

BOND ORDER

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$530,000,000 WATER AND SEWER SYSTEM REFUNDING REVENUE BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA; AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH CERTAIN FINDINGS AND THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS

WHEREAS, the City of Charlotte, North Carolina (the "City") is authorized by the State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 et seq. (the "Act"), to issue, subject to the approval of the Local Government Commission of North Carolina, at one time or from time to time, revenue and revenue refunding bonds of the City for the purposes as specified in the Act;

WHEREAS, the City has determined to issue Water and Sewer System Refunding Revenue Bonds, Series 2015 of the City (the "2015 Bonds") in a principal amount not to exceed \$350,000,000 for the following purposes:

(1) to refund all or a portion of the following bonds (collectively, the "Refunded Bonds"): (a) the City's Variable Rate Water and Sewer System Revenue Bonds, Series 2002B (the "2002B Bonds"); (b) the City's Variable Rate Water and Sewer System Refunding Revenue Bonds, Series 2002C (the "2002C Bonds"); (c) the City's Water and Sewer System Refunding Revenue Bonds, Series 2005A maturing on and after December 1, 2015; and (d) the City's Water and Sewer System Revenue Bonds, Series 2006A maturing on and after July 1, 2017 (the "Refunded 2006A Bonds");

(2) to pay all or a portion of the costs incurred in connection with the termination of the City's interest rate swap agreements between the City and Bank of America, N.A. related to the 2002B Bonds and the 2002C Bonds (collectively, the "2002 Swaps"); and

(3) to pay the corresponding costs of issuing the 2015 Bonds;

WHEREAS, the City has determined to issue the 2015 Bonds in an additional principal amount not to exceed \$180,000,000 for the following purposes:

(1) to prepay in full the City's Water and Sewer System Revenue Bond Anticipation Note, Series 2014 (the "2014 Note"); and

(2) to pay the corresponding costs of issuing the 2015 Bonds;

WHEREAS, the City has determined to issue the 2015 Bonds with a fixed rate of interest;

WHEREAS, the City will issue the 2015 Bonds under a General Trust Indenture dated as of May 15, 2000 between the City and First Union National Bank, the successor to which is U.S. Bank National Association, as trustee (the "Trustee"), and Series Indenture, Number 15 dated as of August 1, 2015 (the "Series Indenture," and together with the General Indenture, the "Indenture") between the City and the Trustee;

WHEREAS, the City and the Local Government Commission of North Carolina (the "*Commission*") have arranged for the sale of the 2015 Bonds to Wells Fargo Bank, National Association, on its own behalf and on behalf of Merrill Lynch, Pierce, Fenner & Smith Incorporated, PNC Capital Markets LLC and J. P. Morgan Securities LLC (collectively, the "*Underwriters*"), under the terms of a Bond Purchase Agreement (the "*Purchase Agreement*") among the City, the Commission and the Underwriters, pursuant to which the City and the Commission will sell the 2015 Bonds to the Underwriters in accordance with the terms and conditions set forth therein;

WHEREAS, in connection with the issuance of the 2015 Bonds and the refunding of the 2002B Bonds and the 2002C Bonds, the City will terminate the 2002 Swaps;

WHEREAS, in addition to retaining the Underwriters for the sale of the 2015 Bonds, the City Council wants to (1) retain Parker Poe Adams & Bernstein LLP, as bond counsel; (2) approve the selection by the Underwriters of McGuireWoods LLP, as underwriters' counsel; (3) retain DEC Associates, Inc., as financial advisor; (4) retain Waters and Company, LLC, as financial consultant; and (5) retain U.S. Bank National Association, as trustee for the 2015 Bonds (collectively, the "*Financing Team*");

WHEREAS, the City Council wants the Chief Financial Officer (1) to file with the Commission an application for its approval of the 2015 Bonds, on a form prescribed by the Commission, requesting in such application that the Commission approve (a) the negotiation of the sale of the 2015 Bonds to the Underwriters, (b) the City's use of the Financing Team in connection with the issuance of the 2015 Bonds and (c) the termination of the 2002 Swaps, and stating in such application such facts and to attach thereto such exhibits in regard to the 2015 Bonds and to the City and its financial condition as may be required by the Commission; and (2) to take all other action necessary for the issuance of the 2015 Bonds;

WHEREAS, copies of the forms of the following documents relating to the transactions described above have been filed with the City:

- (1) the Series Indenture;
- (2) the Purchase Agreement;
- (3) an Escrow Agreement dated as of August 1, 2015 (the "*Escrow Agreement*") between the City and U.S. Bank National Association, as escrow agent, related to the Refunded 2006A Bonds; and
- (4) a Preliminary Official Statement (the "*Preliminary Official Statement*") with respect to the 2015 Bonds.

NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA:

Section 1. The 2015 Bonds are hereby authorized and will be issued pursuant to the Act to raise the money required, in addition to any funds which may be made available for such purpose from any other source, to (a) refund the Refunded Bonds, (b) prepay in full the Note, (c) pay all or a portion of the costs incurred in connection with the termination of the 2002 Swaps and (d) pay the costs of issuing the 2015 Bonds, all as set out fully in the documents attached to the City's application to the Commission. The use of the proceeds of the 2015 Bonds, as described, is necessary in order to achieve debt service savings for the City and to reduce the risks to the City related to the 2002 Swaps.

Section 2. The Financing Team is hereby approved in connection with the issuance by the City of the 2015 Bonds. The City Manager and the Chief Financial Officer are hereby authorized to retain other such professionals as may be necessary and prudent to carry out the purposes and intent of this Resolution.

Section 3. The Chief Financial Officer, with advice from the City Attorney and bond counsel, is hereby authorized and designated to file an application with the Commission for its approval of the issuance of the 2015 Bonds.

Section 4. The City Council finds and determines, and asks the Commission to find and determine from the City's application and supporting documentation, as follows:

- (a) the issuance of the 2015 Bonds is necessary or expedient;
- (b) the not to exceed stated principal amount of the 2015 Bonds will be sufficient, but is not excessive, when added to other moneys available to the Water and Sewer System to refund the Refunded Bonds and to prepay the 2014 Note;
- (c) the Water and Sewer System, as now constituted and after the completion of the refunding of the Refunded Bonds and the prepayment of the 2014 Note, is feasible;
- (d) the City's debt management procedure and policies are excellent; and
- (e) the 2015 Bonds can be marketed at a reasonable interest cost to the City.

Section 5. The aggregate principal amount of the 2015 Bonds authorized by this order will not exceed \$530,000,000. The 2015 Bonds hereby authorized will be special obligations of the City, secured by and paid solely from the proceeds thereof or from Net Revenues (as defined in the General Indenture).

Section 6. The City's issuance of the 2015 Bonds, in substantially the form to be set forth in the Series Indenture, is hereby in all respects approved and confirmed, and the provisions of the General Indenture and the Series Indenture with respect to the 2015 Bonds are hereby approved and confirmed and are incorporated herein by reference. The proceeds from the sale of the 2015 Bonds will be deposited in accordance with the Series Indenture.

The principal of, premium, if any, and interest on the 2015 Bonds will not be payable from the general funds of the City, nor will the 2015 Bonds constitute a legal or equitable pledge, charge, lien or encumbrance on any of the City's property or on any of its income, receipts or revenues except the funds which are pledged under the Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City is pledged for the payment of the principal of, premium, if any, or interest on the 2015 Bonds, and no holder of the 2015 Bonds has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

Section 7. The form and content of the Series Indenture and the Escrow Agreement, including the exhibits thereto, are hereby in all respects approved and confirmed, and the Mayor, the City Manager, the Deputy City Manager, the Chief Financial Officer and City Clerk or Deputy City Clerk of the City (collectively, the "Authorized Officers") are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Series Indenture and the Escrow Agreement for

and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Series Indenture and the Escrow Agreement, the Authorized Officers, or their respective designees, 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 Series Indenture and the Escrow Agreement as executed. The Trustee is hereby appointed as Registrar and Paying Agent under the Series Indenture.

Section 8. The City Council requests that the Commission sell the 2015 Bonds through negotiation to the Underwriters pursuant to the terms of the Purchase Agreement at a true interest cost not to exceed 5.00%. The form and content of the Purchase Agreement are in all respects approved and confirmed, and the Authorized Officers are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Purchase Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Purchase Agreement, the Authorized Officers, or their respective designees, 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 Purchase Agreement as executed.

Section 9. The City Manager and the Chief Financial Officer of the City, or their respective designees, are hereby directed, individually and collectively, to evaluate, pursue and negotiate the termination of the 2002 Swaps. The Authorized Officers, or their respective designees, are hereby authorized, empowered and directed, individually and collectively, to do all such acts and things and to execute and deliver any agreements and other documentation necessary to achieve the termination of the 2002 Swaps either before, after or in connection with the issuance of the 2015 Bonds.

