

**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE Victoria Avenue and two 10-foot alleyways in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, **Citiline Resortline Properties, LLC** has filed a petition to close **Victoria Avenue and two 10-foot alleyways** in the City of Charlotte; and

Whereas, the portions of rights-of-way to be closed lie within the Third Ward Community. Victoria Avenue beginning from West Forth Street continuing northeastwardly approximately 152-feet to its terminus, and a 10-foot alleyway: beginning from West Forth Street continuing northeastwardly approximately 385-feet to its terminus, and a 10-foot alleyway: beginning at the northern most section of Victoria Avenue continuing southeastwardly approximately 58-feet to its terminus. All shown on maps marked "Exhibits A1-A2-A-3" and is more particularly described by metes and bounds in a document marked "Exhibit B1-B2-B3" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

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

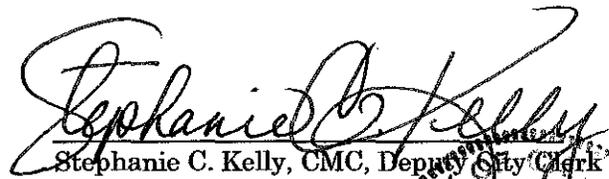
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of October 27, 2008 that it intends to close Victoria Avenue and two 10-foot alleyways and that the said rights-of-way (or portions thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 24th day of November, 2008 in CMGC meeting chamber, 600 East 4<sup>th</sup> Street Charlotte North Carolina.

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

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27<sup>th</sup> day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (622-623).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31<sup>st</sup> day of October, 2008.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE Plymouth Street in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, **Ralph O. Johnson, Jr.** has filed a petition to close **Plymouth Street** in the City of Charlotte; and

Whereas, Plymouth Street to be closed lies within the Southwest Community Development beginning approximately 21 feet from Roundtree Road continuing approximately 354 feet to its terminus as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

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

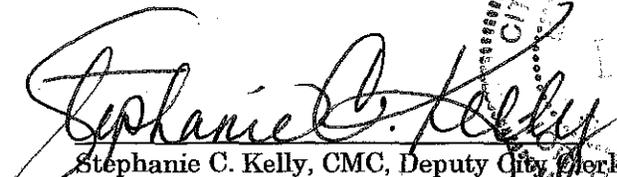
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of October 27, 2008 that it intends to close Plymouth Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 24<sup>th</sup> day of November, 2008 in CMGC meeting chamber, 600 East 4<sup>th</sup> Street Charlotte North Carolina.

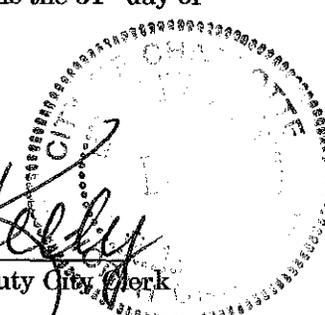
The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

**CERTIFICATION**

I, **Stephanie C. Kelly**, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27<sup>th</sup> day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Page 624.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31<sup>st</sup> day of October, 2008.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE portions of E. Palmer Street, S. College Street and a residual portion of Carson Street in the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, **1200 South Boulevard, LLC** has filed a petition to close **portions of E. Palmer Street, S. College Street and a residual portion of Carson Street** in the City of Charlotte; and

Whereas, the portions of rights-of-way to be closed lie within the Logan Community in the vicinity of the South End District. E. Palmer Street beginning from South Blvd and continuing approximately 231 feet northwest to its terminus at the City Light Rail line, S. College Street beginning from E. Palmer and continuing approximately 77 feet to its terminus at E. Carson Boulevard and E. Carson Boulevard beginning 295 feet from South Blvd and continuing northwest approximately 254 feet to its terminus at the City Light Rail line as shown in the maps marked "Exhibits A-1, A-2 and A-3" and is more particularly described by metes and bounds in documents marked "Exhibit B-1, B-2 and B-3" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

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

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of October 27, 2008 that it intends to close portions of E. Palmer Street, S. College Street and a residual portion of Carson Street and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 24<sup>th</sup> day of November, 2008 in CMGC meeting chamber, 600 East 4<sup>th</sup> Street Charlotte North Carolina.

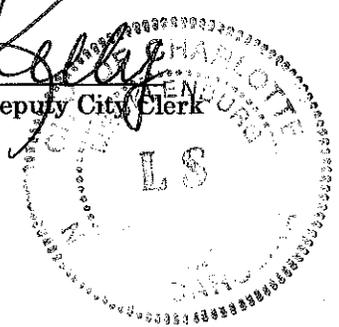
The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27<sup>th</sup> day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (625-626).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31<sup>st</sup> day of October, 2008.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



**RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a residual portion of Lancaster Street** in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **Citiline Resortline** has filed a petition to close a residual portion of **Lancaster Street** in the City of Charlotte; and

Whereas, the portion of Lancaster Street to be closed lies within the Brookhill (S. Tryon Community Mission Church) beginning from 138 feet from Youngblood Street continuing southeastwardly approximately 50 feet to its terminus as shown in the map marked "Exhibit A-1" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

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

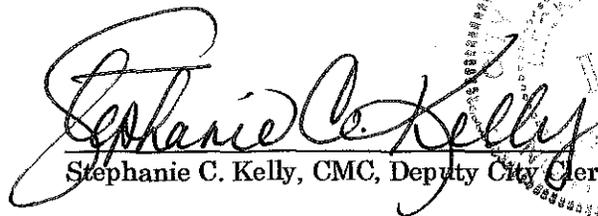
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of October 27, 2008 that it intends to close a residual portion of Lancaster Street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 24<sup>th</sup> day of November, 2008 in CMGC meeting chamber, 600 East 4<sup>th</sup> Street Charlotte North Carolina.

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

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27<sup>th</sup> day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Page 627.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31<sup>st</sup> day of October, 2008.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



**EXTRACTS FROM MINUTES OF CITY COUNCIL**

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 6:00 P.M. on October 27, 2008.

Members Present: Barnes, Burgess, Carter, Cooksey, Dulin, Foxx, Kinsey, Lassiter, Mitchel, Peacock, and Turner.

Members Absent:

Also Present: Mayor

\* \* \* \* \*

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

**A RESOLUTION AUTHORIZING THE ISSUANCE UNDER THE PROVISIONS OF THE STATE AND LOCAL GOVERNMENT REVENUE BOND ACT, AS AMENDED, OF FOUR SERIES OF AIRPORT REVENUE BONDS OF THE CITY OF CHARLOTTE; THE PRIVATE SALE OF THE BONDS; AND VARIOUS AGREEMENTS AND ACTIONS IN CONNECTION WITH SUCH TRANSACTIONS**

*WHEREAS*, the City of Charlotte, North Carolina, a municipal corporation in the State of North Carolina (the "*City*") owns and operates within the City a public airport known as the Charlotte Douglas International Airport (together with such additions thereto as may be made from time to time, the "*Airport*"); and

*WHEREAS*, the City is empowered, under the Constitution and laws of the State of North Carolina, particularly The State and Local Government Revenue Bond Act (Sections 159-80 to 159-97, inclusive, as amended, of the General Statutes of North Carolina), as the same may be amended from time to time (the "*Act*"), to issue its revenue bonds for the purpose of financing airport facilities and refunding prior bonds issued for such purposes; and

*WHEREAS*, the City Council of the City (the "*City Council*") on November 18, 1985 adopted a bond order authorizing and securing airport revenue bonds of the City, which the City Council supplemented and amended on June 8, 1992 and August 23, 2004 (the "*Bond Order*"); and

*WHEREAS*, the City Council hereby determines that it is necessary (1) to improve Charlotte Douglas International Airport (the "*Airport*"), including, but not limited to the acquisition, rehabilitation, renovation, expansion and construction of (a) certain improvements to the Airport, consisting of the (i) construction of a new runway, taxiway, taxiway bridges and navigational aids, (ii) construction of an aircraft deicing facility, (iii) rehabilitation and renovation of storm drain facilities, (iv) construction of a

new valet parking deck, (v) upgrades to and expansion of the Airport's existing parking revenue control system, (vi) planning costs associated with expansion of the terminal complex, (vii) modifications to the security checkpoints in the passenger terminal building, (viii) expansion of the Airport's airline fuel storage and delivery system and (b) other improvements at the Airport consistent with the Airport's mission (the "2008 Improvements"), (2) refund in advance of their maturities the City's Variable Rate Airport Refunding Revenue Bonds, Series 1993A (the "1993A Bonds"), the City's Variable Rate Airport Refunding Revenue Bonds, Series 1997A (the "1997A Bonds"), the City's Variable Rate Demand Airport Revenue Bonds, Series 1999D, and the City's Variable Rate Demand Airport Revenue Bonds, Series 2004D (collectively, the "Refunded Bonds"), (3) fund a debt service reserve for each series of the 2008 Bonds, (4) finance capitalized interest on the 2008A Bonds, and (5) to pay the costs of issuance of the 2008 Bonds (as hereinafter defined); and

**WHEREAS**, in order to obtain a portion of the funds to acquire, construct and equip the 2008 Improvements and to refund the Refunded Bonds, the City has determined to approve the transactions described herein whereby the City will authorize and approve (1) the issuance of, among other things, four series of its airport revenue bonds, one to be known as "City of Charlotte, North Carolina Airport Revenue Bonds, Series 2008A" (the "2008A Bonds") in an aggregate principal amount not to exceed \$287,095,000, a second to be known as "City of Charlotte, North Carolina Airport Refunding Revenue Bonds, Series 2008B" (the "2008B Bonds") in an aggregate principal amount not to exceed \$73,615,000, a third to be known as "City of Charlotte, North Carolina Airport Refunding Revenue Bonds, Series 2008C" (the "2008C Bonds") in an aggregate principal amount not to exceed \$45,080,000, a fourth to be known as "City of Charlotte, North Carolina Variable Rate Airport Refunding Revenue Bonds, Series 2008D" (the "2008D Bonds" together with the 2008A Bonds, the 2008B Bonds and the 2008C Bonds, the "2008 Bonds") in an aggregate principal amount not to exceed \$43,975,000, (2) a Bond Purchase Agreement among the Local Government Commission, the City and Merrill Lynch, Pierce, Fenner & Smith Incorporated, as representative of the underwriters named therein (the "2008A Underwriters"), providing for the sale of the 2008A Bonds authorized hereunder (the "2008A Bond Purchase Agreement"), (3) a Bond Purchase Agreement among the Local Government Commission, the City and Merrill Lynch, Pierce, Fenner & Smith Incorporated, as representative of the underwriters named therein (the "2008BC Underwriters"), providing for the sale of the 2008B Bonds and the 2008C Bonds authorized hereunder (the "2008BC Bond Purchase Agreement"), and (4) a Bond Purchase Agreement among the Local Government Commission, the City and Banc of America Securities LLC (the "2008D Underwriter"), providing for the sale of the 2008D Bonds authorized hereunder (the "2008D Bond Purchase Agreement" together with the 2008A Bond Purchase Agreement and the 2008BC Bond Purchase Agreement, the "Bond Purchase Agreements"); and

