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 26th day of June, 2006 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, 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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 161-162.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.

Brenda R. Freeze, CMC, City Clerk
TAXPAYERS AND REFUNDS REQUESTED
(Clerical Error)

<table>
<thead>
<tr>
<th>Name</th>
<th>Refund Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>FOUST FAMILY LTD PARTNERSHIP</td>
<td>$ 424.62</td>
</tr>
<tr>
<td>HARVEY LAURA</td>
<td>376.38</td>
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<tr>
<td>HARVEY LAURA</td>
<td>376.38</td>
</tr>
<tr>
<td>CUNNINGHAM SHELIA J</td>
<td>33.60</td>
</tr>
<tr>
<td>BENNETT DELANCY H S</td>
<td>85.26</td>
</tr>
<tr>
<td>PASSMORE CATHLEEN E</td>
<td>72.48</td>
</tr>
<tr>
<td>PASSMORE CATHLEEN E</td>
<td>72.48</td>
</tr>
<tr>
<td>PASSMORE CATHLEEN E</td>
<td>61.32</td>
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<tr>
<td>PASSMORE CATHLEEN E</td>
<td>61.32</td>
</tr>
<tr>
<td>BRANUM INC</td>
<td>74.58</td>
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<tr>
<td>BRANUM INC</td>
<td>38.66</td>
</tr>
<tr>
<td>WNKS/INFINITY RADIO INC</td>
<td>217.21</td>
</tr>
<tr>
<td>WNKS/INFINITY RADIO INC</td>
<td>171.06</td>
</tr>
<tr>
<td>WNKS/INFINITY RADIO INC</td>
<td>130.48</td>
</tr>
<tr>
<td>WNKS/INFINITY RADIO INC</td>
<td>83.72</td>
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<tr>
<td>WNKS/INFINITY RADIO INC</td>
<td>52.95</td>
</tr>
<tr>
<td>WNKS/INFINITY RADIO INC</td>
<td>25.05</td>
</tr>
<tr>
<td>BILLINTON JOSEPH A</td>
<td>9.66</td>
</tr>
<tr>
<td>PULTE HOME CORP</td>
<td>90.72</td>
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<tr>
<td>HOOVER JOHNNY MAX</td>
<td>109.62</td>
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<tr>
<td>SOLOMON DARLA C</td>
<td>65.52</td>
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<tr>
<td>JAMA OMER M</td>
<td>134.40</td>
</tr>
<tr>
<td>GEAN ALVIN</td>
<td>107.94</td>
</tr>
<tr>
<td>WHEELER SADIE</td>
<td>85.26</td>
</tr>
<tr>
<td>WHEELER SADIE</td>
<td>85.26</td>
</tr>
</tbody>
</table>

Total $ 3,045.93
A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN BUSINESS PRIVILEGE LICENSES

Reference is made to the schedule of "BusinessPrivilege 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 26th day of June, 2006 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, 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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 163-164.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.

[Signature]
Brenda R. Freeze, CMC, City Clerk
<table>
<thead>
<tr>
<th>Name</th>
<th>Refund Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADVANCE AUTO PARTS</td>
<td>$2,934.30</td>
</tr>
<tr>
<td>APPLEONE</td>
<td>$3,408.74</td>
</tr>
<tr>
<td>BIJOUX BELLAGIO-CHR/DOUG AIRPORT</td>
<td>$50.00</td>
</tr>
<tr>
<td>CAROLINA COURTWORKS</td>
<td>$136.78</td>
</tr>
<tr>
<td>HOORAY! SALES</td>
<td>$199.88</td>
</tr>
<tr>
<td>LEO DOWELL INTERIORS</td>
<td>$349.88</td>
</tr>
<tr>
<td>M &amp; L ROOFING COMPANY</td>
<td>$68.58</td>
</tr>
<tr>
<td>MAC'S SPEED SHOP</td>
<td>$98.02</td>
</tr>
<tr>
<td>MARSTON COMMUNICATIONS LLC</td>
<td>$57.52</td>
</tr>
<tr>
<td>MAXWORTH CONSULTING GROUP</td>
<td>$125.00</td>
</tr>
<tr>
<td>NUTECH SOLUTIONS INC I INTERSTATE TOWER</td>
<td>$1,231.83</td>
</tr>
<tr>
<td>RSH PROTECTION INC</td>
<td>$924.89</td>
</tr>
<tr>
<td>SAM'S MART 43-LSAA INC</td>
<td>$964.78</td>
</tr>
<tr>
<td>STARBUCKS</td>
<td>$529.00</td>
</tr>
<tr>
<td>TILE ROOFING</td>
<td>$217.09</td>
</tr>
</tbody>
</table>