Section 10. The form and content of the Preliminary Official Statement are in all respects authorized, approved and confirmed, and the use of the Preliminary Official Statement and the final Official Statement (the "*Official Statement*") by the Underwriters in connection with the sale of the 2015 Bonds is hereby in all respects authorized, approved and confirmed.

Section 11. The City Manager or Chief Financial Officer of the City is hereby authorized to execute a no-arbitrage certificate to comply with Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder.

Section 12. If any one or more of the covenants, agreements or provisions contained in this Bond Order 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 is for any reason whatsoever held invalid, then such covenants, agreements or provisions will be null and void and will be deemed separable from the remaining agreements and provisions and will in no way affect the validity of any of the other agreements and provisions of this Bond Order or of the 2015 Bonds authorized hereunder.

Section 13. No stipulation, obligation or agreement contained in this Bond Order or contained in the 2015 Bonds, the General Indenture, the Series Indenture, the Escrow Agreement, the Purchase Agreement or any other instrument related to the issuance of the 2015 Bonds is a stipulation, obligation or agreement of any officer, agent or employee of the City in his or her individual capacity, and

no such officer, agent or employee is personally liable on the 2015 Bonds or subject to personal liability or accountability by reason of the issuance thereof.

Section 14. The Authorized Officers, or their respective designees, are hereby authorized, empowered and directed, individually and collectively, to do any and all other acts and to execute any and all other documents which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by this Bond Order, the General Indenture, the Series Indenture, the Escrow Agreement or the Purchase Agreement; except that none of the above is hereby authorized or empowered to do anything or execute any document which is in contravention, in any way, of (a) the specific provisions of this Bond Order, (b) the specific provisions of the General Indenture or the Series Indenture, (c) any agreement to which the City is bound, (d) any rule or regulation of the City or (e) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

Section 15. The Authorized Officers, or their respective designees, are hereby authorized and directed, individually and collectively, to prepare and furnish, when the 2015 Bonds are issued, certified copies of all the proceedings and records of the City Council relating to the 2015 Bonds, and such other affidavits, certificates and documents as may be required to show the facts relating to the legality and marketability of the 2015 Bonds as such facts appear on the books and records in such party's custody and control or as otherwise known to them; and all such certified copies, certificates, affidavits and documents, including any heretofore furnished, constitute representations of the City as to the truth of all statements contained therein.

Section 16. All acts and doings of the Authorized Officers, or their respective designees, that are in conformity with the purposes and intent of this Bond Order and in the furtherance of the issuance of the 2015 Bonds and the execution, delivery and performance of the Series Indenture, the Escrow Agreement and the Purchase Agreement, the termination of the 2002 Swaps and the application to the Commission related thereto are hereby in all respects approved and confirmed.

Section 17. 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 18. This Bond Order will take effect immediately on its adoption and, pursuant to Section 159-88 of the General Statutes of North Carolina, as amended, need not be published or subjected to any procedural requirements governing the adoption of ordinances or resolutions by the City Council other than the procedures set out in the Act.

Upon motion of Councilmember Phipps, seconded by Councilmember Austin, the foregoing order titled "AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$530,000,000 WATER AND SEWER SYSTEM REFUNDING REVENUE BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA; AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH CERTAIN FINDINGS AND THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS" was adopted by the following vote:

AYES: Councilmembers Austin, Barnes, Driggs, Fallon, Howard, Lyles, Mayfield, Phipps and Smith

NAYS:

Absent: Councilmembers Autry and Kinsey

BOND ORDER

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$530,000,000 WATER AND SEWER SYSTEM REFUNDING REVENUE BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA; AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH CERTAIN FINDINGS AND THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS

WHEREAS, the City of Charlotte, North Carolina (the "City") is authorized by the State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 et seq. (the "Act"), to issue, subject to the approval of the Local Government Commission of North Carolina, at one time or from time to time, revenue and revenue refunding bonds of the City for the purposes as specified in the Act;

WHEREAS, the City has determined to issue Water and Sewer System Refunding Revenue Bonds, Series 2015 of the City (the "2015 Bonds") in a principal amount not to exceed \$350,000,000 for the following purposes:

(1) to refund all or a portion of the following bonds (collectively, the "Refunded Bonds"): (a) the City's Variable Rate Water and Sewer System Revenue Bonds, Series 2002B (the "2002B Bonds"); (b) the City's Variable Rate Water and Sewer System Refunding Revenue Bonds, Series 2002C (the "2002C Bonds"); (c) the City's Water and Sewer System Refunding Revenue Bonds, Series 2005A maturing on and after December 1, 2015; and (d) the City's Water and Sewer System Revenue Bonds, Series 2006A maturing on and after July 1, 2017 (the "Refunded 2006A Bonds");

(2) to pay all or a portion of the costs incurred in connection with the termination of the City's interest rate swap agreements between the City and Bank of America, N.A. related to the 2002B Bonds and the 2002C Bonds (collectively, the "2002 Swaps"); and

(3) to pay the corresponding costs of issuing the 2015 Bonds;

WHEREAS, the City has determined to issue the 2015 Bonds in an additional principal amount not to exceed \$180,000,000 for the following purposes:

(1) to prepay in full the City's Water and Sewer System Revenue Bond Anticipation Note, Series 2014 (the "2014 Note"); and

(2) to pay the corresponding costs of issuing the 2015 Bonds;

WHEREAS, the City has determined to issue the 2015 Bonds with a fixed rate of interest;

WHEREAS, the City will issue the 2015 Bonds under a General Trust Indenture dated as of May 15, 2000 between the City and First Union National Bank, the successor to which is U.S. Bank National Association, as trustee (the "Trustee"), and Series Indenture, Number 15 dated as of August 1, 2015 (the "Series Indenture," and together with the General Indenture, the "Indenture") between the City and the Trustee;

WHEREAS, the City and the Local Government Commission of North Carolina (the "*Commission*") have arranged for the sale of the 2015 Bonds to Wells Fargo Bank, National Association, on its own behalf and on behalf of Merrill Lynch, Pierce, Fenner & Smith Incorporated, PNC Capital Markets LLC and J. P. Morgan Securities LLC (collectively, the "*Underwriters*"), under the terms of a Bond Purchase Agreement (the "*Purchase Agreement*") among the City, the Commission and the Underwriters, pursuant to which the City and the Commission will sell the 2015 Bonds to the Underwriters in accordance with the terms and conditions set forth therein;

WHEREAS, in connection with the issuance of the 2015 Bonds and the refunding of the 2002B Bonds and the 2002C Bonds, the City will terminate the 2002 Swaps;

WHEREAS, in addition to retaining the Underwriters for the sale of the 2015 Bonds, the City Council wants to (1) retain Parker Poe Adams & Bernstein LLP, as bond counsel; (2) approve the selection by the Underwriters of McGuireWoods LLP, as underwriters' counsel; (3) retain DEC Associates, Inc., as financial advisor; (4) retain Waters and Company, LLC, as financial consultant; and (5) retain U.S. Bank National Association, as trustee for the 2015 Bonds (collectively, the "*Financing Team*");

WHEREAS, the City Council wants the Chief Financial Officer (1) to file with the Commission an application for its approval of the 2015 Bonds, on a form prescribed by the Commission, requesting in such application that the Commission approve (a) the negotiation of the sale of the 2015 Bonds to the Underwriters, (b) the City's use of the Financing Team in connection with the issuance of the 2015 Bonds and (c) the termination of the 2002 Swaps, and stating in such application such facts and to attach thereto such exhibits in regard to the 2015 Bonds and to the City and its financial condition as may be required by the Commission; and (2) to take all other action necessary for the issuance of the 2015 Bonds;

WHEREAS, copies of the forms of the following documents relating to the transactions described above have been filed with the City:

- (1) the Series Indenture;
- (2) the Purchase Agreement;
- (3) an Escrow Agreement dated as of August 1, 2015 (the "*Escrow Agreement*") between the City and U.S. Bank National Association, as escrow agent, related to the Refunded 2006A Bonds; and
- (4) a Preliminary Official Statement (the "*Preliminary Official Statement*") with respect to the 2015 Bonds.

NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA:

Section 1. The 2015 Bonds are hereby authorized and will be issued pursuant to the Act to raise the money required, in addition to any funds which may be made available for such purpose from any other source, to (a) refund the Refunded Bonds, (b) prepay in full the Note, (c) pay all or a portion of the costs incurred in connection with the termination of the 2002 Swaps and (d) pay the costs of issuing the 2015 Bonds, all as set out fully in the documents attached to the City's application to the Commission. The use of the proceeds of the 2015 Bonds, as described, is necessary in order to achieve debt service savings for the City and to reduce the risks to the City related to the 2002 Swaps.

Section 2. The Financing Team is hereby approved in connection with the issuance by the City of the 2015 Bonds. The City Manager and the Chief Financial Officer are hereby authorized to retain other such professionals as may be necessary and prudent to carry out the purposes and intent of this Resolution.

