

Resolution

RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE U.S. DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR TRANSIT ASSISTANCE GRANTS UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964 AS AMENDED.

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

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant; including the provision by it of the local share of project costs;

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provision of Title VI of Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with the project, and the definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to complete for contracts when procuring construction contracts, supplies equipment contracts, or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlotte, North Carolina:

1. That the City Manager is authorized to execute and file applications on behalf of the City of Charlotte with the U.S. Department of Transportation to aid in the financing of transit assistance; and that the Chief Executive Officer of the Charlotte Area Transit System is authorized to execute and file applications with the North Carolina Department of Transportation, to aid in the financing of transit assistance.
2. That the City Manager is authorized to execute and file with such applications an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1965; and that the Chief Executive Officer of the Charlotte Area Transit System is authorized to execute and file with such applications an assurance or any other document required by the North Carolina Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That the Chief Executive Officer of the Charlotte Area Transit System is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the project.

4. That the City Manager or her designee is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
5. That the City Manager is authorized to execute grant agreements and any amendments thereto on behalf of the City of Charlotte with the U.S. Department of Transportation for aid in the financing on the transit assistance projects; and that the Chief Executive Officer is authorized to execute grant agreements and any amendments thereto on behalf of the Charlotte Area Transit System with the North Carolina Department of Transportation for aid in the financing of the transit assistance projects.

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 647-648

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON NOVEMBER 24, 2003

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

WHEREAS, The City plans to install new traffic signals at the intersections of Ardrey-Kell Road and
US 521, Marvin Road, Rea Road, Tom Short Road and NC 16. As part of the agreement, the City
will install fiber optic communications cable along Ardrey-Kell Road from US 521 to Tom Short
Road; and,

WHEREAS, The North Carolina Department of Transportation (NCDOT) will be reimbursing the City
fifty percent of actual costs, up to \$700,000; and,

WHEREAS, The format and cost sharing philosophy with NCDOT is consistent with past municipal
agreements.

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
Department of Transportation.

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 649-650.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON NOVEMBER 24, 2003

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

WHEREAS, The City plans to install new traffic signals with video detection at the intersections of I-485 Eastbound Ramp at Arrowood Road, I-485 Westbound Ramp at Arrowood Road, I-485 Northbound Ramp at Wilkinson Blvd, I-485 Southbound Ramp at Wilkinson Blvd, and NC 160 at Shopton Road. As part of the agreement, the City will install fiber optic communications cable along I-485 from Arrowood Road to Wilkinson Blvd and on NC 160 from I-485 to Shopton Road; and,

WHEREAS, The North Carolina Department of Transportation (NCDOT) will be reimbursing the City fifty percent of actual costs, up to \$525,000; and,

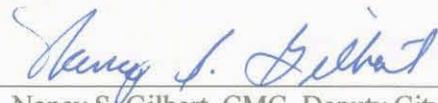
WHEREAS, The format and cost sharing philosophy with NCDOT is consistent with past municipal agreements.

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 Department of Transportation.

CERTIFICATION

I, Nancy S. Gilbert, 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 24th day of November, 2003 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 651-652.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.



Nancy S. Gilbert, 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 the **SOUTH CORRIDOR LIGHT RAIL TRANSIT 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 **SOUTH CORRIDOR LIGHT RAIL TRANSIT PROJECT** and estimated to be approximately **48,573 square feet (1.000 acre) of fee-simple**, and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 169-092-03, said property currently owned by **BRUCE J. FRIEND, and spouse, if any; CHARLES L. FULTON, Trustee; and GREAT NORTHERN INSURED ANNUITY CORPORATION, Beneficiary and Assignee; WALDEN BOOK COMPANY, INC., Lessee; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

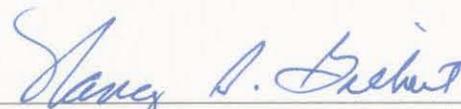
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Nancy S. Gilbert, 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 24th day of November, 2003 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 653.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

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

WHEREAS, the City Council for the City of Charlotte finds as a fact that it is necessary to acquire certain real property as indicated below, for Airport purposes pursuant to the Charlotte/Douglas International Airport Master Plan; and

WHEREAS, the City in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owner regarding just compensation, and, therefore, has been unable to negotiate a purchase price; and

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, utilizing the procedures of Article 9 of Chapter 136 of the North Carolina General Statutes as authorized by 7.81 of the Charter of the City of Charlotte, and otherwise under the authority and procedures of the laws of the State of North Carolina.

