

RESOLUTION PROVIDING APPROVAL OF INLIVIAN'S ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$40,000,000 FOR THE FINANCING OF A MULTIFAMILY HOUSING FACILITY TO BE KNOWN AS ALLEGHANY CROSSING IN THE CITY OF CHARLOTTE, NORTH CAROLINA

WHEREAS, the City Council (the "City Council") of the City of Charlotte (the "City") met in Charlotte, North Carolina at 6:30 p.m. on the 9th day of October, 2023; and

WHEREAS, INLIVIAN (the "Issuer") has tentatively agreed to issue its multifamily housing revenue bonds in an amount not to exceed \$40,000,000 (the "Bonds"), for the purpose of financing the acquisition, construction and equipping by HDP Alleghany, LP, a North Carolina limited partnership, or an affiliated or related entity (the "Borrower"), of a qualified residential rental project to be known as Alleghany Crossing (the "Development"); and

WHEREAS, the Development will consist of approximately 220 units and related facilities, located at approximately 1587 Alleghany Street in the City of Charlotte, North Carolina; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that any bonds issued by the Issuer for the Development may only be issued after approval of the plan of financing by the City Council of the City following a public hearing with respect to such plan; and

WHEREAS, on September 7, 2023, the Issuer held a public hearing with respect to the issuance of the Bonds to finance, in part, the Development, as evidenced by the Certificate and Summary of Public Hearing attached hereto, and has requested the City Council to approve the issuance of the Bonds as required by the Code; and

WHEREAS, the City has determined that approval of the Issuer's issuance of the Bonds is solely to satisfy the requirement of Section 147(f) of the Code and shall in no event constitute an endorsement of the Bonds or the Development or the creditworthiness of the Borrower, nor shall such approval in any event be construed to obligate the City for the payment of the principal of or premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Issuer, or to constitute the Bonds or any of the agreements or obligations of the Issuer an indebtedness of the City within the meaning of any constitutional or statutory provision whatsoever;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

1. The issuance of the Issuer's multifamily housing revenue bonds for the proposed housing development consisting of the acquisition, construction and equipping of the Development described above in the City of Charlotte, North Carolina by the Borrower and in an amount not to exceed \$40,000,000 are hereby approved for purposes of Section 147(f) of the Code.

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

* * * * *

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

Ayes: Council members Winston, Ajmera, Anderson, Bokhari, Driggs, Graham,
Johnson, Mayfield, Mitchell, Molina, Watlington

Nays: None

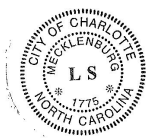
Not voting: None

* * * * *

CERTIFICATION

I, Billie Tynes, Deputy 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 9th day of October 2023, the reference having been made in Minute Book 157, and recorded in full in Resolution Book 54, Page(s) 639-641.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8th day of October, 2023.



Billie Tynes

Billie Tynes, Deputy City Clerk

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 September 7, 2023, with respect to the issuance of bonds by INLIVIAN for the benefit of HDP Alleghany, LP, a North Carolina limited partnership, or an affiliate or subsidiary thereof (the "Borrower") was published on August 29, 2023, 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 7th day of September, 2023.

By: Allen Gong
Name: Allen Gong
Title: Hearing Officer

RESOLUTION PROVIDING APPROVAL OF INLIVIAN'S ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$19,000,000 FOR THE FINANCING OF A MULTIFAMILY HOUSING FACILITY TO BE KNOWN AS FAIRHAVEN GLEN IN THE CITY OF CHARLOTTE, NORTH CAROLINA

WHEREAS, the City Council (the "City Council") of the City of Charlotte (the "City") met in Charlotte, North Carolina at 6:30 p.m. on the 9th day of October, 2023; and

WHEREAS, INLIVIAN (the "Issuer") has tentatively agreed to issue its multifamily housing revenue bonds in an amount not to exceed \$19,000,000 (the "Bonds"), for the purpose of financing the acquisition, construction and equipping by Fairhaven Glen, LLC, a North Carolina limited liability company, or an affiliated or related entity (the "Borrower"), of a qualified residential rental project to be known as Fairhaven Glen (the "Development"); and

WHEREAS, the Development will consist of approximately 140 units and related facilities, located at approximately 8329 Nations Ford Road in the City of Charlotte, North Carolina; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that any bonds issued by the Issuer for the Development may only be issued after approval of the plan of financing by the City Council of the City following a public hearing with respect to such plan; and

WHEREAS, on September 7, 2023, the Issuer held a public hearing with respect to the issuance of the Bonds to finance, in part, the Development, as evidenced by the Certificate and Summary of Public Hearing attached hereto, and has requested the City Council to approve the issuance of the Bonds as required by the Code; and

WHEREAS, the City has determined that approval of the Issuer's issuance of the Bonds is solely to satisfy the requirement of Section 147(f) of the Code and shall in no event constitute an endorsement of the Bonds or the Development or the creditworthiness of the Borrower, nor shall such approval in any event be construed to obligate the City for the payment of the principal of or premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Issuer, or to constitute the Bonds or any of the agreements or obligations of the Issuer an indebtedness of the City within the meaning of any constitutional or statutory provision whatsoever;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

1. The issuance of the Issuer's multifamily housing revenue bonds for the proposed housing development consisting of the acquisition, construction and equipping of the Development described above in the City of Charlotte, North Carolina by the Borrower and in an amount not to exceed \$19,000,000 are hereby approved for purposes of Section 147(f) of the Code.

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

* * * * *

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

Ayes: Council members Winston, Ajmera, Anderson, Bokhari, Driggs, Graham, Johnson, Mayfield, Mitchell, Molina, Watlington

Nays: None

Not voting: None

CERTIFICATION

I, Billie Tynes, Deputy 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 9th day of October 2023, the reference having been made in Minute Book 157, and recorded in full in Resolution Book 54, Page(s) 642-645.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 9th day of October, 2023.



Billie Tynes

Billie Tynes, Deputy City Clerk

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 September 7, 2023, with respect to the issuance of bonds by INLIVIAN for the benefit of Fairhaven Glen, LLC, a North Carolina limited liability company, or an affiliate or subsidiary thereof (the "Borrower") was published on August 29, 2023, 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 7th day of September, 2023.

By: 
Name: Allen Gong
Title: Hearing Officer

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

Whereas, City of Charlotte – Aviation Department has filed a petition to close a Portion of Old Dowd Road in the City of Charlotte; and

Whereas, an Portion of Old Dowd Road containing 474,891 square feet or 10.902 acres a Portion of Old Dowd Road 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 October 9, 2023, that it intends to close a Portion of Old Dowd Road 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 Portion of Old Dowd Road, to be conducted at 6:30 p.m., or as soon thereafter as practicable, on Monday, the 13th day of November 2023 at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street; Charlotte, North Carolina 28202. All interested parties are invited to present comments at the public hearing regarding the closure of a Portion of Old Dowd Road. 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>, or sign up in-person with the City Clerk prior to the start of the public hearing. Anyone requiring special accommodations or information 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, Billie Tynes, Deputy 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 9th day of October 2023, the reference having been made in Minute Book 157, and recorded in full in Resolution Book 54, Page(s) 646.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 9th day of October, 2023.





Billie Tynes, Deputy City Clerk

A Resolution of the City Council of the City of Charlotte calling for a Public Hearing to be held by the City Council on the Question of adopting an ordinance for the property known as the “Savona Mill” (listed under Tax Parcel Number 07111417 and including the interior and exterior of the building and approximately 3.168 acres of the land listed under Tax Parcel Number 07111417 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of July 1, 2023) as an Historic Landmark. The property is located at 528 South Turner Avenue in Charlotte, North Carolina, and is owned by Savona Mill Office (NC), LLC.

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

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has recommended that the City Council adopt an ordinance designating the property described below as an Historic Landmark pursuant to Chapter 160D, Article 9, as amended of the General Statutes of North Carolina; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has determined that the property described below meets the criteria for designation because of special significance in terms of its history, architectural, and/or cultural importance, and because it possesses integrity of design, setting, workmanship, materials, feeling and/or association as required by N.C.G.S. 160D-945.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlotte, North Carolina, that the City Council will hold a public hearing at which interested parties will have an opportunity to be heard on the question of the designation of the property known as the “Savona Mill” (listed under Tax Parcel Number 07111417 and including the interior and exterior of the building and approximately 3.168 acres of the land listed under Tax Parcel Number 07111417 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of July 1, 2023) as an Historic Landmark. The property is located at 528 South Turner Avenue in Charlotte, North Carolina, and is owned by Savona Mill Office (NC), LLC.

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

CERTIFICATION

I, Billie Tynes, Deputy 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 9th day of October 2023, the reference having been made in Minute Book 157, and recorded in full in Resolution Book 54, Page(s) 647-648.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 9th day of October, 2023.



Billie Tynes

Billie Tynes, Deputy City Clerk

A Resolution of the City Council of the City of Charlotte calling for a Public Hearing to be held by the City Council on the Question of adopting an ordinance for the property known as the “Wyche-Dobson-McCoy House” (listed under Tax Parcel Number 08010208 and including the exterior of the building and the land listed under Tax Parcel Number 08010208 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of July 1, 2023) as an Historic Landmark. The property is located at 801 East Eighth Street in Charlotte, North Carolina, and is owned by Joyce A. Zimmerman.

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

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has recommended that the City Council adopt an ordinance designating the property described below as an Historic Landmark pursuant to Chapter 160D, Article 9, as amended of the General Statutes of North Carolina; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has determined that the property described below meets the criteria for designation because of special significance in terms of its history, architectural, and/or cultural importance, and because it possesses integrity of design, setting, workmanship, materials, feeling and/or association as required by N.C.G.S. 160D-945.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlotte, North Carolina, that the City Council will hold a public hearing at which interested parties will have an opportunity to be heard on the question of the designation of the property known as the “Wyche-Dobson-McCoy House” (listed under Tax Parcel Number 08010208 and including the exterior of the building and the land listed under Tax Parcel Number 08010208 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of July 1, 2023) as an Historic Landmark. The property is located at 801 East Eighth Street in Charlotte, North Carolina, and is owned by Joyce A. Zimmerman.

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

CERTIFICATION

I, Billie Tynes, Deputy 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 9th day of October 2023, the reference having been made in Minute Book 157, and recorded in full in Resolution Book 54, Page(s) 649-650.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 9th day of October, 2023.



A handwritten signature in cursive script that reads 'Billie Tynes'. The signature is written in dark ink and is positioned above a horizontal line.

Billie Tynes, Deputy City Clerk

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 **BRYANT FARMS RD EXTENSION, PH1**; 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 **BRYANT FARMS RD EXTENSION, PH1** and estimated to be:

5,852 sq. ft. (0.134 ac.) **Fee Simple Outside Existing Right-of-Way**
1,035 sq. ft. (0.024 ac.) **Waterline Easement**
6,088 sq. ft. (0.140 ac.) **Utility Easement**
2,077 sq. ft. (0.048 ac.) **Slope Easement**
47 sq. ft. (0.001 ac.) **Temporary Construction Easement**
1,115 sq. ft. (0.026 ac.) **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. 229-211-01 said property currently owned by **BENJAMIN J. ELLIOTT AND COURTNEY A. ELLIOT**, 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, Billie Tynes, Deputy 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 9th day of October 2023, the reference having been made in Minute Book 157, and recorded in full in Resolution Book 54, Page(s) 651.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 9th day of October, 2023.



Billie Tynes

Billie Tynes, Deputy City Clerk

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 **BRYANT FARMS RD EXTENSION, PH1**; 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 **BRYANT FARMS RD EXTENSION, PH1** and estimated to be:

4,548 sq. ft. (0.104 ac.) **Fee Simple Outside Existing Right-of-Way**
2,394 sq. ft. (0.055 ac.) **Storm Drainage Easement**
691 sq. ft. (0.016 ac.) **Waterline Easement**
44 sq. ft. (0.001 ac.) **Utility Easement**
40,378 sq. ft. (0.927 ac.) **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. 229-10C-99 said property currently owned by **WINDSOR OAKS HOMEOWNERS ASSOCIATION OF MECKLENBURG, INC.**, 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, Billie Tynes, Deputy 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 9th day of October 2023, the reference having been made in Minute Book 157, and recorded in full in Resolution Book 54, Page(s) 652.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 9th day of October, 2023.



Billie Tynes

Billie Tynes, Deputy City Clerk

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 **BRYANT FARMS RD EXTENSION, PH1**; 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 **BRYANT FARMS RD EXTENSION, PH1** and estimated to be:

4,292 sq. ft. (0.099ac.) **Fee Simple Outside Existing Right-of-Way**

1,123 sq. ft. (0.026 ac.) **Waterline Easement**

2,085 sq. ft. (0.048 ac.) **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. 229-075-95 said property currently owned by **REAVENCREST HOMEOWNERS' ASSOCIATION, INC.**, 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, Billie Tynes, Deputy 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 9th day of October 2023, the reference having been made in Minute Book 157, and recorded in full in Resolution Book 54, Page(s) 653.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 9th day of October, 2023.



Billie Tynes

Billie Tynes, Deputy City Clerk