

ORDINANCE NO. 3433-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1434 QUEENS ROAD WEST 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 CAROLYN COON JOHNSTON A/K/A MARGARET CAROLYN COON JOHNSTON 5101 MORROWICK ROAD, CHARLOTTE, NC 28226

WHEREAS, the dwelling located at 1434 Queens Road West 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 1434 Queens Road West 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:


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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 573.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3434-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 987 RAYON STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF BOBBY COATES AKA BOBBY JOE COATES 987 RAYON STREET, CHARLOTTE, NC 28216

WHEREAS, the dwelling located at 987 Rayon Street 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 987 Rayon Street 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:


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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 574.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3435-X

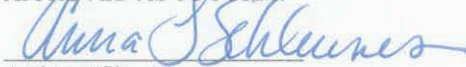
AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2418 TUCKASEEGEE ROAD PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF JAMES CRABB 5312 MILHAVEN LANE CHARLOTTE, NC 28269

WHEREAS, the dwelling located at 2418 Tuckaseegee 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 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 2418 Tuckaseegee 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:


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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 575.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3436-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 4310 NORTHAVEN DRIVE 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 RONALD A. BROWN 4445 PARAMOUNT DRIVE NORTH CHARLESTON, SC 49405

WHEREAS, the dwelling located at 4310 Northaven Drive 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 4310 Northaven Drive 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:



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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 576.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3437-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 4324 ROZZELLES FERRY ROAD STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF JIMMIE L. HACKETT AND MONICA C. HACKETT 4324 ROZZELLES FERRY ROAD, CHARLOTTE N.C. 28216

WHEREAS, the dwelling located at 4324 Rozzelles Ferry Road 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 4324 Rozzelles Ferry 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:


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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 577.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3438

AMENDING CHAPTER 10

ORDINANCE AMENDING CHAPTER 10 OF THE CHARLOTTE CITY CODE
ENTITLED HEALTH AND SANITATION

Section 1. Chapter 10 of the Charlotte City Code is amended by rewriting Section 10-1(c) as follows:

Sec. 10-1. Smoking in city-owned buildings ~~and vehicles.~~

...

- (c) ~~Smoking shall not be permitted in any vehicle owned or leased by the city if there are two or more occupants of the vehicle and at least one occupant is a nonsmoker.~~

No person shall smoke in a nonsmoking area in a city-owned or -leased building in violation of subsection (b) of this section. Any person who continues to smoke in any nonsmoking area in violation of subsection (b) of this section following notice by the person in charge or his designee that smoking is not permitted shall be subject to a civil penalty in the amount of \$50.00. If the penalty is not paid or appealed within 30 days of its issuance, a delinquency charge of \$25.00 shall be added to the amount of the penalty. This civil penalty and delinquency charge may be recovered by the city in a civil action in the nature of a debt if the violation does not pay the full amount within 15 days after the imposition of the delinquency charge.

Section 2. Chapter 10 of the Charlotte City Code is amended by repealing subsection (d) of Section 10-1.

Section 3. This ordinance shall become effective January 1, 2007.

Approved as to Form:

Nope A. Root
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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Pages (577-578.)

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3439-X

O-40

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X , THE 2006-2007 BUDGET ORDINANCE, APPROPRIATING \$400,000 IN DISCRETIONARY FUND BALANCE FOR DESIGN OF THE PUBLIC RESTROOM RENOVATIONS.

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

Section 1. That the sum of \$400,000 is available from discretionary fund balance to be repaid from future Airport General Revenue bonds.

Section 2. That the sum of \$400,000 is hereby appropriated to the Airport Capital Projects Fund:
2090 - 540.12

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

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

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:



City Attorney
S. H. H.

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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 579.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3440-X

O-41

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X , THE 2006-2007 BUDGET ORDINANCE, APPROPRIATING \$1,700,000 IN NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FUNDS TO CONSTRUCT AN EXTENSION OF WEST BOULEVARD FROM NEW DIXIE ROAD TO THE I-485 INTERCHANGE NECESSITATED BY CONSTRUCTION OF THE NEW THIRD PARALLEL RUNWAY.

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

Section 1. That the sum of \$1,700,000 is available from the NCDOT contract for reimbursement.

Section 2. That the sum of \$1,700,000 is hereby appropriated to the Airport Capital Projects Fund:
2090 - 540.03

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

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

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:


Justin R. Street
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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 580.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.


Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3441-X

NORTH LAKE MALL, PHASE III

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

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

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 E. Fourth Street, Charlotte, N.C. at 7:00 p.m. on November 27, 2006, after due notice by the Mecklenburg Times on November 14, 2006; and

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

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the City of Charlotte as of February 28, 2007:

LEGAL DESCRIPTION

All that certain tract of land lying and being in Long Creek Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

Commencing at a point located at the intersection of the northerly right-of-way margin of Reames Road (Future Harris Blvd. - N.C. 24) (currently a variable width public right-of-way) and the easterly right-of-way margin of Point O' Woods Drive (formerly a 60-foot public right-of-way) as shown on a plat recorded in Map Book 41 at Page 766 in

the Mecklenburg County, North Carolina, Public Registry, said point also being on the city limits line of the City of Charlotte; thence running with the northerly right-of-way margin of Reames Road and the city limits line of the City of Charlotte, the following twelve (12) courses and distances: (1) N 63-25-05 E 49.80 feet to a point, (2) N 67-10-09 E 63.40 feet to a point, (3) N 67-10-09 E 147.23 feet to a point, (4) with the arc of a circular curve to the right having a radius of 1,991.30 feet, an arc distance of 19.12 feet (Chord Bearing = N 63-41-36 E 19.12 feet) to a point, (5) with the arc of a circular curve to the right having a radius of 1,991.30 feet, an arc distance of 270.92 feet (Chord Bearing = N 67-51-58 E 270.71 feet) to a point, (6) N 72-01-46 E 13.60 feet to a point, (7) N 72-01-46 E 219.71 feet to a point, (8) N 72-01-46 E 10.76 feet to a point, (9) with the arc of a circular curve to the right having a radius of 2,005.05 feet, an arc distance of 210.71 feet (Chord Bearing = N 81-45-58 E 210.61 feet) to a point, (10) with the arc of a circular curve to the right having a radius of 1,935.00 feet, an arc distance of 183.40 feet (Chord Bearing = S 88-22-23 E 183.33 feet) to a point, (11) with the arc of a circular curve to the right having a radius of 2,046.20 feet, an arc distance of 42.20 feet (Chord Bearing = S 87-58-46 E 42.19 feet) to a point and (12) N 86-09-06 E 5.55 feet to a point, the TRUE POINT AND PLACE OF BEGINNING; thence from said TRUE POINT AND PLACE OF BEGINNING, leaving the northerly right-of-way margin of Reames, Road and continuing to run with the city limits line of the City of Charlotte, with the arc of a circular curve to the left having a radius of 7.00 feet, an arc distance of 4.63 feet (Chord Bearing = N 21-26-11 E 4.55 feet) to a point; thence N 02-28-34 E 25.43 feet to a point; thence N 00-00-05 W 35.88 feet to a point; thence with the arc of a circular curve to the right having a radius of 194.00 feet, an arc distance of 204.31 feet (Chord Bearing = N 30-10-12 E 195.00 feet) to a point; thence with the arc of a circular curve to the left having a radius of 2.00 feet, an arc distance of 5.52 feet (Chord Bearing = N 18-46-00 W 3.93 feet) to a point; thence S 82-07-37 W 37.07 feet to a point; thence with the arc of a circular curve to the right having a radius of 901.00 feet, an arc distance of 273.83 feet (Chord Bearing = N 89-10-00 W 272.77 feet) to a point; thence with the arc of a circular curve to the right having a radius of 501.00 feet, an arc distance of 122.84 feet (Chord Bearing = N 73-26-08 W 122.54 feet) to a point; thence N 66-24-40 W 92.04 feet to a point; thence N 23-35-20 E 46.00 feet to a point; thence N 26-18-18 E 27.18 feet to a point; thence N 63-41-42 W 19.00 feet to a point; thence N 26-18-18 E 17.36 feet to a point; thence with the arc of a circular curve to the left having a radius of 4.00 feet, an arc distance of 5.11 feet (Chord Bearing = N 10-18-26 W 4.77 feet) to a point; thence with the arc of a circular curve to the right having a radius of 75.00 feet, an arc distance of 54.87 feet (Chord Bearing = N 25-57-35 W 53.66 feet) to a point; thence N 05-00-00 W 250.59 feet to a point; thence with the arc of a circular curve to the right having a radius of 78.00 feet, an arc distance of 82.69 feet (Chord Bearing = N 25-22-09 E 78.87 feet) to a point; thence N 55-44-17 E 191.27 feet to a point; thence with the arc of a circular curve to the left having a radius of 29.00 feet, an arc distance of 55.71 feet (Chord Bearing = N 00-42-27 E 47.53 feet) to a point; thence with the arc of a circular curve to the right having a radius of 531.00 feet, an arc distance of 146.13 feet (Chord Bearing = N 46-26-22 W 145.67 feet) to a point; thence with the arc of a circular curve to the left having a radius of 269.00 feet, an arc distance of 94.32 feet (Chord Bearing = N 48-36-03 W 93.84 feet) to a point; thence N 58-38-32 W 16.48 feet to a point; thence with the arc of a circular curve to the left having a radius of 29.00 feet, an arc distance

of 38.02 feet (Chord Bearing = S 83-47-43 W 35.36 feet) to a point; thence S 46-13-59 W 261.25 feet to a point; thence with the arc of a circular curve to the right having a radius of 49.00 feet, an arc distance of 10.38 feet (Chord Bearing = S 40-09-53 W 10.36 feet) to a point; thence S 72-49-35 W 150.38 feet to a point; thence with the arc of a circular curve to the right having a radius of 78.02 feet, an arc distance of 44.67 feet (Chord Bearing = S 89-13-53 W 44.06 feet) to a point; thence N 74-22-14 W 437.43 feet to a point; thence with the arc of a circular curve to the left having a radius of 49.00 feet, an arc distance of 90.35 feet (Chord Bearing = S 52-48-24 W 78.08 feet) to a point; thence S 89-59-01 W 46.00 feet to a point; thence with the arc of a circular curve to the right having a radius of 345.00 feet, an arc distance of 54.64 feet (Chord Bearing = N 04-31-15 E 54.58 feet) to a point; thence N 09-03-29 E 122.88 feet to a concrete monument having N.C. Grid Co-ordinates as follows: N = 588,212.11 feet and E = 1,446,829.91 feet; thence N 73-49-23 W 158.63 feet to a point; thence with the arc of a circular curve to the left having a radius of 730.00 feet, an arc distance 396.79 feet (Chord Bearing = N 02-12-54 E 391.92 feet) to a point; thence N 13-21-23 W 93.45 feet to a point; thence N 13-21-23 W 113.77 feet to a point; thence with the arc of a circular curve to the right having a radius of 630.00 feet, an arc distance of 21.90 feet (Chord Bearing = N 12-21-37 W 21.90 feet) to a point; thence with the arc of circular curve to the right having a radius of 630.00 feet, an arc distance of 51.33 feet (Chord Bearing = N 09-01-49 W 51.31 feet) to a point; thence leaving the city limits line of the City of Charlotte N 49-20-00 E 433.92 feet to a point; thence N 65-03-04 E 46.20 feet to a point; thence N 74-07-44 E 70.10 feet to a point; thence N 50-20-06 E 57.10 feet to a point; thence N 69-18-55 E 122.37 feet to a point; thence N 58-10-44 E 93.02 feet to a point; thence N 41-21-53 E 52.64 feet to a point; thence N 67-06-36 E 45.79 feet to a point; thence S 87-39-46 E 69.46 feet to a point; thence N 38-38-04 E 52.59 feet to a point; thence N 38-37-55 E 18.66 feet to a point; thence S 83-47-20 E 42.45 feet to a point; thence N 60-24-45 E 71.08 feet to a point; thence N 45-29-52 E 41.43 feet to a point; thence N 81-00-33 E 70.41 feet to a point; thence N 55-39-27 E 47.28 feet to a point; thence N 79-43-06 E 104.63 feet to a point; thence N 36-31-01 E 34.85 feet to a point; thence N 70-55-54 E 57.98 feet to a point; thence S 83-40-08 E 55.26 feet to a point; thence N 80-02-10 E 91.28 feet to a point; thence N 70-14-19 E 52.00 feet to a point; thence N 49-08-13 E 24.01 feet to a point; thence S 73-00-15 E 30.75 feet to a point; thence N 61-23-50 E 34.83 feet to a point; thence N 88-19-50 E 32.23 feet to a point; thence S 71-34-38 E 116.19 feet to a point; thence N 70-05-47 E 42.27 feet to a point; thence S 50-31-49 E 88.24 feet to a point; thence N 71-56-36 E 39.02 feet to a point; thence S 38-32-56 E 31.95 feet to a point; thence S 73-35-54 E 73.36 feet to a point; thence S 45-45-28 E 16.87 feet to a point; thence N 86-09-25 E 43.41 feet to a point; thence S 66-27-22 E 50.18 feet to a point; thence S 85-03-23 E 83.29 feet to a point; thence S 60-45-55 E 38.24 feet to a point; thence S 53-14-31 E 19.48 feet to a point; thence N 75-18-45 E 31.74 feet to a point; thence S 70-24-38 E 54.62 feet to a point; thence N 76-33-39 E 41.94 feet to a point; thence S 00-27-39 W 50.78 feet to a point; thence S 51-39-49 E 413.04 feet to a point; thence S 35-41-40 E 410.49 feet to a point located in the westerly right-of-way margin of Interstate 77; thence running with the westerly right-of-way margin of Interstate 77, the following six (6) courses and distances: (1) S 19-57-23 W 325.00 feet to a point, (2) S 17-45-05 W 385.89 feet to a point, (3) S 17-44-28 W 287.03 feet to a point, (4) S 34-14-40 W 389.36 feet to a point,

