

EXTRACTS FROM MINUTES OF CITY COUNCIL

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A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 5:00 p.m. on May 11, 2020:

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

Members Absent: None

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

Councilmember Driggs/Newton introduced the following resolution (the “*Resolution*”), a summary of which had been provided to each Councilmember, copy of which was available with the City Clerk and which was read by title:

**A RESOLUTION AUTHORIZING THE ISSUANCE OF AIRPORT REVENUE BOND ANTICIPATION NOTE OF THE CITY OF CHARLOTTE AND VARIOUS AGREEMENTS AND ACTIONS IN CONNECTION WITH SUCH TRANSACTIONS**

**WHEREAS**, the City of Charlotte, North Carolina, a municipal corporation in the State of North Carolina (the “*City*”), owns and operates within the City a public airport known as the Charlotte Douglas International Airport (together with such additions thereto as may be made from time to time, the “*Airport*”);

**WHEREAS**, the City is empowered, under the constitution and laws of the State of North Carolina (the “*State*”), particularly The State and Local Government Revenue Bond Act (Article 5 of Chapter 159 of the General Statutes of North Carolina), as the same may be amended from time to time (the “*Act*”), to issue its revenue bonds and notes for the purpose of financing airport facilities and refunding prior bonds issued for such purposes;

**WHEREAS**, the City Council of the City (the “*City Council*”) on April 24, 2017 adopted a bond order authorizing and securing airport revenue bonds of the City, which restated, supplemented and amended the bond order originally adopted by the City Council on November 18, 1985, and which the City Council may further restate, supplement and amend from time to time (the “*Order*”);

**WHEREAS**, the City Council has determined and hereby further determines that it is in the City’s best interest to finance and refinance the costs of Airport facilities and improvements in accordance with the Airport’s capital improvement plan (the “*Projects*”);

**WHEREAS**, the City has proceeded with financing some of the Projects on an interim basis from the proceeds of the City of Charlotte, North Carolina Airport Revenue Bond Anticipation Note, Series 2019C (the “*2019C BAN*”);

**WHEREAS**, the City has determined to issue another airport revenue bond anticipation note to be known as “*City of Charlotte, North Carolina Airport Revenue Bond Anticipation Note, Series 2020A*”

(the “2020A Note”) in an aggregate principal amount not to exceed \$300,000,000 in order to (1) refinance the 2019C BAN, (2) further finance a portion of the Projects, (3) pay capitalized interest on the 2020A Note and (4) pay the costs of issuing the 2020A Note;

**WHEREAS**, Bank of America, N.A. (the “Purchaser”) has agreed to purchase the 2020A Note under the terms of the Order, this Resolution and a Note Purchase and Advance Agreement among the City, the Local Government Commission of North Carolina (the “LGC”) and the Purchaser (the “Note Purchase Agreement”);

**WHEREAS**, a copy of the form of the Note Purchase Agreement has been filed with the City Clerk and is available to the City Council; and

**WHEREAS**, in order to satisfy the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the treasury regulations promulgated thereunder (collectively, the “Code”), the City Council held a public hearing on May 11, 2020, after notice being duly given (the “Public Hearing Notice”), regarding the issuance of the 2020A Note in connection with the financing and refinancing the Projects, and now desires to approve the issuance of the 2020A Note and the financing and refinancing of the Projects with the proceeds thereof in accordance with the Code.

**WHEREAS**, the City has applied to LGC for approval of the 2020A Note as required by the Act;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlotte, North Carolina that the City Council has determined to adopt, in accordance with Section 208 of the Order, this Resolution authorizing the issuance of the 2020A Note, as follows:

**Section 1.** For purposes of this Resolution, all capitalized, undefined words have the meanings ascribed to them in Appendix A attached hereto (the “Appendix”). The Appendix is incorporated into this Resolution by reference. This Resolution is a Series Resolution under the Order.

**Section 2.** The 2020A Note is to be issued by the City for the purpose of providing funds, together with other available funds of the City, to (1) refinance the 2019C BAN, (2) further finance a portion of the Projects, (3) pay capitalized interest on the 2020A Note and (4) pay the costs of issuing the 2020A Note, all as set out fully in the documents attached to the City’s application to the LGC and as described in the Appendix.

**Section 3.** The City will issue not to exceed \$300,000,000 in total aggregate principal amount of its 2020A Note.

**Section 4.** The City Council has requested that the 2020A Note be sold by the LGC at private sale without advertisement to the Purchaser at such price as the LGC determines to be in the best interest of the City and as set forth in the City’s application. The award of the 2020A Note by the LGC to the Purchaser is approved and the Authorized Officers (as defined below) are directed to authenticate and deliver the 2020A Note to and upon the order of the Purchaser on payment of the purchase price therefor as further described in Appendix A. The 2020A Note will bear interest at a variable rate as set forth in the Appendix and the Note Purchase Agreement.

**Section 5.** The 2020A Note is to be dated as of its date of issuance and the principal of and interest on the 2020A Note will be payable as set forth in the Appendix.

**Section 6.** The City covenants to take such action as may be required in the opinion of Bond Counsel to cause the 2020A Note and all actions of the City with respect to the proceeds thereof to

comply with the Code. The Chief Financial Officer, or her designee, is hereby authorized to execute a tax certificate in order to comply with Section 148 of the Code.

**Section 7.** The form and content of the Note Purchase Agreement are in all respects authorized, approved and confirmed. The Mayor, the City Manager and the Chief Financial Officer, including anyone serving as such in an interim capacity, and their respective designees, individually or collectively (the “*Authorized Signatories*”), are hereby authorized, empowered and directed to execute and deliver the Note Purchase Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as they deem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of the City Council’s approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Note Purchase Agreement, the Mayor, the City Manager, the Chief Financial Officer, the Aviation Director and the City Clerk, including anyone serving as such in an interim capacity, and their respective designees, individually or collectively (the “*Authorized Officers*”) are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Note Purchase Agreement as executed. Such execution by the Authorized Officers constitutes conclusive evidence of the City Council’s approval thereof.

**Section 8.** No stipulation, obligation or agreement herein contained or contained in the 2020A Note, this Resolution, the Note Purchase Agreement or any other instrument related to the issuance of the 2020A Note is deemed to be a stipulation, obligation or agreement of any officer, agent or employee of the City in his or her individual capacity, and no such officer, agent or employee is personally liable on the 2020A Note or subject to personal liability or accountability by reason of the issuance thereof.

**Section 9.** The Authorized Officers are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by (1) this Resolution and (2) the other documents presented to this meeting and to execute and administer such transactions; except that none of the above is authorized or empowered to do anything or execute any document which is in contravention, in any way, of (a) the specific provisions of this Resolution, (b) any agreement to which the City is bound or (c) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State. Any provision in this Resolution that authorizes more than one officer of the City to take certain actions shall be read to permit such officers to take the authorized actions either individually or collectively.

**Section 10.** Pursuant to and in satisfaction of the requirements of Section 147(f) of the Code, the City Council hereby approves (a) the issuance of the 2020A Note in an aggregate principal amount not to exceed the amount listed in the Public Hearing Notice and (b) the financing and refinancing of the Projects.

**Section 11.** From the adoption of this Resolution until the date of the issuance of the 2020A Note hereunder, the Authorized Signatories are hereby authorized, empowered and directed to make any changes, modifications, additions or deletions to the Appendix as to them seem necessary, desirable or appropriate to implement the intent of this Resolution. Such changes, modifications, additions or deletions to the Appendix shall be set forth in a certificate executed by an Authorized Signatory on the date of issuance of the 2020A Note hereunder. Such execution by an Authorized Signatory constitutes conclusive evidence of the City Council’s approval thereof.

**Section 12.** All acts and doings of the City and its officials authorized by this Resolution that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the 2020A Note and the execution, delivery and performance of the Note Purchase Agreement are in all respects ratified, approved and confirmed.

**Section 13.** If any one or more of the agreements or provisions herein contained is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or for any reason whatsoever is held invalid, then such covenants, agreements or provisions are null and void and separable from the remaining agreements and provisions and will in no way affect the validity of any of the other agreements and provisions hereof or of the 2020A Note authorized hereunder.

**Section 14.** This Resolution is adopted with the intent that the laws of the State govern its construction.

**Section 15.** All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

**Section 16.** This Resolution is effective on its adoption.

STATE OF NORTH CAROLINA )

) ss:  
CITY OF CHARLOTTE )

I, Stephanie C. Kelly, the City Clerk of the City of Charlotte, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution entitled “**A RESOLUTION AUTHORIZING THE ISSUANCE OF AIRPORT REVENUE BOND ANTICIPATION NOTE OF THE CITY OF CHARLOTTE AND VARIOUS AGREEMENTS AND ACTIONS IN CONNECTION WITH SUCH TRANSACTIONS**” adopted by the City Council of the City of Charlotte, North Carolina, at a meeting held on the 11th day of May, 2020, the reference having been made in Minute Book 163, and recorded in full in Resolution Book 50, Page(s) 564-594.

***WITNESS*** my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of May, 2020.



A handwritten signature in black ink, reading 'Stephanie C. Kelly'. The signature is fluid and cursive, with the first letters of the first and last names being capitalized and larger than the rest of the letters.

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

APPENDIX A

TO

RESOLUTION PROVIDING  
FOR THE ISSUANCE OF:

**CITY OF CHARLOTTE, NORTH CAROLINA**

**AIRPORT REVENUE BOND ANTICIPATION NOTE, SERIES 2020A**

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## ARTICLE I.

### DEFINITIONS

#### Section 1.01. *Meaning of Words and Terms.*

(a) *Definitions.* All words and phrases defined in Article I of the Order are incorporated herein by reference. In addition, the following terms, except where the context indicates otherwise, have the respective meanings set forth below:

“*Advance*” means all advances of the purchase price of the Note made by the Purchaser under the Note Purchase Agreement on or before the Advance Termination Date.

“*Advance Termination Date*” has the meaning assigned to such term in Section 4.05.

“*Amortization Period*” has the meaning assigned in the Note Purchase Agreement.

“*Appendix A*” means this Appendix A which is attached to, and incorporated in, the Series Resolution.

“*Authorized Denomination*” means \$250,000 and multiples of \$1 in excess thereof.

“*Bond Counsel*” means an attorney or firm of attorneys of recognized national standing in the field of law relating to municipal bonds, selected by the City.

“*Bond Registrar*” means U.S. Bank National Association, or any successor or successors thereto appointed pursuant to the Order, the Series Resolution or this Appendix A.

“*Business Day*” means, with respect to the Note, any day other than a Saturday or Sunday or a legal holiday on which commercial banks are authorized or required by law to be closed for business in Charlotte, North Carolina.

“*Code*” means the Internal Revenue Code of 1986, as from time to time amended.

“*Finance Director*” has the meaning set forth in the Bond Order which, as of the date of the Series Resolution is the Chief Financial Officer of the City.

“*Full Funding Date*” means June 11, 2023, unless extended in writing by the Owner of the Note.

“*Interest Payment Date*” means (a) except during the Amortization Period, each January 1 and July 1, beginning January 1, 2021, (b) during the Amortization Period, each date on which the Amortization Amount (as defined in the Note Purchase Agreement) is payable under the Note Purchase Agreement and (c) any other date that interest is required to be paid on the Note under the Note Purchase Agreement.

“*Interest Rate*” means (79% of One Month LIBOR) plus 0.33%, subject to adjustment and a maximum rate, as set forth in the Note Purchase Agreement.

“*Mail*” means first-class United States mail, postage prepaid.

“*Note*” means the up to \$300,000,000 City of Charlotte, North Carolina Airport Revenue Bond Anticipation Note, Series 2020A issued pursuant to the Order, the Series Resolution and this Appendix A.

“*Note Purchase Agreement*” means the Note Purchase and Advance Agreement among the City, the Purchaser and the Local Government Commission related to the 2020A Note.

“*Order*” means the bond order adopted by the City Council on April 24, 2017 authorizing and securing airport revenue bonds of the City, which restated, supplemented and amended the bond order originally adopted by the City Council on November 18, 1985, and which the City Council may further restate, supplement and amend from time to time (the “*Order*”).

