

RESOLUTION AUTHORIZING THE EXTENSION OF THE OPTION TO  
GROUND LEASE APPROXIMATELY 2.31 ACRES OF PROPERTY  
LOCATED ON DeWITT LANE AND SOUTH BOULEVARD

---

WHEREAS, on July 22, 2019, City Council for the City of Charlotte ("City Council") approved an Option to Ground Lease (Resolution Book 49, Page 731) granting Charlotte Mecklenburg Housing Partnership, Inc., an exclusive option (the "Option", as amended) to lease the parcels of land located on DeWitt Lane and South Boulevard (PIN 149-012-47 and 149-012-51, respectively, hereinafter the "Property"), subject to certain terms, conditions, and affordability restrictions;

WHEREAS, Charlotte Mecklenburg Housing Partnership, Inc. is now known as DreamKey Partners, Inc. ("DreamKey");

WHEREAS, the City and DreamKey amended the Option on May 4, 2020, December 31, 2020, in June 2021, and lastly on May 26, 2022, for the purpose of extending the time to exercise the Option to lease the Property;

WHEREAS, on November 28, 2022, City Council approved additional gap financing in support of the proposed development in the amount of \$4,705,245.00; and

WHEREAS, the Option currently runs through December 31, 2022, and DreamKey has requested a further extend the option period through March 31, 2023. In the event DreamKey does not exercise the option to ground lease on or before March 31, 2023, the Option shall terminate;

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte:

That it hereby authorizes the extension to the Option through March 31, 2023, and that the City Manager, or his designee, is authorized to execute such extension in conformity herewith.

THIS THE 12<sup>th</sup> DAY OF DECEMBER 2022.

**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 12<sup>th</sup> day of December 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 547.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12<sup>th</sup> day of December 2022.



---

Stephanie C. Kelly, City Clerk, MMC, NCCMC

EXTRACTS FROM MINUTES OF CITY COUNCIL

\* \* \*

A regular meeting of the City Council of the City of Charlotte, North Carolina (the “*City Council*”) was duly held at the Charlotte-Mecklenburg County Government Center, 600 East Fourth Street, Charlotte, North Carolina 28202, the regular place of meeting, at 6:30 p.m. on December 12, 2022:

Members Present: Winston, Ajmera, Anderson, Bokhari, Driggs, Graham, Johnson, Mayfield, Mitchell, Molina Watlington

Members Absent: None

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

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

**RESOLUTION CERTIFYING AND DECLARING THE RESULTS OF THE SPECIAL BOND REFERENDUM ON THE BOND ORDERS AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS HELD FOR THE CITY OF CHARLOTTE, NORTH CAROLINA ON NOVEMBER 8, 2022**

***WHEREAS***, the City Council of the City of Charlotte, North Carolina has considered the Certificate of Canvass of the Mecklenburg County Board of Elections canvassing the referendum held for the City of Charlotte, North Carolina on November 8, 2022 and certifying the result thereof to the City Council and has canvassed the result of said Referendum.

***NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA*** that it be and hereby is certified and declared that the number of voters registered and qualified to vote at said Referendum was 612,432.

***BE IT FURTHER RESOLVED***, that it be and hereby is certified and declared that the total number of voters who voted “**Yes**” in answer to the question

“*SHALL* the order authorizing \$146,200,000 of bonds plus interest to provide funds to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, milling, resurfacing, grading or improving streets, roads, intersections, parking lots and pedestrian and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, storm drainage, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; and the acquisition of interests in land and rights-of-way required therefor, and providing that additional

taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?";

was 200,986. The total number of voters who voted "**No**" in answer to such question was 59,311. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

**BE IT FURTHER RESOLVED**, that it be and hereby is certified and declared that the total number of voters who voted "**Yes**" in answer to the question

"*SHALL* the order authorizing \$50,000,000 of bonds plus interest to pay the capital costs of housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?";

was 192,915. The total number of voters who voted "**No**" in answer to such question was 67,697. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

**BE IT FURTHER RESOLVED**, that it be and hereby is certified and declared that the total number of voters who voted "**Yes**" in answer to the question

"*SHALL* the order authorizing \$29,800,000 of bonds plus interest to provide funds to pay the capital costs of infrastructure improvements for various neighborhoods of the City, including the cost of related studies, plans and design, acquiring, constructing, reconstructing, improving, installing or providing curbs, gutters, storm drainage, sidewalks, pedestrian and bicycle paths, and relocation of utilities; paving, milling, resurfacing, grading or improving streets, roads and intersections, providing public open space, landscaping, lighting and traffic controls, signals and markers, and acquiring any necessary equipment, land, interests in land and rights-of-way therefor, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?";

was 200,879. The total number of voters who voted "**No**" in answer to such question was 59,364. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

**BE IT FURTHER RESOLVED**, that a statement substantially in the form hereinafter set forth declaring the result of said referendum will be filed in the City Clerk's office and inserted in the City Council minutes and published in accordance with law.

