

A RESOLUTION AMENDING REPORT OF PLANS FOR
SERVICES FOR PROSPERITY CHURCH ROAD/BROWNE ROAD AREA

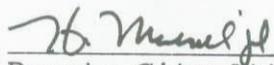
BE IT RESOLVED by the City Council of the City of Charlotte,
North Carolina:

Section 1. That the following pages are deleted from the report of plans for services for Prosperity Church Road/Browne Road Area, as originally approved by the City Council on September 24, 1990: 2, 3, 5, 6, 9, 10, 12, 15, Map entitled "1991 Annexation Prop. Water & Sewer Extensions", 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61 and Appendix B.

Section 2. That the pages attached hereto and incorporated herein are substituted in lieu of the pages deleted from said report in Section 1 above.

Adopted this 4th day of February, 1991.

Approved as to form:


Deputy City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 4th day of February, 1991, the reference having been made in Minute Book 98, and is recorded in full in Resolution Book 27, at page(s) 248-282.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 6th day of February, 1991.

Pat Sharkey, City Clerk

PART I: THE PROPOSED AREA

General Description of the Area

This area is situated northeast of the present city limits in the vicinity of Prosperity Church, Mallard Creek, Cheshire, and Browne Roads. Wellington, Winchester, Brown's Ferry, Cheshunt, Mallard Grove, and Brookstone are some of the subdivisions included within the annexation boundaries. The area also contains several business establishments, including the Mallard Creek Center and the Cheshire Place Shopping Center. The area is predominantly residential with an estimated population of 5,826.

Standards and Criteria

STATEMENT SHOWING THAT THE AREA PROPOSED TO BE ANNEXED MEETS THE LEGISLATIVE STANDARDS PRESCRIBED BY G.S. 160A-48.

- A. The area proposed to be annexed meets the general standards of G.S. 160A-48(b) as follows:
 - 1. The area is contiguous, as defined in G.S. 160A-53, to the city's boundary as of the time of the beginning of this annexation proceeding.
 - 2. The aggregate boundary of the area is 89,401 feet, of which 25,738 feet or more than twenty-eight percent (28.8 percent), coincides with the present city boundary.
 - 3. No part of the area is included within the boundary of another incorporated municipality.

- B. The area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The area qualified for annexation under the standards of two persons per acre of land as set forth in G.S. 160A-48(c)(1). The area has an estimated total population of 2.33 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 2,137 dwelling units in the area, which when multiplied by the average household size (according to the latest federal decennial census) results in an estimated total resident population of 5,826. This population, when divided by the total number of acres (2,498), results in a population density of 2.33 persons per acre.

- C. The area proposed to be annexed meets the requirements of G.S. 160A-48(c)(3). There are a total number of 2,095 lots and tracts within the area, and of that number 1,378 or 65.8% of the total number of lots and tracts, are used for residential, commercial, industrial, institutional, or governmental purposes. Furthermore, after excluding the acreage used for commercial, industrial, governmental, or institutional purposes, 1,791.4 acres remain. Of that acreage, 1,167.3 acres or 65.2% are in lots or tracts five acres or less in size.
- D. A portion of the proposed annexation area does not meet the requirements of G.S. 160A-48(c), but does meet the requirements of G.S. 160A-48(d)(2). The area is adjacent and at least sixty percent (60%) of its external boundary coincides with any combination of the present city boundary and the areas developed for urban purposes as defined in subsection (c). The aggregate boundary of the undeveloped area is 67,167 feet of which 58,905 feet or eighty-eight percent (88%), coincides with the present city boundary and the developed area (see the Proposed Annexation Area Map).

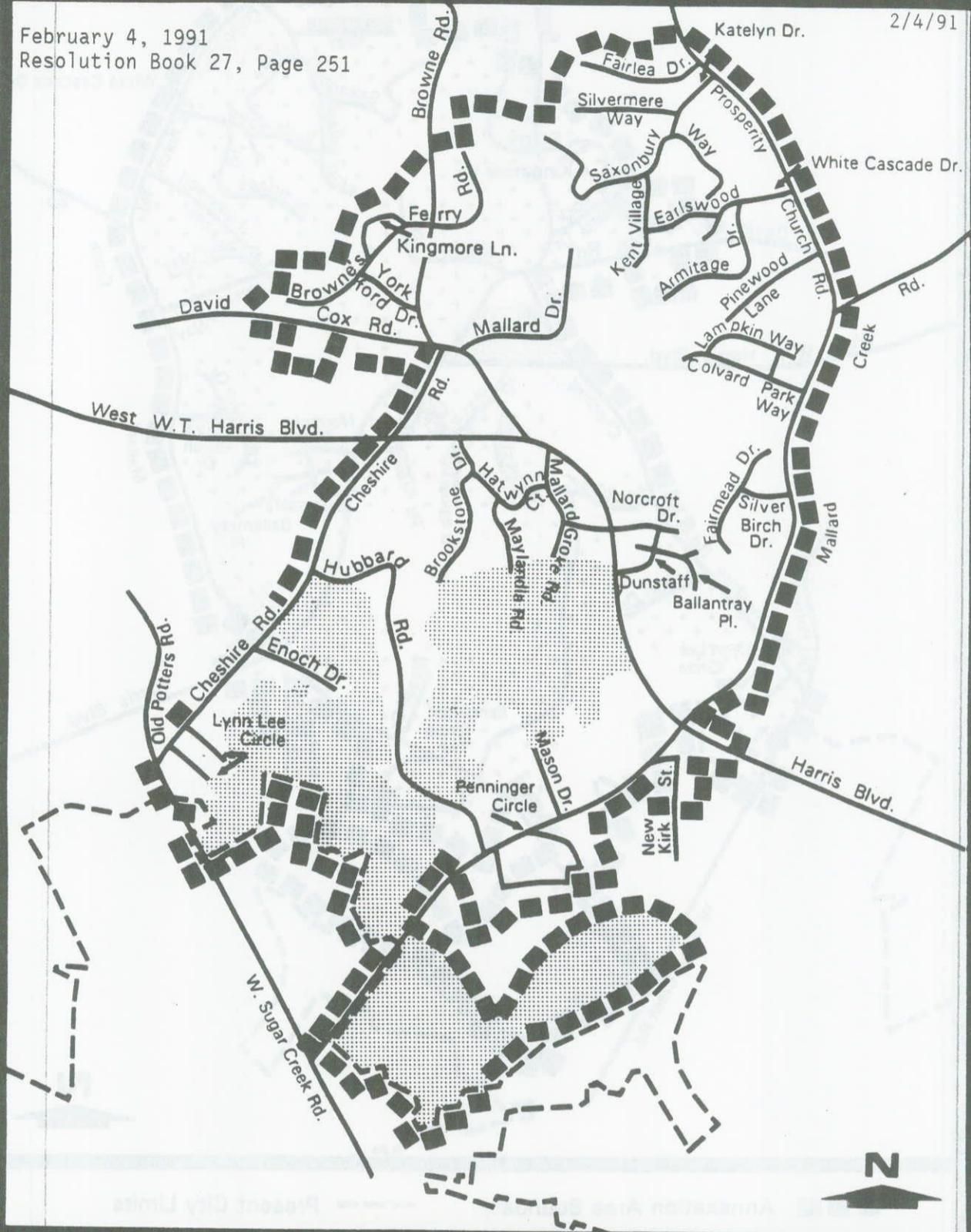
Maps of the Area

The following three pages contain maps of (a) the location of the area in relation to Charlotte, (b) the boundaries of the proposed Prosperity Church Road/Browne Road annexation area, and (c) the generalized land use pattern for the area.

PROSPERITY CHURCH RD / BROWNE RD

February 4, 1991
Resolution Book 27, Page 251

2/4/91



■ ■ ■ Annexation Area Boundary - - - Present City Limits

Proposed Annexation Area
■ ■ ■ Subsection (D) Land Connection

PROSPERITY CHURCH RD / BROWNE RD

February 4, 1991
Resolution Book 27, Page 252

Katelyn Dr. 2/4/91



Annexation Area Boundary

 Present City Limits

Generalized Land Use

Residential

 Commercial

 Institutional

police protection to this area will be secured prior to the effective date of annexation. Service will commence on the effective date.

In order to provide police protection on substantially the same basis and in the same manner as provided in the City, approximately \$262,738 of general revenues will be appropriated in the annual budget to reflect the additional cost of service to this area. The department does not anticipate any new capital improvements as a result of this annexation. The degree of service, the number of new officers, and the amount of equipment needed to provide adequate protection is based on the projected needs of the area to be annexed.

FIRE PROTECTION. The Fire Department provides the residents of Charlotte with a high level of fire protection and suppression services, and maintains standards consistent with the requirements of the Insurance Services Office. The City enjoys a favorable insurance rating of "three." Protection is afforded by 784 full-time employees operating 29 engine companies, 10 ladder companies, 6 water tankers, 2 air crash/fire/rescue companies, 4 brush trucks, 2 manpower squads, and a hazardous materials truck. The Department's equipment is housed in 28 strategically located fire stations.

A commensurate level of fire protection to the Prosperity Church Road/Browne Road area will be provided from existing facilities and personnel at Station 27 at Ken Hoffman Road and Station 28 at 8301 Old Statesville Road. A ladder company will be put in service at Station 27 to provide commensurate service. Service will commence on the effective date of annexation.

A contract with a rural fire department to provide fire protection is also an acceptable method of providing fire protection. The Derita Volunteer Fire Department has requested a contract to provide fire protection services in compliance with G.S. 160A-49.1. The City has offered a first responder contract having a five (5) year term and calling for first year payments of \$11,018. Contract costs will be appropriated in the annual budget from general revenues. The volunteer fire department will not be required to respond regularly to any portion of the annexation area which is not within the fire district served by the volunteer fire department prior to annexation. If said contract is terminated, expires or is not implemented for any reason, the City will provide fire protection services to the annexation area in substantially the same manner as such services are provided in the City.

TRANSIT. The Charlotte Transit System presently has a fleet of 164 buses serving forty-four routes, including express service. The nearest route serving the Prosperity Church Road/Browne Road annexation area is the Number 54X Harris Boulevard Express. The level of transit service in the annexation area is substantially the same as similarly situated areas. Additional transit service to the area may be considered in the future on the same basis as extension of service is considered in the rest of the City.

DEPARTMENT OF TRANSPORTATION. The general responsibility of the Charlotte Department of Transportation (CDOT) is to provide a safe, efficient and balanced transportation system for the movement of people and goods in the City of Charlotte. The department operates the City-owned transit system; maintains all City streets, designs, installs, and maintains all traffic signals and traffic control equipment; fabricates and installs street name and other traffic signs and markings; performs transportation planning and provides design services for transit system and roadway system improvements; and operates Special Transportation Services for eligible disabled and mobility-impaired citizens. The department also authorizes street light

In order to provide street maintenance services on substantially the same basis and in the same manner as provided in the City, approximately \$455,283 in general revenue will be appropriated in the annual budget to reflect the additional cost of services to this area. Additional personnel and equipment required to provide this service to the area will be secured. Capital costs of \$1,436,107 will also be required in order to improve area streets to City maintenance standards. Service will commence on the effective date.

Other CDOT Divisions. In order for the other divisions of CDOT to provide services on substantially the same basis and in the same manner as provided in the City, approximately \$98,160 of general revenues and \$72,104 from the Public Transportation Fund will be appropriated in the annexation budget to reflect the additional cost of services to this area.

ENGINEERING DEPARTMENT. This department is responsible for engineering and real estate services for other City departments and administration of certain City regulations relative to development. The department also responds to public requests. The general objectives of the department are to plan, design, and control construction of new capital improvements to meet community needs; develop programs for maintaining existing public facilities such as streets, sidewalks, bridges, curbs, gutters, and drainage facilities; and insure that private development adheres to certain City regulations. In order to provide these services to the proposed annexation areas on substantially the same basis and in the same manner as provided in the City approximately \$44,516 of general revenue will be appropriated. Services will commence on the effective date of annexation.

and once per week curbside collection of multimaterial recyclables on the same day as trash collection. The City contracts with private collectors to provide twice per week bin collection service to some apartment complexes. Those complexes do not receive the curbside trash collection service.

In order for sanitation services to be provided on substantially the same basis and in the same manner as now provided in the City, approximately \$441,309 in general revenues will be appropriated in the annual budget to reflect the additional costs associated with service to this area. The additional personnel and equipment required to provide this service will be secured. Service will commence on the effective date.

A contract with a private solid waste collection firm to provide collection services is an acceptable method of providing such services in the proposed annexation area. Six (6) private solid waste collection firms have requested contracts to provide collection services in the proposed annexation area in compliance with the provisions of G.S. 160A-49.3. In lieu of contracts, the City has elected to pay to said firms the economic loss resulting from annexation, as defined in G.S. 160A-49.3. The total amount of said economic loss is \$171,794 which will be appropriated in the annual budget from general revenues.

Special Services Division: The Special Services Division of the Solid Waste Services Department is responsible for providing the following services:

Street Cleaning: This section is responsible for sweeping and cleaning permanently paved streets in the city. Thoroughfares, major

APPENDIX A

STATISTICAL SUMMARY PER STATUTORY REQUIREMENTS

PROSPERITY CHURCH ROAD/BROWNE ROAD AREA
IN TERMS OF STATUTORY REQUIREMENTS
(STATISTICS COMPILED AUGUST, 1990)

	Measured or Calculated	Statutory Standard
I. STATUTORY REQUIREMENT		
At least one-eighth (1/8) of the total boundary of the area must coincide with the municipal boundary:		
1. Total boundary	89,401 ft.	
2. Boundary contiguous with municipal boundary	25,738 ft.	
3. Proportion of total boundary contiguous with the municipal boundary	28.8%	(1/8 or 12.5%)
II. QUALIFYING CRITERIA		
A. Has a resident population equal to at least two persons for each acre of land within its boundaries:		
1. Total number of dwellings	2,137	
2. Average number of persons per household (1980 Census)	2.87	
3. Estimated population	5,826	
4. Total area	2,498 acres	
5. Population per acre	2.33	(2.0)

STATISTICAL SUMMARY (Continued)

	Measured or Calculated	Statutory Standard
<p>B. At least sixty percent (60%) of the total number of lots and tracts in the area at the time of annexation are used for residential, commercial, industrial, institutional, or governmental purposes, and is subdivided into lots and tracts such that at least sixty percent (60%) of the total acreage, not counting the acreage used at the time of annexation for commercial, industrial, governmental, or institutional purposes, consists of lots and tracts five acres or less in size:</p>		
1. Total number of lots and tracts in area	2,095	
2. Total number of lots and tracts used for residential, commercial, industrial, institutional, or governmental purposes	1,378	
3. Total lots and tracts used for residential, commercial, industrial, institutional, or governmental, as a proportion of total number of lots and tracts	65.8%	(60%)
4. Total acreage of area, excluding the acreage used for commercial, industrial, governmental, or institutional purposes	1,791.4	
5. Total acreage in lots and tracts five acres or less, not counting the acreage used for commercial, industrial, governmental, or institutional purposes	1,167.3	
6. Area in lots and tracts five acres or less, as a proportion of the total	65.2%	(60%)

2/4/91

APPENDIX B
LEGAL DESCRIPTION

PROSPERITY CHURCH ROAD AND BROWN ROAD

Beginning at a point, said point being on the present Charlotte city limit line, said point also being at the intersection of the Northerly right-of-way margin of Christenbury Road and the Westerly right-of-way margin of Cheshire Road (SR 2480); thence, leaving the present Charlotte city limit line following along the Westerly right-of-way margin of Cheshire Road (SR 2480) and Old Potters Road (SR 2493) for approximately 430 feet to a point, said point being the intersection of the Westerly right-of-way margin of Old Potters Road with the extension of a Southerly line as described in Deed Book 5321, page 816; thence, crossing Old Potters Road in a Northeasterly direction with said line extension approximately 100 feet to a point, said point being the intersection of the Easterly right-of-way margin of Old Potters Road with the Westerly right-of-way margin of Cheshire Road, said point also being the Southerly most corner of the property as described in said Deed Book 5321, page 816; thence, following along the Westerly right-of-way margin of Cheshire Road in a Northeasterly direction, crossing a thirty (30) foot unnamed road and a sixty (60) foot unnamed road, approximately 5719.02 feet to a point, said point being the intersection of the Westerly right-of-way margin of Cheshire Road with a Southeasterly line of the property as described in Deed Book 3592, page 481, said point also being the intersection of the Westerly right-of-way margin of Cheshire Road with the centerline of Mallard Creek; thence, along the Westerly right-of-way margin of Cheshire

Road, North 35-30 West 561.50 feet to a point, said point being the intersection of the Westerly right-of-way margin of Cheshire Road with a Southwesterly line as described in Deed Book 5466, page 362; thence, continuing along the Westerly right-of-way margin of Cheshire Road approximately 970.0 feet to a point, said point being left of and normal to Survey Station 19+50, Y-7, North Carolina State Department of Transportation Roadway Plans of W.T. Harris Boulevard (8.2724501); thence, in a Northwesterly direction with a line normal to Survey Station 19+50 to a point, said point being the intersection of said line with an Easterly line as described in Deed Book 3732, page 987; thence with the Controlled Access line as described in Deed Book 4611, page 747, crossing W.T. Harris Boulevard West to a point being described as 100 feet North (left) of Survey Station 184+00 L line; thence, continuing with the Controlled Access line in a Northeasterly direction approximately 160 feet to a point, said point being described as being 50 feet West (left) of Survey Station 14+00, Y-7 line; thence, in a Northerly direction 50 feet West of and normal to the centerline of Cheshire Road (Y-7) 150 feet to a point; thence, in an Easterly direction with said Controlled Access line 20 feet to a point on the existing Westerly right-of-way margin of Cheshire Road; thence with said Westerly right-of-way margin in a Northerly direction approximately 1,610 feet to a point, said point being the intersection of the Westerly right-of-way margin of Cheshire Road and the Southerly right-of-way margin of David Cox Road; thence, in a Westerly direction along the Southerly right-of-way margin of David Cox Road approximately 350 feet to a point, said point being the Easterly most corner of the property described in Deed Book 4785, page 921; thence, with said deed

North 82-17 West 346.84 feet to a point, said point being the most Northeasterly corner of lot as described in Deed Book 5828, page 902; thence with said deed South 07-43 West 202.66 feet to a point, said point being the Southeasterly corner of property as described in said deed; thence, resuming with Deed Book 4785, page 921, North 82-17 East 700 feet; thence, North 06-59 East 202.67 feet to a point on the Southerly right-of-way margin of David Cox Road; thence with said margin, North 82-17 West 60 feet to a point, said point being the Northeast corner of property as described in Deed Book 3982, page 430; thence, along the boundary lines of said property as follows: 1) South 06-22 West 205.55 feet, 2) South 74-47 West 115.68 feet, and 3) North 20-23 West 278.30 feet to a point, said point being on the Southerly right-of-way margin of David Cox Road; thence with Deed Book 5452, page 313, continuing with the Southerly right-of-way margin of David Cox Road, North 82-21-57 East 369.89 feet to a point, said point being the most northeast corner of property as described in Deed Book 3422, page 471; thence with said property South 19-49 West 502.75 feet to a point, said point being the most Southeast corner of said property, said point also being an Easterly corner of the property described in Deed Book 3723, page 945; thence with said deed North 78-07 West 393.32 feet; thence North 19-48 East 505.70 feet to a point, said point being located on the Southerly right-of-way margin of David Cox Road; thence, crossing David Cox Road with the extension of said line to a point of the Northerly right-of-way margin of David Cox Road; thence with said margin in a Southeasterly direction approximately 260 feet to the Southwesterly corner of Lot 156, Map 14 of Cheshunt Phase 2, Map Book 23, page 303; thence with the Westerly line of Lot 156 and a portion of

Lot 157, North 11-00-07 East 150.81 feet; thence with the Southerly line of Lot 162 of said Map and Lots 163 through 170 of Map 16 of Cheshunt Phase 2, Map Book 23, page 306, North 78-36-17 West 750.97 feet to the Southwesterly corner of Lot 170 of said map; thence, with a Westerly line of Lot 170, North 26-05-58 East 164.54 feet to a point on the Southern right-of-way of Browne's Ferry Road; thence, in a Northerly direction crossing Browne's Ferry Road North 07-56-45 East 64.10 feet to a point, said point being the Southwesterly corner of Lot 247 of said Map; thence, continuing along the Westerly boundary of said Lot North 31-18-28 East 145.55 feet to a point, said point being the Northwesterly corner of said lot, said point also being the Southwesterly corner of Lot 245; thence, North 26-12-32 West 70.90 feet to a point, said point being the Southwesterly corner of Lot 244; thence, following along the Westerly boundary line of Lots 244, 243 and 242, due North 210.00 feet to a point, said point being the Northwesterly corner of Lot 242; thence, continuing along the Northern boundary of said lot, North 90-00-00 East 150 feet to a point, said point being the Northeasterly corner of said lot; thence, crossing Bickham Lane South 56-53-17 East 59.69 feet to a point, said point being the Northwesterly corner of Lot 216; thence, continuing with a line of said lot, North 90-00-00 East 150.00 feet to a point, said point being the Northeasterly corner of Lot 216; thence with a line of said lot due North, 33.66 feet to a point, said point being the Northwesterly corner of Lot 203 as shown on recorded Map Book 23, page 305; thence, continuing along the Northern boundary of Lot 203, crossing Neuhoff Lane, and Lot 180, North 90-00-00 East 350.00 feet to a point, said point being the Northeasterly corner of Lot 180; thence,

North 80-43-04 East 220.53 feet to a point, said point being the most Northwesterly corner of the property as shown on recorded Map Book 23, page 55; thence, continuing along the Northerly boundary of said property as follows: 1) North 40-04-05 East 186.39 feet, 2) North 51-16-57 West 35.00 feet, 3) North 38-43-03 East 160.83 feet, and 4) North 14-33-31 East 202.37 feet to a point, said point being the Westerly most corner of Lot 46 as shown on recorded Map Book 23, page 56; thence, continuing along said lot North 04-00-49 West 47.17 feet to a point, said point being the Southwesterly corner of Lot 45 as shown on recorded Map Book 23, page 33; thence, following along the Western boundary of said lot North 04-00-49 West 56.15 feet to a point; thence continuing along the Western boundary of Lots 44 and 43 North 03-18-00 East 228.22 feet to a point; thence, along the Western boundary of Lot 42 and crossing Neuhoff Lane, North 20-57-19 East 152.74 feet to a point, said point being the Northwesterly corner of Lot 41; thence, North 40-36-44 East 102.24 feet to a point, said point being the Westerly most corner of Lot 40 as shown on recorded Map Book 22, page 800 as having a bearing and distance of North 40-36-44 East 90.64 feet to a point, said point being the Northwesterly corner of Lot 39; thence, running along the Northerly boundary lines of Lots 39 and 38 as follows: North 57-22-30 East 183.88 feet to a point, said point being the Northwesterly corner of Lot 37; thence, following said lot North 74-19-07 East 70.08 feet to a point, said point being the Northwesterly corner lot 36 as shown on recorded Map Book 22, page 589; thence, continuing along the Northerly boundary line of Lots 36 through 32 having a bearing and distance as follows: North 74-19-07 East 368.73 feet to a point, said point being the Northwesterly corner of Lot 31;

thence, continuing with the Northerly boundary of said lot as follows:
North 38-42-03 East 46.29 feet to a point, said point being the
Northwesterly corner of Lot 30 as shown in recorded Map Book 23, page
302; thence, running along the Northerly boundary line of Lots 30-23
having a bearing and distance as follows: North 38-42-03 East 702.74
feet to a point, said point being the Southwesterly most corner of the
property as described in Deed Book 3923, page 167; thence, North 41-07
East approximately 298.06 feet to a point, said point being located on
the Westerly right-of-way margin of Browne Road (SR 2480); thence,
crossing Browne Road approximately 80 feet to the Easterly right-of-way
margin of Browne Road (SR 2480), said point also being the
Northwesterly corner of the property as described in Deed Book 2389,
page 59; thence with a line of said deed, North 38-30 East
approximately 146.20 feet to a point; thence, North 74-16 East 273 feet
to a point, said point being the most Northeasterly point of said
property; thence, continuing in a Northeasterly direction approximately
550 feet to a point, said point being a corner on the Westerly boundary
line of property as described in Deed Book 6107, page 683; thence,
continuing in a Northerly direction along the Westerly boundary of said
property as follows: North 11-25-35 West 447.34 feet to a point, said
point being the most Northwesterly corner of said property; thence,
continuing along the Northerly boundary of said property North 78-45-50
East 439.67 feet to a point, said point being the Northerly corner of
said property, said point also being on the centerline of Clarks Creek
Tributary #1, as shown on recorded Map Book 23, page 478; thence,
continuing along the centerline of Clarks Creek as shown on said map
twenty-two courses as follows: 1) South 83-48-30 East 70.18 feet, 2)

South 80-33-20 East 99.46 feet, 3) South 78-07-51 East 90.53 feet, 4)
South 78-31-49 East 108.80 feet, 5) North 80-43-06 East 67.80 feet, 6)
North 84-45-16 East 42.58 feet, 7) North 87-09-20 East 125.40 feet, 8)
South 70-38-09 East 47.07 feet, 9) South 74-50-56 East 83.55 feet 10)
South 75-55-02 East 43.68 feet, 11) North 60-25-23 East 27.61 feet, 12)
North 19-13-37 East 9.65 feet, 13) North 52-01-07 East 46.42 feet, 14)
South 80-00-59 East 29.80 feet, 15) South 71-44-30 West 79.43 feet, 16)
South 74-47-46 West 63.24 feet, 17) South 85-58-51 East 25.77 feet, 18)
North 64-45-58 East 29.43 feet, 19) South 85-18-35 East 33.56 feet, 20)
South 71-34-40 East 45.02 feet, 21) North 85-59-08 East 53.00 feet, 22)
North 88-39-27 East 24.71 feet to a point; thence, continuing along the
centerline of Clarks Creek as shown on recorded Map Book 22, page 138,
five courses as follows: 1) South 22-03-51 West 33.89 feet, 2) South
03-54-08 East 47.35 feet, 3) South 16-21-22 East 68.28 feet, 4) South
08-18-48 East 78.85 feet, 5) South 16-22-11 East 53.46 feet to a point,
said point continuing along the centerline of Clarks Creek as shown on
recorded Map Book 23, page 747; thence, with said Map continuing along
the centerline of Clarks Creek ten courses as follows: 1) North
12-54-57 East 33.40 feet, 2) South 60-14-34 West 63.53 feet, 3) North
23-08-29 East 69.09 feet, 4) North 09-45-10 East 80.17 feet, 5) North
51-04-19 East 74.78 feet, 6) North 34-01-36 East 32.31 feet, 7) North
12-05-08 West 85.39 feet, 8) North 06-16-58 West 91.59 feet, 9) North
00-47-36 West 122.32 feet, 10) North 08-02-25 West 61.20 feet to a
point; thence, North 89-54-46 East 216.81 feet to a point, said point
being the Northwesterly most corner of Block 2, Lot 42 as shown on
recorded Map Book 23, page 747; thence, continuing with the
Northeasterly boundary of said lot, South 42-14-00 East 30.00 feet to a

point; thence, South 46-50-00 East 135.00 feet to a point, said point being the Southwesterly corner of Block 2, Lot 43; thence with the Northeasterly boundary of said lot North 70-44-43 East 165.99 feet to a point, said point being the most Northeasterly corner of said lot, said point also being on the Westerly right-of-way margin of Crayton Drive; thence, crossing Crayton Drive South 80-04-30 East 63.85 feet to a point on the Easterly right-of-way margin of Crayton Drive; thence, following along the Northerly boundary of Block 1, Lot 43, North 67-42-24 East 164.40 feet to a point; thence, South 25-31-00 East 92.50 feet to a point, said point being the Southwesterly corner of Lot 43; thence, following the Northerly margin of Block 1, Lot 42, South 68-27-00 East 33.00 feet to a point, said point being the Northwesterly corner of Block 1, Lot 41 as shown on recorded Map Book 23, page 20; thence, continuing along the Northeasterly boundary of Lots 41 through 38, South 68-27-00 East 329.00 feet to a point; thence, with the Northeasterly boundary of Lots 37 through 34, South 72-47-00 East 222.00 feet to a point; thence, South 63-17-21 East 23.00 feet to a point, said point being the Northeasterly corner of Lot 34, said point also being the Northwesterly corner of Block 1, Lot 33; thence with the Northerly boundary of Lot 33, North 77-00-18 East 72.97 feet to a point; thence, continuing along the Easterly boundary of said lot, South 08-44-57 East 77.53 feet to a point, said point being the Northwesterly corner of Block 1, Lot 32 as shown on recorded Map Book 22, page 845; thence with the Northerly boundary of Lot 32, North 87-19-43 East 148.77 feet to a point, said point being located on the Westerly right-of-way margin of Wynborough Lane; thence, crossing Wynborough Lane, South 64-35-08 East 49.44 feet to a point on the

Easterly right-of-way margin of Wynborough Lane; thence with the Westerly boundary of Lot 6, Block 1, North 79-25-00 East 155.50 feet to a point, said point being the Northeasterly corner of Lot 6; thence, following along the Westerly boundary of Block 1, Lot 5, North 13-15-00 West 62.73 feet to a point, said point being the Northwesterly corner of Lot 5, said point also being the Southwesterly corner of property as described in Deed Book 5252, page 118; thence, continuing along the Westerly boundary of said property, North 19-04-46 West 475.10 feet to a point; thence, North 86-27-14 East 356.00 feet to a point, said point being located on the centerline of Prosperity Church Road (SR 2475); thence, crossing Prosperity Church Road (SR 2475) with the extension of said line approximately 30 feet to a point located on the Easterly right-of-way margin; thence, continuing along the Easterly right-of-way margin of Prosperity Church Road (SR 2475) in a southerly direction approximately 6,075.64 feet crossing Katelyn Drive to a point, said point being the intersection of said margin with the Northerly right-of-way margin of Mallard Creek Road (SR 2467); thence, crossing Mallard Creek Road (SR 2467) with the extension of said line approximately 60 feet to a point being on the Southerly right-of-way margin of Mallard Creek Road (SR 2467), said point also being the Northwesterly most corner of property as described in Deed Book 1000, page 177; thence, in a Southerly direction with the Easterly right-of-way margin of Mallard Creek Road approximately 7,774.30 feet crossing Alexander Road, (SR 2635), Govenor Hunt Road, Island Park Circle (SR 2474) to a point, thence, crossing Mallard Creek Road (SR 2467) approximately 150 feet to a point on the Westerly right-of-way margin of Mallard Creek Road (SR 2467); said point also being 40 feet

left of and normal to Survey Station 19+50 Y-10 of W.T. Harris Boulevard West (State Project Number 8.2724502), State Highway Map Book 1, page 885; thence with the Easterly right-of-way margin of relocated Mallard Creek Road, Y-9 to a point 50 feet left of and normal to Station 21+50, Y-9; thence, to a point 60 feet left of and normal to Station 23+00, Y-9; thence to a point 50 feet left of and normal to Station 24+43.23, Y-9; thence, to a point 50 feet left of and normal to Station 26+50, Y-9; thence to a point 80 feet left of and normal to Station 28+00, Y-9; thence, to a point 50 feet left of and normal to Station 28+50, Y-9; thence, to a point 50 feet left of and normal to Station 30+00, Y-9, said point being the beginning point of Control Access; thence with the Control Access line to a point 50 feet left of and normal to Station 32+00, Y-9; thence, to a point 115.0 feet left of and normal to Survey Station 278+50, L; thence, to a point 140.0 feet left of and normal to Station 279+50, L; thence, to a point 100 feet left of and normal to Station 283+00, L; thence, to a point, said point being 100 feet left of and normal to Station 285+87.64, L, said point also being on the existing Easterly right-of-way margin of Mallard Creek Road, said point also being the transition point from Controlled Access to right-of-way on the Northerly margin of W.T. Harris Boulevard West; thence, crossing W.T. Harris normal to said line to a point, said point being on the Southerly right-of-way margin of W.T. Harris, said point also being approximately on the Easterly edge of IBM Drive; thence, in a Westerly direction with said right-of-way margin approximately 400 feet to a point, said point being 66.61 feet left of and normal to Station 10+29.62, Y-LA; thence, in a Northerly direction 38.00 feet to a point, said point 28.61 feet left of an normal to

Station 10+29.62; thence with the existing Southerly right-of-way margin of Mallard Creek Road in a Westerly direction approximately 180 feet to a point, said point also being the Northeasterly most corner of property as described in Deed Book 1969, page 120; thence with said deed, South 86-10 West approximately 170 feet to a point, said point being the Northeasterly most corner of property as described in Deed Book 1880, page 139; thence with said deed two courses as follows: 1) South 01-03 West 200 feet to a point, and 2) South 87-00 West 100 feet to a point, said point being the Southwesterly most corner of said property, said point also being located on the Easterly right-of-way margin of Newkirk Street (SR 2496); thence with Deed Book 2198, page 163, continuing along Newkirk Street (SR 2496), South 01-03 West approximately 364.60 feet to a point, said point being the Southwesterly most corner of property described in said deed; thence with said deed three courses as follows: 1) South 88-57 East 225 feet to a point, 2) South 01-03 West 175 feet to a point, and 3) North 88-57 West 225 feet to a point, said point being located on the Easterly right-of-way margin of Newkirk Street (SR 2496); thence, crossing said street approximately 60 feet to a point on the Westerly right-of-way margin of Newkirk Street (SR 2496), said point also being the Southeasterly most corner of Block 1, Lot 7 as shown on recorded Map Book 7, page 381; thence with said map, North 00-42-00 West 105.00 feet to a point, said point being the Southeasterly most corner of Block 1, Lot 6 as shown on said map; thence with said map two courses as follows: 1) South 89-18-00 West 202.60 feet to a point, and 2) North 04-33-00 West 405.94 feet to a point, said point being the Northwesterly most corner of Block 1, Lot 1 of Map Book 7, page 381,

said point also being on the Easterly right-of-way margin of Mallard Creek Road (SR 2467); thence, continuing along the Easterly right-of-way margin of Mallard Creek Road (SR 2467) in a Westerly direction approximately 154.79 feet to a point, said point being the Northeasterly most corner of property as described in Deed Book 4317, page 139; thence with said deed for three courses as follows: 1) South 09-15-40 East 319.63 feet to a point, 2) South 02-21-07 West 183.84 feet to a point, and 3) South 87-23-55 West 109.30 feet to a point, said point being the most Southwesterly corner of said property; thence with Deed Book 5155, page 797, three courses as follows: 1) North 05-39-32 West 208.41 feet to a point, 2) North 14-26-45 West 234.56 feet to a point, and 3) South 49-42-22 West 523.71 feet to a point, said point being on the Northwesterly most corner of said property, said point also being on the Easterly right-of-way margin of Mallard Creek Road (SR 2467); thence, continuing with the proposed Charlotte city limit line as established in Ordinance 1964-X, said line also recorded in Deed Book 5529, page 252 and 253; thence, said line being on the Westerly boundary of a tract of Elizabeth Mason described in Deed Book 1295, page 594, South 48-12-05 West 207.79 feet to a point; thence, along the said Easterly right-of-way margin of Mallard Creek Road along a circular curve to the right having a radius of 1,568.38 feet, a chord bearing of South 57-18-10 West and a chord distance of 496.18 feet, an arc distance of 498.26 feet to a point; thence, South 66-24-15 West 274.31 feet to a point; thence, along the Easterly line of Richard W. Caskey as described in Deed Book 4341, page 64, South 01-27-50 East 430.05 feet to a point, said point being the Southeasterly corner of Richard W. Caskey, said point also being the

Northeasterly corner of that tract described in deed to Charles E. Tyler in Deed Book 3057, page 114 and Deed Book 3746, page 540; thence, along the East line of Charles E. Tyler, South 28-27-10 East 713.76 feet to a point; thence, South 83-43-08 West 644.35 feet to a point, said point being the Northeasterly corner of Charles W. Wilson as described in Deed Book 3609, page 773; thence, along the Easterly line of Charles W. Wilson, South 01-31-30 East 886.54 feet to a point, said point being the Southeasterly corner of Charles W. Wilson aforementioned above; thence, along the centerline of a creek in a Westerly direction along the Southerly lines of Charles W. Wilson aforementioned above, Harold L. Frazier as described in Deed Book 3697, page 583, Beatrice Penninger as described in Deed Book 2080, page 10, and Madeline H. Garrison in Deed Book 1026, page 383 the following forty-eight courses: 1) South 54-28-16 West 55.62 feet to a point, 2) South 83-33-30 West 62.39 feet to a point, 3) North 17-06-10 West 40.80 feet to a point, 4) North 77-33-38 West 69.63 feet to a point, 5) South 54-02-22 West 63.01 feet to a point, 6) North 75-57-50 West 24.74 feet to a point, 7) South 46-50-51 West 21.93 feet to a point, 8) North 71-48-21 West 150.53 feet to a point, 9) North 15-46-51 East 47.80 feet to a point, 10) North 42-36-51 West 33.97 feet to a point, 11) South 87-16-25 West 63.07 feet to a point, 12) South 52-07-30 West 34.21 feet to a point, 13) North 34-02-45 West 44.65 feet to a point, 14) North 14-30-01 West 59.91 feet to a point, 15) North 85-01-49 West 23.09 feet to a point, 16) South 41-29-47 West 34.71 feet to a point, 17) North 20-51-16 West 22.47 feet to a point, 18) North 79-30-31 West 27.46 Feet to a point, 19) South 42-09-57 West 71.51 feet to a point; 20) North 63-00-15 West 59.48 feet to a point, 21) North 15-22-35 West 41.48 feet

to a point, 22) North 82-52-30 West 96.75 feet to a point, 23) North 11-46-06 West 24.52 feet to a point, 24) North 72-04-19 West 35.74 feet to a point, 25) South 79-55-10 West 91.41 feet to a point, 26) North 57-48-15 West 31.91 feet to a point, 27) South 23-57-45 West 29.55 feet to a point, 28) South 85-50-25 West 55.15 feet to a point, 29) South 39-28-21 West 66.07 feet to a point, 30) North 67-50-01 West 29.15 feet to a point, 31) South 88-27-07 West 74.03 feet to a point, 32) South 67-37-12 West 55.15 feet to a point, 33) North 38-39-35 West 32.02 feet to a point, 34) South 33-41-24 West 57.69 feet to a point, 35) South 54-07-49 West 80.21 feet to a point, 36) South 34-49-28 West 84.05 feet to a point, 37) South 11-32-05 West 100.02 feet to a point, 38) North 88-55-09 West 53.01 feet to a point, 39) South 19-43-20 West 112.61 feet to a point, 40) South 48-25-00 West 94.92 feet to a point, 41) South 83-20-44 West 60.41 feet to a point, 42) South 36-45-13 West 98.60 feet to a point, 43) North 88-43-37 West 45.01 feet to a point, 44) South 88-10-54 West 63.03 feet to a point, 45) South 25-01-01 West 16.55 feet to a point, 46) South 85-36-05 West 65.19 feet to a point, 47) North 30-15-23 West 13.89 feet to a point, 48) South 69-28-20 West 80.22 feet to a point in or near the centerline of said creek, said point being on the Westerly line of Madeline H. Garrison aforementioned above; thence, along said Westerly line North 16-10-43 West 829.63 feet to a point; thence, North 33-00-43 West 165.92 feet to a point; thence, along the right-of-way line of Mallard Creek Road, South 36-14-03 West 757.65 feet to a point, said point being on the Northeasterly line of that tract described in that deed to Walter and Edgar Stevenson in Deed Book 1110, page 455; thence, leaving the Easterly right-of-way margin of Mallard Creek Road, following along the Southerly and Westerly lines

of Walter and Edgar Stevenson for two courses: South 60-21-54 East 706.33 feet to a point, and South 33-31-45 East 763.00 feet to a point, said point being the Southeasterly corner of that tract described in said deed to Walter and Edgar Stevenson aforementioned above; thence, South 33-31-45 East 749.75 feet to a point, said point being in the centerline of a Railroad Spur Track; thence with the proposed Charlotte city limit line along the centerline of said Railroad Spur Track, along a curve to the left having a radius of 1,910.08 feet, a chord bearing of North 28-23-18 East and a chord distance of 121.41 feet, an arc length of 121.41 feet to a point; thence, North 26-34-00 East 705.04 feet to a point; thence, along a circular curve to the right having a radius of 1,432.69 feet, a chord bearing of North 45-59-45 East and a chord distance of 953.14 feet, an arc length of 971.66 feet to a point; thence, North 65-25-30 East 1,008.71 feet to a point; thence, along a circular curve to the right having a radius of 955.37 feet, a chord bearing of South 84-17-15 East, a chord distance of 963.66 feet, an arc length of 1,010.05 feet to a point, said point being in the centerline of a Railroad Spur Track; thence, with the proposed Charlotte City limit line along the centerline of said Railroad Spur Track, South 54-00-00 East 445.44 feet to a point; thence, along the centerline of said Railroad Spur Track, South 54-00-00 East approximately 650 feet to a point; thence, in a Southwesterly direction with the proposed Charlotte city limit line meandering with the centerline of a branch, said branch being a tributary to Doby Creek, a distance of approximately 375 feet to a point, said point being the Southeasterly corner of the lot described in Deed Book 2260, page 381, also the

Northwesterly corner of the lot described in Deed Book 4086, page 602, said point having a North Carolina Grid coordinate of approximately, X 1,469, 648 Y 570, 870 and being in or near said branch, said point also being on the present Charlotte city limit line; thence in a Southerly and or Westerly direction with the present Charlotte city limit line following along the Southerly lines of lot as described in said Deed Book 2260, page 381 in six courses as follows: 1) North 57-54-40 East 41.25 feet to a point, 2) South 83-34 West 164.81 feet to a point, 3) South 42-10-50 West 262.19 feet to a point, 4) North 26-21 East 98.90 feet to a point, 5) South 87-32 West 130.94 feet to a point, and 6) South 32-59-10 West 75.40 feet to a point, said point being the Southwesterly corner of lot as described in said deed; thence, continuing in a Southwesterly direction with the present Charlotte city limit line following along the Northerly lines of Lot 13 through Lot 7 in Block 5 as shown on recorded Map Book 8, page 107 and following along the Northerly lines of Lot 6 through Lot 1 in Block 5 as shown on recorded Map Book 1844, page 449, crossing Brushwood Drive and following along the Northerly lines of Lot 2 and Lot 1 in Block 2 as shown on recorded Map 14, page 79 as having a bearing and distance as follows: South 32-59-10 West 442.52 feet to a point; thence, South 56-34-30 West 290.99 feet to a point; thence, South 63-52-30 West approximately 1805 feet to a point, said point being the Northwest corner of Lot 2 in Block 2 as shown on recorded Map Book 14, page 79; thence, in a Southwesterly direction with the present Charlotte city limit line following along a portion of a line described as 3rd course in Deed Book 1222, page 557, as having a bearing of South 63 West approximately 200 feet to a point; thence, in a Northwesterly direction

following along a portion of the Northerly line of lot as described in Deed Book 2725, page 513 and crossing Rumble Road (SR 2501) as having a bearing and distance of North 54-45 West approximately 191 feet to a point, said point being located where a line 40 feet West of and parallel with the centerline of Rumble Road (SR 2501) intersects with the Northerly line of lot as described in said deed (if extended); thence, in a Southwesterly direction following along a line 40 feet West of and parallel with the centerline of Rumble Road (SR 2501) approximately 1190 feet to a point, said point being 40 feet West of and normal to the centerline of Rumble Road (SR 2501); thence, following along the Northerly lot line of lot as described in Deed Book 3172, page 506 as having a bearing and distance of South 86-06 West approximately 215 feet to a point; thence, following along the Northerly lot line of lot as described in said Deed Book 3172, page 506, as having a bearing and distance of South 03-54 East 10 feet to a point, said point being the Southwesterly corner of lot as described in said Deed Book 3172, page 506; thence, in a Westerly direction with the present Charlotte city limit line following along the Northerly lot line of tract as described in Deed Book 3079, page 263, as having a bearing and distance of South 86-06 West 475 feet to a point; thence, in a Southerly direction following along the Westerly lot line of lot as described in said Deed Book 3079, page 263 as having a bearing and distance of South 3-39-35 West 310 feet to a point, said point being the Southwesterly corner of lot as described in said Deed Book 3079, page 263; thence, in a Southwesterly direction following along the Southerly lot line of lot as described in Deed Book 4854, page 995 as having a bearing and distance of South 86-06 West 457.85 feet to a

point, said point being the Southwesterly corner of lot as described in said Deed Book 4854, page 995; thence, in a Southerly direction following along a portion of the Westerly lot line of lot as described in Deed Book 953, page 137, as having a bearing and distance of South 03-30 West approximately 211 feet to a point, said point being the Northeasterly corner of lot as described in Deed Book 2873, page 165; thence, in a Southwesterly direction following along the Northerly lot line of lot as described in said Deed Book 2873, page 165 as having a bearing and distance as follows: South 72-46-20 West 145.85 feet to a point; thence, South 82-30-30 West 134.76 feet to a point; thence, South 64-08 West 149.19 feet to a point, said point being the Southeasterly corner of the second parcel as described in Deed Book 3278, page 314; thence, following along the Easterly lot lines of parcels one and two as described in said Deed Book 3278, page 314, as having a bearing and distance of North 30-08 West approximately 329 feet to a point, said point being 40 feet Southeast of and normal to the centerline of Hunter Avenue (SR 2607); thence, in a Northeasterly direction following along a line 40 feet Southeast of and parallel with the centerline of Hunter Avenue (SR 2607) approximately 170 feet to a point; thence, in a Northwesterly direction following along a line 40 feet Northeast of and parallel with the centerline of Hunter Avenue (SR 2607) approximately 350 feet to a point; thence, crossing Hunter Avenue to a point 40 feet Northwest of and normal to the centerline of Hunter Avenue (SR 2607) following along the Northerly lot line of lot as described in Deed Book 1772, page 142 as having a bearing and distance of North 62-25-40 West approximately 581 feet to a point; thence, in a Northerly direction following along a portion of the Easterly lot line

of lot as described in Deed Book 3255, page 281 as having a bearing and distance of North 16-26-50 East 199.60 feet to a point, thence, in a Westerly direction following along the Northerly lot line of lot as described in said Deed Book 3235, page 281 as having a bearing and distance of South 77-23-14 West 500 feet to a point, said point being the Southwesterly corner of lot as described in said Deed Book 3235, page 281; thence, in a Northwesterly direction following along a portion of the Southerly lot line of tract B in Section 1 as shown on recorded Map Book 7, page 467, as having a bearing and distance of North 43-49 West approximately 692 feet to a point; thence, in a Westerly direction following along a portion of the Southerly lot line of lot as described in Deed Book 2197, page 145, as having a bearing and distance of North 71-07 West approximately 140 feet to a point, said point being on a line 40 feet Southeast of and parallel with the centerline of Mallard Creek Road (SR 2467); thence, in a Northeasterly direction following along a line 40 feet Southeast of and parallel with the centerline of Mallard Creek Road (SR 2467) approximately 2,297 feet to a point, said point being located where a line 40 feet Southeast of and parallel with the centerline of Mallard Creek Road (SR 2467) intersects with a line 40 feet Northeast of and parallel with the centerline of Rockwell Church Road (SR 2503); thence, in a Westerly direction crossing Mallard Creek Road and following along a line 40 feet North of and parallel with the centerline of Rockwell Church Road (SR 2503) approximately 600 feet to a point, said point being 40 feet Northwest of and normal to the centerline of Rockwell Church Road (SR 2503); thence, in a Northwesterly direction following along the Northeasterly lot line of lot as described in Deed Book 4111, page 40,

as having a bearing and distance of North 28 West approximately 770 feet to a point, said point being the Northern most corner of lot as described in said Deed Book 4111, page 40; thence, in a Northerly direction following along the Easterly lot lines of Lots 83 through 113 in Block H as shown on recorded Map Book 6, pages 943 and 945, as having a bearing of North 19-30 East and a total distance of 1,077.20 feet to a point, said point being the Northeast corner of Lot 113 in Block H as shown on said recorded Map Book 6, page 945; thence, in a Westerly direction following along the Northerly line of Lot 113 in Block H as shown on said recorded Map Book 6, page 945 and crossing Carver Boulevard (SR 2504) dead end as follows: South 65-09 West 438.70 feet to a point; thence, South 89-23 West 70.60 feet to a point, said point being the Southeast corner of Lot 80 in Block D as shown on said recorded Map Book 6, page 945; thence, in a Northerly, Westerly and Southerly direction following three lines of lot as described in Deed Book 3371, page 239 as follows: 1) North 21-44-41 East 70 feet to a point, 2) North 62-40-05 West 200.89 feet to a point, and 3) South 21-44-41 West 128 feet to a point, said point being the Southwest corner of lot as described in said Deed Book 3371, page 239; thence, in a Westerly direction following along the Northerly lines of Lot 63 through Lot 51 in Block D as shown on said recorded Map Book 6, page 945, as having a bearing and distance of North 67-07 West 395 feet to a point; thence, in a Northerly direction following along the Easterly lot lines of Lots 15 through 50 in Block D, crossing Rockwell Boulevard West (SR 2506) and following the Easterly line of Lot 140 in Block A, as shown on said recorded Map Book 6, page 945 as follows: North 12-29 East 670.0 feet to a point; thence, North 18-33 East 189.50 feet to a

point; thence, North 54 East 119.30 feet to a point, said point being the Northeast corner of Lot 140 in Block A, as shown on said recorded Map Book 6, page 945; thence, in an Easterly direction following along the Northerly and Easterly lot lines of lot as described in Deed Book 4804, page 878 as having a bearing and distance as follows: North 75-49-45 West 62.93 feet to a point; thence, North 53-56 East 8.44 feet to a point; thence, North 76-11-47 West 101.68 feet to a point; thence, South 53-27-23 West 10.20 feet to a point, said point being the Northwesterly corner of Lot 139 in Block A as shown on said recorded Map Book 6, page 945; thence, in a Westerly direction with the present Charlotte city limit line following along the Northerly lot lines of lots 138 through 124 in Block A as shown on said recorded Map Book 6, page 945 as having a bearing and distance of North 73-20 West 377.06 feet to a point, said point being the Northwesterly corner of Lot 124 in Block A, as shown on said recorded Map Book 6, page 945; thence, in a Northerly direction following along the Easterly lot line extended of Lot 123 in Block A, as described in Deed Book 3370, page 410, a distance of 7 feet to a point; thence, in a Westerly direction following along a line 7 feet North of and parallel with the Northerly lot lines of Lots 123 through 121 in Block A as described in said Deed Book 3370, page 410 a distance of 75 feet; thence, in a Southerly direction following along the Westerly lot line extended of Lot 121 in Block A, as described in said Deed Book 3370, page 410, a distance of 7 feet to a point, said point being the Northeasterly corner of Lot 120 in Block A as shown on said recorded Map Book 6, page 945; thence, in a Northwesterly direction following along the Northerly lot lines of Lots 120 through 108 in Block A as shown on said recorded Map Book 6, page

945, as having a bearing and distance of North 73-20 West 579 feet to a point, said point being the Northwesterly corner of Lot 108 in Block A as shown on said recorded Map Book 6, page 945; thence, in a Southerly direction following along the Westerly lot lines of Lots 107 through 77 in Block A as shown on recorded Map Book 6, page 945, as having a bearing of South 06-50 West a total distance of approximately 1,000 feet to a point, said point being on the existing Charlotte city limit line; thence, continuing with the existing Charlotte City limit line, with the lines of Lots 22 through 3, and 1 of Block 1 of Map Book 3, page 353, having a bearing of South 57-30-00 West a distance of 1,160 feet to a point, said point being the intersection of the Easterly right-of-way margin of Cheshire Road with the Northerly line of Lot 1 of Block 1, as shown on said recorded Map Book 3, page 353; thence, in a Northerly direction following the Easterly right-of-way margin of Cheshire Road, North 28-30-00 West approximately 550 feet to a point, said point being the Southwesterly most corner of the property as described in Deed Book 1221, page 151; thence, with the Southerly line of said property North 57-30-00 East approximately 430 feet to a point; thence, North 26-30-00 West approximately 485 feet to a point; thence, North 88-45-00 West approximately 410 feet to a point, said point being on the Easterly right-of-way margin of Cheshire Road; thence, continuing along the Easterly right-of-way margin of Cheshire Road, North 28-31 West, approximately 280 feet to a point, said point being the intersection of the Easterly right-of-way margin of Cheshire Road with the Northerly right-of-way margin of Christenbury Road, if extended; thence, in a Westerly direction crossing Cheshire Road approximately 60 feet to a point, said point being the intersection of

the Northerly right-of-way margin of Christenbury Road with the
Westerly right-of-way margin of Cheshire Raod, said point also being
the point of beginning.

A RESOLUTION AMENDING REPORT OF PLANS
FOR SERVICES FOR OLD CONCORD ROAD/I-85 AREA

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

Section 1. That the following pages are deleted from the report of plans for services for Old Concord Road/I-85 Area, as originally approved by the City Council on September 24, 1990: 9, 10, 12, 15 and Appendix B.

Section 2. That the pages attached hereto and incorporated herein are substituted in lieu of the pages deleted from said report in Section 1 above.

Adopted this 4th day of February, 1991.

Approved as to form:

J. H. M... J.
Deputy City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 4th day of February, 1991, the reference having been made in Minute Book 98, and is recorded in full in Resolution Book 27, at page(s) 283-288.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 6th day of February, 1991.

Pat Sharkey, City Clerk

police protection to this area will be secured prior to the effective date of annexation. Service will commence on the effective date.

In order to provide police protection on substantially the same basis and in the same manner as provided in the City, approximately \$971,496 of general revenues will be appropriated in the annual budget to reflect the additional cost of service to this area. The department does not anticipate any new capital improvements as a result of this annexation. The degree of service, the number of new officers, and the amount of equipment needed to provide adequate protection is based on the projected needs of the area to be annexed.

FIRE PROTECTION. The Fire Department provides the residents of Charlotte with a high level of fire protection and suppression services, and maintains standards consistent with the requirements of the Insurance Services Office. The City enjoys a favorable insurance rating of "three." Protection is afforded by 784 full-time employees operating 29 engine companies, 10 ladder companies, 6 water tankers, 2 air crash/fire/rescue companies, 4 brush trucks, 2 manpower squads, and a hazardous materials truck. The Department's equipment is housed in 28 strategically located fire stations. A commensurate level of fire protection to the Old Concord Road/I-85 area will be provided from existing facilities and personnel located at Station 27 at Ken Hoffman Road and Station 22 at 1917 West Sugar Creek Road. A ladder company will be put in service at Station 27 to provide commensurate service. To operate the new ladder company during the first year, the Fire

Department will incur additional operating expenditures of \$1,248,360.

Service will commence on the effective date of annexation.

A contract with a rural fire department to provide fire protection is also an acceptable method of providing fire protection. The Newell Volunteer Fire and the Derita Volunteer Fire Departments have requested a contract to provide fire protection services in compliance with G.S. 160A-49.1. The City has offered a first responder contract having a five (5) year term and calling for first year payments of \$36,972 (Newell) and \$804 (Derita). In addition, Newell will provide a ladder truck and personnel until the new city fire station is complete in the Old Concord/I-85 area at a cost of \$1,000 per month. Contract costs will be appropriated in the annual budget from general revenues. The volunteer fire departments will not be required to respond regularly to any portion of the annexation area which is not within the fire district served by the volunteer fire department prior to annexation. If said contract is terminated, expires or is not implemented for any reason, the City will provide fire protection services to the annexation area in substantially the same manner as such services are provided in the City.

TRANSIT. The Charlotte Transit System presently has a fleet of 164 buses serving forty-four routes, including express service. The nearest routes serving the Old Concord Road/I-85 annexation area are the Number 54X Harris Boulevard Express, Number 29 UNCC/SouthPark, and Number 39 UNCC/Uptown. The level of transit service in the annexation area is substantially the same as similarly situated areas. Additional transit service to the area may be considered in the future on the same basis as extension of service is considered in the rest of the City.

DEPARTMENT OF TRANSPORTATION. The general responsibility of the Charlotte Department of Transportation (CDOT) is to provide a safe, efficient and balanced transportation system for the movement of people and goods in the City of Charlotte. The department operates the City-owned transit system; maintains all City streets, designs, installs, and maintains all traffic signals and traffic control equipment; fabricates and installs street name and other traffic signs and markings; performs transportation planning and provides design services for transit system and roadway system improvements; and operates Special Transportation Services for eligible disabled and

In order to provide street maintenance services on substantially the same basis and in the same manner as provided in the City, approximately \$307,848 in general revenue will be appropriated in the annual budget to reflect the additional cost of services to this area. Additional personnel and equipment required to provide this service to the area will be secured. Capital costs of \$887,950 will also be required in order to improve area streets to City maintenance standards. Service will commence on the effective date.

Other CDOT Divisions. In order for the other divisions of CDOT to provide services on substantially the same basis and in the same manner as provided in the City, approximately \$275,517 of general revenues and \$84,411 from the Public Transportation Fund will be appropriated in the annexation budget to reflect the additional cost of services to this area.

ENGINEERING DEPARTMENT. This department is responsible for engineering and real estate services for other City departments and administration of certain City regulations relative to development. The department also responds to public requests. The general objectives of the department are to plan, design, and control construction of new capital improvements to meet community needs; develop programs for maintaining existing public facilities such as streets, sidewalks, bridges, curbs, gutters, and drainage facilities; and insure that private development adheres to certain City regulations. In order to provide these services to the proposed annexation areas on substantially the same basis and in the same manner as provided in the City approximately \$47,515 of general revenue will be appropriated. Services will commence on the effective date of annexation.

and once per week curbside collection of multimaterial recyclables on the same day as trash collection. The City contracts with private collectors to provide twice per week bin collection service to some apartment complexes. Those complexes do not receive the curbside trash collection service.

In order for sanitation services to be provided on substantially the same basis and in the same manner as now provided in the City, approximately \$504,565 in general revenues will be appropriated in the annual budget to reflect the additional costs associated with service to this area. The additional personnel and equipment required to provide this service will be secured. Service will commence on the effective date.

A contract with a private solid waste collection firm to provide collection services is an acceptable method of providing such services in the proposed annexation area. Five (5) private solid waste collection firms have requested contracts to provide collection services in the proposed annexation area in compliance with the provisions of G.S. 160A-49.3. In lieu of contracts, the City has elected to pay to said firms the economic loss resulting from annexation, as defined in G.S. 160A-49.3. The total amount of said economic loss is \$101,655 which will be appropriated in the annual budget from general revenues.

Special Services Division: The Special Services Division of the Solid Waste Services Department is responsible for providing the following services:

Street Cleaning: This section is responsible for sweeping and cleaning permanently paved streets in the city. Thoroughfares, major

A RESOLUTION AMENDING REPORT OF
PLANS FOR SERVICES FOR PLOTT ROAD AREA

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

Section 1. That the following pages are deleted from the report of plans for services for Plott Road Area, as originally approved by the City Council on September 24, 1990: 9, 12, 15 and Appendix B.

Section 2. That the pages attached hereto and incorporated herein are substituted in lieu of the pages deleted from said report in Section 1 above.

Adopted this 4th day of February, 1991.

Approved as to form:


Deputy City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 4th day of February, 1991, the reference having been made in Minute Book 98, and is recorded in full in Resolution Book 27, at page(s) 289-292.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 6th day of February, 1991.

Pat Sharkey, City Clerk

police protection to this area will be secured prior to the effective date of annexation. Service will commence on the effective date.

In order to provide police protection on substantially the same basis and in the same manner as provided in the City, approximately \$83,369 of general revenues will be appropriated in the annual budget to reflect the additional cost of service to this area. The department does not anticipate any new capital improvements as a result of this annexation. The degree of service, the number of new officers, and the amount of equipment needed to provide adequate protection is based on the projected needs of the area to be annexed.

FIRE PROTECTION. The Fire Department provides the residents of Charlotte with a high level of fire protection and suppression services, and maintains standards consistent with the requirements of the Insurance Services Office. The City enjoys a favorable insurance rating of "three." Protection is afforded by 784 full-time employees operating 29 engine companies, 10 ladder companies, 6 water tankers, 2 air crash/fire/rescue companies, 4 brush trucks, 2 manpower squads, and a hazardous materials truck. The Department's equipment is housed in 28 strategically located fire stations.

A commensurate level of fire protection to the Plott Road area will be provided from existing facilities and personnel located at Station 23 at 7400 East Harris Boulevard. Service will commence on the effective date.

A contract with a rural fire department to provide fire protection is also an acceptable method of providing fire protection. If a rural fire department

required to provide this service to the area will be secured. Capital costs of \$188,658 will also be required in order to improve area streets to City maintenance standards. Service will commence on the effective date.

Other CDOT Divisions. In order for the other divisions of CDOT to provide services on substantially the same basis and in the same manner as provided in the City, approximately \$18,030 of general revenues and \$18,229 from the Public Transportation Fund will be appropriated in the annexation budget to reflect the additional cost of services to this area.

ENGINEERING DEPARTMENT. This department is responsible for engineering and real estate services for other City departments and administration of certain City regulations relative to development. The department also responds to public requests. The general objectives of the department are to plan, design, and control construction of new capital improvements to meet community needs; develop programs for maintaining existing public facilities such as streets, sidewalks, bridges, curbs, gutters, and drainage facilities; and insure that private development adheres to certain City regulations. In order to provide these services to the proposed annexation area on substantially the same basis and in the same manner as provided in the City, approximately \$9,000 of general revenue will be appropriated. Services will commence on the effective date of annexation.

Planning Division. Among other duties, this division works in conjunction with the CDOT to evaluate, pave and accept for maintenance private streets qualifying for the Non-System Residential Street Program. This program predominately serves newly annexed areas. This division also maintains

In order for sanitation services to be provided on substantially the same basis and in the same manner as now provided in the City, approximately \$191,737 in general revenues will be appropriated in the annual budget to reflect the additional costs associated with service to this area. The additional personnel and equipment required to provide this service will be secured. Service will commence on the effective date.

A contract with a private solid waste collection firm to provide collection services is an acceptable method of providing such services in the proposed annexation area. A private solid waste collection firm has requested a contract to provide collection services in the proposed annexation area in compliance with the provisions of G.S. 160A-49.3. In lieu of a contract, the City has elected to pay to said firm the economic loss resulting from annexation, as defined in G.S. 160A-49.3. The total amount of said economic loss is \$10,496 which will be appropriated in the annual budget from general revenues.

Special Services Division: The Special Services Division of the Solid Waste Services Department is responsible for providing the following services:

Street Cleaning: This section is responsible for sweeping and cleaning permanently paved streets in the city. Thoroughfares, major cut-through, and the Central Business District streets are swept and cleaned on a regular basis. Residential streets are cleaned on an as-needed basis. This section also provides litter collection services throughout the city and supports neighborhood cleanups.

A RESOLUTION AMENDING REPORT OF PLANS FOR SERVICES FOR MARGARET WALLACE/INDEPENDENCE BOULEVARD AREA

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

Section 1. That the following pages are deleted from the report of plans for services for Margaret Wallace/Independence Boulevard Area, as originally approved by the City Council on September 24, 1990: 2, 5, 6, 12, 15, 16, Map entitled "1991 Annexation Prop. Water & Sewer Extensions", 36, 38, 39, 40, 41, 42, 43, 44, 45, 46 and Appendix B.

Section 2. That the pages attached hereto and incorporated herein are substituted in lieu of the pages deleted from said report in Section 1 above.

Adopted this 4th day of February, 1991.

Approved as to form:

J. B. M... ..
Deputy City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 4th day of February, 1991, the reference having been made in Minute Book 98, and is recorded in full in Resolution Book 27, at page(s) 292-308.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 6th day of February, 1991.

Pat Sharkey, City Clerk

PART I: THE PROPOSED AREA

General Description of the Area

This area is situated east of the present city limits in the vicinity of Margaret Wallace Road, Idlewild Road, and Independence Boulevard. Olde Creek, Marshbrooke, Glennwood Manor, and Callaway Plantation are some of the subdivisions included within the annexation boundaries. The area is predominantly residential and contains 1,597 dwelling units with an estimated population of 4,658. A few businesses are located along Independence Boulevard.

Standards and Criteria

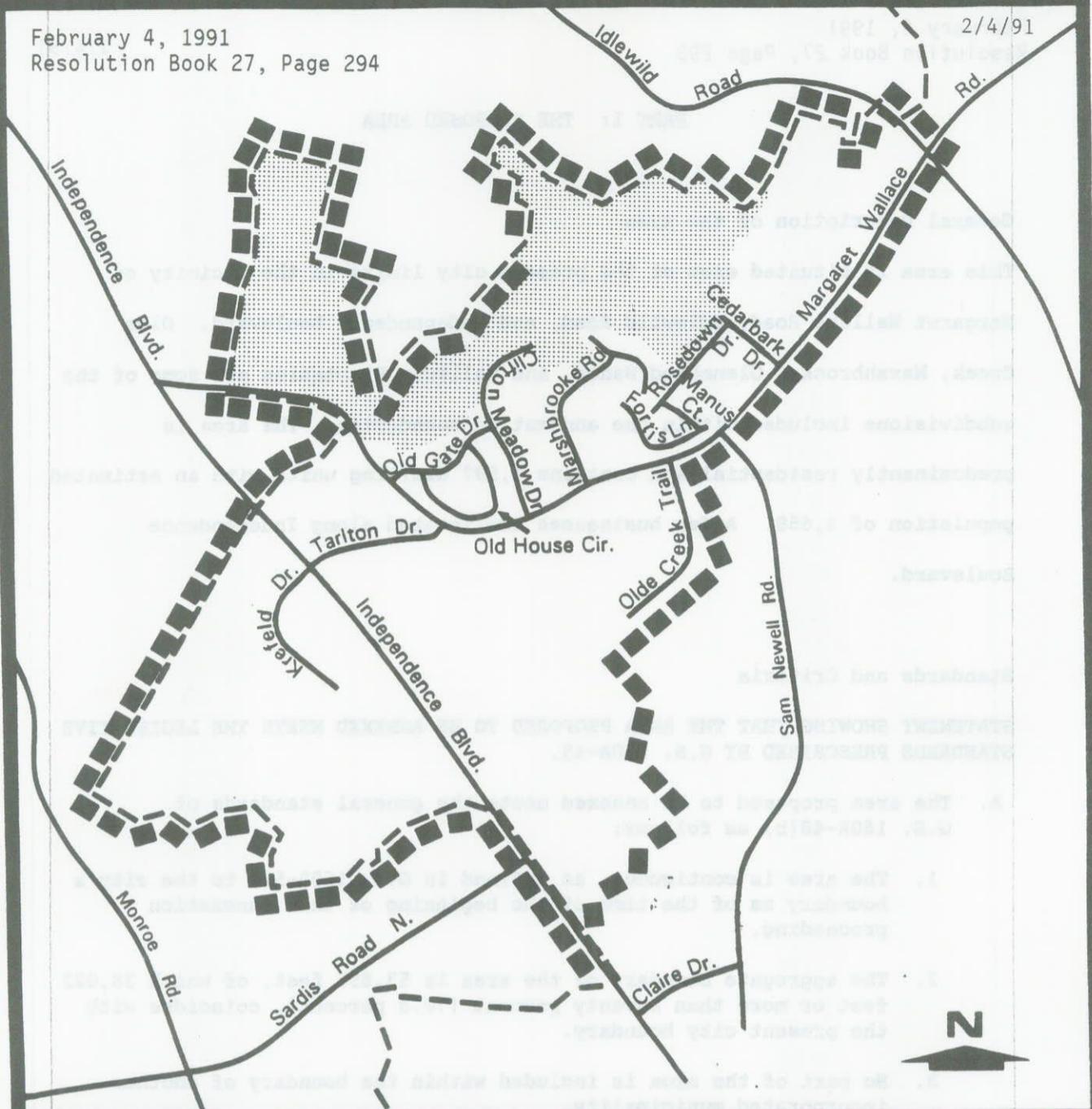
STATEMENT SHOWING THAT THE AREA PROPOSED TO BE ANNEXED MEETS THE LEGISLATIVE STANDARDS PRESCRIBED BY G.S. 160A-48.

- A. The area proposed to be annexed meets the general standards of G.S. 160A-48(b) as follows:
1. The area is contiguous, as defined in G.S. 160A-53, to the city's boundary as of the time of the beginning of this annexation proceeding.
 2. The aggregate boundary of the area is 53,695 feet, of which 38,023 feet or more than seventy percent (70.8 percent), coincides with the present city boundary.
 3. No part of the area is included within the boundary of another incorporated municipality.
- B. The area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The area qualified for annexation under the standards of two persons per acre of land as set forth in G.S. 160A-48(c)(1). The area has an estimated total population of 4.58 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 1,594 dwelling units in the area, which when multiplied by the average household size (according to the latest federal decennial census) results in an estimated total resident population of 4,649. This population, when divided by the total number of acres (1,015.5), results in a population density of 4.58 persons per acre.

MARGARET WALLACE RD./INDEP. BLVD.

February 4, 1991
Resolution Book 27, Page 294

2/4/91



■ ■ ■ Annexation Area Boundary - - - Present City Limits

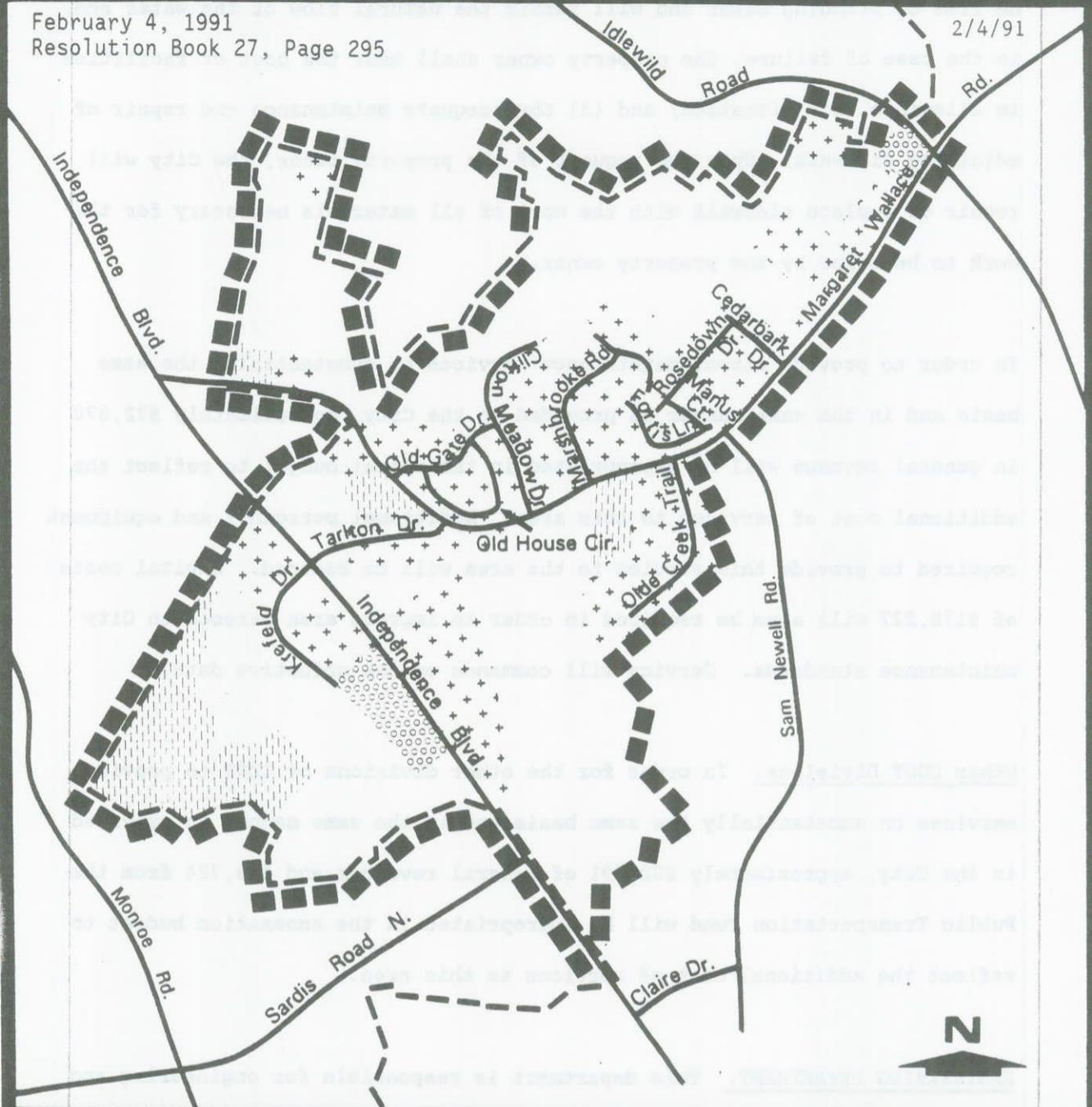
Proposed Annexation Area

▣ Subsection (D) Land Connection

MARGARET WALLACE RD./INDEP. BLVD.

February 4, 1991
Resolution Book 27, Page 295

2/4/91



■ ■ ■ Annexation Area Boundary - - - Present City Limits

Generalized Land Use

□ Residential □ Commercial □ Institutional

(2) the provision of adequate drainage facilities so that his property will be free of standing water and will permit the natural flow of the water and, in the case of failure, the property owner shall bear the cost of facilities to alleviate this situation; and (3) the adequate maintenance and repair of adjoining sidewalk. Upon the request of the property owner, the City will repair or replace sidewalk with the cost of all materials necessary for the work to be borne by the property owner.

In order to provide street maintenance services on substantially the same basis and in the same manner as provided in the City, approximately \$72,870 in general revenue will be appropriated in the annual budget to reflect the additional cost of services to this area. Additional personnel and equipment required to provide this service to the area will be secured. Capital costs of \$178,227 will also be required in order to improve area streets to City maintenance standards. Service will commence on the effective date.

Other CDOT Divisions. In order for the other divisions of CDOT to provide services on substantially the same basis and in the same manner as provided in the City, approximately \$32,591 of general revenues and \$33,724 from the Public Transportation Fund will be appropriated in the annexation budget to reflect the additional cost of services to this area.

ENGINEERING DEPARTMENT. This department is responsible for engineering and real estate services for other City departments and administration of certain City regulations relative to development. The department also responds to public requests. The general objectives of the department are to plan, design, and control construction of new capital improvements to meet

provide services on substantially the same basis and in the same manner as provided in the City, approximately \$3,739 of general revenues will be appropriated to reflect the additional cost of services to this area. Service will commence on the effective date.

Sanitation Division. The objective of the Sanitation Division is to provide residential refuse collection once per week in the backyard, trash collection once per week at curbside on separate days of the week to existing residences and once per week curbside collection of multimaterial recyclables on the same day as trash collection. The City contracts with private collectors to provide twice per week bin collection service to some apartment complexes. Those complexes do not receive the curbside trash collection service.

In order for sanitation services to be provided on substantially the same basis and in the same manner as now provided in the City, approximately \$198,777 in general revenues will be appropriated in the annual budget to reflect the additional costs associated with service to this area. The additional personnel and equipment required to provide this service will be secured. Service will commence on the effective date.

A contract with a private solid waste collection firm to provide collection services is an acceptable method of providing such services in the proposed annexation area. Two (2) private solid waste collection firms have requested contracts to provide collection services in the proposed annexation area in compliance with the provisions of G.S. 160A-49.3. In lieu of contracts, the City has elected to pay to said firms the economic loss resulting from annexation, as defined in G.S. 160A-49.3. The total amount of said economic

loss is \$61,090 which will be appropriated in the annual budget from general revenues.

Special Services Division: The Special Services Division of the Solid Waste Services Department is responsible for providing the following services:

Street Cleaning: This section is responsible for sweeping and cleaning permanently paved streets in the city. Thoroughfares, major cut-through, and the Central Business District streets are swept and cleaned on a regular basis. Residential streets are cleaned on an as-needed basis. This section also provides litter collection services throughout the city and supports neighborhood cleanups.

Collection Services: Bulky Items (i.e. refrigerators, stoves, washers, sofas, chairs, etc.) are collected from the curbside by appointment only. Small dead animals (dogs, cats, etc.) are collected from city streets and from residences when placed at curbside.

Tryon Street Mall: This section provides maintenance and cleaning services for the Tryon Street Mall area and general cleaning services for the Central Business District, including refuse collection.

In order to provide services on substantially the same basis and in the same manner as provided in the City, approximately \$47,657 of general revenues will be appropriated to reflect the additional cost of services to this area. Service will commence on the effective date.

APPENDIX A

STATISTICAL SUMMARY PER STATUTORY REQUIREMENTS

MARGARET WALLACE/INDEPENDENCE BOULEVARD AREA
 IN TERMS OF STATUTORY REQUIREMENTS
 (STATISTICS COMPILED AUGUST, 1990)

	Measured or Calculated	Statutory Standard
I. STATUTORY REQUIREMENT		
At least one-eighth (1/8) of the total boundary of the area must coincide with the municipal boundary:		
1. Total boundary	53,695 ft.	
2. Boundary contiguous with municipal boundary	38,023 ft.	
3. Proportion of total boundary contiguous with the municipal boundary	70.8%	(1/8 or 12.5%)
II. QUALIFYING CRITERIA		
A. Has a resident population equal to at least two persons for each acre of land within its boundaries:		
1. Total number of dwellings	1,594	
2. Average number of persons per household (1980 Census)	3.07	
3. Estimated population	4,649	
4. Total area	1,015.5 acres	
5. Population per acre	4.58	(2.0)

2/4/91

APPENDIX B
LEGAL DESCRIPTION

MARGARET WALLACE/INDEPENDENCE BLVD.

Beginning at a point on the present Charlotte City limit line, said point being located where a line 40 feet South of and parallel with the centerline of Oak Drive (State Road 3159) intersects with a line 40 feet West of and parallel with the centerline of Idlewild Road (State Road 3143); thence, leaving the present Charlotte city limit line and running in a Southeasterly direction with the Southwesterly right-of-way margin of Idlewild Road (SR 3143) approximately 496 feet to a point in the Northwesterly right-of-way margin of Margaret Wallace Road (SR 3156), said point also being on the present Mint Hill town limit line; thence continuing in a Southeasterly direction crossing Margaret Wallace Road (SR 3156) to the intersection of the Westerly right-of-way margin of Idlewild Road with the Southeasterly right-of-way margin of Margaret Wallace Road; thence, leaving the Mint Hill Town limit line and running in a Westerly direction with the Southwesterly right-of-way margin of Margaret Wallace Road approximately 2,165 feet to a point; thence, in a Northerly direction approximately 30 feet to a point in the centerline of Margaret Wallace Road; thence continuing with the centerline of Margaret Wallace Road in a Westerly direction approximately 400 feet to a point; thence, in a Southerly direction approximately 30 feet to a point, said point being on the Southwesterly right-of-way margin of Margaret Wallace Road; thence, in a Westerly direction with the Southwesterly right-of-way margin of Margaret Wallace Road approximately 168 feet to a point; thence, in a Northerly direction approximately 30 feet to a point in

the centerline of Margaret Wallace Road; thence with the centerline of Margaret Wallace Road in a Westerly direction approximately 41 feet to a point, said point being the centerline intersection of Margaret Wallace Road and Dion Drive; thence, in a Southerly direction with the centerline of Dion Drive approximately 30 feet to a point; thence with the Southwesterly right-of-way margin of Margaret Wallace Road approximately 383 feet to a point; thence, in a Northerly direction approximately 30 feet to a point in the centerline of Margaret Wallace Road; thence with the centerline of Margaret Wallace Road in a Westerly direction approximately 1,293 feet to a point, said point being the centerline intersection of Margaret Wallace Road and Sam Newell Road; thence, in a Southerly direction with the centerline of Sam Newell Road approximately 30 feet to a point, said point being the intersection of the centerline of Sam Newell Road with the extension of the Southwesterly right-of-way margin of Margaret Wallace Road; thence with said right-of-way margin in a Westerly direction approximately 658 feet to a point; thence with the Easterly property lines of Lot 1 through Lot 5, Block B, Map Book 13, page 53, South 28-17-00 West, 639.27 feet to a point; thence with the Easterly line of Lot 6 and 7, Block B, Map Book 13, page 99, South 28-09-10 East, 102.75 feet to a point, said point being the Southeasterly most corner of Lot 7, Block B, Map Book 14, page 181 for the following three courses: 1) South 28-09-10 East 78.70 feet, 2) South 58-45-15 West 171.25 feet, 3) South 21-41-50 East 4,018 feet to a point, said point being on the Northerly right-of-way margin of Oak Tree Trail; thence, along the terminus of Oak Tree Trail South 21-41-50 East 60.12 feet to a point on the Southerly right-of-way margin of Oak Tree Trail, said point being the

Northeasterly corner of Lot 1, Block F, Map Book 14, page 181; thence with the Easterly boundary lines of Lot 1 through Lot 3, Block F, Map Book 14, page 181, South 21-41-50 East 410.09 feet; thence continuing with said Map Book, Lot 3 through Lot 15, Block F, South 47-33-50 West 1,365.96 feet to a point, said point being the Southwesterly most corner of Lot 15; thence with the Southerly line as described in Deed Book 3053, page 522, South 47-33-50 West 178.60 feet to a point; thence with a Southerly line of lot as described in Deed Book 3009, page 579, South 47-21 West 274.31 feet to a point, said point being the Southwest corner of said deed; thence with the Westerly line of the property described in Deed Book 1909, page 134, South 43-45 East 180 feet to a point, said point being the Northwesterly corner of the lot as described in Deed Book 2008, page 34; thence with the Westerly line of said deed, South 43-45 East 306 feet crossing Irving Creek to a point, said point being the Northwesterly corner of Lot 20, Block C, Map Book 9, page 51; thence with the Westerly line of Lot 20 through 11, Block C, Map Book 9, page 51, South 4-39 West 1,000.18 feet to a point; thence with a Southeasterly line of Lot 11 through Lot 6, Block C on Map Book 9, page 51, South 40-56-50 East, 833.20 feet to a point, said point being the Northwesterly corner of the property as described in Deed Book 5922, page 81; thence, with said deed, South 39-27-18 East 646.48 feet to a point, said point being located on a Northerly line of the property as described in Deed Book 2349, page 483; thence, for five courses of said deed as follows: 1) South 70-19-25 West 1229.81 feet, 2) South 32-56-35 East 198.85 feet, 3) South 83-23-15 W 869.23 feet, 4) South 25-24-20 East 713.93 feet; and, 5) South 25-24-20 East approximately 157.97 feet to a point on the Northerly right-of-way

margin of Hayden Way; thence, with said right-of-way margin, if extended, in a Westerly direction approximately 100 feet to a point, said point being where the extension of the Northerly right-of-way margin of Hayden Way intersects with the centerline of East Independence Boulevard (US 74), said point also being on the present Charlotte City limit line to the point of beginning as follows; thence continuing with the present Charlotte City limit line; thence continuing with said centerline of East Independence Boulevard North 33-57-21 West approximately 2,100 feet to a point; thence, North 62-26-42 West, passing an iron at 209.65 feet in the Southerly or Southwesterly margin of the right-of-way of East Independence Boulevard, a total distance of 494.86 feet to a point; thence, North 52-21-54 West 45.88 feet to a point in the centerline of Irving Creek; thence, continuing with said centerline of Irving Creek for the following thirteen (13) courses: 1) South 84-12-12 West 105.23 feet to a point, 2) South 57-06-15 West 377.92 feet to a point, 3) South 89-33-05 West 92.69 feet to a point, 4) North 67-03-06 West 34.44 feet to a point, 5) South 50-23-12 West 131.13 feet to a point, 6) South 88-44-42 West 57.37 feet to point, 7) South 58-36-52 West 115.58 feet to a point, 8) South 12-59-50 West 97.67 feet to a point, 9) South 62-29-39 West 211.18 feet to a point, 10) South 54-24-25 West 156.32 feet to a point, 11) South 13-44-53 West 109.70 feet to a point, 12) South 26-10-23 East 76.76 feet to a point, 13) South 68-06-38 West 111.96 feet to a point which is located at the intersection of the centerline of Irving Creek with the centerline of Beards Creek; thence with the centerline of said Beards Creek for the following two (2) courses: 1) North 63-12-24 West 164.85 feet to a point; and 2) North

55-44-10 West 28.04 feet to a point; thence, leaving Beards Creek South 42-44-13 West 241.0 feet to a point, thence, South 85-55-06 West 997.97 feet to a point; thence, North 08-46-23 West 366.92 feet to a point; thence, North 32-20-52 East 280.55 feet to a point; thence, South 79-59-42 East 19.25 feet to a point; thence, North 30-25-08 West 449.83 feet to a point; thence, South 84-57-57 West 561.49 feet to a point; thence, South 67-54-22 West 412.68 feet to a point; thence, North 52-11-47 West 155.37 feet to a point; thence, South 85-29-09 West 435.85 feet to a point located on the Northeasterly right-of-way margin of the Seaboard Coastline Railroad; thence, South 33-36-36 West 100.0 feet to a point in the centerline of the Seaboard Coastline Railroad; thence, in a Northwesterly direction with said Railroad centerline approximately 650 feet to a point, said point being the intersection of the centerline of the Seaboard Coastline Railroad with the centerline of McAlpine Creek; thence, in a Northeasterly direction following along the centerline of McAlpine Creek crossing Independence Boulevard and Margaret Wallace Road to a point, said point being 30.0 feet North of and normal to the centerline of Margaret Wallace Road; thence, in a Westerly direction with a line 30.0 feet North of and parallel to the centerline of Margaret Wallace Road to a point, said point being the intersection with the Easterly boundary of the first tract described in Deed Book 2873, page 177; thence, in a Northerly direction with said Easterly boundary to a point, said point being the intersection with a Southerly line of the tract devised to Hazeline W. Haigler by will of S. M. Wallace, recorded in Will Book 8, page 454; thence, in a Southeasterly direction along a line of said tract to a point in the center of Campbell Creek; thence, in three courses with the centerline

of Campbell Creek described in Will Book 8, page 454, as having bearings of 1) North 7-01 East 347.2 feet; 2) North 23-27 East 230.0 feet, 3) North 00-42 West 167.9 feet to a point, said point being the Southeasterly corner of a tract described in Deed Book 2985, page 235; thence with the Easterly property line of said tract to a point, said point being the Southwesterly corner of the second tract described in Deed Book 2873, page 177; thence with the Southerly property line of said tract in an Easterly direction approximately 50.0 feet to a point; thence with the Easterly property line of said tract to a point, said point being the centerline of Campbell Creek; thence with the centerline of Campbell Creek in a Northerly direction to a point, said point being an old iron pin, the Northwest corner of a tract described in Deed Book 866, page 133; thence, in an Easterly direction with the Northerly property line described in said Deed Book approximately 1,024.0 feet to a point, said point being the Northwesterly corner of a tract described in Deed Book 1925, page 236; thence, in two courses described in said Deed Book as having bearings of 1) South 16-41-30 West 1,276.28 feet, 2) South 70-53 East 919.08 feet to a point; thence, in two courses described in Deed Book 866, page 133, as having bearings of 1) South 36-15 West approximately 424.0 feet, 2) South 9 East approximately 1,340.0 feet to a point, said point being the centerline of McAlpine Creek; thence with the centerline of McAlpine Creek in a Northeasterly direction approximately 4,655 feet to a point, said point being Northwesterly most corner of Lot 18 as shown on Map Book 7, page 791; thence with the Westerly line of said recorded Map South 50-00-00 East 368.03 feet crossing Drifter Drive to a point, said point being the Southwest corner of Lot 17, Map Book 7, page 791; thence with a

Western line of Deed Book 3625 page 554 for two courses as follows:

1) South 46-51 East 431.4 feet, 2) South 62-03 East 115.6 feet to a point, said point being the Northwesternly corner of the property described in Deed Book 3625, page 542; thence with said property for the following two courses: 1) South 62-03 East 614.3 feet, 2) North 56-02 East 186 feet to a point, said point being the Southwesterly corner of the property as described in Deed Book 1988, page 487; thence with said property North 55-45 East 210 feet to the Southwesterly corner of property described in Deed Book 3625, page 548; thence with said property North 56-02 East 291.3 feet to the Southwesterly corner of property described in Deed Book 1653, page 118; thence with a Southerly line of said property North 55-45 East 200.0 feet to a point, said point being the Westerly corner of Lot 11, Block 2, Map Book 19, page 338; thence with the Southerly lines of Lots 11, 12 and 13 for the following three courses: 1) South 50-35-44 East 143.23 feet, 2) South 58-30-00 East 246.05 feet, 3) South 31-00-00 East 60.98 feet to the Southerly corner of Lot 13; thence, in a Northeasterly direction with Lots 13, 14, and a portion of Lot 15 as follows: North 45 East 231.49 feet, North 50-00-00 East 74.0 feet to a point; thence with a line of Lot 26 having a bearing of South 40-00 East 150 feet to a point on the Northwesternly right-of-way margin of Vicksburg Road; thence, crossing Vicksburg Road approximately 50 feet to a point, said point being the Westerly corner of Lot 40, Block 3, Map Book 19, page 338; thence with the Southerly line of Lots 40 through 47, Block 3 of said Map Book for four courses as follows: 1) South 44-00-00 East 112.66 feet, 2) South 47-30-00 East 328.10 feet, 3) South 77-15-00 East 184.65 feet, 4) North 34-47-12 East 333.43 feet to a point being the Southerly corner of Lot

59, Block 1, Map Book 19, page 322; thence with said Map Book for four courses as follows: 1) North 35-46-50 East 145 feet, 2) crossing Bathurst North 30-04-12 East 50.24 feet, 3) North 35-02-22 East 155.0 feet, 4) North 54-13-10 West approximately 20 feet to a point, said point being the Southwest corner of the property described in Deed Book 4257, page 871; thence with the Southerly lines of said deed North 24-36-20 East 215.53 feet, North 23-56-43 East 544.93 feet to a point, said point being the Westerly corner of the property described in Deed Book 3644, page 125 as Tract 1; thence with said deed South 74-43-00 East 361.76 feet to a point being the Westerly corner as described in Deed Book 3808, page 58; thence with said deed South 73-53 East 264.38 feet to a corner being the Northerly corner of Lot 2, Block 1, Map Book 9, page 431; thence with said lot line South 9-50-50 West approximately 192 feet to a point, said point being 35 feet North of and normal to the centerline of Pinestream Drive (unopened); thence with a line 35 feet north of and parallel to the centerline of Pinestream Drive approximately 120 feet to a point; thence in a Northeasterly direction with a line of Lot 2, Block 1, Map Book 9, page 431, North 5-28-30 East approximately 186 feet to a point, said point being the Southerly corner of property described in Deed Book 3327, page 577; thence with a portion of said property North 19-10 East approximately 200 feet to a point, said point being the Westerly corner of the property described in Deed Book 3673, page 861; thence with two courses of said deed as follows: 1) South 70-56-00 East 62.74 feet, 2) North 35-26-00 East approximately 252 feet to a point, said point being 40 feet South of and normal to the centerline of Idlewild Road; thence with a line in a Southeasterly direction 40 feet Southwest of and parallel with the

centerline of Idlewild Road approximately 400 feet crossing Pinestream
Drive to the point or place of beginning.

A RESOLUTION AMENDING REPORT OF
PLANS FOR SERVICES FOR BEAM ROAD AREA

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

Section 1. That the following pages are deleted from the report of plans for services for Beam Road Area, as originally approved by the City Council on September 24, 1990: 12, Map entitled "1991 Annexation Prop. Water & Sewer Extensions" and Appendix B.

Section 2. That the pages attached hereto and incorporated herein are substituted in lieu of the pages deleted from said report in Section 1 above.

Adopted this 4th day of February, 1991.

Approved as to form:

76. M. J. J.
Deputy City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 4th day of February, 1991, the reference having been made in Minute Book 98, and is recorded in full in Resolution Book 27, at page(s) 309-310.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 6th day of February, 1991.

Pat Sharkey, City Clerk

(2) the provision of adequate drainage facilities so that his property will be free of standing water and will permit the natural flow of the water and, in the case of failure, the property owner shall bear the cost of facilities to alleviate this situation; and (3) the adequate maintenance and repair of adjoining sidewalk. Upon the request of the property owner, the City will repair or replace sidewalk with the cost of all materials necessary for the work to be borne by the property owner.

In order to provide street maintenance services on substantially the same basis and in the same manner as provided in the City, approximately \$153,918 in general revenue will be appropriated in the annual budget to reflect the additional cost of services to this area. Additional personnel and equipment required to provide this service to the area will be secured. Capital costs of \$503,265 will also be required in order to improve area streets to City maintenance standards. Service will commence on the effective date.

Other CDOT Divisions. In order for the other divisions of CDOT to provide services on substantially the same basis and in the same manner as provided in the City, approximately \$48,485 of general revenues and \$37,651 from the Public Transportation Fund will be appropriated in the annexation budget to reflect the additional cost of services to this area.

ENGINEERING DEPARTMENT. This department is responsible for engineering and real estate services for other City departments and administration of certain City regulations relative to development. The department also responds to public requests. The general objectives of the department are to plan, design, and control construction of new capital improvements to meet

RESOLUTION STATING THE INTENT OF THE CITY OF CHARLOTTE TO PAY ECONOMIC LOSS TO QUALIFIED SOLID WASTE COLLECTION FIRMS UNDER G.S. 160-49.3

BE IT RESOLVED by the City of Charlotte, North Carolina:

Section 1. That the City of Charlotte intends to pay the economic loss, as defined by G.S. §160A-49.3 (f), to those solid waste collection firms operating within areas proposed for annexation, as described in resolutions adopted September 10, 1990.

Section 2. That the City of Charlotte only intends to pay such economic loss to those solid waste collection firms which have satisfied on a timely basis the requirements of G.S. 160A-49.3.

Section 3. That such economic loss shall not be paid until the annexation which gives rise to such loss becomes effective.

Section 4. That the names of such firms which have satisfied the requirements of G.S. §160A-49.3 and the total amount of such economic loss are set forth below:

North Mecklenburg Sanitation, Inc.	\$121,725.84
K & S Sanitation Service, Inc.	75,510.48
Container Corporation of Carolina	23,756.88
BFI Waste Systems	43,355.76
Chambers Development Co., Inc.	48,214.08
D & J Enterprises	12,588.00
Sanders Sanitation	19,884.00
	<u>\$345,035.04</u>

THIS the 4th day of February, 1991.

APPROVED AS TO FORM:

Asst. *Anthony Jay*
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 4th day of February, 1991, the reference having been made in Minute Book 98 and recorded in full in Resolution Book 27, page(s) 311.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of February, 1991

Pat Sharkey, City Clerk