

RESOLUTION TO CLOSE A PORTION OF THE ALLEYWAY OFF OF EAST 16TH STREET
PARALLEL TO PEGRAM 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 of East 16th Street Parallel to Pegram 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 of East 16th Street Parallel to Pegram 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, the public hearing was held on the 13th day of June 2022, and City Council determined that closing a Portion of the Alleyway off of East 16th Street Parallel to Pegram 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 June 13, 2022, that the Council hereby orders the closing a Portion of the Alleyway off of East 16th Street Parallel to Pegram 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. This abandonment is contingent upon the petitioner improving the portion of the alley that was filed on March 1, 2022, book 70 page 303 in the Office of the Register of Deeds for Mecklenburg County, North Carolina, to the current condition of the existing alley.

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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 029-034.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

June 13, 2022

Resolution Book 53, Page 031

THIS IS TO CERTIFY THAT ON THE 15th DAY OF FEBRUARY 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.

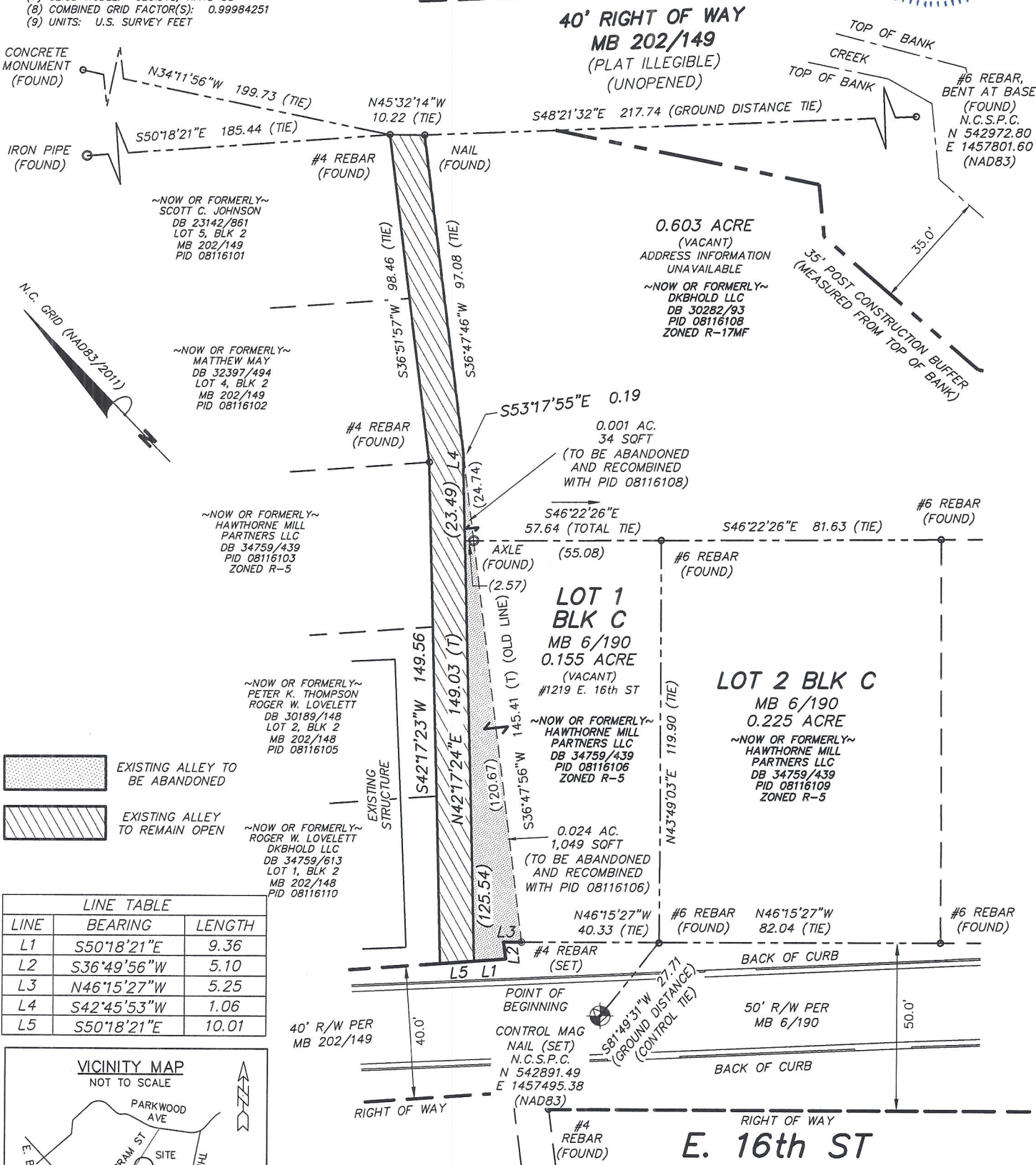
REVISED 4/12/2021
4/26/2021

SIGNED _____
PROFESSIONAL LAND SURVEYOR

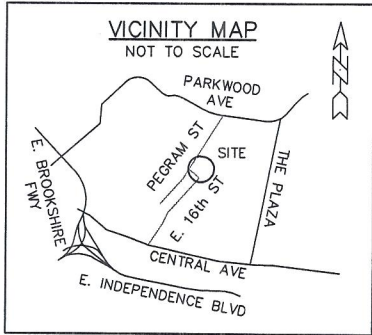
THIS MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND REDEVELOPMENT REGULATIONS & HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR MAPS

THE FOLLOWING WAS USED TO ESTABLISH N.C.S.P.C. INFORMATION:
(1) CLASS OF SURVEY: A-URBAN LAND SURVEY
(2) POSITIONAL ACCURACY: 0.2'
(3) TYPE OF GPS FIELD PROCEDURE: STATIC, ONLINE POSITION USER SERVICE
(4) DATES OF SURVEY: 1-6-2020
(5) DATUM/EPOCH: NAD 83 (2011), EPOCH 2010
(6) PUBLISHED/FIXED-CONTROL USE: CORS SITES DG5755, DG7402, DK7758
(7) GEIOD MODEL: GEIOD18; NAVD 88
(8) COMBINED GRID FACTOR(S): 0.99984251
(9) UNITS: U.S. SURVEY FEET

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



LINE TABLE		
LINE	BEARING	LENGTH
L1	S50°18'21"E	9.36
L2	S36°49'56"W	5.10
L3	N46°15'27"W	5.25
L4	S42°45'53"W	1.06
L5	S50°18'21"E	10.01



SCALE 1"=40'

EXHIBIT A
ALLEY ABANDONMENT EXHIBIT
OF
PROPERTY ON
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

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

2019\BAT\PEGRAM ST
2019\P\PEGRAM ST
PROJECT: 19-0406

Exhibit B

Close AW off E 16th St Parallel to Pegram

Composite abandonment description

Being a portion of a 10' alley as shown on Map Book 6, Page 190 more particularly described as:

Beginning at a rebar found along the northerly margin of 16TH Street (40' r/w) as shown on Map Book 6, Page 190 being the southwesterly corner of Lot 1, Block C Map Book 6, Page 190 a bearing of N46°15'27"W and a distance of 5.25' to a point; thence with a bearing of S36°49'56"W and a distance of 5.10' to a point; thence with a bearing of N50°18'21"W and a distance of 9.36' to a point; thence with a bearing of N42°17'24"E and a distance of 149.03' to a point; thence with a bearing of N42°45'53"E and a distance of 1.06' to a point; thence with a bearing of S53°17'55"E and a distance of 0.19' to a point; thence with a bearing of S36°47'56"W and a distance of 145.41' to the point of beginning; containing 0.025 acre, more or less.

Being a portion of a 10' alley as shown on Map Book 6, Page 190 to be combined with Lot 1, Block C Map Book 6, Page 190 (PID 08116106) more particularly described as:

Beginning at a rebar found along the northerly margin of 16TH Street (40' r/w) as shown on Map Book 6, Page 190 being the southwesterly corner of Lot 1, Block C Map Book 6, Page 190 a bearing of N46°15'27"W and a distance of 5.25' to a point; thence with a bearing of S36°49'56"W and a distance of 5.10' to a point; thence with a bearing of N50°18'21"W and a distance of 9.36' to a point; thence with a bearing of N42°17'24"E and a distance of 125.54'; thence with a bearing of S46°22'26"E and a distance of 2.57' to an axle found; thence with a bearing of S36°47'56"W and a distance of 120.67' to the point of beginning, containing 0.024 acre, more or less.

Being a portion of a 10' alley as shown on Map Book 6, Page 190 to be combined with DKBHOLD LLC as described in Deed Book 30282, Page 93 (PID 08116108) more particularly described as:

Commencing at a rebar found along the northerly margin of 16TH Street (40' r/w) as shown on Map Book 6, Page 190 being the southwesterly corner of Lot 1, Block C Map Book 6, Page 190 a bearing of N36°47'56"E and a distance of 120.67' to the Point of Beginning; thence with a bearing of N46°22'26"W and distance of 2.57' to a point; thence with a bearing of N42°17'24"E and a distance of 23.49' to a point; thence with a bearing of N42°45'53"E and a distance of 1.06' to a point; thence with a bearing of S53°17'55"E and a distance of 0.19' to a point; thence with a bearing of S36°47'56"W and a distance of 24.74' to the point of beginning, containing 0.001 acre, more or less.

RESOLUTION TO CLOSE OLD RIDGE ROAD 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 Old Ridge Road which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close Old Ridge Road 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 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 13th day of June 2022, and City Council determined that closing Old Ridge Road 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.

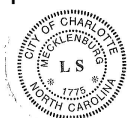
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of June 13, 2022, that the Council hereby orders the closing Old Ridge Road in the City of Charlotte, Mecklenburg County, North Carolina as shown in the map marked "Exhibit A," 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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 035-038.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

THIS IS TO CERTIFY THAT ON THE 13th DAY OF FEBRUARY, 2022, I, SURVEYED THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE PROPERTY LINES, AND THE IMPROVEMENTS IF ANY ARE AS SHOWN HEREON.

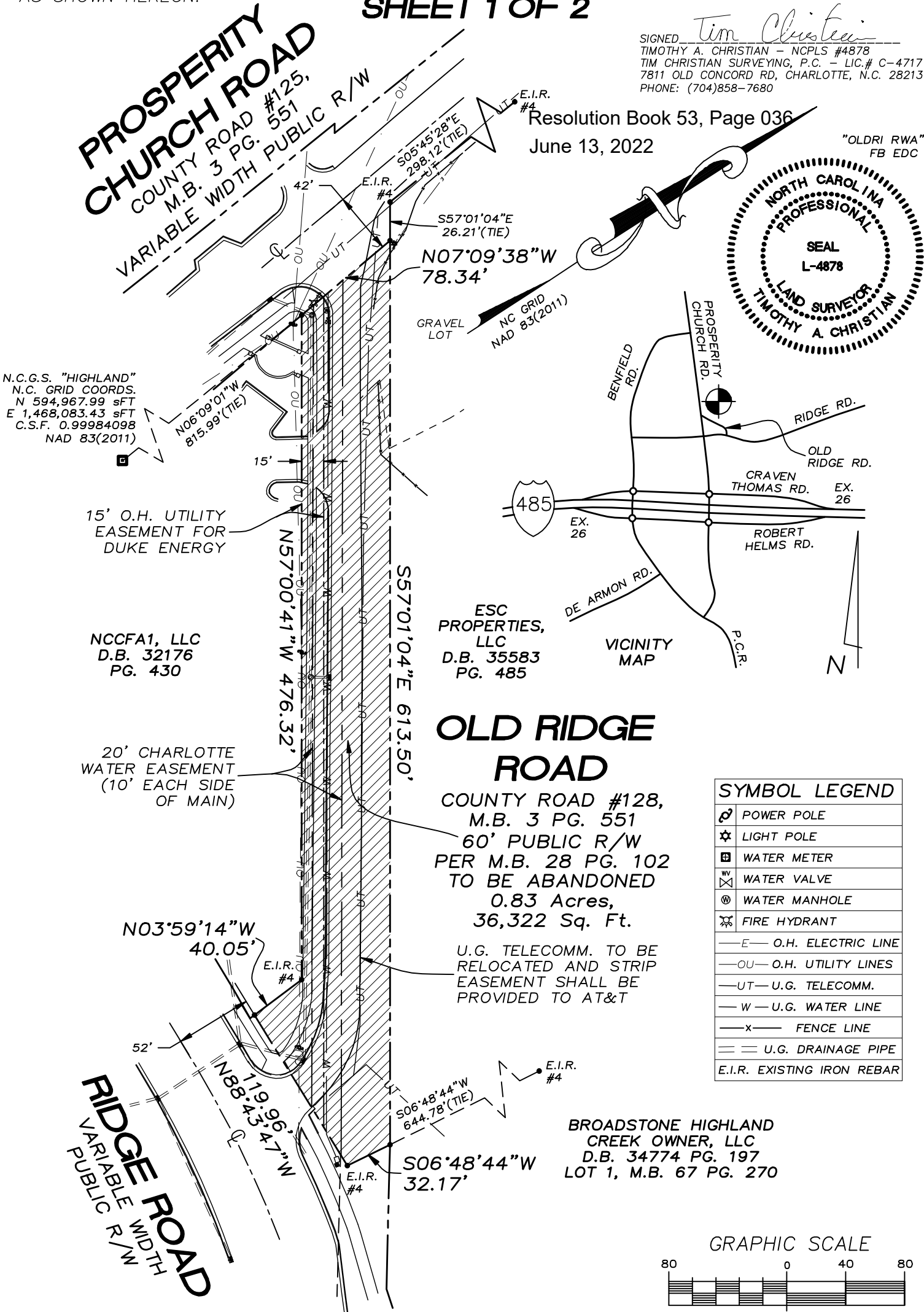
SHEET 1 OF 2

SIGNED Tim Christian
TIMOTHY A. CHRISTIAN - NCPLS #4878
TIM CHRISTIAN SURVEYING, P.C. - LIC.# C-4717
7811 OLD CONCORD RD, CHARLOTTE, N.C. 28213
PHONE: (704)858-7680

Resolution Book 53, Page 036

June 13, 2022

"OLDRI RWA"
FB EDC



OLD RIDGE ROAD

COUNTY ROAD #128,
M.B. 3 PG. 551
60' PUBLIC R/W
PER M.B. 28 PG. 102
TO BE ABANDONED
0.83 Acres,
36,322 Sq. Ft.

U.G. TELECOMM. TO BE
RELOCATED AND STRIP
EASEMENT SHALL BE
PROVIDED TO AT&T

SYMBOL LEGEND

	POWER POLE
	LIGHT POLE
	WATER METER
	WATER VALVE
	WATER MANHOLE
	FIRE HYDRANT
	O.H. ELECTRIC LINE
	O.H. UTILITY LINES
	U.G. TELECOMM.
	U.G. WATER LINE
	FENCE LINE
	U.G. DRAINAGE PIPE
	EXISTING IRON REBAR

GRAPHIC SCALE



R/W ABANDONMENT SURVEY

OF

OLD RIDGE ROAD

SCALE 1"=80'

CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

THE PROPERTY OF: CITY OF CHARLOTTE & ESC PROSPERITY, LLC
MAP RECORDED IN BOOK AT PAGE DEED RECORDED IN BOOK 35583 PAGE 485

THIS IS TO CERTIFY THAT ON THE 13th DAY OF FEBRUARY, 2022, SURVEYED THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE PROPERTY LINES, AND THE IMPROVEMENTS IF ANY ARE AS SHOWN HEREON.

SHEET 2 OF 2

"OLDRI RWA"
FB EDC

SIGNED Tim Christian
TIMOTHY A. CHRISTIAN - NCPLS #4878
TIM CHRISTIAN SURVEYING, P.C. - LIC.# C-4717
7811 OLD CONCORD RD, CHARLOTTE, N.C. 28213
PHONE: (704)858-7680



LEGAL DESCRIPTION:

BEGINNING at a point at the southeast intersection of the eastern right of way line of Prosperity Church Road (County Road #125, recorded in Map book 3 page 551 of the Mecklenburg county public registry, variable width public right of way) and the southern right of way line of Old Ridge Road (County Road #128, Map book 3 page 551 of said registry, 60' width public right of way), being in the northern line of the NCCFA1, LLC property recorded in Deed book 32176 page 430 of said registry, and being N 06°09'01" W 815.99' from N.C.G.S. monument "Highland" having N.C. grid coordinates of N 594,967.99 sFT E 1,468,083.43 sFT (NAD83 2011); thence from said beginning point with said eastern right of way line of Prosperity Church Road N 07°09'38" W 78.34' to a point at the intersection of said eastern right of way line of Prosperity Church Road and northern right of way line of said Old Ridge Road, being within the ESC Properties, LLC property recorded in Deed book 35583 page 485 of said registry, and being S57°01'04"E 26.21' from an existing iron rebar #4; thence with said northern right of way line of Old Ridge Road S 57°01'04" E 613.50' to a point in the eastern line of the Broadstone Highland Creek Owner, LLC property recorded in Deed book 34774 page 197 of said registry, and being S 06°48'44" W 644.78' from an existing iron rebar #4; thence with said Broadstone Highland Creek Owner, LLC property S 06°48'44" W 32.17' to an existing iron rebar #4 in the northern right of way line of Ridge Road (variable width public right of way); thence with with said northern right of way line of Ridge Road N 88°43'47" W 119.96' to a point in the southern right of way line of said Old Ridge Road; thence with said southern right of way line of Old Ridge Road and in an eastern line of said NCCFA1, LLC property two (2) calls: (1) N 03°59'14" W 40.05' to an existing iron rebar #4; (2) N 57°00'41" W 476.32' to the point and place of beginning containing 0.83 Acres, 36,322 square feet.

R/W ABANDONMENT SURVEY
OF

OLD RIDGE ROAD

SCALE 1"=80'

CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

THE PROPERTY OF: **CITY OF CHARLOTTE & ESC PROSPERITY, LLC**
MAP RECORDED IN BOOK _____ AT PAGE _____ DEED RECORDED IN BOOK **35583** PAGE **485**

BEGINNING at a point at the southeast intersection of the eastern right of way line of Prosperity Church Road (County Road #125, recorded in Map book 3 page 551 of the Mecklenburg county public registry, variable width public right of way) and the southern right of way line of Old Ridge Road (County Road #128, Map book 3 page 551 of said registry, 60' width public right of way), being in the northern line of the NCCFA1, LLC property recorded in Deed book 32176 page 430 of said registry, and being N 06°09'01" W 815.99' from N.C.G.S. monument "Highland" having N.C. grid coordinates of N 594,967.99 sFT E 1,468,083.43 sFT (NAD83 2011); thence from said beginning point with said eastern right of way line of Prosperity Church Road N 07°09'38" W 78.34' to a point at the intersection of said eastern right of way line of Prosperity Church Road and northern right of way line of said Old Ridge Road, being within the ESC Properties, LLC property recorded in Deed book 35583 page 485 of said registry, and being S57°01'04"E 26.21' from an existing iron rebar #4; thence with said northern right of way line of Old Ridge Road S 57°01'04" E 613.50' to a point in the eastern line of the Broadstone Highland Creek Owner, LLC property recorded in Deed book 34774 page 197 of said registry, and being S 06°48'44" W 644.78' from an existing iron rebar #4; thence with said Broadstone Highland Creek Owner, LLC property S 06°48'44" W 32.17' to an existing iron rebar #4 in the northern right of way line of Ridge Road (variable width public right of way); thence with with said northern right of way line of Ridge Road N 88°43'47" W 119.96' to a point in the southern right of way line of said Old Ridge Road; thence with said southern right of way line of Old Ridge Road and in an eastern line of said NCCFA1, LLC property two (2) calls: (1) N 03°59'14" W 40.05' to an existing iron rebar #4; (2) N 57°00'41" W 476.32' to the point and place of beginning containing 0.83 Acres, 36,322 square feet.

RESOLUTION TO CLOSE UNOPENED BEECHWAY CIRCLE AND MARK WAY 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 Unopened Beechway Circle and Mark Way 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 Unopened Beechway Circle and Mark Way 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, the public hearing was held on the 13th day of June 2022, and City Council determined that closing Unopened Beechway Circle and Mark Way 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 June 13, 2022, that the Council hereby orders the closing Unopened Beechway Circle and Mark Way 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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 039-045.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

I, Seth F. Martin, certify that this map was drawn from an actual survey made under my supervision. The ratio of precision as calculated is 1/10,000+. I hereby affix my hand and seal this 8th day of February, 2022.

Seth F. Martin
Registration No.: L-4719

Legend

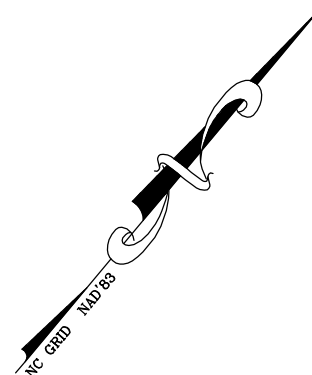
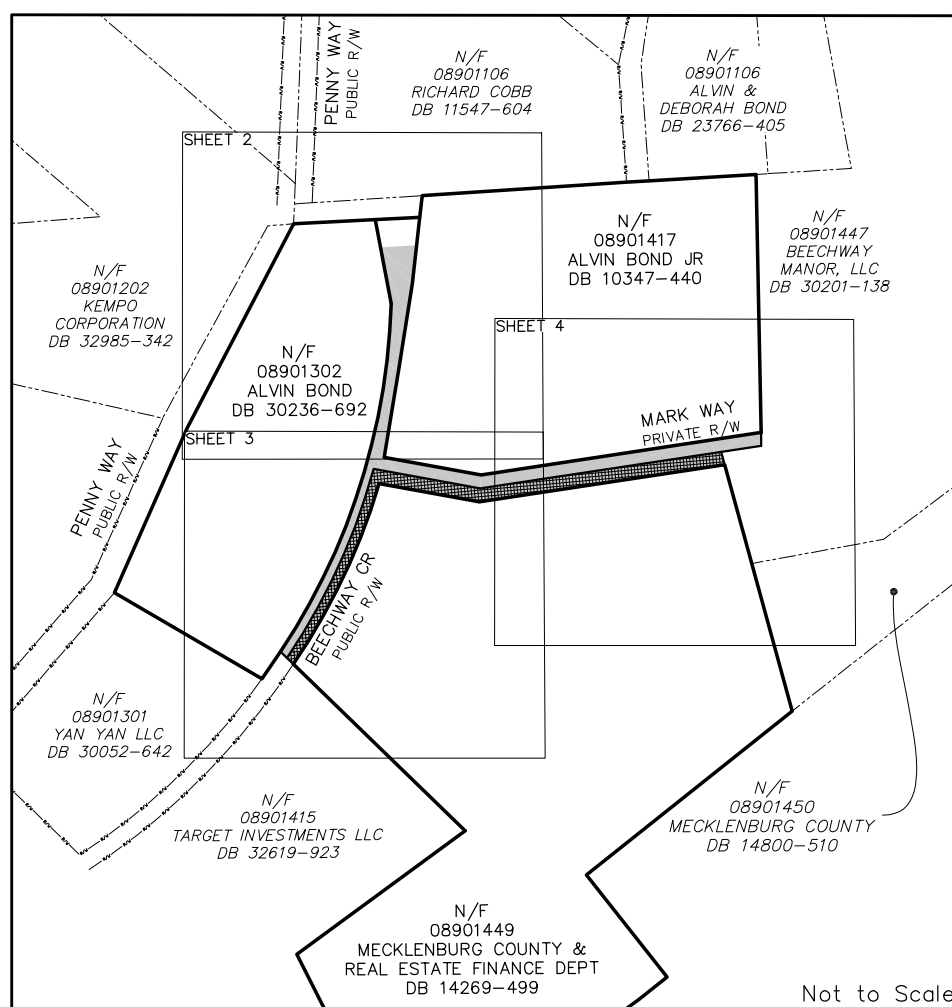
- EIP Existing Iron Pin
- IPS #5 Rebar Set
- R/W Right-of-Way
- N/F Now or Formerly
- DB Deed Book
- MB Map Book
- Property Line
- - - Adjacent Property Line
- R/W - R/W Line



Vicinity Map – Not to Scale

Notes:

1. This map was prepared for the purpose of right of way abandonment only and is not intended to be a boundary survey of the parent parcel shown.
2. This plat does not comply with G.S. 47-30.
3. This property may be subject to additional restrictions, easements, utilities, covenants and restrictions that may be of record.
4. The North Carolina grid coordinates shown on the map were derived GPS observations utilizing Trimble R8 receivers and the North Carolina Real Time Network. All coordinates are NAD83(2011).
5. All bearings are NC grid bearings.
6. All distances shown are horizontal.
7. Areas have been determined by coordinate computation.



201 West 29th Street
Charlotte, NC 28206
Phone: (704) 337-8329
Fax: (704) 308-3153
License No.: F-1388
www.gpinet.com

GEOMATICS | LiDAR | PHOTOGRAMMETRY

Right of Way Abandonment Exhibit for NRP Sugar Creek

City of Charlotte
Mecklenburg County, North Carolina

Prepared for: Frank McMahan

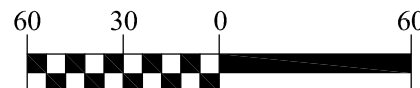


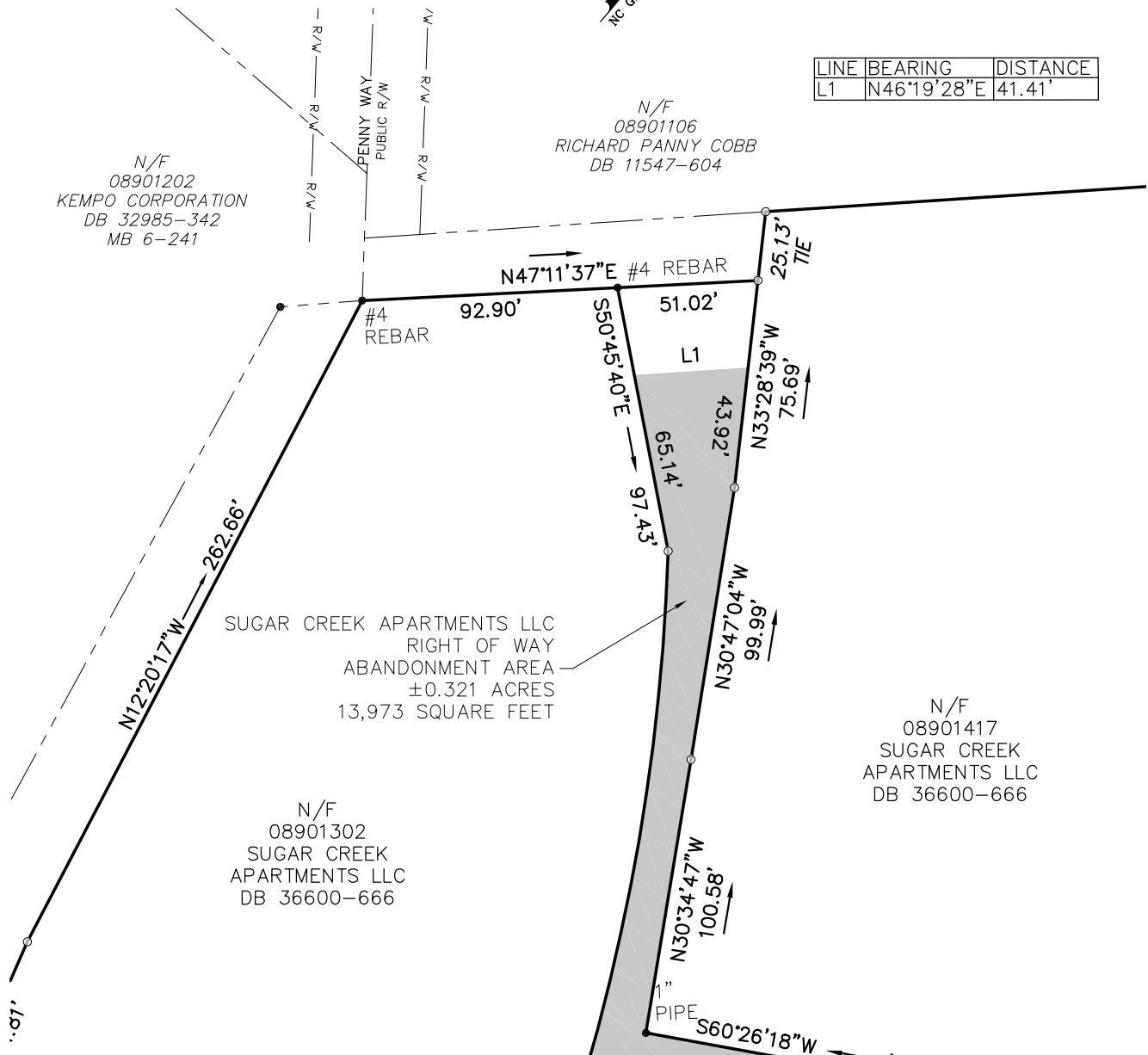
Exhibit 'A-2'

Legend

- EIP Existing Iron Pin
- IPS #5 Rebar Set
- R/W Right-of-Way
- N/F Now or Formerly
- DB Deed Book
- MB Map Book
- Property Line
- - - - - Adjacent Property Line
- - - - - R/W Line



LINE	BEARING	DISTANCE
L1	N46°19'28"E	41.41'



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Right of Way Abandonment Exhibit for NRP Sugar Creek

City of Charlotte
Mecklenburg County, North Carolina

Prepared for: Frank McMahan

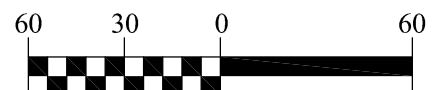
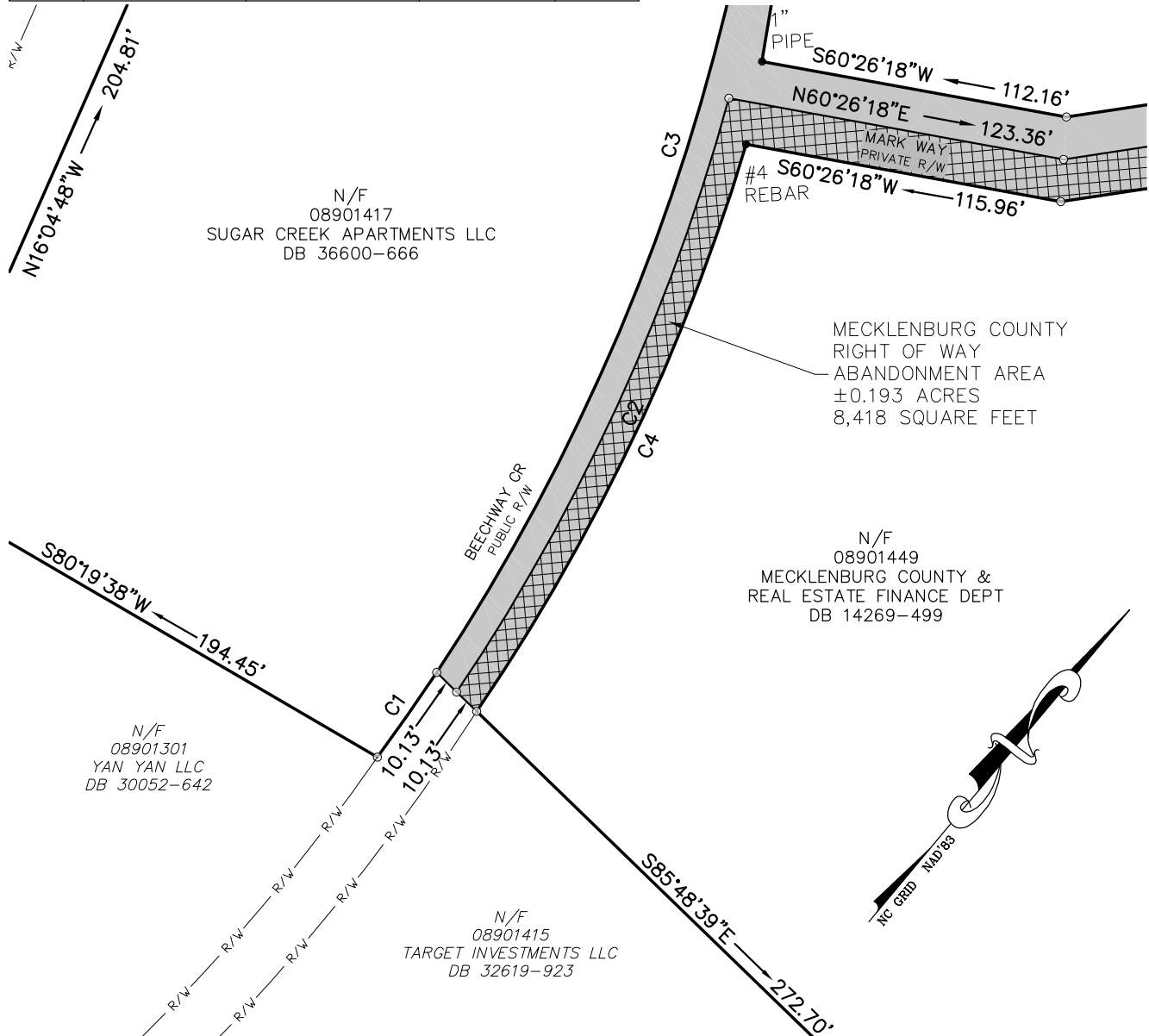


Exhibit 'A-3'

Legend

- EIP Existing Iron Pin
- IPS #5 Rebar Set
- R/W Right-of-Way
- N/F Now or Formerly
- DB Deed Book
- MB Map Book
- Property Line
- - - - - Adjacent Property Line
- R/W - R/W Line

CURVE	CHORD LENGTH	CHORD BEARING	ARC LENGTH	RADIUS
C1	37.45'	S04°59'47"E	37.46'	760.67'
C2	236.75'	N15°16'35"W	237.81'	726.24'
C3	415.94'	S22°16'27"E	421.30'	760.67'
C4	227.62'	S14°29'50"E	228.52'	743.46'



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Right of Way Abandonment Exhibit for NRP Sugar Creek

City of Charlotte
Mecklenburg County, North Carolina

Prepared for: Frank McMahan

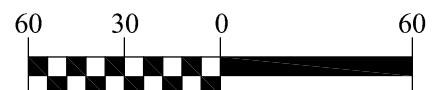
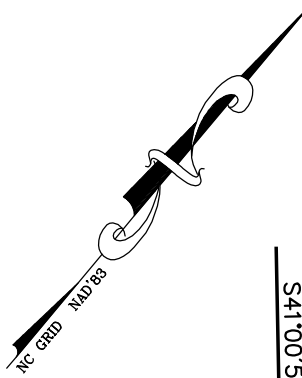


Exhibit 'A-4'

Legend

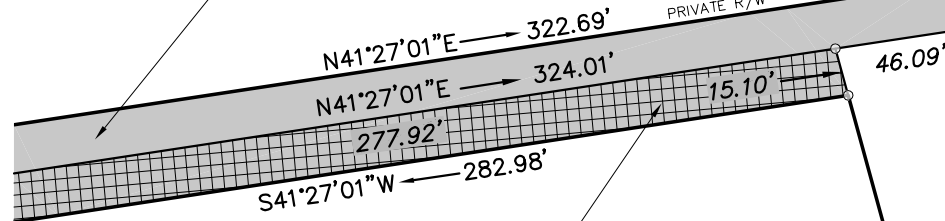
- EIP Existing Iron Pin
- IPS #5 Rebar Set
- R/W Right-of-Way
- N/F Now or Formerly
- DB Deed Book
- MB Map Book
- Property Line
- - - Adjacent Property Line
- - - R/W Line



N/F
08901417
SUGAR CREEK APARTMENTS LLC
DB 36600-666

SUGAR CREEK APARTMENTS LLC
RIGHT OF WAY
ABANDONMENT AREA
±0.321 ACRES
13,973 SQUARE FEET

MARK WAY
PRIVATE R/W



MECKLENBURG COUNTY
RIGHT OF WAY
ABANDONMENT AREA
±0.193 ACRES
8,418 SQUARE FEET

N/F
08901449
MECKLENBURG COUNTY &
REAL ESTATE FINANCE DEPT
DB 14269-499

N/F
08901106
RICHARD COBB
DB 11547-604

N/F
08901450
MECKLENBURG COUNTY
DB 14800-510



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Right of Way Abandonment Exhibit for NRP Sugar Creek

City of Charlotte
Mecklenburg County, North Carolina

Prepared for: Frank McMahan

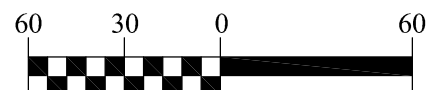


EXHIBIT B

RIGHT OF WAY ABANDONMENT DESCRIPTION FOR PORTIONS OF MARK WAY AND BEECHWAY CIRCLE FOR NRP SUGAR CREEK

COMMENCING at an existing #4 rebar marking the northwesternmost corner of Sugar Creek Apartments LLC (now or formerly) as described in Deed Book 36600, page 666 of the Mecklenburg County Registry; THENCE with the northerly line of the aforementioned Sugar Creek Apartments LLC North 47 degrees 11 minutes 37 seconds East, a distance of 92.90 feet to an existing #4 rebar, THENCE South 50 degrees 45 minutes 40 seconds East, a distance of 32.29 feet to the POINT OF BEGINNING along the south westerly right of way of Beechway Circle, an unopened 40' public right of way;

THENCE North 46 degrees 19 minutes 28 seconds East, a distance of 41.41 feet to a point on the north easterly right of way of Beechway Circle and the line of Sugar Creek Apartments LLC (now or formerly) as described in Deed Book 36600 Page 666; THENCE with the line of Sugar Creek Apartments LLC the following five (5) courses and distances: 1) South 33 degrees 28 minutes 39 seconds East, a distance of 43.92 feet to a point; 2) THENCE South 30 degrees 47 minutes 04 seconds East, a distance of 99.99 feet to a point; 3) THENCE South 30 degrees 34 minutes 47 seconds East, a distance of 100.58 feet to an existing bent 1" pipe; 4) THENCE North 60 degrees 26 minutes 18 seconds East, a distance of 112.16 feet to a point; 5) THENCE North 41 degrees 27 minutes 01 seconds East, a distance of 322.69 feet to an existing 1" pipe marking the easternmost corner of the aforementioned Sugar Creek Apartments LLC and also marking the northern terminus of Mark Way, an unopened 30' Private Drive; THENCE with the terminus of Mark Way South 41 degrees 00 minutes 59 seconds East, a distance of 15.13 feet to a point; THENCE with a new line within the right of way of Mark Way and Beechway Circle the following four (4) courses and distances: 1) South 41 degrees 27 minutes 01 seconds West, a distance of 324.01 feet to a point; 2) THENCE South 60 degrees 26 minutes 18 seconds West, a distance of 123.36 feet to a point; 3) THENCE along a curve to the right having an arc length of 237.81 feet, and a radius of 726.24 feet, being subtended by a chord bearing of South 15 degrees 16 minutes 35 seconds East, a distance of 236.75 feet to a point; 4) THENCE North 85 degrees 48 minutes 39 seconds West, a distance of 10.13 feet to a point marking the easterly line of the aforementioned Sugar Creek Apartments LLC; THENCE with the line of Sugar Creek Apartments LLC the following two (2) courses and distances: 1) along a curve to the left having an arc length of 421.30 feet, and a radius of 760.67 feet, being subtended by a chord bearing of North 22 degrees 16 minutes 27 seconds West, a distance of 415.94 feet to a point; THENCE North 50 degrees 45 minutes 40 seconds West, a distance of 65.14 feet to a point and POINT OF BEGINNING, having an area of 0.321 Acres, more or less.

RIGHT OF WAY ABANDONMENT DESCRIPTION FOR PORTIONS OF MARK WAY
AND BEECHWAY CIRCLE FOR NRP SUGAR CREEK

COMMENCING at an existing 1" pipe marking the southwesterly line of Beechway Manor, LLC (now or formerly) as described in Deed Book 30201, page 138 of the Mecklenburg County Registry; THENCE with the line of the aforementioned Beechway Manor, LLC the following two (2) courses and distances: 1) South 41 degrees 00 minutes 59 seconds East, a distance of 15.13 feet to a point; 2) THENCE South 41 degrees 27 minutes 01 seconds West, a distance of 46.09 feet to a point and POINT OF BEGINNING in the right of way of Mark Way, an unopened 30' private drive;

THENCE with a line marking the northern terminus of Mark Way South 55 degrees 14 minutes 52 seconds East, a distance of 15.10 feet to a point marking the northernmost corner of Mecklenburg County & Real Estate Finance Department (now or formerly) as described in Deed Book 14269, page 499; THENCE with the line of the aforementioned Mecklenburg County & Real Estate Finance Department the following three (3) courses and distances: 1) South 41 degrees 27 minutes 01 seconds West, a distance of 282.98 feet to a point; 2) THENCE South 60 degrees 26 minutes 18 seconds West, a distance of 115.96 feet to an existing #4 rebar; 3) THENCE along a curve to the right having an arc length of 228.52 feet, and a radius of 743.46 feet, being subtended by a chord bearing of South 14 degrees 29 minutes 50 seconds East, a distance of 227.62 feet to a point marking northwestern most corner of Target Investments, LLC (now or formerly) as described in Deed Book 32619, page 923; THENCE with a line within the right of way of Beechway Circle, an unopened 40' public right of way the following two (2) courses and distances: 1) North 85 degrees 48 minutes 39 seconds West, a distance of 10.13 feet to a point; 2) THENCE along a curve to the left having an arc length of 237.81 feet, and a radius of 726.24 feet, being subtended by a chord bearing of North 15 degrees 16 minutes 35 seconds West, a distance of 236.75 feet to a point within the intersection of Beechway Circle and Mark Way; THENCE with a line in the right of way of Mark Way the following two (2) courses and distances: 1) North 60 degrees 26 minutes 18 seconds East, a distance of 123.36 feet to a point; 2) THENCE North 41 degrees 27 minutes 01 seconds East, a distance of 277.92 feet to the POINT OF BEGINNING, having an area of 0.193 Acres, more or less.

RESOLUTION TO CLOSE UNOPENED WAYNE AVENUE AND A PORTION OF MAY 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 Unopened Wayne Avenue and a Portion of May 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 Unopened Wayne Avenue and a Portion of May 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 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, the public hearing was held on the 13th day of June 2022, and City Council determined that closing Unopened Wayne Avenue and a Portion of May 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 June 13, 2022, that the Council hereby orders the closing Unopened Wayne Avenue and a Portion of May 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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 046-050.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 2022.



Stephanie C. Kelly

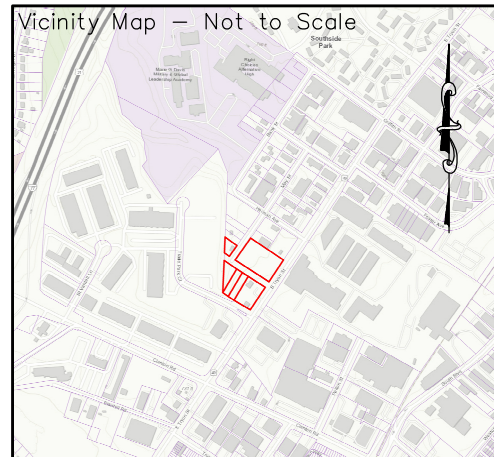
Stephanie C. Kelly, City Clerk, MMC, NCCMC

I, J. Brian Elliott, certify that this map was drawn from an actual survey made under my supervision. The ratio of precision as calculated is 1/10,000+. I hereby affix my hand and seal this 1st day of March, 2022.

Registration No.: L-5159

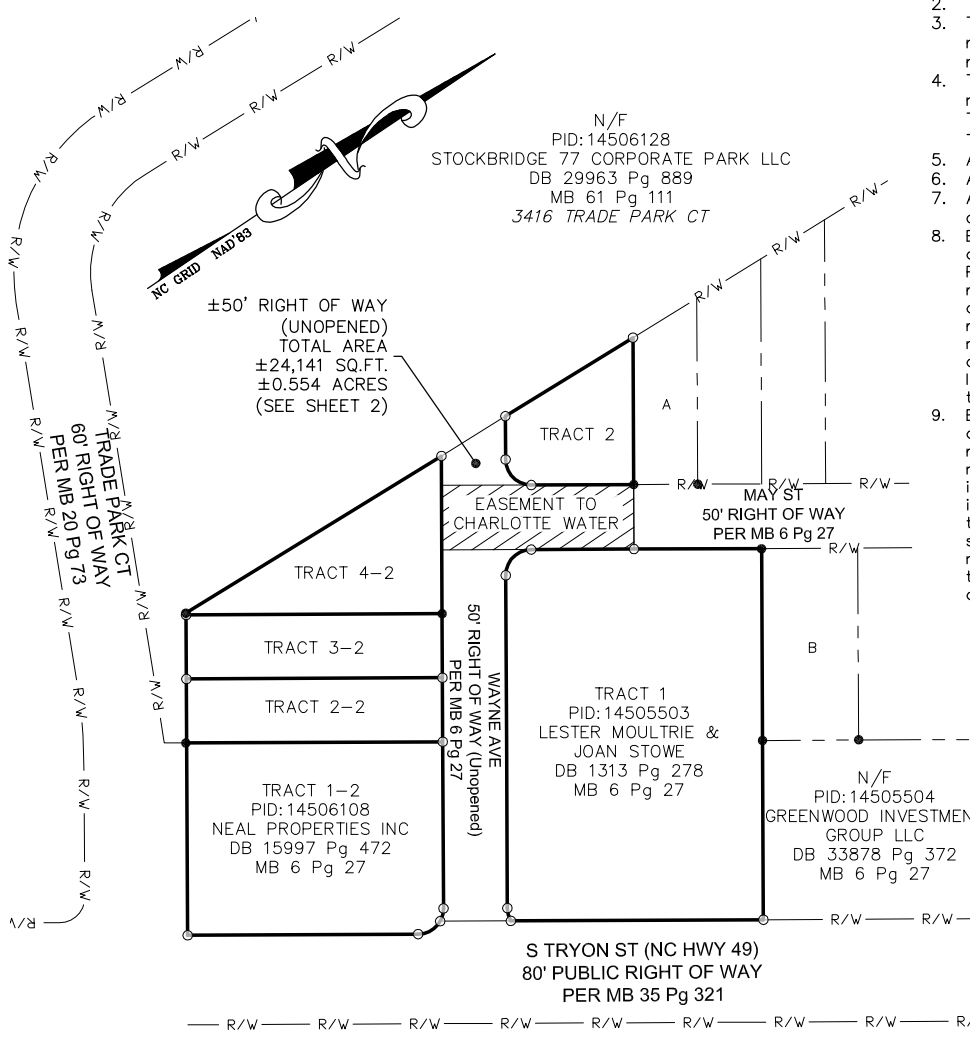
Legend

- EIP Existing Iron Pin
- IPS #5 Rebar Set
- R/W Right-of-Way
- N/F Now or Formerly
- DB Deed Book
- MB Map Book
- R/W — Right-of-Way Line
- — — Property Line
- — — Adjoiner Property Line



Notes:

- This map was prepared for the purpose of right of way abandonment only and is not intended to be a boundary survey of the parent parcel shown.
- This plat does not comply with G.S. 47-30.
- This property may be subject to additional restrictions, easements, utilities, covenants and restrictions that may be of record.
- The North Carolina grid coordinates shown on the map were derived GPS observations utilizing Trimble R8 receivers and the North Carolina Real Time Network. All coordinates are NAD83(2011).
- All bearings are NC grid bearings.
- All distances shown are horizontal.
- Areas have been determined by coordinate computation.
- Easement in favor of Charlotte Water over, upon, across and under the May Street right of way area Petitioned to be abandoned for ingress, egress and regress to access its existing 8 inch VCP sewer line and 2 inch PVC water main for the maintenance, replacement and repair of such sewer line and water main. No permanent structure may be constructed over this easement area unless the 8 inch VCP sewer line and 2 inch PVC water main are relocated and the easement is terminated.
- Easement in favor of Charlotte Water over, upon, across and under that portion of the Wayne Avenue right of way area Petitioned to be abandoned that is more particularly depicted on this Exhibit A for ingress, egress and regress to access its existing 8 inch VCP sewer line and 2 inch PVC water main for the maintenance, replacement and repair of such sewer line and water main. No permanent structure may be constructed over this easement area unless the 8 inch VCP sewer line and 2 inch PVC water main are relocated and the easement is terminated.



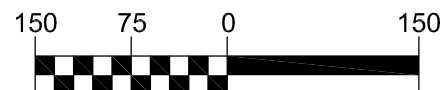
LDSI

201 West 29th Street
Charlotte, NC 28206
Phone: (704) 337-8329
Fax: (704) 308-3153
License No.: C-1925

Right of Way Abandonment Exhibit for South Tryon Street

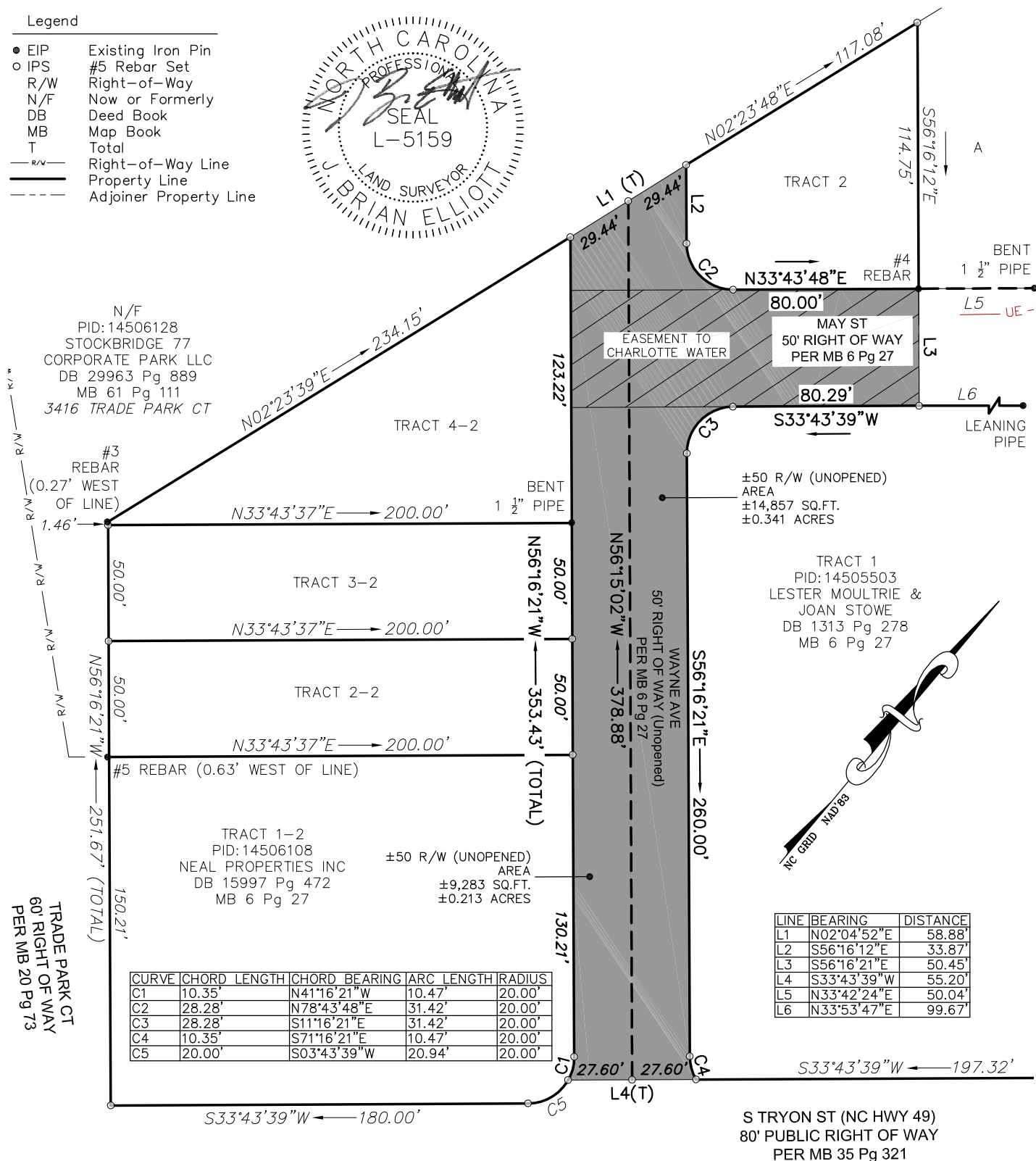
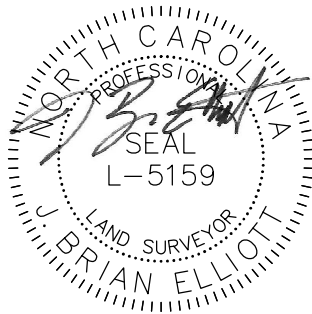
City of Charlotte, Mecklenburg County, North Carolina

Prepared for: LandDesign Inc.
Abandonment File #



Legend

- EIP Existing Iron Pin
- IPS #5 Rebar Set
- R/W Right-of-Way
- N/F Now or Formerly
- DB Deed Book
- MB Map Book
- T Total
- R/W — Right-of-Way Line
- — — Property Line
- — — Adjoiner Property Line



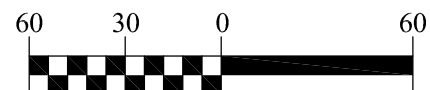
LDSI

201 West 29th Street
Charlotte, NC 28206
Phone: (704) 337-8329
Fax: (704) 308-3153
License No.: C-1925

Right of Way Abandonment Exhibit for South Tryon Street

City of Charlotte, Mecklenburg County, North Carolina

Prepared for: LandDesign Inc.
Abandonment File #

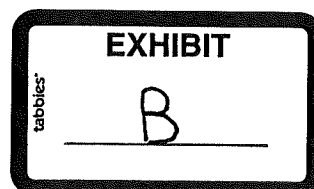


Wayne Ave & A Portion of May St

LEGAL DESCRIPTION OF RIGHT OF WAY ABANDONEMENT

That certain tract of land lying and being situate in Mecklenburg County North Carolina and being more particularly described as follows:

COMMENCING at NGS Monument "M 063", having North Carolina Grid Coordinates N:529,809.58, E:1,439,905.53; THENCE North 05 degrees 19 minutes 17 seconds West, a distance of 2,473.56 feet to the POINT OF BEGINNING; said point also marking the southernmost corner of Lester Moultrie & Joan Stowe (now or formerly) as described in Deed Book 131, page 278 of the Mecklenburg County Registry and also being along the northerly right of way of S Tryon Street an 80' public right of way as shown in Map Book 35, page 321; THENCE along the northerly right of way of South Tryon Street South 33 degrees 43 minutes 39 seconds West, a distance of 55.20 feet to a point marking the northern corner of Neal Properties Inc (now or formerly) as described in Deed Book 15997, page 472 to a point; THENCE with the northern line of the aforementioned Neal Properties Inc the following two courses and distances: 1) along a curve to the left having an arc length of 10.47 feet, and a radius of 20.00 feet, being subtended by a chord bearing of North 41 degrees 16 minutes 21 seconds West, a distance of 10.35 feet to a point; 2) THENCE North 56 degrees 16 minutes 21 seconds West, a distance of 130.21 feet to a point marking the northeastern corner of Neal Properties Inc (now or formerly) as described in Deed Book 19728, page 393; THENCE with the northern line of the aforementioned Neal Properties North 56 degrees 16 minutes 21 seconds West, a distance of 50.00 feet to a point marking the northeastern corner of Neal Properties Inc (now or formerly) as described in Deed Book 19728, page 397; THENCE with the northern line of the aforementioned Neal Properties North 56 degrees 16 minutes 21 seconds West, a distance of 50.00 feet to an existing bent 1.5-inch pipe marking the northeastern corner of the aforementioned Neal Properties; THENCE with the northern line of the aforementioned Neal Properties North 56 degrees 16 minutes 21 seconds West, a distance of 123.22 feet to a point along the eastern line of Stockbridge 77 Corporate Park LLC (now or formerly) as described in Deed Book 29963, page 889; THENCE along the eastern line of the aforementioned Stockbridge 77 Corporate Park LLC North 02 degrees 04 minutes 52 seconds East, a distance of 58.88 feet to a point marking the southwestern corner of Lester Moultrie & Joan Stowe (now or formerly) as described in Deed Book 1790, page 264; THENCE with the line of the aforementioned Lester Moultrie & Joan Stowe the following three (3) courses and distances: 1) South 56 degrees 16 minutes 12 seconds East, a distance of 33.87 feet to a point; 2) THENCE along a curve to the left having an arc length of 31.42 feet, and a radius of 20.00 feet, being subtended by a chord bearing of North 78 degrees 43 minutes 48 seconds East, a distance of 28.28 feet to a point; 3) THENCE North 33 degrees 43 minutes 48 seconds East, a distance of 80.00 feet to an existing #4 rebar marking the southern terminus of May Street, a 50' public right of way as described in Map Book 6, page 27; THENCE with a line South 56 degrees 16 minutes 21 seconds East, a distance of 50.45 feet to a point marking the western line of the aforementioned Lester Moultrie & Joan Stowe; THENCE with the line of the aforementioned Lester Moultrie & Joan Stowe the following four (4) courses and distances: 1) South 33 degrees 43 minutes 39 seconds West, a distance of 80.29 feet to a point; 2) THENCE along a curve to the left having an arc length of 31.42 feet, and a radius of 20.00 feet, being subtended by a chord bearing of South 11 degrees 16 minutes 21 seconds East, a distance of 28.28 feet to a point; 3) THENCE South 56 degrees 16 minutes 21 seconds East, a distance of 260.00 feet to a point; 4) THENCE along a curve to the left having an arc length of 10.47 feet, and a radius of 20.00 feet, being subtended by a chord bearing of South 71 degrees 16 minutes 21 seconds East, a distance of 10.35 feet to a point and POINT OF BEGINNING, having an area of 0.554 Acres, more or less.



TYPICAL SECTION A-A MAY
STREET EXTENSION

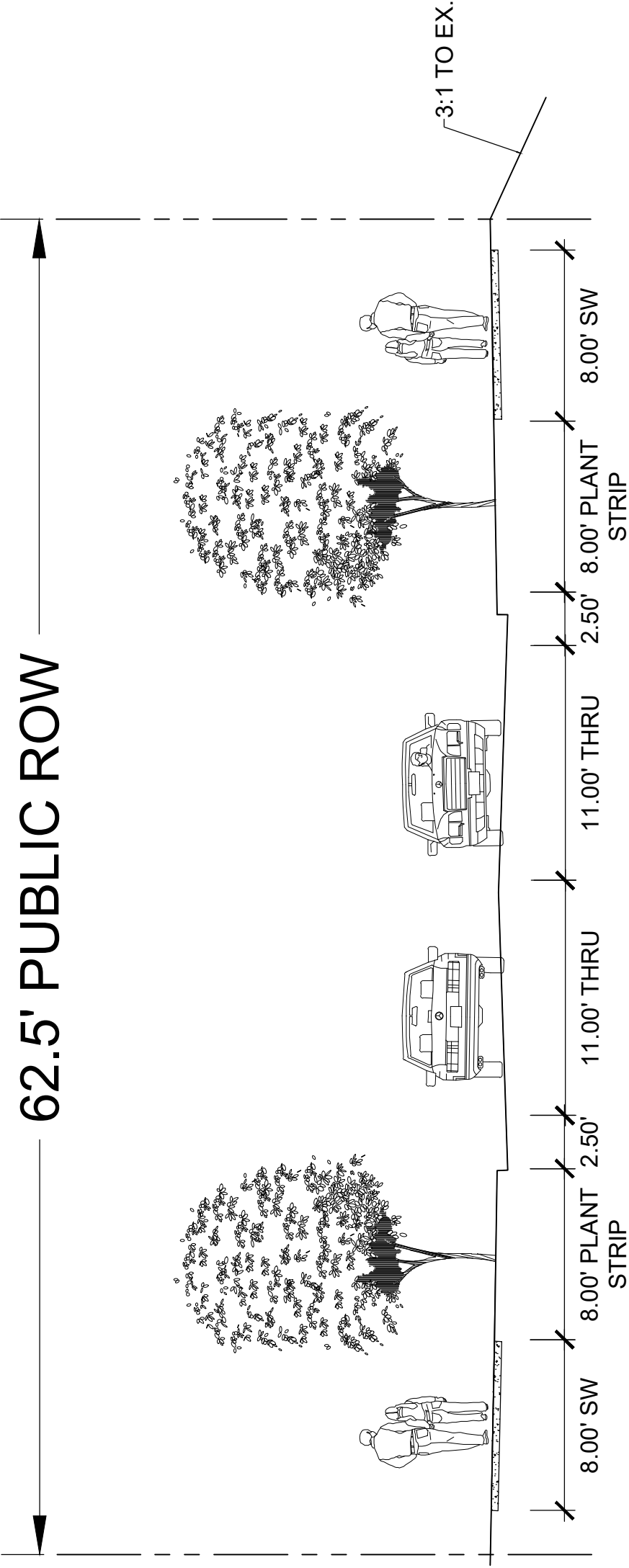
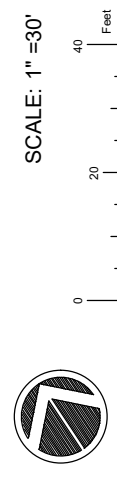
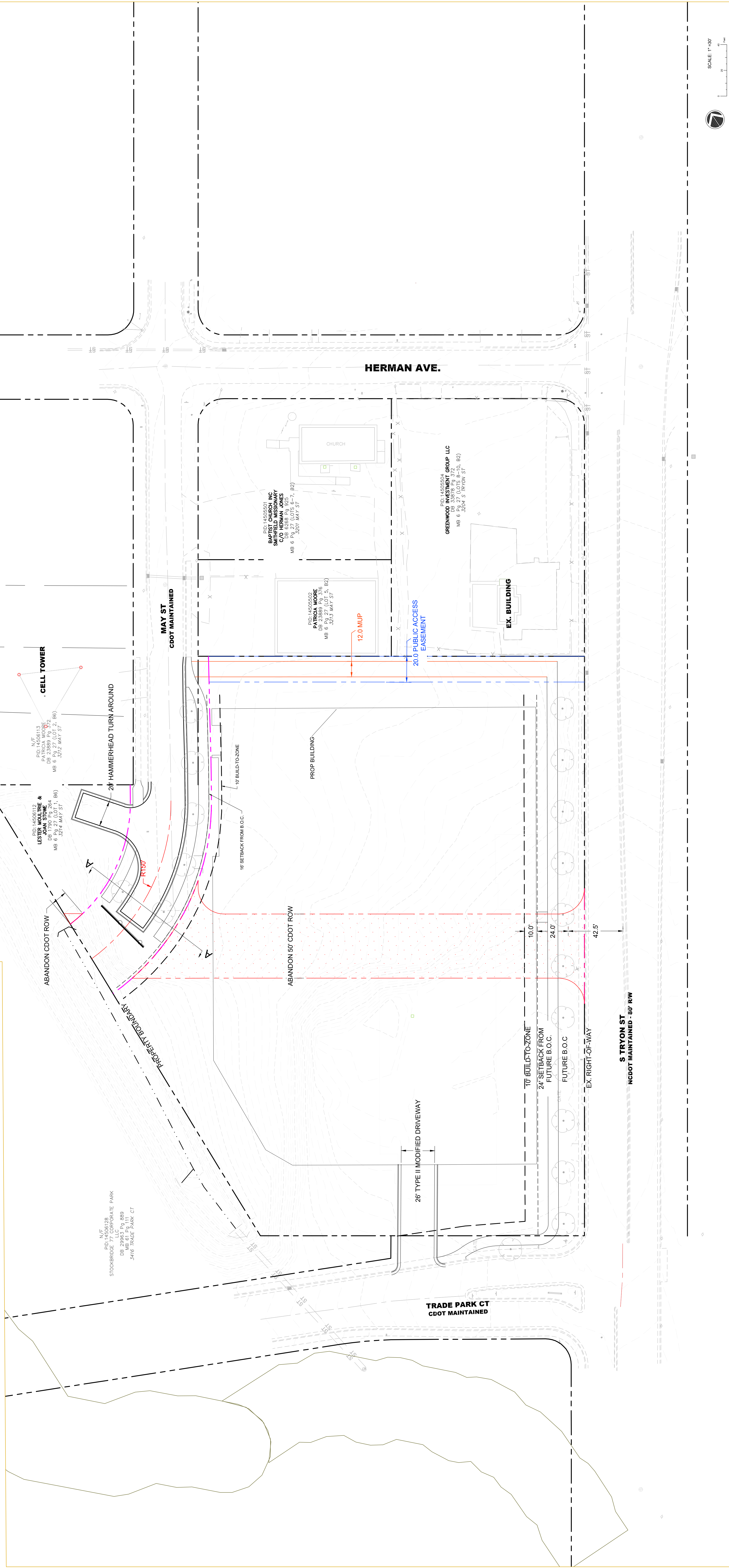


Exhibit C



**RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY
OF CHARLOTTE AND MECKLENBURG COUNTY FOR A TAX INCREMENT
REIMBURSEMENT FOR DEVELOPMENT OF 7TH AND TYRON**

WHEREAS, BP-Metropolitan NC, LLC (the “Developer”) is proposing to develop the 7th and Tryon project in the City of Charlotte (the “City”) to include physical infrastructure such as structured parking, shared services access and public plazas; and

WHEREAS, significant infrastructure improvements are needed to support the project, and in order to make the project financially viable, the Developer has requested a public/private partnership to fund \$24, 448, 588 in public improvements which will be reimbursed by the City and Mecklenburg County (“County”) by way of a 15-year, 45% tax increment grant (“TIG”); and

WHEREAS, the project is anticipated to create a \$409,691,010 estimated total taxable increment value upon completion, and will include a mix of office and retail, multi-family housing, hotel and parking; and

WHEREAS, the County approved its participation in the public/private partnership at its March 15, 2022 meeting of the Board of County Commissions; and

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

WHEREAS, the City has the authority to construct and improve streets (G.S. 160A-296(a)(3)), the City and County have the authority to enter into infrastructure reimbursement agreements with private developers and property owners (SL-2001-329; G.S. 153A-451) and the City has the authority to finance such infrastructure (G.S. 160A-20); and

WHEREAS, the City will enter into an Infrastructure Reimbursement Agreement with the Developer pursuant to which the City will acquire and pay for certain Public Improvements for the project; and

WHEREAS, the County will participate in funding the Public Improvements pursuant to an Interlocal Agreement by making TIG payments to the City.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that the Council does hereby approve an Interlocal Agreement with Mecklenburg County for a tax increment grant and authorized the City Manager to negotiate and execute a contract for the same.

ADOPTED the 13th day of June, 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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 051-052_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

**RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY
OF CHARLOTTE AND MECKLENBURG COUNTY FOR A TAX INCREMENT
REIMBURSEMENT FOR DEVELOPMENT OF PEARL INNOVATION DISTRICT**

WHEREAS, Charlotte Innovation District Management Company (the “Developer”) is proposing to develop an innovation district along McDowell Street between Stonewall Street and Morehead Street, such innovation district to include mixed uses such as a medical school, research facilities, office, retail, hotel and residential housing in the City of Charlotte (the “City”) to include physical infrastructure such as structured parking, shared services access and public plazas; and

WHEREAS, significant infrastructure improvements are needed to support the project, and in order to make the project financially viable, the Developer has requested a public/private partnership to fund an amount not to exceed \$60,000,000 in public improvements which will be reimbursed by the City and Mecklenburg County (“County”) by way of a 15-year, 90% tax increment grant (“TIG”); and

WHEREAS, the project is anticipated to create a \$409,691,010 estimated total taxable increment value upon completion, and will include a mix of office and retail, multi-family housing, hotel and parking; and

WHEREAS, the County approved its participation in the public/private partnership at its December 7, 2021 meeting of the Board of County Commissions; and

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

WHEREAS, the City has the authority to construct and improve streets (G.S. 160A-296(a)(3)), the City and County have the authority to enter into infrastructure reimbursement agreements with private developers and property owners (SL-2001-329; G.S. 153A-451) and the City has the authority to finance such infrastructure (G.S. 160A-20); and

WHEREAS, the City will enter into an Infrastructure Reimbursement Agreement with the Developer pursuant to which the City will acquire and pay for certain Public Improvements for the project; and

WHEREAS, the County will participate in funding the Public Improvements pursuant to an Interlocal Agreement by making TIG payments to the City.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that the Council does hereby approve an Interlocal Agreement with Mecklenburg County for a tax

increment grant and authorized the City Manager to negotiate and execute a contract for the same.

ADOPTED the 13th day of June, 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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 053-059.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

**PEARL INNOVATION DISTRICT INFRASTRUCTURE REIMBURSEMENT
INTERLOCAL AGREEMENT**

This Interlocal Agreement, made ____, 2022 (“Agreement”), by and between the **CITY OF CHARLOTTE**, a municipal corporation organized under the laws of the State of North Carolina (the “City”) and **THE COUNTY OF MECKLENBURG**, a political subdivision of the State of North Carolina (“County”).

WITNESSETH:

WHEREAS, the City has contemporaneously with this Agreement entered into a Tax Increment Grant Infrastructure Reimbursement Agreement with Developer, which agreement contains and sets forth recitals which are incorporated herein by reference;

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

WHEREAS, the City has the authority to construct streets and roads (G.S. 160A-296(a)(3)), the City and the County have the authority to enter into infrastructure reimbursement agreements with developers and property owners (SL 2001-329; G.S. 153A-451), and the City has the authority to finance such infrastructure (G.S. 160A-20);

WHEREAS, the parties hereto desire to set forth their agreement herein;

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein, the parties agree as follows:

ARTICLE I

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

“*Agreement*” means this Interlocal Agreement between the City and the County, and any amendment or supplement thereto.

“*Baseline Tax (City)*” refers to the total real and personal ad valorem taxes assessed by the City against the Increment District for the Baseline Tax Year.

“*Baseline Tax (County)*” refers to the total real and personal ad valorem taxes assessed by the County against the Increment District for the Baseline Tax Year.

“*Baseline Tax Year*” refers to the City’s and County’s 2022 Fiscal Year (i.e. the period from July 1, 2021 to June 30, 2022) in connection with which the valuation of the Increment District for tax purposes will be established as of January 1, 2021.

“Developer” means collectively The Pearl Innovation District Management Company, a corporation that is authorized to do business in North Carolina.

“Fiscal Year” means the fiscal year of the City and County which extends from July 1 to June 30th of the immediately following calendar year. For example, fiscal year 2022 extends from July 1, 2021 to June 30, 2022.

“Increment District” shall mean the area and properties depicted and identified on Exhibit B to the Infrastructure Reimbursement Agreement to the extent that such properties are located within the City and the County.

“Incremental Tax Increase Amount (City)” means, as to each Fiscal Year after the Baseline Tax Year, the amount by which (i) the total real and personal ad valorem taxes levied by the City on the Increment District for such Fiscal Year and collected by February 1 of the Fiscal Year (including any delinquent taxes collected for a prior fiscal year) exceed (ii) the Baseline Tax (City).

“Incremental Tax Increase Amount (County)” shall mean, as to the Fiscal Year after the Baseline Tax Year, the amount by which (i) the total real and personal ad valorem taxes levied by the County on the Increment District for such Fiscal Year and collected by February 1 of the Fiscal Year (including delinquent taxes collected for a prior fiscal year) exceed (ii) the Baseline Tax (County).

“Infrastructure Reimbursement Agreement” means the agreement between the City and Developer that requires the Developer to construct certain Public Improvements and the City to fund a portion of such improvements.

“Installment” means each annual payment of principal and interest due and payable pursuant to City’s infrastructure reimbursement agreement with Developer.

“Installment Commencement Notice” means written notice given by Developer to the City of Developer’s desire for the City to commence paying to the Developer the Installments.

“Interlocal Act” means Section 160A-460 et seq. of the General Statutes of North Carolina, as amended.

“Public Improvements” means those roadway, streetscape, sidewalk, landscaping, irrigation, signage, traffic signal facilities, parking and other similar improvements for the benefit of the City described in Exhibit B attached to the Infrastructure Reimbursement Agreement.

“Tax Increment Payment” means a payment determined by some percentage of incremental taxes from within the Increment District pursuant to an Infrastructure Reimbursement Agreement.

ARTICLE II

Under the laws of the State of North Carolina, the City has the authority to build and otherwise improve streets (G.S. 160A-296(a)(3)), the City and the County have the authority to reimburse property owners and developers for the design and construction of municipal infrastructure including streets (SL 2001-329; G.S. 153A-451). The City and the County are entering into this Agreement under the Interlocal Act to cooperate in the design, construction, and financing of the Public Improvements contemplated in the Infrastructure Reimbursement Agreement.

ARTICLE III

REIMBURSEMENT FOR THE INFRASTRUCTURE IMPROVEMENTS

3.1 *Reimbursement.* The City will be responsible for acquiring the Public Improvements from the Developer pursuant to the terms of the Infrastructure Reimbursement Agreement. Other than as provided in this Interlocal Agreement, the County will have no obligation to pay for the acquisition or financing of the Public Improvements.

3.2 *County incremental tax contribution.*

- a. The County shall make annual payments to the City on or before March 1 beginning in the calendar year that immediately follows the delivery by the Developer to the City of the Installment Commencement Notice.
- b. Annual payments shall be an amount equal to 90% of the Incremental Tax Increase Amount (County).
- c. The County's payment obligations shall terminate upon the earlier of: (i) payment by the City to the Developer of all outstanding principal and interest pursuant to the Infrastructure Reimbursement Agreement; or (ii) the fifteenth (15th) annual payment.
- d. In the year in which a payment by the City to Developer pursuant to the Infrastructure Reimbursement Agreement will satisfy the City's repayment obligation, the County's payment to the City shall be that percentage of Incremental Tax Increase Amount (County) that together with the same percentage of Incremental Tax Increase Amount (City) will be sufficient to satisfy the City's repayment obligation to Developer.

3.3. *Method of payment.* The County shall make all payments pursuant to this Agreement directly to the City and payments shall not be made in whole or in part as a set off to other obligations of the City to the County or the County to the City. Interest for late payments by the County shall accrue at a rate equal to the interest rate established for the City's reimbursement of Developer pursuant to the Infrastructure Reimbursement Agreement.

ARTICLE IV DURATION

This Agreement will terminate when the City's obligations under the Infrastructure Reimbursement Agreement are satisfied or said agreement is earlier terminated.

ARTICLE V MISCELLANEOUS

5.1. Amendment. This Agreement may be amended through a supplement approved in writing by the City and the County.

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

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

5.4. Time is of the essence. Time is of the essence in this Agreement.

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

5.6. Effective Date. This Agreement takes effect on its execution by the City and the County.

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

CITY OF CHARLOTTE

COUNTY OF MECKLENBURG

Attest:

Attest:

City Clerk

Clerk to Board of County Commissioners

(SEAL)

(SEAL)

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

No Pre-Audit Required.

County Finance Director

City Finance Director

APPROVED AS TO FORM

County Attorney

RESOLUTION AUTHORIZING UPSET BID PROCESS

WHEREAS, the City of Charlotte (“City”) owns a certain parcel of real property containing approximately 1.940 acres, having a Tax Parcel Number 078-212-01, commonly known as 600 French Street, in Charlotte, North Carolina;

WHEREAS, North Carolina General Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer for the property is made;

WHEREAS, TDC Biddleville II, LLC, a North Carolina limited liability company (“TDC”) has made an offer to purchase a portion of the above identified property consisting of 2,396 square feet (0.06 acre), including a Temporary Construction Easement (“TCE”), both of which are shown on the Subdivision Plat attached hereto as Exhibit A, and incorporated herein by reference (hereinafter, the “Property”);

WHEREAS, if TDC qualifies as the highest and final bidder, TDC intends to combine the Property with three (3) tracts of adjacent land for development of townhomes;

WHEREAS, TDC has paid the required five percent (5%) deposit on the offer.

THEREFORE, THE CITY OF CHARLOTTE CITY COUNCIL RESOLVES THAT:

1. The City of Charlotte City Council (“City Council”) authorizes the sale of the Property described above through the upset bid procedure of the North Carolina General Statute §160A-269.
2. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the Property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a qualifying increased bid to the office of the City Clerk within ten (10) days after the notice of sale is published.
4. If a qualifying increased bid is received, the City Clerk shall cause a new notice of upset bid to be published and shall continue to do so until the ten (10) day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.

5. A qualifying increased bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying increased bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, certified check, or other immediately available funds. The City will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. At closing, the City will return the deposit of the final high bidder or credit the amount thereof toward the purchase price.
7. The terms of the final sale are that;
 - a. The offer that the City Council intends to accept, subject to the upset bid procedures provided by statute, is \$60,675.00. Any upset bids shall be based upon the total amount proposed to be accepted by the City Council;
 - b. The City must approve the final high offer before the sale is closed, which it will consider, unless the Property is withdrawn from sale, within 30 days after the final upset bid period has passed;
 - c. The buyer must pay with cash, or other good funds, at the time of closing which shall be no later than ninety (90) days from the end of the final upset bid period; and
 - d. City shall convey the Property to buyer by non-warranty deed.
8. The City reserves the right to withdraw the Property from sale at any time before the final high bid is accepted, and the right to reject at any time all bids.
9. If there are no qualifying upset bids received during the initial upset bid period, the offer set forth above is hereby accepted. Upon such event, the City Manager, or his designee, is authorized to execute the instruments necessary to convey the Property and a TCE to TDC Biddleville II, LLC.

Adopted this 13th day of June 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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 060-063.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

TIMOTHY A. CHRISTIAN - NCPLS #4878
TIM CHRISTIAN SURVEYING, P.C. - LIC.# C-4717
7811 OLD CONCORD RD, CHARLOTTE, N.C. 28213
PHONE: (704)858-7680
"BEAT526-36"
FB EDC

CERTIFICATION:

I, TIMOTHY A. CHRISTIAN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 3248 PAGE 209, OF THE MECKLENBURG COUNTY PUBLIC REGISTRY); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN DEED BOOK 35939 PAGE 5; THAT THE RATIO OF PRECISION IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS 4th DAY OF MAY, A.D., 2022.

Exhibit A

PRELIMINARY

TIMOTHY A. CHRISTIAN

PLS #4878

NOTES:

NO PORTIONS OF THE PROPERTIES SHOWN LIE IN A SPECIAL FLOOD HAZARD AREA PER FEMA FIRM PANEL #3710454500K, DATED 09/02/2015.

AREA COMPUTED BY COORDINATE METHOD.

ZONING IS I-2 PER MECK. COUNTY GIS.

OTHER EASEMENTS, SETBACKS, RIGHT OF WAYS, OR UNDERGROUND UTILITIES MAY EXIST WHICH MAY NOT BE SHOWN.

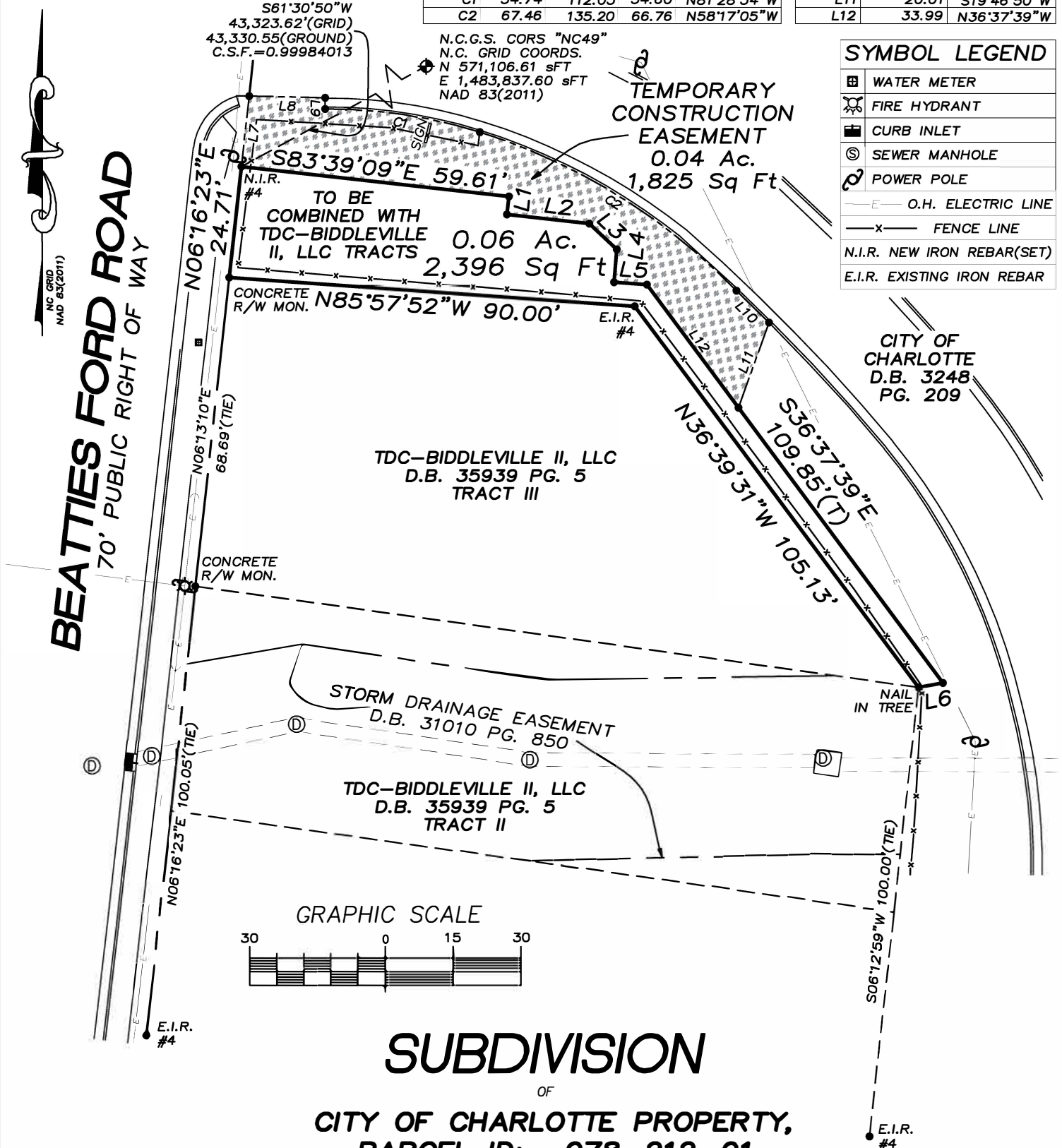
NEW IRON REBAR (#4) OR MAG. NAILS SET AT ALL NEW PROPERTY CORNERS UNLESS OTHERWISE NOTED.

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	CHD.BRNG
C1	34.74	112.05	34.60	N81°28'54"W
C2	67.46	135.20	66.76	N58°17'05"W

LINE TABLE		
LINE	LENGTH	BEARING
L1	4.02	S06°18'59"W
L2	18.27	S83°41'01"E
L3	8.37	S46°43'17"E
L4	7.25	S04°30'49"W
L5	7.26	S85°57'52"E
L6	5.50	S79°27'35"W
L7	15.70	N06°16'23"E
L8	16.81	S88°46'45"E
L9	2.50	S00°21'48"E
L10	10.09	S45°43'53"E
L11	20.01	S19°46'50"W
L12	33.99	N36°37'39"W

SYMBOL LEGEND

	WATER METER
	FIRE HYDRANT
	CURB INLET
	SEWER MANHOLE
	POWER POLE
	O.H. ELECTRIC LINE
	FENCE LINE
	N.I.R. NEW IRON REBAR(SET)
	E.I.R. EXISTING IRON REBAR



SUBDIVISION

OF

**CITY OF CHARLOTTE PROPERTY,
PARCEL ID: 078-212-01**

CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

SCALE 1"=30'

THE PROPERTY OF: CITY OF CHARLOTTE

MAP RECORDED IN BOOK 11 AT PAGE 209 DEED RECORDED IN BOOK 7759 PAGE 672

**RESOLUTION AUTHORIZING THE CONVEYANCE
OF TITLE TO
VANTAGE POINTE TOWNHOME ASSOCIATION, INC.**

WHEREAS, to the extent the City holds any valid title or interest in and to that certain common area parcel (“Common Area”) within the Vantage Pointe Townhome community, more particularly described in Map Book 39, Page 135 at the Mecklenburg County Register of Deeds (the “Registry”), as a result of its receipt of a deed from Northwest Corridor Community Development Corporation on August 11, 2021, of record in the Registry at Deed Book 33240, Page 971, it desires to convey the same by quit claim deed to the Vantage Pointe Townhome Association, Inc. (the “Association”) to clear any title defect which may frustrate the ability of the Association to operate properly and in consideration and support of the development of affordable housing within the said townhome community by DKP Vantage Pointe, LLC, pursuant to that resolution of City Council on March 22, 2021 in the City Clerk’s records at Book 51, Page 269 (the “Resolution”);

WHEREAS, DKP Vantage Pointe, LLC, desires for the City to approve conveyance of the Common Area to the Association prior to its closing on the twelve lots authorized for sale by the Resolution in furtherance of the development of affordable housing;

WHEREAS, the conveyance to the Association shall occur as soon as practicable, but not before the matter is heard by Charlotte-Mecklenburg Planning Commission for comment on June 21, 2022; and

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

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, that, pursuant to Section 8.22 of the City of Charlotte Charter, it hereby authorizes the City to convey title to the Common Area, by non-warranty deed, to Vantage Pointe Townhome Association, Inc. for the purpose of clearing any title issue thereon, and in consideration and support of the development of affordable housing within the Vantage Pointe Townhome community, and no other consideration. The City Manager, or his Designee, is authorized to execute such documents and instruments necessary to effectuate such conveyance in conformity herewith.

THIS THE 13th DAY OF JUNE 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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 064-065.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

RESOLUTION PROVIDING APPROVAL OF A MULTIFAMILY HOUSING FACILITY TO BE KNOWN AS BALLANTYNE SENIORS IN THE CITY OF CHARLOTTE, NORTH CAROLINA AND THE FINANCING THEREOF WITH MULTIFAMILY HOUSING REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$12,500,000

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 13th day of June, 2022; and

WHEREAS, INLIVIAN (the “Issuer”) has tentatively agreed to issue its multifamily housing revenue bonds in an amount not to exceed \$12,500,000 (the “Bonds”), for the purpose of financing the acquisition, construction and equipping by Ballantyne Seniors, 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 Ballantyne Seniors (the “Development”); and

WHEREAS, the Development will consist of approximately 82 units and related facilities, located at approximately 15201 Ballancroft Parkway 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 May 12, 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 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 \$12,500,000 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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 066-072.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

Exhibit A

Certificate and Summary of Public Hearing

(Attached)

CERTIFICATE AND SUMMARY

The undersigned designated hearing officer of INLIVIAN hereby certifies as follows:

1. Notice of a public hearing (the "Hearing") to be held on May 12, 2022, with respect to the issuance of bonds by INLIVIAN for the benefit of Ballantyne Seniors, LLC, a North Carolina limited liability company, or an affiliate or subsidiary thereof (the "Borrower") was published on May 4, 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 12th day of May, 2022.

By: 
Name: Kevin Boyett
Title: 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 BALLANTYNE SENIORS APARTMENTS

WHEREAS, Laurel Street Residential, LLC, a North Carolina limited liability company, or an affiliated or related entity (the "Borrower"), has requested that INLIVIAN (the "Authority") assist in financing the acquisition, construction and equipping of an 82-unit multifamily housing development for seniors to be known as Ballantyne Seniors Apartments and located on Ballancroft Parkway in the City of 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 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 Twelve Million Five Hundred Thousand Dollars (\$12,500,000) 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 on November 16, 2021.

By: 
A. Fulton Meachem, Jr., Secretary

RESOLUTION CONFIRMING APPROVAL OF A MULTIFAMILY HOUSING FACILITY TO BE KNOWN AS UNION AT TRYON IN THE CITY OF CHARLOTTE, NORTH CAROLINA AND THE FINANCING THEREOF WITH MULTIFAMILY HOUSING REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$20,800,000

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 13th day of June, 2022; and

WHEREAS, INLIVIAN (formerly known as the Housing Authority of the City of Charlotte, N.C.) (the “Issuer”) has tentatively agreed to issue its multifamily housing revenue bonds in an amount not to exceed \$20,800,000 (the “Bonds”), for the purpose of financing the acquisition, construction and equipping by Union at Tryon, LP, an Indiana limited partnership, or an affiliated or related entity (the “Borrower”), of a multifamily residential rental facility to be known as Union at Tryon (the “Development”); and

WHEREAS, the Development will consist of approximately 200 units in three residential buildings and related facilities, located on an approximately 7.52-acre site at 7910 North Tryon Street 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 May 5, 2021, 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 on June 14, 2021, the City Council adopted a resolution approving the issuance of the Bonds solely to satisfy the requirements of Section 147(f) of the Code; and

WHEREAS, under the Code, bonds approved by an elected body for purposes of Section 147(f) of the Code must be issued within one year of the date of such approval; and

WHEREAS, due to an unexpected delay in completing the financing for the Development, the closing of the Bonds has been delayed such that the Bonds will not be issued by June 14, 2022; and

WHEREAS, the Issuer and the Borrower have requested the City Council confirm its approval of the issuance of the Bonds solely to satisfy the requirements of Section 147(f) of the Code; and

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

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

Council member 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,

Nays: None

Watlington, Johnson, Newton, Bokhari, Driggs

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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 073-076.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 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 designated hearing officer of INLIVIAN hereby certifies as follows:

1. Notice of a public hearing (the "Hearing") to be held on May 12, 2022, with respect to the issuance of bonds by INLIVIAN for the benefit of North Tryon Homes LLC, a North Carolina limited liability company, or an affiliate or subsidiary thereof (the "Borrower") was published on May 4, 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 12th day of May, 2022.

By: 
Name: Kevin Boyett
Title: Hearing Officer

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31
GARRISON ROAD INDUSTRIAL PHASE 1 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 5:00 p.m. on July 11, 2022.

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

LEGAL DESCRIPTION

Commencing at an existing NGS Monument "Horton" having NC Grid NAD 83 (2011) coordinates of N:530,272.85; E:1,411,689.07; thence South 35°55'12" West a horizontal ground distance of 3296.99 feet to an existing 1/2" iron rod, situated at the southeasterly corner of the lands of Sheri S. Higgins as described in Deed Book 27004, Page 414, all Deed and Map Books are recorded in the Mecklenburg County Public Register of Deeds and shown as Lot 1 on Map Book 53, Page 849, with the westerly line of the lands of SL Horton Road, LLC as described in Deed Book 32765, Page 3 and shown on Map Book 67, Page 940, and being the Point of Beginning; thence along the aforesaid westerly line South 18°06'52" West a distance of 47.91 feet to an existing 1/2" iron rod, situated on the northerly line of the lands of Mecklenburg County as described in Deed Book 23229, Page 795; thence along the northerly and westerly line of the aforesaid lands for the following three (3) courses and distances; 1) South 62°48'43" West a distance of 374.51 feet to an existing 1/2" iron pipe in stone; 2) South 08°13'58" West a distance of 334.59 feet to an existing 1/2" iron rod; 3) South 07°55'26" West a distance of 446.65 feet to a new 1/2" iron rod, situated on the northerly line of the lands of Mecklenburg County as described in Deed 14350, Page 408 and shown as Tract 4 on Map Book 38, Page 521; thence along the northerly and westerly line of the aforesaid lands for the following three (3) courses and distances; 1) South 65°39'50" West a distance of 476.74 feet to an existing 1" iron pipe; 2) South 00°21'51" West a distance of 33.01 feet to a point; 3) South 03°49'24" West a distance of 790.26 feet to point, situated on the northerly line of the lands of Mecklenburg County as described in Deed 14350, Page 402 and shown as Tract 1 on Map Book 60, Page 524, said point also lying the centerline of a Beaverdam Creek Tributary Before a Creek Restoration Project was completed; thence along the centerline of a aforesaid Creek for the following sixty-six (66) courses and distances; 1) South 61°52'30" West a distance of 21.86 feet to a point; 2) South 34°14'26" West a distance of 37.79 feet to a point; 3) South 35°21'12" West a distance of 39.94 feet to a point; 4) South 57°51'47" West a distance of 15.09 feet to a point; 5) South 69°43'33" West a distance of 38.37 feet to a point; 6) South 56°23'25" West a distance

of 27.82 feet to a point; 7) South 42°56'59" West a distance of 35.37 feet to a point; 8) South 26°25'01" West a distance of 26.50 feet to a point; 9) South 24°16'42" West a distance of 23.66 feet to a point; 10) South 31°04'55" West a distance of 22.80 feet to a point; 11) South 40°25'22" West a distance of 37.98 feet to a point; 12) South 73°40'13" West a distance of 51.14 feet to a point; 13) South 64°09'30" West a distance of 40.74 feet to a point; 14) South 40°36'03" West a distance of 28.91 feet to a point; 15) South 74°20'12" West a distance of 44.21 feet to a point; 16) South 72°48'31" West a distance of 30.08 feet to a point; 17) South 55°35'40" West a distance of 58.20 feet to a point; 18) South 72°24'52" West a distance of 28.76 feet to a point; 19) North 88°55'42" West a distance of 19.29 feet to a point; 20) South 79°35'15" West a distance of 40.95 feet to a point; 21) South 74°29'47" West a distance of 42.68 feet to a point; 22) South 82°25'17" West a distance of 35.24 feet to a point; 23) South 87°34'45" West a distance of 35.00 feet to a point; 24) South 69°30'16" West a distance of 46.29 feet to a point; 25) South 58°17'21" West a distance of 28.40 feet to a point; 26) South 60°00'38" West a distance of 38.72 feet to a point; 27) South 88°24'05" West a distance of 36.24 feet to a point; 28) South 62°22'42" West a distance of 25.40 feet to a point; 29) South 53°01'10" West a distance of 42.90 feet to a point; 30) South 73°05'56" West a distance of 35.76 feet to a point; 31) South 82°09'06" West a distance of 31.22 feet to a point; 32) South 48°57'39" West a distance of 22.89 feet to a point; 33) South 60°40'05" West a distance of 22.22 feet to a point; 34) North 54°16'57" West a distance of 8.89 feet to a point; 35) North 54°09'07" West a distance of 25.86 feet to a point; 36) South 88°33'57" West a distance of 11.78 feet to a point; 37) South 26°18'53" West a distance of 19.85 feet to a point; 38) South 01°43'25" East a distance of 27.11 feet to a point; 39) South 24°01'33" East a distance of 30.87 feet to a point; 40) South 04°13'48" East a distance of 35.27 feet to a point; 41) South 01°17'43" West a distance of 48.05 feet to a point; 42) South 01°27'34" West a distance of 41.93 feet to a point; 43) South 42°41'04" West a distance of 29.24 feet to a point; 44) North 83°45'09" West a distance of 36.57 feet to a point; 45) South 52°58'59" West a distance of 28.45 feet to a point; 46) South 33°50'58" West a distance of 15.81 feet to a point; 47) South 32°11'15" West a distance of 34.02 feet to a point; 48) South 29°08'15" West a distance of 55.81 feet to a point; 49) South 69°51'53" West a distance of 41.49 feet to a point; 50) North 83°00'18" West a distance of 38.84 feet to a point; 51) South 65°15'39" West a distance of 24.88 feet to a point; 52) South 39°06'44" West a distance of 29.53 feet to a point; 53) South 54°37'10" West a distance of 44.03 feet to a point; 54) South 83°09'17" West a distance of 41.92 feet to a point; 55) South 84°59'27" West a distance of 41.19 feet to a point; 56) South 80°43'42" West a distance of 17.57 feet to a point; 57) South 51°20'01" West a distance of 28.57 feet to a point; 58) South 09°20'48" East a distance of 25.17 feet to a point; 59) South 21°04'31" East a distance of 28.12 feet to a point; 60) South 30°59'52" East a distance of 32.57 feet to a point; 61) South 16°05'29" West a distance of 41.85 feet to a point; 62) South 23°16'03" West a distance of 34.06 feet to a point; 63) South 57°45'09" West a distance of 28.63 feet to a point; 64) North 88°37'24" West a distance of 34.00 feet to a point; 65) South 66°19'10" West a distance of 12.92 feet to a point; 66) South 37°49'21" West a distance of 19.31 feet to a point, situated on the northerly line of the lands of Mecklenburg County as described in Deed 24799, Page 269; thence continue along the aforesaid centerline of Beaverdam Creek Tributary and along the northerly and westerly line of the aforesaid lands for the following four (4) courses and distances; 1) South 37°53'34" West a distance of 7.88 feet to a point; 2) South 31°07'49" West a distance of 38.98 feet to a point; 3) South 27°39'41" West a distance of 79.42 feet to a point; 4) South 32°22'55" West a distance of 32.11 feet to a point; thence departing the aforesaid Creek and along the northerly line of the lands of Dixie River Land Company, LLC as described in Deed Book 12722, Page 642, North 86°01'45" West a distance of 785.89 feet to a new 1/2" iron rod, situated on the easterly line of the lands of Berewick Homeowners Association, Inc. as described in Deed Book 33446, Page 264 and shown as Common Open Space 3 on Map Book 56, Page 899; thence along the

easterly line of the of the aforesaid lands, also as shown on Map Book 59, Page 134 for the following three (3) courses and distances; 1) North 34°50'03" West a distance of 224.30 feet to an existing 1/2" iron rod; 2) North 17°29'59" West a distance of 66.01 feet to a new 1/2" iron rod; 3) North 12°28'44" West a distance of 285.12 feet to an existing 1/2" iron rod, situated on the southerly line of the lands of Onsite Holdings, LLC as described in Deed Book 27099, Page 305; thence along the easterly line of the aforesaid lands North 12°05'17" West a distance of 257.76 feet to an existing 1" iron pipe, situated on the situated on the southerly line of the lands of Bernie Wallace Grier as described in Deed Book 1154, Page 397 and Deed Book 1604, Page 496; thence along the easterly line of the aforesaid lands for the following three (3) courses and distances; 1) North 11°57'34" West a distance of 147.30 feet to an existing 1/2" iron rod; 2) North 14°34'32" West a distance of 216.27 feet to an existing 1/2" iron rod; 3) North 12°10'58" East a distance of 625.10 feet to an existing 1" iron pipe, situated on the southerly line of the lands of Henrietta and Margaret Woodard as described in Deed Book 1604, Page 593; thence along the easterly line of the aforesaid lands North 13°12'31" East a distance of 199.82 feet to a new 1/2" iron rod, situated on the southerly line of the lands of Kyle Short as described in Deed Book 31692, Page 83; thence along the easterly line of the aforesaid lands and along the easterly line of the lands of Lachelle M. and Phillip J. Crosby as described in Deed Book 31140, Page 5 for the following two (2) courses and distances; 1) North 10°29'53" East a distance of 203.65 feet to an existing 1" iron pipe; 2) North 15°16'43" East a distance of 312.98 feet to a new 1/2" iron rod, situated on the southerly line of the lands of Crescent River District, LLC as described in Deed Book 35876, Page 75 and shown on Map Book 37, Page 511; thence along the aforesaid southerly line South 83°21'41" East passing an existing 1/2" iron rod at 1270.53 feet, for a total distance of 1299.86 feet to an existing nail, situated in the centerline of Garrison Road (an assumed 60' public right-of-way) as shown on Map Book 33, Page 513; thence along the aforesaid centerline for the following two (2) courses and distances; 1) North 37°42'01" East a distance of 74.34 feet to an existing nail; 2) North 34°41'23" East a distance of 967.46 feet to an existing nail, situated on the southerly line of the lands of Dreamstatus Living Trust as described in Deed Book 27556, Page 198; thence along the southerly, easterly and northerly line of the aforesaid lands for the following four (4) courses and distances; 1) South 58°23'45" East a distance of 420.00 feet to an existing 1/2" iron rod; 2) North 34°34'34" East a distance of 105.01 feet to an existing 1/2" iron rod; 3) North 45°40'43" East a distance of 105.01 feet to an existing 1/2" iron rod; 4) North 58°25'32" West a distance of 420.00 feet to an existing 1/2" iron rod; 5) North 57°32'29" West a distance of 14.97 feet to an existing nail, situated in the centerline of Garrison Road (an assumed 60' public right-of-way) as shown on Map Book 53, Page 849; thence along the aforesaid centerline North 47°06'35" East a distance of 558.23 feet to a new nail, situated on the southerly line of the lands of Robert L. Sr. and Eva C. Swaney as described in Deed Book 5744, Page 479; thence along the southerly line of aforesaid lands for the following two (2) courses and distances; 1) South 48°00'40" East a distance of 471.82 feet to an existing 1" iron pipe; 2) South 88°04'12" East a distance of 81.73 feet to an existing 5/8" iron pipe, situated on the westerly line of the lands of Sheri S. Higgins as described in Deed Book 27004, Page 414 and shown as Lot 1 on Map Book 53, Page 849; thence along the southerly line of the aforesaid lands South 67°24'49" East a distance of 503.41 feet to the Point of Beginning, Containing 6,520,931 square feet or 149.7000 acres, as shown on a survey prepared by Cloninger Surveying and Mapping, PLLC dated April 16, 2021 (File No. 1016).

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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 077-080.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE A PORTION OF THE ALLEYWAY BETWEEN SYLVANIA AVENUE AND DUNLOE STREET in the City of Charlotte, Mecklenburg County, North Carolina.

Whereas, Stephen Ernest Lee, Sr. and Diane Lee Hoffman has filed a petition to close a Portion of the Alleyway between Sylvania Avenue and Dunloe Street in the City of Charlotte; and

Whereas, Portion of the Alleyway between Sylvania Avenue and Dunloe Street containing 2,039 square feet or 0.0468 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 June 13, 2022, that it intends to close a Portion of the Alleyway between Sylvania Avenue and Dunloe 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 the Alleyway between Sylvania Avenue and Dunloe Street, to be conducted at 5:00 p.m., or as soon thereafter as practicable, on Monday, the 11th day of July 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 the Alleyway between Sylvania Avenue and Dunloe 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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 081-082.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

RESOLUTION DECLARING INTENT TO ABANDON AND 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, BinacoSC, LLC has filed a petition to close a Portion of the Alleyway off South Poplar Street between South Poplar Street and 4th Street in the City of Charlotte; and

Whereas, a Portion of the Alleyway off South Poplar Street between South Poplar Street and 4th Street containing 695 square feet or 0.016 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 June 13, 2022, that it intends to close a Portion of the Alleyway off South Poplar Street between South Poplar Street and 4th 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 the Alleyway off South Poplar Street between South Poplar Street and 4th Street, to be conducted at 5:00 p.m., or as soon thereafter as practicable, on Monday, the 11th day of July 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 the Alleyway off South Poplar Street between South Poplar Street and 4th Street. To speak at the public hearing, please call the City Clerk’s office at 704-336-2248 or sign up online at <https://charlottenc.gov/CityClerk/Pages/Speak.aspx>. 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.

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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 083-084.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

RESOLUTION DECLARING INTENT TO ABANDON AND CLOSE A PORTION OF THE UNOPENED PEGRAM STREET RIGHT-OF-WAY in the City of Charlotte, Mecklenburg County, North Carolina.

Whereas, JBH Development, LLC has filed a petition to close a Portion of the Unopened Pegram Street Right-of-Way in the City of Charlotte; and

Whereas, Portion of the Unopened Pegram Street Right-of-Way containing 21,108 square feet or 0.485 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 June 13, 2022, that it intends to close a Portion of the Unopened Pegram Street Right-of-Way 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 the Unopened Pegram Street Right-of-Way, to be conducted at 5:00 p.m., or as soon thereafter as practicable, on Monday, the 11th day of July 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 the Unopened Pegram Street Right-of-Way. 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.

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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 085-086.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES

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

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

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 13th day of June that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set up and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 087-088.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 2022.



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

Stephanie C. Kelly, City Clerk, MMC, NCCMC

Taxpayers and Refunds Requested

AMPI JOURNAL PROPERTIES LLC	\$72,301.39
AMPI JOURNAL PROPERTIES LLC	\$72,301.39
AMPI JOURNAL PROPERTIES LLC	\$72,301.39
BENNY PENNELLOS	\$868.04
BENNY PENNELLOS	\$812.66
BENNY PENNELLOS	\$750.68
DONEY, MICHAEL J	\$2.44
H & P BUSINESS CTR	\$75.72
HASSAN, IBRAHIM MOHAMED	\$14.46
HC ELM LLC	\$3,001.32
HEWLETT PACKARD FINANCIAL SERVICES	\$1,784.27
JENKINS, TARA ELAINE	\$69.43
SOUTHPARK MALL LTD PARTNERSHIP #7605	\$3,335.53
SOUTHPARK MALL LTD PARTNERSHIP #7605	\$2,799.31
SOUTHPARK MALL LTD PARTNERSHIP #7605	\$1,924.79
SOUTHPARK MALL LTD PARTNERSHIP #7605	\$892.94
OVALLE, MINERVA ERICA	\$4.30
OVALLE, MINERVA ERICA	\$4.21
OVALLE, MINERVA ERICA	\$3.07
OVALLE, MINERVA ERICA	\$3.06
OVALLE, MINERVA ERICA	\$3.06
WEBB, KIMBERLY R	\$156.65
WHITEHEAD, MICHAEL TERRY	\$1.91
	<hr/>
	\$233,412.02
	<hr/>

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **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:

2,626 sq. ft. (0.06 acre)) of Sidewalk/Utility Easement

1,386 sq. ft. (0.03 acre) of Temporary Construction Easement

85 sq. ft. (0.00 acre) of Permanent Shelter Easement

872 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. 161-071-18 said property currently owned by **DOMAR-4500 MONROE, LLC, AND WATERS-4500 MONROE, 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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 089.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 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:

158 sq. ft. (0.004 acre)) of Sidewalk/Utility Easement

251 sq. ft. (0.006 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. 161-082-22 said property currently owned by **QUAD HOLDINGS OF NC, 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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 090.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 2022.



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

Stephanie C. Kelly, City Clerk, MMC, NCCMC

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **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:

1,096 sq. ft. (0.025 acre)) of Sidewalk/Utility Easement
1,219 sq. ft. (0.028 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. 161-081-17 said property currently owned by **THE HEAD SHOP, 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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 091.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 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:

110 sq. ft. (0.003 acre)) of Permanent Shelter Easement
205 sq. ft. (0.005 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. 161-108-37 said property currently owned by **COMMUNICATIONS WORKERS OF AMERICA LOCAL No. 3603**, or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

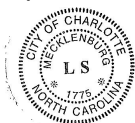
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 092.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 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:

1,180 sq. ft. (0.027 acre)) of Permanent Greenway Easement
2,790 sq. ft. (0.064 acre) of Temporary Construction Easement
2,642 sq. ft. (0.061 acre) of Sidewalk/Utility Easement

and any additional property or interest as the City may determine to complete the Project as it relates to Tax Parcel No. 089-111-07 said property currently owned by **GREAT ESCAPE PROPERTIES, 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 13th day of June 2022, the reference having been made in Minute Book 156 and recorded in full in Resolution Book 53, Page(s) 093.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 13th day of June 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC