

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 5:00 p.m. on July 11, 2022:

Members Present: Eiselt, Ajmera, Winston, Phipps, Egleston, Graham, Watlington, Johnson, Newton, Bokhari, Driggs

Members Absent: None

* * * * *

The City Council held public hearings on July 11, 2022 on the bond orders set forth below entitled, “**BOND ORDER AUTHORIZING THE ISSUANCE OF \$146,200,000 OF GENERAL OBLIGATION TRANSPORTATION BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA,**” “**BOND ORDER AUTHORIZING THE ISSUANCE OF \$50,000,000 OF GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA,**” and “**BOND ORDER AUTHORIZING THE ISSUANCE OF \$29,800,000 OF GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA,**” which were introduced at a meeting of the City Council on June 27, 2022.

BOND ORDER AUTHORIZING THE ISSUANCE OF \$146,200,000 GENERAL OBLIGATION TRANSPORTATION BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA

WHEREAS, the City Council of the City of Charlotte, North Carolina (the “*City Council*”) has ascertained and hereby determines that it is necessary 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

WHEREAS, an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the General Obligation Transportation Bonds hereinafter described as required by the Local Government Bond Act, and the City Clerk has notified the City Council that the application has been accepted for submission to the Local Government Commission.

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

Section 1. In order to raise the money required for the purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Transportation Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such General Obligation Transportation Bonds authorized by this order shall be \$146,200,000.

Section 2. Taxes will be levied in an amount sufficient to pay the principal and interest on the General Obligation Transportation Bonds.

Section 3. A sworn statement of the City's debt has been filed with the City Clerk and is open to public inspection.

Section 4. This bond order will take effect when approved by the voters of the City at a referendum scheduled for November 8, 2022.

BOND ORDER AUTHORIZING THE ISSUANCE OF \$50,000,000 GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA

WHEREAS, the City Council of the City of Charlotte, North Carolina (the "*City Council*") has ascertained and hereby determines that it is necessary 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

WHEREAS, an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the General Obligation Housing Bonds hereinafter described as required by the Local Government Bond Act, and the City Clerk has notified the City Council that the application has been accepted for submission to the Local Government Commission.

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

Section 1. In order to raise the money required for the purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Housing Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such General Obligation Housing Bonds authorized by this order shall be \$50,000,000.

Section 2. Taxes will be levied in an amount sufficient to pay the principal and interest on the General Obligation Housing Bonds.

Section 3. A sworn statement of the City's debt has been filed with the City Clerk and is open to public inspection.

Section 4. This bond order will take effect when approved by the voters of the City at a referendum scheduled for November 8, 2022.

**BOND ORDER AUTHORIZING THE ISSUANCE OF \$29,800,000 GENERAL OBLIGATION
NEIGHBORHOOD IMPROVEMENT BONDS OF THE CITY OF CHARLOTTE, NORTH
CAROLINA**

WHEREAS, the City Council of the City of Charlotte, North Carolina (the “*City Council*”) has ascertained and hereby determines that it is necessary 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

WHEREAS, an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the General Obligation Neighborhood Improvement Bonds hereinafter described as required by the Local Government Bond Act, and the City Clerk has notified the City Council that the application has been accepted for submission to the Local Government Commission.

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

Section 1. In order to raise the money required for the purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Neighborhood Improvement Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such General Obligation Neighborhood Improvement Bonds authorized by this order shall be \$29,800,000.

Section 2. Taxes will be levied in an amount sufficient to pay the principal and interest on the General Obligation Neighborhood Improvement Bonds.

Section 3. A sworn statement of the City’s debt has been filed with the City Clerk and is open to public inspection.

Section 4. This bond order will take effect when approved by the voters of the City at a referendum scheduled for November 8, 2022.

PASSED, ADOPTED AND APPROVED this 11th day of July, 2022.

Council Member Egleston moved that the City Council adopt, without change or amendment, and direct the City Clerk to publish notices of adoption, as prescribed by The Local Government Bond Act, of the bond orders entitled, **“BOND ORDER AUTHORIZING THE ISSUANCE OF \$146,200,000 OF GENERAL OBLIGATION TRANSPORTATION BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA,” “BOND ORDER AUTHORIZING THE ISSUANCE OF \$50,000,000 OF GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA,”** and **“BOND ORDER AUTHORIZING THE ISSUANCE OF \$29,800,000 OF GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA,”** as introduced at the meeting of the City Council held on June 27, 2022. The motion was seconded by Council Member Winston and was adopted.

STATE OF NORTH CAROLINA

SS:

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 an extract of the minutes reflecting the adoption of bond orders by the City Council of the City of Charlotte, North Carolina, at a meeting held on the 11th day of July, 2022, the reference having been made in Minute Book 157, and recorded in full in Resolution Book 53, Page(s) 103-107.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of July, 2022.

Stephanie C. Kelly

City Clerk

City Clerk
City of Charlotte, North Carolina

(SEAL)

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 5:00 p.m. on July 11, 2022:

Members Present: Eiselt, Ajmera, Winston, Phipps, Egleston, Graham, Watlington, Johnson, Newton, Bokhari, Driggs

Members Absent: None

* * * * *
* * *

Councilmember Egleston/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 SETTING A SPECIAL BOND REFERENDUM AND DIRECTING THE PUBLICATION OF NOTICE OF A SPECIAL BOND REFERENDUM AND NOTIFICATION OF THE MECKLENBURG COUNTY BOARD OF ELECTIONS

WHEREAS, the City Council of the City of Charlotte, North Carolina has adopted the following bond orders and such bond orders should be submitted to the voters of the City of Charlotte, North Carolina for their approval or disapproval in order to comply with the constitution and laws of North Carolina:

“BOND ORDER AUTHORIZING THE ISSUANCE OF \$146,200,000 GENERAL OBLIGATION TRANSPORTATION BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;”

“BOND ORDER AUTHORIZING THE ISSUANCE OF \$50,000,000 GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;” and

“BOND ORDER AUTHORIZING THE ISSUANCE OF \$29,800,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;”

NOW, THEREFORE, be it resolved by the City Council (the “*City Council*”) of the City of Charlotte, North Carolina, as follows:

(1) For the purpose of determining the question whether the qualified voters of the City of Charlotte, North Carolina shall approve or disapprove (a) the indebtedness to be incurred by the issuance of the General Obligation Transportation Bonds of the City authorized by said bond order, which

indebtedness shall be secured by a pledge of the City's full faith and credit and (b) the levy of a tax for the payment thereof, said bond order shall be submitted to the qualified voters of said City at a special bond referendum to be held in said City on November 8, 2022.

(2) For the purpose of determining the question whether the qualified voters of the City of Charlotte, North Carolina shall approve or disapprove (a) the indebtedness to be incurred by the issuance of the General Obligation Housing Bonds of the City authorized by said bond order, which indebtedness shall be secured by a pledge of the City's full faith and credit and (b) the levy of a tax for the payment thereof, said bond order shall be submitted to the qualified voters of said City at a special bond referendum to be held in said City on November 8, 2022.

(3) For the purpose of determining the question whether the qualified voters of the City of Charlotte, North Carolina shall approve or disapprove (a) the indebtedness to be incurred by the issuance of the General Obligation Neighborhood Improvements Bonds of the City authorized by said bond order, which indebtedness shall be secured by a pledge of the City's full faith and credit and (b) the levy of a tax for the payment thereof, said bond order shall be submitted to the qualified voters of said City at a special bond referendum to be held in said City on November 8, 2022.

(4) The City Clerk is hereby authorized and directed to publish a notice of said referendum which shall be in substantially a form entitled "**CITY OF CHARLOTTE, NORTH CAROLINA NOTICE OF SPECIAL BOND REFERENDUM.**" Said notice of referendum shall be published at least twice. The first publication shall be not less than 14 days and the second publication shall be not less than 7 days before the last day on which voters may register for the special bond referendum.

(5) The Mecklenburg County Board of Elections is hereby requested to print and distribute the necessary ballots and to provide the equipment for the holding of said referendum and to conduct and to supervise said referendum.

(6) The ballots to be used at said referendum will indicate that it is being held on behalf of the City of Charlotte, North Carolina and will contain the following words:

"*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?";

with squares labeled "**YES**" and "**NO**" beneath or beside such words in which squares the voter may record his or her choice on the question presented; and

"*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?";

with squares labeled "YES" and "NO" beneath or beside such words in which squares the voter may record his or her choice on the question presented; and

"*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?";

with squares labeled "YES" and "NO" beneath or beside such words in which squares the voter may record his or her choice on the question presented;

(7) The City Clerk shall mail or deliver a certified copy of this resolution to the Mecklenburg County Board of Elections within three days after this resolution is adopted.

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

PASSED, ADOPTED AND APPROVED this 11th day of July, 2022.

(SEAL)

RESOLUTION TO CLOSE A PORTION OF THE ALLEYWAY BETWEEN SYLVANIA AVENUE
AND DUNLOE STREET IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH
CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a Portion of the Alleyway between Sylvania Avenue and Dunloe Street which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a Portion of the Alleyway between Sylvania Avenue and Dunloe Street to be sent by registered or certified mail to all owners of property adjoining said right-of-way and prominently posted a notice of the closing and public hearing in at least two places along said street or alleys, all as required by G.S.160A-299; and

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

WHEREAS, an easement shall be reserved in favor of AT&T over, upon, and under the area petitioned to be abandoned to access (ingress, egress, and regress), maintain, install, protect, operate, add to, modify, and replace AT&T facilities, the existing facilities are noted on the attached map marked "Exhibit A"; and

WHEREAS, an easement shall be reserved in favor of Duke Energy over, upon, and under the area petitioned to be abandoned to access (ingress, egress, and regress), maintain, install, protect, operate, add to, modify, and replace Duke Energy facilities, the existing facilities are noted on the attached map marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 11th day of July 2022, and City Council determined that closing a Portion of the Alleyway between Sylvania Avenue and Dunloe Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to their or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of July 11, 2022, that the Council hereby orders the closing a Portion of the Alleyway between Sylvania Avenue and Dunloe Street in the City of Charlotte, Mecklenburg County, North Carolina as shown in the map marked "Exhibit A," and is more particularly described by metes and bounds in the document marked "Exhibit B," all of which are attached hereto and made a part hereof.

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

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 112-115.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 2022.

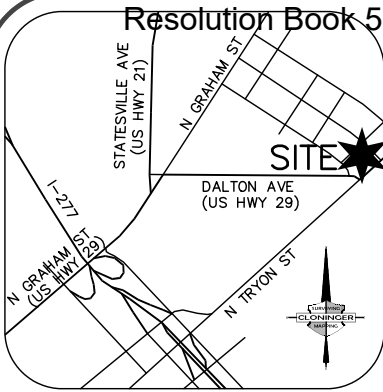


A handwritten signature in cursive script that reads 'Stephanie C. Kelly'.

Stephanie C. Kelly, City Clerk, MMC, NCCMC

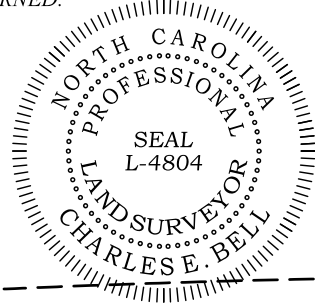
July 11, 2022

Resolution Book 53, Page 114



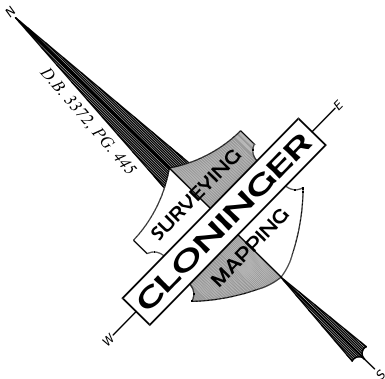
VICINITY MAP - NTS

THIS IS TO CERTIFY THAT ON THE 29th DAY OF SEPTEMBER, 2021 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE .1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.



SIGNED

Charles E. Bell



SYLVANIA AVENUE

70' PUBLIC R/W
M.B. 3, PG. 140

NOTES:

1. THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.
2. ALL CORNERS MONUMENTED AS SHOWN.
3. NO RECOVERABLE NGS MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
4. THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
5. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. CLONINGER SURVEYING & MAPPING, PLLC DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
6. SUBJECT PROPERTY ZONING: I-2
7. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
8. THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.
9. EASEMENT IN FAVOR OF AT&T AND DUKE ENERGY OVER, UPON, ACROSS AND UNDER THE AREA PETITIONED TO BE ABANDONED FOR INGRESS, EGRESS AND REGRESS TO ACCESS THEIR EXISTING FACILITIES FOR THE INSTALLATION, MAINTENANCE, REPLACEMENT AND REPAIR OF CABLE, CONDUIT AND RELATED EQUIPMENT.

