

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE a portion of
Kilborne Drive in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, City of Charlotte has filed a petition to close a portion of **Kilborne Drive** in the City of Charlotte; and

Whereas, the portion of Kilborne Drive to be closed lies within the Kilborne Acres Neighborhood Association beginning approximately 140 feet from the intersection of Elkin Lane and Kilborne Drive continuing south approximately 131 feet to its terminus at Central Avenue as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B" both of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina.

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

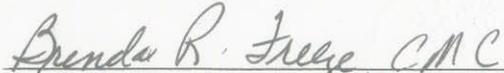
Now, therefore, be it resolved, by the City Council of the City of Charlotte, at it's regularly scheduled session of October 28, 2002 that it intends to close a portion of Kilborne Drive and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 25th day of November, 2002 in CMGC meeting chamber, 600 East 4th 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 53.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON October 28, 2002**

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

WHEREAS, The City plans to install a new traffic signal, mast arms/poles, and underground fiber optic signal communication cable at the intersection of Ballantyne Commons Parkway and The Promenade Shopping Center Entrance; and,

WHEREAS, The North Carolina Department of Transportation (NCDOT) will be reimbursing the City fifty percent of actual costs, up to \$195,000; 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 54.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON OCTOBER 28, 2002**

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

WHEREAS, Brownfield redevelopment is a tool in the Environmental Protection Agencies (EPA) Smart Growth Toolkit; and,

WHEREAS, this \$35,000 United States EPA Air Quality Benefits grant will allow CDOT to examine the possible correlation between Brownfield and infill development and air quality benefits for conformity analysis purposes; and,

WHEREAS, The air quality benefits of these land use policies will be studied using CDOT's existing travel demand model and land use model; and,

WHEREAS, In addition to providing the EPA with a report of our findings, the revisions and modifications to our current models will be integrated with, and used as, part of the regional model and transit planning efforts currently underway; and,

WHEREAS, The work completed for this grant will also complement the work other agencies are engaged in for the regional model effort.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Agreement between the United States Environmental Protection Agency 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Pages 55-56.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.

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

RESOLUTION AUTHORIZING THE EXCHANGE OF REAL PROPERTY BETWEEN CITY OF CHARLOTTE AND PD ASSOCIATES LLC AND SOUTHEND STEELYARD LLC

WHEREAS, the City of Charlotte owns +/- 7,296 square feet of charter right of way located southeast of Camden Road and northeast of Tremont Avenue along the southeasterly side of the City of Charlotte Rail Corridor, in Mecklenburg County, North Carolina, said land being adjacent to tax parcel number 121-105-01; and

WHEREAS, PD Associates LLC and Southend Steelyard LLC own +/- 12,869 square feet of underlying fee located within the City of Charlotte Rail Corridor, southeast of Camden Road and northeast of Tremont Avenue in Charlotte, North Carolina and identified by tax parcel number 121-105-01; and

WHEREAS, pursuant to North Carolina General Statute 160A-271, the City of Charlotte and PD Associates LLC and Southend Steelyard LLC desire to exchange their respective properties, one for the other; and

WHEREAS, City will also receive the following consideration for the exchange:

- (1) \$62,088.96 in cash; and
- (2) Agreement by PD Associates LLC and Southend Steelyard LLC to remove steps that are currently encroaching on Rail Corridor; and

WHEREAS, the exchange of the aforementioned properties, combined with the additional consideration afforded the City of Charlotte, constitutes full and fair consideration for this transaction; and

WHEREAS, notice of this proposed transaction was advertised at least ten (10) days prior to adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to North Carolina General Statute 160A-271, that it hereby authorizes the exchange of the above referenced properties between the City of Charlotte and PD Associates LLC and Southend Steelyard LLC.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 57.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, 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

Estate of Sarah Pauline McCarver	Fee
Steve W. McCarver	Fee
Mason H. McCarver	Fee
Janet L. Parker, <i>deceased</i>	Fee
Denise M. Canant	Fee
Southern Public Utilities	Easement
Duke Power Company	Easement
Clerk of Superior Court	Compel Sale
Holder of Judgments	Right to payment

Property description

Beginning at Red Oak Reece Moody's corner on Mrs. Cora Kendricks line thence with her line and the Erma Marshall Jenkins line S-37-E 483.5 ft. to Stone Old Walker Corner, thence with Old Walker line S-47-26-W 90.5 ft. to iron, a new corner, thence with a new line N-37-W 506.3 ft. to iron (new) on Reece Moody's line, thence with his line N-61-57-E 90.5 ft. to point of Beginning. Contains one (1) acre more or less.