(5) S 39-04-34 W 245.08 feet to a point and (6) S 31-16-04 W 39.02 feet to a point; thence leaving the westerly right-of-way margin of Interstate 77, and running with the city limits line of the City of Charlotte N 58-43-56 W 71.70 feet to a point; thence with the arc of a circular curve to the left having a radius of 511.00 feet, an arc distance of 178.53 feet (Chord Bearing = S 72-07-05 W 177.62 feet) to a point; thence S 82-07-37 W 188.80 feet to a point; thence with the arc of a circular curve to the right having a radius of 174.00 feet, an arc distance of 223.43-feet Chord Bearing = S 45-20-28 W 208.39 feet) to a point; thence with the arc of a circular curve to the right having a radius of 99.00 feet, an arc distance of 63.67 feet (Chord Bearing = S 09-52-05 E 62.58 feet) to a point; thence with the arc of a circular curve to the right having a radius of 49.00 feet, an arc distance of 44.25 feet (Chord Bearing = S 54-09-43 E 42.76 feet) to a point located in the northerly right-of-way margin of Reames Road; thence running with the northerly right-of-way margin of Reames Road and continuing with the city limits line of the City of Charlotte, S 86-09-06 W 70.24 feet to a point, the TRUE POINT AND PLACE OF BEGINNING.

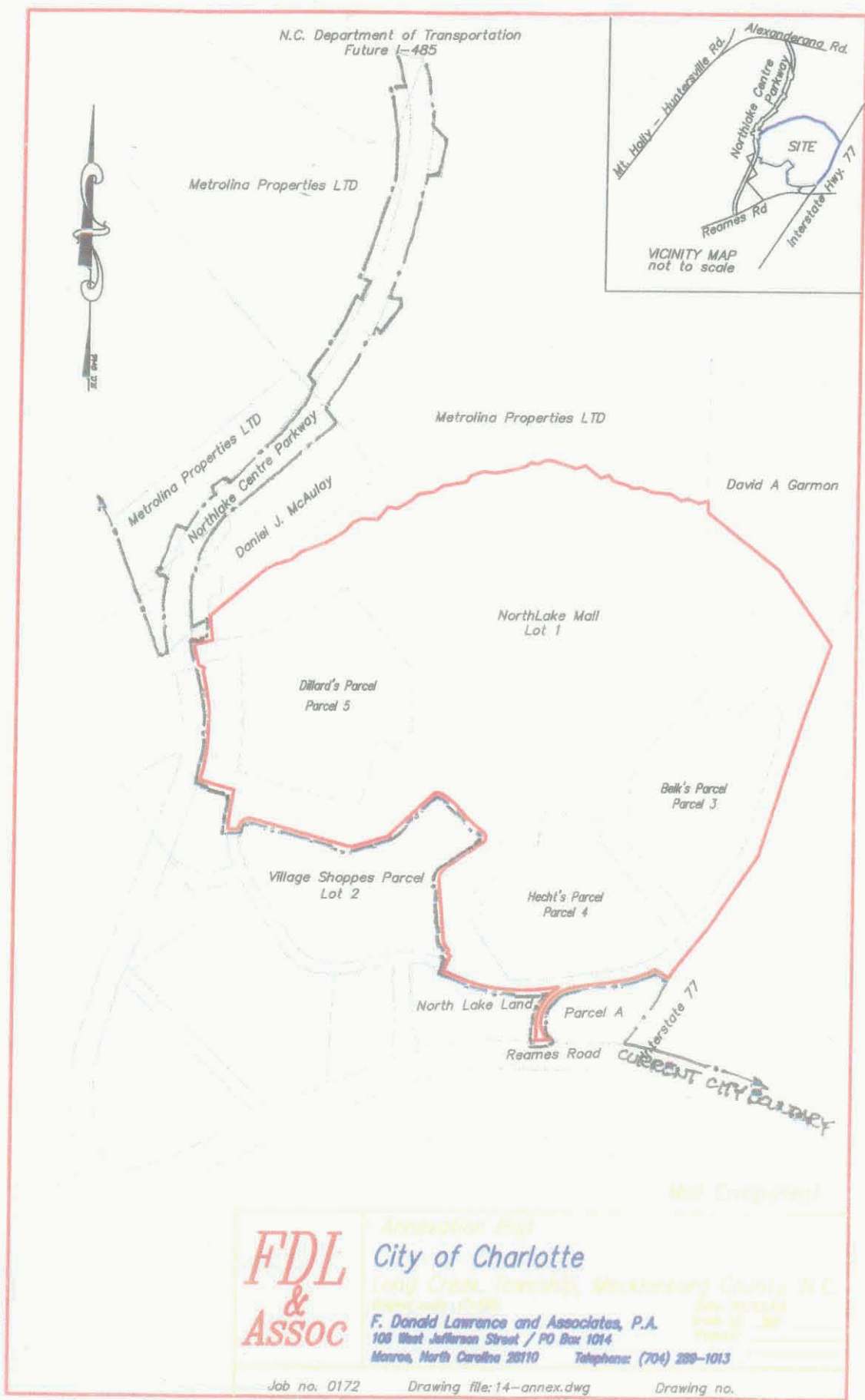
Section 2. Upon and after February 28, 2007, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Charlotte and shall be entitled to the same privileges and benefits as other parts of the City of Charlotte. Said territory shall be subject to municipal taxes according to G.S.160A-58.10.

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

APPROVED AS TO FORM:

A handwritten signature in cursive script, appearing to read "H. M. ...", is written over a horizontal line. To the right of the line, the text "City Attorney" is printed.

City Attorney



NORTHLAKE MALL PHASE 3
VOLUNTARY ANNEXATION PETITION

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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Pages (581-586.)

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3442-X

O-42

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3303-X, THE 2006-2007 BUDGET ORDINANCE, PROVIDING A TRANSFER OF CAPITAL FUNDS FOR TRANSPORTATION NEEDS

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


Section 1. That the sum of \$790,000 is estimated to be available from the Pay-As-You-Go Capital Fund (2011) Reserve and is hereby appropriated as follows:

	Amount
Pay-As-You-Go Capital Fund (2011) - Road Preconstruction Capital Projects	\$ 790,000

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

Section 3. This ordinance shall be effective upon adoption.

Approved as to Form:



Asst. City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Page 587

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.



Brenda R. Freeze, CMC, City Clerk

ORDINANCE NO. 3443-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 14th day of September, 2006 and at the public hearing held on the 9th day of October, 2006, 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, 2007, 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 2007, 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:

- 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 17,743.1 feet, of which 11,689.6 feet or 65.8% coincides with the present City boundary.
 3. No part of the area is included within the boundary of another incorporated municipality.
- B. Part or all of the area is developed for urban purposes as described in the following sub-section(s):
1. Except for the portion of the area described in Section 2C below (subsection (d) land), the area proposed to be annexed meets the requirements of G.S. 160a-48(c)(1). The part of the area remaining (developed part of the area) 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 2.87 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 192 dwelling units in the area (all single family units), which when multiplied by the average household size of 3.14 for single-family units and taking into account an occupancy rate of 96.9% for single family units (all according to the latest federal decennial census) results in an estimated total resident population of 584. This population, when divided by the total number of acres (203.0) in the developed part of the area, results in a population density of 2.87 persons per acre.
- C. A portion of the proposed annexation area does not meet the requirements of G.S. 160A-48(c), as described in Section B1 above, but does meet the requirements of G.S. 160A-48(d)(2). This 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 268.2. Of that acreage, 65.2 acres, or 24.3% is contained in the area not yet developed for urban purposes. The area is adjacent and at least sixty percent (60%) of its external boundary coincides with any combination of the present City boundary and the areas developed for urban purposes as defined in G.S. 160A-48(c). The aggregate boundary of the undeveloped area is 7,912.4 feet of which 7,912.4 feet or one hundred percent (100%) coincides with the present City boundary and the developed area (see the “subsection (d) land” map).
- D. In determining the population of the area, it has been assumed that, as noted above, all dwelling units in the area may not be occupied and that some dwelling

units 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 24th day of July, 2006 and filed in the office of the Clerk for public inspection, including any amendment(s).

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.

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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Pages (588-598.)

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.


Brenda R. Freeze, CMC, City Clerk

EXHIBIT A

ANNEXATION QUALIFYING AREA FY2007

ARDREY

Beginning at a point on the existing CHARLOTTE CITY LIMITS, said point being the southern most corner of Deed Book 13097, Page 476 located on the Mecklenburg County, North Carolina / Union County, North Carolina line and also being at the centerline of Six Mile Creek; said BEGINNING POINT being also the Southeasterly corner of the lot as described in Deed Book 18846, Page 235; thence in a Southwesterly direction along and with the Mecklenburg County, North Carolina / Union County, North Carolina line, the centerline of Six Mile Creek and the Southerly line of the Lot described in Deed Book 18846, Page 235, approximately 1,505 feet to a point, said point being in the centerline of Six Mile Creek, on the Mecklenburg County / Union County line, and being the Southeasterly corner of the Lot described in Deed Book 14955, Page 94; thence in a Southwesterly direction with the centerline of Six Mile Creek, the County line and the Southerly line of the Lot described in Deed book 14955, Page 94 approximately 4,175 feet to a point, said point being on the centerline of Six Mile Creek, on the Mecklenburg County / Union County line and being the Southernmost corner of the Lot described in

Deed Book 14955, Page 94; thence leaving said Six Mile Creek, Mecklenburg County / Union County line and continuing along the Westerly line of the Lot described in Deed Book 14955, Page 94, North 25-49-38 West 326.43 feet to a point on the existing CHARLOTTE CITY LIMITS LINE; thence following the existing CHARLOTTE CITY LIMITS LINE North 26-03-28 West 1,032.78 feet to a point; thence North 29-37-54 West 572.94 feet to a point; said point being the Southerly corner of Lot described in Deed Book 17784, Page 587; thence with westerly line of Lot described in Deed Book 17784, Page 587 the following bearing and distance, North 19-08-41 West 454.92 feet to a point, said point being on the southerly margin of Wade Ardrey Road and also a point on the existing CHARLOTTE CITY LIMITS LINE, thence with the CHARLOTTE CITY LIMITS LINE and in a Northeasterly direction following along a line 30 feet East of and parallel with the centerline of Wade Ardrey Road approximately 281.83 feet to a point, said point being in the Northwesterly corner of the Lot described in Deed Book 14955, Page 94; thence in a Northeasterly direction following along a line 30 feet East of and parallel with the centerline of Wade Ardrey Road approximately 753 feet to a point, said point being on the Southerly margin of Captain Ardrey Road as shown on Map Book 42, Page 283;

thence continuing along a line 30 feet East of and parallel with the centerline of Wade Ardrey Road crossing Captain Ardrey Road as shown on Map Book 42, Page 283 with the following bearing and distance, North 23-50-46 West 158.69 feet to a point, said point being on the Northerly margin of Captain Ardrey Road and also a point on the Westerly line of an area entitled Common Open Space as shown on Map Book 42, Page 283; thence continuing along a line 30 feet East of and parallel with the centerline of Wade Ardrey Road with the Westerly line of the Common Open Space as shown on Map Book 42, Page 283 with a circular curve to the left having a radius of 1195.35 feet, a distance of 261.52 feet with a chord of North 17-34-42 East 261.00 feet to a point, said point being the Southwesterly corner of the Common Area Open Space (0.322 Acres) as shown on Map Book 39, Page 843 and also on the Easterly margin of Wade Ardrey Road and the CHARLOTTE CITY LIMITS LINE; thence with the westerly line of the Common Open Space, crossing Wheatfield Road, Common Open Space (0.288 Acres) and Common Open Space / Tree Save Area 1 (0.730 Acres) as shown on Map Book 39, Page 843 with the following (2) calls: 1) with the arc of a circular curve to the left having a radius of 1195.35 feet, a distance of 32.21 feet with a chord of North 10-32-20 East 32.21 feet to a point, 2) North 09-46-01 East 784.17

feet to a point, said point being the Southwesterly corner of Lot described in Deed Book 9688, Page 312; thence in a Northeasterly direction following along a line 30 feet East of and parallel with the centerline of Wade Ardrey Road approximately 298 feet to a point, said point being the Southwesterly corner of the Lot described in Deed Book 9688, Page 315; thence in a Northeasterly direction following along a line 30 feet East of and parallel with the centerline of Wade Ardrey Road approximately 227 feet to a point, said point being the Southwesterly corner of the Lot described in Deed Book 17014, Page 838, thence in a Northeasterly direction following along a line 30 feet East of and parallel with the centerline of Wade Ardrey Road approximately 540 feet to a point, said point being the Northwesterly corner of the Lot described in Deed Book 8194, Page 160, thence in a Northerly direction following along a line 30 feet East of and parallel with the centerline of Wade Ardrey Road crossing Ardrey Kell Road approximately 330 feet to a point, said point being on the CHARLOTTE CITY LIMITS LINE and 30 feet North of and parallel with centerline of Ardrey Kell Road, said point being the Southeasterly most corner of the Lot described in Deed Book 18276, Page 939; thence in a Northerly direction along the Western line of the Lot described in Deed book

