

Ordinance No. 2116-X

0-4

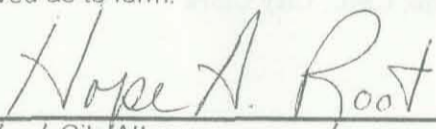
AN ORDINANCE TO AMEND ORDINANCE NUMBER 2091-X, THE 2002-2003 BUDGET ORDINANCE APPROPRIATING ENVIRONMENTAL PROTECTION AGENCY GRANT MONIES FOR THE DESIGN AND CONSTRUCTION OF A WATER AND ENVIRONMENTAL EDUCATION CENTER

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

- Section 1. That the sum of \$475,000 is hereby estimated to be available in the form of a grant from the US Environmental Protection Agency.
- Section 2. That the sum of \$475,000 is hereby appropriated to the North Mecklenburg Water Treatment Plant Education Center project (634.01) in the Water and Sewer Capital Project Fund (2071).
- Section 3. That the existence of the project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.
- Section 4. All ordinances in conflict with this ordinance are hereby repealed.
- Section 5. This ordinance shall be effective upon adoption.

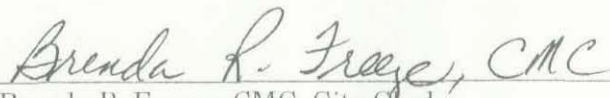
Approved as to form:

  
\_\_\_\_\_  
Asst. City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 26<sup>th</sup> day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Page 728.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of August, 2002.

  
\_\_\_\_\_  
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2117-X

0-5

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2091-X, THE 2002-2003 BUDGET ORDINANCE, APPROPRIATING AIRPORT DISCRETIONARY FUNDS FOR THE CONSTRUCTION OF TWO RESTAURANTS ON CONCOURSE E.

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

Section 1. That the sum of \$1,116,900 is hereby estimated to be available from Airport Discretionary Funds. These funds will be repaid from the proceeds of future General Airport Revenue Bonds.

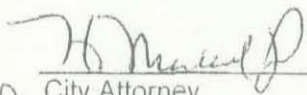
Section 2. That the sum of \$1,116,900 is hereby appropriated to the Airport Capital Projects Fund 2087 - 529.43.

Section 3. That the existence of the project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the program and funds are to be carried forward to subsequent fiscal years until all funds are expended.

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective upon adoption.

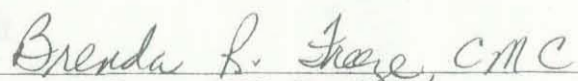
Approved as to form:

  
City Attorney

**CERTIFICATION**

I, Brenda R. Freeze, 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 26<sup>th</sup> day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Page 729.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of August, 2002.

  
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2118-X

0-6

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2091-X, THE 2002-2003 BUDGET ORDINANCE, APPROPRIATING AIRPORT DISCRETIONARY FUNDS FOR THE INSTALLATION OF THREE ADDITIONAL PASSENGER LOADING BRIDGES.

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

Section 1. That the sum of \$785,160 is hereby estimated to be available from Airport Discretionary Funds. These funds will be repaid from the proceeds of future General Airport Revenue Bonds.

Section 2. That the sum of \$785,160 is hereby appropriated to the Airport Capital Projects Fund 2087 - 529.42.

Section 3. That the existence of the project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the program and funds are to be carried forward to subsequent fiscal years until all funds are expended.

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

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

CERTIFICATION

I, Brenda R. Freeze, 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 26<sup>th</sup> day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Page 730.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of August, 2002.

  
\_\_\_\_\_  
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2119-X

0-7

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2091-X, THE 2002-2003 BUDGET ORDINANCE, APPROPRIATING AIRPORT DISCRETIONARY FUNDS TO UPDATE THE AIRPORT'S FAR PART 150 NOISE COMPATIBILITY PROGRAM.

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

Section 1. That the sum of \$78,000 is hereby estimated to be available from Airport Discretionary Funds. These funds will be repaid from the proceeds of future General Airport Revenue Bonds.

Section 2. That the sum of \$78,000 is hereby appropriated to the Airport Capital Projects Fund 2087 - 529.39.

Section 3. That the existence of the project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the program and funds are to be carried forward to subsequent fiscal years until all funds are expended.

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective upon adoption.


Approved as to form:

  
City Attorney

CERTIFICATION

I, Brenda R. Freeze, 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 26<sup>th</sup> day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Page 731.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of August, 2002.

