

IN THE SUPREME COURT OF NORTH CAROLINA

No. 183PA16-2

Filed 28 February 2020

THE CITY OF CHARLOTTE, A North Carolina Municipal Corporation

v.

UNIVERSITY FINANCIAL PROPERTIES, LLC, a North Carolina Limited Liability Company f/k/a/ University Bank Properties Limited Partnership; BANK OF AMERICA, N.A. f/k/a NCNB National Bank of North Carolina, Tenant; and Any Other Parties in Interest

On discretionary review under N.C.G.S. § 7A-31 of a unanimous decision of the Court of Appeals, 818 S.E.2d 116 (N.C. Ct. App. 2018), reversing an order entered on 29 September 2016 by Judge Daniel A. Kuehnert in Superior Court, Mecklenburg County. Heard in the Supreme Court on 1 October 2019 in session in the Randolph County 1909 Historic County Courthouse in the City of Asheboro pursuant to section 18B.8 of Session Law 2017-57.

*Parker Poe Adams & Bernstein LLP, by Charles C. Meeker and DeWitt F. McCarley, for plaintiff-appellant.*

*Johnston, Allison & Hord, P.A., by R. Susanne Todd, Martin L. White, and David V. Brennan, for defendant-appellee.*

PER CURIAM.

Justice DAVIS did not participate in the consideration or decision of this case. The remaining members of the Court are equally divided, with three members voting to affirm and three members voting to reverse the decision of the Court of Appeals.

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*Opinion of the Court*

Accordingly, the decision of the Court of Appeals is left undisturbed and stands without precedential value. *See Piro v. McKeever*, 369 N.C. 291, 291, 794 S.E.2d 501, 501 (2016) (per curiam) (affirming a Court of Appeals opinion without precedential value by an equally divided vote).

AFFIRMED.