

RESOLUTION AUTHORIZING THE LEASE
LOCATED AT 940 N. DAVIDSON STREET
TO MCGILL ROSE GARDEN

WHEREAS, the City of Charlotte (“City”) owns property located at 940 N. Davidson Street, in Charlotte, North Carolina (the "Premises"), commonly known the McGill Rose Garden, and identified as Tax ID# 081-086-02. The Premises consists of a public garden with two (2) parking areas, a building, and several related outbuildings;

WHEREAS, McGill Rose Garden, a North Carolina non-profit corporation (“Lessee”) desires to lease the Premises to operate and maintain as a public park that serves as a garden sanctuary, as well as a venue for weddings, private parties, educational programming, community events and activities that support the operations of the park known as the McGill Rose Garden (the “Permitted Use”);

WHEREAS, the City has determined that the Premises will not be needed for a period of five (5) years and desires to lease the Premises to the Lessee for said five (5) year period. Lessee shall pay \$1.00, annually, for use of the Premises during the term of the Lease and shall be responsible for operating and maintaining the Premises;

WHEREAS, the proposed lease is conditioned on McGill using the Premises for the Permitted Use and should the Premises cease to be used for those purposes, the City shall have the option to terminate the lease;

WHEREAS, thirty (30) days’ public notice was provided in accordance with North Carolina General Statute §160A-272, and the City Council is convened at a regular meeting; and

WHEREAS, Sec. 8.131 of the City Charter provides the City the authority to lease City owned property for such terms and upon such conditions as the City Council may determine.

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte that:

The City Council hereby approves the lease of the above described Premises to McGill Rose Garden, a North Carolina non-profit corporation, upon the terms and conditions set forth herein, and authorizes the City Manager, or his designee, to execute all instruments necessary to lease said Premises.

THIS THE 26th DAY OF AUGUST 2024.