

RESOLUTION OF THE CHARLOTTE CITY COUNCIL ESTABLISHING ITS POLICIES AND PROCEDURE FOR PUBLIC NOTIFICATION, NOMINATION, AND APPOINTMENT OF PERSONS TO BOARDS, COMMITTEES, AND COMMISSIONS, AND STATING CITY POLICIES FOR CONSECUTIVE TERMS, OATHS OF OFFICE, RESIDENCY, AND ATTENDANCE, AND FOR THE SUBMITTAL OF ANNUAL REVIEW REPORTS OF BOARDS AND COMMISSIONS.

WHEREAS, the City Council of the City of Charlotte, NC, has reviewed its policies and process for public notification of vacancies, nominating, and appointing volunteer citizens to boards, committees, and commissions, and

WHEREAS, the City Council has reviewed City policies regarding, consecutive terms, residency, attendance, and review reports of boards, committees, and commissions;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that it hereby establishes the following policies and procedures for public notification, nomination, and appointment of persons to boards, committees and commissions, and states the City's policies regarding consecutive terms, residency, attendance, and submittal of reports by boards, committees, and commissions as follows:

Section 1. PROCESS FOR PUBLIC NOTIFICATION, NOMINATIONS AND APPOINTMENTS

Appointments to boards, committees, and commissions shall be made monthly. City Council may nominate one person for appointment to each of the positions to be filled by Council. After nominations are closed, no further nominations may be made. If a person receives at least six nominations, the appointment may be made upon a motion, second and voice vote of Council at the same meeting at which the nomination is made. Only applicants receiving two or more nominations shall be brought forward for consideration during appointments.

At least four weeks prior to nominations, the City shall publicize vacancies to be filled by appointment of the Council as follows: (i) the City Clerk will provide the Council with a list of upcoming vacancies; and (ii) the City Clerk shall provide such information to the public through the City's website, the GOV Channel, social media and other opportunities.

Any vacancies created by resignation or automatic removal shall be included with the next group of monthly nominations. Terms expiring during any month shall remain filled by the person then holding the position until a successor is appointed and qualified.

By nominating a person who has not submitted an application for the subject board, committee, or commission, the nominating Council Member certifies that the person has indicated an interest in serving and that the nominee will submit an application with the City Clerk's Office by noon the day before the appropriate Council agenda for appointment is delivered to Council. If such application is not made, the nomination will be deemed to have been withdrawn. The City Clerk's Office will notify the nominee of the actual deadline for submitting the application the day following the nomination.

At the next business meeting after the close of nominations, the Council shall vote on the nominees for the positions to be filled. The appointments shall be determined by written ballot. A ballot containing the names and districts of nominees, shall be distributed to each Council Member. Each Council Member shall vote for a nominee, sign the ballot and return it to the City Clerk at the beginning of the dinner briefing. The City Clerk shall tally and announce the votes and the results.

In accordance with the City Charter, no nominee shall be deemed appointed unless he or she receives at least six votes. At the dais, Council shall be provided with a hard copy of the voting results and any run-offs required. If no nominee receives at least six votes on the first ballot, a second ballot (or vote) shall be cast. Only the top two vote getters shall be candidates on the second ballot. If as a result of the first ballot a tie vote situation produced more than two top vote getters, (i.e., 3-3-3-2; 5-3-3; 4-2-2-2-1), the Council shall cast ballots (or vote) on the top candidates to narrow the field of candidates to two. Then a third ballot (or vote) shall be cast on the top two vote getters. If no nominee receives at least six votes after the third ballot, all nominations shall lay on the table until the next regular meeting, at which time balloting shall be done in accordance with this paragraph.

Criminal background checks are required for nominees of the following boards:

Charlotte Regional Visitors Authority	Domestic Violence Advisory Board
Civil Service Board	Charlotte Housing Authority
Housing Appeals Board	Citizens' Review Board
Passenger Vehicle for Hire	Zoning Board of Adjustment

A nominee to the Citizens Review Board who has a felony or Class A1 misdemeanor conviction, or a Class 1 or Class 2 misdemeanor conviction within three years of the date of nomination, shall not be eligible to serve. Appointments to the other listed boards may be denied for those persons convicted of crimes against a person, or crimes against property where intent is an element, or any offense involving drugs, alcohol, or gambling. Other crimes may also be considered by the Council in making appointments.

Any departure or deviation from the above process shall not affect the validity of an otherwise valid Council appointment.

Section 2. CONSECUTIVE TERMS/MULTIPLE BOARDS

No member of any board, committee, or commission may serve more than two full consecutive terms. After serving two full consecutive terms, a person must be off that board, committee, or commission for one full term before being eligible for appointment to the same body. An exception to this rule may be made on a case by case basis (i.e., a need for continuity or experience).

An individual may not serve on more than two boards, committees, or commissions at one time.

Section 3. OATHS OF OFFICE/ORIENTATION

For a board, committee, or commission requiring an oath of office, a new member may not vote on any matter until the oath of office has been administered. Reappointed members shall also be administered the oath of office.

Staff advisors shall conduct an orientation session for new members with the chair in attendance prior to or at the first regular meeting after appointment. Expectations shall be given concerning attendance, conflicts of interest, information on City Government, etc.

Section 4. **RESIDENCY REQUIREMENTS**

A member of any board, committee or commission must at all times be registered to vote in Mecklenburg County.

Exceptions to the above statement may exist for some boards for purposes of regional membership (i.e. the Airport Advisory Committee). Any exceptions will be handled on a case by case basis.

Section 5. **ATTENDANCE POLICY**

In order for a board, committee, or commission to be effective and efficient, and to accomplish its purpose, its membership must be actively involved and attendant to the business of the body. Therefore, all members are required to attend at least 65% of the regular and special meetings of the body and assigned committees and subcommittees held in any one calendar year with **NO EXCUSED ABSENCES**. On January 1 of each year, a member of any board, commission, or committees appointed by the Mayor, Council or City Manager shall be automatically removed from said body for failure to attend at least 65% of all regular and special meetings of the body and assigned committees and subcommittees held during the immediately preceding calendar year. For persons not serving for an entire calendar year, the 65% attendance requirement shall apply to meetings held during the portion of the year during which the person served. In order to be eligible for reappointment to a board, committee, or commission, a member must have attended at least 75% of the regular and special meetings of the body and assigned committees and subcommittees during the concluding term, or portion of the term during which the member served. In addition, any member of a board, commission or committee shall be automatically removed from said body for failure to attend any **THREE CONSECUTIVE REGULAR MEETINGS** of the body. A member must attend fifty percent (50%) of a meeting in order to be considered in attendance for the purposes of this policy. Members appointed in the fourth quarter of the year shall be exempt from the 65% attendance rule for that calendar year only, but are still subject to the three consecutive meeting policy.

The City Clerk shall send a letter to anyone who is removed from a board, committee, or commission for failure to meet the attendance policy. Vacancies resulting from the removal of a member shall be filled by the same method as provided for initial appointments.

The City Clerk shall send a letter to any member who is in danger of violation of the attendance requirement, asking them to be mindful of said requirement.

Staff advisors shall file attendance reports with the City Clerk pursuant to the schedule established by the City Clerk.

This attendance policy shall apply to every member of a board, committee, or commission that is part of the City of Charlotte regardless of who appoints the member. In addition, this attendance policy shall apply to all appointees by the City Council to a board, committee, or commission that is not part of the City of Charlotte.

Section 6. **REPORTS OF BOARDS, COMMITTEES, AND COMMISSIONS**

The City Council finds it appropriate to periodically review each standing board, committee, and commission to which they make appointments for the purpose of assessing whether said board, committee, or commission should be renewed, dismantled, expanded or its charge redefined. To this end, each board, committee, and commission that is part of the City, or that was established by the City Council, whether acting alone or in conjunction one or more other local governments, is required to submit annual written reports that must contain in depth reviews of the body's activities including goals, objectives, successes, problems, and/or the need for City Council assistance. These reports shall be submitted to the City Clerk and will be staggered through the year according to a schedule established by the City Clerk. The City Clerk shall then provide the Mayor and City Council with copies of the reports and refer the reports to the appropriate Council Committee for the Committee's information.

Boards, committees, and commissions that are not part of the City shall submit reports in accordance with the reporting requirements set forth in their contract, if any, with the City.

In addition to required written reports, the City Council may request on a case-by-case basis that an oral report be made to the Council.

Section 7. **CONFLICT OF INTEREST**

Council's January 24, 1983 Conflict of Interest Resolution established for boards, commissions, and committees shall continue as it is in its entirety.

Section 8. **REPEALER**

All prior resolutions of the City Council establishing procedures for the public notification, nomination, and appointment of persons to boards, committees, and commissions, and setting forth the City's policies for consecutive terms, oaths of office, residency, attendance, and review reports are, except to the extent that they are supplementary to and consistent herewith, repealed. This repeal includes, but is not limited to, resolutions recorded at Resolution Book 34, Pages 578-582, Resolution Book 36, Page 148, and Resolution Book 38, Page 277.

CERTIFICATION

I, Emily A. Kunze, 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 12th day of September, 2016 the reference having been made in Minute Book 141 and recorded in full in Resolution Book 47, Page(s) 585-589.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of September, 2016.



A handwritten signature in cursive script that reads "Emily A. Kunze".

Emily A. Kunze, Deputy City Clerk

EXTRACTS FROM MINUTES OF CITY COUNCIL

* * *

A Regular Meeting of the City Council of the City of Charlotte, North Carolina (the “*City Council*”) was duly held in the Meeting Chamber at the Charlotte-Mecklenburg County Governmental Center, 600 East Fourth Street, Charlotte, North Carolina 28202, the regular place of meeting, at 7:00 p.m. on September 12, 2016:

Members Present: Mayor Roberts, Councilmembers Austin, Autry, Driggs, Eiselt, Fallon, Kinsey, Lyles, Mayfield, Mitchell, Phipps, Smith

Members Absent: None

* * * * *
* * *

Councilmember Kinsey moved that the following resolution be adopted, a copy of which was available with the City Council and which was read by title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA MAKING CERTAIN STATEMENTS OF FACT CONCERNING PROPOSED BOND ISSUE AND CALLING A PUBLIC HEARING ON THE BOND ORDER

WHEREAS, the City Council is considering the issuance of bonds of the City of Charlotte, North Carolina (the “*City*”) which shall be for the following purposes and in the following maximum amount:

Not to exceed \$150,000,000 of General Obligation Refunding Bonds to pay the costs of refunding with long-term bonds \$150,000,000 aggregate principal amount of the City of Charlotte, North Carolina General Obligation Commercial Paper Bonds (the “*Refunded Bonds*”).

WHEREAS, the City Council must make certain findings of fact to enable the Local Government Commission of the State of North Carolina to make certain determinations as set forth in Section 159-52 of the General Statutes of North Carolina;

WHEREAS, the City Council has introduced a bond order titled “Bond Order Authorizing the Issuance of Not to Exceed \$150,000,000 General Obligation Refunding Bonds of the City of Charlotte, North Carolina” and desires to hold a public hearing on September 26, 2016 on such bond order;

NOW, THEREFORE, BE IT RESOLVED that the City Council meeting in open session on the 12th day of September, 2016, has made the following factual findings in regard to this matter:

A. ***Facts Regarding Necessity of Proposed Financing.*** The proposed bonds are necessary and expedient to fix the City's debt service costs related to projects financed and refinanced with the Refunded Bonds.

B. ***Facts Supporting the Amount of Bonds Proposed.*** The sums estimated for these bonds are adequate and not excessive for the proposed purpose.

C. ***Past Debt Management Policies.*** The City's debt management policies have been carried out in compliance with law. The City employs a Chief Financial Officer to oversee compliance with applicable laws relating to debt management. The City Council requires annual audits of City finances. In connection with these audits, compliance with laws is reviewed. The City is not in default in any of its debt service obligations. The City Attorney reviews all debt-related documents for compliance with laws.

D. ***Past Budgetary and Fiscal Management Policies.*** The City's budgetary and fiscal management policies have been carried out in compliance with laws. Annual budgets are closely reviewed by the City Council before final approval of budget ordinances. Budget amendments changing a function total or between functions are presented to the City Council at regular City Council meetings. The Chief Financial Officer presents financial information to City Council which shows budget to actual comparisons annually and otherwise as the City Manager deems necessary or as a member of the City Council may request.

E. ***Retirement of Debt.*** The schedule for issuing the bonds does not require a property tax increase. The schedule for issuance calls for issuing all of the bonds in Fiscal Year 2017.

F. ***Financing Team.*** The City Manager and the Chief Financial Officer, with advice from the City Attorney, are hereby authorized and directed to (1) retain Parker Poe Adams & Bernstein LLP as bond counsel, (2) retain Merrill Lynch, Pierce, Fenner & Smith Incorporated as senior managing underwriter for the Bonds and such co-managing underwriters as they determine, (3) retain DEC Associates, Inc., as financial advisor, and (4) approve the selection of McGuireWoods LLP, as counsel to the underwriters.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA that the public hearing on the bond order shall be held on the 26th day of September, 2016 at 7:00 p.m. in the Meeting Chamber, Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, 28202. The City Clerk is hereby directed to cause a copy of said bond order to be published with a notice of such hearing in the form prescribed by law in a newspaper of general circulation in the City on or before the 20th day of September, 2016. The Chief Financial Officer is hereby directed to file prior to publication of the bond order with the notice of such public hearing, a statement setting forth the debt incurred or to be incurred, the net debt of the City, the assessed value of property subject to taxation by the City and the percentage that net debt of the City bears to the assessed value of property subject to taxation.

PASSED, ADOPTED AND APPROVED this 12th day of September, 2016.

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

I, Emily A. Kunze, the Deputy City of the City of Charlotte, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of a resolution entitled “**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA MAKING CERTAIN STATEMENTS OF FACT CONCERNING PROPOSED BOND ISSUE AND CALLING A PUBLIC HEARING ON THE BOND ORDER**” adopted by the City Council of the City of Charlotte, North Carolina, at a meeting held on the 12th day of September, 2016, the reference having been made in Minute Book 141, and recorded in full in Resolution Book 47, Page(s) 590-592.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of September, 2016.



Emily A. Kunze, Deputy City Clerk

Councilmember Kinsey introduced the following bond order by reading the title thereof:

**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$150,000,000
GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTE, NORTH
CAROLINA**

WHEREAS, the City of Charlotte, North Carolina (the “City”) has issued \$150,000,000 aggregate principal amount of its General Obligation Commercial Paper Bonds (the “*Refunded Bonds*”), all of which remains outstanding;

WHEREAS, the City Council of the City (the “*City Council*”) deems it advisable to refund all of the outstanding Refunded Bonds;

WHEREAS, an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the bonds hereinafter described as required by the Local Government Bond Act, and the Secretary of the Local Government Commission has notified the City Council that the application has been accepted for submission to the Local Government Commission.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Charlotte, North Carolina, as follows:

Section 1. The City Council deems it advisable to refund all of the outstanding Refunded Bonds.

Section 2. To raise the money required to pay the costs of refunding the Refunded Bonds as set forth above, General Obligation Refunding Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such General Obligation Refunding Bonds authorized by this bond order shall be and not exceed \$150,000,000.

Section 3. A tax sufficient to pay the principal of and interest on said General Obligation Refunding Bonds when due shall be annually levied and collected.

Section 4. A sworn statement of the City’s debt has been filed with the City Clerk and is open to public inspection.

Section 5. This bond order shall take effect on its adoption.

NOTICE OF PUBLIC HEARING
BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$150,000,000
GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA

WHEREAS, the City of Charlotte, North Carolina (the "City") has issued \$150,000,000 aggregate principal amount of its General Obligation Commercial Paper Bonds (the "Refunded Bonds"), all of which remains outstanding;

WHEREAS, the City Council of the City (the "City Council") deems it advisable to refund all of the outstanding Refunded Bonds;

WHEREAS, an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the bonds hereinafter described as required by the Local Government Bond Act, and the Secretary of the Local Government Commission has notified the City Council that the application has been accepted for submission to the Local Government Commission.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Charlotte, North Carolina, as follows:

Section 1. The City Council deems it advisable to refund all of the outstanding Refunded Bonds.

Section 2. To raise the money required to pay the costs of refunding the Refunded Bonds as set forth above, General Obligation Refunding Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such General Obligation Refunding Bonds authorized by this bond order shall be and not exceed \$150,000,000.

Section 3. A tax sufficient to pay the principal of and interest on said General Obligation Refunding Bonds when due shall be annually levied and collected.

Section 4. A sworn statement of the City's debt has been filed with the City Clerk and is open to public inspection.

Section 5. This bond order shall take effect on its adoption.

The foregoing bond order has been introduced and a sworn statement of debt has been filed under the Local Government Bond Act showing the appraised value of the City of Charlotte, North Carolina to be \$90,951,848,000 and the net debt thereof, including the proposed bonds, to be \$1,507,235,000. The Chief Financial Officer of the City has filed a statement estimating that the total amount of interest that will be paid on the bonds over the expected term of the bonds, if issued, is \$79,293,750. The estimate is preliminary, is for general informational purposes only, and may differ from the actual interest paid on the bonds. A tax will be levied to pay the principal of and interest on the bonds if they are issued. Anyone who wishes to be heard on the questions of the validity of the bond order and the advisability of issuing the bonds may appear at a public hearing or an adjournment thereof to be held in the Meeting Chamber, Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, 28202, at 6:30p.m. on the 26th day of September, 2016.



Emily A. Kunze, Deputy City Clerk

RESOLUTION AUTHORIZING THE LEASE OF A PORTION OF CITY PROPERTY
ON OLD STATESVILLE ROAD TO ADAMS OUTDOOR ADVERTISING

WHEREAS, the City of Charlotte owns property more particularly identified as tax parcel number 043-088-14, and having an address of 5599 W.T. Harris Blvd., located at the southeast corner of the intersection of Old Statesville Road and West W.T. Harris Boulevard; and

WHEREAS, when the City acquired the property in 2002, on it was an Adams Outdoor Advertising ("Adams") billboard, located on a portion of the property which was and still is surplus to the City's needs for the property (the "Site"); and

WHEREAS, the City became the landlord under the existing lease when it acquired the property in 2002, and once that lease expired, has continued to lease the Site to Adams on an annual basis; and

WHEREAS, Adams now desires to enter into a longer term lease at the Site (for a five-year term, followed by two optional five-year extensions) for the continued operation and maintenance of an outdoor advertising billboard; and

WHEREAS, North Carolina General Statute §160A-272 and Charlotte City Charter §8.131 give the City the right and option to lease its property for its own benefit upon such market terms and conditions as it determines; and

WHEREAS, in consideration of leasing the Property, Adams has agreed to pay annual rent to the City during the lease term and extensions, if any, in the amount of \$12,000, or an amount equal to 20% of Adams' actual gross income from the site, whichever is greater; and

WHEREAS, the required notice has been published and Council is convened in a regular meeting;

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to North Carolina General Statute §160A-272 and §8.131 of the City of Charlotte Charter, that it hereby authorizes the lease of the above referenced Property as follows:

The City Council hereby approves the lease of the city property described above to Adams Outdoor Advertising upon the terms and conditions set forth herein, and authorizes the City Manager or his Designee to execute any instruments necessary to the lease.

THIS THE 12th DAY OF SEPTEMBER, 2016.

CERTIFICATION

I, Emily A. Kunze, 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 12th day of September, 2016 the reference having been made in Minute Book 141 and recorded in full in Resolution Book 47, Page(s) 596-597.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of September, 2016.



A handwritten signature in cursive script, reading "Emily A. Kunze".

Emily A. Kunze, Deputy City Clerk

RESOLUTION AUTHORIZING THE LEASE OF A PORTION OF CITY PROPERTY
ON SOUTH BOULEVARD TO ADAMS OUTDOOR ADVERTISING

WHEREAS, the City of Charlotte owns property more particularly identified as tax parcel number 205-211-11, and having an address of 8812 South Boulevard, located approximately 850 feet south of Sharon Road West; and

WHEREAS, when the City acquired the property in 2005, on it was an Adams Outdoor Advertising ("Adams") billboard, located on a portion of the property which was, and still is, surplus to the City's needs for the property (the "Site"); and

WHEREAS, the City became the landlord under the existing lease when it acquired the property in 2005, and once that lease expired, has continued to lease the Site to Adams on an annual basis; and

WHEREAS, Adams now desires to enter into a longer term lease at the Site (for a five-year term, followed by two optional five-year extensions) for the continued operation and maintenance of an outdoor advertising billboard; and

WHEREAS, North Carolina General Statute §160A-272 and Charlotte City Charter §8.131 give the City the right and option to lease its property for its own benefit upon such market terms and conditions as it determines; and

WHEREAS, in consideration of leasing the Property, Adams has agreed to pay annual rent to the City during the lease term and extensions, if any, in the amount of \$3,900 or an amount equal to 20% of Adams' actual gross income from the Site, whichever is greater; and

WHEREAS, the required notice has been published and Council is convened in a regular meeting;

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to North Carolina General Statute §160A-272 and §8.131 of the City of Charlotte Charter, that it hereby authorizes the lease of the above referenced Property as follows:

The City Council hereby approves the lease of the city property described above to Adams Outdoor Advertising upon the terms and conditions set forth herein, and authorizes the City Manager or his Designee to execute any instruments necessary to the lease.

THIS THE 12th DAY OF SEPTEMBER, 2016.

CERTIFICATION

I, Emily A. Kunze, 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 12th day of September, 2016 the reference having been made in Minute Book 141 and recorded in full in Resolution Book 47, Page(s) 598-599.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of September, 2016.



A handwritten signature in cursive script that reads 'Emily A. Kunze'. The signature is written in dark ink and is positioned above a horizontal line.

Emily A. Kunze, Deputy City Clerk

CHARLOTTE CITY COUNCIL

Resolution Authorizing Donation of Personal Property

Whereas, North Carolina G.S. 160A-280 allows a city to donate any personal property that the governing board deems to be surplus, obsolete, or unused to a nonprofit organization and;

Whereas, the City Manager has recommended that the property listed on the attached Exhibit A (the "Property") be declared as surplus; and

Whereas, the City Manager recommends that the Property be donated to Charlotte Center City Partners; and

Whereas, City staff posted a public notice of the proposed donation at least five days prior to the adoption of this resolution;

Now, therefore, BE IT RESOLVED by the Charlotte City Council that the Property described on Exhibit A is declared surplus and that the City Manager or his designee is authorized to donate such Property to Charlotte Center City Partners.

Adopted on this 12th day of September, 2016

CERTIFICATION

I, Emily A. Kunze, 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 12th day of September, 2016 the reference having been made in Minute Book 141 and recorded in full in Resolution Book 47, Page(s) 600-601.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of September, 2016.



A handwritten signature in cursive script, reading "Emily A. Kunze".

Emily A. Kunze, Deputy City Clerk

EXHIBIT A

The personal property to be declared surplus includes one scale model of each of the following buildings in Uptown Charlotte:

- Westin Hotel,
- Hilton Hotel,
- Cameron Brown,
- 525 North Tryon,
- Charlotte Plaza,
- Carillon,
- Three Wells Fargo,
- Fifth Third Bank,
- City Club,
- Bank of America,
- Hearst Tower,
- One Wells Fargo, and
- Bank of America Tower.

**RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON September 12, 2016**

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

WHEREAS, the City of Charlotte will reimburse North Carolina Department of Transportation (NCDOT) for the relocation and adjustment of Charlotte Water owned water and sewer lines located in the NCDOT Project (P-2918F) east of I-77, south of Carson Boulevard, and north of South Mint Street.

WHEREAS, Charlotte Water will reimburse North Carolina Department of Transportation for actual costs of the project estimated to be \$1,132,000; and

WHEREAS, Charlotte Water has programmed funding for said Water and Sewer Construction; and,

WHEREAS, under the proposed Agreement and subject to the Agreement provisions, the City of Charlotte shall reimburse the North Carolina Department of Transportation for actual construction costs at the conclusion of the project.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Agreement between the North Carolina Department of Transportation and the City of Charlotte and Charlotte Water, is hereby formally approved by the City Council of the City of Charlotte and that the Director of Charlotte Water and Clerk of the City of Charlotte are hereby empowered to sign and execute the Municipal Agreement with the North Carolina Department of Transportation.

CERTIFICATION

I, Emily A. Kunze, 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 12th day of September, 2016 the reference having been made in Minute Book 141 and recorded in full in Resolution Book 47, Page(s) 602.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of September, 2016.




Emily A. Kunze, Deputy City Clerk

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

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

1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.
3. The amounts listed on the schedule were collected through either a clerical or assessor error.

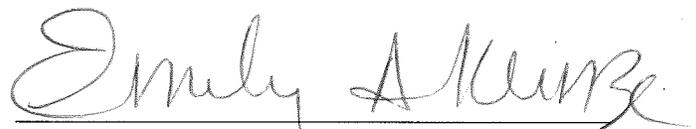
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 12th day of September 2016 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Emily A. Kunze, 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 12th day of September, 2016 the reference having been made in Minute Book 141 and recorded in full in Resolution Book 47, Page(s) 603-604.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of September, 2016.




Emily A. Kunze, Deputy City Clerk

Taxpayers and Refunds Requested

BALLANTYNE COUNTRY CLUB, INC	\$	9,750.17
BENNETT, HENRY W	\$	127.58
CAROLINA FOODS INC (BY	\$	1,132.12
CONNER, LINDSAY A	\$	96.14
CONNER, LINDSAY A	\$	97.01
FRENCH, PATRICK	\$	87.36
FRENCH, PATRICK	\$	94.18
GILLESPIE, SARAH	\$	666.58
HAMILTON, LINDA K	\$	382.96
JACKSON & MCGEE LLP	\$	11.62
MARTIN, NAOMI S	\$	519.08
MARTIN, NAOMI S	\$	530.16
MILLER, ANDREW N	\$	131.64
MORGAN STANLEY SMITH BARNEY LLC	\$	126.97
PIEDMONT NATURAL GAS COMPANY INC .	\$	936.34
POSITEC TOOL CORPORATION	\$	55.28
RAUBACHER, MATTHEW S	\$	1,202.50
REYNOLDS & REYNOLDS CO OFFICE-SALES ONLY	\$	1,402.03
ROOF M ALL INC	\$	71.76
ROSCHE, STACI ELIZABETH	\$	184.13
TAYLOR, WAYNE S	\$	411.92
THE CITY OF CHARLOTTE .	\$	312.89
THE CITY OF CHARLOTTE .	\$	335.59
VANTAGE SOUTH BANK	\$	32.59
YADKIN BANK	\$	69.38
YADKIN BANK	\$	51.35
	\$	<u>18,819.33</u>

**A RESOLUTION AUTHORIZING THE REFUND OF
CERTAIN BUSINESS PRIVILEGE LICENSES**

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

1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.
3. The amounts listed on the schedule were collected through either a clerical or assessor error.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 12th day of September 2016 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Emily A. Kunze, 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 12th day of September, 2016 the reference having been made in Minute Book 141 and recorded in full in Resolution Book 47, Page(s) 605-606.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of September, 2016.



A handwritten signature in cursive script, reading "Emily A. Kunze".

Emily A. Kunze, Deputy City Clerk

Business Privilege License Tax Refund Requests

7 Eleven Store 35594J-7 Eleven Inc	\$ 15.00
SUBWAY - KIRDASI INC	\$220.00
TOP SHELF WINES INC	\$146.25
	<u>\$ 381.25</u>

**RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE a portion of
Abeline Road and Whitehurst Road in the City of Charlotte, Mecklenburg County,
North Carolina**

Whereas, **Mecklenburg County** has filed a petition to close a portion of Abeline Road and Whitehurst Road in the City of Charlotte; and

Whereas, a portion of Abeline Road begins approximately 225 feet northwest from Crestline Drive, continuing 25 feet to its terminus at its intersecting point with Whitehurst Road; and Whitehurst Road begins at the southeastern most property boundary currently or formerly owned by Mecklenburg County (DB 29274, PG 289), and continues westward to its terminus at the northeastern boundary of a property currently or formerly owned by the City of Charlotte (DB 27203, PG 724). Both Abeline Road and Whitehurst Road consist of 41,804 square feet combined, as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

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.

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of September 12, 2016, that it intends to close a portion of Abeline Road and Whitehurst Road 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 10th day of October 2016, in CMGC meeting chamber, 600 East 4th Street, Charlotte, North Carolina.

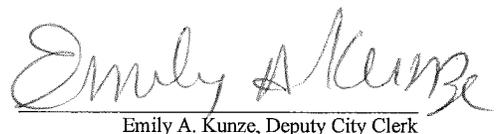
The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for two successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

CERTIFICATION

I, Emily A. Kunze, 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 12th day of September, 2016 the reference having been made in Minute Book 141 and recorded in full in Resolution Book 47, Page(s) 607-610.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of September, 2016.

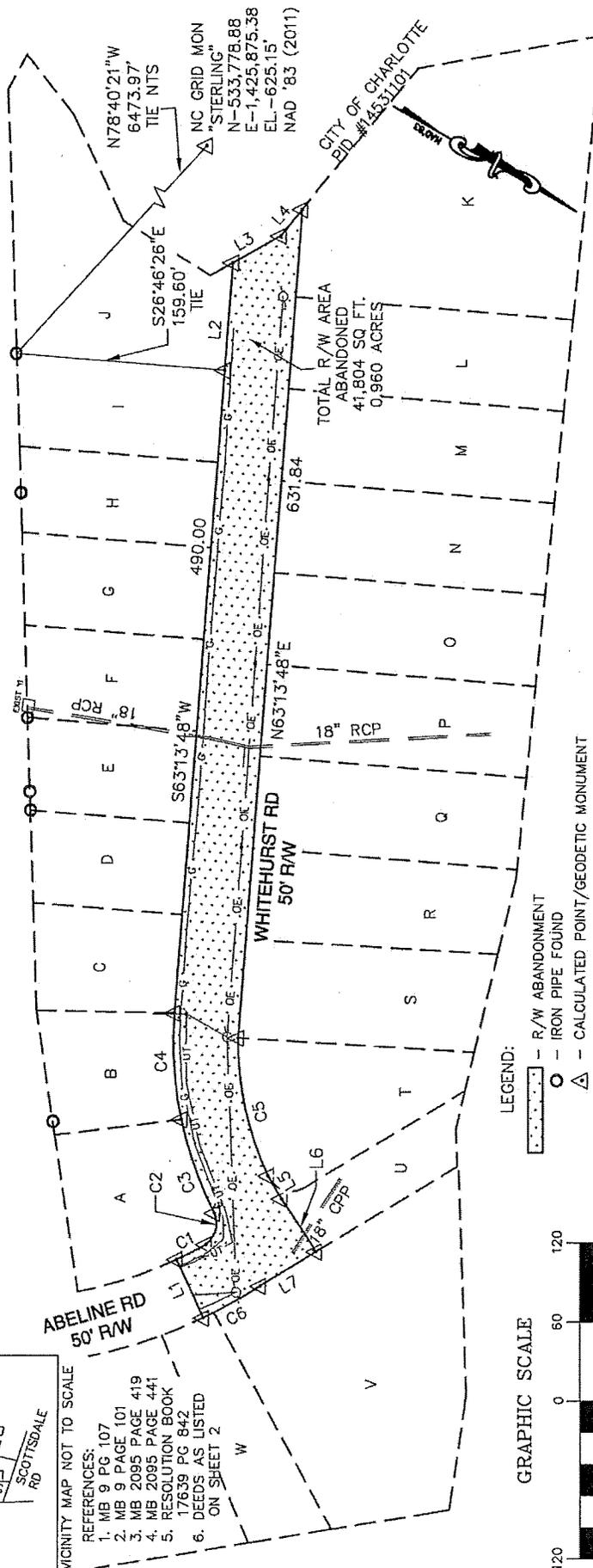
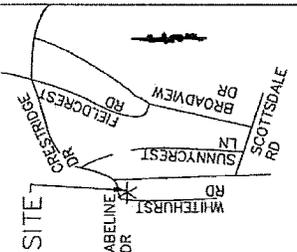



Emily A. Kunze, Deputy City Clerk

PREPARED BY: FIRM #C-4168
R. Joe Harris & Associates, Inc.
 Engineering & Land Surveying
 127 BEN CASEY DR., SUITE 101, FORT MILL, SC, 29708
 Phone: (803) 802-1799

EASEMENT IN FAVOR OF CITY OF CHARLOTTE STORMWATER, DUKE ENERGY, AT&T AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE RIGHT-OF-WAY ABANDONMENT AREA AS SHOWN FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF EXISTING STORM DRAINAGE, CONDUIT, CABLE, WIRES, AND RELATED EQUIPMENT. EASEMENT FOR CHARLOTTE STORMWATER IS FOR THE PURPOSE OF DRAINAGE OF STORMWATER.

- NOTES:
1. NOT A BOUNDARY SURVEY. MAP WAS DRAWN FROM EXISTING RECORDS AND BEST FIT TO PROPERTY CORNERS FOUND AT THIS TIME.
 2. BEARINGS ARE BASED ON NC GRID NORTH (NAD '83)
 3. TOTAL R/W AREA ABANDONED = 0.968 AC
 4. SEE SHEET 2 FOR BOUNDARY LINE AND PARCEL INFORMATION.
 5. NOT COMPLETE WITHOUT SHEET 2.



- LEGEND:
- R/W ABANDONMENT
 - IRON PIPE FOUND
 - △ CALCULATED POINT/GEODETIC MONUMENT
 - OE OVERHEAD ELECTRIC LINE
 - G GAS LINE
 - UT UNDERGROUND TELEPHONE LINE



REV.1: 7-19-2016 ADDED UTILITIES AND NOTES - DC

RIGHT OF WAY ABANDONMENT

WHITEHURST ROAD & A PORTION OF ABELINE ROAD

PROPERTY OF MECKLENBURG COUNTY
 600 E 4TH STREET, 11TH FLOOR, CHARLOTTE, NC
 MECKLENBURG COUNTY, NC.

REVISIONS

NO.	DATE	DESCRIPTION
1	12/9/15	

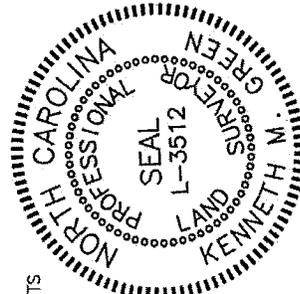
SCALE: 1" = 120'

DATE: 12/9/15

CHARLOTTE
 ENGINEERING & PROPERTY MANAGEMENT

JOB NO.	2239RW.DWG	SHEET	OF
PREPARED BY	BPL	1	2
CAD FILE NAME			

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



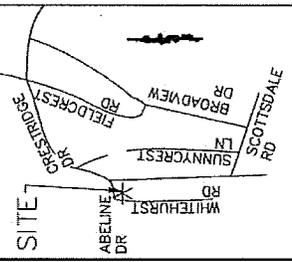
REVIEW OFFICER DATE
 I, KENNETH M. GREEN, CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION AND THAT THE PLAT WAS PREPARED FOR THE PURPOSE OF RIGHT OF WAY ABANDONMENT ONLY, AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN HEREON.

Kenneth M. Green
 KENNETH M. GREEN, L-3512

PREPARED BY: FIRM #C-4168
R. Joe Harris & Associates, Inc.
Engineering & Land Surveying
127 BEN CASEY DR, SUITE 101, FORT MILL, SC, 29708
Phone: (803) 802-1799

- REFERENCES:
1. MAP BOOK 9 PG 107
2. MAP BOOK 9 PAGE 101
3. MAP BOOK 2095 PAGE 419
4. MAP BOOK 2095 PAGE 441
5. RESOLUTION BOOK 17639 PG 842
6. DEEDS AS LISTED

- NOTES:
1. NOT A BOUNDARY SURVEY. MAP WAS DRAWN FROM EXISTING RECORDS AND BEST FIT TO PROPERTY CORNERS FOUND AT THIS TIME.
2. BEARINGS ARE BASED ON NC GRID NORTH (NAD '83)
3. TOTAL R/W AREA ABANDONED = 0.968 AC
4. SEE SHEET 1 FOR BOUNDARY LINE AND PARCEL INFORMATION.
5. NOT COMPLETE WITHOUT SHEET 1.



ALL ADJACENT PROPERTY LISTED BELOW ARE OWNED BY MECKLENBURG COUNTY:

- A. PID #14521201 DB 29074 PG 340 MB 9 PG 101
- B. PID #14521202 DB 29512 PG 939 MB 9 PG 101
- C. PID #14521203 DB 29325 PG 38 MB 9 PG 101
- D. PID #14521204 DB 28975 PG 777 MB 9 PG 107
- E. PID #14521205 DB 28900 PG 623 MB 9 PG 107
- F. PID #14521206 DB 29101 PG 540 MB 9 PG 107
- G. PID #14521207 DB 26936 PG 86 MB 9 PG 107
- H. PID #14521208 DB 29436 PG 761 MB 9 PG 107
- I. PID #14521209 DB 27047 PG 422 MB 9 PG 107
- J. PID #14521210 DB 27203 PG 724 MB 9 PG 107
- K. PID #14521101 DB 3973 PG 316 MB 9 PG 107
- L. PID #14521102 DB 11986 PG 126 MB 9 PG 107
- M. PID #14521103 DB 12271 PG 295 MB 9 PG 107
- N. PID #14521104 DB 12364 PG 514 MB 9 PG 107
- O. PID #14521105 DB 12238 PG 241 MB 9 PG 107
- P. PID #14521106 DB 12254 PG 818 MB 9 PG 107
- Q. PID #14521107 DB 12471 PG 283 MB 9 PG 107
- R. PID #14521108 DB 12362 PG 214 MB 9 PG 107
- S. PID #14521109 DB 11748 PG 987 MB 9 PG 101
- T. PID #14521110 DB 12379 PG 766 MB 9 PG 101
- U. PID #14521111 RESOLUTION BOOK 17639 PG 842
- V. PID #14516101 DB 12634 PG 505 MB 2095 PG 441
- W. PID #14516102 DB 29274 PG 289 MB 2095 PG 441

Curve Table					
Curve #	Length	Radius	Bearing	Chord	Delta
C1	25.11	335.74	N58°08'24"W	25.10	4.2851
C2	26.68	20.00	S73°48'52"W	24.75	76.4404
C3	75.74	283.95	S39°13'43"W	75.52	15.2837
C4	81.15	283.95	S55°03'29"W	80.88	16.3751
C5	108.15	233.95	N46°18'23"E	107.19	26.4860
C6	49.78	385.74	S60°22'28"E	49.75	7.3942

Line Table		
Line #	Direction	Length
L1	S34°00'10"W	48.77
L2	S63°13'48"W	82.09
L3	N60°26'23"W	42.03
L4	N81°36'43"W	26.08
L5	N28°12'57"E	20.20
L6	N24°44'18"E	48.22
L7	S62°18'48"E	50.78

REV:1: 7-19-2016 ADDED UTILITIES AND NOTES - DC



CHARLOTTE
ENGINEERING & PROPERTY
MANAGEMENT

**RIGHT OF WAY
ABANDONMENT
WHITEHURST ROAD &
A PORTION OF
ABELINE ROAD**

PROPERTY OF
MECKLENBURG COUNTY
600 E 4TH ST, 11TH FLOOR,
CHARLOTTE, NC
MECKLENBURG COUNTY, NC.

REVISIONS

JOB NO.	1" = 120'
SCALE	
BPL PREPARED BY	12/9/15
DATE	
2239RW.DWG CAD FILE NAME	
SHEET	2
OF	2

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

REVIEW OFFICER _____ DATE _____

I, KENNETH M. GREEN, CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION AND THAT THE PLAT WAS PREPARED FOR THE PURPOSE OF RIGHT OF WAY ABANDONMENT ONLY, AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN HEREON.

Kenneth M. Green
KENNETH M. GREEN, PLS
8-16-16
L-3512

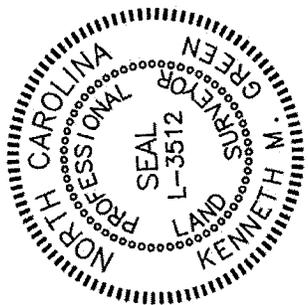


EXHIBIT B

Commencing at NC grid monument "Sterling", said monument having Grid Coordinates of North = 533,778.88 ft. and East of 1,425,875.38 ft.; thence S 78° 40' 21" E 6,473.97' to an iron pipe found, thence N 26° 46' 26" W 159.60' to a point on the Right of Way of Whitehurst Road, said Right of Way being 50', said road being depicted in map book 9 page 101 and map book 9 page 107 in the Mecklenburg County Register of Deeds, said point being the Point of Beginning; thence continuing with the right of way of Whitehurst Road, S 63° 13' 48" W 82.09' to a point on the right of way of Whitehurst Road, thence N 60° 26' 23" W 42.03' to a point on the right of way of Whitehurst Road, thence N 81° 36' 43" W 26.08' to a point on the right of way of Whitehurst Road, thence N 63° 13' 48" E 631.84' to a point on the right of way of Whitehurst Road, thence with a northerly curve having a radius of 233.95', a length of 108.15', having a chord bearing of N 46° 18' 23" E, distance 107.19', to a point on the intersection of the right of ways of Whitehurst Road and the former 50' right of way of Abeline Road, said road being depicted in map book 9, page 101 in the Mecklenburg County Register of Deeds, thence N 28° 12' 57" W 20.20', to a point on the remaining right of way of Abeline Road said point being depicted in resolution book 17639 page 842 in the Mecklenburg County Register of Deeds, thence N 24° 44' 18" E 48.22', to a point on the right of way of Abeline Road, thence S 62° 18' 48" E 50.78' to a point on the right of way of Abeline Road, thence with a southerly curve, having a radius of 385.74', a length of 49.78', having a chord bearing of S 60° 22' 28" E, distance 49.75' to a point on the right of way of Abeline Road, thence S 34° 00' 10" W 48.77' to a point on the right of way of Abeline Road, thence with a northerly curve having a radius of 335.74', a length of 25.11', having a chord bearing of N 58° 08' 24" W, distance 25.10' to a point on the intersection of the right of way of Abeline Road and Whitehurst Road, thence with a southerly curve having a radius of 20', a length of 26.68', having a chord bearing of S 73° 48' 52" W, distance 24.75' to a point on the right of way of Whitehurst Road, thence with a southerly curve having a radius of 283.95', a length of 75.74', having a chord bearing of S 39° 13' 43" W, distance 75.52' to a point on the right of way of Whitehurst Road, thence with a southerly curve having a radius of 283.95', a length of 81.15', having a chord bearing of S 55° 03' 29" W, distance 80.88', to a point in the right of way of Whitehurst Road, thence S 63° 13' 48" W 490.00' to the Point of Beginning, containing 0.968 acres, as shown on a map prepared by R. Joe Harris & Associates, Inc. dated 12/9/15.

RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE a residual portion of China Grove Church Road and Westinghouse Boulevard in the City of Charlotte, Mecklenburg County, North Carolina

Whereas, **H&C Associates, LLC (c/o Steven Harris)** has filed a petition to close a residual portion of China Grove Church Road and Westinghouse Boulevard in the City of Charlotte; and

Whereas, a residual portion of China Grove Church Road and Westinghouse Boulevard begins at the southwestern most corner pin (EIR) of a property currently or formerly owned by H&C Associates, LLC (DB 23103, PG 239: Tract #1), continuing approximately 491 feet along the westernmost arcuate property boundary of two properties, both currently or formerly owned by H&C associates (DB 23103, PG 239: Tract #1 & Tract #2), turning west 141 feet to a point, 35.44 feet southwest to another point, then continuing 272 feet south to its terminus at the beginning point/corner pin (EIR), and consists of 9,630 square feet, as shown in the map marked "Exhibit A" and is more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

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.

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of September 12, 2016, that it intends to close a residual portion of China Grove Church Road and Westinghouse Boulevard 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 10th day of October 2016, 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



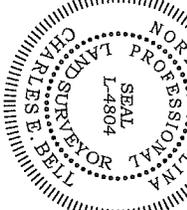
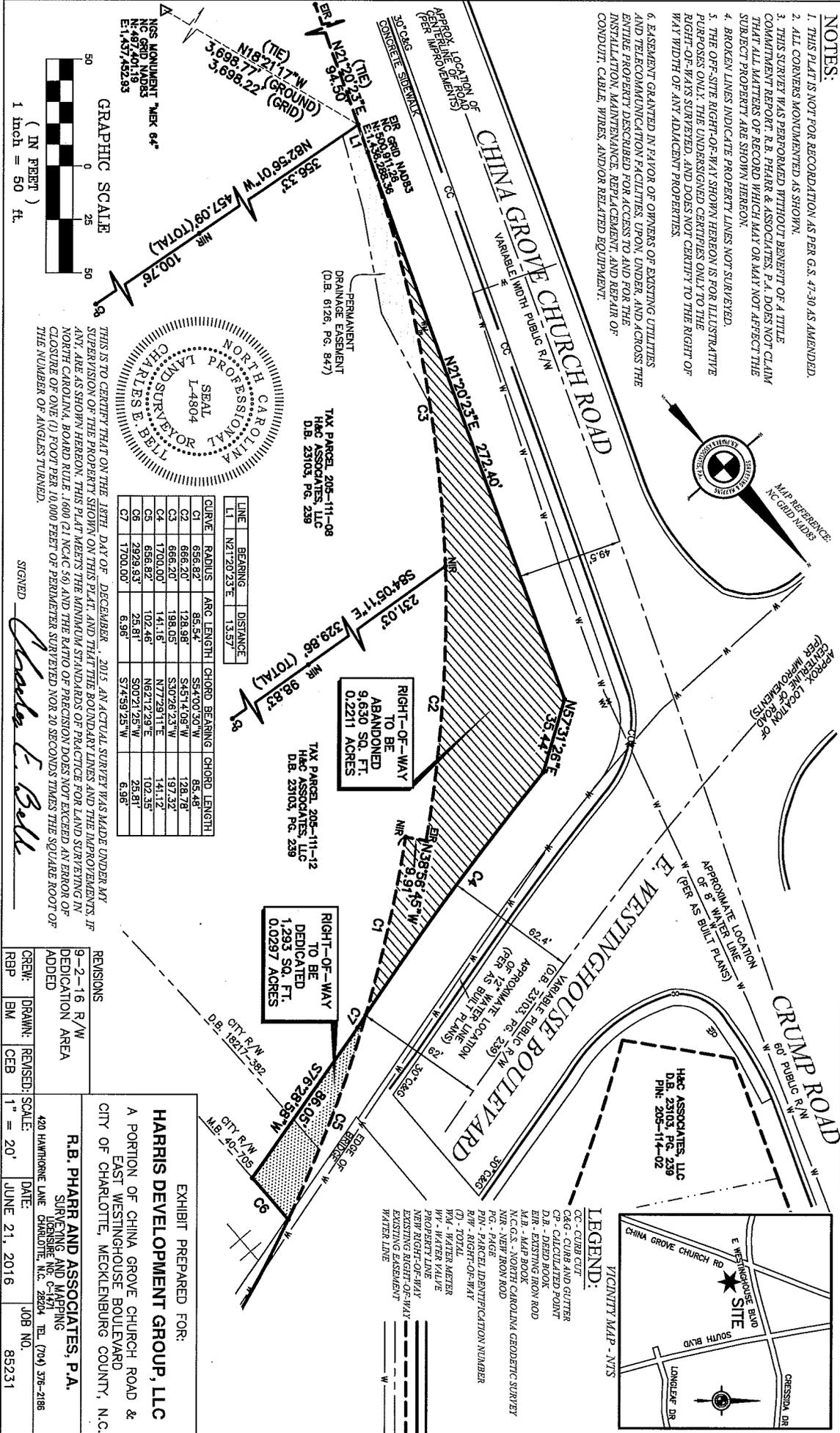
I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of September, 2016 the reference having been made in Minute Book 141 and recorded in full in Resolution Book 47, Page(s) 611-613.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of September, 2016.

Emily A. Kunze, Deputy City Clerk

NOTES:

1. THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
2. ALL CORNERS MONUMENTED AS SHOWN.
3. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HERON.
4. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
5. THE OFF-SITE RIGHT-OF-WAY SHOWN HERON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.
6. EASEMENT GRANTED IN FAVOR OF OWNERS OF EXISTING UTILITIES AND TELECOMMUNICATION FACILITIES UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE, WIRES, AND/OR RELATED EQUIPMENT.



LINE	BEARING	DISTANCE
L1	N21°20'23"E	13.57'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	656.82'	85.54'	S54°00'30"W	85.48'
C2	666.20'	128.98'	S45°14'09"W	128.78'
C3	666.20'	198.05'	S30°26'23"W	197.32'
C4	1700.00'	141.16'	N77°29'11"E	141.12'
C5	656.82'	102.46'	N62°12'29"E	102.25'
C6	2929.93'	25.81'	S00°21'25"W	25.81'
C7	1700.00'	6.96'	S74°59'25"W	6.96'

SIGNED *Charles E. Bell*

THIS IS TO CERTIFY THAT ON THE 18TH DAY OF DECEMBER, 2015 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 HERON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1.000 (21 NCGS 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 TAKES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

REVISIONS

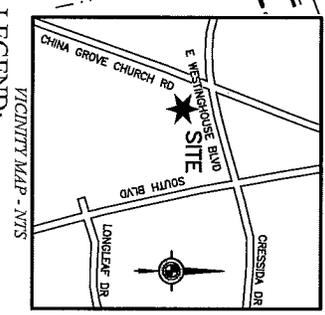
9-2-16	R/W DEDICATION AREA ADDED
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REVISIONS

GEN:	DRAWN:	REVISION:	SCALE:
RBP	BW	CEB	1" = 20'
DATE:	JUNE 21, 2016	JOB NO.:	85231

EXHIBIT PREPARED FOR:
HARRIS DEVELOPMENT GROUP, LLC
 A PORTION OF CHINA GROVE CHURCH ROAD & EAST WESTINGHOUSE BOULEVARD
 CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.

R.B. PHARR AND ASSOCIATES, P.A.
 SURVEYING AND MAPPING
 420 HANNAH LANE
 CHARLOTTE, N.C. 28204 TEL: (704) 376-2186



- LEGEND:**
- CC - CURB CUT
 - C&G - CURB AND GUTTER
 - CP - CALCULATED POINT
 - D.B. - DEED BOOK
 - ER - EXISTING IRON ROD
 - M.B. - MAP BOOK
 - N.C.G.S. - NORTH CAROLINA GEODETIC SURVEY
 - N.R. - NEW IRON ROD
 - PA - PAGE IDENTIFICATION NUMBER
 - PA - PARCEL IDENTIFICATION NUMBER
 - PI - TOTAL
 - RM - WATER METER
 - W - WATER MAIN
 - W - WATER VALVE
 - W - WATER LINE
 - W - PROPERTY LINE
 - W - NEW RIGHT-OF-WAY
 - W - EXISTING RIGHT-OF-WAY
 - W - EXISTING EASEMENT
 - W - WATER LINE

September 12, 2016
Resolution Book 47, Page 613

Legal Description

Being that certain parcel of land lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

COMMENCING at NGS monument "MEK 64" having NC NAD83 coordinates of N: 497,401.19, E: 1,437,452.93; thence N 18°21'17" W a ground distance of 3,698.77 feet to an existing iron rod situated on the eastern margin of the right-of-way of China Grove Church Road (variable width public R/W); thence with the eastern margin of said right-of-way, N 21°20'23" E a distance of 13.57 feet to a calculated point, the POINT OF BEGINNING; thence N 21°20'23" E a distance of 272.40 feet to a calculated point; thence N 57°31'26" E a distance of 35.44 feet to a calculated point marking the intersection of the proposed eastern margin of the right-of-way of China Grove Church Road and the proposed southern margin of the right-of-way of East Westinghouse Boulevard (variable width public R/W); thence with the proposed southern margin of the right of way of East Westinghouse Boulevard an arc of a circular curve turning to the left having a radius of 1,700.00 feet, an arc length of 141.16 feet (chord: N 77°29'11" E, 141.12 feet) to a calculated point on the existing southern margin of the right of way of East Westinghouse Boulevard; thence with the existing margin of the right of way of East Westinghouse Boulevard and China Grove Church Road the following 4 courses and distances: 1) with an arc of a compound circular curve turning to the left having a radius of 656.82 feet, an arc length of 85.54 feet (chord: S 54°00'30" W, 85.48 feet) to a new iron rod; 2) N 38°56'45" W a distance of 9.91 feet to an existing iron rod; 3) with an arc of a circular curve turning to the left having a radius of 666.20 feet, an arc length of 128.98 feet (chord: S 45°14'09" W, 128.78 feet) to a new iron rod; 4) with an arc of a circular curve turning to the left having a radius of 666.20 feet, an arc length of 211.62 feet (chord: S 29°51'23" W, 210.73 feet) to the Point and Place of BEGINNING; containing 9,630 square feet or 0.2211 acres according to a survey by R. B. Pharr & Associates, P.A. dated June 21, 2016. Job No. 85231.

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 **CITYLYNX GOLD LINE STREETCAR-PHASE 2 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 **CITYLYNX GOLD LINE STREETCAR-PHASE 2 PROJECT** and estimated to be **199.55 square feet (.005 acre) of temporary construction easement and 131.17 square feet (.003 acre) of utility easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 071-108-19 said property currently owned by **EARL G. BROWN, JR. and spouse, if any; ROBERTA W. BROWN and spouse, if any; UNITED STATES DEPARTMENT OF THE TREASURY, Possible Judgment Creditor; TD BANK USA, NA, Possible Judgment Creditor; CLARICE BROWN, Possible Judgment Creditor**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

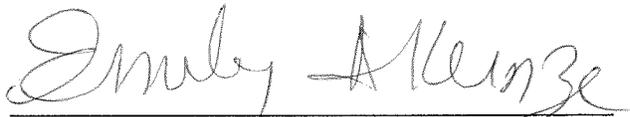
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Emily A. Kunze, 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 12th day of September, 2016 the reference having been made in Minute Book 141 and recorded in full in Resolution Book 47, Page(s) 614.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of September, 2016.



Emily A. Kunze, Deputy City Clerk