Section 3. The Chief Financial Officer, with advice from the City Attorney and bond counsel, is hereby authorized and designated to file an application with the Commission for its approval of the issuance of the 2015 Bonds.

Section 4. The City Council finds and determines, and asks the Commission to find and determine from the City's application and supporting documentation, as follows:

- (a) the issuance of the 2015 Bonds is necessary or expedient;
- (b) the not to exceed stated principal amount of the 2015 Bonds will be sufficient, but is not excessive, when added to other moneys available to the Water and Sewer System to refund the Refunded Bonds and to prepay the 2014 Note;
- (c) the Water and Sewer System, as now constituted and after the completion of the refunding of the Refunded Bonds and the prepayment of the 2014 Note, is feasible;
- (d) the City's debt management procedure and policies are excellent; and
- (e) the 2015 Bonds can be marketed at a reasonable interest cost to the City.

Section 5. The aggregate principal amount of the 2015 Bonds authorized by this order will not exceed \$530,000,000. The 2015 Bonds hereby authorized will be special obligations of the City, secured by and paid solely from the proceeds thereof or from Net Revenues (as defined in the General Indenture).

Section 6. The City's issuance of the 2015 Bonds, in substantially the form to be set forth in the Series Indenture, is hereby in all respects approved and confirmed, and the provisions of the General Indenture and the Series Indenture with respect to the 2015 Bonds are hereby approved and confirmed and are incorporated herein by reference. The proceeds from the sale of the 2015 Bonds will be deposited in accordance with the Series Indenture.

The principal of, premium, if any, and interest on the 2015 Bonds will not be payable from the general funds of the City, nor will the 2015 Bonds constitute a legal or equitable pledge, charge, lien or encumbrance on any of the City's property or on any of its income, receipts or revenues except the funds which are pledged under the Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City is pledged for the payment of the principal of, premium, if any, or interest on the 2015 Bonds, and no holder of the 2015 Bonds has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

Section 7. The form and content of the Series Indenture and the Escrow Agreement, including the exhibits thereto, are hereby in all respects approved and confirmed, and the Mayor, the City Manager, the Deputy City Manager, the Chief Financial Officer and City Clerk or Deputy City Clerk of the City (collectively, the "Authorized Officers") are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Series Indenture and the Escrow Agreement for

and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Series Indenture and the Escrow Agreement, the Authorized Officers, or their respective designees, 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 Series Indenture and the Escrow Agreement as executed. The Trustee is hereby appointed as Registrar and Paying Agent under the Series Indenture.

Section 8. The City Council requests that the Commission sell the 2015 Bonds through negotiation to the Underwriters pursuant to the terms of the Purchase Agreement at a true interest cost not to exceed 5.00%. The form and content of the Purchase Agreement are in all respects approved and confirmed, and the Authorized Officers are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Purchase Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City's approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Purchase Agreement, the Authorized Officers, or their respective designees, 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 Purchase Agreement as executed.

Section 9. The City Manager and the Chief Financial Officer of the City, or their respective designees, are hereby directed, individually and collectively, to evaluate, pursue and negotiate the termination of the 2002 Swaps. The Authorized Officers, or their respective designees, are hereby authorized, empowered and directed, individually and collectively, to do all such acts and things and to execute and deliver any agreements and other documentation necessary to achieve the termination of the 2002 Swaps either before, after or in connection with the issuance of the 2015 Bonds.

Section 10. The form and content of the Preliminary Official Statement are in all respects authorized, approved and confirmed, and the use of the Preliminary Official Statement and the final Official Statement (the "*Official Statement*") by the Underwriters in connection with the sale of the 2015 Bonds is hereby in all respects authorized, approved and confirmed.

Section 11. The City Manager or Chief Financial Officer of the City is hereby authorized to execute a no-arbitrage certificate to comply with Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder.

Section 12. If any one or more of the covenants, agreements or provisions contained in this Bond Order 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 is for any reason whatsoever held invalid, then such covenants, agreements or provisions will be null and void and will be deemed separable from the remaining agreements and provisions and will in no way affect the validity of any of the other agreements and provisions of this Bond Order or of the 2015 Bonds authorized hereunder.

Section 13. No stipulation, obligation or agreement contained in this Bond Order or contained in the 2015 Bonds, the General Indenture, the Series Indenture, the Escrow Agreement, the Purchase Agreement or any other instrument related to the issuance of the 2015 Bonds is a stipulation, obligation or agreement of any officer, agent or employee of the City in his or her individual capacity, and

no such officer, agent or employee is personally liable on the 2015 Bonds or subject to personal liability or accountability by reason of the issuance thereof.

Section 14. The Authorized Officers, or their respective designees, are hereby authorized, empowered and directed, individually and collectively, to do any and all other acts and to execute any and all other documents which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by this Bond Order, the General Indenture, the Series Indenture, the Escrow Agreement or the Purchase Agreement; except that none of the above is hereby authorized or empowered to do anything or execute any document which is in contravention, in any way, of (a) the specific provisions of this Bond Order, (b) the specific provisions of the General Indenture or the Series Indenture, (c) any agreement to which the City is bound, (d) any rule or regulation of the City or (e) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

Section 15. The Authorized Officers, or their respective designees, are hereby authorized and directed, individually and collectively, to prepare and furnish, when the 2015 Bonds are issued, certified copies of all the proceedings and records of the City Council relating to the 2015 Bonds, and such other affidavits, certificates and documents as may be required to show the facts relating to the legality and marketability of the 2015 Bonds as such facts appear on the books and records in such party's custody and control or as otherwise known to them; and all such certified copies, certificates, affidavits and documents, including any heretofore furnished, constitute representations of the City as to the truth of all statements contained therein.

Section 16. All acts and doings of the Authorized Officers, or their respective designees, that are in conformity with the purposes and intent of this Bond Order and in the furtherance of the issuance of the 2015 Bonds and the execution, delivery and performance of the Series Indenture, the Escrow Agreement and the Purchase Agreement, the termination of the 2002 Swaps and the application to the Commission related thereto are hereby in all respects approved and confirmed.

Section 17. 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 18. This Bond Order will take effect immediately on its adoption and, pursuant to Section 159-88 of the General Statutes of North Carolina, as amended, need not be published or subjected to any procedural requirements governing the adoption of ordinances or resolutions by the City Council other than the procedures set out in the Act.

Upon motion of Councilmember Lyles, seconded by Councilmember Mayfield, the foregoing order titled "AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$530,000,000 WATER AND SEWER SYSTEM REFUNDING REVENUE BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA; AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH CERTAIN FINDINGS AND THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS" was adopted by the following vote:

AYES: Councilmembers Austin, Barnes, Driggs, Fallon, Howard, Lyles, Mayfield, Phipps and Smith

NAYS:

Absent: Councilmembers Autry and Kinsey

PASSED, ADOPTED AND APPROVED this 27th day of July, 2015.

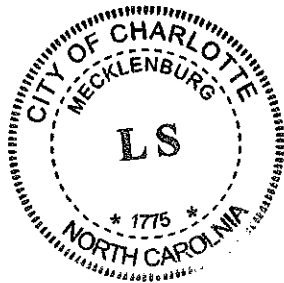
STATE OF NORTH CAROLINA)
)
CITY OF CHARLOTTE) ss:

I, Emily A. Kunze, the Deputy City Clerk of the City of Charlotte, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of a bond order titled **“AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$530,000,000 WATER AND SEWER SYSTEM REFUNDING REVENUE BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA; AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; PROVIDING FOR THE SALE OF THE BONDS; SETTING FORTH CERTAIN FINDINGS AND THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS”** adopted by the City Council of the City of Charlotte, North Carolina, at a meeting held on the 27th day of July, 2015, the reference having been made in Minute Book 139., and recorded in full in Resolution Book 46, Page(s) 748-753.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of July, 2015.



Emily A. Kunze
Deputy 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 was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 7:00 p.m. on July 27, 2015:

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

Members Absent: Councilmembers Autry and Kinsey

* * * * *
* * *

Councilmember Howard moved that the following resolution (the “*Resolution*”) be adopted, a copy of which was available with the City Council and which was read by title:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN AMENDMENT TO AN INSTALLMENT FINANCING CONTRACT, DIRECTING THE PUBLICATION OF NOTICE WITH RESPECT THERETO AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO

WHEREAS, the City of Charlotte, North Carolina (the “*City*”) is a municipal corporation duly created and validly existing under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the “*State*”);

WHEREAS, the City has the power pursuant to the General Statutes of North Carolina to (1) purchase real and personal property, (2) enter into installment financing contracts in order to finance and refinance the purchase of real and personal property used, or to be used, for public purposes and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

WHEREAS, the City previously entered into (1) an Installment Purchase Contract dated as of December 1, 2003 (as previously amended, the “*2003 Contract*”) with New Charlotte Corporation (the “*Corporation*”) to finance and refinance mass transit facilities and equipment and (2) a Deed of Trust and Security Agreement dated as of December 1, 2003 (as amended, the “*Deed of Trust*”) from the City to the deed of trust trustee named therein to provide a security interest in certain transit facilities financed with proceeds of the Contract;

WHEREAS, in connection with the City’s execution and delivery of the 2003 Contract, the Corporation has executed and delivered multiple series of certificates of participation (the “*Existing Certificates*”) under an Indenture of Trust dated as of December 1, 2003 (as previously amended and supplemented, the “*2003 Indenture*”) between the Corporation and Wachovia Bank, National Association, the successor to which is U.S. Bank National Association, as trustee (the “*Trustee*”), each evidencing

proportionate undivided interests in rights to receive certain revenues (the “*Revenues*”) under the 2003 Contract;

WHEREAS, the City has been invited by the United States Department of Transportation (“*USDOT*”) to submit an application for Federal credit assistance under the Transportation Infrastructure Finance and Innovation Act in a principal amount not to exceed \$180,000,000 (the “*TIFIA Loan*”), the proceeds of which, if approved, would be used by the City to finance the completion of the City’s LYNX Blue Line, commonly referred to as the Blue Line Extension (the “*Project*”);

WHEREAS, the City’s payment obligations with respect to the TIFIA Loan, if approved, would be established under an amendment to the 2003 Contract (the “*Contract Amendment*,” and together with the 2003 Contract, the “*Contract*”), and in connection with the City’s execution and delivery of the Contract Amendment, the Corporation would execute and deliver an additional certificate of participation (the “*2015 TIFIA Certificate*”) under the 2003 Indenture and a supplemental indenture thereto (the “*Supplemental Indenture*,” and together with the 2003 Indenture, the “*Indenture*”);

WHEREAS, the 2015 TIFIA Certificate, and the City’s payment obligations with respect thereto under the Contract, would be secured on parity with the Existing Certificates in accordance with the terms of the Indenture and the Deed of Trust;

WHEREAS, the City hereby determines that it is in the City’s best interests to submit to USDOT an application for the TIFIA Loan on a form prescribed by USDOT (the “*TIFIA Application*”) and, if the TIFIA Application is approved, to execute and deliver the Contract Amendment, which would permit the City to finance the completion of the Project at an interest rate, and on terms, favorable to the City;

WHEREAS, no deficiency judgment may be rendered against the City in any action for its breach of the Contract, and the taxing power of the City is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract;

WHEREAS, a public hearing on the Contract Amendment with respect to the financing of the Project after publication of a notice with respect to such public hearing must be held; and

WHEREAS, the City hereby determines that all findings, conclusions and determinations of the City in this Resolution are subject to modification or affirmation after all interested parties have been afforded the opportunity to present their comments at a public hearing regarding the execution and delivery of the Contract Amendment and the Project to be financed thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AS FOLLOWS:

Section 1. Authorization to Negotiate Contract Amendment and Related Documentation. The Mayor, the City Manager, the Deputy City Manager, the City’s Chief Financial Officer, the Chief Executive Officer of Charlotte Area Transit System (“*CATS*”) and the Chief Financial Officer of CATS (collectively, the “*Authorized Officers*”), with advice from the City Attorney and Parker Poe Adams & Bernstein LLP, as special counsel to the City, are hereby authorized and directed to proceed and negotiate on behalf of the City for the financing of the Project pursuant to the TIFIA Loan as evidenced by the Contract Amendment, to be entered into in accordance with the provisions of Section 160A-20 of the General Statutes of North Carolina, as amended, and any other related documentation as may be required by USDOT.

Section 2. Application to USDOT. The Authorized Officers or their designees are hereby authorized and directed, individually and collectively, (a) to file with USDOT the TIFIA Application and all relevant transactions contemplated thereby, (b) to state in the TIFIA Application such facts and to attach thereto such exhibits regarding the Project, the City and the City's financial condition as may be required by USDOT, and (c) to the extent required by USDOT in accordance with the terms of the TIFIA Application, to reimburse USDOT for its expenses related to services provided by USDOT's outside advisors in connection with the evaluation of the TIFIA Application and the negotiation of the TIFIA Loan and related documents (irrespective of USDOT's final decision with respect to the TIFIA Application). Each Authorized Officer is hereby authorized to execute and deliver the TIFIA Application for the purposes stated therein.

Section 3. Direction to Retain Special Counsel, Financial Advisor and Financial Consultant. The Authorized Officers, with advice from the City Attorney, are hereby authorized and directed, individually and collectively, to retain the assistance of Parker Poe Adams & Bernstein LLP, as special counsel, DEC Associates, Inc., as financial advisor, and Ernst & Young Infrastructure Advisors, LLC, as financial consultant.

Section 4. Ratification. All actions of the Authorized Officers and any other appropriate officers and agents of the City, whether previously or hereinafter taken, in furtherance of this Resolution and in compliance with applicable law are hereby approved, ratified and authorized in all respects.

Section 5. Public Hearing. The City Council will conduct a public hearing (the "Public Hearing") on August 24, 2015 at 7:00 p.m., or as soon thereafter as practicable, in the Meeting Chamber, Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, concerning the Contract Amendment, the proposed financing of the Project and any other transactions contemplated therein and associated therewith.

Section 6. Notice of Public Hearing. The City Clerk is hereby directed to cause a notice of the Public Hearing, in substantially the form attached hereto as Exhibit A, to be published once in a qualified newspaper of general circulation within the City no fewer than 10 days prior to the Public Hearing.

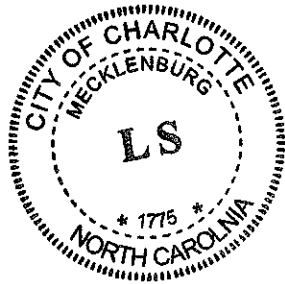
Section 7. Repealer. All motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

Section 8. Effective Date. This Resolution is effective on the date of its adoption.

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

I, Emily A. Kunze, the 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, AUTHORIZING THE NEGOTIATION OF AN AMENDMENT TO AN INSTALLMENT FINANCING CONTRACT, DIRECTING THE PUBLICATION OF NOTICE WITH RESPECT THERETO AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO**” adopted by the City Council of the City of Charlotte, North Carolina, at a meeting held on the 27th day of July, 2015, the reference having been made in Minute Book 139, and recorded in full in Resolution Book 46, Page(s) 754-758.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the ___ day of July, 2015.



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

EXHIBIT A

NOTICE OF PUBLIC HEARING

The City of Charlotte, North Carolina (the “City”) previously entered into (a) an Installment Purchase Contract dated as of December 1, 2003 and related amendments (collectively, the “2003 Contract”) to finance and refinance mass transit facilities and equipment and (b) a Deed of Trust and Security Agreement dated as of December 1, 2003 and a related amendment (as amended, the “Deed of Trust”) to provide a security interest in a portion of the personal and real property financed and refinanced with the proceeds of the 2003 Contract.

At its July 27, 2015 meeting, the City Council of the City of Charlotte, North Carolina (the “City”), adopted a resolution which authorized the City to apply to the United States Department of Transportation (“USDOT”) for Federal credit assistance under the Transportation Infrastructure Finance and Innovation Act in a principal amount not to exceed \$180,000,000 (the “TIFIA Loan”), which, if approved, would be used by the City to finance the completion of the City’s LYNX Blue Line, commonly referred to as the Blue Line Extension (the “Project”). The City’s payment obligations with respect to the TIFIA Loan would be established under an amendment to the 2003 Contract (the “Contract Amendment,” and together with the 2003 Contract, the “Contract”).

The City’s obligations under the Contract will be secured by a lien on the property described in the Deed of Trust, which includes the following property located in Charlotte, North Carolina and all improvements thereon: (1) the South Boulevard Bus Maintenance Facility and the Light Rail Maintenance Facility, located at 3200 South Boulevard, (2) the City’s leasehold interest in the tract of real property that is the subject of a long-term lease and operating agreement dated as of April 1, 2005 between The Charlotte-Mecklenburg Board of Education, as lessor, and the City, as lessee, located at 9510 South Boulevard, (3) the J.W. Clay Boulevard Parking Deck, located at 9327 through 9331 J.W. Clay Boulevard, (4) the Old Concord Road Park and Ride located at 5448 North Tryon Street, (5) the University City Boulevard Parking Deck located at 7100 MacFarlane Boulevard, and (6) the Sugar Creek Parking Deck located at 600 E. Sugar Creek Road. To further secure the City’s obligations under the Contract, the City has granted a security interest in certain equipment and other personal property financed with proceeds of the Contract. Any lien or security interest created under the Contract or Deed of Trust will terminate on payment by the City of all installment payments due under the Contract.

NOTICE IS HEREBY GIVEN, pursuant to Sections 160A-20 of the General Statutes of North Carolina, that on August 24, 2015 at 7:00 p.m., or as soon thereafter as practicable, in the Meeting Chamber, Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, a public hearing will be conducted concerning the approval of the execution and delivery of the Contract Amendment. All interested parties are invited to present comments at the public hearing regarding the execution and delivery of the Contract Amendment and the Project to be financed thereby.

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

Published: August 7th, 2015

**RESOLUTION AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT
BETWEEN THE CITY AND THE CHARLOTTE-MECKLENBURG BOARD OF
EDUCATION FOR ROAD IMPROVEMENTS AT GOVERNOR'S VILLAGE CAMPUS**

WHEREAS, the City is designing and intends to build a road improvement project to extend the existing University Pointe Boulevard to IBM Drive for the purpose of improving vehicular, pedestrian and bicycle travel (the "Project"); and

WHEREAS, as part of the Project, the City requires certain right-of-way across the property owned and operated by CMBE known as Zebulon Vance High School and James Martin Middle School (individually, the "Vance School Site" and "Martin School Site", respectively, and collectively, the "School Site"); and

WHEREAS, as part of the Project, the City plans certain new road-related improvements including a new public road, a private access road, a bridge over I-85, a roundabout at the intersection of IBM Drive and the new University Pointe Boulevard extension, paved bicycle and traffic lanes, curb and gutter, planting strips, sidewalks, a new culvert over Doby Creek, and driveway and parking lot improvements as further identified on "Exhibit A", attached hereto and incorporated herein by reference; and

WHEREAS, CMBE desires to cooperate with the City for the benefit of the City and the community as a whole and the City desires to fairly compensate CMBE for land taken to complete this project; and

WHEREAS, The City and CMBE have negotiated and desire to enter into an interlocal agreement to establish their respective financial and general responsibilities for the exchange of property and for construction of the City's University Pointe Boulevard Project on CMBE property; and

WHEREAS, Article 20 of Chapter 160 A of the North Carolina General Statutes authorizes units of local government to jointly exercise any function which they have been granted the power to exercise alone, or to contract with the other for the exercise of any governmental function which they have been granted the power to exercise alone, and to enter into contracts and agreements to specify the details of these joint undertakings:

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CHARLOTTE HEREBY:

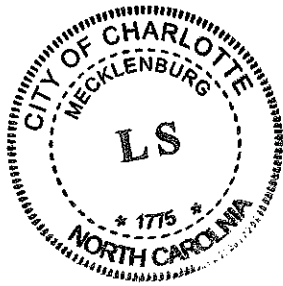
1. Approves and ratifies the attached Interlocal Agreement Between the City and the Charlotte-Mecklenburg Board of Education for Road Improvements at Governor's Village Campus; and
2. Authorizes the Manager to execute the Interlocal Agreement in substantially the form presented to City Council with technical corrections and minor modifications, as he may deem necessary, consistent with the spirit and intent of the transactions; and
3. Authorizes the City Manager to take all actions necessary to effectuate the transactions contemplated by the Interlocal Agreement referenced herein; and
4. Directs that this Resolution be reflected in the minutes of the Charlotte City Council.

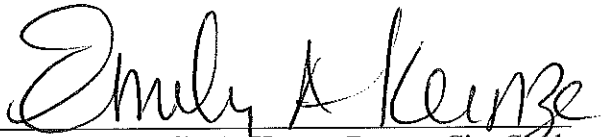
Adopted July 27th, 2015

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 27th day of July, 2015 the reference having been made in Minute Book 139 and recorded in full in Resolution Book 46, Page(s) 759-768.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of July, 2015.




Emily A. Kunze, Deputy City Clerk

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

INTERLOCAL AGREEMENT FOR ROAD IMPROVEMENTS AT THE CHARLOTTE-
MECKLENBURG SCHOOLS GOVERNORS VILLAGE CAMPUS

This Interlocal Agreement (the "Agreement") is made and entered into as of the _____ of June, 2015, between The Charlotte-Mecklenburg Board of Education ("CMBE") and the City of Charlotte, a North Carolina municipal corporation (the "City"), (jointly, the "Parties").

RECITALS

WHEREAS, the City is designing and intends to build a road improvement project to extend the existing University Pointe Boulevard to IBM Drive for the purpose of improving vehicular, pedestrian and bicycle travel (the "Project"); and

WHEREAS, as part of the Project, the City requires certain right-of-way across the property owned and operated by CMBE known as Zebulon Vance High School and James Martin Middle School (individually, the "Vance School Site" and "Martin School Site", respectively, and collectively, the "School Site"); and

WHEREAS, as part of the Project, the City plans certain new road-related improvements including a new public road, a private access road, a bridge over I-85, a roundabout at the intersection of IBM Drive and the new University Pointe Boulevard extension, paved bicycle and traffic lanes, curb and gutter, planting strips, sidewalks, a new culvert over Doby Creek, and driveway and parking lot improvements as further identified on "Exhibit A", attached hereto and incorporated herein by reference; and

WHEREAS, CMBE desires to cooperate with the City for the benefit of the City and the community as a whole and the City desires to fairly compensate CMBE for land taken to complete this project; and

WHEREAS, the Parties desire to establish and set forth in this Agreement the general responsibilities and obligations of the Parties for the construction of the Project:

NOW, THEREFORE, in consideration of the foregoing recitals and mutual covenants contained herein, the parties hereto agree as follows:

The City will:

1. Produce and submit to CMBE Operations staff for review and approval signed and sealed engineering design plans ("Design Plans") for the Project; said Design Plans to be certified by the City to provide for sufficient turn lanes, sight distances and on-site stacking, where sufficient shall mean "no less than what a professional engineer's standard of care would be as found in the 2011 edition of the American Association of State Highway and Transportation Officials' *A Policy on Geometric Design of Highways and Streets*, also known as the "Green Book", such that the School Site and the use thereof is in compliance with any applicable laws and ordinances including driveway permitting requirements that may be applicable to the School Site. It is the intent of the City that the final design shall create a system of access for the school use of the School Site such that no future road improvements will be required by the City for CMBEs use of the School Site for its current use as a high school and a middle school having a similar number of students as it now has (approximately 1,100 middle school students and approximately 2000 high school students) and that the City would issue a driveway permit to CMBE if the School Site access and driveways were developed in the manner proposed by the City in connection with this Project).
2. Produce and provide to CMBE plats, signed by a professional land surveyor (as defined by NCGS Chapter 89C), showing the rights-of-way, easements and fee simple areas on the School Site necessary for construction of the Project (the "Plats").
3. Secure all necessary consents and approvals from Duke Energy for work associated with the Project.
4. Secure all necessary consents, permits, easements, and encroachments from the North Carolina Department of Transportation, North Carolina Department of Environment and Natural Resources, and/or other regulatory bodies for work associated with the Project.
5. Construct the improvements on School Site in accordance with the approved Design Plans.
6. Be responsible for costs of all work contracted by the City for this Project, including, but not limited to, those associated with any utility relocation (and ensure that none of these costs are the responsibility of the CMBE).
7. Complete certain improvements on the School Site to mitigate the impacts of

the Project including a new parking lot area, a new private access driveway from Neal Road, with a traffic signal, as more specifically described on Exhibit B attached hereto and incorporated herein by reference, and to be installed no later than June 9, 2016, such date being contingent on item # 10 below.

8. Schedule construction of the Project at dates and times mutually satisfactory to CMBE Operations staff and City staff such that pick-up and drop-off times are not disrupted by construction activity, and that disruptions to other school functions are minimized as much as possible. A proposed schedule and phasing plan, and contingency plan are attached hereto as Exhibit C. In no event shall access be limited on school days, including both before and after school hours.

9. Compensate CMBE the appraised fair market value, as determined by an independent MAI appraiser, for the property rights acquired in the amount of \$388,275.00.

10. Install a traffic signal at the Neal Rd./school access road intersection. The CMBE will be required to dedicate any necessary rights-of-way and easements for property under its control in order for the City to install this signal, as specified in Item 1 under the section entitled "CMBE Will", below.

11. Upon request, provide CMBE with technical data showing predicted levels-of-service of the roundabout at the IBM Drive/University Pointe Boulevard intersection, for the opening and/or design years of the project.

12. Reconfigure the front parking lot of Martin Middle School to accommodate a vehicle queue of approximately 2070 feet, in excess of the 2003 feet recommended by the NCDOT *MSTA School Queue Calculator* for a middle school of 1200 students, but without eliminating any existing parking spaces.

13. Perform traffic signal warrant studies at the intersection of Vance High School and University Pointe Boulevard at post- Project completion intervals of 30 days, 3 months, and 6 months. Should any study show that a traffic signal is warranted, the City will, at its own expense, install the traffic signal within 30 days after the study has been received by the City. The process of determining whether the traffic signal is warranted is more fully described in a letter dated July 20 from Danny Pleasant to Ann Clark, a copy of which is attached hereto as Exhibit D. Should CMBE determine that a crossing guard at this intersection is necessary, the City will pay 50% of the cost of a guard for 7 months after the roadway is open to traffic.

14. Make improvements to an existing storm water detention pond to make it a size sufficient to treat 4.07 acres of impervious area. The pond will be necessary to treat 2.75 acres of City property and should therefore have excess capacity to treat an additional 1.32 acres of additional impervious property in the future.

Notwithstanding the foregoing, the City's inability to commence the Project for any

reason shall not constitute a breach of this Agreement, nor result in any City liability to CMBE or third persons, whatsoever (but once the Project is commenced the City is required to comply with this Agreement and shall be liable for any breach

CMBE will:

1. Convey to the City those rights-of-way, easements, and fee simple areas on the School Property which are necessary to construct the Project as shown on the Design Plans, and as provided herein.
2. Make the above-described conveyances within fifteen (15) days after the day by which: a) the City has provided CMBE staff with final deeds, easements and Plats, and b) the City and CMBE have approved this Interlocal Agreement.
3. Accept the return of rights of way, easements, and/or fee simple areas from the City in the event that the Project is not constructed as anticipated.

IN WITNESS WHEREOF, the parties hereto have caused this Interlocal Agreement to be executed as of the date first written above.

THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION

By: _____ Date: _____
Printed name: _____
Title: Superintendent

APPROVED AS TO FORM:

School Board Attorney Date

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

I, a Notary Public for the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he/she is Superintendent of The Charlotte-Mecklenburg Board of Education, a corporate body formed and existing in accordance with Chapter 115C of the General Statutes of North Carolina, and that by authority duly given and as the act of the corporate body, the foregoing instruction was signed in its

name by him/her as its Superintendent.

WITNESS my hand and official stamp or seal, this _____ day of _____, 2015.

Notary Public

My Commission Expires: _____

[Notarial Seal/Stamp]

CITY OF CHARLOTTE

By: _____

Printed Name: _____

Title: _____

ATTEST:

____ City Clerk

STATE OF NORTH CAROLINA
MECKLENBURG COUNTY

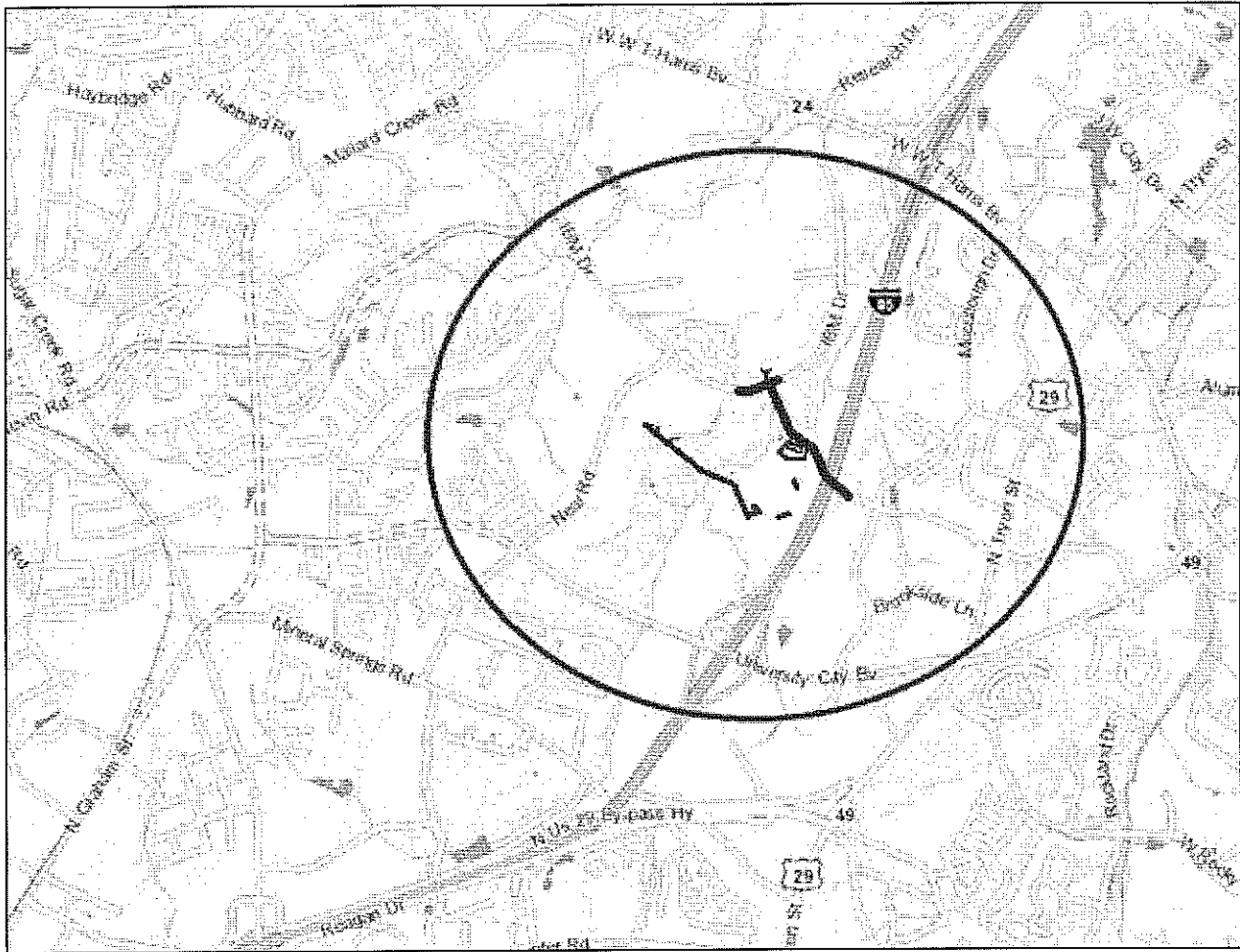
I, _____, a Notary Public, do hereby certify that _____
Personally appeared before me this day and acknowledged that she is the _____ City Clerk
of the City of Charlotte, a political subdivision of the State of North Carolina, and that by
authority duly given and as the act of the City, the foregoing instrument was signed in its
name by its _____ City Manager, and attested by _____ as its _____ City
Clerk.

WITNESS my hand and official seal this ____ day of _____, 2015.

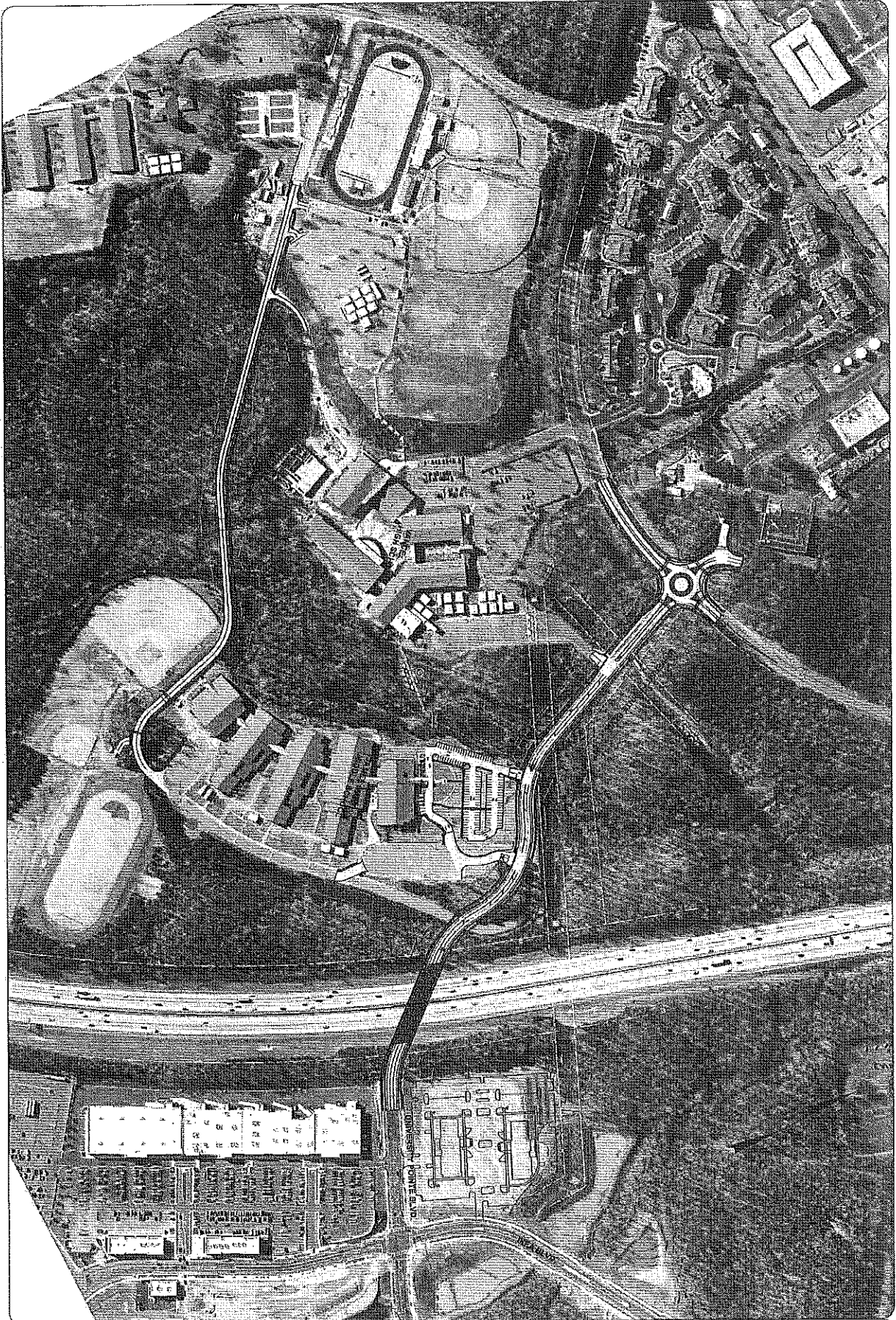
Notary Public


My Commission Expires:

[Notarial Seal/Stamp]



Location Map: Interlocal Agreement Between the City of Charlotte and the Charlotte-Mecklenburg Board of Education (Council District 4)



SHEET 1	SUBJECT UNIV. PT.	FILE NO.	DATE	UNIVERSITY POINTE BOULEVARD	INCOMPLETE PLANS IN ACC. AND REG. OFF. ARCHITECTURE	Plans Prepared By PARSONS BRINCKERHOFF 321 W. Trade Street, Suite 1800 Charlotte, North Carolina 28202 Phone: (704) 384-8444 Fax: (704) 384-8452	
OF 1	CAD FILE PATH PROJECT NO. DATE	PREPARED BY DATE					

ACTION A

RESOLUTION

EXTRACT FROM THE MINUTES OF A regular
MEETING OF THE Charlotte City Council
HELD ON July 27, 2015

The following resolution was introduced by Councilmember Barnes
seconded by Councilmember Austin, read in full, considered
and adopted.

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND
RATIFYING THE EXECUTION OF THE MUNICIPAL AGREEMENT FOR A PROJECT
KNOWN AS Interstate-85 Airport Directional Signage BETWEEN THE
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND THE CITY OF
CHARLOTTE, NORTH CAROLINA

BE IT RESOLVED, by the CITY COUNCIL of
THE CITY OF CHARLOTTE, NORTH CAROLINA

SECTION 1. That said City Council hereby
authorizes, adopts, approves, accepts and ratifies the execution
of a municipal agreement between the North Carolina Department of
Transportation and the City of Charlotte, North Carolina

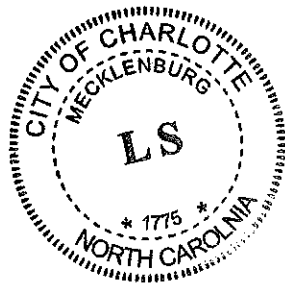
SECTION 2. That the Execution of said Municipal Agreement
in quadruplicate on behalf of said City Council by Ron Carlee,
City Manager and the impression of the official seal of the City
of Charlotte and the attestation by Stephanie Kelly; City
Clerk is hereby authorized, adopted, approved, accepted and
ratified.

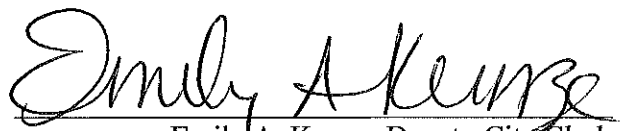
SECTION 3. That the City Manager is hereby authorized to execute payment requests under the Municipal Agreement on behalf of said City of Charlotte.

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 27th day of July, 2015 the reference having been made in Minute Book 139 and recorded in full in Resolution Book 46, Page(s) 769-770.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of July, 2015.




Emily A. Kunze, Deputy City Clerk

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
ADOPTING AND APPROVING THE EXCHANGE OF LAND RIGHTS IN THE
LYNX RAIL CORRIDOR WITH SOLIS SOUTHLINE/TERWILLIGER PAPPAS
(OR ITS SUCCESSORS AND ASSIGNS).**

WHEREAS, the City of Charlotte (the "City") purchased the 130 foot wide Charter Right-of-Way, formerly owned by the Norfolk Southern Railroad; and

WHEREAS, in 2008, the City, through the action of its Council, adopted the New Bern Transit Station Area Plan to guide the development along the buffer area of the Right of Way; and

WHEREAS, the City is working with Solis Southline/Terwilliger Pappas (the "Developer") regarding property adjacent to the Right of Way having tax I. D. numbers 12104122, 12104124 and 12104114; and

WHEREAS, the buffer area in the Right of Way in which the Developer is interested lies outside of that portion of the Right of Way used for public transit; and

WHEREAS, in order to proceed with the development of the for mentioned property, the City of Charlotte agrees to exchange property rights for a full and fair compensation, as provided by the North Carolina General Statutes; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in its regular session duly assembled, as follows:

- A. The City shall receive from the Developer (or its successors and assigns), the following, which is a full and fair compensation for the exchange of property rights:
 1. Deed to approximately 15,200 square feet of underlying fee simple interest that will remain in use as part of the rail corridor.
 2. Installation of ballast rail curb and streetscape improvements including decorative fence, new multi-use path/sidewalk to facilitate pedestrian access between the light rail stations and further complete the Rail Trail.
 3. Maintenance of the streetscape improvements.
- B. The City shall release its charter (i.e. easement) rights to approx. 12,700 square feet for use by the Developer (or its successors and assigns) and shall grant a license agreement to the Developer (or its successors and assigns) in order to construct and maintain the streetscape improvements.

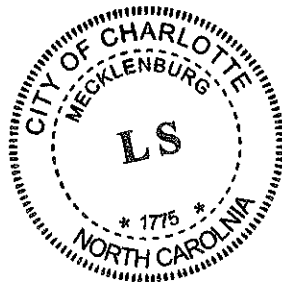
FURTHER RESOLVED, that the City Council for the City of Charlotte authorizes the City Manager (or his designee) to execute the necessary legal documents to complete the exchange of the land rights between the City and the Developer, or its successors and assigns,

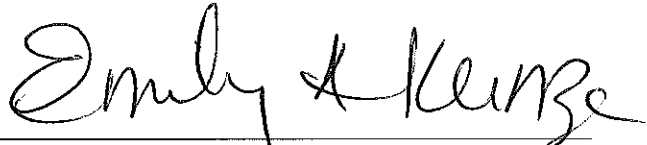
ADOPTED this 27th day of July, 2015.

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 27th day of July, 2015 the reference having been made in Minute Book 139 and recorded in full in Resolution Book 46, Page(s) 771-772.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of July, 2015.




Emily A. Kunze, Deputy City Clerk

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

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

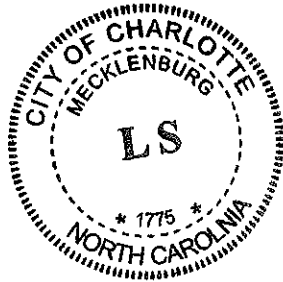
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

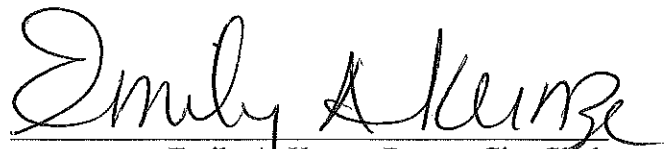
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 27th day of July 2015 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of July, 2015 the reference having been made in Minute Book 139 and recorded in full in Resolution Book 46, Page(s)773-774.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of July, 2015.




Emily A. Kunze, Deputy City Clerk

Property Tax Refund Requests

ALBIN, REGENIA WILSON	\$ 19.88
ALDERSGATE UNITED METHODIST RETIREMENT	6,095.82
BOOZER, CHARLES W	105.31
BOWEN, HOPE J	17.81
CARTER, R D	151.86
FUNDERBURK, MARTHA M	200.61
GORDON, PEGGY LOU	1.31
GREEN, EUNICE W	10.32
HENDERSON, W WALLACE &W	11.25
HOLT, JOHN WALTER &W	41.24
JAZ-MEKS HAIR SALON	47.85
JAZ-MEKS HAIR SALON	43.56
JAZ-MEKS HAIR SALON	41.98
JAZ-MEKS HAIR SALON	43.33
JAZ-MEKS HAIR SALON	45.79
JORDAN, RITA	202.01
JW HOMES LLC	1,824.82
KANELLOPOULOS, MARY	84.29
KANELLOPOULOS, MARY	84.89
KANELLOPOULOS, MARY	98.21
KANELLOPOULOS, MARY	90.39
LAIRD, VIRGINIA W	43.70
LANGLEY, WILLIAM B	21.52
OSBORNE, MARGARET	1.24
OSBORNE, MARGARET	1.24
PHILLIPS, WADE WILLBURN	155.89
POLKA DOT BAKE SHOP	89.06
POLLARD, MARY	49.38
REESE, ALONIA	19.45
SIMPSON, DWIGHT	27.53
SIPE, CLAUDIA MARIE	57.65
TEUPEN USA INC	1,041.83
WINGFOOT LAND MANAGEMENT CORP	37.89
WINGFOOT LAND MANAGEMENT CORP	26.49
	<u>\$ 10,835.40</u>

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

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

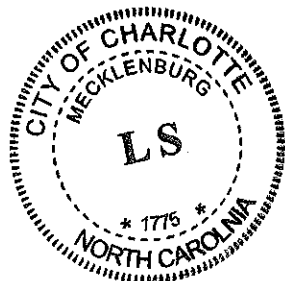
1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

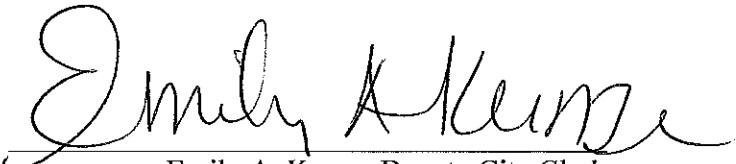
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 27th day of July 2015 that those taxpayers listed on the schedule of "Business Privilege License Refunds Requested" be refunded in the amounts therein set up and that the schedule 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 27th day of July, 2015 the reference having been made in Minute Book 139 and recorded in full in Resolution Book 46, Page(s) 775-776.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of July, 2015.