**WHEREAS**, copies of the forms of the following documents relating to the transactions described above have been filed with the City and have been made available to the City Council of the City (the "City Council"):

1. the Bond Purchase Agreements;
2. the Letter of Credit and Reimbursement Agreement dated as of November 1, 2008 (the "Reimbursement Agreement") among the City and Bank of America, N.A., as credit provider, with respect to the 2008D Bonds;
3. the Remarketing and Interest Services Agreement dated as of November 1, 2008 (the "Remarketing Agreement") between the City and Banc of America Securities LLC, as remarketing agent for the 2008D Bonds (the "Remarketing Agent");

4. the Preliminary Official Statement to be dated on or about November 24, 2008 (the "2008A Preliminary Official Statement") with respect to the 2008A Bonds
5. the Preliminary Official Statement to be dated on or about November 3, 2008 (the "2008BC Preliminary Official Statement") with respect to the 2008B Bonds and the 2008C Bonds;
6. the Official Statement to be dated on or about December 10, 2008 (the "2008A Official Statement") with respect to the 2008A Bonds;
7. the Official Statement to be dated on or about November 19, 2008 (the "2008BC Official Statement") with respect to the 2008B Bonds and the 2008C Bonds; and
8. the Official Statement to be dated on or about October 27, 2008 (the "2008D Official Statement" together with the 2008A Official Statement and the 2008BC Official Statement, the "Official Statements") with respect to the 2008D Bonds.

**WHEREAS**, the City Council considered and recognized that variable interest rate debt instruments may subject the City to the risk of higher interest rates with respect to the 2008D Bonds in the future and that in addition to the variable interest cost, the City must pay the fees of the provider of a letter of credit and the remarketing agent for the 2008D Bonds, which fees will increase the variable interest cost to the City;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlotte, North Carolina that the City Council has determined to adopt, in accordance with Section 208 of the Bond Order, this Resolution authorizing the issuance of the 2008 Bonds, as follows:

**Section 1.** For purposes of this Resolution, all capitalized, undefined words have the meanings ascribed to them in Appendix A ("*Appendix A*"), with respect to the 2008D Bonds, and Appendix B ("*Appendix B*" together with Appendix A, the "*Appendices*"), with respect to the 2008A Bonds, the 2008B Bonds and the 2008C Bonds, attached hereto. The Appendices are incorporated into this Resolution by reference.

**Section 2.** The City shall issue (1) not to exceed \$287,095,000 in total aggregate principal amount of its 2008A Bonds, (2) not to exceed \$73,615,000 in total aggregate principal amount of its 2008B Bonds, (3) not to exceed \$45,080,000 in total aggregate principal amount of its 2008C Bonds, and (4) not to exceed \$43,975,000 in total aggregate principal amount of its 2008D Bonds.

**Section 3.** The 2008 Bonds shall be dated as of their date of issuance and pay interest as set forth in the Appendices. The 2008 Bonds are being issued to provide funds (1) to pay the costs of the 2008 Improvements, (2) to refund the Refunded Bonds, (3) to fund debt service reserves for each series of the 2008 Bonds, (4) finance capitalized interest on the 2008A Bonds, and (5) to pay the costs of issuing the 2008 Bonds.

**Section 4.** The City Council has ascertained and hereby determines that the average period of usefulness of the capital projects being financed or refinanced by the proceeds of the 2008 Bonds is not less than 30 years computed from the date of issuance of the 2008 Bonds.

**Section 5.** The 2008 Bonds are payable in annual installments on July 1 in each year, as set forth in that certificate of the Director of Finance of the City pursuant to Section 2.01 of Appendix A and as set forth in that certificate of the Director of Finance of the City pursuant to Section 2.03 of Appendix B.

**Section 6.** The City covenants to take such action as may be required in the Opinion of Bond Counsel to cause the 2008 Bonds and all actions of the City with respect to the proceeds thereof to comply with Internal Revenue Code of 1986, as amended (the "Code"). The Director of Finance of the City is hereby authorized to execute a no-arbitrage certificate in order to comply with Section 148 of the Code and the applicable Income Tax Regulations thereunder.

**Section 7.** The Commission is hereby requested (1) to sell the 2008A Bonds through a negotiated sale to the 2008A Underwriters pursuant to the terms of the 2008A Bond Purchase Agreement, (2) to sell the 2008B Bonds and the 2008C Bonds through a negotiated sale to the 2008BC Underwriters pursuant to the terms of the 2008BC Bond Purchase Agreement, and (3) to sell the 2008D Bonds through a negotiated sale to 2008D Underwriter pursuant to the terms of the 2008D Bond Purchase Agreement. The form and content of the Bond Purchase Agreements are in all respects approved and confirmed, and the Mayor, the City Manager or the Director of Finance of the City is hereby authorized, empowered and directed to execute and deliver the Bond Purchase Agreements for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as he or she may deem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of his or her approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the Bond Purchase Agreements, the Mayor, the City Manager and the Director of Finance of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Bond Purchase Agreements as executed.

**Section 8.** The form and content of the Reimbursement Agreement and the Remarketing Agreement be and the same hereby are in all respects approved and confirmed, and the Mayor, the City Manager or the Director of Finance of the City is hereby authorized, empowered, and directed to execute and deliver the Reimbursement Agreement and the Remarketing Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as he or she may deem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of his or her approval of any and all such changes, modifications, additions or deletions therein, and that from and after the execution and delivery of the Reimbursement Agreement and the Remarketing Agreement, the Mayor, the City Manager and the Director of Finance of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Reimbursement Agreement and the Remarketing Agreement as executed.

**Section 9.** The form, terms and content of the Official Statements are in all respects authorized, approved and confirmed, and the use of the Official Statements by 2008A Underwriters, the 2008BC Underwriters and the 2008D Underwriter, and solely with respect to the 2008D Official Statement, the Remarketing Agent, in connection with the sale of the 2008A Bonds, the 2008B Bonds, the 2008C Bonds and 2008D Bonds, as applicable, and, solely with respect to the 2008D Official Statement, remarketing of the 2008D Bonds is hereby in all respects authorized, approved and confirmed. The Mayor, the City Manager or Director of Finance of the City is authorized to execute the Official Statements on behalf of the City.

**Section 10.** No stipulation, obligation or agreement herein contained or contained in the 2008 Bonds, this Resolution, the Bond Purchase Agreements, Reimbursement Agreement and the Remarketing

Agreement or any other instrument related to the issuance of the 2008 Bonds shall be deemed to be a stipulation, obligation or agreement of any officer, agent or employee of the City in his or her individual capacity, and no such officer, agent or employee shall be personally liable on the 2008 Bonds or be subject to personal liability or accountability by reason of the issuance thereof.

**Section 11.** The City Manager and the Director of Finance of the City are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by (1) this Resolution and (2) the other documents presented to this meeting; except that neither of the above is authorized or empowered to do anything or execute any document which is in contravention, in any way, of (a) the specific provisions of this Resolution, (b) any agreement to which the City is bound or (c) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

From the adoption of this Resolution until the date the 2008 Bonds are issued, the Mayor, the City Clerk, the City Manager and the Director of Finance of the City are hereby authorized, empowered and directed to make any changes, modifications, additions or deletions to the Appendices hereto or the documents hereinabove authorized as he or she may deem necessary, desirable or appropriate (1) that may be requested by the rating agencies rating the 2008 Bonds, (2) that may be necessary to carry out and comply with the provisions of said documents as executed, (3) to effectuate other technical changes to the provisions of the 2008 Bonds necessary to implement the intent of this Resolution, or (4) change the makeup of the financial institutions serving as Underwriters, as defined above. Furthermore, the Mayor, the City Clerk, the City Manager and the Director of Finance of the City are authorized to take any and all further actions to execute and deliver any and all other documents as may be necessary in the issuance of the 2008 Bonds and the execution and delivery of the Bond Purchase Agreements. Any changes, modifications, additions or deletions to the Appendices shall be set forth in a certificate executed by the City Manager or the Director of Finance of the City on the date the 2008 Bonds are issued.

**Section 12.** The Mayor, the City Manager, the Director of Finance of the City and the City Clerk are hereby authorized and directed to prepare and furnish, when the 2008 Bonds are issued, certified copies of all the proceedings and records of the City Council relating to the 2008 Bonds, and such other affidavits, certificates and documents as may be required to show the facts relating to the legality and marketability of the 2008 Bonds as such facts appear on the books and records in such party's custody and control or as otherwise known to them; and all such certified copies, certificates, affidavits and documents, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

**Section 13.** All acts and doings of the Mayor, the City Manager, the Director of Finance of the City and the City Clerk that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the 2008 Bonds and the execution, delivery and performance of the Bond Purchase Agreements are in all respects approved and confirmed.

**Section 14.** If any one or more of the agreements or provisions herein contained is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or for any reason whatsoever is held invalid, then such covenants, agreements or provisions are null and void and separable from the remaining agreements and provisions and will in no way affect the validity of any of the other agreements and provisions hereof or of the 2008 Bonds authorized hereunder.

**Section 15.** This Resolution is adopted with the intent that the laws of the State govern its construction.

*Section 16.* All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

*Section 17.* This Resolution is effective on its adoption.

On motion of Councilmember Mitchell, seconded by Councilmember Carter, the foregoing order entitled: "A RESOLUTION AUTHORIZING THE ISSUANCE UNDER THE PROVISIONS OF THE STATE AND LOCAL GOVERNMENT REVENUE BOND ACT, AS AMENDED, OF FOUR SERIES OF AIRPORT REVENUE BONDS OF THE CITY OF CHARLOTTE; THE PRIVATE SALE OF THE 2008 BONDS; AND VARIOUS AGREEMENTS AND ACTIONS IN CONNECTION WITH SUCH TRANSACTIONS" was adopted by the following vote: Unanimous

AYES:

NAYS:

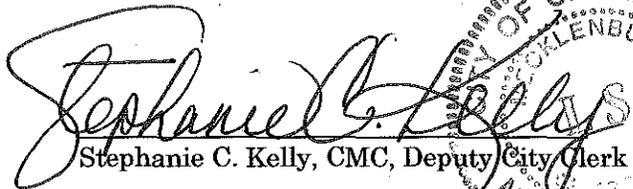
*PASSED, ADOPTED AND APPROVED this 27<sup>th</sup> day of October, 2008.*

\* \* \* \*

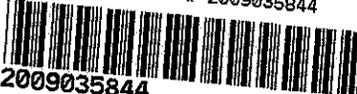
**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27<sup>th</sup> day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (628-633).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31<sup>st</sup> day of October, 2008.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



FOR REGISTRATION J. DAVID GRANBERRY  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2008 MAR 18 10:10:17 AM  
BK:24558 PG:770-773 FEE:\$18.00  
INSTRUMENT # 2009035844  
  
2009035844

**RESOLUTION REGARDING PROPOSED DECLARATION OF WITHDRAWAL**

WHEREAS, Mr. Thomas Blue has submitted to the City of Charlotte a proposed Declaration of Withdrawal of Dedication regarding a 10-foot alleyway running off of N. Irwin Avenue as depicted on a survey attached hereto as Exhibit A; and recorded in the Mecklenburg County Registry of Deeds Office in Map Book 3, Page 47.