**BE IT FURTHER RESOLVED**, that this Resolution shall become effective on the date of its adoption.

*PASSED, ADOPTED AND APPROVED* this 12th day of December, 2022.

(SEAL)

**STATEMENT OF RESULTS OF SPECIAL BOND REFERENDUM ON THE BOND ORDER  
AUTHORIZING THE ISSUANCE OF \$146,200,000 GENERAL OBLIGATION  
TRANSPORTATION BONDS, HELD FOR THE CITY OF CHARLOTTE, NORTH CAROLINA  
ON NOVEMBER 8, 2022**

**WHEREAS**, by direction of the City Council (the “*City Council*”) of the City of Charlotte, North Carolina, a special bond referendum was duly called and held for said City on November 8, 2022 for the purpose of submitting to the qualified voters of said City the question hereinafter set forth, and said City Council has received from the Mecklenburg County Board of Elections a certification of the results of said referendum, and has determined the result of said referendum to be as hereinafter stated;

**NOW, THEREFORE**, the City Council hereby makes the following statement of the result of said referendum pursuant to The Local Government Bond Act:

- (1) The number of voters registered and qualified to vote at said referendum was 612,432.
- (2) The total number of voters who voted “**Yes**” in answer to the question,

“**SHALL** the order authorizing \$146,200,000 of bonds plus interest to provide funds to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, milling, resurfacing, grading or improving streets, roads, intersections, parking lots and pedestrian and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, storm drainage, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; and the acquisition of interests in land and rights-of-way required therefor, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?”;

was 200,986. The total number of voters who voted “**No**” in answer to such question was 59,311. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

Any action or proceeding challenging the regularity or validity of this bond referendum must be begun within 30 days after December 13, 2022.

**CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

**STATEMENT OF RESULTS OF SPECIAL BOND REFERENDUM ON THE BOND ORDER  
AUTHORIZING THE ISSUANCE OF \$50,000,000 GENERAL OBLIGATION HOUSING  
BONDS, HELD FOR THE CITY OF CHARLOTTE, NORTH CAROLINA ON NOVEMBER 8,  
2022**

**WHEREAS**, by direction of the City Council (the “*City Council*”) of the City of Charlotte, North Carolina, a special bond referendum was duly called and held for said City on November 8, 2022 for the purpose of submitting to the qualified voters of said City the question hereinafter set forth, and said City Council has received from the Mecklenburg County Board of Elections a certification of the results of said referendum, and has determined the result of said referendum to be as hereinafter stated;

**NOW, THEREFORE**, the City Council hereby makes the following statement of the result of said referendum pursuant to The Local Government Bond Act:

- (1) The number of voters registered and qualified to vote at said referendum was 612,432.
- (2) The total number of voters who voted “**Yes**” in answer to the question,

“**SHALL** the order authorizing \$50,000,000 of bonds plus interest to pay the capital costs of housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?”

was 192,915. The total number of voters who voted “**No**” in answer to such question was 67,697. The question in the form submitted was APPROVED by the affirmative vote of a majority of those who voted thereon at said referendum.

Any action or proceeding challenging the regularity or validity of this bond referendum must be begun within 30 days after December 13, 2022.

**CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

**STATEMENT OF RESULTS OF SPECIAL BOND REFERENDUM ON THE BOND ORDER  
AUTHORIZING THE ISSUANCE OF \$29,800,000 GENERAL OBLIGATION  
NEIGHBORHOOD IMPROVEMENT BONDS, HELD FOR THE CITY OF CHARLOTTE,  
NORTH CAROLINA ON NOVEMBER 8, 2022**

**WHEREAS**, by direction of the City Council (the “*City Council*”) of the City of Charlotte, North Carolina, a special bond referendum was duly called and held for said City on November 8, 2022 for the purpose of submitting to the qualified voters of said City the question hereinafter set forth, and said City Council has received from the Mecklenburg County Board of Elections a certification of the results of said referendum, and has determined the result of said referendum to be as hereinafter stated;

**NOW, THEREFORE**, the City Council hereby makes the following statement of the result of said referendum pursuant to The Local Government Bond Act:

- (1) The number of voters registered and qualified to vote at said referendum was 612,432.
- (2) The total number of voters who voted “**Yes**” in answer to the question,

“**SHALL** the order authorizing \$29,800,000 of bonds plus interest to provide funds to pay the capital costs of infrastructure improvements for various neighborhoods of the City, including the cost of related studies, plans and design, acquiring, constructing, reconstructing, improving, installing or providing curbs, gutters, storm drainage, sidewalks, pedestrian and bicycle paths, and relocation of utilities; paving, milling, resurfacing, grading or improving streets, roads and intersections, providing public open space, landscaping, lighting and traffic controls, signals and markers, and acquiring any necessary equipment, land, interests in land and rights-of-way therefor, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?”

was 200,879. The total number of voters who voted “**No**” in answer to such question was 59,364. The question in the form submitted was **APPROVED** by the affirmative vote of a majority of those who voted thereon at said referendum.

