

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION DECLARING INTENT TO ENTER INTO A LICENSE AND USE
AGREEMENT WITH
TRINITY EPISCOPAL SCHOOL**

WHEREAS, Mecklenburg County is entering into a lease of property from the Charlotte Housing Authority known as Seigle Point Recreational Facilities ("Park") which will be used for public recreation; and

WHEREAS, Trinity Episcopal School ("TES") proposes to develop recreational amenities for its use, Housing Authority use, and public use, including tennis courts, a playground and picnic shelter, on the Park to be leased by the County from the Charlotte Housing Authority; and

WHEREAS, access to additional recreational facilities located along Little Sugar Creek Greenway in the Belmont community is good for the public; and

WHEREAS, the County Park and Recreation Department has determined that the location is suitable for tennis courts, a playground and picnic shelter; and

WHEREAS, TES has indicated that it has raised the capital necessary to make improvements to the Park, a portion of which will have shared use with the Charlotte Housing Authority, TES and for public recreation with use scheduled by the Park and Recreation Department per the County's policies and procedures; and

WHEREAS, pursuant to G.S. 160A-272 the Board of Commissioners has determined that it would be in the public interest for it to agree to the License and Use Agreement negotiated with TES; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby declare its intent to enter into a License and Use Agreement with Trinity Episcopal School for use of portions of Seigle Point Recreational Facilities for forty-nine years with five (5) ten (10) year options to renew (consistent with the length of the lease to the County) and directs that the Clerk to the Board publish a notice of the Board's intent to approve the Agreement with Trinity Episcopal School at the Board's July 7, 2009 meeting as required by law.

Adopted the ____ day of June, 2009.

Approved as to Form:

County Attorney

Clerk to the Board

(SEAL)

MECKLENBURG COUNTY
NOTICE OF INTENT TO ENTER INTO A
LICENSE AND USE AGREEMENT

On June 16, 2009, the Mecklenburg County Board of Commissioners adopted a Resolution declaring its intent to enter into a License and Use Agreement with Trinity Episcopal School (“TES”) for portions of property to be owned by the Charlotte Housing Authority adjacent to the Seigle Point apartment development for the construction of park amenities under the following terms and conditions: the Agreement would be for a period beginning August 1, 2009 and continuing for forty-nine years, with options to renew. TES proposes to pay all capital costs associated with the construction of the following park amenities: six tennis courts, a playground, a shelter, restroom facility and associated parking. TES will be responsible for funding building permits, construction costs of all park amenities and associated parking. TES will have the right to use the tennis courts for physical education classes and school related tennis practices, games and tournaments per a schedule coordinated by the Park and Recreation Department. The schedule will also provide for use by the Charlotte Housing Authority, as well as periods of public use.

The Board of Commissioners will consider whether to approve the License and Use Agreement at its July 7, 2009 meeting. Anyone wishing to obtain additional information about the proposed agreement and/or to enter an upset bid on the same terms as proposed by TES may contact Marvin A. Bethune, Mecklenburg County Attorney, by telephone at 704.377.1634 during normal business hours.