

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF
CHARLOTTE, NORTH CAROLINA ON FEBRUARY 12, 2024.**

A motion was made by _____ Molina _____ and seconded by
_____ Ajmera _____ for the adoption of the following Resolution and upon being
put to a vote was duly adopted:

WHEREAS, The Federal Government requires that all bridge structures 20 feet or greater that
carry vehicular traffic on public roads be inspected every two years; and,

WHEREAS, The North Carolina Department of Transportation (NCDOT) will reimburse the total
cost (100%) of inspecting qualifying bridges; and,

WHEREAS, City Council is asked to approve a Municipal Agreement between the City and
NCDOT related to the inspection of City maintained bridges.

NOW, THEREFORE, BE IT RESOLVED that this resolution authorizing the City Manager to
execute a municipal agreement with the NCDOT to reimburse the total cost (100%) of
inspecting qualifying bridges on public roads every two years, is hereby formally approved by
the City Council of the City of Charlotte and the Director of Transportation and Clerk of this
Municipality are hereby empowered to sign and execute the Agreement with the aforementioned
groups.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY
CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City
Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day
of February 2024, the reference having been made in Minute Book 158 and recorded in full in
Resolution Book 55, Page(s) 052-052 _____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12th day
of February 2024.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

AMENDED RESOLUTION PROVIDING APPROVAL OF INLIVIAN'S ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$23,000,000 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 12th day of February, 2024; and

WHEREAS, INLIVIAN (the "Issuer") has tentatively agreed to issue its multifamily housing revenue bonds in an amount not to exceed \$23,000,000 (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 December 20, 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, on October 9, 2023, the City Council adopted a resolution approving the issuance of not to exceed \$19,000,000 of tax-exempt bonds for the Development for purposes of satisfying the requirements of Section 147(f) of the Code; and

WHEREAS, the Borrower has determined that the amount of tax-exempt debt to be provided to finance the costs of the Development is more than originally anticipated and the Borrower and the Issuer have requested the City Council to approve the issuance of the Bonds in an amended amount not to exceed \$23,000,000; and

WHEREAS, the City has determined that approval of the Issuer's issuance of the Bonds is solely to satisfy the requirements 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 \$23,000,000 are hereby approved for purposes of Section 147(f) of the Code.

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

* * * * *

Council member Ajmera 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 Ajmera, Anderson, Bokhari, Brown, Driggs, Graham, Johnson, Mayfield,, Mitchell, Molina,

Nays: None

Not voting: Watlington

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of February 2024, the reference having been made in Minute Book 158 and recorded in full in Resolution Book 55, Page(s) 053-056.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12th day of February 2024.



Stephanie C. Kelly

Stephanie C. Kelly, City Clerk, MMC, NCCMC

Exhibit A

Certificate and Summary of Public Hearing

(Attached)

CERTIFICATE AND SUMMARY

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

1. Notice of a public hearing (the “Hearing”) to be held on December 20, 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 December 13, 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 20th day of December, 2023.

By: Allen Gong
Name: _____
Title: Hearing Officer

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA AUTHORIZING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR THE APPROVAL OF A LEASE AT 2200 EXECUTIVE STREET, CHARLOTTE, NC 28208

WHEREAS, FIVF-III-NC1 LLC, a Delaware limited liability company ("Landlord") owns property more particularly identified as tax parcel number 061-142-01 at the corner of Scott Futrell Drive and Executive Street in Charlotte, North Carolina and more particularly identified as 2200 Executive Street, Charlotte, NC 28208 (the "Site"); and

WHEREAS, the Site contains approximately 22,961 square feet of leasable space; and,

WHEREAS, the City of Charlotte, North Carolina (the "*City*") desires to enter into a lease agreement with the Landlord wherein the City would be a tenant at the Site; and,

WHEREAS, the Lease is for a one hundred twenty (120) month term with one option to renew for an additional sixty (60) months; and,

