

ORDINANCE NO. 2815-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3021 MELITA AVE. 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 CAROLINA REALTY INVESTMENT, 3649 CENTRAL AVE., CHARLOTTE, NC 28205

WHEREAS, the dwelling located at 3021 Melita Ave., in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 3021 Melita Ave., in the City of Charlotte, in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:


Senior Assistant 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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page 189.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.


Brenda R. Freeze, CMC, City Clerk

7

ORDINANCE NO. 2816-X

ORDINANCE NO. 2816-X


AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 3323 HOLT ST. 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 JAMES F. POPE, RICHARD S. POPE, JR., LARRY POPE, DONALD R. POPE, CHARLES W. POPE, RICHARD S. POPE, 3323 HOLT ST., CHARLOTTE, NC 28205

WHEREAS, the dwelling located at 3323 Holt St., in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 3323 Holt St., in the City of Charlotte, in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

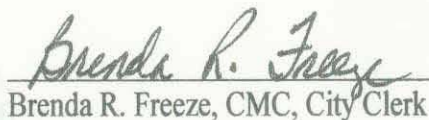


Senior Assistant City Attorney

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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page 190.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2817-X

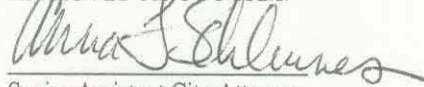
AN ORDINANCE ORDERING THE REPAIRING OF THE DWELLING AT 3834 CHANDWORTH ROAD PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF CHRISTINE L. McCARTER, 122 EAST 2ND STREET, OAKBORO N.C. 28129

WHEREAS, the dwelling located at 3834 Chandworth Road in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to repair said dwelling.

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to repair the dwelling located at 3834 Chandworth Road in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:


Anna Schluener
Senior Assistant 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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page 191.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.


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

ORDINANCE NO. 2818-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 4826 ASHLEY CIR. 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 STEPHEN T. MOTLEY AND W/JOYCE J. MOTLEY, 9416 SARDIS GLEN DR., MATTHEWS, NC 28105

WHEREAS, the dwelling located at 4826 Ashley Cir., in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 4826 Ashley Cir., in the City of Charlotte, in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.


APPROVED AS TO FORM:


Senior Assistant 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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page 192.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2819-X


AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 408 KIRBY DR. 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 CHRIS FUNKHOUSER, 822 THORN ST., SEWICKLEY, PA 15143

WHEREAS, the dwelling located at 408 Kirby Dr., in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 408 Kirby Dr., in the City of Charlotte, in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:


Senior Assistant 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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page 193.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2820-X


AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 324 CROMER ST. 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 SEED FAITH, INC., 808 CELEBRIDGE CT., CHARLOTTE, NC 28270

WHEREAS, the dwelling located at 324 Cromer St., in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 324 Cromer St., in the City of Charlotte, in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

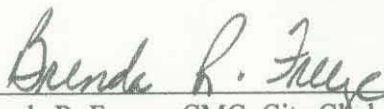
APPROVED AS TO FORM:


Senior Assistant 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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page 194.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 2821-X

O-44

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2620-X, THE 2004-2005 BUDGET
ORDINANCE, APPROPRIATING CAPITAL PROJECT FUNDING FOR THE NEIGHBORHOOD
IMPROVEMENT PROGRAM.

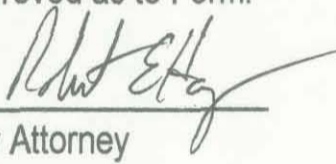
BE IT ORDAINED, by the City Council of the City of Charlotte;

Section 1. That the sum of \$2,500,000 is hereby available from 2004 Neighborhood Improvement Bonds and is appropriated to General Capital Investment Program 2010; 478.00 - Neighborhood Improvement Program.

Section 2. All ordinances in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall be effective immediately.


Approved as to Form:


SR. 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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page 195.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.


Brenda R. Freeze, CMC, City Clerk

7

ORDINANCE NO. 2822-X

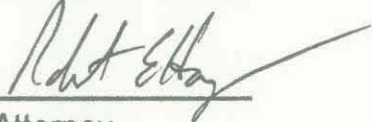
O-45

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2620-X, THE 2004-2005 BUDGET
ORDINANCE, ESTIMATING STATE GRANT REVENUES AND PROVIDING
APPROPRIATIONS AS PART OF THE NORTH CAROLINA MOVING AHEAD INITIATIVE.

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

- Section 1. That the sum of \$1,610,000 is hereby estimated to be available from the North Carolina Department of Transportation as part of the North Carolina Moving Ahead Initiative.
- Section 2. The sum of \$1,610,000 is hereby appropriated to General Capital Improvement Project Fund 2010; 281.50 - Participation in State Highway Projects.
- Section 3. All ordinances in conflict with this ordinance are hereby repealed.
- Section 4. This ordinance shall be effective immediately.


Approved as to Form:


SR 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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page 196.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.


Brenda R. Freeze, CMC, City Clerk

FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2005 FEB 17 10:23 AM
BK: 18366 PG: 547-558 FEE: \$42.00
INSTRUMENT # 2005029107



Returned to customer

ORDINANCE NO. 2823-X

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 informational meeting on the 9th day of September, 2004 and at the public hearing held on the 11th day of October, 2004, 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, 2005, 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, 2005, 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. As to each qualified tract of agricultural land, horticultural land and forestland in said territory, if any, the annexation will become effective on the last day of the month in which the tract or part thereof becomes ineligible for present-use classification under G. S. §105-277.4 or no longer meets the requirements of G.S. §160A-49(f1)(2).

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:

Drawn By/Mail To: City of Charlotte
City Clerk's Office
6000 E. 4th Street
Charlotte, NC 28202

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 53,005.8 feet, of which 20,324.0 feet 38.3% coincides with the present City boundary.
- (3) No part of the area is included within the boundary of another incorporated municipality.

B. The area qualifies for annexation under the standards set forth in G.S. §160A-48(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), as described in C and D below, but does meet the requirements of G.S. 160A-48(d)(2). This part of the area - known as "subsection (d) land" - does not exceed twenty-five percent (25%) of the total area to be annexed. The total number of acres in the area to be annexed is 1,306.9. Of that acreage, 323.4 acres, or 24.7% is contained in the subsection (d) land. The subsection (d) land is adjacent and at least sixty percent (60%) of its external boundary coincides with a combination of the present City boundary and the area developed for urban purposes as defined in G.S. 160A-48(c). The aggregate boundary of the subsection (d) land is 51,332.1 feet of which 50,511.2 feet or 98.4% coincides with the present City boundary and the developed part of the area (see the D-Land Area Map, page 9 of report of plans for services). The part of the area remaining after removing the subsection (d) land (developed part of the area) qualifies for annexation as set forth below.

C. The developed part of the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The developed part of the area qualifies for annexation under the standards of two and three-tenths persons per acre of land. The developed part of the area has an estimated total population of 2.63 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 1,025 dwelling units in the area (854 single family units and 171 multi-family units), which when multiplied by the average household size of 2.83 for single-family units and 1.89 for multi-family units and taking into account occupancy rates of 95.6% for single family units and 85.0% for multi-family units (all according to the latest federal decennial census) results in an estimated total resident population of 2,589. This population, when divided by the total number of acres (983.5) in the developed portion of the area, results in a population density of 2.63 persons per acre.

D. The developed part of the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(3). There are a total number of 1565 lots and tracts within the developed part of the area and of that number 1028 or 65.7% of the total number of lots and tracts in the developed part of the area are used for residential, commercial, industrial, institutional, or governmental purposes. Further, after excluding the acreage used for commercial, industrial, governmental, or institutional purposes, 731.7 acres remain in the developed part of the area. Of that acreage, 465.1 acres, or 63.6% are in lots and tracts three acres or less in size in the developed part of the area

E. In determining the population of the area, it has been assumed that up to 4.4% of the single-family and 15.0% of the multi-family 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 26th day of July, 2004 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, as well as such extensions of water and/or sewer lines to individual properties, if any, which have been requested by property owners pursuant to G.S. §160A-47(3)(b).

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. Such a map shall also be delivered to the Mecklenburg County Board of Elections, as required by G.S. §163-288.1.



Adopted this 22nd day of November, 2004

CITY OF CHARLOTTE

By: Camela A. Syfuit

ATTEST:

Brenda R. Freeze
City Clerk

Approved as to form:

H. Minard
Senior Deputy 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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 197-207.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of November, 2004.

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

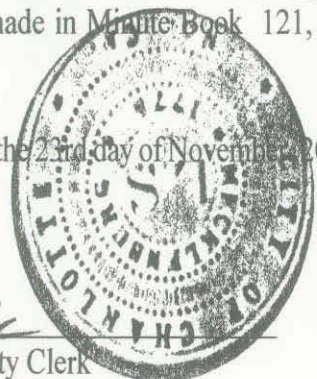


EXHIBIT A

2005 ANNEXATION AREA BOUNDARY DESCRIPTION

CALDWELL ANNEXATION AREA

Beginning at a point on the present Charlotte City Limits, said point being on the Southerly variable width right-of-way of Interstate 485 (NCDOT Project No. 8.4671610, Project ID R-2123CC, Sheet Number 15, recorded in Map Book 3 Page 169), said point also being the Northeasterly corner of the Greenway as recorded in Map Book 37 Page 571 and the Northwesterly corner of the Greenway as recorded in Map Book 33 Page 301; thence crossing Interstate 485 North 53-50-45 East approximately 380 feet to a point, said point being on the Northerly variable width right-of-way line of Interstate 485 (NCDOT Project No. 8.4671610, Project ID R-2123CC, Sheet Number 15, recorded in Map Book 3 Page 169); thence with the aforesaid right-of-way line of Interstate 485 in a Southeasterly direction approximately 4,200 feet to a point, said point being the Southwesterly most corner of Lot 118 of Coventry Subdivision 2, Phase 1, Map 4 recorded in Map Book 40 Page 71; thence leaving the Northerly variable width right-of-way line of Interstate 485 (NCDOT Project No. 8.4671610, Project ID R-2123CC, Sheet Number 15, recorded in Map Book 3 Page 169) and continuing with the Westerly boundary line lines of Lot 118 through Lot 104 of Coventry Subdivision 2, Phase 1, Map 4 as recorded in Map Book 40 Page 71, crossing Riding Hill Avenue in a Northeasterly direction with six (6) courses and distances: 1) South 79-00-49 East 66.54 feet to a point, 2) North 34-49-36 East 470.32 feet to a point, 3) North 34-32-37 East 323.59 feet to a point, 4) North 34-45-28 East 173.49 feet to a point, 5) North 33-57-05 East 98.51 feet to a point, 6) North 34-14-28 East 53.47 feet to a point, said point being the Northwesterly corner of the Common Open Space of Coventry Subdivision 2, Phase 1, Map 4 as recorded in Map Book 40, Page 71, said point also being the Common Open Space of Coventry Subdivision, Phase 1, Map 3 as recorded in Map Book 35 Page 879; thence continuing with the boundary lines of the Common Open Space in said Map Book 35 Page 879 with three (3) courses and distances: 1) North 34-09-31 East 589.88 feet to a point, 2) South 78-27-14 East 167.61 feet to a point, 3) South 50-49-49 East 202.15 feet to a point, said point being the Northeasterly corner of the Common Open Space as described in said Map Book 35 Page 879, said corner also being on the boundary line of the GREENWAY for Coventry Subdivision, Phase 1, Map 3 as recorded in Map Book 35 page 879; thence with the boundary line of said GREENWAY as shown on said Map Book 35 Page 879 and Map Book 35 Page 881 in a Northeasterly direction with fourteen (14) courses and distances; 1) South 50-49-49 East 76.74 feet to a point, 2) North 20-50-47 East 30.53 feet to a point, 3) North 41-52-39 East 47.42 feet to a point, 4) South 74-54-09 East 78.14 feet to a point, 5) North 60-21-37 East 79.62 feet to a point, 6) North 00-55-41 East 59.02 feet to a point, 7) North 48-19-47 East 70.72 feet to a point, 8) North 19-01-55 West 116.60 feet to a point, 9) North 31-32-56 West 106.56 feet to a point, 10) North 57-48-58 East 182.15 feet to a

point, 11) North 66-43-23 East 133.06 feet to a point, 12) North 37-02-32 East 262.24 feet to a point, 13) South 72-24-21 West 47.93 feet to a point, 14) South 80-47-27 East 175.45 feet to a point, said point being the Northeasterly most corner of the GREENWAY as shown on said Map Book 35 Page 881, said point also being on the Mecklenburg/Cabarrus County line; thence continuing along the Mecklenburg/Cabarrus County line in a Southeasterly direction, crossing Underwood Avenue and Geoffrey Court, the following course and distance, South 09-38-53 East approximately 2,960 feet to a point, said point being located at the intersection of the Mecklenburg/Cabarrus County line with the Southwesterly boundary line if extended of Coventry Subdivision Phase 1, Map 3 as recorded in Map Book 34 Page 78, said point also being Point 3006 of the Mecklenburg /Cabarrus County Line Resurvey, recorded in Map Book 39 Page 199; thence along and with the Mecklenburg/Cabarrus County Line as recorded in the aforesaid Map Book 39 Page 199, South 40-28-00 East 474.80 feet to a point, said point being Point 3007 as recorded in the aforesaid Map Book 39 Page 199 and said point also being located on the Southerly variable right-of-way line of Caldwell Road; thence leaving the Mecklenburg/Cabarrus County line and continuing with the Southerly variable right-of-way line of Caldwell Road in a Southerly direction approximately 6,980 feet to a point, said point being on the Southerly variable right-of-way line of Caldwell Road, said point also being the Northwesterly most corner of the property as described in Deed Book 4883 Page 952; thence leaving the Southerly variable right-of-way line of Caldwell Road and continuing in a Southeasterly direction with the Easterly boundary line as described in Deed Book 4883 page 952 a bearing and distance of South 04-50 East 716.72 feet to a point, said point being the Southeasterly corner of the property as described in Deed Book 4883 Page 952, said point also being on the Northerly property corner of Lot 1 as shown on Map Book 38 Page 39; thence continuing in a Southeasterly direction, crossing Woodwind Street, with a bearing and distance of South 75-52-49 East 747 feet to a point, said point being the Northeasterly corner of the property as described in Deed Book 2261 Page 221 and recorded in Map Book 9 page 587; thence continuing in a Southeasterly direction with the Easterly boundary of lots recorded in Map Book 9 page 587 and crossing Rocky River Road with a bearing and distance of South 27-10 East approximately 1,430 feet to a point, said point being on the Southerly right-of-way line of Rocky River Road; thence continuing in a Southwesterly direction with the Southerly right-of-way line of Rocky River Road, crossing Coleman Drive and Hood Road, approximately 4,080 feet to a point, said point being the intersection of the Southerly right-of-way line of Rocky River Road and the Westerly boundary line of Lot 1 if extended, of Whispering Oaks subdivision, recorded in Map Book 9 Page 103; thence with the Westerly boundary line of Lot 1 if extended and Deed Book 6134-675, North 08-05-00 East approximately 376 feet to a point, said point being the Southeasterly corner of the property described in Deed Book 15352 Page 862 and as recorded in Map 38 Page 97; thence following the Southerly boundary line of Deed Book 15352 Page 862 if extended, North 87-02-00 West 672 feet to a point, said point being the intersection of the Southerly boundary of Deed Book 15352 Page 862 if extended and the westerly right-of-way line of Back Creek Road; thence in a Northerly direction with the Westerly right-of-way line of Back Creek Church Road approximately 5,900 feet to a point, said point being the intersection of the Westerly right-of-way line of Back Creek Church Road and the Southerly right-of-way line John

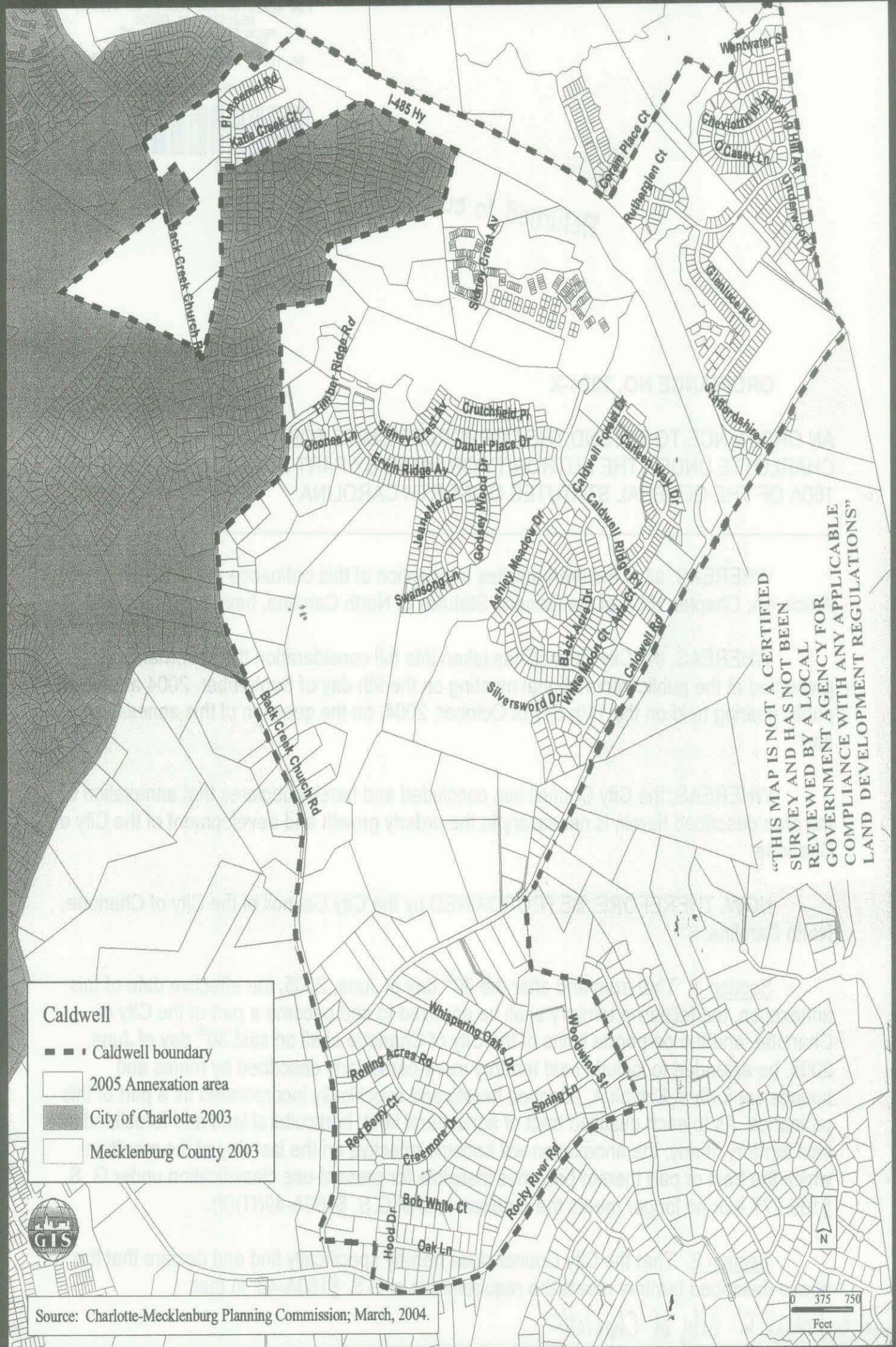
Russell Road said point also being on the existing Charlotte City Limits line; thence following the existing Charlotte City Limits in a Southeasterly direction with the Southerly right-of-way line of John Russell Road if extended approximately 122 feet to a point, said point being on the Easterly right-of-way line of Back Creek Church Road, said point also being on the Westerly boundary line of the property as described in Deed Book 4418 Page 229; thence in a Northerly direction with the Easterly right-of-way line of Back Creek Church Road approximately 1,600 feet to a point, said point being the intersection of the Easterly right-of-way line of Back Creek Church Road and the Southerly right-of-way line of Timber Ridge Road, said point also being the Northwesterly most corner of the property as described in Deed Book 4275 Page 55; thence in a Northeasterly direction meandering along the Easterly right-of-way line of said Timber Ridge Road approximately 1,450 feet to a point; thence with a line perpendicular to the right-of-way line in a Westerly direction approximately 60 feet to a point, said point being on the Westerly right-of-way line of Timber Ridge Road, said point also being the Southerly most corner of Deed Book 7224 Page 336; thence in a Northerly direction with the Westerly lot line of the property as described in Deed Book 7224 Page 336 and the Easterly boundary line of a Common Open Space recorded in Map Book 26 Page 310, having a bearing and distance of North 02-58-48 West 70 feet to a point, said point being the Northerly most corner of the Common Open Space recorded in Map Book 26 Page 310 and the Southeasterly corner of Lot 33 Block 4 of Winding Creek at Back Creek, Map 2 recorded in Map Book 25 Page 895; thence in a Northerly direction with the Easterly lot line of Lots 33 and 32 Block 4 of said Map Book 25 Page 895 having a bearing and distance of North 02-58-48 West 313.23 feet to a point, said point being the Southeasterly corner of Lot 16 Block 4 of said Map Book 25 Page 521; thence with the Easterly boundary line of Lots 16, 15 and 14 Block 4 of Winding Creek at Back Creek Map 1 with the following two (2) bearing and distances: 1) North 02-58-48 West 91.42 feet to a point, 2) North 03-29-31 West 268.26 feet to a point, said point being the Northeasterly corner of Lot 14 Block 4 of Winding Creek at Back Creek, Map 1 recorded in Map Book 25 Page 521, said point also being the Southeasterly corner of Lot 12 Block 3, Back Creek Forest at Back Creek, Map 2, recorded in Map Book 25 Page 933; thence with the Easterly boundary lines of Lot 12, 13 and 14 Block 3 of said Map Book 25 Page 933 the following bearing and distance, North 03-29-31 West 330.39 feet to a point, said point being the Northeasterly corner of Lot 14 Block 3 recorded in said Map Book 25 page 933, said point also being the Southeasterly corner of Lot 32 Block 3, Back Creek Forest at Back Creek Map 2 recorded in Map Book 26 Page 750; thence with the Easterly boundary line of Lot 32 and the Southerly boundary line of Lot 33 of said Map Book 26 Page 750 the following two (2) courses: 1) North 03-29-31 West 200.18 feet to a point; 2) North 82-38-14 East 25.41 feet to a point, said point being the Southeasterly most corner of Lot 33 Block 3 of said Map Book 26 Page 750, said point also being the Southwesterly most corner of Lot 57 Block 3 of Back Creek Forest at Back Creek, Map 6 recorded in Map Book 28 page 39; thence with the Southerly boundary line of Lots 57, 58, 59, 60, 61 and 62 Block 3 of said Map Book 28 Page 39 North 82-38-14 East 556.23 feet to a point, said point being the Southeasterly corner of Lot 62 of said Map Book 28 Page 39; thence with the Easterly boundary lines of Lot 62 and 63 of said Map Book 28 Page 39, and crossing Adonis Court, North 14-30-25 East 358.66 feet to a point, said point being the

Northeasterly corner of Lot 63 Block 3 of said Map Book 28 Page 39; thence continuing with the Easterly boundary lines of Lots 63 and 74 Block 3 of said Map Book 28 Page 39 the following two (2) courses: 1) North 48-08-16 West 150.54 feet to a point, 2) North 29-05-19 East 55.57 feet to a point, said point being the Easterly most corner of Lot 74 Block 3 of said Map Book 28 Page 39, said point also being the Southeasterly corner of Lot 75 Block 3 of Back Creek Phase 3, Map 1 recorded in Map Book 29 Page 293; thence with the Easterly boundary line of Lot 75 Block 3 of said Map Book 29 Page 293, North 29-05-19 East 65.57 feet to a point, said point being the Northeasterly corner of Lot 75 Block 3 of Back Creek Phase 3, Map 1 recorded in Map Book 29 Page 293, and said point also being the Southwesterly corner of Lot 76 Block 3 of said Map Book 29 Page 293; thence with the Southerly boundary line of Lots 76, 77 and 78 Block 3 of said Map Book 29 Page 293, North 74-45-30 East 157.46 feet to a point, said point being the Southeasterly corner of Lot 78 Block 3 of Back Creek Phase 3 Map 1 recorded in Map Book 29 Page 293, said point also being the Southwesterly corner of Lot 79 Block 3 of Back Creek Phase 3 Map 2 recorded in Map Book 29 Page 528; thence with the Southerly boundary line of Lots 79 through 82 Block 3 of Back Creek Phase 3 Map 2 recorded in Map Book 29 Page 528, Lots 83 through 87 Block 3 of Back Creek Phase 3 Map 3 recorded in Map Book 29 Page 649, Lots 88 through 91 Block 3, crossing Woodsorrel Lane and Lot 1, Block 6 of Back Creek Phase 3 map 4 with a bearing and distance of North 74-45-31 East 1,291.07 feet to a point, said point being the Southeasterly corner of Lot 1 Block 6 of Back Creek Phase 3, Map 4 recorded in Map Book 32 Page 306; thence with the Easterly boundary line of Lots 1, 2, 13 and 95 of said Map Book 32 Page 306 and crossing Hellebore Road, North 15-34-26 East 640.41 feet to a point, said point being the Northeasterly corner of Lot 95, Block 2 of Back Creek Phase 3, Map 4 as recorded in Map Book 32 Page 306, said point also being located on the Southerly right-of-way line of the variable width right-of-way of Interstate 485 (NCDOT Project No. 8.4671610, Project ID R-2123CC, Sheet Number 15, recorded in Map Book 3 Page 169); thence continuing in a Northwesterly direction with the Southerly variable width right-of-way line of Interstate 485 and the Northerly boundary lines of Lots 95 through 88 of Block 2 of Back Creek Phase 3, Map 4 the following bearing and distance, North 67-53-41 West 700.55 feet to a point, said point being the Westerly most corner of Lot 88 Block 2 of Back Creek Phase 3, Map 4 recorded in Map Book 32 Page 306, said point also being the Northeasterly most corner of Lot 69 Block 2 of Back Creek Phase 3 Map 3 recorded in Map Book 29 Page 649; thence continuing with the Southerly variable width right-of-way line of Interstate 485 and the Northerly boundary line of Lots 69 and 68 of said Map Book 29 Page 649 the following bearing and distance, North 67-53-41 West 441.41 feet to a point, said point being the Northwesterly corner of Lot 68 Block 2 of said Map Book 29 Page 649, said point also being the Northwesterly most corner of Lot 42 Block 2, Back Creek Phase 3 Map 2 recorded in Map Book 29 Page 528; thence continuing with the Southerly variable width right-of-way line of Interstate 485 and the Northerly boundary line of Lot 42 and 41 Block 2 of said Map Book 29 Page 528 the following two courses: 1) North 67-53-41 West 42.62 feet to a point; 2) North 79-12-16 West 117.40 feet to a point, said point being an angle point located on the Northerly boundary line of said Lot 41, and said point also being the intersection point of the Southerly line of the variable width right-of-way of Interstate 485; thence continuing in a Southwesterly direction along the Northerly

boundary line of Lots 41 and 40 Block 2 of Back Creek Phase 3 map 2 recorded in Map Book 29 Page 528 the following bearing and distance, South 65-48-46 West 298.34 feet to a point, said point being the Northeasterly corner of Lot 40 Block 2 of said Map Book 29 Page 528, said point also being the Northeasterly corner of Lot 23 Block 5 of Back Creek Phase 2 Map 3 recorded in Map Book 28 Page 37; thence continuing with the Northerly boundary lines of Lots 23,24,25,32,33 and 34, block 5 with bearing and distance of South 65-48-45 West 891.67 feet to a point, said point being the Northwesterly corner of Lot 34 Block 5 of Back Creek Phase 2 Map 3 recorded in Map Book 28 Page 37, said point also being the Northerly most corner of Lot 51 and the Northeasterly most corner of Lot 52 Block 5 of Back Creek Phase 2, Map 2 recorded in Map Book 27 Page 141; thence continuing along the Northerly boundary lines of Lot 52 and 53 Block 5 of said Map Book 27 Page 141 the following bearing and distance, South 65-48-45 West 327.32 feet to a point, said point being the Northwesterly corner of Lot 53 Block 5 of Back Creek Phase 2 Map 2 recorded in Map Book 27 Page 141 and also being the Northeasterly corner of Lot 71 Block 5 of Back Creek Phase 2 Map 1 recorded in Map Book 26 Page 955; thence in a Southwesterly direction along the Northerly boundary line of Lot 71 Block 5 of said Map Book 26 Page 955, South 65-48-45 West 154.58 feet to a point, said point being the Northwesterly corner of Lot 71 Block 5 of said Map Book 26 Page 955, and said point also being the Easterly right-of-way line of Pimpernel Road; thence crossing said road South 86-16-24 West 50.03 feet to a point, said point being located on the Westerly right-of-way line of Pimpernel Road, said point also being the Northeasterly corner of Lot 26 Block 1 recorded in Map Book 26 Page 955; thence continuing with the Northerly boundary line of Lot 26 Block 1 of said Map Book 26 Page 955, South 88-07-50 West 140.0 feet to a point said point being the Northwesterly corner of Lot 26 Block 1 of said Map Book 26 Page 955, thence with the westerly boundary lines of Lot 26 through Lot 14 Block 1 recorded in Map Book 26 Page 955 the following bearing and distance of South 01-52-10 East 1011.0 feet to a point, said point being the Southwesterly corner of Lot 14 Block 1 of said Map 26 Page 955, said point also being the Northwesterly corner of Lot 13 Block 1 of Back Creek Forest at Back Creek Section 1 recorded in Map Book 25 Page 555; thence continuing in a Southerly direction with the Westerly boundary lines of Lots 13 through Lot 3 and Lot 1 Block 1 of said Map Book 25 Page 555 with a bearing and distance of South 14-07-57 West 901 feet to a point, said point being on the Westerly boundary line of Lot 1 Map Book 25 Page 555 and said point also being the Northerly corner of a Common Open Space of said Map Book 25 Page 555, said point also being the Southeasterly corner of Deed Book 461 Page 818; thence in a Northwesterly direction with the Southwesterly boundary line of said Deed Book 4611 Page 818 with a bearing and distance of North 75-15 West 1886.45 feet to a point, passing over Back Creek Church Road at approximately 60 feet, said point being the Westerly most corner of said Deed Book 4611 Page 818; thence in a Northwesterly direction with said Deed Book 4611 Page 818 with a bearing and distance of North 53-30 East approximately 1,520 feet to a point; said point being the Southeasterly corner of Deed Book 7502 Page 823 and said point also being on the Westerly right-of-way line of Back Creek Church Road; thence in a Southeasterly direction with the Westerly right-of-way line of Back Creek Church Road approximately 245 feet to a point, said point being the intersection of the Westerly right-of-way line of Back Creek Church Road and the Southerly boundary line of a parcel as

described in Deed Book 1913 Page 613 if extended; thence continuing in a Northeasterly direction, crossing Back Creek Church Road, and with the Southerly property line of said Deed Book 1913 Page 613 with a bearing and distance of North 56-10 East approximately 471 feet to a point, said point being the Southeasterly most corner of said Deed book 1913 Page 613; thence continuing with the Easterly property line of said Deed Book 1913 Page 613 with a bearing and distance of North 33-40 West 252.33 feet to a point, said point being the Northeasterly most corner of said Deed Book 1913 Page 613; thence with the Northerly property line of said Deed Book 1913 Page 613 with a bearing and distance of South 56-10 West approximately 19.29 feet to a point, said point being the Southeasterly most corner of said Deed Book 5266 Page 550; thence in a Northwesterly direction following along the Easterly boundary line of said Deed Book 5266 Page 550 with a bearing and distance of North 37-38-00 West 238.30 feet to a point, said point being the Northeasterly corner of said Deed Book 5266 Page 550, said point also being on the Southerly right-of-way line of the Duke Power Company Easement recorded in Deed Book 2765 Page 235; thence in a Southwesterly direction following along the Northerly boundary line of said Deed Book 5266 Page 550, and also with the Southerly right-of-way line of the Duke Power Company Easement a bearing and distance of South 53-18-00 West 248.02 feet to a point, said point being the Northwesterly most corner of said Deed Book 5266 Page 550 and said point also being on the Easterly right-of-way line of Back Creek Church Road; thence in a Northerly direction along and with the aforesaid Easterly right-of-way line of Back Creek Church Road approximately 484 feet to a point, said point being the Southwesterly most corner of Deed Book 15984 Page 225, said point also being the Northwesterly most corner of Deed Book 2336 Page 67; thence in a Northeasterly direction along with the boundary line of aforesaid Deed Book 15984 Page 225 and Deed Book 2336 Page 67 a bearing and distance of North 60-27-38 East 1,072.16 feet to a point, said point being located on the boundary line of the Common Open Space as recorded in Map Book 33 Page 301 and also being a common corner between aforesaid Deed Book 15984 Page 225 and Deed Book 2336 Page 67; thence continuing with the common boundary line of Deed Book 15984 Page 225 and Deed Book 11829 Page 265 in a Northeasterly direction with four (4) courses and distances: 1) North 03-04-50 West 57.19 feet to a point, 2) North 43-32-54 East 388.54 feet to a point, 3) South 58-28-53 East 220.89 feet to a point, 4) North 53-50-45 East 257.29 feet to a point, said point being the place of beginning.

Caldwell Annexation Qualifying Area, 2005



- Caldwell**
- Caldwell boundary
 - 2005 Annexation area
 - City of Charlotte 2003
 - Mecklenburg County 2003

“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”

Source: Charlotte-Mecklenburg Planning Commission; March, 2004.

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Feet

FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2005 FEB 17 10:23 AM
BK:18366 PG:559-567 FEE:\$33.00

INSTRUMENT # 2005029108



2005029108

Returned to customer

ORDINANCE NO. 2824-X

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 informational meeting on the 9th day of September, 2004 and at the public hearing held on the 11th day of October, 2004, 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, 2005, 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, 2005, 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. As to each qualified tract of agricultural land, horticultural land and forestland in said territory, if any, the annexation will become effective on the last day of the month in which the tract or part thereof becomes ineligible for present-use classification under G. S. §105-277.4 or no longer meets the requirements of G.S. §160A-49(f1)(2).

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:

Drawn By / Mail To: City of Charlotte
City Clerk's Office
600 E. 4th St.
Charlotte, NC 28202

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 20,222.4 feet, of which 11,352.0 feet or 56.1% coincides with the present City boundary.
- (3) No part of the area is included within the boundary of another incorporated municipality.

B. The area qualifies for annexation under the standards set forth in G.S. §160A-48(c)(1). A portion of the proposed annexation area does not meet the requirements of G.S. 160A-48(c), as described in C below, but does meet the requirements of G.S. 160A-48(d)(2). This part of the area – known as “subsection (d) land” - does not exceed twenty-five percent (25%) of the total area to be annexed. The total number of acres in the area to be annexed is 151.8. Of that acreage, 37.5 acres, or 24.7% is contained in the subsection (d) land. The subsection (d) land is adjacent and at least sixty percent (60%) of its external boundary coincides with a combination of the present City boundary and the area developed for urban purposes as defined in G.S. 160A-48(c). The aggregate boundary of the subsection (d) land is 8,705.1 feet of which 6,217.2 feet or 71.4% coincides with the present City boundary and the developed part of the area (see the D-Land Area Map, page 9 of report of plans for services). The part of the area remaining after removing the subsection (d) land (developed part of the area) qualifies for annexation as set forth below.

C. The developed part of the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The developed part of the area qualifies for annexation under the standards of two and three-tenths persons per acre of land. The developed part of the area has an estimated total population of 3.34 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 138 dwelling units in the area (all single family units), which when multiplied by the average household size of 2.89 for single-family units and taking into account occupancy rates of 95.9% for single family units (all according to the latest federal decennial census) results in an estimated total resident population of 382. This population, when divided by the total number of acres (114.3) in the developed portion of the area, results in a population density of 3.34 persons per acre.

D. In determining the population of the area, it has been assumed that up to 4.36% of the single-family 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.

November 22, 2004

Ordinance Book 53, Page 210

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 26th day of July, 2004 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, as well as such extensions of water and/or sewer lines to individual properties, if any, which have been requested by property owners pursuant to G.S. §160A-47(3)(b).

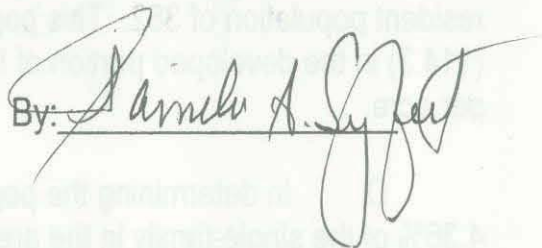
Section 5. That from and after the effective date of this annexation, the territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Charlotte, and shall be entitled to the same privileges and benefits as other parts of the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

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

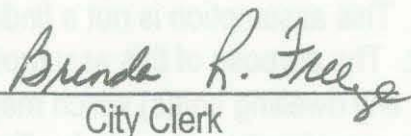
Section 7. That the Mayor of the City of Charlotte shall cause an accurate map of the annexed territory described in Section 1, hereof, together with a duly certified copy of this ordinance, to be recorded in the office of the Register of Deeds of Mecklenburg County, and in the office of the Secretary of State in Raleigh. Such a map shall also be delivered to the Mecklenburg County Board of Elections, as required by G.S. §163-288.1.

Adopted this 22nd day of November, 2004.

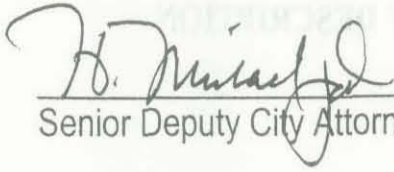
CITY OF CHARLOTTE

By: 

ATTEST:


City Clerk

Approved as to form:


Senior Deputy 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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 208-215.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.

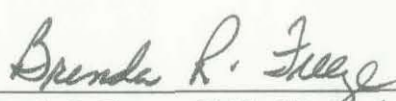

Brenda R. Freeze, CMC, City Clerk

EXHIBIT A

2005 ANNEXATION AREA BOUNDARY DESCRIPTION

WITHROW DOWNS

Beginning at a point on the Charlotte city limit line, said point being the Northwesterly corner Lot 42 of Withrow Downs, Phase 2 Map 2, recorded at Map Book 39, Page 127; Thence along the Northwesterly and Northerly lines of said subdivision the following 10 calls: 1) North 64-29-03 East 346.30 feet; Thence 2) South 35-04-52 East 108.00 feet; Thence 3) South 62-19-52 East 90.00 feet; Thence 4) South 57-54-52 East 90.00 feet; Thence 5) South 52-24-52 East 90.00 feet; Thence 6) South 32-49-52 East 92.00 feet; Thence 7) South 46-24-52 East 62.00 feet; Thence 8) South 56-59-52 East 101.00 feet; Thence 9) South 67-49-52 East 101.00 feet; Thence 10) South 74-14-52 East 128.00 feet to a corner on the Northerly line of Lot 58 in said subdivision, also being a common corner with Jimmy Johnson property as recorded in Deed Book 2529, page 103; Thence with the Westerly line of said Johnson property North 30-43 East approximately 736 feet to the Northerly margin of Union School Road; Thence Southeasterly along said margin, 1252 feet to a point 61 feet normal to the intersection of the Easterly line of the H.C Grimmer Development Co., LLC property as recorded in Deed Book 10268, Page 923, and the Southerly margin of Union School Road; Thence normal to the centerline of said road approximately 61 feet to the Southerly right-of-way line; Thence along the Easterly line of said Grimmer property South 42-41-13 East approximately 1667 feet to the Northeasterly corner of "The Settlements at Withrow Downs 2, Phase 1, Map 2" as recorded in Map Book 39, Page 363; Thence along the Easterly line of said subdivision South 42-35-48 East 666.75 feet to the Northeasterly corner of "The Settlements at Withrow Downs 2, Phase 1, Map 1" as recorded in Map Book 35, Page 987; Thence along the Northeasterly line of said subdivision South 42-35-48 East 341.79' to the Northwesterly Right-of-Way of US 29; Thence along said Right-of-Way the following 2 calls: 1) South 51-14-18 West 251.22 feet; Thence 2) South 51-19-43 West 135.00 feet to the Southwesterly corner of said Subdivision; Thence along the Southwesterly line of said subdivision North 39-08-40 West 398.97 feet to the Southwesterly corner of "The Settlements at Withrow Downs 2, Phase 1, Map 2" as recorded in Map Book 36, Page 363; Thence along the Southwesterly line of said subdivision North 39-08-40 West 449.38 feet; Thence South 89-14-03 West 55.00 feet; Thence South 79-48-28 West 168.21 feet; Thence South 73-32-50 West 122.15 feet; Thence South 55-48-34 West 70.00 feet; Thence along the line of the H.C. Grimmer Development Co., LLC property as shown in Deed Book 12355, Page 356, South 39-14-05 East 168.59 feet; Thence continuing along said Grimmer line as shown on the exhibit attached to last said deed, South 7-44-52 East approximately 445 feet, Thence along the line of H. Craig Grimmer, et al, as shown in Deed Book 13688, page 259 the following 14 calls: 1) South 82-20-28 West 44.79 feet; 2) along a curve to the left having a radius of 357.00 feet and a length of 210.16 feet and being subtended by a chord bearing South 65-28-35 West 207.14 feet; 3) South 48-36-42 West 50.60 feet; 4) South 41-23-18 East 43.20 feet; 5) South 49-34-31 West 210.03 feet; 6) North 41-23-18 West 485.67 feet; 7) along a curve to the left having a radius of 1970.00 feet and a

length of 179.32 feet and being subtended by a chord bearing North 43-59-46 West 179.26 feet; 8) North 46-36-14 West 359.39 feet; 9) along a curve to the left having a radius of 20.00 feet and a length of 37.47 feet and being subtended by a chord bearing South 79-43-29 West 32.23 feet; 10) along a curve to the left having a radius of 275.00 feet and a length of 4.21 feet and being subtended by a chord bearing South 25-36-52 West 4.21 feet; 11) South 25-10-34 West 118.57 feet; 12) along a curve to the right having a radius of 225.00 feet and a length of 148.83 feet and being subtended by a chord bearing South 44-07-33 West 146.13 feet; 13) South 63-04-34 West 53.10 feet; 14) along a curve to the left having a radius of 275.00 feet and a length of 134.59 feet and being subtended by a chord bearing South 49-03-17 West 133.25 feet to the Easterly corner of "The Settlements at Withrow Downs 2, Phase 1, Map 4" as recorded in Map Book 36, page 361; Thence along the Southerly right-of-way line of Clackwyck Lane the following 4 calls: 1) along a curve to the left having a radius of 275.00 feet and a length of 19.69 feet and being subtended by a chord bearing South 32-58-55 West 19.68 feet; Thence 2) South 30-55-52 West 50.14 feet; Thence 3) along a curve to the right having a radius of 275.00 feet and a length of 144.27 feet and being subtended by a chord bearing South 45-57-38 West 142.62 feet; Thence 4) South 60-59-22 West 280.36 feet to the Northerly corner of Lot# 4 of said subdivision; Thence along the rear lines of Lots 1-4 the following 2 calls: 1) South 29-00-38 East 138.00 feet; Thence 2) South 13-02-41 East 356.53 feet to the Southeasterly corner of Lot# 1, said point being on the Charlotte city limit line; Thence along the existing city limits line the following calls to the Point of Beginning: North 84-19-35 West 194.88 feet to the Easterly right-of-way of Headquarters Farm Road; Thence along said right-of-way along a curve to the left having a radius of 708.46 feet and a length of 594.19 feet and a chord bearing of North 20-11-35 West 576.93 feet; Thence North 44-13-11 West 96.25 feet; Thence with a circular curve to the left having a radius of 275.33 feet and a length of 259.49 feet and being subtended by a chord bearing North 71-13-11 West 249.99 feet; Thence South 81-46-49 West 137.43 feet to the Southeasterly corner of Lot 159, Map Book 23, page 522; Thence along the Easterly line of said subdivision North 07-43-35 West 587.12 feet to the Northeasterly corner of Lot 154 in said subdivision; Thence North 19-01-41 East 10.73 feet to the Southwesterly corner of Lot 153 recorded in Map Book 22 page 109; Thence along the Southeasterly line of said subdivision North 54-18-14 East 1023.50 feet to the common corner of Lot 294 and Lot 282 recorded in said Map Book 23 page 823; Thence along the boundary of said subdivision the following 9 calls: 1) South 46-49-22 East 397.00 feet; Thence 2) South 43-18-51 East 166.00 feet; Thence 3) North 25-18-50 East 411.24 feet; Thence 4) North 30-27-26 West 31.82 feet; Thence North 30-27-26 West 330.00 feet; Thence 5) North 59-34-00 East 98.57 feet; Thence 6) North 30-00-00 West 155.00 feet; 7) North 73-38-12 West 68.65 feet; Thence 8) North 35-01-21 West 177.38 feet; Thence 9) South 59-32-05 West 611.76 feet to the Northwesterly corner of Lot# 290 and the Easterly right-of-way line of Chowning Tavern Lane; Thence South 59-32-05 West 777.20 feet along the Westerly line of Map Book 23, page 822 to the Northwesterly corner of Lot# 283 thereof; Thence North 33-47-50 West 260.48 feet to the Northerly corner of Lot# 149 Map Book 22, page 109 and the Southeasterly corner of Deed Book 8047, page 762; Thence following a tributary to Spring Branch the following 8 calls: 1) North 40-48-10 West 143.27 feet; Thence 2) North 35-13-40 East 119.36 feet; Thence 3) North 38-48-50 East 89.67 feet; Thence 4)

North 72-33-50 East 104.62 feet; Thence 5) North 62-13-50 East 99.64 feet; Thence 6) North 47-38-50 East 84.69 feet; Thence 7) North 57-33-50 East 101.63 feet; Thence 8) North 35-33-50 East 40.85 feet to the intersection with Spring Branch; Thence following the thread of Spring Branch the following 8 calls: 1) North 65-41-30 West 175.17 feet; Thence 2) North 48-01-30 West 99.53 feet; Thence 3) North 43-16-30 West 99.53 feet; Thence 4) North 29-21-30 West 88.58 feet; Thence 5) North 33-56-30 West 177.16 feet; Thence 6) North 61-59-30 West 195.08 feet; Thence 7) South 71-18-30 West 39.81 feet; 8) South 55-38-30 West 187.12 feet; Thence leaving said Branch North 14-17-05 East 634.19 feet to the Point of Beginning.

Withrow Downs Annexation Qualifying Area, 2005

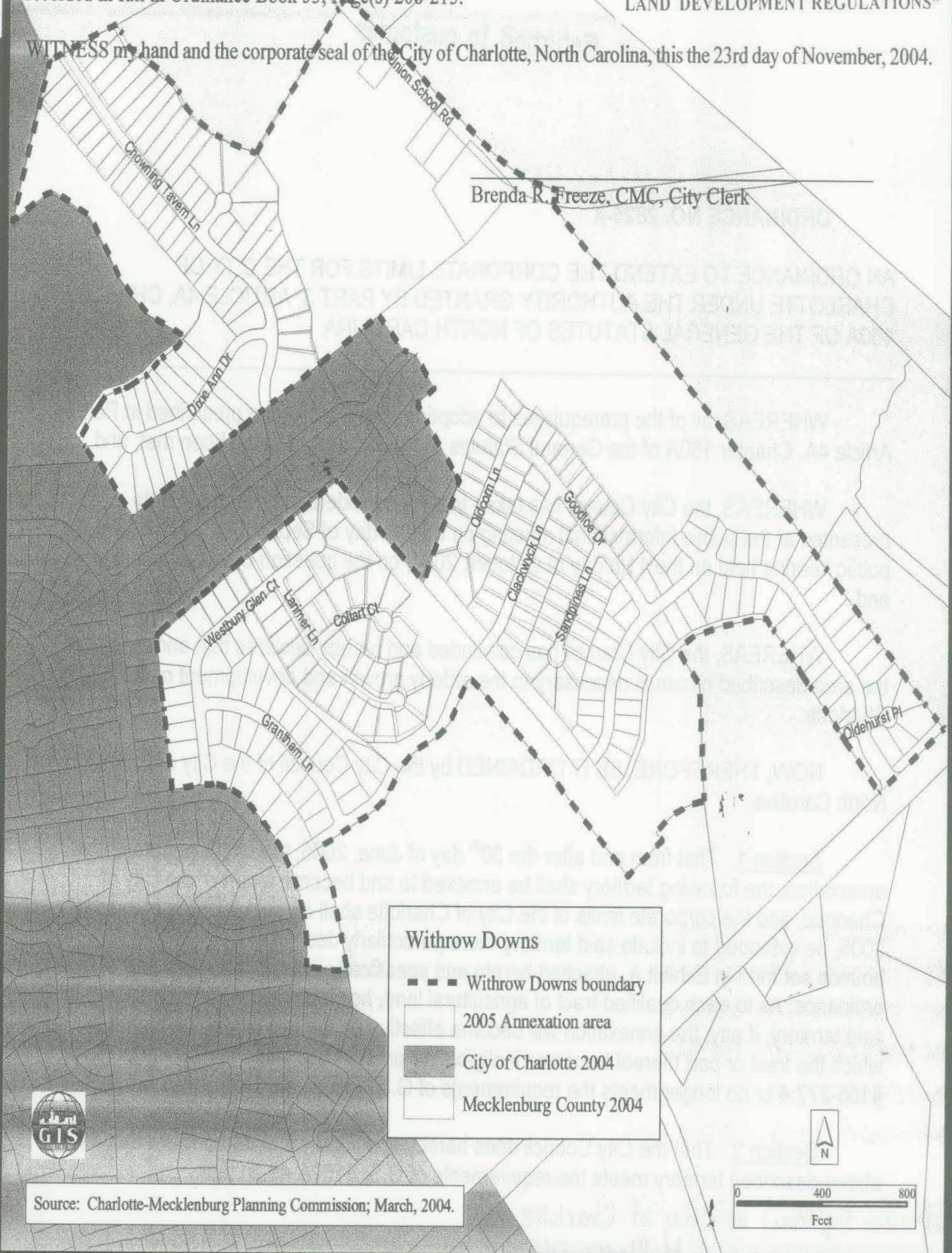
CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO I true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, at a regular session convened on the 22nd day of November, 2004, the reference having been recorded in full in Ordinance Book 53, Page(s) 208-215.

"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"

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.

Brenda R. Freeze, CMC, City Clerk



Source: Charlotte-Mecklenburg Planning Commission; March, 2004.

FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2005 FEB 17 10:23 AM
BK: 18366 PG: 568-576 FEE: \$33.00

INSTRUMENT # 2005029109



2005029109

Returned to customer

ORDINANCE NO. 2825-X

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 informational meeting on the 9th day of September, 2004 and at the public hearing held on the 11th day of October, 2004, 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, 2005, 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, 2005, 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. As to each qualified tract of agricultural land, horticultural land and forestland in said territory, if any, the annexation will become effective on the last day of the month in which the tract or part thereof becomes ineligible for present-use classification under G. S. §105-277.4 or no longer meets the requirements of G.S. §160A-49(f)(2).

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:

Drawn By/Mail To: City of Charlotte
City Clerk's Office
605 E. 4th Street
Charlotte, NC 28202

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 34,686.3 feet, of which 5,874.2 feet or 16.9% coincides with the present City boundary.
- (3) No part of the area is included within the boundary of another incorporated municipality.

B. 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), as described in C below, but does meet the requirements of G.S. 160A-48(d)(2). This part of the area – known as "subsection (d) land" - does not exceed twenty-five percent (25%) of the total area to be annexed. The total number of acres in the area to be annexed is 306.1. Of that acreage, 37.8 acres, or 12.3% is contained in the subsection (d) land. The subsection (d) land is adjacent and at least sixty percent (60%) of its external boundary coincides with a combination of the present City boundary and the area developed for urban purposes as defined in G.S. 160A-48(c). The aggregate boundary of the subsection (d) land is 6,046.0 feet of which 6,046.0 feet or 100% coincides with the present City boundary and the developed part of the area (see the D-Land Area Map, page 9 of report of plans for services). The part of the area remaining after removing the subsection (d) land (developed part of the area) qualifies for annexation as set forth below.

C. The developed part of the area proposed to be annexed also meets the requirements of G.S. 160A-48(c)(3). There are a total number of 220 lots and tracts within the developed part of the area and of that number 170 or 77.3% of the total number of lots and tracts in the developed part of the area are used for residential, commercial, industrial, institutional, or governmental purposes. Further, after excluding the acreage used for commercial, industrial, governmental, or institutional purposes, 164.8 acres remain in the developed part of the area. Of that acreage, 135.2 acres, or 82.0% are in lots and tracts three acres or less in size in the developed part of the area.

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 26th day of July, 2004 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, as well as such extensions of water and/or sewer lines to

individual properties, if any, which have been requested by property owners pursuant to G.S. §160A-47(3)(b).

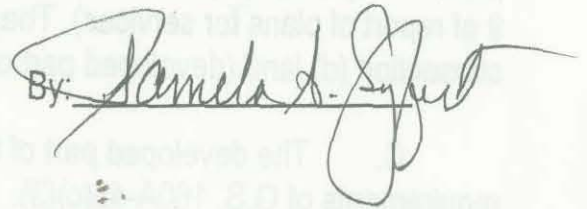
Section 5. That from and after the effective date of this annexation, the territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Charlotte, and shall be entitled to the same privileges and benefits as other parts of the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

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

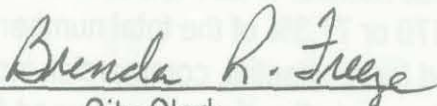
Section 7. That the Mayor of the City of Charlotte shall cause an accurate map of the annexed territory described in Section 1, hereof, together with a duly certified copy of this ordinance, to be recorded in the office of the Register of Deeds of Mecklenburg County, and in the office of the Secretary of State in Raleigh. Such a map shall also be delivered to the Mecklenburg County Board of Elections, as required by G.S. §163-288.1.

Adopted this 22nd day of November, 2004.

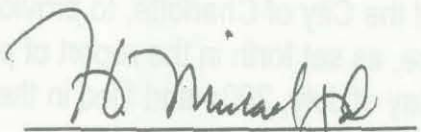
CITY OF CHARLOTTE

By: 

ATTEST:


City Clerk

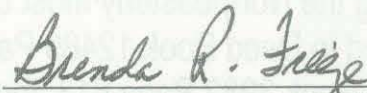
Approved as to form:


Senior Deputy 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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 216-223.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.



Brenda R. Freeze, CMC, City Clerk

EXHIBIT A

2005 ANNEXATION AREA BOUNDARY DESCRIPTION

BROOKSHIRE EAST

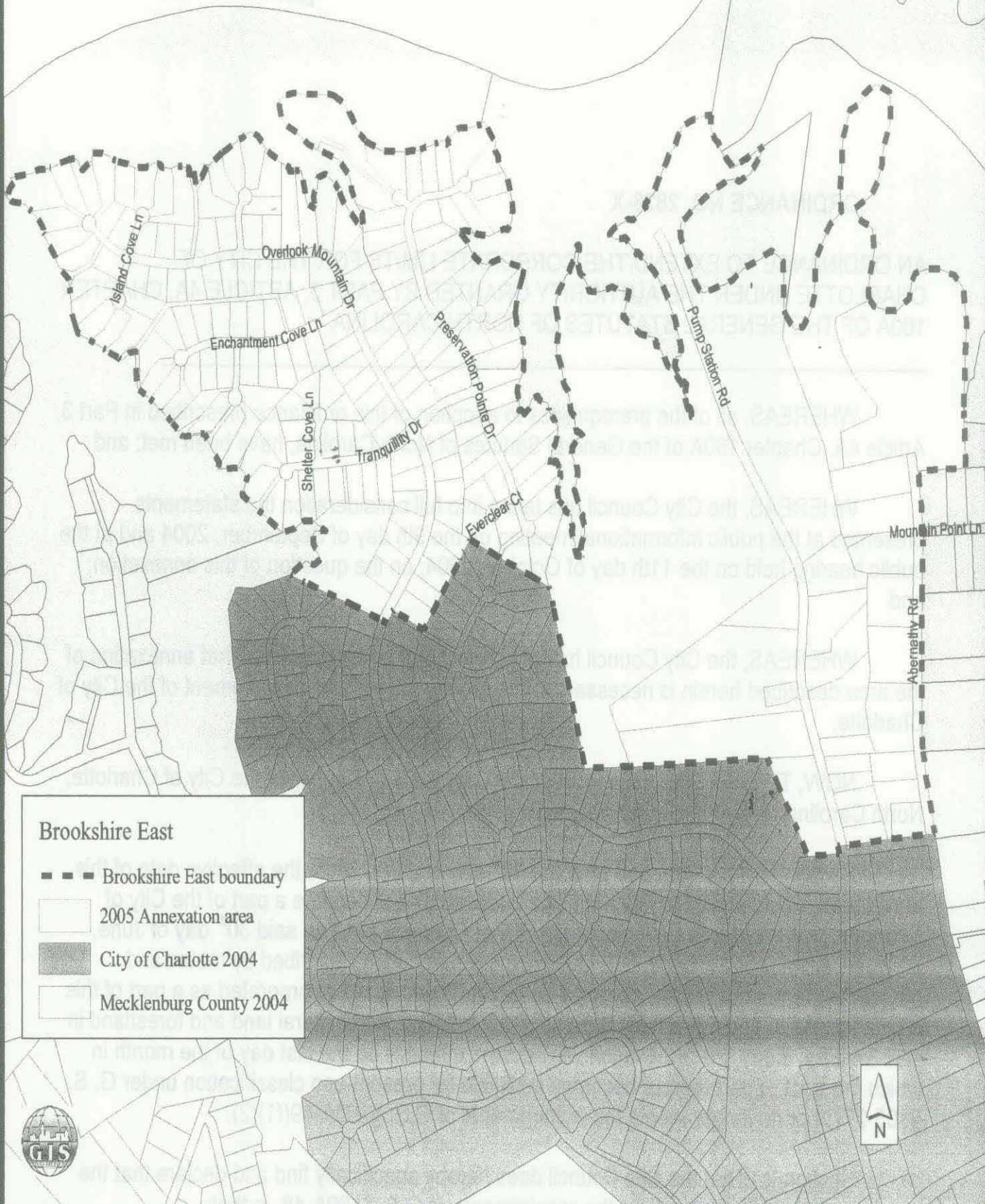
Beginning at point on the existing CHARLOTTE CITY LIMITS LINE, said point being located where a line 30 feet north of and parallel with the centerline of Grove Road (if extended) intersects with a line that is 30 feet East of and perpendicular with the centerline of Abernathy Road; thence in a Westerly direction 30 feet North and parallel with the centerline of Grove Road approximately 660 feet to a point, said point being located where a line 30 feet West of and perpendicular to the centerline of Pump Station Road intersects with a line that is 30 feet North of and parallel with centerline of Grove Road (if extended); thence approximately 50 feet in a Southerly direction along and with a line 30 feet West of and parallel with the centerline of Pump Station Road to a point, said point being the Northeasterly most corner of lot 01 as shown in Map Book 21 Page 65 and recorded in Deed Book 12489 Page 835 and also being the Southeasterly corner of Deed Book 3982 Page 613; thence in a Westerly direction along and with the Northerly property line of said lot 01 South 80-14-02 West 192.90 feet to a point, said point being the Easterly most corner of lot 02 located on the Northerly property line of said lot 01; thence in a Northwesterly direction along and with the Easterly lines of lots 02, 03, 04 and 05 recorded in said Map Book 21 Page 65 North 31-10-32 West 593.87 feet to a point, said point being the Northeasterly corner of said lot 05; thence in a Westerly direction along and with the Northerly property lines of lots 05, 06, 07, 08, 09, 10, 11, 12, 13, and a portion of lot 14 the following (2) bearings and distances; (1) South 84-13-58 West 916.70 feet to a point (2) South 85-22-41 West 310.27 feet to a point, said point being located on the Northerly property line of said lot 14 and also being the Southeasterly corner of lot 88A recorded in Map Book 27 Page 553; thence in a North Northwesterly direction with the Easterly property lines of lots 88A, 88 and 87 recorded in said Map Book 27 Page 553 North 13-25-19 West 353.31 feet to a point, said point being the Northeasterly most corner of said lot 87; thence continuing in a North Northwesterly direction with the Easterly property lines of lots 260, 259 and 253 recorded in Map Book 28 page 648 North 13-29-05 West 639.97 feet to a point, said point being the Northeasterly corner of said lot 253; thence in a Northwesterly direction with the Northeasterly property line of lots 252 and 251 recorded in Map Book 28 Page 648 North 63-45-16 West 584.24 feet to a point, said point being the Northerly most corner of said lot 251; thence in a Southwesterly direction with the Northwesterly property line of lots 251, 250, 249, 248 and 247 recorded in Map Book 28 page 648 South 33-18-34 West 569.69 feet to a point, said point being the Southwesterly corner of said lot 247 and also being the Southeasterly corner of lot 237 as shown in recorded Map Book 28 Page 451; thence in a Northwesterly direction along and with a common line between a common open space and said lot 237 of said recorded Map Book 28 Page 451 North 62-56-32 West 223.62 feet to a point, said point being the Northwesterly corner of said Common Open Space and also being the Southwesterly corner of said lot 237 located on the Easterly right-of-way line of Overlook Mountain Drive; thence in a Southwesterly direction along and with the said Easterly right-of-way

line of said Overlook Mountain Drive South 33-31-48 West 17.93 feet to a point, said point being the Northwesterly most corner of lot 238 recorded in Map Book 28 Page 451; thence continuing along and with a portion of said lot 238 also being the said Easterly right-of-way line of said Overlook Mountain Drive with a curve to the left having a radius of 570.00 feet, arc length of 60.49 feet and a chord bearing and distance of South 30-29-30 West 60.46 feet to a point; thence in a Northwesterly direction crossing said Overlook Mountain Drive North 67-17-08 West 60.19 feet to a point located on the Westerly right-of-way line said Overlook Mountain Drive, also being the Northeasterly corner of lot 198 recorded in Map Book 28 Page 451; thence continuing in a Northwesterly direction with the Northerly property line of said lot 198 North 67-17-08 West 197.17 feet to a point, said point being the Northwesterly most corner of said lot 198; thence continuing in a Northwesterly direction with the Northerly property line of lots 179, 178 and 177 recorded in Map Book 28 Page 450 North 67-17-08 West 436.13 feet to a point said point being the Northerly most corner of said lot 177 located on the existing CHARLOTTE CITY LIMITS LINE; thence in a Northeasterly direction along and with the Westerly boundary line of a 5.512 acre Community Park Area (COMMON AREA) as recorded in Map Book 28 Page 451 with the following (8) bearings and distances; (1) North 53-29-32 East 118.98 feet to a point (2) South 72-07-57 East 61.52 feet to a point (3) North 54-21-09 East 55.46 feet to a point (4) North 30-51-48 West 89.80 feet to a point (5) North 08-45-57 West 45.51 feet to a point (6) North 27-41-54 East 27.13 feet to a point (7) South 89-40-54 East 73.42 feet to a point (8) North 58-18-57 West 93.98 feet to a point, said point being the Westerly corner of said Community Park Area and also being the Southerly most property corner of lot 211 located on the high water line of elevation 648.00 as recorded in Map Book 28 Page 464; thence meandering along and with the property lines as defined by the aforesaid High Water Line of elevation 648.00 with lots 211, 212, 213, a 0.165 acre common open space and 214 as recorded in Map Book 28 Page 464 and lot 215 as revised in Map Book 29 Page 86, thence continuing meandering along and with the property line defined by the aforesaid high water line of elevation 648.00 with lots 278, 279, a 0.203 acre common open space, 280, 281, 285, 286, 287, 288 and a 0.869 acre common open space as recorded in Map Book 28 Page 802 or as revised in Map Book 29 Page 86; thence continuing along and with the property lines as defined by the aforesaid High Water Line of elevation 648.00 with lots 311, 312, 313, 314, 315, a 0.377 acre common open space, 317, 318, 319, 320, 321, 322, 323, 326, 327, 328, 329, 330, a 0.377 acre common open space, 336, 337, 338, 339 and 340 as recorded in Map Book 28 Page 803 or as revised in Map Book 29 Page 86 or Map Book 36 Page 331 (the following aforesaid lots 215, 278, 280, 281, 285, 288, 315, 317, 328, 329, 330, 336, 337, 338 and common open spaces were revised in Map Book 29 Page 86 and lots 326, 327, 329 and lot 330 were revised in Map Book 36 Page 331); thence continuing along and with the property line as defined by the aforesaid High Water Line of elevation 648.00 with lots 344, 345, 346 and lot 347 recorded in Map Book 28 Page 802; thence continuing along and with the property line as defined by the aforesaid High Water Line of elevation 648.00 with lots 365 through 367 lots 369 through 380, lots 382 through 384, lots 387 through 389, a 0.243 acre common open space and lot 390 as recorded in Map Book 30 Page 109 or as revised in Map Book 32 Page 471 and Map Book 36 Page 333 (the following aforesaid lots 369 and 370 were revised and recorded in Map Book 32

Page 471 and lots 374, 375 and lot 376 were revised and recorded in Map Book 36 Page 333); thence continuing along and with the property line as defined by the aforesaid High Water Line of elevation 648.00 with lots 392 through 401 as recorded in Map Book 30 Page 107 to a point, said point being the Northeasterly corner of said lot 401, (aforesaid lot 393 was declared as a common open area as recorded in Map 30 Page 705); thence continuing along and with the property line of the City of Charlotte as defined by the High Water Line of elevation 647.50 as recorded in Map Book 26 Page 226 and Map Book 22 Page 897 to a point, said point being the Westerly most corner of Tract B as shown in recorded Map Book 30 Page 325; thence continuing along and with the property line of said Tract B and Tract C as defined by the aforesaid High Water Line of elevation 647.50 as shown in recorded Map Book 30 Page 325 to a point, said point being located on the Westerly property line of lot 20 as shown and recorded in Map book 25 Page 877 said point also being located N03-47-31W 48.67 feet from the Southwesterly property corner of said lot 20; thence continuing in a Southerly direction leaving aforesaid High Water Line and with the Westerly property line of said lot 20 as recorded in said Map Book 25 Page 877 South 03-47-31 East 48.67 feet to a point, said point being the Southwesterly most corner of said lot 20 and also being the Northwesterly corner of lot 19 as recorded in said Map Book 25 page 877; thence continuing in a Southerly direction along and with the Westerly property line of said lot 19 South 03-47-31 East 253.20 feet to a point, said point being the Southwesterly most corner of said lot 19 and also being a common corner with lots 2 and 3 of MOUNTAIN POINT, PHASE 1, Map 1 recorded in Map Book 23 Page 60; thence in a Westerly direction with a bearing and distance of South 86-03-20 West 319.41 feet along and with the Northerly property line of said lot 2 and lot 1 of said MOUNTAIN POINT, PHASE 1 to a point said point being the Northwesterly most corner of lot 1 of said Map Book 23 Page 60 and also being located 30 feet east of perpendicular to the centerline of Abernathy Road thence in a Southerly direction along and with a line 30 feet East of and parallel to the centerline of Abernathy Road crossing Mountain Point Lane approximately 1,960 feet to the point and place of beginning.

Brookshire East Annexation Qualifying Area, 2005

"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"



Brookshire East

- Brookshire East boundary
- 2005 Annexation area
- City of Charlotte 2004
- Mecklenburg County 2004



Source: Charlotte-Mecklenburg Planning Commission; March, 2004.

FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2005 FEB 17 10:23 AM
BK:18366 PG:577-588 FEE:\$42.00
INSTRUMENT # 2005029110



Returned to customer

ORDINANCE NO. 2826-X

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 informational meeting on the 9th day of September, 2004 and at the public hearing held on the 11th day of October, 2004, 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, 2005, 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, 2005, 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. As to each qualified tract of agricultural land, horticultural land and forestland in said territory, if any, the annexation will become effective on the last day of the month in which the tract or part thereof becomes ineligible for present-use classification under G. S. §105-277.4 or no longer meets the requirements of G.S. §160A-49(f1)(2).

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:

Drawn By/ Mail To: City of Charlotte
City Clerk's Office
600 E. 4th St.
Charlotte, NC 28202

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 51,771.6 feet of which 7,462.9 feet or 14.4% coincides with the present city boundary.
- (3) No part of the area is included within the boundary of another incorporated municipality.

B. 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), as described in C, D and E below, but does meet the requirements of G.S. 160A-48(d)(2). This part of the area - known as "subsection (d) land" - does not exceed twenty-five percent (25%) of the total area to be annexed. The total number of acres in the area to be annexed is 1,125.5. Of that acreage, 274.1 acres, or 24.4% is contained in the subsection (d) land. The subsection (d) land is adjacent and at least sixty percent (60%) of its external boundary coincides with a combination of the present City boundary and the area developed for urban purposes as defined in G.S. 160A-48(c). The aggregate boundary of the subsection (d) land is 51,458.9 feet of which 49,020.6 feet or 95.3% coincides with the present City boundary and the developed part of the area (see the D-Land Area Map, page 9 of report of plans for services). The part of the area remaining after removing the subsection (d) land (developed part of the area) qualifies for annexation as set forth below.

C. The developed part of the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The developed part of the area qualifies for annexation under the standards of two and three-tenths persons per acre of land. The developed part of the area has an estimated total population of 2.30 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 855 dwelling units in the area (787 single family units and 68 multi-family units), which when multiplied by the average household size of 2.66 for single-family units and 2.00 for multi-family units and taking into account occupancy rates of 87.8% for single family units and 94.2% for multi-family units (all according to the latest federal decennial census for which such information is available) results in an estimated total resident population of 1,962. This population, when divided by the total number of acres (851.4) in the developed portion of the area, results in a population density of 2.30 persons per acre.

D. The developed part of the area proposed to be annexed also meets the requirements of G.S. 160A-48(c)(2). The developed part of 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 1,206 lots and tracts within the developed part of the area, and of that number there are 1,085 lots and tracts of one acre or less in size, which equals 90.0% of the total. Furthermore, there are a total of 725.7 acres (excluding streets) in the developed part of the area, and of that number 492.2 acres consist of lots and tracts of three acres or less in size, which represents 67.8% of the total acreage. Finally, in accordance with the provisions of

G.S. 160A-54(1), the developed part of the area has an estimated total population of 2.30 persons per acre.

E. The developed part of the area proposed to be annexed also meets the requirements of G.S. 160A-48(c)(3). There are a total number of 1,206 lots and tracts within the developed part of the area and of that number 863 or 71.6% of the total number of lots and tracts in the developed part of the area are used for residential, commercial, industrial, institutional, or governmental purposes. Further, after excluding the acreage used for commercial, industrial, governmental, or institutional purposes, 650.4 acres remain in the developed part of the area. Of that acreage, 477.5 acres, or 73.4% are in lots and tracts three acres or less in size in the developed part of the area.

F. In determining the population of the area, it has been assumed that up to 12.2% of the single-family and 5.8% of the multi-family 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 26th day of July, 2004 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, as well as such extensions of water and/or sewer lines to individual properties, if any, which have been requested by property owners pursuant to G.S. §160A-47(3)(b).

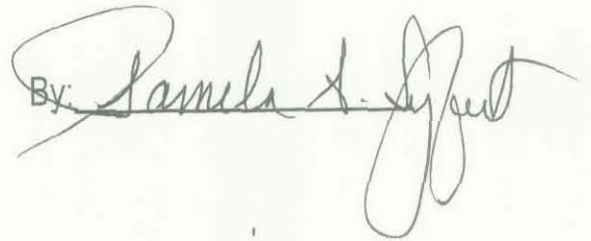
Section 5. That from and after the effective date of this annexation, the territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Charlotte, and shall be entitled to the same privileges and benefits as other parts of the 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. Such a map shall also be delivered to the Mecklenburg County Board of Elections, as required by G.S. §163-288.1.

Adopted this 22nd day of November, 2004.


CITY OF CHARLOTTE

By: 

ATTEST:


Brenda R. Freeze
City Clerk

Approved as to form:


Senior Deputy 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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 224-234.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.



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

EXHIBIT A

2005 ANNEXATION AREA BOUNDARY DESCRIPTION

BROOKSHIRE WEST

Beginning at a point on the existing CHARLOTTE CITY LIMITS LINE, said point being located at the intersection of the Easterly right-of-way of Rozzelles Ferry Road and the Northerly right-of-way of Mt Holly-Huntersville Road; thence in a Southwesterly direction along the Northwesterly right-of-way line of Mt Holly-Huntersville road with the exist Charlotte City limits line crossing Rozzelles Ferry Road, Country Lane and Harwood Lane approximately 5,932 feet to a point, said point being on the Northwesterly right-of-way line of Mt Holly-Huntersville Road the existing Charlotte Limits Line; thence in a Northwesterly direction N66-20-43W 26.65 feet to a point, said point being the Easterly most corner of lot 01 as recorded in Map Book 30 Page 599; thence continuing in a Northwesterly direction with the existing Charlotte City Limits Line and along and with the Northeasterly property lines of said lots 1 through lot 25 as recorded on said Map Book 30 Page 599 having a bearing and distance of North 66-20-43 West 1,513.59 feet to a point on the Northern line of lot 24; thence N67-02-21W 149.93 feet to a point, said point being the Northwesterly corner of said lot 25 and also being the Northeasterly corner of lot 50 as recorded in Map Book 33 Page 75; thence continuing in a Northwesterly direction along and with a portion of the Northerly property line of said lot 50 N67-02-21W 48.20 feet to a point, said point being the Southwesterly most corner of Deed Book 5721 Page 207 and also being the Southeasterly most corner of Deed Book 13301 Page 444; thence leaving the existing Charlotte City Limits Line in a Northwesterly direction along and with the Westerly property line of said Deed Book 5721 Page 207 with the following (3) bearings and distances: (1) N36-29-00W 298.68 feet to a point, (2) N18-53-00W 104.79 feet to a point, (3) N12-42-00W 86.19 feet to a point, said point being the Northwesterly most corner of said Deed Book 5721 Page 207 and also being the Southwesterly most corner of Deed Book 3614 Page 896; thence in a Northerly direction along and with the property line of said Deed Book 3614 Page 896 with the following (6) bearings and distances: (1) N12-42-00W 111.31 feet to a point, (2) N39-25-00W 54.20 feet to a point, (3) N04-42-00E 134.80 feet to a point, (4) N36-20-00E 152.61 feet to a point, (5) N89-11-00E 202.38 feet to a point; (6) S31-24-00E 197.13 feet to a point, said point being the easterly most corner of said Deed Book 3614 Page 896 located on the Northwesterly line of Deed Book 9043 Page 900 as shown on Map Book 28 Page 478; thence in a Northeasterly direction along and with the Northerly property line of said Deed Book 9043 Page 900 with the following (4) bearings and distances: (1) N57-59-42E 306.05 feet to a point, (2) S86-59-45E 290.62 feet to a point, (3) N77-58-24E 187.46 feet to a point, (4) S38-32-55E 138.82 feet to a point, said point being located on the Westerly property line of Deed Book 6661 Page 191; thence in a Northerly direction along the Westerly property line of said Deed Book 6661 Page 191, N14-26-30E 273.44 feet to a point, said point being the Southwesterly corner of Deed Book 13681 Page 23; thence in a North Northeasterly direction along and with the Westerly property line (extended) of said Deed Book 13681 Page 231 and also crossing Harwood Lane with a bearing and distance of N03-16-00E approximately

410 feet to a point, said point being located on the Northerly margin of said Harwood Lane; thence in a Southeasterly direction along and with the Northerly margin of said Harwood Lane approximately 80 feet to a point, said point being the intersection point of the Northerly margin of Harwood Lane and the Westerly margin of Lakeview Lane; thence in a Northeasterly direction along and with the Westerly margin of Lakeview Lane approximately 780 feet to a point said point being the Easterly most corner of Deed Book 3852 Page 767 and also being located on the Southerly property line of Deed Book 14607 Page 290; thence in Northeasterly direction crossing said Lakeview Lane along and with the Northerly property line of Deed Book 3649 Page 139, N77-46-16E approximately 550 feet to a point, said point being the Northeasterly most corner of said Deed Book 3649 Page 139 and also being the Northwesterly corner of a common open space recorded in Map Book 39 Page 761; thence along and with the Northerly property line of said common open space N75-49-03E 44.44 feet to a point, said point being the Northeasterly most corner of said common open space located on the Westerly right-of-way and at the terminus of Harwood Hills Lane; thence in a Southeasterly direction along and with the Westerly right-of-way of Harwood Hills Lane with the follow (2) bearings and distances: (1) S41-14-17E 25.37 feet to a point,(2) with a curve to the right having a radius of 375 feet an arc length of 24.56 feet and a chord bearing of S39-21-43E 24.55 feet to a point, said point being located on the Westerly right-of-way of Harwood Hills Lane; thence in a Northeasterly direction crossing said Harwood Hills Lane N52-30-54E 50.02 feet to a point, said point being the Westerly most corner of lot 40 as shown on Map Book 39 Page 761 and also being located on the Easterly right-of-way of said Harwood Hills Lane; thence in a Northeasterly direction along and with a portion of the Northwesterly property line of said lot 40 N52-30-54E 63.29 feet to a point, said point being the Southwesterly most corner of an 8.407 acre common open space as shown on Map Book 38 page 759; thence in a Northerly direction along and with the Westerly property line of said 8.407 acre common open space N04-39-02E 192.20 feet to a point; thence N14-29-09W 681.95 feet to a point, said point being the Northwesterly most corner of the said 8.407 acre common open space and also being the Southwesterly corner of a 0.807 acre common open space as shown on Map Book 38 page 757; thence continuing in a Northerly direction along and with the Westerly property line of said 0.807 acre common open space N14-29-09W 242.54 feet to a point; thence N36-10-50E 167.02 feet to a point, said point being the Northwesterly corner of Lot 114 as shown on said Map Book 38 Page 757 and also being the Southwesterly corner of Lot 99 as shown on Map Book 37 Page 559; thence in a Northerly direction along and with said lot 99, 98, 97, 96, 95, a portion of lot 92 and lots 91, 90, 89 and 88 as shown in aforesaid Map Book 37 Page 559 with the following (5) bearings and distances: (1) N00-47-23E 305.54 feet to a point,(2) N77-54-13E 295.34 feet to a point, (3) N05-38-27W 149.00 feet to a point, (4) N48-21-29E 186.63 feet to a point, (5) S84-57-54E 183.35 feet to a point, said point being the Northeasterly most corner of said Lot 88 and also being the Northwesterly corner of lot 78 and the Southwesterly corner of lot 77 as shown on Map Book 36 Page 313; thence in a Northwesterly direction along and with said lots 77, 76, 75 and 74 with the following (3) bearings and distances: (1) N09-24-06W 102.08 feet to a point, (2) N19-45-59E 98.30 feet to a point, (3) N48-21-30 E 194.30 feet to a point, said point being the Northerly most corner of said lot 74 as shown on said Map Book 36 Page 313 located on the

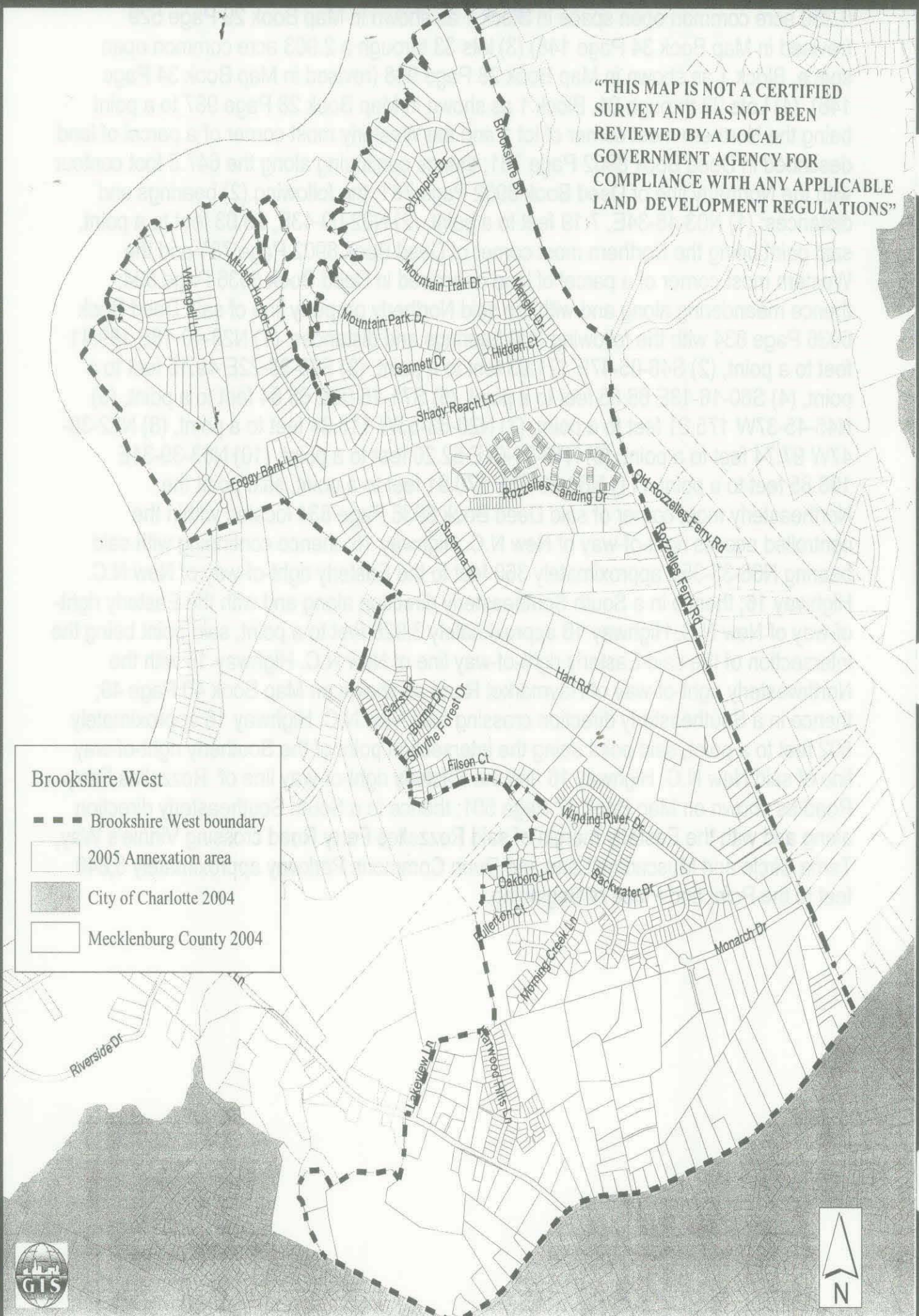
Southerly right-of-way line of Winding River Drive; thence in a Northwesterly direction along and with the Southerly right-of-way line of Winding River Drive N57-04-53W 363.10 feet to a point as shown on Map Book 40 Page 809 said point being the Northwesterly corner of a 0.423 acre common open space located on the Southerly right-of-way line of said Winding River Drive as shown on Map Book 40 Page 809; thence in a Southwesterly direction along and with the Northwesterly property line of said 0.423 acre common open space S48-21-30W 170.36 feet to a point, said point being the Southwesterly corner of said 0.423 acre common open space; thence along and with the Southerly property lines of lots 87, 86, 85, 84, 83, 82, 81, 80 and lot 79 with the following (6) bearings and distances: (1) N41-38-30W 136.80 feet to a point, (2) N72-08-59W 140.09 feet to a point, (3) N81-25-43W 70.14 feet to a point, (4) S89-17-32W 140.08 feet to a point, (5) S76-55-13W 141.49 feet to a point, (6) S69-22-03W 41.52 feet to a point, said point being the Southerly most corner of said lot 79 as shown on said Map Book 40 Page 809; thence N20-37-57W 120.00 feet to a point, said point being the Northwesterly corner of lot 79 and also being located on the Southerly right-of-way of Winding River Drive as shown on Map Book 40 Page 809, thence S69-22-03W 225.72 feet along and with the Southerly right-of-way line of Winding River Drive to a point said point being the Northeasterly corner of lot 55 as shown on said Map Book 40 Page 809, thence along and with the Northeasterly property line of said lot 55 S20-37-57E 120.00 feet to a point said point being the Southeasterly corner of said lot 55; thence along and with the Southeasterly property line of said lot 55 and lot 54, S 69-22-03W 190.21 feet to a point, said point being the Southwesterly corner of said lot 54 also being located on the Easterly right-of-way line of Carver Falls Road; thence in a Southerly direction with the Easterly right-of-way line of Carver Falls Road approximately 85 feet to the intersection of the Southerly line of lot 22 (extended) as shown on Map Book 40 page 807; thence crossing Carver Falls Road with the Southern line of lot 22 (extended) N71-05-54W approximately 50 feet to a point, said point being the Westerly right-of-way line of Carver Falls Road and also being Southeasterly corner of lot 22 as shown on Map Book 40 Page 807; thence in a Northwesterly direction with the Southerly property line of said lot 22 N71-05-54W 133.97 feet to a point, said point being the Southwesterly corner of said lot 22; thence in a North Northwesterly direction along and with the rear property lines of lots 22, 21, 20, 19, 18, 17, 16, 15, 14, 13, 12, 11, 10 and lot 9 with the following (8) bearings and distances: (1) N02-57-01W 48.80 feet to a point, (2) N02-16-34W 53.00 feet to a point, (3) N12-15-19W 68.88 feet to a point, (4) N03-33-53W 165.42 feet to a point, (5) N33-24-39W 36.46 feet to a point, (6) N42-37-11W 220.00 feet to a point, (7) N43-42-32W 50.88 feet to a point, (8) N 55-03-55W 106.81 feet to a point, said point being the Westerly most corner of said lot 9 as shown on said Map Book 40 Page 807; thence in a Northeasterly direction with the Northwesterly line of lot 9 and a 2.049 acre common open space N34-56-05E 125.00 feet to a point, said point being the Northwesterly corner of said lot 9 and also being located on the Southwesterly right-of-way line of Carver Falls Road; thence along the Southwesterly right-of-way line of Carver Falls Road, N55-03-55W 60.00 feet to a point, said point being the Northwesterly corner of the 2.049 acre common open space as shown on Map Book 49 Page 807 and also being the Northeasterly corner of lot 8 as shown on Map Book 40 Page 631; thence with the Southeasterly line of lot 8 and the Northwesterly line of the 2.049 acre common open space, S34-56-05W 176.20 feet to

the Southeasterly corner of lot 8 as shown on Map Book 40 Page 631; thence in a Northwesterly direction along and with the Southwesterly property line of said lot 8 and lots 7, 6, 5, 4, 3, 2, 1 and a 0.039 Acre common open space, N31-29-13W 574.77 feet to a point, said point being the Southwesterly most corner of said 0.039 acre common open space located on the Easterly right-of-way line of Hart Road; thence continuing with said line being N31-29-13W to a point of intersection with the Westerly right-of-way of said Hart Road; thence in a Northerly direction meandering along and with the said Westerly right-of-way line of Hart Road approximately 1,120 feet to a point, said point being the Southerly most corner of Lot 1, Block L as shown on Map Book 8 Page 407 and also being located on the said Westerly right-of-way line of Hart Road; thence in a Northwesterly direction along and with the Southwesterly property lines of said lot 1 and lots 2, 3, 4, 5, 6, 7, 8, 9 and lot 10 with a bearing and distance of N55-04-00W 975.75 feet to a point, said point being the Westerly most corner of said Lot 10, block L as shown on said Map Book 8 Page 407 and also being the Southerly most corner of the property described in Deed Book 6379 Page 885; thence continuing in a Northwesterly direction along and with the Southwesterly property line of said Deed Book 6379 Page 885 with a bearing and distance of N55-00-46W 729.09 feet to a point, said point being the Northwesterly most corner of said Deed Book 6379 Page 885 located on a portion of the Southerly property line of a 2.655 acre common open space as shown on Map Book 34 Page 687, thence in a Westerly direction along and with the rear property lines of said 2.655 common open space and lots 318, 319, 320, 321, 322, 323, 324, 325 and lot 326 with the following (6) bearings and distances: (1) S71-03-00W 498.43 feet to a point, (2) S71-03-00W 107.84 feet to a point, (3) S71-45-49W 651.31 feet to a point, (4) N28-54-23W 154.13 feet to a point, (5) N28-54-15W 113.33 feet to a point, (6) N42-56-45W 247.19 feet to a point, said point being the Westerly most corner of said lot 326 and also being the Southerly most corner of property as described in Deed Book 7433 Page 662 and also shown on Map Book 25 Page 627; thence along and with the Westerly property line of said Deed Book 7433 Page 662 as shown on said Map Book 25 Page 627 with the following (20) bearings and distances: (1) N38-35-31W 479.17 feet to a point, (2) N70-23-45W 135.13 feet to a point, (3) N29-43-59W 409.61 feet to a point, (4) N40-10-36E 122.80 feet to a point, (5) N45-53-19W 336.22 feet to a point, (6) N45-53-18W 68.95 feet to a point, (7) N20-24-42W 12.33 feet to a point, (8) N26-23-02E 14.98 feet to a point, (9) N30-21-39W 25.99 feet to a point, (10) N40-26-39W 77.48 feet to a point, (11) N56-21-35W 31.84 feet to a point, (12) N34-39-39W 20.19 feet to a point, (13) N28-59-52W 52.95 feet to a point, (14) N06-49-56W 19.43 feet to a point, (15) N49-06-40W 55.66 feet to a point, (16) N10-40-34W 18.85 feet to a point, (17) N27-09-04E 34.24 feet to a point, (18) N48-01-14E 99.35 feet to a point, (19) N31-28-41E 80.25 feet to a point, (20) N17-42-46E 33.79 feet to a point, said point being located on the Easterly property line of said Deed Book 7433 Page 662 as shown on said Map Book 25 Page 627 and also being the Westerly most corner of lot 78 as recorded in Map Book 29 Page 570, said point also marking the Duke Power Co. Project Limits for Mountain Island Lake (established by Survey of 647.50' contour as of December 1996) as shown on aforesaid Map Book 29 Page 570; thence in a Northeasterly direction meandering along and with property lines which are on the Duke Power Company's 647.50 contour line approximately 13,817 feet as shown on the following (4) recorded Map Books; (1) lots 78 through 50 and a 4.181 acre common

open space in Block 1 as shown in Map Book 29 Page 570; (2) lots 49 through 34 and a 0.280 acre common open space in Block 1 as shown in Map Book 29 Page 529 (revised in Map Book 34 Page 146) (3) lots 33 through a 2.903 acre common open space, Block 1 as shown in Map Book 28 Page 988 (revised in Map Book 34 Page 146), (4) Lots 23 through 01, Block 1 as shown in Map Book 28 Page 987 to a point being the Northern most corner of lot 1 and the Westerly most corner of a parcel of land described in Deed Book 8902 Page 781; thence continuing along the 647.5 foot contour with the Northerly line of Deed Book 8902 Page 781, the following (2) bearings and distances: (1) N03-48-34E, 7.19 feet to a point, (2) N22-09-43E, 28.03 feet to a point, said point being the Northern most corner of Deed Book 8902 Page 781 and the Western most corner of a parcel of land described in Deed Book 6936 Page 834; thence meandering along and with the said Northerly property line of said Deed Book 6936 Page 834 with the following (11) bearings and distances: (1) N28-40-18E 189.41 feet to a point, (2) S46-05-47E 171.93 feet to a point, (3) S63-28-22E 49.15 feet to a point, (4) S60-16-13E 66.85 feet to a point, (5) S71-15-02E 66.84 feet to a point, (6) N45-45-37W 175.61 feet to a point, (7) N20-53-53W 118.34 feet to a point, (8) N22-30-47W 97.74 feet to a point, (9) N16-31-04E 52.20 feet to a point, (10) N63-39-31E 108.85 feet to a point, (11) N66-33-35E 170.91 feet to a point, said point the Northeasterly most corner of said Deed Book 6936 Page 834 located within the controlled access right-of-way of New N.C. Highway 16; thence continuing with said bearing N66-33-35E approximately 360 feet to the Easterly right-of-way of New N.C. Highway 16; thence in a South Southeasterly direction along and with the Easterly right-of-way of New N.C. Highway 16 approximately 3,928 feet to a point, said point being the intersection of the said Easterly right-of-way line of New N.C. Highway 16 with the Northwesterly right-of-way of Haymarket Road as shown on Map Book 40 Page 49; thence in a Southeasterly direction crossing said New N.C. Highway 16 approximately 502 feet to a point, said point being the intersection point of the Southerly right-of-way line of said New N.C. Highway 16 and the Easterly right-of-way line of Rozzelles Ferry Road as shown on Map Book 37 Page 501; thence in a South Southeasterly direction along and with the Easterly margin of said Rozzelles Ferry Road crossing Vinnie's Way, Tema Circle and Muscadine Lane and Dunn Commons Parkway approximately 6,840 feet to the Point and Place of Beginning.

Brookshire West Annexation Qualifying Area, 2005

"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"

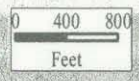


Brookshire West

- Brookshire West boundary
- 2005 Annexation area
- City of Charlotte 2004
- Mecklenburg County 2004



Source: Charlotte-Mecklenburg Planning Commission; March, 2004.



FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2005 FEB 17 10:23 AM
BK: 18366 PG: 589-598 FEE: \$36.00

INSTRUMENT # 2005029111



2005029111

Returned to customer

Returned to customer

ORDINANCE NO. 2827-X

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 informational meeting on the 9th day of September, 2004 and at the public hearing held on the 11th day of October, 2004, 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, 2005, 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, 2005, 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. As to each qualified tract of agricultural land, horticultural land and forestland in said territory, if any, the annexation will become effective on the last day of the month in which the tract or part thereof becomes ineligible for present-use classification under G. S. §105-277.4 or no longer meets the requirements of G.S. §160A-49(f1)(2).

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:

Drawn By/Mail To: City of Charlotte
City Clerk's Office
600 E. 4th St.
Charlotte, NC 28202

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 60,428.0 feet, of which 24,817.7 feet or 41.1 coincides with the present City boundary.
- (3) No part of the area is included within the boundary of another incorporated municipality.

B. The area qualifies for annexation under the standards set forth in G.S. §160A-48(c)(1). A portion of the proposed annexation area does not meet the requirements of G.S. 160A-48(c), as described in C below, but does meet the requirements of G.S. 160A-48(d)(2). This part of the area – known as “subsection (d) land” - does not exceed twenty-five percent (25%) of the total area to be annexed. The total number of acres in the area to be annexed is 976.0. Of that acreage, 231.2 acres, or 23.7% is contained in the subsection (d) land. The subsection (d) land is adjacent and at least sixty percent (60%) of its external boundary coincides with a combination of the present City boundary and the area developed for urban purposes as defined in G.S. 160A-48(c). The aggregate boundary of the subsection (d) land is 22,426.4 feet of which 21,559.9 feet or 96.1% coincides with the present City boundary and the developed part of the area (see the D-Land Area Map, page 9 of report of plans for services). The part of the area remaining after removing the subsection (d) land (developed part of the area) qualifies for annexation as set forth below.

C. The developed part of the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The developed part of the area qualifies for annexation under the standards of two and three-tenths persons per acre of land. The part of the area remaining after removing the subsection (d) land qualifies for annexation under the standards of two and three-tenths persons per acre of land. The developed part of the area has an estimated total population of 2.42 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 754 dwelling units in the area (622 single family units and 132 multi-family units), which when multiplied by the average household size of 2.70 for single-family units and 1.75 for multi-family units and taking into account occupancy rates of 94.3% for single family units and 92.0% for multi-family units (all according to the latest federal decennial census) results in an estimated total resident population of 1,799. This population, when divided by the total number of acres (744.8) in the developed portion of the area, results in a population density of 2.42 persons per acre.

D. In determining the population of the area, it has been assumed that up to 5.7% of the single-family and 8.0% of the multi-family 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 26th day of July, 2004 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, as well as such extensions of water and/or sewer lines to individual properties, if any, which have been requested by property owners pursuant to G.S. §160A-47(3)(b).

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.

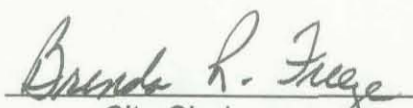
Section 7. That the Mayor of the City of Charlotte shall cause an accurate map of the annexed territory described in Section 1, hereof, together with a duly certified copy of this ordinance, to be recorded in the office of the Register of Deeds of Mecklenburg County, and in the office of the Secretary of State in Raleigh. Such a map shall also be delivered to the Mecklenburg County Board of Elections, as required by G.S. §163-288.1.

Adopted this 22nd day of November, 2004.

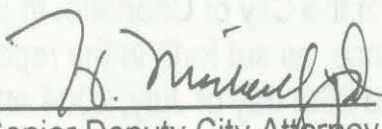
CITY OF CHARLOTTE

By: 

ATTEST:


City Clerk

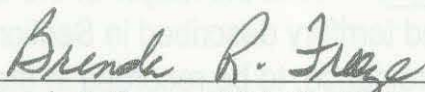
Approved as to form:


Senior Deputy 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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 235-243.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.


Brenda R. Freeze, CMC, City Clerk

CITY OF CHARLOTTE

ATTEST


City Clerk

EXHIBIT A

2005 ANNEXATION AREA BOUNDARY DESCRIPTION

STEELE CREEK NORTH ANNEXATION AREA

Beginning at a point on the Exiting Charlotte City limits line, being on the Northerly right-of-way line of Shopton Road West, being approximately 430 feet Easterly from the intersection with the center of Withers Cove, also being the Southwesterly corner of a portion of Deed Book 911, page 426, as represented by Tax Parcel# 199-211-01; Thence along the Westerly line of said Deed in a Northwesterly direction approximately 465 feet to the Southwesterly corner of Lot 60 as revised in Map Book 33, page 371; Thence along the Westerly line of said Lot the following two (2) calls: 1) North 1-36 West 138.83 feet, 2) North 17-18-16 East 120.86 feet to a point on the Southerly line of Lot 59, Map Book 31, page 5; Thence along said line, South 65-35-58 West 82.91 feet to the Southwesterly corner thereof; Thence along the Westerly line of said lot, North 23-09-39 West 26.91 feet to the Southeasterly corner of Lot 58, Deed Book 2095, page 597; Thence along the rear lines of Lots 58 through a portion of 54, the following five (5) calls: 1) South 49-25 West 135.85 feet; 2) North 53-12 West 231.11 feet; 3) North 41-20 West 210.00 feet; 4) North 25-53 East 210.14 feet; 5) North 47-07 East 58.25 feet to the Southerly corner of Tract B, Map Book 30, page 269; Thence along the Southerly line of Lots 42 and 41 of said Map, South 87-45-18 West 129.16 feet to the common corner of Lots 41 and 42 of said Map; Thence North 64-07 West 158.03 feet to the Southwesterly corner of Lot 41; Thence with the rear lines of Lots 40 through 36, Deed Book 1844, page 535 the following six (6) calls: 1) North 76-50 West 198.99 feet; 2) North 31-33 West 155.55 feet; 3) North 21-32 East 72.45 feet; 4) North 39-51 East 113.23 feet; 5) North 62-45 East 111.77 feet; 6) North 14-55 East 116.51 feet to the Northeasterly corner of Lot 36 on said map; Thence along the rear lines of Lots 35 through 24, Deed Book 1844, pages 589 and 621 the following thirteen (13) calls: 1) North 50-40 East 64.72 feet; 2) North 66-37 East 150.23 feet; 3) North 58-45 East 140.61 feet; 4) North 66-50 East 138.86 feet; 5) North 79-49 East 132.74 feet; 6) South 89-31 East 88.11 feet; 7) North 15-50 West 76.36 feet; 8) North 83-15 West 125.64 feet; 9) North 56-59 West 115.41 feet; 10) North 1-27 East 61.14 feet; 11) North 2-44 East 189.97 feet; 12) North 45-15 East 151.50 feet; 13) North 66-42 East 77.47 feet to the Northerly corner of said Lot 24; Thence along the Southwesterly line of Deed Book 8646, page 824 the following two (2) calls: 1) North 79-28 West 126 feet; 2) North 29-38 West 82 feet to the Southwesterly corner of Deed Book 12661, page 96; Thence with the rear line of the last said deed, North 29-38 West 49 feet; Thence North 14-25 West 102 feet to the Northwesterly corner of said deed and also being the Southwesterly corner of Deed Book 13277, page 887; Thence with the Northwesterly lines of the last said deed, North 19-49 East 99.71 feet; Thence North 33-50 East 64.78 feet to the Northerly corner of said deed and also being the Northwesterly corner of Deed Book 6171, page 997; Thence with the Northerly line of the last said deed North 85-26 East 101.65 feet; Thence North 66-12 East 83.09 feet to the Northwesterly corner of Lot 9, Deed Book 2654, page 234, said corner also being on the project boundary of Lake Wylie; Thence along the Northerly line of Lots 9 through 5 of said plat and boundary of Lake Wylie approximately 611 feet to the Northeasterly corner of Lot 5, also being the Northwesterly corner of Deed Book 5918, page 146; Thence with the Northerly line of said deed, Thence North 21-44 East 119.17 feet; Thence North 45-11-15 East 84.55 feet; Thence North 84-25 East 76.04 feet to the Northeasterly corner thereof, also being the Northwesterly corner of Deed Book 15631, page 185; Thence along the Northerly line of the last said deed, North 86-41-48 East 56.71 feet; Thence North 64-00-11

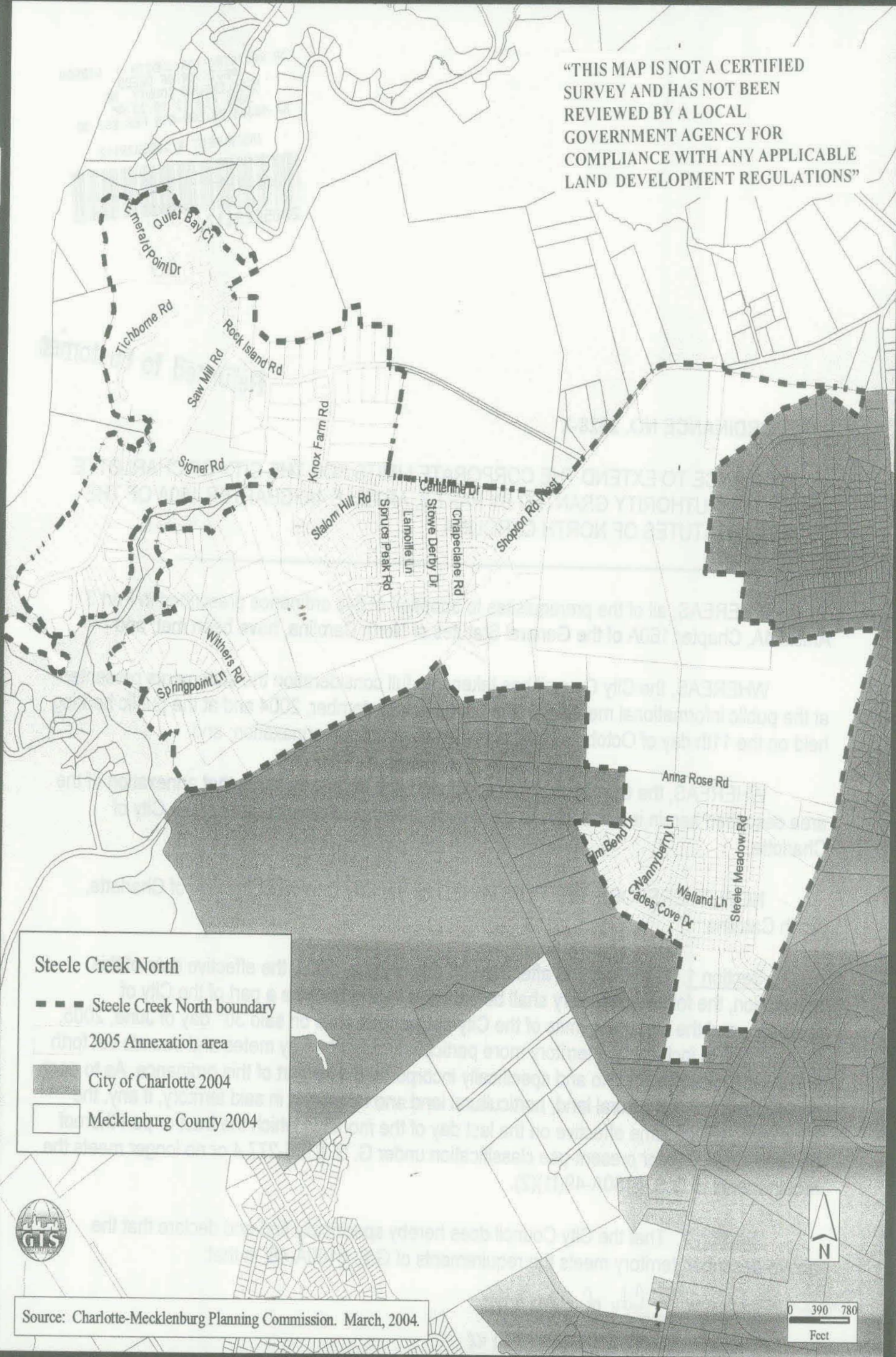
East 133.02 feet to the Northeasterly corner thereof also being the project boundary of Lake Wylie; Thence following an old boundary line the following three (3) calls: 1) North 21 West approximately 152 feet; 2) North 63 East approximately 103 feet; 3) North 90 East approximately 296 feet to a point on the 570 foot contour, being the Project boundary of Lake Wylie, and also being on the Westerly line of Deed Book 8265, page 637; Thence with the 570 foot contour the following five (5) calls: 1) along the line of a portion of the last said deed approximately 381 feet; 2) along the Southerly line of Lot 3, Map Book 37, page 411 approximately 146 feet; 3) along the Southerly line of Lots 3 through 13 Map Book 18, page 54 approximately 2418 feet; 4) along the Southerly line of Lots 1 through 6 Map Book 21, pg 583 approximately 792 feet; 5) along the Southeasterly line of Lots 16 and 17, Map Book 18, page 55 approximately 505 feet to the Southwesterly corner said Lot 17 and the Southeasterly corner of parcel 2, Map Book 30, page 373, said point also being on the 570 foot contour; Thence following the Southerly boundary of said map and the 570 contour the following three (3) calls: 1) South 85-30-23 West 22.2 feet; 2) North 72-44-50 West 17.16 feet; 3) South 82-31-05 West 28.84 feet; Thence Southeasterly approximately 25 feet to a point on an undelimited island in Lake Wylie, said island being represented by Tax parcel number 199-402-01; thence in a clockwise direction, approximately 2364 feet around the circumference of said island, said island containing 5 acres more or less, to a point 30 feet Northwesterly of last bearing and distance; Thence in a Northeasterly direction approximately 63 feet to a point on the 570 foot contour, said point also being on the Southwesterly line of Map Book 30, page 373 and being 116 feet, along the property line, Northwesterly of the Southeasterly corner of Parcel 2, Map Book 30, page 373; Thence along the 570 foot contour the following thirteen (13) calls: 1) Northwesterly along the Southwesterly line of Parcel 2, Map Book 30, page 373 approximately 430 feet; 2) Northwesterly along the Westerly line of, Lot 21, Area A and B, Map Book 30, page 767 approximately 459 feet; 3) Northeasterly along the Northwesterly line of Lots 4 through 1, 7, and 8 of Map Book 35, page 627 approximately 755 feet to the Northeasterly corner of Lot # 7; 4) Northeasterly along the Northwesterly line of Lots 5 through 7, Map Book 24, page 698 approximately 627 feet; 5) Northeasterly along the Northwesterly line of Lots 5 through 7 of Map Book 35, page 343 approximately 246 feet; 6) Northeasterly along the Northwesterly line of Lot 30 Map Book 18, page 56 approximately 519 feet; 7) Southeasterly along the Northerly line of Lots 3, 2, and 1 of Map Book 34, page 11 approximately 298 feet; 8) Northeasterly along the Westerly line of Lot 33, Deed Book 13997, page 477 and Lots 36 and 37 of Map Book 18, page 56 approximately 1656 feet to the Northwesterly corner of Lot 37; 9) Northwesterly along the Westerly line of Deed Book 13997, pg 477 approximately 1149 feet to the Southwesterly corner of the Emerald Point Condominiums, Unit File 295; 10) Northwesterly along the Westerly and Northerly line of Unit File 295 approximately 1370 feet; 11) Easterly along the Northerly line of Map Book 26, pg 406 approximately 288 feet; 12) along the Northwesterly line of Map Book 18, page 57 approximately 500 feet; 13) along the Northerly line of Map Book 26, page 805 and as revised in Map Book 30, page 787 approximately 1390 feet to the Northeasterly corner of a 3.4 acre common area; Thence leaving the 570 foot contour and along the Easterly line of said common area, South 12-56 East 36.37 feet; Thence South 23-49-01 East 137.59 feet; Thence South 65-15-18 West 417.85 feet to the Northeasterly line of Lot 9, Map Book 26, page 806; Thence along the Northeasterly line of Map Book 26, page 806 the following two (2) calls: 1) South 26-27-56 East 153.47 feet; 2) North 88-31-23 East 76.46 feet to the Northeasterly corner of Lot 6, being the Northwesterly corner of Deed Book 6835, page 118; Thence along the Northerly and Easterly lines of said deed the following two (2) calls: 1) North 88-15-20 East 288.29 feet; 2) South 4-23-10 West approximately 307 feet to the Northeasterly corner of Deed Book 4658, page 980; Thence along the Northerly line of said deed South 53-45-01 East 271.53 feet to the Northwesterly corner of Deed Book 11917, page 849; Thence along the Northerly line of the last said deed South 88-37-29 East 199.30 feet to the Northwesterly corner of Deed Book 6183, page 976; Thence along the Northerly line of the last said deed North 86-27-20 East

199.86 feet to the Northwesterly corner of Deed Book 5015, page 258; Thence along the Northerly line of the last said deed, North 75-38-19 East 207.60 feet to the Northwesterly corner of Deed Book 5070, page 632; Thence along the Northerly line of the last said deed North 75-38-19 East 206.11 feet to the Northwesterly corner of Deed Book 4303, page 317; Thence along the Northerly line of the last said deed, North 79-03-28 East 200.03 feet to the Southwesterly corner of Deed Book 5566, page 722; Thence along the Westerly, Northerly and Easterly lines of the last said deed the following three (3) calls: 1) North 00-56-49 West 217.69 feet; 2) North 81-52-50 East 201.46 feet; 3) South 00-49-55 East 217.74 feet to the Northwesterly corner of Deed Book 6553, page 689; Thence along the Northerly line of the last said deed, North 86-43 East 200.14 feet to the Northwesterly corner of Deed Book 9561, page 739; Thence along the Northerly and Easterly line of the last said deed the following 2 calls: 1) North 86-43 East 200 feet; 2) South 00-38 East 471 feet to the Southerly right-of-way of Rock Island Road; Thence along the Southerly right-of-way of said road the following five (5) calls: 1) South 87-19-25 East approximately 8 feet; 2) South 83-44-55 East 14.99 feet to the Northeasterly corner of Deed Book 5176, page 853; 3) South 80-44-55 East 83.22 feet; 4) South 80-44-25 East 98.44 feet; 5) South 84-02-32 East 3.56 feet to the Northeasterly corner of Deed Book 10597, page 796; Thence along the Easterly line of said deed along with Deed Book 6126, page 978, Deed Book 4966, page 564, Deed Book 5839, page 863, and Deed Book 13991, page 491, South 11-37-50 West 1172.29 feet to the Northerly line of Lot 14, Block 13, Map Book 39, page 994; Thence with said Northerly line of a portion of Lot 14 and Lots 13 through 1 of Block 13, crossing the right-of-way of Chapeplane Road and with the Northerly line of Lots 24 through 11 of Block 12 of said map, South 86-14-26 East 1765.56 feet to the Northwesterly corner of Lot 8, Block 12, Map Book 38, page 889; Thence with the Northerly lines of Lots 8 through 5 of said Block 12, South 86-14-26 East 436.3 feet; to the Northeasterly corner of said Lot 5; Thence along the Easterly line of said Lot South 5-30-53 West 51.82 feet to the Northerly right-of-way line of Shopton Road West; Thence Northeasterly along said Northerly right-of-way line, crossing Rock Island Road, approximately 2870 feet to the intersection of the Easterly line of Deed Book 15881, page 56; Thence crossing the right-of-way of said Road in a Southerly direction approximately 61 feet to a point on the southerly right-of-way line of Shopton Road West, said point being Northwesterly corner of Deed Book 1531, page 185; Thence with the Northerly line of said deed the following two (2) calls: 1) South 85-45 East 837 feet; 2) South 82-18 East 617.4 feet to the Easterly corner thereof, also being the Northwesterly corner of Deed Book 1685, page 88; Thence with the Northerly line of the last said deed the following two (2) calls: 1) South 82-18 East 135.1 feet; 2) South 85-03 East 292.4 feet to the Northwest corner of Lot 1 in Block "A", Map Book 8 page 21, also being on the existing Charlotte City limits line; Thence with said City limits line the following thirty-eight (38) calls: 1) South 15-52 West 285.6 feet to the Southerly most corner of said Deed Book 1685 page 88 and also being the Northeasterly corner of Lot 3B and also being the Westerly most corner of Lot 3A Block "A" recorded in Map Book 8 page 21; 2) North 60-42 West 552.27 feet to the Northerly most corner of Lot 5 in Block "A" of Map Book 8 page 21 and also being the Northwesterly most corner of Deed Book 1685 page 88; 3) in a Southwesterly direction with the Northerly boundary line of Lots 5 through 7 in said Block "A" South 70-58 West 105.35 feet; 4) South 65-08 West 212.43 feet; 5) South 72-23 West 235.50 feet to the Northeasterly corner of said Lot 8 in Block "A" of Section one of Riverdale recorded in Map Book 8 page 23 and also being the Northwesterly corner of Lot 7 in Block "A" of Section one of Riverdale recorded in Map Book 8 Page 21; 6) Southwesterly following along the Northerly boundary line of said Lot 8 through Lot 10 in Block "A" South 59-50 West 220 feet; 7) South 47-37 West 188.11 feet; 8) South 40-02 West 220.51 feet; 9) South 60-25 West 472.25 feet to the Northwesterly corner of Lot 10; 10) along the Westerly boundary line of Lots 10 through 15 in Block "A", South 5-20 West 1146.91 feet to the Southwest corner of said Lot 15; 11) along the Southerly boundary line of Lot 15 and crossing Riverdale Drive, South 88-34 East 512.76 feet to the Northwest corner of

said Deed Book 4118 Page 917 and also being the Southwest corner of Lot 14 in Block "B" of Section One of Riverdale recorded in Map Book 8 page 23 located on the Easterly right-of-way of Riverdale Drive; 12) along the Westerly boundary line of said Deed Book 4118 page 917 South 2-42-54 West 504.15 feet to a point, said point being the Southwest corner of Deed Book 4118 page 917; 13) along the Southerly boundary line of said Deed Book 4118 page 917 South 88-30-41 East 434.86 feet to a point being the southeast corner of Deed Book 4118, page 917 and the southwest corner of Lot 10, Map Book 11, page 193 and also being located on the northern right-of-way line of Cecilia Lane; 14) Southerly crossing Cecilia Lane approximately 60 feet to the Southerly right-of-way line of Cecilia Lane also being the Northwest corner of said Lot 2 of Cecilia Lane Subdivision Map 2, Map Book 29 Page 567; 15) along the Westerly boundary line of said Lot 2 South 3-49-42 West 200 feet to the Southwest corner of said Lot 2; 16) along the Southerly boundary line of Lots 1 and 2 North 81-37 East 241.22 feet to the Southeast corner of Lot 1 of Map Book 29, page 567 and also being the southwest corner of Lot 1 Cecilia Lane subdivision Map 1, Map Book 27, page 699; 17) Easterly along the Southerly boundary of said recorded map North 81-37-02 East 794.82 feet; to the Southeasterly corner of said Lot 1 and the Southwesterly corner of Lot 2 of said map; 18) Easterly along the Southerly boundary line of said Lot 1, North 81-37 East 142.02 feet; 19) South 55-44 East 244.08 feet to the corner of said Lot 2, also being on the Westerly right-of-way line of Steele Creek Road; 20) along said right-of-way in a Southerly direction approximately 4780 feet to the Northeasterly corner of Deed Book 5110, page 242; 21) along the Northerly line of the last said deed North 89-50 West 586.02 feet to the Northwesterly corner thereof; 22) along the Westerly line of said deed South 00-10 West 370 feet to the Southwesterly corner thereof, also being on the Northerly right-of-way line of Ed Brown Road; 23) along said Northerly right-of-way line, in a Westerly direction approximately 550 feet to the Southeasterly corner of Map Book 20, page 314; 24) along the Easterly line of said map North 9-46-45 East 1254.59 feet to the Northeasterly corner thereof; 25) along the Northerly line of said map North 58-28-03 West 931.58 feet to the Northerly corner thereof, also being the Southeasterly corner of Deed Book 3819, page 261; 26) along the Easterly line of said deed North 32-41-49 West 575 feet to the Southeasterly corner of Deed Book 4898, page 500; 27) along the Easterly line of the last said deed North 32-41-49 West 553.27 feet to the Northeasterly corner of said deed and being on the Southerly line of Lot 2, Map Book 21, page 570; 28) along the Southerly line of Lots 2 and 1 of said map, South 88-49-16 East 629.98 feet to the Southeasterly corner of Lot 1; 29) along the Easterly line of said Lot 1 North 1-16-28 East 600.01 feet to the Northeasterly corner thereof; 30) along the Northerly line of Lot 1 North 88-44-02 West 525.06 feet to the Northwesterly corner of Lot 1 of said map; 31) along the Easterly line of said Lot 6, 7, and 10 North 00-30-20 West 831.69 feet to the Northeasterly corner of said Lot 10; 32) along the Northerly line of Lots 10 and 9 North 89-33-43 West 686.47 feet to a point on the Northerly line of Lot 9; 33) along the Northerly line of Lot 9 of said map South 86-34-05 West 620.71 feet to the Northwesterly corner thereof; 34) along the Westerly line of said Lot 9 South 1-25-45 East 96.98 feet to the Northeasterly corner of Lot 2, Map Book 26, page 85; 35) along the Northerly line of said map South 85-41 West 369.46 feet to the Easterly right-of-way line of Ed Brown Road; 36) along said right-of-way in a Northerly direction approximately 530 feet to the Southerly right-of-way line of Shopton Road West; 37) crossing said right-of-way line approximately 60 feet to the Northerly right-of-way line thereof; 38) along said Northerly right-of-way line of Shopton Road West in a Westerly direction approximately 3630 feet to the Point of Beginning.

Steele Creek North Annexation Qualifying Area, 2005

"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"

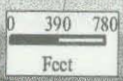


Steele Creek North

- Steele Creek North boundary
- 2005 Annexation area
- City of Charlotte 2004
- Mecklenburg County 2004



Source: Charlotte-Mecklenburg Planning Commission. March, 2004.



FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2005 FEB 17 10:23 AM
BK: 18366 PG: 599-615 FEE: \$57.00
INSTRUMENT # 2005029112
2005029112

Returned to customer

ORDINANCE NO. 2828-X

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 informational meeting on the 9th day of September, 2004 and at the public hearing held on the 11th day of October, 2004, 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, 2005, 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, 2005, 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. As to each qualified tract of agricultural land, horticultural land and forestland in said territory, if any, the annexation will become effective on the last day of the month in which the tract or part thereof becomes ineligible for present-use classification under G. S. §105-277.4 or no longer meets the requirements of G.S. §160A-49(f1)(2).

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:

Drawn By/ Mail To: City of Charlotte
City Clerk's Office
600 E 4th St.
Charlotte, NC 28202

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 128,666.9 feet, of which 76,543.3 feet or 59.5% coincides with the present City boundary.
- (3) No part of the area is included within the boundary of another incorporated municipality.

B. The area qualifies for annexation under the standards set forth in G.S. §160A-48(c)(1). A portion of the proposed annexation area does not meet the requirements of G.S. 160A-48(c), as described in C below, but does meet the requirements of G.S. 160A-48(d)(2). This part of the area – known as “subsection (d) land” - does not exceed twenty-five percent (25%) of the total area to be annexed. The total number of acres in the area to be annexed is 3,910.5. Of that acreage, 939.9 acres, or 24.0% is contained in the subsection (d) land. The subsection (d) land is adjacent and at least sixty percent (60%) of its external boundary coincides with a combination of the present City boundary and the area developed for urban purposes as defined in G.S. 160A-48(c). The aggregate boundary of the subsection (d) land is 78,791.6 feet of which 74,290.3 feet or 94.3% coincides with the present City boundary and the developed part of the area (see the D-Land Area Map, page 9 of report of plans for services). The part of the area remaining after removing the subsection (d) land (developed part of the area) qualifies for annexation as set forth below.

C. The developed part of the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The developed part of the area qualifies for annexation under the standards of two and three-tenths persons per acre of land. The developed part of the area has an estimated total population of 2.60 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 3,169 dwelling units in the area (2,793 single family units and 376 multi-family units), which when multiplied by the average household size of 2.70 for single-family units and 1.75 for multi-family units and taking into account occupancy rates of 94.3% for single family units and 92.0% for multi-family units (all according to the latest federal decennial census) results in an estimated total resident population of 7,728. This population, when divided by the total number of acres (2,970.6) in the developed portion of the area, results in a population density of 2.60 persons per acre.

D. In determining the population of the area, it has been assumed that up to 5.7% of the single-family and 8.0% of the multi-family 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 26th day of July, 2004 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, as well as such extensions of water and/or sewer lines to individual properties, if any, which have been requested by property owners pursuant to G.S. §160A-47(3)(b).

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.

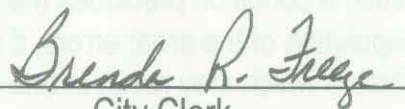
Section 7. That the Mayor of the City of Charlotte shall cause an accurate map of the annexed territory described in Section 1, hereof, together with a duly certified copy of this ordinance, to be recorded in the office of the Register of Deeds of Mecklenburg County, and in the office of the Secretary of State in Raleigh. Such a map shall also be delivered to the Mecklenburg County Board of Elections, as required by G.S. §163-288.1.

Adopted this 22nd day of November, 2004.


CITY OF CHARLOTTE

By: 

ATTEST:


City Clerk

Approved as to form:


Senior Deputy 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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 244-259.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.



Brenda R. Freeze, CMC, City Clerk

EXHIBIT A

2005 ANNEXATION AREA BOUNDARY DESCRIPTION

STEELE CREEK SOUTH AREA

To get to the Point of Beginning; commencing from the intersection of the centerline of Greenway Industrial Drive with the Mecklenburg County, North Carolina / York County, South Carolina line, proceed Southwest approximately 415 feet to a point, said point being the Southwesterly corner of Tract A as shown on Map Book 24 Page 366 or as described in Deed Book 11610 Page 785 also being the Southeasterly corner of Deed Book 10185 Page 630 located on the existing Charlotte City limits line; thence leaving the existing Charlotte City limits line continuing in a Southwesterly direction along and with the Mecklenburg County, North Carolina / York County, South Carolina line approximately 13,672 feet, crossing Hamilton Road, Hamilton Place Drive and Steele Creek Road to a point, said point being the intersection of the Westerly right-of-way line of Steele Creek Road and the Mecklenburg County, North Carolina / York County, South Carolina line; thence leaving the said Mecklenburg County, North Carolina / York County, South Carolina line in a North Northwesterly direction along and with the Westerly right-of-way line of Steele Creek Road approximately 4,276 feet to a point, said point being the intersection of the Westerly right-of-way line of Steele Creek Road and the Southerly right-of-way line of Hamilton Road; thence in a Westerly direction along and with the Southerly right-of-way line of Hamilton Road approximately 1,252 feet to a point, said point being the intersection of the Southerly right-of-way line of Hamilton Road with the Westerly property lines of lots 1, 2 and 3 (extended) having a bearing of S25-29E as shown on Map Book 34 Page 310; thence in a Northwesterly direction with said line of N25-29W approximately 60 feet to a point, said point being the Northerly right-of-way line of Hamilton Road also being the approximate Southerly corner of said lot 1 as shown on Map Book 34 Page 310; thence continuing in a Northwesterly direction along and with the Westerly property lines of said lots 1, 2 and 3, N25-29W 489.14 feet to a point, said point being the Northwesterly most corner of said lot 3 also being located on the Southerly property line of lot 62 as shown on Map Book 24 Page 81; thence along and with the Southerly and Southwesterly property lines of lots 62, 67, 68, 69, 73 and 74 with the following 2 bearings and distances: (1) S61-22-53W 523.36 feet to a point, (2) N53-28-03W 665.24 feet to a point, said point being the Westerly most corner of said lot 74 and also being the Southeasterly corner of lot 93 as shown on Map Book 26 Page 408; thence continuing with the Southwesterly property lines of lots 93 through 85, N53-28-03W 730.27 feet to a point, said point being the Southwesterly corner of said lot 85 and also being the Southeasterly corner of lot 84 as shown on Map Book 28 Page 481; thence continuing with the property lines of lots 84, 83 and lot 82, crossing future Shopton Road West and with lots 79 and 78, N53-35-03W 695.12 feet to a point, said point being the Southwesterly most corner of said lot 78 and

also being located on the Southeasterly property line of Deed Book 8055 Page 239; thence in a Southwesterly direction along and with the Southwesterly property lines of said Deed Book 8055 Page 239, Deed Book 5039 Page 821 and Deed Book 8055 Page 236 S40-13-36W approximately 1,004 feet to a point, said point being located on the Easterly right-of-way line of Youngblood Road; thence continuing with said bearing of S40-13-36W approximately 65 feet to a point located on the Westerly right-of-way line of Youngblood Road; thence in a Northwesterly direction along and with the Westerly right-of-way line of Youngblood Road approximately 628 feet to a point, said point being the intersection of the Westerly right-of-way line of Youngblood Road and the Southerly right-of-way line of Pleasant Hill Road; thence continuing in a Northwesterly direction along and with the line of the aforesaid Westerly right-of-way line (extended) of Youngblood Road approximately 68 feet to a point on the Westerly right-of-way line of Pleasant Hill Road; thence in a North Northeasterly direction along and with the Westerly right-of-way line of Youngblood Road approximately 2,209 feet to a point, said point being the intersection point of the Westerly right-of-way line of Youngblood Road with the Westerly right-of-way line of Shopton Road West; thence in a North Northwesterly direction along and with the Westerly right-of-way line of Shopton Road West approximately 649 feet to a point, said point being the intersection of the Westerly right-of-way line of Shopton Road West with the Northerly property line of Deed Book 8163 Page 504 and Deed Book 14412 Page 323 (extended); thence in a Northeasterly direction with the extension of said Deed Book 8163 Page 504 and Deed Book 14412 Page 323 crossing said Shopton Road West approximately 60 feet to a point, said point being the Northwesterly corner of said Deed Book 8163 Page 504; thence continuing in a Northeasterly direction along and with the Northerly property line of said Deed Book 8163 Page 504 and Deed Book 14412 Page 323 with the following 2 bearings and distances: (1) N53-30E 369.29 feet to a point, (2) N53-30E 125.71 feet to a point, said point being the Northeasterly corner of said Deed Book 14412 Page 323 and also being the Northwesterly corner of Deed Book 6325 Page 79; thence in a North Northeasterly direction along and with the Northwesterly property lines of said Deed Book 6325 Page 79 and Deed Book 2746 Page 30 with the following 2 bearings and distances: (1) N06-18E 267.20 feet to a point, (2) N07-47-45E 575.66 feet to a point, said point being the Northwesterly corner of said Deed Book 2746 Page 030 and also being the Southwesterly corner of lot 166 as shown on Map Book 33 Page 339; thence in a North Northwesterly direction along and with the Westerly property lines of lots 166, 165 and 164, N23-16-41W 351.45 feet as shown on said Map Book 33 Page 339 to a point, said point being the Northwesterly corner of said lot 164; thence continuing in a North Northwesterly direction along and with the Westerly property line of lots 143, 142, 141, 140, 139 and lot 138 as shown on Map Book 38 Page 31, N23-16-41W 489.84 feet as shown on Map Book 38 Page 31; thence continuing in said North Northwesterly direction along and with the Westerly property lines of lots 137 through 130, N23-16-41W 576.68 feet as shown on Map Book 38 Page 29 to a point, said point being the Northwesterly corner of said lot 130 and also being located on the Southerly property line of lot 128 as shown on Map Book 37 Page 143; thence in a Northwesterly direction along and with a portion of said lot 128 and lots 127 through 120, N83-18-42W 634.11 feet as shown on Map Book 37 Page 143 to a point, said point being the Southwesterly corner of said lot 120 said point also being located on the Easterly right-of-way line of

Shopton Road West; thence continuing with said bearing of N83-18-42W approximately 65 feet crossing said Shopton Road West to a point on the Westerly right-of-way line; thence in a Northerly direction along and with the Westerly right-of-way line of Shopton Road West crossing Four Horse Road approximately 1,000 feet to a point that is the intersection of the Westerly right-of-way line of Shopton Road West with the Northerly property line of lots 43 and 42 (extended) having a bearing of N61-00-27W as shown on Map Book 32 Page 531; thence in a Southeasterly direction crossing Shopton Road West with said bearing of S61-00-27E approximately 68 feet to a point located on the Easterly right-of-way line of Shopton Road West and also being the Northwesterly corner of said lot 43 as shown on said Map Book 32 Page 531; thence along and with the Northerly and Easterly property lines of said lots 43, 42, 41 and a portion of the Ballyshannon Lane right-of-way line with the following 5 bearings and distances: (1) S61-00-27E 201.89 feet to a point, (2) S00-31-53E 95.00 feet to a point, (3) S21-42-03W 64.31 feet to a point, (4) with a curve to the right having a radius of 40.00 feet an arc length of 51.17 feet and a chord bearing and distance of S26-20-16E 47.75 feet to a point, (5) N89-28-07E 160.15 feet to a point, said point being the Northeasterly corner of said lot 41 and also being located on the Westerly property line of lot 34 as shown on Map Book 32 Page 184; thence in a Northeasterly direction along and with said lot 34 and lot 33, N32-52-26E 174.95 feet to a point, said point being the Northerly most corner of said lot 33 and also being the Southwesterly corner of lot 32 as shown on Map Book 32 Page 531; thence along and with said lot 32 through 30, N32-52-26E 458.30 feet to a point, said point being the Northerly most corner of said lot 30 and also being the Southeasterly corner of lot 1 as shown on Map Book 32 Page 771; thence along and with the property line of said lot 1 with the following 2 bearings and distances: (1) N44-25-34W 82.00 feet to a point, (2) N45-34-26E 159.21 feet to a point, said point being the Northerly most corner of said lot 1 and also being located on the Southerly right-of-way line of Pilcher Drive, thence continuing with said bearing of N45-34-26E crossing said Pilcher Drive approximately 60 feet to a point located on the Northerly right-of-way line of said Pilcher Drive; thence in a Southeasterly direction along and with the Northerly right-of-way line of said Pilcher Drive approximately 104 feet to a point, said point being the Westerly most corner of lot 318 as shown on Map Book 32 Page 178 and also being located on the Northerly right-of-way line of Pilcher Drive; thence in a Northeasterly direction along and with the Northerly property line of said lot 318 and lots 297, 296, 295, 292 and 291 as shown on said Map Book 32 Page 178 with a bearing and distance of N66-00-34E 780.55 feet to a point, said point being the Northeasterly corner of said lot 291 and also being the Northwesterly corner of a 3.230 acre common open space as shown on Map Book 31 Page 595; thence along and with the Northerly property line of said common open space N65-00-34E 638.65 feet to a point, said point being the Northeasterly corner of said common open space and also being the Northwesterly corner of lot 204 as shown on Map Book 36 Page 928; thence continuing in a Northeasterly direction along and with the Northerly property lines of said lot 204 and lots 203 through 194, with the following 2 bearings and distances: (1) N65-00-34E 717.17 feet to a point, (2) S76-54-57E 13.50 feet to a point, said point being the Easterly most corner of said lot 194 and also being the Northwesterly corner of lot 193 as shown on Map Book 36 Page 926; thence along and with the Northerly property lines of said lot 193 and lots 192 through 186, as shown on said Map Book 36 Page 926 with

the following 2 bearings and distances: (1) S76-54-57E 105.75 feet to a point, (2) N63-17-50E 395.99 feet to a point, said point being the Northeasterly corner of said lot 186 and also being the Northwesterly corner of lot 185 as shown on Map Book 37 Page 457; thence along and with the Northerly and Easterly property lines of said lot 185 and lots 184 through 180, crossing Rutan Lane and with lots 179, 178, 177, 176, 174 and lot 173 with the following 2 bearings and distances: (1) N63-17-50E 253.82 feet to a point, (2) S44-03-22E 1,000.48 feet to a point, said point being the Southeasterly corner of said lot 173 and also being located on the Northwesterly property line of Deed Book 10759 Page 328; thence in a Northeasterly direction along and with a portion of the said Northwesterly property line of said Deed Book 10759 Page 328, N62-19-28E approximately 612 feet to a point, said point being the Northeasterly corner of said Deed Book 10759 Page 328 and also being the Northwesterly most corner of Deed Book 5168 Page 599; thence along and with the Northerly and a portion of the Easterly property lines of said Deed Book 5168 Page 599 with the following 3 bearings and distances: (1) N24-24-10E 118.73 feet to a point, (2) N32-32-06E 313.50 feet to a point, (3) S72-05-32E approximately 250 feet to a point, said point being the Westerly most corner of Deed 2966 Page 454; thence along and with the Northwesterly and Northerly property lines of said Deed Book 2966 Page 454 with the following 2 bearings and distances: (1) N25-38E 298.60 feet to a point, (2) S75-39E approximately 820 feet to a point, said point being located on the Westerly right-of-way line of Steele Creek Road; thence in a North Northeasterly direction along and with the said Westerly right-of-way line of Steele Creek Road approximately 703 feet to a point, said point being located on the Southerly property line of Deed Book 13008 Page 417 and also being located on the Westerly right-of-way line of Steele Creek Road; thence in a Northwesterly direction along and with the Southerly and Westerly property lines of said Deed Book 13008 Page 417 with the following 2 bearings and distances: (1) N60-51-02W approximately 820 feet to a point, (2) N30-10-46E 15.00 feet to a point, said point being the Northerly most corner of said Deed Book 13008 Page 417 and also being located on the Southwesterly property line of Deed Book 13008 Page 420; thence in a Northwesterly direction along and with the Southwesterly property line of said Deed Book 13008 Page 420, N38-06-42W 355.60 feet to a point, said point being the Westerly most corner of said Deed Book 13008 Page 420 and also being the Southwesterly corner of Deed Book 15614 Page 513; thence continuing along and with the Southwesterly and Northwesterly property lines of said Deed Book 15614 Page 513 with the following 2 bearings and distances: (1) N38-06W 425.02 feet to a point, (2) N49-40E 168.65 feet to a point, said point being the Northerly most corner of said Deed Book 15614 Page 513 and also being the Westerly most corner of Deed Book 5042 Page 777; thence along and with the Northwesterly property line of said Deed Book 5042 Page 777, N49-40E 463.00 feet to a point, said point being the Northwesterly corner of said Deed Book 5042 Page 777 and also being located on the Southwesterly property line of Deed Book 3732 Page 701 as shown on Map Book 36 Page 606; thence along and with a portion of the Westerly property lines of said Deed Book 3732 Page 701 with the following 2 bearings and distances: (1) N66-11-32W 23.97 feet to a point, (2) N20-04-37W approximately 314 feet to a point, said point being the Southeasterly corner of Deed Book 1780 Page 249 located on the Westerly property line of said Deed Book 3772 Page 701; thence in a Westerly direction along and with

the Southerly and Westerly property lines of said Deed Book 1780 Page 249 with the following 2 bearings and distances: (1) S70-00-00W 241.2 feet to a point, (2) N20-00-00W approximately 810 feet to a point, said point being located on Southerly right-of-way line of Sledge Road; thence in a Northwesterly direction along and with the Southerly right-of-way line of Sledge Road approximately 949 feet to a point, said point being the intersection point of the Southerly right-of-way line of Sledge Road and the Westerly right-of-way line of Winget Road (extended); thence in a North Northwesterly direction crossing Sledge Road along and with the Westerly right-of-way line of Winget Road passing Planters Estates Drive, Planter Row Drive and Withers Mills Drive approximately 3,785 feet to a point, said point being the intersection of the Northerly property lines (extended) of lots 1 through 7 as shown on Map Book 27 Page 911 with the Westerly right-of-way line of Winget Road; thence in a Northeasterly direction crossing Winget Road with said Bearing of N50-20-42E approximately 80 feet to a point, said point being the Northwesterly corner of said lot 1 as shown on said Map Book 27 Page 911 being located on the Easterly right-of-way line of Winget Road; thence in a Northeasterly direction along and with the Northerly property line of said lots 1 through 8 as shown on Map Book 27 Page 911 with the following 2 bearings and distances: (1) N50-20-42E 529.99 feet to a point, (2) N14-18-05E 52.97 feet to a point, said point being the Northwesterly corner of said lot 8 and also being the Southwesterly corner of lot 9 as shown on Map Book 28 Page 06; thence along and with the Northwesterly property line of lots 9 through 15 as shown on said Map Book 28 Page 06, N14-18-05E 470.59 feet to a point, said point being the Northwesterly corner of said lot 15 and also being the Southwesterly corner of lot 16 as shown on Map Book 28 page 833; thence continuing in a Northeasterly direction along and with the Northwesterly property lines of lot 16 through 27, N14-18-18E 843.00 feet as shown on said Map Book 28 Page 833 to a point, said point being the Northwesterly corner of said lot 27 and also being the Southwesterly corner of lot 28 as shown on Map book 29 Page 334; thence continuing in a Northeasterly direction along and with the Northwesterly property lines of said lot 28, N14-18-18E 17.79 feet to a point said point being the Westerly corner of said lot 28; thence in a Northerly direction along and with the Westerly property lines of Lot 28 and the property line of a 111,863 sq. ft common open space and a 151,176 sq. ft. common open space as shown on Map Book 31 Page 547 with the following 4 bearings and distances: (1) N33-26-31W 11.09 feet to a point, (2) N33-26-31 528.96 feet to a point, (3) N08-35-07E 600.37 feet to a point, (4) N56-34-07E 350.01 feet to a point, said point being located on the Westerly property line of Deed Book 9880 Page 604 and also being located on the existing Charlotte City limits line; thence in a Southeasterly direction approximately 695 feet along and with the existing Charlotte City limits line to a point, said point being the Southerly most corner of said Deed Book 9880 Page 604; thence in a Northeasterly direction along and with existing Charlotte City limits line approximately 4,205 feet to a point on the Southerly right-of-way line of Westinghouse Boulevard; thence in a Southeasterly direction along and with the Southerly right-of-way line of Westinghouse Boulevard and the existing Charlotte City limits line approximately 2,560 feet to a point, said point being the intersection of the Southeasterly line of Deed Book 9613 Page 444 with the Southerly right-of-way line of Westinghouse Boulevard; thence along and with the existing Charlotte City limits as follows; leaving said right-of-way line with the Southeasterly property line of said Deed

Book 9613 Page 444, S29-29-03W 432.99 feet to a point, said point being the Northeasterly corner of Deed Book 4531 Page 519; thence along and with the property lines of said Deed Book 4531 Page 519 with the following 4 bearings and distances: (1) S89-57-08W 400.00 feet to a point, (2) S00-02-35E 337.70 feet to a point, (3) S37-24E 323.80 feet to a point, (4) N39-17E 170.30 feet to a point, said point being the Southwesterly corner of Deed Book 9765 Page 598; thence along and with the Southerly property line of said Deed Book 9765 Page 598, S77-22E 583.30 feet to a point located on the Westerly right-of-way line of Steele Creek Road; thence in a South Southwesterly direction along and with the Westerly right-of-way line of Steele Creek Road approximately 580 feet to a point, said point being the intersection of the Northerly property line of Deed Book 3756 Page 188 with the Westerly right-of-way line of Steele Creek Road; thence along and with the Northerly property line of said Deed Book 3756 Page 188, N77-24-30W 260.50 feet to a point, said point being the Northwesterly corner of said Deed Book 3756 Page 188; thence along and with the Westerly property line of said Deed Book 3756 Page 188 and Deed Book 3784 Page 847 S12-35-30W 300.00 feet to a point, said point being the Southwesterly corner of said Deed Book 3784 Page 847; thence along and with the Southerly property line of said Deed Book 3784 Page 847, S77-24-30E 260.50 feet to a point located on the Westerly right-of-way line of Steele Creek Road; thence in a South Southwesterly direction along and with the Westerly right-of-way line of Steele Creek Road approximately 145 feet to a point, said point being the intersection of the Northerly right-of-way line of the Southern Railway and the Westerly right-of-way line of Steele Creek Road; thence in a Northwesterly direction along and with the Northerly right-of-way line of the Southern Railway approximately 1,900 feet to a point, said point the Westerly most corner of Deed Book 11600 Page 940; thence in a Southwesterly direction crossing the Southern Railway approximately 100 feet to a point, said point being Northeasterly corner of Deed Book 8339 Page 357 located on the Southerly right-of-way line of said Southern Railway; thence along and with the property lines of said Deed Book 8339 Page 357 with the following 3 bearings and distances: (1) S63-43-52W 751.24 feet to a point, (2) S63-44-39W 290.30 feet to a point, (3) S48-54-50E 645.21 feet to a point, said point being located on the Westerly right-of-way line of Means Court and also being located on the Southwesterly property line of said Deed Book 8339 Page 357; thence along and with the Westerly right-of-way line of Means Court approximately 666 feet to a point, said point being the intersection of Means Court and the Westerly right-of-way line of Westhall Drive; thence in a Southerly direction along and with the Westerly right-of-way line of Westhall Drive approximately 430 feet to a point said point being the intersection of the Northerly property line of Deed Book 16427 Page 972 and the Westerly right-of-way line of said Westhall Drive; thence along and with the property lines of said Deed Book 16427 Page 972 with the following 2 bearings and distances: (1) S66-19-23W 372.49 feet to a point, (2) S34-49-19E 392.28 feet to a point, said point being the Southwesterly corner of said Deed Book 16427 Page 972 and also being the Northwesterly corner of Deed Book 10970 Page 840; thence along and with the property lines of said Deed Book 10970 Page 840 with the following 2 bearings and distances: (1) S34-49-19E 159.72 feet to a point, (2) S63-08-06W 496.92 feet to a point, said point being the intersection of the Northerly right-of-way line of Sam Neely Road with the Southwesterly most corner of the property described in said Deed Book 10970

Page 840; thence in a Southwesterly direction along and with the Northerly right-of-way line of Sam Neely Road approximately 600 feet to a point, said point being the intersection of the Westerly property lines of lots 1 through 7, block 1 extended as shown on Map Book 22 Page 51 (extended) with the Northerly right-of-way line of Sam Neely Road; thence crossing Sam Neely Road with said bearing of S22-10-39E approximately 60 feet to a point on the Southerly right-of-way line of Sam Neely Road, said point being the Northwesterly corner of said lot 1, block 1 as shown on said Map Book 22 Page 51; thence continuing with the said Westerly property line of said lots 1 through 7 and a portion of lot 8 block 1 as shown on Map Book 22 Page 258, S22-10-39E 729.00 feet to a point, said point being located on the Westerly property line of said lot 8; thence in a Westerly direction along and with a portion of the Northerly property line of said lot 8 and the Northerly property line of lot 10 as shown on Map Book 22 Page 16, S62-32W 102.00 feet to a point, said point being the Northwesterly corner of said lot 10 and also being the Northeasterly corner of lot 11, block 1 as shown on Map Book 23 Page 607; thence along and with the Northerly property lines of said lots 11 through 18, S62-36W 690.89 feet to a point, said point being the Northwesterly corner of said lot 18; thence along and with the property lines of said lots 18 through 27 with the following 6 bearings and distances: (1) S30-22-36E 839.82 feet to a point, (2) S14-56E 88.16 feet to a point, (3) N59-37-24E 302.00 feet to a point, (4) N63-17-20W 186.32 feet to a point, (5) with a curve to the left having a radius of 40.00 feet and a arc length of 13.34 feet to a point, (6) S82-23-50E 165.61 feet to a point, said point being the Southeasterly most corner of said lot 27 and also being located on the Westerly property line of lot 50, block 1 as shown on Map Book 21 Page 942; thence along and with a portion of the Westerly property line of said lot 50 and lots 51 through 66 as shown on Map Book 21 Page 942 with the following 13 bearings and distances: (1) S20-28E 75.00 feet to a point, (2) S65-01-30E 179.91 feet to a point, (3) S06-43E 214.40 feet to a point, (4) S26-12-06E 118.36 feet to a point, (5) S34-09-30E 111.46 feet to a point, (6) S60-38E 81.06 feet to a point, (7) S08-12-10W 111.20 feet to a point, (8) S02-39-30E 104.48 feet to a point, (9) S20-27-00E 104.94 feet to a point, (10) S49-17-20E 132.79 feet to a point, (11) S43-04W 37.61 feet to a point, (12) S61-03-04E 133.24 feet to a point, (13) N87-23-08E 93.75 feet to a point, said point being the Southeasterly corner of said lot 66 as shown on said Map Book 21 Page 942 located on the Westerly right-of-way line of Steele Creek Road; thence crossing Steele Creek Road with the property line of said lot 66 (extended) having a bearing of S87-23-08E approximately 100 feet to a point on the Easterly right-of-way line of Steele Creek Road; thence in a Northeasterly direction along and with the Easterly right-of-way line of Steele Creek Road approximately 1,400 feet to a point, said point being the intersection of the Southerly property line of Deed Book 5671 Page 948 and the Easterly right-of-way line of Steele Creek Road; thence in an Easterly direction with the Southerly property line of said Deed Book 5671 Page 948, N88-52-15E 598.38 feet to a point, said point being the Southeasterly corner of said Deed Book 5671 Page 948 and also being the Southwesterly corner of Deed Book 7748 Page 160; thence continuing in an Easterly direction along and with the Southerly property line of said Deed Book 7748 Page 160, N88-46-53E 1,111.63 feet to a point, said point being the Southeasterly corner of said Deed Book 7748 Page 160 and also being the Southwesterly corner of Deed Book 7748 Page 167; thence in a Northerly direction along and with the Westerly

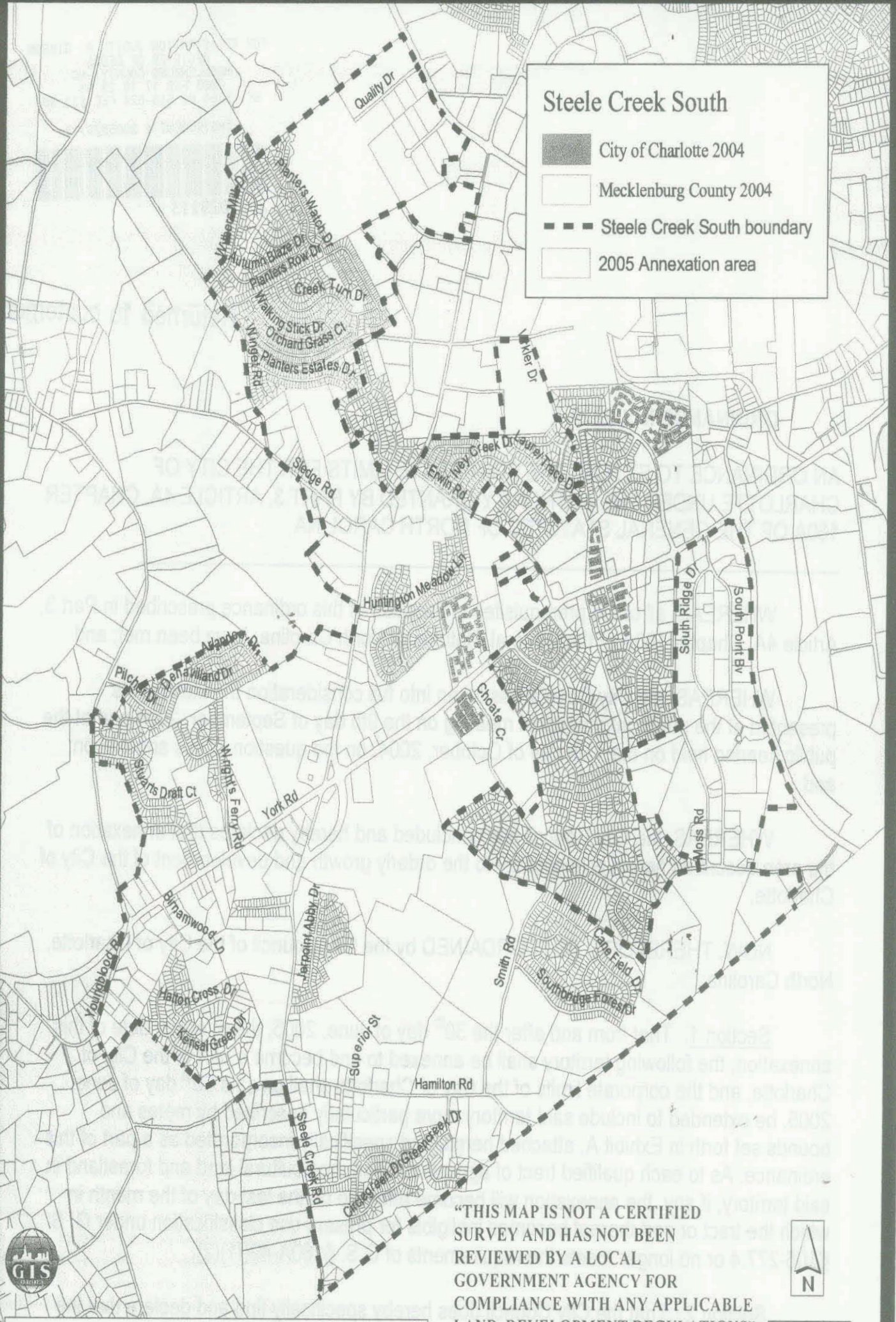
property line of said Deed Book 7748 Page 167, N05-40-25W 1,832.44 feet to a point, said point being the Northwestern corner of said Deed Book 7748 Page 167 located on the Southerly right-of-way line of Sam Neely Road; thence in an Easterly direction along and with the Southerly right-of-way line of Sam Neely Road approximately 810 feet to a point, said point being the Northeastly corner of said Deed Book 7748 Page 167 located on the Southerly right-of-way line of Sam Neely Road; thence leaving said right-of-way line in a Southeasterly direction along and with the Easterly property line of said Deed Book 7748 Page 167 with the follow 3 bearings and distances: (1) S22-41E approximately 130 feet to a point, (2) S23-14-19E 892.93 feet to a point, (3) S22-54-00E 657.29 feet to a point, said point being the Southeasterly corner of said Deed Book 7748 Page 167 and also being the corner of a common open space as shown on Map Book 26 Page 328; thence in an Easterly direction along and with the Southerly line of said common open space, N75-28-29E 50.54 feet to a point, said point being the Northwestern corner of lot 4 as shown on said Map Book 26 Page 328; thence in a Southerly direction along the Westerly property lines of lots 4, 3, 2, 1 and a 25' common open space as shown on said Map Book 26 Page 328 with the following 3 bearings and distances: (1) S22-19-50E 109.46 feet to a point, (2) S47-29-47E 106.97 feet to a point, (3) S59-19-18E 171.75 feet to a point located on the Northerly right-of-way line of Moss Road; thence crossing Moss Road, S43-09-42E 80.00 feet to a point, said point being located on the Southerly right-of-way line of Moss Road; thence in a Southwesterly direction along the Southerly right-of-way line of Moss Road with a radius of 615.46 feet and an arc length of 18.85 feet to a point located on the Southerly right-of-way of line Moss Road; thence leaving said right-of-way line along and with the Westerly property line of a 25' common open space and lots 1, 2, 3, 68, 78, 77, 76, 35, 36, 38, 39, 40, 41 and lot 44, crossing Shadow Ridge Lane and Carolina Crossing Drive and as shown on Map Book 26 Page 709 with the following 14 bearings and distances: (1) S19-07-29E 240.70 feet to a point, (2) S59-42-22 E 67.41 feet to a point, (3) S11-49-36E 140.00 feet to a point, (4) S78-10-24W 13.21 feet to a point, (5) S07-01-38W 191.21 feet to a point, (6) N78-10-24E 75.00 feet to a point, (7) S11-49-36E 130.00 feet to a point, (8) S11-49-36E 50.00 feet to a point, (9) S11-49-36E 130.00 feet to a point, (10) S78-10-24W 70.00 feet to a point, (11) S81-59-39W 117.10 feet to a point, (12) S10-55-59W 187.09 feet to a point, (13) S50-14-46E 243.72 feet to a point, (14) S26-45-00E 87.73 feet to a point, said point being the Southwesterly corner of said lot 44 as shown on said Map Book 26 Page 709; thence in a Southwesterly direction S46-15-39W approximately 601 feet to a point said point being the Southeasterly corner of lot 9 as shown on Map Book 22 Page 346; thence in a Northwesterly direction along the Easterly property line of lots 9, 8, 7, 5, 4, 3, 2 and lot 1, N50-35-30W 668.45 feet to a point located on the Southerly right-of-way line of Moss Road; thence continuing with said bearing of N50-35-30W 83.10 feet to a point located on the Northerly right-of-way line of Moss Road; thence along the Easterly property lines of lots 1 through 9, N50-35-30W 806.02 feet to a point, said point being the Northern most corner of said lot 9 as shown on Map Book 22 Page 574; thence in a Southwesterly direction along the Northwesterly property line of said lots 9 through 13 as shown on said Map Book 22 Page 574, S44-41-15W 550.91 feet to a point, said point being the Northwesterly most corner of said lot 13; thence in a Northwesterly direction along and with the Northerly property line of Deed Book 8679 Page 950 with the following 4 bearings and distances: (1) N45-51-00W 251.80 feet to a

point, (2) S41-28-00W 414.86 Feet to a point, (3) S45-31-00E 26.25 feet to a point, (4) S28-30-00W approximately 303 feet to a point said point being the Northwestern corner of said Deed Book 8679 Page 950 located on the Easterly right-of-way line of Erwin Road; thence continuing with said line (extended) having a bearing of S28-30-00W approximately 60 feet to a point on the Westerly right-of-way line of Erwin Road; thence in a Southeasterly direction along and with the Westerly right-of-way line of Erwin Road approximately 1,405 feet to a point, said point being the intersection of the Northerly property line of Deed Book 2490 Page 242 and the Westerly right-of-way line of Erwin Road; thence in a Southwesterly direction with the property line of said Deed Book 2490 Page 242 with the following 2 bearings and distances: (1) S63-29-00W 695.57 feet to a point, (2) S14-36-50E 271.84 feet to a point, said point being the Southwesterly corner of said Deed Book 2490 Page 242 and also being the Northwestern corner of Deed Book 11771 Page 119; thence along the property line of said Deed Book 11771 Page 119 with the following 2 bearings and distances: (1) S26-31-00E 181.53 feet to a point, (2) N63-29-00E 997.47 feet to a point, said point being the Southeasterly most corner of said Deed Book 11771 Page 119 located on the Westerly right-of-way line of Erwin Road; thence in a Southeasterly direction along and with the Westerly right-of-way line of said Erwin Road approximately 198 feet to a point, said point being the intersection point of the Northerly property line of Deed Book 3729 Page 760 and the Westerly right-of-way line of Erwin Road; thence along the property line of said Deed Book 3729 Page 760 with the following 3 bearings and distances: (1) S63-29-00W approximately 414 feet to a point, (2) S35-23-20E 386.98 feet to a point, (3) S71-43-20E 190.89 feet to a point, said point being the Southwesterly most corner of said Deed Book 3729 Page 760 and also being the Northwestern most corner of Deed Book 3112 Page 572; thence along the property line of said Deed Book 3112 Page 572, S29-37-05E approximately 217 feet to a point on the Northerly right-of-way line of South Tryon Street; thence in Southwesterly direction along and with the Northerly right-of-way line of South Tryon Street approximately 1,627 feet to a point, said point being the intersection point of the Westerly boundary line of a common open area (extended) having a bearing of N35-27-25W as shown on Map Book 26 Page 528 and the Northerly right-of-way line of South Tryon Street; thence in a Southeasterly direction crossing South Tryon Street with said line having a bearing of S35-27-25E approximately 100 feet to a point, said point being the intersection point of the Westerly boundary line of a common open area and the Southerly right-of-way line of South Tryon Street; thence continuing in a Southeasterly direction with the Westerly boundary line of said common open area as shown on Map Book 26 Page 439 and Map Book 26 Page 528, S35-27-25E 1,152.21 feet to a point, said point being the Northwestern corner of lot 41 as shown on Map Book 22 Page 269; thence along the Westerly property line of said lot 41 and lots 42, 43, 44, 45 and lot 46 as shown on Map Book 22 Page 269, S35-27-25E 592.37 feet to a point, said point being the Northwestern corner of lot 65 as shown on Map Book 23 Page 619; thence along the Westerly property lines of said lot 65 and lot 66 as shown on Map Book 23 Page 619 and lots 80, 81 and lot 82 as shown on Map Book 23 Page 770 and lots 105, 106 and 107 as shown on Map Book 24 Page 384 and a portion of lot 121 as shown on Map Book 25 Page 85 with the following 2 bearings and distances: (1) S12-08-47E 904.98 feet to a point, (2) S10-58-12E 269.46 feet to a point, said point being the Northeasterly most corner of Deed Book

7205 Page 948 located on the westerly property line of said lot 121 as shown on Map Book 25 Page 85; thence in a Southwesterly direction along the Northerly property line of said Deed Book 7205 Page 948, S48-39-00W 542.31 feet to a point, said point being the Northwesterly corner of said Deed Book 7205 Page 948 located on the Easterly right-of-way line of Choate Circle; thence in a Northwesterly direction along and with the Easterly right-of-way line of Choate Circle approximately 1,050 feet to a point, said point being the intersection of the Easterly right-of-way line of Choate Circle and the Northwesterly property line of lots 80 through 86 (extended) having a bearing of N59-35-00E; thence in a Southwesterly direction crossing Choate Circle with the Northwesterly property line of a common open space and lots 86 through lot 80 as shown on Map Book 22 Page 825 and Lots 79 through lot 72 as shown on Map Book 24 Page 516 and a common open space as shown on Map Book 24 Page 443 with the following 5 bearings and distances: (1) S59-35-00W 808.37 feet to a point, (2) S59-14-13W 574.43 feet to a point, (3) S48-09-31W 97.97 feet to a point, (4) S48-09-31W 112.50 feet to a point, (5) S57-36-40W 36.63 feet to a point, said point being the Northwesterly corner of a common open space as shown on Map Book 24 Page 443 located in the centerline of Walkers Creek; thence in a Southeasterly direction following the centerline of Walkers Creek approximately 5,818 feet as shown on Map Book 24 Page 443, Map Book 24 Page 516, Map Book 22 Page 825, Map Book 26 Page 97, Map Book 25 Page 07, Map Book 26 Page 255 and Map Book 27 Page 152 to a point, said point being the intersection of the centerline of Walkers Creek and the Easterly property line of lots 36 through 47 (extended) having a bearing of S08-26-36W as shown on Map Book 27 Page 152; thence in a North Northeasterly direction along the Easterly property line of said lots 36 through 47, N08-26-36E 1,130 feet to a point, said point being the Northeasterly corner of said lot 47 as shown on Map Book 27 Page 152 located on the Southerly right-of-way line of Choate Circle; thence in an Easterly direction along the Southerly right-of-way line of Choate Circle approximately 1,325 feet to a point, said point being the intersection of the Easterly property line of lot 26 (extended) having a bearing of S08-23-28E as shown on Map Book 22 Page 380 with the Southerly right-of-way line of Choate Circle; thence in a Northerly direction crossing Choate Circle with said line of lot 26 (extended) having a bearing of N08-23-28W approximately 60 feet to a point located on the Northerly right-of-way line of Choate Circle also being the Southeasterly corner of said lot 26 as shown on Map Book 22 Page 380; thence along the Easterly property lines of lots 26, 25, 23, 22, 21, 20, 19, 18, 17, 16, 15, 14, 13 and lot 12 as shown on Map Book 22 Page 380 and a portion of a common open space as shown on Map Book 22 Page 244 with the following 5 bearings and distances: (1) N08-23-28W 82.47 feet to a point, (2) N70-34-02W 439.76 feet to a point, (3) N45-14-56W 544.61 feet to a point, (4) N27-45-26W 358.06 feet to a point, (5) S83-12-21W 396.15 feet to a point; thence in a Northerly direction along the Easterly boundary of a common open space as shown on Map Book 24 Page 911 and Map Book 24 Page 376 also being the approximate centerline of Polk Ditch with the following 6 bearings and distances: (1) N36-54-52W 91.30 feet to a point, (2) N23-38-41W 158.68 feet to a point, (3) N12-38-41W 349.90 feet to a point, (4) N19-38-41W 373.35 feet to a point, (5) N01-31-21 E 68.23 feet to a point; (6) N15-55-10W 337.16 feet to a point, said point being located in the centerline of Polk Ditch; thence in an Easterly direction along the Southerly property line of a common open space and lots 47 through

58 as shown on Map Book 28 Page 320 and along the Southerly property line of a parcel as described in Deed Book 12895 page 417, N69-07-00E 1,451.20 feet to a point in the centerline of Moss Road; thence continuing with said line (extended) approximately 30 to a point on the Easterly right-of-way line of Moss Road; thence in a Northerly direction along the Easterly right-of-way line of Moss Road approximately 3,188 feet to a point located on the Southerly right-of-way line of South Tryon Street; thence in a Northeasterly direction along the Southerly right-of-way line of South Tryon Street approximately 1,400 feet to a point located on the Westerly right-of-way line of Carowinds Boulevard; thence in a Southerly direction along the Westerly right-of-way line of Carowinds Boulevard approximately 5,404 feet to a point located on the right-of-way of Carowinds Boulevard and also being the Northeasterly corner of lot 2 as shown on Map Book 25 Page 558; thence along the property lines of said lot 2 and lot 1 as shown on Map Book 25 Page 558 with the following 3 Bearings and distances: (1) S00-00-00E 211.77 feet to a point, (2) S90-00-00W 705.65 feet to a point in the centerline of Steele Creek, (3) thence in Southerly direction along the centerline of Steele creek approximately 1,260 feet to a point located on the Southerly right-of-way line of Choate Circle; thence in an Easterly direction along the Southerly right-of-way line of Choate Circle approximately 1,206 feet to a point located on the Westerly right-of-way line of Greenway Industrial Drive; thence in a southerly direction along the Westerly right-of-way line of Greenway Industrial Drive with the following bearings and distances: (1) S06-44-37E 14.14 feet to a point, (2) with a curve to the left having a radius of 658.00 feet arc length of 276.76 feet to a point located on the Northerly right-of-way line of Stateline Drive; thence in a Westerly direction along the Northerly right-of-way line of Stateline Drive, S53-40-35E 389.99 feet to point said point being the Southwesterly corner of Deed Book 3342 Page 493 and also being the Northwesterly corner of Tract A as shown on Map Book 24 Page 366; thence in a Southerly direction along the Westerly property line of said Tract A, S36-19-25W 258.55 feet to the POINT AND PLACE OF BEGINNING.

Steele Creek South Annexation Qualifying Area, 2005



Source: Charlotte-Mecklenburg Planning Commission. March, 2004.

FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2005 FEB 17 10:23 AM
BK: 18366 PG: 616-624 FEE: \$33.00

INSTRUMENT # 2005029113



Returned to customer

ORDINANCE NO. 2829-X

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 informational meeting on the 9th day of September, 2004 and at the public hearing held on the 11th day of October, 2004, 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, 2005, 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, 2005, 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. As to each qualified tract of agricultural land, horticultural land and forestland in said territory, if any, the annexation will become effective on the last day of the month in which the tract or part thereof becomes ineligible for present-use classification under G. S. §105-277.4 or no longer meets the requirements of G.S. §160A-49(f1)(2).

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:

Drawn By / Mail To. City of Charlotte
City Clerk's Office
600 E. 4th Street
Charlotte, NC 28202

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 22,812.9 feet, of which 19,786.9 feet or eighty six point seven percent (86.7 percent) coincides with the present City boundary.

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

B. The area qualifies for annexation under the standards set forth in G.S. §160A-48(c)(1) and G.S. §160A-48(c)(2). A portion of the proposed annexation area does not meet the requirements of G.S. 160A-48(c), as described in C below, but does meet the requirements of G.S. 160A-48(d)(2). This part of the area – known as “subsection (d) land” - does not exceed twenty-five percent (25%) of the total area to be annexed. The total number of acres in the area to be annexed is 257.5. Of that acreage, 63.3 acres, or 24.6% is contained in the subsection (d) land. The subsection (d) land is adjacent and at least sixty percent (60%) of its external boundary coincides with a combination of the present City boundary and the area developed for urban purposes as defined in G.S. 160A-48(c). The aggregate boundary of the subsection (d) land is 11,435.1 feet of which 11,435.1 feet or 100% coincides with the present City boundary and the developed part of the area (see the D-Land Area Map, page 9 of report of plans for services). The part of the area remaining after removing the subsection (d) land (developed part of the area) qualifies for annexation as set forth below.

C. The developed part of the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The developed part of the area qualifies for annexation under the standards of two and three-tenths persons per acre of land. The developed part of the area has an estimated total population of 2.72 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 190 dwelling units in the area (all single family units), which when multiplied by the average household size of 2.92 for single-family units and taking into account occupancy rates of 95.4% for single family units (all according to the latest federal decennial census) results in an estimated total resident population of 528. This population, when divided by the total number of acres (194.2) in the developed portion of the area, results in a population density of 2.72 persons per acre.

D. The developed part of 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 349 lots and tracts within the developed part of the area, and of that number there are 336 lots and tracts of one acre or less in size, which equals 96.3% of the total. Furthermore, there are a total of 172.3 acres (excluding streets) in the developed part of the area, and of that number 106.9 acres consist of lots and tracts of three acres or less in size, which represents 62.1%

of the total acreage. Finally, in accordance with the provisions of G.S. 160A-54(1), the developed part of the area has an estimated total population of 2.72 persons per acre.

E. In determining the population of the area, it has been assumed that up to 4.6% of the single-family 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 26th day of July, 2004 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, as well as such extensions of water and/or sewer lines to individual properties, if any, which have been requested by property owners pursuant to G.S. §160A-47(3)(b).

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. Such a map shall also be delivered to the Mecklenburg County Board of Elections, as required by G.S. §163-288.1.

Adopted this 22nd day of November, 2004.

CITY OF CHARLOTTE

By: *Samela A. Goff*

ATTEST:

Brenda R. Freeze
City Clerk

Approved as to form:

H. Michael
Senior Deputy 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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 260-267.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.

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

EXHIBIT A

2005 ANNEXATION AREA BOUNDARY DESCRIPTION

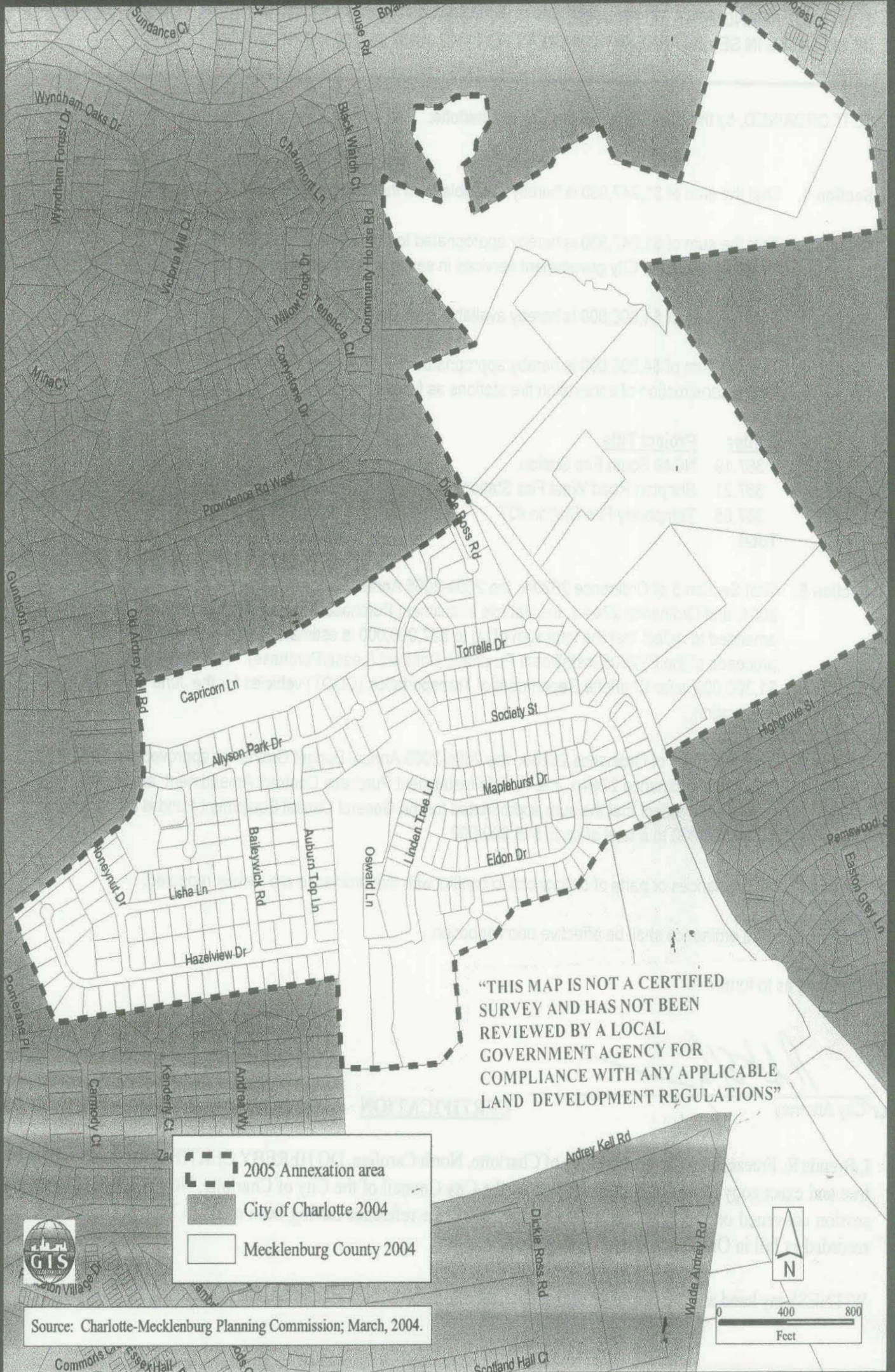
COMMUNITY HOUSE ROAD ANNEXATION AREA

To get to the Point of Beginning; commencing from the southeasterly corner of Lot 28 as shown in recorded Map Book 28 Page 722, thence in a Northerly direction along and with the existing Charlotte limits line and the Easterly property line of said lot 28 and lots 29, 30 and 31 as shown in said Map Book 28 Page 722 and also along and with the Easterly property line of lots 32, 33 and a portion of lot 34 as shown in recorded Map Book 29 Page 376 with a bearing and distance of N04-55-37W 683.50 feet to said Point of Beginning. Said Point of Beginning being the Southwesterly corner of a common open space as shown in Map Book 41 Page 207 and located on the Easterly property line of said lot 34 as recorded in aforesaid Map Book 29 Page 376 and also being located on the existing Charlotte City Limits Line. Thence in a Northerly direction along and with the aforesaid city limits line also being the easterly property of a portion of said lot 34 and lots 35, 36 and lot 37 as shown in said Map Book 29 Page 376 to a point, said point being the Northeasterly corner of said lot 37; thence in a Westerly direction along and with the Northerly property lines of said lot 37 and lots 38, 39, 53, 54, 55, 68 and 69 as shown in said Map Book 29 Page 376 and also along and with lots 81, 82 and 83 as shown in Map Book 28 Page 722 with a bearing and distance of S81-07-30W 1,719.83 feet to a point, said point being the Northwesterly corner of said lot 83; thence in a North Northwesterly direction along and with the Easterly property lines of lots 94, 95, 96, 97 and 98 as shown in Map Book 28 Page 362 and Map Book 28 Page 519 with a bearing and distance of N27-39-12W 616.60 feet to a point, said point being the Northerly most corner of said lot 98 located on the Easterly right-of-way line of Old Ardrey-Kell Road; thence in a Northeasterly direction along and with the Existing Charlotte City Limits Line and also being the Easterly right-of-way line of said Road approximately 1,489.29 feet to a point, said point being the Southwesterly corner of Deed Book 3963 Page 009 and located on the Easterly right-of-way line of said Old Ardrey-Kell Road; Thence in an Easterly direction with the Southerly property line of Deed Book 3963 Page 009, Deed Book 7196 Page 869 and a portion of lot 6 as shown in Map Book 8 Page 181 and as described in Deed Book 12762 Page 915 with a bearing and distance of N74-41-00E 758.60 feet to a point; thence in a North Northeasterly direction along and with the Southerly property line of aforesaid lots 6 and 7 and lots 8, 9, 10, 11, 12 and 13 as shown on aforesaid Map Book 8 Page 181 with a bearing and distance of N57-33-30E approximately 1,308.44 feet to a point, said point being the Southeasterly corner of aforesaid lot 13 located on the centerline of Dickie Ross Road; thence continuing with said bearing of N57-33-30E approximately 30 feet to a point, said point being the Southwesterly corner of Deed Book 5674 Page 254 located on the Easterly right-of-way line of Dickie Ross Road; thence in a Northerly direction along and with the Easterly right-of-way line of said Dickie Ross Road approximately 140 feet to the point of intersection of the Easterly right-of-way line of Dickie Ross Road and the Southerly right-of-way line of Community House Road; thence in a Southeasterly direction along and with the Southerly right-of-way line of said Community House Road approximately 150 feet to a point, said point being located on the Southerly right-of-way line of said Community House Road; thence in a Northerly direction crossing said Community House Road along the Existing Charlotte Limits Line approximately 90 feet to a point, said point being the Southern most corner of Deed Book 12344 Page 401 and also being located on the Northerly right-of-way line of said Community House Road; thence continuing in a Northerly direction along and with the Easterly line of Deed Book 12344 Page 401 N32-15-00W 625.80 feet to a point, said point being the Northeast corner of said Deed Book 12344 Page 401 and also being the Southerly most corner of Deed Book 7069 Page 54;

thence along and with the property line of said Deed Book 7069 Page 54 with the following (3) bearings and distances; (1) N33-52-00W 62.00 feet to a point, (2) N70-37-30E 428.35 feet to a point, (3) N46-53-30W 100 feet to a point, said point being the Northeasterly corner of said Deed Book 7069 Page 54 and also being the Southeasterly corner of Deed Book 9842 page 888, thence along and with the Easterly property line of said Deed Book 9842 Page 888 with the following (2) bearings and distances; (1) N47-10-00W 543.58 feet to a point, (2) thence approximately N30-11-00W 200 feet to a point, said point being the Northerly most corner of said Deed Book 9842 Page 888 being located on the Easterly right-of-way line of Community House Road; thence in a Northerly direction along and with the Easterly right-of-way line of said Community House Road approximately 150 feet to a point, said point being the Southwesterly corner of Deed Book 11640 Page 468 located on the Easterly right-of-way line of Community House Road; thence leaving the Existing Charlotte City Limits Line in a Southeasterly direction along and with the Southerly property line of said Deed Book 11640 Page 468 with the following (16) bearings and distances; (1) S70-48-38E 283.83 feet to a point, (2) S73-17-45E 101.45 feet to a point, (3) N12-52-04W 94.47 feet to a point, (4) N35-36-14W 273.18 feet to a point, (5) N05-59-12E 143.23 feet to a point, (6) thence S89-44-36E 144.75 feet to a point, (7) N62-59-30E 109.75 feet to a point, (8) N86-10-30E 179.38 feet to a point, (9) S 08-26-46E 139.98 feet to a point, (10) S40-20-16W 119.05' to a point, (11) S05-59-50W 65.42 feet to a point, (12) S57-37-19W 84.73 feet to a point, (13) S14-03-36E 247.89 feet to a point, (14) N62-57-44E 520.79 feet to a point, (15) N26-05-32E 50.00 feet to a point, (16) N62-57-44E 330.00 feet to a point, said point being the Southeasterly most corner of aforesaid Deed Book 11640 Page 468 being located on the Existing Charlotte City Limits line also being located on the Westerly property line of Tract B as shown on Map Book 29 Page 53 as described in Deed Book 9575 Page 361, thence in a Southeasterly direction along the Existing Charlotte City Limits line also being the Southerly property line of aforesaid Tract B with the following (3) bearings and distances; (1) S27-02-16E 182.74 feet to a point, (2) S75-51-10E 390.98 feet to a point, (3) N18-21-02E 875.76 feet to a point, said point being the easterly most corner of aforesaid Tract B and also being the Northerly most corner of Tract C recorded in Map Book 29 Page 53 as described in Deed Book 9981 Page 959; thence in a Southeasterly direction along and with the Northeasterly property line of aforesaid Tract C S54-50-44E 865.72 feet to a point, said point being the Easterly most corner of said Tract C; thence continuing in a southeasterly direction along and with Existing Charlotte City Limits line S54-50-44E 161.21 feet to a point, said point being the Southerly most corner of the property described in Deed Book 11640 Page 472 and also being the Westerly corner of Deed Book 8895 Page 258; thence in a Southeasterly direction S07-40-53E 87.57 feet to a point, said point being the Southwesterly corner of aforesaid Deed Book 8895 Page 258 and also being the Northwesterly corner of Deed Book 6725 Page 453; thence S07-41-53W 433.81 feet to a point, said point being the Southwesterly most corner of aforesaid Deed Book 6725 Page 453 being located on the Northerly property line of Deed Book 10898 Page 035; thence in a Southwesterly direction along and with Existing Charlotte City Limits line and the Northerly and Southwesterly property line of aforesaid Deed Book 10898 Page 035 with the following (2) bearings and distances; (1) S81-23-32W 1,420.21 feet to a point, (2) S39-59-15E 1,539.32 feet to a point, said point being the Southern most corner of said Deed Book 10898 Page 035 and also being the Westerly most corner of Lot 44 as shown on Map Book 28 Page 844; thence continuing in a Southeasterly direction along and with the Southwesterly property line of said lot 44 and lots 43, 41, 40, 39, 38, 37 and a portion of lot 36 with the following (2) bearing and distances; (1) S39-59-15E 151.20 feet to a point, (2) S38-14-05E 570.04 feet to a point, said point being the Southeasterly corner of Deed Book 4400 Page 381 being located on the Southwesterly property line of said lot 36 as recorded in said Map Book 28 Page 844; thence in a Southwesterly direction along and with the Existing Charlotte City Limits line and the Southerly property line of said Deed Book 4400 Page 381 S66-27-00W 1,432.72 feet to a point, said point being the Southwest corner of

said Deed Book 4400 Page 381 located on the Easterly right-of-way line on Community House Road; thence in a South Southeasterly direction along and with the Existing Charlotte City Limits line and the Easterly right-of-way line of Community House Road also being along a portion of lot 1 as shown in Map Book 28 Page 980 approximately 260 feet to a point that intersects with the Southerly property line of Lot 9 extended as recorded in Map Book 39 Page 932 and located on the Easterly right-of-way line of Community House Road, thence leaving the Existing Charlotte City Limits Line crossing said Community House Road approximately 70 feet to a point said point being the Southeasterly corner of aforesaid lot 9 as shown in Map Book 39 Page 932 located on the Westerly right-of-way line of Community House Road; thence in a Southwesterly direction along and with the Southerly property lines of said lot 9 and lots 10, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27 and crossing Society Street with the following (4) bearings and distance; (1) S69-21-00W 434.36 feet to a point, (2) S38-55-06 W 282.31 feet to a point, (3) S77-06-17W 369.79 feet to a point, (4) S39-27-07W 50.61 feet to a point, said point being the Southerly most corner of said Lot 27 as shown in said Map Book 39 Page 932 and also being the Southeasterly corner of lot 30 as recorded in Map Book 40 Page 463 and being located on the property line, as described in Deed Book 13961 Page 460; thence in a Southwesterly direction along and with the Southerly property of said Lot 30 and lots 31 and 32 as shown in said Map Book 40 Page 463 with the following (2) bearings and distances; (1) S39-27-07W 157.77 feet to a point, (2) S71-49-47W 244.08 feet to a point, said point being the Southwesterly most corner of said Lot 32 and also being located on the Easterly property line of lot 43 as shown in Map Book 41 Page 207; thence in a Southerly direction along and with the Easterly and Southerly property lines of said lot 43 and lots 44, 45, 46, 47, 48, 49, 50, 51, and a 1.82 acre common open space recorded in Map Book 40 Page 463 and also a 1.8506 acre common open space as shown in said Map Book 41 Page 207 with the following (4) bearings and distances; (1) S00-13-35E 415.62 feet to a point, (2) S47-50-21W 164.93 to a point, (3) S86-26-53W 393.55 feet to a point, (4) N89-51-30W 149.10 feet to the POINT AND PLACE OF BEGINNING.

Community House Road Annexation Qualifying Area, 2005



AN ORDINANCE TO AMEND ORDINANCE NUMBER 2620-X, THE 2004-2005 BUDGET ORDINANCE, AND ORDINANCE NUMBER 2744-X, THE SOLID WASTE SERVICES VEHICLE INSTALLMENT PURCHASE CONTRACT AMENDMENT, TO PROVIDE APPROPRIATIONS FOR THE START-UP COSTS FOR PROVISION OF SERVICES IN SEVEN ANNEXATION AREAS FOR THE JUNE 30, 2005 ANNEXATION.

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

Section 1. That the sum of \$1,947,930 is hereby available from the fund balance of the General Fund (0101)

Section 2. That the sum of \$1,947,930 is hereby appropriated to the General Fund (0101) for the operation of City government services in seven annexation areas.

Section 3. That the sum of \$4,000,000 is hereby available from Certificates of Participation.

Section 4. That the sum of \$4,000,000 is hereby appropriated to the General Capital Project Fund 2010 for the construction of annexation fire stations as follows:

<u>Center</u>	<u>Project Title</u>	<u>Amount</u>
367.19	NC49 South Fire Station	2,425,000
367.21	Shopton Road West Fire Station	1,250,000
367.65	Temporary Fire Station #37	325,000
Total		4,000,000

Section 5. That Section 5 of Ordinance 2620-x, the 2004-2005 Annual Budget Ordinance approved June 14, 2004, and Ordinance 2744-x, the Vehicle Installment Purchase Contract Amendment, are hereby amended to reflect that the total sum of up to \$37,000,000 is estimated to be available from the proceeds of the FY2005 Installment Purchase Contract (Lease/Purchase). This increase of \$1,300,000 is for Charlotte Department of Transportation (CDOT) vehicles for the June 30, 2005 Annexation.

Section 6. That Section 5 of Ordinance 2620-x, the 2004-2005 Annual Budget Ordinance approved June 14, 2004, and Ordinance 2744-x, the Vehicle Installment Purchase Contract Amendment, are hereby amended to reflect that the sum appropriated for the General Capital Equipment Fund is increased by \$1,300,000 to a total of up to \$16,800,000.

Section 7. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 8. 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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page 268.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.

Brenda R. Freeze, CMC, City Clerk

AMENDING CHAPTER 15

ORDINANCE NO. 2831

**AN ORDINANCE AMENDING CHAPTER 15 OF THE CHARLOTTE CITY
CODE ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS"**

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

Section 1. Section 15-250(c) of the Charlotte City Code is amended to read as
follows:

(c) *Permitting criteria.* An application for a carnival permit may be denied or an
issued carnival permit may be revoked for any of the following reasons:

- (i) the application is not fully completed and executed;
- (ii) the applicant has not tendered the required application fee;
- (iii) the application contains a material falsehood or misrepresentation;
- (iv) the applicant is legally incompetent to contract or to sue and be
sued;
- (v) the applicant has previously made material misrepresentations
regarding the operation of a carnival;
- (vi) the applicant has previously permitted a violation or has violated
the terms of a carnival permit issued to or on behalf of the
applicant;
- (vii) the applicant has not obtained the business license(s) required,
under Chapter 13 of this Code, for the operation of the carnival;
- (viii) the operation of the carnival would not be in compliance with all
applicable zoning regulations;
- (ix) the operation of the carnival would not be in compliance with all
applicable fire codes and regulations; or
- (x) the operation of the carnival would present an unreasonable danger
to the public health or safety based on a failure to adequately
provide for the protection of the persons employed at or attending
the carnival, the maintenance of the public order in and around the
carnival, and/or emergency vehicle access to the carnival.

In addition, a permit shall include a description of all perimeter and access controls, internal security, and emergency medical or fire services which may be required by the permit official, as set forth in subsection (d). A permit may be revoked if such requirements are not met at all times during the operation of the carnival.

Section 2. Section 15-250(d) of the Charlotte City Code is amended to read as follows:


(d) *Carnival security.* The applicant shall be responsible for hiring and paying off-duty law enforcement officers or special police officers commissioned under Chapter 74E of the general statutes to provide internal security for the carnival and for hiring and paying necessary emergency medical technicians and fire personnel.

The permit official shall determine the appropriate perimeter and access controls for the carnival, such as fencing or barriers, the number of officers needed for internal security, the number of emergency medical technicians and fire personnel needed, and the time when such services shall commence and end, taking into consideration the following:

- (i) the proposed location of the carnival, including the size of the area in which the carnival is to take place and its surroundings;
- (ii) the time of day that the carnival is to take place;
- (iii) the date(s) and day(s) of the week the carnival is to take place;
- (iv) the estimated number of persons attending the carnival;
- (v) the number of mechanical rides, amusement devices, side shows, and concession booths to be operated at the carnival;
- (vi) whether alcohol will be served, live music offered, or retail sales stations provided at the carnival, and the number and location of alcohol service stands, music stages, and retail stands;
- (vii) prior experience(s) with the applicant or operator of the subject carnival or with carnivals similar in nature.

Section 3. This ordinance shall become effective upon adoption.

Approved as to Form:

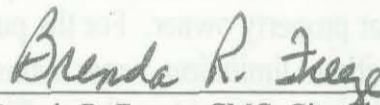

SR. ASST City Attorney

AMENDING CHAPTER 1
ORDINANCE AMENDING CHAPTER 1 OF THE CHARLOTTE CITY CODE ENTITLED
"ADMINISTRATION"

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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 269-271.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.



Brenda R. Freeze, CMC, City Clerk

(f) The city manager, or designee, is authorized to negotiate municipal infrastructure reimbursement agreements with private developers and property owners pursuant to this section. In negotiating such agreements, the city manager, or designee, shall determine: (1) the cost to the city will not exceed the amount cost of providing for the municipal infrastructure through other eligible force account provided labor or through a public contract let pursuant to G.S. 143-128 or 143-129; or (2) the coordination of separately constructed municipal infrastructure with the associated private development would be infeasible. City approval authority for agreements under this section shall be governed by general city contracting restrictions and delegations.

(g) A municipal infrastructure reimbursement agreement approved pursuant to this section shall require the private developer or property owner party to comply with the requirements of G.S. 143-129 and G.S. 143-130(F) relating to public advertising and bid opening requirements which would be applicable if the construction contract had been awarded to the city.

(h) A municipal infrastructure reimbursement agreement approved pursuant to this section shall require the private developer or property owner party to comply with the City's Small Business Enterprise program with respect to the design and construction of the municipal infrastructure to be reimbursed by the City.

This ordinance shall become effective upon adoption.



AMENDING CHAPTER 2

ORDINANCE NO. 2832

**ORDINANCE AMENDING CHAPTER 2 OF THE CHARLOTTE CITY CODE ENTITLED
"ADMINISTRATION"**

Section 1. Article I, Chapter 2 of the Charlotte City Code is amended to add a new section 2-2 to read as follows:

"Sec. 2-2. Infrastructure reimbursement agreements.

(a) Pursuant to N.C. Session Law 2001-329, this section authorizes and sets forth the procedures and terms under which the city may approve reimbursement agreements with private developers and property owners for the design and construction of municipal infrastructure that is included on the city's Capital Improvement Plan and serves the developer or property owner. For the purpose of this section, municipal infrastructure includes, without limitation, water mains, sanitary sewer lines, lift stations, stormwater lines, streets, curb and gutter, sidewalks, traffic control devices, and other associated facilities.


(b) The city manager, or designee, is authorized to negotiate municipal infrastructure reimbursement agreements with private developers and property owners pursuant to this section. In negotiating such agreements, the city manager, or designee, shall determine that: (i) the cost to the city will not exceed the estimated cost of providing for the municipal infrastructure through either eligible force account qualified labor or through a public contract let pursuant to G.S. 143-128 *et seq.*; or (ii) the coordination of separately constructed municipal infrastructure with the associated private development would be impracticable. City approval authority for agreements under this section shall be governed by general city contracting authorizations and delegations.

(c) A municipal infrastructure reimbursement agreement approved pursuant to this section shall require the private developer or property owner party to comply with the requirements of G.S. 143-129 and G.S. 143-128(f) relating to public advertising and bid opening requirements which would be applicable if the construction contract had been awarded by the city.

(d) A municipal infrastructure reimbursement agreement approved pursuant to this section shall require the private developer or property owner party to comply with the City's Small Business Enterprise program with respect to the design and construction of the municipal infrastructure to be reimbursed by the City."

Section 2. This ordinance shall become effective upon adoption.

Approved as to Form:


S.A. Assst. 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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 272-273.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.

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

[Signature]
[Title]

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 22nd day of November, 2004, the reference having been made in Minute Book 121, and recorded in full in Ordinance Book 53, Page(s) 272-273.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of November, 2004.

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