SYLVANIA QOZ BUSINESS, LLC
D.B. 34874, PG. 375
PARCEL 079-015-04
LOT 9, BLOCK 2
LOCKEWOOD
M.B. 3, PG. 140
M.B. 332, PG. 61

100 DALTON, LLC and
CARDON CAPITAL, LLC

D.B. 37205, PG. 1
PARCEL 079-015-03
LOT 8, BLOCK 2
LOCKEWOOD
M.B. 3, PG. 140
M.B. 332, PG. 61

100 DALTON, LLC and
CARDON CAPITAL, LLC

D.B. 37205, PG. 1
PARCEL 079-015-02
LOT 7, BLOCK 2
LOCKEWOOD
M.B. 3, PG. 140
M.B. 332, PG. 61

ABANDONMENT
AREA
2,039 SQ. FT.
0.0468 ACRES

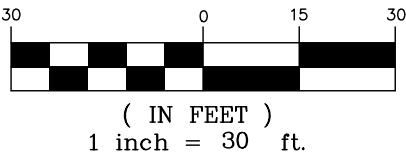
LINE	BEARING	DISTANCE
L1	S44°27'31"E	9.93'
L2	N45°58'29"E	10.00'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2044.12'	49.96'	49.96'	S45°04'27"E	1°24'01"

LEGEND:

D.B. - DEED BOOK
EIP - EXISTING IRON PIPE
M.B. - MAP BOOK
N.C.G.S. - NORTH CAROLINA GEODETIC SURVEY
NIR - NEW IRON ROD
PG. - PAGE
PP - POWER POLE
R/W - RIGHT-OF-WAY
PROPERTY LINE (ADJACENT)
RIGHT-OF-WAY
RIGHT-OF-WAY (ADJACENT)
FENCE
OVERHEAD ELECTRIC LINE

GRAPHIC SCALE



ABANDONMENT EXHIBIT A

PORTION OF 10' ALLEY

ADJACENT TO THE INEZ L. LEE PROPERTY
CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.
DEED REFERENCE: AS SHOWN
PARCEL: AS SHOWN

CLONINGER SURVEYING & MAPPING, PLLC
201 W. SECOND AVE., GASTONIA, NC 28054
TEL: (704) 864-9007
LICENSURE NO. P-2326

SCALE: 1" = 30' DATE: DEC. 6, 2021 FILE NO. 1400
CREW: CJB DRAWN: CEB REVISED:

July 11, 2022

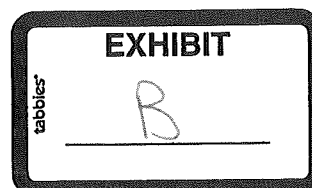
Resolution Book 53, Page 115

Boundary Description

Resolution to Close a Portion of the Alleyway Between Sylvania Ave and Dunloe Street

Being that certain parcel of land located in the City of Charlotte, Mecklenburg County, North Carolina and being more particularly described as follows:

BEGINNING at a 5/8" existing iron pipe located on the southwest margin of the right-of-way of Sylvania Avenue (a 70' public right-of-way), said point also being the northwest corner of Lot 7, Block 2 of the Lockewood Subdivision as described in Map Book 3, Page 140; thence with Lot 7 S 45°58'29" W a distance of 155.02' to a 1/2" new iron rod located at a northeast corner of the Inez L. Lee property as described in Deed Book 3372, Page 445; thence with the Lee property N 44°22'16" W a distance of 59.88' to a 1/2" new iron rod; thence a new line crossing the 10' Alley N 45°58'29" E a distance of 10.00' to a 1/2" new iron rod located at the southwest corner of Lot 8, Block 2 of the aforesaid Lockewood Subdivision; thence with Lot 8 the following two (2) courses and distances: 1) S 44°22'16" E a distance of 49.95' to a 1/2" new iron rod; 2) N 45°58'29" E a distance of 145.00' to a 5/8" existing iron pipe located on the southwest margin of the right-of-way of Sylvania Avenue; thence with the margin of Sylvania Avenue S 44°27'31" E a distance of 9.93' to the point of beginning, having an area of 2,039 sq. ft. (0.0468 acres) according to a survey by Cloninger Surveying & Mapping, PLLC dated December 6, 2021. File No. 1400.



RESOLUTION TO CLOSE A PORTION OF THE ALLEYWAY OFF SOUTH POPLAR STREET
BETWEEN SOUTH POPLAR STREET AND 4TH STREET IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a Portion of the Alleyway off South Poplar Street between South Poplar Street and 4th Street which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a Portion of the Alleyway off South Poplar Street between South Poplar Street and 4th Street to be sent by registered or certified mail to all owners of property adjoining said right-of-way and prominently posted a notice of the closing and public hearing in at least two places along said street or alleys, all as required by G.S.160A-299; and

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

WHEREAS, an easement shall be reserved in favor of AT&T over, upon, and under the area petitioned to be abandoned to access (ingress, egress, and regress), maintain, install, protect, operate, add to, modify, and replace AT&T facilities, the existing facilities are noted on the attached map marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 11th day of July 2022, and City Council determined that closing a Portion of the Alleyway off South Poplar Street between South Poplar Street and 4th Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to their or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of July 11, 2022, that the Council hereby orders the closing a Portion of the Alleyway off South Poplar Street between South Poplar Street and 4th Street in the City of Charlotte, Mecklenburg County, North Carolina as shown in the map marked "Exhibit A," and is more particularly described by metes and bounds in the document marked "Exhibit B," all of which are attached hereto and made a part hereof.

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

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 116-120.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

STATE OF NORTH CAROLINA, Mecklenburg County

I, ANDREW G. ZOUTEWELLE, do hereby certify that this map was drawn from an actual field survey performed under my supervision; that the precision is 1:15,000; that the angular precision is less than 7.5 seconds per angle; that this map is not intended to meet GS 47-30 recording requirements.

D.B. 29352-153 (2014)

West 4th Street
40' public R/W per GIS

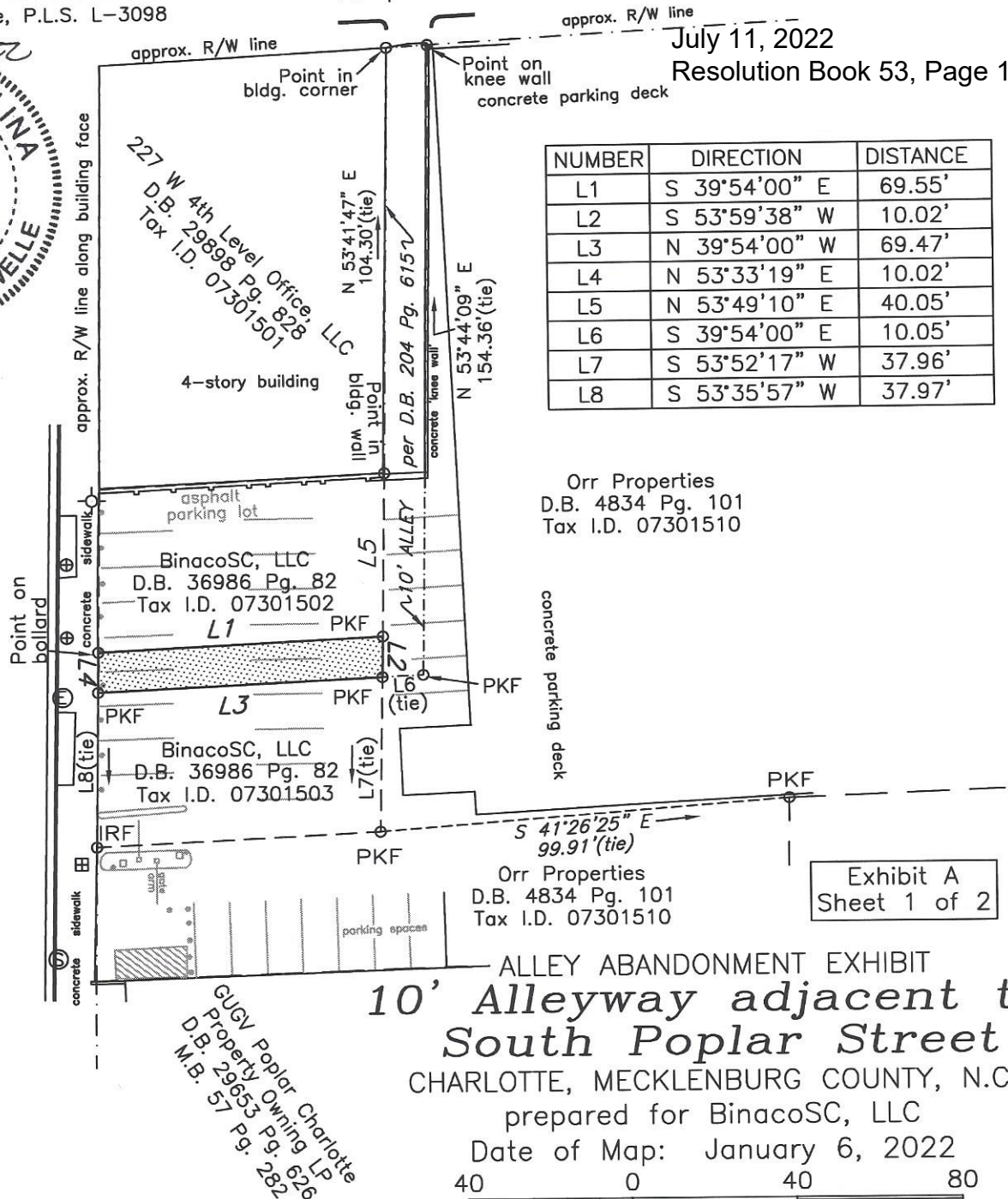
Andrew G. Zoutewelle, P.L.S. L-3098

July 11, 2022

Resolution Book 53, Page 118



South Poplar Street
60' Public R/W (per GIS)



THIS MAP NOT NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS, AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.

A.G. ZOUTEWELLE
SURVEYORS

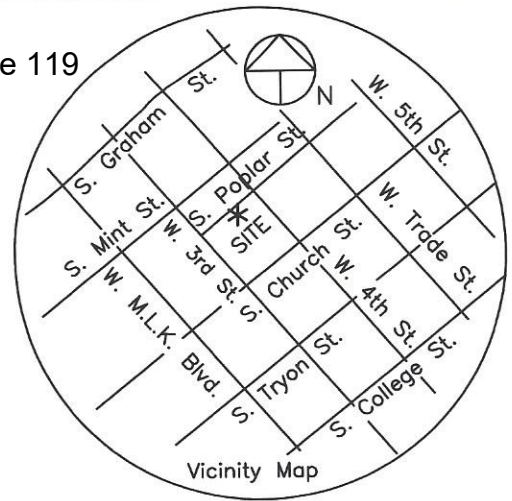
1418 East Fifth St. Charlotte, NC 28204
Phone: 704-372-9444 Fax: 704-372-9555
Firm Licensure Number C-1054

July 11, 2022

Resolution Book 53, Page 119

LEGEND

PKF/S	P.K. nail found/set
IRF/S	iron rebar found/set
IPF	iron pipe found
MB,DB	record map, deed references
s.f.	square feet (by coordinates)
conc.	concrete
⊕	parking meter
⊗	water meter
⊙	light pole
•	bollard
ⓔ	electric manhole
Ⓢ	sanitary sewer manhole



GENERAL NOTES

1. Tax Identification Numbers shown hereon per Mecklenburg County GIS.
2. Total area of Alleyway to be abandoned is 695 square feet.
3. Source of title is recorded in Deed Book 36986 Page 82.
See alleyway as described in Deed Book 204 Page 615.
4. This survey does not reflect a complete title examination which may reveal additional easements, restrictions and other matters of title not shown.
5. This survey reflects utilities as per (1) observed surface indications; (2) Charlotte Water (CW) Department customer service maps; and (3) surface paint designation markings provided by the NC ONE-CALL Utility Locating Service (1-800-632-4949). If additional utilities information is required, the owner should contract a private utility locator to investigate specific areas of concern.
6. Per FEMA Flood Insurance Rate Map 3710454400J dated 03-02-219 this property does not lie within a designated flood hazard area (lies within zone X).
7. Easement in favor of AT&T over, upon, across and under the area Petitioned to be abandoned for ingress, egress and regress to access its existing facilities for the installation, maintenance, replacement and repair of cable, conduit and related equipment

*** CAUTION NOTE ***

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

CALL BEFORE YOU DIG
1-800-632-4949



Exhibit A
Sheet 2 of 2

A.G. Z.
3-22-2022

ALLEY ABANDONMENT EXHIBIT
**10' Alleyway adjacent to
South Poplar Street**

CHARLOTTE, MECKLENBURG COUNTY, N.C.