**Total** $11,296.29
COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

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

WHEREAS, The City accepts State-maintained streets upon request and mutual agreement and / or when the streets are within an annexed area and not part of the NCDOT primary road system; and,

WHEREAS, The streets included on this list are currently located in the City limits and are maintained by NCDOT; and,

WHEREAS, These streets are not on NCDOT’s primary road system and qualify for maintenance under the City’s Street Maintenance Policy; and,

WHEREAS, This resolution requests NCDOT transfer maintenance responsibility for the attached list of 15 streets (1.83 miles) to the City effective June 30, 2006; and,

WHEREAS, Upon completion of the transfer, the City will receive Powell Bill funding for the newly maintained streets.

NOW, THEREFORE, BE IT RESOLVED that the Agreement for the City to accept the transfer of maintenance from NCDOT for the list of 15 streets (1.83 miles) be hereby formally approved by the City Council of the City of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute this Agreement between the Municipality and 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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 165-166.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.

Brenda R. Freeze, CMC, City Clerk
NCDOT Streets ABANDONED to the City of Charlotte - May 15 2006

<table>
<thead>
<tr>
<th>Division</th>
<th>County</th>
<th>Municipality</th>
<th>SR #</th>
<th>Street Name</th>
<th>Termini</th>
<th>Length</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Mecklenburg</td>
<td>Charlotte</td>
<td>1918</td>
<td>Country Ln</td>
<td>From SR1666 to end of NCDOT maintenance</td>
<td>0.29</td>
</tr>
<tr>
<td>10</td>
<td>Mecklenburg</td>
<td>Charlotte</td>
<td>1935</td>
<td>Hannibal Ct</td>
<td>From Northwoods Forest Dr to end of cul-de-sac</td>
<td>0.03</td>
</tr>
<tr>
<td>10</td>
<td>Mecklenburg</td>
<td>Charlotte</td>
<td>1977</td>
<td>Hatter Ridge Tr.</td>
<td>From Misty Vale Rd to end of cul-de-sac</td>
<td>0.04</td>
</tr>
<tr>
<td>10</td>
<td>Mecklenburg</td>
<td>Charlotte</td>
<td>5507</td>
<td>Coach Wood Ct</td>
<td>From Claiborne Woods Ct to end of cul-de-sac</td>
<td>0.12</td>
</tr>
<tr>
<td>10</td>
<td>Mecklenburg</td>
<td>Charlotte</td>
<td>5176</td>
<td>Palomino Ct</td>
<td>From Claiborne Woods Ct to end of cul-de-sac</td>
<td>0.04</td>
</tr>
<tr>
<td>10</td>
<td>Mecklenburg</td>
<td>Charlotte</td>
<td>1919</td>
<td>Axar Rd</td>
<td>From SR 1568 to end of cul-de-sac</td>
<td>0.16</td>
</tr>
<tr>
<td>10</td>
<td>Mecklenburg</td>
<td>Charlotte</td>
<td>2314</td>
<td>Gilbert St</td>
<td>From Beatties Ford Rd to Newland Rd</td>
<td>0.17</td>
</tr>
<tr>
<td>10</td>
<td>Mecklenburg</td>
<td>Charlotte</td>
<td>2594</td>
<td>Hoyt Hinson</td>
<td>From Nevin Rd to end of NCDOT maintenance</td>
<td>0.21</td>
</tr>
<tr>
<td>10</td>
<td>Mecklenburg</td>
<td>Charlotte</td>
<td>1587</td>
<td>Split Pine Ct</td>
<td>From Broad Oak Dr to end of road</td>
<td>0.03</td>
</tr>
<tr>
<td>10</td>
<td>Mecklenburg</td>
<td>Charlotte</td>
<td>1656</td>
<td>Boyer St</td>
<td>From US 29 to SR 5901</td>
<td>0.31</td>
</tr>
<tr>
<td>10</td>
<td>Mecklenburg</td>
<td>Charlotte</td>
<td>4949</td>
<td>Oldecastle Ct</td>
<td>From Landing Green Dr to cul-de-sac</td>
<td>0.11</td>
</tr>
<tr>
<td>10</td>
<td>Mecklenburg</td>
<td>Charlotte</td>
<td>4973</td>
<td>Millingden Ct</td>
<td>From Landing Green Dr to cul-de-sac</td>
<td>0.07</td>
</tr>
<tr>
<td>10</td>
<td>Mecklenburg</td>
<td>Charlotte</td>
<td>4797</td>
<td>Carisbrook Ln</td>
<td>From Ducksbill Dr to cul-de-sac</td>
<td>0.08</td>
</tr>
<tr>
<td>10</td>
<td>Mecklenburg</td>
<td>Charlotte</td>
<td>1555</td>
<td>Lazy Willow</td>
<td>From Thicket Ct to cul-de-sac</td>
<td>0.11</td>
</tr>
<tr>
<td>10</td>
<td>Mecklenburg</td>
<td>Charlotte</td>
<td>1584</td>
<td>Hanway Ct</td>
<td>From Stephendale Dr to cul-de-sac</td>
<td>0.06</td>
</tr>
</tbody>
</table>

Total number of miles ABANDONED to City = 1.83
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 CYRUS/DOUGLAS STREAM RESTORATION 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 CYRUS/DOUGLAS STREAM RESTORATION PROJECT and estimated to be approximately 11,662 square feet (.268 acre) of storm drainage easement and temporary construction easement and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 129-081-02, said property currently owned by ANGELO FORLIDAS and spouse, if any; PHILLIPS J. FORLIDAS 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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 167.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.

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 SOUTH BOULEVARD MEDIAN PROJECT; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the SOUTH BOULEVARD MEDIAN PROJECT AND TYVOLA STORM
DRAINAGE IMPROVEMENT and estimated to be approximately 23,856 square feet (.548 acre) of
fee-simple, sidewalk and utility easement, and temporary construction easement and any
additional property or interest as the City may determine to complete the Project, as it relates to Tax
Parcel No. 171-141-31, said property currently owned by CRIT-NC LLC, 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 26th day of June, 2006, the reference
having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 168.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of
June, 2006.

[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 SOUTH BOULEVARD MEDIAN PROJECT; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the SOUTH BOULEVARD MEDIAN PROJECT and estimated to be 
approximately 10,882 square feet (.249 acre) of fee-simple, sidewalk and utility easement, 
utility easement, permanent bus shelter easement, and temporary construction easement and 
any additional property or interest as the City may determine to complete the Project, as it relates to 
Tax Parcel No. 171-141-35, said property currently owned by KIMCO DEVELOPMENT OF TIVOLA,
INC., FOOD TOWN STORES, INC., Possible Lessee; HTL ENTERPRISES, INC., Possible 
Lessee; HOLIDAY HEALTH CLUBS OF THE SOUTHEAST, INC., Possible Lessee, and Any 
Other Parties in Interest, or the owners’ successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, 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 26th day of June, 2006, the reference 
having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 169.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of 
June, 2006.

