

**Charlotte-Mecklenburg
HISTORIC LANDMARKS COMMISSION
Executive Committee Minutes
Location: 2100 Randolph Road, Charlotte, N.C.
June 19, 2018
Time: 5:04 p.m. – 5:40 p.m.**

Present:

**Mr. Nathan Clark, HLC Treasurer
Mr. Tom Egan, HLC Chair
Ms. Penny Higdon, HLC Secretary
Mr. Len Norman, Projects Chair
Mr. Jeff Parsons, HLC Vice-Chair
Mr. Sandy Carnegie, HLC Attorney (by telephone)
Dr. Dan Morrill, HLC Consulting Director
Mr. Stewart Gray, HLC Senior Preservation Planner
Mr. Peter Wasmer, HLC Project Manager**

Absent:

None

1. Chair's Report: Tom Egan

Mr. Egan did not have a report.

2. Consulting Director's Report: Dan Morrill

Dr. Morrill did not have a report.

3. Consideration of Revisions to the Contract for Torrence Lytle, 302 Holbrooks Road, Huntersville, N.C.

Torrence Lytle came up for discussion on three issues brought to the HLC by the potential purchaser, Brock Ventures. The three issues were: 1. Buyer wants to extend due diligence period until October 31, 2018 from original July date. 2. On Exhibit B, Paragraph 13, Buyer suggests a determined number of years such as 25 years rather than current language. 3. Buyer wants to add a clause saying that Seller is not entitled to Right of First Refusal to Purchase in the event of internal/related entity restructure or refinancing.

All three issues were discussed with advice from counsel.

MR. NORMAN PRESENTED A MOTION SECONDED BY MR. PARSONS THAT THE EXECUTIVE COMMITTEE AUTHORIZE THE HLC CONSULTING DIRECTOR AND SANDY CARNEGIE, HLC ATTORNEY, TO NEGOTIATE THE TERMS OF THE SALE OF THE TORRENCE LYTLE PROPERTY, 302 HOLBROOKS ROAD, HUNTERSVILLE, N.C., WITH BROCK VENTURES, THAT THE DUE DILIGENCE PERIOD BE EXTENDED TO 5:00 P.M. ON OCTOBER 31, 2018, AND THAT THE CLOSING DATE BE NOVEMBER 30, 2018, WITH "TIME IS OF THE ESSENCE" ADDED AND THAT PARAGRAPH 13 ON

EXHIBIT B BE LEFT AS IS BUT ADD THE LANGUAGE “NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED HEREIN, A LOAN, A REFINANCING, LOAN RESTRUCTURE, ALL OF WHICH MAY BE SECURED BY A DEED OF TRUST SHALL NOT BE A SALE AS CONTEMPLATED WHICH WOULD TRIGGER THE RIGHT OF FIRST REFUSAL. FURTHER, ANY TRANSFER OF THE PROPERTY TO AN ENTITY IN WHICH THE TRANSFEROR WILL OWN FIFTY PERCENT (50%) OR MORE OWNERSHIP IN THE TRANSFEREE SHALL ALSO NOT BE A SALE AS CONTEMPLATED WHICH WOULD TRIGGER THE RIGHT OF FIRST REFUSAL.” THE COMMITTEE UNANIMOUSLY APPROVED THE MOTION.

4. Consideration of Sales Prices for the Charles E. Barnhardt House, 3217 Maymont Place, Charlotte, N.C.

The condition of the Barnhardt House was discussed. Mr. Wasmer told the Committee that the approved new roof would cost approximately \$42,000. Mr. Gray reported that a process for approving the roof with the community’s HOA had been worked out. Mr. Norman discussed the need for the HLC to meet the requirements of the purchase agreement. The Committee discussed the recommendation from the realtor that the price be reduced to \$1,195,000.

MR. PARSONS PRESENTED A MOTION SECONDED BY MR. NORMAN THAT THE EXECUTIVE COMMITTEE REDUCE THE ASKING PRICE FOR THE BARNHARDT HOUSE, 3217 MAYMONT PLACE, CHARLOTTE, N.C., TO \$1,195,000. THE COMMITTEE UNANIMOUSLY APPROVED THE MOTION.

5. Old Business

There was no old business.

6. New Business

There was no new business.

The Committee adjourned at 5:40 p.m.