

**Charlotte City Council Resolution**

**WHEREAS**, on May 26, 2015, the Charlotte City Council unanimously adopted a Resolution on the Protection of Civil Liberties, that states, “the Charlotte City Council recognizes that the community is comprised of a diverse population, which is vital to the City of Charlotte” and “the Council seeks to foster trust with all members of the community”, and

**WHEREAS**, on October 3, 2016, Charlotte City Council pledged in its Community Letter its commitment to enhancing trust and accountability within Charlotte-Mecklenburg Police Department and the community, and

**WHEREAS**, on December 19, 2016, the Charlotte City Council unanimously adopted a Resolution stating the Council’s opposition to discrimination, and

**WHEREAS**, on May 29, 2020, in Minneapolis, Minnesota, George Floyd was killed by a police officer, even as Mr. Floyd pled for his life and three other officers stood by without intervening.

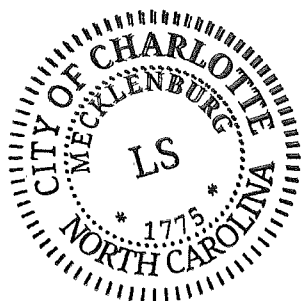
**WHEREAS**, the Charlotte City Council (i) strongly condemns the killing of Mr. Floyd, and will not accept racism and discrimination within police forces and other systems that lead to such atrocities and erode trust; (ii) expresses its deepest condolences and sympathies to Mr. Floyd’s family and friends, and the Minneapolis community; (iii) stands in solidarity and resolves to work alongside those who strive every day to root out racism in our society, including police officers, community activists, clergy, representatives of business, nonprofits and government and beyond; and (iv) charges every member of our community to join the effort to create a more equitable and just city, state, country and world.

**NOW THEREFORE BE IT RESOLVED** the Charlotte City Council requests the City Manager to review Charlotte-Mecklenburg Police policies to ensure alignment with the practices recommended by the national ‘8 Can’t Wait’ initiative including: ban chokeholds & strangleholds, require de-escalation, require warning before shooting, requires exhaust all alternatives before shooting, duty to intervene, ban shooting at moving vehicles, require use of force continuum, require comprehensive reporting, and report back to the Charlotte City Council by June 15, 2020.

**CERTIFICATION**

I, Stephanie C. Kelly, 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 8<sup>th</sup> day of June 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 644.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of June 2020.



  
Stephanie C. Kelly, City Clerk, MMC, NCCMC

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 Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, the regular place of meeting, at 6:30 p.m. on June 8, 2020:

Members Present: Lyles, Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton Watlington, Winston.

Members Absent: None

\* \* \* \* \*  
\* \* \*

Councilmember Driggs/Egleston introduced the following resolution, a summary of which had been provided to each Councilmember, a copy of which was available with the City Clerk and which was read by title:

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO APPLY TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF BONDS**

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

\$102,732,000 of bonds to provide funds to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, milling, resurfacing, grading or improving streets, roads, intersections, parking lots and pedestrian and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, storm drainage, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; and the acquisition of land and rights-of-way in land required therefor;

\$50,000,000 of bonds to pay the capital costs of housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including construction of infrastructure improvements

related thereto and the acquisition of land and rights-of-way required therefor; and

\$44,500,000 of bonds to provide funds to pay the capital costs of infrastructure improvements for various neighborhoods of the City, including the cost of related studies, plans and design, acquiring, constructing, reconstructing, improving, installing or providing curbs, gutters, storm drainage, sidewalks, pedestrian and bicycle paths, and relocation of utilities; paving, milling, resurfacing, grading or improving streets, roads and intersections, providing public open space, landscaping, lighting and traffic controls, signals and markers, and acquiring any necessary equipment, land, interests in land and rights-of-way therefor.

***NOW, THEREFORE, BE IT RESOLVED*** by the City Council that the City Clerk is hereby directed to cause a copy of the “NOTICE OF INTENTION TO APPLY TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF BONDS” to be published in a newspaper of general circulation in the City.

***BE IT FURTHER RESOLVED*** that this Resolution shall become effective on the date of its adoption.

*PASSED, ADOPTED AND APPROVED* this 8th day of June, 2020.



**NOTICE OF INTENTION TO APPLY TO THE  
LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF BONDS**

***NOTICE IS HEREBY GIVEN*** of intention of the undersigned to file application with the Local Government Commission, Raleigh, North Carolina for its approval of the issuance of general obligation bonds of the City of Charlotte, North Carolina which shall be for the following purposes and in the following maximum amounts:

\$102,732,000 of bonds to provide funds to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, milling, resurfacing, grading or improving streets, roads, intersections, parking lots and pedestrian and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, storm drainage, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; and the acquisition of land and rights-of-way in land required therefor;

\$50,000,000 of bonds to pay the capital costs of housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor; and

\$44,500,000 of bonds to provide funds to pay the capital costs of infrastructure improvements for various neighborhoods of the City, including the cost of related studies, plans and design, acquiring, constructing, reconstructing, improving, installing or providing curbs, gutters, storm drainage, sidewalks, pedestrian and bicycle paths, and relocation of utilities; paving, milling, resurfacing, grading or improving streets, roads and intersections, providing public open space, landscaping, lighting and traffic controls, signals and markers, and acquiring any necessary equipment, land, interests in land and rights-of-way therefor.

Any citizen or taxpayer of the City of Charlotte, North Carolina objecting to the issuance of any or all of said bonds, within seven (7) days after the date of publication of this notice, may file with the Local Government Commission, 3200 Atlantic Avenue, Longleaf Building, Raleigh, NC 27604, Attention: Secretary, and with the City Council a written statement setting forth each objection to the proposed bond issue and such statement shall contain the name and address of the person filing it.

**CITY OF CHARLOTTE, NORTH CAROLINA**

/s/ Stephanie C. Kelly

City Clerk

City of Charlotte, North Carolina

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 Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, the regular place of meeting, at 6:30 p.m. on June 8, 2020:

Members Present: Lyles, Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, Watlington, Winston.

Members Absent: None

\* \* \* \* \*  
\* \* \*

Councilmember Driggs/Egleston introduced the following resolution, a summary of which had been provided to each Councilmember, a copy of which was available with the City Clerk and which was read by title:

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA MAKING CERTAIN STATEMENTS OF FACT CONCERNING PROPOSED BOND ISSUE**

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

\$102,732,000 of bonds to provide funds to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, milling, resurfacing, grading or improving streets, roads, intersections, parking lots and pedestrian and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, storm drainage, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; and the acquisition of land and rights-of-way in land required therefor;

\$50,000,000 of bonds to pay the capital costs of housing projects for the benefit of persons of low income, or moderate income, or low and

moderate income, including construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor; and

\$44,500,000 of bonds to provide funds to pay the capital costs of infrastructure improvements for various neighborhoods of the City, including the cost of related studies, plans and design, acquiring, constructing, reconstructing, improving, installing or providing curbs, gutters, storm drainage, sidewalks, pedestrian and bicycle paths, and relocation of utilities; paving, milling, resurfacing, grading or improving streets, roads and intersections, providing public open space, landscaping, lighting and traffic controls, signals and markers, and acquiring any necessary equipment, land, interests in land and rights-of-way therefor.

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

**NOW, THEREFORE, BE IT RESOLVED** that the City Council, meeting in open session on the 8th day of June, 2020, 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 pay the capital costs of the transportation projects, the housing projects and the neighborhood improvement projects described above.

B. ***Facts Supporting the Amount of Bonds Proposed.*** The sums estimated for these bonds are adequate and not excessive for the proposed purposes. Estimates for the proposed construction and improvements have been carefully analyzed and determined by persons knowledgeable about the construction and improvements.

C. ***Past Debt Management Procedures and Policies.*** The City's debt management procedures and policies are good and 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 the 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. ***Increase in Taxes; Retirement of Debt.*** The increase in taxes, if any, necessary to service the proposed debt will not be excessive. The schedule for issuance anticipates issuing all of the bonds in one or more series during the seven years following the adoption of the bond orders.

F. ***Marketing of Bonds.*** The proposed bonds can be marketed at reasonable rates of interest.

G. ***Effective Date.*** This Resolution is effective immediately on its adoption.

*PASSED, ADOPTED AND APPROVED* this 8th day of June, 2020.



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

I, Stephanie C. Kelly, the            City Clerk            of the City of Charlotte, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution entitled **“RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA MAKING CERTAIN STATEMENTS OF FACT CONCERNING PROPOSED BOND ISSUE”** adopted by the City Council of the City of Charlotte, North Carolina, at a meeting held on the 8th day of June, 2020, the reference having been made in Minute Book 150, and recorded in full in Resolution Book 50, Page(s) 649-652.

***WITNESS*** my hand and the corporate seal of the City of Charlotte, North Carolina, this the 8th day of June, 2020.

\_\_\_\_\_  
Stephanie C. Kelly  
\_\_\_\_\_  
City Clerk  
City of Charlotte, North Carolina

(SEAL)

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 Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, the regular place of meeting, at 6:30 p.m. on June 8, 2020:

Members Present: Lyles, Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, Watlington, Winston.

Members Absent: None

\* \* \* \* \*  
\* \* \*

Councilmember Driggs/Egleston introduced the following resolution, a summary of which had been provided to each Councilmember, a copy of which was available with the City Clerk and which was read by title:

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA AUTHORIZING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF THE CITY’S PROPOSED GENERAL OBLIGATION BONDS AND TO SUBMIT SUCH APPLICATION TO THE LOCAL GOVERNMENT COMMISSION**

**WHEREAS**, the City Council (the “*City Council*”) of the City of Charlotte, North Carolina (the “*City*”) proposes to set a public hearing on the following Bond Orders entitled:

“BOND ORDER AUTHORIZING THE ISSUANCE OF \$102,732,000 GENERAL OBLIGATION TRANSPORTATION BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;”

“BOND ORDER AUTHORIZING THE ISSUANCE OF \$50,000,000 GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;” and

“BOND ORDER AUTHORIZING THE ISSUANCE OF \$44,500,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;”

**WHEREAS**, it is necessary, as a condition to the consideration and adoption of the Bond Orders, to submit an Application to the Local Government Commission for Approval of the Bonds, all in the manner required by The Local Government Bond Act.

***NOW, THEREFORE***, be it resolved by the City Council that the City Manager and the Chief Financial Officer of the City, individually and collectively, are hereby directed to file with the Local Government Commission an application for its approval of the General Obligation Transportation Bonds, General Obligation Housing Bonds and General Obligation Neighborhood Improvements Bonds hereinbefore described, on a form prescribed by said Commission, and (1) to request in such application that said Commission approve the City's use of Parker Poe Adams & Bernstein LLP of Charlotte, North Carolina, as bond counsel for the City and (2) to state in such application such facts and to attach thereto such exhibits in regard to such General Obligation Transportation Bonds, General Obligation Housing Bonds and General Obligation Neighborhood Improvements Bonds and to the City and its financial condition, as may be required by said Commission.

***BE IT FURTHER RESOLVED*** that this Resolution shall become effective on the date of its adoption.

*PASSED, ADOPTED AND APPROVED* this 8th day of June, 2020.



CHARLOTTE CITY COUNCIL  
RESOLUTION  
APPROVING AN INTERLOCAL AGREEMENT BETWEEN  
THE CITY OF CHARLOTTE AND MECKLENBURG COUNTY

WHEREAS, under Article 20 of Chapter 160A of the North Carolina General Statutes, as amended, cities and counties are authorized to enter into interlocal cooperation undertakings with other local governments for the joint exercise of any power, function, public enterprise, right, privilege, or immunity of local governments in North Carolina; and

WHEREAS, the City of Charlotte (City) has the authority to construct streets and roads (G.S. 160A-296(a)), the City and Mecklenburg County (County) have the authority to enter into infrastructure reimbursement agreements with developers and property owners (SL 2001-329; G.S. 153A-451), and the City has the authority to finance such infrastructure (G.S. 160A-120); and

WHEREAS, the City has entered or will enter into an Infrastructure Reimbursement Agreement with Northwood Development, LLC (the Developer) pursuant to which the City will reimburse Developer for certain Public Improvements; and

WHEREAS, the Infrastructure Reimbursement Agreement contemplates using specified incremental City and County taxes to fund the reimbursement of the Public Improvements; and

WHEREAS, the County is willing to contribute specified County incremental taxes to the reimbursement as set forth in the Interlocal Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Charlotte City Council that the attached Interlocal Agreement is hereby approved, that the City Manager is hereby authorized to execute such Interlocal Agreement in substantially the form attached to this Resolution and to negotiate and execute any further ancillary documents or non-material changes to the Interlocal Agreement as may be necessary, and that this Resolution shall be spread upon the minutes.

Approved the 8th day of June, 2020

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of June, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 656-661.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of June 2020.



A handwritten signature in cursive script that reads "Stephanie C. Kelly".

Stephanie C. Kelly, City Clerk, MMC, NCCMC

**BALLANTYNE REIMAGINED INFRASTRUCTURE REIMBURSEMENT  
INTERLOCAL AGREEMENT**

This Interlocal Agreement, made \_\_\_\_\_, 2020 (“Agreement”), by and between the **CITY OF CHARLOTTE**, a municipal corporation organized under the laws of the State of North Carolina (the “City”) and **THE COUNTY OF MECKLENBURG**, a political subdivision of the State of North Carolina (“County”).

**WITNESSETH:**

**WHEREAS**, the City has contemporaneously with this Agreement entered into a Tax Increment Grant Infrastructure Reimbursement Agreement with Developer, which agreement contains and sets forth recitals which are incorporated herein by reference;

**WHEREAS**, under Article 20 of Chapter 160A of the North Carolina General Statutes, as amended, cities and counties are authorized to enter into interlocal cooperation undertakings with other local governments for the joint exercise of any power, function, public enterprise, right, privilege, or immunity of local governments in North Carolina;

**WHEREAS**, the City has the authority to construct streets and roads (G.S. 160A-296(a)(3)), the City and the County have the authority to enter into infrastructure reimbursement agreements with developers and property owners (SL 2001-329; G.S. 153A-451), and the City has the authority to finance such infrastructure (G.S. 160A-20);

**WHEREAS**, the parties hereto desire to set forth their agreement herein;

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements set forth herein, the parties agree as follows:

**ARTICLE I**

The following terms have the meanings as set forth herein, unless the context otherwise requires:

“*Agreement*” means this Interlocal Agreement between the City and the County, and any amendment or supplement thereto.

“*Baseline Tax (City)*” refers to the total real and personal ad valorem taxes assessed by the City against the Increment District for the Baseline Tax Year.

“*Baseline Tax (County)*” refers to the total real and personal ad valorem taxes assessed by the County against the Increment District for the Baseline Tax Year.

“*Baseline Tax Year*” refers to the City’s and County’s 2021 Fiscal Year (i.e. the period from July 1, 2020 to June 30, 2021) in connection with which the valuation of the Increment District for tax purposes will be established as of January 1, 2020.

“*Developer*” means collectively Northwood Development, LLC, a Delaware limited liability company, or its related entities.

“*Fiscal Year*” means the fiscal year of the City and County which extends from July 1 to June 30<sup>th</sup> of the immediately following calendar year. For example, fiscal year 2021 extends from July 1, 2020 to June 30, 2021.

“*Increment District*” shall mean the area and properties depicted and identified on Exhibit A to the Infrastructure Reimbursement Agreement to the extent that such properties are located within the City and the County.

“*Incremental Tax Increase Amount (City)*” means, as to each Fiscal Year after the Baseline Tax Year, the amount by which (i) the total real and personal ad valorem taxes levied by the City on the Increment District for such Fiscal Year and collected by February 1 of the Fiscal Year (including any delinquent taxes collected for a prior fiscal year) exceed (ii) the Baseline Tax (City).

“*Incremental Tax Increase Amount (County)*” shall mean, as to the Fiscal Year after the Baseline Tax Year, the amount by which (i) the total real and personal ad valorem taxes levied by the County on the Increment District for such Fiscal Year and collected by February 1 of the Fiscal Year (including delinquent taxes collected for a prior fiscal year) exceed (ii) the Baseline Tax (County).

“*Infrastructure Reimbursement Agreement*” means the agreement between the City and Developer that requires the Developer to construct certain Public Improvements and the City to acquire and finance the acquisition of the Public Improvements.

“*Installment*” means each annual payment of principal and interest due and payable pursuant to City’s infrastructure reimbursement agreement with Developer.

“*Installment Commencement Notice*” means written notice given by Developer to the City of Developer’s desire for the City to commence paying to the Developer the Installments.

“*Interlocal Act*” means Section 160A-460 et seq. of the General Statutes of North Carolina, as amended.

“*Public Improvements*” means those roadway, streetscape, sidewalk, landscaping, irrigation, signage, traffic signal facilities, and other similar improvements for the benefit of the City described in Exhibit B attached to the Infrastructure Reimbursement Agreement.

“*Tax Increment Payment*” means a payment determined by some percentage of incremental taxes from within the Increment District pursuant to an Infrastructure Reimbursement Agreement.

## ARTICLE II

Under the laws of the State of North Carolina, the City has the authority to build and otherwise improve streets (G.S. 160A-296(a)(3)), the City and the County have the authority to reimburse property owners and developers for the design and construction of municipal infrastructure including streets (SL 2001-329; G.S. 153A-451). The City and the County are entering into this Agreement under the Interlocal Act to cooperate in the design, construction, and financing of the Public Improvements contemplated in the Infrastructure Reimbursement Agreement.

## ARTICLE III

### REIMBURSEMENT FOR THE INFRASTRUCTURE IMPROVEMENTS

3.1 *Reimbursement.* The City will be responsible for acquiring the Public Improvements from the Developer pursuant to the terms of the Infrastructure Reimbursement Agreement. Other than as provided in this Interlocal Agreement, the County will have no obligation to pay for the acquisition or financing of the Public Improvements.

#### 3.2 *County incremental tax contribution.*

- a. The County shall make annual payments to the City on or before March 1 beginning in the calendar year that immediately follows the delivery by the Developer to the City of the Installment Commencement Notice.
- b. Annual payments shall be an amount equal to 45% of the Incremental Tax Increase Amount (County).
- c. The County's payment obligations shall terminate upon the earlier of: (i) payment by the City to the Developer of all outstanding principal and interest pursuant to the Infrastructure Reimbursement Agreement; or (ii) the fifteenth (15<sup>th</sup>) annual payment.
- d. In the year in which a payment by the City to Developer pursuant to the Infrastructure Reimbursement Agreement will satisfy the City's repayment obligation, the County's payment to the City shall be that percentage of Incremental Tax Increase Amount (County) that together with the same percentage of Incremental Tax Increase Amount (City) will be sufficient to satisfy the City's repayment obligation to Developer.

3.3. *Method of payment.* The County shall make all payments pursuant to this Agreement directly to the City and payments shall not be made in whole or in part as a set off to other obligations of the City to the County or the County to the City. Interest for late payments by the County shall accrue at a rate equal to the interest rate established for the City's reimbursement of Developer pursuant to the Infrastructure Reimbursement Agreement.

## ARTICLE IV DURATION



This Agreement will terminate when the City's obligations under the Infrastructure Reimbursement Agreement are satisfied or said agreement is earlier terminated.

ARTICLE V  
MISCELLANEOUS

5.1. Amendment. This Agreement may be amended through a supplement approved in writing by the City and the County.

5.2. Severability. If any section of this Agreement is deemed to be illegal or otherwise unenforceable, it is the intent of the parties hereto that all other provisions of this Agreement shall remain in full force and effect.

5.3. Governing Law. This Agreement is to be governed by and interpreted in accordance with the laws of the State of North Carolina.

5.4. Time is of the essence. Time is of the essence in this Agreement.

5.5. Execution in Multiple Counterparts. This Agreement may be executed in multiple counterparts, each of which constitutes a completed document.

5.6. Effective Date. This Agreement takes effect on its execution by the City and the County.

IN WITNESS WHEREOF, the City Manager of the City and the County Manager of the County have each executed this Interlocal Agreement to evidence the agreement of the parties hereto and the City Clerk and the Clerk of the Board of County Commissioners have affixed the seal of the City and the County, as applicable to this Interlocal Agreement.

**CITY OF CHARLOTTE**

**COUNTY OF MECKLENBURG**

\_\_\_\_\_

\_\_\_\_\_

Attest:

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Clerk to Board of County Commissioners

(SEAL)

(SEAL)

This instrument has been pre-audited  
in the manner required by the “Local  
Government Budget and Fiscal  
Control Act.”

No Pre-Audit Required.

\_\_\_\_\_  
County Finance Director

\_\_\_\_\_  
City Finance Director

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney

RESOLUTION TO CLOSE AN UNOPENED PORTION OF THE ALLEYWAY BETWEEN BERTONLEY AVENUE AND MILLBROOK ROAD IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

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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 an unopened portion of the alleyway between Bertonley Avenue and Millbrook Road which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close an unopened portion of the alleyway between Bertonley Avenue and Millbrook Road to be sent by registered or certified mail to all owners of property adjoining said right-of-way and prominently posted a notice of the closing and public hearing in at least two places along said street or alleys, all as required by G.S.160A-299; and

WHEREAS, the city may reserve its right, title, and interest in any utility improvement or easement within a street closed pursuant to G.S.160A-299; and

WHEREAS, the public hearing was held on the 26th day of May 2020, and City Council determined that closing an unopened portion of the alleyway between Bertonley Avenue and Millbrook Road is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to their 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 June 8, 2020 during a virtual meeting that included an option for written comments (of 375 words or less) to be submitted from the date of notice of the public hearing up to the 27<sup>th</sup> day of May 2020 at 11:59 p.m., that the Council hereby orders the closing of an unopened portion of the alleyway between Bertonley Avenue and Millbrook Road 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 the document marked "Exhibit B," all of which are attached hereto and made a part hereof.

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

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of June, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 662-664.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of June 2020.



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Stephanie C. Kelly, City Clerk, MMC, NCCMC



## Exhibit B

### PORTION OF 10' ALLEY BLOCK 3 AS SHOWN IN MAP BOOK 3, PAGE 128, TO BE WITHDRAWN FROM OFFER OF DEDICATION

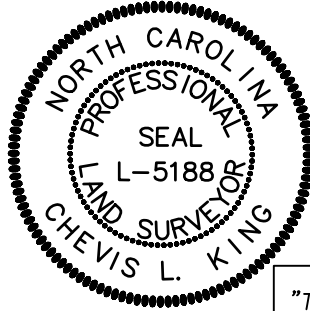
BEGINNING AT A ½" IRON PIPE AT THE SOUTH WESTERN CORNER OF LOT 8 BLOCK 3 AS SHOWN IN MAP BOOK 3, PAGE 128 IN THE MECKLENBURG COUNTY REGISTRY, SAID POINT ALSO BEING ON THE NORTHERN RIGHT OF WAY LINE OF BERTONLEY AVENUE; THENCE WITH THE RIGHT OF WAY S 68-28-16 W, 10.00 FEET TO A FOUND 1" IRON PIPE, SAID PIPE ALSO BEING THE SOUTH EASTERN CORNER OF LOT 9 BLOCK 3 AS SHOWN IN MAP BOOK 3, PAGE 128; THENCE WITH THE LINE OF LOTS 9-12 BLOCK 3 N 21-27-54 W, PASSING A ½" PIPE AT 84.00 FEET, PASSING A 1" BENT PIPE AT 167.00 FEET FOR A TOTAL DISTANCE OF 250.00 FEET TO A POINT; THENCE N 68-28-16 E 9.53 FEET TO A FOUND 1" PIPE AT THE SOUTH WESTERN CORNER OF LOT 4 BLOCK 3 AS SHOWN IN MAP BOOK 3, PAGE 128 IN THE MECKLENBURG COUNTY REGISTRY; THENCE WITH THE LINE OF LOT 4 S 22-00-29 E 50.00 FEET TO A FOUND #5 REBAR; THENCE S 21-27-54 E 200.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2,4880 SF ALL AS SHOWN ON EXHIBIT BY CAROLINA GEOMATICS, PLLC DATED NOVEMBER 22, 2019, REFERENCE TO WHICH THIS EXHIBIT IS HEREBY MADE.

I, CHEVIS L. KING, CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION AND THAT THE PLAT WAS PREPARED FOR THE PURPOSE OF ALLEY ABANDONMENT ONLY, AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN HEREON.

*Chevis L. King*  
CHEVIS L. KING, PLS L-5188



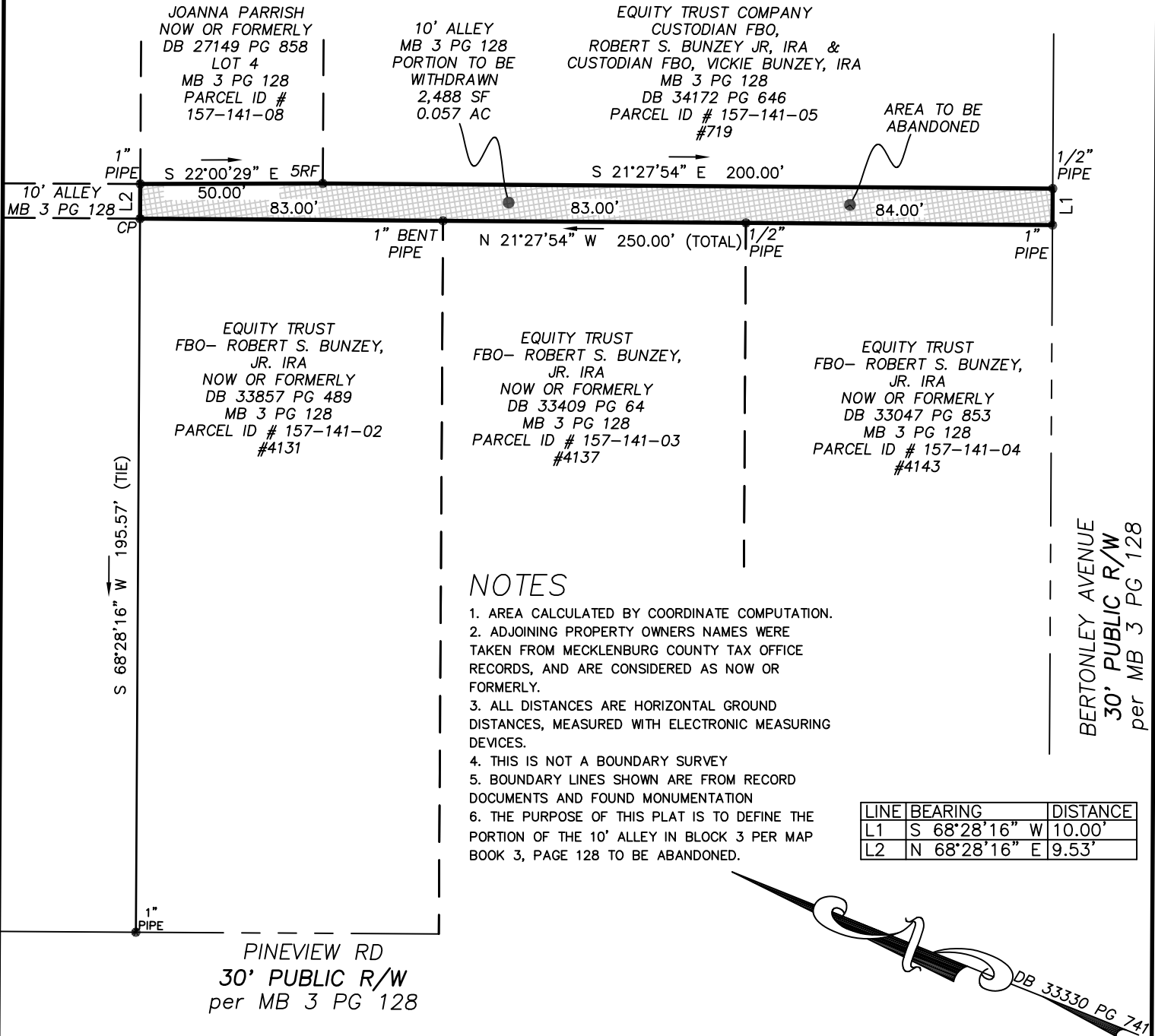
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NORTH CAROLINA  
ONE-CALL CENTER INC.  
DIAL 811 or 1-800-632-4949  
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LEGEND

RF	REBAR FOUND
R/W	RIGHT-OF-WAY
SF	SQUARE FEET
MB	MAP BOOK
DB	DEED BOOK
PG	PAGE
	PORTION OF ALLEY TO BE ABANDONED

"THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS."



NOTES

1. AREA CALCULATED BY COORDINATE COMPUTATION.
2. ADJOINING PROPERTY OWNERS NAMES WERE TAKEN FROM MECKLENBURG COUNTY TAX OFFICE RECORDS, AND ARE CONSIDERED AS NOW OR FORMERLY.
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, MEASURED WITH ELECTRONIC MEASURING DEVICES.
4. THIS IS NOT A BOUNDARY SURVEY
5. BOUNDARY LINES SHOWN ARE FROM RECORD DOCUMENTS AND FOUND MONUMENTATION
6. THE PURPOSE OF THIS PLAT IS TO DEFINE THE PORTION OF THE 10' ALLEY IN BLOCK 3 PER MAP BOOK 3, PAGE 128 TO BE ABANDONED.

LINE	BEARING	DISTANCE
L1	S 68°28'16" W	10.00'
L2	N 68°28'16" E	9.53'

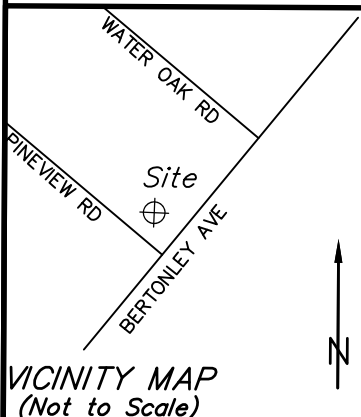


EXHIBIT A – ALLEY ABANDONMENT EXHIBIT  
AT PROPERTY KNOWN AS  
# 4131-4143 PINEVIEW ROAD & 719 BERTONLEY AVE  
MAP BOOK 3, PAGE 128. OPENVIEW  
PARCEL ID # 157-141-02, -03, -04, -05 & -08  
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC  
FOR  
EQUITY TRUST COMPANY FBO ROBERT S. BUNZEY

3833 STREAMSIDE DR.  
GASTONIA, NC 28056  
P (980) 329-3382  
CKING@CAROLINAGEOMATICS.COM  
NC #P-1965

Job No. 099-19-027  
Date 01/13/20  
Proj. Mgr. CLK  
Drawn CLK

CAROLINA GEOMATICS PLLC

RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE A PORTION OF THE ALLEYWAY BETWEEN 21<sup>ST</sup> STREET AND 22<sup>ND</sup> STREET in the City of Charlotte, Mecklenburg County, North Carolina.

Whereas, WP East Acquisition, LLC has filed a petition to close a portion of the alleyway between 21<sup>st</sup> Street and 22<sup>nd</sup> Street in the City of Charlotte; and

Whereas, a portion of the alleyway between 21<sup>st</sup> Street and 22<sup>nd</sup> Street containing 1,947 square feet or 0.0453 acres as shown in the map marked “Exhibit A” and are 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, CMGC, 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 June 8, 2020, that it intends to close a portion of the alleyway between 21<sup>st</sup> Street and 22<sup>nd</sup> Street and that said right-of-way (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held on Monday, the 13<sup>th</sup> day of July 2020, at 5:00 p.m. or as soon thereafter as practicable, at the Charlotte-Mecklenburg County Government Center, 600 East 4th Street, Charlotte, North Carolina by such method, including in a virtual manner, necessary in response to the COVID-19 global pandemic. Alternatively, written comments (of 375 words or less) may be submitted to the City Clerk’s Office at [cityclerk@charlottenc.gov](mailto:cityclerk@charlottenc.gov), prior to July 14, 2020, at 11:59 p.m.

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

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of June, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 665.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of June 2020.



A handwritten signature in cursive script that reads "Stephanie C. Kelly".

Stephanie C. Kelly, City Clerk, MMC, NCCMC

**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 assessment error.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 8<sup>th</sup> day of June 2020 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, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of June, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 666-667.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of June 2020.



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Stephanie C. Kelly, City Clerk, MMC, NCCMC



June 8, 2020, Resolution Book 50, Page 667  
**Taxpayers and Refunds Requested**

ACOSTA, ANDREA ROSE	220.51
ADRIAN INVESTMENTS LLC	383.58
ADRIAN INVESTMENTS LLC	504.68
ADRIAN INVESTMENTS LLC	233.02
ADRIAN INVESTMENTS LLC	1,000.90
ADRIAN INVESTMENTS LLC	2,740.26
ARBOR MULTIFAMILY LENDING	4,652.98
ARBOR MULTIFAMILY LENDING LLC	5,409.09
BANK OF AMERICA	1,623.47
BEACON 7600 STATESVILLE LLC	4,394.93
BIN-METROLINA LLC	4,350.76
BIN-TH1209 LLC	908.88
COOPER, GLENDA CARNES	34.56
CORELOGIC COMMERCIAL	12,863.07
CORELOGIC COMMERCIAL SERVICE	3,552.32
COTSWOLD EAST APARTMENT	183.69
ENGLISH GARDENS APARTMENTS LLC	4,147.93
EUCLID STREET ASSOCIATES	1,095.15
FFI-VILLA EAST LLC	1,697.38
GRANVILLE LLC	2,558.04
GREAT AMERICA FINANCIAL SERVICES CORP	6,073.53
HIGHLAND AIRPORT PARKING INC	6,194.29
HULSE, WILLIAM F	418.92
KILBORNE APARTMENTS LLC	3,390.35
LAKE HILL APARTMENTS L P	2,690.20
LAKE HILL APARTMENTS L P	2,171.88
LAKE HILL APARTMENTS L P	1,080.79
LAKE HILL APARTMENTS LP	1,127.91
LERNER, HARRY TRUSTEE	57.42
MEDALIST CAPITAL INC	3,933.32
MEDALIST CAPITAL INC	4,354.45
MEZARDJIAN, STEPHEN	85.60
MEZARDJIAN, STEPHEN	22.98
PROVIDENCE HOSPITALITY LLC	103.74
PROVIDENCE HOSPITALITY LLC .	103.74
ROSEHAVEN INVESTORS LLC	3,784.23
ROSEHAVEN INVESTORS LLC	781.13
ROSEHAVEN INVESTORS LLC	1,646.95
ROSEHAVEN INVESTORS LLC	859.93
ROSEHAVEN INVESTORS LLC	235.96
ROSEHAVEN INVESTORS LLC	194.36
ROYAL ORLEANS APARTMENTS LLC	2,775.23
ROYAL ORLEANS APARTMENTS LLC	4,877.17
SL PROPERTY HOLDINGS LLC	64.05
TGC REAL ESTATE HOLDINGS LLC	346.76
TRINITY PARK APARTMENTS LLC	7,301.94
WESTSTAR LTD PARTNERSHIP	1,747.44

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108,979.47

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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 **DAIRY BRANCH TRIBUTARY SEWER IMPROVEMENTS** Project; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **DAIRY BRANCH TRIBUTARY SEWER IMPROVEMENTS** Project estimated to be **1,335 sq. ft. (0.03 ac.) in Sanitary Sewer Easement, 1,443 sq. ft. (0.03 ac.) in Permanent Utility Easement, 113 sq. ft. (0.00) in Temporary Construction Easement, and 58 sq. ft. (0.00 ac.) in combined Permanent Utility Easement and Sanitary Sewer Easement** and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. **151-033-69**; said property currently owned by **Viki A. Adornato** and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

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

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

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of June, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 668.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of June 2020.



A handwritten signature in cursive script that reads "Stephanie C. Kelly".

Stephanie C. Kelly, City Clerk, MMC, NCCMC

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 **DAIRY BRANCH TRIBUTARY SEWER IMPROVEMENTS** Project; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **DAIRY BRANCH TRIBUTARY SEWER IMPROVEMENTS** Project estimated to be **1,012 sq. ft. (0.02 ac.) in Sanitary Sewer Easement, 1,152 sq. ft. (0.03 ac.) in Permanent Utility Easement, 112 sq. ft. (0.00) in Temporary Construction Easement, and 639 sq. ft. (0.01 ac.) in combined Permanent Utility Easement and Sanitary Sewer Easement** and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. **151-033-70**; said property currently owned by **Mark A. Nesky** and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

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

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

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of June, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 669.

WITNESS my hand  
of June 2020.



rate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day

A handwritten signature in cursive script that reads "Stephanie C. Kelly".

Stephanie C. Kelly, City Clerk, MMC, NCCMC

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 **DAIRY BRANCH TRIBUTARY SEWER IMPROVEMENTS** Project; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **DAIRY BRANCH TRIBUTARY SEWER IMPROVEMENTS** Project estimated to be **17,593 sq. ft. (0.14 ac.) in Sanitary Sewer Easement, 1,140 sq. ft. (0.03 ac.) in Permanent Utility Easement, 3,721 sq. ft. (0.08 ac) in Temporary Construction Easement, and 6,273 sq. ft. (0.14 ac.) in combined Permanent Utility Easement and Sanitary Sewer Easement** and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. **151-033-01, 151-033-72**; said property currently owned by **Salem Village Apartments, LLC c/o Marsh Associates, Inc.** and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

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

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

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of June, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 670.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of June 2020.



A handwritten signature in cursive script that reads "Stephanie C. Kelly".

Stephanie C. Kelly, City Clerk, MMC, NCCMC

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 **DAIRY BRANCH TRIBUTARY SEWER IMPROVEMENTS** Project; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **DAIRY BRANCH TRIBUTARY SEWER IMPROVEMENTS** Project estimated to be **12,660 sq. ft. (0.29 ac.) in Sanitary Sewer Easement** and **9,268 sq. ft. (0.21 ac.) in 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. **121-127-14**; said property currently owned by **BHM Properties, LLC** and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

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

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

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of June, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 671.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of June 2020.



*Stephanie C. Kelly*

Stephanie C. Kelly, City Clerk, MMC, NCCMC

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 **DAIRY BRANCH TRIBUTARY SEWER IMPROVEMENTS** Project; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **DAIRY BRANCH TRIBUTARY SEWER IMPROVEMENTS** Project estimated to be **27,703 sq. ft. (0.64 ac.) in 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. **121-127-10**; said property currently owned by **American National Red Cross** and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

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

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

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of June, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 672.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of June 2020.



*Stephanie C. Kelly*

Stephanie C. Kelly, City Clerk, MMC, NCCMC

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 **DAIRY BRANCH TRIBUTARY SEWER IMPROVEMENTS** Project; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **DAIRY BRANCH TRIBUTARY SEWER IMPROVEMENTS** Project estimated to be **4,103 sq. ft. (0.09 ac.) in Sanitary Sewer Easement** and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. **121-101-08**; said property currently owned by **Marsh Realty Co., Inc** and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

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

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

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of June, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 673.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of June 2020.



*Stephanie C. Kelly*

---

Stephanie C. Kelly, City Clerk, MMC, NCCMC

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 **IRWIN CREEK TRIBUTARIES TO DEWITT LANE AND YEOMAN ROAD SANITARY SEWER REPLACEMENT** 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 **IRWIN CREEK TRIBUTARIES TO DEWITT LANE AND YEOMAN ROAD SANITARY SEWER REPLACEMENT** Project estimated to be **19,586.1 sq. ft. (0.45 ac.) Sanitary Sewer Easement and 22,035.20 sq. ft. (0.50 ac.) 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. **145-321-08** and **145-321-09**; said property currently owned by **Ryder Truck Rental Inc.** and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

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

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

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of June, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 674.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of June 2020.



A handwritten signature in cursive script that reads "Stephanie C. Kelly".

---

Stephanie C. Kelly, City Clerk, MMC, NCCMC

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 **IRWIN CREEK TRIBUTARIES TO DEWITT LANE AND YEOMAN ROAD SANITARY SEWER** 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 **IRWIN CREEK TRIBUTARIES TO DEWITT LANE AND YEOMAN ROAD SANITARY SEWER** Project estimated to be **9,254 sq. ft. (0.21 ac.) in Sanitary Sewer Easement and 36,712 sq. ft. (0.84 ac.) in 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. **145-135-23**; said property currently owned by **575 Clanton Inc.** and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

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

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

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8<sup>th</sup> day of June, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 675.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8<sup>th</sup> day of June 2020.



*Stephanie C. Kelly*

Stephanie C. Kelly, City Clerk, MMC, NCCMC