

RESOLUTION TO CLOSE A PORTION OF ALLEYWAY PARALLEL TO ASHLEY 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 a Portion of Alleyway Parallel to Ashley 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 a Portion of Alleyway Parallel to Ashley 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, the public hearing was held on the 10th day of June 2024, and City Council determined that closing a Portion of Alleyway Parallel to Ashley 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 10, 2024 , that the Council hereby orders the closing a Portion of Alleyway Parallel to Ashley 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

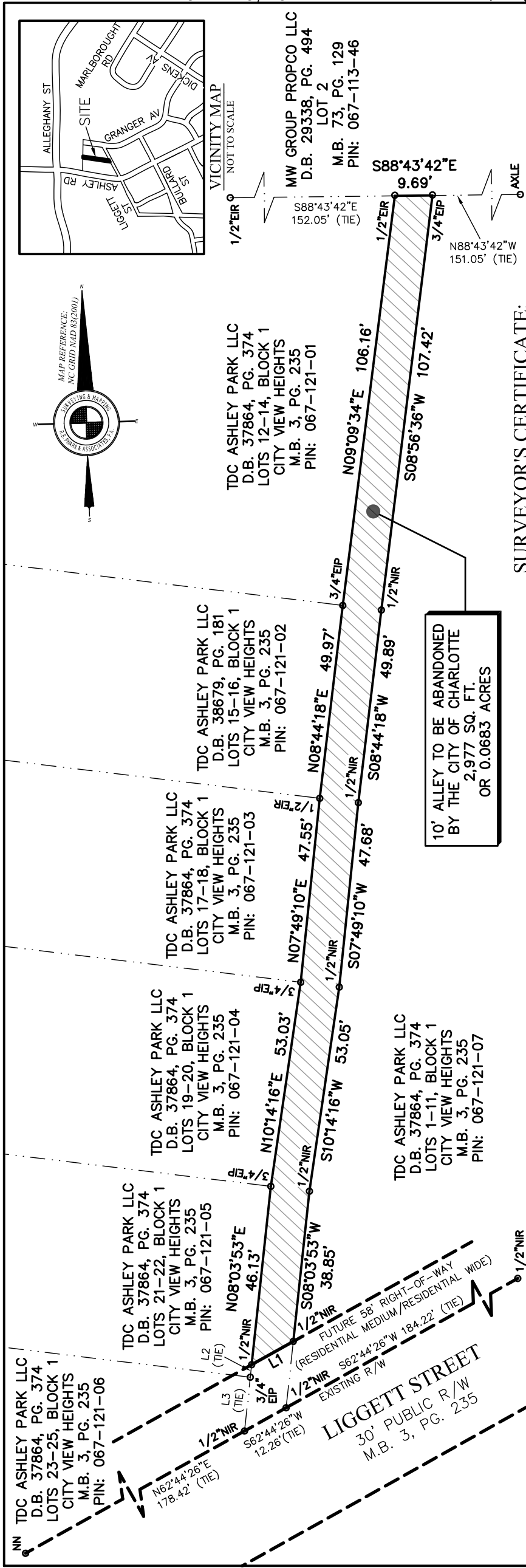
I, Billie Tynes, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 10th day of June 2024, the reference having been made in Minute Book 158, and recorded in full in Resolution Book 55, Page(s) 216-219.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 10th day of June, 2024.



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

Billie Tynes, Deputy City Clerk



SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT ON THE 19th DAY OF SEPTEMBER, 2019 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE .1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

Christian P. Shurter
 CHRISTIAN P. SHURTER, NCPLS L-4841
 DATE: 01/25/24

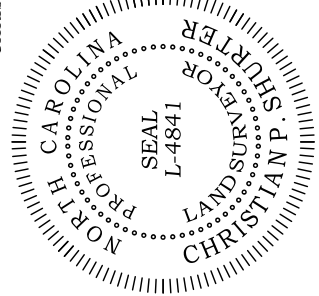
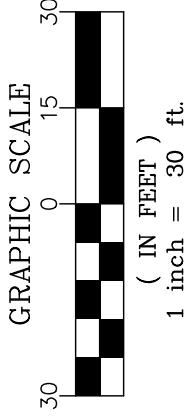


EXHIBIT "A"
10' ALLEY TO BE ABANDONED
 RE: TDC ASHLEY PARK LLC PROPERTY;
 C&S RENTAL PROPERTIES, LLC PROPERTY
 CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC
 DEED REFERENCE: 32997-394, 37864-374
 MAP REFERENCE: 3-235
 TAX PARCEL: 067-121-01, -02, -03, -04, -05, -06, -07

R.B. PHARR AND ASSOCIATES, P.A.
 SURVEYING AND MAPPING
 LICENSE NO: C-1471
 989 E. 7TH ST., #100 CHARLOTTE, N.C. 28204 TEL: (704) 376-2186
 DATE: 1/25/2024
 JOB NO. 95644

10' ALLEY TO BE ABANDONED
 BY THE CITY OF CHARLOTTE
 2,977 SQ. FT.
 OR 0.0683 ACRES



NOTES:

1. THE PURPOSE OF THIS MAP IS ABANDON THE 10' ALLEY AS SHOWN HEREON.
2. ALL CORNERS MONUMENTED AS SHOWN.
3. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
4. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
5. THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.
6. BROKEN LINES, UNLESS DESCRIBED WITH A COURSE AND DISTANCE, INDICATE PROPERTY LINES NOT SURVEYED.
7. PHYSICAL IMPROVEMENTS EXIST THAT ARE NOT SHOWN HEREON.

LINE TABLE:

LINE	BEARING	DISTANCE
L1	S62°44'26"W	12.26'
L2	N08°03'53"E	3.25'
L3	N08°03'53"E	13.91'

LEGEND:

- D.B. - DEED BOOK
- EIP - EXISTING IRON PIPE
- EIR - EXISTING IRON ROD
- M.B. - MAP BOOK
- NIR - NEW IRON ROD
- NN - NEW NAIL
- PIN - PARCEL IDENTIFICATION NUMBER
- PG. - PAGE
- R/W - RIGHT-OF-WAY
- (T) - TOTAL

LINE LEGEND:

- PROPERTY LINE
- PROPERTY LINE (NOT SURVEYED)
- RIGHT-OF-WAY
- RIGHT-OF-WAY (NOT SURVEYED)

CREW: RBP
 DRAWN: BJS
 REVISED:
 PLOTTED: 1/25/2024
 G:\95\6\95644\DWG\95644.DWG

Resolution to Close A Portion of Alleyway Parallel to Ashley Rd
95644 LEGAL DESCRIPTION

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

BEGINNING at a new 1/2" iron rod in the northerly margin of the right-of-way of Leggett Street (a 30' public right-of-way), said point also being an easterly corner of the TDC Ashley Park LLC Property as described in Deed Book 37864, Page 374; thence leaving the aforesaid Leggett Street right-of-way and running with the aforesaid TDC Ashley Park LLC Property the following three (3) courses and distances: 1) North 08°03'53" East, passing an existing 3/4" iron pipe at a distance of 13.91 feet, for a total distance of 63.29 feet to an existing 3/4" iron pipe; 2) North 10°14'16" East a distance of 53.03 feet to an existing 3/4" iron pipe; 3) North 07°49'10" East a distance of 47.55 feet to an existing 1/2" iron rod in a southeasterly corner of the C & S Rental Properties, LLC Property as described in Deed Book 32997, Page 394; thence leaving the aforesaid TDC Ashley Park LLC Property and running with the aforesaid C & S Rental Properties, LLC Property North 08°44'18" East a distance of 49.97 feet to an existing 3/4" iron pipe in a southeasterly corner of the aforesaid TDC Ashley Park LLC Property; thence leaving the aforesaid C & S Rental Properties, LLC Property and running with the aforesaid TDC Ashley Park LLC Property North 09°09'34" East a distance of 106.16 feet to a an existing 1/2" iron rod in a southerly line of the MW GROUP PROPCO LLC Property as described in Deed Book 29338, Page 494; thence leaving the aforesaid TDC Ashley Park LLC Property and running with the aforesaid MW GROUP PROPCO LLC Property South 88°43'42" East a distance of 9.69 feet to an existing 3/4" iron pipe in a northwesterly corner of the aforesaid TDC Ashley Park LLC Property; thence leaving the aforesaid MW GROUP PROPCO LLC Property and running with the aforesaid TDC Ashley Park LLC Property the following five (5) courses and distances: 1) South 08°56'36" West a distance of 107.42 feet to a new 1/2" iron rod; 2) South 08°44'18" West a distance of 49.89 feet to a new 1/2" iron rod; 3) South 07°49'10" West a distance of 47.68 feet to a new 1/2" iron rod; 4) South 10°14'16" West a distance of 53.05 feet to a new 1/2" iron rod; 5) South 08°03'53" West a distance of 56.01 feet to a new 1/2" iron rod in the northerly margin of the right-of-way of the aforesaid Leggett Street; thence leaving the aforesaid TDC Ashley Park LLC Property and running with the aforesaid Leggett Street right-of-way South 62°44'26" West a distance of 12.26 feet to the point and place of **BEGINNING**, containing 3,149 square feet or 0.0723 acres of land according to a survey by R.B. Pharr and Associates, P.A. dated January 25, 2024. Job No. 95644.

RESOLUTION TO CLOSE A PORTION OF OPENED RIGHT-OF-WAY OFF COKER AVENUE 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 Opened Right-of-way off Coker Avenue 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 Opened Right-of-way off Coker Avenue 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 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, an easement shall be reserved in favor of the City of Charlotte 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 10th day of June 2024, and City Council determined that closing a Portion of Opened Right-of-way off Coker Avenue 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 10, 2024, that the Council hereby orders the closing a Portion of Opened Right-of-way off Coker Avenue 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, 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 10th day of June 2024, the reference having been made in Minute Book 158, and recorded in full in Resolution Book 55, Page(s) 220-223.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 10th day of June, 2024.



Billie Tynes

Billie Tynes, Deputy City Clerk



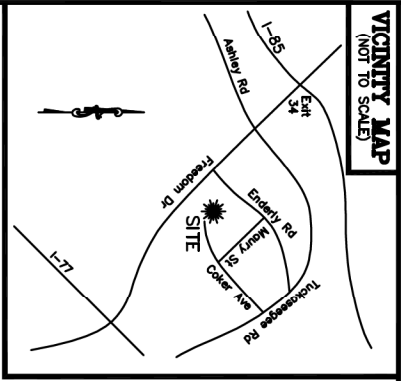
RIGHT-OF-WAY ABANDONMENT

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

"EXHIBIT A"

DATE:	12-13-23
SCALE:	1" = 60'
Job No.:	7669

VICINITY MAP
(NOT TO SCALE)



SURVEYOR NOTES:

1. THIS PROPERTY MAY BE SUBJECT TO ANY EASEMENTS, RESTRICTIVE COVENANTS AND/OR RIGHT-OF-WAY OF RECORD.
2. BOUNDARY INFORMATION BASED ON DEED BOOK 9276 PAGE 437, MAP BOOK 3 PAGE 330 AND DEED BOOK 2378 PAGE 233 AS RECORDED IN THE MECKLENBURG COUNTY REGISTER OF DEEDS.
3. BASIS OF BEARINGS: NC GRID NAD 83/2011
4. AREA BY COORDINATE METHOD. ALL DISTANCES SHOWN ARE HORIZONTAL AND US FEET.
5. POINTS NOT LABELED "FOUND" OR "SET" ARE COMPUTED POINTS ONLY. ALL CORNERS ARE FLUSH WITH THE GROUND UNLESS OTHERWISE NOTED.
6. THIS PROPERTY IS LOCATED WITHIN ZONE "X" ACCORDING TO THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 3710453400K, DATED SEPTEMBER 2, 2015.
7. NO NCGS OR USGS MONUMENTS LOCATED WITHIN 2000' OF SUBJECT PARCEL.
8. THIS SITE WAS LOCALIZED AT TBM #1 HAVING NC GRID COORDINATES OF N:574,404.47, E:1,437,997.15 AND AN ELEVATION OF 649.45' (NAVD 88)
9. THIS MAP WAS ORIGINALLY SIGNED AND SEALED BY MATTHEW ROBERTS, PLS L-5332 06-29-21. PROJECT WAS REVIEWED BY JON C. LANDS, PLS L-4452 12-13-23.

EASEMENT NOTE

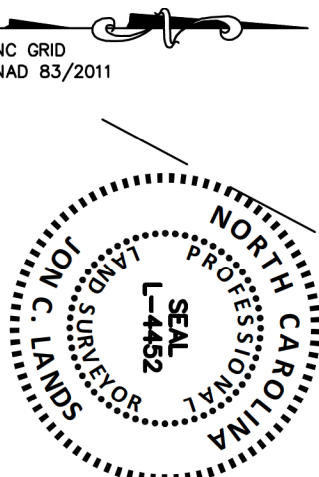
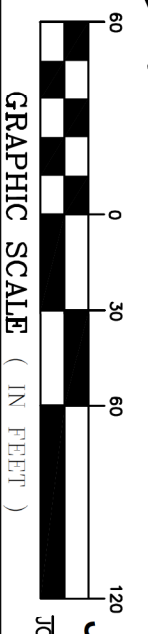
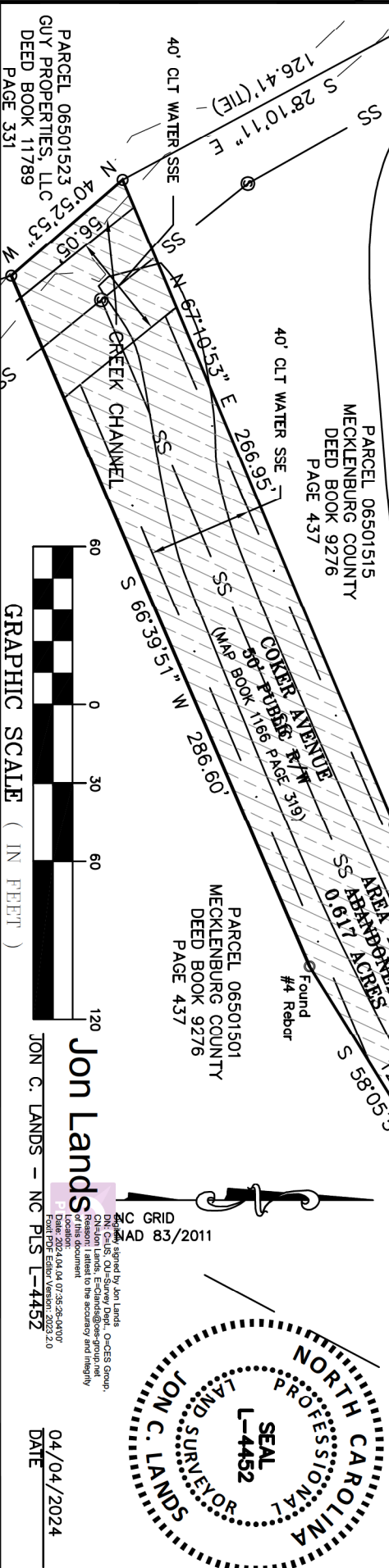
EASEMENT IN FAVOR OF DUKE ENERGY OVER, UPON, ACROSS AND UNDER THE AREA PETTIONED TO BE ABANDONED FOR INGRESS, EGRESS AND REGRESS TO ACCESS THEIR FACILITIES FOR THE INSTALLATION, MAINTENANCE REPLACEMENT AND REPAIR IF CABLE CONDUIT AND RELATED EQUIPMENT.

LEGEND

- #5 REBAR SET
- COMPUTED POINT
- FOUND IRON (AS NOTED)
- RIGHT-OF-WAY
- SANITARY SEWER EASEMENT
- WATERLINE EASEMENT
- BOUNDARY TIE
- BOUNDARY LINE (NOT SURVEYED)

CURVE RADIUS	ARC LENGTH	CHORD LENGTH
C1	563.00'	250.05'
	248.00'	N 54°25'25" E 25°26'52"

LINE	BEARING	DISTANCE
L1	S 55°08'54" E	152.66'
L2	S 35°08'13" W	110.23'



Jon Lands
Jon C. LANDS - NC PLS L-4452
DATE 04/04/2024

PARCEL 06501523
GUY PROPERTIES, LLC
DEED BOOK 11789
PAGE 331

PARCEL 06501515
MECKLENBURG COUNTY
DEED BOOK 9276
PAGE 437

PARCEL 06501501
MECKLENBURG COUNTY
DEED BOOK 9276
PAGE 437

PARCEL 06501502
LOT 13, BLOCK 9
MAP BOOK 1166
PAGE 319

Found 1"
Iron Pipe
N:547,532.21
E:1,438,308.64
NC GRID NAD83(2011)

Found 1"
Iron Pipe
N:547,481.37
E:1,438,268.23
NC GRID NAD 83(2011)

Found #4 Rebar
(0.5' below grade)

Found #4 Rebar

Found #4 Rebar

NC GRID
NAD 83/2011

Prepared by Jon Lands
Dkt. Chas. Old-Survey Dkt., OCES Group,
ON-Site Land Survey, OCES Group, Inc.
Reason: Consent to the accuracy and integrity
of the information.
Date: 2024 04 04 07:35:04/07
Print: PDF, Edition Version: 2023 2.0

“EXHIBIT B”

0.617 ACRE

Situated in the State of North Carolina, County of Mecklenburg, City of Charlotte, being over Coker Avenue as shown on Map Book 1166, Page 319 on that 6.28 acre tract, known as Enderly Park, originally conveyed to Charlotte Park and Recreation Commission by deed of record in Deed Book 9276, Page 437 (all references are to the records of the Register of Deeds Office, Mecklenburg County, North Carolina) and being more particularly described as follows:

COMMENCING at a one (1) inch pipe found on the northwesterly right-of-way line of the aforesaid Coker Avenue, having North Carolina State Plane coordinates of Northing 547,532.21 and Easting 1,438,308.64; thence with said northwesterly right-of-way line South 38°28'09" East a distance of 64.95 feet to a one (1) inch pipe found, the POINT OF BEGINNING, said pipe having North Carolina State Plane coordinates of Northing 547,481.37 and Easting 1,438,268.23;

thence South 55°08'54" East, crossing said Coker Avenue, a distance of 52.66 feet to a computed point, said computed point being on the southeasterly right-of-way line of the aforesaid Coker Avenue;

thence with the southwesterly right-of-way line the following four (4) courses and distances:

- (1) South 35°08'13" West a distance of 10.23 feet to a #4 rebar found;
- (2) South 48°05'50" West a distance of 111.83 feet to a #5 rebar set;
- (3) South 58°05'54" West a distance of 120.18 feet to a #4 rebar found;
- (4) South 66°39'51" West a distance of 286.60 feet to a computed point, said computed point being on the common line of a tract conveyed to Guy Properties, LLC by deed of record in Deed Book 11789, Page 331;

thence North 40°52'53" West, along and with said common line, a distance of 56.05 feet to a computed point, said computed point being on the northwesterly right-of-way line of the aforesaid Coker Avenue;

thence with said northwesterly right-of-way line the following two (2) courses and distances:

- (1) North 67°10'53" East a distance of 266.95 feet to a #4 rebar found;
- (2) with a curve turning to the left with an arc length of 250.05 feet, with a radius of 563.00 feet, with a chord bearing of North 54°25'25" East, with a chord length of 248.00 feet to the POINT OF BEGINNING, containing 0.617 acre of land, more or less.



CES GROUP ENGINEERS, LLP.

Matthew T. Roberts

Matthew T. Roberts – NC PLS L-5332

06/29/2024

Date

RESOLUTION TO CLOSE A PORTION OF RIGHT-OF-WAY OFF JOHOY DRIVE 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 Right-of-Way off Johoy Drive 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 Right-of-Way off Johoy Drive 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 the City of Charlotte 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 10th day of June 2024, and city council determined that closing a Portion of Right-of-Way off Johoy Drive 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 10, 2024, that the Council hereby orders the closing a Portion of Right-of-Way off Johoy Drive 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, 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 10th day of June 2024, the reference having been made in Minute Book 158, and recorded in full in Resolution Book 55, Page(s) 224-228.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 10th day of June, 2024.

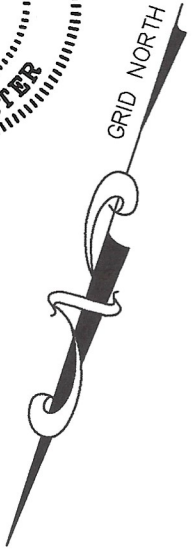


Billie Tynes

Billie Tynes, Deputy City Clerk

THIS MAP IS FOR THE PURPOSE OF CREATING A NEW SANITARY SEWER EASEMENT ONLY. THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEW BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS.

Mark C. Carter
PROFESSIONAL LAND SURVEYOR



NOTES

1. AREA CALCULATED BY COORDINATE COMPUTATION.
2. ADJOINING PROPERTY OWNERS NAMES WERE TAKEN FROM MECKLENBURG COUNTY TAX OFFICE RECORDS, AND ARE CONSIDERED AS NOW OR FORMERLY.
3. IRON RODS AT ALL CORNERS UNLESS NOTED.
4. THIS MAP IS SUBJECT TO ANY AND ALL APPLICABLE DEED RESTRICTIONS, EASEMENTS, RIGHT-OF-WAY, UTILITIES AND RESTRICTIVE COVENANTS AND PRELIMINARY PLAN WHICH MAY BE OF RECORD.
5. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, MEASURED WITH ELECTRONIC MEASURING DEVICES.
6. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH.
7. NO NCGS MONUMENT FOUND WITHIN 2000 FEET.
8. THE PURPOSE OF THIS MAP IS TO CREATE A NEW 15' WIDE SANITARY SEWER EASEMENT ACROSS THE PORTION OF RIGHT-OF-WAY TO BE ABANDONED.

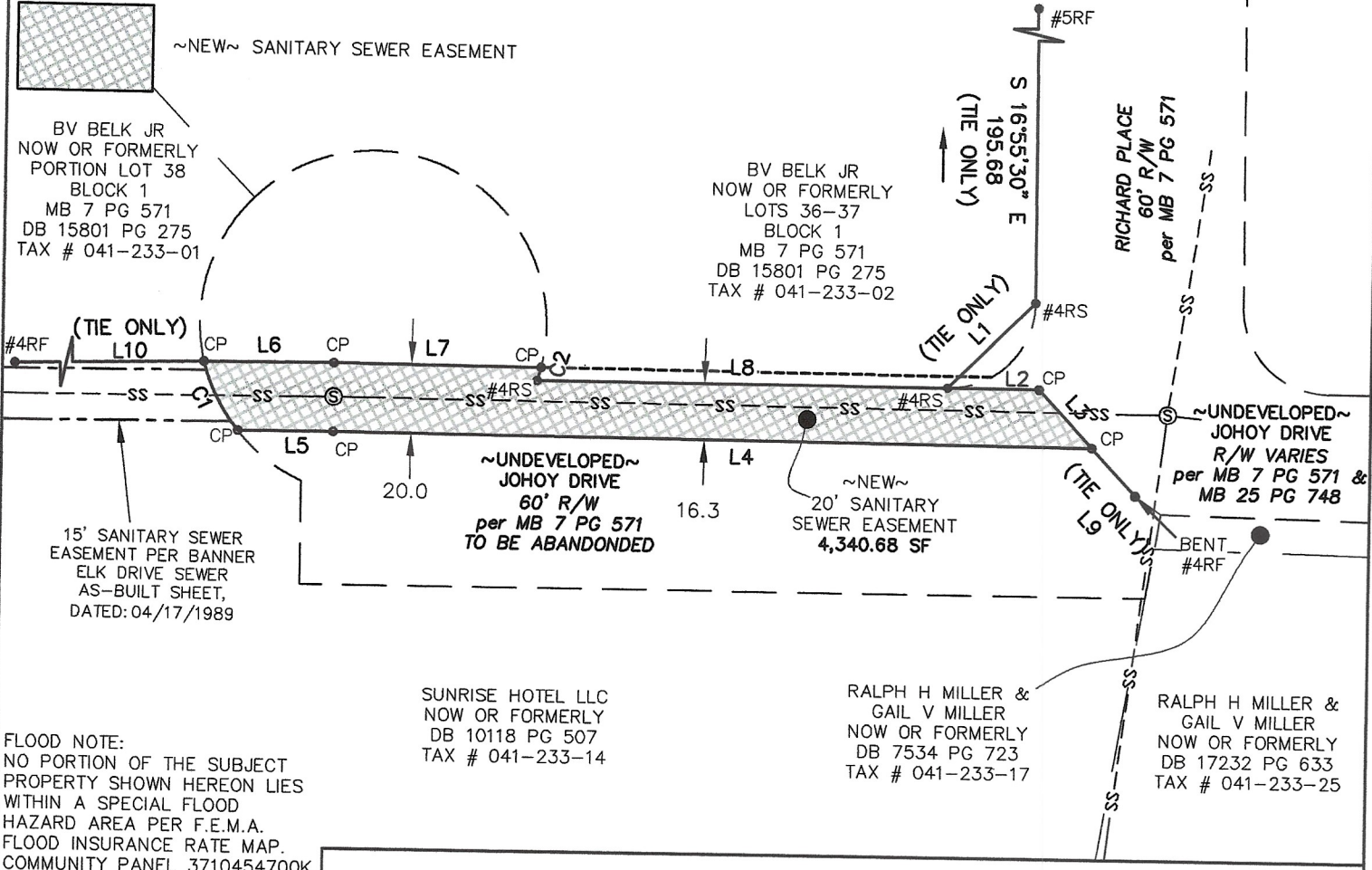
SCALE: 1" = 50'

LINE	BEARING	DISTANCE
L1	N 28°15'00" E	35.46'
L2	S 73°33'36" W	26.40'
L3	N 59°27'07" W	22.72'
L4	N 73°39'16" E	218.89'
L5	N 72°55'29" E	27.62'
L6	S 72°55'29" W	37.48'
L7	S 73°39'16" W	59.75'
L8	S 73°25'30" W	118.45'
L9	N 59°27'07" W	18.63'
L10	N 71°58'08" E	120.12'

LEGEND

- CP COMPUTED POINT
- RF REBAR FOUND
- R/W RIGHT-OF-WAY
- SF SQUARE FEET
- MB MAP BOOK
- DB DEED BOOK
- PG PAGE
- ~NEW~ SANITARY SEWER EASEMENT
- OLD UNDEVELOPED R/W
- SUBJECT PARCEL TIE LINE
- SS--- SANITARY SEWER LINE
- EXISTING SANITARY SEWER EASEMENT

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	22.43'	50.00'	25°41'59"	S 43°01'10" E	22.24'
C2	4.08'	50.00'	4°40'49"	N 00°44'39" W	4.08'



FLOOD NOTE:
NO PORTION OF THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN A SPECIAL FLOOD HAZARD AREA PER F.E.M.A. FLOOD INSURANCE RATE MAP. COMMUNITY PANEL 3710454700K, DATED: 09/02/2015.

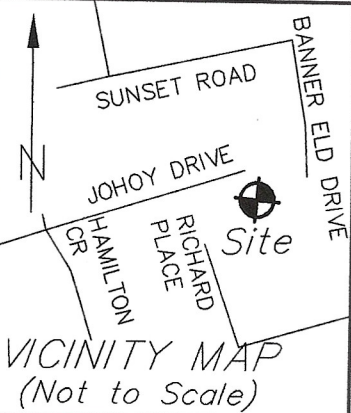


EXHIBIT 'A' - SANITARY SEWER EASEMENT
AT THE PROPERTY KNOWN AS
6309 BANNER ELK DRIVE
DB 10118 PG 507
PARCEL ID # 041-233-14
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC
DATE: MAY 28th, 2024



PHOENIX LAND SURVEYING, INC
3316 OLD MONROE ROAD
STALLINGS, NORTH CAROLINA 28104
PH: (704)-335-1655
EMAIL: INFO@PHOENIX-SURVEYING.COM
FIRM # C-3912

**Resolution to Close a Portion of Right-of-Way off Johoy Drive
Exhibit B**

Legal Description

Beginning at the Point and Place of Beginning and being a point on the northerly margin of Johoy Drive, said point being the common corner of Sunrise Hotel, LLC (Deed Book 10118, Page 507) and Ralph H. Miller & Gail V. Miller (Deed 7534 Page 723). Thence from said point, N 03°59'42" W 24.90 feet to a point on the southern margin of Johoy Drive. Thence, along the southern margin of the right of way, N 76°17'00" E 243.96 feet to a point. Thence, along said right of way line, S 13°43'01" E 29.82 feet to a point. Thence, along said right of way line, being a curve to the right, having a radius of 50.00 feet, and an arc distance of 42.50 feet, a chord bearing and distance of S 55°37'53" E 41.23 feet to a # 4 rebar set on curve of the margin of said right of way and being a common corner of the remaining portion of Lot 38, Block 1, Hamilton Village, B.V. Belk JR, (Deed 15801 Page 275) Map Book 7 Page 571 and Sunrise Hotel, LLC (Deed Book 10118, Page 507). Thence, along a curve to the right, having a radius of 50.00 feet, and a arc distance of 188.28 feet, a bearing and chord distance of S 76°35'09" W 95.18 feet to a # 4 rebar set on the northerly margin of said right of way, and also being the common corner of Lot 37, Block 1, Hamilton Village, B.V. Belk JR, (Deed 15801 Page 275), Map Book 7 Page 571 and Sunrise Hotel, LLC (Deed Book 10118, Page 507) Thence, with said the northern margin of said right of way and along the northerly property line of Sunrise Hotel, LLC, S 76°17'00" W 118.45 feet to a # 4 rebar set. Thence, S 76°25'05" W 26.40 feet to a point in the margin of said right of way, Thence, N 56°35'38" W 41.34 feet to a # 4 rebar found bent and being located in the margin of said right of way. Thence, N 69°39'26" W 9.11 feet to the Point and of Beginning. All shown on a survey by Mark C Carter, Phoenix Land Surveying, Inc, Dated: January 10, 2024. Containing 20,154.49 square feet.

Johoy Drive

Tax #'s 041-233-02 & 041-233-14

Portion of easement across Tax # 041-233-02

BEGINNING at a #4 rebar set in the southern margin of the 60' right-of-way of Johoy Drive (undeveloped), said point being located N 13-06-52 E 25.03 feet from a #4 rebar set in the eastern margin of the 60' right-of-way of Richard Place, thence from said point and place of BEGINNING following a curve to the right having a radius of 25.00 feet, an arc length of 13.21 feet and chord bearing & distance of N 58-17-22 E 13.06 feet to a #4 rebar set, thence N 73-25-30 E 118.45 feet to a #4 rebar set, thence following a curve to the left having a radius of 50.00 feet, an arc length of 4.08 feet and chord bearing & distance of S 00-44-39 E 4.08 feet to a computed point, thence S 73-39-16 W 129.94 feet to the point and place of BEGINNING, containing 464.86 square feet.

Portion of easement across Tax # 041-233-14

BEGINNING at a #4 rebar set in the southern margin of the 60' right-of-way of Johoy Drive (undeveloped), said point being located N 13-06-52 E 25.03 feet from a #4 rebar set in the eastern margin of the 60' right-of-way of Richard Place, thence from said point and place of BEGINNING S 73-33-36 W 26.40 feet to a computed point, thence N 59-27-07 W 22.72 feet to a computed point, thence N 73-39-16 E 218.89 feet, thence N 72-55-29 E 27.62 feet, thence following a curve to the right having a radius of 50.00 feet, an arc length of 22.43 feet and a chord bearing & distance of S 43-01-10 E 22.24 feet to a computed point, thence S 72-55-29 W 37.48 feet to a computed point, thence S 73-39-16 W 59.75 feet, thence following a curve to the right having a radius of 50.00 feet, an arc length of 4.08 feet and a chord bearing & distance N 00-44-39 W 4.08 feet to a #4 rebar set, thence S 73-25-30 W 118.45 feet to the point and place of BEGINNING, containing 4,340.68 square feet.

Councilmember Mitchell/Mayfield introduced the following bond order, a summary of which had been provided to each Councilmember, a copy of which was available with the City Clerk and which was read by title:

BOND ORDER AUTHORIZING THE ISSUANCE OF \$238,300,000 GENERAL OBLIGATION TRANSPORTATION BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA

WHEREAS, the City Council of the City of Charlotte, North Carolina (the “*City Council*”) has ascertained and hereby determines that it is necessary to pay the capital costs of constructing, reconstructing, enlarging, extending and improving certain streets, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, milling, resurfacing, grading or improving streets, roads, intersections, parking lots and pedestrian and bicycle paths; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, storm drainage, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and traffic controls, signals and markers; and the acquisition of interests in land and rights-of-way required therefor; and

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

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

Section 1. In order to raise the money required for the purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Transportation Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such General Obligation Transportation Bonds authorized by this order shall be \$238,300,000.

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

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

Section 4. This bond order will take effect when approved by the voters of the City at a referendum scheduled for November 5, 2024.

Councilmember Mitchell/Mayfield introduced the following bond order, a summary of which had been provided to each Councilmember, a copy of which was available with the City Clerk and which was read by title:

BOND ORDER AUTHORIZING THE ISSUANCE OF \$100,000,000 GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA

WHEREAS, the City Council of the City of Charlotte, North Carolina (the “*City Council*”) has ascertained and hereby determines that it is necessary to pay the capital costs of housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including construction of infrastructure improvements related thereto and the acquisition of land and rights-of-way required therefor; and

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

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

Section 1. In order to raise the money required for the purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Housing Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such General Obligation Housing Bonds authorized by this order shall be \$100,000,000.

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

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

Section 4. This bond order will take effect when approved by the voters of the City at a referendum scheduled for November 5, 2024.

Councilmember Mitchell/Mayfield introduced the following bond order, a summary of which had been provided to each Councilmember, a copy of which was available with the City Clerk and which was read by title:

BOND ORDER AUTHORIZING THE ISSUANCE OF \$61,700,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENT BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA

WHEREAS, the City Council of the City of Charlotte, North Carolina (the “*City Council*”) has ascertained and hereby determines that it is necessary to pay the capital costs of infrastructure improvements for various neighborhoods of the City, including the cost of related studies, plans and design, acquiring, constructing, reconstructing, improving, installing or providing curbs, gutters, storm drainage, sidewalks, pedestrian and bicycle paths, and relocation of utilities; paving, milling, resurfacing, grading or improving streets, roads and intersections, providing public open space, landscaping, lighting and traffic controls, signals and markers, and acquiring any necessary equipment, land, interests in land and rights-of-way therefor; and

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

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

Section 1. In order to raise the money required for the purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Neighborhood Improvement Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such General Obligation Neighborhood Improvement Bonds authorized by this order shall be \$61,700,000.

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

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

Section 4. This bond order will take effect when approved by the voters of the City at a referendum scheduled for November 5, 2024.

STATE OF NORTH CAROLINA)
)
CITY OF CHARLOTTE) ss:

I, STEPHANIE C. KELLY, the CITY CLERK of the City of Charlotte, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of the introduction of the bond orders entitled “**BOND ORDER AUTHORIZING THE ISSUANCE OF \$238,300,000 GENERAL OBLIGATION TRANSPORTATION BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA,**” “**BOND ORDER AUTHORIZING THE ISSUANCE OF \$100,000,000 GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA**” and “**BOND ORDER AUTHORIZING THE ISSUANCE OF \$61,700,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENT BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA**” by the City Council of the City of Charlotte, North Carolina, at a meeting held on the 10th day of June, 2024, the reference having been made in Minute Book 158, and recorded in full in Resolution Book 55, Page(s) 229-232.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of June, 2024.



Stephanie C. Kelly

STEPHANIE C. KELLY
City Clerk
City of Charlotte, North Carolina

(SEAL)

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

RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA REGARDING BOND ORDERS AUTHORIZING THE ISSUANCE OF \$238,300,000 GENERAL OBLIGATION TRANSPORTATION BONDS, \$100,000,000 GENERAL OBLIGATION HOUSING BONDS AND \$61,700,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS, SETTING PUBLIC HEARINGS THEREON AND DIRECTING PUBLICATION OF NOTICE OF SAID PUBLIC HEARINGS

WHEREAS, bond orders entitled:

“BOND ORDER AUTHORIZING THE ISSUANCE OF \$238,300,000 GENERAL OBLIGATION TRANSPORTATION BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;”

“BOND ORDER AUTHORIZING THE ISSUANCE OF \$100,000,000 GENERAL OBLIGATION HOUSING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;” and

“BOND ORDER AUTHORIZING THE ISSUANCE OF \$61,700,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA;”

have been introduced at a meeting of the City Council (the “*City Council*”) of the City of Charlotte, North Carolina (the “*City*”) this 10th day of June, 2024; and

WHEREAS, the City Council desires to provide for the holding of public hearings thereon on June 24, 2024 and the submission of a statement of debt and a statement of disclosures in connection therewith as required by The Local Government Bond Act.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA that the public hearings on said bond orders shall be held on the 24th day of June, 2024 at 5:00 p.m., or as soon thereafter as practicable, at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, 28202.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a copy of said bond orders to be published with a notice of such hearings in the form prescribed by law in a newspaper of general circulation in the City at least six days before the public hearing.

BE IT FURTHER RESOLVED that before the public hearing, the City’s Chief Financial Officer is hereby directed to (1) file a sworn statement of debt with the Local Government Commission and the City Clerk in accordance with Section 159-55 of the General Statutes of North Carolina and (2) file with the City Clerk and the Local Government Commission of North Carolina and post online a statement of disclosure in accordance with Section 159-55.1(a) of the General Statutes of North Carolina.

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

PASSED, ADOPTED AND APPROVED this 10th day of June, 2024.

STATE OF NORTH CAROLINA)
)
CITY OF CHARLOTTE) ss:

I, STEPHANIE C. KELLY, the CITY CLERK of the City of Charlotte, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of a resolution entitled **“RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA REGARDING BOND ORDERS AUTHORIZING THE ISSUANCE OF \$238,300,000 GENERAL OBLIGATION TRANSPORTATION BONDS, \$100,000,000 GENERAL OBLIGATION HOUSING BONDS AND \$61,700,000 GENERAL OBLIGATION NEIGHBORHOOD IMPROVEMENTS BONDS, SETTING PUBLIC HEARINGS THEREON AND DIRECTING PUBLICATION OF NOTICE OF SAID PUBLIC HEARINGS”** adopted by the City Council of the City of Charlotte, North Carolina, at a meeting held on the 10th day of June, 2024, the reference having been made in Minute Book 158, and recorded in full in Resolution Book 55, Page(s) 233-235.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of June, 2024.



STEPHANIE C. KELLY
City Clerk
City of Charlotte, North Carolina

(SEAL)



Councilmember Mitchell/Mayfield introduced the following bond order by reading the title thereof:

**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$70,000,000
GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA**

WHEREAS, the City of Charlotte, North Carolina (the “*City*”) has previously issued its General Obligation Refunding Bonds, Series 2014A (the “*2014A Bonds*”);

WHEREAS, the City Council of the City (the “*City Council*”) deems it advisable to refund all or a portion of the outstanding principal amount of the 2014A Bonds (the “*Refunded Bonds*”);

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

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

Section 1. The City Council deems it advisable to refund the Refunded Bonds.

Section 2. To raise the money required to pay the costs of refunding the Refunded Bonds as set forth above, General Obligation Refunding Bonds of the City (the “*Refunding Bonds*”) are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such Refunding Bonds authorized by this bond order shall be and not exceed \$70,000,000.

Section 3. Taxes will be levied in an amount sufficient to pay the principal and interest of the Refunding Bonds.

Section 4. A sworn statement of the City’s debt has been filed with the City Clerk and is open to public inspection.

Section 5. This bond order will take effect on its adoption.

Upon motion of Councilmember Mitchell/Mayfield, the foregoing order titled: “**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$70,000,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTE, NORTH CAROLINA**” was adopted by the City Council.

Introduced and Adopted this 10th day of June, 2024.

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 10th day of June 2024, the reference having been made in Minute Book 158, and recorded in full in Resolution Book 55, Page(s) 236-237.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 10th day of June, 2024.



Billie Tynes

Billie Tynes, Deputy City Clerk

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA PROVIDING FOR THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION REFUNDING BONDS

WHEREAS, the Bond Order (as defined below) has been adopted, and it is desirable to make provision for the issuance of the Bonds (as defined below) authorized by the Bond Order;

WHEREAS, the City of Charlotte, North Carolina (the "*City*") desires to issue its General Obligation Refunding Bonds, Series 2024 (the "*Bonds*") in an aggregate principal amount not to exceed \$70,000,000;

WHEREAS, the City requests that the Local Government Commission of North Carolina (the "*Local Government Commission*") sell the Bonds through a negotiated sale to J.P. Morgan Securities LLC, as managing underwriter, and Wells Fargo Bank, National Association and Academy Securities, as co-managing underwriters (collectively, the "*Underwriters*"), in accordance with the terms and conditions set forth in a Bond Purchase Agreement (the "*Bond Purchase Agreement*") among the City, the Local Government Commission and the Underwriters relating to the Bonds;

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

1. the Bond Purchase Agreement; and
2. a Preliminary Official Statement with respect to the Bonds (the "*Preliminary Official Statement*");

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

Section 1. For purposes of this Resolution, in addition to the terms defined above, the following words have the meanings ascribed to them below:

"*Bond Order*" means the Bond Order authorizing \$70,000,000 General Obligation Refunding Bonds, adopted by the City Council on June 10, 2024 and effective on its adoption.

"*Bonds*" means the City's General Obligation Refunding Bonds, Series 2024 authorized under the Bond Order.

"*Code*" means the Internal Revenue Code of 1986, as amended. Each reference to a section of the Code herein will be deemed to include the United States Treasury Regulations proposed or in effect with respect thereto.

"*Federal Securities*" means, to the extent permitted by Section 159-72 of the General Statutes of North Carolina, as amended, and any successor statute, (a) direct

obligations of the United States of America for the timely payment of which the full faith and credit of the United States of America is pledged; (b) obligations, the timely payment of the principal and interest on which is fully guaranteed as full faith and credit obligations of the United States of America (including any securities described in (a) or (b) issued or held in the name of a trustee in book-entry form on the books of the Department of Treasury of the United States of America), which obligations, in either case, are held in the name of a trustee and are not subject to redemption or purchase prior to maturity at the option of anyone other than the holder; (c) any bonds or other obligations of the State of North Carolina or of any agency, instrumentality or local governmental unit of the State of North Carolina which are (i) not callable prior to maturity or (ii) as to which irrevocable instructions have been given to the trustee or escrow agent with respect to such bonds or other obligations by the obligor to give due notice of redemption and to call such bonds for redemption on the date or dates specified, and which are rated by Moody's, if the Bonds are rated by Moody's, S&P, if the Bonds are rated by S&P and Fitch Ratings, if the Bonds are rated by Fitch Ratings, within the highest rating category and which are secured as to principal, redemption premium, if any, and interest by a fund consisting only of cash or bonds or other obligations of the character described in clause (a) or (b) hereof which fund may be applied only to the payment of such principal of and interest and redemption premium, if any, on such bonds or other obligations on the maturity date or dates thereof or the specified redemption date or dates pursuant to such irrevocable instructions, as appropriate; (d) direct evidences of ownership of proportionate interests in future interest and principal payments on specified obligations described in (a) held by a bank or trust company as custodian, under which the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor on the underlying obligations described in (a), and which underlying obligations are not available to satisfy any claim of the custodian or any person claiming through the custodian or to whom the custodian may be obligated; or (e) any other obligations permitted under laws of the State of North Carolina for the defeasance of local government bonds.

"Finance Officer" means the Chief Financial Officer of the City or such other person servicing as the City's Finance Officer, as defined in Section 159-24 of the General Statutes of North Carolina, as amended, or his or her designee.

"Fiscal Year" means a twelve-month period commencing on the first day of July of any year and ending on the 30th day of June of the succeeding year, or such other twelve-month period which may subsequently be adopted as the Fiscal Year of the City.

"Fitch Ratings" means Fitch Ratings, Inc., its successors and their assigns, and, if such corporation for any reason no longer performs the functions of a securities rating agency, *"Fitch"* will be deemed to refer to any other nationally recognized securities rating agency other than Moody's and S&P designated by the City.

"Moody's" means Moody's Investors Service, a corporation organized and existing under the laws of the State of Delaware, its successors and their assigns and, if such corporation for any reason no longer performs the functions of a securities rating agency,

“*Moody’s*” will be deemed to refer to any other nationally recognized rating agency other than S&P and Fitch Ratings designated by the City.

“*Pricing Certificate*” means the certificate of the Finance Officer, or such officer of the City authorized to act on her behalf, delivered in connection with the issuance of the Bonds which establishes the final principal and maturity amounts, the payment dates, the provisions for redemption for the Bonds, the principal amount of the bonds to be refunded, and other terms of the Bonds, in each case to make the terms of the Bonds otherwise set forth in this Resolution consistent with the actual pricing of the Bonds.

“*Refunded Bonds*” means the 2014A Bond refunded with proceeds of the Bonds.

“*S&P*” means S&P Global Ratings, its successors and their assigns and, if such corporation for any reason no longer performs the functions of a securities rating agency, “*S&P*” will be deemed to refer to any other nationally recognized rating agency other than Moody’s and Fitch Ratings designated by the City.

“*2014A Bond*” means the City’s General Obligation Refunding Bonds, Series 2014A.

Section 2. The City shall issue its Bonds in an aggregate principal amount not to exceed \$70,000,000. The final principal amount will be set forth in the Pricing Certificate.

Section 3. The Bonds shall be dated as of their date of issuance. The Bonds shall pay interest semiannually on July 1 and January 1, beginning January 1, 2025, unless the Finance Officer establishes different dates in his Pricing Certificate. The Bonds are being issued to refund the Refunded Bonds and to pay the costs of issuing the Bonds. The principal amount of the 2014A Bonds to be refunded will be set forth in the Pricing Certificate.

Section 4. The Bonds are payable in installments on July 1 of each year beginning July 1, 2025 and ending on July 1, 2034, unless the Finance Officer establishes different dates in her Pricing Certificate. The maturities of the Bonds will be as set forth in the Pricing Certificate. The Bonds may be sold as term bonds and, if so, will be subject to mandatory sinking fund redemption as set forth in the Pricing Certificate.

Section 5. The Bonds are to be numbered from “R-1” consecutively and upward. All Bonds shall bear interest from their date at a rate or rates which will be hereafter determined on the sale thereof computed on the basis of a 360-day year of twelve 30-day months.

Section 6. The Bonds are to be registered as to principal and interest, and the Finance Officer is directed to maintain the registration records with respect thereto. The Bonds shall bear the original or facsimile signatures of the Mayor or City Manager and the City Clerk or the Deputy City Clerk, or their respective designees.

Section 7. The Bonds will initially be issued by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity of the Bonds will be issued to The Depository Trust Company (“DTC”), and immobilized in its custody. A book-entry system will be employed, evidencing ownership of the Bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the Bonds will be payable to DTC or its nominee as registered owner of the Bonds in immediately available funds. The principal of and interest on the Bonds will be payable to owners of Bonds shown on the records of DTC at the close of business on the 15th day of the month preceding an interest payment date or a bond payment date. The City will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

If (1) DTC determines not to continue to act as securities depository for the Bonds or (2) the Finance Officer determines that the continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the City will discontinue the book-entry system with DTC. If the City fails to identify another qualified securities depository to replace DTC, the City will authenticate and deliver replacement Bonds in accordance with DTC’s rules and procedures.

Section 8. Unless changed by the Finance Officer in the Pricing Certificate, the Bonds will not be subject to redemption prior to maturity. Any additional terms related to the redemption of the Bonds may be set forth in the Pricing Certificate.

Section 9. The Bonds, subject to any modifications made in the Pricing Certificate, and the provisions for the registration of the Bonds and for the approval of the Bonds by the Secretary or Deputy Secretary of the Local Government Commission are to be in substantially the form set forth in the Appendix A hereto.

Section 10. The City covenants that it will not take or permit, or omit to take or cause to be taken, any action that would adversely affect the exclusion from gross income of the recipient thereof for federal income tax purposes of the interest on the Bonds, and, if it should take or permit, or omit to take or cause to be taken, any such action, the City will take or cause to be taken all lawful actions within its power necessary to rescind or correct such actions or omissions promptly upon having knowledge thereof. The City acknowledges that the continued exclusion of interest on the Bonds from the owner's gross income for federal income tax purposes depends, in part, on compliance with the arbitrage limitations imposed by Section 148 of the Code. The City covenants that it will comply with all the requirements of Section 148 of the Code, including the rebate requirements, and that it will not permit at any time any of the proceeds of the Bonds or other funds under its control be used, directly or indirectly, to acquire any asset or obligation, the acquisition of which would cause the Bonds to be “arbitrage bonds” for purposes of Section 148 of the Code. The Finance Officer, or her designee, is hereby authorized to execute a non-arbitrage certificate with respect to the Bonds in order to

comply with Section 148 of the Code and the applicable Income Tax Regulations thereunder.

Section 11. The Finance Officer is hereby directed to create and establish a special fund on the City's books and records to be designated "*City of Charlotte, North Carolina General Obligation Bonds, Series 2024 Cost of Issuance Fund*" or such other name as the Finance Officer may determine (the "*Costs of Issuance Fund*"). From the proceeds of the Bonds, the State Treasurer will (1) cause the amounts set forth in the Pricing Certificate needed to redeem the outstanding 2014A Bonds to be refunded to be transferred to registered owners of the 2014A Bonds as provided for in the closing memorandum for the Bonds, and (2) transfer the balance of the proceeds from the sale of the Bonds to the Costs of Issuance Fund.

Proceeds on deposit in the Costs of Issuance Fund shall be used to pay the costs of issuance of the Bonds. Funds on deposit in the Costs of Issuance Fund shall be invested and reinvested by the Finance Officer as permitted by the laws of the State of North Carolina. The Finance Officer shall keep and maintain adequate records pertaining to each account and all disbursements from each account so as to satisfy the requirements of the laws of the State of North Carolina and assure that the City maintains its covenants with respect to the exclusion of the interest on the Bonds from gross income for purposes of federal income taxation. To the extent any funds remain in the Costs of Issuance Fund, the Finance Officer shall apply the remaining proceeds of the Bonds to pay interest on the Bonds on January 1, 2024.

Section 12. Actions taken by officials of the City to select paying and transfer agents, and a bond registrar, or alternate or successor agents and registrars pursuant to Section 159E-8 of the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, are hereby authorized and approved.

Section 13. The Local Government Commission is hereby requested to sell the Bonds through a private sale without advertisement to the Underwriters pursuant to the terms of the Bond Purchase Agreement at such prices as the Local Government Commission determines to be in the best interest of the City, subject to the approval of the Authorized Officers, as defined below, each such approval to be evidenced by the execution and delivery of the Bond Purchase Agreement. The Bonds will be sold at interest rates that result in a true interest cost not to exceed the rate set forth in the Statement of Disclosures to be filed with the Local Government Commission in connection with the Bonds and at a minimum purchase price of ninety-eight percent (98%) of the face value of the Bonds. The form and content of the Bond Purchase Agreement are in all respects approved and confirmed, and the Mayor, the Mayor Pro Tem, the City Manager or the Finance Officer of the City, or their respective designees (the "*Authorized Officers*"), are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Bond Purchase Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City Council, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of the City Council's approval of any and all such changes,

modifications, additions or deletions therein. From and after the execution and delivery of the Bond Purchase Agreement, the Authorized Officers are hereby authorized, empowered and directed, individually and collectively, to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Bond Purchase Agreement as executed.

Section 14. The Authorized Officers and the City Clerk or Deputy City Clerk are hereby authorized and directed, individually and collectively, (1) to cause the Bonds to be prepared and (2) when they have been duly sold by the Local Government Commission, (a) to execute the Bonds and (b) to turn the Bonds over to the registrar and transfer agent of the City for delivery through the facilities of DTC to the Underwriters.

Section 15. The form and content of the Preliminary Official Statement, and the final Official Statement related to the Bonds which will be substantially in the form of the Preliminary Official Statement (the "*Final Official Statement*"), are in all respects authorized, approved and confirmed, and the Finance Officer is authorized, empowered and directed to deliver the Preliminary Official Statement and the Final Official Statement in substantially the form and content of the Preliminary Official Statement made available to the City Council, but with such changes, modifications, additions or deletions therein as he may deem necessary, desirable or appropriate. The City Council hereby approves the distribution of the Preliminary Official Statement and the Final Official Statement by the Underwriter in connection with the offer and sale of the Bonds.

Section 16. The Authorized Officers, the City Clerk and the Deputy City Clerk, and their respective designees, are authorized and directed, individually and collectively, to execute and deliver for and on behalf of the City any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the documents contemplated in this Resolution or as may be deemed necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution, including the on-going administration of the Bonds. All actions previously taken by any of the Authorized Officers and the City Clerk, or their designee or those officers of the City authorized to act on their behalf, related to the Bonds and the proceedings therefor are hereby ratified and approved. Any provision in this Resolution that authorizes more than one officer of the City to take certain actions shall be read to permit such officers to take the authorized actions either individually or collectively.

Section 17. The City agrees, in accordance with Rule 15c2-12 (the "*Rule*") promulgated by the Securities and Exchange Commission (the "*SEC*") and for the benefit of the Registered Owners and beneficial owners of the Bonds, to provide to the MSRB:

- (1) by not later than seven months after the end of each Fiscal Year beginning with the Fiscal Year ending June 30, 2024, the audited financial statements of the City for the preceding Fiscal Year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or if such audited financial statements are not then available, unaudited financial statements of the City for such Fiscal Year to be

replaced subsequently by audited financial statements of the City to be delivered within 15 days after such audited financial statements become available for distribution;

(2) by not later than seven months after the end of each Fiscal Year beginning with the Fiscal Year ending June 30, 2024, the financial and statistical data as of a date not earlier than the end of the preceding Fiscal Year for the type of information included under the captions “**THE CITY--DEBT INFORMATION**” and “**--TAX INFORMATION**” (excluding information on overlapping units) in the Final Official Statement referred to in Section 15;

(3) in a timely manner not in excess of 10 business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (a) principal and interest payment delinquencies;
- (b) non-payment related defaults, if material;
- (c) unscheduled draws on the debt service reserves reflecting financial difficulties;
- (d) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (e) substitution of any credit or liquidity providers, or their failure to perform;
- (f) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (g) modification of the rights of the beneficial owners of the Bonds, if material;
- (h) call of any of the Bonds other than pursuant to a sinking fund redemption, if material, and tender offers;
- (i) defeasance of any of the Bonds;
- (j) release, substitution or sale of any property securing repayment of the Bonds, if material;
- (k) rating changes;
- (l) bankruptcy, insolvency, receivership or similar event of

the City;

(m) the consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to such actions, other than pursuant to its terms, if material;

(n) appointment of a successor or additional trustee or the change of name of a trustee, if material;

(o) incurrence of a financial obligation of the City, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the City, any of which affect the beneficial owners of the Bonds, if material; and

(p) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the City, any of which reflect financial difficulties.

(4) in a timely manner, notice of the failure by the City to provide the required annual financial information described in (1) and (2) above on or before the date specified.

For purposes of this Section, “*financial obligation*” means (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of either clause (a) or (b) above. The term “*financial obligation*” shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.

The City agrees that its undertaking under this Section is intended to be for the benefit of the registered owners and the beneficial owners of the Bonds and is enforceable by any of the registered owners and the beneficial owners of the Bonds, including an action for specific performance of the City’s obligations under this Section, but a failure to comply will not be an event of default and will not result in acceleration of the payment of the Bonds. An action must be instituted, had and maintained in the manner provided in this Section for the benefit of all of the registered owners and beneficial owners of the Bonds.

All documents provided to the MSRB as described in this Section shall be provided in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB. The City may discharge its undertaking

described above by providing such information in a manner the SEC subsequently authorizes in lieu of the manner described above.

The City may modify from time to time, consistent with the Rule, the information provided or the format of the presentation of such information, to the extent necessary or appropriate in the judgment of the City, but:

(1) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law or change in the identity, nature or status of the City;

(2) the information to be provided, as modified, would have complied with the requirements of the Rule as of the date of each Official Statement, after taking into account any amendments or interpretations of the Rule as well as any changes in circumstances;

(3) any such modification does not materially impair the interest of the registered owners or the beneficial owners of the Bonds, as determined by nationally recognized bond counsel or by the approving vote of the registered owners of a majority in principal amount of the Bonds then outstanding at the time of the amendment.

Any annual financial information containing modified operating data or financial information will explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section terminate on payment, or provision having been made for payment in a manner consistent with the Rule, in full of the principal of and interest on the Bonds.

Section 18. Those portions of this Resolution other than Section 17 may be amended or supplemented, from time to time, without the consent of the owners of the Bonds if in the opinion of nationally recognized bond counsel, such amendment or supplement would not adversely affect the interests of the owners of such Bonds and would not cause the interest on the Bonds to be included in the gross income of a recipient thereof for federal income tax purposes, including, without limitation, amendments which may be necessary to maintain the book-entry system. This Resolution may be amended or supplemented with the consent of the owners of a majority in aggregate principal amount of the Bonds then outstanding, exclusive of such Bonds, if any, owned by the City, but a modification or amendment (1) may not, without the express consent of any owner of affected Bonds, reduce the principal amount of any such Bond, reduce the interest rate payable on it, extend its maturity or the times for paying interest, change the monetary medium in which principal and interest is payable, or reduce the percentage of consent required for amendment or modification and (2) as to an amendment to Section 17, must be limited as described therein.

Any act done pursuant to a modification or amendment consented to by the owners of the Bonds is binding on all owners of such Bonds and will not be deemed an

infringement of any of the provisions of this Resolution, whatever the character of the act may be, and may be done and performed as fully and freely as if expressly permitted by the terms of this Resolution, and after consent has been given, no owner of such Bond has any right or interest to object to the action, to question its propriety or to enjoin or restrain the City from taking any action pursuant to a modification or amendment.

If the City proposes an amendment or supplemental resolution to this Resolution requiring the consent of the owners of the Bonds, the City shall cause notice of the proposed amendment to be sent to each owner of such Bonds then outstanding by first-class mail, postage prepaid, to the address of such owner as it appears on the registration books, or by such other method as may be acceptable to the owners of the Bonds; but the failure to receive such notice by mailing by any owner, or any defect in the mailing thereof, will not affect the validity of any proceedings pursuant hereto. Such notice shall briefly set forth the nature of the proposed amendment and shall state that copies thereof are on file at the City for inspection by all owners of such Bonds. If, within 60 days or such longer period as shall be prescribed by the City following the giving of such notice, the owners of a majority in aggregate principal amount of such Bonds then outstanding have consented to the proposed amendment, the amendment will be effective as of the date stated in the notice.

Section 19. Nothing in this Resolution precludes (a) the payment of the Bonds from the proceeds of refunding bonds or (b) the payment of the Bonds from any legally available funds.

If the City causes to be paid, or has made provisions to pay, on maturity or on redemption before maturity, to the owners of any of the Bonds the principal of such Bonds (including interest to become due thereon) and, premium, if any, on such Bonds, through setting aside trust funds or setting apart in a reserve fund or special trust account created pursuant to this Resolution or otherwise, or through the irrevocable segregation for that purpose in some sinking fund or other fund or trust account with an escrow agent or otherwise, moneys sufficient therefor, including, but not limited to, interest earned or to be earned on Federal Securities, and then, to the extent permitted by law, such Bonds shall be considered to have been discharged and satisfied and the principal of such Bonds (including premium, if any, and interest thereon) shall no longer be deemed to be outstanding and unpaid; *provided, however*, that nothing in this Resolution requires the deposit of more than such Federal Securities as may be sufficient, taking into account both the principal amount of such Federal Securities and the interest to become due thereon, to implement any such defeasance.

If such a defeasance occurs and after the City receives an opinion of a nationally recognized verification agent that the segregated moneys or Federal Securities together with interest earnings thereon are sufficient to effect a defeasance with respect to such Bonds, the City shall execute and deliver all such instruments as may be necessary to effect such a defeasance and desirable to evidence such release, discharge and satisfaction. Provisions shall be made by the City, for the mailing of a notice to the owners of such Bonds that such moneys are so available for such payment.

Section 20. Any portion of the Bond Order remaining after the issuance of the Bonds will be deemed to be repealed and will no longer be considered authorized but unissued under the Bond Order.

Section 21. All acts and doings of any officer of the City that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the Bonds and the execution, delivery and performance of the Bond Purchase Agreement are in all respects approved and confirmed.

Section 22. If any one or more of the agreements or provisions herein contained is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or for any reason whatsoever is held invalid, then such covenants, agreements or provisions are null and void and separable from the remaining agreements and provisions and will in no way affect the validity of any of the other agreements and provisions hereof or of the Bonds authorized hereunder.

Section 23. All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 24. This Bond Resolution is effective on its adoption.

PASSED, ADOPTED AND APPROVED this 10th day of June, 2024.

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 10th day of June 2024, the reference having been made in Minute Book 158, and recorded in full in Resolution Book 55, Page(s) 238-251.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 10th day of June, 2024.



Billie Tynes

Billie Tynes, Deputy City Clerk

APPENDIX A

No. R-

\$

**UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
CITY OF CHARLOTTE**

INTEREST			
<u>RATE</u>	<u>MATURITY DATE</u>	<u>DATED DATE</u>	<u>CUSIP</u>

REGISTERED OWNER: CEDE & Co.

PRINCIPAL SUM: DOLLARS

GENERAL OBLIGATION REFUNDING BOND, SERIES 2024

THE CITY OF CHARLOTTE, NORTH CAROLINA (the “City”) acknowledges itself indebted and for value received hereby promises to pay to the Registered Owner named above, on the Maturity Date specified above, upon surrender hereof, the Principal Sum shown above and to pay to the Registered Owner hereof interest thereon from the date of this Bond until it shall mature at the Interest Rate per annum specified above, computed on the basis of a 360-day year of twelve 30-day months, payable on January 1, 2025 and semiannually thereafter on July 1 and January 1 of each year. Principal of and interest on this Bond are payable in immediately available funds to The Depository Trust Company (“DTC”) or its nominee as registered owner of the Bonds and is payable to the owner of the Bonds shown on the records of DTC at the close of business on the 15th day of the month preceding an interest payment date or a bond payment date. The City is not responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

This Bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Bond Act, a bond resolution adopted by the City Council of the City on June 10, 2024 and a bond order adopted by the City Council of the City on June 10, 2024 and effective on the date of its adoption. The Bonds will initially be issued by means of a book-entry system as described in the Bond Resolution. The Bonds are issued to provide funds (1) to refund the City’s General Obligation Bonds, Series 2014A and (2) to pay the costs of issuing the Bonds.

[The Bonds are not be subject to redemption prior to maturity.]

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this Bond, exist, have been performed and have happened, and that the amount of this Bond, together with all other indebtedness of the City, is within every debt and other limit prescribed by said Constitution or statutes. The

faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on this Bond in accordance with its terms.

This Bond is not valid or obligatory for any purpose until the certification hereon has been signed by an authorized representative of the Local Government Commission.

IN WITNESS WHEREOF, the City has caused this Bond to bear the original or facsimile of the signatures of the Mayor and the City Clerk and an original or facsimile of the seal of the City to be imprinted hereon and this Bond to be dated as of the Dated Date above.

(SEAL)

City Clerk

Mayor

Date of Execution: August __, 2024

The issue hereof has been approved under the provisions of The Local Government Bond Act.

JENNIFER WIMMER
Deputy Secretary of the Local Government Commission

FORM OF ASSIGNMENT

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

(Please print or typewrite Name and Address,
including Zip Code, and Federal Taxpayer Identification or
Social Security Number of Assignee)

the within Bond and all rights thereunder, and hereby irrevocably constitutes and
appoints

Attorney to register the transfer of the within Bond on the books kept for registration
thereof,
with full power of substitution in the premises.

Dated: _____
Signature guaranteed by:

NOTICE: Signature must be guaranteed by a Participant in the Securities Transfer Agent Medallion Program ("*Stamp*") or similar program.

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within Bond in every particular, without alteration, enlargement or any change whatever.

TRANSFER FEE MAY BE REQUIRED

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, DIRECTING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF STORM WATER FEE REVENUE REFUNDING BONDS AND OTHER MATTERS

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

WHEREAS, the City Council (the “City Council”) of the City is considering the issuance of the City’s Storm Water Fee Revenue Refunding Bonds (with appropriate designations) in one or more series (the “2024 Bonds”), in an aggregate principal amount not to exceed \$205,000,000 under an Amended and Restated General Trust Indenture dated as of February 15, 2023 (the “General Indenture”) between the City of Charlotte, North Carolina and U.S. Bank Trust Company, National Association, as trustee (the “Trustee”), and a series indenture, between the City and the Trustee, to: (1) prepay in full the City’s Storm Water Fee Revenue Bond Anticipation Note, Series 2022 (the “2022 BAN”), (2) if advantageous to the City, refund all or a portion of the City’s outstanding Storm Water Fee Revenue and Revenue Refunding Bonds, Series 2014 (the “2014 Bonds”), and (3) pay the costs of issuing the 2024 Bonds;

WHEREAS, the City Council wants to approve the retention of the financing team for the 2024 Bonds (collectively, the “Financing Team”), including (A) Parker Poe Adams & Bernstein LLP, as bond counsel; (B) DEC Associates, Inc., as the financial advisor; (C) First Tryon Securities, LLC, as the financial consultant; (D) U.S. Bank Trust Company, National Association, as trustee and paying agent; and (E) Wells Fargo Bank, National Association, Truist Securities, Inc. and Siebert Williams Shank & Co., LLC, as underwriters (the “Underwriters”);

WHEREAS, the City Council wants the Chief Financial Officer of the City, or her designee, to file with the LGC one or more applications for its approval of the 2024 Bonds, on forms prescribed by the LGC, and (1) request in such applications that the LGC approve (a) the negotiation of the sale of the 2024 Bonds to the Underwriters and (b) the City’s use of the Financing Team and (2) state in such applications such facts and to attach thereto such exhibits in regard to the 2024 Bonds and to the City and its financial condition, as may be required by the LGC, and to take all other action necessary for the issuance of the 2024 Bonds;

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

Section 1. The 2024 Bonds will be issued by the City for the purpose of

providing funds to (1) prepay in full the 2022 BAN, (2) if advantageous to the City, refund the 2014 Bonds and (3) pay the costs of issuing the 2024 Bonds, as to be further described in the City's application to the LGC. The use of the proceeds of the 2024 Bonds, as described, is necessary in order to (1) fix the long-term interest cost of the City related to the projects financed from the proceeds of the 2022 BAN and (2) to achieve debt service savings from refunding the 2014 Bonds. The City's Chief Financial Officer, and her respective designees, are hereby directed to evaluate the merits and potential benefits to the City of refunding the 2014 Bonds and to determine if the refunding is advantageous to the City.

The 2024 Bonds will be special obligations of the City. The principal of, premium, if any, and interest on the 2024 Bonds shall not be payable from the general funds of the City, nor shall they constitute a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of its income, receipts or revenues except the funds which are pledged under the General Indenture and the Series Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City are pledged for the payment of the principal of, premium, if any, or interest on the 2024 Bonds, and no holder of 2024 Bonds has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

Section 2. The filing an application with the LGC for its approval of the issuance of the 2024 Bonds is hereby approved. The Chief Financial Officer of the City, and her designees, with advice from the City Attorney and bond counsel, are hereby authorized, directed and designated to provide such information to the LGC as may be required for the LGC's approval of such application. The Financing Team is hereby approved in connection with the issuance by the City of the 2024 Bonds. The Chief Financial Officer, or her designee, is authorized to appoint other members to each financing team as she determines is necessary and appropriate to carry out the plan of financing described herein.

Section 3. The City Council finds and determines with respect to the 2024 Bonds, and asks the LGC to find and determine with respect to the 2024 Bonds, from the City's application and supporting documentation, as follows:

- (a) that the issuance of the 2024 Bonds is necessary or expedient;
- (b) that the not to exceed stated principal amount of the 2024 Bonds will be sufficient but is not excessive, when added to other money available for such purpose, to pay the costs of prepaying in full the 2022 BAN and refunding the 2014 Bonds;
- (c) that the refinancing of the 2022 BAN and the refunding of the 2014 Bonds, and the projects financed and refinance thereby, is feasible;
- (d) that the City's debt management procedure and policies are good;
and
- (e) that the 2024 Bonds can be marketed at a reasonable interest cost to the City.

Section 4. The City Council requests that the LGC sell the 2024 Bonds at private sale without advertisement to the Underwriters at such prices as the LGC determines to be in the best interest of the City, at a true interest cost of not to exceed 6.00%.

Section 5. The Mayor, the City Manager, the Chief Financial Officer, the City Treasurer, the City Debt Manager, the City Clerk, the Deputy City Clerk and their respective designees (the “*Authorized Officers*”), are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to complete the steps necessary for the issuance of the 2024 Bonds. All acts and doings of the Authorized Officers that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the 2024 Bonds shall be, and the same hereby are, in all respects approved and confirmed. Any provision in this Resolution that authorizes more than one officer of the City to take certain actions shall be read to permit such officers to take the authorized actions either individually or collectively.

Section 6. All actions of the City and its officials, whether previously or hereafter taken in effectuating the proposed financings as described herein, are hereby ratified, authorized and approved.

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

Section 8. This Resolution is effective on its adoption.

Adopted June 10, 2024.

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 10th day of June 2024, the reference having been made in Minute Book 158, and recorded in full in Resolution Book 55, Page(s) 252-254.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 10th day of June, 2024.



Billie Tynes

Billie Tynes, Deputy City Clerk