Any action or proceeding challenging the regularity or validity of this bond referendum must be begun within 30 days after December 13, 2022.

**CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
AUTHORIZING THE LEASE OF CITY OWNED LAND LOCATED ALONG WILKINSON  
BLVD TO QUIKTRIP CORPORATION

WHEREAS, the City owns and operates Charlotte Douglas International Airport ("**Airport**");

WHEREAS, the Airport controls property located near the intersection of Todd Road and Wilkinson Blvd in Charlotte, NC, and having tax identification number 05537121 consisting of approximately 31.032 acres ("**City Property**"); and

WHEREAS, the City conducted a competitive Request For Proposals (RFP) process to lease a portion of the City Property, receiving three qualified proposals; and

WHEREAS, QUIKTRIP CORPORATION was selected based on compensation, lease terms and development concept; and

WHEREAS, QUIKTRIP CORPORATION desires to enter into a ground lease of approximately 6.5 acres to build a gas station/convenience store on a section of the City Property; and

WHEREAS, the City desires to enter into a 15 year ground lease with six five-year options and one four-year option to QUIKTRIP CORPORATION to enable QUIKTRIP CORPORATION to construct a gas station/convenience store and supporting infrastructure; and

WHEREAS, this proposed transaction will help further the Charlotte Airport's Part 150 Noise Compatibility Program by putting dormant land back into productive use consistent with the Airport Area Strategic Development Plan;

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 lease of the above referenced Property as follows:

1. The City Manager or his Designee is authorized to execute all documents necessary to lease the Property described above to QUIKTRIP CORPORATION, or its affiliate, upon the terms advertised.

2. The consideration for this lease will be ground rent of Two Hundred and Twenty Five Thousand Dollars (\$225,000) per year. The Ground Rent shall escalate every year for the entirety of the lease at a rate of two percent (2%) per year.

**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 12<sup>th</sup> day of December 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 554.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12<sup>th</sup> day of December 2022.



A handwritten signature in cursive script, reading "Stephanie C. Kelly".

Stephanie C. Kelly, City Clerk, MMC, NCCMC



A RESOLUTION BY THE CITY OF CHARLOTTE SETTING THE FINANCE  
OFFICER'S FAITHFUL PERFORMANCE BOND AMOUNT

the finance officer's faithful performance bond amount in accordance with state law or G.S. 159-29 and authorize the payment of premium for a bond with coverage in that amount.

**WHEREAS**, G.S. § 159-29(a) requires the finance officer of a unit of local government to "give a true accounting and faithful performance bond" in favor of the local government for which the individual serves as a finance officer; and

**WHEREAS**, a faithful performance bond is a surety bond that creates obligations between (1) the finance officer, (2) the bonding company, and (3) a unit of local government; and

**WHEREAS**, through the faithful performance bond, the bonding company agrees to pay up to a certain amount of money to the unit of government in the event that (1) the finance officer fails to "faithfully perform" the duties of his or her office or honestly account for all monies which may come under the finance officer's control, and (2) the action or inaction of the finance officer causes a loss to the government; and

**WHEREAS**, effective as of January 1, 2023, the governing board must fix the amount of a finance officer's faithful performance bond to equal or exceed the greater of (1) \$50,000, or (2) an amount equal to 10 percent of the unit or authority's "annually budgeted funds," up to a cap of \$1,000,000.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Charlotte hereby sets the Finance Officer's Faithful Performance Bond in accordance in accordance with G.S. § 159-29.

Adopted this the 12th day of December, 2022.

**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 12<sup>th</sup> day of December 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 555.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12<sup>th</sup> day of December 2022.



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 **SOUTH END RAIL TRAIL/I-277 PEDESTRIAN BRIDGE** ; 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 **SOUTH END RAIL TRAIL/I-277 PEDESTRIAN BRIDGE**; and estimated to be:

**1,177 sq. ft. (0.027 acre) of Sidewalk Utility Easement**  
**3,344 sq. ft. (0.077 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. 125-125-06 said property currently owned by **CSHV 615 College, 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 12<sup>th</sup> day of December 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 556.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12<sup>th</sup> day of December 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC