

Revised Resolution

RESOLUTION AUTHORIZING THE CONVEYANCE OF A 0.826 ACRE
PROPERTY OF LAND TO
LITTLE ROCK COMMUNITY DEVELOPMENT CORPORATION

WHEREAS, the City of Charlotte owns an approximately 0.826 acre of vacant property more particularly identified as being all of Tax Parcel No. 080-104-02, located at 705 East 7th Street in Charlotte, Mecklenburg County, North Carolina (the "Property"); and

WHEREAS, the Property is not currently being used for any City purpose and an appraisal in 2018 determined its current fair market value to be \$1,320,000.00; and

WHEREAS, Little Rock Community Development Corporation, a North Carolina non-profit corporation ("LRCDC") desires for the City to donate the Property to LRCDC, so that it can be combined with LRCDC-owned adjacent property for development of a 105-unit mixed-income housing community; and

WHEREAS, LRCDC has agreed to partner with Laurel Street Residential, LLC, a Charlotte-based firm specializing in the development of high-quality mixed-income and affordable residential communities, and who is known by the City to be a valuable partner in the development of affordable housing, to accomplish the proposed development of the City Property; and

WHEREAS, the leased Property shall be restricted to redevelopment for affordable housing as follows: a) Buyer shall assemble the Property, together with the adjacent .3-acre property currently owned by Buyer, for redevelopment as a mixed income residential project which will include affordable housing; b) the housing development will include 105 rental housing units for families having earned incomes ranging from less than 30% to 120% of the HUD Area Median Income ("AMI") for Charlotte at the following AMI levels: 20 units < 30%, 10 units 51-60%, 23 units 61-80%, and 52 units 81-120%; c) the affordable restriction shall be in effect for thirty five (35) years; and d) the Property shall be redeveloped and the affordable units available for occupancy within five (5) years from the date of the deed of transfer, or ownership of the Property shall revert back to the City.

WHEREAS, City of Charlotte Charter § 8.22 authorizes the city to convey real property by private sale when it determines that the sale will advance or further any Council adopted urban revitalization or land use plan or policy; and

WHEREAS, the City Council of the City of Charlotte has determined that the sale of the Property to LRCDC will advance the City's 2016 Council-adopted goal to create 5,000 affordable and workforce housing units within three years and is also consistent with the Council-adopted 2018 "Housing Charlotte Framework" policy; and

WHEREAS, notice of the proposed transaction was advertised at least ten days prior to the adoption of the original Resolution.

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to Section 8.22(d) of the City of Charlotte Charter, that it hereby authorizes the private sale of the above referenced Property as follows:

The City has conveyed fee simple title to LRCDC for One Dollar (\$1). The City Manager or his Designee is authorized to execute all documents necessary to complete the sale of the Property to LRCDC, in accordance with the terms and conditions as advertised.

THIS THE 22nd DAY OF NOVEMBER 2021.

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 of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of November 2021, the reference having been made in Minute Book 154 and recorded in full in Resolution Book 52, Page(s) 298-299.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22nd day of November 2021.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
APPROVING A MEMORANDUM OF UNDERSTANDING FOR ALLOCATING
CERTAIN FEDERAL TRANSIT FUNDS**

WHEREAS, the City of Charlotte is the designated recipient of certain Federal Transit Administration (FTA) grant funds, generally known as Section 5307, Section 5304, and Section 5339 funds; and

WHEREAS, as the designated recipient of those funds, the City, in conjunction with the Charlotte Regional Transportation Planning Organization, allocates those funds to other government bodies in the Charlotte NC-SC Urbanized Area for use in their respective transit operations; and

WHEREAS, at this time, the other government bodies in the Charlotte NC-SC Urbanized Area that receive these grant funds are Mecklenburg County, North Carolina; Union County, North Carolina; Iredell County, North Carolina; and the Rock Hill Fort Mill Area Transportation Study; and

WHEREAS, the FTA instructs that the recipients of these federal grant funds develop a process for allocating those funds; and

WHEREAS, the City and the other government bodies in the Charlotte NC-SC Urbanized Area have agreed on a process for allocating these federal grant funds and deem it advisable to incorporate that process into a memorandum of understanding.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in its regular session duly assembled, that the Council hereby approves the proposed Memorandum of Understanding and authorizes the City Manager (or his designee) to execute that MOU on the City's behalf.

ADOPTED this 22nd day of November, 2021.

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 of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of November 2021, the reference having been made in Minute Book 154 and recorded in full in Resolution Book 52, Page(s) 300-316.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22nd day of November 2021.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

**MEMORANDUM OF UNDERSTANDING FOR THE SUB-ALLOCATION OF FEDERAL
TRANSIT ADMINISTRATION GRANTS TO THE
CHARLOTTE NC-SC URBANIZED AREA STATE OF NORTH CAROLINA**

This Memorandum of Understanding ("MOU") is made this _____ day of _____, 2021, by and between the **City of Charlotte**, a municipal corporation existing under the laws of the State of North Carolina ("Charlotte"); **Mecklenburg County, North Carolina** ("Mecklenburg County"); **Union County, North Carolina** ("Union County"); **Iredell County, North Carolina** ("Iredell County"); **Rock Hill Fort Mill Area Transportation Study** ("RFATS"); and the **Charlotte Regional Transportation Planning Organization** ("CRTPO"). Charlotte, Mecklenburg County, Union County, Iredell County, RFATS, and CRTPO are collectively referred to herein as "Parties".

