

RESOLUTION CLOSING THE UNOPENED ALLEYWAY OFF W. PALMER AND W. CARSON IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

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 the unopened alleyway off W. Palmer and W. Carson which calls for a public hearing on the question; and

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

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

WHEREAS, the public hearing was held on the 14th day of October 2019, and City Council determined that the unopened alleyway off W. Palmer and W. Carson is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to their or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of October 14th, 2019, that the Council hereby orders the closing of the unopened alleyway off W. Palmer and W. Carson in the City of Charlotte, Mecklenburg County, North Carolina as shown in the map marked "Exhibit A," and is more particularly described by metes and bounds in the document marked "Exhibit B," all of which are attached hereto and made a part hereof.

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

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of October, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 50, Page(s) 216-219.

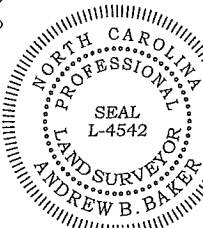
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 14th day of October, 2019.



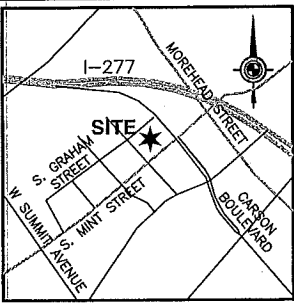
Stephanie C. Kelly
Stephanie C. Kelly, City Clerk, MMC, NCCMC

NOTES: October 14, 2019, Resolution Book 50, Page 217

1. THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
2. THE PURPOSE OF THIS EXHIBIT MAP IS TO ABANDON A 10 FOOT ALLEY AS SHOWN HEREON, ALL BOUNDARY INFORMATION IS TAKEN FROM R.B. PHARR & ASSOCIATES MAP DATED 12/19/2017 (JOB NO. 87825).
3. PHYSICAL IMPROVEMENTS MAY EXIST ON SUBJECT PROPERTY THAT ARE NOT SHOWN HEREON.
4. EASEMENT IN FAVOR OF DUKE ENERGY AND ALL OTHER OWNERS OF EXISTING UNDERGROUND AND OVERHEAD UTILITIES AND TELECOMMUNICATION FACILITIES, OVER, UPON, ACROSS AND UNDER THE AREA PETITIONED TO BE ABANDONED FOR INGRESS, EGRESS, AND REGRESS TO ACCESS THEIR EXISTING FACILITIES FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CABLE, CONDUIT AND RELATED EQUIPMENT.
5. TO THE EXTENT THAT AN APPROXIMATELY 24 FOOT WIDE EASEMENT IN FAVOR OF THE CITY OF CHARLOTTE FOR A PERMANENT WATER LINE ALONG WEST CARSON BOULEVARD THAT IS MORE PARTICULARLY DESCRIBED IN THAT DEED RECORDED IN BOOK 5636 AT PAGE 0397 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY IS LOCATED ON A PORTION OF THE AREA PETITIONED TO BE ABANDONED, THIS EASEMENT IS ACKNOWLEDGED BY PETITIONER AND IS RESERVED BY THE CITY OF CHARLOTTE OVER, UPON, ACROSS AND UNDER THE RELEVANT PORTION OF THE AREA PETITIONED TO BE ABANDONED, AND NO PERMANENT STRUCTURE MAY BE CONSTRUCTED OVER THE RELEVANT PORTION OF THE AREA PETITIONED TO BE ABANDONED.



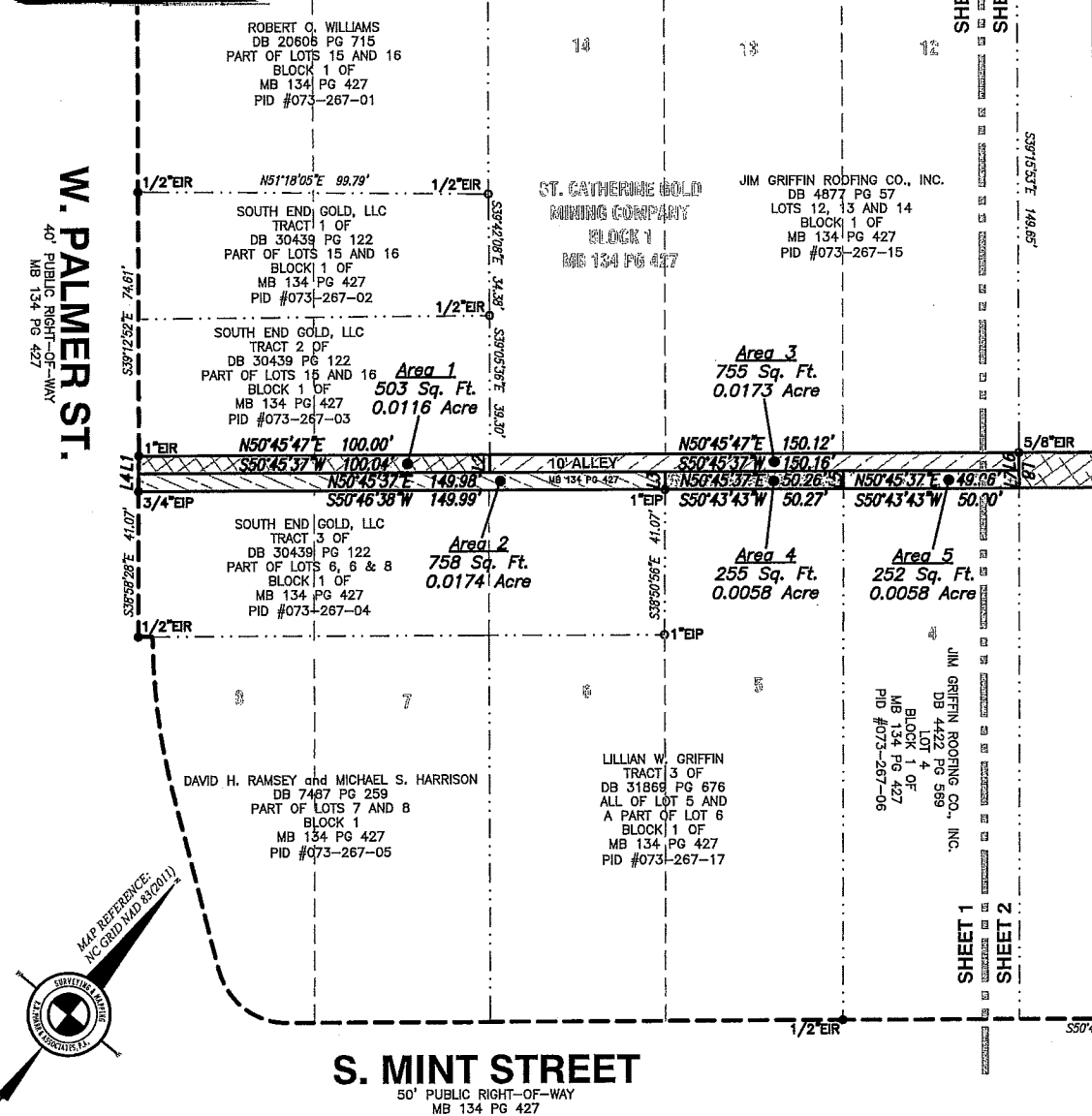
Andrew B. Baker
7/10/19



VICINITY MAP - NTS

S. GRAHAM STREET

(FORMERLY GOLD STREET)
40' PUBLIC RIGHT-OF-WAY
MB 134 PG 427



W. PALMER ST.
40' PUBLIC RIGHT-OF-WAY
MB 134 PG 427

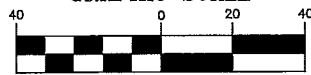
S. MINT STREET

50' PUBLIC RIGHT-OF-WAY
MB 134 PG 427

LEGEND:

- D.B. - DEED BOOK
- ECM - EXISTING CONCRETE MONUMENT
- EIP - EXISTING IRON PIPE
- EIR - EXISTING IRON ROD
- EMM - EXISTING METAL MONUMENT
- EN - EXISTING NAIL
- M.B. - MAP BOOK
- N.C.G.S. - NORTH CAROLINA GEODETIC SURVEY
- NI - NEW IRON ROD
- NN - NEW NAIL
- PG. - PAGE
- R/W - RIGHT-OF-WAY
- PROPERTY LINE
- PROPERTY LINE (NOT SURVEYED)
- RIGHT-OF-WAY
- RIGHT-OF-WAY (NOT SURVEYED)
- EASEMENT
- SETBACK

GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

SHEET 1 OF 2

EXHIBIT MAP FOR
10' ALLEY ABANDONMENT
1120 S. MINT STREET & S. GRAHAM STREET
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC
DEED REFERENCES: 4422-569, 4877-57, 20780-82,
30439-122, 31869-878
MAP REFERENCE: 134-427
TAX PARCEL NO: 073-267-03, 073-267-04, 073-267-06,
073-267-07, 073-267-10, 073-267-15, 073-267-17

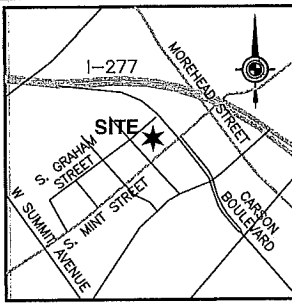
R.B. PHARR AND ASSOCIATES, P.A.

SURVEYING AND MAPPING
LICENSE NO. C-1471
420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL (704) 376-2186

CREW: FC	DRAWN: NM	REVISED:	SCALE: 1" = 40'	DATE: FEB 12, 2019	JOB NO. 89584
-------------	--------------	----------	--------------------	-----------------------	------------------

NOTES: October 14, 2019, Resolution Book 50, Page 218

1. THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
2. THE PURPOSE OF THIS EXHIBIT MAP IS TO ABANDON A 10 FOOT ALLEY AS SHOWN HEREON, ALL BOUNDARY INFORMATION IS TAKEN FROM R.B. PHARR & ASSOCIATES MAP DATED 12/19/2017 (JOB NO. 87825).
3. PHYSICAL IMPROVEMENTS MAY EXIST ON SUBJECT PROPERTY THAT ARE NOT SHOWN HEREON.
4. EASEMENT IN FAVOR OF DUKE ENERGY AND ALL OTHER OWNERS OF EXISTING UNDERGROUND AND OVERHEAD UTILITIES AND TELECOMMUNICATION FACILITIES, OVER, UPON, ACROSS AND UNDER THE AREA PETITIONED TO BE ABANDONED FOR INGRESS, EGRESS, AND REGRESS TO ACCESS THEIR EXISTING FACILITIES FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT, AND REPAIR OF CABLE, CONDUIT AND RELATED EQUIPMENT.
5. TO THE EXTENT THAT AN APPROXIMATELY 24 FOOT WIDE EASEMENT IN FAVOR OF THE CITY OF CHARLOTTE FOR A PERMANENT WATER LINE ALONG WEST CARSON BOULEVARD THAT IS MORE PARTICULARLY DESCRIBED IN THAT DEED RECORDED IN BOOK 5636 AT PAGE 0397 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY IS LOCATED ON A PORTION OF THE AREA PETITIONED TO BE ABANDONED, THIS EASEMENT IS ACKNOWLEDGED BY PETITIONER AND IS RESERVED BY THE CITY OF CHARLOTTE OVER, UPON, ACROSS AND UNDER THE RELEVANT PORTION OF THE AREA PETITIONED TO BE ABANDONED, AND NO PERMANENT STRUCTURE MAY BE CONSTRUCTED OVER THE RELEVANT PORTION OF THE AREA PETITIONED TO BE ABANDONED.