“*Owner*” means, with respect to the Note, the registered owner of the Note.

“*Paying Agent*” means the Trustee or any successor or successors thereto appointed pursuant to the Order or this Appendix A.

“*Prepayment Date*” means the date on which the Note or any portion thereof has been called for prepayment or is to be prepaid pursuant to this Appendix A.

“*Principal Amount*” means the sum of all Advances less any prepayment of Note. Advances and prepayments shall be recorded (which records may be electronic) on the Table of Advances and Table of Partial Prepayment attached to the Note, however failure to record an Advance or prepayment shall not affect the Principal Amount outstanding under the Note.

“*Projects*” has the meaning set forth in the Series Resolution.

“*Purchaser*” means Bank of America, N.A., as the initial Owner of the Note, and its successors and assigns.

“*Record Date*” means the day next preceding each Interest Payment Date, whether or not a Business Day.

“*Series Resolution*” means the Series Resolution adopted by the City Council on May 11, 2020 relating to the Note, the appendices attached thereto, and any amendments or supplements thereto.

“*Series 2020A Additional Facilities Account*” means the account created and so designated by Section 4.01.

“*Series 2020A Subaccount of the Revenue Bond Interest Account*” means the subaccount created and so designated by Section 4.01.

“*Series 2020A Subaccount of the Revenue Bond Principal Account*” means the subaccount created and so designated by Section 4.01.

“*Series 2020A Subaccount of the Revenue Bond Redemption Account*” means the subaccount created and so designated by Section 4.01.

“*Series 2020A Subaccount of the Revenue Bond Sinking Fund Account*” means the subaccount created and so designated by Section 4.01.

“*Stated Principal Amount*” means \$300,000,000.

“*2019C BAN*” means the City’s Airport Revenue Bond Anticipation Note, Series 2019C.

(b) *Construction.* This Appendix A, except where the context by clear implication herein otherwise requires, is subject to and to be construed in the same manner as provided by Section 102 of the Order.

Section 1.02. *Parties Interested Herein.* Except as otherwise expressly provided in this Appendix A, nothing herein expressed or implied is intended or to be construed to confer on or to give to any Person, other than the City, the City Council, the Paying Agent, the Bond Registrar, the Trustee, the Purchaser and the owners from time to time of the Note, any right, remedy or claim under or by reason hereof or any covenant, condition or stipulation hereof. All the covenants, stipulations, promises and agreements herein contained by and on behalf of the City are for the sole and exclusive benefit of the City, the City Council, the Paying Agent, the Bond Registrar, the Trustee, the Purchaser and the owners of the Note, except as herein otherwise provided.

Section 1.03. *Ratification.* All action heretofore taken (not inconsistent with the provisions of this Appendix A) by the City directed toward the purposes described in Section 2 of the Series Resolution, the sale and delivery of the Note for those purposes and the acceptance and execution of the Note Purchase Agreement is hereby ratified, approved and confirmed.

[End of Article I]

## ARTICLE II.

### AUTHORIZATION, FORM, ISSUANCE, DELIVERY AND REGISTRATION OF NOTE

Section 2.01. *Authorization of Financing and Authorization of the Note.* The financing and refinancing of the Projects and the other uses of proceeds set forth in the Series Resolution are hereby authorized, approved and confirmed. The Note is hereby authorized, approved and confirmed and will be issued, under and pursuant to the constitution and the laws of the State, including the Act, the Order, the Series Resolution and this Appendix A in the amount and subject to the conditions herein provided for the purposes described in Section 2 of the Series Resolution. No Note may be issued under the provisions of this Appendix A and the Order except in accordance with this Article. The total principal amount of the Note that may be issued is hereby expressly limited to the Stated Principal Amount, except as provided in Sections 204 and 210 of the Order.

Section 2.02. *Issuance of the Note.* The Note will be designated “*City of Charlotte, North Carolina Airport Revenue Bond Anticipation Note, Series 2020A.*” The Note will be issuable as fully registered note in any Authorized Denomination. The Note will be numbered R-1. The Note will be substantially in the form set forth in Exhibit A with such appropriate variations, omissions and insertions as are permitted or required by this Appendix A.

Section 2.03. *Delivery of the Note.* The Note will be deposited with the Bond Registrar for authentication, but before the Note may be authenticated and delivered by the Bond Registrar to the State Treasurer for redelivery to the Purchaser, there must be filed with the Trustee the following:

- (a) a copy, certified by the City Clerk, of the Order;
- (b) a copy, certified by the City Clerk, of the Series Resolution adopted by the City Council for the Note;

(c) a copy, certified by the Secretary or any Deputy Secretary of the Local Government Commission, of the resolution of the Local Government Commission approving the issuance of and awarding the Note;

(d) evidence of compliance with the provisions of Section 716 of the Bond Order;  
and

(e) such other documents as are required to be delivered to the Trustee under the Note Purchase Agreement in connection with the issuance of the Note.

When the documents mentioned in this Section have been filed with the Trustee and when the Note has been executed and authenticated as required by the Order and Series Resolution, the Trustee shall deliver the Note as set forth in the Note Purchase Agreement to the State Treasurer for redelivery to or on the order of the Purchaser, but only on payment to the Trustee of the Initial Advance under the Note, all as further set forth in the Note Purchase Agreement. The Trustee is entitled to rely on the resolutions and certificates mentioned in this Section as to all matters stated therein.

**Section 2.04. *Details of the Note; Payment.***

(a) The Note will mature, subject to prepayment as set forth herein, on June 11, 2026 and will bear interest at the Interest Rate. Interest payable on the Note shall be determined based on the Principal Amount of the Note. Interest payable on the Note shall be calculated on the basis of a year of 360 days and the actual number of days elapsed. The amount of interest payable on each Interest Payment Date shall be calculated by the Purchaser in accordance with the Note Purchase Agreement and confirmed by the Trustee. Interest on the Note will be payable in arrears.

(b) Both the principal of and the interest on the Note are payable in any lawful coin or currency of the United States of America which on the respective dates of payment thereof is legal tender for the payment of public and private debts. The Note shall bear interest from its date until its principal sum has been paid, but if such Note has matured or has been called for prepayment and the Prepayment Date has occurred and funds are available for the payment thereof in full in accordance with the terms of the Order, such Note shall then cease to bear interest as of the maturity date or Prepayment Date, as applicable. The Note will be dated as of its date of issuance, except that a Note issued in exchange for or on the registration of transfer of the Note will be dated as of the Interest Payment Date next preceding the date of authentication thereof, unless (1) the date of such authentication precedes the first Interest Payment Date, in which case it will be dated as of the date of the initial issuance of the Note or (2) the date of such authentication is an Interest Payment Date to which interest on the Note has been paid in full or duly provided for in accordance with the terms of this Appendix A, in which case it will be dated as of such Interest Payment Date; except that if, as shown by the records of the Paying Agent, interest on the Note is in default, the Note executed and delivered in exchange for or on registration of transfer of the Note will be dated as of the date to which interest on the Note has been paid in full. If no interest has been paid on the Note, the Note executed and delivered in exchange for or on the registration of transfer of the Note will be dated as of the initial issuance of the Note.

(c) The Note is payable at the designated corporate trust office of the Paying Agent without the need for presentation and surrender of the Note, except at maturity or prepayment in whole. Interest on the Note will be paid by the Paying Agent by check or draft mailed on the Interest Payment Date to the Owner as its name and address appear on the registration books kept

by the Bond Registrar at the close of business on the Record Date. At the written request of the Owner, principal and interest may be payable by wire transfer at the address specified in writing by the Owner to the Paying Agent by the Record Date. CUSIP number identification, if such is assigned to the Note, with appropriate dollar amounts for the CUSIP number shall accompany all payments of principal of, premium, if any, and interest on the Note, whether by check or by wire transfer. Notwithstanding the foregoing, so long as the Owner of the Note is the Purchaser, all amounts due under the Note will be paid and will be payable in accordance with the Note Purchase Agreement.

(d) U.S. Bank National Association, Charlotte, North Carolina, is hereby appointed as Bond Registrar with respect to the Note.

Section 2.05. ***Arbitrage and Tax Covenants.*** The City covenants that it will not take or permit, or omit to take or cause to be taken, any action that would adversely affect the exclusion from federal income taxation of the interest on the Note and, if it should take or permit, or omit to take or cause to be taken, any such action, the City will take or cause to be taken all lawful actions within its power necessary to rescind or correct such actions or omissions promptly upon having knowledge thereof. The City acknowledges that the continued exclusion of interest on the Note from an Owner's gross income for federal income tax purposes depends, in part, on compliance with the arbitrage limitations imposed by Section 148 of the Code. The City covenants that it will comply with all the requirements of Section 148 of the Code, including the rebate requirements, and that it will not permit at any time any of the proceeds of the Note or other funds under their control to be used, directly or indirectly, to acquire any asset or obligation, the acquisition of which would cause the Note to be "*arbitrage bonds*" for purposes of Section 148 of the Code.

Section 2.06. ***Restriction on Transfer of the Note.*** This Note may only be in an Authorized Denomination and may not be transferred other than to (a) an affiliate of the Purchaser who is a "*qualified institutional buyer*" as defined in Rule 144A promulgated under the Securities Act of 1933, as amended, (b) a trust or custodial arrangement established by the purchaser or one of its affiliates, the owners of the beneficial interests in which are limited to qualified institutional buyers, or (c) to a person that is a qualified institutional buyer that is a commercial bank having a combined capital and surplus, determined as of the date of any transfer pursuant to this section, of \$5,000,000,000 or more that has executed and delivered to the City an investor letter in the form of Exhibit A to the Note Purchase Agreement. In no event shall the Note be transferred to any person or entity who holds the Note for the benefit of a person or entity that is not a qualified institutional buyer or as part of a pool of assets in which persons that are not qualified institutional buyers may invest, such as a mutual fund or retirement plan.

The Paying Agent will have no obligation to pay any amounts due on the Note to anyone other than the Owner of the Note as shown on the registration books kept by the Bond Registrar.

[End of Article II]

### ARTICLE III.

#### PREPAYMENT OF THE NOTE

Section 3.01. ***Privilege of Prepayment and Prepayment Price.*** The Note is prepayable, on notice as provided below, at the times, at the prepayment prices and on the terms contained in this Article III and in Article III of the Order.

Section 3.02. ***Optional Prepayment of the Note.*** The City may prepay the Note, either in whole or in part, on any Interest Payment Date at a prepayment price equal to 100% of the principal amount thereof, without premium, plus the accrued interest thereon to the Prepayment Date.

Section 3.03. ***Mandatory Prepayment of the Note.*** The City shall prepay the Note in whole on the Full Funding Date at a prepayment price equal to 100% of the principal amount thereof, without premium, plus the accrued interest thereon to the Prepayment Date. If the Note is eligible for the Amortization Period under Section 3(c) of the Note Purchase Agreement, however, then the City will not be required to prepay the Note on the Full Funding Date and the Note will continue to be Outstanding and will be prepaid during the Amortization Period as set forth in Section 3(c) of the Note Purchase Agreement. If the City provides to the Purchaser and the Trustee written notice by noon on the Full Funding Date of its intent to repay the Note pursuant to the terms of Section 3(c) of the Note Purchase Agreement, accompanied by a certificate signed by the Finance Officer to the effect that the City is, as of the Full Funding Date, in compliance with all conditions set forth in Section 3(c) of the Note Purchase Agreement, then the Note shall be deemed eligible for the Amortization Period under Section 3(c) of the Note Purchase Agreement.

Section 3.04. ***Notice of Prepayment.*** The City will provide written notice to the Trustee of the optional prepayment of the Note not less than 15 days (or such lesser number of days as the Trustee may accept), and notice of such prepayment under Section 3.02 will be given by the Trustee not less than 5 days (or such lesser period of time as may be agreed to by the Owner of the Note) before the Prepayment Date (1) to the Local Government Commission by Mail or electronic transmission, and (2) by Mail or by such other means as may be permitted by the Owner to the then-registered Owner of the Note at the last address shown on the registration books kept by the Bond Registrar.