WITNESSETH:

WHEREAS, Charlotte, as the designated recipient of Federal Transit Administration (FTA) Section 5307/5340 and FTA Section 5339 funds, desires to share those funds on a proportional, annual basis with the other Parties performing transit operations for both the FTA bus/non-fixed guideway tier and the fixed guideway tier, respectively, and the other Parties desire to receive said funds pursuant to the terms of this MOU; and

WHEREAS, it has been determined beneficial to document this desire to share funds within a MOU; and

WHEREAS, Congress annually appropriates funds for FTA programs, and Section 5307/5340 and Section 5339 funds are annually appropriated by FTA to the Charlotte NC-SC Urbanized Area (UZA) based upon a formula; and

WHEREAS, the Parties agree that in the event that additional agreements are required between any Party that is an eligible direct grant recipient and any Party that is an eligible sub-recipient to facilitate the flow of funds received by the direct grant recipient to the sub-recipient, then the Parties shall in good faith enter into such agreements; and

WHEREAS, Parties are required to submit data to the National Transit Database (NTD), which is used by FTA to determine the annual distribution of Section 5307/5340 and Section 5339 funds to the Charlotte NC-SC UZA; and

WHEREAS, FTA distributes its Section 5307/5340 and Section 5339 bus tier/non-fixed guideway funds to the Charlotte NC-SC UZA using a formula with variable inputs based on UZA population, population density, bus vehicle revenue miles, bus passenger miles, and bus service operating cost; and

WHEREAS, FTA distributes its Section 5307 fixed guideway tier funds to the Charlotte NC-SC UZA using a formula with variable inputs based on fixed guideway revenue miles, fixed guideway route miles, fixed guideway passenger miles and fixed guideway operating cost, as well as a commuter rail floor and commuter rail incentive floor, if applicable; and

WHEREAS, FTA distributes a portion of Section 5307 funds to the Charlotte NC-SC UZA that are unspecific to transit mode and are based on low-income population and the projected population of the Charlotte NC-SC UZA as a proportion of national projected UZA population; and

WHEREAS, CRTPO, as the federally and state designated Metropolitan Planning Organization (MPO) for the Charlotte NC-SC UZA, is responsible for concurring with the designated recipient's process for sub-allocation of FTA distributed urbanized area formula grants to eligible direct grant recipients within the Charlotte NC-SC UZA, and such concurrence is evidenced by a lawful, majority vote of the CRTPO Board members on_, 2021; and

WHEREAS, RFATS, as the federally and state designated Metropolitan Planning Organization (MPO) in York and Lancaster County, SC and through an interlocal agreement with CRTPO has transportation planning responsibilities for the SC portion of the Charlotte NC-SC UZA, is mutually interested in the development of a multi-modal transportation system; and

WHEREAS, in an effort to ensure satisfactory compliance of both operational needs and procedural requirements; it is understood that RFATS, working cooperatively with providers of public transit services in its planning area will continue public transportation planning and programming consistent with 23 CFR 450.314(a); and that nothing contained in this MOU shall, however inadvertently, conflict with any applicable planning agency requirements in this regard; and

WHEREAS, the Parties jointly desire to outline the process and methodology for the annual apportionment and distribution of FTA Section 5307/5340 and Section 5339 funds that are available to the Charlotte NC-SC UZA.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the Parties hereto agree as follows:

1. The above recitals are hereby incorporated into this MOU.
2. Each Party agrees to submit all eligible urban data (especially eligible urban vehicle revenue miles) to the National Transit Database in order to help maximize potential funding to the Charlotte NC-SC UZA.
3. The formula agreed upon by the Parties is in the attached Exhibit, which is incorporated into this MOU by reference.
4. When the federal urbanized area formula grant allocations for the Charlotte NC-SC UZA are published, CRTPO (with the assistance of CATS as the designated recipient) will prepare and make available a draft annual sub-allocation for review by the eligible recipients. If prepared in accordance with the sub-allocation methodology set forth in this MOU, the Parties shall accept the sub-allocations as prepared. After the process outlined in Sections 5 and 6 below, CATS (as the designated recipient) shall prepare the annual split letter for submission to the FTA Region IV Administrator with copies to the Parties and to the CRTPO Chair and Secretary.
5. Each Party that is an eligible recipient of Section 5307/5340 or Section 5339 funds shall respond to the draft annual sub-allocation in writing to the CRTPO, with a copy to the designated recipient, regarding that Party's intention to use the sub-allocated funds for an eligible project, bank the funds, transfer the funds to another eligible recipient, or return the funds to the Charlotte NC-SC UZA. Such notification (via email or letter correspondence) must be received by the CRTPO and the designated recipient within sixty (60) calendar days after CRTPO shares the draft annual sub-allocation. If the CRTPO and the designated recipient have not received a

Party's response within that 60-day period, the CRTPO will redistribute the non-responding Party's funds proportionally to the remaining Parties that have responded.

6. The CRTPO (with the assistance of the designated recipient) will, if warranted, recalculate the sub-allocations based upon the responses received from the Parties to the draft annual sub-allocation. The final sub-allocations will then be documented in the annual split letter prepared by the designated recipient for submission to the FTA Region IV Administrator. Copies of the split letter will be provided to the Parties and to the CRTPO Chair and Secretary.
7. The Parties hereby agree that, pursuant to FTA regulations and guidance, this MOU constitutes the local planning process for the allocated apportionment to each eligible Party under FTA Table 3A resulting in the allowance of the additional 10% (ten percent) eligibility in local operating funds.
8. On an annual basis, prior to September 1 each year, each Party shall provide a report to CRTPO on the status of the funds awarded to it. Any unobligated funds older than three years, or any obligated funds whose period of performance has lapsed, are subject to rescission and redistribution by CRTPO in an effort to ensure full utilization of all 5307/5340 and 5339 funds. Rescinded funds will be proportionately re-allocated by the CRTPO among the other Parties based on the latest split letter, less the amount due to the Party whose funding is subject to rescission.
9. Non-Discrimination. No party shall discriminate in violation of any applicable law.
10. Binding Effect and Assignment. This MOU will be binding on the Parties and their successors and assigns. No Party may sell or assign any interest in or obligation under this MOU without the prior express written consent of the other Parties.
11. Controlling Law. This MOU will be governed in all respects by the laws of the State of North Carolina, without regard to its choice of law provisions.
12. Term. This MOU will have a term of ten (10) years from the date of execution by all Parties. This MOU may be terminated, extended, or amended only by written agreement of all Parties. The sub-allocation method reflected in this MOU has been agreed to by the Parties in reliance upon the formula that FTA currently uses for that purpose. As a result, if the FTA changes the formula it uses to allocate Section 5307/5340 or Section 5339 grant funds to urbanized areas, the sub-allocation method in this MOU will no longer govern, and the Parties shall agree on a new sub-allocation method and amend this MOU to incorporate that new method. If the Parties cannot agree on a new sub-allocation method, future sub-allocations will be determined by CRTPO without reference to this MOU.
13. New/additional Membership – Entities within the Charlotte NC-SC UZA that meet the following eligibility requirements may be added to the MOU by administrative action of the CRTPO staff and notification to the CRTPO Board. Eligibility requirements:
 - Agency must provide transit service within the Charlotte, NC-SC UZA and have reported urban data in the National Transit Database (NTD) for Charlotte, NC-SC UZA.
 - Agency must demonstrate local match for the transit funds.

- Agency must become an FTA authorized direct recipient or arrange to become a subrecipient of an eligible designated or direct recipient.
- Agency must agree to submit eligible urban data to the NTD that will maximize potential funding to the Charlotte, NC-SC Urbanized Area.

14. **Dispute Resolution.** In the event of any dispute between two or more Parties concerning the interpretation or application of this MOU or concerning any actual or alleged breach of or default under this MOU, the Parties shall seek to resolve that dispute solely using the process prescribed by this Section 14.

- a. **Good Faith Meeting.** Representatives of each Party shall meet as soon as reasonably possible to attempt in good faith to resolve the dispute. All Parties must be represented by a person with the authority to settle the dispute on the Party's behalf, except to the extent that approval by the Party's governing board might be necessary. If resolution is not achieved from this good-faith meeting, the Parties shall initiate mediation as set forth below.
- b. **Mediation.** The parties to a dispute that is ripe for mediation under this section shall proceed in the following manner:
 - i. **Selection of Mediator.** The parties shall in good faith select a mediator certified in accordance with the rules of mediator certification in Superior Court in North Carolina.
 - ii. **Mediation Agreement.** Upon selection of the mediator, the parties to the dispute shall in good faith use diligent efforts to enter into a mediation agreement that shall include terms governing the time, place, scope, and procedural rules of the mediation including those set forth below. Such agreement shall also include reasonable terms governing the compensation, disqualification, and removal of the mediator. All terms of the mediation agreement must be consistent with the terms of this section and the MOU, as well as all applicable laws. If the parties fail to agree to the meditation agreement and the procedural rules to be used within 10 business days after selection of the mediator, then the American Arbitration Association Construction Industry Mediation Rules shall be used to the extent such rules are consistent with this MOU and applicable law.
 - iii. **Stalemate.** If after reasonable good-faith attempts to resolve the dispute have been made, it appears to the mediator that the Parties are at a stalemate with no significant likelihood of reaching resolution, the mediator shall so inform the Parties (and such determination shall be made no later than three business days after conclusion of such meditation), and the mediator shall promptly issue a written notice of stalemate, which shall conclude the dispute resolution process, unless the parties to the dispute agree in writing otherwise.
- c. **Escalation of Dispute Resolution to CRTPO Board.** Should the Parties not be able to resolve the dispute using the procedure stated above, after stalemate of the mediation, documentation of the dispute, along with a summary of the good-faith

meeting and mediation, shall be prepared and submitted to the CRTPO Board for their consideration and final ruling. CRTPO's authority for resolving a dispute will be limited to making decisions about the sub-allocation of FTA grant funds for current or future years, and CRTPO cannot resolve any dispute by, for example, requiring any Party to change the services it provides or to take any action concerning non-FTA grant funds.

- d. Notwithstanding any other provision in this MOU, and as essential condition of this MOU, each Party agrees that this Section 14's dispute resolution process will be the sole and exclusive method of resolving any dispute covered by this Section 14. The CRTPO Board's ruling on any such dispute will be final and will not be subject to direct or indirect challenge in any state or federal court, before any administrative body, or in any other forum. Each Party waives any right it otherwise might have to file any action in state or federal court for any actual or alleged breach or default of this MOU.
15. No Waiver of Non-Compliance with MOU. No provision of this MOU will be deemed to have been waived by any Party hereto unless such waiver is in writing and executed by the Party granting the waiver. The failure of any Party hereto at any time to require strict performance by the other of any provision hereof shall in no way affect the right of the other Party to thereafter enforce the same. In addition, no waiver or acquiescence by a Party hereto of any breach of any provision hereof by another Party shall be taken to be a waiver of any succeeding breach of such provision or as a waiver of the provision itself.
16. Liability of Officers and Agents. No officer, agent or employee of any Party will be subject to any personal liability or accountability by reason of the execution of this MOU or any other documents related to the transactions contemplated hereby. Such officers, agents or employees will be deemed to execute such documents in their official capacities only, and not in their individual capacities. This section will not relieve any such officer, agent or employee from the performance of any official duty provided by law.
17. Execution in Counterparts/Electronic Version of MOU. This MOU may be executed in any number of counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. Any Party may convert a signed original of the MOU to an electronic record pursuant to a North Carolina Department of Natural and Cultural Resources approved procedure and process for converting paper records to electronic records for record retention purposes. Such electronic record of the MOU shall be deemed for all purposes to be an original signed MOU.
18. Iran Divestment Act. The Parties hereby certify that they, and all permitted subcontractors, if any, are not on the Iran Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S 147-86.58.
19. No Third-Party Beneficiaries. There are no third-party beneficiaries to this MOU.

IN WITNESS THEREOF, the Parties hereto have made and executed this MOU as of the day and year first above written.

CITY OF CHARLOTTE

Attest:

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

IREDELL COUNTY

Attest:

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

MECKLENBURG COUNTY

Attest:

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

**ROCK HILL-FORT MILL AREA
TRANSPORTATION STUDY**

Attest:

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

UNION COUNTY

Witness:

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to Legal Form: CJB

This Instrument Has Been Preaudited In The
Manner Required By The Local Government
Budget And Fiscal Control Act

Deputy Finance Officer

**EXHIBIT TO CHARLOTTE REGIONAL TRANSPORTATION PLANNING ORGANIZATION
MEMORANDUM OF UNDERSTANDING FOR FTA SECTION 5307**

Sharing Formula & Implementation Guide

The purpose of this formula is to equitably distribute the annual FTA apportionment of 5307/5340 Urbanized Area Apportionment funding. The newly adopted CRTPO formula is described below as well as the procedure to calculate the annual shares for the split letter that is sent to FTA. The formula is built into an excel spreadsheet that calculates the shares for each eligible transit agency in the CRTPO Urbanized Area. The purpose of this guide is to document how the spreadsheet (formula) works and to describe the annual updates that are required to calculate the shares to each Agency.

Formula

The formula first calculates shares to eligible agencies for Fixed Guideway funding, Bus Incentive funding and Low-Income funding based upon the federal formula.

The remaining funds are then shared based upon the weighted formula:

- 1/3 based on the proportional share of Bus Vehicle Revenue Miles
- 1/3 based on the proportional share of Population
- 1/3 based on the proportional share of Ridership

Data

All data is based on the National Transit Database data, Census data and CATS operating data for shared operations. The data utilized is aligned with the same fiscal year of data used by the FTA for their annual calculations of the 5307 funds.

Key Data Elements include:

Census Population: FTA utilizes the decennial census population of the Charlotte, NC-SC Urbanized Area (UZA) until a new census and a new urbanized area are completed.

A GIS analysis is utilized to determine the Charlotte, NC-SC UZA census population by each county and for Mecklenburg Co by the incorporated area and unincorporated area within the urbanized area. The Mecklenburg Co incorporated area population is assigned to CATS and the unincorporated population is assigned to Mecklenburg Transportation Services (MTS). This data remains consistent for the entire 10-year census period.

Low-Income Pop: FTA utilizes the annual American Community Survey from the Census to determine the Low-Income Population within the Charlotte, NC-SC UZA.

A GIS analysis is conducted annually to determine the Low-Income Population within the urbanized area for each county and by incorporated and unincorporated area within the UZA portion of Mecklenburg Co.

Bus Passenger Miles: FTA utilizes the National Transit Database (NTD) report of annual Urban Bus Passenger Miles reported by each transit agency within the UZA to calculate Bus Incentive Funding.

Bus Operating Cost: FTA utilizes the NTD report of the annual Urban Bus Operating Costs reported by each transit agency within the UZA to calculate Bus Incentive Funding.

Fixed Guideway VRM: FTA utilizes the NTD report of the annual Urbanized Fixed Guideway Vehicle Revenue Miles reported by each agency within the UZA to calculate Fixed Guideway Funding.

Fixed Guideway

Route Miles: FTA utilizes the NTD report of the annual Urban Fixed Guideway Route Miles reported by each agency within the UZA to calculate Fixed Guideway Funding.

Fixed Guideway

Passenger Miles: FTA utilizes the NTD report of the annual Urban Fixed Guideway Passenger Miles reported by each agency within the UZA to calculate Fixed Guideway Incentive

	Funding.
Fixed Guideway Operating Cost:	FTA utilizes the NTD report of the annual Urban Fixed Guideway Operating Cost reported by each agency within the UZA to calculate Fixed Guideway Incentive Funding.
Ridership:	Annual Urban ridership reported to the NTD by each transit agency is utilized to calculate the proportional share of ridership for each transit agency. The data year chosen is the same year as the data used by FTA for the annual 5307 apportionment (typically 2 years old, FY2019 data for FY2021 apportionment)
Bus VRM:	Annual Urban Bus Vehicle Revenue Miles (BVRM) reported to the NTD by each transit agency is utilized to calculate the proportional share of BVRM for each transit agency.

FTA Published Data Utilized in Annual Calculations

FTA publishes all annual apportionments on their website at www.transit.dot.gov. Tables used include:

- Table 3: Section 5307 and 5340 Urbanized Area Formula Appropriations
- Table 5: Formula Apportionments Data Unit Values
- Table 12 Section 5339 Buses and Bus Facilities Apportionments

And FTA apportionment resources such as Formula Apportionments Data. Key data used are:

- Section 5307-STIC-Growing States-High Density States Table
- Census Urbanized Area Population and Population Density Data
- National Transit Database Data Used for the Section 5307 Urbanized Area Formula and Section 5339 Bus Formula Apportionments
- Census Low Income Population Data

Procedure for Calculating 5307/5340 Shares

Step 1: Using FTA Apportionments Data Unit Values and Total Census and NTD data for the correct Fiscal year, recreate the calculation of the total 5307/5340 funds for the Charlotte, NC-SC UZA. See calculation sheet for Federal Fiscal Year 2021.

	Population DATA, Bus Vehicle Revenue Miles, and Low Income					Bus Incentive Data			Fixed Guideway Tier Data				Fixed Guideway Incentive Tier		
	Area Population (sq mi)	Bus Vehicle Pop x Density Revenue Miles	Low Income	5340 Growing States	Bus Passenger Miles	Operating Cost	Bus PM x Bus PM Operating Cost	Fixed Guideway Revenue Vehicle Miles	Fixed Guideway Route Miles	Fixed Guideway Passenger Miles	Fixed Guideway Operating Cost	Fixed PM X Fixed PM Operating Cost			
UZA Area															
Charlotte - NC Portion	1,180,484	690	2,020,856,861	18,935,903	263,707	83,738,820	126,574,445	55,399,729.19	2,410,760	47.6	45,712,163	37,833,565	55,231,428.66		
Charlotte - SC Portion	68,958	52	91,604,811	913	8,192	-	-	-	-	-	-	-	-		
Total Charlotte, NC-SC UZA	1,249,442	741	2,105,362,596	18,936,816	271,899	83,738,820	126,574,445	55,399,729.19	2,410,760	47.6	45,712,163	37,833,565	55,231,428.66		

Apportionment Data Unit Value	3,421,289.04	0.000911819	0.434030161	2,535,542,889	0.017169441	0.624433666	38716,79468	0.000956427
-------------------------------	--------------	-------------	-------------	---------------	-------------	-------------	-------------	-------------

Calculated Apportionment	Population	Pop x Density	Bus Vehicle Revenue Miles	Low Income	5340 Growing States	Bus PM x Bus PM Operating Cost	Fixed Guideway Revenue Vehicle Miles	Fixed Guideway Route Miles	Fixed PM x Fixed PM Operating Cost
Charlotte - NC Portion	4,038,705.98	1,836,462.63	8,218,753.03	668,641	1,216,094.00	951,182.36	1,505,359.70	1,842,919.43	52,824.82
Charlotte - SC Portion	235,921.10	83,246.28	396.27	20,770	72,383.00	-	-	-	-
Total Charlotte, NC-SC UZA	4,274,627.08	1,919,709	8,219,149	689,412	1,288,477	951,182.36	1,505,360	1,842,919.4	52,824.82

Calculated Total \$ 20,743,660
FTA Table 3 FY2021
Full Apportionment Total \$ 20,743,612

Due to rounding errors, the total is usually off by a very small amount. Proportionally adjust the totals in each column to match the total award. See example for Federal Fiscal Year 2021 below.

Adjusted to Match Apportionment	Population DATA, Bus Vehicle Revenue Miles, and Low Income				Bus Incentive Data		Fixed Guideway Tier Data		Fixed Guideway Incentive Tier	
	Population	Pop x Density	Bus Vehicle Revenue Miles	Low Income	5340 Growing States	Bus PM x Bus PM Operating Cost	Fixed Guideway Revenue Vehicle Miles	Fixed Guideway Route Miles	Fixed PM x Fixed PM Operating Cost	
Charlotte - NC Portion	4,038,696.60	1,836,458.36	8,218,733.94	668,639.92	1,216,091.18	951,180.15	1,505,356.21	1,842,915.15	52,824.69	
Charlotte - SC Portion	235,920.55	83,246.08	396.27	20,770.05	72,382.83	-	-	-	-	
Total Charlotte, NC-SC UZA	4,274,617.16	1,919,704.45	8,219,130.21	689,409.97	1,288,474.01	951,180.15	1,505,356.21	1,842,915.15	52,824.69	

Total \$ 20,743,612

Total \$ 20,743,612

The result is the basis for the continued calculations.

Step 2: Using the FTA formula, calculate the Fixed Guideway and Bus Incentive amounts for each agency.

CATS is the only operator and reporter of Fixed Guideway service; thus, the last two columns are awarded to CATS for Fixed Guideway Operations.

Both CATS and MTS report Bus Incentive data and the share are calculated proportionally based on the data reported.

Step 3: Low Income Shares are calculated based upon the proportional shares of low income UZA population within each county and within the incorporated and unincorporated areas within Mecklenburg County. For FFY2021 the table below shows the distribution of Low-Income Funds:

UZA Area	Low Income
Charlotte - NC Portion	
Cabarrus	3,194
Catawba	79
CATS1a	531,345
Gaston	423
ICATS	51,398
Lincoln	2,225
MTS1b	14,141
Union2	65,835
Charlotte - SC Portion	
Lancaster	4,813
York2	15,957
Total Charlotte, NC-SC UZA	689,410

The Cabarrus Co share is provided to CATS because CATS has an agreement for service in this area.

The remaining counties with no operations (Catawba, Gaston, Lincoln) reported in the Charlotte, NC-SC UZA are proportionally shared with all the operating agencies (ICATS, CATS, Union Co., MTS, and RFATS).

Rock Hill-Fort Mill Transportation Study (RFATS) is the direct recipient for the SC Counties of Lancaster and York.

Step 4: The weighted distribution formula ($1/3$ Bus VRM, $1/3$ Pop, $1/3$ Ridership) is applied to the remaining funds for distribution.

Again, the Cabarrus Co share is provided to CATS because CATS has an agreement for service in this area.

Again, the remaining counties with no operations (Catawba, Gaston, Lincoln) reported in the Charlotte, NC-SC UZA are proportionally shared with all the operating agencies (ICATS, CATS, Union Co. MTS, and RFATS)

Rock Hill-Fort Mill Transportation Study (RFATS) is the direct recipient for the SC Counties of Lancaster and York.

Step 5: The results of steps 2-4 are summed to arrive at the final 5307 Shares

	Option 5A Total 5307 Share Based on Weighted Dist. & Low Income
UZA Area	17,767,002
CATS	640,780
ICATS	1,125,967
MTS	885,397
Union	324,466
RFATS	20,743,612
Total Charlotte, NC-SC UZA	

Step 6: The Section 5339 Buses and Bus Facilities Apportionment is shared based on the same proportion as 5307. CATS retains the entire 5339 amount; but, the 5307 shares are adjusted to provide additional 5307 funds to each agency as credit for the 5339 funds.

	FY21 Full Year FTA 5307		FY21 Full Year FTA 5339		FY21 Full Year FTA 5307 Split with 5339 Credit
CATS	\$ 17,767,001.57		\$ 1,686,065.51		\$ 17,484,525.08
iCATS	\$ 640,780.47		\$ 60,809.24		\$ 701,589.71
Meck DSS	\$ 1,125,967.20		\$ 106,852.83		\$ 1,232,820.03
Union	\$ 885,397.23		\$ 84,023.05		\$ 969,420.28
RFATS	\$ 324,465.53		\$ 30,791.36		\$ 355,256.89
Grand Total	\$ 20,743,612.00		\$ 1,968,542.00		\$ 20,743,612.00

FFY 2021 Full Year Apportionment 5307 Summary Table with Credit for 5339	
CATS	\$ 17,484,525.08
NCPTD - iCATS	\$ 701,589.71
Meck DSS	\$ 1,232,820.03
NCPTD - Union	\$ 969,420.28
RFATS	\$ 355,256.89
Grand Total	\$ 20,743,612.00

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
ADOPTING AND APPROVING THE EXCHANGE OF LAND RIGHTS IN THE
LYNX RAIL CORRIDOR WITH EAST WEST STATION RETAIL LP.**

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

WHEREAS, in 2005, the City, through the action of its Council, adopted the SouthEnd Transit Station Area Plan to guide the development along the buffer area of the Right-of-Way; and

WHEREAS, City Staff is working with East West Station Retail LP (the “Developer”) which has purchased property adjacent to the Right-of-Way having Tax I.D. number 12101504; and

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

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

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

- A. The City shall receive from East West Station Retail LP (or its successors and assigns), the following, which is a full and fair compensation for the exchange of property rights:
 1. “Fee” title and rights to approximately 13,687 square feet of underlying fee simple interest that will remain in use as part of the rail corridor.
 2. Reconstruction of the Rail Trail across this property.
 3. Certain ADA improvements to enhance the accessibility of the East West LYNX Rail Station.
 4. Maintenance of certain improvements outlined in a license agreement.
 5. Easements for hardscape improvements and CATS catenary components.
 6. A sum of \$287,934.00.
- B. The City shall release its charter rights to approximately 8,250 square feet for use by the Developer and shall execute a license agreement, and other documents as needed, to the Developer in order to construct and maintain future improvements.

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

ADOPTED this 22nd day of November, 2021.

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 of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of November 2021, the reference having been made in Minute Book 154 and recorded in full in Resolution Book 52, Page(s) 317-318.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22nd day of November 2021.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
AUTHORIZING THE CONVEYANCE OF CITY OWNED LAND LOCATED ALONG
WALKERS FERRY ROAD TO 8301 OLD DOWD ROAD, LLC., FOR \$546,000.00

WHEREAS, the City of Charlotte owns property located along Walkers Ferry Road, situated west of the Airport in Charlotte, North Carolina, and having tax identification numbers 11336121, 11336122, 11336123, 11336120, 11336169, 11336124, 11336170, 11336113, 11336114, 11336115, 11336116 and 11336117, consisting of approximately 8.620 acres ("City Property").

WHEREAS, this proposed transaction will help further the Charlotte Airport's Part 150 Noise Compatibility Program by putting dormant land back into productive use.

WHEREAS, this property disposal will ensure that the subject property will be used in a manner that is compliant with airport operations as provided in Federal Aviation Administration regulation and policy.

WHEREAS, City of Charlotte Charter §8.22 authorizes the City to convey real property by private sale when it determines that the sale will advance or further any Council-adopted economic development or land use plan or policy.

WHEREAS, 8301 Old Dowd Road, LLC made an offer to purchase this property for the City's appraised amount of \$546,000.00, and pursuant G.S. 160A-269, on July 2, 2021, the City advertised this offer to purchase to solicit any upset bids during a 10-day period, and as no upset bids were received.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte pursuant to §8.22 of the City of Charlotte Charter, that it hereby authorizes the private sale of the above referenced Property as follows:

1. The City Manager or his Designee is authorized to execute all documents necessary to convey the Property described above to 8301 Old Dowd Road, LLC, or its affiliate, upon the terms advertised.
2. The consideration for this conveyance is \$546,000.00 in accordance with an Offer to Purchase and Contract between the City and 8301 Old Dowd Road, LLC.

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 of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of November 2021, the reference having been made in Minute Book 154 and recorded in full in Resolution Book 52, Page(s) 319.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22nd day of November 2021.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31
CREEKSIDE GROVE SUBDIVISION 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 during a remote meeting that is accessible via the Government Channel, the City's Facebook page, or the City's YouTube page at 6:30 p.m., or as soon thereafter as practicable, on January 10, 2022.

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

LEGAL DESCRIPTION

SITUATE, LYING AND BEING IN MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

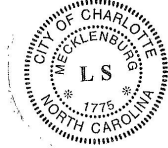
BEGINNING AT A 1" IRON PIPE FOUND HAVING NORTH CAROLINA GRID COORDINATES N: 552,718.4292, E: 1,495,792.3996 (NAD83) ALSO LOCATED NORTH 09°55'33" EAST A DISTANCE OF 1056.53 FEET TO NGS MONUMENT "NOLES" HAVING NORTH CAROLINA GRID COORDINATES N: 551,677.7100, E: 1,495,610.2800 (NAD83) ALSO BEING A CORNER OF THE PROPERTY OF GLENN R. & SHERRY A. HUNTER, PARCEL ID #111-011-08 AS DESCRIBED IN DEED BOOK 19303 AT PAGE 844 RECORDED AT MECKLENBURG COUNTY REGISTER OF DEEDS; THENCE WITH A NEW LINE THROUGH THE PROPERTY OF HOOD ROAD PARTNERS, LLC., PARCEL ID #111-01-109 AS DESCRIBED IN DEED BOOK 34273 AT PAGE 851 S 52° 24' 08" W FOR A DISTANCE OF 298.43 FEET TO A POINT ON THE EAST LINE OF HOOD ROAD (60' RIGHT OF WAY). THENCE WITH THE RIGHT OF WAY OF HOOD ROAD, N 04° 34' 53" W FOR A DISTANCE OF 759.89 FEET TO A POINT ON SOUTH LINE OF PLAZA ROAD EXTENSION (60' RIGHT OF WAY). THENCE WITH THE RIGHT OF WAY OF PLAZA ROAD EXTENSION WITH A CURVE TO THE LEFT HAVING A RADIUS OF 850.05 FEET, AN ARC LENGTH OF 278.18 FEET, A CHORD DIRECTION S78°19'41"E AND CHORD DISTANCE 273.07 FEET TO A POINT BEING A CORNER OF THE PROPERTY OF SAID GLENN R. & SHERRY A. HUNTER. THENCE WITH PROPERTY OF SAID THE FOLLOWING (2) TWO COURSES AND DISTANCES GLENN R. & SHERRY A. HUNTER, (1) S 00° 03' 56" E A DISTANCE OF 409.52 FEET TO A POINT; (2) SOUTH 14° 48' 38" EAST FOR A DISTANCE OF 114.43 FEET TO THE POINT AND PLACE OF BEGINNING. CONTAINING 155,901 SQUARE FEET OR 3.579 ACRES.

