

EXTRACTS FROM MINUTES OF CITY COUNCIL

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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 7:00 p.m. on April 13, 2015:

Members Present: Mayor Clodfelter, Councilmembers Austin, Autry, Barnes, Driggs, Fallon Howard, Kinsey, Lyles, Mayfield, Phipps and Smith

Members Absent: None.

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

Councilmember Barnes 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:

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

Not to exceed \$99,500,000 of General Obligation Refunding Bonds to pay the costs of refunding in advance of their maturities (1) the City's General Obligation Refunding Bonds, Series 2005A maturing on and after June 1, 2016 in the outstanding principal amount of \$40,135,000 and (2) the City's General Obligation Refunding Bonds, Series 2005B maturing on and after June 1, 2016 in the outstanding principal amount of \$56,590,000 (collectively, the "Refunded Bonds").

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

*NOW, THEREFORE, BE IT RESOLVED* that the City Council meeting in open session on the 13th day of April, 2015, 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 lower the City's debt service costs related to projects financed and refinanced with the Refunded Bonds. The proposed bonds do not extend the final maturity of the Refunded Bonds.

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

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

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

E. ***Retirement of Debt.*** The schedule for issuing the bonds does not require a property tax increase. The schedule for issuance calls for issuing all of the bonds in Fiscal Year 2015, but issuance may be delayed until such time as the City determines that the market is more favorable for the issuance of the bonds.

F. ***Financing Team.*** The City Manager and the Chief Financial Officer, with advice from the City Attorney, are hereby authorized and directed to (1) retain Parker Poe Adams & Bernstein LLP, as bond counsel, (2) retain Merrill Lynch, Pierce, Fenner & Smith Incorporated, Wells Fargo Bank, National Association and PNC Capital Markets LLC, as underwriters for the Bonds, (3) retain DEC Associates, Inc., as financial advisor, and (4) approve the selection of McGuireWoods LLP, as counsel to the underwriters.

On motion of Councilmember Mayfield, seconded by Councilmember Howard, the foregoing resolution titled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA MAKING CERTAIN STATEMENTS OF FACT CONCERNING PROPOSED BOND ISSUE"** was adopted by the following vote:

AYES: Unanimous - Councilmember Austin, Autry, Barnes, Driggs, Fallon, Howard  
Kinsey, Lyles, Mayfield, Phipps and Smith

NAYS:

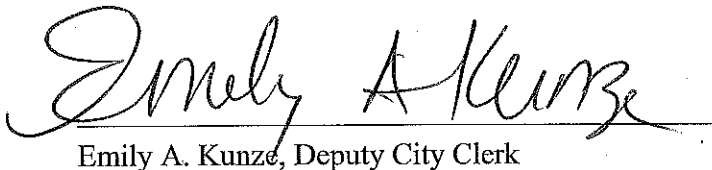
*PASSED, ADOPTED AND APPROVED* this 13th day of April, 2015.

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

I, Emily A. Kunze, Deputy, City Clerk of the City of Charlotte, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution 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, in regular session convened on the 13th day of April, 2015, as referenced in Resolution Book 46, Pages 589-591.

*WITNESS* my hand and the seal of the City of Charlotte, North Carolina, this the 13th day of April, 2015.



  
\_\_\_\_\_

Emily A. Kunze, Deputy City Clerk

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

**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$99,500,000  
GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

*WHEREAS*, the City of Charlotte, North Carolina (the "City") has issued (1) its \$53,890,000 General Obligation Bonds, Series 2005A, of which \$43,130,000 is currently outstanding (the "2005A Bonds") and (2) its \$104,040,000 General Obligation Refunding Bonds, Series 2005B, of which \$63,095,000 is currently outstanding (the "2005B Bonds");

*WHEREAS*, the City Council of the City (the "City Council") deems it advisable to refund the outstanding 2005A Bonds maturing on and after June 1, 2016 and the outstanding 2005B Bonds maturing on and after June 1, 2016 (collectively, the "Refunded Bonds");

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

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

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

Section 2. To raise the money required to pay the costs of refunding the Refunded Bonds as set forth above, General Obligation Refunding Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such General Obligation Refunding Bonds authorized by this bond order shall be and not exceed \$99,500,000.

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

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

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

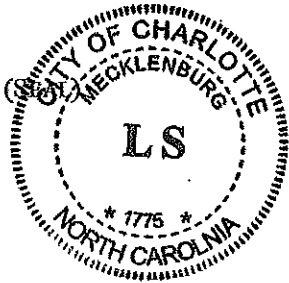
The foregoing bond order is adopted by unanimous consent without change or amendment.

As prescribed by The Local Government Bond Act, the City Clerk is directed to publish a notice of adoption of the bond order titled, "BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$99,500,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA," which was introduced at the meeting of the City Council held on April 13, 2015.

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

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of the "BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$99,500,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA" introduced and adopted in regular session of the City Council of the City of Charlotte, North Carolina convened on the 13th day of April, 2015. as referenced in Resolution Book 46, Pages 592-600.

*WITNESS* my hand and the seal of the City of Charlotte, North Carolina, this the 13th day of April, 2015.



*Emily A. Kunze*  
\_\_\_\_\_  
Emily A. Kunze, Deputy City Clerk

**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$99,500,000  
GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

*WHEREAS*, the City of Charlotte, North Carolina (the "City") has issued (1) its \$53,890,000 General Obligation Bonds, Series 2005A, of which \$43,130,000 is currently outstanding (the "2005A Bonds") and (2) its \$104,040,000 General Obligation Refunding Bonds, Series 2005B, of which \$63,095,000 is currently outstanding (the "2005B Bonds");

*WHEREAS*, the City Council of the City (the "City Council") deems it advisable to refund the outstanding 2005A Bonds maturing on and after June 1, 2016 and the outstanding 2005B Bonds maturing on and after June 1, 2016 (collectively, the "Refunded Bonds");

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

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

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

Section 2. To raise the money required to pay the costs of refunding the Refunded Bonds as set forth above, General Obligation Refunding Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such General Obligation Refunding Bonds authorized by this bond order shall be and not exceed \$99,500,000.

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

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

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

The foregoing order was adopted on the 13th day of April, 2015 and is hereby published this 14th day of April, 2015. Any action or proceeding questioning the validity of the order must be begun within 30 days after the date of publication of this notice. The Chief Financial Officer of the City has filed a statement estimating that the total amount of interest that will be paid on the bonds over the expected term of the bonds, if issued, is \$18,838,325. The estimate is preliminary, is for general informational purposes only, and may differ from the actual interest paid on the bonds.

/s/Emily A. Kunze  
Deputy City Clerk  
City of Charlotte, North Carolina

Bojangles Coliseum Renovation - Council Action Summary

Line Item	Original Project Budget 11/24/2015	Charlotte Checkers Contribution	Revised Total Budget	CBJ Commitment	RCA Amount	Council Date	Difference	Comments
Scoreboard & LED Ribbon	\$1,085,000	\$125,000	\$1,210,000	0%	\$4,527,252	02/09/15	(\$317,252)	Initial budget projections were based on the existing scoreboard size and the existing static advertising panels. The size of the scoreboard was increased for better visibility and display. LED lighting was added as a feature to the advertising panels. Project contingency will be used to cover the cost difference. The cooperative purchase is made through Contract RE195. Cooperative group purchases and are exempt from CBJ goal requirements (Part A: Appendix 1.27 of the Charlotte Business Inclusion Policy).
Ice Decking & Zamboni	\$195,000	\$125,000	\$320,000	0%	\$248,000	02/09/15	\$12,000	Line item savings will be allocated towards project contingency. No CBJ goal was established because there are no opportunities (Part B: Section 2.3 of the Charlotte Business Inclusion Policy).
Hockey Equipment	\$167,500	\$0	\$167,500	0%	\$140,824	02/09/15	\$26,676	Equipment purchased from the Charlotte Hornets. Line item savings will be allocated towards project contingency. No CBJ goal was established because there are no opportunities (Part B: Section 2.3 of the Charlotte Business Inclusion Policy).
Architectural Services	\$662,500	\$0	\$662,500	25%	\$600,000	02/09/15	(\$157,500)	Contract finalized for \$600,000.
* EVENT SEATING AND RELATED ACCESSORIES	\$1,500,000	\$0	\$1,500,000	17.18%	\$975,000	04/13/15	-\$325,000	Line item savings will be allocated towards project contingency. Revised budget removed demolition and epoxy flooring from the seating contractor's scope of work. Demolition and epoxy flooring have been added to the Phase I general contractor's scope of work.
<b>Totals</b>	<b>\$3,550,000</b>	<b>\$250,000</b>	<b>\$3,600,000</b>	<b>9.94%</b>	<b>\$3,692,078</b>		<b>(\$91,078)</b>	Differences funded from project contingency

Future Council Agenda Items

Original Project Budget	Expected CBJ Goal	Expected Council Date	Comments
11/24/2015	0% to 5%	05/11/15	
\$135,000	> 10%	05/11/15	Specified scope of work
\$450,000	> 15%	05/11/2015,	
Approx.	0% to 5%	06/08/2015,	Scope of work divided in to several packages for signage, concessions and locker rooms.
\$2,500,000	5% to 10%	June 2015	Specified scope of work
\$500,000	> 15%	June 2015	
Approx.		2016	Mechanical, electrical, structural and site improvements.
\$5,000,000			

STATEMENT OF ESTIMATED INTEREST AMOUNT ON  
GENERAL OBLIGATION BONDS

The City Council (the "City Council") of the City of Charlotte, North Carolina (the "City") will consider the introduction of the following bond order of the City at its April 13, 2015 meeting:

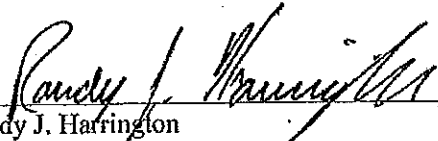
**"BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$99,500,000  
GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTE, NORTH  
CAROLINA"**

Section 159-55 of the General Statutes of North Carolina requires the City's Finance Officer to file with the City Clerk at the time the bond order is introduced a statement estimating the total amount of interest that will be paid on the general obligation refunding bonds over the expected term of the bonds, if issued, and a summary of the assumptions on which the estimate is based.

The total interest on the refunding bonds is estimated to be \$18,838,325, based on the assumption that the refunding bonds will be issued in the aggregate principal amount of \$84,490,000 in June of 2015 at an interest rate of 4.95%, with principal amortization beginning in fiscal year 2015 and ending in fiscal year 2024. Such assumptions are estimates based on current market rates.

The total estimated interest amount is preliminary and is for general informational purposes only. There is no assurance that the assumptions on which the estimate is based will occur, and the actual occurrence of certain of the facts on which the assumptions are based is beyond the City's control. Differences between the actual circumstances at the time the bonds are issued from the assumptions included in the estimate could result in significant differences between the estimated interest and the actual interest on the bonds. The validity of the bonds authorized by the bond order is not subject to challenge on the grounds that the actual interest cost of the bonds when issued proved to be different than the amount set forth in this statement. This statement will be filed with the North Carolina Local Government Commission and maintained by the City Clerk.

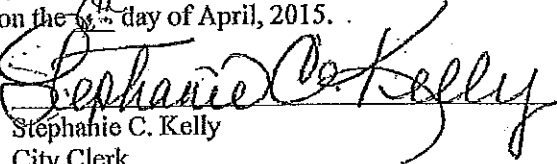
April 13, 2015

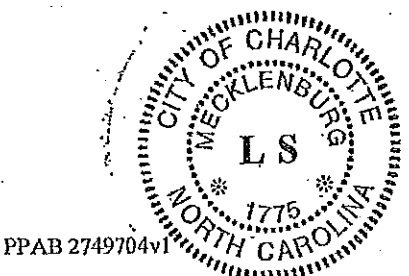
  
Randy J. Harrington  
Chief Financial Officer  
City of Charlotte, North Carolina

STATE OF NORTH CAROLINA            )  
  )  
CITY OF CHARLOTTE                    )

SS:

I, *Stephanie C. Kelly*, City Clerk of the City of Charlotte, North Carolina, a municipal corporation of the State of North Carolina, hereby certifies that the foregoing statement and accompanying affidavit were filed in my office on the 13<sup>th</sup> day of April, 2015.

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





APPENDIX A

No. R-

\$

UNITED STATES OF AMERICA  
STATE OF NORTH CAROLINA  
CITY OF CHARLOTTE

<u>INTEREST</u> <u>RATE</u>	<u>MATURITY DATE</u>	<u>DATED DATE</u>	<u>CUSIP</u>
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REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: DOLLARS

GENERAL OBLIGATION REFUNDING BOND, SERIES 2015A

*THE CITY OF CHARLOTTE, NORTH CAROLINA* (the "City") acknowledges itself indebted and for value received hereby promises to pay to the Registered Owner named above, on the Maturity Date specified above, upon surrender hereof, the Principal Sum shown above and to pay to the Registered Owner hereof interest thereon from the date of this Bond until it shall mature at the Interest Rate per annum specified above, payable on December 1, 2015 and semiannually thereafter on June 1 and December 1 of each year. Principal of and interest on this Bond are payable in immediately available funds to The Depository Trust Company ("DTC") or its nominee as registered owner of the Bonds and is payable to the owner of the Bonds shown on the records of DTC at the close of business on the 15<sup>th</sup> day of the month preceding an interest payment date or a bond payment date. The City is not responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

This Bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act, a bond order adopted by the City Council of the City on April 13, 2015 and effective on the date of its adoption. The Bonds are issued to provide funds (1) to refund in advance of their maturities (a) the City's General Obligation Refunding Bonds, Series 2005A maturing on and after June 1, 2016 and (b) the City's General Obligation Refunding Bonds, Series 2005B maturing on and after June 1, 2016 and (2) to pay the costs of issuing the Bonds.

[Insert redemption provisions.]

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this Bond, exist, have been performed and have happened, and that the amount of this Bond, together with all other indebtedness of the City, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on this Bond in accordance with its terms.

This Bond is not valid or obligatory for any purpose until the certification hereon has been signed by an authorized representative of the Local Government Commission.

*IN WITNESS WHEREOF*, the City has caused this Bond to bear the original or facsimile of the signatures of the Mayor and the City Clerk and an original or facsimile of the seal of the City to be imprinted hereon and this Bond to be dated as of the Dated Date above.

(SEAL)

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

\_\_\_\_\_  
Mayor

Date of Execution: June \_\_, 2015

The issue hereof has been approved under the  
provisions of The Local Government Bond Act.

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GREG C. GASKINS  
Secretary of the Local Government Commission

**FORM OF ASSIGNMENT**

**ASSIGNMENT**

*FOR VALUE RECEIVED* the undersigned hereby sells, assigns and transfers unto

---

(Please print or typewrite Name and Address,  
including Zip Code, and Federal Taxpayer Identification or  
Social Security Number of Assignee)

---

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

---

Attorney to register the transfer of the within Bond on the books kept for registration thereof,  
with full power of substitution in the premises.

