

RESOLUTION CLOSING A PORTION OF TOWNSHIP ROAD IN THE CITY OF CHARLOTTE,  
MECKLENBURG COUNTY, NORTH CAROLINA

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

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

WHEREAS, an easement shall be reserved in favor of Duke Energy over, upon, and under the area petitioned to be abandoned for ingress, egress, and regress to access its existing facilities for the installation, maintenance, replacement, and repair of conduit, cable, wires and related equipment, as shown on the attached map marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 12<sup>th</sup> day of February, 2018, and City Council determined that the closing of a portion of Township Road is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

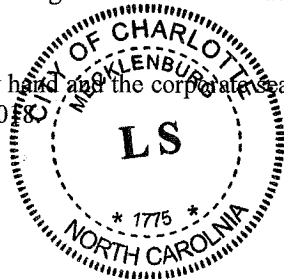
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of February 12, 2018, that the Council hereby orders the closing of a portion of Township Road in the City of Charlotte Mecklenburg County, North Carolina as shown in the maps marked "Exhibit A", and is more particularly described by metes and bounds in the documents marked "Exhibit B", all of which are attached hereto and made a part hereof.

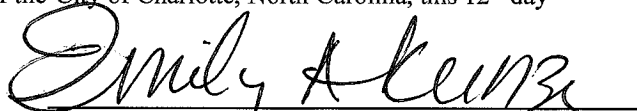
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

**CERTIFICATION**

I, 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 12<sup>th</sup> day of February, 2018, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 568-571.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12<sup>th</sup> day of February, 2018.



  
Emily A. Kunze, Deputy City Clerk, NCCMC

**NOTES**

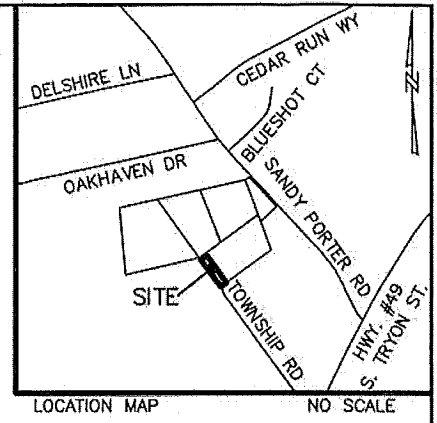
SUBJECT TRACT PLAT REFERENCE: BOUNDARY/TOPOGRAPHIC SURVEY BY ESP ASSOCIATES, FOR CHARLOTTE-MECKLENBURG SCHOOLS. DATED 3/3/2017.

60' RESERVED ROAD RIGHT OF WAY, AS SHOWN HEREON PLOTTED FROM INFORMATION TAKEN FROM SAID PLAT AND ORIENTED TO FOUND MONUMENTATION. RECORDED CONVEYANCE FOUND FOR THIS 60' RESERVED RIGHT OF WAY IN MAP BOOK 9 PAGE 537.

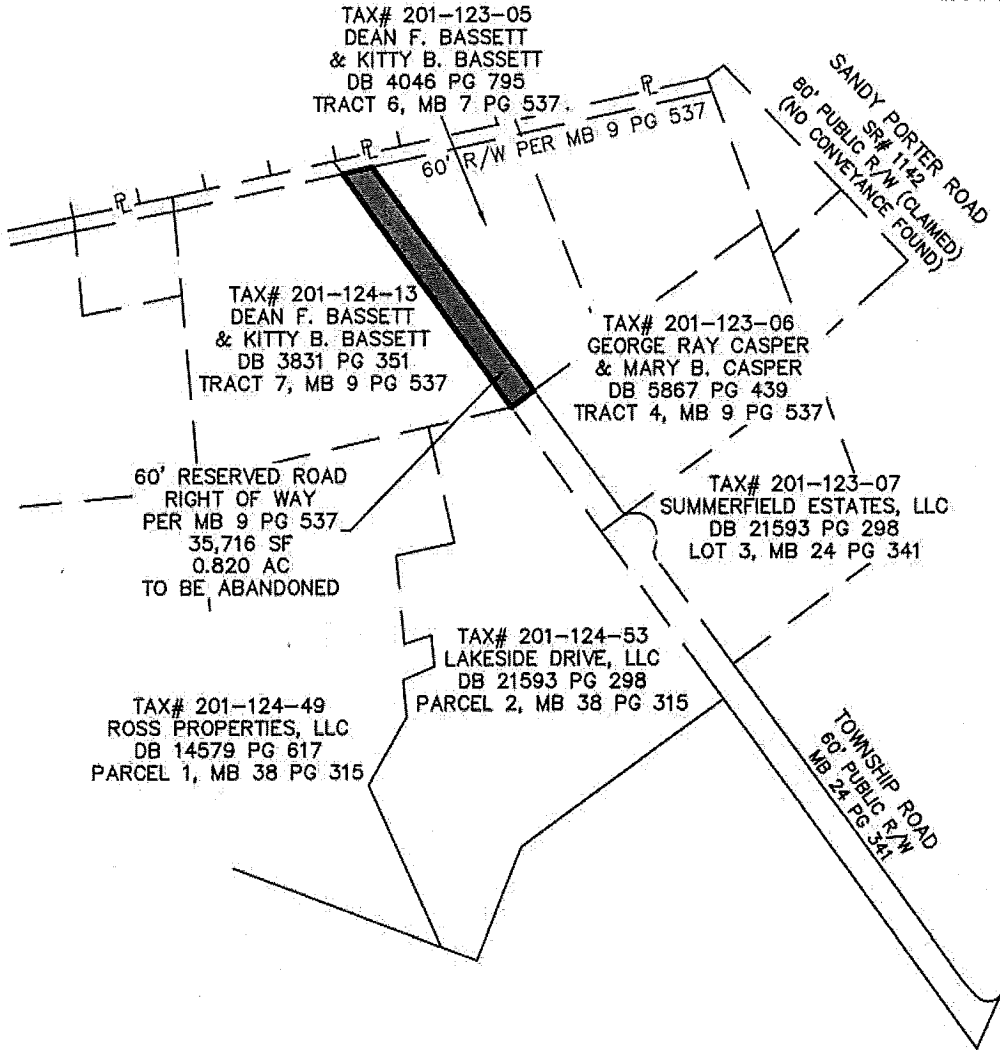
TAX PARCELS: A PORTION OF 201-123-05, 201-123-06.

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

February 12, 2018  
Resolution Book 48, Page 569



LOCATION MAP NO SCALE



\*\*\*EASEMENT IN FAVOR OF DUKE ENERGY 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, WRES, AND/OR RELATED EQUIPMENT

**LEGEND**

- SF - SQUARE FOOT
- AC - ACRES
- DB - DEED BOOK
- PG - PAGE
- R - PROPERTY LINE
- R/W - RIGHT OF WAY
- TM - TAX MAP
- - #5 REBAR FOUND, UNLESS OTHERWISE NOTED
- - COMPUTED POINT
- — — — — SUBJECT TRACT BOUNDARY LINE
- — — — — ADJOINING BOUNDARY LINE
- - - - - RIGHT OF WAY LINE
- ▨ - R/W TO BE ABANDONED

I, ROBERT D. BARTLETT, CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION AND IS FOR ROAD ABANDONMENT PURPOSES ONLY

**NOTES**

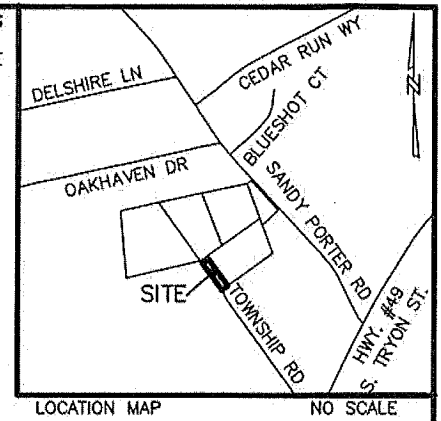
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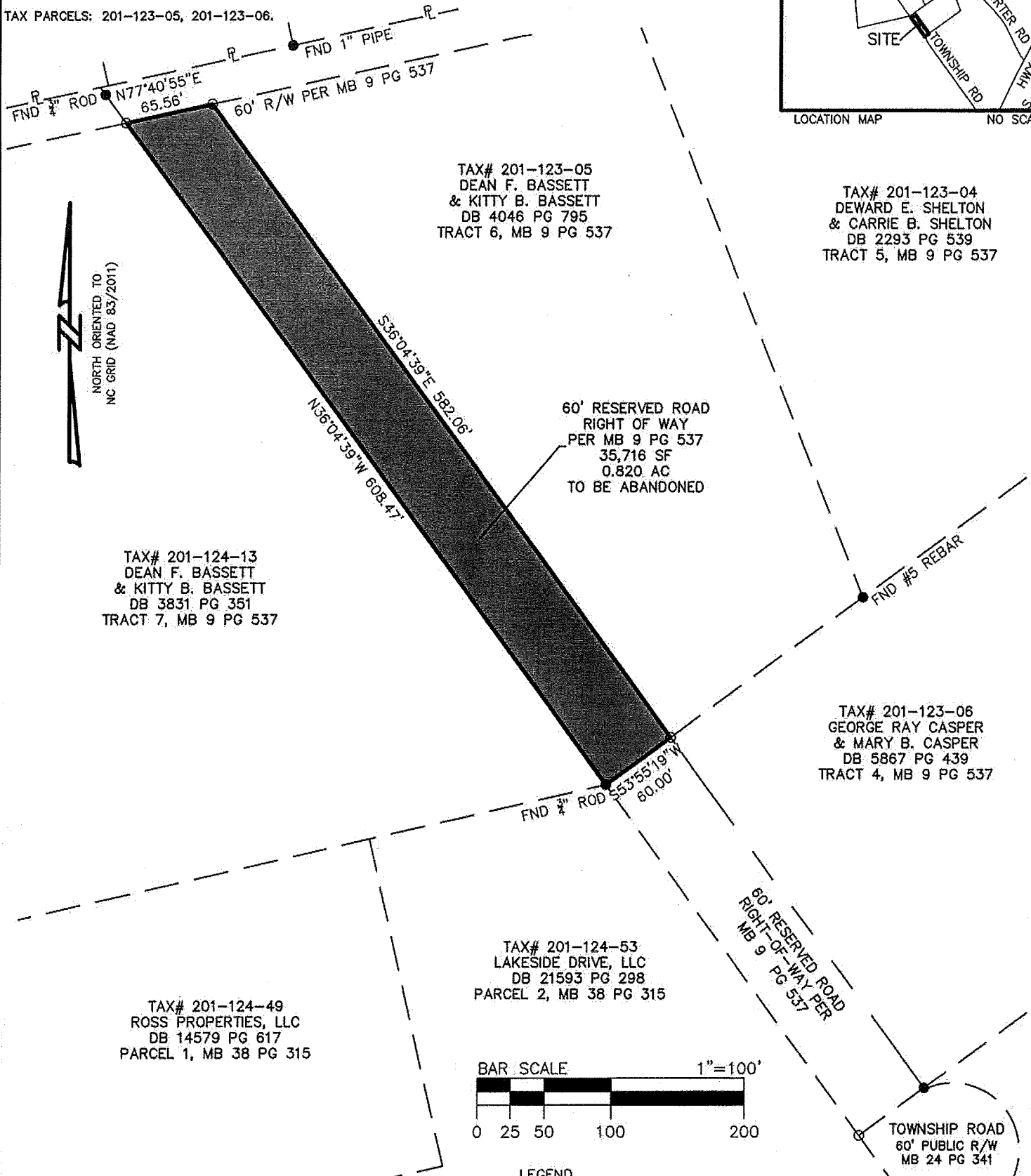
TAX PARCELS: 201-123-05, 201-123-06.

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

February 12, 2018  
Resolution Book 48, Page 570



LOCATION MAP NO SCALE



TAX# 201-123-05  
DEAN F. BASSETT  
& KITTY B. BASSETT  
DB 4046 PG 795  
TRACT 6, MB 9 PG 537

TAX# 201-123-04  
DEWARD E. SHELTON  
& CARRIE B. SHELTON  
DB 2293 PG 539  
TRACT 5, MB 9 PG 537

TAX# 201-124-13  
DEAN F. BASSETT  
& KITTY B. BASSETT  
DB 3831 PG 351  
TRACT 7, MB 9 PG 537

TAX# 201-123-06  
GEORGE RAY CASPER  
& MARY B. CASPER  
DB 5867 PG 439  
TRACT 4, MB 9 PG 537

TAX# 201-124-53  
LAKESIDE DRIVE, LLC  
DB 21593 PG 298  
PARCEL 2, MB 38 PG 315

TAX# 201-124-49  
ROSS PROPERTIES, LLC  
DB 14579 PG 617  
PARCEL 1, MB 38 PG 315



**LEGEND**

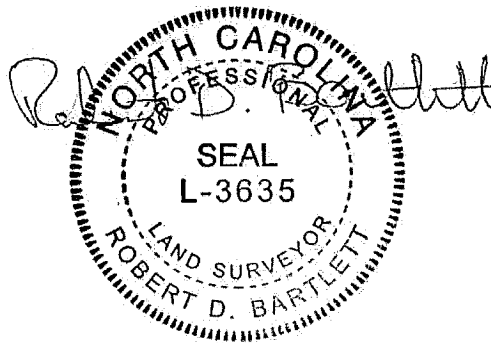
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- - #5 REBAR FOUND, UNLESS OTHERWISE NOTED
- - COMPUTED POINT

I, ROBERT D. BARTLETT, CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION AND IS FOR ROAD ABANDONMENT PURPOSES ONLY

February 12, 2018

Resolution Book 48, Page 571

COMMENCING AT A FOUND ¾" ROD A COMMON CORNER WITH GEORGE RAY CASPER AND MARY B. CASPER AS RECORDED IN BOOK 5867 PAGE 439 AND TRACT 4 OF MAP BOOK 9 PAGE 537 OF THE MECKLENBURG COUNTY REGISTRY, LAKESIDE DRIVE, LLC AS RECORDED IN BOOK 21593 PAGE 298 AND PARCEL 2 OF MAP BOOK 38 PAGE 315 OF THE MECKLENBURG COUNTY REGISTRY AND DEAN F. BASSETT AND KITTY B. BASSETT AS RECORDED IN BOOK 3831 PAGE 351, AND BEING TRACT 7 OF MAP BOOK 9 PAGE 537 OF THE MECKLENBURG COUNTY REGISTRY, THENCE WITH THE COMMON LINE WITH BASSETT N 36-04-39 W 608.47' TO A POINT ON THE SOUTHERN MARGIN OF THE 60' RIGHT-OF-WAY AS RECORDED IN MAP BOOK 9 PAGE 537 THENCE WITH THE SOUTHERN MARGIN OF THE AFFOREMENTIONED RIGHT-OF-WAY N 77-40-55 E 65.56' TO A POINT, THENCE LEAVING THE SOUTHERN RIGHT-OF-WAY LINE AND FOLLOWING THE EASTERN LINE OF THE 60' RESERVED ROAD RIGHT-OF-WAY AS RECORDED IN MAP BOOK 9 PAGE 537, S 36-04-39 E 582.06' TO A POINT, A COMMON CORNER WITH THE AFFORMENTIONED CASPER PROPERTY, THENCE WITH THE COMMON LINE WITH CASPER S 53-55-19 W 60.00' TO THE POINT OF BEGINNING CONTAINING 0.820 ACRES MORE OR LESS.



10/26/17

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 February 12, 2018:

Members Present: Lyles, Ajmera, Eiselt, Winston, Egleston, Harlow, Mayfield, Phipps, Newton, Bokhari, Driggs

Members Absent: Mitchell

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

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

**RESOLUTION INTRODUCING AND ADOPTING THE BOND ORDER AUTHORIZING THE ISSUANCE OF STORM WATER FEE REVENUE BOND ANTICIPATION NOTE OF THE CITY OF CHARLOTTE, NORTH CAROLINA IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$115,000,000**

**BOND ORDER**

*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 (the “LGC”), at one time or from time to time, revenue bond anticipation notes of the City for the purposes as specified in the Act; and

*WHEREAS*, the City has previously issued Storm Water Fee Revenue Bonds under the terms of a General Trust Indenture dated as of May 15, 2000 (the “General Indenture”) between the City and First Union National Bank of North Carolina, the successor to which is U.S. Bank National Association, as trustee, (the “Trustee”) (the “General Indenture”);

*WHEREAS*, the City has determined to issue its Storm Water Fee Revenue Bond Anticipation Note, Series 2018 (the “Bond Anticipation Note”) in an aggregate principal amount not to exceed \$115,000,000 to finance the costs of additions and capital improvements to, or the acquisition, renewal or replacement of capital assets of, or purchasing and installing new equipment relating to the operation and maintenance of the storm water facilities located within the jurisdiction of the City (the “Projects”);

*WHEREAS*, the City will issue the Bond Anticipation Note under the General Indenture and Series Indenture, Number 8 (the “Series Indenture”) between the City and the Trustee; and

*WHEREAS*, the City and the LGC have arranged for JPMORGAN Chase Bank N.A. (the “Lender”) to purchase the Bond Anticipation Note and advance the funds to finance the Projects under

the terms of a Note Purchase and Advance Agreement (the "*Purchase Agreement*") among the City, the Lender and the LGC; and

*WHEREAS*, an application has been filed with the LGC requesting approval of the Bond Anticipation Note as required by the Act;

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

**Section 1.** In order to raise the money required to finance the Projects, in addition to any funds which may be made available for such purpose from any other source, the Bond Anticipation Note is hereby authorized and shall be issued pursuant to the Act.

**Section 2.** The aggregate principal amount of the Bond Anticipation Note authorized by this order shall not exceed \$115,000,000. The Bond Anticipation Note hereby authorized will be a special obligation of the City, secured by and paid solely from the proceeds thereof or from Net Revenues (as defined in the General Indenture).

**Section 3.** The issuance of the Bond Anticipation Note by the City, in substantially the form to be set forth in the Series Indenture, be and the same hereby is in all respects approved and confirmed. The form and content of the Bond Anticipation Note and the provisions of the Series Indenture and the Purchase Agreement with respect to the Bond Anticipation Note (including without limitation the maturities and rate setting mechanisms) shall be approved and confirmed in a resolution of the City Council.

The principal of, premium, if any, and interest on the Bond Anticipation Note shall not be payable from the general funds of the City, nor shall they constitute a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of its income, receipts or revenues except the funds which are pledged under the General Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City are pledged for the payment of the principal of, premium, if any, or interest on the Bond Anticipation Note, and no holder of the Bond Anticipation Note 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 4.** The Bond Anticipation Note shall be purchased by the Lender under the terms of the Purchase Agreement as shall be approved in a subsequent resolution of the City Council.

**Section 5.** The proceeds from the sale of the Bond Anticipation Note shall be deposited in accordance with the Series Indenture.

**Section 6.** If any one or more of the agreements or provisions herein contained shall be 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 shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the Bond Anticipation Note authorized hereunder.

**Section 7.** 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 8.** This Bond Order shall take effect immediately on its adoption and pursuant to §159-88 of the General Statutes of North Carolina, as amended, need not be published or subjected to any

February 12, 2018

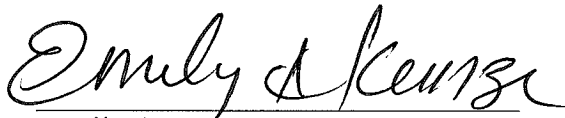
Resolution Book 48, Page 574

procedural requirements governing the adoption of ordinances or resolutions by the City Council other than the procedures set out in the Act.

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 INTRODUCING AND ADOPTING THE BOND ORDER AUTHORIZING THE ISSUANCE OF STORM WATER FEE REVENUE BOND ANTICIPATION NOTE OF THE CITY OF CHARLOTTE, NORTH CAROLINA IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$115,000,000”** adopted by the City Council of the City of Charlotte, North Carolina, at a meeting held on the 12th day of February, 2018, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 572-575.

*WITNESS* my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of February, 2018.



Emily A. Kunze  
Deputy City Clerk, NCCMC  
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 February 12, 2018:

Members Present: Lyles, Ajmera, Eiselt, Winston, Egleston, Harlow, Mayfield, Phipps, Newton, Bokhari, Driggs

Members Absent:  
Mitchell

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

Councilmember Eiselt/Ajmera introduced the following resolution, a summary of which had been provided to each Councilmember, 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, FOR THE APPROVAL, EXECUTION AND DELIVERY OF CITY OF CHARLOTTE, NORTH CAROLINA STORM WATER FEE REVENUE BOND ANTICIPATION NOTE, SERIES 2018**

*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 (the “LGC”), at one time or from time to time revenue bond anticipation notes of the City for the purposes as specified in the Act; and

*WHEREAS*, the City Council (the “City Council”) of the City hereby determines that it is desirable to finance the costs of additions and capital improvements to, or the acquisition, renewal or replacement of capital assets of, or purchasing and installing new equipment relating to the operation and maintenance of the storm water facilities located within the jurisdiction of the City (collectively, the “Projects”);

*WHEREAS*, the City Council hereby determines to issue the City's Storm Water Fee Revenue Bond Anticipation Note, Series 2018 (the “Bond Anticipation Note”) in an aggregate principal amount not to exceed \$115,000,000 under a General Trust Indenture dated as of May 15, 2000 (the “General Indenture”) between the City and First Union National Bank of North Carolina, the successor to which is U.S. Bank National Association, as trustee, (the “Trustee”), and Series Indenture, Number 8 (the “Series Indenture”) between the City and the Trustee, to pay the costs of the Projects;

*WHEREAS*, JPMorgan Chase Bank, N.A. (the “Lender”) will purchase the Bond Anticipation Note and provide the City with the funding for the Projects on a draw-down basis under the terms of the Series Indenture and a Note Purchase and Advance Agreement (the “Purchase Agreement”) among the City, the Lender and the LGC;

*WHEREAS*, the City Council has considered and recognizes that variable interest rate debt instruments may subject the City to the risk of higher interest rates in the future;

*WHEREAS*, the City Council believes that a draw-down program as contemplated in the Series Indenture and the Purchase Agreement is superior to a fixed rate financing because it will lower the City's overall cost of capital;

*WHEREAS*, the City Council wants to (A) retain Parker Poe Adams & Bernstein LLP, as bond counsel; (B) approve the Lender as the purchaser of the Bond Anticipation Note; (C) retain DEC Associates, Inc., as the financial advisor, and Waters and Company, LLC, as the financial consultant; (D) retain U.S. Bank National Association, as trustee and paying agent for the Bond Anticipation Note; and (E) authorize and approve the retention of such other professionals as the Chief Financial Officer of the City determines may be necessary to carry out the financing contemplated in this Resolution (collectively, the "*Financing Team*");

*WHEREAS*, the City Council wants the City Manager and the Chief Financial Officer of the City to file with the LGC an application for its approval of the Bond Anticipation Note, on a form prescribed by the LGC, and (1) request in such application that the LGC approve (a) the negotiation of the sale of the Bond Anticipation Note to the Lender and (b) the City's use of the Financing Team and (2) state in such application such facts and to attach thereto such exhibits in regard to the Bond Anticipation Note and to the City and its financial condition, as may be required by the LGC, and to take all other action necessary to the issuance of the Bond Anticipation Note;

*WHEREAS*, copies of the Series Indenture and the Purchase Agreement have been filed with the City and made available to the City Council;

*NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA DOES RESOLVE AS FOLLOWS:*

**Section 1.** The issuance of the Bond Anticipation Note by the City in the principal amount not to exceed \$115,000,000, in substantially the form and content set forth in the Series Indenture, subject to appropriate insertions and revisions in order to comply with the provisions of the General Indenture and the Series Indenture, is hereby in all respects approved and confirmed. The form and content of the Bond Anticipation Note set forth in the Series Indenture are hereby in all respects approved and confirmed. The provisions of the General Indenture, the Series Indenture and the Purchase Agreement with respect to the Bond Anticipation Note (including without limitation the maturities and rate setting mechanisms) are hereby in all respects approved, confirmed and incorporated herein by reference.

The Bond Anticipation Note will be issued by the City for the purpose of providing funds (1) to finance the costs of the Projects and (2) to pay the costs of issuing the Bond Anticipation Note all as set out fully in the documents attached to the City's application to the LGC. The use of the proceeds of the Bond Anticipation Note, as described, is necessary in order to meet the needs of the users of the storm water system and to assure that the storm water system remains in full compliance with all state and federal requirements for the provision of storm water services. The Bond Anticipation Note will be a special obligation of the City. The principal of, premium, if any, and interest on the Bond Anticipation Note shall not be payable from the general funds of the City, nor shall they constitute a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of its income, receipts or revenues except the funds which are pledged under the General Indenture and the Series Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City are pledged for the payment of the principal of, premium, if any, or interest on the Bond Anticipation Note, and no holder of Bond Anticipation Note 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 2.** The City Manager and the Chief Financial Officer of the City, with advice from the City Attorney and bond counsel, are authorized, directed and designated to file an application with the

LGC for its approval of the issuance of the Bond Anticipation Note. The Financing Team for the Bond Anticipation Note is hereby approved.

**Section 3.** The City Council finds and determines and asks the LGC to find and determine from the City's application and supporting documentation:

- (a) that the issuance of the Bond Anticipation Note is necessary or expedient;
- (b) that the not to exceed stated principal amount of the Bond Anticipation Note will be sufficient but is not excessive, when added to other money available for such purpose, to pay the costs of the Projects;
- (c) that the City's storm water system as now constituted and as it will be constituted after the completion of the Projects is feasible;
- (d) that the City's debt management procedure and policies are good; and
- (e) that the Bond Anticipation Note can be marketed at a reasonable interest cost to the City.

**Section 4.** The form and content of the Series Indenture and the exhibits thereto are hereby in all respects approved and confirmed, and the Mayor. The Mayor, the City Manager, the Deputy City Manager, the Chief Financial Officer, the City Treasurer, the City Debt Manager and the City Clerk of the City, or their respective designees (the "*Authorized Officers*"), are authorized, empowered and directed to execute and deliver the Series Indenture 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 to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Series Indenture, the Authorized Officers are hereby authorized, empowered and directed 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 as executed.

**Section 5.** The City Council requests that the LGC sell the Bond Anticipation Note at private sale without advertisement to the Lender at such prices as the LGC determines to be in the best interest of the City, as more particularly set forth in the Purchase Agreement. The form and content of the Purchase Agreement are hereby in all respects approved and confirmed. The Authorized Officers are hereby authorized, empowered and directed 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 to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their 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 are hereby authorized, empowered and directed 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 6.** The City Manager or Chief Financial Officer of the City is hereby authorized to execute a no-arbitrage certificate in order to comply with Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder.

**Section 7.** No stipulation, obligation or agreement herein contained or contained in the Bond Anticipation Note, the General Indenture, the Series Indenture, the Purchase Agreement or any other instrument related to the issuance of the Bond Anticipation Note shall be deemed to be 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 shall be personally liable on the Bond Anticipation Note or be subject to personal liability or accountability by reason of the issuance thereof.

**Section 8.** The Authorized Officers are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by (a) this Resolution and the Bond Order, (b) the General Indenture, (c) the Series Indenture and (d) the Purchase Agreement; except that none of the above shall be authorized or empowered to do anything or execute any document which is in contravention, in any way, of (1) the specific provisions of this Resolution or the Bond Order, (2) the specific provisions of the General Indenture, the Series Indenture or the Purchase Agreement, (3) any agreement to which the City is bound, (4) any rule or regulation of the City or (5) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

**Section 9.** All acts and doings of the Authorized Officers previously taken and required to be taken in the future that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the Bond Anticipation Note and the execution, delivery and performance of the Series Indenture and the Purchase Agreement are hereby in all respects ratified, approved and confirmed. Any provision in this Resolution that authorizes more than one officer of the City to take certain actions shall be read to permit such officers to take the authorized actions either individually or collectively.

**Section 10.** If any one or more of the agreements or provisions herein contained shall be 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 shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the Bond Anticipation Note authorized hereunder.

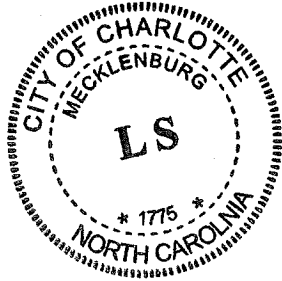
**Section 11.** All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

**Section 12.** This Resolution is effective on its adoption.

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

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 “**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, FOR THE APPROVAL, EXECUTION AND DELIVERY OF CITY OF CHARLOTTE, NORTH CAROLINA STORM WATER FEE REVENUE BOND ANTICIPATION NOTE, SERIES 2018**” adopted by the City Council of the City of Charlotte, North Carolina, at a meeting held on the 12th day of February, 2018, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 576-580.

***WITNESS*** my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of February, 2018.



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

**A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES**

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

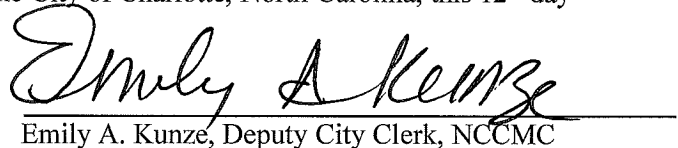
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 12th day of February 2018 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 12<sup>th</sup> day of February, 2018, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 581-582.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12<sup>th</sup> day of February, 2018.



Emily A. Kunze, Deputy City Clerk, NCCMC



**Taxpayers and Refunds Requested**

301 COLLEGE STREET CENTER LLC	\$	38.12
ACME AVIATION LLC	\$	995.70
ALDERSGATE UNITED METHODIST RETIREMENT COMMUNITY INC	\$	548.59
ALL OUT CHIMNEY SWEEP LLC	\$	2.39
ALL OUT CHIMNEY SWEEP LLC	\$	2.39
ATHERTON MILL (EA) LLC .	\$	8,152.41
ATHERTON MILL (EA) LLC .	\$	18,645.75
DUNN, MICHAEL	\$	123.75
IKEA US EAST LLC	\$	5,113.73
IRELAND, KRISTIN M	\$	375.30
MORTEN, CHASE ALEXANDER	\$	395.41
NEVIN GLEN HOMEOWNERS ASSOCIATION	\$	149.83
NEVIN GLEN HOMEOWNERS ASSOCIATION	\$	152.83
PENN, HAROLD M JR	\$	261.61
PENN, HAROLD M JR	\$	266.84
PHILLIPS, FORMANDA M	\$	188.84
PHILLIPS, FORMANDA M	\$	192.62
TAYLOR, ROBERT P	\$	215.42
TAYLOR, ROBERT P	\$	219.73
TELOGIS INC	\$	47.00
WINDELL, JUANITA SMITH L/T	\$	2.87
YU, JENNIFER	\$	408.85
YU, JENNIFER	\$	417.03
	\$	<u>36,917.01</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 **24" WATER MAIN-SOUTH STREET DAVIDSON-PH. II 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 **24" WATER MAIN-SOUTH STREET DAVIDSON-PH. II PROJECT** and estimated to be **4,903.69 square feet (.113 acre) of waterline easement; 2,189.24 square feet (.05 acre) of temporary construction easement; 1,984.32 square feet (.046 acre) of temporary construction easement inside proposed public right-of-way; 4,044.94 square feet (.093 acre) of water line easement inside proposed public right-of-way** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 007-511-09, said property currently owned by **ANTIQUITY, LLC**, 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 12<sup>th</sup> day of February, 2018, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 583.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12<sup>th</sup> day of February, 2018.



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



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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **PEDESTRIAN SAFETY-2205 CENTRAL AVENUE 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 **PEDESTRIAN SAFETY-2205 CENTRAL AVENUE PROJECT** and estimated to be **78 square feet (.002 acre) of sidewalk and utility easement; 727 square feet (.017 acre) of temporary construction easement; 128 square feet (.003 acre) of bus stop easement, and 405 square feet (.009 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. 095-071-03, said property currently owned by **JUPITER GROUP, LLC**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

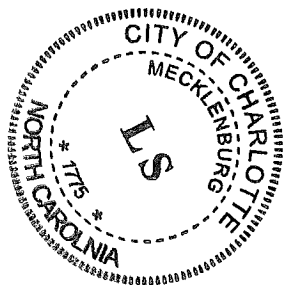
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 12<sup>th</sup> day of February, 2018, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 584.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12<sup>th</sup> day of February, 2018.



  
Emily A. Kunze, Deputy City Clerk, NCCMC

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **LINCOLN HEIGHTS DRAINAGE IMPROVEMENTS PROJECT**; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **LINCOLN HEIGHTS DRAINAGE IMPROVEMENTS PROJECT** and estimated to be **2,326.32 square feet (.053 acre) of storm drainage easement and 652.97 square feet (.015 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. 073-032-06, said property currently owned by **ANY AND ALL HEIRS AT LAW OF ESAU PETERSON AND MABLE PETERSON; MECKLENBURG COUNTY TAX COLLECTOR**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

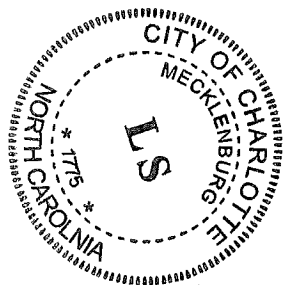
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 12<sup>th</sup> day of February, 2018, the reference having been made in Minute Book 144, and recorded in full in Resolution Book 48, Page(s) 585.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12<sup>th</sup> day of February, 2018.



  
Emily A. Kunze, Deputy City Clerk, NCCMC