RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON FEBRUARY 9, 2004

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

WHEREAS, the North Carolina Department of Transportation and the City of Charlotte propose to
make certain street and highway improvements within the Municipality under said project; said
plans to consist of roadway improvements on US 521 (Billy Graham Parkway), installation of a fully
actuated traffic signal at the intersection of US 521 (Billy Graham Parkway) and Westmont Drive,
and the installation of a closed loop traffic signal system on US 521 (Billy Graham Parkway) from
Westmont Drive to NC 49 (S. Tryon Street) in Mecklenburg County; and,

WHEREAS, said agreement provides for the Municipality to prepare the environmental and/or
planning document, including any environmental permits, and the plans, contractor specifications
and estimates (PS&E package), administer the contract and supervise project construction, adjust
and relocate utilities and acquire any necessary right of way; and,

WHEREAS, said agreement further provides for the Department of Transportation to reimburse the
Municipality up to an amount not to exceed $325,000 toward the total cost of the project.

NOW, THEREFORE, BE IT RESOLVED that said project is hereby formally approved by the City
Council of the City of Charlotte and that 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 9th day of February, 2004 the reference having been
made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 709.

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

[Signature]

Brenda R. Freeze, CMC, City Clerk
RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON FEBRUARY 9, 2004

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

WHEREAS, The City plans to install video detection on NC 24 (Harris Boulevard) from SR 2467 (Mallard Creek Road) to US 29 (North Tryon Street) in Charlotte; and,

WHEREAS, The North Carolina Department of Transportation (NCDOT) will be reimbursing the City all actual costs, up to $200,000; 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 9th day of February, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 710.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of February, 2004.

Brenda R. Freeze, CMC, City Clerk
RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA ON FEBRUARY 9, 2004

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

WHEREAS, The City plans to install a traffic signal at the intersection of SR 3445 (Tilley Morris Road) and SR 3440 (McKee Road) in Charlotte. This project also includes the realignment of the intersection, grading, paving, erosion control, seeding and mulching; and,

WHEREAS, The North Carolina Department of Transportation (NCDOT) will be reimbursing the City a portion of actual costs, up to $100,000; 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 9th day of February, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 711.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of February, 2004.

[Signature]

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 the SOUTH CORRIDOR LIGHT RAIL TRANSIT PROJECT; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the SOUTH CORRIDOR LIGHT RAIL TRANSIT PROJECT and estimated to be approximately 12,313 square feet (.283 acre) for permanent easement and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 205-111-10, said property currently owned by KENNETH J. DESIO and wife, LORI A. DESIO; CALVIN R. ROSEN, Trustee; MITA COPYSTAR AMERICA, INC., Beneficiary; JERONE C. HERRING, Trustee; BRANCH BANKING AND TRUST COMPANY, Trustee; CITY OF CHARLOTTE-MECKLENBURG COUNTY TAX COLLECTOR; UNITED STATES OF AMERICA (Department of U. S. Treasury-Internal Revenue Service), Federal Tax Lienholder; RICHARD SCOTT KIMBALL, Possible 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 9th day of February, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 712.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of February, 2004.

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 the WEST CRAIGHEAD ROAD 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 WEST CRAIGHEAD ROAD SIDEWALK PROJECT and estimated to be approximately 6,080 square feet (.140 acre) for a utility easement, permanent drainage easement, and a 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. 085-091-02, said property currently owned by MICHAEL A. MATLOCK, Trustee of the Matlock Family Trust; E. B. GRAHAM, III, Trustee; FIRST UNION NATIONAL BANK (n/k/a Wachovia), 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 9th day of February, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 713.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of February, 2004.

[Signature]

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 the WEST CRAIGHEAD ROAD 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 WEST CRAIGHEAD ROAD SIDEWALK PROJECT and estimated to be approximately 8,961 square feet (.206 acre) for a permanent sidewalk easement and a 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. 085-081-17 and 085-081-01, said property currently owned by RYDER TRUCK RENTAL, INC.; RUBY RUSH, G/A/L for James Andrew Rush, Possible 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 9th day of February, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 714.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of February, 2004.

[Signature]
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 the NORTHLAKE MALL INFRASTRUCTURE 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 NORTHLAKE MALL INFRASTRUCTURE PROJECT and estimated to be approximately 41,053 square feet (.942 acre) for fee-simple, permanent storm drainage, 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. 025-221-04, said property currently owned by ROY I. DENMAN 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 9th day of February, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 715.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of February, 2004.

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 the NORTHLAKE MALL INFRASTRUCTURE 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 NORTHLAKE MALL INFRASTRUCTURE PROJECT and estimated to be approximately 65,300 square feet (1.499 acre) for fee-simple, permanent storm drainage, 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. 025B1-05, said property currently owned by JOHN B. YOUNG 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 9th day of February, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 716.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of February, 2004.

Brenda R. Freeze, CMC, City Clerk
RESOLUTION CLOSING A PORTION OF A 10-FOOT ALLEYWAY BOUNDED BY EAST BOULEVARD, KENILWORTH AVENUE, BUCHANAN STREET, AND DILWORTH ROAD EAST 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 a 10-foot alleyway bounded by East Boulevard, Kenilworth Avenue, Buchanan Street, and Dilworth Road East 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 a 10-foot alleyway bounded by East Boulevard, Kenilworth Avenue, Buchanan Street, and Dilworth Road East to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to Charlotte-Mecklenburg Utilities, BellSouth Telecommunications, Inc., Duke Power Company, 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 9th day of February, 2004 and City Council determined that the closing of a portion of a 10-foot alleyway bounded by East Boulevard, Kenilworth Avenue, Buchanan Street, and Dilworth Road East 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 February 9, 2004, that the Council hereby orders the closing of a portion of a 10-foot alleyway bounded by East Boulevard, Kenilworth Avenue, Buchanan Street, and Dilworth Road East 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.
Kenilworth Ave. - 60' (per MB 230-55)

Revised 7-18-03: Change abandonment area.
Revised 11-21-03: Address City comments.

A.G. ZOUTEWELLE
SURVEYORS
1418 East Fifth St, Charlotte, NC 28204

Copyright 2000

ALLEY ABANDONMENT SURVEY
EAST DILWORTH, BLOCK I, ALLEYWAY
CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.
for KENILWORTH LOFTS, LLC

Scale 1" = 40' March 25, 2003
Andrew G. Zoutewelle, L-3098
1418 East Fifth St. Charlotte, NC 28204
Telephone 704-372-9444 Facsimile 704-372-9555

Legend

\[\text{Crimp-Pipe Found} \]
\[\text{I. Pipe Found} \]
\[\text{Area to be Abandoned} \]
\[\text{I. Pipe Found} \]
\[\text{I. Pipe Found} \]

\[\text{Kenilworth Commons (E&A) LLC} \]
\[\text{Deed Book 1563 Pg. 927} \]
\[\text{Tax I.D. 123-127-19} \]

\[\text{Kenilworth Commons (E&A) LLC} \]
\[\text{Deed Book 1563 Pg. 927} \]
\[\text{Tax I.D. 123-127-19} \]

\[\text{D. L. M. B. 230 Pg. 55} \]
\[\text{Scale 1" = 40'}\]

\[\text{Steve C. Porter and D. Butler} \]
\[\text{D & B Development, L.P.} \]
\[\text{Del 123-127-20.21} \]

\[\text{Lincoln L. L. and Gordon L. L.} \]
\[\text{D. L. M. B. 230 Pg. 55} \]
\[\text{Scale 1" = 40'}\]

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\[\text{D. L. M. B. 230 Pg. 55} \]
\[\text{Scale 1" = 40'}\]
EXHIBIT B

All book and pages references refer to instruments recorded in the Mecklenburg County Public Registry.

Lying and being in Mecklenburg County North Carolina, and being more particularly described as follows:

BEGINNING at an iron pipe found in the common boundary of Lots 4 and 5 of East Dilworth Block 1, as shown on a map recorded in Map Book 230, Page 55, said iron pipe lying N 47-41-00 W 172.53 feet from an iron pipe found in the western boundary of the 60’ right of way of Kenilworth Avenue (as shown in Map Book 230, Page 55); thence S 41-28-28 W 49.73 feet to an iron pipe found; thence N 50-11-59 W 4.93 feet to an iron pin set; thence N 50-11-59 W 4.93 feet to an iron pin found in the common boundary of property conveyed to Kenilworth Commons (E&A), LLC by instrument recorded in Book 11563, Page 927, and property conveyed to Kenilworth Lofts, LLC by instruments recorded in Book 14737 Pages 985 and Page 989; thence N 41-21-47 E 49.95 feet to an iron pin set; thence S 47-41-00 E 5.03 feet to an iron pin set; thence S 47-41-00 E 5.03 feet to the point and place of BEGINNING.

Containing 497 square feet (0.1114 acres), more or less, and all as shown on survey entitled Alley Abandonment Survey East Dilworth, Block 1, Alleyway, dated March 25, 2003, and revised July 18, 2003, by Andrew G. Zoutewelle, NCPLS.