Parties in Interest

Nature of Interest

William D. McNaull, Jr.	Fee
Postal Telegraph Company	Easement
Southern Public Utilities Company	Easement
City/County Tax Collector	Ad Valorem Taxes

Property description

BEGINNING at a tack located in the center line of N.C. Highway No. 160, said tack being the corner of the I.H. Freeman and the common corner of the Cathey and the C.E. Brown lot; thence along and with the center line of the N.C. Highway No. 160 S 20-03-13 E 152.54 feet to a tack located in the center lien of said road; thence S. 62-20-12 W. 793.11 feet to an iron in the present right of way of Garrison Road (N.C. State Road No. 1148); thence N. 27-39-20 W 150.53 feet to an old iron; thence N. 62-17-23 E. 813.29 feet to a point or place of BEGINNING, containing 2.7816 acres more or less according to the survey of Edwin L. Faires, R.S., dated June 27, 1972.

Less and except that portion of the above-described parcel of land conveyed from William D. McNaull, Jr., to Jenkins & Jenkins Automotive, Inc. dated August 7, 1972, and recorded in Book 3454, Page 187 of the Mecklenburg Public Registry.

Appraised Value

\$4,100 or such other amount as may be subsequently determined pursuant to applicable City, FAA or other Federal Regulations.

IT IS FURTHER RESOLVED that the appraised value of 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, Nancy S. Gilbert, 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 24th day of November, 2003 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 654-655.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

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

WHEREAS, the City Council for the City of Charlotte finds as a fact that it is necessary to acquire certain real property as indicated below, for Airport purposes pursuant to the Charlotte/Douglas International Airport Master Plan; and

WHEREAS, the City in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owner regarding just compensation, and, therefore, has been unable to negotiate a purchase price; and

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, utilizing the procedures of Article 9 of Chapter 136 of the North Carolina General Statutes as authorized by 7.81 of the Charter of the City of Charlotte, and otherwise under the authority and procedures of the laws of the State of North Carolina.

Parties in Interest

Nature of Interest

Jenkins & Jenkins Automotive, Inc.	Fee
James P. McGowan	Trustee under deed of trust dated December 16, 1991, securing \$50,000
United Carolina Bank	Beneficiary under deed of trust dated December 16, 1991, securing \$50,000
Southern Public Utilities	Easement
Postal Telegraph Company	Easement
City-County Tax Collector	Ad valorem taxes

Property description

BEGINNING at a point at which the center line of Garrison Road (N.C. State Road #1148) intersects with the center line of N.C. Highway #160; thence along and with the center line of N.C. Highway #160, S 20-59-58 E 237.79 feet to a point in the center line of N.C. Highway #160; thence S 69-09-54 W 395 feet (crossing an iron at 30.10 feet) to an iron; thence S 20-58-04 E 53.79 feet to an iron; thence S 69-06-44 W 420.36 feet (crossing an iron at 388.48 feet) to a point in the center line of Garrison Road; thence along and with the center line of Garrison Road N 01-05-21 W 76.65 feet to a nail in the center line of Garrison Road, thence along and with the center line of Garrison Road N

10-17-47 E 100.7 feet to a point; thence along and with the center line of Garrison Road N 33-38-59 E 68.49 feet to a point; thence along and with the centerline of Garrison Road N 52-25-00 E 96.20 feet to a point; N 62-58-15 E 592.38 feet to a point or place of BEGINNING containing 3.857 acres, more or less, and being that land conveyed from William D. McNaull, Jr. to Jenkins & Jenkins Automotive, Inc. by deed recorded at Book 3454, Page 187 of the Mecklenburg County Public Registry.

Appraised Value

\$575,000 or such other amount as may be subsequently determined pursuant to applicable City, FAA or other Federal Regulations.

IT IS FURTHER RESOLVED that the appraised value of 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, Nancy S. Gilbert, 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 24th day of November, 2003 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 656-657.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.



Nancy S. Gilbert, 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 the **NEIGHBORHOOD IMPROVEMENT: HERRINWOOD 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 **NEIGHBORHOOD IMPROVEMENT: HERRINWOOD PROJECT** and estimated to be approximately **6,041 square feet (.139 acre) of permanent 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. 093-092-24, said property currently owned **MAXTON HOWARD SHAW; Co-Trustee; CATHY LYNN SHAW PEACOCK, Co-Trustee; WILLIAM SHERRILL NEWELL and spouse, if any; GILMER F. NEWELL and spouse, if any; ROBERT L. NEWELL, JR. and spouse, if any; Any Other Heirs at Law of Betty Ann Newell Shaw; 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, Nancy S. Gilbert, 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 24th day of November, 2003 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 658.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.



Nancy S. Gilbert, 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 the **MORRIS FIELD DRIVE 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 **MORRIS FIELD DRIVE WIDENING PROJECT** and estimated to be approximately **15,864 square feet (.364 acre) of storm drainage 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. 115-086-29, said property currently owned **C & C PROPERTIES OF CHARLOTTE, LLC; WILLIAM D. ELDER, Trustee; FIRST CITIZENS BANK & TRUST COMPANY, 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, Nancy S. Gilbert, 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 24th day of November, 2003 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 659.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

RESOLUTION CLOSING A PORTION OF 10TH STREET ALLEYWAY IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a portion of 10th Street alleyway 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 10th Street alleyway to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the public hearing was held on the 24th day of November, 2003 and City Council determined that the closing of a portion of 10th Street alleyway 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 24, 2003, that the Council hereby orders the closing of a portion of 10th Street alleyway in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A", and is more particularly described by metes and bounds in 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, Nancy S. Gilbert, 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 24th day of November, 2003 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 660-664.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

PETITION

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

The City of Charlotte respectfully files this Petition and requests that all of East Tenth Street as it bisects the northern portion of the City's Old Bus Garage property (Tax ID Numbers 080-041-05 and 080-041-07) from the City of Charlotte Rail Right-of-Way to the northeast corner of a parcel owned by Steven M. Ascher and Brian J. Ascher (Tax ID Number 080-041-06) as shown on the map attached hereto and made a part hereof marked "Exhibit A", be closed and abandoned in accordance with the provisions of Chapter 160A, Section 299, subsection (a) of the General Statutes of North Carolina.

In support of this Petition, your petitioner respectfully alleges that:

1. Closing of the street will allow the combination of two land tracts owned by the City of Charlotte into one larger and more efficient land parcel.
2. The closing of East Tenth Street is not contrary to the public interest.
3. No individual, partnership or corporation owning property in the vicinity of East Tenth Street or in the subdivision in which it is located will be deprived of reasonable means of ingress and egress to his or its property by virtue of the closing.
4. The street (or portion thereof) which petitioner requests be closed and abandoned is more particularly described by interested bounds in "Exhibit B", attached hereto and made a part hereof.
5. The street (or portion thereof), requested to be closed and abandoned has not been previously accepted by the North Carolina Department of Transportation for maintenance.

Wherefore, petitioner respectfully requests the City Council of the City of Charlotte consider this Petition and set the time for public hearing upon this matter as required by law.

Respectfully submitted the 19th day of June, 2003.



Jim Schumacher
Address: 600 East Fourth Street
Charlotte, North Carolina 28202-2840

Please Direct Questions to:
Edward Wright
City of Charlotte, Real Estate Division
301 South McDowell Street, Suite 408
Charlotte, North Carolina 28202
Telephone Number: 704-336-3212

2003044981 MAP BOOK 39 PAGE 171

I, DAVID H. SHOOK, CERTIFY THAT THIS PLAN WAS DRAWN UNDER MY SUPERVISION AND THAT I AM A LICENSED SURVEYOR UNDER MY SUPERVISION. I HAVE NOTED AND INDICATED ALL METERS AND MARKS THAT THE DEEDS AND PLATS INDICATED AS ORIGIN FROM INFORMATION INDICATED, THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000. I CERTIFY THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE MECKLENBURG PLANNING COMMISSION ORDINANCE. THIS SURVEY IS OF EXISTING PARCELS OF LAND AND IS NOT SUBJECT TO THE CITY OF CHARLOTTE SUBDIVISION ORDINANCE.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 3RD DAY OF MARCH, A.D., 2003

David H. Shook 0310303
DAVID H. SHOOK, NC P.L.S. L-2942 DATE

FILED FOR REGISTRATION
MAR 05 2003
M. H. HARRIS
REGISTERED SURVEYOR
10000 W. WOODHOLLOW DR.
CHARLOTTE, NC 28226

THIS PLAN IS NOT SUBJECT TO THE PROVISIONS OF THE CITY OF CHARLOTTE OR MECKLENBURG COUNTY SUBDIVISION ORDINANCES AND DOES NOT REQUIRE THE APPROVAL OF THE CITY OF CHARLOTTE OR MECKLENBURG COUNTY. ANY FURTHER SUBDIVISION OF THIS PROPERTY MAY BE SUBJECT TO THESE PROVISIONS.

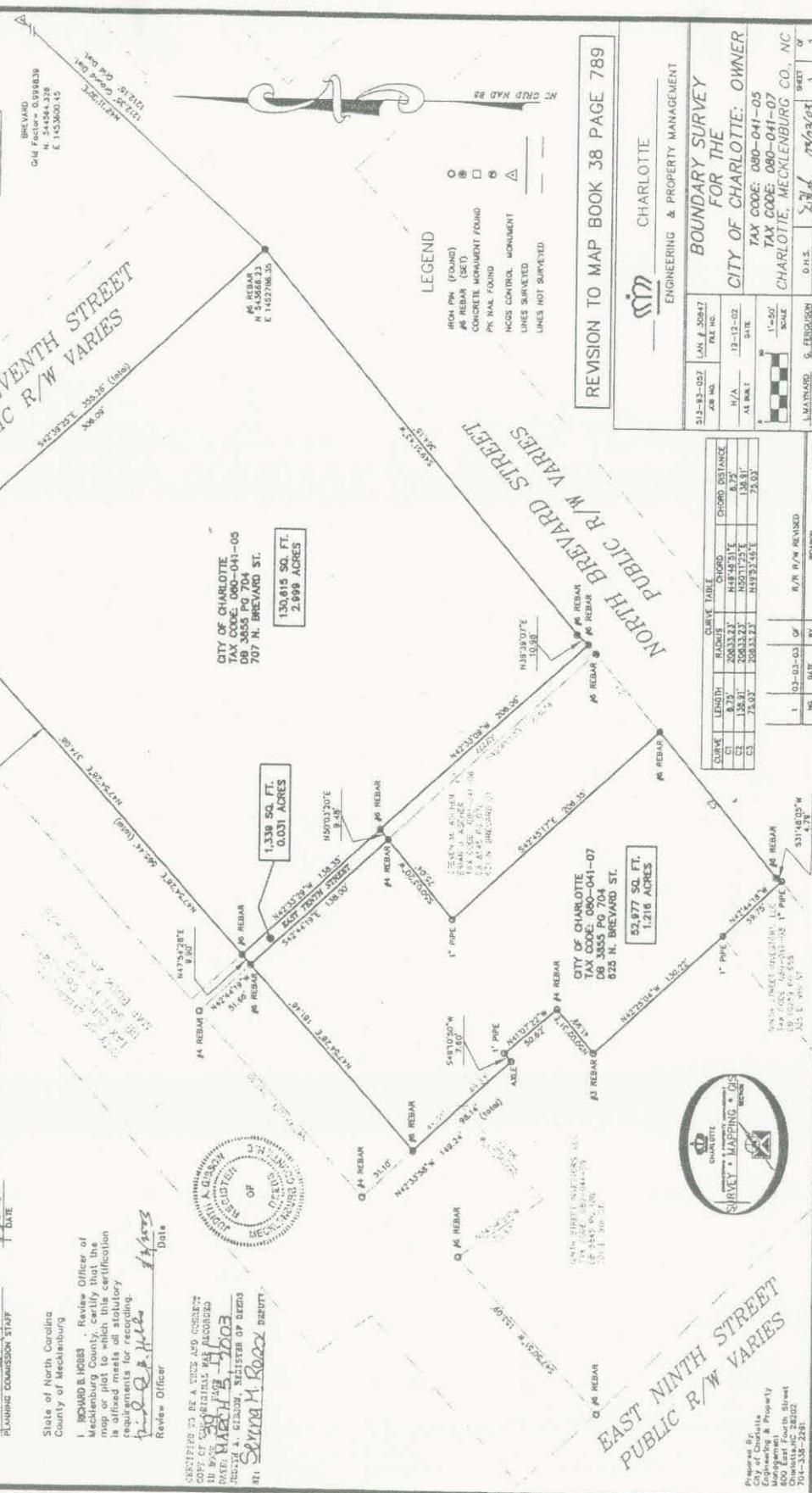
David H. Shook 0310303
PLANNING COMMISSION STAFF DATE

State of North Carolina
County of Mecklenburg

I, RICHARD B. HOBBS, Review Officer of the City of Mecklenburg County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Richard B. Hobbs 4/1/03
Review Officer Date

REGISTERED TO BE A TRUE AND CORRECT COPY OF THE ORIGINALS FILED RECORDS
MARCH 5 2003
CLERK OF RECORDS
BY: SKYLA M. ROSS DEPUTY



REVISION TO MAP BOOK 38 PAGE 789

CHARLOTTE
ENGINEERING & PROPERTY MANAGEMENT

BOUNDARY SURVEY FOR THE CITY OF CHARLOTTE: OWNER

TAX CODE: 080-041-05
TAX CODE: 080-041-07
CHARLOTTE, MECKLENBURG CO., NC

DATE: 03/03/03

APPROVED BY: [Signature]

REVISION

NO.	DATE	BY	R/R	R/W	REVISION
1	03-03-03	DF			R/R R/W REVISED



Prepared by:
City of Charlotte
Engineering & Property Management
400 East Fourth Street
Charlotte, NC 28202
704-336-2831

EXHIBIT B

LEGAL DESCRIPTION
Street Abandonment
A Part of East Tenth Street

Being located in Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

Beginning at a #6 rebar at the Northeast corner of the property of Steven M. Ascher and Brian J. Ascher as described in Deed Book 8545 Page 76 in the Mecklenburg County Register of Deeds Office; thence S 50-03-20 W, 9.48 feet to a #4 rebar; thence N 42-44-19 W, 138 feet to a #6 rebar at the Northeast corner of the property of the City of Charlotte as described in Deed Book 3855 Page 704; thence N 47-54-28 E, 9.90 feet to a #6 rebar; thence S 42-33-29 E, 138.35 Feet to the point of beginning; containing 1,339 square feet and as shown on the plat recorded in Map Book 39 Page 171 in the Mecklenburg County Register of Deeds Office; prepared by the City of Charlotte, Engineering and Property Management and dated 03/03/03.