Dated: \_\_\_\_\_  
Signature guaranteed by:

---

*NOTICE:* Signature must be guaranteed by  
a Participant in the Securities Transfer  
Agent Medallion Program ("*Stamp*") or  
similar program.

*NOTICE:* The signature to this assignment must  
correspond with the name as it appears on the  
face of the within Bond in every particular,  
without alteration, enlargement or any change  
whatever.

**TRANSFER FEE MAY BE REQUIRED**

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 City Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, the regular place of meeting, at 7:00 p.m. on April 13, 2015:

Members Present: Mayor Clodfelter, Councilmembers Austin, Autry, Barnes, Driggs, Fallon Howard, Kinsey, Lyles, Mayfield, Phipps and Smith

Members Absent: None.

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

Councilmember Barnes 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:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA PROVIDING FOR THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION REFUNDING BONDS**

*WHEREAS*, the Bond Order (as defined below) has been adopted, and it is desirable to make provision for the issuance of the Bonds (as defined below) authorized by the Bond Order;

*WHEREAS*, the City of Charlotte, North Carolina (the "City") desires to issue its General Obligation Refunding Bonds, Series 2015A (the "Bonds") in an aggregate principal amount not to exceed \$99,500,000;

*WHEREAS*, the City requests that the Local Government Commission (the "Commission") sell the Bonds through a negotiated sale to Merrill Lynch, Pierce, Fenner & Smith Incorporated, Wells Fargo Bank, National Association and PNC Capital Markets LLC (collectively, the "Underwriters") in accordance with the terms and conditions set forth in a Bond Purchase Agreement to be dated on or about May 13, 2015 (the "Bond Purchase Agreement") among the City, the Commission and the Underwriters relating to the Bonds;

*WHEREAS*, copies of the forms of the following documents relating to the transactions described above have been filed with the City and have been made available to the City Council of the City (the "City Council"):

1. the Bond Purchase Agreement; and
2. a Preliminary Official Statement with respect to the Bonds, together with the Official Statement with respect to the Bonds to be dated on or about May 13, 2015 (collectively, the "Official Statement");

*NOW, THEREFORE, BE IT RESOLVED* by the City Council as follows:

**Section 1.** For purposes of this Resolution, the following words have the meanings ascribed to them below:

*"Arbitrage and Tax Regulatory Agreement"* means the Arbitrage and Tax Regulatory Agreement executed by the City related to the Bonds.

*"Bond Order"* means the Bond Order authorizing \$99,500,000 General Obligation Refunding Bonds, adopted by the City Council on April 13, 2015 and effective on its adoption.

*"Bonds"* means City's General Obligation Refunding Bonds, Series 2015A authorized under the Bond Order.

*"Code"* means the Internal Revenue Code of 1986, as amended. Each reference to a section of the Code herein will be deemed to include the United States Treasury Regulations proposed or in effect with respect thereto.

*"Federal Securities"* means (a) direct obligations of the United States of America for the timely payment of which the full faith and credit of the United States of America is pledged; (b) obligations issued by any agency controlled or supervised by and acting as an instrumentality of the United States of America, the timely payment of the principal of and interest on which is fully guaranteed as full faith and credit obligations of the United States of America (including any securities described in (a) or (b) issued or held in the name of the Trustee in book-entry form on the books of the Department of Treasury of the United States of America), which obligations, in either case, are held in the name of a trustee and are not subject to redemption or purchase prior to maturity at the option of anyone other than the holder; (c) any bonds or other obligations of the State of North Carolina or of any agency, instrumentality or local governmental unit of the State of North Carolina which are (i) not callable prior to maturity or (ii) as to which irrevocable instructions have been given to the trustee or escrow agent with respect to such bonds or other obligations by the obligor to give due notice of redemption and to call such bonds for redemption on the date or dates specified, and which are rated by Moody's, if the Bonds are rated by Moody's, and S&P, if the Bonds are rated by S&P, within the highest rating category and which are secured as to principal, redemption premium, if any, and interest by a fund consisting only of cash or bonds or other obligations of the character described in clause (a) or (b) hereof which fund may be applied only to the payment of such principal of and interest and redemption premium, if any, on such bonds or other obligations on the maturity date or dates thereof or the specified redemption date or dates pursuant to such irrevocable instructions, as appropriate; or (d) direct evidences of ownership of proportionate interests in future interest and principal payments on specified obligations described in (a) held by a bank or trust company as custodian, under which the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor on the underlying obligations described in (a), and which underlying obligations are not available to satisfy any claim of the custodian or any person claiming through the custodian or to whom the custodian may be obligated.

*"Moody's"* means Moody's Investors Service, a corporation organized and existing under the laws of the State of Delaware, its successors and their assigns and, if such corporation for any reason no longer performs the functions of a securities rating agency, *"Moody's"* will be deemed to refer to any other nationally recognized rating agency other than S&P designated by the City.

*"Pricing Certificate"* means the certificate of the City's Chief Financial Officer delivered in connection with the issuance of the Bonds which establishes the final maturity amounts, the interest payment dates and the provisions for redemption for the Bonds.

"*Refunded Bonds*" means, collectively, the 2005A Bonds maturing on and after June 1, 2016 and the 2005B Bonds maturing on and after June 1, 2016.

"*S&P*" means Standard & Poor's Ratings Services, a Standard & Poor's Financial Services LLC business, its successors and their assigns and, if such corporation for any reason no longer performs the functions of a securities rating agency, "*S&P*" will be deemed to refer to any other nationally recognized rating agency other than Moody's designed by the City.

"*2005A Bonds*" means the City's \$53,890,000 General Obligation Bonds, Series 2005A, of which \$43,130,000 is currently outstanding.

"*2005B Bonds*" means the City's \$104,040,000 General Obligation Refunding Bonds, Series 2005B, of which \$63,095,000 is currently outstanding.

**Section 2.** The City shall issue its Bonds in an aggregate principal amount not to exceed \$99,500,000.

**Section 3.** The Bonds shall be dated as of their date of issuance. The Bonds shall pay interest semiannually on June 1 and December 1, beginning December 1, 2015, unless the Chief Financial Officer establishes different dates in his Pricing Certificate. The Bonds are being issued to refund the Refunded Bonds pursuant to and in accordance with the Bond Order.

**Section 4.** The Bonds are payable in installments on December 1 of each year, unless the Chief Financial Officer establishes different dates in his Pricing Certificate. The maturities of the Bonds will be as set forth in the Pricing Certificate.

**Section 5.** The Bonds are to be numbered from "R-1" consecutively and upward. All Bonds shall bear interest from their date at a rate or rates which will be hereafter determined on the sale thereof computed on the basis of a 360-day year of twelve 30-day months.

**Section 6.** The Bonds are to be registered as to principal and interest, and the Chief Financial Officer is directed to maintain the registration records with respect thereto. The Bonds shall bear the original or facsimile signatures of the Mayor, the Mayor Pro Tem or City Manager and the City Clerk. An original or facsimile of the seal of the City is to be imprinted on each of the Bonds.

**Section 7.** The Bonds will initially be issued by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity of the Bonds will be issued to The Depository Trust Company, New York, New York ("*DTC*"), and immobilized in its custody. A book-entry system will be employed, evidencing ownership of the Bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the Bonds will be payable to DTC or its nominee as registered owner of the Bonds in immediately available funds. The principal of and interest on the Bonds will be payable to owners of Bonds shown on the records of DTC at the close of business on the 15<sup>th</sup> day of the month preceding an interest payment date or a bond payment date. The City will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

If (1) DTC determines not to continue to act as securities depository for the Bonds or (2) the Chief Financial Officer determines that the continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the

City will discontinue the book-entry system with DTC. If the City fails to identify another qualified securities depository to replace DTC, the City will authenticate and deliver replacement Bonds in accordance with DTC's rules and procedures.

