

ORDINANCE NO. 1402-X

A regular meeting of the City Council of the City of Charlotte, North Carolina was held at the Education Center at 6:00 P.M., on August 15, 1983, Mayor Pro Tem Harvey B. Gantt presiding, and the following Councilmembers being present:

Councilmembers, Berryhill, Dannelly, Frech, Leeper, Patterson, Peacock, Selden and Trosch.

Absent: Mayor Eddie Knox, and Councilmembers McMillan and Spaug.

Also present: Douglas E. Carter, Director of Finance, David M. Smith, Assistant City Attorney, and Pat Sharkey, City Clerk.

* * * * *

Councilmember Selden introduced the following three orders authorizing bonds which were read by title and summarized by the Assistant City Attorney:

ORDER AUTHORIZING \$13,450,000
STREET IMPROVEMENT BONDS

BE IT ORDERED by the City Council of the City of Charlotte:

Section 1. That, pursuant to The Local Government Bond Act, as amended, the City of Charlotte, North Carolina, is hereby authorized to issue Street Improvement Bonds in an aggregate principal amount not exceeding \$13,450,000 for the purpose of providing funds, with any other available funds, for paving, grading, resurfacing and widening streets and constructing sidewalks in said City, including the acquisition of any necessary land and rights of way.

Section 2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

Section 3. That a sworn statement of the debt of the City has been filed with the Clerk and is open to public inspection.

Section 4. That this order shall take effect when approved by the voters of the City at a referendum as provided in said Act.

ORDER AUTHORIZING \$3,050,000
WATER BONDS

BE IT ORDERED by the City Council of the City of Charlotte:

Section 1. That, pursuant to The Local Government Bond Act, as amended, the City of Charlotte, North Carolina, is hereby authorized to issue Water Bonds in an aggregate principal amount not exceeding \$3,050,000 for the purpose of providing funds, with any other available funds, for enlarging and extending the water system of said City, including the installation of water mains and lines, the improvement of filtration facilities, the acquisition of necessary rights of way and equipment and the payment of an outstanding revenue bond anticipation note.

Section 2. That taxes will be levied in an amount sufficient to pay the principal of and the interest on said bonds.

Section 3. That a sworn statement of the debt of the City has been filed with the Clerk and is open to public inspection.

Section 4. That this order shall take effect when approved by the voters of the City at a referendum as provided in said Act.

ORDER AUTHORIZING \$30,460,000
SANITARY SEWER BONDS

BE IT ORDERED by the City Council of the City of Charlotte:

Section 1. That, pursuant to The Local Government Bond Act, as amended, the City of Charlotte, North Carolina,

is hereby authorized to issue Sanitary Sewer Bonds in an aggregate principal amount not exceeding \$30,460,000 for the purpose of providing funds, with any other available funds, for enlarging and extending the sanitary sewer system of said City, including the expansion of existing treatment facilities, the elimination of existing lift stations, the construction and improvement of sanitary sewer outfalls, mains and lines, the acquisition of necessary land, rights of way and equipment, and the payment of an outstanding revenue bond anticipation note.

Section 2. That taxes will be levied in an amount sufficient to pay the principal of and the interest on said bonds.

Section 3. That a sworn statement of the debt of the City has been filed with the Clerk and is open to public inspection.

Section 4. That this order shall take effect when approved by the voters of the City at a referendum as provided in said Act.

Thereupon, on motion duly made, seconded and unanimously carried, the City Council designated the Director of Finance as the officer to make and file with the Clerk the sworn statement of debt of the City which is required by The Local Government Bond Act, as amended, to be filed before the public hearing on the orders which were introduced at this meeting.

Thereupon the Director of Finance filed with the Clerk, in the presence of the City Council, the sworn statement of debt as so required.

Thereupon the order entitled: "ORDER AUTHORIZING \$13,450,000 STREET IMPROVEMENT BONDS" was passed on first reading.

Thereupon the order entitled: "ORDER AUTHORIZING \$3,050,000 WATER BONDS" was passed on first reading.

Thereupon the order entitled: "ORDER AUTHORIZING \$30,460,000 SANITARY SEWER BONDS" was passed on first reading.

On motion duly made, seconded and unanimously carried, the City Council fixed 7:30 P.M., September 12, 1983, at Starmount Elementary School as the hour, day and place for the public hearing upon the foregoing orders and directed the Clerk to publish each of said orders, together with the appended note as required by The Local Government Bond Act, as amended, in The Charlotte Observer not later than the sixth day before said date.

* * * * *

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is an accurate copy of so much of the recorded proceedings of the City Council at a meeting held on August 15, 1983, as relates to the introduction of three orders authorizing general obligation bonds of said City, and that said proceedings have been recorded in Book No. 80 of the Minutes of said City Council, beginning at page and ending at page .

I DO HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular

meetings of said City Council are held on the second Monday of each month at 7:30 P.M. at various places in the City designated from time to time by the City Council, the third Monday of each month at 6:00 P.M. at the Education Center, and on the fourth Monday of each month at 3:00 P.M. at the City Hall, has been on file in my office pursuant to G.S. §143-318.12 as of a date not less than seven days before said meeting.

WITNESS my hand and the corporate seal of said City, this 17th day of August, 1983.

City Clerk

(SEAL)

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Petition No. 82-90
McGuire Properties

ORDINANCE NO. 1403-Z

AMENDING CHAPTER 23

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a 17.773 acre site located 1210 feet from Sharon Road along the southwestern side of Quail Hollow Road and also fronting on Sharon Hills Road from R-15 to R-15MF(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 23-35.1 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all the application requirements as specified in Section 23-35(b), and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 23-96 and a public hearing was held on January 10, 1983; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following which are required by Section 23-35(d):

1. The policies and objectives of the Comprehensive Plan of the City, and particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts of the establishment of the conditional district upon the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 23, Section 23-8 of the Code of the City of Charlotte is hereby amended by changing from R-15 to R-15MF(CD) on the Official Zoning Map, City of Charlotte, N. C. the following described property:

TRACT 1

BEGINNING at an iron pin in the western R/W of Quail Hollow Road, being the southeast corner of Y.M.C.A. property in the city limit line of Charlotte, NC, thence with the city limit line four (4) calls
1) S13-39-09E 426.04 feet 2) S45-39-13E 45.67 feet 3) S13-39-09E 425.00 feet 4) S61-48-52W 70.00 feet to a concrete monument, being the northeast corner of Kelly Gwin property, thence with Gwin's line S61-48-52W 257.97 feet to an iron pin, being the northwest corner of Gwin's property

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and the northeast corner of William Mole's property, thence with Mole's line S61-51-28W 129.05 feet to a concrete monument, being the southeast corner of Albert Carpenter's property in Mole's line, thence with Carpenter's line two (2) calls 1) N13-44-25W 338.02 feet to a concrete monument, thence 2) N78-47-15E 612.45 feet to an iron pin in the eastern R/W line of Sharon Hills Road, also in Carpenter's line, thence with said R/W line seven (7) calls 1) N25-21-21W 109.73 feet 2) thence with a curve to the right with a radius of 664.53 feet and an arc of 129.38, thence 3) N13-55-29W 75.19 feet 4) thence with a curve to the right with a radius of 326.90 and an arc of 116.95, thence 5) N07-12-51E 206.37 feet 6) thence with a curve to the right with a radius of 410.74 feet and an arc of 60.77, thence 6) N15-40-25E 68.43 feet to a point in Y.M.C.A. line, thence with Y.M.C.A. property two (2) calls 1) S74-21-54E 470.04 feet to an iron pin, thence 2) N66-16-00E 499.62 feet to the beginning containing 17.773 acres all inside the Charlotte city limits line.

TRACT 2

BEGINNING at a nail in the centerline of Sharon Hills Road, being the following ten (10) calls from a concrete monument in the most southern line of Tract 1 also being Kelly Gwin's (Deed Book 4455 p. 690) northeast corner, the said ten (10) calls are also the city limits line of Charlotte running from Tract 1 to Tract 2, (1) 13-55-14E 439.70 feet 2) S14-19-06E 355.49 feet 3) S13-23-23E 189.68 feet 4) S04-07-00W 318.37 feet 5) S13-03-58W 330.07 feet 6) N87-14-47W 493.03 feet to a nail in the centerline of Sharon Hills Road. 7) Thence with the centerline of said road with a curve to the right with a radius of 156.16 feet and an arc of 43.82, 8) S54-07-16W 32.24 feet 9) with a curve to the left with a radius of 186.50 feet and an arc of 133.93, 10) S12-58-32W 111.78 feet to a nail, being the BEGINNING point thence leaving the centerline with said city limits line six (6) calls, 1) N69-56-47E 59.13 feet to a concrete monument, thence 2) S20-03-13E 209.87 feet to a concrete monument, thence 3) S01-57-06E 173.57 feet to a concrete monument, thence 4) S17-41-45W 199.95 feet to an iron pin, thence 5) S16-19-40W 180.60 feet to a concrete monument, thence 6) N73-31-31W 47.12 feet to a point in the centerline of Sharon Hills Road, thence with the centerline of said road seven (7) calls 1) a curve to the left with a radius of 599.93 feet

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and an arc of 132.56, 2) N07-38-30E 50.00 feet 3) a curve to the left with a radius of 684.96 feet and an arc of 99.82, 4) N00-42-30W 114.68' 5) a curve to the left with a radius of 1029.51 feet and an arc of 149.73 feet 6) N09-02-30W 66.21 feet 7) a curve to the right with a radius of 246.75 feet and an arc of 94.82 feet to the beginning, containing 1.416 acres all inside the Charlotte city limits line.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 15th day of August, 1983, the reference having been made in Minute Book 80, and is recorded in full in Ordinance Book 32, at pages 149-151.

City Clerk