

February 27, 1989
Resolution Book 25 - Page 102

**A RESOLUTION AMENDING REPORT OF
PLANS FOR SERVICES FOR HEMPHILL 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 Hemphill Area, as originally approved by the City Council on November 14, 1988: 9, 10 and 15.

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 27th day of February, 1989.

Approved as to form:

Donty *H. M. M. M. M. M.*
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of February, 1989, the reference having been made in Minute Book 92, and is recorded in full in Resolution Book 25, at page(s) 102-105.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 1989.

Pat Sharkey, City Clerk

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program. Additional personnel and equipment required to provide 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 \$94,365 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 671 full-time employees operating 27 engine companies, 10 ladder companies, 6 water tankers, 2 air crash/fire/rescue companies, 4 brush trucks, 2 manpower squads, a heavy rescue truck, and a hazardous materials truck. The Department's equipment is housed in 26 strategically located fire stations.

A commensurate level of fire protection for the Hemphill annexation area will be provided from existing facilities and personnel located at Station 22 at 1917 West Sugar Creek 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 volunteer fire department serving the proposed annexation area 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 \$1,140. Said amount 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 133 buses serving forty routes, including express service. The nearest route serving the Hemphill annexation area is the 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.

TRANSPORTATION DEPARTMENT. The general responsibility of the Charlotte Department of Transportation 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; designs, installs, and maintains all traffic signals and electronic traffic control equipment; fabricates and installs street name and other traffic signs; installs and maintains pavement markings; performs transportation planning and provides design services for transit system and roadway system improvements; and operates the Special Transportation Services for eligible disabled and

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

No additional personnel or equipment will be required to service this area. Service will commence on the effective date.

A contract with a private solid waste collection firm to provide collection services is an acceptable method of providing such services in the proposed annexation area. A private solid waste collection firm has requested a contract to provide collection services in the proposed annexation area in compliance with the provisions of G.S. 160A-49.3. In lieu of a contract, the City has elected to pay to said firm the economic loss resulting from annexation, as defined in G.S. 160A-49.3. The total amount of said economic loss is \$9,256 which will be appropriated in the annual budget from general revenues.

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

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

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**A RESOLUTION AMENDING REPORT OF PLANS FOR
SERVICES FOR REA ROAD/ELM LANE WEST AREA**

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

Section 1. That the following page is deleted from the
report of plans for services for Rea Road/Elm Lane West Area, as
originally approved by the City Council on November 14, 1988: 15.

Section 2. That the page attached hereto and incorporated
herein is substituted in lieu of the page deleted from said re-
port in Section 1 above.

Adopted this 27th day of February, 1989.

Approved as to form:

D. H. Murrell Jr.
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby
certify that the foregoing is a true and exact copy of a Resolution adopted
by the City Council of the City of Charlotte, North Carolina, in regular session
convened on the 27th day of February, 1989, the reference having been made
in Minute Book 92, and is recorded in full in Resolution Book 25, at page(s)
106-107.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina,
this the 3rd day of March, 1989.

Pat Sharkey, City Clerk

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

In order for sanitation services to be provided on substantially the same basis and in the same manner as now provided in the City, approximately \$452,967 in general revenues will be appropriated in the annual budget to reflect the additional costs associated with service to this area. The additional personnel and equipment required to provide this service will be secured. Service will commence on the effective date.

A contract with a private solid waste collection firm to provide collection services is an acceptable method of providing such services in the proposed annexation area. One or more private solid waste collection firms have requested a contract to provide collection services in the proposed annexation area in compliance with the provisions of G.S. 160A-49.3. In lieu of a contract, the City has elected to pay to said firms the economic loss resulting from annexation, as defined in G.S. 160A-49.3. The total amount of said economic loss is \$115,972 which will be appropriated in the annual budget from general revenues.

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**A RESOLUTION AMENDING REPORT OF PLANS
FOR SERVICES FOR I-77 CORRIDOR NORTH 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 I-77 Corridor North Area, as originally approved by the City Council on November 14, 1988: 2, 5, 6, 10, 15, 16, 23, 24, 32, 33, 36, 37.

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 27th day of February, 1989.

Approved as to form:

City 76. Murrell
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of February, 1989, the reference having been made in Minute Book 92, and is recorded in full in Resolution Book 25, at page(s) 108-120.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 1989.

Pat Sharkey, City Clerk

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PART I: THE PROPOSED AREA

General Description of the Area

This area is situated north of the present city limits along Interstate 77 Corridor between Beatties Ford Road and Statesville Road. The accompanying map illustrates the actual boundaries. Included within the proposed annexation boundaries are Hyde Park, Bahama Park, Hyde Park East and Sunstone residential communities. The area also contains approximately seventy business establishments, including the North Park Business Park and the Sunset Crossing Shopping Center. The area (2,732 acres) is a mixture of residential and nonresidential development with an estimated population of 3,689.

Standards and Criteria

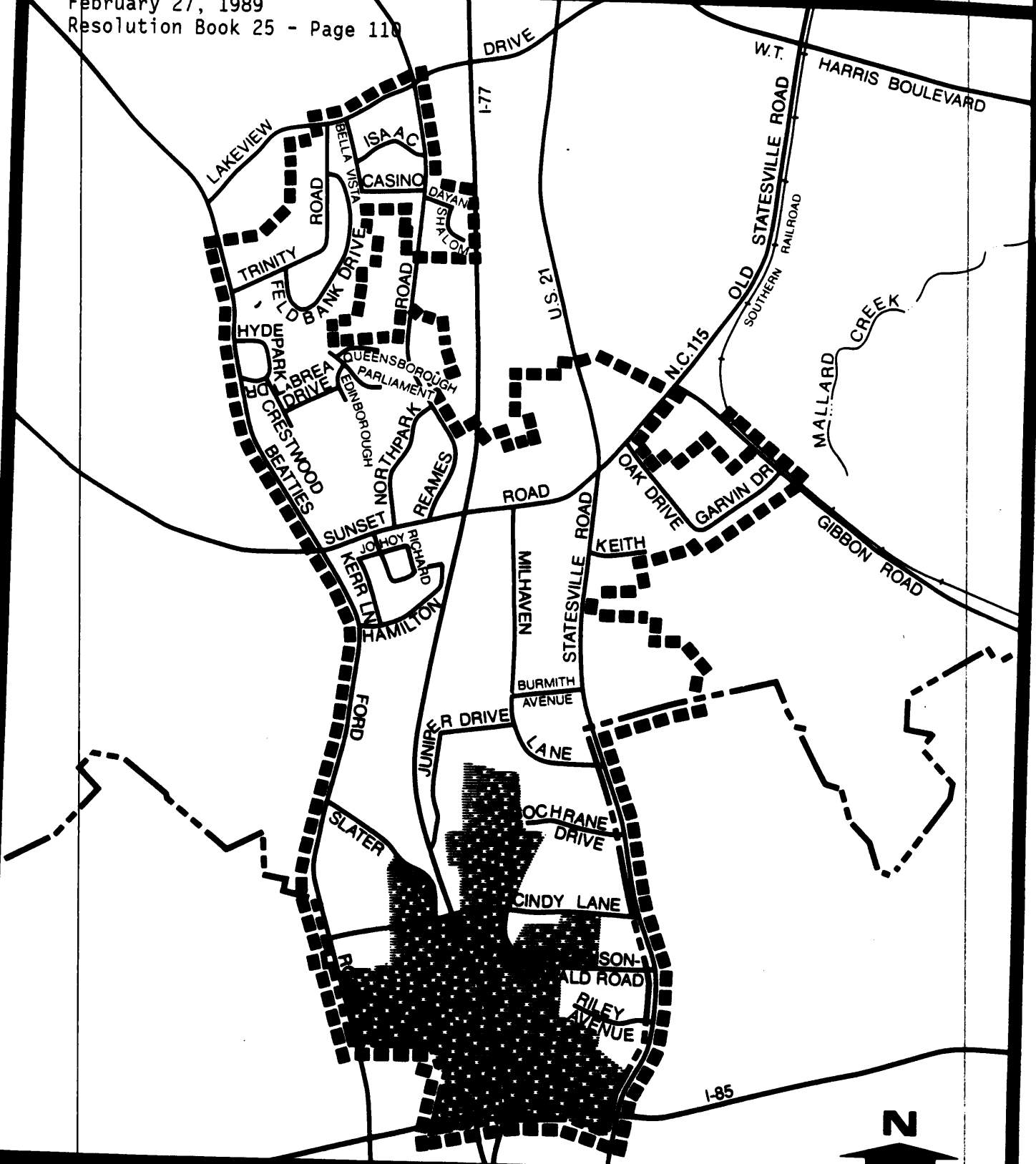
STATEMENT SHOWING THAT THE AREA PROPOSED TO BE ANNEXED MEETS THE LEGISLATIVE STANDARDS PRESCRIBED BY G.S. 160A-48.

- 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 85,314 feet, of which 22,489 feet or more than twenty-six percent (26.4 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 1,651 lots and tracts within the area, and of that number 1,119 or 67.8% of the total number of lots and tracts, are used for residential, commercial, industrial, institutional, or governmental purposes. Furthermore, after excluding the acreage used for commercial, industrial, governmental, or institutional purposes, 1,433.9 acres remain. Of that acreage, 961.5 acres or 67.1% are in lots or tracts five acres or less in size.

I-77 CORRIDOR NORTH

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**ANNEXATION AREA
BOUNDARY**



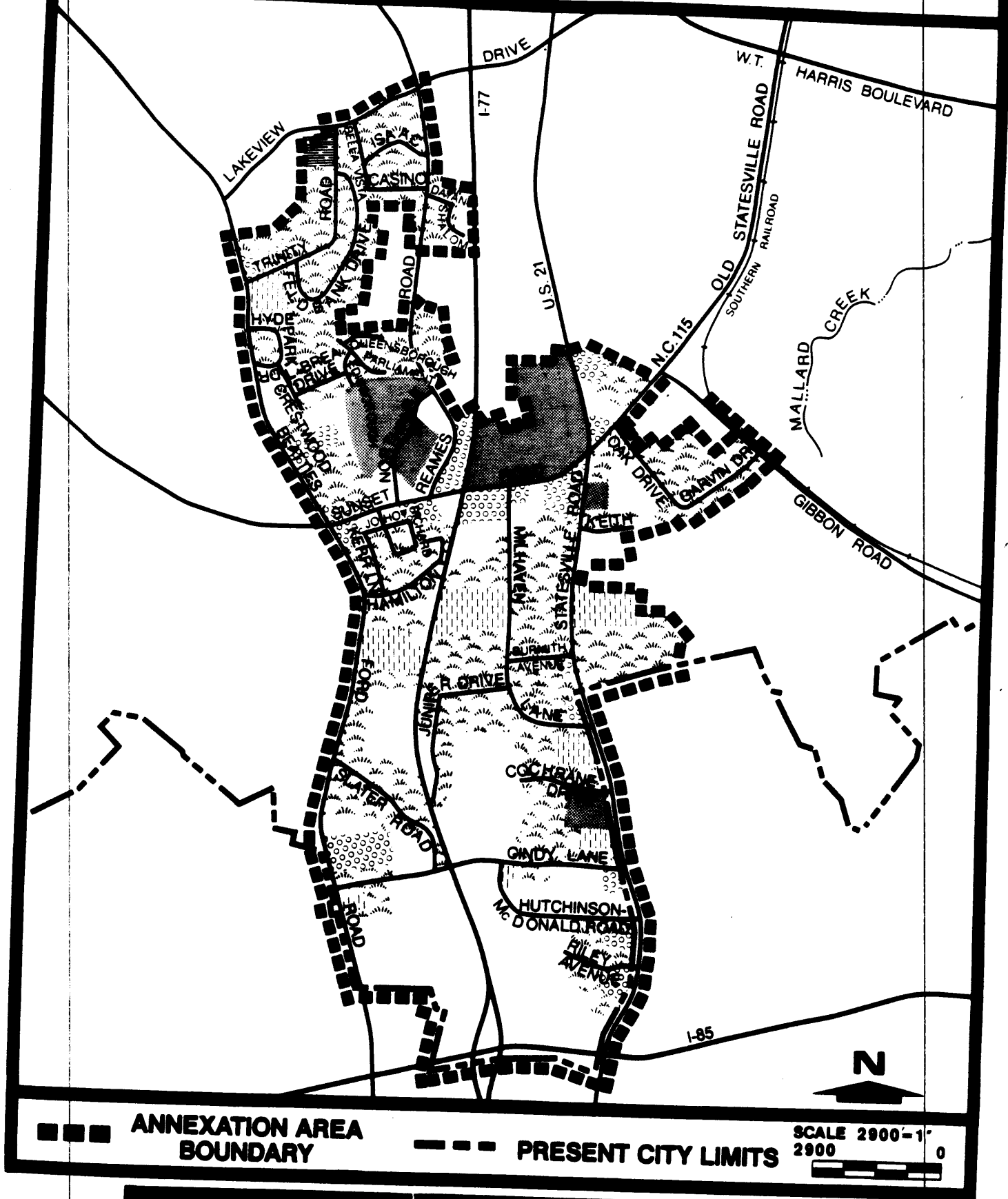
PRESENT CITY LIMITS

SCALE 2900-1'
2900 0

PROPOSED ANNEXATION AREA
■ **SUBSECTION (D) LAND CONNECTION**

I-77 CORRIDOR NORTH

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GENERALIZED LAND USE

| | | |
|--|---|------------------------------|
| <p> COMMERCIAL</p> <p> SINGLE FAMILY RESIDENTIAL</p> | <p> INDUSTRIAL</p> <p> MULTI FAMILY RESIDENTIAL</p> | <p> INSTITUTIONAL</p> |
|--|---|------------------------------|

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Subsequent annual budgets will reflect the additional cost of services to the area. Service will commence on the effective date. If the new station is not completed by the effective date of annexation, a reasonable level of fire protection for the I-77 Corridor North will be provided from existing facilities located at Station 18 at 2337 Keller Avenue, Station 13 at 4337 Glenwood Drive and Station 22 at 1917 Sugar Creek Road.

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A contract with a rural fire department to provide fire protection is also an acceptable method of providing fire protection. The volunteer fire department serving the proposed annexation area 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 \$4,500. Said amount 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 133 buses serving forty routes, including express service. The nearest route serving the I-77 Corridor North annexation area is the Number 7 Beatties Ford/Firestone 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.

TRANSPORTATION DEPARTMENT. The general responsibility of the Charlotte Department of Transportation 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; designs, installs, and

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Community Improvement Division. The objective of the Community Improvement Division is to improve the physical appearance of the city through programs resulting in the removal of litter, abandoned automobiles, trash, weeds, and other unsightly material from public and private property. In order to provide services on substantially the same basis and in the same manner as provided in the City, approximately \$41,259 of general revenues will be appropriated to reflect the additional cost of services to this area. Service will commence on the effective date.

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

In order for sanitation services to be provided on substantially the same basis and in the same manner as now provided in the City, approximately \$248,669 in general revenues will be appropriated in the annual budget to reflect the additional costs associated with service to this area. The additional personnel and equipment required to provide this service will be secured. Service will commence on the effective date.

A contract with a private solid waste collection firm to provide collection services is an acceptable method of providing such services in the proposed annexation area. A private solid waste collection firm has requested a

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contract to provide collection services in the proposed annexation area in compliance with the provisions of G.S. 160A-49.3. In lieu of a contract, the City has elected to pay to said firm the economic loss resulting from annexation, as defined in G.S. 160A-49.3. The total amount of said economic lost is \$18,816 which will be appropriated in the annual budget from general revenues.

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

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

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

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

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APPENDIX A

STATISTICAL SUMMARY PER STATUTORY REQUIREMENTS

I-77 CORRIDOR NORTH AREA IN TERMS OF STATUTORY REQUIREMENTS
(STATISTICS COMPILED AUGUST, 1988)

| | | Measured or Calculated | Statutory Standard |
|-----|--|---------------------------|-----------------------|
| I. | STATUTORY REQUIREMENT | | |
| | At least one-eighth (1/8) of the total boundary of the area must coincide with the municipal boundary: | | |
| | 1. Total boundary | 85,314 ft. | |
| | 2. Boundary contiguous with municipal boundary | 22,489 ft. | |
| | 3. Proportion of total boundary contiguous with the municipal boundary | 26.4% | (1/8 or 12.5%) |
| II. | QUALIFYING CRITERIA | | |
| | 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 | 1,651 | |
| | 2. Total number of lots and tracts used for residential, commercial, industrial, institutional, or governmental purposes | 1,119 | |
| | 3. Total lots and tracts used for residential, commercial, industrial, institutional, or governmental, as a proportion of total number of lots and tracts | 67.8% | (60%) |

STATISTICAL SUMMARY (Continued)

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| | Measured or Calculated | Statutory Standard |
|--|---------------------------|-----------------------|
| 4. Total acreage of area, excluding the acreage used for commercial, industrial, governmental, or institutional purposes | 1,433.9 | |
| 5. Total acreage in lots and tracts five acres or less, not counting the acreage used for commercial, industrial, governmental, or institutional purposes | 961.5 | |
| 6. Area in lots and tracts five acres or less, as a proportion of the total | 67.1% | (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): | | |
| 1. Total boundary of area not meeting requirements of subsection (c) | 39,857 feet | |
| 2. Boundary contiguous with municipal and developed area boundary | 39,857 feet | |
| 3. Proportion of boundaries (1) and (2) contiguous | 100% | (60%) |

N 77-31-20 E, 83.06 feet to point; said point being on the westerly right-of-way margin of U.S. Highway 21 on (Statesville Road); thence crossing U.S. Highway 21 in an easterly direction to a point; said point being the northwesterly most corner of the property as described in Deed Book 5392, Page 722; thence, with the northerly line of said property, S 69-22 E, 1,577.27 feet to a point; said point being the northeasterly corner of the property described in Deed Book 3481, Page 17; thence, continuing on a range line in an easterly direction of said line approximately 30 feet to a point on the easterly right-of-way margin of N.C. 115 (Old Statesville Road); thence, in a southerly direction with the easterly right-of-way margin of N.C. 115 approximately 850 feet to a point, said point being the intersection of said easterly right-of-way margin with the southerly line of the property described in Deed Book 5383, Page 138; thence, with said southerly line S 33-50-30 E, approximately 370 feet to a point; thence, S 41-33-40 W, approximately 110.9 feet to a point, said point being on the northerly right-of-way margin of Oak Drive; thence, with the northerly right-of-way margin of Oak Drive S 34-16 E, approximately 275.35 feet to a point, said point being the southeasterly most corner of the property as described in Deed Book 5383, Page 138; thence, continuing with the northerly right-of-way margin of Oak Drive, S 34-56-20 E, 259.12 feet to a point; thence, N 48-59-40 E, 231.79 feet to a point; thence, S 35-12-50 E, 150 feet to a point, said point being on the common line of Lot 10 of Block 2 of recorded Map Book 11, Page 19; thence, continuing with the westerly line of block 2 of said recorded map following the westerly lines of Lots 11, 12, 13, 14, and 15 N 47-48-10 E, 601.28 feet to a point, said point being on the southerly right-of-way margin of Stardust Drive, said point also being the northeasterly most corner of the lot as described in Deed Book 2462, Page 252; thence, continuing N 47-48-10 E, crossing Stardust Drive; thence, continuing with the westerly line of Lot 1 of Block D in Map Book 11, Page 19, 196.59 feet to a point, said point being the northwesterly most corner of said lot; thence with the northerly line of said lot, S 33-55-15 E, 191.55 feet to a point, said point being on the westerly right-of-way margin of Wanamassa Drive; thence, crossing at the terminus of Wanamassa Drive approximately 60 feet to a point, said point being on the easterly right-of-way margin of said road, said point also being the northwesterly most corner of Lot 7, Block A, Map, Book 11, Page 19; thence, with the northerly lines of Lot 7 through 1, Block A Map Book 11, Page 19, S 33-55-15 E, 985.56 feet to a point, said point being the northeasterly most corner of Lot 1, Block A, Map Book 11, Page 19; thence, with a line of Lot 9, Block 3, Map Book 8, Page 257, S 33-53 E, 19.67 feet to a point, said point being the corner of said lot 9, said point also being the southeasterly most corner of the property as described in Deed Book 4144, Page 138; thence, with a portion of the westerly lines of said Lot 9 and the westerly lines of Lot 8 through 6, and Lot 1 of Block 3 of Map Book 8, Page 257, N 32-39-30 E, 693.93 feet to a point, said point being on the southerly right-of-way margin of Easy Street; thence, crossing at the terminus of Easy Street, N 32-39-30 E, 60.36 feet to a point, said point being on the northerly right-of-way margin of Easy Street; thence, continuing with the westerly lines of Lot 9 and Lot 1 of Block 2 of Map Book 8, Page 257, N 32-39-30 E, approximately 427.73 feet to a point, said point being the intersection of the westerly lines of said Lot 1 with the southerly right-of-way margin of Gibbons Road; thence, in an easterly direction with the southerly right-of-way margin of Gibbons Road, crossing Garvin Drive,

approximately 868 feet to a point, said point being the intersection of said southerly right-of-way margin with the easterly line of Lot 2, Block 1, Map Book 8, Page 257; thence with the easterly line of Block 1 of Map Book 8, Page 257, S 52-24 W, approximately 2,499 feet to a point, said point being the southeasterly corner of Lot 19 of Block 1, Map Book 8, Page 257; thence, with the line of said Lot, N 34-00 W, 151.80 feet to a point; said point being the northeasterly most corner of the property as described in Deed Book 1698, Page 605; thence, with said easterly line, S 80-09-50 W, 423.87 feet to a point; said point being the southeasterly corner of said property; thence, S 59-45-25 E, approximately 30 feet to a point on the easterly right-of-way margin of Keith Drive; thence, with the southerly right-of-way margin of Keith Drive, approximately, S 82-27-28 W, 1,457 feet to a point; said point being the intersection of the southerly right-of-way margin of Keith Drive with a line as described in Deed Book 5518, Page 817; thence, with nine (9) courses of said Deed: 1) S 69-31-03 E, 751.38 feet to a point; 2) S 15-16-06 E, 635.78 feet to a point; 3) S 88-49-18 W, 1,265.87 feet to a point; said point being on the easterly right-of-way margin of U.S. Highway 21 (Statesville Road); thence, with the easterly right-of-way margin of U.S. Highway 21 (Statesville Road), course #4, S 2-27-38 W, 460.12 feet to a point; said point being on the line of the property of the Charlotte-Mecklenburg School Board; thence, with the School Board property, course #5, N 88-49-18 E, 1,540.84 feet to a point; thence, course #6 easterly property line of the Charlotte-Mecklenburg School Board, S 2-27-12 W, 850.24 feet to a point; thence, course #7, N 88-49-09 E, 558.05 feet to a point; thence, course #8, S 45-01-17 E, 805.86 feet to a point; thence, course #9, S 5-26-31 W, approximately 346.06 feet to a point; said point being on the existing Charlotte City limit's line; said point also being on the northerly property line of Lot 53, Block C of Map Book 5, Page 281; thence, with the northerly property line of said recorded Map, S 81-30 W, 921.5 feet to a point; thence, S 48 W, 270.00 feet to a point; thence, S 83-30 W, 425.00 feet to the northwesterly corner of Lot 24, Block C of said Trexler Acres; thence, continuing in a southwest direction along the northerly boundary of Trexler Acres shown in Map Book 5, Page 197 as, S 78 W, 894.00 feet to the northwesterly corner of Lot 1, Block A in Trexler Acres; thence, continuing in a southwesterly direction along the westerly extension of the northerly boundary of said Trexler Acres to a point; said point being 40 feet west of, and normal to the center line of Statesville Road; thence, in a southerly direction along a line 40 feet west of, and parallel to the center line of Statesville Road to a point where said line intersects the southerly right-of-way margin of Interstate 85, formerly known as Highway 29 By-Pass; thence, in a westerly direction with the southerly right-of-way margin of Interstate 85, crossing interstate 77 (U.S. Highway 21) to a point; said point being where the easterly line of Lot 11 through 7 in Block D (if extended) as shown on Map Book 3, Page 282, intersects with the southerly right-of-way margin of Interstate 85 (U.S. Highway 29 By-Pass); thence, running in a northeasterly direction with the existing Charlotte City limit's line crossing Interstate 85 (U.S. Highway 29 By-Pass) and following along the easterly Lot line of Lot 11 through Lot 7, in Block D and crossing Wilson Avenue as shown on Map Book 3, Page 282; said line having a bearing of, N 10 E, approximately 500.00 feet to a point in the northerly right-of-way margin of Wilson Avenue; thence, continuing in a northeasterly direction along the easterly boundary line as shown on recorded Map Book 3, Page 82, as having a bearing of, N 12 E, approximately 735.00 feet crossing 'A' Avenue, east, to a point; thence, in a northwesterly direction with the existing Charlotte City limit's line following along the easterly boundary line as shown on Map Book 3, Page 82, as

having a bearing and distance of, N 61-15 W, 190.00 to a point in 'B' Avenue, east; thence, continuing in a northwesterly direction crossing 'B' Avenue, east, and following along the easterly boundary line of Lot 48, in Block F, and the easterly boundary line of Lot 96 in Block F as shown in Map Book 3, Page 565, as having a bearing of, N 12-45 W, a total distance of approximately 386.00 feet, crossing 'C' Avenue, east, to a point; said point being 25 feet north of, and normal to the center line of 'C' Avenue, east; thence, in a westerly direction with the existing Charlotte City limit's line, following along a line 25 feet north of, and parallel with the center line of 'C' Avenue, east, approximately 1,641 feet, crossing Beatties Ford Road (State Road #2074) to a point; said point being on the westerly right-of-way margin of Beatties Ford Road (State Road #2074); thence, continuing in a northerly direction with the westerly right-of-way margin of Beatties Ford Road crossing Fairdale Drive, McAllister Drive to a point; said point being the southeasterly intersection of the westerly right-of-way margin of Beatties Ford Road with the property of Roy Dixon as described in Deed Book 2665, Page 241; thence, with said property line, S 83-56 W, 275.00 to a point; thence, with said westerly line, N 14-49 W, 164.81 feet to a point; thence, along said northerly line, N 75-41 E, 271.03 feet to a point; thence, continuing with the westerly right-of-way margin of Beatties Ford Road in a northerly direction crossing Griens Grove Road, continuing with the said westerly right-of-way margin, approximately 970.00 feet to the point of beginning; said point of beginning being the southeasterly most corner of the Lot as described in Deed Book 4496, Page 184.

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A RESOLUTION STATING THE INTENT OF THE CITY OF CHARLOTTE TO PAY ECONOMIC LOSS TO QUALIFIED SOLID WASTE COLLECTION FIRMS UNDER G. S. 160A-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 October 24, 1988.

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 all requirements of G.S. 160A-49.3.

Section 3. That such economic loss will not be paid until the annexations become effective which give rise to such loss.

Section 4. That the name of such firms and the amount of such economic loss is set forth below:

| | |
|--|----------|
| Browning-Ferris Industries of the South Atlantic | \$91,456 |
| M & B Sanitation Service | \$28,072 |
| Nelson's Sanitation Service, Inc. | \$24,516 |

Approved as to form:


Deputy City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of February, 1989, the reference having been made in Minute Book 92, and is recorded in full in Resolution Book 25, at page(s) 121.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 1989.

Pat Sharkey, City Clerk

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COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

A motion was made by Councilmember Dannelly and seconded by
Councilmember Wöollen for the adoption of the following
Resolution, and upon being put to a vote was duly adopted:

WHEREAS, the City of Charlotte and the North Carolina Department of Transportation propose to make certain traffic control improvements under Project 6.677016, Mecklenburg County, said project to consist of the installation of traffic signals at the intersection of I-77 northbound ramp and Tyvola Road in Charlotte; and,

WHEREAS, the Department of Transportation desires to enter into an agreement with the City of Charlotte whereby the City of Charlotte shall purchase and install the traffic signals; and,

WHEREAS, the Department of Transportation shall reimburse the City of Charlotte for actual costs not to exceed \$17,000.00 for the work performed by the City of Charlotte.

NOW, THEREFORE, BE IT RESOLVED that Project 6.677016, Mecklenburg County, is hereby formally approved by the City Council of the Municipality of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, Pat Sharkey, Clerk of the Municipality of Charlotte, do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the meeting of the City Council duly held on the 27th day of February, 19 89.

WITNESS, my hand and the official seal of said Municipality on this the 3rd day of March, 19 89.

(SEAL)

CLERK
MUNICIPALITY OF CHARLOTTE
NORTH CAROLINA

APPROVED AS TO FORM

Henry W. Charles Jr.
CITY ATTORNEY

February 27, 1989
Resolution Book 25 - Page 123

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COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

A motion was made by Councilmember Dannelly and seconded by Councilmember Woollen for the adoption of the following Resolution, and upon being put to a vote was duly adopted:

WHEREAS, the City of Charlotte and the North Carolina Department of Transportation propose to make certain traffic control improvements under Project 6.677017, Mecklenburg County, said project to consist of the installation of traffic signals at the intersection of SR 1009 (Monroe Road) and Village Lake Drive in Charlotte; and,

WHEREAS, the City of Charlotte desires to enter into a municipal agreement with the Department of Transportation whereby the City of Charlotte shall purchase and install the required traffic signal equipment for the project; and,

WHEREAS, the Department of Transportation shall reimburse the City of Charlotte for actual costs not to exceed \$16,000.00 for the work performed by the City of Charlotte.

NOW, THEREFORE, BE IT RESOLVED that Project 6.677017, Mecklenburg County, is hereby formally approved by the City Council of the Municipality of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, Pat Sharkey, Clerk of the Municipality of Charlotte, do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the meeting of the City Council duly held on the 27th day of February, 1989.

WITNESS, my hand and the official seal of said Municipality on this the 3rd day of March, 1989.

(SEAL)

CLERK
MUNICIPALITY OF CHARLOTTE
NORTH CAROLINA

APPROVED AS TO FORM

Henry W. Underhill Jr.
ASST. CITY ATTORNEY

February 27, 1989
Resolution Book 25 - Page 124

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COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF CHARLOTE, NORTH CAROLINA

A motion was made by Councilmember Dannelly and seconded by
Councilmember Woollen for the adoption of the following Resolu-
tion, and upon being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans for the construction of Charlotte Outer Loop from East of I-77 to US 521 Interchange near Charlotte; and,

WHEREAS, said Department of Transportation and the Municipality of Charlotte propose to enter into an agreement whereby said Department will include in its construction contract provisions to relocate and adjust certain municipally owned water and sewer lines along the project; and,

WHEREAS, the Municipality agrees to reimburse the Department of Transportation for the cost of the relocation, adjustment and installation of the water lines with reimbursement to be made in a lump sum amount upon completion of the work.

NOW, THEREFORE, BE IT RESOLVED that Project 8.1670104, Mecklenburg County, is hereby formally approved by the City Council of the Municipality of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, Pat Sharkey, Clerk of the Municipality of
Charlotte, do hereby certify that the foregoing is a true and correct
copy of excerpts from the Minutes of the meeting of the City Council
duly held on the 27th day of February, 1989.

WITNESS, my hand and the official seal of said Municipality on this
the 3rd day of March, 1989.

(SEAL)

CLERK
MUNICIPALITY OF CHARLOTTE
NORTH CAROLINA

APPROVED AS TO FORM

Henry W. Underhill Jr.
ASST. CITY ATTORNEY

February 27, 1989
Resolution Book 25 - Page 125

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 eight years from the date the amounts were due to be paid.

3. The amounts listed on the schedule were collected through clerical error or by a tax illegally levied and assessed.

NOW, THEREFORE, BE RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 27th day of February, 1989, 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.

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 27th day of February, 1989, the reference having been made in Minute Book 92 and recorded in full in Resolution Book 25, page(s) 125-128.

Pat Sharkey
City Clerk

February 27, 1989
Resolution Book 25 - Page 126

TAXPAYERS AND REFUNDS REQUESTED

| <u>NAME</u> | <u>AMOUNT OF REFUND REQUESTED</u> | <u>REASON</u> |
|---|---------------------------------------|----------------|
| Layman Plastics Corp. | 702.14 | Clerical error |
| Layman Plastics Corp. | 576.70 | Clerical error |
| Earney, Kimberly Elaine | 88.34 | Clerical error |
| Connell, Cheryl Reed | 88.40 | Illegal levy |
| Earney, Kimberly Elaine | 70.14 | Clerical error |
| Fowler, Max J. | 87.21 | Clerical error |
| Ingalls, Maureen Elizabeth | 95.67 | Clerical error |
| Miller, Diane Zelda | 62.42 | Clerical error |
| Motley, Rowe Readous & wf., Alma G. | 104.34 | Clerical error |
| Stephens, Randolph Carson | 25.77 | Illegal levy |
| Summers, Jeff Richard III | 115.44 | Clerical error |
| Layman Plastics Corp. | 244.49 | Clerical error |
| Paynes Electrostatic Painting Co. | 74.15 | Clerical error |
| Burch, William Paul Jr. | 60.24 | Illegal levy |
| Lipa, Steven Daniel Jr. | 77.77 | Illegal levy |
| Lipa, Steven Daniel Jr. | 60.93 | Illegal levy |
| MacVeigh, Melissa Katherine | 86.89 | Illegal levy |
| University Pantry | 76.16 | Illegal levy |
| D.L. Peterson Trust | 194.51 | Clerical error |
| Anderson, Verlin Bobbie | 41.84 | Clerical error |
| Artis, Willie M. & wf. Mary L. | 26.78 | Clerical error |
| Baugh, Robert A. | 28.49 | Clerical error |
| Beaver, Henry M. & wf. Jenny R. | 25.90 | Clerical error |
| Bible, Paul H. | 24.71 | Clerical error |
| Bringuier, Edmundo Jr. | 37.70 | Clerical error |
| Cashion, Wayne B. | 163.89 | Clerical error |
| Connell, Cheryl Reed | 81.31 | Illegal levy |
| Deaver, Rita Wright | 20.00 | Clerical error |
| Earney, Kimberly Elaine | 69.97 | Clerical error |
| Earp, Bobby Gene & wf. Mary B. | 53.57 | Clerical error |
| Elrod, Brenda Kay | 63.61 | Illegal levy |
| Englstrom, Robert B. & wf. Glenda K. | 25.59 | Clerical error |
| Fentress, Joseph Gardner | 50.43 | Clerical error |
| Fowler, Max J. | 78.36 | Clerical error |
| Givens, Queen Payden | 21.69 | Clerical error |
| Gurganus, Eugene A. | 43.39 | Clerical error |
| Hairston, Lula & Sara S. Kindrix | 75.30 | Clerical error |
| Hall, C. Wells III & wf. Karen R. | 55.96 | Clerical error |
| Holmes, Ruth Shivel | 31.80 | Clerical error |

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| | | |
|-------------------------------|--------|----------------|
| Houston, Joe H. & wf. | | |
| Clafton K. | 35.88 | Clerical error |
| Hutchison, Brenda Jacobson | 60.10 | Illegal levy |
| Hutchison, William H. | 52.44 | Illegal levy |
| Jackson, Frances M. | | |
| Mrs. Melvin By Ent. | 32.36 | Clerical error |
| Johnson, Robert Bowen | 42.97 | Clerical error |
| Johnson, Ronald C. | 10.82 | Clerical error |
| Lampuski, Stanley R. & wf. | | |
| Mary Y. | 61.29 | Clerical error |
| Latour, Bernard N. & wf. | | |
| Catherine | 41.21 | Clerical error |
| Little, Jefferson Bruce & | | |
| wf. Edna S. | 44.16 | Clerical error |
| Lovern, Louis Howard & wf. | | |
| Gladys M. | 32.36 | Clerical error |
| Maikranz, Wayne J. | 74.25 | Clerical error |
| Martin, Leland Edger & wf. | | |
| Evelyn B. | 31.80 | Clerical error |
| McAninch, Jerry Ray | 89.37 | Clerical error |
| McCree, Ernest Alvertus & | | |
| wf. Hattie | 24.68 | Clerical error |
| McDaniels, Willie E. & wf. | | |
| Carolyn H. | 25.92 | Clerical error |
| McElveen, Delores Lane | 67.19 | Illegal levy |
| McNair, James A. & wf. | | |
| Marion H. | 69.51 | Clerical error |
| Motley, Rowe Readous & | | |
| wf. Alma G. | 110.23 | Clerical error |
| Perez, Valle Sonia E. | 73.65 | Clerical error |
| Ramirez, Santos Hipolit | 21.69 | Clerical error |
| Riley, Jesse L. & wf. | | |
| Sue W. | 22.00 | Clerical error |
| Rudissil, Gerald A. Jr. | | |
| & wf., Linda L. | 28.22 | Clerical error |
| Schwarz, Judy B. | 41.77 | Clerical error |
| Scott, H. Keith | 170.35 | Clerical error |
| Setzer, Richard Daniel & wf. | | |
| Robin | 74.05 | Clerical error |
| Silla, Jon F. & wf. Monika G. | 64.80 | Clerical error |
| Simmons, Louis Matthews | 57.15 | Clerical error |
| Simpson, Lewis Brown | 14.56 | Clerical error |
| Smith, Heyward N. Jr. | | |
| & wf. Deeter | 130.01 | Illegal levy |
| Stovall, Sidney Thomas | | |
| & wf. Betty | 29.41 | Clerical error |
| Stowe, Patricia M. | 31.17 | Clerical error |
| Thompson, Willie & wf. Mary | 26.28 | Clerical error |
| Trophagan, Virginia Cocke | 1.76 | Clerical error |
| Turnmire, Charles E. Jr. | | |
| & wf. Beada | 2.13 | Clerical error |
| Walton, Bill Roberts & wf. | | |
| Deborah | 9.87 | Clerical error |
| Welch, Sidney Luther | 32.26 | Clerical error |

| | | |
|------------------------------|--------------------|----------------|
| Wilson, Charles W. | 347.38 | Clerical error |
| Barclays American Leasing | 182.38 | Illegal levy |
| Barley N Rye | 125.79 | Clerical error |
| Craftsmen Construction Co. | 36.32 | Clerical error |
| Dorschel Chevrolet Inc. | 1,776.97 | Clerical error |
| Fashion Florist, Inc. | 53.49 | Clerical error |
| Grahams Tire Service, Inc. | 307.88 | Illegal levy |
| Phillips Auto Sales | 2.14 | Clerical error |
| Reynolds, Gus Leasing | 56.27 | Clerical error |
| Smith Neon, Inc. | 20.78 | Clerical error |
| Southern National Leasing | 237.06 | Illegal levy |
| Learn & Play Day School | 68.04 | Clerical error |
| Weathers Auto Supply, Inc. | 90.87 | Clerical error |
| Alhussaine, Irene King | 38.23 | Clerical error |
| Anderson, Barbara Roon | 73.69 | Clerical error |
| Armfield, Joe Martin, Jr. | 39.60 | Clerical error |
| Baker, William Sterling | 27.80 | Clerical error |
| Barton, Peter McKim | 71.91 | Clerical error |
| DeCastrique, Marianne M. | 23.86 | Clerical error |
| del Mundo, Marcial Pagtalun | 140.03 | Clerical error |
| Fast, Naomi Mary | 75.15 | Clerical error |
| Ervin, Teresa Marie | 26.30 | Clerical error |
| Jackson, Eric Paul | 5.86 | Clerical error |
| Msith, Barbara H. | 23.86 | Clerical error |
| Nakazawa, Paul Wesley | 90.75 | Clerical error |
| Namin, Mehdi Jafari | 62.17 | Clerical error |
| Phipps, Peggy Curtis | 55.68 | Clerical error |
| Price, George Lee | 106.35 | Clerical error |
| Rubino, Virginia Vandertones | 32.35 | Clerical error |
| Wilson, Joel Dennis | 57.68 | Clerical error |
| Wilson, Larry Steve | 23.86 | Clerical error |
| Winn, Floyd Henry | 42.71 | Clerical error |
| Winn, Floyd Henry | 2.97 | Clerical error |
| Miller Refrigeration | 1,960.00 | Clerical error |
| | <u>\$11,936.56</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 60" Raw Water Main/Catawba Station to Reservoirs; 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:

| <u>Parties in Interest</u> | <u>Property Description</u> | <u>Appraised Value</u> |
|----------------------------------|---|------------------------|
| Rodney McCall Bradham | 11,798 s. f., plus temporary construc- tion easement for Tax Code No. 023-101- 01 | \$ 800.00 |
| Shelley Miller Bradham | (Same) | (Included) |
| Any Other Parties in Interest | (Same) | (Included) |

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. Chadwell Jr.
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of February, 1989, the reference having been made in Minute Book 92, and is recorded in full in Resolution Book 25, at page(s) 129.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 1989.

Pat Sharkey, City Clerk

February 27, 1989
Resolution Book 25 - Page 130

**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 Caldwell Street Widening 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:

| <u>Parties in Interest</u> | <u>Property Description</u> | <u>Appraised Value</u> |
|----------------------------------|--|------------------------|
| The Trustees of Davidson College | 5,367 s.f. right-of-way, plus 8,827 s.f. for temporary construction easement of Tax Parcel No. 125-023-12 and 125-023-13 | \$ 215,000.00 |
| Any Other Parties in Interest | (Same) | (Included) |

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:

Debra G. Krott

City Attorney
Senior Asst

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of February 1989, the reference having been made in Minute Book 92, and is recorded in full in Resolution Book 25, at page(s) 130.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 1989.

Pat Sharkey, City Clerk

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 Park Road Alignment 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:

| <u>Parties in Interest</u> | <u>Property Description</u> | <u>Appraised Value</u> |
|---|--|------------------------|
| Tony F. Hinson | 604 square feet for temporary construction easement of Tax Parcel No. 173-154-12 | \$ 100.00 |
| Frank R. Thies, Jr. Trustee | (Same) | (Included) |
| Thies Realty & Mortgage Company, Beneficiary | (Same) | (Included) |
| Any Other Parties in Interest | (Same) | (Included) |

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, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of February, 1989, the reference having been made in Minute Book 92, and is recorded in full in Resolution Book 25, at page(s) 131.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of March, 1989.

Pat Sharkey, City Clerk