Such notice must (1) specify the Prepayment Date, the prepayment price and the place or places where amounts due on such prepayment must be payable (which must be the designated office of the Paying Agent) and if less than all of the Note is to be prepaid, the portion of the Note to be prepaid, and (2) state that on the Prepayment Date, the Note or portion thereof to be prepaid will cease to bear interest.

Failure to provide such notice to the Local Government Commission will not affect the validity of any proceedings for such prepayment.

If money is on deposit with the Trustee to pay the prepayment price of the Note, or portion thereof, called for prepayment on a Prepayment Date, the Note or portion thereof so called for prepayment as hereinabove specified will not bear interest after such Prepayment Date and will not be considered to be Outstanding or to have any other rights under the Order other than the right to receive payment.

Section 3.05. ***Payment of Prepayment Price.*** The City will cause to be deposited in the Series 2020A Subaccount of the Revenue Bond Redemption Account, solely out of Net Revenues, an amount sufficient to pay the principal of and interest on the Note, or portion thereof, to be prepaid on the Prepayment Date, and the Note, or portion thereof, will be deemed to be paid within the meaning of Section 305 of the Order.

Section 3.06. ***Record of Prepayment.*** The Trustee will record any prepayments of the Note on the Table of Partial Prepayment attached to the Note (or otherwise kept on the Trustee's official books and records, which may be electronic records).

Section 3.07. ***No Partial Prepayment After Default.*** Anything in this Appendix A to the contrary notwithstanding, if an Event of Default occurs and is continuing hereunder there will be no prepayment of less than all of the Note Outstanding

[End of Article III]

#### **ARTICLE IV.**

##### **ADVANCES, ACCOUNTS AND FUNDS**

Section 4.01. ***Establishment of Accounts.*** The following subaccounts are hereby established with, and shall be held by, the Trustee under the Order:

- (a) Series 2020A Additional Facilities Account of the Construction Fund
- (b) Series 2020A Subaccount of the Revenue Bond Interest Account;.
- (c) Series 2020A Subaccount of the Revenue Bond Principal Account;
- (d) Series 2020A Subaccount of the Revenue Bond Redemption Account; and
- (e) Series 2020A Subaccount of the Revenue Bond Sinking Fund Account.

The Note will not be secured by any subaccount of the Revenue Bond Reserve Account.

Section 4.02. ***Revenues Received by the City.*** On or before the 25<sup>th</sup> day of each month after the Note is issued (or such other date set forth below), the City shall, subject to the provisions of the Order, deposit or cause to be deposited from Net Revenues with the Trustee the following amounts and the Trustee shall apply such amounts to the various accounts and subaccounts specified herein:

(a) into the Series 2020A Subaccount of the Revenue Bond Interest Account an amount necessary, after taking into account money transferred from the PFC Revenue Account or otherwise deposited therein by the City, to have funds on hand on the 25<sup>th</sup> day of each month immediately preceding an Interest Payment Date to pay the next maturing installment of interest on the principal amount of the Note then Outstanding; and

(b) beginning on the 25<sup>th</sup> day of the month before the maturity of the Note, into the Series 2020A Subaccount of the Revenue Bond Principal Account an amount, after taking into account money transferred from the PFC Revenue Account or otherwise deposited therein by the City, to have funds on hand to pay in full the principal amount of the Note then Outstanding at maturity; and

(c) if the Note is eligible to be paid during the Amortization Period, then during the Amortization Period, into the Series 2020A Subaccount of the Revenue Bond Sinking Fund Account, an amount in substantially equal monthly installments necessary, after taking into account money transferred from the PFC Revenue Account or otherwise deposited therein by the City, to prepay the portion of the Note required to be called by mandatory prepayment on the next payment date therefor as required pursuant to Section 3.03 of this Appendix A.

In each month following a month in which the Trustee has failed to make any deposit required by this Section, the City shall pay, but only from Net Revenues, and the Trustee shall deposit, in addition to the

amounts then due, an amount sufficient to cure the deficiency in the deposits in the prior months unless such deficiency has been cured by a transfer of money to such fund or account from other funds and accounts created hereby, pursuant to the terms of this Appendix A.

Section 4.03. ***Application of Money in the Series 2020A Subaccount of the Revenue Bond Sinking Fund Account.*** On each mandatory prepayment date during the Amortization Period as required under Section 3.03, the Trustee shall withdraw from the Series 2020A Subaccount of the Revenue Bond Sinking Fund Account the amount required to pay the principal portion of the prepayment price of the portion of the Note so called for prepayment. The amount of interest on the Note so called for prepayment shall be paid from the Series 2020A Subaccount of the Revenue Bond Interest Account.

If at any date there is money in the Series 2020A Subaccount of the Revenue Bond Sinking Fund Account and no portion of the Note is then Outstanding, the Trustee shall withdraw such money and deliver all remaining amounts to the City.

If, in any Fiscal Year, the City shall prepay a portion of the Note in excess of the aggregate principal amount of the Note required to be prepaid under Section 3.03 during such Fiscal Year, then the Trustee shall file with the City not later than the 20<sup>th</sup> day before the next August 1 a statement identifying the amount of such excess. The City shall thereafter cause a certificate of the Finance Officer to be filed with the Trustee and the Purchaser not later than the 10<sup>th</sup> day before such August 1, setting forth with respect to the amount of such excess the Fiscal Years in which the sinking fund payments due under Section 3.03 with respect to Note are to be reduced and the amount by which such payments are to be reduced.

The expenses incurred in connection with any prepayment of the Note shall be paid by the City from the Operating Fund or from any other available money.

Section 4.04. ***Application of Money in the Series 2020A Revenue Bond Redemption Account.*** From the money in the Series 2020A Revenue Bond Redemption Subaccount, the Trustee shall, on a date permitted by this Appendix A, prepay the Note or such portion thereof as will exhaust the money then held in the Series 2020A Subaccount of the Revenue Bond Redemption Account as nearly as may be. The Trustee shall pay the accrued interest on the Note or such portion thereof to be prepaid to the date of prepayment from the Series 2020A Subaccount of the Revenue Bond Interest Account and the principal portion of the prepayment price of the Note or such portion thereof from the Series 2020A Subaccount of the Revenue Bond Redemption Account. The Trustee shall withdraw from the Series 2020A Subaccount of the Revenue Bond Redemption Account and set aside the respective amounts required to pay the principal portion of the prepayment price of the Note or such portion thereof so called for prepayment.

On the prepayment of the Note or a portion thereof pursuant to the provisions of this Section, the Trustee shall file with the City a statement setting forth the date of prepayment, the amount of the prepayment price of the Note or such portion called for prepayment, and the amount paid as interest thereon. The expense incurred by the Trustee in connection with the purchase or prepayment of any such Note shall be paid by the City from the Operating Fund or from any other available money.

Section 4.05. ***Advance of Note Proceeds.*** The City and the Trustee acknowledge and agree that prior to the earliest to occur of (a) the date when the sum of the aggregate Advances made hereunder equals the Stated Principal Amount, (b) the date on which the Purchaser's obligation to make Advances under the Note Purchase Agreement terminates (as reflected in a written notice delivered by the Purchaser to the City and the Trustee) or (c) the Full Funding Date (the "*Advance Termination Date*"), the proceeds of the Note will be disbursed in installments through the making of Advances by the Purchaser in accordance with the Note Purchase Agreement. The date and amount of each Advance shall be noted on

the Table of Advances attached to the Note (or otherwise kept on the Trustee's official books and records, which may be electronic records); *provided* that the failure to record any such Advance on the Table of Advances shall not affect the Principal Amount due. In no event may the total amount of all Advances exceed the Stated Principal Amount. Following the Advance Termination Date, no additional Advances may be made. On the Advance Termination Date, the positive difference, if any, between the Stated Principal Amount and the aggregate principal amount of all Advances made under the Note Purchase Agreement shall be deemed to have been prepaid automatically and without any further notice or act by the Trustee, the City or any other Person. Any such automatic prepayment of principal shall not be taken into consideration in determining the Principal Amount of the Note and shall not be recorded on the Table of Partial Prepayment attached to the Note.

**Section 4.06. *Application of Note Proceeds.***

(a) On the date the Note is issued, the Purchaser will provide an Advance in an amount determined by the City in accordance with the Note Purchase Agreement.

(b) The Proceeds from each subsequent Advance will be deposited by the Purchaser with the Trustee, and the Trustee shall deposit such amounts in the Series 2020A Additional Facilities Account.

On the filing from time to time with the Trustee of a requisition signed by an authorized representative of the City in the form attached hereto as Exhibit B, accompanied by a voucher or other appropriate documentation as may be required by the Trustee, the Trustee will make or cause to be made disbursements from the Series 2020A Additional Facilities Account for the payment of the Costs of the Projects related to the Note.

On the completion of the Projects to be financed with the proceeds of the 2020A Note, the City will deliver a certificate to the Trustee stating the fact and date of such completion and stating that all of the Costs of the Projects anticipated to be paid by the City from the proceeds of the 2020A Note have been paid. On the receipt by the Trustee of such certificate, unless the Trustee receives written direction from the City otherwise, the Trustee will deposit the remaining balance in the Series 2020A Additional Facilities Account to the Series 2020A Subaccount of the Revenue Bond Interest Account to be applied to the next payment due with respect to the 2020A Note.

**Section 4.07. *Investment of Money.*** Money held for the credit of all subaccounts or accounts established under this Appendix A on deposit with the Trustee are to be continuously invested and reinvested by the Trustee in such Investment Obligations as the City may direct to the extent practicable. Any such Investment Obligations shall mature not later than the respective dates when the money held for the credit of such subaccounts or accounts will be required for the purposes intended. No Investment Obligations in any such subaccount or account may mature beyond the maturity date of the Note.

The interest accruing on Investment Obligations in the subaccounts established hereunder and any profit or loss realized on the disposition or maturity of such Investment Obligations are to be credited to or charged against the following Funds, accounts and subaccounts: interest and profit or loss resulting from each of the subaccounts established under Section 4.01 other than the Series 2020A Additional Facilities Account shall be credited to or charged against the Revenue Fund, and interest and profit or loss resulting from the Series 2020A Additional Facilities Account shall be credited to or charged against that subaccount.

**Section 4.08. *Payment of Principal and Interest and Pledge of Net Revenues.*** The City covenants that it will promptly pay the principal of and the interest on the Note at the places, on the dates and in the manner provided herein, in the Note and in the Note Purchase Agreement, according to the true

intent and meaning thereof. The City represents and covenants that it is duly authorized under the constitution and laws of the State, particularly the Act, to issue the Note authorized hereby and to pledge the Net Revenues in the manner and to the extent herein and in the Order set forth; that all action on its part for the issuance of the Note initially issued hereunder has been duly and effectively taken; and that such Note in the hands of the Owners thereof are and will be valid and binding special obligations of the City according to their terms.

Except to the extent of a lien on Net Revenues from the Airport, the Note is not payable from the general funds of the City and does not constitute a legal or equitable pledge, lien or encumbrance on any of the properties of the City or on any of its income, receipts or revenues, except as provided in this Appendix A and the Order, and neither the credit nor the taxing power of the City is pledged for the payment of the Note, or the City's obligations to comply with any covenant or agreement under this Appendix A or any other agreement entered into by the City pursuant to its authority.

[End of Article IV]

## **ARTICLE V.**

### **SUPPLEMENTAL SERIES RESOLUTIONS**

Section 5.01. ***Supplemental Series Resolutions.*** The Series Resolution and the rights and obligations of the City and the Owner may be modified or amended at the same times, in the same manner and for the same purposes as the Order, but if the modification or amendment affects only the Note, the percentage to be applied under Section 1102 of the Order will be applied only to the Outstanding Note.

Notwithstanding anything in the Order or the Series Resolution to the contrary, (1) any initial purchaser, underwriter or remarketing agent holding the Note or a Series of the Bonds issued after the issuance of the Note may, regardless of its intent to sell or distribute the Note or such Bonds in the future, consent as the Owner of the Note or such Bonds to any amendment or supplemental series resolution as required or permitted by this Article, including any amendment or supplemental series resolution that adversely affects the interests of other Owners, and (2) any such holder providing its consent under this Section is not entitled to receive, nor is the City required to provide, any prior notice or other documentation regarding such amendment or supplemental series resolution.

Section 5.02. ***Responsibilities of Trustee and City Under this Article.*** The Trustee and the City are entitled to exercise their discretion in determining whether or not any proposed supplemental series resolution or any term or provision therein contained is desirable, after considering the purposes of such instrument, the needs of the City, the rights and interests of the Owner, and the rights, obligations and interests of the Trustee. The Trustee is entitled to receive, and is fully protected in relying on, the opinion of counsel approved by it, who may be Bond Counsel, as conclusive evidence that any such proposed supplemental series resolution does or does not comply with the provisions of this Appendix A, and that it is or is not proper for it, under the provisions of this Article, to accept such supplemental series resolution.

[End of Article V]

## ARTICLE VI.

### MISCELLANEOUS PROVISIONS

Section 6.01. **Headings.** Any heading preceding the text of the several articles hereof, and any table of contents or marginal notes appended to copies hereof, are solely for convenience of reference and does not constitute a part of this Appendix A or affect its meaning, construction or effect.

Section 6.02. **Application to Local Government Commission.** The City Council hereby ratifies and confirms its request to the Local Government Commission to sell the Note at private sale and without advertisement in accordance with the provisions of Section 159-123 of the General Statutes of North Carolina, as amended.

Section 6.03. **Authorization for Other Acts.**

(a) The Finance Director and other officers, agents and employees of the City and the officers and agents of the Trustee are hereby authorized and directed to do all acts and things required of them by the provisions of the Note, the Order, the Series Resolution, this Appendix A and the Note Purchase Agreement for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same and also to do all acts and things required of them by the provisions of this Appendix A, including the advancement of any fees and expenses in connection with the transactions described therein with the expectation that such fees and expenses will be reimbursed to the City from Note proceeds.

(b) The Mayor, the City Manager, the Finance Director, the Aviation Director, the City Clerk, or any of them or their deputies and designees, are further authorized and directed (without limitation except as may be expressly set forth herein) to employ and compensate advisers, bond counsel, counsel, and consultants, to take such action and to execute and deliver any such documents, deeds, certificates, undertakings, agreements or other instruments as they, with the advice of counsel, may deem necessary and appropriate to effect the transactions contemplated by the Order, the Series Resolution, this Appendix A and the Note Purchase Agreement.

Section 6.04. **Acceptance of Duties by Paying Agent.** Each Paying Agent (other than the Trustee) shall signify its acceptance of the duties and obligations imposed on it by the Order and the Series Resolution by executing and delivering to the City and the Trustee a written acceptance thereof.

Section 6.05. **Holidays.** Except as otherwise provided herein, whenever any payment or action to be made or taken hereunder is stated to be due on a day which is not a Business Day, such payment or action will be made or taken on the next following Business Day, and such extension of time will be included in computing interest, if any, in connection with such payment or action.

Section 6.06. **Replacement of Registrar or Paying Agent.** If the Bond Registrar or Paying Agent initially appointed under this Appendix A resigns at any time or if the Finance Director reasonably determines that the Bond Registrar or Paying Agent has become incapable of performing its duties hereunder, the City may, on notice mailed to each Owner of the Note, if any, at such Owner's address last shown on the registration records, appoint a successor Registrar or Paying Agent which meets any requirement set forth in the Order, including the prior approval by the Local Government Commission of a successor Registrar. No resignation or dismissal of the Bond Registrar or Paying Agent may take effect until a successor is appointed. The same institution is not required to serve as both Registrar and Paying Agent hereunder, but the City has the right to have the same institution serve as both Registrar and Paying

Agent hereunder. Whenever in this Appendix A the Bond Registrar or Paying Agent is named or referred to, such provision is deemed to include any successor of the Bond Registrar or Paying Agent, respectively.

Section 6.07. ***E-Verify.*** By accepting its responsibilities under the Series Resolution, the Trustee, Bond Registrar and Paying Agent certify to the following:

The Trustee, Bond Registrar and Paying Agent understand that “E-Verify” is a federal program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law in accordance with Section 64-25(5) of the General Statutes of North Carolina, as amended. The Trustee, Bond Registrar and Paying Agent use E-Verify to verify the work authorization of their employees in accordance with Section 64-26(a) of the General Statutes of North Carolina, as amended. The Trustee, Bond Registrar and Paying Agent will require that any subcontractor used in connection with the transactions contemplated by the Series Resolution certify to such subcontractor's compliance with E-Verify.

**EXHIBIT A**

NO OFFERING CIRCULAR OR MEMORANDUM, OFFICIAL STATEMENT OR OTHER DISCLOSURE DOCUMENT HAS BEEN PREPARED OR PROVIDED BY THE ISSUER IN CONNECTION WITH THE OFFERING AND SALE OF THIS NOTE. THIS NOTE MAY ONLY BE IN AN AUTHORIZED DENOMINATION AND MAY NOT BE TRANSFERRED OTHER THAN TO (A) AN AFFILIATE OF THE PURCHASER WHO IS A “QUALIFIED INSTITUTIONAL BUYER” AS DEFINED IN RULE 144A PROMULGATED UNDER THE SECURITIES ACT OF 1933, AS AMENDED, (B) A TRUST OR CUSTODIAL ARRANGEMENT ESTABLISHED BY THE PURCHASER OR ONE OF ITS AFFILIATES, THE OWNERS OF THE BENEFICIAL INTERESTS IN WHICH ARE LIMITED TO QUALIFIED INSTITUTIONAL BUYERS, OR (C) TO A PERSON THAT IS A QUALIFIED INSTITUTIONAL BUYER THAT IS A COMMERCIAL BANK HAVING A COMBINED CAPITAL AND SURPLUS, DETERMINED AS OF THE DATE OF ANY TRANSFER PURSUANT TO THIS PARAGRAPH, OF \$5,000,000,000 OR MORE THAT HAS EXECUTED AND DELIVERED TO THE CITY AN INVESTOR LETTER IN THE FORM OF EXHIBIT A TO THE NOTE PURCHASE AND ADVANCE AGREEMENT REFERENCED IN THE SERIES RESOLUTION AS DEFINED IN THIS NOTE. IN NO EVENT SHALL THIS NOTE BE TRANSFERRED TO ANY PERSON OR ENTITY WHO HOLDS THIS NOTE FOR THE BENEFIT OF A PERSON OR ENTITY THAT IS NOT A QUALIFIED INSTITUTIONAL BUYER OR AS PART OF A POOL OF ASSETS IN WHICH PERSONS THAT ARE NOT QUALIFIED INSTITUTIONAL BUYERS MAY INVEST, SUCH AS A MUTUAL FUND OR RETIREMENT PLAN.

**CITY OF CHARLOTTE, NORTH CAROLINA  
AIRPORT REVENUE BOND ANTICIPATION NOTE, SERIES 2020A**

**No. R-1**

**\$ \_\_\_\_\_**

**INTEREST RATE**  
**Variable, as set forth herein**

**DATED DATE**  
**\_\_\_\_\_, 2020**

**MATURITY DATE**  
**\_\_\_\_\_, 20\_\_**

**REGISTERED OWNER:**

**STATED PRINCIPAL AMOUNT:**

The City of Charlotte, North Carolina (the “City”), a municipal corporation of the State of North Carolina (the “State”), for value received, promises to pay, but solely from the sources and in the manner hereinafter provided, to the Owner named above the Stated Principal Amount set forth above or the Principal Amount (as hereinafter defined), whichever is less, on the Maturity Date set forth above (or earlier as hereinafter described). This Note is being issued under the bond order adopted by the City Council on April 24, 2017 authorizing and securing airport revenue bonds of the City, which restated, supplemented and amended the bond order originally adopted by the City Council on November 18, 1985, and which the City Council may further restate, supplement and amend from time to time (the “Order”) and a series resolution related to the Note adopted by the City Council on May 11, 2020 (the “Series Resolution”). The City further promises to pay such Owner at the address as it appears on the registration books kept by U.S. Bank National Association, the Bond Registrar, the Trustee and the Paying Agent for this Note (the “Bond Registrar,” the “Paying Agent” and the “Trustee”), at the close of business on the day preceding each hereinafter-described Interest Payment Date (each, a “Record Date”), interest at the Interest Rate described in the Series Resolution, which is initially (79% of One Month LIBOR) plus 0.33%, subject to adjustment and a maximum rate, as set forth in the Note Purchase Agreement, on the lesser of (1) the Stated Principal Amount or (2) the sum of the Advances made by the Owner pursuant to the Series Resolution and as reflected in the “Table of Advances” attached hereto or kept in the Trustee’s records (which may be electronic records) (the “Principal Amount”). Interest on this

Exhibit A - 1

Note will be payable on each Interest Payment Date (as defined in the Series Resolution) from the Interest Payment Date next preceding the date of authentication (unless (1) the date of such authentication precedes the first Interest Payment Date, in which case interest with respect thereto shall be payable from the date of issuance of this Note or (2) the date of such authentication is an Interest Payment Date to which interest on this Note has been paid in full or duly provided for in accordance with the terms of the Order, in which case interest with respect thereto shall be payable from such Interest Payment Date) until the Principal Amount shall have been paid or provided for in accordance with the Order. Interest payable on this Note shall be calculated on the basis of a year of 360 days and the actual number of days elapsed.

THIS NOTE IS A SPECIAL OBLIGATION OF THE CITY. THE PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THIS NOTE ARE NOT PAYABLE FROM THE GENERAL FUNDS OF THE CITY, NOR DO THEY CONSTITUTE A LEGAL OR EQUITABLE PLEDGE, CHARGE, LIEN, OR ENCUMBRANCE ON ANY OF ITS PROPERTY OR ON ANY OF ITS INCOME, RECEIPTS, OR REVENUES EXCEPT THE FUNDS WHICH ARE PLEDGED UNDER THE ORDER AND THE SERIES RESOLUTION (HEREINAFTER DEFINED). NEITHER THE CREDIT NOR THE TAXING POWER OF THE STATE OR THE CITY ARE PLEDGED FOR THE PAYMENT OF THE PRINCIPAL OF, PREMIUM, IF ANY, OR INTEREST ON THIS NOTE, AND NO OWNER OF THIS NOTE HAS THE RIGHT TO COMPEL THE EXERCISE OF THE TAXING POWER BY THE STATE OR THE CITY OR THE FORFEITURE OF ANY OF ITS PROPERTY IN CONNECTION WITH ANY DEFAULT.

Both principal and interest on this Note are payable in lawful coin or currency of the United States of America which on the respective dates of payment thereof is legal tender for the payment of public and private debts. This Note is payable at the designated corporate trust office of the Paying Agent without the need for presentation and surrender of this Note, except on maturity or prepayment in whole of this Note. Interest on this Note will be paid by the Paying Agent by check or draft mailed on the Interest Payment Date to the Owner as its name and address appear on the registration books kept by the Bond Registrar at the close of business on the Record Date. At the written request of the Owner, principal and interest may be payable by wire transfer at the address specified in writing by the Owner to the Paying Agent by the Record Date. CUSIP number identification, if such is assigned to this Note, with appropriate dollar amounts for the CUSIP number shall accompany all payments of principal of, premium, if any, and interest on this Note, whether by check or by wire transfer.

This Note is designated "*Airport Revenue Bond Anticipation Note, Series 2020A*" (the "*Note*") issued under the Order and the Series Resolution. Unless the context indicates otherwise, all capitalized, undefined terms used herein have the meanings ascribed to them in the Order, the Series Resolution or the Appendix A attached to, and incorporated in, the Series Resolution. Under the Order, the City has previously issued several series of Bonds (the "*Existing Bonds*"). This Note, the Existing Bonds and any additional Bonds which may be issued under the Order are parity obligations under the Order.

This Note is being issued to (1) refinance the 2019C BAN, (2) further finance a portion of the Projects, (3) pay capitalized interest on this Note and (4) pay the costs of issuing this Note.

This Note, together with interest thereon, is a special obligation of the City payable solely from Revenues after payment of the Current Expenses of the Airport and constitutes a valid claim of the Owner thereof only against the funds and other money held by the Trustee for the benefit of the Owner of this Note, which amounts are pledged and assigned pursuant to the Order for the equal and ratable payment of this Note and the other Bonds issued under the Order.

"*Revenues*," "*Net Revenues*" and "*Current Expenses*" are defined in the Order. Pursuant to the Order the City has, for the benefit of the Owner of the Note, assigned Net Revenues and certain other rights to the Trustee in trust. Reference is made to the Order and Series Resolution for a more complete statement of the provisions thereof and of the rights of the City, the Trustee and the Owners of the Bonds

and this Note. Copies of the Order and the Series Resolution are on file and may be inspected at the designated office of the Trustee in Charlotte, North Carolina. By the purchase and acceptance of this Note, the Owner hereof signifies assent to all of the provisions of the aforementioned documents.

This Note is issued and the Order and Series Resolution were adopted under and pursuant to the constitution and laws of the State, and particularly in conformity with the provisions, restrictions and limitations of General Statutes of North Carolina Section 159-80 *et seq.*, as amended.

This Note is exchangeable upon the presentation and surrender hereof at the designated corporate trust office of the Bond Registrar for a Note of other Authorized Denominations. On surrender for registration of transfer, duly endorsed for transfer or accompanied by an assignment duly executed by the Owner hereof or his or her attorney duly authorized in writing, the Bond Registrar will authenticate and deliver in the name of the transferee or transferees a new fully registered Note. The Registrar may require the payment by any Owner requesting registration of transfer or exchange of the Note of any tax, fee or other governmental charge required to be paid with respect to such registration of transfer or exchange. The Registrar is not required to register the transfer of or exchange any portion of this Note selected, called or being called for prepayment in whole or in part. The person in whose name this Note is registered will be deemed and regarded as the absolute owner hereof for all purposes, and payment of this Note will be made only to or upon the written order of the Owner hereof to his or her legal representative. All such payments will be valid and effectual to satisfy and discharge this Note to the extent of the sum or sums paid.

The City may prepay this Note, either in whole or in part, on any Interest Payment Date at a prepayment price equal to 100% of the principal amount thereof, without premium, plus the accrued interest thereon to the Prepayment Date.

The City shall prepay the Note in whole on the Full Funding Date at a prepayment price equal to 100% of the principal amount thereof, without premium, plus the accrued interest thereon to the Prepayment Date. If the Note is eligible for the Amortization Period under Section 3(c) of the Note Purchase Agreement, however, the City will not be required to prepay the Note on the Full Funding Date and the Note will continue to be Outstanding and will be prepaid during the Amortization Period as set forth in Section 3(c) of the Note Purchase Agreement.

Notice of optional prepayment will be given by the Trustee not less than 5 days before the Prepayment Date (1) to the Local Government Commission by Mail or electronic transmission, and (2) by Mail or by such other means as may be permitted by the Owner to the then-registered Owner of Note at the last address shown on the registration books kept by the Bond Registrar.

Such notice must (1) specify the Prepayment Date, the prepayment price and the place or places where amounts due on such prepayment must be payable (which must be the principal office of the Paying Agent) and if less than all of the Note is to be prepaid, the portion of Note, and (2) state that on the Prepayment Date, the Note or portion thereof to be prepaid will cease to bear interest.

Failure to provide such notice to the Local Government Commission will not affect the validity of any proceedings for such prepayment.

If money is on deposit with the Trustee to pay the prepayment price of this Note, or portion thereof, called for prepayment on a Prepayment Date, this Note or portion thereof so called for prepayment will not bear interest after such Prepayment Date and will not be considered to be Outstanding or to have any other rights under the Order other than the right to receive payment.

The Trustee will record any prepayments of the Note on the Table of Partial Prepayment attached to this Note (or otherwise kept on the Trustee's official books and records, which may be electronic).

The Order permits amendment thereto on the agreement of the City and the Trustee and with the approval of not less than 51% in aggregate principal amount of the Bonds then Outstanding under the Order. The Order also contains provisions permitting the City and the Trustee to enter into amendments to the Order without the consent of the Owners of the Bonds then Outstanding for certain purposes which do not affect adversely the interest of the Owners of the Bonds.

The Series Resolution permits amendment thereto on the agreement of the City and the Trustee and with the approval of not less than 51% in aggregate principal amount of the Note then Outstanding. The Series Resolution also contains provisions permitting the City and the Trustee to enter into amendments to the Series Resolution without the consent of the Owner of the Note then Outstanding for certain purposes which do not affect adversely the interest of the Owner of the Note.

Any consent or request by the Owner of this Note shall be conclusive and binding upon such Owner and upon all future Owners of this Note and of any Note issued upon the transfer of this Note whether or not notation of such consent or request is made upon this Note.

This Note will be non-transferable, except as set forth on the face of this Note. The Paying Agent will have no obligation to pay any amounts due on this Note to anyone other than the Owner of the Note as shown on the registration books kept by the Bond Registrar.

This Note is issued with the intent that the laws of the State of North Carolina shall govern its legality, validity, enforceability and construction.

All acts, conditions and things required to happen, exist and be performed precedent to and in the issuance of this Note and the adoption of the Order and the Series Resolution have happened, existed and have been performed as so required.

This Note is not valid or does not become obligatory for any purpose or be entitled to any benefit or security under the Order until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

*IN WITNESS WHEREOF*, the City of Charlotte, North Carolina has caused this Note to be executed with the manual or facsimile signatures of the City Manager and the City Clerk, and has caused the City's official seal or a facsimile thereof to be impressed or imprinted hereon.

**CITY OF CHARLOTTE, NORTH CAROLINA**

By: \_\_\_\_\_  
City Manager

[SEAL]

By: \_\_\_\_\_  
City Clerk

[SIGNATURES CONTINUE ON THE FOLLOWING PAGE]

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

---

GREG C. GASKINS  
Secretary of the Local Government Commission

SIGNATURE PAGE  
RELATING TO

THE CITY OF CHARLOTTE, NORTH CAROLINA  
AIRPORT REVENUE BOND ANTICIPATION NOTE, SERIES 2020A

**CERTIFICATE OF AUTHENTICATION**

Date of Authentication:

\_\_\_\_\_, 2020

This is the Airport Revenue Bond Anticipation Note, Series 2020A designated herein issued under the provisions of the within-mentioned Order and Series Resolution.

**U.S. BANK NATIONAL ASSOCIATION**, as Bond  
Registrar

By: \_\_\_\_\_  
Vice President

**FORM OF ASSIGNMENT**

**ASSIGNMENT**

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

---

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

---

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

---

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

Dated: \_\_\_\_\_

Signature guaranteed by:

---

**NOTICE:** Signature must be guaranteed by a participant of the Securities Transfer Agent Medallion Program (“*STAMP*”) or similar program.

---

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

**TRANSFER FEE MAY BE REQUIRED**

TABLE OF ADVANCES

Upon receipt of any Advance described in the Series Resolution related to the Note, the Trustee shall make the appropriate notation on the table below (or otherwise keep on the Trustee's official books and records, which may be electronic):

<u>Date</u>	<u>Installment Amount Paid</u>	<u>Total Principal Payments</u>	<u>Signature of Bond Registrar</u>

TABLE OF PARTIAL PREPAYMENTS

Upon all partial prepayments (whether optional, mandatory or otherwise) the above Note may be surrendered to the Trustee for the appropriate notation by it on the table below (or otherwise keep on the Trustee's official books and records, which may be electronic). The Trustee's records relating to the outstanding principal amount of the Note shall in all cases prevail:

<u>Date</u>	<u>Amount Prepaid</u>	<u>Remaining Unpaid Principal Amount</u>	<u>Signature of Trustee</u>

**EXHIBIT B**  
**FORM OF REQUISITION**

U.S. Bank National Association  
214 North Tryon Street, 27th Floor  
Charlotte, North Carolina 28202  
Attention: Corporate Trust Services

Re: Disbursement from Series 2020A Additional Facilities Account relating the City of Charlotte, North Carolina Airport Revenue Bond Anticipation Note, Series 2020A (the "Note")

Dear \_\_\_\_\_ :

Pursuant to Section 4.06 of Appendix A to the Series Resolution adopted on May 11, 2020 relating to the Note by the City Council of the City of Charlotte, North Carolina (the "City"), the City hereby requests you to disburse from the Series 2020A Additional Facilities Account as follows:

1. The amount to be disbursed is \$\_\_\_\_\_.

2. The name and address of the person, firm or corporation to whom the disbursement should be made is as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. The purpose of the disbursement is to \_\_\_\_\_.

4. The disbursement herein requested is for work actually performed, for service actually rendered or for materials, supplies or equipment actually delivered, installed or fabricated.

DATED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

**CITY OF CHARLOTTE, NORTH CAROLINA**

By: \_\_\_\_\_  
City Representative

RESOLUTION PROVIDING APPROVAL OF A MULTIFAMILY HOUSING FACILITY TO BE KNOWN AS BARRINGTON DRIVE APARTMENTS IN THE CITY OF CHARLOTTE, NORTH CAROLINA AND THE FINANCING THEREOF WITH MULTIFAMILY HOUSING REVENUE BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$18,800,000

WHEREAS, the City Council (the “City Council”) of the City of Charlotte (the “City”) met in Charlotte, North Carolina at 5:00 p.m. on the 11th day of May, 2020; and

WHEREAS, INLIVIAN (formerly known as 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 \$18,800,000 (the “Bonds”), for the purpose of financing the acquisition, construction and equipping by Barrington Drive Apartments, LLC, a North Carolina limited liability company, or an affiliated or related entity (the “Borrower”), of a multifamily residential rental facility to be known as Barrington Drive Apartments (the “Development”); and

WHEREAS, the Development will consist of approximately 168 units, located on an approximately 15.0-acre site at 7105 Village Green 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 Council of the City following a public hearing with respect to such plan; and

WHEREAS, on April 20, 2020, 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 Council 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 \$18,800,000 are hereby approved for purposes of Section 147(f) of the Code.

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

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

Ayes: Council members Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson Mitchell, Newton, Watlington, Winston

Nays: None

Not voting: None

\* \* \* \* \*

### 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 May 11th, 2020, the reference having been in Minute Book 150, and recorded in full in Resolution Book 50, Pages 595-601.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of May, 2020.



Stephanie C. Kelly, City Clerk

(SEAL)



**Exhibit A**

**Certificate and Summary of Public Hearing**

(Attached)

### CERTIFICATE AND SUMMARY

The undersigned Executive Vice President of Development and the designated hearing officer of INLIVIAN hereby certifies as follows:

1. Notice of a public hearing (the "Hearing") to be held on April 20, 2020, with respect to the issuance of bonds by INLIVIAN (formerly known as the Housing Authority of the City of Charlotte, N.C.) for the benefit of Barrington Drive Apartments, LLC, a North Carolina limited liability company, or an affiliate or subsidiary thereof (the "Borrower") was published on April 10, 2020, in *The Charlotte Observer*.
2. I was the hearing officer for the Hearing.
3. The following is a list of names and addresses of all persons who spoke at the Hearing:  
  
None
4. The following is a summary of the oral comments made at the Hearing:  
  
None

IN WITNESS WHEREOF, my hand this 20<sup>th</sup> day of April, 2020.

  
\_\_\_\_\_  
Connie Staudinger, Hearing Officer

## **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 BARRINGTON ROAD APARTMENTS**

**WHEREAS**, Winterwood Development, LLC, a Kentucky limited liability company, or an affiliated or related entity (the "Borrower"), has requested that the Housing Authority of the City of Charlotte, N.C. (the "Authority") assist in financing the acquisition, construction and equipping of a 168-unit multifamily housing development to be known as Barrington Road Apartments located at 7105 Village Green 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 Twenty-Four Million Dollars (\$24,000,000) 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 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.
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 that Resolution No. \_\_\_\_\_ was properly adopted at a regular meeting held December 17, 2019.

By: \_\_\_\_\_  
A. Fulton Meachem, Jr., Secretary

(SEAL)

RESOLUTION PROVIDING APPROVAL OF THE REISSUANCE OF INLIVIAN \$8,000,000 MULTIFAMILY HOUSING REVENUE NOTE (ALLEN STREET RESIDENCES), SERIES 2016 ISSUED TO FINANCE A MULTIFAMILY HOUSING FACILITY KNOWN AS ALLEN STREET RESIDENCES IN THE CITY OF CHARLOTTE, NORTH CAROLINA

WHEREAS, the City Council of the City of Charlotte (the “City”) met in Charlotte, North Carolina at 5:00 p.m. on the 11th day of May, 2020; and

WHEREAS, INLIVIAN (formerly the Housing Authority of the City of Charlotte, N.C.) (the “Issuer”) previously issued its \$8,000,000 Multifamily Housing Revenue Note (Allen Street Residences), Series 2016 (the “Note”), for the purpose of financing the acquisition, construction and equipping by Allen Street Residential, LLC, a North Carolina limited liability company (the “Borrower”), of a multifamily residential rental facility known as Allen Street Residences, consisting of approximately 52 multifamily units and 60 senior units, located in 8 buildings on an approximately 7.92 acre site at 1015 E. 16<sup>th</sup> Street in the City of Charlotte, Mecklenburg County, North Carolina (the “Development”); and

WHEREAS, the Borrower has requested that the Issuer make certain modifications to the terms of the Note, which modifications are expected to result in a deemed refinancing and reissuance of the Note for federal income tax purposes; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), provides that the Note may only be reissued by the Issuer for the Development after approval of such plan of financing by the City following a public hearing with respect to the reissuance of the Note and the Development; and

WHEREAS, on April 20, 2020, the Issuer held a public hearing with respect to the reissuance of the Note to refinance the Development (as evidenced by the Certificate and Summary of Public Hearing attached hereto) and has requested the City to approve the reissuance of the Note as required by the Code; and

WHEREAS, the City has determined that approval of the reissuance of the Note is solely to satisfy the requirement of Section 147(f) of the Code and shall in no event constitute an endorsement of the Note 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 Note 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 Note 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 modification of the Note as described above, which results in a reissuance of the Note by the Issuer in an amount not to exceed \$8,000,000, to assist the Borrower in connection with the financing or refinancing of the Development described above in the City of Charlotte, Mecklenburg County, North Carolina is hereby approved for purposes of Section 147(f) of the Code.

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

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

Ayes: Council members Ajmers, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson Mitchell, Newton, Watlington, Winston

Nays: None

Not voting: None

\* \* \* \* \*

#### 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 May 11<sup>th</sup>, 2020, the reference having been in Minute Book 150, and recorded in full in Resolution Book 50, Pages 602-608.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of May, 2020.



Stephanie C. Kelly, City Clerk, CMC, NCCMC

(SEAL)



**Exhibit A**

**Certificate and Summary of Public Hearing**

(Attached)

### CERTIFICATE AND SUMMARY

The undersigned Executive Vice President of Development and the designated hearing officer of INLIVIAN hereby certifies as follows:

1. Notice of a public hearing (the "Hearing") to be held on April 20, 2020, with respect to the reissuance of bonds by INLIVIAN (formerly known as the Housing Authority of the City of Charlotte, N.C.) for the benefit of Allen Street Residential, LLC, a North Carolina limited liability company, or an affiliate or subsidiary thereof (the "Borrower") was published on April 10, 2020, in *The Charlotte Observer*.
2. I was the hearing officer for the Hearing.
3. The following is a list of names and addresses of all persons who spoke at the Hearing:  
  
None
4. The following is a summary of the oral comments made at the Hearing:  
  
None

IN WITNESS WHEREOF, my hand this 20<sup>th</sup> day of April, 2020.

  
\_\_\_\_\_  
Connie Staudinger, Hearing Officer

## **RESOLUTION**

### **AUTHORIZE ISSUANCE AND SALE OF MULTIFAMILY HOUSING REVENUE BONDS (ALLEN STREET RESIDENCES), SERIES 2016**

**WHEREAS**, Allen Street Residential, LLC, a North Carolina limited liability company, or an affiliated or related entity (the "Borrower"), has requested that the Authority assist in financing a portion of the cost of the leasing, construction and equipping of a multifamily residential rental project to be known as Allen Street Residences, consisting of 52 multifamily units and 60 senior units located on an approximately 7.92 acre site at 1322 Allen Street in Charlotte, Mecklenburg County, North Carolina (the "Development"), and the Authority has agreed to do so; and

**WHEREAS**, the Authority proposes to provide the financing for the Development by the issuance of its Multifamily Housing Revenue Note (Allen Street Residences), Series 2016 (the "Multifamily Note"); and

**WHEREAS**, it is anticipated that the Multifamily Note will be privately placed with Bank of America, N.A. (the "Initial Funding Lender") during construction of the Development, and privately placed with the Federal Home Loan Mortgage Corporation ("Freddie Mac") once the Development has reached stabilization, pursuant to a Funding Loan Agreement dated as of April 1, 2016 (the "Funding Loan Agreement"), among the Authority, the Initial Funding Lender and U.S. Bank National Association, as fiscal agent (the "Fiscal Agent"); and

**WHEREAS**, the proceeds of the Multifamily Note will be loaned to the Borrower pursuant to a Project Loan Agreement dated as of April 1, 2016 (the "Project Loan Agreement"), among the Authority, the Borrower and the Fiscal Agent, for the purpose of (i) paying the cost of leasing, construction and equipping of the Development, and (ii) paying certain issuance expenses in connection with the issuance of the Multifamily Note; and

**WHEREAS**, the Borrower's obligations under the Project Loan Agreement will be secured by a leasehold deed of trust with respect to the Development from the Borrower to a deed of trust trustee named therein for the benefit of the Authority (the "Deed of Trust"), and various other security documents, all of which will be assigned to the Fiscal Agent for the benefit of the Initial Funding Lender; and

**WHEREAS**, there have been presented to this meeting draft forms of the following instruments (collectively, the "Authority Documents"), which the Authority proposes to execute to carry out the transactions described above, copies of which instruments shall be filed with the records of the Authority:

(a) the Funding Loan Agreement, together with the form of the Multifamily Note attached thereto;

(b) the Project Loan Agreement;

(c) the promissory note of the Borrower in favor of the Authority (the "Borrower Note"), which will be assigned to the Fiscal Agent;

(d) the Deed of Trust; and

(e) the Regulatory Agreement and Declaration of Restrictive Covenants dated as of April 1, 2016 (the "Regulatory Agreement"), pursuant to which the Borrower will be required to operate the Development in accordance with Section 142(d) of the Internal Revenue Code of 1986, as amended.

**NOW, THEREFORE, THE HOUSING AUTHORITY OF THE CITY OF CHARLOTTE, N.C. DOES HEREBY RESOLVE, AS FOLLOWS:**

1. The Authority hereby determines to provide financing to the Borrower for the acquisition, construction and equipping of the Development through the issuance of the Multifamily Note pursuant to the North Carolina Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes of North Carolina, as amended, the loan of the proceeds thereof and the deposit of such proceeds with the Fiscal Agent in accordance with the Funding Loan Agreement and the Project Loan Agreement.

2. The Authority hereby authorizes the issuance and sale of the Multifamily Note pursuant to and in accordance with the terms set forth in the Funding Loan Agreement. The Multifamily Note will bear interest at the rates and will mature and be redeemed in the years and amounts all as set forth in the Funding Loan Agreement; provided, however, that the aggregate principal amount of the Multifamily Note shall not exceed \$8,000,000.

3. The Chairman, Vice Chairman or Chief Executive Officer of the Authority or their respective designees is hereby authorized and directed to execute and deliver the Authority Documents to the other parties thereto. The Chairman, Vice Chairman and Chief Executive Officer of the Authority or their respective designees are each authorized and directed to execute and deliver such endorsements, assignments and other instruments as may be necessary to assign the Borrower Note, the Deed of Trust and other security documents to the Fiscal Agent.

4. The Chairman or Vice Chairman of the Authority is hereby authorized and directed to execute and deliver the Multifamily Note in the manner and subject to the conditions provided in the Funding Loan Agreement to the Fiscal Agent for authentication and to cause the Multifamily Note so executed and authenticated to be delivered to or for the account of the Initial Funding Lender, or any affiliate thereof, upon payment of the purchase price therefor.

5. The Funding Loan Agreement, the Project Loan Agreement, the Regulatory Agreement, the Borrower Note (and assignment thereof) and the Multifamily Note shall be in substantially the forms submitted to this meeting, which are hereby approved, with such completions, omissions, insertions and changes as may be necessary or convenient to reflect the final terms of the Multifamily Note, and as otherwise approved by the officers of the Authority executing them after consultation with counsel to the Authority, their execution to constitute conclusive evidence of their approval of any such completions, omissions, insertions and changes.

6. Any authorization made hereby to the officers of the Authority to execute a document shall include authorization to the Chairman, Vice Chairman or Chief Executive Officer of the Authority or their respective designees to execute the document, authorization to the Secretary or any Assistant Secretary to affix the seal of the Authority to such document and attest such seal and where appropriate, to deliver it to the other parties thereto, all in the manner provided in the Funding Loan Agreement.

7. Such officers are hereby authorized and directed to execute and deliver any and all other documents, agreements, instruments, and certificates in the name and on behalf of the Authority as may be necessary or desirable to the issuance of the Multifamily Note. All other acts of the officers of the Authority that are in conformity with the purposes and intent of this resolution and in furtherance of the undertaking of the Development and the issuance and sale of the Multifamily Note are hereby ratified, confirmed and approved.


8. This resolution shall take effect immediately.

#### **RECORDING OFFICER'S CERTIFICATION**

I, A. Fulton Meachem, Jr., Secretary of the Board of Commissioners of the Housing Authority of the City of Charlotte, N.C. DO HEREBY CERTIFY that attached is a true and complete copy of a resolution adopted by the Board of Commissioners of the Authority at a regular meeting duly called and held on March 15, 2016, and that such proceedings of such meeting are recorded in the minutes of such Board. Pursuant to state law, a current copy of a schedule of regular meetings of this Board is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Authority this 15th day of March, 2016.

(SEAL)

  
Secretary

RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE a Portion of the Alleyway between Waverly Avenue, Pierce Street, and Kenilworth Avenue in the City of Charlotte, Mecklenburg County, North Carolina.

Whereas, SunCap Property Group has filed a petition to close a portion of the alleyway between Waverly Avenue, Pierce Street, and Kenilworth Avenue in the City of Charlotte; and

Whereas, a portion of the alleyway between Waverly Avenue, Pierce Street and Kenilworth Avenue containing 2,743 square feet or 0.0630 acres as shown in the map marked "Exhibit A" and are more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, CMGC, Charlotte, North Carolina; and

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

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of May 11, 2020, that it intends to close a portion of the alleyway between Waverly Avenue, Pierce Street and Kenilworth Avenue and that said right-of-way (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held on June 8, 2020 at 5:00 p.m., or as soon thereafter as practicable, at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, by such method, including in a virtual manner, necessary in response to the COVID-19 global pandemic. To speak at the public hearing, please call the City Clerk's office at 704-336-2248 or sign up online at <https://charlottenc.gov/CityClerk/Pages/Speak.aspx>. Alternatively, written comments may be submitted to the City Clerk's Office at [cityclerk@charlottenc.gov](mailto:cityclerk@charlottenc.gov), prior to Wednesday, June 9th, 2020 at 11:59 p.m.

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

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11<sup>th</sup> day of May, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 609.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11<sup>th</sup> day of May 2020.



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

Stephanie C. Kelly, City Clerk, MMC, NCCMC

RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE A PORTION OF  
CHARLES AVENUE in the City of Charlotte, Mecklenburg County, North Carolina.

Whereas, CUSA NC Holdings, LP has filed a petition to close a portion of Charles Avenue in the City of Charlotte; and

Whereas, a portion of Charles Avenue containing 6,264 square feet or 0.144 acres as shown in the map marked "Exhibit A" and are more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, CMGC, Charlotte, North Carolina; and

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

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of May 11, 2020, that it intends to close a portion of Charles Avenue and that said right-of-way (or portion thereof) being more particularly described on a map and calls a public hearing on June 8, 2020 at 5:00 p.m., or as soon thereafter as practicable, at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, by such method, including in a virtual manner, necessary in response to the COVID-19 global pandemic. To speak at the public hearing, please call the City Clerk's office at 704-336-2248 or sign up online at <https://charlottenc.gov/CityClerk/Pages/Speak.aspx>. Alternatively, written comments may be submitted to the City Clerk's Office at [cityclerk@charlottenc.gov](mailto:cityclerk@charlottenc.gov), prior to Wednesday, June 9th, 2020 at 11:59 p.m.