prepared for BinacoSC, LLC

Date of Map: January 6, 2022



Scale: 1" = 40'

**A.G. ZOUTEWELLE
SURVEYORS**

1418 East Fifth St. Charlotte, NC 28204
Phone: 704-372-9444 Fax: 704-372-9555
Firm Licensure Number C-1054

Legal Description
South Poplar Street and West 4th Street Alley Abandonment

BEING all that certain tract of land located within the City of Charlotte, Mecklenburg County, North Carolina, and being a portion of that certain alley running from South Poplar Street to West 4th Street as described in Deed Book 204 Page 615 of the Mecklenburg County Registry, and being more particularly described as follows:

BEGINNING at an existing surveyor's pk nail ("Beginning Point") located at the intersection of the southeasterly right-of-way margin of South Poplar Street, said right-of-way having a width of approximately 60 feet, and the southwesterly margin of that certain 10-foot wide alley described in Deed Book 204 Page 615 of the Mecklenburg County Registry, said Beginning Point being also located at the common corner between the said 10-foot alley and BinacoSC, LLC, as described in Deed Book 36986 Page 82 of the Mecklenburg County Registry, said Beginning Point being also located North 53-35-57 East 37.97 feet from the westerly or southwesterly corner of the said BinacoSC, LLC, and running thence from said POINT AND PLACE OF BEGINNING along the southeasterly right-of-way margin of the said South Poplar Street North 53-33-19 East 10.02 feet to a point on a bollard; thence along the margin of the said 10-foot alley South 39-54-00 East 69.55 feet to an existing surveyor's pk nail in pavement; thence crossing the said 10-foot alley South 53-59-38 West 10.02 feet to an existing surveyor's pk nail in pavement; thence along the margin of the said 10-foot alley North 39-54-00 West 69.47 feet to the point and place of BEGINNING, containing 695 square feet, more or less, as shown on an Alley Abandonment Exhibit prepared by Andrew G. Zoutewelle, North Carolina Professional Land Surveyor No. L-3098, dated January 6, 2022.



Andrew G. Zoutewelle
3-22-2022

Exhibit B

ALLEY ABANDONMENT EXHIBIT
**10' Alleyway adjacent to
South Poplar Street**

CHARLOTTE, MECKLENBURG COUNTY, N.C.

prepared for BinacoSC, LLC

Date of Map: January 6, 2022



Scale: 1" = 40'

A.G. ZOUTEWELLE
SURVEYORS

1418 East Fifth St. Charlotte, NC 28204
Phone: 704-372-9444 Fax: 704-372-9555
Firm Licensure Number C-1054

RESOLUTION TO CLOSE A PORTION OF THE UNOPENED PEGRAM STREET RIGHT-OF-WAY
IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a Portion of the Unopened Pegram Street Right-of-Way which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a Portion of the Unopened Pegram Street Right-of-Way to be sent by registered or certified mail to all owners of property adjoining said right-of-way and prominently posted a notice of the closing and public hearing in at least two places along said street or alleys, all as required by G.S.160A-299; and

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

WHEREAS, an easement shall be reserved in favor of Charlotte Storm Water over, upon, and under the area petitioned to be abandoned to access (ingress, egress, and regress), maintain, install, protect, operate, add to, modify, and replace Storm Water (drainage) facilities, the existing facilities are noted on the attached map marked "Exhibit A"; and

WHEREAS, an easement shall be reserved in favor of Charlotte Water over, upon, and under the area petitioned to be abandoned to access (ingress, egress, and regress), maintain, install, protect, operate, add to, modify, and replace Charlotte Water facilities, the existing facilities are noted on the attached map marked "Exhibit A"; and

WHEREAS, an easement shall be reserved in favor of AT&T over, upon, and under the area petitioned to be abandoned to access (ingress, egress, and regress), maintain, install, protect, operate, add to, modify, and replace AT&T facilities, the existing facilities are noted on the attached map marked "Exhibit A"; and

WHEREAS, an easement shall be reserved in favor of Duke Energy over, upon, and under the area petitioned to be abandoned to access (ingress, egress, and regress), maintain, install, protect, operate, add to, modify, and replace Duke Energy facilities, the existing facilities are noted on the attached map marked "Exhibit A"; and

WHEREAS, the public hearing was held on the 11th day of July 2022, and City Council determined that closing a Portion of the Unopened Pegram Street Right-of-Way is not contrary to the public interest,

and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to their or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of July 11, 2022, that the Council hereby orders the closing a Portion of the Unopened Pegram Street Right-of-Way in the City of Charlotte, Mecklenburg County, North Carolina as shown in the map marked "Exhibit A," and is more particularly described by metes and bounds in the document marked "Exhibit B," all of which are attached hereto and made a part hereof.

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

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 121-124.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 2022.



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

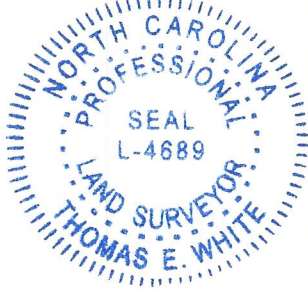
Stephanie C. Kelly, City Clerk, MMC, NCCMC

THIS IS TO CERTIFY THAT ON THE 25th DAY OF AUGUST 2020, AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES ARE AS SHOWN HEREON.

REVISED: 3/21/2022 - EASEMENTS
REVISED: 3/22/2022 - EASEMENTS

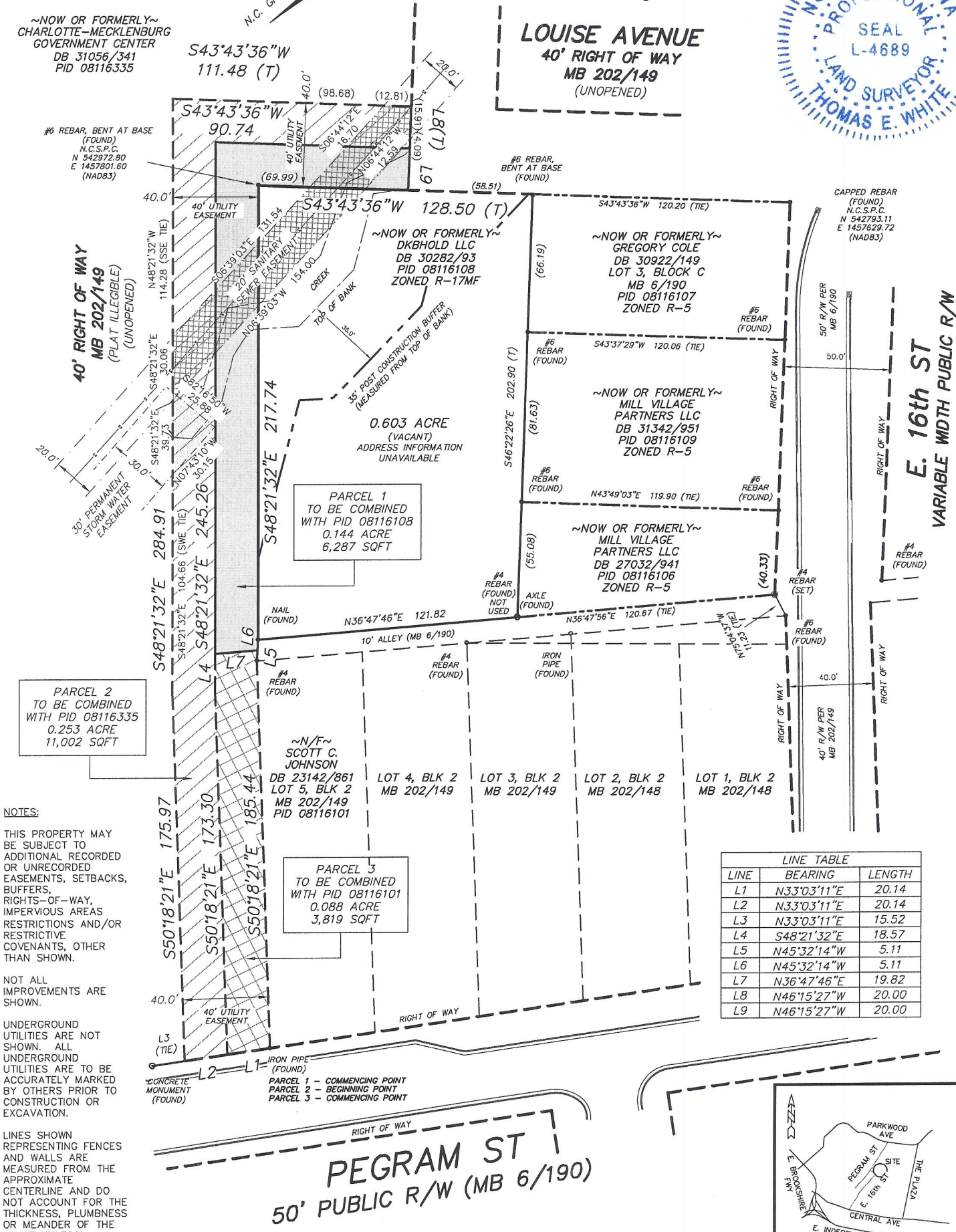
SIGNED [Signature] PROFESSIONAL LAND SURVEYOR

July 11, 2022
Resolution Book 53, Page 123



~NOW OR FORMERLY~
CHARLOTTE-MECKLENBURG
GOVERNMENT CENTER
DB 31056/341
PID 08116335

LOUISE AVENUE
40' RIGHT OF WAY
MB 202/149
(UNOPENED)

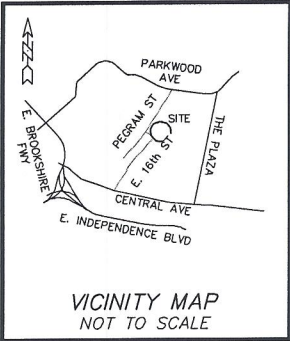


NOTES:
THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL RECORDED OR UNRECORDED EASEMENTS, SETBACKS, BUFFERS, RIGHTS-OF-WAY, IMPERVIOUS AREAS RESTRICTIONS AND/OR RESTRICTIVE COVENANTS, OTHER THAN SHOWN.
NOT ALL IMPROVEMENTS ARE SHOWN.
UNDERGROUND UTILITIES ARE NOT SHOWN. ALL UNDERGROUND UTILITIES ARE TO BE ACCURATELY MARKED BY OTHERS PRIOR TO CONSTRUCTION OR EXCAVATION.

LINES SHOWN REPRESENTING FENCES AND WALLS ARE MEASURED FROM THE APPROXIMATE CENTERLINE AND DO NOT ACCOUNT FOR THE THICKNESS, PLUMBNESS OR MEANDER OF THE FENCE UNLESS OTHERWISE STATED.

THIS MAP WAS NOT PREPARED IN ACCORDANCE WITH N.C.G.S. 47-30.

LINE	BEARING	LENGTH
L1	N33°03'11"E	20.14
L2	N33°03'11"E	20.14
L3	N33°03'11"E	15.52
L4	S48°21'32"E	18.57
L5	N45°32'14"W	5.11
L6	N45°32'14"W	5.11
L7	N36°47'46"E	19.82
L8	N46°15'27"W	20.00
L9	N46°15'27"W	20.00



PROPERTY ALONG PEGRAM ST & E. 16th ST
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

CAROLINA SURVEYORS, INC
P.O. BOX 267
PINEVILLE, N.C. 28134
(704) 889-7601
FAX: (704) 889-7614
CERTIFICATE OF AUTHORIZATION
NC: C-1242 SC: 886

SCALE 1"=60'

SURVEYED FOR _____
MAP RECORDED IN BOOK _____ AT PAGE _____ DEED RECORDED BOOK _____ PAGE _____
DRAWN BY RD FIELD WORK _____ FIELD BOOK # _____

2019\BAT\PEGRAM ST
2019\PEGRAM ST
PROJECT: 19-0607

Boundary Description Close A Portion of the Unopened ROW on Pegram St

EXHIBIT B

PARCEL 1

Commencing at an iron pipe found along the easterly margin of Pegram Street in the City of Charlotte, Mecklenburg County, North Carolina thence along the northerly line of Scott C. Johnson as recorded in deed book 23142, page 861 (now or formerly) a bearing of S50°18'21"E and a distance of 185.44' to a rebar found; thence with a bearing of S45°32'14"E and a distance of 5.11' to the POINT OF BEGINNING; thence with a bearing of N36°47'46"E and a distance of 19.82' to a point; thence with a bearing of S48°21'32"E and a distance of 245.26' to a point; thence with a bearing of S43°43'36"W and a distance of 90.74' to a point on the northerly margin of the unopened right of way of Louise Avenue as recorded in map book 202, page 149; thence with a bearing of N46°15'27"W and a distance of 20.00' to a point; thence along the easterly line of DKBHOLD LLC as recorded in deed book 30282, page 93 (now or formerly) a bearing of N43°43'36"E and a distance of 69.99' to a rebar bent at base found, having a North Carolina State Plane Coordinate (NCSPC) of N542972.80 E1457801.60 (NAD83); continuing with a bearing of N48°21'32"W and a distance of 217.74' to a nail found; thence with a bearing of N45°32'14"W and a distance of 5.11' to the point of beginning, containing 0.144 acre, more or less.

PARCEL 2

BEGINNING at an iron pipe found along the easterly margin of Pegram Street in the City of Charlotte, Mecklenburg County, North Carolina thence along the northerly line of Scott C. Johnson as recorded in deed book 23142, page 861 (now or formerly) a bearing of S50°18'21"E and a distance of 185.44' to a rebar found; thence with a bearing of S45°32'14"E and a distance of 5.11' to a point; thence with a bearing of N36°47'46"E and a distance of 19.82' to a point; thence with a bearing of N48°21'32"W and a distance of 18.57' to a point; thence a bearing of N50°18'21"W and a distance of 173.30' to a point; thence along the easterly margin of Pegram Street a bearing of S33°03'11"W and a distance of 20.14' to the point of beginning, containing 0.088 acre, more or less.

PARCEL 3

Commencing at an iron pipe found along the easterly margin of Pegram Street in the City of Charlotte, Mecklenburg County, North Carolina thence along said right of way a bearing of N33°03'11"E and a distance of 20.14' to the POINT OF BEGINNING; continuing with a bearing of N33°03'11"E and a distance of 20.14' to a point; thence along the southerly line of Charlotte-Mecklenburg Government Center as recorded in deed book 31056, page 341 (now or formerly) a bearing of S50°18'21"E and a distance of 175.97' to a point; continuing with a bearing of S48°21'32"E and a distance of 284.91' to a point; continuing with a bearing of S43°43'36"W and a distance of 111.48' to a point on the northerly margin of the unopened right of way of Louise Avenue as recorded in map book 202, page 149; thence with a bearing of N46°15'27"W and a distance of 20.00' to a point; thence with a bearing of N43°43'36"E and a distance of 90.74' to a point; thence with a bearing of N48°21'32"W and a distance of 245.26' to a point; thence with a bearing of N48°21'32"W and a distance of 18.57' to a point; thence with a bearing of N50°18'21"W and a distance of 173.30' to the point of beginning, containing 0.253 acre, more or less.

**RESOLUTION AUTHORIZING THE EXCHANGE
OF REAL PROPERTY WITH
MILL DISTRICT PARTNERS, LLC**

WHEREAS, the City of Charlotte (“City”) owns approximately 0.269 acres of real property located near N. Davidson Street and E. 26th Street in Charlotte, North Carolina, being all of Tax PIN# 083-052-09 ("City Property"). The property was purchased in 2013 during acquisition of the Charlotte Area Transit System Lynx Blue Line Property, and is being converted from rail spur into a greenway trail as part of the Cross Charlotte Trail (“Trail Project”);

WHEREAS, Mill District Partners, LLC, a North Carolina limited liability company (“Mill District”) owns two adjoining parcels (Parcel Identification Numbers 083-052-04 and 083-052-06), zoned TOD-US, in Council District 1 (“Mill District Property”), which are currently under development alongside construction of the Cross Charlotte Trail;

WHEREAS, the City and Mill District identified a mutually beneficial opportunity that will increase and promote the safe connectivity of the Mill District Property across this section of greenway trail;

WHEREAS, the City proposes to obtain certain easements from Mill District necessary to construct and operate the Trail Project and Mill District proposes to obtain certain easements from the City necessary to construct and operate a pedestrian bridge over the Trail Project to connect each side of its development of the Mill District Property;

WHEREAS, said easements are shown on Exhibits A and B, attached hereto and incorporated herein by reference and described as follows:

To City from Mill District:

- a. 2,256 square feet of Permanent Greenway Easement (PGE), and 3,606 square feet of Temporary Construction Easement (TCE) on parcel 083-052-04; and
- b. 108 square feet of PGE, and 710 square feet of TCE on parcel 083-052-06.

To Mill District from City:

- a. 485 square feet of air rights easement from 693.5 feet above main sea level to 706.5 feet above main sea level;
- b. 706 square feet of TCE at ground level; and
- c. 175 square feet of utility easement;

WHEREAS, the City will receive full and fair consideration in exchange for its property, having obtained competent appraisals which estimate the fair market value of the Mill

District Property to be \$68,575.00, and the fair market value of City Property to be 37,750.00;

WHEREAS, North Carolina Gen. Stat. §§160A-271 and 160A-273 authorize the City to exchange real property and grant air rights over and across City property; and

WHEREAS, notice of the proposed exchange was advertised at least ten days prior to the adoption of this Resolution in accordance with North Carolina Gen. Stat. §160A-271.

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, that, pursuant to North Carolina Gen. Stat. §§160A-271 and 160A-273, it hereby authorizes the conveyance of the easements to Mill District in exchange for the receipt of easements from Mill District Partners, LLC, as set out hereinabove; and

The City Manager, or his designee, is authorized to execute all documents necessary to complete the above-described exchange of real property in accordance with the terms and conditions hereof.

THIS THE 11th DAY OF JULY 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 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 125-126.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 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 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 July 11, 2022:

Members Present: Eiselt, Ajmera, Winston, Phipps, Egleston, Graham, Watlington,
Johnson, Newton, Bokhari, Driggs

Members Absent: None

* * * * *

* * *

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

**RESOLUTION INTRODUCING AND ADOPTING THE BOND ORDER AUTHORIZING THE
ISSUANCE OF WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE OF
THE CITY OF CHARLOTTE, NORTH CAROLINA IN THE AGGREGATE PRINCIPAL
AMOUNT NOT TO EXCEED \$500,000,000**

BOND ORDER

WHEREAS, the City of Charlotte, North Carolina (the “City”) is authorized by The State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 *et seq.*, as amended (the “Act”), to issue, subject to the approval of the Local Government Commission of North Carolina (the “LGC”), at one time or from time to time, revenue bond anticipation notes of the City for the purposes specified in the Act; and

WHEREAS, the City has previously issued Water and Sewer System Revenue Bonds under the terms of the Amended and Restated General Trust Indenture dated as of September 24, 2020 (the “General Indenture”) between the City and U.S. Bank National Association, the successor to which is U.S. Bank Trust Company, National Association, as trustee (the “Trustee”) to finance the capital costs of improvements to the water and sanitary sewer systems of the City (the “Water and Sewer System”);

WHEREAS, the City Council has determined that it is in the best interest of the City to issue its Water and Sewer System Revenue Bond Anticipation Note, Series 2022 (the “Bond Anticipation Note”) in an aggregate principal amount not to exceed \$500,000,000 to finance the capital costs of extensions, additions and capital improvements to, or the acquisition, renewal or replacement of capital assets of, or purchasing and installing new equipment for the Water and Sewer System (the “Projects”);

WHEREAS, the City will issue the Bond Anticipation Note under the General Indenture and a Series Indenture, Number 23 (the “Series Indenture”) between the City and the Trustee; and

WHEREAS, the City and the LGC have arranged for PNC Bank, National Association (the “Lender”) to purchase the Bond Anticipation Note and advance the funds to finance the Projects under the terms of a Note Purchase and Advance Agreement (the “*Purchase Agreement*”); and

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

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

Section 1. The Bond Anticipation Note is authorized and will be issued pursuant to and under the Act and this bond order (this “*Bond Order*”) in order to raise the money required to finance the Projects, in addition to any funds which may be made available for such purpose from any other source.

Section 2. The aggregate principal amount of the Bond Anticipation Note authorized by this Bond Order will not exceed \$500,000,000. The Bond Anticipation Note hereby authorized will be a special obligation of the City, secured by and paid solely from the proceeds thereof or from revenues, income, receipts and other money received or accrued by or on behalf of the City from or in connection with the operation of the City’s Water and Sewer System, as more specifically provided in the General Indenture and the Series Indenture. The principal of, premium, if any, and interest on the Bond Anticipation Note will not be payable from the general funds of the City, nor will they constitute a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of its income, receipts or revenues except the funds which are pledged under the General Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City are pledged for the payment of the principal of, premium, if any, or interest on the Bond Anticipation Note, and no holder of the Bond Anticipation Note has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

Section 3. The issuance of the Bond Anticipation Note by the City, in substantially the form set forth in the Series Indenture, and the provisions of the Series Indenture and the Purchase Agreement with respect to the Bond Anticipation Note (including without limitation the maturities and rate setting mechanisms) are approved and confirmed.

Section 4. The Bond Anticipation Note will be purchased by the Lender under the terms of the Purchase Agreement and the proceeds from the sale of the Bond Anticipation Note will be deposited in accordance with the Series Indenture.

Section 5. 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 is for any reason whatsoever held invalid, then such covenants, agreements or provisions are null and void and deemed separable from the remaining agreements and provisions and in no way affect the validity of any of the other agreements and provisions hereof or of the Bond Anticipation Note authorized hereunder.

Section 6. 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 7. This Bond Order will take effect immediately on its adoption and pursuant to §159-88 of the General Statutes of North Carolina, as amended, need not be published or subjected to any procedural requirements governing the adoption of ordinances or resolutions by the City Council other than the procedures set out in the Act.

EXTRACTS FROM MINUTES OF CITY COUNCIL

* * *

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 5:00 p.m. on July 11, 2022:

Members Present: Eiselt, Ajmera, Winston, Phipps, Egleston, Graham, Watlington,
Johnson, Newton, Bokhari, Driggs

Members Absent: None

* * * * *
* * *

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, FOR THE APPROVAL, EXECUTION AND DELIVERY OF CITY OF CHARLOTTE, NORTH CAROLINA WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE, SERIES 2022

WHEREAS, the City of Charlotte, North Carolina (the “City”) is authorized by The State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 *et seq.*, as amended (the “Act”), to issue, subject to the approval of the Local Government Commission of North Carolina (the “LGC”), at one time or from time to time, revenue bond anticipation notes of the City for the purposes specified in the Act; and

WHEREAS, the City has previously issued Water and Sewer System Revenue Bonds under the terms of the Amended and Restated General Trust Indenture dated as of September 24, 2020 (the “General Indenture”) between the City and U.S. Bank National Association, the successor to which is U.S. Bank Trust Company, National Association, as trustee (the “Trustee”) to finance the capital costs of improvements to the water and sanitary sewer systems of the City (the “Water and Sewer System”);

WHEREAS, the City Council has determined that it is in the best interest of the City to issue its Water and Sewer System Revenue Bond Anticipation Note, Series 2022 (the “Bond Anticipation Note”) in an aggregate principal amount not to exceed \$500,000,000 to finance the capital costs of extensions, additions and capital improvements to, or the acquisition, renewal or replacement of capital assets of, or purchasing and installing new equipment for the Water and Sewer System (the “Projects”);

WHEREAS, the City will issue the Bond Anticipation Note under the General Indenture and a Series Indenture, Number 23 (the “Series Indenture”) between the City and the Trustee; and

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

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

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

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

WHEREAS, the City Council desires to ratify the filing by the City's Chief Financial Officer, or her designee, of an application with the LGC for its approval of the Bond Anticipation Note, on a form prescribed by the LGC, (1) requesting in such application that the LGC approve (a) the negotiation of the sale of the Bond Anticipation Note to the Lender and (b) the City's use of the Financing Team and (2) stating in such application such facts and attaching thereto such exhibits in regard to the Bond Anticipation Note and to the City and its financial condition, as required by the LGC, and taking all other action necessary to the issuance of the Bond Anticipation Notes; and

WHEREAS, copies of the Series Indenture and the Purchase Agreement have been filed with the City and are available for review by the City Council;

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

Section 1. The issuance of the Bond Anticipation Note by the City in the principal amount not to exceed \$500,000,000, in substantially the form and content set forth in the Series Indenture, subject to appropriate insertions and revisions in order to comply with the provisions of the General Indenture and the Series Indenture, is in all respects approved and confirmed. The form and content of the Bond Anticipation Note set forth in the Series Indenture are in all respects approved and confirmed. The provisions of the General Indenture and the Series Indenture with respect to the Bond Anticipation Note (including without limitation the maturities and rate setting mechanisms) are in all respects approved and confirmed and are incorporated herein by reference.

The Bond Anticipation Note will be issued by the City for the purpose of providing funds (1) to finance the costs of the Projects and (2) to pay the costs of issuing the Bond Anticipation Note, all as set out in the documents attached to the City's application to the LGC. The use of the proceeds of the Bond Anticipation Note, as described, is necessary in order to meet the expanding needs of the users of the Water and Sewer System and to assure that the Water and Sewer System remains in full compliance with all state and federal requirements for the provision of water and sanitary sewer services.

Section 2. The filing by the City's Chief Financial Officer, or her designee, of an application with the LGC requesting its approval of the issuance of the Bond Anticipation Note is in all respects ratified, approved and confirmed. The Financing Team for the Bond Anticipation Note is approved and confirmed.

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

- (a) that the issuance of the Bond Anticipation Note is necessary or expedient;
- (b) that the not to exceed stated principal amount of the Bond Anticipation Note is adequate and not excessive for its proposed purpose;
- (c) that the Projects are feasible;
- (d) that the City's debt management procedures and policies are good; and
- (e) that the Bond Anticipation Note can be marketed at a reasonable interest cost to the City.

Section 4. The form and content of the Series Indenture and the exhibits thereto are in all respects approved and confirmed. The Mayor, the City Manager and the Chief Financial Officer, or their respective designees (the "*Authorized Officers*"), are authorized, empowered and directed to execute and deliver the Series Indenture for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as to them seem necessary, desirable or appropriate. Execution by the Authorized Officers of the Series Indenture will constitute conclusive evidence of the City's approval of any and all such changes, modifications, additions or deletions therein from the form and content of the Series Indenture presented to the City Council. From and after the execution and delivery of the Series Indenture, the Authorized Officers, are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Series Indenture as executed.

Section 5. The City requests that the LGC sell the Bond Anticipation Note at private sale without advertisement through negotiation to the Lender at such prices as the LGC determines to be in the best interest of the City and pursuant to the terms of the Purchase Agreement, but at an initial interest rate not exceeding 5.00% and thereafter at an interest rate to be set in accordance with the Series Indenture and Purchase Agreement. The form and content of the Purchase Agreement are in all respects approved and confirmed. The Authorized Officers are hereby authorized, empowered and directed to execute and deliver the Purchase Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as to them seem necessary, desirable or appropriate. Execution by the Authorized Officers of the Purchase Agreement will constitute conclusive evidence of the City's approval of any and all such changes, modifications, additions or deletions therein from the form and content of the Purchase Agreement presented to the City Council. From and after the execution and delivery of the Purchase Agreement, the Authorized Officers are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Purchase Agreement as executed.

Section 6. The City Manager or the Chief Financial Officer, or their designees, are hereby authorized to execute a no-arbitrage certificate in order to comply with Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder.

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

Section 8. The Mayor, the City Manager, the Chief Financial Officer, the City Treasurer and the City Debt Manager, or their respective designees, are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by (a) this

Resolution and the Bond Order, (b) the General Indenture, (c) the Series Indenture and (d) the Purchase Agreement; except that the Authorized Officers are not authorized or empowered to do anything or execute any document which is in contravention, in any way, of (1) the specific provisions of this Resolution or the Bond Order, (2) the specific provisions of the General Indenture, (3) the specific provisions of the Series Indenture, (4) the specific provisions of the Purchase Agreement, (5) any agreement to which the City is bound, (6) any rule or regulation of the City or (7) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

Section 9. Any and all past acts and doings of the officers of the City that were in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the Bond Anticipation Note and the execution, delivery and performance of the Series Indenture and the Purchase Agreement are in all respects ratified, approved and confirmed. Any and all future acts and doings of the officers of the City that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the Bond Anticipation Note and the execution, delivery, performance and on-going administration of the Series Indenture and the Purchase Agreement are in all respects approved and confirmed. Any and all acts of officers of the City authorized by this Resolution may be done individually or collectively.

Section 10. 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 will be deemed separable from the remaining agreements and provisions and in no way affect the validity of any of the other agreements and provisions hereof or of the Bond Anticipation Note authorized hereunder.

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

Section 12. This Resolution is effective on its adoption.

EXTRACTS FROM MINUTES OF CITY COUNCIL

* * *

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 5:00 p.m. on July 11, 2022:

Members Present: Eiselt, Ajmera, Winston, Phipps, Egleston, Graham, Watlington,
Johnson, Newton, Bokhari, Driggs

Members Absent: None

* * * * *
* * *

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

**RESOLUTION INTRODUCING AND ADOPTING THE BOND ORDER AUTHORIZING THE
ISSUANCE OF WATER AND SEWER SYSTEM REVENUE BONDS OF THE CITY OF
CHARLOTTE, NORTH CAROLINA IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO
EXCEED \$535,000,000**

BOND ORDER

WHEREAS, the City of Charlotte, North Carolina (the “City”) is authorized by The State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 *et seq.* (the “Act”) to issue, subject to the approval of the Local Government Commission of North Carolina (the “LGC”), at one time or from time to time, revenue bonds and refunding revenue bonds of the City for the purposes as specified in the Act;

WHEREAS, the City has previously issued Water and Sewer System Revenue Bonds under the terms of an Amended and Restated General Trust Indenture dated as of September 24, 2020 (the “General Indenture”) between the City and U.S. Bank National Association, the successor to which is U.S. Bank Trust Company, National Association, as trustee (the “Trustee”);

WHEREAS, the City Council (the “City Council”) of the City has determined to issue Water and Sewer System Revenue Bonds, Series 2022 of the City (with appropriate designations) in one or more series, tax-exempt or taxable (collectively, the “2022 Bonds”), in an aggregate principal amount not to exceed \$535,000,000 under the General Indenture and Series Indenture, Number 22 (the “Series Indenture”) between the City and the Trustee, for the following purposes:

- (1) to prepay in full the City’s Water and Sewer System Revenue Bond Anticipation Note, Series 2021 (the “Bond Anticipation Note”), the proceeds of which were used to finance the costs of extensions, additions and capital improvements to, or the renewal and replacement of capital assets of, or purchasing and installing new equipment for the City’s water and sewer system;

(2) to finance the costs of extensions, additions and capital improvements to, or the acquisition, renewal or replacement of capital assets of, or purchasing and installing new equipment for the City's water and sewer system (the "*2022 Projects*")

(3) to refund the City's outstanding Water and Sewer System Revenue Refunding Bonds, Series 2011 (the "*2011 Bonds*");

(4) to refund the City's outstanding Variable Rate Water and Sewer System Revenue Bonds, Series 2006B (the "*2006B Bonds*") and terminate the associated interest rate swap agreement; and

(5) to pay the costs of issuing the 2022 Bonds;

WHEREAS, the City and the LGC have arranged for the private sale without advertisement of the 2022 Bonds to Wells Fargo Bank, National Association, as managing underwriter, on its own behalf and on behalf of any appointed co-managing underwriters approved, as the underwriters (the "*Underwriters*"), under the terms of a Bond Purchase Agreement (the "*Purchase Agreement*") among the City, the LGC and the Underwriters, pursuant to which the City and the LGC will sell the 2022 Bonds to the Underwriters in accordance with the terms and conditions set forth therein;

WHEREAS, an application has been filed with the LGC requesting approval of the 2022 Bonds as required by the Act;

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

Section 1. In order to raise the money required to (a) prepay in full the Bond Anticipation Note, (b) finance the 2022 Projects, (c) if advantageous to the City, refund the 2011 Bonds, (d) if advantageous to the City, refund the 2006B Bonds and pay any required termination payment related to terminating the interest rate swap agreement associated with the 2006B Bonds, and (e) pay the costs of issuing the 2022 Bonds, in addition to any funds which may be made available for such purpose from any other source, the 2022 Bonds are hereby authorized and shall be issued pursuant to the Act.

Section 2. The aggregate principal amount of the 2022 Bonds authorized by this order shall not exceed \$535,000,000 and may be issued in one or more series on a tax-exempt or taxable basis. The 2022 Bonds hereby authorized will be a special obligation of the City, secured by and paid solely from the proceeds thereof or from revenues, income, receipts and other money received or accrued by or on behalf of the City from or in connection with the operation of the City's water and sewer system, as more specifically provided in the General Indenture and the Series Indenture.

The principal of, premium, if any, and interest on the 2022 Bonds shall not be payable from the general funds of the City, nor shall they constitute a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of its income, receipts or revenues except the funds which are pledged under the General Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City are pledged for the payment of the principal of, premium, if any, or interest on the 2022 Bonds, and no holder of the 2022 Bonds has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

Section 3. The issuance of the 2022 Bonds by the City, in substantially the form set forth in the Series Indenture, be and the same hereby is in all respects approved and confirmed. The form and content

of the 2022 Bonds and the provisions of the Series Indenture with respect to the 2022 Bonds are approved and confirmed.

Section 4. The 2022 Bonds shall be purchased by the Underwriters under the terms of the Purchase Agreement.

Section 5. The proceeds from the sale of the 2022 Bonds shall be deposited in accordance with the Series Indenture.

Section 6. If any one or more of the agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the 2022 Bonds authorized hereunder.

Section 7. All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 8. This Bond Order shall take effect immediately on its adoption and pursuant to §159-88 of the General Statutes of North Carolina, as amended, need not be published or subjected to any procedural requirements governing the adoption of ordinances or resolutions by the City Council other than the procedures set out in the Act.

EXTRACTS FROM MINUTES OF CITY COUNCIL

* * *

A Regular Meeting of the City Council of the City of Charlotte, North Carolina was duly held in the Meeting Chamber at the Charlotte-Mecklenburg Government Center in Charlotte, North Carolina, the regular place of meeting, at 5:00 p.m. on July 11, 2022:

Members Present: Eiselt, Ajmera, Winston, Phipps, Egleston, Graham, Watlington,
Johnson, Newton, Bokhari, Driggs

Members Absent: None

* * * * *
* * *

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, FOR THE APPROVAL, EXECUTION AND DELIVERY OF CITY OF CHARLOTTE, NORTH CAROLINA WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2022 AND OTHER MATTERS

WHEREAS, the City of Charlotte, North Carolina (the “City”) is authorized by The State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 *et seq.* (the “Act”), to issue, subject to the approval of the Local Government Commission of North Carolina (the “LGC”), at one time or from time to time revenue bonds and refunding revenue bonds of the City for the purposes as specified in the Act;

WHEREAS, the City Council (the “City Council”) of the City has determined to issue the City’s Water and Sewer System Revenue Bonds, Series 2022 (with appropriate designations) in one or more series, tax-exempt or taxable (collectively, the “2022 Bonds”), in an aggregate principal amount not to exceed \$535,000,000 under an Amended and Restated General Trust Indenture dated as of September 24, 2020 (the “General Indenture”) between the City and U.S. Bank National Association, the successor to which is U.S. Bank Trust Company, National Association, as trustee (the “Trustee”), and Series Indenture, Number 22 (the “Series Indenture”) between the City and the Trustee to: (1) prepay in full the City’s Water and Sewer System Revenue Bond Anticipation Note, Series 2021 (the “Bond Anticipation Note”), (2) finance the costs of extensions, additions and capital improvements to, or the acquisition, renewal or replacement of capital assets of, or purchasing and installing new equipment for the City’s water and sewer system (the “2022 Projects”), (3) if advantageous to the City, refund the City’s outstanding Water and Sewer System Revenue Refunding Bonds, Series 2011 (the “2011 Bonds”) and the City’s outstanding Variable Rate Water and Sewer System Revenue Bonds, Series 2006B (the “2006B Bonds”), and pay associated costs as described below, and (4) pay the costs of issuing the 2022 Bonds;

WHEREAS, the City and the LGC have arranged for the private sale without advertisement of the 2022 Bonds to Wells Fargo Bank, National Association, as managing underwriter, on its own behalf

and on behalf of any appointed co-managing underwriters, as the underwriters (the “*Underwriters*”), under the terms of a Bond Purchase Agreement (the “*Purchase Agreement*”) among the City, the LGC, the Underwriters pursuant to which the City and the LGC will sell the 2022 Bonds to the Underwriters in accordance with the terms and conditions set forth therein;

WHEREAS, in addition to retaining the Underwriters for the sale of the 2022 Bonds, the City Council wants to (1) retain Parker Poe Adams & Bernstein LLP, as bond counsel; (2) approve the selection by the Underwriters of McGuireWoods LLP, as Underwriters’ counsel; (3) retain DEC Associates, Inc., as the financial advisor; (4) retain First Tryon Securities, LLC, as the financial consultant; (5) retain U.S. Bank Trust Company, National Association, as trustee and paying agent for the 2022 Bonds; and (6) authorize and approve the retention of such other professionals, including co-managing underwriters, as the Chief Financial Officer of the City determines may be necessary to carry out the financing contemplated in this Resolution (collectively, the “*Financing Team*”);

WHEREAS, the City Council wants the City Manager, the Chief Financial Officer of the City and the City Treasurer, or their designees, to file with the LGC an application for its approval of the 2022 Bonds, on a form prescribed by the LGC, and (1) request in such application that the LGC approve (a) the negotiation of the sale of the 2022 Bonds to the Underwriters and (b) the City’s use of the Financing Team and (2) state in such application such facts and to attach thereto such exhibits in regard to the 2022 Bonds and to the City and its financial condition, as may be required by the LGC, and to take all other action necessary to the issuance of the 2022 Bonds;

WHEREAS, copies of the forms of the following documents relating to the transactions described above (collectively, the “*Financing Documents*”) have been filed with the City and made available to the City Council:

- (1) the General Indenture;
- (2) the Series Indenture;
- (3) the Purchase Agreement;
- (4) a Preliminary Official Statement (the “*Preliminary Official Statement*”) with respect to the 2022 Bonds, which after the inclusion of certain pricing and other information will become the final Official Statement (the “*Official Statement*”) relating to the 2022 Bonds; and
- (5) 2022 Bonds in the form set forth in the Series Indenture;

WHEREAS, in connection with the 2006B Bonds, the City entered into an interest rate swap agreement with Wachovia Bank, National Association, the successor to which is Wells Fargo Bank, National Association, pursuant to a Master Agreement dated as of August 19, 2005 and related schedules, annexes and that certain Confirmation between the City and Wells Fargo Bank, National Association dated July 29, 2009 (collectively, the “*Swap Agreement*”) and, if determined to be advantageous in connection with the proposed refunding of the 2006B Bonds, the City will terminate the Swap Agreement;

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

Section 1. The issuance of the 2022 Bonds in one or more series, tax-exempt or taxable, by the

City in the principal amount not to exceed \$535,000,000, in substantially the form and content set forth in the Series Indenture, subject to appropriate insertions and revisions in order to comply with the provisions of the General Indenture and the Series Indenture, is hereby in all respects approved and confirmed. The form and content of the 2022 Bonds set forth in the Series Indenture is hereby in all respects approved and confirmed. The provisions of the General Indenture, the Series Indenture and the Purchase Agreement with respect to the 2022 Bonds are hereby in all respects approved, confirmed and incorporated herein by reference.

The 2022 Bonds will be issued by the City for the purpose of providing funds to (1) prepay in full the Bond Anticipation Note, (2) finance the 2022 Projects, (3) to the extent deemed advantageous to the City, refund the 2011 Bonds and the 2006B Bonds, including paying any termination fee associated with terminating the Swap Agreement and (4) pay the costs of issuing the 2022 Bonds. The use of the proceeds of the 2022 Bonds, as described, is necessary in order to (1) fix the long-term interest cost of the City related to the projects financed from the proceeds of the Bond Anticipation Note, (2) meet the demands of the users of the City's water and sewer systems, (3) achieve debt service savings for the City related to the refunding of the 2011 Bonds and (4) fix the interest cost of the City, lower the City's risk and potentially achieve savings for the City related to the refunding of the 2006B Bonds and the termination of the Swap Agreement. The City's Chief Financial Officer, and her respective designees, are each hereby directed to evaluate the merits and potential benefits to the City of refunding the 2011 Bonds and refunding the 2006B Bonds and terminating the Swap Agreement.

The 2022 Bonds will be special obligations of the City. The principal of, premium, if any, and interest on the 2022 Bonds shall not be payable from the general funds of the City, nor shall they constitute a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of its income, receipts or revenues except the funds which are pledged under the General Indenture and the Series Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City are pledged for the payment of the principal of, premium, if any, or interest on the 2022 Bonds, and no holder of 2022 Bonds has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

Section 2. The filing of the application with the LGC for its approval of the issuance of the 2022 Bonds is hereby ratified and approved. The City Manager and the Chief Financial Officer of the City, and their designees, with advice from the City Attorney and bond counsel, are hereby authorized, directed and designated to provide such information to the LGC as may be required for the LGC's approval of such application. The Financing Team for the 2022 Bonds is hereby approved.

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

- (a) that the issuance of the 2022 Bonds is necessary or expedient;
- (b) that the not to exceed stated principal amount of the 2022 Bonds will be sufficient but is not excessive, when added to other money available for such purpose, to pay the costs of prepaying in full the Bond Anticipation Note, refunding the 2011 Bonds and the 2006B Bonds, and financing the 2022 Projects;
- (c) that the City's water and sewer system as now constituted and as it will be constituted after the completion of the prepayment in full of the Bond Anticipation Note, the refunding of the 2011 Bonds and the 2006B Bonds, and the financing of the 2022 Projects is feasible;
- (d) that the City's debt management procedure and policies are good; and
- (e) that the 2022 Bonds can be marketed at a reasonable interest cost to the City.

Section 4. The form and content of the Series Indenture and the exhibits thereto are hereby in all respects approved and confirmed. The Mayor, the City Manager and the Chief Financial Officer, or their respective designees, are authorized, empowered and directed to execute and deliver the Series Indenture for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Series Indenture, the Mayor, the City Manager, the Chief Financial Officer, the City Treasurer, the City Debt Manager, the City Clerk and their respective designees (the “*Authorized Officers*”), are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Series Indenture as executed.

Section 5. The City Council requests that the LGC sell the 2022 Bonds at private sale without advertisement to the Underwriters at such prices as the LGC determines to be in the best interest of the City, at a true interest cost of not to exceed 5.75% and pursuant to the terms of the Purchase Agreement. The form and content of the Purchase Agreement are hereby in all respects approved and confirmed. The Authorized Officers are hereby authorized, empowered and directed to execute and deliver the Purchase Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Purchase Agreement, the Authorized Officers are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Purchase Agreement as executed.

Section 6. The form, terms and content of the Preliminary Official Statement be and the same hereby are in all respects authorized, approved and confirmed, and the use of the Preliminary Official Statement in connection with the sale of the 2022 Bonds with investors is hereby in all respects authorized, approved, ratified and confirmed. The City Manager, Chief Financial Officer of the City and the City Treasurer are hereby each authorized, empowered and directed to deliver the Official Statement for and on behalf of the City in substantially the form and content of the Preliminary Official Statement presented to the City Council but with such changes, modifications, additions or deletions therein as to them seem necessary, desirable or appropriate. The use of the Official Statement in connection with the sale of the 2022 Bonds with investors is hereby authorized, approved and confirmed.

Section 7. The City Manager, Chief Financial Officer of the City and the City Treasurer are each hereby authorized to execute a no-arbitrage certificate in order to comply with Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder.

Section 8. The Chief Financial Officer of the City is hereby authorized to pursue the refunding of the 2011 Bonds if the City can achieve net present value savings from the refunding of the 2011 Bonds.

The Chief Financial Officer of the City is hereby authorized to pursue the refunding of the 2006B Bonds and negotiate the termination of the Swap Agreement if she determines in her discretion that it is advantageous to the City for any or all of the purposes of fixing the interest cost of the City, lowering the City’s risk and achieving savings for the City. The City Manager and the Chief Financial Officer of the City, or their respective designees, individually or collectively, are each hereby authorized to do any and all other things necessary to complete the steps necessary for the refunding of the 2006B Bonds and the termination of the Swap Agreement, to retain such professionals as may be necessary and prudent to carry out the termination and seek approval from the North Carolina Local Government Commission for such

termination. The City Manager and the Chief Financial Officer of the City, or their respective designees, individually or collectively, are each hereby authorized to execute and deliver any agreements and other necessary documentation to terminate the Swap Agreement as described in this Resolution and to pay any termination payment owed Wells Fargo Bank, National Association in connection therewith.

Section 9. No stipulation, obligation or agreement herein contained or contained in the 2022 Bonds, the General Indenture, the Series Indenture, the Purchase Agreement or any other instrument related to the issuance of the 2022 Bonds shall be deemed to be a stipulation, obligation or agreement of any officer, agent or employee of the City in his or her individual capacity, and no such officer, agent or employee shall be personally liable on the 2022 Bonds or be subject to personal liability or accountability by reason of the issuance thereof.

Section 10. The Authorized Officers are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by (a) this Resolution, (b) the General Indenture, (c) the Series Indenture and (d) the Purchase Agreement; except that none of the above shall be authorized or empowered to do anything or execute any document which is in contravention, in any way, of (1) the specific provisions of this Resolution, (2) the specific provisions of the General Indenture, the Series Indenture or the Purchase Agreement, (3) any agreement to which the City is bound, (4) any rule or regulation of the City or (5) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

Section 11. All acts and doings of the Authorized Officers previously taken and required to be taken in the future that are in conformity with the purposes and intents of this Resolution, the furtherance of the issuance of the 2022 Bonds, the execution, delivery and performance of the Series Indenture, the Purchase Agreement and the refundings described herein are hereby in all respects ratified, approved and confirmed. Any provision in this Resolution that authorizes more than one officer of the City to take certain actions shall be read to permit such officers to take the authorized actions either individually or collectively.

Section 12. If any one or more of the agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the 2022 Bonds authorized hereunder.

Section 13. 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 14. This Resolution is effective on its adoption.

RESOLUTION AUTHORIZING THE LEASE OF CITY-OWNED
PROPERTY TO MECKLENBURG COUNTY FOR GREENWAY

WHEREAS, the City of Charlotte owns property more particularly identified as tax parcel number 017-153-07 at 10300 Compass Street in Huntersville, NC (the "Site"); and

WHEREAS, the Site is 2.55 acres and consists of the CATS Huntersville Gateway Park and Ride lot, as well as, an unutilized tract of land; and

WHEREAS, Mecklenburg County desires to lease a 8,108 square foot portion of the Site, including a portion of the unutilized tract of land and one parking spot in the Park and Ride lot ("the Property"), for a portion of the Torrence Creek Tributary II Greenway; and

WHEREAS, the addition of the Greenway will serve as a valuable improvement to the Property and has the potential to increase CATS system ridership by enhancing pedestrian and bicycle access to CATS services; and

WHEREAS, North Carolina General Statute §§ 160A-272, 274 and Charlotte City Charter § 8.131 give the City the right and option to lease the Property to any other governmental unit, with or without consideration, upon such terms and conditions as it deems wise; and

WHEREAS, the required notice has been published and City Council is convened in a regular meeting; and

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to §8.131 of the City of Charlotte Charter, that it hereby authorizes the leases of the above-referenced Property as follows:

THE CITY COUNCIL HEREBY APPROVES THE LEASE OF CITY-OWNED PROPERTY TO MECKLENBURG COUNTY FOR THE TORRENCE TRIBUTARY II GREENWAY UPON THE TERMS AND CONDITIONS SET FORTH HEREIN, AND AUTHORIZES THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL INSTRUMENTS NECESSARY TO THE LEASE.

THIS THE 11th DAY OF July, 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 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 145.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 2022.



Stephanie C. Kelly

Stephanie C. Kelly, City Clerk, MMC, NCCMC

**CHARLOTTE, NORTH CAROLINA
CITYCOUNCIL**

**RESOLUTION AUTHORIZING EXECUTION OF INTERLOCAL AGREEMENT
BETWEEN MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE FOR
THE LONG CREEK WATER QUALITY ENHANCEMENT PROJECT**

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

WHEREAS, the City of Charlotte and Mecklenburg County wish to enter into the attached Interlocal Agreement for the Long Creek Water Quality Enhancement Project (the "Interlocal Agreement") under which the City of Charlotte and Mecklenburg County will have the rights and responsibilities with respect to the funding and the development of the water quality enhancement project in the manner described in the Interlocal Agreement.

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

1. Approves and ratifies the attached Interlocal Agreement; and
2. Authorizes the City Manager or his designee to execute the Interlocal Agreement in substantially the form presented to City Council with technical corrections and minor modifications as he may deem necessary consistent with the spirit and intent of the transactions; and
3. Authorizes the City Manager or his designee to take all actions contemplated by the Interlocal Agreement, including such amendments as are permitted therein; and
4. Directs that this resolution be reflected in the minutes of the Charlotte City Council.

This the 11th day of July, 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 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 146-155.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

**STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG
CITY OF CHARLOTTE**

**INTERLOCAL AGREEMENT FOR
THE LONG CREEK WATER QUALITY
ENHANCEMENT PROJECT**

This Interlocal Agreement for the Long Creek Water Quality Enhancement Project (the "Long Creek Agreement") is entered into and agreed upon as of _____, 2022, (the "Effective Date"), by and between the COUNTY OF MECKLENBURG (the "County"), a political subdivision of the State of North Carolina and the CITY OF CHARLOTTE (the "City"), a municipal corporation organized under the laws of the State of North Carolina (together, hereinafter the "Parties").

WITNESSETH:

WHEREAS, the Parties operate the Charlotte-Mecklenburg Storm Water Services utility pursuant to the Amended and Restated Agreement for Operation of a Single Storm Water System in Mecklenburg County (the "Agreement"), an interlocal agreement entered into between the Parties in 1993 and amended and most recently restated in 2017, which identifies their respective rights and responsibilities for operation and management of storm water throughout Mecklenburg County;

WHEREAS, the County owns properties, holds easements or will obtain easements, and will grant easements to the City in the floodplain of Long Creek, located between Treyburn Road and I-485 in Charlotte, North Carolina as shown in Exhibit "A" (hereinafter the "Property"). The County intends to make certain improvements to surface water quality on said Property along Long Creek, which includes the restoration of streams (hereinafter the "County Project");

WHEREAS, the City is interested in making certain improvements to surface water quality on said Property, which include the development of stream and wetland credits and provisions for subsequent maintenance and monitoring of the improvements (hereinafter the "City Project");

WHEREAS, it is in the Parties' mutual best interest to make the City Project and County Project improvements concurrently by developing and coordinating design plans, site improvements and construction activities for both the City Project and the County Project (hereinafter the "Combined Project");

WHEREAS, the Parties desire to enter into a funding and development agreement that sets out the respective rights and responsibilities with respect to the Combined Project;

NOW, THEREFORE, in consideration of the premises and the fulfillment of the terms of this Long Creek Agreement, the County and the City agree as follows:

1. Combined Project Description. The Combined Project includes a combination of the following: stream restoration, stream enhancement, stream stabilization, wetland restoration, habitat structure placement, and buffer enhancements.

2. Exhibit List. The following Exhibits are attached to this Long Creek Agreement and incorporated herein by reference:

Exhibit A: Map of the Property

Exhibit B: Combined Project Funding

Exhibit C: Combined Project Schedule

Each reference to the Long Creek Agreement shall be deemed to include all Exhibits.

3. Design. The County entered into a contract with Wildlands Engineering, Inc. (hereinafter the "Consultant") for design of the Combined Project. Through a separate workplan agreement, allowed under the aforementioned Agreement, the City is currently reimbursing the County for their portion of the design work. Designs have been coordinated to create one set of combined plans to be used for construction of the Combined Project.
4. Permits. The County shall, through their Consultant, obtain all Federal, State and local permits necessary to construct the Combined Project. The County will submit to the City a copy of all permit authorizations related to the Combined Project.
5. Construction Contract. The County solicited and obtained bids for the construction of the Combined Project, including all labor, materials and services necessary to execute the work associated with the approved design plans and construction documents, and awarded the contract for such Combined Project to a qualified contractor (hereinafter the "Contractor") in accordance with applicable law. The City will be responsible for supporting the County in their administration of the construction contract by managing aspects of the City Project such as coordination between the Consultant and Contractor, review and response to requests for information and submittals, attendance at construction meetings, pay application review and approval, project punch list, as-built and/or final walkthroughs and closeout for the purpose of construction QC/QA of the City Project, and all other tasks typically associated with a construction project.
6. Easements. At a minimum, the County agrees to grant storm drainage easements to the City to allow for the long-term stewardship and protection of the City Project. The storm drainage easements would allow for future trail and boardwalk crossings. The County understands that the City prefers dedicated conservation easements where possible and will work with the City to dedicate them where they can be reasonably supported by the County and its objectives.
7. Mitigation Credits. The City will accrue any mitigation credits for the minor system portion of the Combined Project that may be approved by the United States Army Corps of Engineers. The City Mitigation Bank Administrator will have oversight and coordination of the Site Specific Mitigation Plan (SSMP) submitted to and approved by the United States Army Corps of Engineers and North Carolina Division of Water Resources.
8. Payment Responsibilities of the City. The City agrees to pay to the County the amount as described in Exhibit B for the construction administration and construction of the City Project upon the following conditions being met: receipt by the City of an invoice from the County of costs associated with the City Project, complete with actual cost documentation supporting the invoice. The City's payment to the County shall be made within ninety (90) days of the above conditions being met. The County shall send the City separate progress invoices for the design and for the construction of the City Project.

9. Funding Administration. The County shall be responsible for contract administration for the construction contract, and the funding agreement with the City as specified in Exhibit B. The City and County, with assistance from the Consultant, will be responsible for separating all costs associated with the Combined Project in accordance with the approved bid form and contractors pay application. No payment will be made to the Contractor, by the County, for work that is deemed not acceptable to the City or their designated representative. The County agrees to develop a project plan that is approved by the City and will include (i) goals, (ii) identify stakeholders, (iii) outreach/communication, and (iv) risk management. The project plan will be jointly updated and managed by the County and City.
10. Notices. All notices required or permitted to be given hereunder shall be in writing and shall be deemed given if (i) emailed, (ii) delivered personally or by courier, (iii) faxed with confirmation of receipt, or (iv) mailed in a sealed wrapper and deposited in the United States Mail, registered or certified, return receipt requested, postage prepaid, properly addressed as follows:

If to the County: Mecklenburg County
Storm Water Services
2145 Suttle Avenue Charlotte NC, 28208
Attention: Brian Sikes

If to the City: City of Charlotte
Storm Water Services
600 East Fourth Street Charlotte, NC 28202
Attention: Erin Shanaberger

Either party may change its notice address by giving written notice of the change to the other party in the manner specified above ten (10) days prior to the effective date of such change.

11. Applicable Law. This agreement shall be enforced, interpreted and construed by and under the laws of the State of North Carolina.
12. Dispute Resolution. The Parties agree that any disputes which cannot be resolved by the City and County Managers or their designees will first be attempted to be resolved by mediation and if not resolved by mediation, then by binding arbitration. If the Parties cannot agree upon selection of an arbitrator and a process for arbitration, disputes between the parties arising out of or in connection with this agreement or the performance or breach thereof shall be resolved by binding arbitration in accordance with the then-applicable Commercial Arbitration Rules (the "Rules") of the American Arbitration Association. The Rules will apply except as specified in this paragraph. All arbitration proceedings will be held in Charlotte, North Carolina before a single arbitrator. The parties hereto agree to submit to the enforcement of any award resulting therefrom by any court of competent jurisdiction. Judgment upon the award rendered in any such arbitration proceeding may be entered into any court having competent jurisdiction thereof, or application may be made to such court for a judicial acceptance of the award and an order of enforcement as the case may be.

The City and County shall share responsibility in resolving any disputes with the Contractor associated with the City Project. If there is a contractual dispute between the County and Contractor related to the City Project, the City agrees to assist the County with resolving the dispute in a similar manner to how the City would respond if they owned the construction contract.

13. Term of Long Creek Agreement. The term of this agreement shall commence on the Effective Date and shall expire at the conclusion of the one-year construction warranty period unless sooner terminated or extended in accordance with the provisions of this agreement.
14. Schedule: City and County staff have reviewed and agreed upon the proposed Project Schedule attached hereto and incorporated herein as Exhibit C. All due diligence will be undertaken by both parties to ensure adherence to the Project Schedule.
15. Amendments. This agreement may be amended by written agreement authorized by the governing bodies of each party and signed by authorized representatives of both parties.
16. Termination. The Parties may terminate this agreement at any time by mutual consent under such terms as may be agreed to in writing by authorized representatives of both parties.

IN WITNESS WHEREOF, the Parties hereto have caused this agreement to be executed as of the day and year first above written by the authority duly granted by their respective governing bodies.

[Signatures are on following pages]

CITY OF CHARLOTTE

CITY MANAGER'S OFFICE

BY: _____
PRINT NAME: _____
TITLE: _____
DATE: _____

ATTEST:

City Clerk

This instrument has been pre-audited in the manner
Required by the Local Government Budget
and Fiscal Control Act.

By: _____
Director of Finance
City of Charlotte

MECKLENBURG COUNTY

BY: _____
Leslie Johnson, Deputy County Manager

ATTEST:

Clerk to the Board

APPROVED AS TO FORM

By: _____
County Attorney

Exhibit "A"
MAP OF THE PROPERTY

Exhibit "B"
COMBINED PROJECT FUNDING

Construction and Construction Administration

- Individual project components were divided into independent bid tabs prior to bid solicitations.
- County agrees to fund 100% of the construction of the County Project.
- City agrees to fund 100% of the construction of the City Project.

The not-to-exceed amount for construction of the City Project shall be \$2,000,000, which includes City Project contingency.

Exhibit "C"
PROJECT SCHEDULE

Task	Early Finish Date	Late Finish Date
Combined Project Construction	November 30, 2023	February 28, 2024
Combined Warranty Period	November 30, 2024	February 28, 2024

AMENDED RESOLUTION PROVIDING APPROVAL OF A
MULTIFAMILY HOUSING FACILITY TO BE KNOWN AS SUGAR CREEK
APARTMENTS IN THE CITY OF CHARLOTTE, NORTH CAROLINA AND
THE FINANCING THEREOF WITH MULTIFAMILY HOUSING REVENUE
BONDS IN AN AMOUNT NOT TO EXCEED \$28,000,000

WHEREAS, the City Council (the “City Council”) of the City of Charlotte (the “City”) met in Charlotte, North Carolina at 6:30 p.m. on the 11th day of July, 2022; and

WHEREAS, INLIVIAN (the “Issuer”) has tentatively agreed to issue its multifamily housing revenue bonds or note in an amount not to exceed \$28,000,000 (the “Bonds”), for the purpose of financing the acquisition, construction and equipping by Sugar Creek 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 Sugar Creek Apartments (the “Development”); and

WHEREAS, the Development will consist of approximately 188 units and related facilities, located at approximately 230 West Sugar Creek Road 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 18, 2022, 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, on December 13, 2021, the City Council adopted a resolution approving the issuance of not to exceed \$23,000,000 of tax-exempt bonds for the Development for purposes of satisfying the requirements of Section 147(f) of the Code; and

WHEREAS, the Borrower has determined that the amount of tax-exempt debt to be provided to finance the costs of the Development is more than originally anticipated and the Borrower and the Issuer have requested the City Council to approve the issuance of the Bonds in an amended amount not to exceed \$28,000,000; 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 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 \$28,000,000 are hereby approved for purposes of Section 147(f) of the Code.

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

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

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

Nays: None

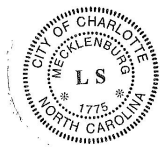
Not voting: N/A

* * * * *

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 156-161.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

Exhibit A

Certificate and Summary of Public Hearing

(Attached)

CERTIFICATE AND SUMMARY

The undersigned Chief Executive Officer of INLIVIAN hereby certifies as follows:

1. Notice of a public hearing (the "Hearing") to be held on April 18, 2022, with respect to the issuance of bonds by INLIVIAN for the benefit of Sugar Creek Apartments LLC, a North Carolina limited liability company, or an affiliate or subsidiary thereof (the "Borrower") was published on April 8, 2022, 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 18th day of April, 2022.



A. Fulton Meachem, Jr.
Chief Executive Officer

RESOLUTION

**RESOLUTION AMENDING PRELIMINARY APPROVAL OF ISSUANCE
OF MULTIFAMILY HOUSING REVENUE BONDS**

WHEREAS, on April 20, 2021, the Board of Commissioners of INLIVIAN (the "Authority") adopted a resolution (the "Preliminary Resolution") giving preliminary approval to the issuance of the Authority's multifamily housing revenue bonds in an amount not to exceed \$23,000,000 (the "Bonds"), the proceeds of which will be loaned to Sugar Creek Apartments LLC, a North Carolina limited liability company, or an affiliated or related entity (the "Borrower"), to finance a portion of the cost of the acquisition, construction and equipping of a 188-unit multifamily housing development to be known as Sugar Creek Apartments and located at approximately 230 W. Sugar Creek Road in Charlotte, North Carolina (the "Development"); and

WHEREAS, the Borrower has determined that the amount of tax-exempt debt to be provided to finance the cost of the Development is more than originally anticipated; and

WHEREAS, the Borrower has requested the Authority to amend the Preliminary Resolution to increase the amount of the Bonds to an amount not to exceed \$28,000,000; and

WHEREAS, the Borrower has received an allocation of volume cap in the amount of \$23,000,000 for the Bonds and the Development from the North Carolina Housing Finance Agency ("NCHFA") and the North Carolina Federal Tax Reform Allocation Committee ("TRAC") as required by Section 146 of the Code, and is requesting \$5,000,000 of additional volume cap allocation from NCHFA and TRAC;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF INLIVIAN:

1. The Authority hereby confirms the determination it made in the Preliminary Resolution 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 Bonds in one or more series in an aggregate amount not to exceed Twenty-Eight Million Dollars (\$28,000,000) to provide all or part of the cost of the Development.