October 28, 2002
Resolution Book 38, Page 59

The above-described lot of land is in all respects a part of the same land conveyed by L.J. Walker and others to M.B. Berryhill, January 15th, 1901 and recorded in Register of Deeds office in Book 151, Page 200 for Mecklenburg County.

Appraised Value

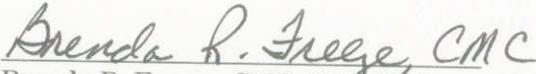
Thirty-Five Thousand Dollars (\$ 35,000) or such other amount as may be subsequently determined pursuant to applicable City, FAA or other Federal Regulations.

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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Pages 58-59.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **NORTH TRYON STREET 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 **NORTH TRYON STREET WIDENING PROJECT** and estimated to be approximately **631 square feet (0.014 acre)** for **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. 091-081-16, said property currently owned by **GHADA MUSTAFA DAHIR and spouse, if any; MAGED H. ALJAKHBEER and spouse, if any; ROGER S. CARDINAL, Trustee; BEHZAD HASSAN BEHDANI and spouse, if any, Beneficiary; UNITED STATES OF AMERICA, Judgment Creditor, 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 60.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **NORTH TRYON STREET 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 **NORTH TRYON STREET WIDENING PROJECT** and estimated to be approximately **1,383 square feet (0.032 acre) for 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. 091-081-15, said property currently owned by **GHADA ALJAKHBEER and spouse, MAJEED ALJAKHBEER; NICK J. MILLER, Trustee; GEORGE J. FRAGAKIS, individually and as agent for MICHAEL K. JOHNS, CATHERINE V. JOHNS, JOHN GEORGE FRAGAKIS, SOPHIA T. FRAGAKIS, EVANTHIA F. PAPPAS, PETER N. PAPPAS, WILLIAM GEORGE FRAGAKIS AND LISA H. FRAGAKIS, Beneficiaries, and Any Other Parties in Interest, or the owners' successor-in-interest.**

ESTIMATED JUST COMPENSATION:

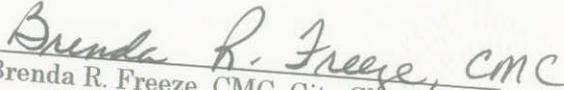
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 61.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **WEST CRAIGHEAD/FREW ROAD IMPROVEMENTS 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 **WEST CRAIGHEAD/FREW ROAD IMPROVEMENTS PROJECT** and estimated to be approximately **140 square feet (0.003 acre) in Fee-simple** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 085-115-04, said property currently owned by **IHL JIHN LEE and wife, ROSA KYUNG LEE; COUNTRYWIDE TITLE CORPORATION, Trustee; AMERICA'S WHOLESALE LENDER, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

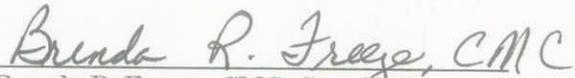
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 62.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **SANITARY SEWER-SERVE HAMBRIGHT ROAD AREA 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 **SANITARY SEWER-SERVE HAMBRIGHT ROAD AREA PROJECT**, and estimated to be approximately **2,073 square feet (0.048 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. 017-248-12, said property currently owned by **CLYDE DAVID METCALF and spouse, if any; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

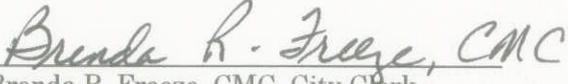
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 63.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **LONG CREEK PUMP STATION AND FORCE MAIN 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 **LONG CREEK PUMP STATION AND FORCE MAIN PROJECT** and estimated to be approximately **291,699 square feet (0.6.70 acre) of Fee-Simple, Permanent Sewer Easement and Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 031-441-01, said property currently owned by **CLARIANT CORPORATION (f/k/a Sandoz Chemical Corp., f/k/a Sandoz Chemicals Corp., f/k/a Sodyeco, Inc.); and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

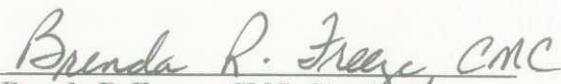
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 64.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **LONG CREEK PUMP STATION AND FORCE MAIN 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 **LONG CREEK PUMP STATION AND FORCE MAIN PROJECT** and estimated to be approximately **14,458 square feet (0.33 acre) of Permanent Sewer Easement and Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 031-163-18, said property currently owned by **RICHARD M. KAUSCH and wife, THERESA A. L. KAUSCH; R. STEVEN SMITH, Trustee; DAVID L. JACOBS and wife, BARBARA M. JACOBS, Beneficiary; DONALD J. MULLIGAN, Trustee; CAPITAL MORTGAGE FUNDING, INC., Beneficiary; SOUTHLAND ASSOCIATES, INC., Trustee; CENTRAL CAROLINA BANK AND TRUST COMPANY, Beneficiary; BENITA MITTEN, Trustee; COASTAL CAPITAL CORPORATION d/b/a THE MORTGAGE SHOP, 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 65.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **LONG CREEK PUMP STATION AND FORCE MAIN 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 **LONG CREEK PUMP STATION AND FORCE MAIN PROJECT** and estimated to be approximately **148,365 square feet (3.41 acre) of Permanent Sewer Easement and Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 031-201-30, said property currently owned by **EWRD-PERRY-RIVERBEND, LLC; KENNETH W. CALDWELL, Trustee; FIRST CHARTER NATIONAL BANK, Beneficiary; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

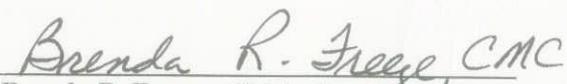
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 66.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **LONG CREEK PUMP STATION AND FORCE MAIN 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 **LONG CREEK PUMP STATION AND FORCE MAIN PROJECT** and estimated to be approximately **12,800 square feet (.29 acre) of Permanent Sewer Easement and Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 031-201-31, said property currently owned by **PHYLLIS G. REZNEK and spouse, if any; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

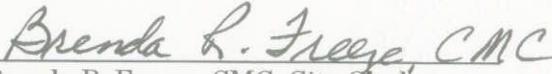
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 67.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **LONG CREEK PUMP STATION AND FORCE MAIN 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 **LONG CREEK PUMP STATION AND FORCE MAIN PROJECT** and estimated to be approximately **8,867 square feet (.20 acre) of Permanent Sewer Easement and Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 031-201-27, said property currently owned by **PHYLLIS GEORGE REZNAK and spouse, if any; HOWARD S. IRVIN, Trustee; WILLIAM LYNN MCCRAW and wife, SUSAN B. MCCRAW, Beneficiary; ALFRED A. ZAMPARELLI, et al., Trustees; BENEFICIAL MORTGAGE CO. OF NORTH CAROLINA, Beneficiary; J. S. DUBOSE, Trustee; LEE J. BROOKSHIRE, JR., Trustee; CU MORTGAGE SUPPORT SERVICES, INC., Beneficiary; JERONE C. HERRING, Trustee; BRANCH BANKING & 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 68.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **LONG CREEK PUMP STATION AND FORCE MAIN 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 **LONG CREEK PUMP STATION AND FORCE MAIN PROJECT** and estimated to be approximately **4,941 square feet (.11 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. 031-201-28, said property currently owned by **RICHARD LEIGHTON MCQUAY and wife, MARION C. MCQUAY; 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 69.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **LONG CREEK PUMP STATION AND FORCE MAIN 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 **LONG CREEK PUMP STATION AND FORCE MAIN PROJECT** and estimated to be approximately **39,306 square feet (.90 acre) of Permanent Sewer Easement and Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 031-222-39, said property currently owned by **MARILYN L. LONDON and spouse, if any; 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 70.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **PARK ROAD EXTENSION SIDEWALK 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 **PARK ROAD EXTENSION SIDEWALK PROJECT**, and estimated to be approximately **831.403 square feet (.019 acre) of Permanent Sidewalk 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. 221-142-01, said property currently owned by **PROVIDENCE PROPERTIES, INC.; 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 71.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **SOUTHWEST WATER TRANSMISSION MAIN 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 PROJECT** and estimated to be approximately **19,950 square feet (.458 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. 057-011-99, said property currently owned by **WINDY RIDGE DEVELOPMENT, INC.; and Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

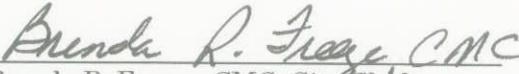
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 72.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **SOUTHWEST WATER TRANSMISSION MAIN 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 PROJECT** and estimated to be approximately **41,803 square feet (.960 acre) of Permanent Easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 057-131-21, said property currently owned by **WINIFRED S. NANCE and spouse, if any; 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 73.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **SOUTHWEST WATER TRANSMISSION MAIN 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 PROJECT** and estimated to be approximately **16,143 square feet (0.371 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. 061-251-08, said property currently owned by **BENNIE B. BROOKSHIRE, SR. and spouse, if any; I-77 PROPERTIES, INC.; HEIRS AT LAW OF THE ESTATE OF J. C. BROOKSHIRE, 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 74.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **ASBURY AVENUE EXTENSION 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 for **ASBURY AVENUE EXTENSION PROJECT** and estimated to be approximately **7,492 square feet (0.172 acre) in Fee-Simple** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 077-195-13, said property currently owned by **CARRIE A. KIRKPATRICK and husband, LOUIE J. KIRKPATRICK; ELIZA A. ROSS and spouse, if any; HAROLD ALEXANDER and spouse, if any; JACKIE A. STANLEY and husband, BRADSHAW STANLEY; NANCY ALEXANDER SIMS and spouse, if any; RACHEL A. BARRETT and spouse, if any; MADELINE M. WALLACE and husband, LEWIS WALLACE; RUTH M. JEFFERY and husband, RONALD JEFFERY; HERBERT MAXWELL and wife, MARGARET MAXWELL; REX MAXWELL and wife, ANN MAXWELL; GREGORY MAXWELL and wife, KATHY MAXWELL; BYRON MAXWELL and spouse, if any; MICHAEL MAXWELL and wife, KATHY MAXWELL; DOLORES M. HAMMONDS and husband, HARRY HAMMONDS; REGINA M. EPELLE and husband, CHUKES EPELLE; CELESTE MAXWELL and spouse, if any; KAREN MAXWELL and spouse, if any; Any Other Heirs at Law of Daisy Alexander, 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 75.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **SANITARY SEWER TO SERVE TORRENCE CREEK TRIBUTARY #1 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 **SANITARY SEWER TO SERVE TORRENCE CREEK TRIBUTARY #1 PROJECT** and estimated to be approximately **18,659 square feet (0.428 acre)** for **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. 009-243-99, said property currently owned by **HAMPTON AT NORTHCROSS HOMEOWNERS ASSOCIATION, INC.; ROBERT TURNER, III; PENDER R. MCELROY; H. JOE KING, JR.; HAROLD BARNES, JR., Co-Trustees; HOME FEDERAL SAVINGS AND LOAN ASSOCIATION, Beneficiary; LYN BOND, JR., Trustee; RALPH F. HOWEY and DOLORES S. HOWEY, 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Page 76.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION CLOSING A PORTION OF COCHRANE DRIVE 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 Cochrane Drive 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 Cochrane Drive 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 Duke Power Company, BellSouth Telecommunications, Inc., Piedmont Natural Gas, and all other owners of existing underground utilities and telecommunications to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 28th day of October, 2002 and City Council determined that the closing of a portion of Cochrane Drive 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 28, 2002, that the Council hereby orders the closing of a portion of Cochrane Drive 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, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of October, 2002, the reference having been made in Minute Book 118, and recorded in full in Resolution Book 38, Pages 77-79.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of October, 2002.


Brenda R. Freeze, CMC, City Clerk

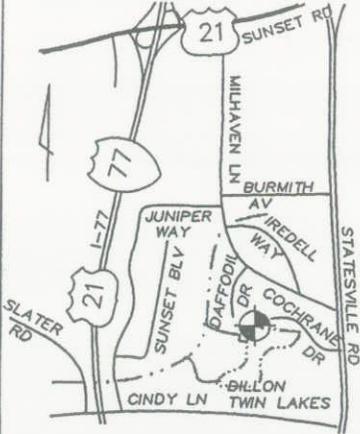
THIS IS TO CERTIFY THAT ON THE 26TH DAY OF JUNE, 2002, I, SURVEYED THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE PROPERTY LINES, AND THE IMPROVEMENTS IF ANY ARE AS SHOWN HEREON.

VICINITY MAP

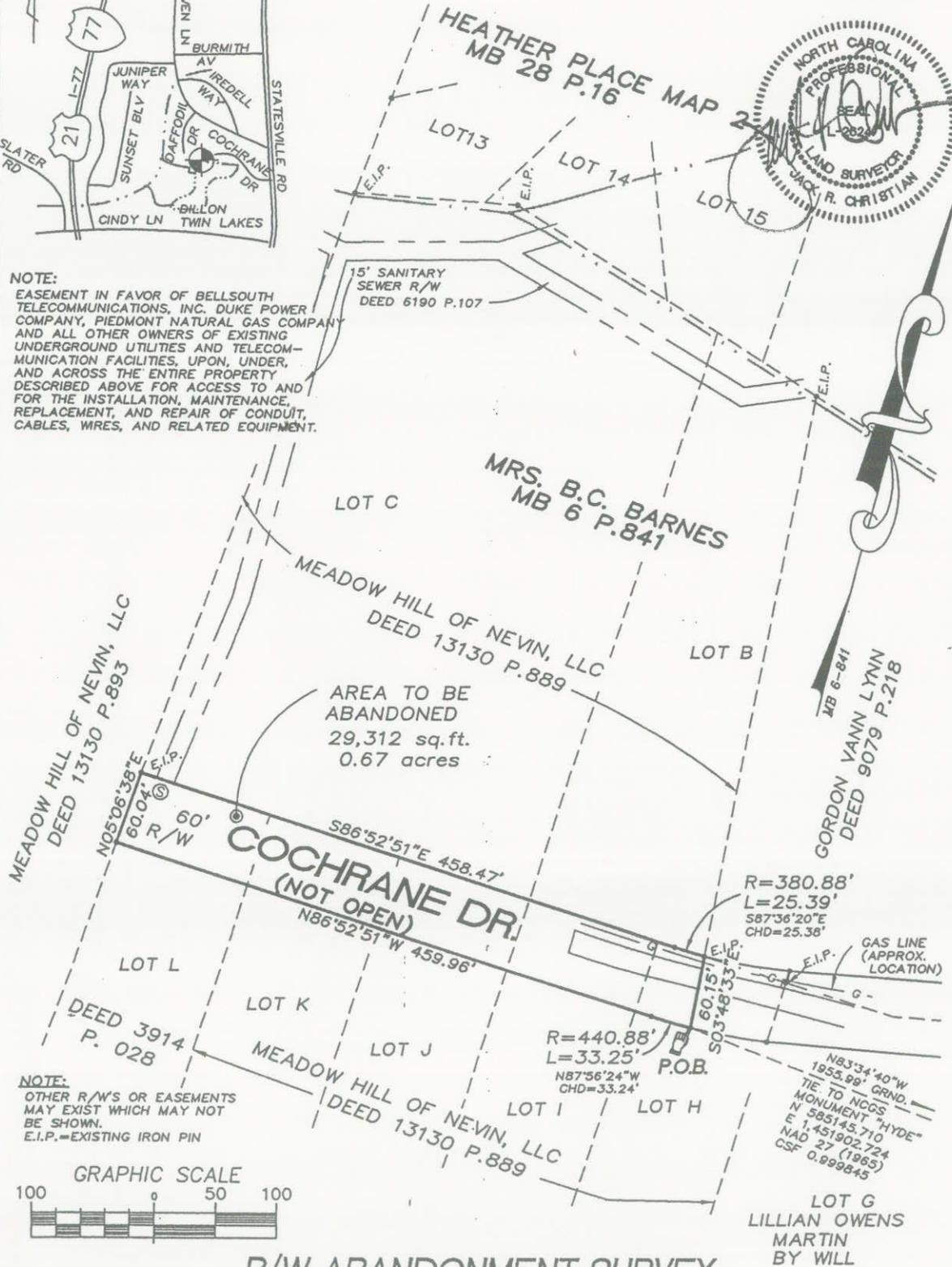
EXHIBIT "A"

REVISED 7-23-02 ADD NOTE.

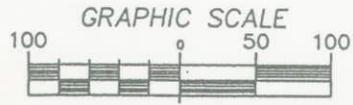
SIGNED: *Jack R. Christian*
 REGISTERED SURVEYOR
 JACK R. CHRISTIAN & ASSOCIATES
 7811 OLD CONCORD RD, CHARLOTTE, N.C. 28213
 PHONE: (704)596-2214
 COCHRANE
 99-11-19



NOTE:
 EASEMENT IN FAVOR OF BELLSOUTH TELECOMMUNICATIONS, INC. DUKE POWER COMPANY, PIEDMONT NATURAL GAS COMPANY AND ALL OTHER OWNERS OF EXISTING UNDERGROUND UTILITIES AND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLES, WIRES, AND RELATED EQUIPMENT.



NOTE:
 OTHER R/W'S OR EASEMENTS MAY EXIST WHICH MAY NOT BE SHOWN.
 E.I.P.=EXISTING IRON PIN



R/W ABANDONMENT SURVEY

OF
PORTION OF COCHRANE DRIVE

SCALE 1"=100'

CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

THE PROPERTY OF: CITY OF CHARLOTTE
 MAP RECORDED IN BOOK _____ AT PAGE _____ DEED RECORDED IN BOOK _____ PAGE _____



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: JUNE 26, 2002

EXHIBIT "B"

LEGAL DESCRIPTION

BEGINNING AT A POINT IN THE EASTERN LINE OF LOT H OF THE MRS. B.C. BARNES SUBDIVISION AS RECORDED IN MAPBOOK 6 PAGE 841 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY AND ALSO BEARING N 83°34'40"W., 1955.99 FEET FROM N.C. GRID MONUMENT "HYDE" HAVING NORTH CAROLINA GRID COORDINATES OF N.585145.71 AND E.1,451,902.72; THENCE THROUGH LOT I, J, K, L OF AFOREMENTIONED MRS. B.C. BARNES SUBDIVISION TWO (2) CALLS:

- (1) WITH THE ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 440.88 FEET AN ARC DISTANCE OF 33.25 FEET TO A POINT (SUBTENDED BY A CHORD BEARING N.87°56'24"W, 33.24 FEET);
- (2) N 86°52'51"W., 459.96 FEET TO A POINT IN THE LINE OF LOT L AND ALSO BEING A POINT IN THE EASTERN PROPERTY LINE OF MEADOW HILL OF NEVIN, LLC DEED RECORDED IN BOOK 13130 AT PAGE 893 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY;

THENCE WITH THE EASTERN LINE OF MEADOW HILL OF NEVIN, LLC N.05°06'38"E. 60.04 FEET TO AN EXISTING IRON PIN THE SOUTHWESTERN CORNER OF LOT C OF AFOREMENTIONED MRS. B.C. BARNES SUBDIVISION; THENCE WITH THE SOUTHERN LINE OF LOT C AND B OF MRS. B.C. BARNES SUBDIVISION S.86°52'51"E. 458.47 FEET TO A POINT; THENCE WITH THE ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 380.88 FEET AN ARC DISTANCE OF 25.39 FEET TO A POINT (SUBTENDED BY A CHORD BEARING S.87°36'20"E. 25.38 FEET); THENCE S.03°48'33"E. 60.15 FEET TO TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 0.67 ACRES ALL AS SHOWN ON A SURVEY BY JACK R. CHRISTIAN AND ASSOCIATES DATED JUNE 26, 2002 TO WHICH REFERENCE IS MADE.