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

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11<sup>th</sup> day of May, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 610.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11<sup>th</sup> day of May 2020.



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

---

Stephanie C. Kelly, City Clerk, MMC, NCCMC

**RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE A PORTION OF MT. HOLLY ROAD EXTENSION in the City of Charlotte, Mecklenburg County, North Carolina.**

Whereas, Huntersville Investments, LLC has filed a petition to close a portion of Mt. Holly Road Extension in the City of Charlotte; and

Whereas, Mt. Holly Road containing 4,748.04 square feet or 0.109 acres as shown in the map marked "Exhibit A" and are more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, CMGC, Charlotte, North Carolina; and

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

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of May 11, 2020, that it intends to close a portion of Charles Avenue and that said right-of-way (or portion thereof) being more particularly described on a map and calls a public hearing on June 8, 2020 at 5:00 p.m., or as soon thereafter as practicable, at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, by such method, including in a virtual manner, necessary in response to the COVID-19 pandemic. To speak at the public hearing, please call the City Clerk's office at 704-336-2248 or sign up online at <https://charlottenc.gov/CityClerk/Pages/Speak.aspx>. Alternatively, written comments may be submitted to the City Clerk's Office at [cityclerk@charlottenc.gov](mailto:cityclerk@charlottenc.gov), prior to Wednesday, June 9th, 2020 at 11:59 p.m.

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

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11<sup>th</sup> day of May, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 611.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11<sup>th</sup> day of May 2020.



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Stephanie C. Kelly, City Clerk, MMC, NCCMC

**RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE A PORTION OF  
WALLACE ROAD in the City of Charlotte, Mecklenburg County, North Carolina.**

Whereas, RENC, LLC has filed a petition to close a portion of Wallace Road in the City of Charlotte; and

Whereas, a portion of Wallace Road containing 25,264.8 square feet or 0.58 acres as shown in the map marked "Exhibit A" and are more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, CMGC, Charlotte, North Carolina; and

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

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of May 11, 2020, that it intends to close a portion of Wallace Road and that said right-of-way (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held on June 8, 2020 at 5:00 p.m., or as soon thereafter as practicable, at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, by such method, including in a virtual manner, necessary in response to the COVID-19 pandemic. To speak at the public hearing, please call the City Clerk's office at 704-336-2248 or sign up online at <https://charlottenc.gov/CityClerk/Pages/Speak.aspx>. Alternatively, written comments may be submitted to the City Clerk's Office at [cityclerk@charlottenc.gov](mailto:cityclerk@charlottenc.gov), prior to Wednesday, June 9th, 2020 at 11:59 p.m.

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

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11<sup>th</sup> day of May, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 612.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11<sup>th</sup> day of May 2020.



*Stephanie C. Kelly*

Stephanie C. Kelly, City Clerk, MMC, NCCMC

RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE the Alleyway between Westwood Avenue and West Summit Avenue in the City of Charlotte, Mecklenburg County, North Carolina.

Whereas, Lischerong Development Group has filed a petition to close the alleyway between Westwood Avenue and West Summit Avenue in the City of Charlotte; and

Whereas, the alleyway between Westwood Avenue and West Summit Avenue containing 1,823 square feet or 0.0418 acres as shown in the map marked "Exhibit A" and are more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, CMGC, Charlotte, North Carolina; and

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

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of May 11, 2020, that it intends to close a portion of the alleyway between Westwood Avenue and West Summit Avenue and that said right-of-way (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held on June 8, 2020 at 5:00 p.m., or as soon thereafter as practicable, at the Charlotte- Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, by such method, including in a virtual manner, necessary in response to the COVID-19 global pandemic. To speak at the public hearing, please call the City Clerk's office at 704-336-2248 or sign up online at <https://charlottenc.gov/CityClerk/Pages/Speak.aspx>. Alternatively, written comments may be submitted to the City Clerk's Office at [cityclerk@charlottenc.gov](mailto:cityclerk@charlottenc.gov), prior to Wednesday, June 9th, 2020 at 11:59 p.m.

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

#### **CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11<sup>th</sup> day of May, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 613.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11<sup>th</sup> day of May 2020.



A handwritten signature in cursive script that reads "Stephanie C. Kelly". The signature is written in dark ink and is positioned above a horizontal line.

Stephanie C. Kelly, City Clerk, MMC, NCCMC

**RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE an unopened portion of Bryant Street in the City of Charlotte, Mecklenburg County, North Carolina.**

Whereas, Mecklenburg County has filed a petition to close an unopened portion of Bryant Street in the City of Charlotte; and

Whereas, an unopened portion of Bryant Street containing 19,680 square feet or 0.451 acres as shown in the map marked "Exhibit A" and are more particularly described by metes and bounds in the document marked "Exhibit B" all of which are available for inspection in the office of the City Clerk, CMGC, Charlotte, North Carolina; and

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

Now, therefore, be it resolved, by the City Council of the City of Charlotte, at its regularly scheduled session of May 11, 2020, that it intends to close an unopened portion of Bryant Street and that said right-of-way (or portion thereof) being more particularly described on a map and calls a public hearing on the question to be held on June 8, 2020 at 5:00 p.m., or as soon thereafter as practicable, at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, by such method, including in a virtual manner, necessary in response to the COVID-19 global pandemic. To speak at the public hearing, please call the City Clerk's office at 704-336-2248 or sign up online at <https://charlottenc.gov/CityClerk/Pages/Speak.aspx>. Alternatively, written comments may be submitted to the City Clerk's Office at [cityclerk@charlottenc.gov](mailto:cityclerk@charlottenc.gov), prior to Wednesday, June 9th, 2020 at 11:59 p.m.

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

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11<sup>th</sup> day of May, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 614.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11<sup>th</sup> day of May 2020.



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

Stephanie C. Kelly, City Clerk, MMC, NCCMC

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION  
OF ANNEXATION PURSUANT TO G.S. 160A-31  
GRIER MEADOWS AREA ANNEXATION**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina that:

Section 1. The public will take notice that the City Council of the City of Charlotte has called a public hearing on the question of annexing the described territory as set forth below, requested by petition filed pursuant to G.S. 160A-31 to be conducted at 5:00 p.m., or as soon thereafter as practicable, on Tuesday, May 26, 2020 at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, by such method, including in a virtual manner, necessary in response to the COVID-19 pandemic. The meeting will be accessible via the Government Channel, the City's Facebook page, or the City's YouTube page. To speak at the public hearing, please call the City Clerk's office at 704-336-2248 or sign up online at <https://charlottenc.gov/CityClerk/Pages/Speak.aspx>. Alternatively, written comments may be submitted to the City Clerk's Office at [cityclerk@charlottenc.gov](mailto:cityclerk@charlottenc.gov), prior to Tuesday, May 27, 2020 at 11:59 p.m.

Section 2. The area proposed for annexation is described as follows:

**LEGAL DESCRIPTION**

All those certain tracts of land lying and being in Crab Orchard Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

BEGINNING at a point located in or near the centerline of Plaza Road Extension (a variable width public right-of-way), said point also being on the city limits line of the City of Charlotte and having N.C. NAD-83 Grid Coordinates (N: 552,137.61 ft., E: 1,489,225.04 ft.) said point also being the Point and Place of **BEGINNING**; thence with the centerline of said Plaza Road Extension the following five (5) courses and distances: (1.) S 79-17-30 E 131.24 feet to a point; (2.) S 74-35-00 E 110.52 feet to a point; (3.) S 69-56-49 E 137.39 feet to a point; (4.) S 67-00-16 E 144.35 feet to a point; (5.) S 66-37-38 E 402.20 feet to a point; thence leaving said centerline, with and along the property of James Cecil Teeter (Deed Book 2342, Page 430) the following two (2) courses and distances: (1.) S 02-38-08 W, passing through a #4 rebar set at 39.92 feet a total distance of 1459.10 feet to an existing #4 rebar; (2.) S 42-42-22 W 273.78 feet to an existing #4 rebar; thence with and along the properties of Reginald D. Grier Jr. & Lekisha R. Grier (Deed Book 33529, Page 825), Reginald D. Grier Sr. & James D. Grier (Deed Book 33529, Page 828) and Lloyd J. Moon (Deed Book 4507, Page 491) S 70-14-07 W 564.40 feet to point, said point being a corner of the James D. Grier property (Deed Book 6931, Page 810) and also being on the city limits line of the City of Charlotte; thence S 70-14-07 W 77.02 feet to an

existing ½" pipe at stone; said pipe being a corner of the Reginald D. Grier & Angela Culbreth property (Deed Book 7170, Page 202), thence with and along said Grier property, S 71-41-18 W 244.38 feet to an existing 1' pipe at stone; said pipe being the southeast corner of Lot 30, Map Book 25, Page 865 and also being on the city limits line of the City of Charlotte thence with said City Limits and along Lots 1 through 30, (Map Book 25 Page 865, Map Book 26, Page 897, and Map Book 26, Page 819) the following two (2) courses and distances: (1.) N 05-31-15 E 1087.12 feet to a #4 rebar set; (2.) N 05-38-18 E, passing through an existing #5 rebar at 1157.88 feet, a total distance of 1192.91 feet to a point in or near the centerline of Plaza Road Extension, said point being the point and place of **BEGINNING** and containing 41.854 acres, more or less.

Section 3. Notice of the public hearing shall be published in the *Mecklenburg Times*, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of the public hearing.

#### **CERTIFICATION**

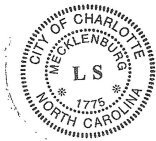
I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11<sup>th</sup> day of May, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 615-616.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11<sup>th</sup> day of May 2020.



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Stephanie C. Kelly, City Clerk, MMC, NCCMC



**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION  
OF ANNEXATION PURSUANT TO G.S. 160A-31  
OLD MOORE'S CHAPEL NORTH AREA ANNEXATION**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina that:

Section 1. The public will take notice that the City Council of the City of Charlotte has called a public hearing on the question of annexing the described territory as set forth below, requested by petition filed pursuant to G.S. 160A-31 to be conducted at 5:00 p.m., or as soon thereafter as practicable, on Tuesday, May 26, 2020 at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, by such method, including in a virtual manner, necessary in response to the COVID-19 pandemic. The meeting will be accessible via the Government Channel, the City's Facebook page, or the City's YouTube page. To speak at the public hearing, please call the City Clerk's office at 704-336-2248 or sign up online at <https://charlottenc.gov/CityClerk/Pages/Speak.aspx>. Alternatively, written comments may be submitted to the City Clerk's Office at [cityclerk@charlottenc.gov](mailto:cityclerk@charlottenc.gov), prior to Tuesday, May 27, 2020 at 11:59 p.m.