WHEREAS, pursuant to G.S. 136-96, the Property owners have requested that the City adopt a resolution indicating that the dedicated described in the proposed declaration of withdrawal is not part of a street plan adopted under G.S. 136-66.2

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina that the street depicted on Exhibit A attached hereto is not part of a street plan adopted under G.S. 136-66.2.

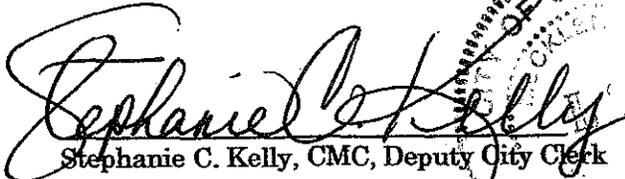
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27<sup>th</sup> day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (634-636).

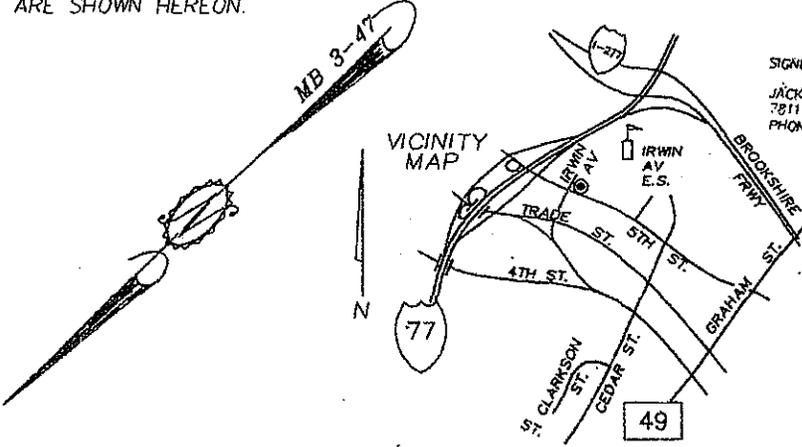
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31<sup>st</sup> day of October, 2008.

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

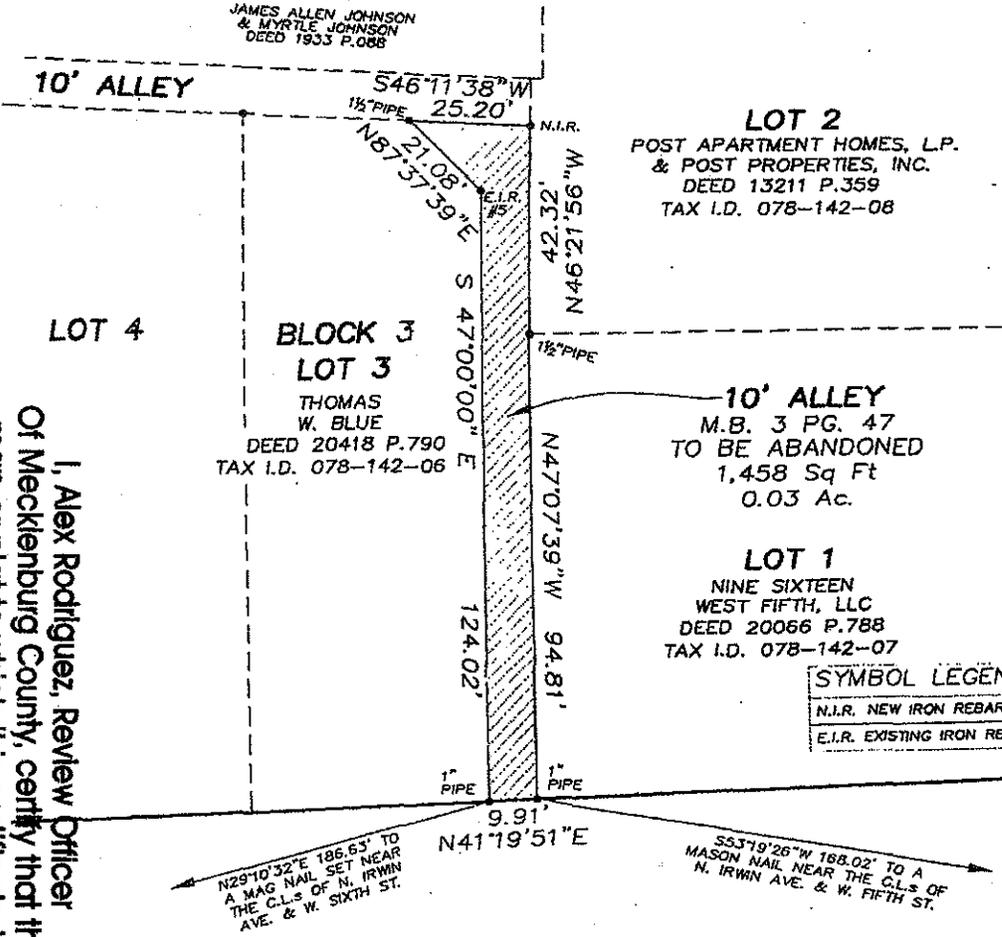
  
Stephanie C. Kelly, CMC, Deputy City Clerk



THIS IS TO CERTIFY THAT ON THE 6TH DAY OF AUGUST, 2008, SURVEYED THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE TITLE LINES, EASEMENTS, AND THE IMPROVEMENTS IF ANY ARE SHOWN HEREON.



SIGNED: Jack R. Christian  
REGISTERED SURVEYOR  
JACK R. CHRISTIAN & ASSOCIATES  
7811 OLD CONCORD RD, CHARLOTTE, N.C. 28213  
PHONE: (704)596-2214



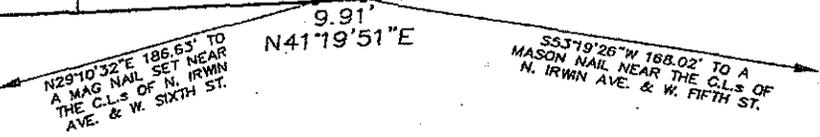
**LOT 2**  
POST APARTMENT HOMES, L.P.  
& POST PROPERTIES, INC.  
DEED 13211 P.359  
TAX I.D. 078-142-08

**10' ALLEY**  
M.B. 3 PG. 47  
TO BE ABANDONED  
1,458 Sq Ft  
0.03 Ac.

**LOT 1**  
NINE SIXTEEN  
WEST FIFTH, LLC  
DEED 20066 P.788  
TAX I.D. 078-142-07

**SYMBOL LEGEND**

N.I.R.	NEW IRON REBAR
E.I.R.	EXISTING IRON REBAR



**NORTH IRWIN AVENUE**  
70' PUBLIC R/W



**SURVEY**

**A PORTION OF NORTH IRWIN AVENUE ALLEY**

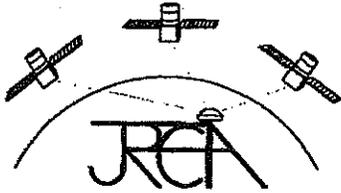
SCALE 1"=30'  
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

THE PROPERTY OF: THOMAS BLUE  
MAP RECORDED IN BOOK 3 AT PAGE 47 DEED RECORDED IN BOOK PAGE

I, Alex Rodriguez, Review Officer  
Of Mecklenburg County, certify that the  
map or plat to which this certificate is  
affixed meets all statutory requirements  
for recording  
Review Officer  
Date 8/27/08

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

**NOTE:**  
OTHER R/W'S OR EASEMENTS  
MAY EXIST WHICH MAY NOT  
BE SHOWN.



**JACK R. CHRISTIAN + ASSOCIATES**  
**-SURVEYING-**

PHONE (704) 596-2214 FAX (704) 596-2338  
7811 OLD CONCORD ROAD, CHARLOTTE, N.C. 28213  
P.O. BOX 185 NEWELL, N.C. 28126

DATE: AUGUST 6TH, 2008

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LOCATED WITHIN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING KNOWN AS A PORTION OF NORTH IRWIN AVENUE ALLEY, AND BEING LOCATED OFF THE SOUTHEAST SIDE OF NORTH IRWIN AVENUE IN THE BLOCK NORTHEAST OF WEST FIFTH STREET, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A ONE INCH PIPE ON THE SOUTHEASTERN RIGHT OF WAY LINE OF NORTH IRWIN AVENUE (70 FOOT WIDTH) AND THE NORTHERN CORNER OF LOT 1 BLOCK 3 IRWIN LAND AS RECORDED IN MAP BOOK 3 PAGE 47 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY. SAID BEGINNING POINT BEARING N 53°19'26" E 168.02 FEET FROM A MASON NAIL NEAR THE CENTERLINES OF NORTH IRWIN AVENUE AND WEST FIFTH STREET AND RUNNING THENCE FROM SAID BEGINNING POINT ALONG THE SOUTHEASTERN RIGHT OF WAY LINE OF NORTH IRWIN AVENUE N 41°19'51" E 9.91 FEET TO A ONE INCH PIPE AT THE WESTERN MOST CORNER OF LOT 3 BLOCK 3 IRWIN LAND AS RECORDED IN MAP BOOK 3 PAGE 47 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY; THENCE WITH THE SOUTHWESTERN BOUNDARY OF SAID LOT 3 S 47°00'00" E 124.02 FEET TO AN EXISTING IRON REBAR(#5); THENCE WITH THE SOUTHERN BOUNDARY OF SAID LOT 3 N 87°37'39" E 21.08 FEET TO A 1½" PIPE AT THE SOUTHEAST CORNER OF LOT 3; THENCE A NEW LINE S 46°11'38" W 25.20 FEET TO A NEW IRON REBAR(#4) IN THE NORTHEASTERN LINE OF LOT 2 BLOCK 3 IRWIN LAND AS RECORDED IN MAP BOOK 3 PAGE 47 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY; THENCE WITH SAID LOT 2 N 46°21'56" W 42.32 FEET TO A 1½" PIPE AT THE NORTH CORNER OF SAID LOT 2 AND THE EASTERN CORNER OF LOT 1 BLOCK 3 IRWIN LAND AS RECORDED IN MAP BOOK 3 PAGE 47 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY; THENCE WITH SAID LOT 1 N 47°07'39" W 94.81 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 1,458 SQUARE FEET OR 0.03 ACRES AS SHOWN ON A SURVEY BY JACK R. CHRISTIAN DATED AUGUST 6, 2008.