*Section 8.* If the Pricing Certificate designates a date for the Bonds on and after which the Bonds are subject to redemption, then such Bonds are subject to redemption before maturity, at the option of the City, from any money that may be made available for such purpose, either in whole or in part on any date on or after the date set forth in the Pricing Certificate, at the principal amount of the Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, with such redemption premium, if any, designated for the Bonds in the Pricing Certificate.

If the Bonds are subject to optional redemption and if less than all Bonds are called for redemption, the City shall select the maturity or maturities of the Bonds to be redeemed in such manner as the City in its discretion may determine, and DTC and its participants shall determine which such Bonds within a maturity are to be redeemed by lot; *provided, however,* that the portion of any Bond to be redeemed must be in principal amount of \$5,000 or integral multiples thereof and that, in selecting Bonds for redemption, each Bond is to be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. When the City elects to redeem any Bonds, notice of such redemption of such Bonds, stating the redemption date, redemption price and identifying the Bonds or portions thereof to be redeemed by reference to their numbers and further stating that on such redemption date there are due and payable on each Bond or portion thereof so to be redeemed, the principal thereof and interest accrued to the redemption date and that from and after such date interest thereon shall cease to accrue, is to be given not less than 30 days nor more than 60 days before the redemption date in writing to DTC or its nominee as the registered owner of such Bonds, by prepaid certified or registered United States mail (or by such other method permitted by DTC's rules and procedures), at the address provided to the City by DTC, but any failure or defect in respect of such mailing will not affect the validity of the redemption. If DTC is not the registered owner of such Bonds, the City will give notice at the time set forth above by prepaid first class United States mail, to the then-registered owners of such Bonds or portions thereof to be redeemed at the last address shown on the registration books kept by the City. The City will also mail or transmit electronically a copy of the notice of redemption within the time set forth above (1) to the Commission and (2) to the Municipal Securities Rule Making Board (the "MSRB") in a electronic format as prescribed by the MSRB.

If at the time of mailing of notice of redemption there is not on deposit money sufficient to redeem the Bonds called for redemption, such notice may state that it is conditional on the deposit of money for the redemption on the date of redemption as set forth in the notice. Any notice, once given, may be withdrawn by notice delivered in the same manner as the notice of redemption was given.

*Section 9.* The Bonds and the provisions for the registration of the Bonds and for the approval of the Bonds by the Secretary of the Commission are to be in substantially the form set forth in the Appendix A hereto.

*Section 10.* The City covenants that it will not take or permit, or omit to take or cause to be taken, any action that would adversely affect the exclusion from gross income of the recipient thereof for federal income tax purposes of the interest on the Bonds, and, if it should take or permit, or omit to take or cause to be taken, any such action, the City will take or cause to be taken all lawful actions within its power necessary to rescind or correct such actions or omissions promptly upon having knowledge thereof. The City acknowledges that the continued exclusion of interest on the Bonds from the owner's gross income for federal income tax purposes depends, in part, on compliance with the arbitrage limitations imposed by Section 148 of the Code. The City covenants that it will comply with all the requirements of Section 148 of the Code, including the rebate requirements, and that it will not permit at



any time any of the proceeds of the Bonds or other funds under its control be used, directly or indirectly, to acquire any asset or obligation, the acquisition of which would cause the Bonds to be "arbitrage bonds" for purposes of Section 148 of the Code. The Chief Financial Officer is hereby authorized to execute an Arbitrage and Tax Regulatory Agreement with respect to the Bonds.

**Section 11.** The Chief Financial Officer is hereby directed to create and establish a special fund to be designated "*City of Charlotte, North Carolina General Obligation Bonds, Series 2015 Cost of Issuance Fund*" (the "*Costs of Issuance Fund*"). From the proceeds of the Bonds, the State Treasurer will cause the amount set forth in the Pricing Certificate needed to redeem the Refunded Bonds to be transferred to DTC or its nominee, as registered owner of the Refunded Bonds, on June 1, 2015, or such other date as the Chief Financial Officer may determine, and transfer the balance of the proceeds from the sale of the Bonds to the Costs of Issuance Fund.

Proceeds on deposit in the Costs of Issuance Fund shall be used to pay the costs of issuance of the Bonds. Funds on deposit in the Costs of Issuance Fund shall be invested and reinvested by the Chief Financial Officer as permitted by the laws of the State of North Carolina. The Chief Financial Officer shall keep and maintain adequate records pertaining to each account and all disbursements from each account so as to satisfy the requirements of the laws of the State of North Carolina and assure that the City maintains its covenants with respect to the exclusion of the interest on the Bonds from gross income for purposes of federal income taxation. To the extent any funds remain in the Costs of Issuance Fund on November 30, 2015, the Chief Financial Officer shall apply the remaining proceeds of the Bonds to pay interest on the Bonds on December 1, 2015.

**Section 12.** Actions taken by officials of the City to select paying and transfer agents, and a bond registrar, or alternate or successor agents and registrars pursuant to Section 159E-8 of the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, are hereby authorized and approved.

**Section 13.** The Commission is hereby requested to sell the Bonds through a negotiated sale to the Underwriters pursuant to the terms of the Bond Purchase Agreement at a true interest cost not to exceed 3.50%. The form and content of the Bond Purchase Agreement are in all respects approved and confirmed, and the Mayor, the Mayor Pro Tem, the City Manager or the Chief Financial Officer of the City is hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Bond Purchase Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of the City Council's approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Bond Purchase Agreement, the Mayor, the Mayor Pro Tem, the City Manager and the Chief Financial Officer of the City are hereby authorized, empowered and directed, individually and collectively, to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Bond Purchase Agreement as executed.

**Section 14.** The Mayor, the Mayor Pro Tem, the City Manager, the Chief Financial Officer and the City Clerk are hereby authorized and directed, individually and collectively, (1) to cause the Bonds to be prepared and (2) when they have been duly sold by the Commission, (a) to execute the Bonds and (b) to turn the Bonds over to the registrar and transfer agent of the City for delivery through the facilities of DTC to the Underwriters.

**Section 15.** The form and content of the Official Statement are in all respects authorized, approved and confirmed, and the Chief Financial Officer is authorized, empowered and directed to deliver

the Official Statement in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as he may deem necessary, desirable or appropriate.

**Section 16.** The Mayor, the Mayor Pro Tem, the City Manager, the Chief Financial Officer and the City Clerk are authorized and directed, individually and collectively, to execute and deliver for and on behalf of the City any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the documents contemplated in this Resolution or as may be deemed necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

**Section 17.** The City agrees, in accordance with Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission (the "SEC") and for the benefit of the Registered Owners and beneficial owners of the Bonds, as follows:

(1) by not later than seven months after the end of each Fiscal Year to the MSRB in an electronic format as prescribed by the MSRB, the audited financial statements of the City for the preceding Fiscal Year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or if such audited financial statements are not then available, unaudited financial statements of the City for such Fiscal Year to be replaced subsequently by audited financial statements of the City to be delivered within 15 days after such audited financial statements become available for distribution;

(2) by not later than seven months after the end of each Fiscal Year to the MSRB, the financial and statistical data as of a date not earlier than the end of the preceding Fiscal Year for the type of information included under the captions "THE CITY--DEBT INFORMATION" and "--TAX INFORMATION" (excluding information on overlapping units) in each Official Statement referred to in Section 15;

(3) in a timely manner not in excess of 10 business days after the occurrence of the event, to the MSRB, notice of any of the following events with respect to the Bonds:

- (a) principal and interest payment delinquencies;
- (b) non-payment related defaults, if material;
- (c) unscheduled draws on the debt service reserves reflecting financial difficulties;
- (d) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (e) substitution of any credit or liquidity providers, or their failure to perform;
- (f) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;

- (g) modification of the rights of the beneficial owners of the Bonds, if material;
- (h) call of any of the Bonds, if material, and tender offers;
- (i) defeasance of any of the Bonds;
- (j) release, substitution or sale of any property securing repayment of the Bonds, if material;
- (k) rating changes;
- (l) bankruptcy, insolvency, receivership or similar event of the City;
- (m) the consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to such actions, other than pursuant to its terms, if material; and
- (n) appointment of a successor or additional trustee or the change of name of a trustee, if material; and

(4) in a timely manner to the MSRB, notice of the failure by the City to provide the required annual financial information described in (1) and (2) above on or before the date specified.

The City agrees that its undertaking under this Paragraph is intended to be for the benefit of the registered owners and the beneficial owners of the Bonds and is enforceable by any of the registered owners and the beneficial owners of the Bonds, including an action for specific performance of the City's obligations under this Paragraph, but a failure to comply will not be an event of default and will not result in acceleration of the payment of the Bonds. An action must be instituted, had and maintained in the manner provided in this Paragraph for the benefit of all of the registered owners and beneficial owners of the Bonds.

All documents provided to the MSRB as described in this Paragraph shall be provided in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB. The City may discharge its undertaking described above by providing such information in a manner the SEC subsequently authorizes in lieu of the manner described above.

The City may modify from time to time, consistent with the Rule, the information provided or the format of the presentation of such information, to the extent necessary or appropriate in the judgment of the City, but:

(1) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law or change in the identity, nature or status of the City;

(2) the information to be provided, as modified, would have complied with the requirements of the Rule as of the date of each Official Statement, after taking into

account any amendments or interpretations of the Rule as well as any changes in circumstances;

(3) with respect to the Bonds, any such modification does not materially impair the interest of the registered owners or the beneficial owners of the Bonds, as determined by nationally recognized bond counsel or by the approving vote of the registered owners of a majority in principal amount of the Bonds.

Any annual financial information containing modified operating data or financial information will explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Paragraph terminate on payment, or provision having been made for payment in a manner consistent with the Rule, in full of the principal of and interest on the Bonds.

*Section 18.* Those portions of this Resolution other than Section 17 may be amended or supplemented, from time to time, without the consent of the owners of the Bonds if in the opinion of nationally recognized bond counsel, such amendment or supplement would not adversely affect the interests of the owners of such Bonds and would not cause the interest on the Bonds to be included in the gross income of a recipient thereof for federal income tax purposes. This Resolution may be amended or supplemented with the consent of the owners of a majority in aggregate principal amount of the Bonds then outstanding, exclusive of such Bonds, if any, owned by the City, but a modification or amendment (1) may not, without the express consent of any owner of Bonds, reduce the principal amount of any such Bond, reduce the interest rate payable on it, extend its maturity or the times for paying interest, change the monetary medium in which principal and interest is payable, or reduce the percentage of consent required for amendment or modification and (2) as to an amendment to Section 17, must be limited as described therein.

Any act done pursuant to a modification or amendment consented to by the owners of the Bonds is binding on all owners of such Bonds and will not be deemed an infringement of any of the provisions of this Resolution, whatever the character of the act may be, and may be done and performed as fully and freely as if expressly permitted by the terms of this Resolution, and after consent has been given, no owner of such Bond has any right or interest to object to the action, to question its propriety or to enjoin or restrain the City from taking any action pursuant to a modification or amendment.

If the City proposes an amendment or supplemental resolution to this Resolution requiring the consent of the owners of the Bonds, the Registrar shall, on being satisfactorily indemnified with respect to expenses, cause notice of the proposed amendment to be sent to each owner of such Bonds then outstanding by first-class mail, postage prepaid, to the address of such owner as it appears on the registration books; but the failure to receive such notice by mailing by any owner, or any defect in the mailing thereof, will not affect the validity of any proceedings pursuant hereto. Such notice shall briefly set forth the nature of the proposed amendment and shall state that copies thereof are on file at the principal office of the Registrar for inspection by all owners of such Bonds. If, within 60 days or such longer period as shall be prescribed by the City following the giving of such notice, the owners of a majority in aggregate principal amount of such Bonds then outstanding have consented to the proposed amendment, the amendment will be effective as of the date stated in the notice.

*Section 19.* Nothing in this Resolution precludes (a) the payment of the Bonds from the proceeds of refunding bonds or (b) the payment of the Bonds from any legally available funds.

If the City causes to be paid, or has made provisions to pay, on maturity or on redemption before maturity, to the owners of the Bonds the principal of such Bonds (including interest to become due thereon) and, premium, if any, on such Bonds, through setting aside trust funds or setting apart in a reserve fund or special trust account created pursuant to this Resolution or otherwise, or through the irrevocable segregation for that purpose in some sinking fund or other fund or trust account with an escrow agent or otherwise, moneys sufficient therefor, including, but not limited to, interest earned or to be earned on Federal Securities, the City shall so notify each rating agency then rating the Bonds, and then such Bonds shall be considered to have been discharged and satisfied, and the principal of such Bonds (including premium, if any, and interest thereon) shall no longer be deemed to be outstanding and unpaid; *provided, however*, that nothing in this Resolution requires the deposit of more than such Federal Securities as may be sufficient, taking into account both the principal amount of such Federal Securities and the interest to become due thereon, to implement any such defeasance.

If such a defeasance occurs and after the City receives an opinion of a nationally recognized verification agent that the segregated moneys or Federal Securities together with interest earnings thereon are sufficient to effect a defeasance with respect to such Bonds, the City shall execute and deliver all such instruments as may be necessary to effect such a defeasance and desirable to evidence such release, discharge and satisfaction. Provisions shall be made by the City, for the mailing of a notice to the owners of such Bonds that such moneys are so available for such payment.

**Section 20.** The City hereby repeals the portion of the Bond Order Authorizing the Issuance of Not to Exceed \$115,000,000 General Obligation Refunding Bonds of the City of Charlotte, North Carolina adopted by the City Council on July 22, 2013 and effective on the adoption thereof with respect to any general obligation refunding bonds authorized but unissued under such bond order.

**Section 21.** All acts and doings of the Mayor, the Mayor Pro Tem, the City Manager, the Chief Financial Officer and the City Clerk that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the Bonds and the execution, delivery and performance of the Bond Purchase Agreement are in all respects approved and confirmed.

**Section 22.** If any one or more of the agreements or provisions herein contained is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or for any reason whatsoever is held invalid, then such covenants, agreements or provisions are null and void and separable from the remaining agreements and provisions and will in no way affect the validity of any of the other agreements and provisions hereof or of the Bonds authorized hereunder.

**Section 23.** All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

**Section 24.** This Bond Resolution is effective on its adoption.  
Mayfield/

On motion of Commissioner Howard, the foregoing resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA PROVIDING FOR THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION REFUNDING BONDS" was duly adopted by the following vote:

AYES: Unanimous- Councilmembers Austin, Autry, Barnes, Driggs, Fallon  
Howard, Kinsey, Lyles, Mayfield, Phipps and Smith

NAYS: None.

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

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of a Resolution entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA PROVIDING FOR THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION REFUNDING BONDS" adopted by the City Council of the City of Charlotte, North Carolina, at a meeting held on the 13th day of April, 2015.  
as referenced in Resolution Book 46, Pages 601-610.

**WITNESS** my hand and the seal of the City of Charlotte, North Carolina, this the 13th day of April, 2015.



Emily A. Kunze  
Deputy City Clerk  
City of Charlotte, North Carolina

April 13, 2015

Resolution Book 46, Page 611

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF  
CHARLOTTE, NORTH CAROLINA ON APRIL 13, 2015**

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

**WHEREAS**, The resolution allows the City to reimburse the developer for public improvements to Steele Creek Road that are not a requirement of the development; and

**WHEREAS**, The public improvements consist of an additional travel lane and bike lane on Steele Creek Road between South Tryon and Walker Branch Drive. These improvements help build out Charlotte's planned transportation system at a lower cost than retrofitting the same improvements later; and

**WHEREAS**, The agreement is consistent with the Charlotte Department of Transportation's Widening Strip Program, which allows for financial reimbursements of up to \$175,000 for improvements to thoroughfares; and

**WHEREAS**, The reimbursement agreement allows the City to reimburse CK Rivergate Expansion, LLC \$175,000; and

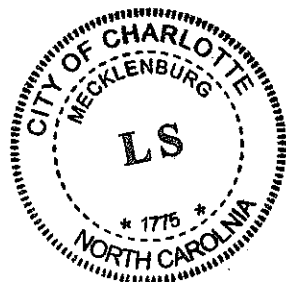
**WHEREAS, WHEREAS**, The reimbursement agreement is consistent with past developer reimbursement agreements.

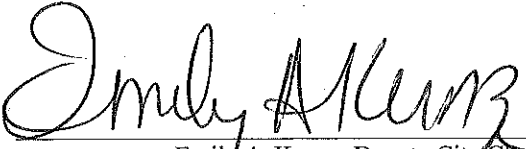
**NOW, THEREFORE, BE IT RESOLVED** that this resolution authorizes the City Manager to execute an Infrastructure Reimbursement Agreement with CK Rivergate Expansion, LLC for the addition of a travel lane and bike lanes on Steele Creek Road (NC160) between South Tryon Street (NC49) and Walker Branch Drive.

**CERTIFICATION**

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13<sup>th</sup> day of April, 2015, the reference having been made in Minute Book 138, and recorded in full in Ordinance Book 59, Page(s) 611.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 13<sup>th</sup> day of April, 2015.



  
Emily A. Kunze, Deputy City Clerk

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

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

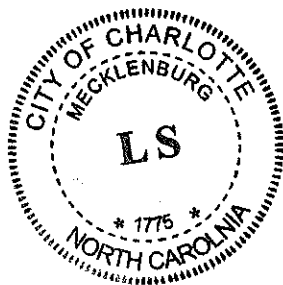
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

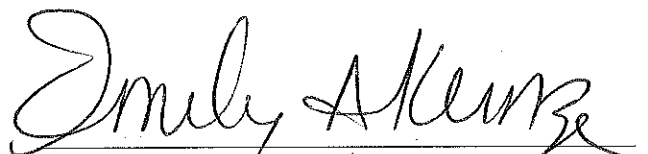
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 13th day of April 2015 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

**CERTIFICATION**

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of April, 2015 the reference having been made in Minute Book 138 and recorded in full in Resolution Book 46, Page(s) 612-613.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 13th day of April, 2015.



  
Emily A. Kunze, Deputy City Clerk



**Business Privilege License Tax Refund Requests**

COUNTRY CLUB APARTMENTS	\$	1,904.40
HANOVER LANDING		718.97
INNOVATIVE CRAFTMAN		62.50
JR FRAMING CONSTRUCTION INC		25.00
STEPHEN GOULD CORPORATION		900.44
THE HIGHLANDS APARTMENTS		825.64
WINGATE APARTMENTS		1,011.35
	<b>\$</b>	<b><u>5,448.30</u></b>

**RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE an alleyway off of N. Dotger Avenue the City of Charlotte, Mecklenburg County, North Carolina**

Whereas, **JLS HOLDINGS, LLC, a Virginia limited liability company doing business in the Stat of North Carolina** has filed a petition to close an alleyway off of N. Dotger Avenue in the City of Charlotte; and

Whereas, an alleyway off of N. Dotger Avenue begins on the northwestern most side of N. Dotger Avenue between a property known as 115 N. Dotger Avenue, currently or formerly owned by Ms. Julie C. Spahn (D.B. 29113, Pg. 765), and 2445 Randolph Road, currently or formerly owned by JLS Holdings, LLC (D.B. 28637, Pg. 276), continuing approximately 390 feet in a northwestward direction to its terminus at a property that is part of the Laurel Ridge Condominiums, and consisting of 3,930 square feet, as shown in the map marked "Exhibit A-1, Page 1 & Page 2" 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, City Hall, Charlotte, North Carolina; and

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

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of April 13, 2015, that it intends to close an alleyway off of N. Dotger Avenue and that the said street (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held at 7:00pm on Monday, the 11<sup>th</sup> day of May, 2015, in CMGC meeting chamber, 600 East 4<sup>th</sup> Street, Charlotte, North Carolina.

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

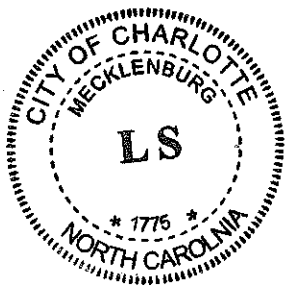
April 13, 2015

Resolution Book 46, Page 615

**CERTIFICATION**

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of April, 2015 the reference having been made in Minute Book 138 and recorded in full in Resolution Book 46, Page(s) 614-618.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 13th day of April, 2015.



  
Emily A. Kunze, Deputy City Clerk

April 13, 2015

Resolution Book 46, Page 616

PROPERTY DESCRIPTION

BEING all that certain tract or parcel of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being known as a portion of a 10-foot alleyway as shown on a plat recorded in Map Book 230 Page 67 Mecklenburg County Registry, and more particularly described as follows:

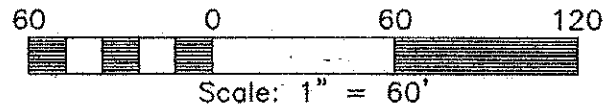
COMMENCING at a 1/2" rebar found on the southwesterly right of way margin of Vail Avenue (a 50-foot public right-of-way per Map Book 230 Page 67) at the northeast corner of Lot 12, Block 2, College Heights, as shown on a plat recorded in Map Book 230 Page 67, said rebar having North Carolina grid coordinates of North = 534,069.70' and East = 1,457,428.64', as based on the 2010.0000 Epoch of the North American Horizontal Datum of 1983, said datum having a combined grid conversion factor of 0.999844719 from the ground distances cited herein, and running thence the following three tie-lines; (1) along the southern line of Lot 12, Block 2 College Heights, South 52-40-39 West 100.34 feet to an iron pipe found; (2) South 52-29-29 West 50.06 feet to an iron pipe found at the southernmost corner of Lot 12, Block 2, also being the northwest corner of Julie C. Spahn property as described in a deed recorded in Book 29113 Page 765; thence with the westerly line of Spahn, South 37-30-34 East 86.84 feet to a P.K. Nail set on the northwestern right of way margin of North Dotger Avenue (a 40' public right-of-way per Map Book 230 Page 67), said P.K. nail being the TRUE POINT AND PLACE OF BEGINNING; thence from said BEGINNING POINT, along the northwestern right-of-way margin of North Dotger Avenue, South 30-12-38 West 10.97 feet to an iron pipe found, the northeast corner of Lot 1, Block 2, College Heights; thence leaving North Dotger Avenue and running with the easterly lines of Lots 1, 2, 3, 4, 5, 6 and 7, Block 2 College Heights, the following five (5) courses and distances: (1) North 36-55-12 West 31.29 feet to an iron pipe found; (2) North 37-25-33 West 60.03 feet to an iron pipe found; (3) North 37-17-29 West 119.79 feet to an iron rebar found; (4) North 37-26-14 West 60.07 feet to an iron rebar found; (5) North 37-21-24 West 120.01 feet to an iron rebar found at the northeast corner of Lot 7, Block 2 College Heights, said rebar also being in the southerly line of Laurel Ridge Condominium as shown in Condominium Unit Ownership File No. 857 Pg. 01; thence with the southerly line of Laurel Ridge Condominium, North 54-35-37 East 10.13 feet to an iron rebar found at the northwest corner of Lot 16, Block 2 College Heights; thence with the westerly lines of Lots 16, 15, 14, 13 and 12, the following five courses and distances: (1) South 37-28-42 East 59.86 feet to an iron pipe found; (2) South 37-24-32 East 59.59 feet to an iron rebar found; (3) South 37-13-00 East 60.18 feet to an iron pipe found; (4) South 37-34-05 East 60.33 feet to an iron pipe found and (5) South 36-41-38 East 59.85 feet to an iron pipe found at the northwest corner of Julie C. Spahn property as described above; thence with the westerly line of Spahn, South 37-30-34 East 86.84 feet to the BEGINNING, containing 3,930 square feet, more or less.

*A.G.Z.*  
3/27/15



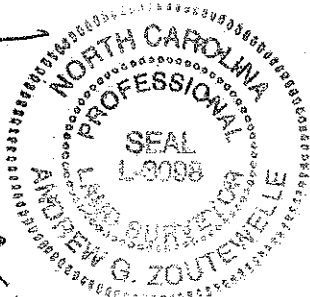
EXHIBIT B

ALLEY ABANDONMENT EXHIBIT  
**College Heights, Block 2**  
CHARLOTTE, MECKLENBURG COUNTY, N.C.  
for JLS HOLDINGS OF NC, LLC  
DATE: OCTOBER 20, 2014

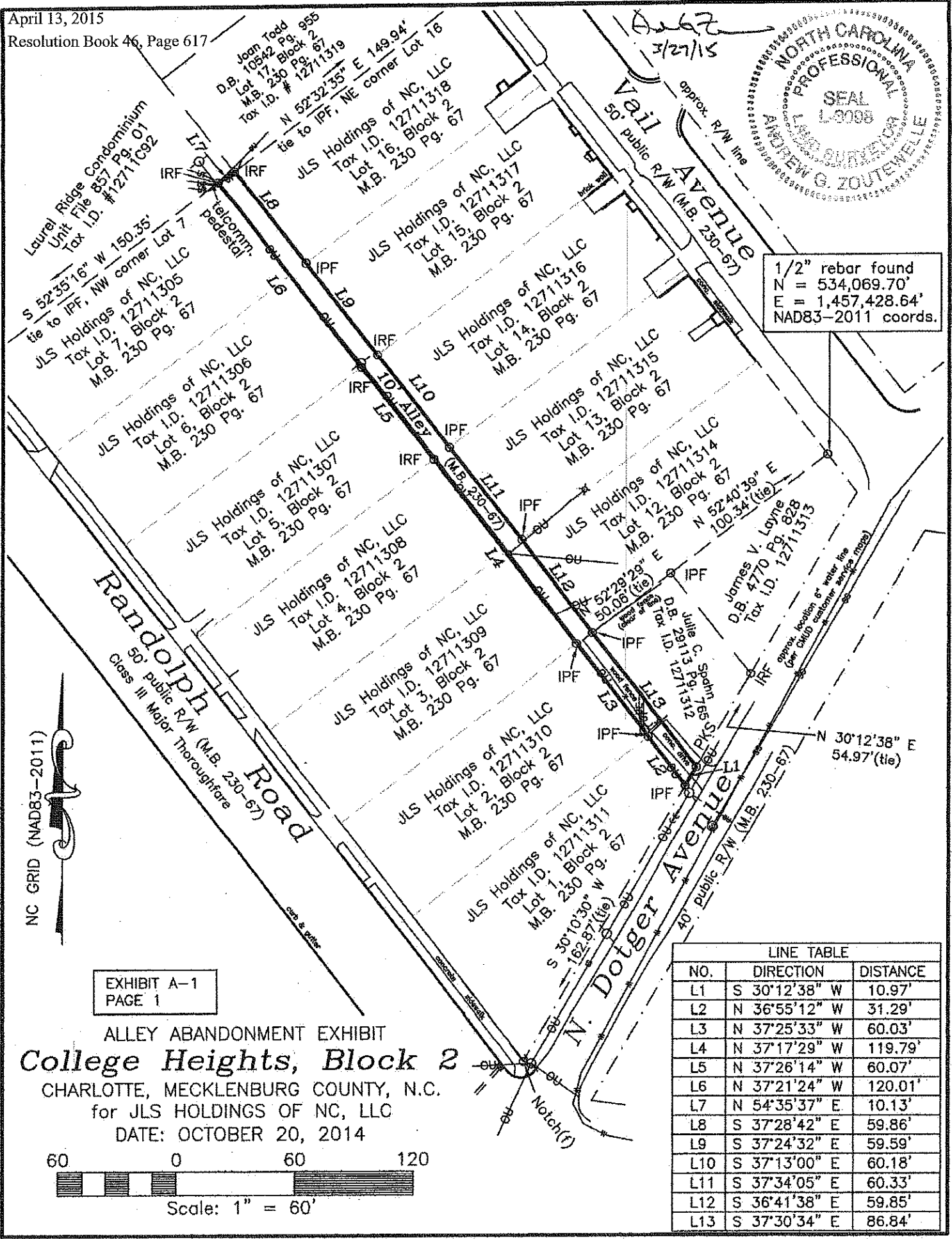


GPS METADATA  
Class of Survey: A  
Type of GPS field procedure: RTK/GNSS  
Date of Survey: 09-10-2014  
Point positional accuracy at 95% confidence:  
Horizontal - 0.06'; Vertical - 0.1'  
Datum and Epoch: NAD83-2011 (Epoch 2010.0000)  
Designation of fixed control stations: NCGS CORS  
Geoid model used: GEOID\_12A  
Combined Grid Factor: 0.999844719  
All distances shown hereon are horizontal ground distances.

**A.G. ZOUTEWELLE**  
**SURVEYORS**  
1418 East Fifth St. Charlotte, NC 28204  
Phone: 704-372-9444 Fax: 704-372-9555  
Firm Licensure Number C-1054



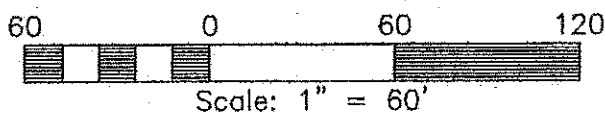
*2067*  
*3/22/15*



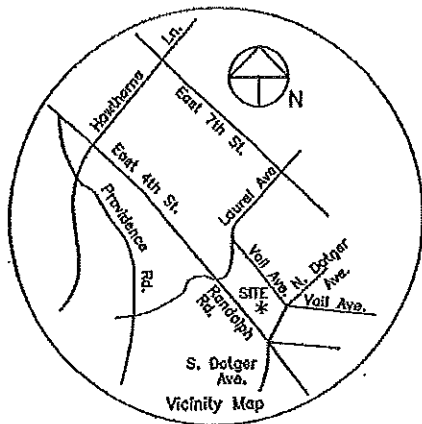
1/2" rebar found  
 N = 534,069.70'  
 E = 1,457,428.64'  
 NAD83-2011 coords.

EXHIBIT A-1  
 PAGE 1

ALLEY ABANDONMENT EXHIBIT  
**College Heights, Block 2**  
 CHARLOTTE, MECKLENBURG COUNTY, N.C.  
 for JLS HOLDINGS OF NC, LLC  
 DATE: OCTOBER 20, 2014



LINE TABLE		
NO.	DIRECTION	DISTANCE
L1	S 30°12'38" W	10.97'
L2	N 36°55'12" W	31.29'
L3	N 37°25'33" W	60.03'
L4	N 37°17'29" W	119.79'
L5	N 37°26'14" W	60.07'
L6	N 37°21'24" W	120.01'
L7	N 54°35'37" E	10.13'
L8	S 37°28'42" E	59.86'
L9	S 37°24'32" E	59.59'
L10	S 37°13'00" E	60.18'
L11	S 37°34'05" E	60.33'
L12	S 36°41'38" E	59.85'
L13	S 37°30'34" E	86.84'



I hereby certify to only JLS HOLDINGS OF NC, LLC;

that this survey is based upon my best knowledge, information and belief; that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in deed and map books as noted); that the boundaries not surveyed are indicated as dashed lines drawn from adjoining deed sources as shown hereon; that the ratio of precision or positional accuracy is 1:15,000 ; that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600). This map is not intended to meet G.S. 47-30 recording requirements.

This 27<sup>th</sup> day of March, 2015.

*Andrew G. Zoutewelle*

Andrew G. Zoutewelle  
Professional Land Surveyor  
NC License No. L-3098



April 13, 2015  
Resolution Book 46, Page 618

**GENERAL NOTES**

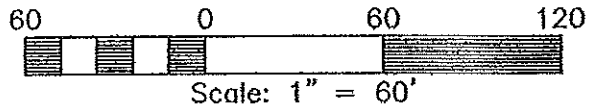
- 1.) The alleyway to be abandoned is shown on a plat recorded in Map Book 230 Page 67 Mecklenburg County Registry.
- 2.) Utilities shown hereon have been located based on CMUD Customer Service maps, markings provided by the NC ONE-CALL Utility Locating Service, and surface observations. There may be other utilities that exist. See caution note.
- 3.) The total area of the alleyway is 3,930 square feet, more or less, by coordinate computation.
- 4.) Improvements and utilities outside of the alleyway were located on prior surveys by this firm and are shown for context only.
- 5.) Zoning boundary lines are not shown hereon.
- 6.) Easement in favor of Duke Energy, AT&T and all other owners of existing underground utilities and telecommunication facilities upon, under and across the entire property described above for access to and for the installation, maintenance, replacement and repair of conduit, cable, wires, and/or related equipment.

**LEGEND**

- IRF iron pin found
- IPF iron pipe found
- PKF P.K. Nail found
- conc. concrete
- ⊗ light pole
- o- utility pole
- ← guy anchor
- UT- underground telecomm. line
- UE- underground electric line
- OU- overhead utility lines

EXHIBIT A-1  
PAGE 2

ALLEY ABANDONMENT EXHIBIT  
**College Heights, Block 2**  
CHARLOTTE, MECKLENBURG COUNTY, N.C.  
for JLS HOLDINGS OF NC, LLC  
DATE: OCTOBER 20, 2014



\*\*\* CAUTION \*\*\*  
THERE MAY BE UTILITIES OTHER THAN THOSE SHOWN. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN HEREON. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THEIR LOCATIONS.

CALL BEFORE YOU DIG  
1-800-632-4949

**A.G. ZOUTEWELLE**  
**SURVEYORS**  
1418 East Fifth St. Charlotte, NC 28204  
Phone: 704-372-9444 Fax: 704-372-9555  
Firm Licensure Number C-1054

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 **BLUE LINE EXTENSION PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **BLUE LINE EXTENSION PROJECT** and estimated to be **2,272 square feet (.052 acre) of 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.: 083-031-03, said property currently owned by **RM 36<sup>th</sup> STREET INVESTORS LLC; BANK OF AMERICA, N. A., Beneficiary; WACHOVIA BANK, NATIONAL ASSOCIATION, Beneficiary, KAREN VALARIE RUSAK, Beneficiary; MECKLENBURG COUNTY TAX COLLECTOR**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

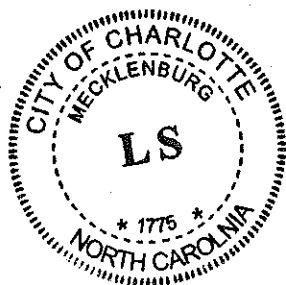
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of April, 2015 the reference having been made in Minute Book 138 and recorded in full in Resolution Book 46, Page(s)619.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 13th day of April, 2015.



  
Emily A. Kunze, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **FIRE STATION #13 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 **FIRE STATION #13 PROJECT** and estimated to be **23,827 square feet (.547 acre) of fee-simple area** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 063-032-12, said property currently owned by **JOHN B. CRIDER, Initial Trustee of John B. Crider RLT dated December 15, 2011; UNITED STATES OF AMERICA, INTERNAL REVENUE DIVISION, Judgment Creditor**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

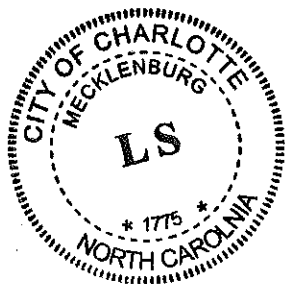
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of April, 2015 the reference having been made in Minute Book 138 and recorded in full in Resolution Book 46, Page(s) 620.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 13th day of April, 2015.



*Emily A. Kunze*  
Emily A. Kunze, Deputy City Clerk



April 13, 2015

Resolution Book 46, Page 621

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 **BRIAR CREEK RELIEF SEWER-PH. III 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 **BRIAR CREEK RELIEF SEWER-PH. III PROJECT** and estimated to be **1,393 square feet (.032 acre) of sanitary sewer easement and 2,531 square feet (.058 acre) of 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.: 099-081-28, said property currently owned by **UNKNOWN HEIRS OF ZOILA ROBINSON (a/k/a "Zoila Lalula Robinson")**; **NATIONAL CITY MORTGAGE CO., Lender**; **THE WINDOW PROS, Lender**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

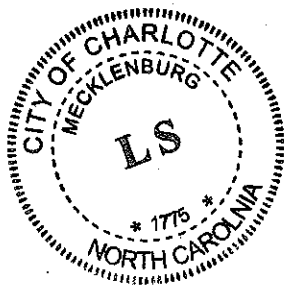
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of April, 2015 the reference having been made in Minute Book 138 and recorded in full in Resolution Book 46, Page(s) 621.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 13th day of April, 2015.



  
Emily A. Kunze, Deputy City Clerk

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **BRIAR CREEK RELIEF SEWER-PH. III 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 **BRIAR CREEK RELIEF SEWER-PH. III PROJECT** and estimated to be **1,952 square feet (.045 acre) of sanitary sewer easement and 3,369 square feet (.077 acre) of 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.: 097-075-25, said property currently owned by **ANITA A. LYNCH and spouse, if any; CHARLOTTE-MECKLENBURG HOUSING PARTNERSHIP, INC., Beneficiary**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

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

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

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of April, 2015 the reference having been made in Minute Book 138 and recorded in full in Resolution Book 46, Page(s) 622.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 13th day of April, 2015.



*Emily A. Kunze*  
Emily A. Kunze, Deputy City Clerk