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 SOUTH BOULEVARD MEDIAN PROJECT AND TYVOLA STORM DRAINAGE IMPROVEMENT PROJECT; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the SOUTH BOULEVARD MEDIAN PROJECT AND TYVOLA STORM DRAINAGE IMPROVEMENT PROJECT and estimated to be approximately 36,972 square feet (.848 acre) of fee-simple (front only), permanent sidewalk easement (front only), permanent storm drainage (front and rear), sewer right-of-way (rear only) and temporary construction easement (front and rear parcel) and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 171-141-33 and 171-141-34, said property currently owned by HARRY CHARLES YETT, JR; DIANE T. YETT; WILLIAM MICHAEL YETT; DIANE W. YETT; WISNER M. WASHAM; JUDITH B. WASHAM; KIMCO DEVELOPMENT OF TYVOLA, INC., Possible Lessee; CLOCK RESTAURANT, INC., Possible Lessee, and Any Other Parties in Interest, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, 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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 170.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.

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 SOUTH BOULEVARD MEDIAN PROJECT; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the SOUTH BOULEVARD MEDIAN PROJECT AND TYVOLA STORM DRAINAGE IMPROVEMENT and estimated to be approximately 22,324 square feet (.512 acre) of fee-simple, sidewalk/utility easement, utility easement, storm drainage easement and temporary construction easement and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 171-141-41, said property currently owned by HARRY CHARLES YETT, JR.; DIANE T. YETT; WILLIAM MICHAEL YETT; JUDITH A. YETT; WISNER M. WASHAM and WACHOVIA BANK, N. A., Co-Trustees of the Sue B. Miller Testamentary Trust; KIMCO DEVELOPMENT OF TYVOLA, INC.; Possible Lessee; ROBERT B. BLYTHE, Trustee; BARCLAYS BANK PLC, Beneficiary; HANCOCK FABRICS, Possible Lessee; ROSS STORES, INC., Possible Lessee; PHAR-MOR, INC., Possible Lessee; SUNTRUST BANKS, INC., Possible Lessee; MICHAELS STORES, INC., Possible Lessee; TOYS “R” US, INC., Possible Lessee; OFFICE MAX, INC., Possible Lessee; SRI SHOE WAREHOUSE, INC., Possible Lessee; and Any Other Parties in Interest, or the owners’ successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, 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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 171.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.

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 SOUTH BOULEVARD MEDIAN PROJECT; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the SOUTH BOULEVARD MEDIAN PROJECT AND TYVOLA STORM DRAINAGE IMPROVEMENT and estimated to be approximately 34,417 square feet (.790 acre) of storm drainage easement, sidewalk/utility easement, and temporary construction easement and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 171-141-30, said property currently owned by HARRY CHARLES YETT, JR.; DIANE T. YETT; WILLIAM MICHAEL YETT; JUDITH A. YETT; WISNER M. WASHAM and WACHOVIA BANK, N. A., Co-Trustees of the Sue B. Miller Testamentary Trust; ROBERT B. BLYTHE, Trustee; BARCLAYS BANK PLC, Beneficiary; KIMCO DEVELOPMENT OF TYVOLA, INC., Possible Lessee; PHAR-MOR, INC., Possible Lessee; SUNTRUST BANKS, INC., Possible Lessee; HANCOCK FABRICS, Possible Lessee; MICHAELS STORES, INC., Possible Lessee; TOYS “R” US, INC., Possible Lessee; OFFICE MAX, INC., Possible Lessee; SRI SHOE WAREHOUSE, INC., Possible Lessee; ROSS STORES, INC., Possible Lessee, and Any Other Parties in Interest, or the owners’ successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, 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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page 172.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.