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



J. DAVID GRANBERRY  
REGISTER OF DEEDS, MECKLENBURG  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE, NC 28202

**PLEASE RETAIN YELLOW TRAILER PAGE**

It is part of the recorded document, and must be submitted with original for re-recording  
and/or cancellation.

\*\*\*\*\*

**Filed For Registration:** 03/18/2009 10:10:17 AM

**Book:** RE 24558 Page: 770-773

**Document No.:** 2009035844

RESOL 4 PGS \$18.00

**Recorder:** LYVANH PHETSARATH



2009035844

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
AUTHORIZING THE EXCHANGE OF LAND RIGHTS IN THE RAIL  
CORRIDOR ALONG SOUTH BOULEVARD WITH COLONIAL PROPERTIES  
TRUST**

---

WHEREAS, the City of Charlotte (the "City") purchased and owns approximately 2,178 square feet of charter rail right-of-way, formerly owned by the Norfolk Southern Railroad, upon property located south of Remount Road having Mecklenburg County tax parcel identification number 147-017-10 and valued at \$51,600; and

WHEREAS, Colonial Properties Trust owns the fee simple interest in 17,859 square feet of property within the City's rail corridor on the property having tax parcel number 147-017-10 and valued at \$76,755; and

WHEREAS, in 2005, City Council adopted the South End Transit Station Area Plan to guide and encourage development along the periphery of the City's rail corridor, envisioning that surplus land within the charter right-of-way might be incorporated into adjacent transit-friendly development; and

WHEREAS, Colonial Properties Trust is developing its property and as part of that development has agreed to construct certain desired public improvements adjacent to the City's rail corridor; and

WHEREAS, the City and Colonial Trust Properties wish to make an exchange of the two described properties; and

WHEREAS, North Carolina General Statute §160A-271 authorizes the City to make such an exchange if authorized by the City Council by a resolution adopted at a regular meeting of the board upon at least 10 days' public notice; and

WHEREAS, the City has given the required public notice, and the Council is convened in a regular meeting;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
RESOLVES THAT:**

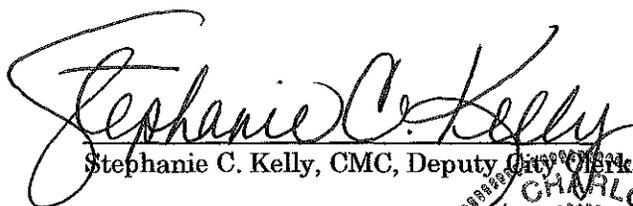
1. The exchange of properties described above is authorized.
2. The appropriate City officials are directed to execute the appropriate instruments necessary to carry out the exchange.

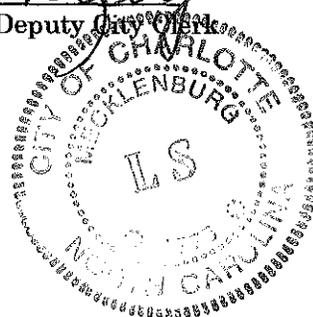
ADOPTED this 27th day of October, 2008.

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27<sup>th</sup> day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (637-638).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31<sup>st</sup> day of October, 2008.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
AUTHORIZING THE EXCHANGE OF LAND RIGHTS IN THE RAIL  
CORRIDOR ALONG SOUTH BOULEVARD WITH CITILINE RESORTLINE,  
INC.**

---

WHEREAS, the City of Charlotte (the "City") purchased and owns approximately 7,405.2 square feet of charter rail right-of-way, formerly owned by the Norfolk Southern Railroad, upon property located south of Remount Road having Mecklenburg County tax parcel identification number 147-017-24 and valued at \$59,000; and

WHEREAS, Citiline Resortline, Inc. owns the fee simple interest in 10,890 square feet of property within the City's rail corridor on the property having tax parcel number 147-017-24 and valued at \$17,150; and

WHEREAS, in 2005, City Council adopted the South End Transit Station Area Plan to guide and encourage development along the periphery of the City's rail corridor, envisioning that surplus land within the charter right-of-way might be incorporated into adjacent transit-friendly development; and

WHEREAS, Citiline is developing its property and as part of that development has agreed to construct desired upgrades to existing public improvements in the City's rail corridor valued at approximately \$100,595; and

WHEREAS, the City and Citiline Resortline, Inc. wish to make an exchange of the two described properties; and

WHEREAS, North Carolina General Statute §160A-271 authorizes the City to make such an exchange if authorized by the City Council by a resolution adopted at a regular meeting of the board upon at least 10 days' public notice; and

WHEREAS, the City has given the required public notice, and the Council is convened in a regular meeting;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
RESOLVES THAT:

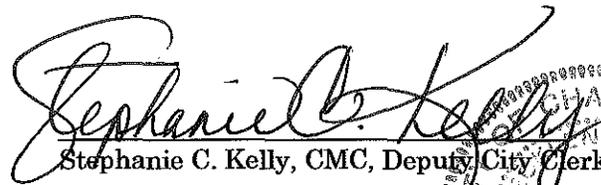
1. The exchange of properties described above is authorized.
2. The appropriate City officials are directed to execute the appropriate instruments necessary to carry out the exchange.

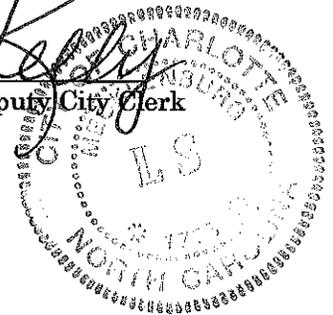
ADOPTED this 27th day of October, 2008.

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27<sup>th</sup> day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (639-640).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31<sup>st</sup> day of October, 2008.

  
Stephanie C. Kelly, 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.

**B. Parties in Interest**

The Southern Spindle and Flyer Company  
Adams Outdoor Advertising of Charlotte  
Ferguson Fire & Fabrication, Inc.  
Duke Power Company, Easements  
Department of Transportation, Easements  
City-County Tax Collector

**C. Property description**

A Boundary Survey of Southern Spindle and Flyer Co. Inc. Property, Tax Pin 11515116, Deed Book 2593 Page 257, Back Deeds; Deed Book 1012 Page 36 and Deed Book 1653 Page 224.

Beginning at an Existing Right-of-way monument on the Eastern Public Right-of-way of Harlee Avenue being the Northwestern Property corner of Southern Spindle and Flyer Co. Inc. Property (Tax Pin 11515116, Deed Book 2593 Page 257, Back Deeds; Deed Book 1012 Page 36 and Deed Book 165 Page 224) and the Southwestern Property corner of Latour Properties LLC., (Tax Pin 11515115, DB 21566 PG 50); said Point of beginning being located N84°-54'-10"E 10.27 feet from another Existing Right-of-way monument on the Eastern Public Right-of-way of Harlee Avenue; thence from the Point of beginning along the common Property line of Southern Spindle and Latour Properties N85°-15'-45"E 778.91 feet, passing an Existing iron rebar at 624.64 feet being a Northeastern lease area corner (Deed Book 779 Page 692), to a New iron rebar being the Northeastern Property corner of Southern Spindle and the Southeastern Property corner of Latour Properties on the

Western property line of Thomas Ertel and Candice Ertel (Tax Pin 11515101, Deed Book 16516 Page 158, Map Book 3 Page 587); thence continuing along the common Property line of Southern Spindle and Ertel S04°-55'-27"W 122.81 feet to a New iron rebar, a bend in the line; thence continuing along the common Property line of Southern Spindle and Ertel S04°-52'-39"W 427.34 feet to an Existing iron pipe being a Southeastern Property corner of Southern Spindle, the Southwestern Property corner of Ertel, and a Northern Property corner of Edwin R. McCoy, III and Gary McCoy and H. Michael McCoy (Tax Pin 11515121, Deed Book 5311 Page 625); thence along the common Property line of Southern Spindle and McCoy S70°-46'-50"W 140.41 feet to an Existing iron pipe on the Northern Public Right-of-way of Josh Birmingham Parkway; thence along the Northern Public Right-of-way of Josh Birmingham Parkway for the following Three (3) courses: 1) N55°-09'-37"W 248.46 feet to an Existing Right-of-way monument; 2) N54°-44'-43"W 449.03 feet to an Existing Right-of-way monument; 3) N23°-31'-55"W 87.73 feet to an Existing Right-of-way monument in said Eastern Public Right-of-way of Harlee Avenue; thence along said Eastern Public Right-of-way of Harlee Avenue N10°-11'-05"E 49.35 feet to the Point of Beginning; containing 293,278 Square feet (6.73 Acres) as shown on Plat of Survey for Charlotte Douglas International Airport prepared by Earth Tech, Inc. (Raleigh, NC) dated June 06, 2008.

#### **D. Appraised Value**

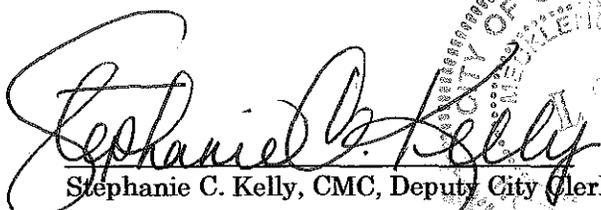
\$1,191,000 or such other amount as may be subsequently determined pursuant to applicable City, FAA or other Federal Regulations.

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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27<sup>th</sup> day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (641-642).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31<sup>st</sup> day of October, 2008.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **SOUTH BOULEVARD LEFT-TURN LANE 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 BOULEVARD LEFT-TURN LANE PROJECT** and estimated to be approximately **32,490 square feet (.746 acre) of fee-simple area, sidewalk/utility easement, slope easement, guy 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. 173-202-16, said property currently owned by **KRODEL, LLC; W. THURSTON DEBNAM, JR., Trustee; DAIMLERCHRYSLER FINANCIAL SERVICES AMERICAS LLC, Beneficiary; HUNTER MOTORS, INC., Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

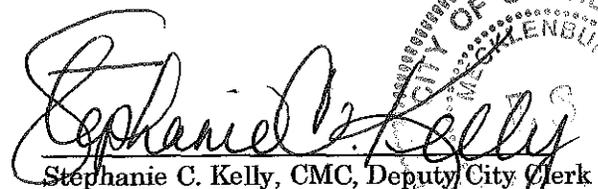
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

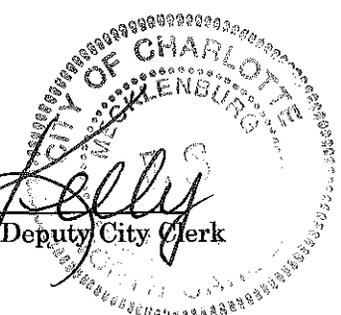
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27<sup>th</sup> day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Page 643.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31<sup>st</sup> day of October, 2008.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **SOUTHWEST WATER TRANSMISSION MAIN-PHASE C 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 **SOUTHWEST WATER TRANSMISSION MAIN-PHASE C PROJECT** and estimated to be approximately **72,996 square feet (1.676 acre) of utility easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 199-541-01, said property currently owned by **CABRIE FAMILY LIMITED PARTNERSHIP, Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

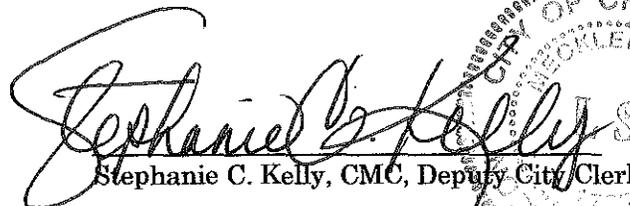
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

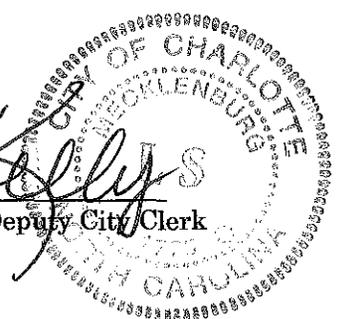
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27<sup>th</sup> day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Page 644.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31<sup>st</sup> day of October, 2008.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



INSTRUMENT # 2009010682



**RESOLUTION CLOSING TWO ALLEYWAYS LOCATED OFF OF EAST 8<sup>TH</sup> STREET 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 two alleyways located off of East 8<sup>th</sup> 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 two alleyways located off of East 8<sup>th</sup> 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 City of Charlotte, Duke Energy, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibits A1-A2.

WHEREAS, the public hearing was held on the 27<sup>th</sup> day of October, 2008 and City Council determined that the closing two alleyways located off of East 8<sup>th</sup> 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 October 27, 2008 that the Council hereby orders the closing two alleyways located off of East 8<sup>th</sup> Street Ford Road in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibits A1-A2", and is more particularly described by metes and bounds in document marked "Exhibits B1-B2", both of which are attached hereto and made a part hereof.

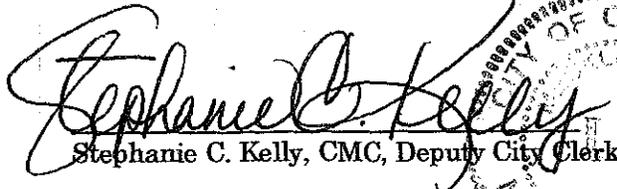
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

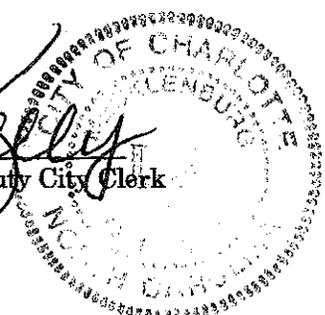
**CERTIFICATION**

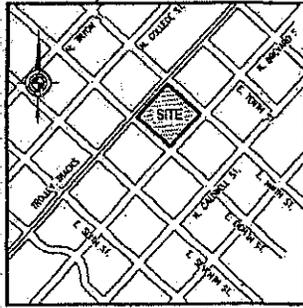
I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27<sup>th</sup> day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (645-649).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31<sup>st</sup> day of October, 2008.

Drawn By: City of Charlotte  
Return to: City of Charlotte-Box 227

  
Stephanie C. Kelly, CMC, Deputy City Clerk

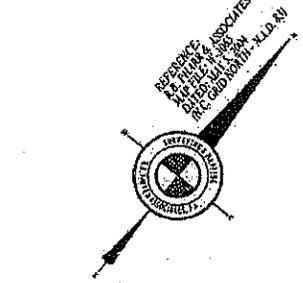




VICINITY MAP - NTS

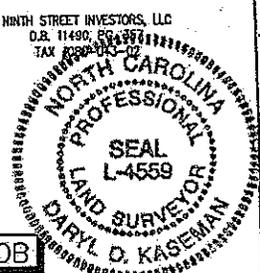
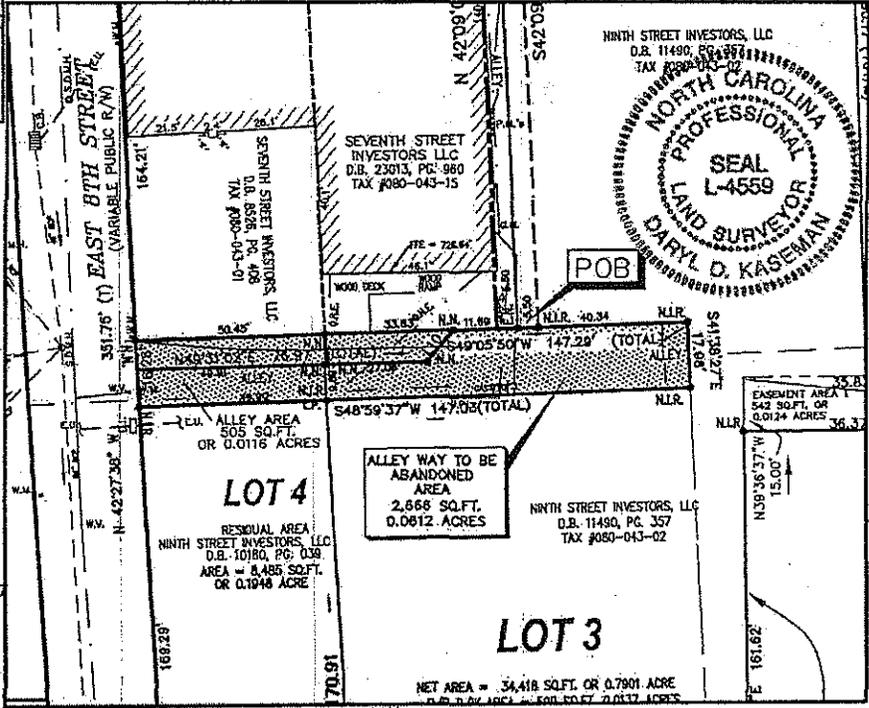
THIS IS TO CERTIFY THAT ON THE 5th DAY OF MARCH 2008 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREBON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE .1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

SIGNED: *[Signature]*



**LEGEND**

- E.I.P. - EXISTING IRON PIPE
- E.I.R. - EXISTING IRON ROD
- N.I.P. - NEW IRON PIPE
- N.I.R. - NEW IRON ROD
- E.C.M. - EXISTING CONCRETE MONUMENT
- R/W - RIGHT-OF-WAY
- SQ.FT. - SQUARE FEET

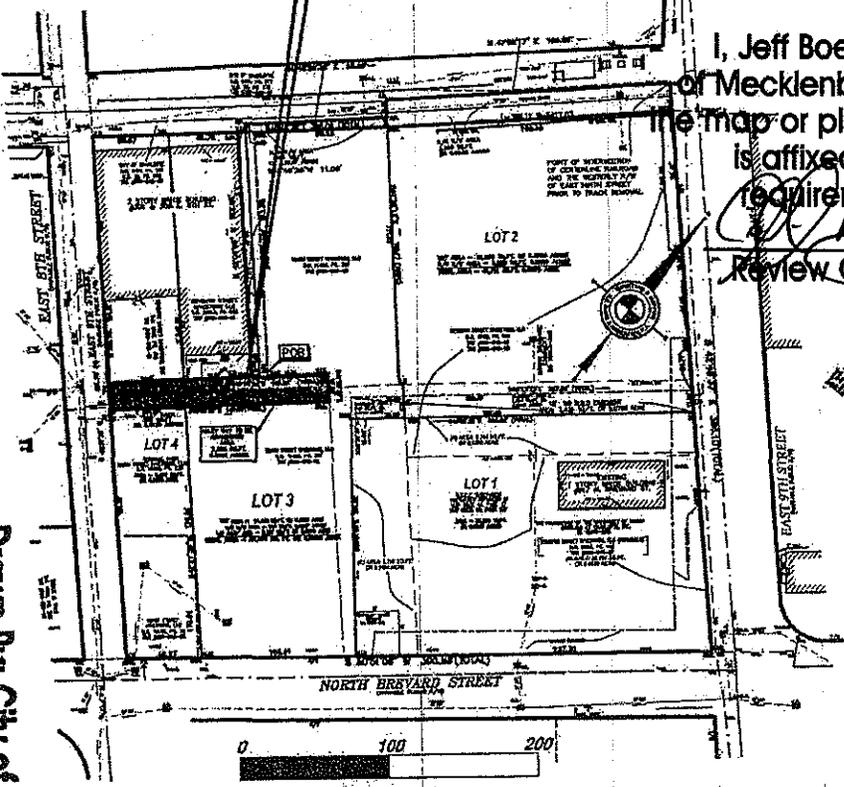


I, Jeff Boenisch, Review Officer of Mecklenburg County, certify that the map or plat to which this certificate is affixed meets all statutory requirements for recording.

*[Signature]*  
 Review Officer  
 12-23-08  
 Date

**NOTE:**  
 EASEMENT IN FAVOR OF DUKE ENERGY, AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE ALLEY WAY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE, WIRES, AND RELATED EQUIPMENT.

ALLEY WAY TO BE ABANDONED AREA  
 2,666 SQ.FT.  
 0.0612 ACRES



**FLOOD CERTIFICATION**  
 THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED FEBRUARY 4, 2005, PANEL 370159 0187 E.

**LINETYPE LEGEND**

PROPERTY LINE SURVEYED:	_____
PROPERTY LINE NOT SURVEYED:	-----
RIGHT-OF-WAY SURVEYED:	=====
RIGHT-OF-WAY NOT SURVEYED:	=====
EASEMENT:	-----
SETBACK:	-----

EXHIBIT B  
 EXHIBIT A-1  
 U.N.C. COUNTY OF MECKLENBURG  
 R.B. PHARR AND ASSOCIATES, P.A.  
 SURVEYING AND MAPPING  
 420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL (704) 376-2186

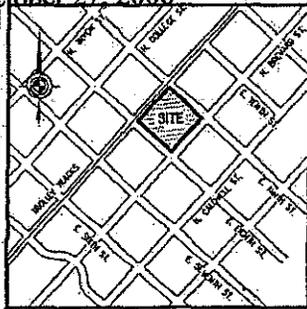
Drawn By: City of Charlotte  
 Return to: City of Charlotte Box

CREW:	DRAWN:	REVISED:	SCALE:	DATE:	JOB NO.
	JH		1" = 40'	MARCH, 5 2008	72996

October 27, 2008

IS TO CERTIFY THAT ON THE 5th DAY OF MARCH AN ACTUAL SURVEY WAS MADE  
 UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT AND THAT THE BOUNDARY LINES AND  
 THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF  
 PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1600 (21 NCAC 56) AND THE RATIO  
 OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF  
 PERIMETER SURVEYED, NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

SIGNED: *[Signature]*



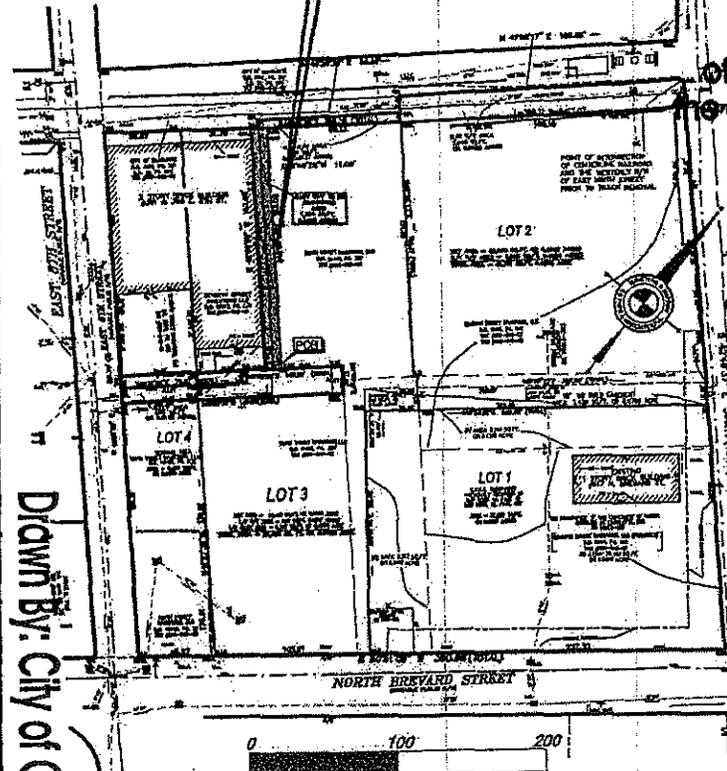
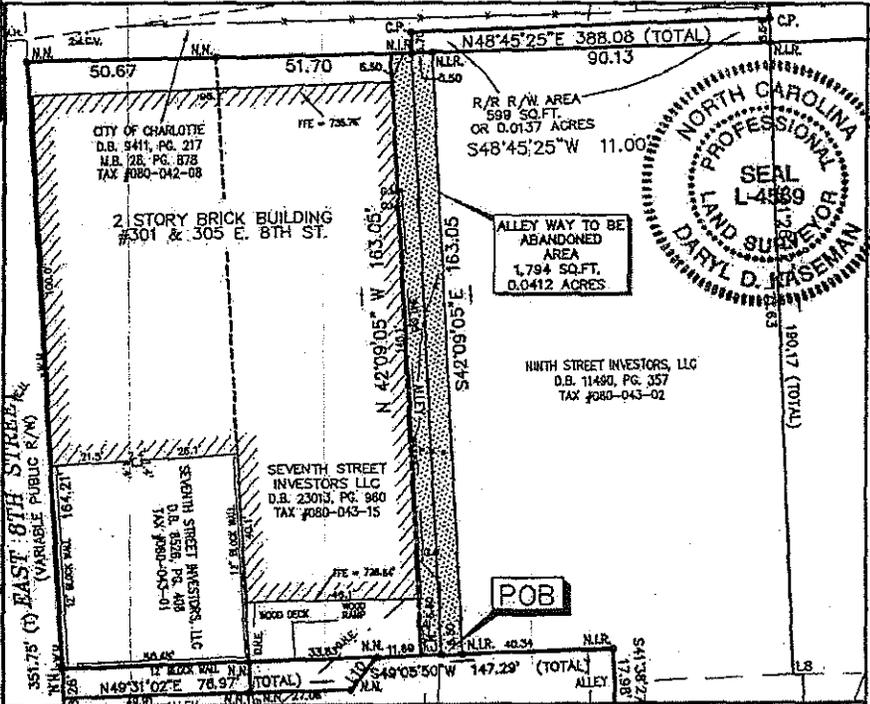
VICINITY MAP - NTS

R.B. PHARR & ASSOCIATES  
 420 HAWTHORNE LANE  
 CHARLOTTE, N.C. 28204  
 TEL: 704.376.2186  
 FAX: 704.376.2187



**LEGEND**

- E.I.P. - EXISTING IRON PIPE
- E.I.R. - EXISTING IRON ROD
- N.I.P. - NEW IRON PIPE
- N.I.R. - NEW IRON ROD
- E.C.M. - EXISTING CONCRETE MONUMENT
- RAW - RIGHT-OF-WAY
- SQ.FT. - SQUARE FEET



Return to: City of Charlotte-Box

Drawn by: City of Charlotte

**FLOOD CERTIFICATION**

IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT  
 LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON  
 MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT  
 AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED  
 FEBRUARY 4, 2005 PANEL 370159 0187 E

**LINETYPE LEGEND**

- PROPERTY LINE SURVEYED: \_\_\_\_\_
- PROPERTY LINE NOT SURVEYED: \_\_\_\_\_
- RIGHT-OF-WAY SURVEYED: \_\_\_\_\_
- RIGHT-OF-WAY NOT SURVEYED: \_\_\_\_\_
- EASEMENT: \_\_\_\_\_
- RETRACTOR: \_\_\_\_\_

CREW:	DRAWN:	REVISED:	SCALE:	DATE:	JOB NO.
	JH		1" = 40'	MARCH, 5 2008	72996

I, Jeff Boenisch, Review Officer  
 of Mecklenburg County, certify that  
 the map or plat to which this certificate  
 is affixed meets all statutory  
 requirements for recording

*[Signature]*  
 Review Officer      Date 12-23-08

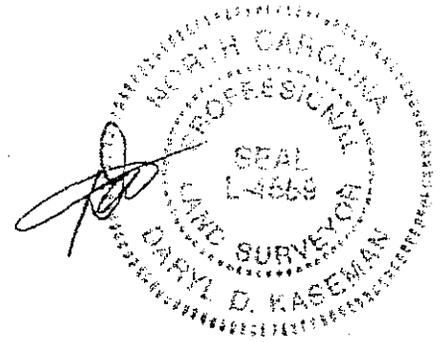
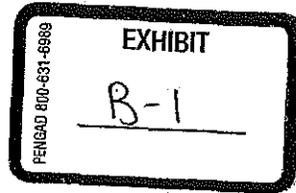
**NOTE:**

EASEMENT IN FAVOR OF DUKE  
 ENERGY, AND ALL OTHER OWNERS  
 OF EXISTING UNDERGROUND  
 TELECOMMUNICATION FACILITIES,  
 UPON, UNDER, AND ACROSS THE  
 ENTIRE ALLEY WAY DESCRIBED  
 ABOVE FOR ACCESS TO AND FOR  
 THE INSTALLATION, MAINTENANCE,  
 REPLACEMENT, AND REPAIR OF  
 CONDUIT, CABLE, WIRES, AND  
 RELATED EQUIPMENT.

ALLEY WAY TO BE  
 ABANDONED  
 AREA  
 1,794 SQ.FT.  
 0.0412 ACRES

**EXHIBIT A**

ABANDONMENT OF  
 U.N.C.C.      EXHIBIT      PARTER, MAP 1  
 PENGAD 800-631-6989      A-2      TY, N.C.  
 R.B. PHARR AND ASSOCIATES, P.A.      LLC  
 SURVEYING AND MAPPING      C  
 420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL. (704) 376-2186



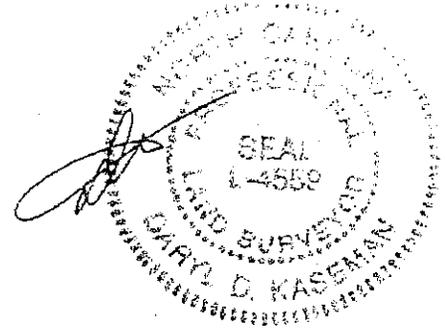
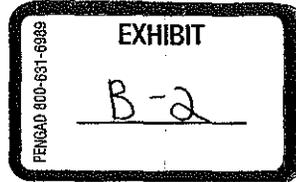
LEGAL DESCRIPTION

ALLEYWAY ABANDONMENT

ALL THAT CERTAIN PARCEL OF LAND SHOWN AS AN ALLEY RECORDED IN MAP BOOK 45, PAGE 153 IN THE MECKLENBURG COUNTY PUBLIC REGISTRY; SITUATED, LYING AND BEING IN THE CITY OF CHARLOTTE; MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING NAIL A COMMON CORNER OF SEVENTH STREET INVESTORS LLC (AS RECORDED IN DEED BOOK 23013, AT PAGE 960 MECKLENBURG COUNTY PUBLIC REGISTRY, AND NINTH STREET INVESTORS LLC, (AS RECORDED IN DEED BOOK 11490, AT PAGE 357, AND SHOWN AS LOT 3 ON MAP 45, AT PAGE 153 MECKLENBURG COUNTY PUBLIC REGISTRY; THENCE WITH THE LINE OF NINTH STREET INVESTORS THREE (3) COURSES AND DISTANCES (1) N 49-05-50 E 45.84 FEET TO A NEW IRON ROD (2) S 41-38-27 E 17.98 FEET TO A NEW IRON ROD (3) S 48-59-37 W 97.13 FEET TO A NEW IRON ROD, A POINT ON THE WESTERLY LINE OF THE AFORESAID NINTH STREET INVESTORS PROPERTY, AND THE EASTERLY LINE OF THE PROPERTY OF NINTH STREET INVESTORS AS RECORDED IN DEED BOOK 10180, AT PAGE 039, AND SHOWN AS LOT 4 (RESIDUAL AREA) ON MAP BOOK 45, AT PAGE 153) MECKLENBURG COUNTY PUBLIC REGISTRY; THENCE THROUGH THE PROPERTY OF NINTH STREET INVESTORS (RESIDUAL AREA) S 48-59-37 W 49.90 TO A NEW IRON ROD IN THE EASTERLY RIGHT OF WAY MARGIN OF EAST 8<sup>TH</sup> STREET (A VARIABLE WIDTH PUBLIC RIGHT OF WAY) AS SHOWN ON MAP BOOK 45, AT PAGE 153; THENCE N 42-27-38 W 18.26 FEET WITH THE RIGHT OF WAY LINE OF EAST 8<sup>TH</sup> STREET TO A NEW NAIL ON THE NORTHERLY LINE OF SAID ALLEY; THENCE WITH THE LINE OF SAID ALLEY AND THE PROPERTY OF SEVENTH STREET INVESTORS LLC., AS RECORDED IN DEED BOOK 8526, AT PAGE 408; MECKLENBURG COUNTY PUBLIC REGISTRY; AND THE LINE OF SEVENTH STREET INVESTORS LLC.(AS RECORDED IN DEED BOOK 23013, AT PAGE 960 MECKENBURG COUNTY REGISTRY), N 49-05-40 E 101.47 FEET TO THE POINT OF BEGINNING. CONTAINING 2,666 SQUARE FEET, OR 0.0612 ACRES OF LAND AS SHOWN ON A MAP TITLED "EXHIBIT B" BEARING JOB NUMBER 72996 BY R.B. PHARR AND ASSOCIATES, P.A. DATED MARCH 5, 2008

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



LEGAL DESCRIPTION

ALLEYWAY ABANDONMENT

ALL THAT CERTAIN PARCEL OF LAND SHOWN AS A 10 FOOT ALLEY AS RECORDED IN MAP BOOK 45, PAGE 153 IN THE MECKLENBURG COUNTY PUBLIC REGISTRY; SITUATED, LYING AND BEING IN THE CITY OF CHARLOTTE; MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING NAIL, A WESTERLY CORNER OF THE NINTH STREET INVESTORS, LLC PROPERTY (AS RECORDED IN DEED BOOK 11490, AT PAGE 357), AND THE SOUTHEASTERLY CORNER OF SEVENTH STREET INVESTORS, LLC (AS RECORDED IN DEED BOOK 23013, AT PAGE 960) AND IN THE NORTHERLY MARGIN OF AN ALLEY (AS SHOWN ON MAP BOOK 45, AT PAGE 153 IN THE MECKLENBURG COUNTY REGISTRY); THENCE WITH THE SOUTHERLY LINE OF SEVENTH STREET INVESTORS, LLC S 49-05-50 W 5.50 FEET TO A CALCULATED POINT; THENCE WITH THE WESTERLY MARGIN OF A 10' ALLEY RUNNING THROUGH THE PROPERTY OF SEVENTH STREET INVESTORS LLC. (AS SHOWN IN MAP 45 AT PAGE 153), N 42-09-05 W 163.05 FEET TO A CALCULATED POINT ON THE NORTHERLY LINE OF SEVENTH STREET INVESTORS, LLC. AND ON THE SOUTHERLY LINE OF PROPERTY OF THE CITY OF CHARLOTTE (AS RECORDED IN DEED BOOK 9411, AT PAGE 217); THENCE WITH THE SOUTHERLY LINE OF THE CITY OF CHARLOTTE PROPERTY N 48-45-25 E 5.50 FEET TO A NEW IRON ROD, THE NORTHEASTERLY CORNER OF SEVENTH STREET INVESTORS LLC., AND THE NORTHWESTERLY CORNER OF NINTH STREET INVESTORS LLC.; THENCE WITH THE NORTHERLY LINE OF NINTH STREET INVESTORS N 48-45-25 E 5.50 FEET TO A CALCULATED POINT; THENCE WITH THE EASTERLY MARGIN OF A 10' ALLEY RUNNING THROUGH THE PROPERTY OF NINTH STREET INVESTORS LLC.(AS SHOWN IN MAP 45 AT PAGE 153), S 42-09-05 E 163.05 FEET TO A NEW IRON ROD ON THE LINE OF NINTH STREET INVESTORS LLC AND ON THE NORTHERLY LINE OF AN ALLEY AS SHOWN ON MAP 45, AT PAGE 153, MECKLENBURG COUNTY PUBLIC REGISTRY; THENCE WITH THE LINE OF NINTH STREET INVESTORS LLC. S 49-05-50 W 5.50 FEET TO THE POINT OF BEGINNING. CONTAINING 1,794 SQUARE FEET, OR 0.0412 ACRES OF LAND AS SHOWN ON A MAP TITLED "EXHIBIT A" BEARING JOB NUMBER 72996 BY R.B. PHARR AND ASSOCIATES, P.A. DATED MARCH 5, 2008

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



J. DAVID GRANBERRY  
REGISTER OF DEEDS, MECKLENBURG  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE, NC 28202

**PLEASE RETAIN YELLOW TRAILER PAGE**

It is part of the recorded document, and must be submitted with original for re-recording  
and/or cancellation.

\*\*\*\*\*

Filed For Registration: 01/29/2009 08:31:46 AM  
Book: RE 24405 Page: 257-262  
Document No.: 2009010682  
RESOL 6 PGS \$24.00  
Recorder: LYVANH PHETSARATH



2009010682

RESOLUTION CLOSING A PORTION OF OLD NATIONS FORD ROAD 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 Old Nations Ford Road which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of Old Nations Ford Road to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and WHEREAS, the petitioner will provide an access easement to Charlotte Mecklenburg utilities, Duke Energy, AT&T Telecommunications, Piedmont natural gas Company and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A-1.

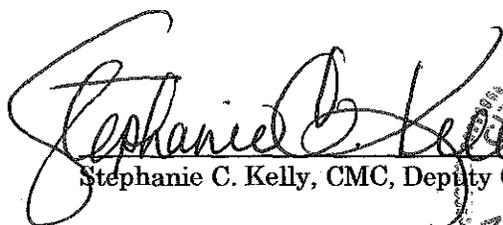
WHEREAS, the public hearing was held on the 27<sup>th</sup> day of October, 2008 and City Council determined that the closing of a portion of Old Nations Ford Road is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property. NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of October 27, 2008, that the Council hereby orders the closing of a portion of Old Nations Ford Road in the City of Charlotte Mecklenburg County, North Carolina as shown in the map marked "Exhibit A-1, and is more particularly described by metes and bounds in document marked "Exhibit B-1 both of which are attached hereto and made a part hereof. This action shall be effective on the date that the right-of-way for the proposed cul-de-sac is conveyed, recorded, constructed and accepted by the City of Charlotte for maintenance. The abandonment approval shall be void if the above conditions are not met within one year of this date.

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, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27<sup>th</sup> day of October, 2008, the reference having been made in Minute Book 127, and recorded in full in Resolution Book 41, Pages (650-655).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31<sup>st</sup> day of October, 2008.

  
Stephanie C. Kelly, CMC, Deputy City Clerk



BOUNDARY INFORMATION TAKEN FROM CURRENT FIELD SURVEY.

IRON PINS SET AT ALL RIGHT OF WAY POINTS.

NO KNOWN GRID MONUMENTS WITHIN 2000'

+/- 0.2 MILES TO  
NATIONS FORD ROAD

"EXHIBIT A-1"

COURSE BEARING DISTANCE

L-1	N 02°25'24"E	51.27'
L-2	N 10°01'52"W	195.26'
L-3	N 01°43'30"W	155.64'
L-4	S 01°43'28"E	204.83'
L-5	S 10°01'54"E	195.75'
L-6	S 02°25'24"W	51.29'
L-7	S 61°30'08"W	101.67'

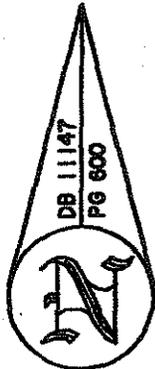
PARCEL ID# 20515201  
VULCAN LANDS, INC.  
11362/684

SEE "EXHIBIT A-2"  
FOR DETAIL THIS AREA

N/F  
S & S PROPERTIES  
6617/541

CURVE RADIUS LENGTH DELTA CHORD CH.BEARING

C-1	370.15'	187.45'	29°00'57"	185.46'	N 16°57'03"E
C-2	657.33'	142.89'	12°27'17"	142.61'	N 03°48'14"W
C-3	2303.47'	213.45'	5°18'34"	213.37'	N 07°50'50"W
C-4	2303.46'	128.52'	3°11'48"	128.50'	N 03°20'57"W
C-5	2243.46'	124.91'	3°11'25"	124.90'	S 03°20'44"E
C-6	2243.47'	207.89'	5°18'34"	207.82'	S 07°50'50"E
C-7	717.33'	155.93'	12°27'17"	155.62'	S 03°48'14"E
C-8	430.15'	129.20'	17°12'35"	128.72'	S 11°02'52"W
C-9	59.00'	84.68'	82°14'40"	77.59'	N 48°55'05"E



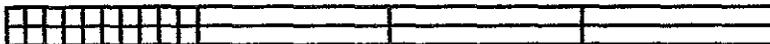
"EASEMENTS IN FAVOR OF CHARLOTTE-MECKLENBURG UTILITIES, DUKE POWER COMPANY, AT&T TELECOMMUNICATIONS, INC., PIEDMONT NATURAL GAS COMPANY, AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY SHOWN HEREON FOR ACCESS TO AND FOR THE INSTALLATION, RELOCATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE, WIRES, GAS MAINS AND RELATED EQUIPMENT."

WATER LINE - WESTERLY PORTION OF RIGHT OF WAY.  
GAS LINE - EASTERLY PORTION OF RIGHT OF WAY.  
POWER LINE WEST OF RIGHT OF WAY WITH SERVICE LINES CROSSING RIGHT OF WAY.

EASEMENT TO BE GRANTED OVER  
ENTIRE AREA TO BE ABANDONED

PARCEL ID# 20522102  
VULCAN LANDS, INC.  
6744/582  
11147/600  
13687/410

200 0 200 400 600



GRAPHIC SCALE - FEET

OLD NATIONS FORD ROAD  
60' RIGHT OF WAY TO BE  
ABANDONED +/- 1.456 AC.

SURVEY OF:

A PORTION OF OLD NATIONS FORD  
ROAD TO BE CLOSED AND ABANDONED  
AND NEW RIGHT OF WAY DEDICATION  
FOR VULCAN MATERIALS COMPANY.

PARCEL ID# 20513102  
VULCAN LANDS, INC.  
11362/678

LYING IN THE CITY OF CHARLOTTE,  
MECKLENBURG COUNTY, N.C.

I HEREBY CERTIFY THAT THIS PLAT IS THE  
RESULT OF AN ACTUAL FIELD SURVEY BY  
ME ON OCTOBER 15, 2003.

*Douglas M. Helms*

PROFESSIONAL LAND SURVEYOR NO. L-3087



PREPARED BY:  
HELMS SURVEYING COMPANY  
P.O. BOX 734  
CLEMMONS, N.C. 27012  
336-766-8949

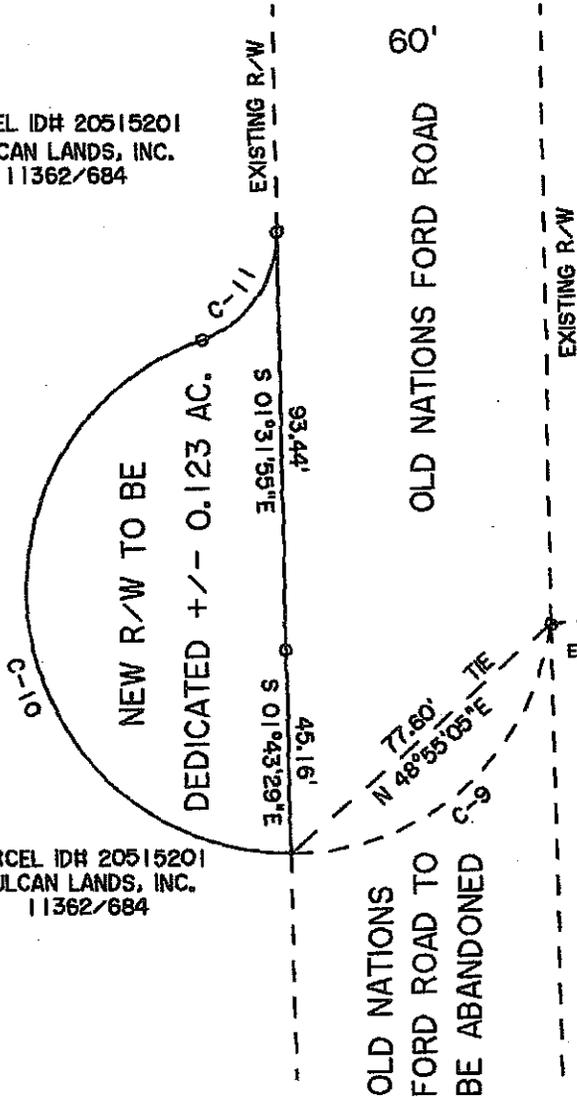
SHEET 1 OF 2 DRWG NO 03-1012

REV'D 8/22/08 REV'D 4/22/08  
REV'D 4/25/08

CURVE	RADIUS	LENGTH	DELTA	CHORD	CH. BEARING
C-9	59.00'	84.68'	82°14'40"	77.59'	N 48°55'05"E
C-10	59.00'	164.59'	159°50'04"	116.18'	N 10°02'14"W
C-11	25.00'	31.16'	71°24'43"	29.18'	N 34°10'26"E

"EXHIBIT A-2"

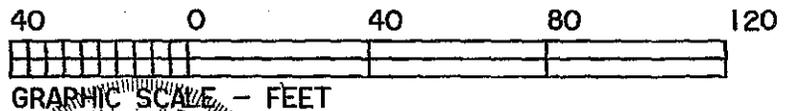
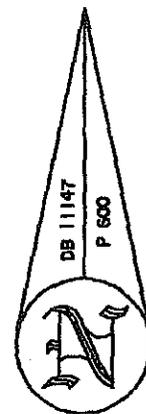
PARCEL ID# 20515201  
VULCAN LANDS, INC.  
11362/684



N/F  
S & S PROPERTIES  
6617/541

PARCEL ID# 20522102  
VULCAN LANDS, INC.  
6744/582  
13687/410  
11147/600

PARCEL ID# 20515201  
VULCAN LANDS, INC.  
11362/684



I HEREBY CERTIFY THAT THIS PLAT IS THE  
RESULT OF AN ACTUAL FIELD SURVEY BY  
ME ON OCTOBER 15, 2003.

*Douglas M. Helms*

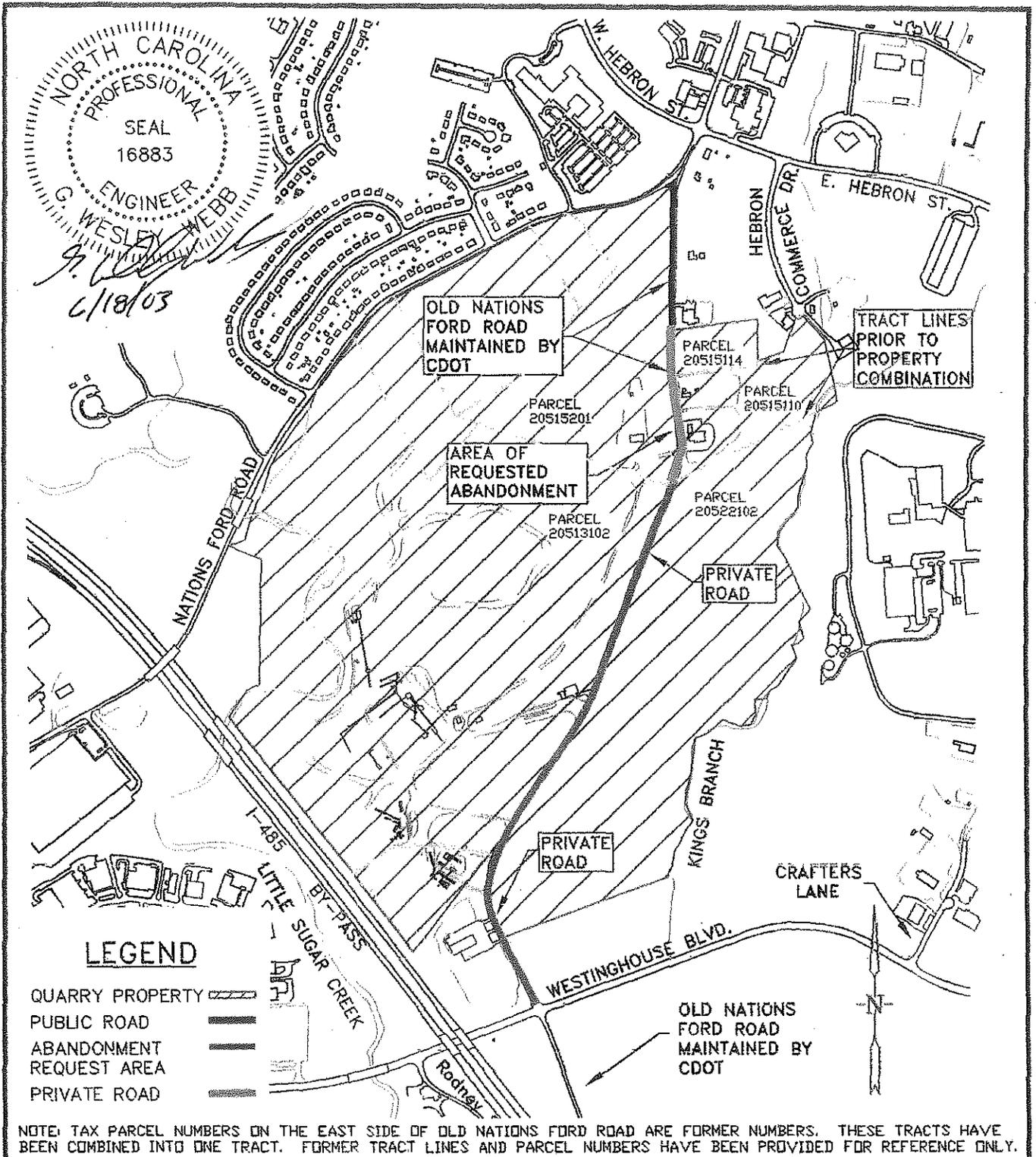
PROFESSIONAL LAND SURVEYOR NO. L-3087



PREPARED BY:  
HELMS SURVEYING COMPANY  
P.O. BOX 734  
CLEMMONS, N.C. 27012  
336-766-6949

SHEET 2 OF 2 DRWG NO 03-1012  
REV'D 4/25/08

# "Exhibit C-1"



**Vulcan**  
Materials Company

## OLD NATIONS FORD ROAD ABANDONMENT REQUEST PINEVILLE QUARRY VULCAN LANDS, INC.

SCALE 1" = 1000'

NOTE: PROPERTY LINES SHOWN ARE APPROXIMATE  
DRAWING PREPARED BY: ALLEY, WILLIAMS, CARMEN, & KING, INC.  
120 SOUTH MAIN STREET KANNAPOLIS, NC 28082

"Exhibit B-1"

Description of a portion of Old Nations Ford Road to be closed and abandoned for Vulcan Materials Company.

Beginning at an existing iron pin on the easterly right of way line of Old Nations Ford Road (being on the northerly line of Vulcan Lands, Inc. DB 13687 at PG 410) thence along the easterly right of way of said road the following seven (7) courses: S 01-43-29 E 204.83'; thence along a curve to the left having a radius of 2243.47', an arc length of 124.91' (chord S 03-20-44 E 124.90'); thence continuing along a curve to the left having a radius of 2243.47' and arc length of 207.89' (chord S 07-50-50 E 207.82'); thence S 10-01-54 E 195.75'; thence along a curve to the right having a radius of 717.33' an arc length of 155.93' (chord S 03-48-14 E 155.62'); thence S 02-25-24 W 51.29'; thence along a curve to the right having a radius of 430.16' an arc length of 129.20' (chord S 11-02-52 W 128.72) to a point on the northerly line of Vulcan Lands, Inc. (DB 11147 Pg 600) thence along the northerly line of Vulcan Lands, Inc. (DB 11147 Pg 600 and DB 11362 Pg 678) S 61-30-08 W 101.67' to a point on the westerly right of way line of Old Nations Ford Road. Thence along the westerly right of way line of said road the following seven (7) courses: along a curve to the left having a radius of 370.15' an arc length of 187.45' (chord N 16-57-03 E 185.46'); thence N 02-25-24 E 51.27'; thence along a curve to the left having a radius of 657.33; an arc length of 142.89' (chord N 03-48-14 W 142.61'); thence N 10-01-52 W 195.26'; thence along a curve to the right having a radius of 2303.47; an arc length of 213.45' (chord N 07-50-50 W 213.37'); thence continuing along a curve to the right having a radius of 2303.47' an arc length of 128.52' (chord N 03-20-57 W 128.50'); thence N 01-43-30 W 155.64'; thence leaving said westerly right of way line on a curve to the left having a radius of 59.00', an arc length of 84.68' (chord N48-55-05E 77.59') to the Point of Beginning. Containing 1.456 acres more or less. Lying in the City of Charlotte, Mecklenburg County, North Carolina.

**"Exhibit B-2"**

**Description of right of way dedication from Vulcan Lands, Inc. to the North Carolina Department of Transportation.**

**Commencing at an existing iron pin on the easterly right of way of Old Nations Ford Road (being on the northerly line of Vulcan Lands, Inc. DB 13687 at PG 410) thence S 48-55-05W 77.60' to a point on the westerly right of way line of Old Nations Ford Road being the true Point of Beginning, thence along a curve to the right having a radius of 59.00', an arc length of 164.59' (chord N 10-02-14 W 116.18'), thence along a curve to the left having a radius of 25.00', an arc length of 31.16' (chord N 34-10-26 E 29.18") to a point on the westerly right of way of Old Nations Ford Road, thence along said westerly right of way line S 01-31-55 E 93.44' to a point, thence S 01-43-29 E 45.16' to the true Point of Beginning. Containing 0.123 acres more or less. Lying in the City of Charlotte, Mecklenburg County, North Carolina.**