Section 2. The area proposed for annexation is described as follows:

**LEGAL DESCRIPTION**

BEGINNING AT AN AXLE FOUND AT THE SOUTHERN CORNER OF THE SUBJECT PROPERTY AND AT A NORTHEAST CORNER OF THE LANDS OWNED NOW OR FORMERLY BY JONI & GERY KOSA, SAID POINT ALSO BEING ON THE CITY LIMITS LINE OF THE CITY OF CHARLOTTE; THENCE RUNNING N45°20'52"W FOR 334.67' TO A DISC FOUND; THENCE RUNNING N49°04'01"W FOR 95.79' TO A 5/8" REBAR FOUND, THENCE RUNNING N01°58'46"E FOR 438.58' TO A DISC FOUND; THENCE RUNNING N04°18'58"E FOR 389.16' TO DISC FOUND; THENCE RUNNING N09°25'05"E FOR 555.93' TO A PIPE FOUND; THENCE RUNNING N15°16'28"E FOR 116.34' TO A 1/2" REBAR FOUND, SAID POINT ALSO BEING ON THE CITY LIMITS OF THE CITY OF CHARLOTTE; THENCE WITH SAID CITY LIMITS S57°31'59"E FOR 23.20' TO A 1/2" REBAR FOUND; THENCE WITH SAID CITY LIMITS S54°33'28"E FOR 111.33' TO A 5/8" REBAR FOUND; THENCE WITH SAID CITY LIMITS S54°35'29"E FOR 819.07' TO A DISTURBED 3/4" PIPE FOUND; THENCE WITH SAID CITY LIMITS S50°23'27"E FOR 35.62' TO A 1/2" REBAR FOUND; THENCE WITH SAID CITY LIMITS S66°45'22"E FOR 33.02' TO A 1/2" REBAR FOUND; THENCE WITH SAID CITY LIMITS S26°58'31"E FOR 288.18' TO AN ANGLE IRON FOUND; THENCE WITH SAID CITY LIMITS S09°37'46"E FOR 111.28' TO A 1/2" REBAR FOUND; THENCE WITH SAID CITY LIMITS S20°37'51"E FOR 235.12' TO A 2" PIPE FOUND; THENCE WITH SAID CITY LIMITS S56°30'13"W FOR 1107.33', CROSSING A 5/8" REBAR FOUND AT 92.87', TO THE POINT OF BEGINNING. Being 30.909 Acres, More or Less.

Section 3. Notice of the public hearing shall be published in the *Mecklenburg Times*, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of the public hearing.

**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 11<sup>th</sup> day of May, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 617-618.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11<sup>th</sup> day of May 2020.



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Stephanie C. Kelly, City Clerk, MMC, NCCMC



**RESOLUTION FIXING DATE OF PUBLIC HEARING  
ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31**

**STONEYGREEN AREA ANNEXATION**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held on May 26, 2020 at 5:00 p.m., or as soon thereafter as practicable, at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, by such method, including in a virtual manner, necessary in response to the COVID-19 pandemic. The meeting will be accessible via the Government Channel, the City's Facebook page, or the City's YouTube page. To speak at the public hearing, please call the City Clerk's office at 704-336-2248 or sign up online at <https://charlottenc.gov/CityClerk/Pages/Speak.aspx>. Alternatively, written comments may be submitted to the City Clerk's Office at [cityclerk@charlottenc.gov](mailto:cityclerk@charlottenc.gov), prior to Tuesday, May 27, 2020 at 11:59 p.m.

Section 2. The area proposed for annexation is described as follows:

**LEGAL DESCRIPTION**

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

**BEGINNING** at an existing iron pipe marking the westernmost corner of the Joshua L. Purser & wife, Amy Y. Purser property as described in Deed Book 21570, Page 490; thence with the Purser property North 85-29-36 East passing an existing iron pipe at 820.04 feet a total distance of 850.04 feet to a point in the center of Hood Road; thence with the center of Hood Road two (2) courses and distances as follows: (1) South 04-34-21 East 876.87 feet to a point; (2) with the arc of a circular curve to the right having a radius of 80,749.27 feet an arc length of 633.74 feet (chord South 04-12-27 East 633.74 feet) to a point in the center of Reedy Creek; thence with the center of Reedy Creek South 87-47-24 West 28.49 feet to a point within the Hood Road right-of-way, said point being the southeast corner of the property conveyed to NCDOT and described in Deed Book 26552, Page 823; thence with the property conveyed to NCDOT three (3) courses and distances as follows: (1) North 04-23-51 West 101.07 feet to an existing right-of-way marker (rebar with aluminum cap); (2) South 85-40-31 West 40.07 feet to an existing right-of-way marker (rebar with aluminum cap); (3) South 04-26-23 East 44.96 feet to an existing right-of-way marker (rebar with aluminum cap); thence with a new line five (5) courses and distances as follows: (1) North 74-48-27 West 298.99 feet to a point; (2) North 75-31-17 West 679.01 feet to a point; (3)

May 11, 2020

Resolution Book 50, Page 620

North 76-27-34 West 525.76 feet to a point; (4) North 63-36-37 West 304.95 feet to a point; (5) North 49-17-06 West 193.38 feet to a point lying on the southeast property line of the Andy Thomas Dulin property as described in Deed Book 5992, Page 337; thence with the Dulin property North 52-33-58 East 1,241.41 feet to the Point or Place of **BEGINNING**; containing 41.39 acres of land, more or less.

Section 3. Notice of the public hearing shall be published in the *Mecklenburg Times*, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of the public hearing.

### **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 11<sup>th</sup> day of May, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 619-620.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11<sup>th</sup> day of May 2020.



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Stephanie C. Kelly, City Clerk, MMC, NCCMC



**A Resolution of the City Council of the City of Charlotte calling for a Public Hearing to be held by the City Council on the Question of adopting an ordinance for the property known as the “Butler House” (listed under Tax Parcel Number 07910501 including the interior and the exterior of the house, and the land associated with the tax parcel) as an Historic Landmark. The property is located at 240 Sylvania Avenue in Charlotte, North Carolina, and is owned by E-Fix Housing Solutions LLC.**

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WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has made an investigation and report on the historic, architectural, educational, and cultural significance of the property as described below; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has recommended that the City Council adopt an ordinance designating the property described below as an Historic Landmark pursuant to Chapter 160A, Article 19, as amended of the General Statutes of North Carolina; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has determined that the property described below meets the criteria for designation because of special significance in terms of its history, architectural, and/or cultural importance, and because it possesses integrity of design, setting, workmanship, materials, feeling and/or association as required by N.C.G.S. 160A-400.5.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlotte, North Carolina, that the City Council will hold a public hearing at which interested parties will have an opportunity to be heard on the question of the designation of the property known as the “Butler House” (listed under Tax Parcel Number 07910501 including the interior and the exterior of the house, and the land associated with the tax parcel) as an Historic Landmark.

BE IT FURTHER RESOLVED that reasonable notice of the time and place of the public hearing shall be given.

**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 11<sup>th</sup> day of May, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 621-622.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11<sup>th</sup> day of May 2020.



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Stephanie C. Kelly, City Clerk, MMC, NCCMC



**A Resolution of the City Council of the City of Charlotte calling for a Public Hearing to be held by the City Council on the Question of adopting an ordinance for the property known as the “Derita High School Gymnasium” (listed under Tax Parcel Number 04704312 including the exterior of the building, all landscape features, and the land associated with the tax parcel) as an Historic Landmark. The property is located at 6115 Rumble Road in Charlotte, North Carolina, and is owned by Charlotte-Mecklenburg Board of Education.**

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WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has made an investigation and report on the historic, architectural, educational, and cultural significance of the property as described below; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has recommended that the City Council adopt an ordinance designating the property described below as an Historic Landmark pursuant to Chapter 160A, Article 19, as amended of the General Statutes of North Carolina; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has determined that the property described below meets the criteria for designation because of special significance in terms of its history, architectural, and/or cultural importance, and because it possesses integrity of design, setting, workmanship, materials, feeling and/or association as required by N.C.G.S. 160A-400.5.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlotte, North Carolina, that the City Council will hold a public hearing at which interested parties will have an opportunity to be heard on the question of the designation of the property known as the “Derita High School Gymnasium” (listed under Tax Parcel Number 04704312 including the exterior of the building, all landscape features, and the land associated with the tax parcel) as an Historic Landmark.

BE IT FURTHER RESOLVED that reasonable notice of the time and place of the public hearing shall be given.

**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 11<sup>th</sup> day of May, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 623-624.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11<sup>th</sup> day of May 2020.



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Stephanie C. Kelly, City Clerk, MMC, NCCMC



**A Resolution of the City Council of the City of Charlotte calling for a Public Hearing to be held by the City Council on the Question of adopting an ordinance for the property known as the “Ford Motor Company Assembly Plant” (listed under Tax Parcel Number 07903105 including the interior and the exterior of the assembly building, the boiler house, and 9.4 acres of land associated with the tax parcel) as an Historic Landmark. The property is located at 1824 Statesville Avenue in Charlotte, North Carolina, and is owned by Newcamp Landowner, LP.**

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WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has made an investigation and report on the historic, architectural, educational, and cultural significance of the property as described below; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has recommended that the City Council adopt an ordinance designating the property described below as an Historic Landmark pursuant to Chapter 160A, Article 19, as amended of the General Statutes of North Carolina; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has determined that the property described below meets the criteria for designation because of special significance in terms of its history, architectural, and/or cultural importance, and because it possesses integrity of design, setting, workmanship, materials, feeling and/or association as required by N.C.G.S. 160A-400.5.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlotte, North Carolina, that the City Council will hold a public hearing at which interested parties will have an opportunity to be heard on the question of the designation of the property known as the “Ford Motor Company Assembly Plant” (listed under Tax Parcel Number 07903105 including the interior and the exterior of the assembly building, the boiler house, and 9.4 acres of land associated with the tax parcel) as an Historic Landmark.

BE IT FURTHER RESOLVED that reasonable notice of the time and place of the public hearing shall be given.

**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 11<sup>th</sup> day of May, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 625-626.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11<sup>th</sup> day of May 2020.



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Stephanie C. Kelly, City Clerk, MMC, NCCMC



**A Resolution of the City Council of the City of Charlotte calling for a Public Hearing to be held by the City Council on the Question of adopting an ordinance for the property known as the “Nevin School” (listed under Tax Parcel Numbers 04528106 and 04528111 including the exterior of the 1923 school building, the 1940 auditorium, and 0.75 acres of land associated with the tax parcels) as an Historic Landmark. The property is located at 3523 Nevin Road in Charlotte, North Carolina, and is owned by Nevins Inc.**

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WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has made an investigation and report on the historic, architectural, educational, and cultural significance of the property as described below; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has recommended that the City Council adopt an ordinance designating the property described below as an Historic Landmark pursuant to Chapter 160A, Article 19, as amended of the General Statutes of North Carolina; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has determined that the property described below meets the criteria for designation because of special significance in terms of its history, architectural, and/or cultural importance, and because it possesses integrity of design, setting, workmanship, materials, feeling and/or association as required by N.C.G.S. 160A-400.5.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlotte, North Carolina, that the City Council will hold a public hearing at which interested parties will have an opportunity to be heard on the question of the designation of the property known as the “Nevin School” (listed under Tax Parcel Numbers 04528106 and 04528111 including the exterior of the 1923 school building, the 1940 auditorium, and 0.75 acres of land associated with the tax parcels) as an Historic Landmark.

BE IT FURTHER RESOLVED that reasonable notice of the time and place of the public hearing shall be given.

**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 11<sup>th</sup> day of May, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 627-628.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11<sup>th</sup> day of May 2020.



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

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Stephanie C. Kelly, City Clerk, MMC, NCCMC

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **DAIRY BRANCH TRIBUTARY SEWER IMPROVEMENTS** Project; and

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

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

PROPERTY DESCRIPTION:

Amount necessary for the **DAIRY BRANCH TRIBUTARY SEWER IMPROVEMENTS** Project estimated to be **2,643.7 sq. ft. (0.06 ac.) Sanitary Sewer Easement and 4,8807.3 sq. ft. (0.11 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. 151-033-64; said property currently owned by **JAMES W FORD AND LESLIE FORD** 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 11<sup>th</sup> day of May, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 629.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11<sup>th</sup> day of May 2020.



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

Stephanie C. Kelly, City Clerk, MMC, NCCMC

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **CROSS CHARLOTTE TRAIL 7<sup>TH</sup> to 10<sup>TH</sup> STREET CONNECTOR** 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 **CROSS CHARLOTTE TRAIL 7<sup>TH</sup> to 10<sup>TH</sup> STREET CONNECTOR** Project estimated to be **1,421 sq. ft. (0.033 acre) in Greenway Easement, 392 sq. ft. (0.009 acre) 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. 080-152-03; said property currently owned by **CROWN CASTLE SOUTH 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 11<sup>th</sup> day of May, 2020, the reference having been made in Minute Book 150 and recorded in full in Resolution Book 50, Page(s) 630.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11<sup>th</sup> day of May 2020.



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

Stephanie C. Kelly, City Clerk, MMC, NCCMC