Brenda R. Freeze, CMC, City Clerk
RESOLUTION AUTHORIZING THE CONVEYANCE OF .4 ACRES OF LAND TO BATSON-COOK DEVELOPMENT COMPANY

WHEREAS, the City of Charlotte owns an approximately 18,000 square foot (.4 acre) property more particularly identified as being an outparcel on the Charlotte Bobcats Arena site and located at the northwest corner of Caldwell and Trade Streets in Charlotte, Mecklenburg County, North Carolina (the “Property”); and

WHEREAS, in 2003 the City Council declared the property to be surplus and approved a private sale disposition process; and

WHEREAS, said Batson-Cook Development Company now desires to purchase the Property for Two Million Five Hundred Thousand Dollars ($2,500,000.00) for development of a hotel and condominium tower which would include parking and retail; and

WHEREAS, the present fair market value of the Property is approximately Two Million Five Hundred Thousand Dollars ($2,500,000); and

WHEREAS, the City Council of the City of Charlotte has determined that the sale of the Property to Batson-Cook Development Company will advance its Economic Development Strategic Plan, Center City 2010 Plan, and First Ward Plan in that the sale will provide funds to facilitate the construction of a multi-purpose sports and entertainment facility to be located in the uptown area; and

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

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to Section 8.22(d) of the City of Charlotte Charter, that it hereby authorizes the private sale of the above referenced Property as follows:

The City will convey fee simple title to Batson-Cook Development Company for Two Million Five Hundred Thousand Dollars ($2,500,000.00). The City Manager or her Designee is authorized to execute the Purchase Contract and such other documents necessary to complete the sale of the Property to Batson-Cook Development Company in accordance with the terms and conditions as advertised.

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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 173-174.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.

[Signature]

Brenda R. Freeze, CMC, City Clerk
RESOLUTION APPROVING COMPREHENSIVE RELICENSING AGREEMENT FOR THE CATAWBA-WATEREE HYDRO PROJECT

WHEREAS, the Catawba-Wateree Hydroelectric Project (the “Project”) owned by Duke Power Company LLC (“Duke”) consists of 13 hydroelectric generation stations located on 11 reservoirs (including Mt. Island Lake and Lake Norman) on the Catawba and Wateree rivers in North and South Carolina, and for which, in 1958, the Federal Energy Regulatory Commission (“FERC”) issued a 50-year operating license that will expire on August 31, 2008; and

WHEREAS, the City of Charlotte has direct interests in the Project for a number of reasons, including without limitation the location of the water intakes for the Charlotte-Mecklenburg Utilities’ water treatment and distribution system on Mt. Island Lake and Lake Norman; and

WHEREAS, Duke undertook a Relicensing Process (the “Relicensing Process”) for the Project to obtain a new FERC operating license (the “New License”); and

WHEREAS, the City of Charlotte, represented by Barry Gullet and others, participated as a stakeholder in the Relicensing Process during the period from 2003 through 2006; and

WHEREAS, the results of three years of negotiations among more than 75 organizations, together representing a broad set of interests in the Project, were initially captured in a non-binding Agreement-In-Principle in April 2006 and were then formalized in a contractual Comprehensive Relicensing Agreement (“Final Agreement”) (signature copy dated June 8, 2006) that will run for the period of the New License, 40-50 years; and

WHEREAS, the Final Agreement contemplates further changes in the form of technical corrections; and

WHEREAS, the City Council has reviewed and considered the benefits and commitments of becoming a Party to the Final Agreement and has concluded that it is in the City of Charlotte’s best interests to become a Party to the Final Agreement; and

NOW, THEREFORE, BE IT RESOLVED, that Pam Syfert, City Manager, is authorized to sign the Final Agreement on behalf of the City of Charlotte after the technical corrections to the Final Agreement have been made, if she determines that the Final Agreement and other documents associated with the Relicensing Process are satisfactory to the City Manager in form and content.
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 26th day of June, 2006, the reference having been made in Minute Book 124, and recorded in full in Resolution Book 40, Page(s) 175-176.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of June, 2006.

Brenda R. Freeze, CMC, City Clerk