

**RESOLUTION AUTHORIZING THE EXCHANGE
OF REAL PROPERTY WITH
CHARLOTTE-MECKLENBURG BOARD OF EDUCATION**

WHEREAS, the City of Charlotte (“City”) owns that .946 acre ± parcel of real property located along Johnston Road, Charlotte, North Carolina and being all of Tax Parcel No. 223-481-02 (the "Property"); and

WHEREAS, the Property was previously used for the Johnston Road / Four Mile Creek Pump Station, and is not currently being used for any City purpose; and

WHEREAS, the current fair market value of the Property is estimated to be \$400,000.00; and

WHEREAS, Charlotte-Mecklenburg Board of Education (“CMBE”), a corporate body formed and existing in accordance with Article 5 of Chapter 115C of the General Statutes of North Carolina, desires to grant the easements described below to the City in exchange for the Property; and

WHEREAS, the easements to be acquired by the City from CMBE have an estimated fair market value of \$400,000; and

WHEREAS, on April 20, 2021, this proposed transaction was submitted and reviewed by the Planning Committee of the Charlotte-Mecklenburg Planning Commission in accordance with Mandatory Referral Legislation; and

WHEREAS, NCGS §160A-274 authorizes City to exchange real property with other governmental units, with or without consideration; and

WHEREAS, in accordance with NCGS §160A-271, notice of the proposed exchange was advertised at least ten (10) days prior to the adoption of this Resolution.

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to NCGS §160A-271 and NCGS §160A-274, that it hereby authorizes the conveyance of the Property (Tax Parcel No. 223-481-02), in fee simple, to CMBE in exchange for the following interests in CMBE parcels:

1. Easements for the Irwin Creek Tributaries to DeWitt Lan and Yeoman Road Sanitary Sewer Replacement Project over Tax Parcel ID# 145-331-11, comprising a:
 - a. Temporary Construction Easement consisting of approximately 0.357 acre;

- b. Sanitary Sewer Easement consisting of approximately 0.443 acre; and
 - c. Temporary Access Easement consisting of approximately 0.042 acre.
- 2. An easement for the proposed 8" Sanitary Sewer to Serve 7740 & 7744 Pleasant Grove Road over Tax Parcel ID# 035-178-29 (Mountain Island Lake Academy Parcel), comprising a:
 - a. Permanent Easement consisting of approximately 0.058 acre.
- 3. Easements for the Dairy Branch Sedgefield Park Segment over Tax Parcel ID# 147-081-78 (Sedgefield Middle School Parcel), comprising a:
 - a. Sanitary Sewer Easement consisting of approximately 0.65 acre; and
 - b. Temporary Construction Easement consisting of approximately 0.73 acre.
- 4. Easements for the Irwin Basin Tributary to Remount Road Area Sewer Project over Tax Parcel ID# 145-051-12 (Marie G. Davis School Parcel), comprising a:
 - a. Public Utility Easement consisting of approximately .009 acre; and
 - b. Temporary Construction Easement consisting of approximately .015 acre.

The City Manager, or his designee, is authorized to execute all documents necessary to complete the above described exchange of real property in accordance with the terms and conditions hereof.

THIS THE 24th DAY OF MAY 2021.