Emily A. Kunze, Deputy City Clerk

Business Privilege License Tax Refund Requests

2 CHICKS & A TRUCK	\$ 25.00
SERENA'S MOBILE FOOD SERVICES INC	62.50
VITAMIN WORLD INC.	42.46
	<u>\$ 129.96</u>

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 **8" SANITARY SEWER-SERVE 9804 MALLARD CREEK 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 **8" SANITARY SEWER-SERVE 9804 MALLARD CREEK PROJECT** and estimated to be **2,745 square feet (.063 acre) of sanitary sewer easement and 1,546 square feet (.035 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.: 047-152-11, said property currently owned by **THOMAS ANDREW THORE, JR. and spouse, if any; WILLIAM STEVEN THORE and spouse, if any; CONNIE THORE KNIGHT and spouse, if any; PHILLIP ANTHONY THORE and spouse, if any; ROBERT PAIGE THORE and spouse, if any; UNITED STATES DEPARTMENT OF THE TREASURY, INTERNAL REVENUE SERVICE, Possible Judgment Creditor, or the owners' successor-in-interest.**

ESTIMATED JUST COMPENSATION:

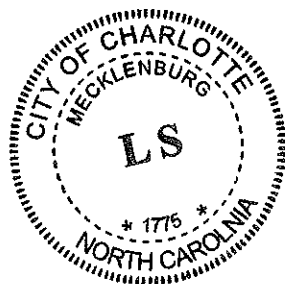
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

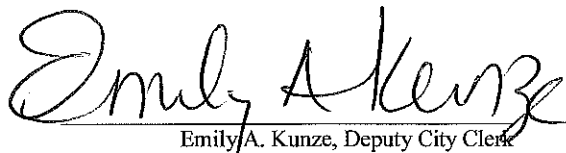
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Emily A. Kunze, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of July, 2015 the reference having been made in Minute Book 139 and recorded in full in Resolution Book 46, Page(s) 777.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of July, 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 **UNIVERSITY POINTE BOULEVARD-PHASE 1 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 **UNIVERSITY POINTE BOULEVARD-PHASE 1 PROJECT** and estimated to be **9,797 square feet (.225 acre) of fee-simple area; 337 square feet (.008 acre) of storm drainage easement; 32,735 square feet (.777 acre) of temporary construction easement, and 3,676 square feet (.059 acre) of utility easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 047-111-05, said property currently owned by **BRIT-CHARLOTTE LLC; AXA EQUITABLE LIFE INSURANCE COMPANY, Beneficiary; DUKE POWER COMPANY (n/k/a "Duke Energy"), Lessee; SPRINTCOM, INC., Lessee; WELLS FARGO BANK, N. A., Lessee, 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.

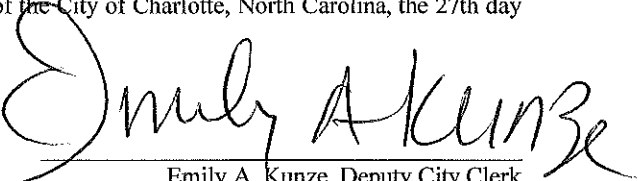
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 27th day of July, 2015 the reference having been made in Minute Book 139 and recorded in full in Resolution Book 46, Page(s) 778.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of July, 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 **UNIVERSITY POINTE BOULEVARD-PHASE 1 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 **UNIVERSITY POINTE BOULEVARD-PHASE 1 PROJECT** and estimated to be **1,457 square feet (.033 acre) of fee-simple area; 3,409 square feet (.078 acre) of storm drainage easement; 20,687 square feet (.475 acre) of temporary construction easement, and 1 square foot of utility easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No.: 047-391-09, said property currently owned by **INTERNATIONAL BUSINESS MACHINES CORPORATION**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

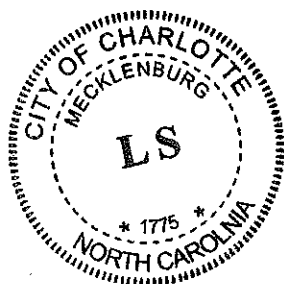
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

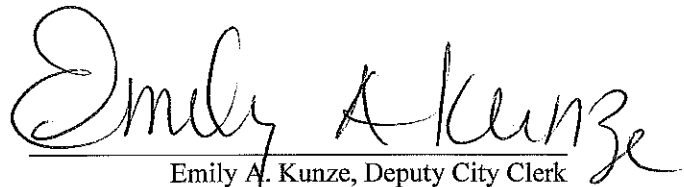
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 27th day of July, 2015 the reference having been made in Minute Book 139 and recorded in full in Resolution Book 46, Page(s) 779.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of July, 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 **UNIVERSITY POINTE BOULEVARD-PHASE 1 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 **UNIVERSITY POINTE BOULEVARD-PHASE 1 PROJECT**; and estimated to be **12,867 square feet (.295 acre) of fee-simple area; 1,655 square feet (.038 acre) of storm drainage easement, and 15,849 square feet (.364 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.: 047-461-01, said property currently owned by **DDR BELGATE LP**, 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.

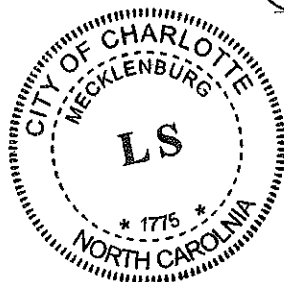
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 27th day of July, 2015 the reference having been made in Minute Book 139 and recorded in full in Resolution Book 46, Page(s) 780.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of July, 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 **UNIVERSITY POINTE BOULEVARD-PHASE 1 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 **UNIVERSITY POINTE BOULEVARD-PHASE 1 PROJECT** and estimated to be **310 square feet (.007 acre) of storm drainage easement and 6,904 square feet (.158 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.: **047-461-06**, said property currently owned by **DDR BELGATE LP**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

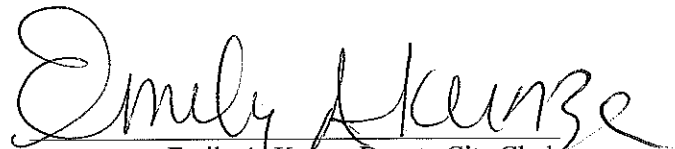
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 27th day of July, 2015 the reference having been made in Minute Book 139 and recorded in full in Resolution Book 46, Page(s) 781.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of July, 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 **UNIVERSITY POINTE BOULEVARD-PHASE 1 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 **UNIVERSITY POINTE BOULEVARD-PHASE 1 PROJECT** and estimated to be **310 square feet (.007 acre) of storm drainage easement and 6,904 square feet (.158 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.: **047-461-06**, said property currently owned by **DDR BELGATE LP**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

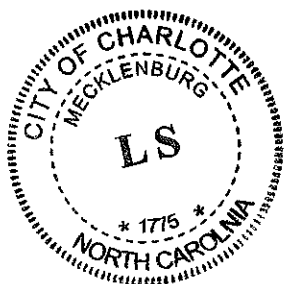
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

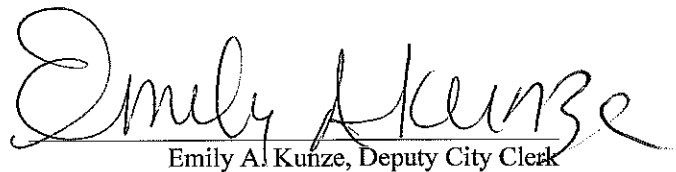
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 27th day of July, 2015 the reference having been made in Minute Book 139 and recorded in full in Resolution Book 46, Page(s) 781.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of July, 2015.




Emily A. Kunze, Deputy City Clerk