VICINITY MAP - NTS

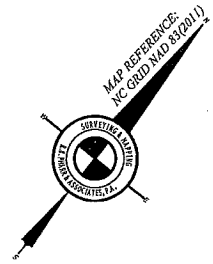
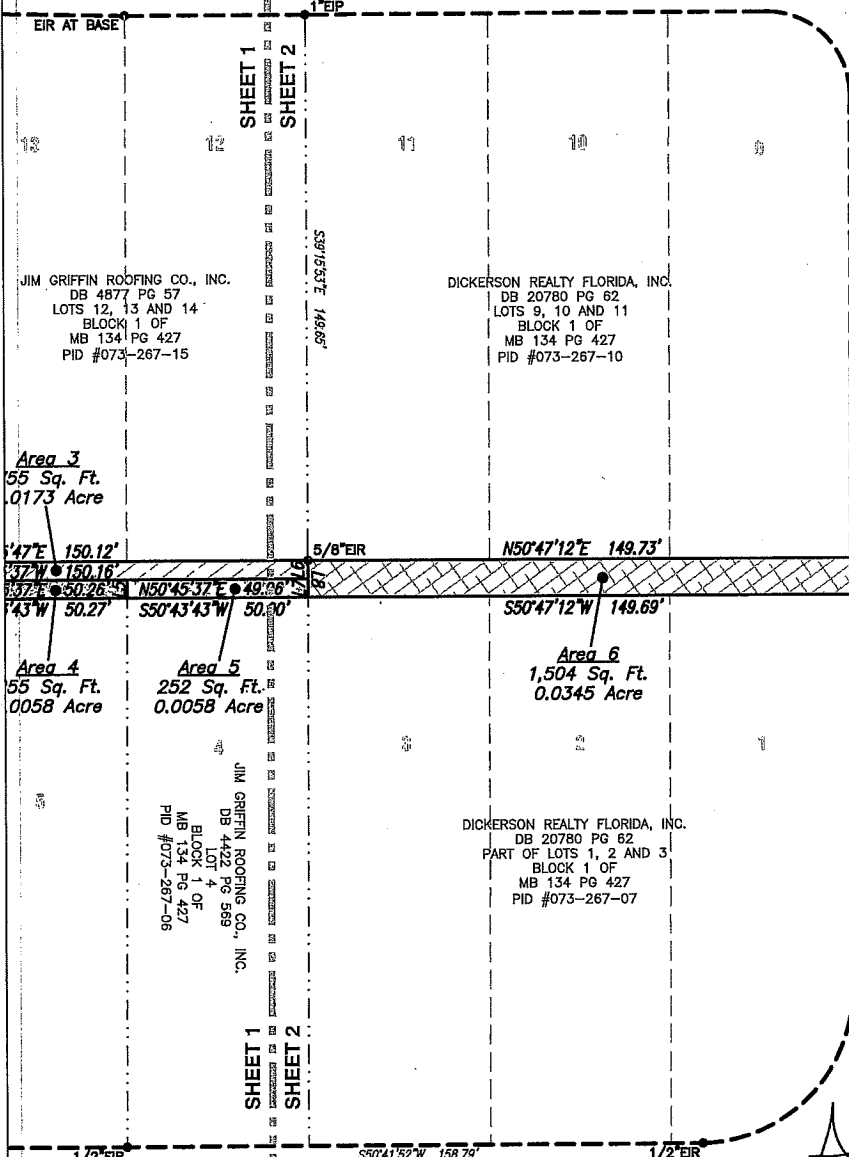


EXHIBIT A Page 2

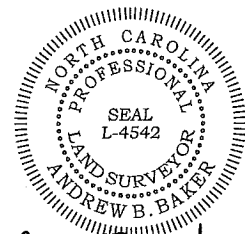
S. GRAHAM STREET

(FORMERLY GOLD STREET)
40' PUBLIC RIGHT-OF-WAY
MB 134 PG 427



W. CARSON BV.
VARIABLE WIDTH PUBLIC RIGHT-OF-WAY

LINE	BEARING	DISTANCE
L1	N38°39'05"W	5.03'
L2	S39°05'36"E	5.03'
L3	S38°50'56"E	5.08'
L4	N38°39'05"W	5.03'
L5	S38°58'47"E	5.05'
L6	S39°26'57"E	5.02'
L7	S39°26'57"E	5.02'
L8	N39°26'57"W	10.05'



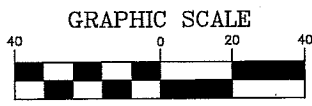
Andrew B. Baker
7/10/19

S. MINT STREET

50' PUBLIC RIGHT-OF-WAY
MB 134 PG 427

LEGEND:

- D.B. - DEED BOOK
- ECM - EXISTING CONCRETE MONUMENT
- EIP - EXISTING IRON PIPE
- EIR - EXISTING IRON ROD
- EMM - EXISTING METAL MONUMENT
- EN - EXISTING NAIL
- M.B. - MAP BOOK
- N.C.G.S. - NORTH CAROLINA GEODETIC SURVEY
- NIR - NEW IRON ROD
- NN - NEW NAIL
- PG. - PAGE
- R/W - RIGHT-OF-WAY
- PROPERTY LINE
- PROPERTY LINE (NOT SURVEYED)
- RIGHT-OF-WAY
- RIGHT-OF-WAY (NOT SURVEYED)
- EASEMENT
- SETBACK



SHEET 2 OF 2

EXHIBIT MAP FOR
10' ALLEY ABANDONMENT
1120 S. MINT STREET & S. GRAHAM STREET
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC
DEED REFERENCES: 4422-569, 4877-57, 20780-62,
30439-122, 31869-676
MAP REFERENCE: 134-427
TAX PARCEL NO: 073-267-03, 073-267-04, 073-267-06,
073-267-07, 073-267-10, 073-267-15, 073-267-17

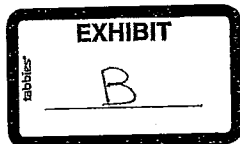
R.B. PHARR AND ASSOCIATES, P.A.
SURVEYING AND MAPPING
LICENSE NO. C-1471
420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL (704) 376-2186

CREW: FC	DRAWN: NM	REVISED:	SCALE: 1" = 40'	DATE: FEB 12, 2019	JOB NO. 89584
-------------	--------------	----------	--------------------	-----------------------	------------------

That certain tract or parcel of land situated, lying and being in the City of Charlotte, County of Mecklenburg, State of North Carolina and being more particularly described as follows:

BEGINNING at an existing 1 inch iron rod on the northeasterly right-of-way margin of West Palmer Street (40 foot public R/W), said iron being the southwest corner of Lot 16, Block 1, Map of St. Catherine Gold Mining Company as recorded in Map Book 134, Page 427 in the Mecklenburg County Registry; Thence with and along the southeasterly boundary of Lots 16 through 12, Block 1 aforesaid Map of St. Catherine Gold Mining Company N 50°45'47" E a distance of 250.12 feet to an existing 5/8 inch iron rod; Thence with and along the southeasterly boundary of Lots 11 through 9, Block 1 aforesaid Map of St. Catherine Gold Mining Company N 50°47'12" E a distance of 149.73 feet to a point on the southwesterly right-of-way margin of West Carson Boulevard (variable width public R/W); Thence with and along aforesaid southwesterly right-of-way margin of West Carson Boulevard S 39°12'48" E a distance of 10.05 feet to a point, said point being the northeast corner of Lot 1, Block 1 aforesaid Map of St. Catherine Gold Mining Company; Thence with and along the northwesterly boundary of Lots 1 through 3, Block 1 aforesaid Map of St. Catherine Gold Mining Company S 50°47'12" W a distance of 149.69 feet to a point; Thence with and along the northwesterly boundary of Lots 4 and 5, Block 1 aforesaid Map of St. Catherine Gold Mining Company S 50°43'43" W a distance of 100.27 feet to an existing 1 inch iron pipe; Thence with and along the northwesterly boundary of Lots 6 through 8, Block 1 aforesaid Map of St. Catherine Gold Mining Company S 50°46'38" W a distance of 149.99 feet to an existing 3/4 inch iron pipe on the northeasterly right-of-way margin of West Palmer Street; Thence with and along aforesaid on the northeasterly right-of-way margin of West Palmer Street N 38°39'05" W a distance of 10.07 feet to the POINT OF BEGINNING;

Having an area of 4,027 square feet or 0.0924 acre, as shown on an Exhibit map prepared by R. B. Pharr & Associates, P.A. dated February 12, 2019 (job no. 89584).



RESOLUTION CLOSING THE UNOPENED ALLEYWAY OFF S. TRYON AND HAWKINS IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

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 the unopened alleyway off S. Tryon and Hawkins which calls for a public hearing on the question; and

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

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

WHEREAS, the public hearing was held on the 14th day of October 2019, and City Council determined that the unopened alleyway off S. Tryon and Hawkins is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to their or its property.

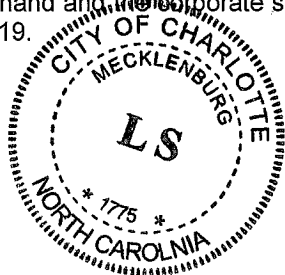
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of October 14th, 2019, that the Council hereby orders the closing of the unopened alleyway off S. Tryon and Hawkins in the City of Charlotte, Mecklenburg County, North Carolina as shown in the map marked "Exhibit A," and is more particularly described by metes and bounds in the document marked "Exhibit B," all of which are attached hereto and made a part hereof.

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

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of October, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 50, Page(s) 220-223.

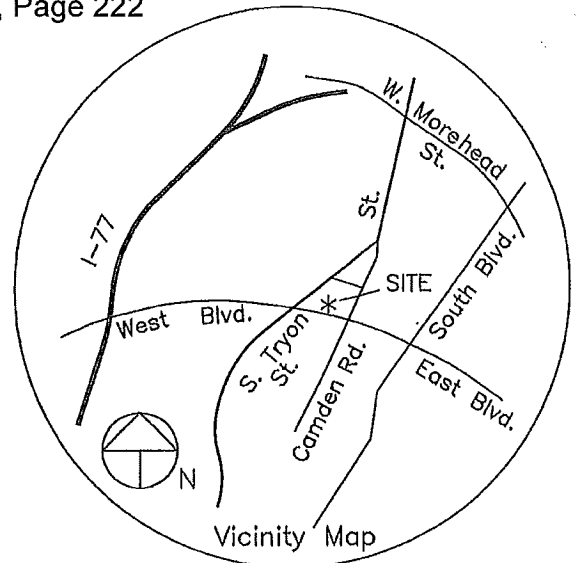
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 14th day of October, 2019.



Stephanie C. Kelly
Stephanie C. Kelly, City Clerk, MMC, NCCMC

- square feet (by coordinates)
- MB,DB record map and deed references
- IRF iron pin found
- IPF iron pipe found
- PKF/PKS P.K. nail found/set
- O- utility pole
- OE- overhead utilities
- x- fence line

Exhibit A



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

CALL BEFORE YOU DIG
 1-800-632-4949

NOTES

- 1.) The alleyway is shown on a plat of Wilmoore - Section 1, Block 5, recorded in Map Book 332 Page 96, Mecklenburg County Register of Deeds.
- 2.) Utilities shown hereon have been located based on: 1) observed surface indications, 2) designation markings provided by the NC ONE-CALL Utility Locating Center, and 3) Charlotte Water Department customer service maps. There may be additional utilities not shown. Contractors should contact the NC ONE-CALL Utility Locating Center at 1-800-632-4949 before any digging or excavation is begun. See caution note.
- 3.) Total area of abandonment is 3,483 S.F. (or 0.0800 Ac.), by coordinate computation.

GPS METADATA NOTE

- (1) Class of Survey: "A" (horizontal) "C" (vertical)
- (2) Positional Accuracy: Horizontal; 0.06 feet, Vertical; 0.13 feet
- (3) Type of GPS field procedure: RTK Network (VRS)
- (4) Date of Survey: September 13, 2017
- (5) Datum/Epoch: NAD_83 (2011)(Epoch:2010.0000)
- (6) Published/Fixed-control used: NCGS RTK (CORS) Network
- (7) Geoid Model: GEIOD_12B
- (8) Units: U.S. Survey Foot

Vertical datum is NAVD88
 All distances shown hereon are horizontal ground distances.
 Average combined grid factor 0.999843118.

Exhibit A
 Sheet 2 of 2



Andrew G. Zoutewelle
 4-11-19

ABANDONMENT SURVEY
South Tryon-Hawkins Alley
 CHARLOTTE, MECKLENBURG COUNTY, N.C.
 for COMMON SQUARE DEVELOPMENT LLC
 Date of Map: February 7, 2019
 ANDREW G. ZOUTEWELLE N.C. PLS L-3098
 1418 East 5th Street Charlotte, NC 28204
 Tel. 704-372-9444 Fax 704-372-9555



Scale: 1" = 60'

Legal Description
South Tryon-Hawkins Alley

Exhibit B

BEING all that certain alley abandonment area or tract of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being that certain 10-foot alley connecting South Tryon Street and Hawkins Street within Block 5 as shown on that certain plat entitled "Wilmoore - Sec. 1" recorded in Map Book 332 Page 96 of the Mecklenburg County Registry, and being more particularly described as follows:

BEGINNING at a new surveyor's pk nail ("Beginning Point") located on the southerly or southeasterly right-of-way margin of South Tryon Street (North Carolina Highway No. 49), said right-of-way having a variable width as shown on the plans of North Carolina State Highway Project No. 81674801, said new surveyor's pk nail Beginning Point being also located at the intersection of the southerly or southeasterly right-of-way margin of the said South Tryon Street and the easterly right-of-way margin of that certain 10-foot alley connecting South Tryon Street and Hawkins Street within Block 5 as shown on that certain plat entitled "Wilmoore - Sec. 1" recorded in Map Book 332 Page 96 of the Mecklenburg County Registry, said new surveyor's pk nail Beginning Point being also located the following two (2) calls from an existing surveyor's pk nail ("Commencement Point") located at the intersection of the northerly or northwesterly right-of-way margin of the said South Tryon Street and the southwesterly right-of-way margin of West Kingston Avenue, said existing surveyor's pk nail Commencement Point having North Carolina State Plane coordinates of Northing = 538,255.56 feet and Easting = 1,444,393.70 feet as based on the Epoch 2010.0000 realization of the North American Horizontal Datum of 1983, said datum having a combined scale factor of 0.999843118 to convert from the ground distances noted herein: (1) South 71-58-11 East 91.13 feet to an existing surveyor's pk nail and (2) South 65-25-21 East 228.15 feet, and running thence from said POINT AND PLACE OF BEGINNING along the easterly right-of-way margin of the said 10-foot alley the following three (3) calls: (1) South 23-50-52 East 28.46 feet to an existing iron pipe, (2) South 59-19-16 East 118.47 feet to an existing iron pipe and (3) South 59-21-12 East 178.17 feet to an existing iron pipe; thence along the northwesterly right-of-way margin of Hawkins Street, said right-of-way having a width of 50 feet as shown on the aforesaid plat recorded in Map Book 332 Page 96 of the Mecklenburg County Registry South 29-21-24 West 10.59 feet to an existing iron rebar; thence along the westerly right-of-way margin of the said 10-foot alley the following six (6) calls: (1) North 59-09-58 West 50.00 feet to an existing iron rebar, (2) North 59-46-04 West 50.18 feet to an existing iron pipe, (3) North 59-14-20 West 100.13 feet to an existing iron pipe, (4) North 59-14-53 West 49.92 feet to an existing iron pipe, (5) North 59-27-35 West 49.89 feet to an existing iron pipe and (6) North 23-50-52 West 31.87 feet to an existing surveyor's pk nail; thence along the southerly or southeasterly right-of-way margin of the aforesaid South Tryon Street North 65-25-21 East 10.55 feet to the point and place of BEGINNING, containing 3,483 square feet, more or less, as shown on a survey conducted by Andrew G. Zoutewelle, North Carolina Professional Land Surveyor No. L-3098, dated February 7, 2019.

Exhibit B



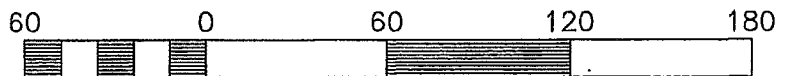
ABANDONMENT SURVEY
South Tryon-Hawkins Alley

CHARLOTTE, MECKLENBURG COUNTY, N.C.

for COMMON SQUARE DEVELOPMENT LLC

Date of Map: February 7, 2019

ANDREW G. ZOUTEWELLE N.C. PLS L-3098
1418 East 5th Street Charlotte, NC 28204
Tel. 704-372-9444 Fax 704-372-9555



Scale: 1" = 60'

RESOLUTION CLOSING A PORTION OF AUTEN STREET IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

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 Auten Street 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 a portion of Auten Street to be sent by registered or certified mail to all owners of property adjoining said right-of-way and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alleys, all as required by G.S.160A-299; and

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

WHEREAS, the public hearing was held on the 14th day of October 2019, and City Council determined that a portion a portion of Auten Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to their or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of October 14th, 2019, that the Council hereby orders the closing a portion of Auten Street in the City of Charlotte, Mecklenburg County, North Carolina as shown in the map marked "Exhibit A," and is more particularly described by metes and bounds in the document marked "Exhibit B," all of which are attached hereto and made a part hereof.

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

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of October, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 50, Page(s) 224-226.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 14th day of October, 2019.



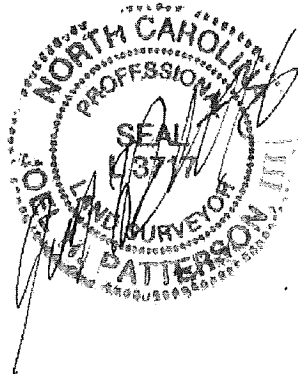
Stephanie C. Kelly
Stephanie C. Kelly, City Clerk, MMC, NCCMC

EXHIBIT B

LEGAL DESCRIPTION FOR AUTEN STREET ABANDONMENT

Lying and being in the City of Charlotte, Mecklenburg County, North Carolina, and being more particularly described as follows:

Beginning at a Found Mag Nail on the eastern right of way of Duckworth Avenue and a common point with West End Investments - Charlotte, LLC as recorded in Deed Book: 25807 at Page: 325 in the Mecklenburg County Register of Deeds and a unopened Street known as Auten Street. Thence with the line of Auten Street and with West End Investments - Charlotte, LLC property, the following two courses S 81-07-04 E a distance of 102.10 feet to a Found Mag Nail. Thence N 08-05-16 E a distance of 20.04 feet to a #4 rebar set, a common corner with Lot A of Map 967 at Page 345 also known as West End Investments - Charlotte LLC property, Deed Book: 25946 at Page: 438 as recorded in the Mecklenburg County Register of Deeds, Thence with the line of Lot A N 81-17-40 W a distance of 101.00 feet to a #4 rebar set on the eastern right of way of Duckworth Avenue. Thence with Duckworth Avenue S 11-17-39 W a distance of 19.74 feet to the to the point and place of beginning. Containing 0.046 Acres more or less.



RESOLUTION CLOSING A PORTION OF DARBY AVENUE IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

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 Darby Avenue 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 Darby Avenue to be sent by registered or certified mail to all owners of property adjoining said right-of-way and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alleys, all as required by G.S.160A-299; and

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

WHEREAS, the public hearing was held on the 14th day of October 2019, and City Council determined that a portion of Darby Avenue is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to their or its property.

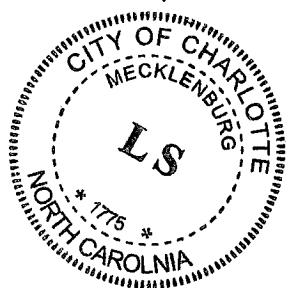
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of October 14th 2019, that the Council hereby orders the closing of a portion of Darby Avenue in the City of Charlotte, Mecklenburg County, North Carolina as shown in the map marked "Exhibit A," and is more particularly described by metes and bounds in the document marked "Exhibit B," all of which are attached hereto and made a part hereof.

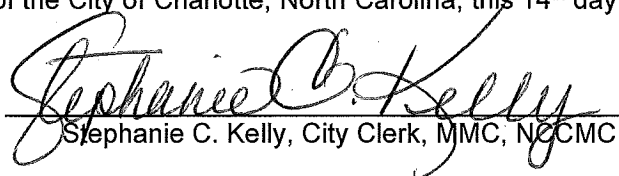
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of October, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 50, Page(s) 227-230.

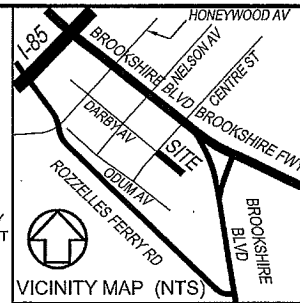
WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 14th day of October, 2019.




Stephanie C. Kelly, City Clerk, MMC, NCCMC

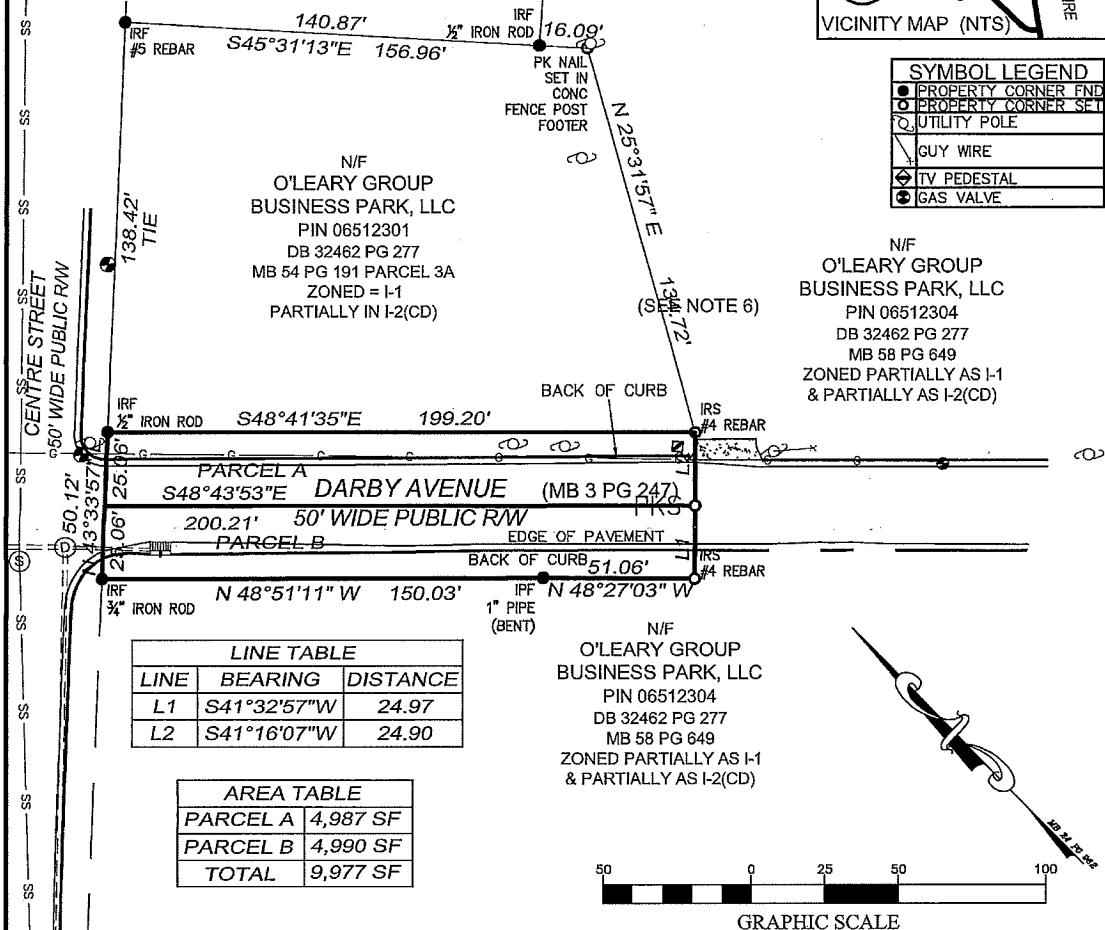
SURVEY NOTES:

1. AREA COMPUTED BY THE COORDINATE METHOD.
2. PROPERTY SUBJECT TO ANY & ALL EASEMENTS AND RESTRICTIONS OF RECORD.
3. NO NGS OR NCGS CONTROL WAS FOUND WITHIN 2000' OF SUBJECT PROPERTY.
4. PROPERTY LIES WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2 % ANNUAL CHANCE FLOODPLAIN, AREAS OUTSIDE FUTURE CONDITIONS 1 % ANNUAL CHANCE FLOODPLAIN, ACCORDING TO FIRM MAP NUMBER 3710454500J, PANEL 4545, EFFECTIVE DATE MARCH 2, 2009.
5. THIS SURVEY WAS DONE WITHOUT BENEFIT OF A TITLE REPORT AND DOES NOT PURPORT TO SHOW ALL MATTERS OF TITLE WHETHER OF RECORD OR NOT.
6. THERE IS AN EASEMENT IN FAVOR OF CHARLOTTE-MECKLENBURG UTILITIES (CMU), DUKE ENERGY, PIEDMONT NATURAL GAS, AT&T AND ALL OTHER OWNERS OF EXISTING UNDERGROUND UTILITIES AND TELECOMMUNICATION FACILITIES, UPON, UNDER AND ACROSS THE ENTIRE PROPERTY DESCRIBED AND SHOWN HEREON AS RIGHT OF WAY OF DARBY AVENUE TO BE ABANDONED, FOR ACCESS TO AND FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT AND REPAIR OF CONDUIT, CABLE, WIRES, WATER LINES AND/OR RELATED EQUIPMENT.



SYMBOL LEGEND

●	PROPERTY CORNER FND
○	PROPERTY CORNER SET
○	UTILITY POLE
—	GUY WIRE
⊕	TV PEDESTAL
⊕	GAS VALVE

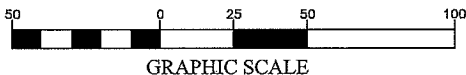


LINE TABLE

LINE	BEARING	DISTANCE
L1	S41°32'57"W	24.97
L2	S41°16'07"W	24.90

AREA TABLE

PARCEL A	4,987 SF
PARCEL B	4,990 SF
TOTAL	9,977 SF



I, JACKIE G. DUNCAN, CERTIFY THAT THIS EXHIBIT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (IN ACCORDANCE WITH THE DEEDS AND PLATS REFERENCED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS SUCH; THAT THIS EXHIBIT MAP IS FOR ATTACHMENT TO ABANDONMENT DOCUMENTS. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 30th DAY OF JULY, A.D., 2018.



Jackie G. Duncan
 JACKIE G. DUNCAN, PLS L-3412

EASEMENT EXHIBIT A
 RIGHT-OF-WAY ABANDONMENT SURVEY, A PORTION OF:
 DARBY AVENUE - 50' WIDE PUBLIC RIGHT-OF-WAY
 CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

Jackie G. Duncan, PLS, CFS
 230 PARKWAY AVENUE NW
 CONCORD, NC 28027
 PHONE: (980) 406-0366
 www.jackieduncanpls.com

SCALE: 1" = 50'	DATE: 7/30/2018	FILE: 12-022
DRAWN BY: JGD	CHECKED BY: JGD	SHEET: 111

EXHIBIT B

PARCEL A DESCRIPTION

Lying and being in the City of Charlotte, Mecklenburg County, State of North Carolina and more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod found in the northerly margin of Darby Avenue (formerly Washington Avenue), a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being in the easterly margin of Centre Street, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being located at the southwest corner of property currently owned by of O'Leary Group Business Park, LLC as recorded in Deed Book 32462, at Page 277 and also recorded as Parcel 3A in Map Book 54, at Page 191 in the Mecklenburg County Register of Deeds, said point being the POINT OF BEGINNING;

Thence along the northerly margin of Darby Avenue S 48° 41' 35" E, a distance of 199.20 feet to a set #4 rebar, the northeast corner of Parcel A; Thence S 41° 16' 07" E, a distance of 24.90 feet to the center line of the platted right of way of Darby Avenue (formerly Washington Avenue) (not the center of the paved road) a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds; Thence N 48° 43' 53" W, a distance of 200.21 feet to a point in the easterly margin of Centre Street; Thence N 43° 33' 57" E, a distance of 25.06 feet to the POINT OF BEGINNING.

Containing 4,987 square feet or 0.114 acres, more or less.

END OF PARCEL A DESCRIPTION.

EXHIBIT B

PARCEL B DESCRIPTION

Lying and being in the City of Charlotte, Mecklenburg County, State of North Carolina and more particularly described by metes and bounds as follows:

COMMENCING at a ½" iron rod found in the northerly margin of Darby Avenue (formerly Washington Avenue), a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being in the easterly margin of Centre Street, a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds, said point being located at the southwest corner of property currently owned by of O'Leary Group Business Park, LLC as recorded in Deed Book 32462, at Page 277 and also recorded as Parcel 3A in Map Book 54, at Page 191 in the Mecklenburg County Register of Deeds, said point being the POINT OF COMMENCING;

Thence S 43° 33' 57" W, a distance of 25.06 feet to a point being the southwest corner of Parcel A, the northwest corner of Parcel B and being the center line of the platted right of way of Darby Avenue (formerly Washington Avenue) (not the center of the paved road) a 50' public right of way recorded in Map Book 3, at Page 247 in the Mecklenburg County Register of Deeds for the POINT OF BEGINNING; Thence along said right of way center line, S 48° 43' 53" E, a distance of 200.21 feet to a point being the southeast corner of Parcel A, the northeast corner of Parcel B; Thence S 41° 32' 57" W, a distance of 24.97 feet to a #4 rebar set in the southerly margin of Darby Avenue; Thence N 48° 27' 03" W, a distance of 51.06 feet to a found 1" iron pipe (bent); Thence N 48° 51' 11" W, a distance of 150.03 feet to a found ¾" iron rod in the easterly margin of Centre Street; Thence N 43° 33' 57" E, a distance of 25.06 feet to the POINT OF BEGINNING.

Containing 4,990 square feet or 0.115 acres, more or less.

END OF PARCEL B DESCRIPTION.

RESOLUTION CLOSING A PORTION OF THE PUBLIC RIGHT-OF-WAY ALONG PARKWOOD AVENUE
IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

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 the public right-of-way along Parkwood Avenue 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 the public right-of-way along Parkwood Avenue to be sent by registered or certified mail to all owners of property adjoining said right-of-way and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alleys, all as required by G.S.160A-299; and

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

WHEREAS, the public hearing was held on the 14th day of October 2019, and City Council determined that a portion of the public right-of-way along Parkwood Avenue is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to their or its property.

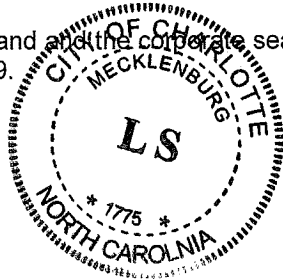
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of October 14th 2019, that the Council hereby orders the closing a portion of the public right-of-way along Parkwood Avenue in the City of Charlotte, Mecklenburg County, North Carolina as shown in the map marked "Exhibit A," and is more particularly described by metes and bounds in the document marked "Exhibit B," all of which are attached hereto and made a part hereof.

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

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of October, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 50, Page(s) 231-233.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 14th day of October, 2019.



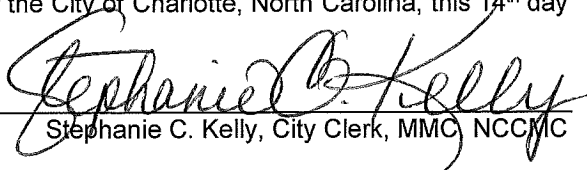
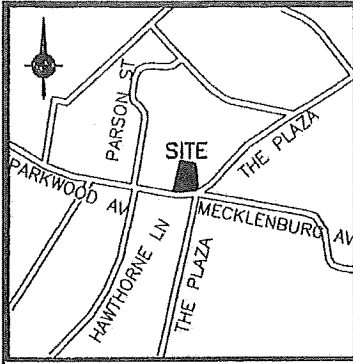
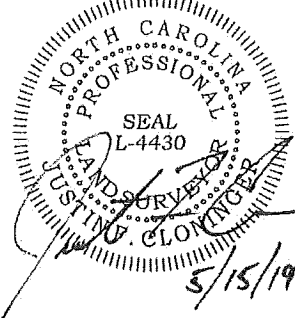

Stephanie C. Kelly, City Clerk, MMC, NCCMC

EXHIBIT A

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

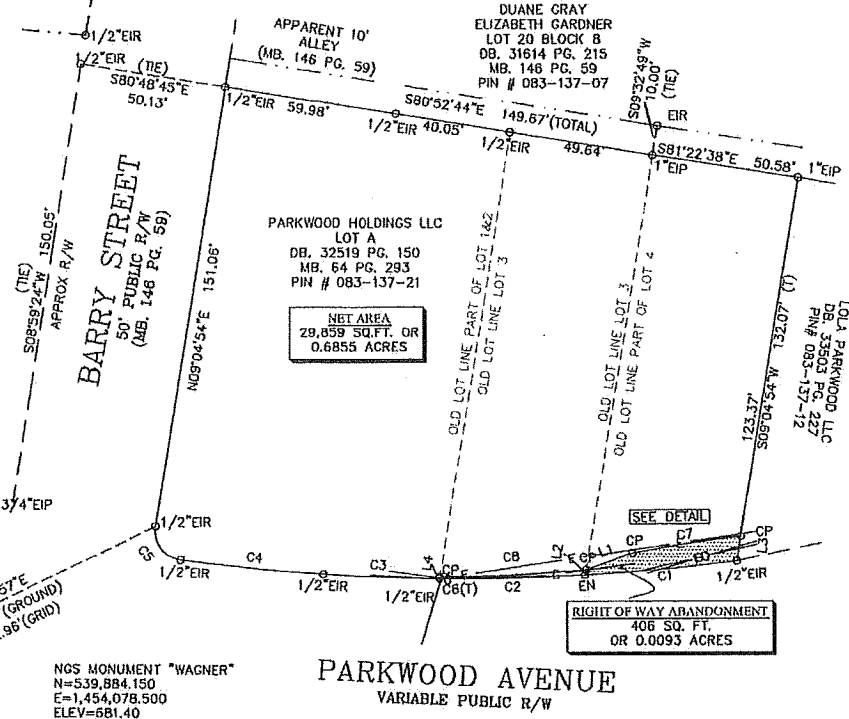


VICINITY MAP - NTS



NGS MONUMENT "MCDOWELL"
N=541,237.390
E=1,452,816.020
ELEV=681.80
CGF=0.99984487

NGS MONUMENT "WAGNER"
N=539,884.150
E=1,454,078.500
ELEV=681.40
CGF=0.99984487



PARKWOOD AVENUE
VARIABLE PUBLIC R/W

NET AREA
29,859 SQ.FT. OR
0.6855 ACRES

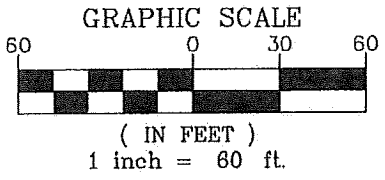
RIGHT OF WAY ABANDONMENT
406 SQ. FT.
OR 0.0093 ACRES

NOTES:

- ALL CORNERS MONUMENTED AS SHOWN.
- THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
- BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
- PARKWOOD AVENUE IS SHOWN AS A "MAJOR THOROUGHFARE" ON THE MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION THOROUGHFARE PLAN OF 2004 AND MAY BE SUBJECT TO A FUTURE RIGHT-OF-WAY OF 40' FROM CENTERLINE.
- THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.
- PHYSICAL IMPROVEMENTS EXIST ON THIS PROPERTY THAT ARE NOT SHOWN HEREON.
- THE PURPOSE OF THIS MAP IS FOR RIGHT OF WAY ABANDONMENT ONLY.
- THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION SHOWN HEREON WAS TAKEN FROM A SURVEY BY R.B. PHARR & ASSOCIATES, P.A. DATED NOVEMBER 16, 2018. JOB NO. 89348

LEGEND:

- CGF - COMBINED GRID FACTOR
- CP - CALCULATED POINT
- DB - DEED BOOK
- EIP - EXISTING IRON PIPE
- EIR - EXISTING IRON ROD
- EMM - EXISTING METAL MONUMENT
- EN - EXISTING NAIL
- MB - MAP BOOK
- N.C.G.S. - NORTH CAROLINA GEODETIC SURVEY
- NIR - NEW IRON ROD
- NN - NEW NAIL
- PG - PAGE
- R/W - RIGHT-OF-WAY
- PROPERTY LINE
- PROPERTY LINE (NOT SURVEYED)
- RIGHT-OF-WAY
- RIGHT-OF-WAY (NOT SURVEYED)
- EASEMENT
- FIBER OPTIC LINE
- GAS LINE
- POWER LINE



LINE TABLE:

LINE	BEARING	DISTANCE
L1	S69°57'49"W	16.80'
L2	S09°04'54"W	1.81'
L3	N09°04'54"E	8.70'
L4	S09°04'54"W	0.55'

CURVE TABLE:

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	730.07'	52.20'	S84°47'13"W	52.19'
C2	730.07'	50.46'	S88°48'56"W	50.45'
C3	730.07'	40.29'	N87°37'25"W	40.28'
C4	730.07'	49.88'	N84°05'08"W	49.87'
C5	10.00'	15.99'	N36°25'52"W	14.34'
C6	730.07'	192.83'	N89°41'41"W	192.27'
C7	561.66'	37.73'	S81°10'34"W	37.73'
C8	565.64'	50.71'	S87°24'51"W	50.69'

DETAIL NOT TO SCALE

EXHIBIT MAP PREPARED FOR:
URBAN DESIGN PARTNERS
 OF:
LOT A, MB. 64 PG. 293
 1605 PARKWOOD AVENUE
 CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.
 DEED REFERENCE: 32519-150
 MAP REFERENCE: 64-293
 TAX PARCEL #: 083-137-21

R.B. PHARR AND ASSOCIATES, P.A.
 SURVEYING AND MAPPING
 LICENSE NO. C-1471
 420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL. (704) 376-2186

CREW:	DRAWN:	REVISED:	SCALE:	DATE:	JOB NO.
	PJH		1" = 60'	MAY 10, 2019	89983

EXHIBIT B

THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN ½" EXISTING IRON ROD POINT BEING SITUATED ON THE NORTHERLY RIGHT OF WAY OF PARKWOOD AVENUE AND BEING THE POINT OF BEGINNING; THENCE IN A NORTHERLY DIRECTION NORTH 09°04'54" EAST A DISTANCE OF 0.55 FEET TO A POINT. POINT BEING SITUATED ON THE PROPERTY OF PARKWOOD HOLDINGS LLC AND BEING LOT A OF MAP BOOK 64 PAGE 293 AS DESCRIBED IN DEED BOOK 32519 PAGE 150 OF THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE; THENCE WITH THE PROPERTY OF PARKWOOD HOLDINGS LLC FOR THE FOLLOWING THREE (3) COURSES AND DISTANCES: 1) WITH A CURVE TO THE LEFT SAID CURVE HAVING AN ARC LENGTH OF 50.71 FEET A RADIUS OF 565.64 FEET (CHORD BEARING OF NORTH 87°24'51" EAST AND CHORD DISTANCE OF 50.69 FEET) TO A POINT; 2) NORTH 69°57'49" EAST A DISTANCE OF 16.80 FEET TO A POINT; 3) WITH A CURVE TO THE RIGHT SAID CURVE HAVING AN ARC LENGTH OF 37.73 FEET A RADIUS OF 561.66 FEET (CHORD BEARING OF NORTH 81°10'34" EAST AND CHORD DISTANCE OF 37.73 FEET) TO A POINT; THENCE IN A SOUTHERLY DIRECTION AND WITH THE PROPERTY OF THE CITY OF CHARLOTTE AS DESCRIBED IN DEED BOOK 12344 PAGE 531 OF THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE SOUTH 09°04'54" WEST A DISTANCE OF 8.70 FEET TO AN ½" EXISTING IRON ROD, POINT BEING SITUATED ON THE AFORE MENTIONED RIGHT OF WAY OF PARKWOOD AVENUE; THENCE WITH THE RIGHT OF WAY OF PARKWOOD AVENUE FOR THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) WITH A CURVE TO THE RIGHT SAID CURVE HAVING AN ARC LENGTH OF 52.20 FEET A RADIUS OF 730.07 FEET (CHORD BEARING OF SOUTH 84°47'13" WEST AND CHORD DISTANCE OF 52.19 FEET TO AN EXISTING NAIL); 2) WITH A CURVE TO THE RIGHT SAID CURVE HAVING AN ARC LENGTH OF 50.46 FEET A RADIUS OF 730.07 FEET (CHORD BEARING OF SOUTH 88°48'56" WEST AND CHORD DISTANCE OF 50.45 FEET) TO THE POINT AND PLACE OF BEGINNING; HAVING AN AREA OF 406 SQUARE FEET OR 0.0093 ACRES. AS SHOWN ON A MAP BY R.B.PHARR & ASSOCIATES DATED MAY 10, 2019, HAVING JOB NO. 89983.

CHARLOTTE CITY COUNCIL

RESOLUTION

**APPROVING AMENDED AND RESTATED BROOKLYN VILLAGE
INTERLOCAL COOPERATION AGREEMENT AND BROOKLYN VILLAGE
MEMORANDUM OF AGREEMENT**

WHEREAS, the County and the City entered into the "Brooklyn Village Interlocal Cooperation Agreement" dated November 19, 2013 (the "Current Brooklyn Village Interlocal Agreement"), which Current Brooklyn Village Interlocal Agreement the parties desire to amend and replace with a new Brooklyn Village Interlocal Cooperation Agreement (the "2019 Brooklyn Village Interlocal Agreement"); and

WHEREAS, the City and County both support the implementation of the first phase of the Second Ward Neighborhood Master Plan in accordance with the Vision Statement and Master Plan (the "Master Plan") and wish to enter into an agreement to assist each other in the accomplishment of these goals, which would advance or further City and County economic development, urban revitalization, community development and land use plans; and

WHEREAS, the City has conveyed certain real property in Second Ward (Marshall Park) to the County to assist in the development of Brooklyn Village; and

WHEREAS, the County previously entered into a sales agreement that included the Brooklyn Village Site, but the developer did not close on the sale thereof; and

WHEREAS, in the intervening period since the Current Brooklyn Village Interlocal Agreement was executed, the County has selected BK Partners, LLC, a Delaware limited liability company ("BK"), to serve as master developer in the redevelopment of Brooklyn Village; and

WHEREAS, the process for redevelopment of Brooklyn Village negotiated between the County and BK, as outlined in the Master Redevelopment Agreement by and between the County and BK, dated July 10, 2018 (the "MRA"), necessitates modifications in the Current Brooklyn Village Interlocal Agreement, which modifications have been incorporated into the 2019 Brooklyn Village Interlocal Agreement; and

WHEREAS, The City, the County and the Charlotte Housing Authority ("CHA") previously entered into a Memorandum of Agreement executed on July 5, 2015 ("MOA") that set forth the terms for accomplishing the goals for affordable housing in the Master Plan; and

WHEREAS, in the intervening period since the MOA was executed, the County selected BK to serve as master developer in the redevelopment of Brooklyn Village; and

WHEREAS, the MRA has been adopted by and between the County and BK, necessitating revisions to the MOA.

WHEREAS, N.C. Gen. Stat. 160A-461 requires that interlocal agreements “be ratified by resolution of the governing board of each unit spread upon its minutes”; now, therefore, be it

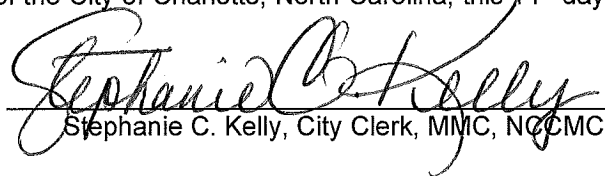
RESOLVED by the Charlotte City Council that the attached “Amended and Restated Brooklyn Village Interlocal Cooperation Agreement” and “Brooklyn Village Amended and Restated Memorandum of Agreement” are hereby approved, that the City Manager is hereby authorized to execute such amended and restated agreement in substantially the form attached to this Resolution and to negotiate any further ancillary documents or non-material changes to such Interlocal Agreements as may be necessary, and that this Resolution shall be spread upon the minutes.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of October, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 50, Page(s) 234-248.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 14th day of October, 2019.




Stephanie C. Kelly, City Clerk, MMC, NCCMC

Drafted by:

Robert G. Brinkley
Womble Bond Dickinson (US) LLP
301 South College Street, Suite 3500
Charlotte, North Carolina 28202

Return after recording to:

600 East 4th Street
Charlotte, NC 28202
Attn: Director of Asset and Facility
Management, Mark Hahn

**AMENDED AND RESTATED
BROOKLYN VILLAGE
INTERLOCAL COOPERATION AGREEMENT**

This **AMENDED AND RESTATED INTERLOCAL COOPERATION AGREEMENT** dated and to be effective as of _____, 2019 ("Agreement") between the **COUNTY OF MECKLENBURG, NORTH CAROLINA**, a political subdivision of the State of North Carolina ("County"), and the **CITY OF CHARLOTTE, NORTH CAROLINA**, a municipal corporation organized under the laws of the State of North Carolina ("City").

WITNESSETH

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

WHEREAS, the County and the City entered into the "Brooklyn Village Interlocal Cooperation Agreement" dated November 19, 2013 (the "Current Brooklyn Village Interlocal Agreement"), which Current Brooklyn Village Interlocal Agreement the parties desire to amend and replace with this Agreement; and

WHEREAS, the City and County both support the implementation of the first phase of the Second Ward Neighborhood Master Plan in accordance with the Vision Statement and Master Plan attached as **Exhibit A**, and wish to enter into this Agreement to assist each other in the accomplishment of these goals,

which would advance or further City and County economic development, urban revitalization, community development and land use plans; and

WHEREAS, the City has conveyed certain real property in Second Ward (Marshall Park) to the County to assist in the development of Brooklyn Village; and

WHEREAS, the County previously entered into a sales agreement that included the Brooklyn Village Site, but the developer did not close on the sale thereof; and

WHEREAS, in the intervening period since the Current Brooklyn Village Interlocal Agreement was executed, the County has selected BK Partners, LLC, a Delaware limited liability company (“BK”), to serve as master developer in the redevelopment of Brooklyn Village; and

WHEREAS, the process for redevelopment of Brooklyn Village negotiated between the County and BK, as outlined in the Master Redevelopment Agreement by and between the County and BK, dated July 10, 2018 and attached hereto as **Exhibit C** (the “MRA”), necessitates modifications in the Current Brooklyn Village Interlocal Agreement, which modifications have been incorporated into this Agreement;

NOW, THEREFORE, in consideration of the mutual commitments contained herein and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the City and the County agree as follows:

ARTICLE I. DEFINITIONS

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

1.01 “*Agreement*” means this Amended and Restated Brooklyn Village Interlocal Cooperation Agreement between the City and the County, and any amendment or supplement thereto.

1.02 “*Board of Education Building*” means the now-closed building, formerly used by the Board of Education, located on the Brooklyn Village Site, as shown on the map attached hereto as **Exhibit B**.

1.03 “*Brooklyn Village Site*” means the parcels located in Charlotte, Mecklenburg County, North Carolina, PID Numbers 12507120 and 12507125, as shown on **Exhibit B**.

1.04 “*City*” means the City of Charlotte, North Carolina.

1.05 “*County*” means the County of Mecklenburg, North Carolina.

1.06 “*Developer*” means BK or such other suitable purchaser of the Brooklyn Village Site, as the County may determine.

1.07 “*Marshall Park*” means the real property having the Parcel ID No. 12507125 as shown on the map attached as **Exhibit B**, and all attachments thereon and appurtenances thereto, excluding any monuments or structures that the City removed from the property.

1.08 “*Second Ward Neighborhood Master Plan*” means the Second Ward Neighborhood Master Plan adopted in 2002 by the Charlotte City Council, Mecklenburg County Board of Commissioners and the Charlotte-Mecklenburg Board of Education.

1.09 “*Walton Plaza Site*” means the parcels located in Charlotte, Mecklenburg County, North Carolina, PID Numbers 12517101 and 12517103, as shown on **Exhibit B** (and together, the redevelopment of the Walton Plaza Site and the Brooklyn Village Site shall be referred to herein as the “Project”).

ARTICLE II. COUNTY RESPONSIBILITIES

2.01 Offer for sale and development the Brooklyn Village Site and Walton Plaza Site as shown on **Exhibit B**. The parcels may be subdivided and may be sold individually or in combination, depending on market conditions.

2.02 Require Developer to cause the demolition of the Board of Education Building during Phase I of its development (as the term Phase I is defined in the MRA attached hereto as **Exhibit C**).

2.03 Design and construct, or cause to be designed and constructed, infrastructure improvements (i.e., rerouting of existing storm water drainage pipe, demolition of the Marshall Park pond structures and fountain, preliminary grading, and road construction) as needed for proposed development. Some infrastructure improvements may be implemented incrementally as needed for the development of the Brooklyn Village Site and some might be implemented by Developer.

2.04 Retain (after conveyance to Developer, and reconveyance to the County after necessary infrastructure work has been completed) an urban park which will be located on the Brooklyn Village Site (the “Park”) as part of the approximately 2.5 acres of Public Open Space (as defined in the MRA attached as **Exhibit C**) that will be developed throughout the Project. The exact size of the Park and other Public Open Space will be determined after the sale of parcel(s) to Developer and determination of allowances for actual public street rights-of-way.

2.05 The County further acknowledges and agrees that the City shall have no responsibility to fund streets or any other infrastructure or improvements needed for development of the Park as part of Brooklyn Village.

2.06 The County will require Developer, at its sole cost to: (a) be responsible for the transfer and care of the Martin Luther King statue, and (b) work with the Rabbi & Executive Directors Council to find a suitable location for, transfer and care for the Holocaust Memorial. The County will require Developer, at its own cost, to care for or remove all other monuments and structures on the Marshall Park site not removed by the City within the time period set forth in the Current Brooklyn Village Interlocal Agreement.

ARTICLE III. CITY RESPONSIBILITIES

The City agrees to endeavor to negotiate and enter into a new agreement (if necessary) with the County and the Charlotte Housing Authority (“CHA”) to amend and update the terms and conditions as stated in the Brooklyn Village Memorandum of Agreement among the CHA, the County and the City dated July 5, 2015, and such new agreement (the “Amended BV MOU”) may be executed contemporaneously herewith. The Amended BK MOU will confirm Developer’s obligation to provide a minimum of thirty-five (35) housing units on the Project which shall be available to households with tenant-based Housing Choice Vouchers (“Vouchers”) for a term of at least thirty (30) years. The Amended BK MOU will additionally set forth the CHA’s commitment to support Developer’s affordable housing leasing efforts and actively market the availability of all affordable and senior affordable housing units, pursuant to CHA’s normal processes, to include advertising on CHA’s Voucher website, etc.

ARTICLE IV. REVERSAL OPTION

If none of the Marshall Park property is sold by the County to Developer or other buyer with restrictions similar to the restrictions attached to the MRA by [December 31, 2029], the County shall, if requested in writing by the City by [April 1, 2030], convey Marshall Park back to the City at no cost to the City within ninety (90) days after receipt of the City's written request. The County Board of Commissioners, by approval of this Agreement, authorizes and directs the County Manager to execute all documents necessary to convey Marshall Park back to the City within such time period upon receipt of a written request from the City pursuant to the preceding sentence.

ARTICLE V. COUNTY EXERCISE OF CITY POWERS

Pursuant to Article 20 of Chapter 160A of the North Carolina General Statutes, and in consideration of the joint actions being taken by the City and County to achieve the shared objectives contemplated by this Agreement, the City has agreed to authorize the County to exercise some City powers as set forth in Sections 5.01 through 5.03 below with respect to the County's disposition of Marshall Park and the Charlotte-Mecklenburg Board of Education property adjacent to Marshall Park (proposed site for Brooklyn Village) and that portion of the Spirit Square Properties which the County may consider selling in the future.

5.01 County Exercise of the City's Charter Power for Private Sale of Real Property. The City authorizes the County and the Mecklenburg County Board of Commissioners to exercise the City's power to sell or lease real property using the procedures contained in Section 8.22 (d) of the City Charter (with actions stated to be taken by the City to be actions to be taken by the "County", with actions to be taken by the "Council" to be actions taken by the "County Board of Commissioners", with "Council" adopted plans or policies to be "County Board of Commissioners" adopted plans or policies, and with actions to be taken at a "Council" meeting to be actions to be taken at a "County Board of Commissioners" meeting), which section of the Charter reads as follows:

(d) When the Council determines that a sale or disposition of property will advance or further any Council-adopted economic development, transportation, urban revitalization, community development, or land-use plan or policy, the City may, in addition to other authorized means, sell, exchange, or transfer the fee or any lesser interest in real property, either by public sale or by negotiated private sale. The City may attach to the transfer and to the interest conveyed such covenants, conditions, or restrictions (or a combination of them) the City deems necessary to further such adopted policies or plans. The consideration received by the City, if any, for such conveyance, may reflect the restricted use of the property resulting from such covenants, conditions, or restrictions. An interest in property pursuant to this subsection may be conveyed only pursuant to resolution of the Council authorizing the conveyance. Notice of the proposed transaction shall be given at least 10 days prior to adoption of the resolution by publication in a newspaper of general circulation, generally describing:

- (1) The property involved;
- (2) The nature of the interest to be conveyed; and
- (3) All of the material terms of the proposed transaction, including any covenants, conditions, or restrictions which may be applicable. The notice shall give the time and place of the Council meeting where the proposed transaction will be considered and shall announce the

Council's intention to authorize the proposed transaction. Notwithstanding the foregoing, the City may not sell the land or buildings located at 100 Paul Buck Boulevard by private sale.

5.02 County Exercise of the City's Charter Power to Lease Property. The City authorizes the County and the Mecklenburg County Board of Commissioners to exercise the City's power to lease real property using the procedures contained in Section 8.131 of the City Charter (with actions stated to be taken by the City to be actions to be taken by the "County", with actions to be taken by the "Council" to be actions taken by the "County Board of Commissioners"), which section of the Charter reads as follows:

Notwithstanding the provisions of G.S. 160A-272, the Council may, in its discretion, lease City-owned property for such terms and upon such conditions as the Council may determine, including terms of more than 10 years without the necessity of following any procedures other than those required by G.S. 160A272 for leases of 10 years or less.

5.03 County Exercise of Municipal power to improve streets and sidewalks. The City authorizes the County to exercise its municipal powers to make improvements to streets and sidewalks as necessary to provide the infrastructure improvements to streets in the Brooklyn Village development as identified in **Exhibit B**.

ARTICLE VI. DEVELOPMENT OF BROOKLYN VILLAGE

The County will sell the Brooklyn Village Site to Developer for the purpose of the development of a mixed use urban village in Second Ward ("Brooklyn Village"). The County will endeavor to enter into agreements with Developer to cause development to occur consistent with the following:

6.01 Brooklyn Village will be a mix of uses that may include but are not limited to condominiums, apartments, office space, retail, hotel, and community facilities designed to encourage diversity and to honor the old Brooklyn neighborhood. The Vision Statement and Master Plan for Brooklyn Village are attached in **Exhibit A** for reference.

6.02 The Project will include a minimum of thirty-five (35) housing units that shall be available to households with Vouchers received from the CHA for a term of at least thirty (30) years, as further described in Article III herein and the Amended BV MOU.

6.03 Second Ward Neighborhood Master Plan: Brooklyn Village is the first phase of planned redevelopment in Second Ward. The mission of the Second Ward Neighborhood Master Plan is *"to create a livable and memorable urban neighborhood in the heart of the city through mixed land use, diverse architecture and housing types, unique infrastructure and a hierarchy of open spaces. These components will combine to welcome and support a diverse population with varied ages, races and socio-economic backgrounds"*. The County has worked and will continue to work with Developer and Second Ward stakeholders to ensure that the Brooklyn Village Site is developed consistent with the Second Ward Neighborhood Master Plan vision. Developer has agreed to minority participation goals and other solutions for achieving the goals of the Second Ward Neighborhood Master Plan substantially as provided in the MRA attached hereto as **Exhibit C**.

ARTICLE VII. INDEMNIFICATION AND HOLD HARMLESS

7.01 To the fullest extent permitted by law, the City shall indemnify and hold harmless the County and its elected officials, officers, agents or employees, or any of them, from and against any and all claims, actions, suits, liability, loss, costs, expenses and damages of any nature whatsoever, which are caused by or result from a negligent action or omission of the City, its officers, agents and employees in removing

monuments, structures or other items from Marshall Park after ownership was transferred to the County. In the event that any suit based upon such a claim, action, loss or damage is brought against the County or the City and County, the City shall defend the same at its sole cost and expense and, if final judgment be rendered against the County and its elected officials, officers, agents and employees or jointly against the County and City and their respective elected officials, officers, agents and employees, the City shall satisfy the same.

7.02 To the fullest extent permitted by law, the County shall indemnify and hold harmless the City and its elected officials, officers, agents and employees, or any of them, from and against any and all claims, actions, suits, liability, loss, costs, expenses and damages of any nature whatsoever, (i) which are caused by or result from a negligent act or omission of the County, its officers, agents and employees in performing obligations pursuant to this Agreement, or (ii) which arise from occurrences related to Marshall Park that occurred on or after the effective date of conveyance of Marshall Park to the County. In the event that any suit based upon such a claim, action, loss or damage is brought against the City or the City and the County, the County shall defend the same at its sole cost and expense and, if final judgment be rendered against the City and its elected officials, officers, agents and employees or jointly against the City and County and their respective elected officials, officers, agents and employees, the County shall satisfy the same.

7.03 Each Party to this Agreement shall immediately notify the other of any and all claims, actions, losses or damages that arise or are brought against that Party relating to or pertaining to Marshall Park.

ARTICLE VIII. DURATION

This Agreement will terminate December 31, 2035 or such earlier date as agreed to by the City and the County in writing.

ARTICLE IX. MISCELLANEOUS

9.01 Current Brooklyn Village Interlocal Agreement. The Current Brooklyn Village Interlocal Agreement, including without limitation, the City's right to cause the County to convey Marshall Park back to the City, as described in Article IV therein, is terminated and hereby replaced by this Agreement as of the Effective Date of this Agreement.

9.02 Amendment. This Agreement may be amended through an amendment approved in writing by the City Council and the Mecklenburg County Board of Commissioners.

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

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

9.05 Time is of the Essence. Time is of the essence in this Agreement.

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

9.07 Force Majeure. If either the City or the County shall be delayed or hindered in, or prevented from, the performance of any covenant or obligation hereunder, as a result of any Force Majeure (as defined below), and, provided that the party delayed, hindered or prevented from performing notifies the other party

both of the commencement and of the expiration of such delay, hindrance or prevention, (each notice being required within fourteen (14) days of the respective event), then the performance of such covenant or obligation shall be excused for the period of such delay, hindrance or prevention and the period for the performance of such covenant or obligation shall be extended by the number of days equivalent to the number of days of the impact of such delay, hindrance or prevention. Failure to so provide the foregoing notice will result in waivers of both excuse in performance and extension of time to perform under this Agreement with respect to any such delay, hindrance or prevention. "Force Majeure" shall mean fire, storm, earthquake, tornado, flood, natural disaster, national emergency, civil disturbance or disobedience, riot, sabotage, terrorism, threats of sabotage or terrorism, restraint by court order, acts of God, or labor disputes not due to a breach of an applicable collective bargaining agreement.

9.08 Effective Date. This Agreement takes effect on the date first stated above.

[Signatures are on following pages]

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

CITY OF CHARLOTTE, NORTH CAROLINA

[SEAL]

By: _____
City Manager

Attest:

City Clerk

COUNTY OF MECKLENBURG, NORTH CAROLINA

[SEAL]

By: _____
County Manager

Attest:

Clerk to the Board

Approved as to form:

Pre-audit not required

County Attorney

DIRECTOR OF FINANCE
MECKLENBURG COUNTY

**BROOKLYN VILLAGE
AMENDED AND RESTATED MEMORANDUM OF AGREEMENT**

This Amended and Restated of Memorandum of Agreement (“Agreement”) dated and to be effective as of _____, 2019 is made and entered into by and among the **HOUSING AUTHORITY OF THE CITY OF CHARLOTTE**, a public body and a body corporate and politic (“CHA”), the **COUNTY OF MECKLENBURG, NORTH CAROLINA**, a political subdivision of the State of North Carolina (“County”), and the **CITY OF CHARLOTTE, NORTH CAROLINA**, a municipal corporation organized under the laws of the State of North Carolina (“City”).

WHEREAS, CHA, County, and City desire to provide affordable housing units in the Brooklyn Village redevelopment;

WHEREAS, CHA, County, and City have previously entered into an agreement, the Brooklyn Village Memorandum of Understanding (“MOU”) which was executed July 5, 2015, to assist each other in the accomplishment of the Vision Statement and Master Plan of this Second Ward Neighborhood, which is "To create a livable and memorable urban neighborhood in the heart of the city through mixed land uses, diverse architecture and housing types, unique infrastructure, and a hierarchy of open spaces. These components will combine to welcome and support a diverse population with varied ages, races, and socio-economic backgrounds.";

WHEREAS, County and City have previously entered into an agreement, the Brooklyn Village Interlocal Cooperation Agreement (“ILA”) which was executed November 19, 2013 to support the redevelopment of Brooklyn Village (as defined in the ILA);

WHEREAS, in the intervening period since the MOU and ILA were executed, County has accomplished a process to select a master developer, BK Partners, LLC (“BK”) to partner in the redevelopment of Brooklyn Village;

WHEREAS, BK’s redevelopment of Brooklyn Village shall include the redevelopment of (i) Marshall Park (as defined in the ILA and having Parcel ID No. 12507125), (ii) the parcel adjacent to Marshall Park (having Parcel ID No. 12507120, which, together with Marshall Park, shall be referred to herein as the “Brooklyn Village Site”), and (iii) two parcels located to the south of the Brooklyn Village Site having Parcel ID Nos. 12517101 and 12517103 (collectively referred to herein as the “Walton Plaza Site”); and

WHEREAS, the Master Redevelopment Agreement, dated July 10, 2018 (the “MRA”) has been adopted by and between County and BK, necessitating revisions to the MOU.

NOW, THEREFORE, in consideration of the mutual commitments contained herein and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, CHA, County and City agree to amend and restate the MOU as follows:

1. CHA is committed to assisting with the inclusion of affordable housing as a component of the redevelopment of the Brooklyn Village Site and the Walton Plaza Site. A minimum of thirty-five (35) housing units located within the Brooklyn Village Site and the Walton Plaza Site will be made available to households with tenant-based Housing Choice Vouchers (HCV) for households earning up to 60% of the area median income, as reflected in the MRA executed by and between County and BK. In exchange for the same, the City, County, and BK agree that they will insure that a deed restriction will be placed on the below 60% AMI affordability for a term of at least thirty (30) years for those 35 units. Further, CHA will support leasing efforts and actively market the availability of all affordable and senior affordable housing units, pursuant to CHA's normal processes, to include advertising on CHA's HCV website, etc., delivered within the Brooklyn Village Site and the Walton Plaza Site, such to be constructed as consistent with the Final Phased Development Program delineated in the MRA.
2. City acknowledges the timing and schedule of the Project Milestones as outlined in Exhibit C of the MRA and therefore agrees that it shall amend the ILA to allow the County and BK sufficient time to accomplish the redevelopment of the Marshall Park property.
3. **MOU**. This Agreement is a complete restating of the MOU and replaces same.
4. **MRA**. The MRA is attached as Exhibit A and incorporated by reference.
5. **Amendment**. No amendment, modification or change to this Agreement shall be valid unless in writing and signed by the party against whom enforcement is sought.
6. **Successors and Assigns**. This Agreement shall bind the parties and their successors and assigns.
7. **Waiver**. No delay or omission by any party to exercise any right or power it has under this Agreement shall waive or be construed as a waiver of such right or power. A waiver by either party of any covenant or breach of this Agreement shall not constitute or operate as a waiver of any succeeding breach of that covenant or any other covenant. No waiver of any provision of this Agreement shall be effective unless in writing and signed by the party waiving the rights.
8. **Governing Law**. This Agreement is to be governed by and interpreted in accordance with the laws of the State of North Carolina.
9. **Counterparts**. This Agreement may be executed by the parties in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one agreement. All signatures need not be on the same counterpart.

[SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed as of the dates set forth below:

THE CITY OF CHARLOTTE

By:
Name:
Title:
Date:

MECKLENBURG COUNTY

By:
Name:
Title:
Date:

Approved as to Form

County Attorney

HOUSING AUTHORITY OF THE CITY OF CHARLOTTE

By:
Name:
Title:
Date:

CHARLOTTE, NORTH CAROLINA
CITY COUNCIL

RESOLUTION AUTHORIZING EXECUTION OF INTERLOCAL AGREEMENT
BETWEEN THE
CITY OF CHARLOTTE AND UNION COUNTY

WHEREAS, North Carolina General Statute §160A-461 and North Carolina General Statute §153A-445 authorize units of local government to enter into agreements with each other in order to execute an undertaking by one unit of local government on behalf of another unit of local government; and

WHEREAS, the City of Charlotte and Union County wish to enter into an Interlocal Agreement by which the City of Charlotte will provide wastewater treatment services for sanitary sewer originating from the Ashe Meadows development in the manner described in the Interlocal Agreement.

NOW THEREFORE BE IT RESOLVED that the Charlotte City Council hereby:

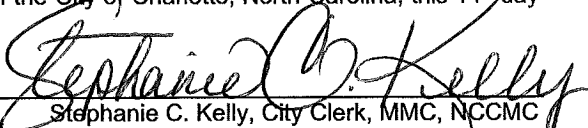
1. Approves and ratifies the Interlocal Agreement; and
2. Authorizes the Director of Charlotte Water, and any successor so titled, to execute the Interlocal Agreements in substantially the form presented to City Council with technical corrections and minor modifications as deemed necessary consistent with the spirit and intent of the transactions; and
3. Authorizes the Director of Charlotte Water, and any successor so titled, to take all actions necessary to effectuate the transactions contemplated by the Interlocal Agreement; and
4. Directs that this resolution be reflected in the minutes of the Charlotte City Council.



CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of October, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 50, Page(s) 249-249 .

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 14th day of October, 2019.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

RESOLUTION PROVIDING APPROVAL OF A MULTIFAMILY HOUSING FACILITY TO BE KNOWN AS ARCHDALE FLATS FAMILY IN THE CITY OF CHARLOTTE, NORTH CAROLINA AND THE FINANCING THEREOF WITH MULTIFAMILY HOUSING REVENUE BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$21,161,000

WHEREAS, the City Council of the City of Charlotte (the "City") met in Charlotte, North Carolina at 7:00 p.m. on the 14th day of October, 2019; and

WHEREAS, the Housing Authority of the City of Charlotte, N.C. (the "Issuer") has tentatively agreed to issue its multifamily housing revenue bonds in an amount not to exceed \$21,161,000 (the "Bonds"), for the purpose of financing a portion of the cost of the acquisition, construction and equipping by ECG Archdale Family, LP, a North Carolina limited partnership (the "Borrower"), or an affiliate or subsidiary thereof, of a multifamily residential rental facility to be known as Archdale Flats Family (the "Development"); and

WHEREAS, the Development will consist of approximately 202 units and will be located at 330 Archdale Drive in the City of Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that any bonds issued by the Issuer for the Development may only be issued after approval of the plan of financing by the City following a public hearing with respect to such plan; and

WHEREAS, on August 26, 2019, the Issuer held a public hearing with respect to the issuance of the Bonds to finance, in part, the Development (as evidenced by the Certificate and Summary of Public Hearing attached hereto) and has requested the City to approve the issuance of the Bonds as required by the Code; and

WHEREAS, the City has determined that approval of the issuance of the Bonds is solely to satisfy the requirement of Section 147(f) of the Code and shall in no event constitute an endorsement of the Bonds or the Development or the creditworthiness of the Borrower, nor shall such approval in any event be construed to obligate the City of Charlotte, North Carolina for the payment of the principal of or premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Issuer, or to constitute the Bonds or any of the agreements or obligations of the Issuer an indebtedness of the City of Charlotte, North Carolina, within the meaning of any constitutional or statutory provision whatsoever;

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

1. The proposed low income housing development consisting of the acquisition, construction and equipping of the Development described above in the City of Charlotte, Mecklenburg County, North Carolina by the Borrower and the issuance of the Authority's multifamily housing revenue bonds therefor in an amount not to exceed \$21,161,000 are hereby approved for purposes of Section 147(f) of the Code.

2. This resolution shall take effect immediately upon its passage.

Council member Egleston moved the passage of the foregoing resolution and Council member Harlow seconded the motion, and the resolution was passed by the following vote:

Ajmera, Eiselt, Mitchell, Winston, Egleston, Harlow, Mayfield,
Ayes: Council members Phipps, Newton, Bokhari, Driggs

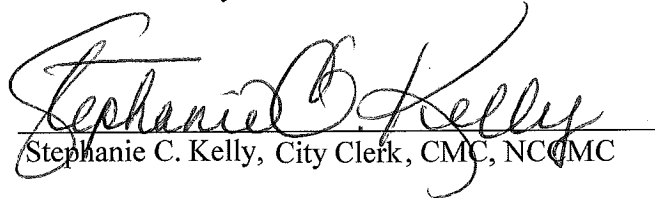
Nays: None

Not voting: N/A

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council for the City of Charlotte, North Carolina, in regular session convened on October 14th, 2019, the reference having been in Minute Book 148, and recorded in full in Resolution Book 50, Pages 250-254.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of October, 2019.


Stephanie C. Kelly, City Clerk, CMC, NCCMC

(SEAL)



Resolution 2375b

RESOLUTION

**AUTHORIZE THE CEO TO PROVIDE PRELIMINARY APPROVAL
TO ISSUE REVENUE BONDS TO FINANCE THE ACQUISITION,
CONSTRUCTION AND EQUIPPING OF A NEW AFFORDABLE
HOUSING DEVELOPMENT TO BE KNOWN AS ARCHDALE FLATS
FAMILY**

WHEREAS, the Housing Authority of the City of Charlotte, N.C. (the "Authority") has been requested to assist ECG Archdale Family, LP, a Tennessee limited partnership, or an affiliated or related entity (the "Borrower"), of which affiliates of Elmington Capital Group, LLC and Horizon Development Properties, Inc., the Authority's nonprofit development affiliate, will be partners, in financing the acquisition, construction and equipping of a 204-unit multifamily housing development to be known as Archdale Flats Family located at 330 Archdale Drive in Charlotte, North Carolina (the "Development"); and

WHEREAS, the Borrower has described to the Authority the benefits of the Development to the City of Charlotte and the State of North Carolina and has requested the Authority to agree to issue its revenue bonds in such amounts as may be necessary to finance the costs of acquiring, constructing and equipping the Development; and

WHEREAS, the Authority is of the opinion that the Development is a facility which can be financed under the Act and that the financing of the same will be in furtherance of the purposes of the Act;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSING AUTHORITY OF THE CITY OF CHARLOTTE, N.C.:

1. It is hereby found and determined that the Development will involve the acquisition, construction and equipping of a housing facility to serve persons of low and moderate income, and that therefore, pursuant to the terms and subject to the conditions hereinafter stated and the Act, the Authority agrees to assist the Borrower in every reasonable way to issue bonds to finance the acquisition, construction and equipping of the Development, and, in particular, to undertake the issuance of the Authority's revenue bonds (the "Bonds") in one or more series in an aggregate amount now estimated not to exceed Thirty-Three Million Dollars (\$33,000,000) to provide all or part of the cost of the Development.

2. The Authority intends that the adoption of this resolution be considered as "official action" toward the issuance of the Bonds within the meaning of Treasury Regulations Section 1.150-2 promulgated by the Internal Revenue Service pursuant to the Internal Revenue Code of 1986, as amended (the "Code").

3. The Bonds shall be issued in such series and amounts and upon such terms and conditions as are mutually agreed upon among the Authority and the Borrower. The Authority and the Borrower shall enter into a "financing agreement" pursuant to the Act for a term and upon payments sufficient to pay the principal of, premium, if any, and interest on the Bonds and to pay all of the expenses of the Authority in connection with the Bonds and the Development. The

Resolution 2375b

Bonds will be issued pursuant to an indenture or other agreement between the Authority and a trustee (the "Trustee") or the bondholder which will set forth the form and terms of the Bonds and will assign to the Trustee for the benefit of the holders of the Bonds, or directly to the bondholder, the Authority's rights to payments under the financing agreement. The Bonds shall not be deemed to constitute a debt or a pledge of the faith and credit of the State of North Carolina or any political subdivision or agency thereof, including the Authority and the City of Charlotte, but shall be payable solely from the revenues and other funds provided under the proposed agreements with the Borrower.

4. The Authority will proceed, upon the prior advice, consent and approval of the Borrower, bond counsel and the Authority's counsel, to obtain approvals in connection with the issuance and sale of the Bonds, including, without limitation, from the City of Charlotte and, if applicable, the North Carolina Local Government Commission.

5. It having been represented to the Authority that it is desirable to proceed with the acquisition, construction and equipping of the Development, the Authority agrees that the Borrower may proceed with plans for such acquisition, construction and equipping, enter into contracts for the same, and take such other steps as it may deem appropriate in connection therewith, provided that nothing herein shall be deemed to authorize the Borrower to obligate the Authority without its written consent in each instance to the payment of any monies or the performance of any act in connection with the Development and no such consent shall be implied from the Authority's adoption of this resolution. The Authority agrees that the Borrower may be reimbursed from the proceeds of the Bonds for all qualifying costs so incurred by it as permitted by Internal Revenue Service Regulations Section 1.150-2.

6. All obligations hereunder of the Authority are subject to the further agreement of the Authority and the Borrower, to satisfactory review by the Authority of the financial capability of the Borrower and satisfactory underwriting of the Development, and mutual agreement to the terms for the Bonds, including the execution of a financing agreement, indenture, or security agreement and other documents and agreements necessary or desirable for the issuance, sale and delivery of the Bonds. The Authority has not authorized and does not authorize the expenditure of any funds or monies of the Authority from any source other than the issuance of the Bonds. All costs and expenses in connection with the financing and the acquisition, construction and equipping of the Development and the issuance of the Bonds, including the reasonable fees and expenses of the Authority, the Authority's counsel, bond counsel, and the agent or underwriter for the sale of the Bonds, shall be paid from the proceeds of the Bonds or by the Borrower, but if for any reason the Bonds are not issued, all such expenses shall be paid by the Borrower and the Authority shall have no responsibility therefor. It is understood and agreed by the Authority and the Borrower that nothing contained in this resolution shall be construed or interpreted to create any personal liability of the officers or commissioners from time to time of the Authority.

7. The officers of the Authority are hereby authorized and directed to take all actions in furtherance of the issuance of the Bonds, including calling for a public hearing with respect to the financing of the Development through the issuance of the Bonds.

Resolution 2375b

8. McGuireWoods LLP, Raleigh, North Carolina, shall act as bond counsel for the Bonds.
9. This resolution shall take effect immediately upon its passage.

RECORDING OFFICER'S CERTIFICATION

I, A. Fulton Meachem, Jr., the duly appointed Secretary of the Housing Authority of the City of Charlotte, N.C., do hereby certify this Resolution was properly adopted at a regular meeting held March 19, 2019.

By: 
A. Fulton Meachem, Jr., Secretary

SEAL

RESOLUTION PROVIDING APPROVAL OF A MULTIFAMILY HOUSING FACILITY TO BE KNOWN AS ARCHDALE FLATS SENIORS IN THE CITY OF CHARLOTTE, NORTH CAROLINA AND THE FINANCING THEREOF WITH MULTIFAMILY HOUSING REVENUE BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$10,672,000

WHEREAS, the City Council of the City of Charlotte (the "City") met in Charlotte, North Carolina at 7:00 p.m. on the 14th day of October, 2019; and

WHEREAS, the Housing Authority of the City of Charlotte, N.C. (the "Issuer") has tentatively agreed to issue its multifamily housing revenue bonds in an amount not to exceed \$10,672,000 (the "Bonds"), for the purpose of financing a portion of the cost of the acquisition, construction and equipping by ECG Archdale Seniors, LP, a North Carolina limited partnership (the "Borrower"), or an affiliate or subsidiary thereof, of a multifamily residential rental facility to be known as Archdale Flats Seniors (the "Development"); and

WHEREAS, the Development will consist of approximately 131 units and will be located at 330 Archdale Drive in the City of Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that any bonds issued by the Issuer for the Development may only be issued after approval of the plan of financing by the City following a public hearing with respect to such plan; and

WHEREAS, on August 26, 2019, the Issuer held a public hearing with respect to the issuance of the Bonds to finance, in part, the Development (as evidenced by the Certificate and Summary of Public Hearing attached hereto) and has requested the City to approve the issuance of the Bonds as required by the Code; and

WHEREAS, the City has determined that approval of the issuance of the Bonds is solely to satisfy the requirement of Section 147(f) of the Code and shall in no event constitute an endorsement of the Bonds or the Development or the creditworthiness of the Borrower, nor shall such approval in any event be construed to obligate the City of Charlotte, North Carolina for the payment of the principal of or premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Issuer, or to constitute the Bonds or any of the agreements or obligations of the Issuer an indebtedness of the City of Charlotte, North Carolina, within the meaning of any constitutional or statutory provision whatsoever;

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

1. The proposed low income housing development consisting of the acquisition, construction and equipping of the Development described above in the City of Charlotte, Mecklenburg County, North Carolina by the Borrower and the issuance of the Authority's multifamily housing revenue bonds therefor in an amount not to exceed \$10,672,000 are hereby approved for purposes of Section 147(f) of the Code.

2. This resolution shall take effect immediately upon its passage.

Council member Egleston moved the passage of the foregoing resolution and Council member Harlow seconded the motion, and the resolution was passed by the following vote:

Ajmera, Eiselt, Mitchell, Winston, Egleston, Harlow, Mayfield,
Ayes: Council members Phipp, Newton, Bokhari, Driggs

Nays: None

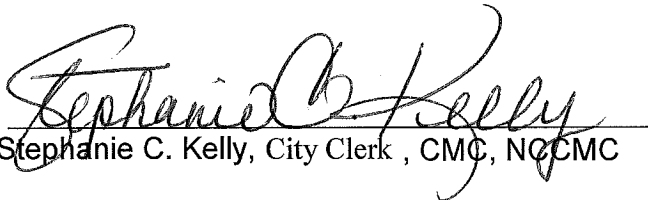
Not voting: N/A

* * * * *

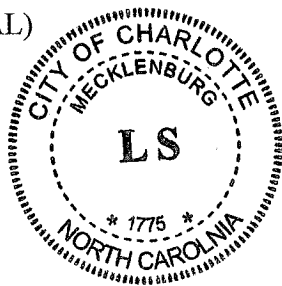
CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council for the City of Charlotte, North Carolina, in regular session convened on October 14, 2019, the reference having been in Minute Book 148, and recorded in full in Resolution Book 50, Pages 255-259.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of October, 2019.


Stephanie C. Kelly, City Clerk, CMC, NCCMC

(SEAL)



RESOLUTION

**AUTHORIZE THE CEO TO PROVIDE PRELIMINARY APPROVAL
TO ISSUE REVENUE BONDS TO FINANCE THE ACQUISITION,
CONSTRUCTION AND EQUIPPING OF A NEW AFFORDABLE
HOUSING DEVELOPMENT TO BE KNOWN AS ARCHDALE FLATS
SENIORS**

WHEREAS, the Housing Authority of the City of Charlotte, N.C. (the "Authority") has been requested to assist ECG Archdale Seniors, LP, a Tennessee limited partnership, or an affiliated or related entity (the "Borrower"), of which affiliates of Elmington Capital Group, LLC and Horizon Development Properties, Inc., the Authority's nonprofit development affiliate, will be partners, in financing the acquisition, construction and equipping of a 132-unit multifamily housing development for seniors to be known as Archdale Flats Seniors located at 330 Archdale Drive in Charlotte, North Carolina (the "Development"); and

WHEREAS, the Borrower has described to the Authority the benefits of the Development to the City of Charlotte and the State of North Carolina and has requested the Authority to agree to issue its revenue bonds in such amounts as may be necessary to finance the costs of acquiring, constructing and equipping the Development; and

WHEREAS, the Authority is of the opinion that the Development is a facility which can be financed under the Act and that the financing of the same will be in furtherance of the purposes of the Act;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSING AUTHORITY OF THE CITY OF CHARLOTTE, N.C.:

1. It is hereby found and determined that the Development will involve the acquisition, construction and equipping of a housing facility to serve persons of low and moderate income, and that therefore, pursuant to the terms and subject to the conditions hereinafter stated and the Act, the Authority agrees to assist the Borrower in every reasonable way to issue bonds to finance the acquisition, construction and equipping of the Development, and, in particular, to undertake the issuance of the Authority's revenue bonds (the "Bonds") in one or more series in an aggregate amount now estimated not to exceed Fifteen Million Dollars (\$15,000,000) to provide all or part of the cost of the Development.

2. The Authority intends that the adoption of this resolution be considered as "official action" toward the issuance of the Bonds within the meaning of Treasury Regulations Section 1.150-2 promulgated by the Internal Revenue Service pursuant to the Internal Revenue Code of 1986, as amended (the "Code").

3. The Bonds shall be issued in such series and amounts and upon such terms and conditions as are mutually agreed upon among the Authority and the Borrower. The Authority and the Borrower shall enter into a "financing agreement" pursuant to the Act for a term and upon payments sufficient to pay the principal of, premium, if any, and interest on the Bonds and to pay all of the expenses of the Authority in connection with the Bonds and the Development. The

Resolution 2375a

Bonds will be issued pursuant to an indenture or other agreement between the Authority and a trustee (the "Trustee") or the bondholder which will set forth the form and terms of the Bonds and will assign to the Trustee for the benefit of the holders of the Bonds, or directly to the bondholder, the Authority's rights to payments under the financing agreement. The Bonds shall not be deemed to constitute a debt or a pledge of the faith and credit of the State of North Carolina or any political subdivision or agency thereof, including the Authority and the City of Charlotte, but shall be payable solely from the revenues and other funds provided under the proposed agreements with the Borrower.

4. The Authority will proceed, upon the prior advice, consent and approval of the Borrower, bond counsel and the Authority's counsel, to obtain approvals in connection with the issuance and sale of the Bonds, including, without limitation, from the City of Charlotte and, if applicable, the North Carolina Local Government Commission.

5. It having been represented to the Authority that it is desirable to proceed with the acquisition, construction and equipping of the Development, the Authority agrees that the Borrower may proceed with plans for such acquisition, construction and equipping, enter into contracts for the same, and take such other steps as it may deem appropriate in connection therewith, provided that nothing herein shall be deemed to authorize the Borrower to obligate the Authority without its written consent in each instance to the payment of any monies or the performance of any act in connection with the Development and no such consent shall be implied from the Authority's adoption of this resolution. The Authority agrees that the Borrower may be reimbursed from the proceeds of the Bonds for all qualifying costs so incurred by it as permitted by Internal Revenue Service Regulations Section 1.150-2.

6. All obligations hereunder of the Authority are subject to the further agreement of the Authority and the Borrower, to satisfactory review by the Authority of the financial capability of the Borrower and satisfactory underwriting of the Development, and mutual agreement to the terms for the Bonds, including the execution of a financing agreement, indenture, or security agreement and other documents and agreements necessary or desirable for the issuance, sale and delivery of the Bonds. The Authority has not authorized and does not authorize the expenditure of any funds or monies of the Authority from any source other than the issuance of the Bonds. All costs and expenses in connection with the financing and the acquisition, construction and equipping of the Development and the issuance of the Bonds, including the reasonable fees and expenses of the Authority, the Authority's counsel, bond counsel, and the agent or underwriter for the sale of the Bonds, shall be paid from the proceeds of the Bonds or by the Borrower, but if for any reason the Bonds are not issued, all such expenses shall be paid by the Borrower and the Authority shall have no responsibility therefor. It is understood and agreed by the Authority and the Borrower that nothing contained in this resolution shall be construed or interpreted to create any personal liability of the officers or commissioners from time to time of the Authority.

7. The officers of the Authority are hereby authorized and directed to take all actions in furtherance of the issuance of the Bonds, including calling for a public hearing with respect to the financing of the Development through the issuance of the Bonds.


Resolution 2375a

8. McGuireWoods LLP, Raleigh, North Carolina, shall act as bond counsel for the Bonds.
9. This resolution shall take effect immediately upon its passage.

RECORDING OFFICER'S CERTIFICATION

I, A. Fulton Meachem, Jr., the duly appointed Secretary of the Housing Authority of the City of Charlotte, N.C., do hereby certify this Resolution was properly adopted at a regular meeting held March 19, 2019.

By: _____



A. Fulton Meachem, Jr.,
Secretary

SEAL

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:

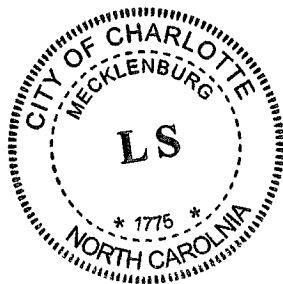
1. The City-County Tax Collector has collected property taxes from the taxpayers set out on the list attached to the Docket.
2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time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

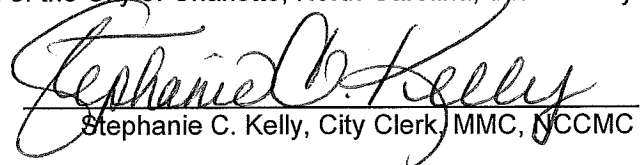
NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 14th day of October 2019 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of October, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 50, Page(s) 260-261.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 14th day of October, 2019.




Stephanie C. Kelly, City Clerk MMC, NCCMC

Taxpayers and Refunds Requested

ALDRIDGE, ROY PARKS	\$	5.66
ALDRIDGE, WILLIAM TODD	\$	7.08
BELLET, SAMUEL ISAAC	\$	9.21
BRIDGESTONE RETAIL OPERATIONS LLC - 300475	\$	51.88
BRIDGESTONE RETAIL OPERATIONS LLC - 300478	\$	35.57
BRIDGESTONE RETAIL OPERATIONS LLC - 650242	\$	21.48
BROCK, SARAH LYNNE	\$	11.17
COOPER, PAULA MINGUS	\$	10.79
DUNBAR, ANGELA	\$	303.26
GOMEZ, MARIA CARMEN (2014)	\$	89.07
GOMEZ, MARIA CARMEN (2015)	\$	12.79
HAIRSTON, DARRELL J	\$	26.84
HOWELL, BYRON A	\$	219.92
KEZIAH, JAMES THOMAS	\$	4.23
KLEMENS, THOMAS (2016)	\$	121.11
KLEMENS, THOMAS (2017)	\$	109.42
KLEMENS, THOMAS (2018)	\$	100.77
LAZES, RICHARD JON	\$	121.68
LYNCH, CHARLENE	\$	156.65
MEROSHNIK, YELENA	\$	3.39
MHC TRUCK LEASING INC	\$	893.08
MURPHY, GARY THOMAS	\$	8.01
PALOMBA, BETTY TEMPLETON	\$	25.79
POLITE, GWENDOLYN MARIE	\$	84.06
SEATE, JOHN BARRY	\$	12.79
SHEVCHUK, SERGE	\$	7.63
SIMMS, DAWN WHISNANT	\$	52.91
TAYLOR, AMANDA GRAHAM	\$	64.51
TAYLOR, WILLIAM MACARTHUR	\$	15.66
WAGNON, PHILLIP DANIEL RILEY	\$	9.27
WINTON, DANIEL ALBERT	\$	25.51
ZOLIK, GLORIA MARIA	\$	1.42
	\$	<u>2,622.61</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 **CAMP NORTH END CAPITAL IMPROVEMENT** project; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **CAMP NORTH END CAPITAL IMPROVEMENT** project estimated to be **1,424 sq. ft. (0.033 ac.) in Sidewalk Utility Easement; 3,166 sq. ft. (0.073 ac.) in Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 079-042-03, said property currently owned by **HOLLY H. ADKISSON, HEATHER H. ROHRER, HAMILTON C. HALL AND HOPE E. HALL** and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

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

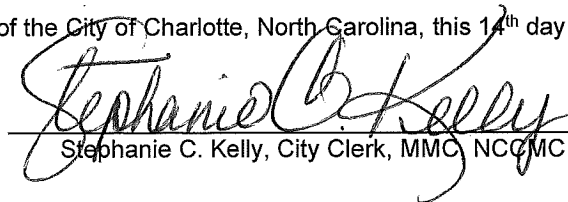
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of October, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 50, Page(s) 262.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 14th day of October, 2019.




Stephanie C. Kelly, City Clerk, MMC, NCC/MC

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 **CAMP NORTH END CAPITAL IMPROVEMENT** project; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **CAMP NORTH END CAPITAL IMPROVEMENT** project estimated to be **571 sq. ft. (0.013 ac.) in Sidewalk Utility Easement; 978 sq. ft. (0.022 ac.) in Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 079-041-23, said property currently owned by **MQC1, LLC** and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

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

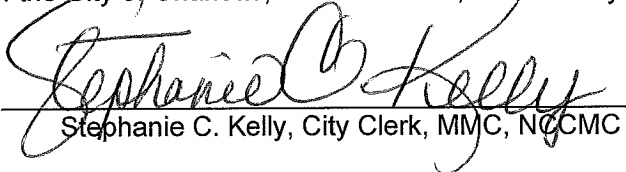
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of October, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 50, Page(s) 263.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 14th day of October, 2019.




Stephanie C. Kelly, City Clerk, MMC, NCCMC

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **CAMP NORTH END CAPITAL IMPROVEMENT** project; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **CAMP NORTH END CAPITAL IMPROVEMENT** project estimated to be **1,308 sq. ft. (0.03 ac.) in Sidewalk Utility Easement; 1,555 sq. ft. (0.036 ac.) in Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 079-065-54, said property currently owned by **A-1 DISTRIBUTING COMPANY, LLC** and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

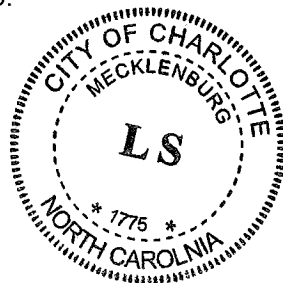
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

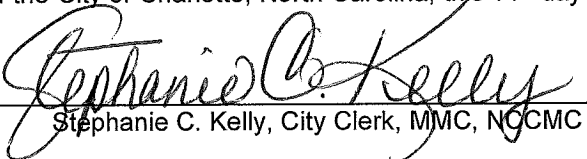
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of October, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 50, Page(s) 264.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 14th day of October, 2019.




Stephanie C. Kelly, City Clerk, MMC, NCCMC

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **CAMP NORTH END CAPITAL IMPROVEMENT** project; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **CAMP NORTH END CAPITAL IMPROVEMENT** project estimated to be **5,321 sq. ft. (0.122 ac.) in Fee Simple; 2,497 sq. ft. (0.057 ac.) in Sidewalk Utility Easement; 3,487 sq. ft. (0.08 ac.) in Temporary Construction Easement** and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 079-021-09, said property currently owned by **EMPHASIS ADS, INC.** and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

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

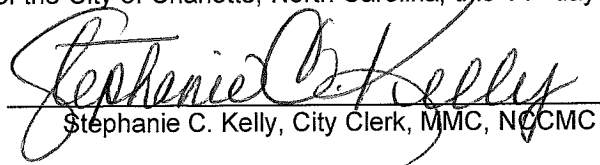
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of October, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 50, Page(s) 265.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 14th day of October, 2019.




Stephanie C. Kelly, City Clerk, MMC, NCCMC

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **LAKEVIEW-REAMES INTERSECTION 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 **LAKEVIEW-REAMES INTERSECTION IMPROVEMENTS** project estimated to be **952 sq. ft. (0.022 acre) in Fee Simple within Existing Right-of-Way; 1,135 sq. ft. (0.026 acre) in Storm Drainage Easement** and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 025-134-38, said property currently owned by **YOLANDA SANCHEZ** and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

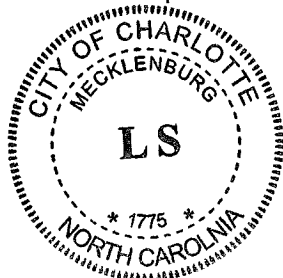
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

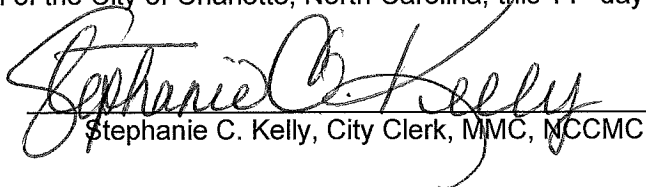
IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of October, 2019, the reference having been made in Minute Book 148 and recorded in full in Resolution Book 50, Page(s) 266.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 14th day of October, 2019.




Stephanie C. Kelly, City Clerk, MMC, NCCMC