

ORDINANCE NO. 3490-X

AN ORDINANCE TO AMEND ORDINANCE NO. 3348-X, THE 1992-93 BUDGET ORDINANCE, PROVIDING APPROPRIATIONS TO FUND THE PURCHASE OF SAFETY EQUIPMENT FOR POLICE OFFICERS.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$56,720 is hereby estimated to be available from U. S. Treasury Receipts- Asset Forfeiture funds (0101; 95692).

Section 2. That the sum of \$56,720 is hereby appropriated to the General Fund; Police Department (0101;401.51.298) for the purchase of safety equipment for police officers.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

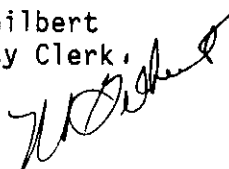
Section 4. This ordinance shall become effective upon its adoption.

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 25th day of January 1993, the reference having been made in Minute Book 101, and is recorded in full in Ordinance Book 41, at page(s) 262.

Nancy S. Gilbert
Deputy City Clerk,



ORDINANCE NO. 3491-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 4009 W. SUGAR CREEK ROAD PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF L. C. MITCHELL HEIRS, RESIDING AT 1535 UNIVERSITY AVENUE, #5, BRONX, NEW YORK, 10453.

WHEREAS, the dwelling located at 4009 W. Sugar Creek Road in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant to the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, the owners have failed to comply with said order served by advertisement on March 31, 1992 and May 8, 1992:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, that the Director of the Community Development Department is hereby ordered to cause the demolition and removal of the dwelling located at 4009 W. Sugar Creek Road in the City of Charlotte in accordance with the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina.

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 an Ordinance 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 Ordinance Book 41, at Page(s) 263.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 28th day of January 1993.

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

ORDINANCE NO. 3492-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3900 CHESHIRE ROAD PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF ARDREY INVESTMENT COMPANY, RESIDING AT 1538 GUNN STREET, CHARLOTTE, NORTH CAROLINA, 28208.

WHEREAS, the dwelling located at 3900 Cheshire Road in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant to the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, the owners have failed to comply with said order served by registered mail on January 28, 1991 and February 20, 1991:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, that the Director of the Community Development Department is hereby ordered to cause the demolition and removal of the dwelling located at 3900 Cheshire Road in the City of Charlotte in accordance with the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina.

APPROVED AS TO FORM:


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 an Ordinance 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 Ordinance Book 41, at Page(s) 264.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 28th day of January 1993.



Nancy S. Gilbert, Deputy City Clerk

ORDINANCE NO. 3493-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1024 S. MINT STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF JITEN G. PANDYA & W/ASHA J., RESIDING AT 7200 PINE LAKE LANE, CHARLOTTE, NORTH CAROLINA, 28227.

WHEREAS, the dwelling located at 1024 S. Mint Street in the City of Charlotte has been found by the Director of the Community Development Department to be unfit for human habitation and the owners thereof have been ordered to demolish and remove said dwelling, all pursuant to the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, the owners have failed to comply with said order served by registered mail on August 13, 1992 and October 15, 1992:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, that the Director of the Community Development Department is hereby ordered to cause the demolition and removal of the dwelling located at 1024 S. Mint Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte and Article 19, Part 6, Chapter 160A of the General Statutes of North Carolina.


APPROVED AS TO FORM:


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 an Ordinance 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 Ordinance Book 41, at Page(s) 265.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 28th day of January 1993.


Nancy S. Gilbert, Deputy City Clerk

ORDINANCE NO. 3494-X

US 21/NC 115 AREA

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS FOR THE CITY OF CHARLOTTE UNDER THE AUTHORITY GRANTED BY PART 3, ARTICLE 4A, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA.

WHEREAS, all of the prerequisites to adoption of this ordinance prescribed in Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina, have been met; and

WHEREAS, the City Council has taken into full consideration the statements presented at the public hearing held on the 12th day of November, 1992, on the question of this annexation; and

WHEREAS, the City Council has concluded and hereby declares that annexation of the area described herein is necessary to the orderly growth and development of the City of Charlotte.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina:

Section 1. That from and after the 30th day of June, 1993, the effective date of this annexation, the following territory shall be annexed to and become a part of the City of Charlotte, and the corporate limits of the City of Charlotte shall on said 30th day of June, 1993, be extended to include said territory more particularly described by metes and bounds set forth in Exhibit A, attached hereto and specifically incorporated as a part of this ordinance.

Section 2. That the City Council does hereby specifically find and declare that the above-described territory meets the requirements of G.S. 160A-48, in that:

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 (11.53 miles) of which 21,337 feet (4.04 miles) or thirty-five percent (35.0%) coincides with the present City boundary.

(3) No part of the area is included within the boundary of another incorporated municipality.

B. Except for the portion of the area described in Section 2(C) below, 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 the 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. The area qualifies for annexation under the standards set forth in G.S. 160A-48(c)(3). 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, on at least sixty percent (60%) of its external boundary, to a combination of the present city boundary and the area developed for urban purposes as defined in Section 2(B) above. The aggregate boundary of the undeveloped area is 43,039 feet of which 43,039 feet or 100% coincides with the present city boundary and the developed area (see the Map of D-Land Connection, page 6 of the report described in Section 3 below.) This undeveloped area contains 424.903 acres.

Section 3. That it is the purpose and intent of the City of Charlotte, to provide services to the area being annexed under this ordinance, as set forth in the report of plans for services approved by the City Council on the 12th day of October, 1992, and filed in the office of the Clerk for public inspection and as subsequently amended.

Section 4. That the City Council does hereby specifically find and declare that, on the effective date of annexation prescribed in Section 1 hereof, the City of Charlotte will have authority to issue bonds under the provisions of Sub-chapter IV of Chapter 159 of the General Statutes, if necessary, in an amount sufficient to finance the estimated costs of construction of any water and sewer facilities found necessary in the report of plans for services to extend the basic water and sewer system into the area to be annexed under this ordinance.

Section 5. That from and after the effective date of this annexation, the territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Charlotte, and shall be entitled to the same privileges and benefits as other parts of the City.

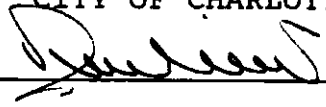
Section 6. That the newly annexed territory described hereinabove shall be subject to City taxes according to G.S. 160A-58.10.

Section 7. That the Mayor of the City of Charlotte shall cause an accurate map of the annexed territory described in Section 1, hereof, together with a duly certified copy of this ordinance, to be recorded in the office of the Register of Deeds of

Mecklenburg County, and in the office of the Secretary of State
in Raleigh.

Adopted this 25th day of January, 1993.

CITY OF CHARLOTTE

By: 

ATTEST:


City Clerk

Approved as to form:


City Attorney

EXHIBIT A
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.

ORDINANCE NO. 3495-X

US 29/NC 49 AREA

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS FOR THE CITY OF CHARLOTTE UNDER THE AUTHORITY GRANTED BY PART 3, ARTICLE 4A, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA.

WHEREAS, all of the prerequisites to adoption of this ordinance prescribed in Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina, have been met; and

WHEREAS, the City Council has taken into full consideration the statements presented at the public hearing held on the 12th day of November, 1992, on the question of this annexation; and

WHEREAS, the City Council has concluded and hereby declares that annexation of the area described herein is necessary to the orderly growth and development of the City of Charlotte.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina:

Section 1. That from and after the 30th day of June, 1993, the effective date of this annexation, the following territory shall be annexed to and become a part of the City of Charlotte, and the corporate limits of the City of Charlotte shall on said 30th day of June, 1993, be extended to include said territory more particularly described by metes and bounds set forth in Exhibit A, attached hereto and specifically incorporated as a part of this ordinance.

Section 2. That the City Council does hereby specifically find and declare that the above-described territory meets the requirements of G.S. 160A-48, in that:

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 46,896 feet (8.88 miles) of which 11,253 feet (2.13 miles) or twenty four percent (24.0%) coincides with the present city boundary.

(3) No part of the area is included within the boundary of another incorporated municipality.

B. Except for the portion of the area described in Section 2(D) below, the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1) as follows:

The area qualifies for annexation under the standard 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 2.25 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 970 dwelling units in the area, which when multiplied by the average household size (according to the last federal decennial census for which such information is available) results in an estimated total resident population of 2,515, after allowing for a reasonable vacancy rate of 5%. This population, when divided by the total number of acres (1,118) results in a population density of 2.25 persons per acre.

C. Except for the portion of the area described in Section 2(D) below, the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(3).

There are a total number of 1,091 lots and tracts within the area, and of that number 958 or 87.8% 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, 669 acres remain. Of that acreage, 434 acres or 64.9% are in lots or tracts five acres or less in size.

D. The area qualifies for annexation under the standards set forth in G.S. 160A(c)(1) and G.S. 160A-48(c)(3). 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, on at least sixty percent (60%) of its external boundary, to a combination of the present city boundary and the area developed for urban purposes as defined in Sections 2(B) and 2(C) above. The aggregate boundary of the undeveloped area is 16,559 feet of which 16,559 feet or 100% coincides with the present city boundary and the developed area (see the Map, page 6 of the report described in Section 3 below.) This undeveloped area contains 326.328 acres.

E. In determining the population of the area, it has been assumed that up to five percent (5%) of the dwelling units in the area may be vacant. This assumption is not a finding that any of the dwelling units in the area are vacant in fact. The purpose of this assumption is to allow for possible application of the following factors: any dwelling unit(s) which may not be habitable, to the extent such a condition precludes the consideration of such dwelling unit(s) in determining the population of the area; errors, if any, as to the existence of one or more dwelling units; and other factors which may result in one or more dwelling units being vacant.

Section 3. That it is the purpose and intent of the City of Charlotte, to provide services to the area being annexed under this ordinance, as set forth in the report of plans for services approved by the City Council on the 12th day of October, 1992, and filed in the office of the Clerk for public inspection and as subsequently amended.

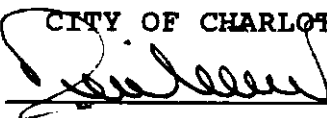
Section 4. That the City Council does hereby specifically find and declare that, on the effective date of annexation prescribed in Section 1 hereof, the City of Charlotte will have authority to issue bonds under the provisions of Sub-chapter IV of Chapter 159 of the General Statutes, if necessary, in an amount sufficient to finance the estimated costs of construction of any water and sewer facilities found necessary in the report of plans for services to extend the basic water and sewer system into the area to be annexed under this ordinance.

Section 5. That from and after the effective date of this annexation, the territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Charlotte, and shall be entitled to the same privileges and benefits as other parts of the City.

Section 6. That the newly annexed territory described hereinabove shall be subject to City taxes according to G.S. 160A-58.10.

Section 7. That the Mayor of the City of Charlotte shall cause an accurate map of the annexed territory described in Section 1, hereof, together with a duly certified copy of this ordinance, to be recorded in the office of the Register of Deeds of Mecklenburg County, and in the office of the Secretary of State in Raleigh.

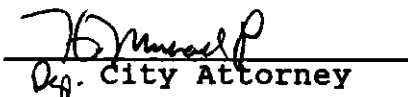
Adopted this 25th day of January, 1993.

CITY OF CHARLOTTE
By: 

ATTEST:


City Clerk

Approved as to form:


Dep. City Attorney

PROPOSED ANNEXATION AREA #2 FY 93

US 29/NC 49

Beginning at a point in the centerline of the Southern Railroad at a point where the Northerly right-of-way margin of Mallard Creek Church Road intersects the centerline of said Southern Railroad (if extended across Old Concord Road); thence in a Northwesterly direction crossing Old Concord Road following along the Northerly right-of-way margin of Mallard Creek Church Road approximately 160.0 feet to a point being the intersection of the Easterly right-of-way margin of Mallard Creek Church Road with the Northwesterly right-of-way margin of Old Concord Road; thence continuing in a Northwesterly direction along the Easterly right-of-way margin of Mallard Creek Church Road as having a bearing and distance as follows: North 40-56 West 161.96 feet; thence North 39-47-50 West 117.27 feet to a point, said point being the intersection of the Easterly margin of Mallard Creek Church Road with the Northerly property line as shown on a boundary survey recorded in Deed Book 6039, Page 526; thence continuing in a Northwesterly direction along the Easterly right-of-way margin of Mallard Creek Church Road as having bearing and distance as follows: North 39-47-20 West 16.54 feet; thence North 38-39-20 West 199.37 feet to a point, said point being the intersection of the Northeasterly right-of-way margin of Mallard Creek Church Road and the Northerly property line of the property as described in Deed Book 6039, Page 526; thence continuing in a Northwesterly direction with the Northeasterly right-of-way margin of Mallard Creek Church Road as having a

bearing and distance as follows: North 30-35 West 140.20 feet; North 40-35 West 84.80 feet to a point, said point being the intersection of the Southerly right-of-way margin of University Boulevard with the Westerly property line of the property as described in Deed Book 5753, Page 785; thence crossing University Boulevard in a Northwesterly direction approximately 150.0 feet to a point being the intersection of the Northeasterly right-of-way margin of Mallard Creek Road with the Northwesterly right-of-way margin of University City Boulevard; thence in a Northeasterly direction with said margin North 50-36-03 East approximately 678.17 feet to a point, said point being on the Northerly property line of the property described in Deed Book 4966, Page 729; thence continuing with the right-of-way margin and along the property lines of the property as described in Deed Book 5997, Page 73 for the following courses: 1) North 48-54-50 East 379.90 feet; 2) In a Northeasterly direction with the said margin with an arc of a circular curve to the right having a radius of 2,939.79 feet, an arc distance of 24.66 feet, chord bearing and distance of North 48-45-32 East 24.66 feet; 3) North 17-35-23 East 95.81 feet to a point on the Northwesterly right-of-way margin of University City Boulevard; 4) North 60-35-57 East 81.87 feet; thence 5) North 41-46-50 East 242.95 feet; thence 6) North 59-45-16 West 147.04 feet to a point; 7) North 59-59-04 West 629.89 feet to a point, said point being the Northwesterly corner of a property described in Deed Book 5997, Page 73; thence in a Northerly direction running with the Easterly right-of-way margin of Mallard Creek Church Road approximately 1,526.99 feet to a point in the said Easterly

right-of-way located within a Duke Power Company right-of-way, said point also being on a line as described in Deed Book 4521, Page 699, Tract 6, Parcel 1; thence continuing with the Easterly right-of-way margin of Mallard Creek Church Road with said deed for eight (8) courses: 1) North 8-01-23 West 174.64 feet; 2) North 10-45-15 West 76.95 feet; 3) North 17-19-58 West 230.08 feet; 4) North 25-57-19 West 179.24 feet; 5) North 39-00-11 West 90.12 feet; thence leaving the Easterly right-of-way margin of Mallard Creek Church Road, 6) North 27-29-06 East approximately 220.0 feet to a point; 7) North 50-51-54 West 125.0 feet; 8) North 24-13-31 East 180.93 feet to a point being the Southeasterly corner of property as described in Deed Book 5529, Page 861; thence with the Southerly property line of said deed North 74-00 West 234.47 feet to a point in the Easterly margin of Bonnie Cone Lane; thence in a Northerly direction with the arc of a circular curve to the left having a radius of 372.15 feet, and a distance of 100.0 feet to a point, said point being the Southwest corner of lot as described in Deed Book 3970, Page 619; thence in a Northwesterly direction along the Easterly right-of-way margin of Bonnie Cone Lane with the Westerly property line of the said deed for two (2) courses: 1) Along the arc of a circular curve to the left having a radius of 372.15 feet, an arc distance of 65.0 feet to a point; 2) North 6-57 West 55.0 feet to a point being the Northwesterly corner of said deed, said point also being the terminus of the Easterly right-of-way margin of Bonnie Cone Lane; thence crossing the terminus of Bonnie Cone Lane to a point being the terminus of the Westerly right-of-way margin of Bonnie Cone Lane, said point also being a corner in the

Easterly line of property described in Deed Book 5647, Page 528; thence with said deed for the following three (3) courses: 1) North 6-57-40 West 357.01 feet; thence 2) With the arc of a circular curve to the right having a radius of 239.90 feet, an arc distance of 115.28 feet; thence leaving the Westerly margin of Bonnie Cone Lane, (if extended), 3) North 69-22-17 West 108.96 feet to a point being the most Northerly corner of the property as described in said Deed Book 5647, Page 528 in the Southerly right-of-way margin of Stone Quarry Road; thence in a Northeasterly direction following along the Southerly right-of-way margin of Stone Quarry Road approximately 519.62 feet to a point on the Southerly right-of-way margin of Stone Quarry Road, said point also being a Southeasterly corner as described in Deed Book 4521, Page 695, Tract 6, Parcel 1; thence with said deed North 12-38-59 East approximately 436.31 feet to a point; thence North 6-48-35 East 835.55 feet to a point being the Northerly most corner described in Deed Book 4521, Page 695; thence in a Northeasterly direction approximately 270.0 feet crossing a 68 foot Duke Power right-of-way to a point being the Southwesterly corner of the property described in Deed Book 1867, Page 397; thence with the Southerly property line of said deed as follows: 1) North 80-00 East 580.0 feet to a point; thence 2) North 85-00 East 120.0 feet to a point in the centerline of Mallard Creek, point also being the Southwesterly corner of property described in Deed Book 3658, Page 87; thence in a Northeasterly direction along the Southerly property line of said deed and with the center of Mallard Creek for four (4) courses: 1) North 14-26 East 122.09 feet; 2) North 35-27 East 231.85 feet; 3)

North 57-15 East 134.65 feet; 4) North 85-39 East 646.45 feet to a point in the center of Mallard Creek, point being a Northwestern corner of lot as described in Deed Book 4019, Page 340; thence in a Northeasterly direction with the centerline of Mallard Creek approximately 300 feet to a Westerly corner of lot as described in Deed Book 3008, Page 393; thence continuing in a Northeasterly and Easterly direction with the centerline of Mallard Creek and the Westerly and Northerly line of lot as described in said Deed Book 3008, Page 393 for approximately 1,900.0 feet to a point on the Westerly right-of-way margin of Blockbuster Boulevard; thence crossing Blockbuster Boulevard as having a bearing and distance of South 84-26-55 East 70.12 feet to a point on the Western right-of-way margin of Block Buster Boulevard, said point also being a Northwesterly corner of lot as described in Deed Book 6393, Page 269; thence with the Northerly property line of said Deed Book 6393, Page 269 and with the centerline of Mallard Creek the following ten (10) courses and distances: 1) South 84-26-55 East 30.09 feet; 2) South 84-26-55 East 101.08 feet; 3) South 78-47-44 East 322.27 feet; 4) South 35-12-33 East 226.03 feet; 5) South 51-21-21 East 71.91 feet; 6) South 14-02-05 East 46.75 feet; 7) South 31-55-55 East 133.09 feet; 8) South 21-44-36 East 60.14 feet; 9) South 64-54-20 East 154.55 feet; 10) North 79-39-27 East 78.37 feet to a point in the centerline of Mallard Creek, being a Northwesterly corner of lot as described in Deed Book 6417, Page 01; thence with the Northerly line of said Deed Book 6417, Page 01 and the centerline of Mallard Creek the following two (2) courses and distances: 1) South 80-16-34 East 321.44 feet; 2) North 56-

46-26 East 135.39 feet; thence leaving Mallard Creek and running with the Easterly and Southerly lines of lot as described in said Deed Book 6417, Page 01 the following five (5) courses and distances: 1) Due South 589.61 feet; 2) South 57-41-50 East 508.16 feet; 3) Due South 660.23 feet; 4) South 55-20-30 West 492.37 feet; 5) North 82-31-08 West 535.27 feet to a point on the Easterly right-of-way margin of Blockbuster Boulevard; thence with the Easterly margin of Blockbuster Boulevard in a Southerly direction the following four (4) courses and distances: 1) With a curve to the right having an arc distance of 109.39 feet and a radius of 989.93 feet, having a chord bearing and distance of South 7-25-12 East 109.33 feet; 2) South 4-15-15 East 569.42 feet; 3) With a curve to the left having an arc distance of 133.36 feet and a radius of 919.93 feet, having a chord bearing and distance of South 8-24-26 East 133.24 feet; 4) South 12-33-37 East 11.06 feet to a point on the Northern right-of-way margin of Harris Houston Road where it intersects with the Easterly right-of-way margin of Blockbuster Boulevard; thence with the Northerly right-of-way margin of Harris Houston Road approximately 1,470 feet to a point in the Westerly line of a lot as described in Deed Book 2197, Page 210; thence with a portion of the Westerly line of said lot North 54-52 West approximately 244 feet to a point being a Southwesterly corner of lot as described in Deed Book 6017, Page 308; thence with the Westerly and Northerly line of said lot the following two (2) courses and distances: 1) North 46-53-22 West 283.08 feet to a point in a Duke Power right-of-way; 2) North 50-56 East 171.75 feet to a point being a Northwesterly corner of lot as described in

Deed Book 6116, Page 567; thence with a Northerly line of said lot North 50-56 East 179.66 feet to a point being a Northwesterly corner of lot as described in Deed Book 3169, Page 99; thence with the Northerly and Easterly line of said lot the following two (2) courses and distances: 1) North 51-17 East 310.0 feet; thence leaving the said Duke Power right-of-way 2) South 52-32-40 East 125.0 feet to a point being a Northeasterly corner of lot as described in Deed Book 2086, Page 129; thence with the Easterly line of said lot South 52-26 East 190.0 feet to a point on the Northerly right-of-way margin of Harris Houston Road; thence with the Northerly right-of-way margin of Harris Houston Road in a Easterly direction for approximately 2,286 feet to a point on the Northerly right-of-way margin of Harris Houston Road, point also being a Southerly corner of lot as described in Deed Book 5926, Page 633; thence with the Westerly and Northerly lines of said lot the following three (3) courses and distances: 1) North 63 West 117.86 feet; 2) North 3 West 112.58 feet; 3) North 50-06-41 East 108.19 feet to a Northwest corner of Lot 65 as shown on recorded Map Book 22, Page 860; thence with the rear lot line of said lot North 19 degrees East 85.0 feet to a Northwest corner of Lot 64 as shown on recorded plat 22, Page 776; thence with the rear lot lines of Lot 64, 63, 62, 60, 59, 58, 57, 56, 55, 54, 53, 52 the following five (5) courses and distances: 1) North 19 East 131.40 feet; 2) North 32 East 225.0 feet; 3) North 22 East 405.0 feet; 4) North 55 East 185.0 feet; 5) South 34-45 East 170.0 feet to a point in the rear lot line of Lot 23 as shown on recorded Map Book 21, Page 860; thence with a rear line of said lot North 9-30 East 85.0 feet

to a Westerly corner of lot described as "Common Open Space" on said recorded Map Book 21, Page 860; thence with the Westerly line of said "Common Open Space" North 18-26-02 West 301.08 feet to a point in the centerline of Mallard Creek, said point also being a Northwesterly corner of said "Common Open Space"; thence with the Easterly line of said "Common Open Space" and the centerline of Mallard Creek the following ten (10) courses and distances: 1) South 80-45-02 East 173.08 feet; 2) South 50-46-11 East 47.41 feet; 3) South 71-03-12 East 139.45 feet; 4) South 60-42-50 East 66.60 feet; 5) South 52-47-28 East 182.87 feet; 6) South 60-29-50 East 181.99 feet; 7) South 52-02-11 East 125.28 feet; 8) South 61-13-56 East 70.23 feet; 9) North 81-25-15 East 82.84 feet; 10) North 63-38-56 East 78.13 feet to a point being a Northwesterly corner of lot as described in Deed Book 5715, Page 821 in the centerline of Mallard Creek; thence with the Northerly and Easterly line of said lot and with the centerline of Mallard Creek, the following eleven (11) courses and distances: 1) North 67-21-32 East 196.57 feet; 2) North 55-09-42 East 115.29 feet; 3) South 77-07-49 East 114.83 feet; 4) South 46-30-09 East 92.02 feet; 5) North 83-30-18 East 83.65 feet; 6) North 25-22-38 East 96.06 feet; 7) North 49-27-46 East 194.56 feet; 8) North 84-29-06 East 160.53 feet; 9) North 28-21-24 East 90.82 feet; thence leaving Mallard Creek 10) South 28-19-04 East 287.24 feet; 11) South 3-54-33 West 1,042.71 feet to a point being a Northeasterly corner of Lot F18 as shown on recorded Map Book 21, Page 505; thence with the rear lot lines of Lots F18, F19, and F20 of said recorded Map Book 21, Page 505 South 3-54-33 West 402.99 feet to a point being a Northern

corner of lot as described in Deed Book 5132, page 523; thence with the Northeasterly and Southeasterly line of said lot two (2) courses and distances as follows: 1) South 66-30 East 745.0 feet; 2) South 41 West 800.0 feet to the Northeasterly lot corner of Lot 47 as shown on recorded Map Book 21, Page 602; thence with the Easterly line of Lot 47 crossing Water Moss Lane and with the Easterly line of Lot 46 and Lot 33 of said recorded Map Book 21, Page 602 South 11-24-42 East 453.17 feet to a Northeasterly corner of Lot 32 as shown on recorded Map Book 21, Page 530; thence with the rear lot lines of Lots 32, 31, 30, 29, 28, 27, 26, 14, 13, 12, of said recorded Map Book 21, Page 530 the following three (3) courses and distances: 1) South 11-24-42 East 20.0 feet; 2) South 44-31-13 West 1,189.41 feet; 3) North 87-02-27 West 153.03 feet to a point in the rear line of Lot 9 as shown on recorded Map Book 21, Page 681; thence with a portion of the rear lot line of Lot 9, 10, 11, 12, 13 South 12-11-17 East 572.17 feet to a point in the rear lot line of Lot 48 as shown on recorded Map Book 22, Page 868; thence with the rear lot lines of Lots 48, 47, 46, 42, 41, 37, and across "possible thoroughfare" the following two (2) courses and distances: 1) South 86-37-44 East 578.36 feet; 2) South 2-01-20 West 806.91 feet to a Northeasterly corner of lot as described in Deed Book 5403, Page 810; thence with the Easterly line of said deed South 2-03-43 West approximately 310.0 feet to a point being the Northeasterly corner of lot as described in Deed Book 6346, Page 343; thence with the Northerly line of said deed North 88-18-27 West 209.49 feet to a point; said point being the Northwestern most corner of said property as described in said

deed; thence in a Southwesterly direction with the Westerly line of said Deed Book 6346, Page 343 having a bearing and distance of South 01-52-10 West approximately 303 feet to a point; said point being on the Southerly right-of-way margin of University City Boulevard (NC Hwy. 49); thence with the Southerly right-of-way margin of University City Boulevard (NC Hwy. 49) in a Westerly direction approximately 5,398 feet to a point where the Southerly right-of-way margin of University City Boulevard (NC Hwy. 49) intersects with the Easterly right-of-way margin of Back Creek Church Road; thence in a Southerly direction with the Easterly right-of-way margin of Back Creek Church Road approximately 100 feet to a point in the centerline of the Southern Railroad; thence in a Westerly direction with the centerline of Southern Railroad approximately 3,810 feet to the point or place of beginning.

ORDINANCE NO. 3496-X HEMBSTEAD/PROVIDENCE PLANTATION AREA

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS FOR THE CITY OF CHARLOTTE UNDER THE AUTHORITY GRANTED BY PART 3, ARTICLE 4A, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA.

WHEREAS, all of the prerequisites to adoption of this ordinance prescribed in Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina, have been met; and

WHEREAS, the City Council has taken into full consideration the statements presented at the public hearing held on the 12th day of November, 1992, on the question of this annexation; and

WHEREAS, the City Council has concluded and hereby declares that annexation of the area described herein is necessary to the orderly growth and development of the City of Charlotte.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina:

Section 1. That from and after the 30th day of June, 1993, the effective date of this annexation, the following territory shall be annexed to and become a part of the City of Charlotte, and the corporate limits of the City of Charlotte shall on said 30th day of June, 1993, be extended to include said territory more particularly described by metes and bounds set forth in Exhibit A, attached hereto and specifically incorporated as a part of this ordinance.

Section 2. That the City Council does hereby specifically find and declare that the above-described territory meets the requirements of G.S. 160A-48, in that:

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 (10.24 miles) of which 33,850 feet (6.41 miles) or more than sixty two percent (62.6%) coincides with the present City boundary.
- (3) No part of the area is included within the boundary of another incorporated municipality.

B. Except for the portion of the area described in Section 2(E) below, the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1) as follows:

The area qualifies for annexation under the standard 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 last federal decennial census for which such information is available) results in an estimated total resident population of 1,446, after allowing for a reasonable vacancy rate of 5%. This population, when divided by the total number of acres (705) results in a population density of 2.05 persons per acre.

C. Except for the portion of the area described in Section 2(E) below, the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(2) as follows:

The area qualifies 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 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 area has an estimated total population of 2.05 persons per acre. There are 460 dwelling units in the area, which when multiplied by the average household size (according to the last federal decennial census for which such information is available) results in an estimated total resident population of 1,446, after allowing for a reasonable vacancy rate of 5%. This population, when divided by the total number of acres (705), results in a population density of 2.05 per acre.

D. Except for the portion of the area described in Section 2(E) below, the area proposed to be annexed 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. The area qualifies for annexation under the standards set forth in G.S. 160A-48(c)(1), G.S. 160A-48(c)(2) and G.S. 160A-48(c)(3). 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, on at least sixty percent (60%) of its external boundary, to a combination of the present city boundary and the area developed for urban purposes as defined in Sections 2(B), 2(C) and 2(D) above. The aggregate boundary of the undeveloped area is 23,367 feet of which 19,169 feet or 82.0% coincides with the present city boundary and the developed area (see the Map of D-Land Connection, page 6 of the report described in Section 3 below.) This undeveloped area contains 232.979 acres.

F. In determining the population of the area, it has been assumed that up to five percent (5%) of the dwelling units in the area may be vacant. This assumption is not a finding that any of the dwelling units in the area are vacant in fact. The purpose of this assumption is to allow for possible application of the following factors: any dwelling unit(s) which may not be habitable, to the extent such a condition precludes the consideration of such dwelling unit(s) in determining the population of the area; errors, if any, as to the existence of one or more dwelling units; and other factors which may result in one or more dwelling units being vacant.

Section 3. That it is the purpose and intent of the City of Charlotte, to provide services to the area being annexed under this ordinance, as set forth in the report of plans for services approved by the City Council on the 12th day of October, 1992 and filed in the office of the Clerk for public inspection and as subsequently amended.

Section 4. That the City Council does hereby specifically find and declare that, on the effective date of annexation prescribed in Section 1 hereof, the City of Charlotte will have authority to issue bonds under the provisions of Sub-chapter IV of Chapter 159 of the General Statutes, if necessary, in an amount sufficient to finance the estimated costs of construction of any water and sewer facilities found necessary in the report of plans for services to extend the basic water and sewer system into the area to be annexed under this ordinance.

Section 5. That from and after the effective date of this annexation, the territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Charlotte, and shall be entitled to the same privileges and benefits as other parts of the City.

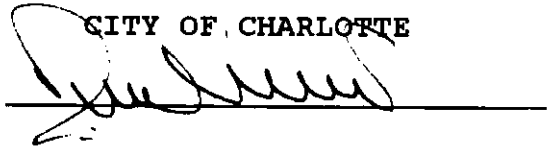
Section 6. That the newly annexed territory described hereinabove shall be subject to City taxes according to G.S. 160A-58.10.

Section 7. That the Mayor of the City of Charlotte shall cause an accurate map of the annexed territory described in Section 1, hereof, together with a duly certified copy of this ordinance, to be recorded in the office of the Register of Deeds of Mecklenburg County, and in the office of the Secretary of State in Raleigh.

Adopted this 25th day of January, 1993.

CITY OF CHARLOTTE

BY:



ATTEST:

Brenda R. Freese
City Clerk

Approved as to form:

H. Marshall Jr.
City Attorney

PROPOSED ANNEXATION AREA #3 FY 93

HEMBSTEAD/PROVIDENCE PLANTATION

Beginning at an angle point in the Northerly line of Lot 92 as shown on recorded Map Book 20, page 502 a bearing and distance of South 76-45 West 50.0 feet to a point; said point being the Northwesternly most corner of Lot 92 as shown on recorded Map Book 20, page 502; thence, in a Southerly direction following along the Westerly lot lines of Lot 92, 91, and 90 and the Westerly lot line of Lot 86, 85, and 84 as shown on recorded Map Book 20, page 502 as having a bearing and distance as follows: South 2-45 East 305.0 feet to a point; thence; South 9-45 East 403.12 feet to a point; thence South 7-57 West 40.0 feet to a point; said point being the Southwesterly corner of Lot 84 as shown on recorded Map Book 20, page 502; thence, in a Southerly direction following along the Westerly lot line of Lot 82 as shown on recorded Map Book 20, page 381 as having a bearing and distance of South 7-57 West 210.0 feet to a point; said point being the Southwest corner of lot 82 as shown on said recorded Map Book 20, page 381; thence in a Southwesterly direction crossing Briar Ridge Drive, approximately 54 feet to a point in the Southerly right-of-way margin of Briar Ridge Drive; thence, in a Southerly direction following along the Westerly lot line of Lot 7 as shown on said recorded Map Book 20, page 381 as having a bearing and distance of South 7-57 West 160.0 feet to a point; thence in an Easterly direction following along the Southerly lot line of Lots 7 through 4 and the Southerly lot line of Lot 3 as shown on recorded Map Book 20, page 381 as having

a bearing and distance of South 82-03 East approximately 385 feet to a point in the Southerly lot line of Lot 3 as shown on recorded Map Book 20, page 381; thence, in a Southerly direction following along a portion of the Westerly boundary line of lot as described in Deed Book 2393, page 186 as having a bearing and distance of South 4-20-40 West 531.30 feet to a point in the Westerly boundary line of lot as described in Deed Book 2393, page 186 (said line being a connecting line between a corner of lot as described in Deed Book 4056, page 781 (Tract 1) and a corner of lot as described in Deed Book 2393, page 186); thence in a Southerly direction South 5-43-16 West approximately 581 feet to a point; thence in a Westerly direction following along the Northerly boundary line of lot as described in Deed Book 4056, page 781 (Tract 1) as having a bearing and distance of South 71-15-10 West 295.57 feet; thence, continuing in a Westerly direction following along the Northerly boundary line of lot as described in said Deed Book 4056, page 781 (Tract 2) as having a bearing and distance of South 71-15-10 West 720.0 feet to a point; said point being the Northwest corner of lot as described in Deed Book 4056, page 781 (Tract 2); thence, in a Northwesterly direction following a line a portion of the Westerly line of lot as described in Deed Book 4441, page 161 as having a bearing and distance as follows: North 33-55-58 West 609.80 feet to a point, thence North 14-08-12 West 257.33 feet to a point; said point being in the Westerly boundary line of lot as described in said Deed Book 4441, page 161; thence, in a Southwesterly direction crossing Maynard Road and following along the Northerly lot line of Lots 35 and 36, Block E and the Northerly lot line of Lot 1, Block

G as shown on recorded Map Book 20, page 343 as having a bearing and distance of South 73-46-30 West 967.58 feet to a point; said point being the Northwesterly corner of Lot 1, Block G as shown on recorded Map Book 20, page 343; thence in a Northerly direction following along a portion of the Easterly lot line of Lot 8 Block G, and following along the Easterly and Northerly lot lines of lot 10 as shown on said recorded Map Book 20, page 342 as having a bearing and distance as follows: North 13-36-20 West 369.64 feet to a point; thence, South 89-27-15 West approximately 386 feet to a point; thence continuing in a Westerly direction crossing Plantation Road to a point 40 feet West of and normal to the centerline of Plantation Road; thence, in a Southerly direction following along a line 40 feet West of and parallel with the centerline of Plantation Road approximately 233 feet to a point; said point being located where a line 40 feet North of and parallel with the centerline of Cedar Bird Road intersects with a line 40 feet West of and parallel with the centerline of Plantation Road; thence, in a Westerly direction following a line 40 feet North of and parallel with the centerline of Cedar Bird Road approximately 73.0 feet to a point; said point being located 40 feet North of and normal to the centerline of Cedar Bird Road; thence, in a Southwesterly direction crossing Cedar Bird Road with a bearing and distance of South 24-30 West approximately 80.0 feet to a point; thence, in a Westerly direction following along a line 40 feet South of and parallel with the centerline of Cedar Bird Road approximately 234.0 feet to a point; said point being 40 feet South of and normal to the centerline of Cedar Bird Road; thence in a

Southerly direction following along the Westerly lot line of lots 1 through 5, Block H as shown on recorded Map Book 20, page 342 as having a bearing and distance as follows: South 02-00 East approximately 180 feet to a point; thence, South 07-30 East 245.0 feet to a point; thence, South 29-30 East 280.0 feet to a point; thence, South 77-27-10 East 267.33 feet to a point; thence, South 04-30 East approximately 275.0 feet crossing Houston's Branch Road to a point; thence, in an Easterly direction following along a line 40 feet South of and parallel with the Centerline of Houston's Branch Road 25.0 feet to a point; said point being located 40 feet South of and normal to Houston's Branch Road and being further described as lying in the Westerly lot line of Lot 8, Block F as shown on said recorded Map Book 20, page 342; thence, in a Southeasterly direction following along the Southwesterly lot line of lots 8 and 7, Block F as shown on said recorded Map Book 20, page 342 as having a bearing and distance as follows: South 04-30 East approximately 138.5 feet to a point; thence, South 48-45 East 185.31 feet to a point; thence, South 68-00 East 200.0 feet to a point; thence, South 83-27-50 East 165.0 feet to a point; said point being the Southeasterly corner of Lot 7, Block F as shown on recorded Map Book 20, page 342; thence, in a Southeasterly direction following along the Southerly lot line of Lot 6, Block F as shown on recorded Map Book 20, page 343 as having a bearing and distance of South 83-27-50 East 183.0 feet to a point; said point being the Southeasterly corner of Lot 6, Block F as shown on said recorded Map Book 20, page 343; thence, in a Southerly direction following along a portion of the Westerly lot line of Lot 5, Block

F as shown on said recorded Map Book 20, page 343, as having a bearing and distance of South 06-32-10 approximately 17 feet to a point; said point being 40 feet North of and normal to the centerline of Bluebell Lane and in the Westerly lot line of Lot 5, Block F as shown on recorded Map Book 20, page 343; thence, in an Easterly direction following along a line 40 feet North of and parallel with the centerline of Bluebell Lane approximately 354 feet to a point; said point being where a line 40 feet South or Southwest of and parallel with the centerline of Plantation Road intersects with a line 40 feet North of and parallel with the centerline of Bluebell Lane; thence, crossing Bluebell Lane and running in a Southeasterly direction following along a line 40 feet South or Southwest of and parallel with the centerline of Plantation Road approximately 155 feet to a point; said point being in the Northerly line of lot as described in Deed Book 2198, page 92, and also being located 40 feet South of and normal to the centerline of Plantation Road; thence, in a Southwesterly direction following along the Southerly boundary line of lot as described in Deed Book 2198, page 92 and the Southerly boundary line of lot as described in Deed Book 2046, page 477 as having a bearing and distance of South 62-45 West approximately 530 feet to a point; said point is a corner of a lot as described in Deed Book 2046, page 477; thence, in a Westerly direction following a portion of the Northerly lot line of Lot 5, Block A, the Northerly lot lines of Lots 4, 3, and 1, the Northerly and the rear lot line of Lot 3, Block D and along the rear lot lines of Lots 1 and 2, Block D, as shown on recorded Map Book 18, page 294 as having a bearing and

distance as follows: North 83-27-50 West approximately 510 feet to a point; thence, South 77-52-29 West 489.61 feet to a point; thence, crossing Houston Branch Road, North 83-30-00 West 370.02 feet to a point; thence, South 11-55-33 West 352.49 feet to a point; said point being the Northwesterly rear corner of Lot 1, Block D as shown on recorded Map Book 18, page 294, also being a point which connects the Southeast rear corner of Lot 3, Block 4-C as shown on recorded Map Book 17, page 367 with the Northwesterly rear corner of Lot 1, Block D as shown on recorded Map Book 18, page 294; thence in a Westerly direction approximately 550 feet to a point; thence, in a Northerly direction following along the rear lot line of Lots 3 and 4 Block 4-C as shown on recorded Map Book 17, page 367 as having a bearing and distance as follows: North 5-45 East 55.0 feet to a point; thence, North 41-45 West 45.0 feet to a point; thence, North 25-30 West 70 feet to a point; thence, North 62-15 West 65.0 feet to a point; said point being in the Northerly line of Lot 4, Block 4-C as shown on recorded Map Book 17, page 367; thence, in a Northerly direction following along the rear lot line of lot as described in Deed Book 4496, page 999 as having a bearing and distance as follows: North 7-15-00 West 290.0 feet to a point; thence, North 27-30 West 168.0 feet to a point; said point being the Northernmost corner of lot as described in Deed Book 4496, page 999; thence, in a Westerly direction following along the rear lot lines of Lots 6, 7, and 9, Block 4-C, the rear lot lines of Lots 1 and 2, Block 4-D, the rear lot line of a portion of Lot 3 and the rear line of lots 5 and 4 as shown on said recorded Map Book 17, page 367 as having a bearing and distance as follows:

North 27-30-00 West 212.0 feet, North 01-00 West 62.0 feet, South 40-57-48 West 527.09 feet, South 13-00 West 200.0 feet, North 73-15 West 215.81 feet, thence, with an arc of a circular curve to the left, having a radius of 198.65 feet, an arc distance of 39.46 feet to a point; thence, South 50-15-30 West 202.39 feet to a point in the centerline of Planter Ridge Road; thence, South 62-07-21 West 209.74 feet, South 54-15-00 West 206.30 feet, North 45-15 West 500.0 feet to a point; said point being the Northwest rear corner of Lot 5, Block 4-D as shown on recorded Map Book 17, page 367; thence in a Westerly direction following along the Northerly boundary line of a 5.98 acre recreation area as shown on an unrecorded map of Providence Plantation as follows: North 61-45-00 West 610.0 feet, South 56-27-35 West 166.95 feet to a point; said point being the Northeast rear corner of Lot 13, Block 3-B; thence, in a Westerly direction following along the rear lot lines of Lots 13 and 12, Block 3-B as shown on said recorded Map Book 15, page 481 as having a bearing and distance of North 37-30 West 433.85 feet to a point; said point being the Northwest rear corner of Lot 12 in Block 3-B as shown on recorded Map Book 15, page 481; thence in a Westerly direction following along the rear lot lines of Lots 11, 10, 9, 8 and 7, Block 3-B as shown on recorded Map Book 15, page 343 as having a bearing and distance as follows: North 27-30-00 West 270.0 feet, North 48-44-46 West 430.18 feet, South 76-22-00 West 600.0 feet to a point; said point being the Northwesterly rear corner of Lot 7 in Block 3-B as shown on recorded Map Book 15, page 343; thence, in a Northerly direction following along the rear lot lines of Lots 9, 10, and 11, Block 7 as shown on recorded Map Book

15, page 65 as having a bearing of North 6-22-00 West, a distance of 938.32 feet to a point; thence, in a Westerly direction following along the rear lot lines of Lots 12 and 13, Block 7 and in or near the centerline of Four Mile Creek as shown on said recorded Map Book 15, page 65 in six (6) courses as follows: 1) North 80-23-00 West 144.66 feet, 2) North 49-13-00 West 48.0 feet, 3) North 60-09-00 West 225.63 feet, 4) North 39-46-20 West 117.50 feet, 5) North 13-19-20 West 37.77 feet, 6) South 69-06-40 West 311.0 feet to a point; said point being in or near the centerline of Four Mile Creek, said point also being the Northwest rear corner of Lot 13, Block 7; thence, in a Southerly direction crossing Silver Fox Road and with the Westerly line of Lot 13, Block 7 and following along the rear lot lines of Lots 17, 16, 15, 14, and 13, Block 5, as shown on recorded Map Book 15, page 65 as having a bearing of South 6-25-10 East, a total distance of 1,387.54 feet to a point; said point being the Southwest rear corner of Lot 13, Block 5 as shown on recorded Map Book 15, page 65; thence, in a Southerly and/or Westerly direction following along the rear lot lines of Lots 12, 11, 10, 9, 8, 7, and 5, Block 5 as shown on recorded Map Book 14, page 537 as having a bearing and distance as follows: South 6-25-10 East 150.23 feet, South 38-35-30 West 86.0 feet, South 37-28-40 West 646.46 feet, North 71-33-10 West 275.0 feet to a point; said point being the Northwest rear corner of Lot 5, Block 5 as shown on recorded Map Book 14, page 537; thence, in a Westerly direction following along the rear lot lines of Lots 4, 3, 2 and 1, Block 5 as shown on said recorded Map Book 13 page 253 as having a bearing and distance as follows: North 71-33-10 West

to a point 40 feet East of and normal to the centerline of Providence Road (NC 16); thence in a Northerly direction following along the rear lot lines of Lots 7 and 8, Block 2 as shown on recorded Map Book 19, page 329 as having a bearing and distance of North 75-15-17 East 560.0 feet to a point; said point being the Southeast rear corner of Lot 8, Block 2 as shown on recorded Map Book 19, page 329; thence, in a Northerly direction following along a portion of the rear lot line of Lot 6, Block 4 and following along the rear lot lines of Lots 7, 8 and 9 as shown on recorded Map Book 19, page 330 as having a bearing and distance as follows: North 75-15-17 East 432.79 feet, South 76-30-23 East 66.41 feet, North 75-50-00 East 75.0 feet to a point; said point being the Southeast rear corner of Lot 9, Block 4 as shown on recorded Map Book 19, page 330; thence, in a Northerly direction following along the rear lot line of Lots 10, 11, 12, 13, 14, 15 and 16 in Block 4 as shown on recorded Map Book 19, page 578 as having a bearing and distance as follows: North 75-50-00 East 230.0 feet, North 14-10-00 West 55.0 feet, North 20-00-00 East 275.0 feet, North 14-54-18 East 246.83 feet, North 56-00-00 West 45.0 feet, North 0-13-34 East 291.87 feet to a point; said point being the Northeasterly rear corner of Lot 16, Block 4 as shown on recorded Map Book 19, page 578; thence, in a Westerly direction following the Easterly boundary line of lot as described in Deed Book 4275, page 575 in eight (8) courses as having a bearing and distance as follows: 1) North 16-00-00 West 125.0 feet, 2) North 47-12-08 West 151.91 feet, 3) North 42-50-41 West 161.89 feet, 4) North 26-29-51 West 321.94 feet, 5) North 50-16-26 West 60 feet, 6) North 24-03-00 West 201.19

feet, 7) North 20-06-32 West 276.96 feet, 8) North 44-43-05 West 372 feet to a point; said point being the Easterly boundary line of lot as described in Deed Book 4275, page 575; thence, in an Easterly direction with the Northerly right-of-way of Pineville Matthews Road approximately 3,189 feet to a point; said point being 50 feet North of and normal to the centerline of said road; thence, crossing Pineville-Matthews Road (NC Hwy. 51) to a point; said point being the intersection of the Easterly margin of Hugh Forest Drive 30 feet East of and normal to the centerline of said road and Southerly margin of Pineville-Matthews Road (NC Hwy. 51) 50 feet North of and normal to the centerline of said road; thence, in a Southerly direction following the Easterly margin of Hugh Forest Drive 30 feet East of and parallel with the centerline of said road approximately 1,500 feet to a point; said point being 30 feet East of and normal to the centerline of Hugh Forest Drive; thence, in an Easterly direction with the Northerly boundary of said property a bearing and distance of North 69-30-30 East approximately 60 feet to a point; said point being the Northeast corner of property as described in Deed Book 6581, page 160; thence, in a Southerly direction with the Easterly boundary of property as described in Deed Book 6581, page 160 as having a bearing and distance of South 5-33-14 East 444.84 feet to a point; said point being the Southeast corner of property as described in Deed Book 6581, page 160; thence, in an Easterly direction with the Northerly line of Lots 3, 4, 5, 6, 7 and 8 as shown on recorded Map Book 21 page 329 as having a bearing and distance of South 73-00-21 East 757.10 feet to a point; said point being an angle point in the Northerly line of

Lot 8 as shown on recorded Map Book 21, page 329; thence, in an Easterly direction following the Northerly boundary of Lots 8, 16, 17 and 18 as shown on recorded Map Book 21, page 329 as having a bearing and distance of South 85-33-23 East 609.45 feet to a point; said point being the Northeast corner of Lot 18 as shown on recorded Map Book 21, page 329; thence, in a Southerly direction following the Easterly boundary of Lots 18, 19, 20, 21, 25, 26 and 27 as shown on recorded Map Book 21 page 329 as having a bearing and distance as follows: South 52-56-20 East 10.12 feet to a point; thence, South 35-29-12 East 31.16 feet to a point; thence South 21-01-40 West 18.82 feet to a point; thence, South 49-25-26 East 31.72 feet to a point, thence South 35-41-38 West 51.13 feet to a point; thence, South 14-08-08 East 13.25 feet to a point; thence, South 79-22-53 East 9.87 feet to a point; thence North 79-19-34 East 31.41 feet to a point; thence, South 28-57-55 East 19.29 feet to a point; thence, South 15-38-37 West 33.18 feet to a point; thence, South 47-49-05 East 30.73 feet to a point; thence, South 00-29-22 East 55.01 feet to a point; thence, South 57-06-25 East 18.37 feet to a point; thence, South 28-16-04 West 38.85 feet to a point; thence, South 75-56-19 West 9.07 feet to a point; thence, South 3-11-06 East 35.90 feet to a point; thence, South 30-37-19 East 23.18 feet to a point; thence, South 63-30-50 West 31.87 feet to a point; thence, South 59-57-07 West 23.53 feet to a point; thence, South 2-18-40 East 41.51 feet to a point; thence, South 12-32-37 West 55.83 feet to a point; thence, South 8-45-57 East 43.47 feet to a point; thence, South 32-55-14 East 14.54 feet to a point; thence, South 17-02-50 West 21.53 feet to a point; thence, South 56-12-07 West

26.37 feet to a point; thence, South 1-29-08 West 56.04 feet to a point; thence South 15-08-05 East 83.98 feet to a point; thence, South 39-24-25 East 58.38 feet to a point; thence, South 8-58-46 West 121.85 feet to a point; thence, South 36-12-37 West 22.25 feet to a point; thence, North 7-19-18 West 30.33 feet to a point; thence, South 58-18-39 West 22.23 feet to a point; thence, South 19-41-55 West 18.23 feet to a point; thence, South 54-46-42 East 40.96 feet to a point; thence, South 1-12-55 East 31.70 feet to a point; thence, South 39-34-20 East 28.62 feet to a point; thence, South 5-22-06 East 25.71 feet to a point; thence, South 30-35-04 East 28.80 feet to a point; thence, South 14-52-50 West 11.14 feet to a point; thence, South 63-33-48 West 18.94 feet to a point; thence, South 26-13-20 West 14.19 feet to a point; thence, South 56-02-13 West 13.18 feet to a point; thence, South 12-16-30 East 23.21 feet to a point; thence, South 41-45-12 West 7.26 feet to a point; thence, South 38-33-45 East 11.67 feet to a point; thence, South 3-09-17 West 13.03 feet to a point; thence, South 31-29-48 East 18.31 feet to a point; thence, South 6-29-41 West 20.00 feet to a point; said point being the Southeast corner of property as shown on recorded Map Book 21, page 329 and the Southwest corner of property as described in Deed Book 5271, page 16 and also the centerline of a branch of Four Mile Creek; thence, in an Easterly direction with the Southerly boundary of property as described in Deed Book 5271, page 16 as having a bearing and distance as follows: North 82 East 841.50 feet to a point; thence, North 53-30 East 123.75 feet to a point; said point being the Northeast corner of property as described in Deed Book 5271, page 16 and the

centerline of Four Mile Creek; thence, in an Easterly direction with the Northerly boundary of property as described in Deed Book 5706, page 968 as having a bearing and distance as follows: South 27-14-46 East 31 feet to a point; thence, South 83-24-06 East 735.43 feet to a point; said point being the northerly corner of property as described in Deed Book 5706, page 968; thence, in a Northerly direction following the Westerly property line as described in Deed Book 5950, page 472 as having a bearing and distance as follows: North 19-20-08 West 266.23 feet to a point; thence, North 41-06-30 West 557.59 feet to a point; said point being the Northeast corner of property as described in Deed Book 5950, page 472 and the centerline of Four Mile Creek; thence, in an Easterly direction meandering with the centerline of Four Mile Creek approximately 1,840 feet to a point; said point being in the centerline of Four Mile Creek; thence, in a Southerly direction South 00-08-26 East approximately 130 feet to a point; said point being the Northeast corner of Lot 1 as shown on recorded Map Book 23, page 831; thence, in a Southerly direction following the easterly line of Lot 1 as shown on said recorded Map Book 23, page 831 as having a bearing and distance of South 00-08-26 East 217.25 feet to a point; said point being the Southeast corner of Lot 1 as shown on recorded Map Book 23 page 831; thence, in a Southerly direction crossing Grimmsborough Lane to a point; said point being the Northerly right-of-way margin of Grimmsborough Lane; thence, in a Southerly direction with the Easterly line of Lot 16 as shown on recorded Map Book 23, page 831 as having a bearing and distance of South 00-08-26 East 10.71 feet to a point; said point

being an angle point in the Easterly line of Lot 16 as shown on recorded Map Book 23, page 831; thence, in a Southeasterly direction following the Easterly lot line of lots 16, 13 and 12 as shown on said recorded Map Book 23, page 831 as having a bearing and distance of South 58-32-33 East 358.15 feet to a point; said point being the Easterly most corner of Lot 12 as shown on recorded Map Book 23, page 831; thence, in a Westerly direction following the Northeasterly lot line of Lot 12 as shown on recorded Map Book 23, page 831 as having a bearing and distance of South 49-04-49 West 107.20 feet to a point; said point being an angle point in the rear line of Lot 12 as shown on recorded Map Book 23, page 831; thence, in a Southerly direction following the Easterly lot line of Lots 12 and 11 as shown on recorded Map Book 23, page 831 as having a bearing and distance of South 16-09-11 East 219.75 feet to a point; said point being the Southeast corner of Lot 11 as shown on recorded Map Book 23, page 831; thence, in a Southerly direction with the Easterly lot line of lot 10 as shown on recorded Map Book 23, page 819 as having a bearing and distance of South 16-09-11 East 110.0 feet to a point; said point being the Southeasterly corner of Lot 10 as shown on recorded Map Book 23, page 819; thence, in a Northeasterly direction with the Northerly lot line of Lots 7 and 6 as shown on recorded Map Book 23, page 819 as having a bearing and distance of North 36-47-24 West 316.84 feet to a point; said point being an angle point in the Northerly most line of Lot 6 as shown on recorded Map Book 23, page 819; thence, in a Northeasterly direction following the Northerly line of Lot 6 as shown on recorded Map Book 23, page 819 as having a bearing and

distance of North 69-07-15 East 40.61 feet to a point; said point being the Northerly most corner of Lot 6 as shown on recorded Map Book 23, page 819; thence, in a Northeasterly direction along the Northerly lot line of Lots 18, 19 and 20 as shown on recorded Map Book 21, page 870 as having a bearing and distance of North 69-06-19 East 639.78 feet to a point; said point being the Northeast corner of Lot 20 as shown on recorded Map Book 21, page 870; thence, in a Northerly direction with the Westerly line of Lot 21 as shown on recorded Map Book 21, page 870 as having a bearing and distance of North 21-10-10 East 117.31 feet to a point; said point being the Northeast corner of Lot 21 as shown on recorded Map Book 21, page 870; thence, in a Southerly direction following the Easterly line of Lots 21, 22, 23 and 24 as shown on recorded Map Book 21, page 870 as having a bearing and distance of South 26-34-48 East 608.75 feet to a point; said point being an angle point in the East line of Lot 20, 20 feet from the Northeast corner of said lot as shown on recorded Map Book 21, page 870; thence, in a Southerly direction along the Easterly lot line of Lot 24 as shown on recorded Map Book 21, page 870 as having a bearing and distance of South 13-36-06 East approximately 650 feet to a point; said point being in the Easterly line of Lot 24 as shown on recorded Map Book 21, page 870; thence, in a Easterly direction following the Northerly property line of property as described in Deed Book 2107, page 610 as having a bearing and distance of North 74-44-22 East 986.08 feet to a point; said point being the Northeasterly most corner of property as described in Deed Book 2107, page 610; thence, in a Northerly direction following the Westerly lot line of

Lot 25 as shown on recorded Map Book 21, page 174 as having a bearing and distance of North 15-22-13 West 169 feet to a point; said point being the Northwesterly most corner of Lot 25 as shown on recorded Map Book 21, page 174; thence, continuing in a Northerly direction with the Westerly boundary of the Mecklenburg County Greenway as shown on recorded Map Book 21, page 174 as having a bearing and distance of North 15-22-13 West 368.84 feet to a point; said point being the Northwesterly corner of the Mecklenburg County Greenway as shown on said recorded Map Book 21, page 174; thence, in a Southeasterly direction having a bearing and distance of South 51-19-20 East 57.58 feet to a point; said point being in the Northerly boundary of the Mecklenburg County Greenway; thence, in an Easterly direction with the Northerly boundary of the Mecklenburg County Greenway as shown on said recorded Map Book 21, page 174 as having a bearing and distance of North 88-25-17 East 316.22 feet to a point; said point being an angle point in the Northerly boundary line of the Mecklenburg County Greenway as shown on said recorded Map Book 21, page 174; thence, in an Easterly direction with the Northerly boundary as shown on recorded Map Book 21, page 174 as having a bearing and distance of North 42-41-40 East 299.72 feet to a point; said point being in the line of the Mecklenburg County Greenway and also located North 45-41-22 West 135.74 feet from the corner of lot 46 as shown on recorded Map Book 21, page 239; thence, following the property line of the Mecklenburg County Greenway as shown on recorded Map Book 23, page 660 as having a bearing and distance as follows: North 24-55-32 West 193.82 feet to a point; thence, North 65-19-00 East 79.69 feet

to a point; thence, North 11-49-47 West 200.39 feet to a point; thence, North 34-46-59 East 209.90 feet to a point; thence, North 57-17-29 East 136.53 feet to a point; said point being the Northerly most corner of the Mecklenburg County Greenway and the Northeasterly corner of Lot 78 as shown on recorded Map Book 23, page 660; thence, in an Easterly direction following along the Northerly lot line of Lots 79, 80 and 81 as shown on recorded Map Book 21, page 405 as having a bearing and distance of North 76-01-21 East 389.27 feet to a point; said point being in the Northerly right-of-way of a public right-of-way and being the Easterly most corner of Lot 81 as shown on recorded Map Book 21, page 405; thence, in a Southeasterly direction crossing a public right-of-way and following along the Easterly lot line of Lots 120 through 125 as shown on recorded Map Book 21, page 405 as having a bearing and distance of South 38-07-40 East 667.10 feet to a point; said point being the Southeast most corner of Lot 125 as shown on recorded Map Book 21, page 405 said point also being the point and place of beginning.

ORDINANCE NO. 3497-X PROVIDENCE ROAD/PROVIDENCE ROAD WEST AREA

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS FOR THE CITY OF CHARLOTTE UNDER THE AUTHORITY GRANTED BY PART 3, ARTICLE 4A, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA.

WHEREAS, all of the prerequisites to adoption of this ordinance prescribed in Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina, have been met; and

WHEREAS, the City Council has taken into full consideration the statements presented at the public hearing held on the 12th day of November, 1992, on the question of this annexation; and

WHEREAS, the City Council has concluded and hereby declares that annexation of the area described herein is necessary to the orderly growth and development of the City of Charlotte.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina:

Section 1. That from and after the 30th day of June, 1993, the effective date of this annexation, the following territory shall be annexed to and become a part of the City of Charlotte, and the corporate limits of the City of Charlotte shall on said 30th day of June, 1993, be extended to include said territory more particularly described by metes and bounds set forth in Exhibit A, attached hereto and specifically incorporated as a part of this ordinance.

Section 2. That the City Council does hereby specifically find and declare that the above-described territory meets the requirements of G.S. 160A-48, in that:

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 36,450 feet (6.90 miles) of which 26,279 feet (4.98 miles) or more than seventy two percent (72.1) coincides with the present City boundary.

(3) No part of the area is included within the boundary of another incorporated municipality.

B. Except for the portion of the area described in Section 2(E) below, the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1) as follows:

The area qualifies for annexation under the standard 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 2.37 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 503 dwelling units in the area, which when multiplied by the average household size (according to the last federal decennial census for which such information is available) results in an estimated total resident population of 1,577, after allowing for a reasonable vacancy rate of 5%. This population, when divided by the total number of acres (666) results in a population density of 2.37 persons per acre.

C. Except for the portion of the area described in Section 2(E) below, the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(2) as follows:

The area qualifies 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 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 area has an estimated total population of 2.37 persons per acre. There are 503 dwelling units in the area, which when multiplied by the average household size (according to the last federal decennial census for which such information is available) results in an estimated total resident population of 1,577, after allowing for a reasonable vacancy rate of 5%. This population, when divided by the total number of acres (666), results in a population density of 2.37 per acre.

D. Except for the portion of the area described in Section 2(E) below, the area proposed to be annexed 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. The area qualifies for annexation under the standards set forth in G.S. 160A-48(c)(1), G.S. 160A-48(c)(2) and G.S. 160A-48(c)(3). 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, on at least sixty percent (60%) of its external boundary, to a combination of the present city boundary and the area developed for urban purposes as defined in Sections 2(B), 2(C) and 2(D) above. The aggregate boundary of the undeveloped area is 28,907 feet of which 28,907 feet or 100%, coincides with the present city boundary and the developed area (see the Map of D-Land Connection, page 6 of the report described in Section 3 below.) This undeveloped area contains 188.358 acres.

F. In determining the population of the area, it has been assumed that up to five percent (5%) of the dwelling units in the area may be vacant. This assumption is not a finding that any of the dwelling units in the area are vacant in fact. The purpose of this assumption is to allow for possible application of the following factors: any dwelling unit(s) which may not be habitable, to the extent such a condition precludes the consideration of such dwelling unit(s) in determining the population of the area; errors, if any, as to the existence of one or more dwelling units; and other factors which may result in one or more dwelling units being vacant.

Section 3. That it is the purpose and intent of the City of Charlotte, to provide services to the area being annexed under this ordinance, as set forth in the report for plans for services approved by the City Council on the 12th day of October, 1992 and filed in the office of the Clerk for public inspection and as subsequently amended.

Section 4. That the City Council does hereby specifically find and declare that, on the effective date of annexation prescribed in Section 1 hereof, the City of Charlotte will have authority to issue bonds under the provisions of Sub-chapter IV of Chapter 159 of the General Statutes, if necessary, in an amount sufficient to finance the estimated costs of construction of any water and sewer facilities found necessary in the report of plans for services to extend the basic water and sewer system into the area to be annexed under this ordinance.

Section 5. That from and after the effective date of this annexation, the territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Charlotte, and shall be entitled to the same privileges and benefits as other parts of the City.

Section 6. That the newly annexed territory described hereinabove shall be subject to City taxes according to G.S. 160A-58.10.

Section 7. That the Mayor of the City of Charlotte shall cause an accurate map of the annexed territory described in Section 1, hereof, together with a duly certified copy of this ordinance, to be recorded in the office of the Register of Deeds of Mecklenburg County, and in the office of the Secretary of State in Raleigh.

Adopted this 25th day of January, 1993.

CITY OF CHARLOTTE

By: 

ATTEST:


City Clerk

Approved as to form:


City Attorney

PROPOSED ANNEXATION AREA #4 FY93
PROVIDENCE ROAD/PROVIDENCE ROAD WEST

Beginning at a point where a line 40 feet West of and parallel with the centerline of Kuykendall Road (SR 3441), if extended intersects with a line 40 feet South of and parallel with the centerline of McKee Road (SR 3440); thence, in a Southwesterly direction following along a line 40 feet South of and parallel with the centerline of McKee Road (SR 3440) crossing Tilly Morris Road and continuing for a distance of 4,527 feet to a point; said point being the intersection of McKee Road (SR 3440) 40 feet South of and normal to the centerline of said road and Tilly Morris Road; thence in a westerly direction following along a line 40 feet South of and parallel with the centerline of McKee Road (SR 3440) approximately 2,133 feet to a point; said point being the intersection of Providence Road West (SR 3626), 40 feet South of and normal to the centerline of said road, and the centerline of Providence Road (NC Highway 16) 40 feet South of and normal to the centerline of Providence Road West (SR 3626) and McKee Road (SR 3440) 40 feet south of and normal to the centerline of said road; thence, in a Westerly direction following a line 40 feet South of and parallel with the centerline of Providence Road West (SR 3626) approximately 2,982 feet to a point; said point being located 40 feet South of and normal to the centerline of Providence Road West (SR 3626); thence, crossing Providence Road West (SR 3626) and continuing in a Northeast direction following along the Easterly lot line of Lot

3 as shown on said recorded Map Book 4, page 281 as having a bearing of North 3-00 East approximately 2,358 feet to a point; said point being the Northeast corner of Lot 3; thence, in a Southwesterly direction following along the Northerly lot line of Lot 3 as shown on said recorded Map Book 4, page 281 as having a bearing and distance of South 88-45 West 1,450 feet to a point, said point being the Northwest corner of Lot 3 as shown on recorded Map Book 4, page 281; thence, in a Northwesterly direction following along the Northerly lot line of Lot 23 as shown on recorded Map Book 6, page 893 as having a bearing of North 87-09 West approximately 80 feet to a point in the Northerly lot line of Lot 23 as shown on recorded Map Book 6, page 893; thence, in a Northerly direction following along the Easterly lot line of lot as described in said Deed Book 4341, page 918 as having a bearing and distance as follows: North 12-03-10 West 131.13 feet, North 2-40-23 East 530 feet to a point; said point being the Northeast corner of lot as described in said Deed Book 4341, page 918; thence, in a Westerly direction following along the Northerly lot line of lot as described in said Deed Book 4341, page 918 as having a bearing and distance as follows: South 72-26-50 West 55.90 feet, North 89-48-55 West 393.82 feet, North 33-49 West 62.89 feet, North 14-41-20 West 44.81 feet, South 89-17-40 West 29.47 feet, North 75-28-40 West 61.99 feet, North 67-23-35 West 81.04 feet, South 83-07-50 West 56.14 feet, South 56-01-20 West 66.30 feet, South 69-37-10 West 83.68 feet, South 74-26-00 West 55.0 feet, North 63-01-40 West 55.28 feet to a point; said point being a corner of lot as described in Deed Book 4341, page 918; thence, in a Northerly

direction following along the rear lot lines of lots 55, 52, 51 and 50 Block A as shown on said recorded Map Book 19, page 421 as having a bearing and distance as follows: North 40-45-20 West 30.22 feet, North 15-50-00 East 70.0 feet, North 49-33-10 East 216.56 feet, North 27-16-10 East 166.70 feet, North 2-38-20 East 148.23 feet to a point; said point being the Northeast rear corner of Lot 50, Block A as shown on recorded Map Book 19, page 421; thence, in a northerly direction following along the rear lot line of Lots 44, 43, 42, 34, 33, 32, and 31, Block A as shown on recorded Map Book 19, page 422 as having a bearing and distance as follows: North 2-38-20 East 45.03 feet, North 52-30-00 East 292.13 feet, North 1-15-00 West 245.0 feet, North 7-10-00 West 255.0 feet, North 52-40-43 West 285.0 feet, North 37-19-17 West 510.0 feet to a point; said point being the Northern most corner of Lot 31, Block A as shown on recorded Map Book 19, page 422; thence, in an Easterly direction following along the Southerly line of a tract of land designated as Common Area-Open Space as shown on recorded Map Book 18, page 90 in thirteen (13) courses as follows: 1) North 83-06-50 East 48.86 feet, 2) South 19-54-10 East 63.07 feet, 3) South 75-10-00 East 245.0 feet, 4) South 68-30 East 378.0 feet, 5) South 77-45 East 102.0 feet, 6) South 63-30 East 190.0 feet, 7) North 63-00 East 69.0 feet, 8) South 62-00 East 65.0 feet, 9) North 49-00 East 85.0 feet, 10) South 68-15 East 88.0 feet, 11) North 56-00 East 65.0 feet, 12) South 66-00 East 186.0 feet, 13) North 54-30 East 192.0 feet to a point; said point being the Southeast corner of a tract of land designated as Common Area-Open Space as shown on recorded Map Book 18, page 90; thence continuing in an Easterly direction

following along the Southerly line of said tract of land designated as Common Area-Open Space as shown on recorded Map Book 18, page 93 in eight (8) courses as follows: 1) North 65-15-10 East 444.25 feet, 2) South 40-23-20 East 167.0 feet, 3) North 88-10 East 45.0 feet, 4) North 71-30 East 97.0 feet, 5) North 17-50 East 117.0 feet, 6) South 64-30-00 East 133.0 feet, 7) North 34-30-00 East 79.0 feet, 8) North 51-15-00 East 66.22 feet to a point; said point being the Southeast corner of a tract of land designated as Common Area-Open Space as shown on recorded Map Book 18, page 93; thence, continuing in an Easterly direction following along the Southerly line of said tract of land designated as Common Area-Open Space as shown on recorded Map Book 18, page 105 in seven (7) courses as follows: 1) North 51-15-00 East 178.78 feet, 2) South 71-25-51 East 68.0 feet, 3) South 56-30 East 63.62 feet, 4) North 76-30-00 East 143.52 feet, 5) South 84-00 East 89.0 feet, 6) South 21-30 East 67.0 feet, 7) South 64-30-00 East 122.0 feet to a point; said point being the Southeast corner of a tract of land designated as Common Area-Open Space as shown on recorded Map Book 18, page 105; thence continuing in an Easterly direction following along the Southerly lot lines of lot as described in said Deed Book 3135, page 483 in eight (8) courses as follows: 1) South 18-02-30 East 88.0 feet, 2) South 83-34 East 246.05 feet, 3) North 88-51-20 East 124.28 feet, 4) South 75-07-40 East 402.32 feet, 5) South 48-41-30 East 206.03 feet, 6) South 40-01-20 East 130.71 feet, 7) North 30-45 East 332.0 feet, crossing the Westerly right-of-way margin of Providence Road to a point, 8) South 71-30 East 146.79 feet to a point; said point being the Southeast corner of lot as described in Deed Book 3135,

page 483; thence, in an Easterly direction approximately 30 feet to a point in the centerline of Providence Road (NC 16) to a point in the Easterly right-of-way margin of Providence Road (NC 16) thence crossing Loma Linda Lane; thence in an Easterly direction following along a line 40 feet South of and parallel with the centerline of Country Lane approximately 2,680 feet to a point; said point being the Southeasterly corner of lot as described in Deed Book 2749, page 247, said point also being 40 feet South of and normal to the centerline of Country Lane; thence, in a Southwesterly direction following along the Easterly lot line of lot as described in said Deed Book 2749, page 243, as having a bearing and distance of South 5-23-30 West 159.76 feet to a point; said point being the Southeasterly corner of lot as described in Deed Book 2749, page 243; thence, in a Southeasterly direction following along the Southerly lot line of lot as described in Deed Book 4990, page 288 as having a bearing and distance of South 68-51-20 East 400.05 feet to a point, said point being the Southeasterly corner of lot as described in Deed Book 4990, page 288; thence, in an Easterly direction following along the Southeasterly lot line of lot as described in said Deed Book 4693, page 356 as having a bearing and distance as follows: South 68-43 East 50 feet to a point; thence, North 8-38 East 80.3 feet to a point; thence North 57-46 East 231.45 feet to a point; thence, North 44-40 East 289.1 feet to a point; said point being the Southeasterly corner of lot as described in Deed Book 4693, page 356; thence along the Westerly lot line of Lot 11, Block B as shown on said recorded Map Book 19, page 382 as having a bearing and distance of South 40-44-00 East

1,230.32 feet, crossing Linden Forest Lane and continuing in a Southeasterly direction following along the Westerly lot line of Lots 5 through 8, Block C to a point, said point being the southeasterly corner of Lot 8, Block C as shown on said recorded Map Book 19, page 382; thence, in a Southeasterly direction following along the Westerly lot line of Lots 9 through 16, Block C as shown on recorded Map Book 20, page 425 as having a bearing and distance as follows: South 40-44-00 East 249.28 feet to a point; thence, South 40-48-10 East 855.0 feet to a point; thence, in an Easterly direction following along the Southerly lot lines of Lot 20, Block A and Lot 16, Block C as shown on said recorded Map Book 20, page 425 as having a bearing and distance of North 66-22-36 East 330.38 feet to a point; thence in a Northwesterly direction following along the Easterly lot lines of Lots 20 through 15, Block A as shown on said recorded Map Book 20, page 425 as having a bearing and distance of North 12-00-10 West 1,021.32 feet to a point; thence in a Westerly direction following along a portion of the Northerly lot line of Lot 15, Block A as shown on said recorded Map Book 20, page 425 as having a bearing and distance of South 70-39-30 West 262.69 feet to a point; thence, in a Northwesterly direction following along the Easterly lot line of lot 14, Block A as shown on recorded Map Book 20, page 425, as having a bearing and distance of North 12-24-30 West 85.0 feet to a point; said point being the Northeasterly corner of Lot 14, Block A as shown on recorded Map Book 20, page 425; thence, in a Northwesterly direction following along a portion of the Easterly lot lines of Lots 13 through 7, Block A as shown on said recorded Map Book 19,

page 382, North 12-24-30 West 749.88 feet to a point; thence in a Southwesterly direction following along a portion of the Northerly lot line of Lot 6, Block A as shown on recorded Map Book 19, page 382, South 70-45-30 West 90.87 feet to a point; thence, running in a Northerly direction following along a portion of the Easterly lot line of Lot 6, Block A and along the Easterly lot lines of Lots 5, 4, 3 and 1, Block A as shown on recorded Map Book 19, page 382 as having a bearing and distance as follows: North 12-22-45 West 481.03 feet to a point; thence, North 7-48-00 East approximately 316.0 feet to a point; said point being located in the Easterly lot line of Lot 1, Block A , said point also being located 40 feet South of and normal to the centerline of Kuykendall Road (SR 3441); thence, in a Southeasterly direction crossing McKee Road (SR 3440) and following a line 40 feet West and/or South of and parallel with the centerline of Kuykendall Road (SR 3441) approximately 993.0 feet to the place and point of beginning.

ORDINANCE NO. 3498-X ELM LANE WEST/PROVIDENCE ROAD WEST AREA

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS FOR THE CITY OF CHARLOTTE UNDER THE AUTHORITY GRANTED BY PART 3, ARTICLE 4A, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA.

WHEREAS, all of the prerequisites to adoption of this ordinance prescribed in Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina, have been met; and

WHEREAS, the City Council has taken into full consideration the statements presented at the public hearing held on the 12th day of November, 1992, on the question of this annexation; and

WHEREAS, the City Council has concluded and hereby declares that annexation of the area described herein is necessary to the orderly growth and development of the City of Charlotte.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina:

Section 1. That from and after the 30th day of June, 1993, the effective date of this annexation, the following territory shall be annexed to and become a part of the City of Charlotte, and the corporate limits of the City of Charlotte shall on said 30th day of June, 1993, be extended to include said territory more particularly described by metes and bounds set forth in Exhibit A, attached hereto and specifically incorporated as a part of this ordinance.

Section 2. That the City Council does hereby specifically find and declare that the above-described territory meets the requirements of G.S. 160A-48, in that:

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 66,745 feet (12.64 miles) of which 31,007 feet (5.87 miles) or more than forty six percent (46.5%) coincides with the present City boundary.

(3) No part of the area is included within the boundary of another incorporated municipality.

B. Except for the portion of the area described in Section 2(C) below, the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(3) as follows:

There are a total number of 1,830 lots and tracts within the area, and of the number 1,241 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, 1,258 acres remain. Of that acreage, 915 acres or 72.7% are in lots or tracts five acres or less in size.

C. The area qualifies for annexation under the standards set forth in 160A-48(c)(3). 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, on at least sixty percent (60%) of its external boundary, to a combination of the present city boundary and the area developed for urban purposes as defined in Section 2(B) above. The aggregate boundary of the undeveloped area is 34,523 feet of which 34,523 feet or 100%, coincides with the present city boundary and the developed area (see the Map, page 6 of the report described in Section 3 below.) This undeveloped area contains 350.035 acres.

Section 3. That it is the purpose and intent of the City of Charlotte, to provide services to the area being annexed under this ordinance, as set forth in the report of plans for services approved by the City Council on the 12th day of October, 1992 and filed in the office of the Clerk for public inspection and as subsequently amended.

Section 4. That the City Council does hereby specifically find and declare that, on the effective date of annexation prescribed in Section 1 hereof, the City of Charlotte will have authority to issue bonds under the provisions of Sub-chapter IV of Chapter 159 of the General Statutes, if necessary, in an amount sufficient to finance the estimated costs of construction of any water and sewer facilities found necessary in the report of plans for services to extend the basic water and sewer system into the area to be annexed under this ordinance.

Section 5. That from and after the effective date of this annexation, the territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Charlotte, and shall be entitled to the same privileges and benefits as other parts of the City.

Section 6. That the newly annexed territory described hereinabove shall be subject to City taxes according to G.S. 160A-58.10.

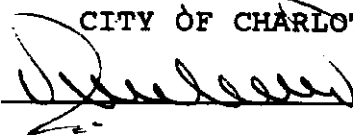
Section 7. That the Mayor of the City of Charlotte shall cause an accurate map of the annexed territory described in Section 1, hereof, together with a duly certified copy of this ordinance, to be recorded in the office of the Register of Deeds of

Mecklenburg County, and in the office of the Secretary of State
in Raleigh.

Adopted this 25th day of June, 1993.

CITY OF CHARLOTTE

By:



ATTEST:

Brenda R. Freese
City Clerk

Approved as to form:

H. Mural Jr
City Attorney

PROPOSED ANNEXATION AREA #5 FY 93

ELM LANE/PROVIDENCE ROAD WEST

Beginning at a point in the present Charlotte City Limit line, said point being located 40 feet South of and normal to the centerline of Providence Road West, said point also being on the Northerly boundary of property as described in Deed Book 2840, Page 122, approximately 490 feet from the Northeast most corner of said property; thence from said point of beginning in a Southwesterly direction following along a line 40 feet South of and parallel with the centerline of Providence Road West approximately 1,172 feet to a point; said point being located in the Easterly boundary line of Lot 1, Block 1 as shown on recorded Map Book 20, Page 638; thence, in a Southwesterly direction following along the Easterly lot line of Lots 1 through 8 and a portion of Lot 9, Block 1 as shown on said recorded Map Book 20, page 638 having a bearing and distance of South 13-44-52 West approximately 797 feet to a point; said point being an angle point of Lot 9 as shown on said recorded Map Book 20, Page 638; thence, in a Southeasterly direction following along the Easterly lot line of a portion of Lot 9 and Lots 10 through 13, Block 1 having a bearing and distance of South 19-19-10 East 353.13 feet to a point; said point being the Northeast most corner of Lot 14 as shown on recorded Map Book 20, Page 755; thence, in a Southeasterly direction following along the Easterly lot line of Lots 14 through 25, Block 1 having a bearing and distance of South 19-19-10 East 1003.14 feet to a point; said point being the Northeast most corner of Lot 26 as shown on recorded Map

Book 21, Page 9; thence, in a Southeasterly direction following along the Easterly lot line of Lots 26, 31, 1, 5, 6, 7, 8, 9 and 10, Block 3 and crossing Wild Azalea Lane as shown on said recorded Map Book 21, Page 9 having a bearing and distance of South 19-19-10 East 1116.73 feet to a point; said point being the Southeast most corner of Lot 10, Block 3 as shown on said recorded map; thence, in a Southwesterly direction following along the Southerly lot lines of Lot 10 with the following bearings and distances: South 66-53-34 W 91.33 feet to a point; thence South 31-27-09 West 55.69 feet to a point; South 38-21-25 West 51.46 feet to a point; South 10-22-26 West 48.97 feet to a point; North 76-40 West 30.04 feet to a point; North 32-41-55 West 139.93 feet to a point; said point being the Southeast most corner of Lot 11, Block 3 as shown on said recorded map; thence, in a Southwesterly direction following along the Southerly lot line of Lot 11, Block 3 having a bearing and distance of South 85-57-03 West 189.23 feet to a point; said point being the Northeast most corner of property as described in Deed Book 6655, Page 709; thence, in a Southwesterly direction following along the Southerly property line of said deed having a bearing and distance of South 85-58-44 West approximately 827 feet to a point; said point being the Southeast most corner of Lot 67, Block 6 as shown on recorded Map Book 24, Page 541; thence, in a Southwesterly direction following along the Southerly lot line of Lots 67, 66, 64, 63 and 62, Block 6 having a bearing and distance of South 85-58-44 West 626.62 feet to a point; said point being the Southeast most corner of Lot 61, Block 6 as shown on recorded Map Book 24, Page 592; thence, in a Southwesterly direction following along the

Southerly lot lines of Lots 61 through 59 and a portion of Lot 58, Block 6 having a bearing and distance of South 85-58-44 West 356.53 feet to a point; said point being an angle point on the Southerly lot line of Lot 58, Block 6 as shown on said recorded Map Book 24 Page 592; thence, in a Southwesterly direction following along the Southerly lot line of a portion of Lot 58 and Lots 57, 56 and a portion of Lot 55, Block 6 having a bearing and distance of South 88-15-23 West 239.03 feet to a point; said point being an angle point on the Southerly lot line of Lot 55, Block 6 as shown on said recorded map; thence, in a Northwesterly direction following along the Southerly lot line of a portion of Lot 55 and Lots 54 through 52, Block 6 having a bearing and distance of North 72-28-50 West 385.77 feet to a point; said point being the Southeast most corner of Lot 16, Block 6 as shown on recorded Map Book 21 Page 385; thence, in a Northwesterly direction following along the Southerly lot line of Lot 16 and a portion of Lot 15, Block 6 having a bearing and distance of North 72-26-39 West 210.0 feet to a point; said point being an angle point on the Southerly lot line of Lot 15 on said recorded map; thence, in a Northwesterly direction following along the Southerly lot line of a portion of Lot 15 and Lots 14, 13 and 1, Block 6 North 72-21-49 West 534.81 feet to a point in the Easterly right-of-way of Green Cane Drive; thence, crossing Green Cane Drive North 72-21-49 West 60.0 feet to a point in the Westerly right-of-way; said point being the Southeast most corner of Lot 25, Block 5 as shown on said recorded map; thence continuing along the Southerly lot lines of Lot 25 and a portion of Lot 24, Block 5 as shown on Map Book 21, Page 385 North 72-21-49

West 220.01 feet to a point; said point being an angle point on the Southerly lot line of Lot 24, Block 5 on said recorded map; thence, in a Northwesterly direction following along the Southerly lot line of a portion of Lot 24 and Lots 23 through 17, Block 5 having a bearing and distance of North 72-56-04 West 926.65 feet to a point in the Southerly right-of-way of Providence Road West; thence crossing Providence Road West to a point in the Northerly right-of-way; said point being the Westerly most corner of property as described in Deed Book 5294, Page 211 and also the Southerly most corner of property as described in Deed Book 4665, Page 252; thence, in a Northeasterly direction following the right-of-way of Providence Road West 475.53 feet to a point; said point being the Southeast most corner of Lot 1 as shown on recorded Map Book 24, Page 479; thence, in a Northwesterly direction following along the Southerly lot line of Lots 1 through 5 having a bearing and distance of North 64-10-32 West 435.44 feet to a point; said point being the Southeast most corner of property dedicated to proposed Rea Road Extension as shown on said recorded Map Book 24, Page 479; thence, in a Northwesterly direction with said property having a bearing and distance of North 64-10-32 West 110.69 feet to a point in the Westerly right-of-way of proposed Rea Road Extension; said point being the Southeast most corner of property dedicated to the Home Owners Association as shown on recorded Map Book 24, Page 479; thence, in a Northwesterly direction following along the Southerly property line of said property having a bearing and distance of North 64-10-32 West 78.56 feet to a point; said point being the Southwest most corner of said lot; thence, in a northeasterly

direction with a bearing and distance of North 38-15-40 East 115.72 feet to a point; said point being the Northwest most corner of property dedicated to proposed Rea Road Extension as shown on said recorded map; thence, in a Northeasterly direction having a bearing and distance of North 38-15-40 East 163.05 feet crossing proposed Rea Road Extension to a point; said point being on the Easterly right-of-way of proposed Rea Road Extension; thence, in a Northerly direction following along the Easterly right-of-way of proposed Rea Road Extension approximately 547.4 feet to a point; said point being at the Southeast most intersection of the right-of-ways of proposed Providence Road Extension and proposed Rea Road Extension; thence, in an Easterly direction following along the Southerly right-of-way of Providence Road Extension having a bearing and distance of North 75-05-00 East 366.12 feet to a point; said point being the Northeast most corner of property as described in Deed Book 4727, Page 867; thence, in a Southerly direction following along the Easterly boundary of said property having a bearing and distance of South 55-58-00 East 110.17 feet to a point; said point being the Northeast most corner of Lot 26 as shown on recorded Map Book 24, Page 480, thence, in a Southeasterly direction following along the Easterly lot line of Lot 26 having a bearing and distance of South 55-59-02 East 214.90 feet to a point; said point being an angle point on the Westerly lot line of Lot 27 on said map; thence continuing on the Westerly lot line of Lot 27 having a bearing and distance of North 33-59-21 East 50.01 feet to a point; said point being the northern most point of Lot 27 as shown on said recorded Map Book 24, page 480; thence, in a Southeasterly direction

following along the Northerly lot line of Lots 27 through 31 having a bearing and distance of South 55-57-12 East 490.33 feet to a point on the Westerly right-of-way of Providence Road West; thence, in a Northeasterly direction along the right-of-way of Providence Road West North 34-20-00 East 200.15 feet to a point; said point being the Southwest most corner of property as described in Deed Book 3988, Page 546; thence, in a Westerly direction with the Southerly boundary of said property having a bearing and distance of North 55-59-30 West approximately 491 feet to a point; said point being the Northwest most corner of said property; thence, in a Northerly direction with the westerly boundary of said property having a bearing and distance of North 33-53-30 East 125.0 feet to a point; said point being the Southwest most corner of property as described in Deed Book 4750, Page 99 and also a Northeasterly corner of property as described in Deed Book 5662, Page 589; thence, in a Northwesterly direction following along the Easterly boundary of property as described in Deed Book 5662, Page 589 having a bearing and distance of North 54-05-51 West 463.22 feet to a point; said point being the Westerly most corner of property as described in Deed Book 4750, Page 99 and also a corner in the Easterly line of property as described in Deed Book 5662, Page 589; thence, in a Northerly direction following along the Easterly boundary as described in Deed Book 5662, Page 589 with the following bearings and distances: North 38-31-30 East 342.06 feet to a point; thence North 53-47-22 East 315.16 feet to a point; said point being the Southwest most corner of Lot 52 as shown on recorded Map Book 22, Page 92; thence, in a Northwesterly direction

following along the Southerly lot line of Lots 52, 42 and 41 as shown on said recorded Map Book 22, Page 92 having a bearing and distance of North 59-32-57 West 323.51 feet to a point; said point being an angle point on the Southerly lot line of Lot 41 as shown on said recorded map; thence, in a Northwesterly direction following along the Westerly Lot line of a portion of Lot 41 and a portion of Lot 40 having two bearings and distances as follows: North 20-36-22 West 111.24 feet to a point; North 01-34-48 West 173.09 feet to a point; said point being the Southwesterly most corner of Lot 40 as shown on said recorded map; thence, in a Northerly direction following along the Westerly lot line of a portion of Lot 40 and Lots 39 through 35 with the following bearings and distances: North 32-50-22 East 269.06 feet to a point; thence, North 22-09-22 East 193.81 feet to a point; thence, North 03-48-22 East 155.92 feet to a point; thence, North 02-49-09 West 48.23 feet to a point; said point being the Northwest most corner of Lot 35 as shown on said recorded Map Book 22, Page 92, said point also being on the Southerly right-of-way of the proposed Outer Loop as shown on said map; thence, in a Westerly direction following along the Southerly right-of-way of proposed Outer Loop crossing a proposed public right-of-way of Rea Road Extension approximately 3,350 feet to a point; said point being on the Easterly right-of-way of Elm Lane West; thence, in a Southerly direction following along the Easterly right-of-way of Elm Lane West having an approximate distance of 1,306 feet to a point; said point being located at the intersection of the said right-of-way with the Southerly boundary line as described in Deed Book 3799,

Page 764 if extended; thence crossing said road in a Southwesterly direction along the Southerly boundary line as described in Deed Book 3799, Page 764 if extended to a point; said point being on the Southerly boundary of said property in the Westerly right-of-way of Elm Lane West; said point being the Northeast most corner of said property; thence continuing in a Southwesterly direction following along the Southerly boundary having a bearing and distance of South 37-23-30 West approximately 626 feet to a point; said point being the Northeast most corner of Lot 33, Block 2 as shown on recorded Map Book 23, Page 612; thence, in a Southwesterly direction following along the Easterly lot lines of Lots 33, 32, 21, 20, 18 and 17, Block 2 having a bearing and distance of South 37-15-37 West 1,033.19 feet to a point; said point being the Southerly most corner of Lot 17, Block 2 as shown on said recorded map; thence, in a Northwesterly direction following along the Southerly lot line of Lots 17, 16, and 13 through 10, Block 2 having a bearing and distance of North 35-34-13 West 688.30 feet to a point; said point being the Southeast most corner of Lot 9, Block 2 as shown on recorded Map Book 23, Page 578; thence, in a Northerly direction following along the Southerly lot line of Lots 9 and a portion of Lot 8, Block 2 having a bearing and distance of North 35-34-13 West 152.82 feet to a point; said point being an angle point on the Southerly lot line of Lot 8, Block 2 as shown on said recorded map; thence, in a Westerly direction following along the Southerly lot line of a portion of Lot 8, Block 2 having a bearing and distance of South 84-42-53 West 68.18 feet to a point; said point being the Southeast most corner of Thornhill Amenity Area as shown on

recorded Map Book 24, Page 536; thence, in a Westerly direction following along the Southerly lot line of said Thornhill Amenity Area having a bearing and distance of South 84-42-53 West 213.58 feet to a point; said point being the Southeast most corner of Lot 13, Block 3 as shown on said recorded map; thence, in a Westerly direction following along the Southerly lot lines of Lots 13 through 18, Block 3 having a bearing and distance of South 84-42-53 West 634.96 feet to a point; said point being the Southwest most corner of Lot 18, Block 3 as shown on said recorded map; thence continuing with the Westerly lot line of Lot 18, Block 3 in a Northerly direction as shown on said recorded Map Book 24, Page 536 having a bearing and distance of North 05-17-07 West 194.39 feet to a point on the Southwesterly right-of-way of Thornhill Club Drive; said point being the Northwest most corner of Lot 18, Block 3 as shown on said recorded map; thence, in a Northwesterly direction following along the Southwesterly right-of-way of Thornhill Club Drive having an approximate distance of 542 feet to a point; said point being on the Southerly right-of-way of Elmstone Drive; thence, in a Northwesterly direction following along the Southerly right-of-way of Elmstone Drive with an approximate distance of 195 feet to a point; said point being the Northeast most corner of Lot 1, Block 4 as shown on recorded Map Book 23, page 878; thence, in a Southerly direction following along the Easterly lot line of Lot 1, Block 4 as shown on said recorded map having a bearing and distance of South 25-56-01 West 146.69 feet to a point; said point being the Southeast most corner of Lot 1, Block 4 as shown on said recorded Map Book 23, Page 878; thence, in a Westerly direction

following the rear lot lines of Lots 1 through 12, Block 4, with the following bearings and distances: North 68-29-05 West 158.43 feet; North 69-58-38 West 149.09 feet; North 73-55-08 West 77.73 feet; North 77-37-45 West 156.56 feet; North 87-46-33 West 154.42 feet; South 85-52-50 West 235.28 feet to a point; said point being the Southwest most corner of Lot 12, Block 4, as shown on said recorded Map Book 23, Page 878; thence, in a Northerly direction with the Westerly lot line of Lot 12, Block 4, as shown on said recorded map having a bearing and distance of North 12-02-43 West 134.06 feet to a point on the Southerly right-of-way of Elmstone Drive; said point being the Northwest most corner of Lot 12, Block 4, as shown on said recorded map; thence, in a Westerly direction with the right-of-way of Elmstone Drive having an approximate distance of 14 feet to a point as shown as the terminus of said road on said recorded map; thence, in a Northerly direction with the Westerly end of said road having a bearing and distance of North 12-39-08 West 60 feet to a point on the Northerly right-of-way of Elmstone Drive; said point being the Southwest most corner of Lot 58, Block 5, as shown on said recorded Map Book 23, Page 878; thence, in a Northerly direction following along the Westerly lot line of Lot 58, Block 5, as shown on said recorded map having a bearing and distance of North 16-28-37 West 94.59 feet to a point; said point being the Southwest most corner of Lot 57, Block 5, as shown on recorded Map Book 24, Page 535; thence, in a Northwesterly direction following along a portion of the Westerly lot line of Lot 57, Block 5, as shown on recorded Map Book 24, Page 535 having a bearing and distance of North 16-28-37 West 45.82 feet

to a point; said point being the Southeast most corner of Lot 55, Block 5, as shown on said recorded map; thence, in a Northerly direction following along the rear lot lines of Lots 55 through 44, Block 5, as shown on said recorded Map Book 24, Page 535 with the following bearings and distances: North 65-32-10 West 312.51 feet, North 41-32-20 West 313.52 feet, North 11-11-50 West 161.08 feet, North 06-15-59 East 146.35 feet, North 25-16-04 East 14.16 feet, North 21-33-34 East 106.88 feet, North 26-37-23 East 280.32 feet to a point; said point being the Northern most corner of Lot 44, Block 5, as shown on said recorded map; thence, in a Southeasterly direction following along the Northerly lot lines of a portion of Lot 44 and Lots 43, 32, 31 and 30, Block 5, with the following bearings and distances: South 64-04-26 East 95.06 feet, South 41-53-19 East 100.03 feet, South 62-01-57 East 215.81 feet, South 70-21-10 East 113.25 feet, South 77-07-55 East 332.65 feet, South 70-16-20 East 40.0 feet to a point; said point being the Northern most corner of Lot 14, Block 5, as shown on recorded Map Book 23, Page 878; thence, in an Easterly direction following along the Northerly lot lines of a portion of Lot 14 and Lots 13, 12 and a portion of Lot 11, Block 5, as shown on said recorded Map Book 23, Page 878 with the following bearings and distances: South 70-16-20 East 82.23 feet, South 80-47-37 East 165.53 feet, South 45-34-42 East 71.43 feet, South 54-23-45 East 158.44 feet, South 69-11-22 East 179.90 feet to a point; said point being the Eastern most corner of Lot 11, Block 5, and on the Westerly boundary of property as shown to be dedicated to Mecklenburg County as Greenway on recorded Map Book 23, Page 881; thence, in an Easterly direction following along

the Westerly boundary of said Greenway as shown on said map having two bearings and distances as follows: North 17-54-11 East 31.66 feet to a point, North 50-41-32 East 419.59 feet to a point; said point being on the Southerly right-of-way of proposed Outer Loop; thence, in a Westerly direction following along the Southerly right-of-way of proposed Outer Loop having an approximate distance of 2,120 feet to a point; said point being the Southwest right-of-way of proposed Outer Loop; thence, in a Northerly direction following along the Westerly terminus of proposed Outer Loop having a distance of 348.04 feet to a point on the Northerly right-of-way of proposed Outer Loop; said point being the Southwest most corner of Lot 38, Block 1, as shown on recorded Map Book 24, Page 176; thence, in a Northerly direction following along the Westerly lot line of Lot 38 and a portion of Lot 39, Block 1, having a bearing and distance of North 19-17-21 East 373.60 feet to a point; said point being the Southeast most corner of property as described in Deed Book 6066, Page 316; thence, in a westerly direction following along the Southerly boundary of said property described in Deed Book 6066, Page 316 having a bearing and distance of North 82-21-02 West 250.05 feet to a point; said point being the Southwest most corner of said property; thence, in a Northerly direction following along the Westerly boundary of said property having a bearing and distance of North 04-27-12 West 452.68 feet to a point; said point being on the Southerly right-of-way of Endhaven Lane (S.R. 3647); thence, in a Westerly direction following along the Southerly right-of-way of Endhaven Lane having a distance of 1,197.12 feet to a point; thence crossing Endhaven lane in a Northwesterly direction

to a point in the Northerly right-of-way of Endhaven lane; said point being on the Westerly boundary of property as described in Deed Book 6539, Page 368; thence, in a Northerly direction following along the westerly boundary of said property with the following bearings and distances: North 30-59-23 West 1,170 feet to a point; thence North 09-09-30 West 917 feet to a point; thence North 18-52-00 East 397.0 feet to a point; said point being the intersection of the centerline of Four Mile Creek with the centerline of McAlpine Creek; thence, in a Northerly direction following the centerline of Four Mile Creek approximately 5,757.0 feet to a point; said point being in the centerline of Four Mile Creek; thence, with a Northerly line of Map Book 21, Page 167, South 63-23-30 East approximately 303.0 feet to a point; said point being a Northerly corner of the property as shown on said map; thence, crossing Elm Lane West (SR 3649) in a Easterly direction approximately 40 feet to a point on the Easterly right-of-way margin of Elm Lane West; said point being a corner of a Southerly line as described in Deed Book 4843, page 255; thence, in a Northerly direction with the Easterly right-of-way margin of Elm Lane West crossing Four Mile Creek approximately 3,973 feet to a point; said point being the point of intersection of the Easterly right-of-way margin of Elm Lane West with the Southerly right-of-way margin of Pineville-Matthews Road (NC 51); thence, in an Easterly direction following along the existing Southerly right-of-way margin of Pineville-Matthews Road (NC 51), said right-of-way being approximately 60 feet normal to and parallel with the centerline of Pineville-Matthews Road (NC 51) for a distance of

approximately 4,157 feet to a point; said point being the Northwesterly most corner of property as described in Deed Book 6294, Page 409; thence, in a Southerly direction following along the Westerly boundary of said property described in Deed Book 6294, Page 409 with the following bearings and distances: South 01-07-05 East 193.54 feet, South 00-30-16 East 263.60 feet, South 14-00-09 West 1,056.0 feet, South 51-27-05 East 401.64 feet to a point; said point being the Southwesterly most corner of said property as described in said deed; thence, in an Easterly direction following the Southerly boundary of said deed with the following bearings and distances: North 89-24-17 East 933.46 feet, North 66-45-02 East 148.0 feet to a point; said point being the Southern most corner of property as described in Deed Book 5922, page 120, thence, in an Easterly direction with the Southerly boundary having a bearing and distance of North 66-45-02 East 875.25 feet to a point; said point being the Southeasterly most corner of said property as described in said deed; thence, in a Northerly direction following along the Easterly boundary of said deed having a bearing and distance of North 00-06-52 East approximately 406 feet to a point; said point being the Southern most corner of property as described in Deed Book 6703, Page 98; thence, in a Northeasterly direction following along the Easterly boundary of said property having two bearings and distances as follows: North 34-33-25 East 546.78 feet, North 28-22-49 East 164.83 feet to a point; said point being the Eastern most corner of said property as described in Deed Book 6703, Page 98; thence continuing with said property in a Northwesterly direction having a bearing and distance of North 52-24-57 West

487.98 feet to a point; said point being the Southern most corner of property as described in Deed Book 6703, Page 96; thence, in a Northwesterly direction with said property as described in said deed having a bearing and distance of North 52-25-47 West 508.90 feet to a point; said point being the Southwestern most corner of said property; thence, in a Northern direction with said property as described in said Deed Book 6703, Page 96 having a bearing and distance of North 00-06-04 East 840 feet to a point; said point being on the Southerly right-of-way margin of Pineville-Matthews Road (NC 51); thence, in an Easterly direction following along the existing Southerly right-of-way margin of Pineville-Matthews Road (NC 51), said right-of-way being approximately 60 feet normal to and parallel with the centerline of Pineville-Matthews Road (NC 51) for a distance of approximately 1,219 feet to a point; said point being located 60 feet South of and normal to the centerline of Pineville-Matthews Road (NC 51), said point also being located 40 feet West of and normal to the centerline of Strawberry Lane; thence, in a Southerly direction following along a line 40 feet West of and parallel with the centerline of Strawberry Lane, approximately 1,850 feet to a point; said point being located 40 feet West of and normal to the centerline of Strawberry Lane; thence, in an Easterly direction 10.0 feet to a point; said point being in the Westerly right-of-way margin of Strawberry Lane; thence, in a Southerly direction following along the Westerly boundary line of lot as described in Deed Book 2906, Page 561 and the Westerly boundary line of lot as described in Deed Book 4098, Page 64 with the following bearings and distances: South 20-55-10

East 180 feet, South 5-40-50 West 145.16 feet to a point; said point being the Southwest corner of lot as described in said Deed Book 2906, Page 561; thence, following the Westerly boundary line as shown on recorded Map Book 15, Page 221 as having a bearing and distance of South 7-59 West 1,046.65 feet to a point; said point being the Southwest corner of a tract of land as shown on said recorded Map Book 15, Page 221; thence continuing in a Southerly direction following along the rear lot lines of Lots 13, 14, 16, 17, 18, 19, 20, 21, Block 3 and the rear lot line of Lot 50, Block 1, as shown on recorded Map Book 19, Page 333 as having a bearing and distance of South 16-40-18 West 1,045.22 feet, crossing Drake Terrace to a point; said point being the Southwest rear corner of Lot 50, Block 1, as shown on said recorded Map Book 19, Page 333; thence, in a Southerly direction following along the rear lot lines of Lots 49, 48, 47, 46, 45, and 44, Block 1, with the following bearings and distances: South 16-40-18 West 328.0 feet; South 20-04-40 East 352.38 feet to a point; said point being the Southern most corner of Lot 44 as shown on recorded Map Book 19, Page 334; thence following along the Westerly boundary line of a tract of land designated as Common Area as shown on recorded Map Book 19, Page 105 as having a bearing and distance of South 20-04-40 East 225.92 feet to a point; said point being the Southwest corner of said tract of land designated as Common Area as shown on said recorded Map Book 19, Page 105, said point also being the centerline of Four Mile Creek; thence, in a Westerly direction following along the centerline of Four Mile Creek approximately 1,850 feet to a point; said point being in the centerline of Four

Mile Creek; thence with the Westerly boundary line of lot as described in Deed Book 3762, Page 34 with the following nine (9) courses: 1) South 1-45 East 375.0 feet; 2) South 67-30 West 85.0 feet; 3) South 8-00 West 190.0 feet; 4) South 38-30 East 135.0 feet; 5) South 20-04-40 East 65.0 feet; 6) South 43-30 East 130.0 feet; 7) South 81-00 East 85.0 feet; 8) South 34-30 East 135.0 feet; 9) South 14-14-30 East 213.0 feet to a point; said point being in the Westerly boundary of said lot; thence continuing in a Southeasterly direction following along the rear lot lines of Lots 33, 34 and 35 as shown on recorded Map Book 20, Page 8 with the following bearings and distances: South 14-40-25 East 288.30 feet, South 36-15-16 East 213.0 feet to a point; said point being the Southern most corner of Lot 35 as shown on said recorded Map Book 20, Page 8; thence, in a Southeasterly direction following along a portion of the rear lot line of Lot 40 and the rear lot lines of Lots 41, 42, 43, 44 and 45 as shown on recorded Map Book 19, Page 529 with the following bearings and distances: South 36-15-16 East 102.81 feet, South 42-26-15 East 561.74 feet, South 50-54-30 East 32.0 feet to a point; said point being the Southern most corner of Lot 45 as shown on said recorded Map Book 19, page 529; thence, in a Southerly direction along the Westerly boundary line of lot (common open space) as shown on recorded Map Book 21, Page 43 as having a bearing and distance of South 4-44-34 West 221.45 feet to a point; said point being the Northwest corner of Lot 47 as shown on recorded Map Book 20, Page 443; thence continuing in a Southerly direction following along the Westerly lot line of Lot 47, crossing Fairway Ridge Road and following along the Westerly lot lines of

Lots 48 through 63 as shown on said recorded Map Book 20, Page 443 with the following bearings and distances: South 4-44-34 West 294.0 feet to a point; thence, South 4-32-05 East 354.03 feet to a point; South 29-14 East 1,026.5 feet to a point; said point being the Northwesterly corner of Lot 65 as shown on recorded Map Book 20, Page 442; thence continuing in a Southerly direction following along the Westerly lot lines of Lots 65 through 83 as shown on said recorded Map Book 20, Page 442 with the following bearings and distances: South 29-14 East 545.0 feet to a point; thence, South 0-48-57 West 280.89 feet to a point; thence, South 16-47-18 East 656.54 feet to a point; said point being located 40 feet North of and normal to the centerline of Providence Road West; thence, in a Southerly direction crossing Providence Road West approximately 70 feet to the point of beginning.

ORDINANCE NO. 3499-X

YORK ROAD/BEAM ROAD AREA

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS FOR THE CITY OF CHARLOTTE UNDER THE AUTHORITY GRANTED BY PART 3, ARTICLE 4A, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA.

WHEREAS, all of the prerequisites to adoption of this ordinance prescribed in Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina, have been met; and

WHEREAS, the City Council has taken into full consideration the statements presented at the public hearing held on the 12th day of November, 1992, on the question of this annexation; and

WHEREAS, the City Council has concluded and hereby declares that annexation of the area described herein is necessary to the orderly growth and development of the City of Charlotte.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina:

Section 1. That from and after the 30th day of June, 1993, the effective date of this annexation, the following territory shall be annexed to and become a part of the City of Charlotte, and the corporate limits of the City of Charlotte shall on said 30th day of June, 1993, be extended to include said territory more particularly described by metes and bounds set forth in Exhibit A, attached hereto and specifically incorporated as a part of this ordinance.

Section 2. That the City Council does hereby specifically find and declare that the above-described territory meets the requirements of G.S. 160A-48, in that:

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 (8.42 miles) of which 26,100 feet (4.94 miles) or more than fifty-nine percent (58.7%) coincides with the present City boundary.
- (3) No part of the area is included within the boundary of another incorporated municipality.

B. The area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1) as follows:

The area qualifies for annexation under the standard 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 2.74 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 last federal decennial census for which such information is available) results in an estimated total resident population of 2,109, after allowing for a reasonable vacancy rate of 5%. This population, when divided by the total number of acres (771) results in a population density of 2.74 persons per acre.

C. In determining the population of the area, it has been assumed that up to five percent (5%) of the dwelling units in the area may be vacant. This assumption is not a finding that any of the dwelling units in the area are vacant in fact. The purpose of this assumption is to allow for possible application of the following factors: any dwelling unit(s) which may not be habitable, to the extent such a condition precludes the consideration of such dwelling unit(s) in determining the population of the area; errors, if any, as to the existence of one or more dwelling units; and other factors which may result in one or more dwelling units being vacant.

Section 3. That it is the purpose and intent of the City of Charlotte, to provide services to the area being annexed under this ordinance, as set forth in the report of plans for services approved by the City Council on the 12th day of October, 1992, and filed in the office of the Clerk for public inspection and as subsequently amended.

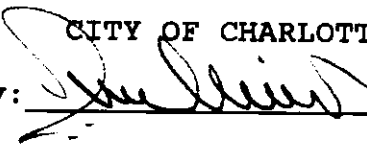
Section 4. That the City Council does hereby specifically find and declare that, on the effective date of annexation prescribed in Section 1 hereof, the City of Charlotte will have authority to issue bonds under the provisions of Sub-chapter IV of Chapter 159 of the General Statutes, if necessary, in an amount sufficient to finance the estimated costs of construction of any water and sewer facilities found necessary in the report of plans for services to extend the basic water and sewer system into the area to be annexed under this ordinance.

Section 5. That from and after the effective date of this annexation, the territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Charlotte, and shall be entitled to the same privileges and benefits as other parts of the City.

Section 6. That the newly annexed territory described hereinabove shall be subject to City taxes according to G.S. 160A-58.10.

Section 7. That the Mayor of the City of Charlotte shall cause an accurate map of the annexed territory described in Section 1, hereof, together with a duly certified copy of this ordinance, to be recorded in the office of the Register of Deeds of Mecklenburg County, and in the office of the Secretary of State in Raleigh.

Adopted this 25th day of January, 1993.

CITY OF CHARLOTTE
By: 

ATTEST:


City Clerk

Approved as to form:



City Attorney

EXHIBIT A
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.

ORDINANCE NO. 3500-X

NC 16/NC 27 AREA

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS FOR THE CITY OF CHARLOTTE UNDER THE AUTHORITY GRANTED BY PART 3, ARTICLE 4A, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA.

WHEREAS, all of the prerequisites to adoption of this ordinance prescribed in Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina, have been met; and

WHEREAS, the City Council has taken into full consideration the statements presented at the public hearing held on the 12th day of November, 1992, on the question of this annexation; and

WHEREAS, the City Council has concluded and hereby declares that annexation of the area described herein is necessary to the orderly growth and development of the City of Charlotte.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina:

Section 1. That from and after the 30th day of June, 1993, the effective date of this annexation, the following territory shall be annexed to and become a part of the City of Charlotte, and the corporate limits of the City of Charlotte shall on said 30th day of June, 1993, be extended to include said territory more particularly described by metes and bounds set forth in Exhibit A, attached hereto and specifically incorporated as a part of this ordinance.

Section 2. That the City Council does hereby specifically find and declare that the above-described territory meets the requirements of G.S. 160A-48, in that:

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 (23.89 miles) of which 73,910 feet (14.00 miles) or more than fifty eight percent (58.6%) coincides with the present City boundary.

(3) No part of the area is included within the boundary of another incorporated municipality.

B. Except for the portion of the area described in Section 2(C) below, the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(3) as follows:

There are a total number of 1,853 lots and tracts within the area, and of the 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. The area qualifies for annexation under the standards set forth in G.S. 160A-48(c)(3). Three portions of the proposed annexation area do not meet the requirements of G.S. 160A-48(c), but do meet the requirements of G.S. 160A-48(d)(2). These areas are adjacent, on at least sixty percent (60%) of their external boundaries, to combinations of the present city boundary and the area developed for urban purposes as defined in Section 2(B) above.

(1) The aggregate boundary of the undeveloped area is 24,697 feet of which 24,697 feet or 100%, coincides with the present city boundary and the developed area (see the Map of D-Land Connection, page 6 of the report described in Section 3 below.) This undeveloped area contains 236.14 acres.

(2) The aggregate boundary of the undeveloped area is 32,858 feet of which 32,858 feet or 100% coincides with the present city boundary and the developed area (see the Map of D-Land Connection, page 6 of the report described in Section 3 below.) This undeveloped area contains 251.979 acres.

(3) The aggregate boundary of the undeveloped area is 48,572 feet of which 48,572 feet or 100% coincides with the present city boundary and the developed area (see the Map of D-Land Connection, page 6 of the report described in Section 3 below.) This undeveloped area contains 478.48 acres.

Section 3. That it is the purpose and intent of the City of Charlotte, to provide services to the area being annexed under this ordinance, as set forth in the report of plans for services approved by the City Council on the 12th day of October, 1992 and filed in the office of the Clerk for public inspection and as subsequently amended.

Section 4. That the City Council does hereby specifically find and declare that, on the effective date of annexation prescribed in Section 1 hereof, the City of Charlotte will have authority to issue bonds under the provisions of Sub-chapter IV of Chapter 159 of the General Statutes, if necessary, in an amount sufficient to finance the estimated costs of construction

of any water and sewer facilities found necessary in the report of plans for services to extend the basic water and sewer system into the area to be annexed under this ordinance.

Section 5. That from and after the effective date of this annexation, the territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Charlotte, and shall be entitled to the same privileges and benefits as other parts of the City.

Section 6. That the newly annexed territory described hereinabove shall be subject to City taxes according to G.S. 160A-58.10.

Section 7. That the Mayor of the City of Charlotte shall cause an accurate map of the annexed territory described in Section 1, hereof, together with a duly certified copy of this ordinance, to be recorded in the office of the Register of Deeds of Mecklenburg County, and in the office of the Secretary of State in Raleigh.

Adopted this 25th day of January, 1993.

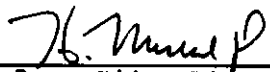
CITY OF CHARLOTTE

By: 

ATTEST:


City Clerk

Approved as to form:


City Attorney

CITY OF CHARLOTTE-ANNEXATION AREA #7

NC 16/NC 27

Beginning at a point in the present Charlotte City Limit Line, said point being the Northwest corner of Lot 5 in Block 3 as shown on recorded Map Book 7, Page 763; thence in a Southerly direction following along the Easterly line of Lot as described in Deed Book 2605, Page 10 as having a bearing and distance of South 00-50 East 617.46 feet to a point; thence in a Westerly direction along the Southerly lot line as described in said Deed Book 2605, Page 10 as having a bearing and distance of North 89-30 East 283.70 feet to a point, said point being the Southwesterly corner of Lot as described in said Deed Book 2605, Page 10; thence in a Southerly direction following along the Westerly line of Lot as described in said Deed Book 2605, Page 10, crossing Dale Avenue, as having a bearing and distance of South 2-40 West approximately 290 feet to a point, said point being located where a line 40 feet South of and parallel with the centerline of Dale Avenue intersects with the Westerly line of Lot (if extended) as described in said Deed Book 2605, Page 10; thence in a Easterly direction along a line 40 feet South and/or Easterly of and parallel with the centerline of Dale Avenue approximately 1,137 feet to a point, said point being located 40 feet South of and normal to the centerline of Dale Avenue and being located in the Easterly terminus of Dale Avenue; thence in a Northerly direction following along the Easterly terminus of Dale Avenue approximately 20 feet to a point; thence in a Easterly direction following along the Southerly line of Lot as

described in Deed Book 2974, Page 281 as having a bearing and distance as follows: South 87-32 East 237.78 feet to a point; thence, North 2-28 East 204.87 feet to a point; thence South 87-32 East 207.0 feet to a point; thence in a Northerly direction following along the Easterly lot line as described in said Deed Book 2974, Page 281 as having a bearing and distance as follows: South 32-22-30 West 115.36 feet to a point; thence South 24-50 East 277.96 feet to a point, said point being a point in the line of Lot 14 as shown on recorded Map Book 7, Page 199; thence in a Easterly direction following along a portion of the Southerly line of Lot 14, the Southerly line of Lot 15, and a portion of the Southerly line of Lot 16, as shown on said recorded Map Book 7, Page 199 as having a bearing and distance as follows: South 86-23 East, approximately 244 feet to a point; thence North 37-52 East approximately 117 feet to a point, said point being the Southwesterly corner of Lot as described in Deed Book 2279, Page 370; thence in a Easterly direction following along the Southerly lot line as described in said Deed Book 2279, Page 370 as having a bearing and distance of South 76-15-10 East 269.88 feet to a point, said point being located in the centerline of a branch, said point also being a point in the Westerly line of lot as described in Deed Book 2246, Page 509; thence in a Southeasterly direction along a portion of the Westerly line of lot as described in said Deed Book 2246, Page 509 as having a bearing and distance of South 37-35-50 East approximately 335 feet to a point; thence in a Northeasterly direction following along the Southerly line of lot as described in said Deed Book 2246, Page 509 as having a bearing and distance of

North 56-30-15 East 253.09 feet to a point, said point being a corner of lot as described in Deed Book 2239, Page 24; thence in a Easterly direction along the Southerly line of lot as described in said Deed Book 2239, Page 24 as having a bearing and distance as follows: South 33-29-45 East 261.11 feet to a point; thence North 56-30-15 East 250.62 feet to a point; thence, South 45-30 East 128.24 feet to a point, said point being the Northwesterly corner of Lot 7 as shown on recorded Map Book 4, Page 335; thence in a Southwesterly direction along a portion of the Easterly line of Lot 7 as shown on said recorded Map Book 4, Page 335 as having a bearing and distance as follows: South 32 West approximately 60 feet to a point; thence South 20-15 West 401 feet to a point, said point being on the Northerly line of lot as described in Deed Book 1808, Page 529; thence in a Easterly direction along the Northerly line of lot as described in said Deed Book 1808, Page 529 as having a bearing and distance of South 88 East approximately 270 feet to a point, said point being located 40 feet Northwest of and normal to the centerline of Oakdale Road; thence in a Southerly direction along a line 40 feet West of and parallel with the centerline of Oakdale Road approximately 2162 feet to a point; thence in a Easterly direction crossing Oakdale Road approximately 70 feet to a point, said point being located in the Southeasterly right-of-way margin of Oakdale Road, said point also being located 40 feet South of and normal to the centerline of Auten Road; thence in a Easterly direction along a line 40 feet South of and parallel with the centerline of Auten Road approximately 420 feet to a point, said point being in a Westerly line of lot as described in Deed Book

958, Page 193; thence in a Southerly direction along the Westerly line of lot as described in said Deed Book 958, Page 193 as having a bearing and distance of South 7-30 East approximately 792 feet to a point; thence in a Easterly direction along the Southerly line of lot as described in said Deed Book 958, Page 193 as having a bearing and distance of North 7-30 East 160 feet to a point; thence in a Northerly direction along a portion of the Easterly line of lot as described in said Deed Book 958, Page 193 as having a bearing and distance of North 7-30 West approximately 340 feet to a point, said point being a corner of lot as described in Deed Book 3354, Page 285; thence in a Easterly direction along the Northerly line of lot as described in said Deed Book 3354, Page 285 as having a bearing and distance of North 71-35 East 772.73 feet to a point, said point being a corner of lot as described in Deed Book 4003, Page 397; thence in a Northerly direction along a portion of the Easterly line of lot as described in said Deed Book 4003, Page 397 as having a bearing and distance of due North approximately 246 feet to a point, said point being a corner of Tracts I and II as described in Deed Book 2234, Page 530; thence in a Easterly direction along the Southerly line of Tracts I and II as described in said Deed Book 2234, Page 530 as having a bearing and distance of North 71-37 East approximately 273 feet to a point, said point being located where a line 40 feet Southwest of and parallel with the centerline of Black Satchel Drive intersects with the Southerly line of Tracts I and II as described in said Deed Book 2234, Page 530; thence running in a Southwesterly direction along a line 40 feet Southwest of and parallel with the centerline of Black Satchel

Drive approximately 2523 feet to a point, said point being in the Southerly right-of-way margin of Black Satchel Drive, said point also being a Northerly corner of lots described in Deed Book 3636, Page 345 and Deed Book 3790, Page 978; thence in a Southerly or Southeasterly direction following along the boundary line of lots as described in said Deed Book 3636, Page 345 and said Deed Book 3790, Page 978 in five (5) courses as having a bearing and distance as follows: 1) South 60-01-30 West 440.90 feet to a point; 2) South 45-39-30 East 25.97 feet to a point; 3) South 45-39-30 East 289.23 feet to a point; 4) North 52-11-15 East, 79.15 feet to a point; 5) South 29-50-00 East 699.46 feet to a point, said point being a Northern corner of lot as shown on recorded Map Book 17, Page 324; thence in a Southwesterly direction following the boundary line of said lot in two (2) courses having a bearing and distance as follows: 1) South 29-43-50 East 200.0 feet to a point; 2) South 63-07-20 West 270.8 feet to a point, said point being a Northeasterly corner of lot as described in Deed Book 3717, Page 266; thence in a Southwesterly direction following along the Northern boundary line of said lot as having a bearing of South 63-07-20 West a distance of 452.22 feet to a point; thence in a Southeasterly direction following along the Western boundary line of said lot as having a bearing of South 21-22-45 East a distance of 359.03 feet to a point, said point being a Southwesterly corner of lot as described in Deed Book 3717, Page 266; thence with the Westerly line of said lot as having a bearing of South 21-22-45 East a distance of approximately 400 feet to a point, said point being 40 feet North of and parallel with the centerline of Lawton Road;

thence in a Southwesterly direction following along a line 40 feet North of and parallel with the centerline of Lawton Road approximately 155 feet to a point, said point being located approximately 475 feet East of the centerline of Brookshire Boulevard (NC 16); thence in a Northwesterly direction approximately 900 feet to a point, said point being located 85 feet North of and normal to the centerline of Bellhaven Boulevard (NC 16); thence in a Northwesterly direction with a line 85 feet North of and parallel with the centerline of Bellhaven Boulevard (NC 16) approximately 400 feet to a point, said point being located 85 feet North of and normal to the centerline of Bellhaven Boulevard (NC 16); thence in a Southwesterly direction (crossing Bellhaven Boulevard - NC 16) following along the Easterly boundary line of lot as described in Deed Book 2009, Page 176 as having a bearing of South 4 West a total distance of approximately 590 feet to a point, said point being the Southeasterly rear lot corner of lot as described in said Deed Book 2009, Page 176, said point also being a Northeasterly corner of Lot 1A as shown on recorded Map O and D-19, Page 997; thence with six (6) courses as shown on said recorded Map O and D-19, Page 997 as having a bearing and distance as follows: 1) South 2-30 West 770.55 feet to a point, 2) North 88-30 West 638.55 feet, 3) North 1-30 East 437.25 feet, 4) North 88-30 West 1,229.25 feet, 5) South 8-45 West 438.9 feet, 6) North 88-30 West 1,365.5 feet, said point being an Easterly corner of lot as described in Deed Book 1566, Page 504; thence in a Southerly direction following along the Easterly boundary line of lot as described in said Deed Book 1566, Page 504 in three (3) courses

having a bearing and distance as follows: 1) South 2-26 East 100.0 feet to a point, 2) South 5-19 West 265 feet, 3) South 9-32 East approximately 300 feet to a point, said point being located 40 feet North of and normal to the centerline of Mount Holly Road; thence in a Westerly direction following along a line 40 feet North of and parallel with the centerline of Mount Holly Road approximately 1,600 feet crossing Valley Dale Road to a point, said point being located in the Easterly line of lots as described in Deed Books 2211, Page 71, 2134, Page 188, said point also being located 40 feet North and normal to the centerline of Mount Holly Road; thence continuing in a Northwesterly direction following along the Easterly boundary line of lots described in said Deed Books 2211, Page 71, 2134, Page 188 as having a bearing of North 44-30 West a total distance of approximately 775.0 feet to a point, said point being the Southeasterly rear lot corner of Lot 90 as shown on recorded Map Book 5, Page 101; thence continuing in a Northwesterly direction following along the rear lot lines of Lots 90 through 96 as shown on said recorded Map Book 5, Page 101 North 44-30 West 865 feet to a point, said point being a Southeasterly rear corner of Lot 77 as shown on Recorded Map Book 5, Page 47; thence continuing in a Northeasterly direction following along the rear lot line of Lot 77 as shown on said Recorded Map Book 5, Page 47 as having a bearing of North 45-30 West, a distance of approximately 95.0 feet to a point, said point being a Southeasterly rear corner of lot 88 as shown on Recorded Map Book 5, Page 47; thence in a Northeasterly direction following along the rear lot lines of Lots 88 through 93 as shown on said Recorded Map Book 5, Page 47 as having a bearing

of North 25-00 East a total distance of 288.0 feet to a point; thence in a Westerly direction following a Northerly lot line of Lot 93 as shown on said recorded map Book 5, Page 47 as having a bearing of North 65-30 West a distance of approximately 390 feet to a point, said point being a Southeasterly corner of lot as described in Deed Book 3277, Page 321; thence in a Northeasterly direction following along the rear lot line of lot as described in said Deed Book 3277, Page 321 and the rear boundary line of lot as described in Deed Book 3605, Page 700 as having a bearing of North 17-05 East a total distance of 210 feet to a point; thence continuing in a Northwesterly direction along the Northerly lot line as described in Deed Book 3605, Page 700 as having a bearing of North 62-05 West a distance of approximately 190.0 feet to a point, said point being located 40 feet Southeast of and normal to the centerline of Morningside Road; thence in an Easterly or a Northeasterly direction following along a line 40 feet South of and parallel with the centerline of Morningside Road approximately 454.0 feet to a point, said point being located 40 feet south of and normal to the centerline of Morningside Road; thence in a Northwesterly direction crossing Morningside Road then following along the dividing line between lot 38 and 37 as shown on recorded Map Book 5, Page 46 as having a bearing of North 44-30 West a total distance of approximately 411.0 feet to a point; thence in a Southwesterly direction following along the rear lot lines of Lots 38-43 and a portion of the rear lot line of Lot 44 all as shown on recorded Map Book 5, Pages 46 and 47 as having a bearing of South 87-25 West a total distance of 345.0 feet to a point; thence

continuing in a Southwesterly direction along a portion of the rear boundary line of Lot 44 and the rear boundary lines of Lots 45-55 as having a bearing of South 37-05 West a total distance of 916.0 feet to a point, said point being the most Westerly corner of Lot 55 as shown on said Map Book 5, Page 47; thence in a Northwesterly direction following along the Northerly and Easterly boundary line of Lot as described in Deed Book 1732, Page 257 in 4 (four) courses as having a bearing and distance as follows: 1) North 44-28-35 West 834.77 feet, 2) North 61-58-40 West 629.44 feet, 3) North 24-14-30 West 1,535.43 feet, 4) North 78-54-15 West 559.0 feet to a point, said point being a Southeasterly corner of Lot 16 and Block P as shown on said recorded Map Book 7, Page 549; thence in a Northerly direction following along the Easterly boundary line of said Lot 16 and Block P crossing an unnamed 60.0-foot street and continuing along the Easterly boundary line of lots 1, 2, 4, 5, and Block Q, as having a bearing and distance as follows: North 11-32 East approximately 454.0 feet; North 26-32 East 412.0 feet; North 33-56 East approximately 122.0 feet to a point on the Easterly lot line of Lot 5, and Block Q, and said point being located 40 feet South of and normal to the centerline of Birchwood Drive; thence continuing in an Easterly direction following along a line 40 feet South of and parallel with the centerline of Birchwood Drive approximately 70.0 feet to a point in the centerline of Gum Branch; thence in a Easterly direction following along the center of Gum Branch approximately 552.0 feet to a point, said point being a Southeasterly corner of Lot 5, and Block 1, as shown on recorded Map Book 7, Page 269; thence in a Northwesterly direction following

along the Easterly line of Lots 5, 4, 3, 2, and Block I as shown on said recorded Map Book 7, Page 269 as having a bearing of North 21-17 West a total distance of approximately 984 feet to a point, said point being located 40 feet South of and normal to the centerline of Mellwood Drive; thence in a Easterly direction crossing Valleydale Road and following along a line 40 feet South of and parallel with the centerline of Mellwood Drive approximately 1,160 feet to a point, said point being located 40 feet East of and normal to the centerline of Valleydale Road; thence in a Northwesterly direction following along a line 40 feet East of and parallel with the centerline of Valleydale Road approximately 282.0 feet to a point, said point being located 40 feet East of and normal to the centerline of Valleydale Road in the Southwesterly boundary line of lot as described in Deed Book 1229, Page 320; thence with the Southwesterly boundary line of lot as described in said Deed Book 1229, Page 320 as having a bearing and distance of North 64-15 East approximately 380.0 feet to a point, said point being located 10 feet South of and normal to the Southerly right-of-way margin of Bellhaven Boulevard (NC 16); thence in a Easterly direction following along a line 10 feet South of and parallel with the Southerly right-of-way margin of Bellhaven Boulevard (NC 16) approximately 3,040 feet to a point 10 feet South of and normal to the Southerly right-of-way margin of Bellhaven Boulevard (NC 16); thence crossing Bellhaven Boulevard (NC 16) in a Northeasterly direction following along the Easterly boundary line of lot as described in said Deed Book 2721, Page 76 as having a bearing of North 36-27 East approximately 404.0 feet to a point in the

centerline of a 128-foot Duke Power Transmission right-of-way and being the Northeasterly corner of lot as described in said Deed Book 2721, Page 76; thence in a Northwesterly direction following along the centerline of a 128-foot Duke Power Transmission right-of-way and the Northerly boundary line of lot as described in said Deed Book 2721, Page 76 as having a bearing and distance of a North 46-43-40 West 146.22 feet to a point in the centerline of said Duke Power Transmission right-of-way, said point also being the Southeasterly rear corner of Lot 7 and Block I as shown on recorded Map Book 9, Page 325; thence following along the rear boundary lines of Lots 7-1 and Block I as shown on said recorded Map Book 9, Page 325 as having a bearing and distance as follows: 1) North 44-42-20 East 164.05 feet; 2) North 43-16-20 East 323.56 feet; 3) North 24-03-30 East 245.58 feet; 4) North 31-17-10 East 97.63 feet crossing Plank Road to a point located 40 feet and normal to the centerline of Plank Road, said point also being a point in the centerline of Gum Branch; thence in a Northwesterly direction following along a line 40 feet North of and parallel with the centerline of Plank Road approximately 3,345 feet crossing Impala Lane, Benning Street, Pleasant Grove Road, to a point being located 40 feet North of and normal to the centerline of Plank Road; thence crossing Ross Street and following along the rear boundary line of Lots 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, and Block B as shown on recorded Map Book 6, Page 383 as having a bearing and distance as follows: 1) North 7-32- West approximately 1,309 feet to a point; 2) South 69-03 West 1,524.5 feet to a point in the Northerly boundary of lot as described in Deed Book 1644, Page 343; thence

with the boundary line of lot as described in said Deed Book 1644, Page 343 in (three) 3 courses as follows: 1) South 76-02 East 153.3 feet; 2) South 7-25 East 132.31 feet; 3) North 81-37 West 200.1 feet to the Northwesterly rear corner of Lot 15 and Block B as shown on recorded Map Book 6, Page 383; thence in an Easterly direction following along the Westerly boundary and a portion of the Southerly boundary line of Lot 15 and Block B as shown on said recorded Map Book 6, Page 383 as having a bearing and distance as follows: South 9-42 West, 173.8 feet to a point; South 87-16 East 558.9 feet to the Northwesterly rear corner of Lot 17 and Block B as shown on said recorded Map Book 6, Page 383; thence in a Southerly direction following along the Westerly boundary line of Lot 17 and Block B as shown on said recorded Map Book 6, Page 383 as having a bearing of South 0-14 West approximately 160.0 feet to a point being located 40 feet North of and normal to the centerline of Plank Road; thence in a Southwesterly direction following along a line 40 feet North of and parallel with the centerline of Plank Road 40 feet and North of and parallel with the centerline of McClure Circle 40 feet East of and parallel with the centerline of Rozzels Ferry Road (NC 16) approximately 1,532 feet to a point being located 40 feet East of and normal to the centerline of Rozzels Ferry Road (NC 16); thence crossing Rozzels Ferry Road (NC 16) to a point on the Northerly boundary line of lot as described in Deed Book 3740, Page 391 as having a bearing of South 42-06-41 West approximately 80.0 feet to a point; thence in a Southerly direction following along a line 40 feet West and parallel with the centerline of Rozzels Ferry Road (NC 16) approximately 1,026 feet

to a point being 40 feet West of and normal to the centerline of Rozzels Ferry Road in the Northerly line of lot as described in Deed Book 4380, Page 130; thence following along the Southerly boundary line of lot as described in said Deed Book 4380, Page 130 in ten (10) courses as follows: 1) South 67-36-09 West approximately 75 feet to a point; 2) South 58-15-01 West 166.31 feet to a point; thence 3) South 59-05-06 West 116.94 feet to a point; thence 4) South 84-48-06 West 80.83 feet to a point; thence 5) North 82-52-39 West 61.35 feet to a point; thence 6) North 59-06-24 West 200.06 feet to a point; thence 7) North 63-47-09 West 102.41 feet to a point; thence 8) North 67-47-09 West 190.87 feet to a point; thence 9) North 52-14-59 West 194.08 feet to a point; thence 10) North 75-27-05 West 387.02 feet to a point; thence continuing in a Southwesterly direction along the Westerly boundary line of lot as described in said Deed Book 4380, Page 130 as having a bearing and distance of South 27-00-00 West 350.0 feet to a point, said point being the Northwest corner of lot as described in Deed Book 2197, Page 82; thence in a Southwesterly direction following along a portion of the Westerly boundary line of lot as described in Deed Book 2197, Page 82 as having a bearing of South 24-19-50 West approximately 24 feet to a point; thence in a Southwesterly direction following along the Northerly boundary line of Lot 17 in Block D as shown on recorded Map Book 14, Page 357 crossing Fallsdale Drive as having a bearing of North 87-21-55 West approximately 353 feet to a point being located 40 feet West and normal to the centerline of Fallsdale Drive; thence in a Southerly direction following a line 40 feet West of and parallel with the

centerline of Fallsdale Drive approximately 38 feet to a point in the Northerly line of Lot 1 in Block J as shown on said recorded Map Book 14, Page 357; thence continuing in a Northerly direction following along the Northerly boundary line of Lot 1 in Block J as shown on said recorded Map Book 14, Page 357 as having a bearing of North 85-38-50 West approximately 160.0 feet to a point in the Easterly lot line of Lot 2 Block J as shown on said recorded Map Book 14, Page 357; thence with a portion of the Easterly lot line and along the rear boundary line of Lots 2-5 in Block J as shown on said recorded Map Book 14, Page 357 as having a bearing of North 2-38-05 East 119.89 feet to a point; thence North 87-21-55 West a total distance of 585.19 feet to a point being the Southeasterly corner of Lot 9 in Block J as shown on recorded Map Book 14, Page 361; thence with the Easterly line of Lot 9 in Block J as shown on said recorded Map Book 14, Page 361 as having a bearing of North 2-38-05 East approximately 160.0 feet to a point being located 40 feet South of and normal to the centerline of Glencurry Drive; thence in a Easterly direction following along a line 40 feet South of and parallel with the centerline of Glencurry Drive approximately 80.0 feet to a point; thence in a Northerly direction crossing Glencurry Drive following along the Easterly and Northerly boundary line of Lots as described in Deed Book 3997, Page 478 and Deed Book 4072, Page 817 as having a bearing and distance as follows: North 15-59-24 West approximately 392.0 feet; North 62-58-24 West 54.87 feet to a point being the Southeasterly corner of Lot 26 in Block G as shown on recorded Map Book 14, Page 361; thence with the Easterly line of Lot 26 in Block G as shown on said

recorded Map Book 14, Page 361 as having a bearing and distance of North 19-25 West 393.54 feet to a point in the centerline of Long Creek; thence in a Southwesterly direction with the centerline of Long Creek also being the rear boundary lines of Lots 26, 25, 24, and a portion of Lot 22 in Block G as shown on said recorded Map Book 14, Page 361 as having a bearing and distance as follows: South 64-05-30 West 111.04 feet; South 50-19-29 West 51 feet; South 34-36-12 West 84.45 feet; South 19-58-20 West 895.95 feet; South 56-30-18 West 14.54 feet to a point being the Northeasterly corner of Lot 13 in Block G as shown on said recorded Map Book 13, Page 117; thence continuing in a Southwesterly direction with the centerline of Long Creek along the rear boundary line of Lots 13, 12, 11 as having a bearing and distance as follows: South 56-30-18 West 102.71 feet; South 83-21-41 West 147.71 feet to a point; South 71-53-41 West 237.24 feet; South 52-13-41 West 155.45 feet to a point being a Northwest corner of Lot 11 in or near the centerline of Long Creek; thence in a Southerly direction following along the rear boundary line of Lots 11, 7, 6, 5, 4, 3 in Block G as shown on recorded Map Book 13, Page 117 as having a bearing of South 2-08-45 West a total distance of 1,067.61 feet to a point being the Southwesterly rear corner of Lot 3 in Block G as shown on said recorded Map Book 13, Page 117; thence in a Southerly direction following along the rear lot lines of Lots 1 and 2 in Block G as shown on said recorded Map Book 12, Page 421 and the rear lot lines of 2-14 Block A on said recorded Map Book 12, Page 421 as having a bearing and distance as follows: South 2-08-45 West 745.06 feet, crossing Fallsdale Drive (Dead End) to a point; South 44-10-55 East

495.88 feet; South 13-29 West 137.45 feet; South 64-35-20 East 599.11 feet; South 76-23-34 West 283.60 feet to a point; thence with a portion of the Northerly boundary line and with the Southerly boundary line of lot as described in Deed Book 4000, Page 676 as follows: 1) South 64-57-47 East approximately 290.0 feet; 2) South 43-39 West, 134.53 feet; 3) South 57-33-18 West 140.0 feet; South 57-33 West 60.0 feet; 4) South 71-39 West 103.95 feet; 5) North 88-56 West 140.0 feet to a point on the Southerly boundary line of lot as described in said Deed Book 4000, Page 676; thence following along the Easterly, Northerly, and Westerly boundary line of lot as described in Deed Book 4210, Page 169 as having a bearing and distance as follows: North 1-06 East 30.0 feet to a point; North 86-34 West 175.78 feet; South 39-57 West 37.30 feet to a point in the Northerly boundary line of lot as described in Deed Book 2507, Page 48; thence following along the Northerly boundary line of lot as described in said Deed Book 2507, Page 48 as having a bearing and distance of North 86-34 West 50.0 feet to a point; thence in a Southwesterly direction following along the Easterly boundary line of lot as described in Deed Book 2507, Page 46 as having a bearing of South 11-35 West, a total distance of approximately 159 feet to a point being located 40 feet North of and normal to the centerline of Gum Branch Road (SR 1775); thence in a Westerly direction following along a line 40 feet North of an parallel with the centerline of Gum Branch Road (SR 1775) approximately 1,019 feet to a point being located 40 feet North of and normal to the centerline of Gum Branch Road (SR 1775); thence crossing Gum Branch Road (SR 1775), and following along the common

dividing boundary line between Lot 4A and Lot 3 as shown on recorded Map Book 1916, Page 587 as having a bearing of South 53-20 West, a total distance of approximately 365 feet to a point being the Southwesterly rear lot corner of Lot 4A as shown on said recorded Map Book 1916, Page 587; thence in a Southerly direction following along the Northerly and Westerly boundary line of Lot 13 in Block F as shown on recorded Map Book 2095, Page 569 as having a bearing and distance as follows: 1) South 61-48 West 217.75 feet; 2) South 12-35 East 82.03 feet; 3) South 3-82 West 302.0 feet to a point being the Northeasterly rear corner of Lot 1B in Block L as shown on recorded Map Book 10, Page 55; thence in a Westerly direction following the rear lot lines of 1B, 2, 3, and a portion of Lot 4 in Block L as shown on said recorded Map Book 10, Page 55 having a bearing of South 72-57 West 806.41 feet to a point, said point being a corner in the Southerly line of lot as described in Deed Book 3790, Page 551; thence with the Southerly line of lot as described in said Deed Book 3790, Page 551 as having a bearing of North 85-52-43 West, approximately 426.0 feet to a point being 40 feet West of and normal to the centerline of Gum Branch Road(SR 1775); thence in a Northerly direction following along a line 40 feet West of and parallel with the centerline of Gum Branch Road (SR 1775) approximately 950.0 feet to a point, said point being in the Southerly line of lot as described in Deed Book 3939, Page 720; thence with a portion of the Southerly line and the rear line of lot as described in said Deed Book 3939, Page 720 and the rear line of lot as described in Deed Book 3939, Page 713 as having a bearing and distance as follows: 1) North 85-08 West

approximately 365.0 feet; 2) North 3-52 East 350.05 feet to a point, said point being in the rear lot line of Lot 5 in Block I as shown on recorded Map Book 21, Page 799; thence with the rear lot lines of a portion of Lots 5, 6, 7 of Block I as shown on recorded Map Book 21, Page 799 and along the rear lot lines of Lots 8, 9, 10, 11, of Block I and the Southerly side lines of Lot 1 Block 2 as shown on recorded Map Book 22, Page 21 as having a bearing and distance of North 81-11-30 West 868.0 feet to a point being the Southeasterly rear lot corner of Lot 36 as shown on recorded Map Book 12, Page 365; thence with the Southern line of Lot 36 and the rear lines of Lots 35 and 34 as shown on said recorded Map Book 12, Page 365 and along the rear lot corners of Lots 33, 32, 31, 30, 29, 28, 27, 26, 25, 24, 23, 22, 21, 20, 19, 17 as shown on recorded Map Book 12, Page 367 and along the rear lot lines of Lots 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3 as shown on recorded Map Book 12, Page 369 as having bearings and distances as follows: 1) North 86-13-10 West 153.16 feet; 2) South 5-41 West 791.01 feet; 3) North 84-16-20 West 409.66 feet; 4) South 84-14 West 943.72 feet; 5) South 6-42-30 West 316.67 feet; 6) South 51-21-30 West 388.15 feet; 7) South 0-42-40 East 421.64 feet; 8) South 82-58-40 West 200.0 feet; 9) South 6-56-20 East 30.0 feet; 10) South 71-47 West 724.72 feet; 11) South 19-49 West 272.43 feet to a point, said point being a Southeasterly corner of lot as described in Deed Book 5110, Page 879; thence with the Southerly line of lot as described in said Deed Book 5110, Page 879 as having a bearing and distance of South 19-49 West approximately 235.0 feet crossing Mount Holly Road (NC Highway 27) to a point being located on the

right-of-way of Mount Holly Road (NC Highway 27); thence in a Northwesterly direction following along the Southerly right-of-way of Mount Holly Road (NC Highway 27) approximately 5,760 feet to a point located in the Southerly right-of-way of Mount Holly Road (NC Highway 27); thence in a Northwesterly direction crossing Mount Holly Road (NC Highway 27) approximately 90.0 feet to a point located on the Northwesterly right-of-way as it intersects with the Northwesterly right-of-way of Mount Holly Huntersville Road; thence in a Northeasterly direction following along the right-of-way of Mount Holly-Huntersville Road crossing Harwood Lane and Rozzels Ferry Road (NC 16) for a distance of approximately 14,502 feet to a point located on the Northwesterly right-of-way of Mount Holly Huntersville Road that intersects with the Easterly line of lot (if extended) as described in Deed Book 1712, Page 409; thence in a Southerly direction following the Easterly line of lot as described in said Deed Book 1712, Page 409 as having a bearing and distance as follows: 1) South 18-40 East approximately 288.0 feet; 2) South 18-54-20 East 751.93 feet to a point being a Easterly corner of lot as described in Deed Book 3967, Page 310; thence with an Easterly line of lot as described in said Deed Book 3967, Page 310 as having a bearing and distance of South 18-40 East 387.11 feet to a point being a Northwesterly corner of Tract 1 as shown on recorded Map Book 7, Page 533; thence with the Northern and Northeasterly line of Tract 1 and the Northeasterly line of Tract 2 and a portion of the Northeasterly line of Tract 3 of said recorded Map Book 7, Page 533 as having a bearing and distance as follows: 1) North 68-14 East 585.67 feet; 2) South 39-29-40 East

601.66 feet; 3) South 42-09-50 East approximately 418.0 feet to a point being a Westerly corner of lot as described in Deed Book 3678, Page 263; thence with the Northerly and Easterly line of lot as described in said Deed Book 3678, Page 263 as having a bearing and distance as follows: 1) North 54-48 East 552.49 feet; 2) South 41-06 East 439.86 feet to a point in the Northerly line of lot as described in Deed Book 4472, Page 188; thence with the Northerly line of lot as described in said Deed Book 4472, Page 188 crossing Brookshire Boulevard (NC 16) as having a bearing of North 60-13-50 East, and a total distance of approximately 1,224 feet to a point located in the Northeast right-of-way margin of Brookshire Boulevard (NC 16); thence in a Southeasterly direction following along the Northeast right-of-way margin of Brookshire Boulevard (NC 16) for approximately 7,683 feet to a point located in the Northeast right-of-way margin of Brookshire Boulevard (NC 16) at the terminus of Shadowview Drive; thence along a portion of the terminus of Shadowview Drive and the Northerly lot lines of Lots 12-17 of Block 5 crossing a unnamed street and continuing along the Northerly lot lines of Lots 19, 18, 17, 16, of Block 3 and the Easterly lot lines of Lots 16, 15, 14, 13, 12, 11, 10, of Block 3 as shown on recorded Map Book 8, Page 217 as having a bearing and distance as follows: 1) North 47-57 East approximately 160.0 feet; 2) North 89-18 East 1617.00 feet; 3) South 2-44 West 912.5 feet to a point being a Northerly corner of lot as described in Deed Book 4940, Page 607; thence along the Easterly line of lot as described in said Deed Book 4940, Page 670 as having a bearing of South 2-03 East 878.36 feet to a point being the Northwesterly

corner of a lot as described in Deed Book 1125, Page 466; thence with the Northern line of lot as described in said Deed Book 1125, Page 466 as having a bearing and distance of South 60° East approximately 554.0 feet to a point being the Northwest corner of a lot as described in Deed Book 6451, Page 47; thence with the Northern line of lot as described in said Deed Book 6451, Page 47 as having a bearing and distance of South 58-05-42 East 291.27 feet to a point being the Northwest corner of a lot as described in Deed Book 1125, Page 466; thence with the Northerly and Easterly line of said lot as described in Deed Book 1125, Page 466 as having a bearing and distance as follows: 1) South 60° East approximately 180.0 feet; 2) South 20° West 300.0 feet to a point in the Northerly line of lot as described in Deed Book 699, Page 40; thence with a portion of the Northerly line of lot as described in said Deed Book 699, Page 40 as having a bearing and distance of North 79-01 East approximately 152.0 feet to a point being the Northwesterly corner of lot as described in Deed Book 4411, Page 814; thence with the Northerly line of lot as described in said Deed Book 4411, Page 814 as having a bearing and distance of North 79-01 East 74.16 feet to a point being the Northwest corner of a lot as described in Deed Book 3623, Page 741; thence with the Northerly and Easterly line of lot as described in said Deed Book 3623, Page 741 as having a bearing and distance as follows: 1) North 79-01 East 86.67 feet; 2) South 0-34-40 West approximately 460.0 feet to a point located on the Northeast right-of-way of Old Plank Road; thence following along the Northeast right-of-way of Old Plank Road approximately 340.0 feet to a point in a Northerly

line of lot as described in Deed Book 2095, Page 17; thence with the Northerly and Easterly lines of lot as recorded in said Deed Book 2095, Page 17 and having a bearing and distance as follows: 1) North 76-14 East approximately 86.0 feet; 2) North 89-46 East 282.23 feet; 3) South 2-30 West 82.6 feet to a point in the Northerly line of lot as described in Deed Book 3991, Page 04; thence with the Northerly line of lot as described in said Deed Book 3991, Page 04 as having a bearing and distance of South 87-30 East 60.0 feet to a point being a Northwesterly corner of lot as described in Deed Book 5814, Page 655; thence with the Northerly line of lot as described in said Deed Book 5814, Page 655 as having a bearing and distance as follows: 1) South 86-55 East 104.2 feet; 2) North 85-44 East 226.5 feet; 3) North 45-45 East 103.7 feet to a point in the Westerly line of lot as described in Deed Book 2828, Page 486; thence with a portion of the Westerly and Northerly line of lot as described in said Deed Book 2828, Page 486 having a bearing and distance as follows: 1) North 3-52-10 East approximately 85.0 feet; 2) South 84-35-30 East 635.95 feet crossing a 30 foot unnamed street to a point in the Westerly line of lot as described in Deed Book 4022, Page 174; thence with a portion of the Westerly line of lot as described in said Deed Book 4022, Page 174 as having a bearing and distance of South 5-34 West 180.0 feet to a point being the Northwest corner of lot as described in Deed Book 3973, Page 857; thence with the Northerly and Easterly line of lot as described in said Deed Book 3973, Page 857 as having a bearing and distance as follows: 1) South 84-24-10 East 634.13 feet; 2) South 5-16-20 West 430.0 feet to a point

being a Northeasterly corner of lot as described in Deed Book 5965, Page 490; thence with the Easterly line of lot as described in said Deed Book 5965, Page 490 as having a bearing and distance as follows: 1) South 5-16-20 West 323.34 feet; 2) South 88-11-30 East 125.0 feet to a point being a Northwesterly corner of lot as described in Deed Book 5875, Page 726; thence with the Northerly line of lot as described in said Deed Book 5875, Page 726 as having a bearing of South 88-11-30 East 149.85 feet to a point being a Northwesterly corner of lot as described in Deed Book 6399, Page 415; thence with the Northerly line of lot as described in said Deed Book 6399, Page 415 as having a bearing and distance of South 88-11-3 East 573.91 feet to a point in the Westerly line of lot as described in Deed Book 2605, Page 10; thence in a Northerly direction with a portion of the Westerly and Northerly line of lot as described in said Deed Book 2605, Page 10 as having a bearing and distance as follows: 1) North 1-33 East approximately 538.0 feet; 2) South 88-57-30 East 266.0 feet to the point or place of beginning.

ORDINANCE NO. 3501-X**AN ORDINANCE TO AMEND ORDINANCE NO. 3348-X, THE 1992-93 BUDGET ORDINANCE, PROVIDING APPROPRIATIONS FOR THE PROVISION OF SERVICES IN SEVEN ANNEXATION AREAS.****BE IT ORDAINED** by the City Council of the City of Charlotte, North Carolina;

Section 1. That the following amounts are hereby appropriated for the operation of City government services in seven annexation areas for the indicated effective dates according to the following schedules:

SCHEDULE A. GENERAL FUND (0101)
(START-UP - EFFECTIVE UPON ORDINANCE ADOPTION)

Police	\$ 209,652
Solid Waste Services	860,068
Non-Departmental:	
FICA/Retirement	18,887
Health Insurance	18,887
TOTAL GENERAL FUND	\$1,107,494

SCHEDULE B. PUBLIC TRANSPORTATION FUND (7801)
(START-UP - EFFECTIVE UPON ORDINANCE ADOPTION)

Department of Transportation - Special Transportation Services	\$ 220,000
TOTAL PUBLIC TRANSPORTATION FUND	\$ 220,000

SCHEDULE C. POWELL BILL FUND (0120)
(START-UP - EFFECTIVE UPON ORDINANCE ADOPTION)

Purchase/Rental of Street Equipment (523.03)	\$438,331
Contribution to General CIP Fund- Bridge Replacement	210,000
TOTAL POWELL BILL FUND	\$648,331

SCHEDULE D. GENERAL FUND (0101)
(FY94 - EFFECTIVE JULY 1, 1993)

Engineering	\$ 70,400
Police	307,440
General Services	78,600
Solid Waste Services	854,131
Transportation	594,064
Non-Departmental:	
Street Lighting	74,450
TOTAL GENERAL FUND	\$1,979,085

SCHEDULE E. PUBLIC TRANSPORTATION FUND (7801)
(FY94 - EFFECTIVE JULY 1, 1993)

Department of Transportation-	
Special Transportation Services	\$208,693
TOTAL PUBLIC TRANSPORTATION FUND	\$208,693

SCHEDULE F. POWELL BILL FUND (0120)
(FY94 - EFFECTIVE JULY 1, 1993)

City Forces Resurfacing (523.02)	\$1,320,725
Purchase/Rental of Street Equipment (523.03)	330,878
TOTAL POWELL BILL FUND	\$1,651,603

Section 2. It is estimated that the following revenues will be available during the indicated fiscal years to meet the appropriations shown in Section 1 according to the following schedules:

SCHEDULE A. GENERAL FUND (0101)
(START-UP - EFFECTIVE UPON ORDINANCE ADOPTION)

Fund Balance - Unappropriated	\$1,107,494
TOTAL GENERAL FUND	\$1,107,494

SCHEDULE B. PUBLIC TRANSPORTATION FUND (7801)
(START-UP - EFFECTIVE UPON ORDINANCE ADOPTION)

Fund Balance - Unappropriated	\$220,000
TOTAL PUBLIC TRANSPORTATION FUND	\$220,000

SCHEDULE C. POWELL BILL FUND (0120)
(START-UP - EFFECTIVE UPON ORDINANCE ADOPTION)

Fund Balance - Unappropriated	\$648,331
TOTAL POWELL BILL FUND	\$648,331

SCHEDULE D. GENERAL FUND (0101)
(FY94 - EFFECTIVE JULY 1, 1993)

Property Taxes	\$3,423,328
Licenses and Permits	182,905
State Shared Revenue	333,231
TOTAL GENERAL FUND	\$3,939,464

SCHEDULE E. PUBLIC TRANSPORTATION FUND (7801)
(FY94 - EFFECTIVE JULY 1, 1993)

Motor Vehicle Licenses	\$163,846
Fund Balance - Unappropriated	44,847
TOTAL PUBLIC TRANSPORTATION FUND	\$208,693

SCHEDULE F. POWELL BILL FUND (0120)
(FY94 - EFFECTIVE JULY 1, 1993)

State Gas Tax Refund	\$ 520,268
Fund Balance - Unappropriated	1,131,335
TOTAL POWELL BILL FUND	\$1,651,603

Section 3. That the sum of \$195,061 is hereby estimated to be available from Property Taxes in the Pay As You Go Fund 2011 effective July 1, 1993.

Section 4. That the sum of \$633,949 is hereby estimated to be available from Property Taxes in the Municipal Debt Service Fund 5101 effective July 1, 1993.

Section 5. That the sum of \$664,271 is hereby estimated to be available from the unappropriated unrestricted General Fund fund balance and is hereby appropriated to the General Fund Account Economic Loss Settlements (0101;530.66) for payments to private garbage haulers and volunteer fire departments effective July 1, 1993. It is estimated that these payments shall extend past the end of the fiscal year. Therefore, this section shall remain in effect for the duration of the payment process.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. It is the intent of this ordinance to be effective as of the dates indicated in each of the foregoing sections.

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 is recorded in full in Ordinance Book 41, at page(s) 390-393.

Nancy S. Gilbert
Deputy City Clerk

ORDINANCE NO. 3502-XAN ORDINANCE TO AMEND ORDINANCE NO. 3348-X, THE 1992-93 BUDGET
ORDINANCE, TRANSFERRING FUNDS AND PROVIDING AN APPROPRIATION
FOR A FEDERAL LOBBYIST.

BE IT ORDAINED by the City Council of the City of
Charlotte, North Carolina;

Section 1. That the sum of \$50,000 is hereby
estimated to be available from the following sources:

<u>Source</u>	<u>Amount</u>
Private Contributions	\$25,000
Airport Operating Fund	5,000
Water and Sewer Operating Fund	5,000
Employment and Training Operating Fund	5,000
Community Development Operating Fund	5,000
General Fund-Contingency	5,000
Total	<u>\$50,000</u>

Section 2. That the sum of \$50,000 is hereby
appropriated to the General Fund Non-Departmental.

Section 3. All ordinances or parts of ordinances in
conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective
upon its adoption.

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 is recorded in full in Ordinance
Book 41, at page(s) 394.

Nancy S. Gilbert
Deputy City Clerk

ORDINANCE ADOPTED JANUARY 25, 1993, AUTHORIZING
THE AMENDMENT OF CHARLOTTE CITY CODE
CHAPTER IV, ARTICLE V

ORDINANCE NO. 3503

WHEREAS, the City owns and operates within its corporate limits a public airport known as Charlotte/Douglas International Airport (the "Airport") providing air carrier and general aviation facilities as a "public enterprise" pursuant to the authority of Chapter 63 and Chapter 160A, Article 16 of the General Statutes of the State of North Carolina; and

WHEREAS, included within the boundaries of the Airport is a passenger terminal (the "Terminal Building") accessed by private Terminal Roadways dedicated solely to use in connection with the Airport which adjacent to the Terminal Building consist of two roadways, one elevated and intended for use primarily in dropping off departing airline passengers and baggage and the other at ground level and intended for use primarily in picking up arriving airline passengers, baggage and freight; and

WHEREAS, a major contributor to congestion in the areas provided for passenger, baggage and freight pick up at the Terminal Building has been the cruising and standing of Terminal Commercial Ground Transportation Vehicles in the ground level Terminal Roadway and at its curbside; and

WHEREAS, by virtue of the provisions of Chapter 63 and Chapter 160A, Article 16 of the General Statutes the City has authority to regulate Terminal Commercial Ground Transportation Vehicles on the Airport and to set fees for their use of Airport facilities; and

WHEREAS, a curbside commercial vehicle study was undertaken in 1985 by consultants at the City's request and pursuant to the consultants' recommendation the City constructed an additional roadway adjacent to the ground level Terminal Roadway on the other side from the Terminal Building, access to which is controlled by a gate governed by a computerized control system in order to provide a pass through lane and a standing area for use by Terminal Commercial Ground Transportation Vehicles (the "Commercial Lane"); and

WHEREAS, the manner of operation of taxicabs as a part of the Airport's Terminal Commercial Ground Transportation Vehicle network was also made the subject of the consultants' study and the City has already adopted an ordinance governing the operation of taxicabs at the Airport which is codified in Chapter 22 of the City Code; and

WHEREAS, the City finds that it is necessary and proper to enact reasonable standards, controls, rules, regulations and procedures governing the operation of non-taxicab Terminal Commercial Ground Transportation Vehicles; and

WHEREAS, the City has incurred and will continue to incur substantial operating and development costs in order to preserve and maintain the high quality of the Airport; and

WHEREAS, a substantial part of these costs are funded from revenues derived from users; and

WHEREAS, the City finds that it is absolutely essential that Airport user revenues be preserved; and

WHEREAS, substantial Airport user revenues are received from certain rental car companies doing business at the Airport as on-airport operators ("On-Airport RACs"), pursuant to Concession Agreements with the City, utilizing Courtesy Vehicles on Terminal Roadways to pick up and return their customers to the Terminal Building from facilities that are located some distance from the Terminal Building; and

WHEREAS, certain other rental car companies do business at the Airport as off-Airport operators; without being party to Concession Agreements with the Airport ("Off-Airport RACs") and currently not paying the City any fees or charges to utilize Courtesy Vans on Terminal Roadways to pick up and return their customers to the Terminal Building from facilities that are located some distance from the Terminal Building; and

WHEREAS, the City finds that the use of Courtesy Vans by Off-Airport RACs and On-Airport RACs collectively constitute a specific and separate classification of commercial enterprise doing business at the Airport, and deriving substantial benefit from the use of Terminal Roadways; and

WHEREAS, the City finds that both Off-Airport RACs and On-Airport RACs depend upon the Airport to derive substantial revenues for their businesses; and

WHEREAS, the fact that Off-Airport RACs continue to do business on the Airport without paying fees and charges to the City, while On-Airport RACs have been contractually bound to pay a fee of ten percent (10%) of their Gross RAC Revenues, threatens the continuing ability of the City to induce On-Airport RACs to agree to pay ten percent (10%) of Gross RAC Revenues to the City, which Gross RAC Revenues the City finds are essential to fund the operation and development of the Airport; and

WHEREAS, the Airport Advisory Committee has recommended a fee schedule of eight percent (8%) of their revenues attributable to the rental of vehicles to Airport users and Council's Transportation Committee has

recommended a phased in schedule of five percent (5%) of such revenues during the first year this Ordinance is effective and six percent (6%) thereafter; and

WHEREAS, the Off-Airport RACs are contesting enactment of an Ordinance subjecting them to such fees and Council has elected to defer decision regarding such fees in order to allow the Off-Airport RACs to respond with documented responses to the Council's requests; and

WHEREAS, the City also derives substantial revenues from parking fees which are used to fund the cost of operating and developing the Airport; and

WHEREAS, the City provides transportation for its parking customers to and from the Terminal and remote parking locations by courtesy vehicles on Terminal Roadways deriving revenue by charging a fee that includes a charge for the benefit received from the services of the City's courtesy vehicles; and

WHEREAS, certain commercial enterprises are providing off-Airport parking and eroding the City's on-Airport parking revenues, but even though these commercial enterprises depend upon the existence of the Airport and Terminal Building as the source of customers and utilize Courtesy Vans to transport customers on Terminal Roadways in the course of providing their services, they currently pay no fees or charges for the privilege of doing so; and

WHEREAS, the City finds that Courtesy Vans provided by off-Airport parking commercial enterprises are a separate classification of Terminal Commercial Ground Transportation Vehicles; and

WHEREAS, the Airport Advisory Committee has recommended a fee schedule of One Dollar (\$1.00) per trip through the Commercial Lane and the Council's Transportation Committee has recommended a phased in schedule of \$.50 per trip during the first year this Ordinance is effective and \$1.00 thereafter; and

WHEREAS, the off-Airport parking businesses are also contesting enactment of an Ordinance subjecting them to such fees and Council has elected to defer decision regarding such fees in order to allow the owners of off-Airport parking businesses to respond with documented responses to the Council's requests; and

WHEREAS, courtesy vehicles provided by motels and hotels to transport Airport users to and from places of accommodation without charge provide a service that benefits the Airport and the City finds that Hotel/Motel Courtesy Vehicles constitute a separate classification of Terminal Commercial Ground Transportation Vehicles; and

WHEREAS, Shuttle Van Service is a form of Terminal Ground Transportation Service that is not contracted by prearrangement and compliments taxi service in that it is less expensive to provide than taxi service because, rather than providing transportation on call or demand to any location, Shuttle Van Service involves movement on a more fixed schedule from the Terminal Building to prescribed locations where large numbers of persons may gather such as hotels, motels, shopping centers, businesses or commercial buildings, factories, stadiums, coliseums, or theatres, and therefore can be profitably provided at a lower rate than taxi service; and

WHEREAS, the City finds that vehicles providing Shuttle Van Service constitute a separate classification of Terminal Commercial Ground Transportation Vehicles; and

WHEREAS, limousines also provide a service ("Limousine Service") that is distinctive in that passenger pick up is by prearrangement; and

WHEREAS, the City finds that vehicles providing Limousine Service constitute a separate classification of Terminal Commercial Ground Transportation Vehicles; and

WHEREAS, due to the need for reliable regularly scheduled Shuttle Van Service to complement existing taxi service the Airport Advisory Committee has recommended that the Aviation Director be authorized to award an exclusive franchise for providing Shuttle Van Service from the curbside of the ground level Terminal Roadway to one operator of Terminal Commercial Ground Transportation Vehicles; and

WHEREAS, certain vans ("Contract Vans") provide a service that is distinctive from the services provided by other vans in that passengers are charged for their transportation as is not the case with Hotel/Motel courtesy Vans and in that passenger pick up is by prearrangement; and

WHEREAS, the owners of some Contract Vans have indicated their opposition to an exclusive franchise for providing Shuttle Van Service at the Airport requesting instead all Contract Vans be authorized to provide Shuttle Van Service from the Airport, and Council has elected to defer decision regarding authorization of an exclusive franchise; and

WHEREAS, the City finds that Terminal Commercial Courier Vehicles are a separate classification of Terminal Commercial Ground Transportation Vehicle because they do not transport persons and only transport commercial and financial instruments, packages, luggage or similar items to or from the Airport.

NOW, THEREFORE, Chapter 4, Article V, of the Code of the City of Charlotte shall be and hereby is amended by deleting the present Article V in its entirety and substituting in its place, the following:

Article V. Ground Transportation at
Charlotte/Douglas International Airport

Section 4-86. Purpose.

This Article is enacted for the purpose of requiring persons, who use Terminal Roadways to benefit off-Airport locations in competition with the City or persons providing Terminal Commercial Ground Transportation Services pursuant to a Concession Agreement, to pay fees for such use and thereby protect the Airport's concession revenue; to assist in defraying the expense of operating the Airport, including but not limited to, providing Terminal Roadways, the Commercial Lane and traffic control, policing, maintenance and similar services; and to enable the Aviation Director to establish regulations setting reasonable standards, controls, rules and procedures governing the operation of non-taxicab Terminal Commercial Ground Transportation Vehicles on the Airport.

Section 4-87. Definitions.

The following words and phrases when used in this Article shall, for the purpose of this Article, have the meanings set forth in this Section, except where the context clearly requires a different meaning.

- (a) Airport. The Charlotte/Douglas International Airport.
- (b) Airport RAC Gross Revenues. The total sum of money paid or payable to either an Off-Airport RAC or an On-Airport RAC for or in connection with the use of any vehicle contracted for, delivered to or rented by any customer who within twenty-four (24) hours of such event shall have arrived in Charlotte by way of the Terminal Building. It shall include any charges for insurance paid or payable by said customer but shall not include any charges to the customer for fuel to fill the tank of a vehicle returned by that customer pursuant to a contract requiring the customer to return the vehicle with a pre-specified amount of fuel corresponding to the quantity in the tank of the vehicle at the time of delivery.
- (c) Commercial Lane. The Terminal Roadway adjacent to the ground level Terminal Roadway on the other side from the Terminal Building, access to which is controlled by a gate governed by a computerized control system in order to provide a pass-through lane and a standing area for use by Terminal Commercial Ground Transportation Vehicles who are picking up passengers at the Terminal Building.
- (d) Concession Agreement. An agreement with the City authorizing a for-profit business enterprise to engage in the sale of products or services to Terminal users at the Airport that either expressly or implicitly include Terminal Commercial Ground Transportation Services.
- (e) Contract Vans or Limousines. Any Terminal Commercial Ground Transportation Vehicle using Terminal Roadways to provide Terminal Commercial Ground Transportation Services to passengers by prearrangement that does not hold a Terminal Commercial Ground Transportation Permit as a Courtesy Van providing Off-Airport RAC service or Off-Airport parking service, a Hotel/Motel Courtesy Van or a Terminal Commercial Courier Vehicle; is not operated by the City; or does not provide Terminal Commercial Ground Transportation Services pursuant to a Concession Agreement with the City.
- (f) Courtesy Vans. A category of Terminal Commercial Ground Transportation Vehicle provided for the purpose of inducing users of the Terminal Building to utilize off-Airport facilities and services, which may or may not be in competition with services provided at the Airport.
- (g) Cruising. The movement of a Terminal Commercial Ground Transportation Vehicle over Terminal Roadways in search of passengers or for the purpose of attracting passengers.
- (h) Hotel/Motel Courtesy Van. A form of Courtesy Van provided by hotel and/or motel operators to Terminal Building users without charge so that the users pay no more for their hotel or motel accommodation than other hotel or motel guests not using the Hotel/Motel Courtesy Van service.
- (i) Off-Airport RACs. Rental car companies who have not entered into a Concession Agreement with the Airport and who do business by utilizing Terminal Roadways to transport users of the Terminal Building in Terminal Commercial Ground Transportation Vehicles.
- (j) On-Airport RACs. Rental car companies who provide rental vehicles to Terminal Building users pursuant to a Concession Agreement with the Airport.
- (k) Parking Deck. The multiple level structure located adjacent to the Commercial Lane and providing on-airport parking to users of the Terminal Building.
- (l) Shuttle Van Service. A form of Terminal Commercial Ground Transportation Service provided from curbside on the ground level Terminal Roadway at the Terminal Building which is provided pursuant to a Concession Agreement with the City and is less expensive to provide than taxi service because, rather than providing transportation on call or demand to any location, it involves movement on a more fixed schedule to

prescribed locations where large numbers of persons may gather such as hotels, motels, shopping centers, businesses or commercial buildings, factories, stadiums, coliseums or theatres, and, therefore, can be profitably provided at a lower rate than taxi service.

(m) Terminal Building. The building located on the Airport south of the Southern Railroad right of way and surrounded by Runways 18L/36R, 5/23 and 18R/36L, consisting of the baggage level, ticket level, office level, basement and concourses, utilized by airline passengers arriving at and departing from Charlotte and the surrounding region.

(n) Terminal Commercial Courier Vehicles. Any Terminal Commercial Ground Transportation Vehicle used to transport commercial and financial instruments, packages, luggage or similar items over Terminal Roadways to and/or from the Terminal Building for a charge or fee.

(o) Terminal Commercial Ground Transportation Permits. The Permit issued by the City of Charlotte pursuant to this Article authorizing the holder to provide Terminal Commercial Ground Transportation Services at the Airport.

(p) Terminal Commercial Ground Transportation Services. The transporting of persons or property by vehicle from the Terminal Building for the purpose and/or with the expectation of receiving, directly or indirectly, financial remuneration therefor.

(q) Terminal Commercial Ground Transportation Vehicles. Any vehicle used to provide Terminal Commercial Ground Transportation Services.

(r) Terminal Roadways. All roadways inside the Airport boundary which are within the area bounded on the north by the Southern Railway right of way, on the east by Runway 18L/36R and on the west by Runway 18R/36L and on the south by the Terminal Building.

Section 4-88. Unauthorized Operations; Soliciting on Airport Roadways Prohibited.

Except as provided in this Article, no person shall --

1. Operate any Commercial Ground Transportation Vehicle upon the Terminal Roadways picking up or for the purpose of picking up passengers or documents, packages or similar items with the expectation of deriving economic benefit, directly or indirectly by doing so; or
2. Engage in cruising or other activity at the Terminal Building or on Terminal Roadways intended to solicit persons to use the services of Terminal Commercial Ground Transportation Vehicles on Airport Roadways.

Section 4-89. Shuttle Van Service Concession.

DEFERRED.

Section 4-90. Requirements.

1. Persons intending to operate Commercial Ground Transportation Vehicles on Terminal Roadways, other than taxicab operators governed by the provisions of Chapter 22 of the City Code, City employees, and Courtesy Vans operated by On-Airport RACs and Shuttle Van concessionaires, shall first apply to and obtain a Terminal Commercial Ground Transportation Permit for each vehicle which they intend to use to provide Terminal Commercial Ground Transportation services.
2. Applicants for a Terminal Commercial Ground Transportation Permit shall provide proof of liability insurance coverage in amounts required by the City's Aviation Director in the exercise of his or her reasonable discretion.
3. Applicants for Terminal Commercial Ground Transportation Permits shall provide the City with all information reasonably requested by the City's Aviation Director and his or her representative for the purpose of identifying all vehicles and drivers with respect to which a Terminal Commercial Ground Transportation Permit is requested.
4. It shall be the responsibility of any person holding a Terminal Commercial Ground Transportation Permit to employ drivers meeting all standards imposed by the Aviation Director which when the drivers will be transporting passengers shall include requirements as to their character and experience.

Section 4-91. Issuance.

1. The Aviation Director of the City or his/her representative shall, within a reasonable time after receipt of an application completed in compliance with Section 4-90, issue a Terminal Commercial Ground Transportation

Permit for each vehicle covered by the application which shall be valid for one (1) calendar year or the remaining portion of the then current calendar year, unless it shall appear that:

- (a) The application is incomplete; or
- (b) The applicant has failed to provide either the identifying and driver information or proof of insurance coverage required by Section 4-90; or
- (c) The application contains false statements; or
- (d) The Terminal Commercial Ground Transportation Permit is sought in furtherance of or in connection with some unlawful enterprise or activity; or
- (e) The Aviation Director of the City has reasonable grounds to conclude that granting the Terminal Commercial Ground Transportation Permit with respect to any vehicle would create a threat to the health or safety of persons or property in or about the Airport, or would be likely to interfere with the safe, orderly and expeditious flow of traffic to, from, at or about the Terminal Roadways; or
- (f) The applicant is in violation of any health, safety, insurance, inspection, licensing, certification, or other requirement imposed by a governmental authority; or
- (g) The applicant is in violation of a previously issued Terminal Commercial Ground Transportation Permit or is in default under any contract with the City that is related to the provision of Commercial Ground Transportation Services.

2. Every Commercial Ground Transportation Permit issued pursuant to this Section shall be in the form determined by the Aviation Director of the City, as he or she shall from time to time in his or her reasonable discretion determine and shall be expressly conditioned upon observance by the permittee of all Federal, State, County and Municipal laws, ordinances, rules, regulations and such directives and procedures as may, from time to time, be established by the Aviation Director of the City, including but not limited to, directives and procedures reasonably established for the public health and safety, the security and good order of the Airport and the expeditious flow of traffic to, from and about the Terminal Roadways.

3. In the event that an application for a Terminal Commercial Ground Transportation Permit hereunder is denied, the Aviation Director of the City or his/her representative shall give prompt written notice thereof to the applicant, advising of the reason for the denial and shall return to the applicant any fees submitted by the applicant in connection with that application. Applicant shall have thirty (30) days from the date of receipt of this written notice to appeal such denial to the City Manager of the City or his/her designee.

Section 4-92. Standards of Operation.

The Aviation Director of City shall have the right to adopt and amend, from time to time, reasonable rules, regulations and procedures applicable to Terminal Commercial Ground Transportation Services on all Airport Roadways. The adoption of this Article and the promulgation of standards governing Terminal Commercial Ground Transportation Services on Terminal Roadways is not intended and shall not be construed to be the granting of any property right or expectation to any person. All persons electing to invest time or financial resources in providing Terminal Commercial Ground Transportation Services on Terminal Roadways do so with full knowledge of all the provisions of this Article and shall have no right or standing to make claim or objection against the City by reason of any amendments to any such reasonable rules, regulations or procedures.

Section 4-93. Classification of Commercial Ground Transportation Permits; Fees.

1. The following shall be the classifications of Terminal Commercial Ground Transportation Permits and the fees that shall be charged with respect to each, to wit:

- (a) Off-Airport RACs – DEFERRED.
- (b) Off-Airport Parking – DEFERRED.
- (c) Hotel/Motel Courtesy Vans – Four Hundred Dollars (\$400.00) annually for each Hotel/Motel Courtesy Van holding a Terminal Commercial Ground Transportation Permit, with the annual fee being prorated on a monthly basis, with any portion of a month counting as a full month for such purposes; provided, however, any hotel or motel may elect to have all Hotel/Motel Courtesy Vans owned or operated by it considered to be Contract Vans and pay fees of One Dollar (\$1.00) per entry of each Hotel/Motel Courtesy Van into the Commercial Lane;
- (d) Commercial Courier Vehicles – One Dollar (\$1.00) per entry into the Commercial Lane by each Commercial Courier Vehicle holding a Terminal Commercial Ground Transportation Permit; and

(e) Contract Vans or Limousines - One Dollar (\$1.00) per entry of each Contract Van or Limousine holding a Terminal Commercial Ground Transportation Permit into the Commercial Lane or the Parking Deck.

Section 4-94. Required Manner of Operation.

- 1. DEFERRED.
- 2. DEFERRED.
- 3. DEFERRED.
- 4. Terminal Commercial Courier Vehicles holding a Terminal Commercial Ground Transportation Permit shall enter the Commercial Lane before picking up or dropping off any documents, packages, luggage or other items being transported for a fee or charge whether direct or indirect.
- 5. DEFERRED.

Section 4-95. Enforcement.

The Aviation Director shall have the power and the duty to enforce this Article and the Aviation Director shall have the power and duty to collect fees in advance, require deposits and design and require the use of such forms, and to establish such procedural rules as he or she shall, from time to time, deem necessary or conducive to the proper and efficient administration of this Article.

Section 4-96. Revocation.

A Terminal Commercial Ground Transportation Permit may be revoked by the Aviation Director for cause five (5) days after delivery of notice to the holder thereof, either in person or by registered or certified mail, postage prepaid. The term "cause" shall include but not be limited to:

- (a) Breach of or failure to perform any condition of his Permit;
- (b) Failure to make timely payment of amounts due the City;
- (c) Violation of any Federal, State or local law or ordinance or any rule, regulation or procedure established by the Aviation Director by the holder of the Permit, including his employees and representatives.

Section 4-97. Penalties for Violations.

Violation of this Article shall constitute a misdemeanor subjecting any person found guilty thereof to a fine not to exceed the sum of Five Hundred Dollars (\$500.00), imprisonment for not to exceed thirty (30) days, or both.

Section 4-98. Effective Date. Severability.

This Article shall be effective on May 1, 1993. The provisions of this Article are intended to be severable so that if any provision or provisions shall be held to be invalid or unenforceable, all other provisions shall remain in full force and effect.

Approved as to form:

Henry W. Woodbridge, Jr.
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 100, and is recorded in full in Ordinance Book 41, at page(s) 395-400.

Nancy S. Gilbert
Deputy City Clerk

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ORDINANCE NO. 3504-X

AN ORDINANCE TO AMEND ORDINANCE NO. 3348-X, THE 1992-93 BUDGET ORDINANCE, PROVIDING FOR APPROPRIATIONS FOR PAYMENT OF ARBITRAGE/REBATE TO THE UNITED STATES TREASURY DEPARTMENT.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$1,787,200 is hereby estimated to be available from the following sources.

<u>Source</u>	<u>Amount</u>
General Capital Project Fund- Reserve for Arbitrage	\$ 355,640.01
Water and Sewer Capital Project Fund- Reserve for Arbitrage	<u>1,431,559.99</u>
Total	<u>\$1,787,200.00</u>

Section 2 . That the sum of \$1,787,200 is hereby appropriated as follows:

<u>Fund</u>	<u>Amount</u>
General Capital Project Fund	\$ 355,640.01
Water and Sewer Capital Project Fund	<u>1,431,559.99</u>
	<u>\$1,787,200.00</u>

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

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 is recorded in full in Ordinance Book 41, at page(s) 403.

Nancy S. Gilbert, Deputy City Clerk