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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of November 2021, the reference having been made in Minute Book 154 and recorded in full in Resolution Book 52, Page(s) 320-321.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22nd day of November 2021.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

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

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

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 22th day of November 2021 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of November 2021, the reference having been made in Minute Book 154 and recorded in full in Resolution Book 52, Page(s) 322-323.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22nd day of November 2021.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

Taxpayers and Refunds Requested

BROOKS JEWELRY & LOAN	47.86
CASH, BETTY LOUISE	87.03
DAVIS, TAMMY D	156.65
ERWIN, ROBERT LEE	178.06
EXTENDED STAY AMERICA #417	489.41
EXTENDED STAY AMERICA #417	420.56
EXTENDED STAY AMERICA #417	402.16
EXTENDED STAY AMERICA #417	331.15
EXTENDED STAY AMERICA #417	255.32
EXTENDED STAY AMERICA #417	199.67
EXTENDED STAY AMERICA ESA 0206	370.56
EXTENDED STAY AMERICA ESA 0206	322.29
EXTENDED STAY AMERICA ESA 0206	288.61
EXTENDED STAY AMERICA ESA 0206	243.24
EXTENDED STAY AMERICA ESA 0206	190.79
EXTENDED STAY AMERICA ESA 0206	147.83
HARKEY, AARON	13.95
HAWK SANITATION & RECYLING INC	44.28
HORIZON DEVELOPMENT PROPERTIES INC	16,440.76
KEMAYOU, ALAIN	110.12
MILLER, DIANA	87.03
NOVANT HEALTH -GOHEALTH URGENT CARE LLC	279.53
NOVANT HEALTH -GOHEALTH URGENT CARE LLC	150.94
O'LEARY GROUP BUSINESS PARK LLC	17,273.79
O'LEARY GROUP BUSINESS PARK LLC	16,124.61
ONEILL, EILEEN A	47.41
PHILIPS ACADEMY OF NORTH CAROLINA I	1,793.41
ROBBINS, CEBE S	32.23
SOUTHWEST AIRLINES	1,696.13
STAR CITY PARTNERS LLC	1,705.69
TURNER CONSTRUCTION	69.77
TURNER CONSTRUCTION	24.97
TURNER CONSTRUCTION CO	4,648.58
TURNER CONSTRUCTION CO	4,093.05
TURNER CONSTRUCTION CO	3,405.24
TURNER CONSTRUCTION CO	588.68
TURNER CONSTRUCTION CO	1,713.90
TURNER CONSTRUCTION CO	62.44
TURNER CONSTRUCTION CO	1,612.80
TURNER CONSTRUCTION CO	1,453.54
TURNER CONSTRUCTION CO	898.26
WILLIAMS, LIZZIE M	156.64
WILLIAMS, LIZZIE M	156.64
	<hr/>
	78,815.58
	<hr/>

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 **DEARMON ROAD IMPROVEMENTS**; 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 **DEARMON ROAD IMPROVEMENTS** and estimated to be:
571sq. ft. (0.013 acre) of Temporary Construction Easement;
and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 027-712-09, said property currently owned by **PROGRESS RESIDENTIAL 2021-SFR3 SINGLE FAMILY PASS-THROUGH CERTIFICATES**, 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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of November 2021, the reference having been made in Minute Book 154 and recorded in full in Resolution Book 52, Page(s) 324.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22nd day of November 2021.



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 **DEARMON ROAD IMPROVEMENTS**; 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 **DEARMON ROAD IMPROVEMENTS** and estimated to be:

20,314 sq. ft. (0.47 acre) of Fee-Simple Area

1,016 sq. ft. (0.023 acre) of Permanent Utility Easement

3,512 sq. ft. (0.081 acre) of Storm Drainage Easement

1,325 sq. ft. (0.03 acre) of Slope Easement

7,844 sq. ft. (0.18 acre) of Sidewalk Utility Easement

6,617sq. ft. (0.152 acre) of Temporary Construction Easement;

and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 027-062-04, said property currently owned by **CROWN ATLANTIC COMPANY, LLC, POSSIBLE LEASE HOLD INTEREST TO CELCO PARTNERSHIP AND AT&T WIRELESS PCS, LLC**, 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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of November 2021, the reference having been made in Minute Book 154 and recorded in full in Resolution Book 52, Page(s) 325.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22nd day of November 2021.



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 **DEARMON ROAD IMPROVEMENTS**; 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 **DEARMON ROAD IMPROVEMENTS** and estimated to be:

218 sq. ft. (0.005 acre) of Fee-Simple Area

10,075 sq. ft. (0.231 acre) of Permanent Utility Easement

1,581 sq. ft. (0.036 acre) of Storm Drainage Easement

1,456 sq. ft. (0.033 acre) of Permanent Slope Easement

6,649 sq. ft. (0.153 acre) of Sidewalk Utility Easement

3,215 sq. ft. (0.074 acre) of Temporary Construction Easement;

and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 027-073-83 and 027-074-84, said property currently owned by **PROSPERITY VILLAGE HOMEOWNERS ASSOCIATION**, 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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of November 2021, the reference having been made in Minute Book 154 and recorded in full in Resolution Book 52, Page(s) 326.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 22nd day of November 2021.



Stephanie C. Kelly, City Clerk, MMC, NCCMC