  
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2120-X

0-8

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2091-X, THE 2002-2003 BUDGET ORDINANCE, APPROPRIATING A FEDERAL AVIATION ADMINISTRATION (FAA) GRANT FOR REIMBURSEMENT OF COSTS ASSOCIATED WITH THE AIRPORT MASTER PLAN LAND ACQUISITION PROGRAM.

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

Section 1. That the sum of \$15,102,768 is hereby estimated to be available from a grant from the Federal Aviation Administration Airport Improvement Program.

Section 2. That the sum of \$15,102,768 is hereby appropriated to the Airport Capital Improvement Fund (2083 - 52821).

Section 3. That the sum of \$15,100,000 is hereby estimated to be available from the Airport Capital Improvement Fund 2083 - 52821.


Section 4. That the sum of \$15,100,000 is hereby appropriated to the Aviation Debt Service Fund (Fund 5613) in order to redeem a portion of the outstanding debt of the 1999 Series D General Airport Revenue Bonds.

Section 5. That the existence of the project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the program and funds are to be carried forward to subsequent fiscal years until all funds are expended.

Section 6. All ordinances in conflict with this ordinance are hereby repealed.

Section 7. This ordinance shall be effective upon adoption.

Approved as to form:

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

**CERTIFICATION**

I, Brenda R. Freeze, 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 26<sup>th</sup> day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Page 732.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of August, 2002.

  
\_\_\_\_\_  
Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2121-X

PEACHTREE HILLS

Returned to customer

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE  
CITY OF CHARLOTTE, NORTH CAROLINA**

WHEREAS, the City Council has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held in the Meeting Chamber of the Charlotte Mecklenburg Government Center, 600 E. Fourth Street, Charlotte, N.C. at 7:00 p.m. on August 26, 2002 after due notice by The Charlotte Observer on August 12, 2002; and

WHEREAS, the City Council finds that the petition meets the requirements of G.S. 160A-31;

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory, is hereby annexed and made part of the City of Charlotte as of August 26, 2002.

**LEGAL DESCRIPTION**

BEGINNING at an existing iron pin; said point marking the southeast corner of Lot 17 Block D as recorded in Map Book 7 Page 709 of the Mecklenburg County Public Registry, said point also marking the southwest corner of Lot 18 Block D of Crandon Park as recorded in Map Book 7 Page 709 of the Mecklenburg County Public Registry; said point also marking the northeast corner of Well Lot A on the Minor Subdivision of Well Lot Block D Crandon Park as recorded in Deed Book 8804 Page 944 of the Mecklenburg County Public Registry; thence from said point and place of BEGINNING S 75°40'08" E 160.93 Feet to a point; thence S 75°52'32"E 121.24 Feet to an existing iron pin; thence N 59°14'29"E 106.58 Feet to an existing iron pin; thence S 34°35'31" E 159.51 Feet to a concrete monument; thence S 34°27'02" E 260.18 Feet to a concrete monument; thence S 01°26'49" E 749.54 Feet to a concrete monument; thence S 57°21'17" W 99.92 Feet along the northern boundary of the land owned by Providence Development Partners LLC as recorded in Book 10153 Page 549 of the Mecklenburg County Public Registry to an existing iron pin; thence S 50°20'18"W 303.06 Feet to an existing iron pin; thence N 65°02'42" W 485.69 Feet to an existing iron pin; thence N 79°14'06" W 471.94 Feet to a found iron pin; thence N 01°10'24" E 166.03 Feet to an existing iron pin; thence N 00°26'19" W 1016.88 Feet to a point; thence N 48°15'37"E 267.58 Feet to a point, thence S 42°49'18" E 176.35 Feet, said point also marking the

RETURN TO LYANNE A. CLEM, CITY CLERK'S OFFICE  
CITY OF CHARLOTTE NC

northwestern margin of Crandon Drive a 60 foot public right of way; thence S 42°22'11" E 59.44 Feet to a point; thence S 46°00'39" E 172.48 Feet; thence S 46°50'21"W 91.64 Feet to an existing iron pin; thence S 00°18'28" E 182.93 to an existing iron pin; thence N 37°34'47" E 305.37 Feet to the point and place of BEGINNING, containing 33.2006 acres as shown on the boundary Survey of John G. Cloer Property for Triven Properties City of Charlotte, Mecklenburg County, North Carolina, recorded in Deed Book 4734 Page 533 in the Mecklenburg County Public Registry by Kelly S. Jamison NCPLS# 3870 dated April 12, 2001. (Deed Book 13593, Page 901)

AND

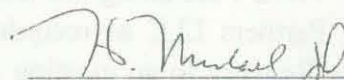
BEGINNING at a rebar set in the line of John Cloer, said point being S 37°34'47"W 125.37 Feet from an existing iron pin at the northeast corner of Well Lot Block D of Crandon Park Subdivision as recorded in Map Book 7 Page 709 in the Mecklenburg County Public Registry, said point being the southwest corner of Lot 18 Block D of Crandon Park MB7 P709 as recorded in the Mecklenburg County Public Registry; thence S 37°34'47" W 180.00 Feet to an existing iron pin; thence with the property line of John Cloer, N 00°18'28" W 140.00 Feet to a rebar set in the property line of John Cloer; thence N 88°37'30" E 110.56 Feet to the point and place of BEGINNING containing 0.1776 acres as shown on the Minor Subdivision of Well Lot Block D Crandon Park, City of Charlotte, Mecklenburg County, North Carolina, by Kelly S. Jamison NCPLS# 3870 dated August 14, 2001. (Deed Book 13576, Page 548)

Section 2. Upon and after August 26, 2002, the above described territory 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 of Charlotte. Said territory shall be subject to municipal taxes according to G.S.160A-58.10.

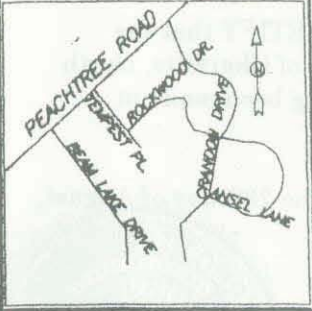
Section 3. The Mayor of the City of Charlotte shall cause to be recorded in the office of the Register of Deeds of Mecklenburg County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Adopted this 26th day of August, 2002.

APPROVED AS TO FORM:

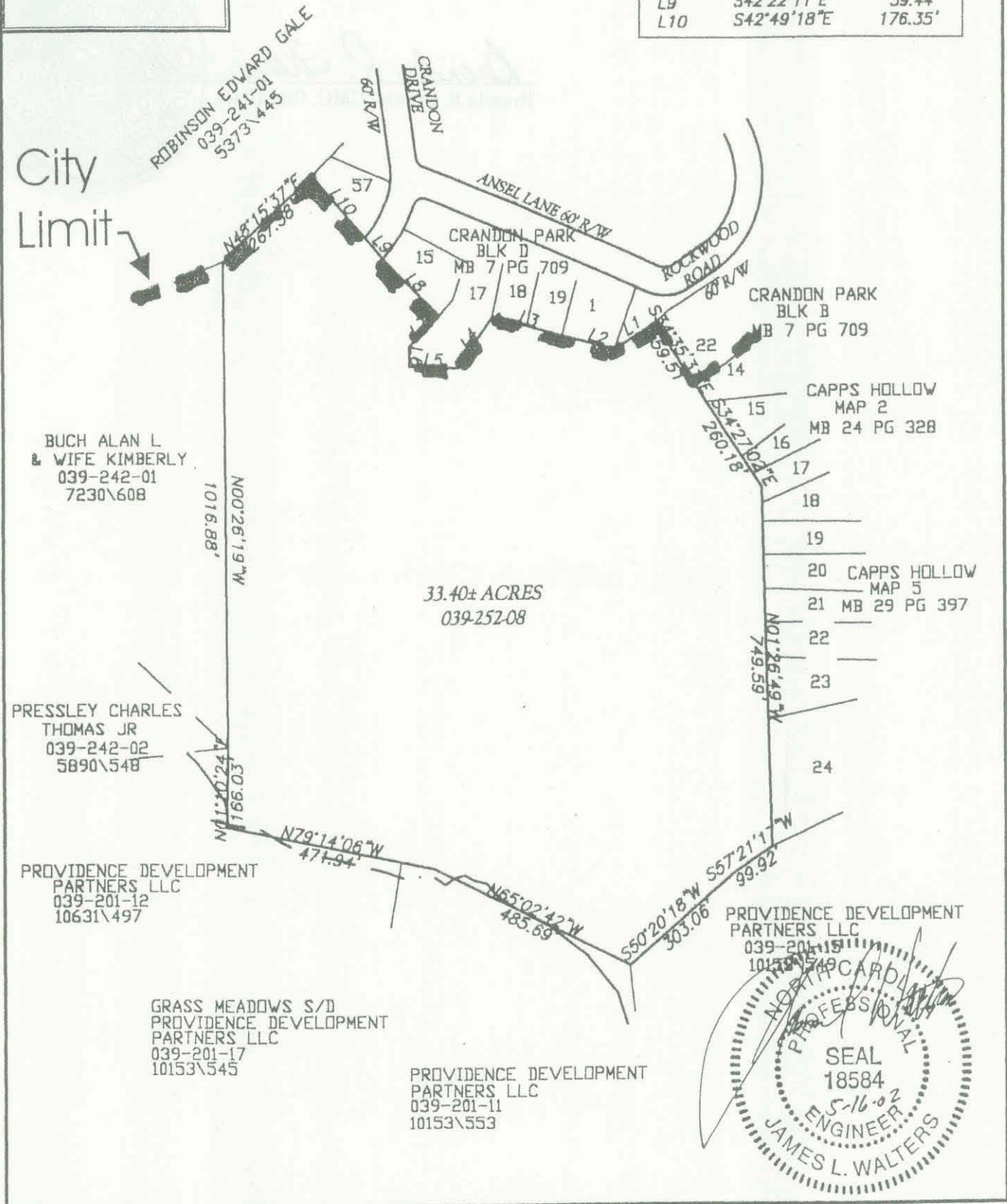
  
\_\_\_\_\_  
Sr. Dfg. City Attorney

VICINITY MAP  
 (NOT TO SCALE)



THIS MAP IS NOT A CERTIFIED SURVEY  
 AND HAS NOT BEEN REVIEWED BY A  
 LOCAL GOVERNMENT AGENCY FOR  
 COMPLIANCE WITH ANY APPLICABLE  
 LAND DEVELOPMENT REGULATIONS.

LINE	BEARING	DISTANCE
L1	N59°14'29"E	106.58'
L2	S75°52'32"E	121.24'
L3	S75°40'08"E	160.93'
L4	N37°34'47"E	134.57'
L5	S87°29'29"E	105.02'
L6	S00°18'28"E	42.97'
L7	S46°50'21"W	91.64'
L8	S46°00'39"E	172.48'
L9	S42°22'11"E	59.44'
L10	S42°49'18"E	176.35'



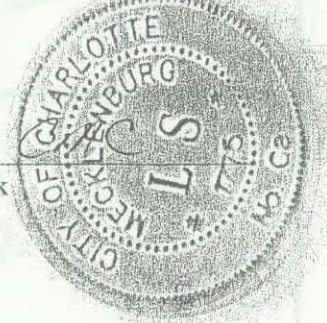


CERTIFICATION

I, Brenda R. Freeze, 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 26<sup>th</sup> day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Pages 733-736.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of August, 2002.

*Brenda R. Freeze*  
Brenda R. Freeze, CMC, City Clerk



Ordinance – Sidney and Ethel Grier House Property

ORDINANCE NO. 2122-X

**Ordinance designating as a Historic Landmark the “Sidney and Ethel Grier House Property” (listed under Tax Parcel Number 231-045-03 as of April 2, 2002, and including two acres of land described in Exhibit “A” associated with the Sidney and Ethel Grier House listed under Tax Parcel Number 231-045-03 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of April 2, 2002). The property is owned by Nancy Grier Miller and Florence Simpson Grier, and is located at 4647 McKee Road in the City of Charlotte in Mecklenburg County, North Carolina.**

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WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 26th day of August, 2002, on the question of designating a property known as the Sidney and Ethel Grier House Property as a historic landmark; and

WHEREAS, the Grier family farms were economically and socially integral to the Providence community of southern Mecklenburg County. As large landowners, members of the Grier family were able to produce cotton and other crops as well as to function as creditors for the poor farmers of the community — practices that place the Grier family farms firmly within the agricultural trends prevalent in the post Civil War South as a whole as well as in Mecklenburg County. Also, members of the Grier family established the first building in Mecklenburg that was exclusively devoted to the spinning of cotton; and

Ordinance – Sidney and Ethel Grier House Property

WHEREAS, the Sidney and Ethel Grier House Property, as part of the Providence Township, retains the qualities of a rural farm. Such places are becoming increasingly rare in Charlotte-Mecklenburg and serve as valuable reminders of the agricultural history of Mecklenburg County; and

WHEREAS, the Sidney and Ethel Grier House is a well-preserved, pyramidal hipped roofed farmhouse of which there are relatively few examples in rural Mecklenburg County; and

WHEREAS, the Sidney and Ethel Grier House features elements of the Craftsman and Queen Anne Styles, illustrating how popular styles could co-exist in the vernacular architecture of early 20<sup>th</sup> century Mecklenburg County; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as Sidney and Ethel Grier House Property possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the Sidney and Ethel Grier House Property is owned by Nancy Grier Miller and Florence Simpson Grier.

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

1. That the property known as the “Sidney and Ethel Grier House Property” (listed under Tax Parcel Number 231-045-03 as of April 2, 2002, and including two acres of land described in Exhibit “A” associated with the Sidney and Ethel Grier House listed under Tax Parcel Number 231-045-03 in the Mecklenburg County Tax Office, Charlotte,

Ordinance – Sidney and Ethel Grier House Property

North Carolina as of April 2, 2002) is hereby designated as a historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 4647 McKee Road in the City of Charlotte in Mecklenburg County, North Carolina. Features of the property are more completely described in the *Survey and Research Report on the Sidney and Ethel Grier House (2002)*.

2. That said designated historic landmark may be materially altered, or restored, only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances or regulations. Owners

Ordinance – Sidney and Ethel Grier House Property

of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

5. That a suitable sign may be posted indicating that said property has been designated as a historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said historic landmark.

6. That the owners of the historic landmark known as the Sidney and Ethel Grier House Property be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

7. That which is designated as a historic landmark shall be subject to Chapter 160A, Article 19, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the 26th day of August, 2002, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Approved as to form:

Sara S. Holderness  
City Attorney

Assistant



**EXHIBIT "A"**

**LEGAL DESCRIPTION OF 2 Acre Site  
Known as the "SIDNEY AND ETHEL GRIER HOUSE PROPERTY"**

**BEGINNING** at a point in the centerline of McKee Road (State Road #3445), an existing 60-foot public right-of-way, said point of Beginning being the northeastern corner of property now or formerly owned by Duke Power Company as described in Deed Book 4819 at Page 229, Mecklenburg Public Registry, and thence with the eastern boundary line of said Duke Power property the following two courses and distances: (1) South 04° 34' 55" West 34.20 feet; (2) South 04° 34' 55" West 15.80 feet to a point; thence the following nine new lines marking the southern margin of the historic site access drive as shown on a survey prepared for Portrait Homes Construction Company by David A. Weirich, PLS, dated June 18, 2002: (1) South 85° 30' 04" East 52.50 feet; (2) South 04° 34' 55" West 169.70 feet; (3) with the arc of circular curve to the left having a radius of 182.50 feet, an arc length of 285.90 feet (chord South 40° 17' 52" East 257.55); (4) South 85° 10' 39" East 431.53 feet; (5) with the arc of a circular curve to the right having a radius of 342.50 feet, an arc length of 76.06 feet (chord South 78° 48' 57" East 75.90 feet); (6) South 72° 27' 15" East 40.68 feet; (7) South 71° 49' 18" East 169.30 feet; (8) South 63° 23' 01" East 33.43 feet; (9) South 26° 36' 59" West 15.00 to the point of place of Beginning; and

**FROM SAID POINT OF BEGINNING**, the following new lines marking the boundaries of a two-acre historic site as shown on the survey referenced hereinabove: (1) South 63° 23' 01" East 15.00 feet; (2) South 63° 23' 01" East 16.99 feet; (3) with the arc of a circular curve to the left having a radius of 171.29 feet an arc length of 32.19 feet (chord South 67° 05' 24" East 32.14 feet); (4) South 72° 27' 15" East 86.73 feet; (5) with the arc of a circular curve to the left having a radius of 322.50 feet an arc length of 153.33 feet (chord South 86° 04' 29" East 151.89 feet); (6) South 13° 47' 07" East 183.47 feet; (7) South 71° 45' 07" West 234.47 feet; (8) with the arc of a circular curve to the right having a radius of 128.00 feet an arc length of 199.08 feet (North 63° 14' 53" West 179.61 feet); (9) North 18° 14' 53" West 44.23 feet; (10) North 17° 32' 45" East 201.52 feet to the point and place of Beginning. **CONTAINING 2.00 acres** being designated as "Historic Site" according to the survey referenced hereinabove.

**CERTIFICATION**

I, Brenda R. Freeze, 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 26<sup>th</sup> day of August, 2002, the reference having been made in Minute Book 118, and recorded in full in Ordinance Book 51, Pages 737-742.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 28<sup>th</sup> day of August, 2002.

*Brenda R. Freeze, CMC*  
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Brenda R. Freeze, CMC, City Clerk