2. The Authority intends that the adoption of this resolution be considered as an expression of official intent 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 Code.


3. All other terms of the Preliminary Resolution remain in full force and effect.

4. This resolution shall take effect immediately.

RECORDING OFFICER'S CERTIFICATION

I, A. Fulton Meachem, Jr., the duly appointed and qualified Secretary of INLIVIAN, do hereby certify that this Resolution was properly adopted at a regular meeting held March 15, 2022.

(SEAL)

By: 
A. Fulton Meachem, Jr., Secretary

RESOLUTION PROVIDING APPROVAL OF INLIVIAN'S ISSUANCE OF ITS MULTIFAMILY HOUSING REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$26,500,000 FOR THE FINANCING OF A MULTIFAMILY HOUSING FACILITY TO BE KNOWN AS KINGSPARK COMMONS IN THE CITY OF CHARLOTTE, NORTH CAROLINA

WHEREAS, the City Council (the "City Council") of the City of Charlotte (the "City") met in Charlotte, North Carolina at 6:30 p.m. on the 11th day of July, 2022; and

WHEREAS, INLIVIAN (the "Issuer") has tentatively agreed to issue its multifamily housing revenue bonds in an amount not to exceed \$26,500,000 (the "Bonds"), for the purpose of financing the acquisition, construction and equipping by WCO Kingspark, LP, a North Carolina limited partnership, or an affiliated or related entity (the "Borrower"), of a multifamily residential rental facility to be known as Kingspark Commons (the "Development"); and

WHEREAS, the Development will consist of approximately 176 units and related facilities, located at approximately 2662 Dr. Carver Road in the City of Charlotte, 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 June 16, 2022, 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 Issuer's 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 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 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 issuance of the Issuer's multifamily housing revenue bonds for the proposed housing development consisting of the acquisition, construction and equipping of the Development described above in the City of Charlotte, North Carolina by the Borrower and in an amount not to exceed \$26,500,000 is hereby approved for purposes of Section 147(f) of the Code.

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

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

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

Nays: None

Not voting: N/A

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 162-168.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 2022.



Stephanie C. Kelly

Stephanie C. Kelly, City Clerk, MMC, NCCMC

Exhibit A

Certificate and Summary of Public Hearing

(Attached)

CERTIFICATE AND SUMMARY

The undersigned Senior Vice President of Real Estate Development and the designated hearing officer of INLIVIAN (the "Authority") hereby certifies:

1. Notice of a public hearing (the "Hearing") to be held on June 16, 2022, with respect to the issuance of bonds by the Authority for the benefit of WCO Kingspark, LP, a North Carolina limited partnership, or an affiliated or related entity (the "Borrower"), to provide financing for the acquisition, construction and equipping of Kingspark Commons, was published on June 8, 2022, in *The Charlotte Observer*.

2. I was the hearing officer for the Hearing.

3. The following is a list of the 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 16th day of June, 2022.

By: 
Kevin Boyett, Hearing Officer

RESOLUTION

PROVIDE PRELIMINARY APPROVAL TO ISSUE REVENUE BONDS TO FINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A NEW AFFORDABLE HOUSING DEVELOPMENT TO BE KNOWN AS KINGSPARK COMMONS

WHEREAS, Woodbine Community Organization (WCO), Inc., a Tennessee nonprofit corporation, or an affiliated or related entity (the “Borrower”), has requested that INLIVIAN (the “Authority”) assist in financing the acquisition, construction and equipping of a 176-unit multifamily housing development to be known as Kingspark Commons and located at 2662 Dr Carver Road 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 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 North Carolina Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes of North Carolina, as amended (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 INLIVIAN:

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-Six Million Five Hundred Thousand Dollars (\$26,500,000) 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 INLIVIAN, do hereby certify that this Resolution was properly adopted at a regular meeting held November 16, 2021.

By: 
A. Fulton Meachem, Jr., Secretary

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31
EASTFIELD STATION 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 virtual meeting that is accessible via the Government Channel, the City's Facebook page, or the City's YouTube page at 6:30 p.m. on August 22, 2022.

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

LEGAL DESCRIPTION

Being that certain parcel of land lying and being in the Long Creek Township, Mecklenburg County, North Carolina and being more particularly described as follows

BEGINNING at a calculated point at the intersection of the center line of Hucks Road (a 60 ft public right-of-way) and the center line of the right-of-way Norfolk Southern Railroad (a 100 ft right-of-way); thence with the center line of Norfolk Southern Railroad the following two (2) courses and distances: 1) N 18°21'59" E a distance of 1301.22' to a calculated point; 2) N 18°22'27" E a distance of 315.89' to a calculated point at the southwest corner of The Mattamy Carolina Corporation Property as described in Deed Book 37041, Page 541; thence with the aforesaid Mattamy Carolina Corporation Property and with the existing city limits of the City of Charlotte the following seven (7) courses and distances: 1) S 71°36'15" E a distance of 593.36' to a new iron rod; 2) S 72°35'17" E a distance of 232.28' to an existing iron rod; 3) N 18°16'03" E a distance of 465.73' to an existing iron rod; 4) S 71°58'27" E a distance of 68.69' to a new iron rod; 5) S 72°30'14" E a distance of 296.07' to an existing iron rod; 6) S 18°20'51" W a distance of 413.36' to an existing iron rod; 7) S 72°24'09" E a distance of 61.02' to an existing iron rod located on the western line of Lot 66, Block 1 of Spring Park, Phase 2, Map 4 as described in Map Book 37, Page 887; thence continuing with the existing city limits of the City of Charlotte; and with the aforesaid Lot 66; and with Lots 39, 40, 55, 56, and 57 of Spring Park, Phase 1, Map 2 as described in Map Book 31, Page 657; and with Lot 17, Block 1 of Spring Park, Phase 1, Map 1 as described in Map Book 32, Page 571; and with Lot 16, Block 1 of Spring Park, Phase 1, Map 1 as described in Map Book 29, Page 427 S 16°18'02" W crossing existing iron rods at a distance of 792.85' and 954.50' for a total distance of 1139.70' to an existing iron rod located at the northwest corner of the Frank S. Barbee Property as described in Deed Book 4288, Page 551; thence continuing with the city limits of the City of Charlotte; and with the aforesaid Barbee Property S 16°10'16" W crossing an existing axle at a distance of 348.37' for a total distance of 365.31' to a calculated point in the center line of Hucks Road;

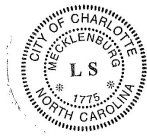
thence with the center line of Hucks Road and continuing with the city limits of the City of Charlotte the following three (3) courses and distances: 1) N 79°08'37" W a distance of 909.66' to a calculated point; 2) N 79°27'01" W a distance of 211.26' to a calculated point; 3) N 79°34'16" W a distance of 196.53' to a to the point and place of beginning, having an area of 2,133,615 sq. ft. (48.9811 acres) according to a survey by Cloninger Bell Surveying & Mapping, PLLC dated May 30, 2022. Map File No. 1693.

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 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 169-170.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

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

Whereas, The McAlpines, LLC has filed a petition to close a Portion of McAlpine Station Drive in the City of Charlotte; and

Whereas, Portion of McAlpine Station Drive containing 4,494 square feet or 0.1032 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 July 11, 2022, that it intends to close a Portion of McAlpine Station Drive and that said right-of-way (or portion thereof) is more particularly described on a map. The public will take notice that, pursuant 160A-299 of the General Statutes of North Carolina, the City Council of the City of Charlotte has called a public hearing on the closure of a Portion of McAlpine Station Drive, to be conducted at 6:30 p.m., or as soon thereafter as practicable, on Monday, the 22nd day of August 2022 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 <https://charlottenc.legistar.com/Calendar.aspx>. All interested parties are invited to present comments at the public hearing regarding the closure of a Portion of McAlpine Station Drive. To speak at the public hearing, please all the City Clerk’s office at 704-336-2248 or sign up online at <https://charlottenc.gov/CityClerk/Pages/Speak.aspx>. Participants who would like to participate virtually must contact the City Clerk’s Office by 9:00 a.m. on the day of the meeting. Alternatively, comments of 350 words or less on the subject of the public hearing may be submitted to the City Clerk’s Office at cityclerk@charlottenc.gov, between publication of this notice and 24 hours prior to the scheduled time for the beginning of the public hearing. Anyone requiring special accommodations when calling into the meeting and/or if you require information to be provided in an alternative format, please email charlotteada@charlottenc.gov or call 704-336-5271.

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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 171-172.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

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

Whereas, Jay Pravinchandra Patel has filed a petition to close a Portion of Unopened Mcaden Street in the City of Charlotte; and

Whereas, Portion of Unopened Mcaden Street containing 6,626 square feet or 0.15 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 July 11, 2022, that it intends to close a Portion of Unopened Mcaden Street and that said right-of-way (or portion thereof) is more particularly described on a map. The public will take notice that, pursuant 160A-299 of the General Statutes of North Carolina, the City Council of the City of Charlotte has called a public hearing on the closure of a Portion of Unopened Mcaden Street, to be conducted at 6:30 p.m., or as soon thereafter as practicable, on Monday, the 22nd day of August 2022 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 <https://charlottenc.legistar.com/Calendar.aspx>. All interested parties are invited to present comments at the public hearing regarding the closure of a Portion of Unopened Mcaden Street. To speak at the public hearing, please all the City Clerk’s office at 704-336-2248 or sign up online at <https://charlottenc.gov/CityClerk/Pages/Speak.aspx>. Participants who would like to participate virtually must contact the City Clerk’s Office by 9:00 a.m. on the day of the meeting. Alternatively, comments of 350 words or less on the subject of the public hearing may be submitted to the City Clerk’s Office at cityclerk@charlottenc.gov, between publication of this notice and 24 hours prior to the scheduled time for the beginning of the public hearing. Anyone requiring special accommodations when calling into the meeting and/or if you require information to be provided in an alternative format, please email charlotteada@charlottenc.gov or call 704-336-5271.

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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 173-174.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 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 **MONROE ROAD STREETSCAPE**; 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 **MONROE ROAD STREETSCAPE** and estimated to be:

2,116 sq. ft. (0.05 acre) of Sidewalk/Utility Easement
6,904 sq. ft. (0.16 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. 159-061-11 said property currently owned by **4229 MONROE ROAD, 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 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 175.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 2022.



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 **MONROE ROAD STREETSCAPE**; 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 **MONROE ROAD STREETSCAPE** and estimated to be:

1,039 sq. ft. (0.02 acre) of Sidewalk/Utility Easement
1,499 sq. ft. (0.03 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. 159-061-14 said property currently owned by **CONTEXT AT OAKHURST-CHARLOTTE, LP**, 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 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 176.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 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 **MONROE ROAD STREETSCAPE**; 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 **MONROE ROAD STREETSCAPE** and estimated to be:

966 sq. ft. (0.02 acre) of Sidewalk/Utility Easement

373 sq. ft. (0.01 acre) of Temporary Construction Easement

720 sq. ft. (0.02 acre) of Utility Easement

and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 159-061-18 said property currently owned by **OAKHURST INVESTMENTS, 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 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 177.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 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 **MONROE ROAD STREETSCAPE**; 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 **MONROE ROAD STREETSCAPE** and estimated to be:

3,382 sq. ft. (0.08 acre) of Sidewalk/Utility Easement
12,930 sq. ft. (0.30 acre) of Temporary Construction Easement
132 sq. ft. (0.003 acre) of Utility Easement

and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 161-071-19 said property currently owned by **WWD ASSOCIATES, LLC, O'HAIR, LP, DOMAR CORPORATION, INC., CRITTENDON COMMODITIES, LLC AND WATERS MANAGEMENT, 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 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 178.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 2022.



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 **MONROE ROAD STREETSCAPE**; 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 **MONROE ROAD STREETSCAPE** and estimated to be:

3,155 sq. ft. (0.07 acre) of Sidewalk/Utility Easement

3,287 sq. ft. (0.08 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. 161-082-20, 161-082-19, 161-082-18, & 161-082-17 said property currently owned by **MONROE ROAD INVESTORS, 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 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 179.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 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 **XCLT TRYON TO ORR**; 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 **XCLT TRYON TO ORR** and estimated to be:

932 sq. ft. (0.03 acre) of Permanent Greenway Easement
1,093 sq. ft. (0.02 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. 089-211-04 said property currently owned by **MIRNA MACHUCA RAMOS AND SPOUSE IF ANY**, 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 11th day of July 2022, the reference having been made in Minute Book 157 and recorded in full in Resolution Book 53, Page(s) 180.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 11th day of July 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC