

A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES

Reference is made to the schedule of "Taxpayers and Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

1. The City-County Tax Collector has collected certain taxes from the taxpayers set out on the list attached to the Docket.

2. The City-County Tax Collector has certified that those taxpayers have made proper demand in writing for refund of the amounts set out on the schedule within the required time limits.

3. The amounts listed on the schedule were collected through either a clerical or assessor error.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 25th day of January, 1993 that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

CERTIFICATION

I, Nancy S. Gilbert, Deputy 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 25th day of January, 1993, the reference having been made in Minute Book 101, and recorded in full in Resolution Book 30, Page(s) 276-278.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of January, 1993.

Nancy S. Gilbert, Deputy City Clerk

TAXPAYERS AND REFUNDS REQUESTED  
MORE THAN \$100

<u>Name</u>	<u>Amount of Refund</u>
Secretary of Housing	\$ 160.32
Marine Midland Automotive	114.75
Edmonds, Winston, L.	112.63
Todd Wayne Addison	128.46
Caldwell M D P A Marilyn	116.50
Griffin Colonial	2,715.63
Custom Advertising Products	<u>326.88</u>
Total	<u>\$3,675.17</u>

TAXPAYERS AND REFUNDS REQUESTED  
LESS THAN \$100

<u>Name</u>	<u>Amount of Refund</u>
Roberts, Michael Timothy	\$ 19.05
Downey, Ami Elizabeth	6.32
Pope, John William	31.79
Jacques, Thomas A.	45.49
Greenberg Irv & Assoc.	74.67
Greenberg Irv & Assoc.	53.51
Greenberg Irv & Assoc.	89.84
Kiser, David M.	83.66
Kiser, David M.	89.71
Kiser, David M.	64.19
Kiser, David M.	71.38
Kiser, David M:	72.58
Schroeder, Dorothy Bjorklu	73.61
Feeley, Kevin F.	3.64
Sheek, Gilbert G. & Wf.	25.00
Hicks, Robert Demar	56.89
Burgess, William Cromartie	44.75
Smith, Beverly Weaver	68.22
Weir Desmus & Wf. Rosa D.	28.79
Kitchens, Wendy Valera	11.21
Lashley, Steven Henry	71.91
Volvo Finance North	59.99
Mounts John M. Integration	17.28
Threatt, Phyllis J.	5.67
Vanderlip, Dorothy M.	68.04
McManus, John P Sr.	6.19
Sutton, Marvin II	80.52
Total	<u>\$1,323.90</u>

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of The City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the Monroe/Wendover/Eastway Intersection Improvements Project; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to locate all the parties in interest, and has, therefore, been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

Parties in Interest

North Carolina National Bank (now NationsBank of North Carolina, N. A.), Trustee U/A with W. W. Hook, Jr. and Trustee U/W W. W. Hook; And Any Other Parties in Interest.

Property Description

1,545 square feet for fee-simple; 1,104 square feet for temporary construction easement; and any additional property or interest as the City may determine is necessary to complete the project, as it relates to Tax Parcel No. 159-051-01

Appraised Value

\$ 17,400.00 or such appraised value as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the

Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.  
City Attorney

CERTIFICATION

I, Nancy S. Gilbert Deputy, 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 25th day of January, 1993, and the reference having been made in Minute Book 101, Page \_\_\_\_\_.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 29th day of January, 1993.

\_\_\_\_\_  
Deputy City Clerk

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 14, 1992.

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.

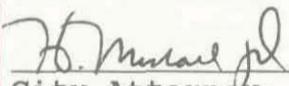
Section 4. That the names of such firms which have satisfied the requirements of G.S. §160A-49.3 and the total amount of such economic loss are set forth below:

North Mecklenburg Sanitation, Inc.	\$103,468.68
Container Corporation of Carolina	99,498.96
Jerry's Sanitation	42,996.00
Waste Management of Carolinas, Inc.	<u>42,832.08</u>
	\$288,795.72

Section 5. The adoption of this Resolution and the inclusion herein of each of the firms set forth above shall be without prejudice to the right of the City of Charlotte in these or any other annexation proceedings to take such other and different action as may be authorized by applicable law.

This the 25th day of January, 1993.

Approved as to form:

  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of January, 1993, the reference having been made in Minute Book 101 and recorded in full in Resolution Book 30, page(s) 281.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of January, 1993.

Nancy, S. Gilbert, Deputy City Clerk

A RESOLUTION AMENDING REPORT OF PLANS FOR  
SERVICES FOR US 29/NC 49 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 US 29/NC 49 Area, as originally  
approved by the City Council on October 12, 1992: 11, 16 and 18.

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

Adopted this 25th day of January, 1993.

Approved as to form:

H. Muralidharan  
Deputy City Attorney

CERTIFICATION

I, Nancy S. Gilbert, Deputy 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 25th day of  
January, 1993, the reference having been made in Minute  
Book 101, and recorded in full in Resolution Book 30,  
Page(s) 282-286.

WITNESS my hand and the corporate seal of the City of Charlotte, North  
Carolina, this the 29th day of January, 1993.

Nancy S. Gilbert, Deputy City Clerk

A contract with a rural fire department to provide fire protection is also an acceptable method of providing fire protection. The Newell 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 \$6,670. 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 U.S. 29/N.C. 49 annexation area are the Number 29 UNCC/SouthPark, Number 39 UNCC/Uptown, and 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 conducts the City's Sidewalk

- o Refuse collection from the backyard
  
- o Mixed trash collection from the curb, on a different day of the week from the backyard service
  
- o Multimaterial recyclables collection from the curb, on the same day of the week as the Mixed Trash service. The City provides residents with containers. (Currently provided only to single family type dwellings, this service will be extended to all multi-family residences effective January 1, 1993).
  
- o Yard waste collection from the curb on the same day of the week as the Mixed Trash service.

The City contracts with private collectors to provide refuse collection service from bulk containers, twice per week, from some multi-family residential complexes.

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 \$84,593.88 which will be appropriated in the annual budget from general revenues.

GENERAL SERVICES DEPARTMENT. This department is responsible for the maintenance and operation of all City motorized equipment (with the exception of fire and airport equipment), maintenance of all buildings and their grounds, the mowing of street right-of-way, construction and maintenance of urban beautification projects, and maintaining median strips along major thoroughfares. The General Service Department's budget is expected to increase by \$2,880 with some cost partially offset by charges to City departments for work performed. Service will commence on the effective date.

ANIMAL CONTROL DEPARTMENT. This department administers and enforces state and local regulations governing licensing, rabies control, and humane care for all animals in the City of Charlotte. The division maintains an animal shelter and employs Animal Control Officers who apprehend stray animals, respond to citizens' requests for service, and issue citations for violations of the Animal Control Ordinance. No additional personnel or equipment will be required to serve this area. Service will commence on the effective date of annexation.

PERSONNEL DEPARTMENT. The department establishes personnel standards, procedures, and regulations for all City employees. The department participates in recruitment and placement activities, position classification and compensation, in-service training, and retirement counseling. The Personnel Department will bear the responsibility in recruiting qualified employees to provide expanded departmental services to this area. No additional personnel or equipment will be required of this department. Service will commence on the effective date.

A RESOLUTION AMENDING REPORT OF PLANS FOR  
SERVICES FOR HEMBSTEAD/PROVIDENCE PLANTATION

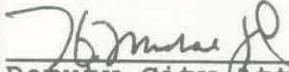
BE IT RESOLVED by the City Council of the City of Charlotte,  
North Carolina:

Section 1. That the following pages are deleted from the  
report of plans for services for Hembstead/Providence Plantation  
Area, as originally approved by the City Council on October 12,  
1992: 2, 3, 6, 16, 17, 18, 34, 35, and 36.

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

Adopted this 25th day of January, 1993.

Approved as to form:

  
\_\_\_\_\_  
Deputy City Attorney

CERTIFICATION

I, Nancy S. Gilbert, Deputy 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 25th day of  
January, 1993, the reference having been made in Minute  
Book 101, and recorded in full in Resolution Book 30,  
Page(s) 287-296.

WITNESS my hand and the corporate seal of the City of Charlotte, North  
Carolina, this the 29th day of January, 1993.

\_\_\_\_\_  
Nancy S. Gilbert, Deputy City Clerk

PART I: THE PROPOSED AREA

General Description of the Area

This area is located to the south of the existing city limits in the vicinity of N.C. 51, Providence Road, and Weddington Road. Included within the proposed annexation boundaries are the Hembstead, St. George Place, Huntington, Greenbriar, and Providence Plantation residential communities. The area is predominantly residential and contains 460 dwelling units with an estimated population of 1,446 and density of 2.05 persons per gross acre.

Standards and Criteria

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

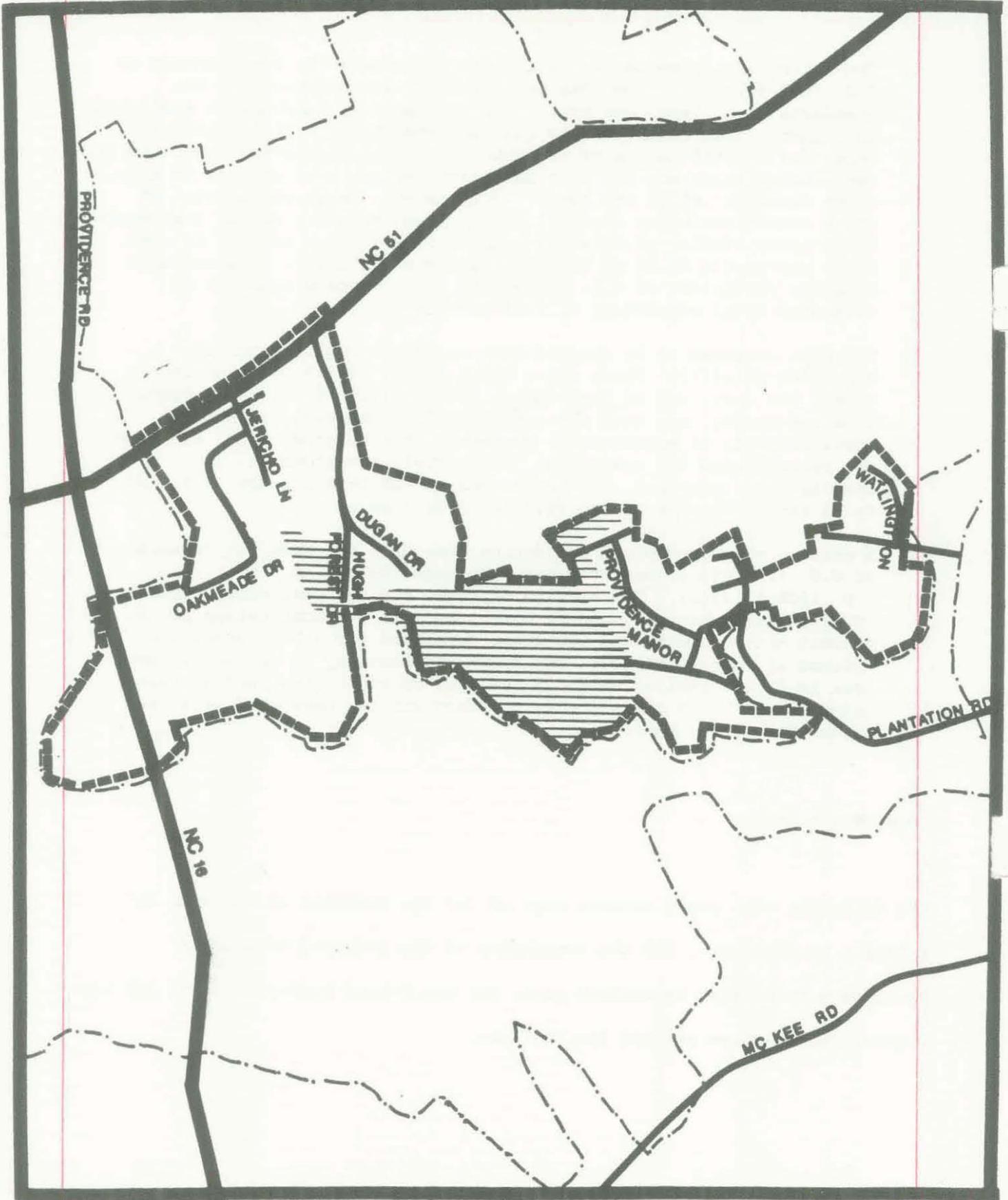
- A. The area proposed to be annexed meets the general standards of G.S. 160A-48(b) as follows:
  - 1. The area is contiguous, as defined in G.S. 160A-53, to the city's boundary as of the time of the beginning of this annexation proceeding.
  - 2. The aggregate boundary of the area is 54,077 feet, of which 33,856 feet or more than sixty-two percent (62.6 percent), coincides with the present city boundary.
  - 3. No part of the area is included within the boundary of another incorporated municipality.
  
- B. The entire 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 2.05 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 460 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 1,446 divided by the total number of acres (705), results in a population density of 2.05 persons per acre.

- B. The entire area proposed to be annexed also meets the requirements of G.S. 160A-48(c)(2). The area qualified for annexation under the standards of at least one person for each acre of land and is subdivided in a manner that conforms with the requirements of G.S. 160A-48(c)(2). There are a total number of 629 lots and tracts within the area, and of that number there are 553 lots and tracts of one acre or less in size, which equals 87.9% of the total. Furthermore, there are a total of 601.0 acres (excluding streets) in the proposed area, and of that number 373.6 acres consist of lots and tracts of five acres or less in size, which represents 62.2% of the total acreage. Finally, in accordance with the provisions of G.S. 160A-54(1), the proposed area has an estimated total population of 2.05 persons per acre.
- D. The area proposed to be annexed also meets the requirements of G.S. 160A-48(c)(3). There are a total number of 629 lots and tracts within the area, and of that number 454 or 72.2% 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, 587 acres remain. Of that acreage, 373 acres or 63.5% are in lots or tracts five acres or less in size.
- E. 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 23,367 feet of which 19,169 feet or eighty-two percent (82%), coincides with the present city boundary and the developed area (see the D-Land Connection Map).

Maps of the Area

The following four pages contain maps of (a) the location of the area in relation to Charlotte, (b) the boundaries of the proposed Hembstead/ Providence Plantation annexation area, (c) the D-Land Connection, and (d) the generalized land use pattern for the area.

# HEMBSTEAD/ PROVIDENCE PLANTATION



PROPOSED ANNEXATION AREA



SUBSECTION (D) LAND CONNECTION

Sanitation Division. The Sanitation Division of the Solid Waste Services Department provides the following weekly services:

- o Refuse collection from the backyard
  
- o Mixed trash collection from the curb, on a different day of the week from the backyard service
  
- o Multimaterial recyclables collection from the curb, on the same day of the week as the Mixed Trash service. The City provides residents with containers. (Currently provided only to single family type dwellings, this service will be extended to all multi-family residences effective January 1, 1993).
  
- o Yard waste collection from the curb on the same day of the week as the Mixed Trash service.

The City contracts with private collectors to provide refuse collection service from bulk containers, twice per week, from some multi-family residential complexes.

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. One (1) 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. 160-49.3. 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 \$11,456.04 which will be appropriated in the annual budget from general revenues.

Special Services Division: The Special Services Division of the Solid Waste Services Department provides the following services:

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.

Bulky Items (i.e. refrigerators, stoves, washers, sofas, chairs, etc.) and used tires, 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.

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.

Public Service Division: This Division responds to requests for Sanitation's services. They provide information on the Department's services; conduct public education campaigns on the City's solid waste service in neighborhoods, schools, churches, and other community

organizations; and coordinate the Department's Neighborhood Investment Department.

GENERAL SERVICES DEPARTMENT. This department is responsible for the maintenance and operation of all City motorized equipment (with the exception of fire and airport equipment), maintenance of all buildings and their grounds, the mowing of street right-of-way, construction and maintenance of urban beautification projects, and maintaining median strips along major thoroughfares. The General Service Department's budget is expected to increase by \$2,800 with some cost partially offset by charges to City departments for work performed. Service will commence on the effective date.

ANIMAL CONTROL DEPARTMENT. This department administers and enforces state and local regulations governing licensing, rabies control, and humane care for all animals in the City of Charlotte. The division maintains an animal shelter and employs Animal Control Officers who apprehend stray animals, respond to citizens' requests for service, and issue citations for violations of the Animal Control Ordinance. No additional personnel or equipment will be required to serve this area. Service will commence on the effective date of annexation.

PERSONNEL DEPARTMENT. The department establishes personnel standards, procedures, and regulations for all City employees. The department participates in recruitment and placement activities, position classification and compensation, in-service training, and retirement counseling. The Personnel Department will bear the responsibility in recruiting qualified

APPENDIX A

STATISTICAL SUMMARY PER STATUTORY REQUIREMENTS

HEMBSTEAD/PROVIDENCE PLANTATION  
 AREA IN TERMS OF STATUTORY REQUIREMENTS  
 (STATISTICS COMPILED SEPTEMBER, 1992)

	Measured or Calculated	Statutory Standard
<b>I. STATUTORY REQUIREMENT</b>		
At least one-eighth (1/8) of the total boundary of the area must coincide with the municipal boundary:		
1. Total boundary	54,077 ft.	
2. Boundary contiguous with municipal boundary	33,850 ft.	
3. Proportion of total boundary contiguous with the municipal boundary	62.6%	(1/8 or 12.5%)
<b>II. QUALIFYING CRITERIA</b>		
A. Has a resident population equal to at least two persons for each acre of land within its boundaries:		
1. Total number of dwellings	460	
2. Average number of persons per household (1990 Census)	3.31	
3. Estimated population	1,446	
4. Total area	705	
5. Population per acre	2.05	(2.0)
B. Has a total resident population equal to at least one person for each acre of land included within its boundaries, and is subdivided into lots and tracts such that at least sixty percent (60%) of the total acreage consists of lots and tracts five acres or less in size and such that at least sixty-five percent (65%) of the total number of lots and tracts are one acre or less in size:		

STATISTICAL SUMMARY (Continued)

	Measured or Calculated	Statutory Standard
1. Total number of lots one acre or less	553	
2. Total number of lots and tracts	629	
3. Lots one acre or less as a proportion of total number of lots and tracts	87.9%	(65%)
4. Area in lots five acres or less	373.6 acres	
5. Total area (excluding streets)	601.0 acres	
6. Area in lots five acres or less as a proportion of the total	62.2%	(60%)
7. Population per acre	2.05	(1.0)
C. 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:		
1. Total number of lots and tracts in area	629	
2. Total number of lots and tracts used for residential, commercial, industrial, institutional, or governmental purposes	454	
3. Total lots and tracts used for residential, commercial, industrial, institutional, or governmental, as a proportion of total number of lots and tracts	72.2%	(60%)

STATISTICAL SUMMARY (Continued)

	Measured or Calculated	Statutory Standard
4. Total acreage of area, excluding the acreage used for commercial, industrial, governmental, or institutional purposes	587	
5. Total acreage in lots and tracts five acres or less, not counting the acreage used for commercial, industrial, governmental, or institutional purposes	373	
6. Area in lots and tracts five acres or less, as a proportion of the total	63.5%	(60%)
D. At least sixty percent of the external boundary of the area not meeting the requirements of subsection (c) must coincide with any combination of the municipal boundary and the boundary of an area or areas developed for urban purposes as defined in subsection (c):		
1. Total boundary of area not meeting requirements of subsection (c)	23,367 feet	
2. Boundary contiguous with municipal and developed area boundary	19,169 feet	
3. Proportion of boundaries (1) and (2) contiguous	82%	(60%)

A RESOLUTION AMENDING REPORT OF PLANS FOR  
SERVICES FOR PROVIDENCE ROAD/PROVIDENCE ROAD WEST 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 Providence Road/Providence Road  
West Area, as originally approved by the City Council on October  
12, 1992: 3, 13, 16, 18, 32, and 33.

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

Adopted this 25th day of January, 1993.

Approved as to form:

W. Mitchell Jr.  
Deputy City Attorney

CERTIFICATION

I, Nancy S. Gilbert, Deputy 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 25th day of  
January, 1993, the reference having been made in Minute  
Book 101, and recorded in full in Resolution Book 30,  
Page(s) 297-304.

WITNESS my hand and the corporate seal of the City of Charlotte, North  
Carolina, this the 29th day of January, 1993

Nancy S. Gilbert, Deputy City Clerk

- C. The entire area proposed to be annexed also meets the requirements of G.S. 160A-48(c)(2). The area qualified for annexation under the standards of at least one person for each acre of land and is subdivided in a manner that conforms with the requirements of G.S. 160A-48(c)(2). There are a total number of 642 lots and tracts within the area, and of that number there are 569 lots and tracts of one acre or less in size, which equals 88.6% of the total. Furthermore, there are a total of 569.4 acres (excluding streets) in the proposed area, and of that number 361.8 acres consist of lots and tracts of five acres or less in size, which represents 63.5% of the total acreage. Finally, in accordance with the provisions of G.S. 160A-54(1), the proposed area has an estimated total population of 2.37 persons per acre.
- D. The area proposed to be annexed also meets the requirements of G.S. 160A-48(c)(3). There are a total number of 642 lots and tracts within the area, and of that number 506 or 78.8% 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, 518 acres remain. Of that acreage, 348 acres or 67.2% are in lots or tracts five acres or less in size.
- E. 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 28,907 feet of which 28,907 feet or hundred percent (100%), coincides with the present city boundary and the developed area (see the D-Land Connection Map).

#### Maps of the Area

The following four pages contain maps of (a) the location of the area in relation to Charlotte, (b) the boundaries of the proposed Providence Road/Providence Road West annexation area, (c) the D-Land Connection, and (d) the generalized land use pattern for the area.

and equipment required to provide this service to the area will be secured. Capital costs of \$70,891 will also be required in order to improve area streets to City maintenance standards and \$200,000 for bridge improvements. Service will commence on the effective date.

Special Transportation Services. In order for CDOT to provide special transportation services on substantially the same basis and in the same manner as provided in the City, approximately \$14,037 of general revenues 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 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 \$16,000 of general revenue will be appropriated. Services will commence on the effective date of annexation.

Planning Division. This division maintains city-wide mapping. Additional topographic maps are required to provide coverage for this area.

Real Estate Division. This division is responsible for the purchase of property that is required for the construction of public facilities, and for

- o Multimaterial recyclables collection from the curb, on the same day of the week as the Mixed Trash service. The City provides residents with containers. (Currently provided only to single family type dwellings, this service will be extended to all multi-family residences effective January 1, 1993).
  
- o Yard waste collection from the curb on the same day of the week as the Mixed Trash service.

The City contracts with private collectors to provide refuse collection service from bulk containers, twice per week, from some multi-family residential complexes.

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. One (1) 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. 160-49.3. 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 \$42,832.08 which will be appropriated in the annual budget from general revenues.

Special Services Division: The Special Services Division of the Solid Waste Services Department provides the following services:

This section is responsible for sweeping and cleaning permanently paved

thoroughfares. The General Service Department's budget is expected to increase by \$16,145 with some cost partially offset by charges to City departments for work performed. Service will commence on the effective date.

ANIMAL CONTROL DEPARTMENT. This department administers and enforces state and local regulations governing licensing, rabies control, and humane care for all animals in the City of Charlotte. The division maintains an animal shelter and employs Animal Control Officers who apprehend stray animals, respond to citizens' requests for service, and issue citations for violations of the Animal Control Ordinance. No additional personnel or equipment will be required to serve this area. Service will commence on the effective date of annexation.

PERSONNEL DEPARTMENT. The department establishes personnel standards, procedures, and regulations for all City employees. The department participates in recruitment and placement activities, position classification and compensation, in-service training, and retirement counseling. The Personnel Department will bear the responsibility in recruiting qualified employees to provide expanded departmental services to this area. No additional personnel or equipment will be required of this department. Service will commence on the effective date.

OTHER CITY DEPARTMENTS. Several other departments of city government are not involved in direct services to residents of the City or to its geographic areas. However, these departments are essential to the general operation of municipal business and will service the annexation areas in the same manner

STATISTICAL SUMMARY (Continued)

	Measured or Calculated	Statutory Standard
1. Total number of lots one acre or less	569	
2. Total number of lots and tracts	642	
3. Lots one acre or less as a proportion of total number of lots and tracts	88.6%	(65%)
4. Area in lots five acres or less	361.8 acres	
5. Total area (excluding streets)	569.4 acres	
6. Area in lots five acres or less as a proportion of the total	63.5%	(60%)
7. Population per acre	2.37	(1.0)
C. 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:		
1. Total number of lots and tracts in area	642	
2. Total number of lots and tracts used for residential, commercial, industrial, institutional, or governmental purposes	506	
3. Total lots and tracts used for residential, commercial, industrial, institutional, or governmental, as a proportion of total number of lots and tracts	78.8%	(60%)

STATISTICAL SUMMARY (Continued)

	Measured or Calculated	Statutory Standard
4. Total acreage of area, excluding the acreage used for commercial, industrial, governmental, or institutional purposes	518	
5. Total acreage in lots and tracts five acres or less, not counting the acreage used for commercial, industrial, governmental, or institutional purposes	348	
6. Area in lots and tracts five acres or less, as a proportion of the total	67.2%	(60%)
D. At least sixty percent of the external boundary of the area not meeting the requirements of subsection (c) must coincide with any combination of the municipal boundary and the boundary of an area or areas developed for urban purposes as defined in subsection (c):		
1. Total boundary of area not meeting requirements of subsection (c)	28,907 feet	
2. Boundary contiguous with municipal and developed area boundary	28,907 feet	
3. Proportion of boundaries (1) and (2) contiguous	100%	(60%)

A RESOLUTION AMENDING REPORT OF PLANS FOR  
SERVICES FOR ELM LANE WEST/PROVIDENCE ROAD WEST

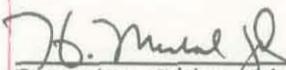
BE IT RESOLVED by the City Council of the City of Charlotte,  
North Carolina:

Section 1. That the following pages are deleted from the report of plans for services for Elm Lane West/Providence Road West Area, as originally approved by the City Council on October 12, 1992: 16 and 18.

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 25th day of January, 1993.

Approved as to form:

  
Deputy City Attorney

CERTIFICATION

I, Nancy S. Gilbert, Deputy 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 25th day of January, 1993, the reference having been made in Minute Book 101, and recorded in full in Resolution Book 30, Page(s) 305-307.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of January, 1993.

Nancy S. Gilbert, Deputy City Clerk

- o Refuse collection from the backyard
  
- o Mixed trash collection from the curb, on a different day of the week from the backyard service
  
- o Multimaterial recyclables collection from the curb, on the same day of the week as the Mixed Trash service. The City provides residents with containers. (Currently provided only to single family type dwellings, this service will be extended to all multi-family residences effective January 1, 1993).
  
- o Yard waste collection from the curb on the same day of the week as the Mixed Trash service.

The City contracts with private collectors to provide refuse collection service from bulk containers, twice per week, from some multi-family residential complexes.

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. One (1) 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. 160-49.3. 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 \$34,400.04 which will be appropriated in the annual budget from general revenues.

GENERAL SERVICES DEPARTMENT. This department is responsible for the maintenance and operation of all City motorized equipment (with the exception of fire and airport equipment), maintenance of all buildings and their grounds, the mowing of street right-of-way, construction and maintenance of urban beautification projects, and maintaining median strips along major thoroughfares. The General Service Department's budget is expected to increase by \$47,955 with some cost partially offset by charges to City departments for work performed. Service will commence on the effective date.

ANIMAL CONTROL DEPARTMENT. This department administers and enforces state and local regulations governing licensing, rabies control, and humane care for all animals in the City of Charlotte. The division maintains an animal shelter and employs Animal Control Officers who apprehend stray animals, respond to citizens' requests for service, and issue citations for violations of the Animal Control Ordinance. No additional personnel or equipment will be required to serve this area. Service will commence on the effective date of annexation.

PERSONNEL DEPARTMENT. The department establishes personnel standards, procedures, and regulations for all City employees. The department participates in recruitment and placement activities, position classification and compensation, in-service training, and retirement counseling. The Personnel Department will bear the responsibility in recruiting qualified employees to provide expanded departmental services to this area. No additional personnel or equipment will be required of this department. Service will commence on the effective date.

A RESOLUTION AMENDING REPORT OF PLANS FOR  
YORK ROAD/BEAM ROAD

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 York Road/Beam Road Area, as originally approved by the City Council on October 12, 1992: 2, 3, 5, 6, 7, 18, Map entitled "1993 Annexation Proposed Water & Sewer Extensions", 31, 32 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 25th day of January, 1993.

Approved as to form:

  
\_\_\_\_\_  
Deputy City Attorney

CERTIFICATION

I, Nancy S. Gilbert, Deputy 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 25th day of January, 1993, the reference having been made in Minute Book 101, and recorded in full in Resolution Book 30, Page(s) 308-324.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of January, 1993.

\_\_\_\_\_  
Nancy S. Gilbert, Deputy City Clerk

PART I: THE PROPOSED AREA

General Description of the Area

This area is situated southwest of the present city limits in the vicinity of York Road, Beam Road, and Arrowood Road. Olde Whitehall, McDowell Farms, and McDowell Meadows are some of the subdivisions included within the annexation boundaries. The area also contains several business establishments along York Road (Robert's Systems and Hacoba Textile Machinery). The area is predominantly residential and contains 819 dwelling units with an estimated population of 2,109 and density of 2.74 persons per gross acre.

Standards and Criteria

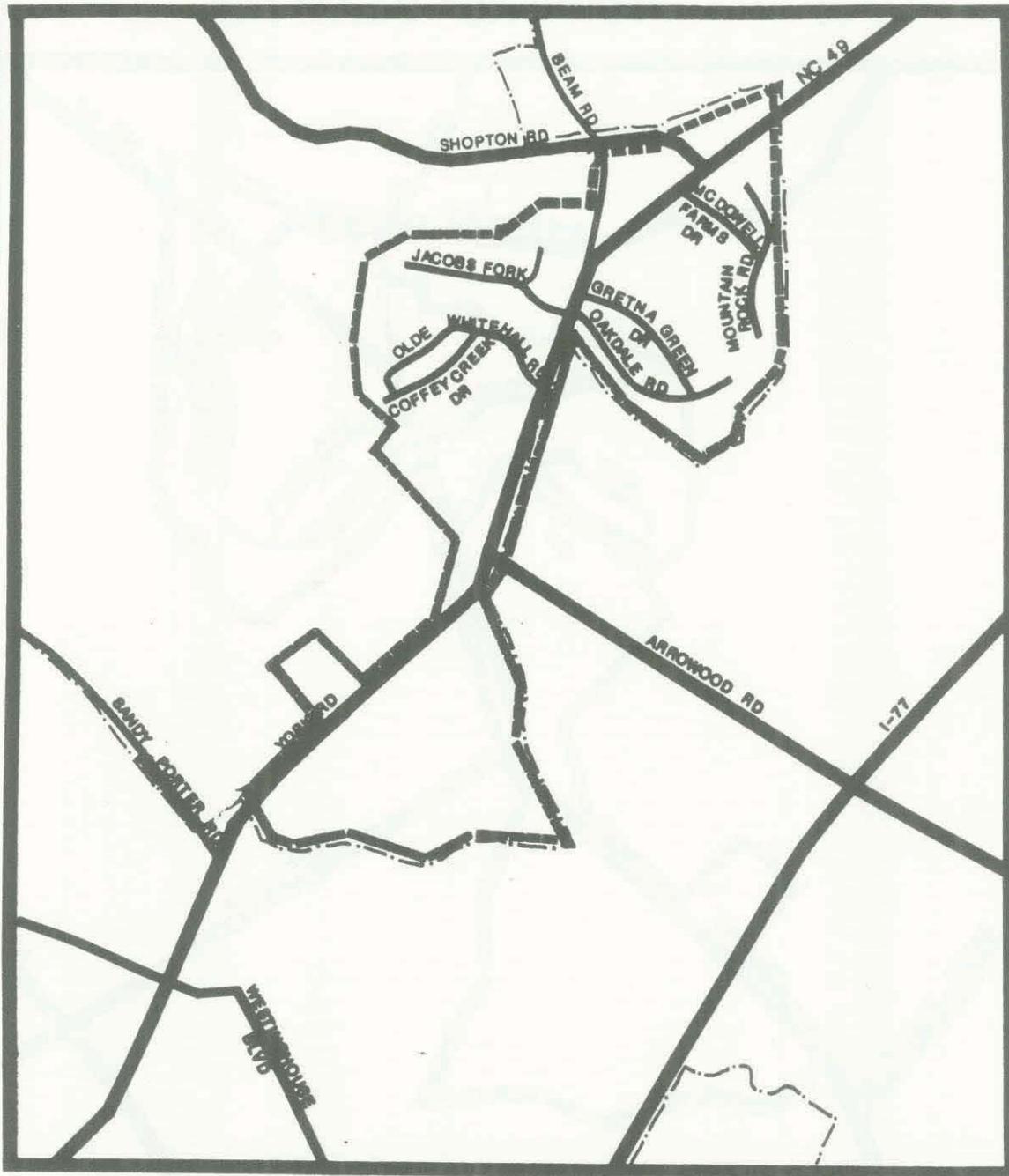
STATEMENT SHOWING THAT THE AREA PROPOSED TO BE ANNEXED MEETS THE LEGISLATIVE STANDARDS PRESCRIBED BY G.S. 160A-48.

- 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 44,480 feet, of which 26,100 feet or more than fifty-nine percent (58.7 percent), coincides with the present city boundary.
  3. No part of the area is included within the boundary of another incorporated municipality.
- B. The entire 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 as estimated total population of 2.74 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 819 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 2,109 divided by the total number of acres (772), results in a population density of 2.73 persons per acre.

Maps of the Area

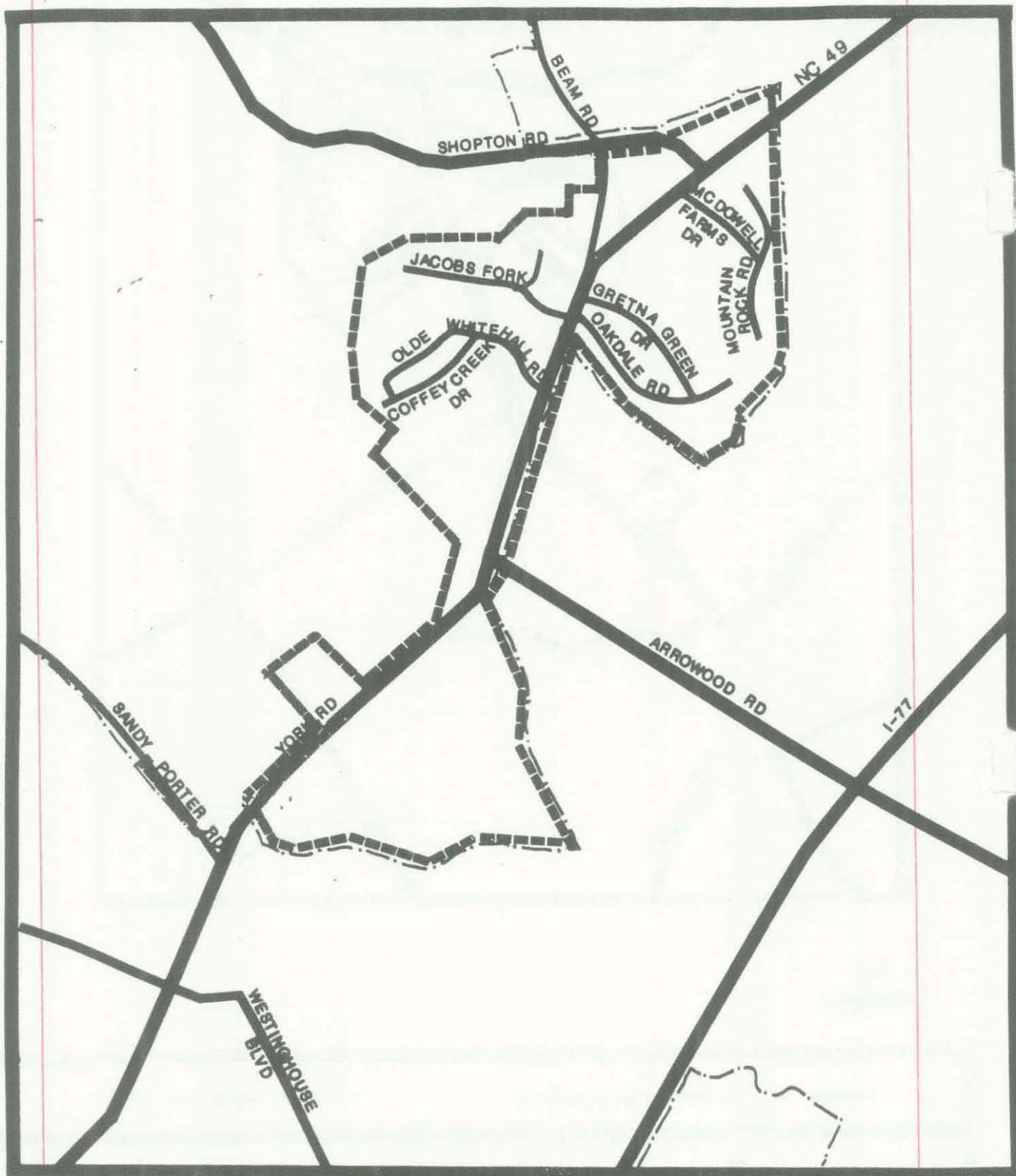
The following four pages contain maps of (a) the location of the area in relation to Charlotte, (b) the boundaries of the proposed York Road/Beam Road annexation area, (c) the D-Land Connection, and (d) the generalized land use pattern for the area.

# YORK RD/ BEAM RD



 Annexation Area Boundary	 Present City Limits
<h2>Proposed Annexation Area</h2>	

# YORK RD/ BEAM RD

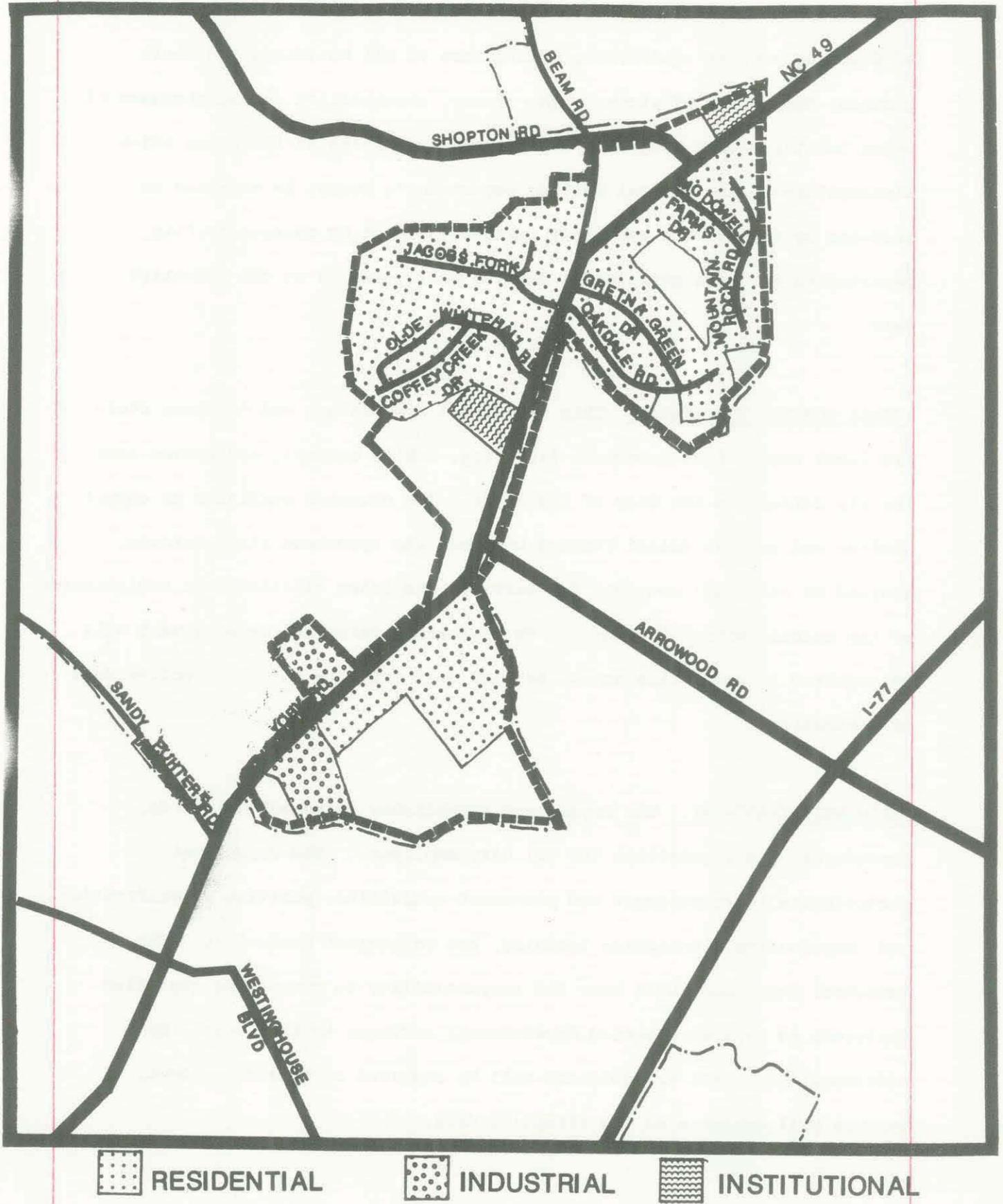


PROPOSED ANNEXATION AREA



SUBSECTION (D) LAND CONNECTION

### GENERALIZED LAND USE



GENERAL SERVICES DEPARTMENT. This department is responsible for the maintenance and operation of all City motorized equipment (with the exception of fire and airport equipment), maintenance of all buildings and their grounds, the mowing of street right-of-way, construction and maintenance of urban beautification projects, and maintaining median strips along major thoroughfares. The General Service Department's budget is expected to increase by \$2,460 with some cost partially offset by charges to City departments for work performed. Service will commence on the effective date.

ANIMAL CONTROL DEPARTMENT. This department administers and enforces state and local regulations governing licensing, rabies control, and humane care for all animals in the City of Charlotte. The division maintains an animal shelter and employs Animal Control Officers who apprehend stray animals, respond to citizens' requests for service, and issue citations for violations of the Animal Control Ordinance. No additional personnel or equipment will be required to serve this area. Service will commence on the effective date of annexation.

PERSONNEL DEPARTMENT. The department establishes personnel standards, procedures, and regulations for all City employees. The department participates in recruitment and placement activities, position classification and compensation, in-service training, and retirement counseling. The Personnel Department will bear the responsibility in recruiting qualified employees to provide expanded departmental services to this area. No additional personnel or equipment will be required of this department. Service will commence on the effective date.

APPENDIX A

STATISTICAL SUMMARY PER STATUTORY REQUIREMENTS

YORK ROAD/BEAM ROAD  
 AREA IN TERMS OF STATUTORY REQUIREMENTS  
 (STATISTICS COMPILED SEPTEMBER, 1992)

I. STATUTORY REQUIREMENT	Measured or Calculated	Statutory Standard
At least one-eighth (1/8) of the total boundary of the area must coincide with the municipal boundary:		
1. Total boundary	44,480 ft.	
2. Boundary contiguous with municipal boundary	26,100 ft.	
3. Proportion of total boundary contiguous with the municipal boundary	58.7%	(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	819	
2. Average number of persons per household (1990 Census)	2.71	
3. Estimated population	2,109	
4. Total area	772	
5. Population per acre	2.73	(2.0)

STATISTICAL SUMMARY (Continued)

Use of the D-Land standards were deleted from the final annexation report.

APPENDIX B  
LEGAL DESCRIPTION

amended 1-25-93

PROPOSED ANNEXATION AREA #6 FY94

YORK ROAD/BEAM ROAD

Beginning at a point in the centerline of Shopton Road; said point being the Northeast most corner of property as described in Deed Book 5608, page 198; thence, in a Northeasterly direction following the centerline of Shopton Road, North 89-44-32 East 1,122.73 feet to a nail in the centerline of Shopton Road and Beam Road; thence in a Northeasterly direction continuing along said Shopton Road North 89-44-30 East 749.61 feet to a nail in the centerline of Shopton Road, thence running in an Easterly direction with the property line of Grady L. Ross, now or formerly, North 76-58-56 East 202.52 feet to a tack; thence North 74-55-35 East 706.87 feet to a tack; thence North 72-59-10 East 100.04 feet to a tack; thence North 70-01-43 East 100.02 feet to a tack; thence North 66-57-06 East 99.95 feet to a tack; thence North 64-55-46 East 100.00 feet to a tack; thence North 64-53-47 East 204.95 feet to a spike; thence North 76-09-09 East 99.98 feet to an iron; thence South 88-14-20 East 59.82 feet to an iron; thence North 67-49-40 East 103.40 feet to an iron; thence South 60-12-23 East 305.22 feet to a point; said point being the centerline of Big Sugar Creek approximately 300 feet from the centerline of York Road, thence in a Southerly direction with the centerline of Big Sugar Creek approximately 5,200 feet, crossing York Road, to a point; said point being where

the Easterly boundary line intersects with the centerline of Big Sugar Creek, as described in Deed Book 3658, page 287; thence in a Northwesterly direction following along the Easterly boundary line of said lot and having a bearing of North 38-53-58 West approximately 200 feet to a point; said point being the most northeasterly corner of the property as described in said Deed Book; thence continuing in a Northwesterly direction following along the Northerly boundary line as described in Deed Book 3658, page 287 in four (4) courses as having a bearing and distance as follows: 1) South 66-47-32 West 492.21 feet to a point, 2) North 50-32-50 West 794.88 feet to a point, 3) North 43-33-02 West 820.64 feet to a point, 4) North 39-32-31 West 643.54 feet to a point; said point being the Northeasterly corner of lot as described in Deed Book 3339, page 315; thence continuing in a Northwesterly direction following along the Northerly boundary line of said lot crossing the Easterly right-of-way margin of York Road as having a bearing of North 37-37-40 West and a distance of 415.46 feet to a point; said point being the Northwesterly corner of lot as described in Deed Book 3339, page 315, said point also being in the centerline of York Road, thence crossing the Westerly right-of-way margin of York Road approximately 98 feet to a point, said point being located where a line 85 feet West of and parallel with the centerline of York Road intersects with the Northerly boundary line of lot as described in Deed Book 3339, page 315 (if extended); thence in a Southerly or Southwesterly direction following along a line 85 feet West of and parallel with the centerline of York Road approximately 3,685 feet to a point; said point being located where

the extension of a line 40 feet South of and parallel with the centerline of Arrowood Road intersects with a line 85 feet West of and parallel with the centerline of York Road; thence in a Southwesterly direction along a line 85 feet West of and parallel with the centerline of York Road approximately 500 feet to a point; said point being 85 feet West of and normal to the centerline of York Road; thence in a Southerly direction crossing York Road to a point in the centerline of Coffey Creek to a point; thence meandering with the centerline of Coffey Creek in a Southerly direction approximately 4,800 feet to a point; said point being located at the confluence of the centerline of Coffey Creek and a branch of Coffey Creek; thence in a Westerly direction meandering with the centerline of a branch of Coffey Creek approximately 3,800 feet to a point; said point being in or near the centerline of a branch of Coffey Creek; thence leaving Coffey Creek in a Southwesterly direction along the Southerly line of Tract 2 and Tract 1 as described in said Deed Book 4796, page 579 as having a bearing and distance as follows; South 35-43-41 West 317.86 feet to a point; thence South 67-13-55 West 304.10 feet to a point; thence in a Northerly direction along the Westerly line of Tract 2 and Tract 1 as described in said Deed Book 4796, page 579 as having a bearing and distance as follows: North 65-41-35 West 506.56 feet to a point; thence North 65-40-58 West 318.05 feet to a point; thence North 40-00 East 186.33 feet to a point; thence North 50-00 East approximately 225. feet to a point; said point being in the Westerly line of Tract 1 as described in said Deed Book 4796, page 579; thence in a Northeasterly direction along a line 60 feet south

of and parallel with the centerline of York Road approximately 170 feet to a point, crossing York Road to a point, said point being 60 feet North of and normal to the centerline of York Road, thence with a line 60 feet North of and parallel with the centerline of York Road approximately 1,404 feet to a point; said point being the Southerly most corner of lot as described in Deed Book 4773 page 66; Thence in a Northwesterly direction with the Southerly line of said property a bearing and distance of North 44-09-41 West 410.36 feet to a point; said point being the Westerly most corner of said property as described in Deed Book 4773 page 66 and the Southerly most corner of property as described in Deed Book 6220 page 985; thence in a Northwesterly direction following the Southerly line of property as described in said Deed Book 6220 page 985 a bearing and distance of North 44-09-41 West 498.11 to a point; said point being the Westerly most corner of property as described in Deed Book 6220, page 985, thence in a Northeasterly direction with the Westerly property line North 66-00-04 East 313.8 feet to a point; said point being the Westerly most corner of property as described in Deed Book 6336, page 910, thence, in an Easterly direction with the Northwesterly line of property as described in said Deed Book, North 65-57-25 East 846.36 feet to a point; said point being the Northerly most corner of property as described in said Deed Book 6336, page 910; thence, in a Southerly direction following along the Northeasterly line of property as described in Deed Book 6336, page 910 as having a bearing and distance of South 16-49-30 East 606.86 feet to a point; said point being on the Westerly right-of-way of NC Highway 49 (York Road); thence in a Northeasterly

direction following along the Westerly right-of-way of NC Highway 49 (York Road) a distance of approximately 1,850. feet to a point; said point being approximately 170 feet South of the centerline of Coffey Creek on the right-of-way of NC Highway 49 (York Road); thence in a Northerly direction approximately 300 feet to a point; said point being in the centerline of Coffey Creek and also 300 feet from the centerline of NC Highway 49 (York Road) ; thence, in a Northerly Direction meandering with the centerline of Coffey Creek for a distance of approximately 2,820 feet to a point; said point being in the Northwesterly line of property as described in Deed Book 4936 page 496 and also being in the centerline of Coffey Creek; thence, in a Northeasterly direction with the Northerly property line of property as described in Deed Book 4936 page 496 a bearing and distance of North 64-02-34 East approximately 130 feet to a point; said point being the Southeast corner of property as described in Deed Book 5030 page 793 and the Southerly most corner of lot 58 block 1 as shown on recorded Map Book 21 page 316 and in the Northerly line of property as described in Deed Book 4936 page 496, thence in a Northerly direction with the Easterly property line of property as described in Deed Book 5030 page 793 as having a bearing and distance as follows: North 78-26-50 West 83.88 feet to a point; thence North 40-59-20 West 137.42 feet to a point; thence North 22-55-30 East 71.59 feet to a point; thence North 39-35-30 West 186.3 feet to a point; thence North 9-27-30 East 60.93 feet to a point; thence North 82-48-20 East 71.15 feet to a point; thence North 57-58-40 East 104.77 feet to a point; thence North 04-33-50 West 97.16 feet to a point; thence North 37-

17-20 West 192.53 feet to a point; thence North 23-13-30 West 88.49 feet to a point; thence North 12-12-30 West 91.46 feet to a point; thence North 18-17-10 West 96.92 feet to a point; thence North 12-05-00 West 126.97 feet to a point; thence North 54-40-00 East 52.55 feet to a point; thence North 18-20-00 East 98.33 feet to a point; thence North 21-28-10 East 115.05 feet to a point; thence North 43-03-20 East 96.14 feet to a point; thence North 50-15-10 East 91.92 feet to a point; thence North 60-29-10 East 117.52 feet to a point; thence North 20-33-30 East 116.90 feet to a point; thence North 16-29-20 East 129 feet to a point; said point being the Northeast corner of property as described in Deed Book 5030 page 793 and Southwesterly most corner of lot as shown on Map Book 22 page 558, block 2 lot 64A; thence following along the Westerly boundary of lots 64A, 63A, 62A, 61A, 60A, 59A, 58A, 57A and 56A ten (10) courses as follow: North 10-15-41 West 138.50 feet to a point; thence North 12-17-13 West 73.22 feet to a point; thence North 25-24-55 West 74.79 feet to a point; thence North 35-09-20 West 76.68 feet to a point; thence North 33-50-05 West 53.40 feet to a point; thence North 28-49-30 East 66.64 feet to a point; thence North 30-55-58 East 106.49 feet to a point; thence North 12-14-15 East 73.55 feet to a point; thence North 07-31-13 East 84.04 feet to a point; said point being the Northwest corner of lot 56A block 2 as shown on recorded Map Book 22 page 558, said point is also in the line of property as described in Deed Book 2197 page 217, thence, in an Easterly direction with the Northerly line of lot 56A, 55A, 50A and 49A as shown on recorded Map Book 22 page 558 as having a bearing and distance of North 89-36-02 East 665.20 feet to a point; said

point being in the Northerly line of lot 49A block 2 50.82 feet west of the Northeast corner; thence in an Easterly direction with the Northerly line of lot 49A and 48A block 2, North 89-08-58 East 70.82 feet to a point; said point being the Northeast corner of lot 48A block 2 as shown on recorded Map Book 22 page 558; thence in an Easterly direction with the Northerly line of lot 42A block 2, as shown on Map Book 22 page 559, North 89-08-58 East 94.48 feet to a point; said point being in the Northerly line of lot 42A block 2, 25 feet from the Northeast corner as shown on recorded Map Book 22 page 559; thence, in an Easterly direction with the Northerly line of lots 42A, 41A, 40A, 34A, 33A, 32A, 23A, and 22A block 2 as shown on said recorded Map Book, South 79-47-52 East 1,061.50 feet to a point; said point being in the line of lot 22A block 2 as shown on said recorded Map Book, 40 feet West of the Northeast corner; thence, in an Easterly direction with the Northerly line of lot 22A and 21A block 2 as shown on said recorded Map Book, South 81-17-24 East 200.19 feet to a point; said point being the Northeast corner of lot 21A block 2 as shown on recorded Map Book 22 page 559; thence in a Northerly direction with the Westerly property line of property as described in Deed Book 673 page 194 North 12-45-00 West 709 feet to a point; said point being the Westerly most corner of property as described in Deed Book 673 page 194, thence in an Easterly direction with the Southerly line of property as described in Deed Book 5608 page 198 as having a bearing and distance of South 72-30-00 East 294 feet to a point; said point being the Southwesterly most corner of property as described in Deed Book 1497 page 231 and a Westerly corner of property as described in

Deed Book 5608 page 198; thence, in a Northerly direction following the Westerly line of property as described in Deed Book 1497 page 231 a bearing and distance of North 9-25-00 East 512.4 feet to a point; said point being the Northwesterly most corner of property as described in deed Book 1497 page 231 and also in the Southerly line of property as described in Deed Book 5608 page 198; Thence in and Easterly direction with the Northerly property line of property as described in Deed Book 1497 page 231 a bearing and distance of South 81-49-00 East approximately 600 feet to the Westerly right-of-way margin of Beam Road, thence in a Northerly direction following the Westerly right-of-way margin of Beam Road to a point of intersection with the Southerly right-of-way margin of Shopton Road, said point being 30 feet South of and normal to the centerline of Shopton Road, thence in a Westerly direction following a line 30 feet South of and parallel with the centerline of Shopton Road approximately 1,000 feet to a point; said point being 30 feet South of and normal to the place and point of beginning, thence, in a Northerly direction 30 feet to the place and point of beginning.

A RESOLUTION AMENDING REPORT OF PLANS FOR  
SERVICES FOR NC 16/NC 27 AREA

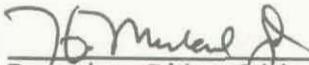
BE IT RESOLVED by the City Council of the City of Charlotte,  
North Carolina:

Section 1. That the following pages are deleted from the  
report of plans for services for NC 16/NC 27 Area, as originally  
approved by the City Council on October 12, 1992: 2, 3, 16, 18,  
and 42.

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

Adopted this 25th day of January, 1993.

Approved as to form:

  
\_\_\_\_\_  
Deputy City Attorney

CERTIFICATION

I, Nancy S. Gilbert, Deputy 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 25th day of  
January, 1993, the reference having been made in Minute  
Book 101, and recorded in full in Resolution Book 30,  
Page(s) 325-330.

WITNESS my hand and the corporate seal of the City of Charlotte, North  
Carolina, this the 29th day of January, 1993.

\_\_\_\_\_  
Nancy S. Gilbert, Deputy City Clerk

PART I: THE PROPOSED AREA

General Description of the Area

The N.C. 16/N.C. 27 area is located to the northwest of the existing city limits. The proposed annexation area includes the Clinchfield, Long Creek, Northwoods at Coulwood and Coulwood Ridge residential developments. The area is a mixture of residential and nonresidential development and contains 1,295 dwelling units with an estimated population of 3,284. The area also contains more than fifty (50) businesses, many of which are located along Brookshire and Belhaven Boulevards.

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 126,160 feet, of which 73,910 feet or more than fifty-eight percent (58.6 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)(3). There are a total number of 1,853 lots and tracts within the area, and of that number 1,212 or 65.4% 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, 1,696 acres remain. Of that acreage, 1,155 acres or 68.1% are in lots or tracts five acres or less in size.
- C. 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 areas are adjacent and at least sixty percent (60%) of their 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 boundaries of the undeveloped areas are 24,697 feet for Area 1, 32,858 feet for Area 2, and 48,572 for Area 3 of which 24,697 for Area 1 32,858 for Area 2, and 48,572 for Area 3 or hundred percent (100%) in each area, coincides with the present city boundary and the developed area (see the D-Land Connection Map).

- D. Parcels with 3 or more dwelling units are considered commercial. Parcels of 5 acres or less with 1 or 2 dwelling units are considered residential.

#### Maps of the Area

The following four pages contain maps of (a) the location of the area in relation to Charlotte, (b) the boundaries of the proposed N.C. 16/N.C. 27 annexation area, (c) the D-Land Connection, and (d) the generalized land use pattern for the area.

- o Refuse collection from the backyard
  
- o Mixed trash collection from the curb, on a different day of the week from the backyard service
  
- o Multimaterial recyclables collection from the curb, on the same day of the week as the Mixed Trash service. The City provides residents with containers. (Currently provided only to single family type dwellings, this service will be extended to all multi-family residences effective January 1, 1993).
  
- o Yard waste collection from the curb on the same day of the week as the Mixed Trash service.

The City contracts with private collectors to provide refuse collection service from bulk containers, twice per week, from some multi-family residential complexes.

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. Three (3) 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. 160-49.3. 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 \$104,201.16 which will be appropriated in the annual budget from general revenues.

GENERAL SERVICES DEPARTMENT. This department is responsible for the maintenance and operation of all City motorized equipment (with the exception of fire and airport equipment), maintenance of all buildings and their grounds, the mowing of street right-of-way, construction and maintenance of urban beautification projects, and maintaining median strips along major thoroughfares. The General Service Department's budget is expected to increase by \$1,800 with some cost partially offset by charges to City departments for work performed. Service will commence on the effective date.

ANIMAL CONTROL DEPARTMENT. This department administers and enforces state and local regulations governing licensing, rabies control, and humane care for all animals in the City of Charlotte. The division maintains an animal shelter and employs Animal Control Officers who apprehend stray animals, respond to citizens' requests for service, and issue citations for violations of the Animal Control Ordinance. No additional personnel or equipment will be required to serve this area. Service will commence on the effective date of annexation.

PERSONNEL DEPARTMENT. The department establishes personnel standards, procedures, and regulations for all City employees. The department participates in recruitment and placement activities, position classification and compensation, in-service training, and retirement counseling. The Personnel Department will bear the responsibility in recruiting qualified employees to provide expanded departmental services to this area. No additional personnel or equipment will be required of this department. Service will commence on the effective date.

STATISTICAL SUMMARY (Continued)

	Measured or Calculated	Statutory Standard
4. Total acreage of area, excluding the acreage used for commercial, industrial, governmental, or institutional purposes	1,696	
5. Total acreage in lots and tracts five acres or less, not counting the acreage used for commercial, industrial, governmental, or institutional purposes	1,155	
6. Area in lots and tracts five acres or less, as a proportion of the total	68.1%	(60%)

B. At least sixty percent of the external boundary of the area not meeting the requirements of subsection (c) must coincide with any combination of the municipal boundary and the boundary of an area or areas developed for urban purposes as defined in subsection (c):

Area 1

1. Total boundary of area not meeting requirements of subsection (c)	24,697 feet	
2. Boundary contiguous with municipal and developed area boundary	24,697 feet	
3. Proportion of boundaries (1) and (2) contiguous	100%	(60%)

Area 2

1. Total boundary of area not meeting requirements of subsection (c)	32,858 feet	
2. Boundary contiguous with municipal and developed area boundary	32,858 feet	
3. Proportion of boundaries (1) and (2) contiguous	100%	(60%)

A RESOLUTION AMENDING REPORT OF PLANS FOR  
SERVICES FOR US 21/NC 115 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 US 21/NC 115 Area, as originally approved by the City Council on October 12, 1992: 2, 3, 5, 6, 7, 10, 11, 16, 18, Map entitled "1993 Annexation Proposed Water & Sewer Extensions", 36, 37, 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 25th day of January, 1993.

Approved as to form:

J. M. M. J.  
Deputy City Attorney

CERTIFICATION

I, Nancy S. Gilbert, Deputy 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 25th day of January, 1993 the reference having been made in Minute Book     , and recorded in full in Resolution Book 30, Page(s) 331-361.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of January, 1993.

Nancy S. Gilbert, Deputy City Clerk

PART I: THE PROPOSED AREA

General Description of the Area

This area is situated north of the present city limits along the Interstate-77 Corridor between Beatties Ford Road and N.C. 115. The area is predominantly nonresidential (office, retail, and industrial), including Florida Steel, Metrolina Expo, Stanley Tool, Northwoods Business Park, and the new PVA Monarch Distribution Center. The area contains 482 dwelling units and has a residential population of 1,200.

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 60,895 feet, of which 21,337 feet or more than forty-four percent (35.0 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)(3). There are a total number of 528 lots and tracts within the area, and of that number 332 or 62.9% 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, 374 acres remain. Of that acreage, 286 acres or 76.5% are in lots or tracts five acres or less in size.
- C. 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

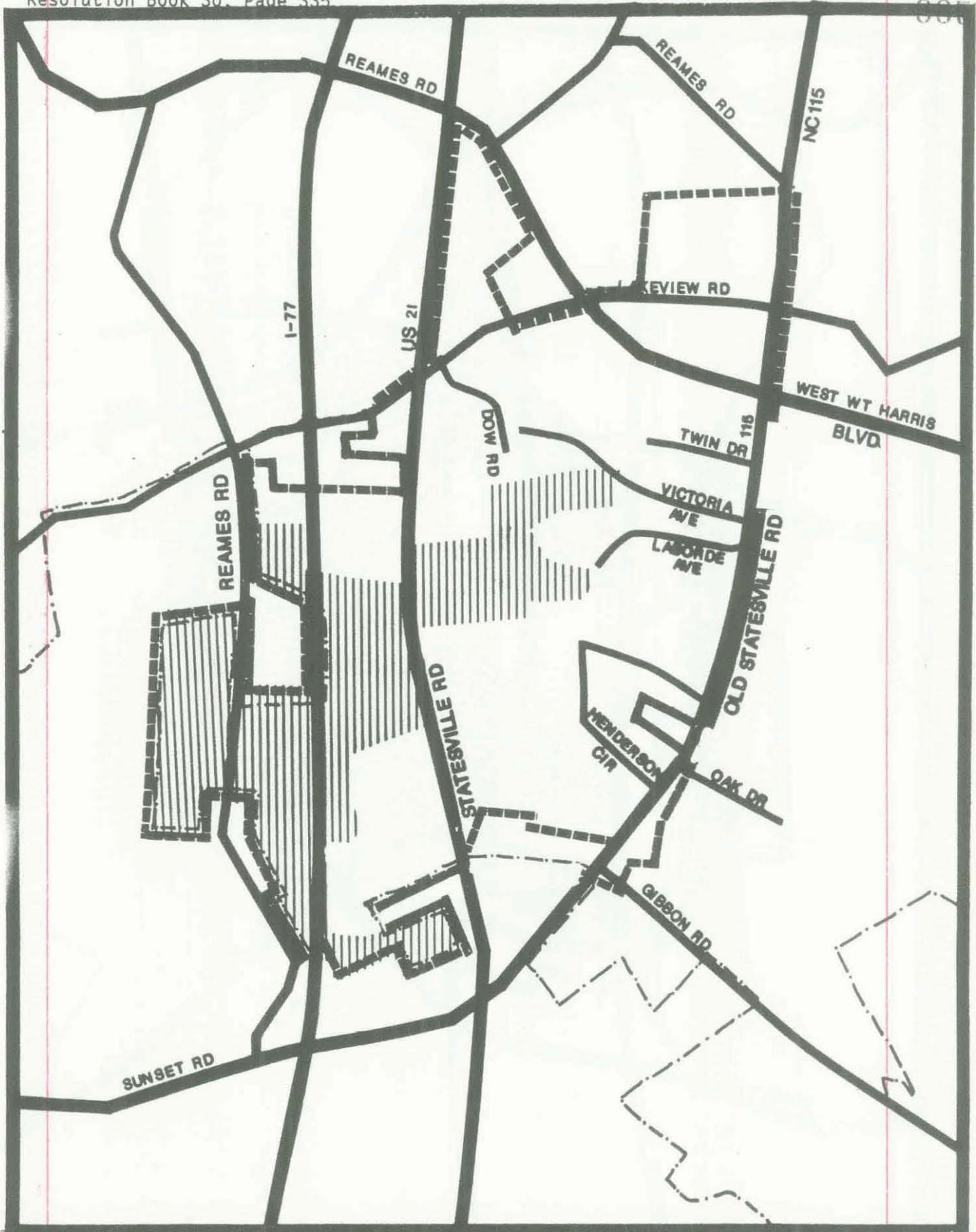
area is 43,039 feet of which 43,039 feet or hundred percent (100%), coincides with the present city boundary and the developed area (see the D-Land Connection Map).

- D. Parcels with 3 or more dwelling units are considered commercial. Parcels of 5 acres or less with 1 or 2 dwelling units are considered residential.

#### Maps of the Area

The following four pages contain maps of (a) the location of the area in relation to Charlotte, (b) the boundaries of the proposed U.S. 21/N.C. 115 annexation area, (c) the D-Land Connection, and (d) the generalized land use pattern for the area.

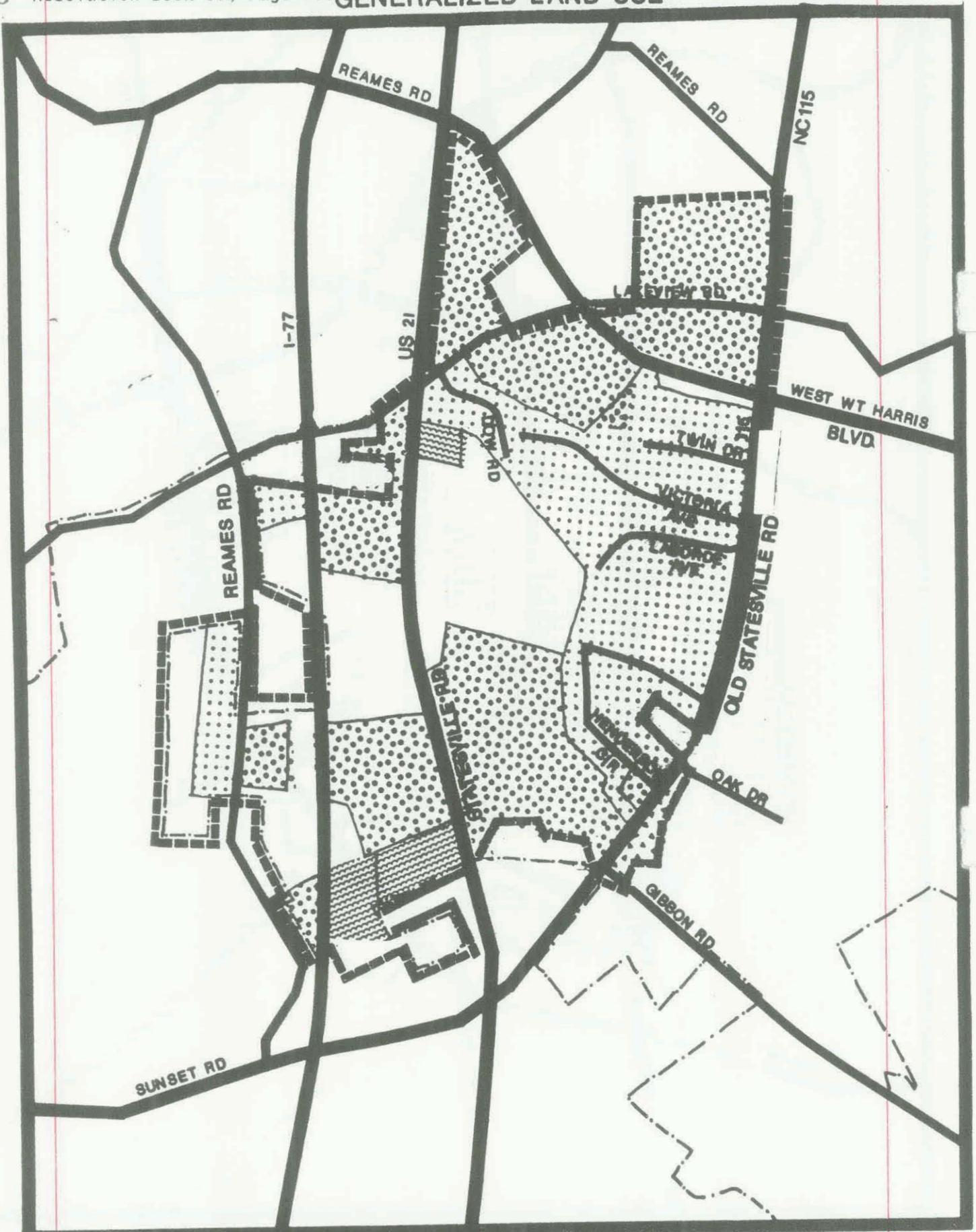




PROPOSED ANNEXATION AREA



SUBSECTION (D) LAND CONNECTION



 RESIDENTIAL  
 COMMERCIAL

 INDUSTRIAL  
 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 \$29,369 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 802 full-time employees operating 30 engine companies, 11 ladder companies, 5 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 30 strategically located fire stations.

A commensurate level of fire protection to the U.S. 21/N.C. 115 area will be provided from existing facilities and personnel located at Station 28 at 8031 Old Statesville Road. 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. 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 \$748. 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 routes serving the U.S. 21/N.C. 115 annexation area are the Number 7 Beatties Ford Road and Number 13 Nevin Road. 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 conducts the City's Sidewalk Program and authorizes street light installations by Duke Power Company and approves take over billing for existing street lights on public streets.

- o Refuse collection from the backyard
  
- o Mixed trash collection from the curb, on a different day of the week from the backyard service
  
- o Multimaterial recyclables collection from the curb, on the same day of the week as the Mixed Trash service. The City provides residents with containers. (Currently provided only to single family type dwellings, this service will be extended to all multi-family residences effective January 1, 1993).
  
- o Yard waste collection from the curb on the same day of the week as the Mixed Trash service.

The City contracts with private collectors to provide refuse collection service from bulk containers, twice per week, from some multi-family residential complexes.

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. One (1) 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. 160-49.3. 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 \$11,312.52 which will be appropriated in the annual budget from general revenues.

GENERAL SERVICES DEPARTMENT. This department is responsible for the maintenance and operation of all City motorized equipment (with the exception of fire and airport equipment), maintenance of all buildings and their grounds, the mowing of street right-of-way, construction and maintenance of urban beautification projects, and maintaining median strips along major thoroughfares. The General Service Department's budget is expected to increase by \$4,560 with some cost partially offset by charges to City departments for work performed. Service will commence on the effective date.

ANIMAL CONTROL DEPARTMENT. This department administers and enforces state and local regulations governing licensing, rabies control, and humane care for all animals in the City of Charlotte. The division maintains an animal shelter and employs Animal Control Officers who apprehend stray animals, respond to citizens' requests for service, and issue citations for violations of the Animal Control Ordinance. No additional personnel or equipment will be required to serve this area. Service will commence on the effective date of annexation.

PERSONNEL DEPARTMENT. The department establishes personnel standards, procedures, and regulations for all City employees. The department participates in recruitment and placement activities, position classification and compensation, in-service training, and retirement counseling. The Personnel Department will bear the responsibility in recruiting qualified employees to provide expanded departmental services to this area. No additional personnel or equipment will be required of this department. Service will commence on the effective date.

APPENDIX A

STATISTICAL SUMMARY PER STATUTORY REQUIREMENTS

U.S. 21/N.C. 115  
AREA IN TERMS OF STATUTORY REQUIREMENTS  
(STATISTICS COMPILED SEPTEMBER, 1992)

	Measured or Calculated	Statutory Standard
<b>I. STATUTORY REQUIREMENT</b>		
At least one-eighth (1/8) of the total boundary of the area must coincide with the municipal boundary:		
1. Total boundary	60,895 ft.	
2. Boundary contiguous with municipal boundary	21,337 ft.	
3. Proportion of total boundary contiguous with the municipal boundary	35.0%	(1/8 or 12.5%)
<b>II. QUALIFYING CRITERIA</b>		
A. 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:		
1. Total number of lots and tracts in area	528	
2. Total number of lots and tracts used for residential, commercial, industrial, institutional, or governmental purposes	332	
3. Total lots and tracts used for residential, commercial, industrial, institutional, or governmental, as a proportion of total number of lots and tracts	62.9%	(60%)

STATISTICAL SUMMARY (Continued)

	Measured or Calculated	Statutory Standard
4. Total acreage of area, excluding the acreage used for commercial, industrial, governmental, or institutional purposes	374	
5. Total acreage in lots and tracts five acres or less, not counting the acreage used for commercial, industrial, governmental, or institutional purposes	286	
6. Area in lots and tracts five acres or less, as a proportion of the total	76.5%	(60%)
B. At least sixty percent of the external boundary of the area not meeting the requirements of subsection (c) must coincide with any combination of the municipal boundary and the boundary of an area or areas developed for urban purposes as defined in subsection (c):		
1. Total boundary of area not meeting requirements of subsection (c)	43,039 feet	
2. Boundary contiguous with municipal and developed area boundary	43,039 feet	
3. Proportion of boundaries (1) and (2) contiguous	100%	(60%)

APPENDIX B  
LEGAL DESCRIPTION

amended 1-25-93

PROPOSED ANNEXATION AREA #1 FY93

US 21/NC 115

Beginning at a point in the intersection of the Southerly right-of-way margin of Lakeview Road and the Easterly right-of-way margin of Reames Road; thence, in a Southerly direction with the Easterly right-of-way margin of Reames Road a bearing and distance of South 08-51-40 West 168.14 feet to a point; said point being in the Easterly right-of-way margin of Reames Road also being the Southwesterly most corner of property as described in Deed Book 3897 page 557, thence in an Easterly direction following the Southerly line of said property a bearing and distance of North 81-08-28 East 221.8 feet to a point; said point being an angle in the line of said property, thence continuing in an Easterly direction a bearing and distance of North 76-40-15 East 261.65 feet to a point; said point being the Northeasterly most corner of property as described in Deed Book 3897 page 557, thence in a Southwesterly direction following the Easterly line of property as described in Deed Book 4108 page 512 as having a bearing and distance of South 20-41-00 West 273.30 feet to a point; said point being the Southwesterly corner of property as described in Deed Book 5769 page 331, thence in a Westerly direction following the Southerly property line of property as described in said Deed Book a bearing and distance of South 76-58-00 East 623 feet to a point in the Westerly right-of-way margin of Interstate 77 said point also being the Southeasterly corner of property as described in Deed Book 5769

page 331, thence in a Southeasterly direction crossing Interstate 77 to a point in the Easterly right-of-way margin of Interstate 77, said point also being the Southwesterly corner of property as described in Deed Book 3530 page 111, thence in an Easterly direction following the Southerly line of property as described in Deed Book 3530 page 111 a bearing of South 81-35-00 East and a distance of approximately 1250 feet to a point; said point being the Southeasterly corner of property as described in Deed Book 3530 page 111, thence in a Northerly direction following the Easterly line of said property also following the right-of-way margin of Statesville Road (US Highway 21) a bearing and distance of North 08-25-00 East 609.63 feet to a point; said point being the Northeasterly corner of said property, thence in a Westerly direction following the Northerly line of said property a bearing and distance of North 86-32-00 West 566.51 feet to a point; said point being the common Southerly corner of property as described in Deed Book 2665 page 595 and Deed Book 4766 page 769, thence continuing in a Westerly direction following the Southerly line of property as Described in Deed Book 4766 page 769 as having a bearing and distance of North 84-50-00 West 300 feet to a point; said point being the Southwesterly corner of property as described in said Deed Book, thence in a Northerly direction following the Westerly line of property as described in said Deed Book a bearing and distance of North 03-20-00 West 250 feet to a point; said point being the Northwesterly corner of property as described in said Deed Book 4766 page 769, thence in an Easterly direction following the Northerly line of property as described in said Deed Book as

having a bearing and distance of South 84-50-00 East 300 feet to a point; said point being the Northeasterly corner of property as described in said Deed Book 4766 page 769 and also being an Easterly corner of property as described in Deed Book 2240 page 315, thence in a Northerly direction following the Easterly line of property as described in Deed Book 2240 page 315 as having a bearing and distance of North 03-20-00 West 217.55 feet to a point; said point being the Northwest corner of property as described in Deed Book 2665 page 595, thence in an Easterly direction a bearing and distance of South 82-25-00 East 18 feet to a point; thence, in a Northerly direction following the Easterly line of property as described in Deed Book 2240 page 315 as having a bearing and distance of North 12-17-00 West 245.80 feet to a point; said point being the Northeasterly corner of property as described in Deed Book 2240 page 315 and also being in the Southerly right-of-way margin of Lakeview Road, thence crossing Lakeview Road to a point 30 feet North of and normal to the centerline of Lakeview Road; said point also being an extension of the Easterly line of property as described in Deed Book 2240 page 315, thence in an Easterly direction following a line 30 feet North of and parallel with the centerline of Lakeview Road a distance of approximately 1,056 feet to a point; said point being the intersection of the Westerly right-of-way margin of Statesville Road and the Northerly right-of-way margin of Lakeview Road; thence, in a Northerly direction with the Westerly right-of-way margin of Statesville Road to a point of intersection with the Westerly right-of-way margin of Statesville Road and the Southerly right-of-way margin of Reames Road; thence,

in a Northerly direction crossing Reames Road to a point; said point being the intersection of the Northerly right-of-way margin of W.T. Harris Boulevard with the Westerly right-of-way margin of Statesville Road (U.S. Highway 21) thence, in an Easterly direction with the Northerly right-of-way margin of W.T. Harris Boulevard (crossing Statesville Road and Reames Road) approximately 2,513 feet to a point in the Northerly right-of-way margin of Duke Power Company right-of-way as shown on the property as described in Deed Book 3644 page 432, thence, in a Southwesterly direction crossing W.T. Harris Boulevard to a point in the Southwest right-of-way of W.T. Harris Boulevard, said point also being the Northeast corner of property as described in Deed Book 5683, page 167; thence, following the Northwesterly boundary of property as described in Deed Book 5683, page 167, as having a bearing and distance as follows: South 50-07-34 West 233.77 feet to a point; thence, South 47-47-27 West 556.87 feet to a point; thence, South 48-47-24 West 512.18 feet to a point; thence, South 45-37-30 West 238.40 feet to a point; said point being the Northwest corner of property as described in said Deed Book 5683 page 167; thence, in a Southeasterly direction following the Southwest boundary of said property with a bearing a distance as follows: South 37-54-36 East 578.83 feet to a point; thence, South 1-45-01 West 13.94 feet to a point, said point being in the Southwest boundary of property as described in said Deed Book 5683 page 167, said point also being 30 feet North of and normal to the centerline of Lakeview Road; thence, in a Northeasterly direction following a line 30 feet North of and parallel with the centerline of Lakeview Road a bearing and

distance of North 75-47-56 East 1013.88 feet to a point; said point being 30 feet North of and normal to the centerline of Lakeview Road and also being in the Southerly line of property as described in said Deed Book 5683 page 167; thence in a Northerly direction with a line in the Southerly boundary of said property a bearing and distance of North 14-18-43 West 20 feet to a point; said point being an angle point in the Southerly line of property as described in said Deed Book 5683 page 167; thence, in an Easterly direction following the Southerly Boundary of property as described in said Deed Book a bearing and distance as follows: North 73-21-01 East 250.68 feet to a point; thence, North 74-58-23 East 12.42 feet to a point; said point being the Southeasterly most corner of property as described in said Deed Book 5683 page 167; thence, in an Easterly direction crossing W.T. Harris Boulevard to a point in the Easterly right-of-way margin of W.T. Harris Boulevard, said point also being a Southerly corner of Lot 1 as shown Map Book 24 page 762; thence in a Southeasterly direction following the Southerly line of property as shown on said Map Book 24 page 762 as having a bearing and distance of South 66-51-40 East 127.56 feet to a point; said point being an angle in the Southerly line of Lot 1 as shown on said Map Book, thence in an Easterly direction following the Southerly line of Lot 1 on said Map Book a bearing and distance of North 74-16-33 East 58.56 feet to a point; said point being the PC of a curve in the Southerly line of Lot 1 as shown on said Map Book, thence in an Easterly direction following a curve to the left with a radius of 941.47 feet and an arc of 303.99 said curve having a chord bearing and distance of North 83-31-34 East 302.66 feet to

a point; said point being the Southeasterly corner of Lot 1 and 25 feet North of the Southwesterly corner of Lot 2 as shown on Map Book 24 page 762, thence in a Northerly direction following the Westerly line of Lot 2 as shown on said Map Book a bearing and distance of North 06-27-15 West 303.94 feet to a point; said point being the Norhtwesterly corner of Lot 2 and also being an angle point in the Easterly line of Lot 1 as shown on said Map Book, thence continuing in a Northerly direction following the Easterly line of Lot 1 as shown on said Map Book a bearing and distance of North 02-46-33 East 970.48 feet to a point; said point being the Northeasterly corner of Lot 2 as shown on said Map Book 24 page 762 and also being the Northwesterly corner of property as described in Deed Book 2136 page 190 thence, in an Easterly direction with the Northerly property line of property as described in Deed Book 2136, page 190 as having a bearing and distance of South 88-23-30 East 2,540.01 feet to a point; said point being the Northeasterly most corner of property described in Deed Book 2136, page 190 and the centerline of Norfolk Southern Railroad; thence, in a Southerly direction following the centerline of said railroad approximately 2,086 feet to a point, (said line crosses David Cox Road and W.T. Harris Boulevard) to a point; said point being the centerline of Norfolk Southern Railroad and also being the Norhteasterly corner of property as described in Deed Book 1789 page 282, thence, in a Northwesterly direction following the Northly line of property as described in Deed Book 1789 page 282 as having a bearing and distance of North 67-30-00 West approximately 300 feet to a point; said point being the Northwesterly corner of property as described

in said Deed Book, thence in a Southerly direction following the Westerly line of property as described in said Deed Book a bearing and distance of South 09-30-00 West 1608.50 feet to a point; said point being the Southwesterly corner of property as described in said Deed Book, thence in an Easterly direction following the Southerly line of property as described in said Deed Book a bearing and distance of South 73-30-00 East approximately 215 feet to a point; said point being where the Southerly line of property as described in said Deed Book 1789 page 282 intersects with the centerline of Norfolk Southern Railroad, thence in a Southerly direction following the centerline of Norfolk Southern Railroad a distance of approximately 2,440 feet to a point; said point being where the centerline of Norfolk Southern Railroad and the Northerly right-of-way margin of Pete Brown Road intersect; thence, in a Westerly direction following the Northerly right-of-way margin of Pete Brown Road approximately 135 feet to a point; said point being where the Northerly right-of-way margin of Pete Brown Road intersects with the Easterly right-of-way margin of N.C. Highway 115 (Old Statesville Road), thence, in a Southerly direction following a line 30 East of and parallel with the centerline of N.C. Highway 115 (Old Statesville Road), said line also being the Easterly right-of-way margin of N.C. Highway 115 (Old Statesville Road) a distance of approximately 430 feet to a point; said point being where an extension of the common property line of Lot 21 and Lot 20 Block C as shown on Map Book 4 page 641 intersects with a point 30 feet East of and normal to the centerline of N.C. Highway 115 (Old Statesville Road), thence in a Westerly direction crossing

said Highway to a point 30 feet West of and normal to the centerline of said N.C. Highway 115 (Old Statesville Road) said point also being the common Westerly corner of Lot 21 and Lot 20 Block C as shown on Map Book 4 page 641, thence in a Northwesterly direction following the common line of Lot 21 and Lot 22 Block C and the common line of Lot 28A and Lot 27A Block C as shown on Map Book 4 page 641 as having a bearing and distance of North 56-30-00 West 700 feet to a point; said point being the common Westerly corner of Lot 28A and Lot 27A Block C as shown on Map Book 4 page 641, thence in a Southwesterly direction following the Westerly line of Lots 27A, 26A, 25A, 24A, 23A, 22A, and 21A Block C as shown on said Map Book as having a bearing and distance of South 31-00-00 West 525 feet to a point; said point being the common Southwesterly corner of Lot 21A and 20A Block C as shown on said Map Book, thence, in a Southeasterly direction following the common line of Lot 21A and Lot 20A Block C and the common line of Lot 21 and Lot 20 Block C as shown on Map Book 4 page 641 as having a bearing and distance of South 56-30-00 West 700 feet to a point; said point being the common corner of Lot 21 and Lot 20 Block C as shown on said Map Book, said point also being a point 30 feet West of and normal to the centerline of N.C. Highway 115 (Old Statesville Road), thence, in an Easterly direction crossing said Highway to a point 30 feet East of and normal to the centerline of N.C. Highway 115 (Old Statesville Road) said point also being where an extension of the common property line of Lot 21 and Lot 20 Block C as shown on said Map Book 4 page 641 intersects with the Easterly right-of-way margin of said Highway, thence in a Southerly direction

following a line 30 feet East of and parallel with the centerline of N.C. Highway 115 (Old Statesville Road) a distance of approximately 200 feet (crossing Oak Road) to a point; said point being where the Easterly right-of-way margin of N.C. Highway 115 (Old Statesville Road) intersects with the Southerly right-of-way margin of Oak Road, said point also being the Northwesterly corner of Lot 12 Block B as shown on Map Book 4 page 641, thence in an Easterly direction following the Southerly right-of-way margin of Oak Road approximately 130 feet to a point; said point being where the Southerly right-of-way margin of Oak Road intersects with the centerline of Norfolk Southern Railroad, thence, in a Southerly direction following the centerline of said railroad approximately 1,391 feet to a point; said point being the centerline of Norfolk Southern Railroad and also being the Southeasterly most corner of property as described in Deed Book 6188 page 21, thence, in a Northwesterly direction with the Southerly boundary of Property as described in Deed Book 6188, page 21 as having a bearing and distance of North 87-58-05 West 226.88 feet to a point; said point being the Southeasterly most corner of property as described in Deed Book 5894, page 546; thence, continuing in a Northwesterly direction with a portion of the Southerly boundary of property as described in Deed Book 5894, page 546 as having a bearing and distance of North 88-00 West approximately 220 feet to a point; said point being the Southeast corner of property as described in Deed Book 1547, page 261; thence, in a Southerly direction With the Easterly boundary of property as described in Deed Book 1547, page 261 as having a bearing and distance of South 31-50 West

approximately 305 feet to a point; said point being 30 feet Northeast of the centerline of Gibbon Road thence, South 31-50 West crossing Gibbon Road to a point 30 feet Southwest of the centerline of Gibbon Road; said point being the prolongation of the property line described in Deed Book 1547, page 261 and Deed Book 1931, page 179; thence, with a line 30 feet Southwest of and parallel with the centerline of Gibbon Road in a Northwesterly direction approximately 354 feet to a point; said point being the intersection of a line 30 feet Southwest of and parallel with the centerline of Gibbon Road and a line 30 feet East of and parallel with the centerline of N.C. Highway 115 (Old Statesville Road); thence, in a Northwesterly direction crossing N.C. Highway 115 (Old Statesville Road) to a point; said point being where an extension of the Southerly right-of-way margin of Gibbon Road intersects with the Westerly right-of-way margin of N.C. Highway 115 (Old Statesville Road), thence in a Northerly direction following the Westerly right-of-way margin of said highway approximately 200 feet to a point; said point being where the Southerly line of property as described in Deed Book 2817 page 353 intersects with the Westerly right-of-way margin of N.C. Highway 115 (Old Statesville Road), thence in a Westerly direction following the Southerly line of property as described in Deed Book 2747 page 271 as having a bearing and distance of North 89-00-00 West approximately 966 feet to a point; said point being an angle point in the Southerly line of property as described in said Deed Book, thence in a Northwesterly direction following the Southerly line of property as described in said Deed Book as having a bearing and distance of

North 48-39-00 West 289.06 feet to a point; said point being the Southeasterly corner of property as described in Deed Book 2807 page 508, thence in a Westerly direction following the Southerly line of property as described in said Deed Book 2807 page 508 a bearing and distance of North 77-56-20 West 941.09 feet to a point; said point being an angle point in the Southerly line of said property and also being the Northeasterly corner of property as described in Deed Book 2838 page 326, thence in a Southerly direction following the Easterly line of property as described in said Deed Book 2838 page 326 as having a bearing and distance of South 3-04-00 West approximately 140 feet to a point in the Easterly right-of-way of U.S. Highway 21 (Statesville Road), thence, in a Southerly direction following the Easterly right-of-way margin of U.S. Highway 21 (Statesville Road) approximately 180 feet to a point; said point being the Northwesterly most corner of property as described in Deed Book 5392, page 720; thence, in a Westerly direction crossing Highway 21 (Statesville Road) to a point; said point being on the Westerly right-of-way margin of Highway 21 (Statesville Road); thence in a Westerly direction with the Northerly right-of-way margin of Spector Drive following the arc of a circular curve to the right having a radius of 385.56 feet and an arc distance of 137.69 feet to a point; thence continuing in a Westerly direction with the Northerly right-of-way margin of Spector Drive a bearing and distance of North 82-01-00 West 173.34 feet to a point; thence in a Southerly direction at the terminus of Spector Drive , South 7-59-00 West 60.00 feet to a point; said point being on the Southerly right-of-way margin of Spector Drive;

thence, in a Westerly direction with the Northerly boundary of property as shown on recorded Map Book 18, page 216 as having a bearing and distance of North 82-01-00 West 652.37 feet to a point; thence continuing with the Northerly line of property as shown on said recorded Map Book 18, page 216 following the arc of a circular curve to the right having a radius of 75 feet , and an arc length of 7.64 feet to a point; said point being the Northwest corner of property as described on said Map Book 18, page 216; thence in a Southerly direction with the Westerly boundary of property as shown on said Map Book 18, page 216 as having a bearing and distance of South 7-59-00 West 719.61 feet to a point; said point being the Southwesterly most corner of the property as shown on said Map Book 18, page 216; thence, in an Easterly direction following the Southerly boundary of property as shown on said Map Book 18, page 216 as having a bearing and distance of South 82-03-30 East 585.69 feet to a point; said point being the Northeast corner of property as described in Deed Book 4160, page 259; thence in a Southerly direction following the Easterly boundary of property as described in Deed Book 4160, page 259 as having a bearing and distance of South 12-29-20 East 497 feet to a point; said point being the Southeast corner of property as described in said Deed Book 4160, page 259; thence in a Westerly direction following the Southerly boundary of property as described in said Deed Book 4160, page 259 as having a bearing and distance of South 78-09-30 West 497.00 feet to a point; said point being the Northwest corner of property as described in Deed Book 3843, page 805 and a Southerly corner of the property as described in said Deed Book 4160, page 259; thence in

a Northerly direction with the boundary of property as described in said Deed Book 4160, page 259 as having a bearing and distance of North 15-57-30 West 201.27 feet to a point; said point being the Northeast corner of property as described in Deed Book 3531, page 587 and in the Southerly boundary of property as described in said Deed Book 4160, page 259; thence in a Westerly direction with the Southerly boundary of property as described in said Deed Book 4160, page 259 as having a bearing and distance of South 78-37-30 West 742.01 feet to a point; said point being the Northwesterly corner of property as described in Deed Book 5736, page 953 and the Southwesterly corner of property as described in Deed Book 4160, page 259 also being in the Easterly right-of-way margin of Interstate 77; thence, in a Northwesterly direction crossing Interstate 77 to a point in the Westerly right-of-way margin of Interstate 77 said point also being the Northeasterly most corner of property as described in Deed Book 4850, page 585; thence, in a Southwesterly direction following the Northerly line of property as described in Deed Book 4850, page 585 as having a bearing and distance of South 54-20-23 West 478.32 feet to a point in the Easterly right-of-way margin of Reames Road; thence, in a Northerly direction with the Easterly right-of-way margin of Reames Road approximately 1,371 feet to a point; said point being the intersection of property as described in Deed Book 4944, page 60 with the Easterly right-of-way margin of Reames Road; thence in an easterly direction with the Southerly boundary of property as described in Deed Book 4944, page 60 as having a bearing and distance of North 61-20 East approximately 305.00 feet to a point;

thence in a Northerly direction following the Easterly boundary of property as described in Deed Book 4944, page 60 a bearing and distance as follows: North 28-40 West 257.75 feet to a point; said point being the Northerly most corner of property as described in Deed Book 4944, page 60; thence continuing in a Northerly direction with the Easterly boundary of property as described in Deed Book 1767, page 366 as having a bearing and distance as follows: North 3-17-10 East 523.68 feet to a point; thence North 46-20-50 West 184.39 feet to a point; thence, South 85-20-30 West 98.97 feet to a point; thence, North 30-15-20 West approximately 142.00 feet to a point; said point being on the Northerly line of the property as described in Deed Book 1767, page 366 and also on the Easterly right-of-way margin of Reames Road; thence in a Westerly direction crossing Reames road to a point in the Westerly right-of-way margin of Reames Road and in the centerline of McIntyre Creek; thence, in a Southerly direction with the Westerly right-of-way margin of Reames Road a bearing and distance of South 7-55 West approximately 472 feet to a point; said point being the intersection of the Southerly property line as described in Deed Book 1211, page 406 with the Westerly right-of-way margin of Reames Road; thence in a Westerly direction following the southerly boundary of property as described in Deed Book 1211, page 406 as having a bearing and distance of North 87-48 West approximately 476 feet to a point; said point being the Southwesterly most corner of property as described in Deed Book 1211, page 406; thence, in a Northerly direction with the Easterly lines of a portion of Lot 18 and the Easterly line of Lot 17, Block D as shown on recorded Map

Book 19, page 446 a bearing and distance of North 1-26-25 East 114.78 feet to a point; thence, in a Westerly direction with the Northerly lines of Lots 17, 16, 15, 14, 13, 12, 10 and 9, Block D, as shown on recorded Map Book 19, page 446 as having a bearing and distance of North 88-16-46 West 1,078.60 feet to a point; said point being the common Easterly corners of Lot 14 and Lot 13, Block F as shown on Map Book 10, page 101; thence, in a Northerly direction with said Park Area line North 8-20-10 West 282.25 feet to a point; said point being the Northeasterly most corner of the Tract entitled 4,405 Acre Park Area as shown on Map Book 10, page 101; thence, North 82-54-30 East approximately 176 feet to a point; said point being on the Westerly right-of-way margin of Lawnmeadow Drive; thence, crossing Lawnmeadow Drive North 82-54-30 East 61.53 feet to a point; said point being on the Easterly right-of-way margin of Lawnmeadow Drive; thence, in an Easterly direction with the Southerly line of Lot 55, Block 3 as shown on recorded Map Book 13, page 263, as having a bearing and distance of North 82-54-30 East 123.05 feet to a point; thence, in a Northerly direction with the Easterly line of Lots 55 through 43, block 3 as shown on recorded Map Book 13, page 263 as having a bearing and distance of North 5-41-40 East 1,088.27 feet to a point; said point being the centerline of McIntyre Creek and the Southeasterly most corner of Lot 8, Block 3 as shown on recorded Map Book, 12, page 409; thence, in a Northerly direction with the Easterly line of Lots 8 and 9, Block 3, as shown on recorded Map Book 12, page 409 as having a bearing and distance of North 8-18-00 East 200.00 feet to a point; said point being the Northeasterly corner of Lot 9, Block 3 as

shown on recorded Map Book 12, page 409; thence in an Easterly direction with the Southerly line of Lot 11, Block 3 as shown on recorded Map Book 12, page 409 as having a bearing and distance of South 82-57-20 East 131.86 feet to a point; said point being the Easterly most corner of Lot 11, Block 3, as shown on recorded Map Book 12, page 409; thence, in a Northerly direction with the Easterly line of Lots 12 and 13, Block 3 as shown on recorded Map Book 12, page 409 as having a bearing and distance of North 7-27-30 East 327.38 feet to a point; said point being the Northeasterly most corner of Lot 14, Block 3 as shown on recorded Map Book 12, page 409; thence, in a Westerly direction with the Northerly line of Lot 14 as shown on recorded Map Book 12, page 409 as having a bearing and distance of North 82-11-50 West 131.79 feet to a point; said point being the Northwesterly most corner of Lot 14, Block 3, as shown on Map Book 12, page 409 and also on the Easterly line of Lot 16, Block 3 as shown on Map Book 12, page 409; thence, in a Northerly direction with the Easterly line of Lots 23, 24, 25, 26, 27 and 28 as shown on recorded Map Book 12, page 475 as having a bearing and distance as follows: North 7-06-10 East approximately 499.00 feet to a point; thence, North 12-05-50 West approximately 395.00 feet to a point; said point being on the Easterly property line of Lot 28, Block 3 as shown on recorded Map Book 12, page 475 and also being the Southwesterly most corner of Lot 1, Block B as shown on recorded Map Book 17, page 362; thence in an Easterly direction with the Southerly line of Block A as shown on recorded Map Book 17, page 362 as having a bearing and distance of North 89-11-40 East 1,263.10 feet to a point; said point being on the

Southerly line of Lot 2, Block A of recorded Map Book 17, page 362 and also being the Northwesterly most corner of property as described in Deed Book 3837, page 1; thence in a Southerly direction with the Westerly boundary of property as described in Deed Book 3837, page 001 and Deed Book 2403, page 28 and Deed Book 2351, page 136 as having a bearing and distance of South 7-29 West 436.25 feet to a point; said point being the Southwesterly corner of property as described in Deed Book 2351, page 136; thence, in an Easterly direction with the Southerly boundary of property as described in Deed Book 2351, page 136 as having a bearing and distance of South 88-45 East 185.63 feet to a point; said point being the Southeasterly most corner of property as described in Deed Book 2351, page 136 and also being on the Westerly right-of-way margin of Reames Road; thence, in a Southerly direction with the Westerly right-of-way margin of Reames Road to a point; said point being on the Westerly right-of-way margin of Reames Road and also being an extension of the Northerly property line as described in Deed Book 295, page 272; thence, crossing Reames Road to a point on the Easterly right-of-way margin; thence, in an Easterly direction with the Northerly line of property as described in Deed Book 295, page 272 a bearing and distance of South 80-05-20 East 428.90 feet to a point; said point being the common Southerly corner of Lots 8 and 9, Block 3, as shown on Map Book 14, page 343; thence in an Easterly direction following the Southerly line of Lots 9, 10, 11, 12 and 15 as shown on recorded Map Book 14, page 343 as having a bearing and distance of South 71-47-50 East 754.20 feet to a point; said point being the Southeasterly most corner of

Lot 15, Block 3, as shown on Map Book 14, page 343; thence, in a Northerly direction following the Easterly line of Lots as shown on recorded Map Book 14, page 343 and crossing Shalom Drive with a bearing and distance of North 45-08-50 East 515.71 feet to a point; said point being the Southerly corner of Lot 1, Block 2 as shown on recorded Map Book 14, page 343; thence in a Northerly direction with the Easterly line of Lot 8, Block 1 as shown on Map Book 14, page 343 as having a bearing and distance of North 25-32 East 448.62 feet to a point; said point being the Northeasterly most corner of Lot 8, Block 1 as shown on recorded Map Book 14, page 343; thence in a Westerly direction with the Northerly line of property as shown on Map Book 14, page 343 as having a bearing and distance of North 64-28 West 838.46 feet to a point; said point being the Northwesterly corner of Lot 1, Block 1 as shown on recorded Map Book 14, page 343 and also being in the Easterly right-of-way margin of Reames Road; thence in a Northerly direction with the Easterly right-of-way margin of Reames Road crossing Hickory Lane to a point; said point being the intersection of the Easterly right-of-way margin of Reames Road with the Southerly right-of-way margin of Lakeview Road; thence diagonally across Reames Road in a Northwesterly direction to the place and point of beginning.

EXTRACTS FROM MINUTES OF A MEETING  
OF THE CITY COUNCIL OF  
THE CITY OF CHARLOTTE, NORTH CAROLINA  
HELD ON JANUARY 25, 1993

The City Council of the City of Charlotte, North Carolina, met in a regular session in the Meeting Chamber at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at 7:30 p.m., on January 25, 1993, with the following members present, to-wit:  
Mayor Richard Vinroot  
Councilmembers Campbell, Clodfelter, Hammond, McCrory, Majeed, Mangum, Martin, Patterson, Reid, Scarborough and Wheeler.

Absent: None.

\* \* \* \* \*

Councilmember Wheeler moved and Councilmember Patterson seconded

the adoption of the following resolution:

**A RESOLUTION OF THE CITY OF CHARLOTTE, NORTH CAROLINA SETTING A PUBLIC HEARING AND DIRECTING THE PUBLICATION OF NOTICE OF SAID PUBLIC HEARING IN CONNECTION WITH THE ISSUANCE OF AN AMOUNT NOT TO EXCEED \$5,000,000 CITY OF CHARLOTTE, NORTH CAROLINA MORTGAGE REVENUE REFUNDING BONDS, SERIES 1993A (FHA INSURED MORTGAGE LOAN - TRYON HILLS APARTMENTS PROJECT) AND AN AMOUNT NOT TO EXCEED \$200,000 CITY OF CHARLOTTE, NORTH CAROLINA TAXABLE MORTGAGE REVENUE REFUNDING BONDS, SERIES 1993B (FHA INSURED MORTGAGE LOAN - TRYON HILLS APARTMENTS PROJECT) AND RELATED MATTERS**

*WHEREAS*, the City of Charlotte, North Carolina (the "City"), acting pursuant to the Constitution and laws of the State of North Carolina (the "State"), particularly Article 22 of Chapter 160A of the North Carolina General Statutes (the "Act"), previously, at the request of Tryon Hills Associates, a North Carolina limited partnership (the "Owner"), issued its \$5,045,000 Mortgage Revenue Bonds, Series 1983B (FHA Insured Mortgage Loan - Tryon Hills Apartments Project), dated as of July 1, 1983 (the "Prior Bonds"), to make a mortgage loan (the "Mortgage Loan") to the Owner to provide funds to assist the Owner in paying certain costs for the acquisition, rehabilitation and equipping of a 257-unit apartments project (the "Project"), located in a redevelopment area in Charlotte, North Carolina; and

*WHEREAS*, the Prior Bonds were issued by the City pursuant to a Trust Indenture dated as of July 1, 1983 (the "Prior Indenture") between the City and First Union National Bank, Charlotte, North Carolina, as trustee; and

*WHEREAS*, the Owner has requested the City to refund the Prior Bonds in order to decrease the debt service payable on the Mortgage Loan; and

*WHEREAS*, in order to refund the Prior Bonds and provide for the refinancing of the Project, the City intends to issue an amount not to exceed \$5,000,000 City of Charlotte, North Carolina Mortgage Revenue Refunding Bonds, Series 1993A (FHA Insured Mortgage Loan - Tryon Hills Apartments Project) (the "Series A Bonds"), and an amount not to exceed \$200,000 City of Charlotte, North Carolina Taxable Mortgage Revenue Refunding Bonds, Series 1993B (FHA Insured Mortgage Loan - Tryon Hills Apartments Project) (the "Series B Bonds," and collectively with the Series A Bonds, the "Bonds"); and

*WHEREAS*, the City desires to provide for the holding of a public hearing in connection with the proposed issuance, sale and delivery of the Bonds on February 22, 1993; and

*NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY, AS FOLLOWS:*

*BE IT FURTHER RESOLVED* that a public hearing shall be conducted by the City Council of the City on February 22, 1993 at 7:30 p.m., concerning the issuance of the Bonds and the refunding of the Prior Bonds.

*BE IT FURTHER RESOLVED* that the City Clerk is hereby direct to cause a notice of such public hearing, in the form attached hereto as Appendix A, to be published no fewer than 14 days prior to such public hearing in a newspaper of general circulation available to the residents of the City.

*BE IT FURTHER RESOLVED* that the public hearing called for pursuant to this Resolution shall constitute the hearing precedent to approval by the applicable elected representative of the issuance of the Bonds issued for the purpose of refunding the Prior Bonds which financed the acquisition, rehabilitation and equipping of the Project, located on a 28.3 acre site at North Poplar and North Pine Streets, Charlotte, Mecklenburg County, North Carolina, which is owned by the Owner, in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended.

*BE IT FURTHER RESOLVED* that this Resolution shall become effective on the date of its adoption.

NOTICE OF PUBLIC HEARING CONCERNING  
THE ISSUANCE OF AN AMOUNT NOT TO EXCEED  
\$5,000,000 CITY OF CHARLOTTE, NORTH CAROLINA  
MORTGAGE REVENUE REFUNDING BONDS, SERIES 1993A  
(FHA INSURED MORTGAGE LOAN - TRYON HILLS APARTMENTS PROJECT) AND  
AN AMOUNT NOT TO EXCEED \$200,000 CITY OF CHARLOTTE, NORTH CAROLINA  
TAXABLE MORTGAGE REVENUE REFUNDING BONDS, SERIES 1993B  
(FHA INSURED MORTGAGE LOAN - TRYON HILLS APARTMENTS PROJECT)

Notice is hereby given that on the 22nd day of February, 1993 at 7:30 p.m., in the Meeting Chamber at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, a public hearing will be conducted concerning the approval of the issuance by the City of Charlotte, North Carolina (the "City") of an amount not to exceed \$5,000,000 City of Charlotte, North Carolina Mortgage Revenue Refunding Bonds, Series 1993A (FHA Insured Mortgage Loan - Tryon Hills Apartments Project) and an amount not to exceed \$200,000 City of Charlotte, North Carolina Taxable Mortgage Revenue Refunding Bonds, Series 1993B (FHA Insured Mortgage Loan - Tryon Hills Apartments Project) (the "Bonds") issued for the purpose of refunding and defeasing the City's \$5,045,000 Mortgage Revenue Bonds, Series 1983B (FHA Insured Mortgage Loan - Tryon Hills Apartments Project), dated July 1, 1983 (the "Prior Bonds"), which were issued to provide funds to assist Tryon Hills Associates, a North Carolina limited partnership (the "Owner") in paying certain costs for the acquisition, rehabilitation and equipping of a 257-unit apartment project (the "Project"), located on a 28.3 acre site at North Poplar and North Pine Streets, in a redevelopment area in Charlotte, North Carolina.

The Bonds, when and if issued, and the interest thereon are not general obligations of the City, but are limited obligations of the City. The Bonds do not constitute an obligation, general or special, debt or liability of the County of Mecklenburg, North Carolina (the "County"), the State of North Carolina (the "State"), or of any political subdivision thereof within the meaning of any constitutional or statutory provisions whatsoever and neither the faith and credit nor the taxing power of the City, the County, the State or of any political subdivision thereof is pledged to the payment of the principal of or the interest on the Bonds.

All interested parties are invited to present comments at the public hearing regarding the issuance of the Bonds, the refunding of the Prior Bonds or the Project financed thereby.

## CERTIFICATE

The undersigned hereby certifies that the above is true and correct copy of a Resolution which was adopted at a meeting of the City Council of the City of Charlotte, North Carolina, and that the foregoing is a true and correct copy of the Minutes of such meeting, at which a quorum was present and that the foregoing Resolution has not been rescinded and is in full force and effect as of this 25th day of January, 1993.

Deputy \_\_\_\_\_  
City Clerk, City Council of the  
City of Charlotte, North Carolina

Dated: January 29, 1993