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 9th day of February, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 717-719.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of February, 2004.

Brenda R. Freeze, CMC, City Clerk
JUDITH A. GIBSON
REGISTER OF DEEDS, MECKLENBURG
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE, NC 28202

Filed For Registration: 06/09/2004 11:07 AM
Book: RE 17324 Page: 767-770
Document No.: 2004127281
RESOL 4 PGS $18.00

Recorder: EMEM DREHER
RESOLUTION CLOSING A PORTION OF EAST TRADE STREET IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a portion of East Trade Street which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of East Trade Street to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to Charlotte-Mecklenburg Utilities, BellSouth Telecommunications, Inc., 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 9th day of February, 2004 and City Council determined that the closing of a portion of East Trade Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of February 9, 2004, that the Council hereby orders the closing of a portion of East Trade Street 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.
SEE SHEET 4 OF 4 FOR LINE TABLE, CURVE TABLE AND SURVEY NOTES

REVISIONS
1. 6/26/03 OWNERSHIP ON TAX PARCEL 125-043-01
2. 12/01/03 REVISED EASEMENT NOTE AND ADDED EXISTING SEWER AND WATER LINES

NOTE:
EASEMENT IN FAVOR OF CHARLOTTE-MECKLENBURG UTILITIES, BELL SOUTH TELECOMMUNICATIONS, INC. AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE, WIRES, WATER LINES, SEWER LINES, STORM DRAINAGE LINES AND RELATED EQUIPMENT.

LEGEND
- R/W RIGHT OF WAY
- DB DEED BOOK
- PG PAGE
- SQFT SQUARE FEET
- PM MARK
- BENCHMARK
- SCR SET ROD BAR
- EPS EXISTING IRON PIPE
- EIR EXISTING IRON ROD
- CP COMPUTED POINT

GRAPHIC SCALE
50 25 0 25 50
SCALE: 1" = 50'

"EXHIBIT A" - 2

ABANDONMENT OF EAST TRADE STREET R/W WIDTH VARIES

OWNERS: MECKLENBURG COUNTY, DEEP WELL VENTURES, CITY OF CHARLOTTE

<table>
<thead>
<tr>
<th>NAME</th>
<th>AB (ft)</th>
<th>ALT (ft)</th>
<th>PLAN</th>
<th>PROFILE</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

GNA DESIGN ASSOCIATES, Inc.
428 East Fourth Street
Suite 408 (704) 373-1907
Charlottesville, NC 22902

SURVEYING & LANDSCAPE ARCHITECTURE & DL ENGINEERING

SEAL
GNA
C-608
L-3050

F. LEE HOWELL
12/01/03

Return to: City of Charlotte

Linda B. Poussaint, Review Officer of Mecklenburg County, certificate that the map or plat to which this certificate is appended meets all statutory requirements.

Drawn by: GNA Design Associates, Inc.
SEE SHEET 4 OF 4 FOR LINE TABLE, CURVE TABLE AND SURVEY NOTES

NOTE:
EASEMENT IN FAVOR OF CHARLOTTE-MECKLENBURG UTILITIES, BELLSOOUTH TELECOMMUNICATIONS, INC., AND ALL OTHER OWNERS OF EXISTING UNDERGROUND TELECOMMUNICATION FACILITIES, UPON, UNDER, AND ACROSS THE ENTIRE PROPERTY DESCRIBED ABOVE FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CONDUIT, CABLE, WIRES, WATER LINES, SEWER LINES, STORM DRAINAGE LINES, AND RELATED EQUIPMENT.

LEGEND
R/W RIGHT OF WAY
DB DEED BOOK
PG PAGE
SQ FT SQUARE FEET
PK MARK
B M Benchmark
SIR SET IRON ROD
EI EXISTING IRON PIPE
ER EXISTING IRON ROD
CP COMPUTED POINT

CURVE TABLE

<table>
<thead>
<tr>
<th>CURVE</th>
<th>CENTRAL ANGLE</th>
<th>RADIUS</th>
<th>TANGENT</th>
<th>CHORD</th>
<th>CHORD BEARING</th>
<th>LENGTH</th>
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</thead>
<tbody>
<tr>
<td>C1</td>
<td>47°32'01&quot;</td>
<td>41.20</td>
<td>18.14</td>
<td>33.21</td>
<td>N23°36'59&quot;W</td>
<td>34.18</td>
</tr>
<tr>
<td>C2</td>
<td>76°18'48&quot;</td>
<td>27.50</td>
<td>21.61</td>
<td>33.08</td>
<td>N87°25'30&quot;W</td>
<td>36.63</td>
</tr>
</tbody>
</table>

GRAPHIC SCALE

REVISIONS
1. 6/28/03 OWNERSHIP ON TAX PARCEL 125-643-01
2. 1/26/03 REVISED EASEMENT NOTE AND ADDED EXISTING SEWER AND WATER LINES.

"EXHIBIT A" - 3

ABANDONMENT OF EAST TRADE STREET R/W WIDTH VARIES

OWNERS: MECKLENBURG COUNTY, SELF HELP VENTURES, CITY OF CHARLOTTE
WRITTEN DESCRIPTION

All that certain parcel of land, lying and being situate in the City of Charlotte, County of Mecklenburg, State of North Carolina, being a portion of East Trade Street containing 0.469 acres, more or less, and being shown on a map by GNA Design Associates, Inc., dated June 16, 2003, being more fully described as:

Commencing at North Carolina Geodetic Monument "Jerrys", having published coordinates on the North Carolina State Plane Grid (North American Datum of 1983) of:

Northing: 164,047.860 meters  Easting: 442,977.370 meters
Convergence Angle: -01°03'23"  Combined Scale Factor: 0.9998407;

thence from said commencement point, the following ground bearings and horizontal ground distances:

North 31°39'36" West for 1863.96 feet (grid bearing and distance not known) to an intersection with the westerly right of way line of Elizabeth Avenue (right of way 54 feet, more or less) and the southerly line of property of the City of Charlotte, described in said Office in Deed Book 3652 at page 895; thence with said southerly line (also being the northerly right of way line of I-277 (variable right of way) South 50°00'37" West for 67.93 feet; thence continuing with property of City of Charlotte, described in Deed Book 2530 at page 301 South 43°05'47" West for 82.78 feet to an intersection with the easterly right of way of East Trade Street (right of way 50 feet) and the POINT OF BEGINNING; thence South 72°13'40" West for 58.52 feet to an intersection with the westerly edge of said East Trade Street and the southeasterly corner of property of Mecklenburg County, described in Deed Book 9337 at page 564; thence with said westerly right of way and property of said Mecklenburg County the following six (6) courses and distances:

(1) North 29°25'52" West for 9.66 feet; thence
(2) North 28°09'09" West for 39.71 feet; thence
(3) North 29°41'52" West for 39.86 feet; thence
(4) North 29°09'09" West for 245.08 feet; thence
(5) North 33°20'34" East for 30.17 feet to the point of curvature of a non tangent curve to the right (concave southeasterly) having the following parameters:
  Central Angle: 47°32'01"  Radius: 41.20 feet
  Tangent: 18.14 feet  Chord: 33.21 feet
  Chord Bearing: North 23°58'58" East; thence
(6) along arc of said curve for an arc distance of 34.18 feet to an intersection with the property of the City of Charlotte, described in Deed Book 345 at page 43; thence continuing with said westerly right of way
line North 39°36'27" East for 18.90 feet to an intersection with the said westerly right of way line of Elizabeth Avenue; thence with said right of way of said Elizabeth Avenue South 50°23'33" East for 36.34 feet to an intersection with the easterly right of way line of said East Trade Street and the property of Self Help Ventures, described in Deed Book 13803 at page 086; thence with said easterly right of way and said Self Help Ventures South 50°35'40" West for 31.74 feet; thence continuing with said line South 29°51'06" East for 287.25 feet to an intersection with aforesaid property of the City of Charlotte, described in said Deed Book 3652 at page 895; thence continuing with said easterly right of way and said owner South 29°50'54" East for 50.00 feet to an intersection with the said property of the City of Charlotte, described in said Deed Book 2530 at page 301; thence with said easterly right of way line South 29°50'47" East for 9.81 feet to the POINT OF BEGINNING.

Said parcel being subject to easements and restrictions of record.

Prepared: June 16, 2003
428 E. Fourth Street Suite 408
Charlotte, NC 28202
(704) 373-1907

GNA Design Associates, Inc.
F. Lee Howell, NC PLS L-3050
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 9th day of February, 2004 the reference having been made in Minute Book 120, and recorded in full in Resolution Book 38, Page(s) 720-727.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of February, 2004.

Brenda R. Freeze, CMC, City Clerk
Filed For Registration: 06/09/2004 11:07 AM
Book: RE 17324 Page: 771-779
Document No.: 2004127282
Recorder: EMEM DREHER

RESOL 9 PGS $33.00