18276, Page 939 with the following(4) bearings and distances: 1) North 85-33-32 West 42.50 feet to a point, 2) North 24-44-32 West 148.04 feet to a point, 3) North 08-43-21 West 354.98 feet to a point, 4) North 67-19-28 East 395.14 feet to a point, said point being the Northeasterly corner of the Lot as described in Deed Book 18276, Page 939 located on the centerline of Community House Road; thence in an Easterly direction with said line extended and crossing said Community House Road approximately 30 feet to a point, said point being 55 feet North of the Northerly margin of Purchase Street; thence Southeasterly with the existing CHARLOTTE CITY LIMITS LINE and along and with the Easterly margin of Community House Road, crossing Ardrey Kell Road approximately 656 feet to a point, said point being the Northwest corner of Lot 1, Block 4, as shown on recorded Map Book 22, Page 943; thence along and with the Eastern margin of Community House Road crossing Tamarron Drive, South 44-07-10 East 502.54 feet to a point on the Eastern margin of Community House Road, said point being the Southwesterly corner of Lot 01, Block 01 as shown on Map Book 23, Page 350 and also a point on the Northerly line of Deed Book 19068, Page 797; thence in a Southeasterly direction following the Eastern margin of Community House Road and the existing CHARLOTTE CITY LIMITS

line approximately 280 feet to a point; thence following the existing CHARLOTTE CITY LIMITS line as follows: South 46-51-13 East approximately 600 feet to a point, said point being the angle point of Lot 30, Block 01, Map Book 23, page 777; thence South 46-51-13 West 188.50 feet to a point, said point being on the Northerly line of Lot 34, Block 01 as shown on Map Book 24, Page 754, thence with the Northerly line of Lot 34, Block 01 as shown on Map book 24, Page 754 and Lot 35, Block 01 as shown on Map 23, Page 777, South 52-14-58 West 170.19 feet to a point, said point being the Northwesterly corner of Lot 35, Block 01 as shown on Map Book 23, Page 777; thence continuing from said point along and with the rear of Lots 35, 36 and 37, Block 01 as shown on Map Book 23, Page 777 South 41-49-00 East 382.00 feet to a point, said point being the Northwesterly corner of Lot 66, Block 01 as shown on Map Book 25, Page 264; thence in a Southeasterly direction with the rear of Lots 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76 and 77, Block 01 as shown on Map Book 25, Page 264 South 41-49-00 East 932 feet to a point, said point being the Northwesterly corner of Lot 78, Block 01 as shown on Map Book 26, Page 519; thence with the Westerly line of Lot 78, Block 01 as shown on Map Book 26, Page 519, crossing Burnside Lane, and along the Westerly line of Lots 65, 64, 63, 62, 61, 60 & 59,

Block 08 and the common area, South 41-49-00 East 1,063.17 feet to a point, said point being the Northwesterly corner of the Lot described in Deed Book 13097, Page 476; thence in a Southeasterly direction along the Westerly line of Deed Book 13097, Page 476 an approximate distance of 125 feet to a point, said point being in the centerline of Six Mile Creek, on the Mecklenburg County, North Carolina / Union County, North Carolina line and also the place of beginning.

ORDINANCE NO. 3444-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 14th day of September, 2006 and at the public hearing held on the 9th day of October, 2006, 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, 20007, 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 20007, 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:

- 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 38,712.5 feet, of which 34,860.1 feet or 90 percent coincides with the present City boundary.
 3. No part of the area is included within the boundary of another incorporated municipality.
- B. Part or all of the area is developed for urban purposes as described in the following sub-section(s):
1. Except for the portion of the area described in Section 2C below (subsection (d) land), the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The part of the area remaining (developed part of the area) 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 3.06 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 1,621 dwelling units in the area (71 single family units and 1,550 multi-family units), which when multiplied by the average household size of 2.86 for single-family units and 1.82 for multi-family units and taking into account occupancy rates of 95.5% for single family units and 84.3% for multi-family units (all according to the latest federal decennial census) results in an estimated total resident population of 2,565. This population, when divided by the total number of acres (837.3) in the developed part of the area, results in a population density of 3.06 persons per acre.
- C. A portion of the proposed annexation area does not meet the requirements of G.S. 160A-48(c), as described in Section 2B1 above, but does meet the requirements of G.S. 160A-48(d)(2). This 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 1,112.0. Of that acreage, 274.7 acres, or 24.7% is contained in the area not yet developed for urban purposes. The area is adjacent and at least sixty percent (60%) of its external boundary coincides with any combination of the present City boundary and the areas developed for urban purposes as defined in G.S. 160A-48(c). The aggregate boundary of the undeveloped area is 27,353.5 feet of which 27,353.5 feet or one hundred percent (100%) coincides with the present City boundary and the developed area (see the “subsection (d) land” map).

- D. In determining the population of the area, it has been assumed that, as noted above, all dwelling units in the area may not be occupied and that some dwelling units 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 24th day of July, 2006 and filed in the office of the Clerk for public inspection, including any amendment(s).

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 _____ day of _____, 200__.

CITY OF CHARLOTTE

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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Pages (599-615).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.



Brenda R. Freeze, CMC, Deputy City Clerk

EXHIBIT A

ANNEXATION QUALIFYING AREA FY 2007

MALLARD CREEK CHURCH EAST AREA

Beginning at a point in the present Charlotte City Limits said point being the Southerly most corner of the common open space as shown on Map Book 33 page 429, and said point also being on the Westerly right-of way margin of Interstate 85, thence South 73-26-25 East approximately 423 feet to a point, said point being on the Easterly right-of-way margin of Interstate 85, said point also being on the Westerly lot line of the property as described in said Deed Book 10614 page 170; thence continuing with the Easterly right-of-way margin of Interstate 85 the following two courses; 1) with a circular curve to the right having a radius of 1263.14 feet, an arc distance of approximately 262 feet to a point; 2) North 76-37-28 East 34.94 feet to a point, said point being the Northerly most corner of the property as described in Deed Book 10614 page 170; thence with the Easterly lot line of said deed book South 14-44-51 West 838.58 feet to a point, said point being the Northeasterly corner of the property as described in Deed Book 2698 page 463; thence with the Easterly lot line of said deed book South 13-22-00 West approximately 482 feet to a point, said point being the Southeasterly corner of the property as described in Deed Book

2698 page 463, and said point also being the Northerly right-of-way margin of Galloway Road; thence crossing Galloway Road approximately 62 feet to a point, said point being on the Southerly right-of-way margin of Galloway Road, said point also being the Northeasterly corner of the property as described in Deed Book 6432 page 354; thence with the Easterly lot line of said deed book South 17-13-00 East 180.12 feet to a point, said point being the Southeasterly corner of the property as described in Deed Book 6432 page 354, said point also being the Northeasterly most corner of the property as described in Deed Book 19554 page 670; thence with the Easterly lot line of said Deed book South 17-13-00 East 1113.21 feet to a point, said point being the Southeasterly corner of the property as described in Deed Book 13286 page 26, said point also being the Westerly corner of the property as described in Deed Book 2106 page 472; thence with the Northerly lot line of said deed book North 81-00-00 East 400 feet to a point, said point being on the Northerly line of the property as described in Deed Book 3514 page 301; thence with said deed book for the following nine courses; 1) North 81-00-00 East 60 feet to a point; said point being on the existing Charlotte City Limits Line; 2) South 09-00 East 73 feet to a point; 3) South 86-32-30 East approximately 250 feet to a point; 4) South 61-23 East 231 feet to a point; 5) South 39-24 East 648.17 feet crossing Stoney Creek to a point;

6) South 48-54-30 East 621.85 feet to a point; 7) South 11-32 East 616.15 feet to a point; 8) South 64-18-30 West 675.94 feet to a point; 9) South 54-27 West 425.70 feet to a point, said point being the Northwesterly corner of the property as described in Deed Book 4257, page 336; thence with the Westerly and Southerly property lines of said deed as follows; 1) South 22-36-20 East 226.43 feet to a point; 2) North 59-33-40 East 286.07 feet to a point, said point being the Southeasterly corner of the property described in Deed Book 4257 page 336 and on the Westerly property line of Deed Book 3681, page 929; thence with the Westerly property line of said deed book South 17-17-05 East approximately 198 feet to a point, said point being the Southwesterly corner of the property as described in Deed Book 3681, page 929; thence with the westerly property line of the property as described in Deed Book 5852 page 489 South 16-15-21 East 593.02 feet to a point; thence South 15-07-32 East 599.96 feet crossing Westbend Drive to a point; thence South 26-33-16 East 414.92 feet to a point, said point being the Southwesterly corner of the property as described in Deed Book 4234 page 491; thence in a Southwesterly direction approximately 154 feet to a point, said point being the Southwesterly corner of the property as described in Deed Book 2907, page 218; thence in an Easterly direction South 47-36-20 East approximately 93.96 feet to a point, said point being in the Northerly right-of-way

margin of U.S. Highway 29 (1991 location); thence in a Southerly direction along the Northerly right-of-way margin of U.S. Highway 29 (1991 location) approximately 949.70 feet to a point; thence with the Northerly right-of-way margin of U.S. Highway 29 (1991 location) South 40-36 West approximately 799.64 feet to a point, said point being the intersection of the westerly line of the property as described in Deed Book 3906, page 911 with the Northerly right-of-way margin of U.S. Highway 29 (1991 Location), said point also being on the Easterly right-of-way margin of Mallard Creek Church Road (1991 location) (SR 2472); thence crossing Mallard Creek Church Road (SR 2472) approximately 60 feet to a point, said point being the intersection of the Northerly right-of-way margin of U.S. Highway 29 with the Westerly right-of-way margin of Mallard Creek Church Road (1991 location) (SR2472) (1991 Location); thence continuing in a Southerly direction along the Northerly right-of-way margin of U.S. Highway 29 (1991 Location) for two courses; 1) South 40-35-28 West 890.98 feet to a point, and 2) South 40-35-55 West 331.77 feet to a point, said point being the intersection of the Northerly right-of-way margin of U.S. Highway with the Southwesterly line of the property described in Deed Book 4766, page 373; thence in a Southwesterly direction with the Northerly right-of-way margin of U.S. Highway 29 approximately 273.22 feet to a point, said point being the

Northerly property line of the property described in Deed Book 4327, page 647, said point also being in the centerline of Mallard Creek; thence following the centerline of Mallard Creek for seven courses; 1) North 85-20-40 West approximately 219.4 feet to a point; 2) South 88-58-40 West 168.25 feet to a point; 3) South 69-37-30 West 100.07 feet to a point; 4) South 62-38-20 West 303.97 feet to a point; 5) South 69-54-50 West 200.12 feet to a point; 6) South 77-37-30 West 100.5 feet to a point; 7) South 63-01-30 West 65.81 feet to a point in the centerline of Mallard Creek; thence with the Northerly lot line of the property as described in Deed Book 5383, page 269 for the following six courses; 1) North 26-40-20 East 52.39 feet to a point; 2) North 72-09-43 West 826.92 feet to a point; 3) North 71-14-10 West 537.24 feet to a point; 4) North 84-52-00 West 113.91 feet to a point; 5) South 63-01-30 West 226.48 feet to a point; 6) South 83-03-50 West 164.04 feet to a point in the centerline of Mallard Creek; thence with the Northerly property line of the property described in Deed Book 4614 Page 412 for the following seven courses; 1) North 82-31-51 West 67.43 feet to a point; 2) South 82-49-25 West 417.95 feet to a point; 3) South 79-05-55 West 694.21 feet to a point; 4) North 31-50-26 East 724.02 feet to a point; 5) North 11-30-11 East 107.78 feet to a point; 6) North 11-30-11 East 25 feet to a point in the centerline of Mallard Creek; 7) South 79-50-25 West 489.26 feet

with the centerline of Mallard Creek to a point, said point being on the Northerly property line of the property described in Deed Book 4614, page 412, said point also being the intersection of a point 171 feet Southwest of and normal to the "L" line of Interstate Highway 85; thence South 37-43-16 West approximately 369.20 feet to a point, said point being located 171 feet Southwest of and normal to Station 173+05.2 Line "L" as shown on said map recorded in said Book 1, page 186; thence in a Northwesterly direction following a line perpendicular to and crossing Line "L" Interstate 85 at Station 173+05.2, 342.00 feet to a point; said point being where the Mallard Creek Channel intersects the Westerly margin of the Controlled Access Line of Interstate 85, said point also being on the Southerly lot line of Lot 7 as shown on recorded Map Book 20, page 510; thence following along the Southerly lot line of Lot 7 and Lot 8 as shown on Map Book 20, page 510, said line also being the Mallard Creek Channel for seven (7) courses as follows; 1) North 75-56-50 West 75.33 feet to a point; 2) North 63-40-15 West 100.0 feet to a point; 3) North 35-40-15 West 100.0 feet to a point; 4) North 24-40-15 West 550.0 feet to a point; 5) North 66-15-15 West 100.0 feet to a point; 6) South 84-44-45 West 235.0 feet to a point; 7) South 72-14-45 West 21.07 feet to a point on the Easterly right-of-way of David Taylor Drive; thence South 72-14-45 West 63.07 feet to a point on the Westerly right-of-way line

of David Taylor Drive and the Mallard Creek Channel; thence following the Mallard Creek Channel for the following (11) courses: (1) South 72-14-45 West 25.86 feet to a point; (2) North 51-55-15 West 75.00 feet to a point; (3) North 26-30-10 West 450.00 feet to a point; (4) North 30-35-20 West 114.30 feet to a point; (5) North 49-55-00 West 119.34 feet to a point; (6) North 31-55-20 West 119.26 feet to a point; (7) North 56-32-40 West 133.22 feet to a point; (8) North 68-19-00 West 104.59 feet to a point; (9) North 61-40-15 West 53.00 feet to a point; (10) North 83-13-00 West 63.29 feet to a point; (11) North 88-21-40 West approximately 50 feet to a point, said point being the Southwesterly most corner of the property as described in Deed Book 8415 page 953; thence leaving Mallard Creek and continuing along the property line of said deed book the following courses; 1) North 22-47-58 East 617.47 feet to a point; 2) South 73-39-36 East 208.01 feet to a point, said point being the Southwesterly most corner of the property as described in Deed Book 10790 page 311; thence continuing along the Westerly and Southerly property line of said deed book the following courses; 1) South 16-20-12 West 210 feet to a point; 2) South 73-39-48 East 180 feet to a point; 3) North 82-57-31 East 491.52 feet to a point in the Westerly right-of-way of David Taylor Drive; 4) with the arc of a circular curve to the left, having a radius of 644.07 feet, and an arc distance of approximately 338 feet to a point, said point

being on the Westerly right-of-way margin of David Taylor Drive and the Westerly lot line of the property as described in Deed Book 9043 page 91 (if extended); thence North 56-00-00 East 60 feet to a point, said point being on the Easterly right-of-way of David Taylor Drive and the Southwesterly most corner of the property as described in Deed 9043 page 91; thence following along the Westerly lot line of said deed North 56-00-00 East 581.90 feet to a point, said point being on the Southeasterly most lot line of the property as described in Deed Book 6224 page 211, and said point also being the centerline of Mallard Creek; thence in a Northeasterly direction along the property line of said deed the following courses; 1) North 06-28-39 East 25.21 feet to a point; 2) North 20-29-02 East 67.0 feet to a point; 3) North 32-37-04 East 102.29 feet to a point; 4) North 39-00-17 East 105.46 feet to a point; 5) North 35-04-22 East 75.43 feet to a point; 6) North 68-20-44 East 65.67 feet to point; 7) North 17-09-33 East 93.42 feet to a point; 8) North 14-09-46 East 118.36 feet to a point; 9) North 01-53-53 East 62.16 feet to a point; 10) North 30-27-06 West 49.82 feet to a point; 11) North 44-19-16 West 10.14 feet to a point, said point being on the Southerly most lot line of the property of Deed Book 13057 page 392; thence in a Northwesterly direction following along the property of said deed and the centerline of Mallard Creek the following courses; 1) North 85-42-49 East

15.11 feet to a point; 2) North 58-20-33 West 41.57 feet to a point; 3) North 28-54-48 West 157.19 feet to a point; 4) North 04-40-38 East 51.51 feet to a point; 5) North 20-18-29 West 44.76 feet to a point; 6) North 02-13-59 East 57.87 feet to a point; 7) North 23-27-52 West 61.06 feet to a point; 8) North 36-14-23 West 52.17 feet to a point; 9) North 22-18-08 West 39.11 feet to a point; 10) North 31-30-53 West 44.24 feet to a point; 11) North 20-07-56 West 47.40 feet to a point; 12) North 11-03-33 West 77.75 feet to a point; 13) North 32-38-17 East 9.54 feet to a point; 14) North 87-58-18 West 285.23 feet to a point; 15) North 30-32-06 West 484.69 feet to a point, said point being the Southwesterly most corner of the property as described in Deed Book 11167 page 674; thence with the Westerly property line of said deed the following courses; 1) North 04-26-46 West 823.99 feet to a point; 2) North 04-26-46 West 238.24 feet to a point; 3) North 86-35-56 East 19.73 feet to a point; 4) North 86-35-56 East 186.62 feet to a point; 5) North 03-38-13 East 425.22 feet to a point; 6) North 85-41-37 West 262.21 feet to a point; 7) North 03-46-40 West 146.86 feet to a point; 8) North 61-15-28 West 212.30 feet to a point; 9) North 28-00-32 East 187.18 feet to a point, said point being the Southerly right-of-way margin of Mallard Creek Church Road West; thence in a Southeasterly direction along the Southerly right-of-way margin of Mallard Creek Church Road West the following courses;

1) South 52-59-33 East 240.87 feet to a point; 2) with a spiral chord, South 54-10-11 East 203.63 feet to a point; 3) with the arc of a circular curve to the right, having a radius of 1697.02 feet, an arc distance of 444.27 feet and a chord bearing and distance of South 63-59-33 East 443.01 feet to a point; 4) with a spiral chord, South 73-48-55 East 203.63 feet to a point; 5) South 74-59-33 East 71.45 feet to a point; 6) with a spiral chord, South 74-00-02 East 196.83 feet to a point; 7) with the arc of a circular curve to the right, having a radius of 1849.86 feet, an arc distance of 249.62 feet and chord bearing and distance of South 68-07-36 East 249.43 feet to a point, said point being the Northeasterly most corner of the property as described in Deed Book 13570 page 1461; thence with the Northerly most property line of said deed book the following courses; 1) with the arc of a circular curve to the right having a radius of 1,849.86 feet, an arc length of 68.72 feet and a chord bearing and distance of South 62-52-16 East 68.72 feet to a point; 2) South 59-44-15 East 209.81 feet to a point; 3) North 30-15-45 East 20.0 feet to a point; 4) south 58-48-24 East 9.03 feet to a point, said point being the Northwesterly most corner of the property as described in Deed Book 3717 page 709; thence with the Northerly lot line of said deed book South 58-48-24 East approximately 575 feet to a point, said point being on the Westerly right-of-way margin of Legranger Road; thence in a

Southeasterly direction approximately 130 feet to a point, said point being the intersection of the centerline of Legranger Road and the Westerly lot line of lot 19 as shown on Map Book 9 page 219 (if extended); thence North 11-11-00 East approximately 135 feet to a point, said point being on the Northerly right-of-way margin of Mallard Creek Church Road West, and said point also being on the Southwesterly most corner of Lot 19 as shown on Map 9 page 219; thence with the Westerly lot line of Lots 19,18,17,16,15 and 14, North 11-11-00 East approximately 710 feet to a point, said point being on the westerly lot line of Lot 14 as shown on Map Book 9, page 219; thence with the westerly lot line of Lots 14 and 13, crossing Janwood Drive, and with the Westerly lot line of Lot 12 as shown on Map 9 page 219, North 17-42-00 East 426.5 feet to a point, said point being the Northwesterly most corner of Lot 12 as shown on Map 9 page 219; thence with the Northerly lot line of Lot 12 as shown on said map book North 79-14-00 East 177.97 feet to a point, said point being the Northeasterly corner of Lot 12 as shown on Map Book 9 page 219, said point also being the Southwesterly most corner of Lot 48 as shown on Map Book 30 page 813; thence with the Southerly lot line of Lot 48 as shown on said map book South 74-45-48 East 96.67 feet to a point, said point being the Southeasterly most corner of Lot 48 as shown Map Book 30 page 813; thence with the Easterly lot line of Lots 48-40 North 17-

37-42 East 1,014.30 feet to a point, said point being the Northeasterly most corner of Lot 40 as shown on Map Book 30 page 813, said point also being the Southeasterly most corner of Lot 18 as shown on Map Book 32 page 61; thence with the Easterly lot line of Lots 18-13 as shown on said map book North 17-37-42 East 585.31 feet to a point, said point being the Northeasterly most corner of Lot 13 as shown on Map Book 32 page 61, and said point also being on the Southerly right-of-way margin of Galloway Road (SR 2470); thence North 17-37-42 East 60 feet to a point, said point being the intersection of the Easterly lot line of Lot 13 as shown on Map Book 32 page 61 (if extended) and the Northerly right-of-way margin of Galloway Road (SR 2470), said point also being on the Southerly lot line of the property as described in Deed Book 5307 page 423; thence in a Southeasterly direction with the Northerly right-of-way margin of Galloway Road, and the Southerly lot line of said deed South 62-21-41 East approximately 410 feet to a point, said point being the Southeasterly most corner of the property as described in Deed Book 5307, page 423; thence with the Easterly lot line of said deed North 22-37-00 East approximately 500 feet to a point, said point being the Southeasterly most corner of the property as described in Deed Book 12589 page 140; thence with the Easterly most lot line of said deed, North 39-20-45 West 594.52 feet to a point, said point being on the Southerly right-of-way margin of

Garrison Road (SR 2471); thence in a Northeasterly direction with the Southerly right-of-way margin of Garrison Road (SR 2471) approximately 420 feet to a point, said point being the Northwesterly most corner of the property as shown on Map Book 33 page 429; thence with the Westerly lot line of the Common Area and Lots 109-104 the following courses; 1) South 27-22-37 East 40.0 feet to a point; 2) South 23-30-24 East 373.73 feet to a point; 3) South 70-58-37 East 16.86 feet to a point; 4) North 80-53-14 East 120.0 feet to a point, said point being on the Westerly right-of-way margin of Big Leaf Drive; thence North 72-59-30 East 50.48 feet to a point, said point being on the Easterly right-of-way margin of Big Leaf Drive, said point also being the Southwesterly most corner of Lot 54 as shown on Map Book 33 page 429; thence with the Southerly lot line of Lots 54-45 and the Westerly lot line of Lots 44 and 41-39 as shown on said map the following courses; 1) North 80-27-46 East 130.0 feet to a point; 2) North 83-56-47 East 32.91 feet to a point; 3) North 80-27-46 East 139.76 feet to a point; 4) North 67-55-17 East 68.01 feet to a point; 5) North 60-09-50 East 202.21 feet to a point; 6) North 68-30-31 East 156.72 feet to a point; 7) South 73-26-25 East 284.68 feet to a point, said point being the place of beginning.

ORDINANCE NO. 3445-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 14th day of September, 2006 and at the public hearing held on the 9th day of October, 2006, 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, 2007, 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 2007, 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:

- 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 38,930.6 feet, of which 15,771.0 feet or 40.5% coincides with the present City boundary.
 3. No part of the area is included within the boundary of another incorporated municipality.
- B. Part or all of the area is developed for urban purposes as described in the following sub-section(s):
1. Except for the portion of the area described in Section 2C below (subsection (d) land), the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(3). There are a total number of 868 lots and tracts within the developed part of the area and of that number 669 or 77.0% 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, 417.0 acres remain in the developed part of the area. Of that acreage, 282.4 acres, or 67.7% are in lots and tracts three acres or less in size in the developed part of the area.
- C. A portion of the proposed annexation area does not meet the requirements of G.S. 160A-48(c), as described in Section 2B1 above, but does meet the requirements of G.S. 160A-48(d)(2). This 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 967.7. Of that acreage, 224.0 acres, or 23.1% is contained in the area not yet developed for urban purposes. The area is adjacent and at least sixty percent (60%) of its external boundary coincides with any combination of the present City boundary and the areas developed for urban purposes as defined in G.S. 160A-48(c). The aggregate boundary of the undeveloped area is 25,083.7 feet of which 22,252.9 feet or 88.7 percent (88.7%) coincides with the present City boundary and the developed area (see the “subsection (d) land” map).

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 24th day of July, 2006 and filed in the office of the Clerk for public inspection, including any amendment(s).

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.

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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Pages (618-633).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.



Brenda R. Freeze, CMC, Deputy City Clerk

EXHIBIT A

ANNEXATION QUALIFYING AREA FY2007

Moores Chapel

Beginning at a point on the Existing Charlotte City Limits Line, described as being in a Northwesterly direction 62 feet from the center line and 40 feet North of and normal to the center line of Moores Chapel Road (SR 1601); thence from said beginning point in a Southeasterly direction following along the Existing Charlotte City Limits Line approximately 62 feet to the centerline of said Moores Chapel road; thence continuing in a Southeasterly direction following along the Westerly boundary line of lots as described in Deed Book 1316 page 02 and Deed book 1205 page 127, South 05-30-00 East 335.00 feet to a point, thence South 01 East 91.5 feet to a point said point being Southeasterly corner of Deed Book 1316 page 02; thence continuing in a Southeasterly direction following along the Westerly boundary line of Lots 59,66,154,153,152 and Lots 155 through 159 and Lots 184,230 as shown on recorded Map Book 7 page 157, South 04-43 East 941.5 feet to a point, and South 36-41 West 297.7 feet to a point; thence in a Southeasterly direction following along the Southerly boundary line of Lots 230 and 229 as shown on said recorded Map Book 7 page 157 as having a bearing of South 38-06 East a total distance of 460 feet to a point, said

point being the Southwesterly corner of Lot 228 as shown on recorded Map Book 7 page 157; thence in a Southeasterly direction following along the Southerly boundary line of Lots 81, 79, 66, 65, 64, 63 crossing Kendall Drive as shown on said recorded Map Book 5 page 213, South 43-44 East 1,651.5 feet to the Southwesterly corner of Lot 63 as shown on recorded Map Book 5 page 213; thence in a Southeasterly direction along the Easterly boundary line of the lot described in Deed Book 2330 page 48 (Tract No.3), South 06-35-30 East 403.19 feet to a point; thence in Southwesterly direction following along a portion of the Southerly boundary line of said Deed Book 2330 page 48 (Tract No.3), South 79-51-30 West 659.66 feet to a point, said point being the Southernmost corner of said Deed Book 2330 page 48 (Tract No 3); thence with a new line in a Southeasterly direction South 08-54-34 East approximately 673.4 feet to a point, said point being a westerly corner of a 123.388 acre tract of land as shown on recorded Map Book 17 page 39; thence in a Southerly direction following along the boundary lines of said lot as shown on recorded Map Book 17 page 39, in seven (7) courses as follows: 1) South 16-08-05 West 1,060.79 feet, 2) South 14-36-13 West 461.79 feet, 3) South 32-29-11 East 619.38 feet, 4) South 03-59-06 West 512.54 feet, 5) South 02-41-48 East 329.95 feet, 6) South 74-25-34 East 396.46 feet, 7) South 53-47-59 East 114.81 feet to a point, said point being the

Southwesterly rear corner of Lot 2 in Block 23 as shown on said recorded Map Book 15 page 361; thence in a Southeasterly direction following along the rear lot lines of Lots 2,3,4 and 5 as shown on said recorded map book, South 44-47-47 East 185 feet and South 24-09-05 East 175 feet to a point, said point being the southerly most corner of said Lot 5; thence in a Northeasterly direction following along the Southerly boundary line of said Lot 5 as having a bearing of North 61-09-41 East approximately 160 feet to a point, said point being on the Southerly boundary of said lot and located 40 feet West of and normal to the centerline of Pawtuckett Road; thence in an Easterly direction following along a line(existing Charlotte City Limits Line) 40 feet South of and parallel with the centerline of said Pawtuckett Road approximately 796 feet to a point, said point being 40 feet South of and parallel with the centerline of said Pawtuckett Road and also being 40 feet West of and normal to the centerline of Sullins Road; thence in a Southerly direction following along a line 40 feet West of and parallel to said Sullins Road approximately 27 feet to a point, said point being 40 feet West of and normal to the centerline of Sullins Road; thence in a Southeasterly direction crossing Sullins road and following along the Westerly boundary line of Lot 9 in Block 21 as shown on recorded Map Book 15 page 361 South 76-29-43 East approximately 270 feet to a point, said

point being the Southeasterly rear corner of said Lot 9; thence with a new line in a Southwesterly direction approximately 200 feet to a point, said point being the Northwesterly corner of Deed Book 2236 page 243; thence in a Southwesterly direction following along the Westerly boundary line of said Deed 2236 page 243 South 9-00 West 585 feet to a point, said point being the Southwesterly corner of said deed; thence in a Southwesterly direction following along the Westerly boundary line of Lots G, F, E and D as shown on recorded Map Book 8 page 303 South 10-09-30 West 463.60 feet to a point; thence South 22-55-33 West approximately 263 feet to a point, said point being located 40 feet North of and normal to the centerline of Kendrick Drive (SR 1636); thence in a Southerly direction following along a line 40 feet West of and parallel with the centerline of Kendrick Drive approximately 345 feet to a point, said point being 40 feet West of and normal to the centerline of Kendrick Drive and also being the Southeasterly corner of Deed Book 3248 page 533; thence in a Northwesterly direction following along the Southerly boundary line of said deed in two courses: 1) North 83-21-07 West approximately 244 feet to a point, 2) North 85-49-45 West 191.00 feet to a point, said point being the Southwesterly most corner of said deed; thence in a Northeasterly direction following along the Westerly boundary line of said Deed Book 3248 page 533 North 03-54-20 East 760.59 feet to a point; thence in a Westerly

direction following along the boundary lines of a lot as described in Deed Book 3655 page 786 in three (3) courses: 1) South 82-21-40 West 798.82 feet to a point, 2) North 81-33 West 148.15 feet to a point, 3) North 81-46 West 739.74 feet to a point; thence in a Southwesterly direction following along a portion of the Westerly boundary line of Deed Book 3655 page 793 South 03-45-10 West 496.40 feet to a point, said point being the Northeasterly most corner of Deed Book 5392 page 843, a common corner with Paw Creek Golf Course as described in Deed Book 13134 page 449 and being located on the Existing Charlotte City limits line; thence in Westerly direction leaving the said Charlotte City Limits line following along the boundary line of said Deed Book 13134 page 449 (Paw Creek Golf Course) with the following (6) courses: 1) North 82-06-58 West 190.35 feet to a point, 2) South 27-15-30 West 168.58 feet to a point, 3) South 05-29-21 West 812.96 feet to a point, 4) South 51-30-55 West 163.92 feet to a point, 5) North 82-27-31 West 504.03 feet to a point, 6) South 68-40-20 West 91.51 feet to a point, said point being located on the Easterly right of way line of I-485; thence in a Northerly direction following along the Westerly boundary line of said Deed Book 13134 page 449 and the Easterly right of way line of said I-485 with the following (10) courses: 1) North 12-58-43 West 447.73 feet to a point, 2) North 12-40-05 West 131.60 to a point, 3) North 22-55-56 East 269.22 feet to a

point, 4) North 10-20-41 West 525.37 to a point 5) North 33-31-05 West 325.87 feet to a point, 6) North 12-38-27 East 137.93 feet to a point, 7) North 28-56-13 West 169.69 feet to a point, 8) North 01-50-10 West 155.29 feet to a point, 9) North 02-38-02 East 288.35 feet to a point, 10) North 08-25-19 East 404.36 feet to a point, said point being located on the Easterly right of way line of said I-485 and also being the Southwesterly most corner of Deed Book 8325 page 164; thence in a Northwesterly direction crossing I-485 with a bearing and distance of North 55 West approximately 477 feet to a point, said point being an Easterly corner of Deed Book 18373 page 113, on the Southerly boundary line of Deed Book 9656 page 300 and on the Westerly right of way line of I-485; thence in a Northwesterly direction along and with the Southerly boundary line of Deed Book 9656 page 300, a common line with Deed Book 18373 page 113 as shown on recorded map book 29 page 226 with(25) courses: 1) South 80-22-02 West 51.60 feet to a point, 2) South 22-52-23 West 53.49 feet to a point, 3) North 69-38-03 West 34.47 feet to a point, 4) South 51-28-13 West 36.67 feet to a point, 5) North 63-54-18 West 49.66 feet to a point, 6) North 23-03-03 West 62.18 feet to a point, 7) North 20-46-20 East 56.66 feet to a point, 8) North 17-10-40 West 36.73 feet to a point, 9) North 23-59-41 East 29.00 feet to a point, 10) North 45-31-05 West 46.09 feet to a point, 11) North 87-14-47 West 32.97 feet to a point, 12) North

51-32-42 West 40.16 feet to a point, 13) North 16-18-42 East 55.25 feet to a point, 14) North 51-43-39 West 24.60 feet to a point, 15) North 21-15-32 West 47.18 feet to a point, 16) North 77-38-53 West 55.33 feet to a point, 17) North 0-36-18 East 30.34 feet to a point, 18) South 87-59-43 West 116.96 feet to a point, 19) North 7-07-42 East 89.88 feet to a point, 20) North 0-01-50 East 95.24 feet to a point, 21) North 48-09-21 East 19.73 feet to a point, 22) North 32-09-53 West 43.00 feet to a point, 23) North 19-55-37 East 90.34 feet to a point, 24) North 02-50-07 East 43.75 feet to a point, 25) North 64-02-13 West 61.68 feet to a point, 26) South 45-41-48 West 65.40 feet to a point, said point being a Westerly corner of said Deed Book 9656 page 300 and also being the Southeasterly corner of a 3.95 acre Common Open Space as shown on recorded Map Book 32 Page 779; thence in a Southwesterly direction following along the rear boundary lines of said Common Open Space and Lots 88, 89 and crossing Kiernan Dr. and continuing with Lots 90, 91, 92, 93, 94, 95, 96 and lot 97 with the following two (2) bearings and distances: 1) South 81-24-33 West 624.78 feet to a point, 2) North 30-30-20 West 425.56 to a point, said point being the Southwesterly most corner of said Lot 97 and also being the Southerly most corner of Lot 98 as shown on recorded Map Book 32 page 777, thence in a Northwesterly direction following along the rear boundary lines of Lots 98 and crossing Glendyne Dr. and

continuing with Lots 99,100,101,102,103 and a portion of lot 104 North 30-30-20 West 456.03 feet to a point, said point being the Westerly most corner of said Lot 104 and also being the Southeasterly corner of Deed Book 13589 page 648, thence in a Westerly direction following along the Southerly boundary line of said Deed Book 13589 pg 648 with the following two (2) bearings and distances: 1) North 80-18-27 West 340.91 feet to a point, 2) North 62-47-54 West 204.27 feet to a point said point being the Southwesterly most corner of said deed and also being located on the centerline of Sam Wilson Road (SR 1625); thence continuing with said bearing North 62-47-54 West to a point that is 30 feet West of and normal to the centerline of Sam Wilson Road; thence in a Northerly direction following along a line that is 30 feet West of and parallel to the centerline of said Sam Wilson Road and crossing Moores Chapel Road approximately 2,024 feet to a point, said point being 30 feet Northwest of and normal to the centerline of said Moores Chapel Road; thence in a Northeasterly direction following along a line that is 30 feet Northwest of and parallel to the centerline of said Moores Chapel Road approximately 621 feet to a point, said point being located 30 feet Northwest of and normal to the centerline of said Moores Chapel Road and also being on the Southwesterly margin of a 12 foot roadway as shown on recorded Map Book 7 page 89; thence in a Northwesterly direction along and with the

Southwesterly margin of said 12 foot roadway as shown on said Map Book with a bearing and distance of North 33-45 West approximately 448 feet to a point, said point being the intersection of the North line of the 40' R/W of Tribune Road extended as shown on Map Book 42 Page 369; thence along the North line of the 40' r/w of Tribune Road extended, North 40-57-17 East approximately 28 feet to a point, said point being a common corner with an area dedicated to NCDOT as public R/W as shown on recorded Map Book 42 page 369; thence in a Northwesterly direction following along and with the boundary lines of said areas as shown on said Map Book 42 page 369 as follows: Along the Southwestern boundary of the area dedicated to the NCDOT, the common open space (0.4720 acres) and along the Northwesterly boundary lines of Lot 247 crossing Cartesian Drive and along Lot 246 as shown on said Map Book 42 page 369 with the following (3) bearings and distances: 1) North 33-31-11 West 357.21 feet to point, 2) North 05-15-11 West 325.20 feet to a point, 3) North 63-47-06 East 513.24 feet to a point, said point being a common corner of said Lot 246 and the Westerly most corner of Common Open Space B (0.03 acres) as shown on recorded Map Book 40 page 951; thence following the rear boundary lines of said Common Open Space B and Lots 232, 231, 230 a portion of Lot 227 through Lot 221 and Lot 287 with the following (8) bearings and distances: 1) North 63-47-06 East 90.69 feet to a

point, 2) North 33-41-24 West 25.47 feet to a point, 3) North 64-09-32 East 121.13 feet to a point, 4) South 19-48-58 East 40.22 feet to a point, 5) North 87-18-41 East 119.74 feet to a point, 6) South 44-07-42 East 74.45 feet to a point, 7) North 40-53-28 East 362.70 feet to a point, 8) South 49-02-43 East 120.00 feet to a point, said point being the Easterly corner of said Lot 287 being located on the Westerly right of way of Tribune Drive; thence in a Northeasterly direction following along the Westerly right of way of Tribune Drive with the following (3) bearings and distances: 1) North 40-27-54 East 58.82 feet to a point, 2) along and with a curve to the left having a radius of 125.00 feet, arc length of 169.70 feet and having a chord bearing of North 01-34-21 East 156.97 feet to a point, 3) North 37-19-12 West 21.97 feet to a point, said point being the Easterly most corner of Lot 211 being located on said right of way as shown on said Map Book 40 page 951; thence following the Southerly boundary line of said Lot 211 South 51-55-22 West 120.01 feet to a point, said point being the Southern most corner of said lot; thence following along with the rear boundary lines of Lots 211, 210, 209, 208, 207, 206, 205 and portion of Lot 204 with the following (6) bearings and distances; 1) North 37-19-12 West 50.00 feet to a point, 2) North 51-55-22 East 5.00 feet to a point, 3) North 37-19-12 West 153.01 feet to a point, 4) North 37-19-12 West 50.26 feet to a point, 5) North 34-56-56 West

40.03 feet to a point, 6) North 30-24-58 West 63.29 feet to a point, said point being the Southeasterly rear corner of Lot 177 as shown on recorded Map Book 40 page 953; thence following along the rear boundary lines of Lot 177 through Lot 162 as shown on said Map Book 40 page 953 with the following (8) bearings and distances: 1) South 59-47-06 West 57.90 feet to a point, 2) South 77-39-15 West 62.37 feet to a point, 3) South 89-44-07 West 61.95 feet to a point, 4) North 78-48-58 West 55.76 feet to a point, 5) North 67-50-17 West 57.67 feet to a point, 6) North 60-53-32 West 195.54 feet to a point, 7) North 58-14-57 West 233.86 feet to a point, 8) along and with a curve to the right having a radius of 295.00 feet an arc length of 59.67 feet and having a chord bearing of North 52-27-15 West 59.57 feet to a point, said point being the Southwesterly rear corner of said Lot 162 as shown on said Map Book 40 page 953 and also being a common corner with Lot 161 as shown on recorded Map Book 37 page 161; thence in a Northwesterly direction following along the rear boundary lines of Lots 161 through 156 with the following bearings and distances: North 38-20-06 West 65.77 feet to a point; North 27-21-10 West 221.29 feet to a point, said being the Westerly most corner of said Lot 156; thence in a Northeasterly direction following along the Northwesterly boundary line of said Lot 156 and the Southeasterly boundary line of a common open space with a bearing and distance of North

59-49-19 East 119.15 feet to a point, said point being located on the Westerly right of way of Hugue Way; thence in a Northwesterly direction following along the Westerly right of way of Hugue Way North 31-26-06 West 40.01 feet to a point located on the said right of way, said point also being a common corner with said common open space and Lot 155; thence in a Southwesterly direction following along the common line with said Lot 155 and said common open space with a bearing and distance of South 58-33-54 West 120.00 feet to a point, said point being the southerly rear corner of said Lot 155, a common corner with said common open space; thence in a Northwesterly direction along the rear boundary lines of Lots 155 through 140 with the following (4) bearings and distances: 1) North 31-26-06 West 410.98 feet to a point, 2) North 24-11-35 West 109.63 feet to a point, 3) North 05-23-15 West 106.08 feet to a point, 4) North 01-28-04 West 80.02 feet to a point, said point being the common rear corner with said Lot 140 and Lot 139 as shown on recorded Map Book 33 page 795; thence following along the rear boundary lines of Lots 139, 138, 137, a 0.0413 acre common open space and Lot 136 and Lot 135 with the following (2) bearings and distances: 1) North 01-23-16 West 160.51 feet to a point, 2) North 24-12-21 West 39.82 feet to a point, said point being the Westerly most corner of said Lot 135; thence in a Northeasterly direction along the Northerly boundary line of said Lot 135

crossing Hugue Way and along the rear boundary lines of Lots 25, 24, 23, 22 and a portion of Lot 21 with the following bearing and distance: North 65-48-32 East 420.62 feet to a point, said point being a common corner with said Lot 21 as shown on said Map Book 33 page 795 and the Westerly most corner of Deed Book 1528 page 307; thence in an Easterly direction following along the Northerly boundary line of said Deed Book 1528 page 307 with the following (2) bearings and distances: 1) North 64-17 East 224.3 feet to a point, 2) South 88 East 150 feet to a point, said point being located in the center of Belmeade Drive; thence in an Easterly direction following along the Northerly boundary line as described in Deed Book 3498 page 51, North 88-10 East 600 feet to a point, said point being a common corner with said Deed Book 3498 page 51 and Deed Book 6273 page 64; thence following along the Northerly boundary line of said Deed Book 6273 page 64 with the following (3) bearings and distances: 1) North 89-52 East 225.87 feet to a point, 2) North 83-09 East 288.80 feet to a point, 3) South 46-26 East 18.7 feet to a point, said point located on the Northwesterly margin of a new 50 foot street as described in Deed Book 2197 pg 294, Deed Book 18725 page 765 and Deed Book 3126 page 289; thence in a Northeasterly direction following along the Northwesterly margin of said new road approximately 564 feet to a point; thence in a Northwesterly direction along the Northeasterly boundary line of

said Deed 3287 page 249 approximately 509 feet to a point; thence in a Northeasterly direction following the Northerly boundary line of Deed Book 19390 page 38 with a bearing and distance of North 60-00 East 1024.00 feet to a point, said point being the Northerly most corner of said Deed Book 19390 page 38 located in the centerline of Rhyne Road; thence continuing in a Northeasterly direction North 60-00 East to a point 30 feet East of the centerline and normal to Rhyne Road; thence in a Southeasterly direction following a line 30 feet East of and parallel with the centerline of said Rhyne Road approximately 1083 feet to a point, said point being 30 feet East of and normal to the centerline of said Rhyne Road located on the Westerly right of way line of I-485; thence in a Southeasterly direction crossing I-485 approximatly South 45 East 681 feet to a point located on the Easterly right of way of I-485 and also being located 40 feet North of and normal to the centerline of Old Moores Chapel Road; thence in a Southeasterly direction approximately 358 feet following a line 40 feet North of and parallel with the centerline of said Old Moores Chapel Road to the POINT AND PLACE OF BEGINNING.

ORDINANCE NO. 3446-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 14th day of September, 2006 and at the public hearing held on the 9th day of October, 2006, 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, 20007, 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 20007, 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:

- 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 10,708.3 feet, of which 6,249.1 feet or 58.3 percent coincides with the present City boundary.
 3. No part of the area is included within the boundary of another incorporated municipality.
- B. Part or all of the area is developed for urban purposes as described in the following sub-sections:
1. Except for the portion of the area described in Section 2C below (subsection (d) land), the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The part of the area remaining (developed part of the area) 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 6.05 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 238 dwelling units in the area (all single family units), which when multiplied by the average household size of 3.12 for single-family units and taking into account occupancy rates of 96.4% for single family units (all according to the latest federal decennial census) results in an estimated total resident population of 666. This population, when divided by the total number of acres (110.0) in the developed part of the area, results in a population density of 6.05 persons per acre.
 2. Except for the portion of the area described in Section 2C below (subsection (d) land), the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(2). The part of the area remaining (developed part of the area) after removing the subsection (d) land 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 requirements of G.S. 160A-48(c)(2). There are a total number of 257 lots and tracts within the developed part of the area, and of that number there are 249 lots and tracts of one acre or less in size, which equals 96.8% of the total. Furthermore, there are a total of 110.0 acres (excluding streets) in the developed part of the area, and of that number 67.0 acres consist of lots and tracts of three acres or less in size, which represents 67.7% 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 6.05 persons per acre.

3. Except for the portion of the area described in Section 2C below (subsection (d) land), the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(3). There are a total number of 257 lots and tracts within the developed part of the area and of that number 237 or 92.2% 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, 62.6 acres remain in the developed part of the area. Of that acreage, 58.7 acres, or 93.7% are in lots and tracts three acres or less in size in the developed part of the area.
- C. A portion of the proposed annexation area does not meet the requirements of G.S. 160A-48(c), as described in Sections 2B1, 2B2, and 2B3 above, but does meet the requirements of G.S. 160A-48(d)(2). This 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 128.5. Of that acreage, 18.5 acres, or 14.3% is contained in the area not yet developed for urban purposes. The area is adjacent and at least sixty percent (60%) of its external boundary coincides with any combination of the present City boundary and the areas developed for urban purposes as defined in G.S. 160A-48(c). The aggregate boundary of the undeveloped area is 6,095.8 feet of which 4,523.3 feet or 74.2 percent coincides with the present City boundary and the developed area (see the “subsection (d) land” map).
 - D. In determining the population of the area, it has been assumed that, as noted above, all dwelling units in the area may not be occupied and that some dwelling units 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 24th day of July, 2006 and filed in the office of the Clerk for public inspection, including any amendment(s).

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.

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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Pages (634-645).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.



Brenda R. Freeze, CMC, Deputy City Clerk

EXHIBIT A

ANNEXATION QUALIFYING AREA FY2007

PROVIDENCE POINT

Beginning at a point on the existing CHARLOTTE CITY LIMITS, said point being the southern most corner of Deed Book 11140, Page 789 located on the Mecklenburg County, North Carolina / Lancaster County, South Carolina line; said BEGINNING POINT being also the Southwesterly corner of an area entitled Common Area (1.36 Acres) as shown on recorded Map Book 41, Page 13; thence in a Northwesterly direction along and with the Mecklenburg County, North Carolina / Lancaster County, South Carolina line approximately 3,200 feet to the point of intersection with the Northerly margin of Providence Road West; said point being the Southwesterly corner of Lot 62 as shown on said Map Book 34, Page 176; thence continuing along and with the Northerly margin of said Providence Road West and with the Southerly line of Lot 62 as shown on said Map Book 34, Page 176 with the following bearing and distance, North 46-49-19 East 16.62 feet to a point, said point being the Southwesterly corner of Lot 102 as shown on said Map Book 28, Page 747; thence continuing along and with the Northerly margin of said Providence Road West and with the Southerly line of Lots

102, 01, and 02 as shown on said Map Book 28, Page 747 with the following bearing and distance North 47-51-06 East 346.43 feet to a point, said point being the Southeasterly corner of said Lot 02 as shown on Map Book 28, Page 747; thence in a Northeasterly direction crossing Glenfinnan Drive with a bearing and distance of North 47-51-06 East 100.32 feet to a point, said point being on the Southerly line of Lot 3 as shown on said Map Book 28, Page 747; thence with the Southerly line of Lot 3 and 4 as shown on Map Book 28, Page 747 with the following (2) circular curves: 1) the arc of circular curve to the right and having a radius of 2702.07 feet, a distance of 70.82 feet with a chord of North 48-35-22 East 70.82 feet to a point, 2) the arc of circular curve to the right and having a radius of 2702.07 feet, a distance of 9.32 feet with a chord of North 49-26-21 East 9.32 feet to a point, said point being the Southwesterly corner of Lot A as shown on said Map Book 28, Page 847; thence continuing along and with the Northerly margin of said Providence Road West and with the Southerly lines of Lot A and B as shown on said Map Book 28, Page 847 with the arc of a circular curve to the right having a radius of 2,702.07 feet and an arc of 179.03 feet to a point; thence with the arc of a circular curve to the right having a radius of 2,000 feet and an arc

of 176.97 feet to a point, said point being on the Southwesterly line of Deed Book 8659, Page 24; thence with the Western line of Deed Book 8659, Page 24, South 23-55-37 East approximately 5 feet to the Northerly margin of said Providence Road West; thence with the Northerly margin of said Providence Road West in a Northeasterly direction Approximately 169 feet to a point, said point being the Southwesterly corner of Lot 1 as shown on said Map Book 24, Page 134; thence with the Southerly line of Lot 1 as shown on Map Book 24, Page 134 and the Northerly margin of said Providence Road West in a Northeasterly direction approximately 153 feet to a point on the Southerly line of Lot 1 and also being a point on the existing CHARLOTTE CITY LIMITS LINE, thence along the CHARLOTTE CITY LIMITS LINE in a southeasterly direction with the bearing of South 25-04-24 East approximately 60 feet to the Southerly margin of Providence Road West; thence in a Southeasterly direction along and with the Easterly line of said Deed Book 10293, Page 366 a common line with said Deed Book 10848, Page 598 as shown on Map Book 31, Page 579 and Map Book 31, Page 665 with the following bearing and distance of South 25-04-24 East 535.21 feet to a point, said point being the Southeasterly corner of Deed Book 10293, Page 366 and also being the Southwesterly corner of Deed Book 10848, Page 598

located on the Northerly line of said Deed Book 11140, Page 789; thence in a Northeasterly direction along and with the property line of said Deed Book 11140, Page 789 with the following (5) bearings and distances: 1) North 65-20-35 East 490.64 feet to a point, 2) South 28-02-31 West 456.34 feet to a point, 3) North 83-49-25 East 1056.72 feet to a point, 4) South 05-18-09 West 158.11 feet to a point, 5) South 14-04-00 West approximately 117.99 feet to a point, said point being the Northwesterly most corner of said Lot 440 as shown on said Map Book 37, Page 13 and also being located on a portion of the Easterly line of said Deed Book 11140, Page 789; thence in a Southeasterly direction along and with the Northeasterly lines of Lots 440, 441, 442, 443 and 444 with the following (2) bearings and distances: 1) South 69-25-09 East 179.61 feet to a point, 2) South 51-58-53 East 258.48 feet to a point, said point being located on the Northerly line of a Common Area (0.19 Acres), said point more precisely located South 51-58-53 East 33.01 feet from the easterly most corner of Lot 444 as shown on said Map Book 37, Page 13; thence in a Southeasterly direction crossing Springwell Street with a bearing and distance of South 13-28-43 East approximately 120 feet to a point, said point being the Northwesterly corner of said Lot 01 as shown on said Map Book 35, Page 335 and also being shown on

Map Book 37, Page 13; thence in a Southeasterly direction along and with the Westerly lines of Lots 01, 02, and 03 as shown on Map Book 35, Page 335 with the following (3) bearings and distances: 1) South 12-57-43 East 73.35 feet to a point, 2) South 13-01-26 East 73.33 feet to a point, 3) South 13-07-41 East 75.85 feet to a point, said point being the Southwesterly corner of Lot 03 as shown on Map Book 35, page 335 and also being the Northwesterly corner of Lot 04 as shown on Map Book 35, Page 753; thence continuing in a Southerly direction along and with the Westerly lines of Lots 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, and 15 as shown on said Map Book 35, Page 753 with the following (5) bearings and distances: 1) South 13-07-41 East 204.16 feet to a point, 2) South 06-48-12 West 103.68 feet to a point, 3) South 01-45-00 West 244.20 feet to a point, 4) South 01-32-31 East 86.12 feet to a point, 5) South 02-44-00 West 132.83 feet to a point, said point being the Southwesterly corner of Lot 15 as shown on Map Book 35, Page 753 and also being Northwesterly corner of Lot 16 as shown on Map Book 36, Page 866; thence in a Southerly direction along and with the Westerly lines of said Common Open Space and Lots 16, 17, 18, 19, 20, 21, 22, 23, and 24 as shown on said Map Book 36, Page 866 with the following(5) bearings and distances: 1) South 02-44-00

West 153.21 feet to a point, 2) South 12-07-35 West 205.77 feet to a point, 3) South 00-14-45 West 92.31 feet to a point, 4) South 04-50-36 West 142.96 feet to a point, 5) South 05-06-10 West 354.00 feet to a point, said point being the Southern most corner of an area entitled Common Open Space (3.467 Acres) as shown on Map Book 36, Page 866; thence with a portion of the Southerly line of said Deed Book 11140, Page 789 with the following (5) bearings and distances: 1) South 63-00-02 West 366.67 feet to a point, 2) North 86-39-48 West 372.00 feet to a point, 3) North 86-37-37 West 152.00 feet to a point, 4) South 57-22-54 West 25.63 feet to a point, 5) South 56-25-05 West 65.74 feet to a point, said point being the southern most corner of Deed Book 11140, Page 789 located on the Mecklenburg County, North Carolina / Lancaster County, South Carolina line and also the place of beginning.

ORDINANCE NO. 3447-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 14th day of September, 2006 and at the public hearing held on the 9th day of October, 2006, 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, 20007, 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 20007, 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:

- 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 40,707.9 feet, of which 23,240.3 feet or 57 percent coincides with the present City boundary.
 3. No part of the area is included within the boundary of another incorporated municipality.
- B. Part or all of the area is developed for urban purposes as described in one or more of the following sub-section(s):
1. Except for the portion of the area described in Section 2C below (subsection (d) land), the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The part of the area remaining (developed part of the area) 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 3.74 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 835 dwelling units in the area (394 single family units and 441 multi-family units), which when multiplied by the average household size of 3.12 for single-family units and 1.30 for multi-family units and taking into account occupancy rates of 96.4% for single family units and 71.4% for multi-family units (all according to the latest federal decennial census) results in an estimated total resident population of 1,596. This population, when divided by the total number of acres (426.7) in the developed part of the area, results in a population density of 3.74 persons per acre.
 2. Except for the portion of the area described in Section 2C below (subsection (d) land), the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(3). There are a total number of 659 lots and tracts within the developed part of the area and of that number 626 or 94.9% 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, 163.4 acres remain in the developed part of the area. Of that acreage, 132.1 acres, or 80.8% are in lots and tracts three acres or less in size in the developed part of the area.
- C. A portion of the proposed annexation area does not meet the requirements of G.S. 160A-48(c), as described in Sections 2B1 and 2B2 above, but does meet

the requirements of G.S. 160A-48(d)(2). This 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 552.0. Of that acreage, 125.3 acres, or 22.6% is contained in the area not yet developed for urban purposes. The area is adjacent and at least sixty percent (60%) of its external boundary coincides with any combination of the present City boundary and the areas developed for urban purposes as defined in G.S. 160A-48(c). The aggregate boundary of the undeveloped area is 10,626.4 feet of which 6,409.7 feet or 60.1% coincides with the present City boundary and the developed area (see the “subsection (d) land” map).

- D. In determining the population of the area, it has been assumed that, as noted above, all dwelling units in the area may not be occupied and that some dwelling units 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 24th day of July, 2006 and filed in the office of the Clerk for public inspection, including any amendment(s).

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.

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 27th day of November, 2006, the reference having been made in Minute Book 124, and recorded in full in Ordinance Book 54, Pages (645-662).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of November, 2006.



Brenda R. Freeze, CMC, Deputy City Clerk

EXHIBIT A

ANNEXATION QUALIFYING AREA FY2007

TOM SHORT

Beginning at a point on the existing CHARLOTTE CITY LIMITS LINE, said point being the southeasterly most corner of Deed Book 6690, Page 893 and located on the Northerly right-of-way margin of I-485 Controlled Access; said BEGINNING POINT being also located on the Southerly line of an area entitled Common Area(0.660 Acres) as shown on recorded Map Book 41, Page 939; thence in a Southwesterly direction along and with the Northerly right-of-way margin of I-485 Controlled Access and being along and with the Southerly line of said Common Area as shown on said Map Book 41, Page 939 an approximate distance of 87 feet to a point, said point being the Southeasterly corner of an area entitled Common Area (0.406 Acres) as shown on Map Book 41, Page 537; thence continuing along and with the Northerly right-of-way margin of I-485 Controlled Access and being along the southerly line of said Common Area as shown on said Map Book 41, Page 537 with the arc of a circular curve to the right having a radius of 7464.44 feet, a distance of 100.97 feet with a chord of South 73-38-40 West 100.97 feet to a point, said point being the Southeasterly corner of an area entitled Common Area (1.235 Acres) as shown on Map

Book 41, Page 27; thence continuing along and with the Northerly right-of-way margin of I-485 Controlled Access and being along the Southerly line of said Common Area as shown on said Map Book 41, Page 27 with the following (2) calls: 1) with the arc of a circular curve to the right having a radius of 7464.44 feet, a distance of 483.13 feet with a chord of South 75-53-10 West 483.04 feet to a point, 2) South 83-31-04 West 82.87 feet to a point, said point being the Southeasterly corner of Lot 8 as shown on Map Book 40, Page 923; thence continuing along and with the Northerly right-of-way margin of I-485 Controlled Access and being along the Southerly line of said Lots 08, 09, 07, and 06 as shown on said Map Book 40, Page 923 with the following (11) calls: 1) South 83-39-12 West 8.56 feet to a point, 2) South 81-31-13 West 150.00 feet to a point, 3) South 83-08-20 West 189.03 feet to a point, 4) with the arc of a circular curve to the right and having a radius of 1020.92 feet, a distance of 260.98 feet with a chord of North 86-09-23 West 260.27 feet to a point, 5) North 75-27-06 West 189.03 feet to a point, 6) North 73-49-59 West 302.90 feet to a point, 7) North 75-54-48 West 163.01 feet to a point, 8) with the arc of circular curve to the left and having a radius of 841.20 feet, a distance of 25.54 feet with a chord of North 80-42-11 West 25.54 feet to a

point, 9) with the arc of a circular curve to the left and having a radius of 841.20 feet, a distance of 45.12 feet with a chord of North 83-06-34 West 45.11 feet to a point, 10) North 88-33-57 West 163.01 feet to a point, 11) South 89-21-15 West 38.92 feet to a point, said point being on the Easterly margin of Providence Road (NC Highway 16); thence in a Southwesterly direction crossing Providence Road (NC Highway 16) approximately 200 feet to a point on the Westerly margin of Providence Road (NC Highway 16) and also on the Northerly right-of-way margin of I-485 Controlled Access; said point being the Southeasterly corner of Lot 6 as shown on Map Book 40, Page 287; thence continuing along and with the Northerly right-of-way margin of I-485 Controlled Access and being along the Southerly line of said Lots 06 and 04 as shown on said Map Book 40, Page 287 with the following (5) calls: 1) South 79-57-15 West 533.76 feet to a point, 2) South 81-34-17 West 189.03 feet to a point, 3) with the arc of a circular curve to the right and having a radius of 1020.92 feet, a distance of 246.49 feet with a chord of North 88-07-49 West 245.89 feet to a point, 4) North 80-40-40 West 184.22 feet to a point, 5) North 76-12-47 West 49.91 feet to a point, said point being the Southeasterly corner of Land Lease Parcel 1 as shown on Map Book 37, Page 149; thence continuing along and

with the Northerly right-of-way margin of I-485 Controlled Access and being along the Southerly line of said Land Lease Parcel 1 and Lot 3 as shown on said Map Book 37, Page 149 North 76-12-47 West 1000.02 feet to a point, said point being at the Southeasterly corner of the lot described in Deed Book 16720, Page 578 (Tract two); thence continuing along and with the Northerly right-of-way margin of I-485 controlled access and along the Southwesterly line of said lot North 80-49-24 West approximately 516 feet to a point, said point also being along and on the Northerly right-of-way margin of I-485 Controlled Access; thence in a Southwesterly direction crossing I-485 perpendicular to the centerline of I-485 approximately 340 feet to a point on the Southerly right-of-way margin of I-485 Controlled Access line, said point being at the intersection of said Controlled Access line and the Northerly lot line of the lot described in Deed Book 17691, Page 391; thence following said lot line North 76-12-38 West approximately 124 feet to a point, said point being the Northeasterly corner of an area entitled Common Open Space #1 (6.782 Acres) as shown on Map Book 44, Page 828; thence continuing along and with the Southerly right-of-way margin of I-485 Controlled Access and being along the Northerly line of said Common Open Space #1 as shown on said Map Book 44,

Page 828 North 80-48-50 West 1782.78 feet to a point, thence leaving the right-of-way margin of I-485 Controlled Access, following the Common Open Space #1 South 07-20-16 West 267.85 feet to a point; thence continuing along and with the Southerly line of said Common Open Space #1 and being along and with the Northerly margin of Alvarado Way as shown on said Map Book 44, Page 828 with the following (2) calls: 1) South 83-44-23 West 311.11 feet to a point, 2) with the arc of a circular curve to the left and having a radius of 758.50 feet, a distance of 166.42 feet with a chord of North 89-58-29 East 166.09 feet to a point; thence leaving the Northerly margin of Alvarado Way and crossing said road South 06-18-40 East 60.00 feet to a point, said point being on the Northerly line of Lot 129 as shown on Map Book 44, Page 828; thence continuing along and with the Southerly margin of Alvarado Way and Easterly margin of Stone Porch Road and being along the Northwesterly line of said Lot 129 as shown on said Map Book 44, Page 828 and Map Book 43, Page 921 with the following (2) calls: 1) with the arc of a circular curve to the left and having a radius of 30.00 feet, a distance of 44.40 feet with a chord of South 41-19-30 West 40.45 feet to a point, 2) South 01-04-10 East 109.37 feet to a point; thence leaving the Easterly margin of Stone Porch Road and crossing said road with the arc of

a circular curve to the right having a radius of 955.50 feet, a distance of 45.02 feet with a chord of South 87-25-51 West 45.02 to a point; thence with the Westerly margin of Stone Porch Road North 01-04-10 West 10.00 feet to a point, said point being the Southeasterly corner of Lot 128 as shown on Map Book 43, Page 921; thence continuing along and with the Southerly line of said Lots 128, 127, 126, 125, 124, 123, 122, and 121 as shown on said Map Book 43, Page 921 with the following (5) calls: 1) with the arc of a circular curve to the right having a radius of 945.50 feet, a distance of 28.89 feet with a chord of South 89-39-16 West 28.89 feet to a point, 2) with the arc of a circular curve to the right having a radius of 943.31 feet, a distance of 38.44 feet with a chord of North 88-18-34 West 38.44 feet to a point, 3) with the arc of a circular curve to the right having a radius of 943.31 feet, a distance of 55.28 feet with a chord of North 85-27-48 West 55.27 feet to a point, 4) with the arc of a circular curve to the right having a radius of 943.31 feet, a distance of 0.85 feet with a chord of North 83-45-32 West 0.85 feet to a point, 5) North 83-44-23 West 316.94 feet to a point; thence along and with the Westerly line of Lot 121 as shown on Map Book 43, Page 921 North 06-15-37 East 127.00 feet to a point, said point being the Northwesterly corner of Lot

121 on the Southerly margin of Alvarado Way as shown on Map Book 43, Page 921; thence continuing along and with the Southerly margin of Alvarado Way as shown on Map Book 43, Page 921 with the following(4) calls: 1) North 83-44-23 West 21.28 feet to a point, 2) with the arc of a circular curve to the left having a radius of 570.00 feet, a distance of 174.10 feet with a chord of South 87-30-37 West 173.42 feet to a point, 3) South 75-44-36 West 60.00 feet to a point, 4) with the arc of a circular curve to the left having a radius of 570.00 feet, a distance of 140.85 feet with a chord of South 65-38-51 West 140.49 feet to a point; thence leaving the Southerly margin of Alvarado Way and continuing along and with the Easterly line of said Lots 115, 347, 346, 345, 344, 343, 342, 341, 340, 339, 338, 337, 336, 335, and 333 as shown on said Map Book 43, Page 921 with the following(7) bearings and distances: 1) South 31-25-53 East 120.95 feet to a point, 2) South 53-28-54 West 28.33 feet to a point, 3) South 14-36-54 East 20.17 feet to a point, 4) South 08-08-20 East 171.23 feet to a point, 5) South 10-14-00 East 501.54 feet to a point, 6) South 84-04-49 East 22.25 feet to a point, 7) South 05-57-47 West 135.45 feet to a point, said point being the Southeasterly corner of Lot 333 as shown on Map Book 43, Page 921 and a point along the Northerly margin of Cactus Valley Road;

thence leaving the Northerly margin of Cactus Valley Road and crossing said road South 05-57-47 West 45.00 feet to a point, said point being along the Southerly margin of Cactus Valley Road; thence with the Southerly margin of Cactus Valley Road North 84-02-13 West approximately 11 feet to a point; said point being along the Southerly margin of said road and said point being located along the Easterly line of Deed Book 17691, Page 382; thence leaving the margin of said road and along the Easterly line of said Deed book 17691, Page 382 South 09-54-23 East approximately 343 feet to a point, said point being the Southeasterly corner of said Deed Book 17691, Page 382; thence with or near the centerline of Flat Branch Creek and continuing along and with the Southerly line of Deed Book 17691, Page 382 with the following (7) bearings and distances: 1) North 76-35-15 West 31.84 feet to a point, 2) North 74-45-17 West 163.19 feet to a point, 3) North 84-46-15 West 20.48 feet to a point, 4) North 84-46-15 West 136.57 feet to a point, 5) South 72-21-15 West 231.49 feet to a point, 6) South 72-21-15 West 272.41 feet to a point, 7) South 71-15-05 West 185.45 feet to a point, said point being the Southeasterly corner of an area entitled Common Open Space #2 (5.748 Acres) as shown on Map Book 44, Page 824; thence along and with the Southerly line of said Common Open Space #2 as

shown on said Map Book 44, Page 824 with the following (3) bearings and distances: 1) South 71-15-05 West 29.91 feet to a point, 2) South 69-08-24 West 514.68 feet to a point, 3) South 69-21-09 West 325.45 feet to a point, said point being the Southwesterly corner of Common Open Space #2 as shown on Map Book 44, Page 824 being approximately 30 feet East of and normal to the centerline of Tom Short Road; thence in a Southerly direction along a line 30 feet East of and parallel to Tom Short Road approximately 1,452 feet to a point, said point being the Northwesterly corner of an area entitled Common Open Space #1 (0.252 Acres) as shown on Map Book 44, Page 902; thence continuing along and with the Easterly margin of Tom Short Road and being along the Westerly line of Common Open Space #1 and Lots 205, 206, 207, 208, 209, and 210, as shown on said Map Book 44, Page 902 with the following (5) calls: 1) with the arc of a circular curve to the right and having a radius of 1372.00 feet, a distance of 60.86 feet with a chord of South 13-23-46 West 60.86 feet to a point, 2) with the arc of a circular curve to the right having a radius of 1372.00 feet, a distance of 19.24 feet with a chord of South 15-04-07 West 19.24 feet to a point, 3) South 15-28-13 West 281.52 feet to a point, 4) with the arc of a circular curve to the left having a radius of 2,965.00 feet, a distance of

39.90 feet with a chord of South 15-22-56 West 39.90 feet to a point, 5) with the arc of a circular curve to the left having a radius of 2965.00 feet, a distance of 110.08 feet with a chord of South 15-03-03 West 110.08 feet to a point; thence with the Easterly margin of Tom Short Road as shown on Map Book 44, Page 902 crossing Mesa Verde Road South 14-46-21 West 110.05 feet to a point, said point being the intersection of the Easterly margin of Tom Short Road and the Southerly margin of Mesa Verde Road as shown on said Map; said point being 33.88 feet East of and normal to the centerline of Tom Short Road; thence North 74-37-40 West 3.88 feet to a point 30 feet of the centerline of Tom Short Road; thence in a Southerly direction along a line 30 feet East of and parallel to Tom Short Road approximately 766 feet to a point, said point being the Northwesterly corner of the Lot as described in Deed Book 12353, Page 817; thence continuing along a line 30 feet East of and parallel to Tom Short Road approximately 1,888 feet to a point on the existing CHARLOTTE CITY LIMITS LINE; thence in Southwesterly direction along and with the CHARLOTTE CITY LIMITS LINE from the eastern margin of Tom Short Road South 59-39-31 West approximately 230 feet crossing Tom Short Road to a point; thence from said point along and with the Northerly line of a 60 foot strip of land as shown on Map

Book 24, Page 20 North 78-12-39 West 472.39 feet to a point, said point being the Northeast corner of Lot 30 as shown on Map Book 26, Page 532; thence from said point along and with the Northerly line of Lots 30, 29, 21 and 20 as shown on Map Book 26, Page 532 North 78-12-39 West 648.91 feet to a point, said point being the Northwesterly Corner of Lot 20 as shown on Map Book 26, Page 532; thence from said point in a Westerly direction approximately 20 feet to a point, said point being on the existing CHARLOTTE CITY LIMITS line in the centerline of Flat Branch Creek and also being the Southeasterly corner of Common Open Space (3.392 Acres) as shown on Map book 36, Page 293; thence in a Northeasterly direction along the existing CHARLOTTE CITY LIMITS line through the approximate center of the property as described in Deed Book 7527, Page 695 and also along and with the center line of Flat Branch Creek approximately 3,850 feet to a point, said point being on the existing CHARLOTTE CITY LIMITS line and being the Southeasterly most corner of Lot 10, Block 03 as shown on Map Book 21, Page 09; thence in a Northwesterly direction following along and with the Easterly line of Lots 10, 09, 08, 07, 06, 05, 01, Block 03 & 31, 26, Block 01 and crossing over Wild Azalea Lane as shown on Map Book 21, Page 09 North 19-19-10 West 1116.73 feet to a point, said point being the Northeastern

corner of Lot 26, Block 03 as shown on Map Book 21, Page 09; thence with the Easterly line of Lots 25, 24, 23, 22, 21, 20, 19, 18, 17, 16, 15, and 14, Block 1 as shown on Map Book 20, Page 755 North 19-19-10 West 1003.14 feet to a point, said point being the Northeasterly corner of Lot 14, Block 01 as shown on Map Book 20, Page 755; thence with the rear or Easterly line of Lots 13, 12, 11, 10, 09, 08, 07, 06, 05, 04, 03, 02, and 01, Block 01 as shown on Map Book 20, Page 638 with the following (2) bearings and distances: 1) North 19-19-10 West 353.13 feet to a point, 2) North 13-44-52 East 797 feet to a point, said point being located on the Eastern boundary line of Lot 01, Block 01 as shown on Map Book 20, Page 638 and being 40 feet South of the center of Ballantyne Commons Parkway (formerly Providence Road West); thence in a Northeasterly direction following along a line 40 feet South of and parallel with the centerline of Ballantyne Commons Parkway (formerly Providence Road West) with the existing CHARLOTTE CITY LIMITS line, crossing Tom Short Road and I-485 approximately 1,172 feet to a point, said point being on the Northerly boundary of property described in Deed Book 2840, Page 122; and approximately 490 feet from the Northeast most corner of said property; thence from said point along a line 40 feet South of and parallel with the centerline of Ballantyne Commons

Parkway (formerly, Providence Road West) approximately 490 feet to a point, said point being the Northeasterly corner of the Lot described in Deed Book 2840, Page 122; thence along the Westerly line of Deed Book 10448, Page 38 and the existing CHARLOTTE CITY LIMITS line South 01-15-54 West 274.10 feet to a point, said point being the Southwesterly corner of said Deed Book 10448, Page 38, said point also being on the Northerly right-of-way margin line of I-485 Controlled Access line; thence in a Southeasterly direction along and with the Northerly right-of-way margin of I-485 Controlled Access line and the existing CHARLOTTE CITY LIMITS line approximately 3,437 feet to a point; said point being the Southeasterly corner of the Lot described in Deed Book 10448, Page 46; thence along the easterly line of said Deed Book 10448, Page 46 North 13-47-13 East 824.10 feet to a point, said point being the Northeasterly corner of said Deed Book 10448, Page 46 and also a point on the existing CHARLOTTE CITY LIMITS LINE; thence in an Easterly direction following the existing CHARLOTTE CITY LIMITS line, along a line 40 feet South of and parallel with the centerline of Ballantyne Commons Parkway (formerly, Providence Road West) approximately 2,425 feet to a point, said point being the intersection of a line 40 feet South of and parallel to

Ballantyne Commons Parkway (formerly, Providence Road West) and McKee Road, and the centerline of Providence Road (NC Highway 16); thence in an easterly direction 40 feet South of and parallel with the centerline of McKee Road approximately 2,465 feet to a point, said point being the intersection of a line 40 feet South of and parallel to Tilley Morris Road and 40 feet South of and parallel to McKee Road; thence in a Southeasterly direction along a line 40 feet South of and parallel to Tilley Morris Road approximately 650 feet to a point, said point being the Northwesterly corner of the Lot as described in Deed Book 2096, Page 493; thence along the Northwesterly line of said Deed Book 2096, Page 493 South 42-30-00 West approximately 587 feet to a point; said point being the Northwesterly corner of the lot described in Deed Book 6690, Page 893; thence following said lot line South 42-30-00 West 615 feet to a point, the place of beginning.