WHEREAS, in consideration of the lease, the City has agreed to pay annual rent for the first year of \$24,874.40 a month (\$298,492.80 per year for the first year) and with a three (3) percent annual rent rate increase thereafter during the lease term; and,

WHEREAS, the provisions of North Carolina General Statutes § 160A-272 and Charlotte City Charter § 8.131 do not apply because the City is the tenant and not property owner; and,

WHEREAS, the City Council of the City approved the lease during its January 8, 2024 meeting, upon the terms and conditions set forth therein, and authorized the City Manager or designee to execute all instruments necessary to the lease; and,

WHEREAS, the Local Government Commission requires a resolution from the City to be submitted with the City's application; and,

WHEREAS, this resolution is effective upon adoption.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City Council hereby approves the resolution and the submission of the application to the Local Government Commission

THIS THE 12th DAY OF FEBRUARY, 2024.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of February 2024, the reference having been made in Minute Book 158 and recorded in full in Resolution Book 55, Page(s) 057-058.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12th day of February 2024.



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

Stephanie C. Kelly, City Clerk, MMC, NCCMC

**RESOLUTION AUTHORIZING THE LEASE OF A
PORTION OF JW CLAY BLVD PARKING DECK TO Marib
Coffee Co.**

WHEREAS, the City of Charlotte owns property more particularly identified as tax parcel number 047-291-47 at the corner of North Tryon Street and JW Clay Boulevard in Charlotte, North Carolina, also identified as the JW Clay Parking Deck (the "Site"); and

WHEREAS, the Site contain approximately 15,470 square feet of leasable retail space ("Retail Space"); and

WHEREAS, Marib Coffee Co., desires to lease approximately 2,352 square feet of the Retail Space (the "Property") for operation of a facility for retail selling coffee, pastries, and related products for a 62-month term with one option to renew for an additional sixty months; and

WHEREAS, in consideration of the lease, Marib Coffee Co. has agreed to pay annual rent in the amount of; \$4,900 a month (\$58,800 per year) for the first year and 3 percent annual rent rate increases thereafter during the lease term; and

WHEREAS, North Carolina General Statute § 160A-272 and Charlotte City Charter § 8.131 give the City the right and option to lease the Property for its own benefit upon such market terms and conditions as it determines; and

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

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

THE CITY COUNCIL HEREBY APPROVES THE LEASE OF THE CITY PROPERTY DESCRIBED ABOVE TO MARIB COFFEE CO., UPON THE TERMS AND CONDITIONS SET FORTH HEREIN, AND AUTHORIZES THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL INSTRUMENTS NECESSARY TO THE LEASE.

THIS THE 12th DAY OF February, 2024.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of February 2024, the reference having been made in Minute Book 158 and recorded in full in Resolution Book 55, Page(s) 059.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12th day of February 2024.



Stephanie C. Kelly

Stephanie C. Kelly, City Clerk, MMC, NCCMC

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO

WHEREAS, the City of Charlotte, North Carolina (the “*City*”) is a municipal corporation duly created and validly existing under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the “*State*”);

WHEREAS, the City has the power, pursuant to the General Statutes of North Carolina to (1) enter into installment contracts in order to purchase, or finance or refinance the purchase of, real or personal property and to finance or refinance the construction or repair of fixtures or improvements on real property and (2) create a security interest in some or all of the property financed or refinanced to secure repayment of the purchase price;

WHEREAS, the City Council of the City (the “*City Council*”) determines that it is in the best interest of the City to enter into an installment financing to finance the costs of (a) improvements and renovations to government facilities, including but not limited to implementation of ADA transition plans, increases in building sustainability and replacement of HVAC systems, (b) construction, renovation and improvement of fire-fighting facilities and other public safety facilities, (c) acquisition of a police helicopter and (d) the acquisition of vehicles and equipment (collectively, the “*2024 Projects*”);

WHEREAS, the City Council has been advised and hereby determines that it may be advantageous to refinance some or all of the City’s outstanding installment obligations related to Certificates of Participation (Equipment Acquisition and Public Facilities), Series 2012A and Certificates of Participation (Equipment Acquisition and Public Facilities), Series 2013A (the “*Prior Certificates*”), the proceeds of which were used to finance and refinance the construction and improvements to various public facilities and other public projects and the acquisition of vehicles and equipment (the “*Prior Projects*”);

WHEREAS, the City Council determines that it is in the best interest of the City to enter into (a) an installment financing contract (the “*Contract*”) with the New Charlotte Corporation, a North Carolina nonprofit corporation (the “*Corporation*”) to (1) pay all or a portion of the capital costs of the 2024 Projects, (2) if determined to be advantageous, refinance all or a portion of the Prior Projects and the related Prior Certificates, and (3) pay the costs related to the execution and delivery of the Contract and (b) a deed of trust and security agreement (the “*Deed of Trust*”) related to the City’s fee simple interest in all or a portion of the sites of the 2024 Projects (the “*Site*”) and the improvements thereon, necessary to secure the City’s obligations under the Contract;

WHEREAS, the Corporation will assist the City by the execution and delivery of Certificates of Participation (the “*Certificates*”) to finance the 2024 Projects and refinance the Prior Projects and related Prior Certificates;

WHEREAS, the City hereby determines that financing the 2024 Projects and the refinancing of the Prior Projects is essential to the City's proper, efficient and economic operation and to the general health and welfare of its inhabitants; that financing the 2024 Projects will provide an essential use and will permit the City to carry out public functions that it is authorized by law to perform and that entering into the Contract is necessary and expedient for the City by virtue of the findings presented herein;

WHEREAS, the City hereby determines that entering into the Contract allows the City to finance the 2024 Projects and refinance the Prior Projects at a favorable interest rate currently available in the financial marketplace and on terms advantageous to the City;

WHEREAS, the City hereby determines that the estimated cost of financing the 2024 Projects and refinancing the Prior Projects is an amount not to exceed \$137,000,000, and that such cost exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the City in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

WHEREAS, although the cost of financing the 2024 Projects and refinancing the Prior Projects pursuant to the Contract is expected to exceed the cost of financing the 2024 Projects and refinancing the Prior Projects pursuant to a bond financing for the same undertaking, the City hereby determines that the cost of financing the 2024 Projects and refinancing the Prior Projects pursuant to the Contract and the obligations of the City thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of completing the 2024 Projects and refinancing the Prior Projects; and (3) insufficient revenues are produced by the Projects so as to permit a revenue bond financing;

WHEREAS, the City has determined and hereby determines that the estimated cost of financing the 2024 Projects and refinancing the Prior Projects pursuant to the Contract reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

WHEREAS, the City does not anticipate a future property tax increase to pay installment payments falling due under the Contract; however, any property tax increase, if necessary, to pay installment payments falling due under the Contract will not be excessive;

WHEREAS, the sums to fall due under the Contract will be adequate but not excessive for its proposed purpose;

WHEREAS, no deficiency judgment may be rendered against the City in any action for breach of an obligation under the Contract;

WHEREAS, the City is not in default under any of its debt service obligations;

WHEREAS, the City's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the City has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget Ordinance;

WHEREAS, past audit reports of the City indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the City has not been censured by the Local Government Commission of North Carolina (the "LGC"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

WHEREAS, a public hearing on entering into the Contract after publication of a notice with respect to such public hearing will be held by the City Council and approval of the LGC with respect to entering into Contract must be received;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AS FOLLOWS:

Section 1. ***Authorization to Negotiate Contract.*** The Mayor, the City Manager, the Chief Financial Officer, the Treasurer, the City Clerk and the City Attorney, and their respective designees (individually and collectively, the "*Authorized Officers*"), are hereby authorized and directed to proceed and negotiate on behalf of the City for the financing of the 2024 Projects and refinancing the Prior Projects for a principal amount not to exceed \$137,000,000 in accordance with the provisions of Section 160A-20 of the General Statutes of North Carolina, as amended, and to provide in connection with the Contract, as security for the City's obligations thereunder, the Deed of Trust conveying a lien and interest in the Site and the improvements thereon.

Section 2. ***Application to LGC.*** The City Manager and the Chief Financial Officer, individually or collectively, or their designees, are hereby directed to file with the LGC an application for its approval of the Contract and all relevant transactions contemplated thereby on a form prescribed by the LGC and to state in such application such facts and to attach thereto such exhibits regarding the City and its financial condition as may be required by the LGC.

Section 3. ***Financing Team.*** The financing team of Parker Poe Adams & Bernstein LLP, as special counsel, DEC Associates, Inc., as financial advisor, PNC Capital Markets LLC, as managing underwriter, and U.S. Bank Trust Company, National Association, as trustee, is approved. The Authorized Officers are hereby authorized to retain any other professionals they deem necessary to complete the transaction contemplated by this Resolution.

Section 4. ***Public Hearing.*** In order to satisfy the requirements of Section 160A-20 of the General Statutes of North Carolina, as amended, the City Council will conduct a public hearing on February 26, 2024 at 6:30 p.m., or as soon thereafter as practicable, in the Meeting Chamber, Charlotte-Mecklenburg County Government

Center, 600 East Fourth Street, Charlotte, North Carolina 28202 concerning the execution and delivery of the Contract (the “*Public Hearing*”). The City Clerk is hereby directed to cause notice of the Public Hearing to be published at least once in a qualified newspaper of general circulation within the City no fewer than 10 days prior to the Public Hearing.

Section 5. **Repealer.** All motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

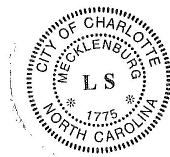
Section 6. **Effective Date.** This Resolution is effective on the date of its adoption.

Adopted February 12, 2024

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of February 2024, the reference having been made in Minute Book 158 and recorded in full in Resolution Book 55, Page(s) 060-063.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12th day of February 2024.



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

Stephanie C. Kelly, City Clerk, MMC, NCCMC

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **Mallard CK Basin Improvements-Phase 1 and 2**; 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 Mallard CK Basin Improvements-Phase 1 and 2** Project estimated to be:

1,941 sq. ft. (0.05 ac.) in Permanent Sanitary Sewer Easement
5,326 sq. ft. (0.12 ac.) in 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. 051-411-13**; said property currently owned by **Point 100 Limited Partnership** and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

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

IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of February 2024, the reference having been made in Minute Book 158 and recorded in full in Resolution Book 55, Page(s) 064.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12th day of February 2024.



Stephanie C. Kelly

Stephanie C. Kelly, City Clerk, MMC, NCCMC

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **Mallard CK Basin Improvements-Phase 1 and 2**; 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 Mallard CK Basin Improvements-Phase 1 and 2** Project estimated to be:

27,131 sq. ft. (0.62 ac.) in Permanent Sanitary Sewer Easement
17,411 sq. ft. (0.40 ac.) in 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. 051-411-01**; said property currently owned by **NK Investments, Inc. and Nick Stas, LLC** and or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

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

IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of February 2024, the reference having been made in Minute Book 158 and recorded in full in Resolution Book 55, Page(s) 065.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12th day of February 2024.



Stephanie C. Kelly

Stephanie C. Kelly, City Clerk, MMC, NCCMC

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

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for **MONROE ROAD MUP**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for the **MONROE ROAD MUP** and estimated to be:

1,474 sq. ft. (0.034 ac.) **Sidewalk Utility Easement**
1,872 sq. ft. (0.043 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. 161-063-01 said property currently owned by **EP 5101, LLC**, or their owners' successors in interest.

ESTIMATED JUST COMPENSATION:

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

IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of February 2024, the reference having been made in Minute Book 158 and recorded in full in Resolution Book 55, Page(s) 066.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12th day of February 2024.



Stephanie C. Kelly

Stephanie C. Kelly, City Clerk, MMC, NCCMC