities revenue bonds in an amount not in excess thereof to finance such costs and expenses;

*WHEREAS*, US Airways desires to proceed with the Project and will incur capital expenditures (the "Expenditures") in connection with the Project before the issuance of the City's special facilities revenue bonds therefor; and

*WHEREAS*, US Airways will advance moneys from funds on hand to pay the Expenditures and the City intends, and, on the basis of information supplied by US Airways (on which it is reasonable to rely), reasonably expects to reimburse US Airways for the payment of the Expenditures from a portion of the proceeds of such revenue bonds to be issued by the City if and when it acquires the Project;

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

*Section 1. Assist in Financing Project.* To induce US Airways to construct and equip the Project and cause the Project to be located in the City, the City hereby agrees to use its best efforts to assist US Airways in financing the Project by undertaking the issuance of its special facilities revenue bonds (the "Bonds") in an amount not to exceed \$25,000,000 on terms and conditions mutually agreeable to the City and US Airways. The Bonds will be issued pursuant to documents satisfactory to the City and its counsel and may be issued in one or more series at one time or from time to time.

*Section 2. Proceed with Plans for Project.* It having been represented to the City that it is necessary to proceed immediately with the construction and equipping of the various components of the Project, the City hereby agrees that US Airways may proceed with plans for the Project, enter into contracts for land, construction, materials and equipment for the Project, and take such other steps as it may deem appropriate in connection therewith, provided, however, that nothing herein will be deemed to authorize US Airways to obligate the City without its consent in each instance to the payment of any moneys or the performance of any acts in connection with the Project. US Airways anticipates incurring expenditures in connection with the Project before the issuance of the Bonds and intends, through the payment of the acquisition price, to be reimbursed for such expenditures incurred and paid. The City agrees that US Airways may be reimbursed from the proceeds of the Bonds for all expenditures and costs so incurred by it and paid before issuance of the Bonds, provided such expenditures and costs are properly reimbursable under the Act and applicable federal laws and provided the City determines to acquire the Project.

*Section 3. Costs and Expenses.* All costs and expenses in connection with the construction and equipping of the Project and the financing thereof, including the fees and expenses of bond counsel and City counsel, will be paid by US Airways or, to the extent permitted by applicable law, from the proceeds of the Bonds. If for any reason the Bonds are not issued, it is understood that all such expenses will be paid by US Airways and that the City will have no responsibility therefor.

*Section 4. Official Declaration of Intent to Reimburse US Airways.* The City presently intends, and, based on information supplied by US Airways (on which it is reasonable to rely), reasonably expects to reimburse US Airways for the Expenditures incurred and paid by US Airways in connection with the Project before the issuance of the Bonds from a portion of the proceeds of the Bond if and when it acquires the Project. The maximum principal amount of tax-exempt obligations expected to be issued for the Project

is \$25,000,000. This Section 4 is adopted as a declaration of official intent under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code").

**Section 5. Effective Date.** This Resolution will take effect immediately on its adoption.

On motion of Councilmember Wheeler, seconded by Councilmember Sellers, the foregoing resolution entitled "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$25,000,000 IN SPECIAL FACILITIES REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION OF A CREW TRAINING CENTER FOR THE USE OF US AIRWAYS, INC. AND LOCATED AT CHARLOTTE/DOUGLAS INTERNATIONAL AIRPORT IN THE CITY OF CHARLOTTE, NORTH CAROLINA" was duly adopted by the following vote:

**AYES:** Unanimous

**NAYS:** None

**CITY OF CHARLOTTE, NORTH CAROLINA**

[SEAL]

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

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

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

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 23, 1998, 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 24th day of November, 1998.

Reference having been made in Minute Book 113, Resolution Book 35, Page 422-425.



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

(SEAL)