

ORDINANCE NO. 4086-X

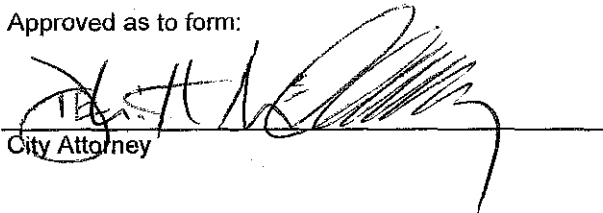
O-34

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3937-X, THE 2008-2009 BUDGET ORDINANCE APPROPRIATING A GRANT FROM THE NORTH CAROLINA SAFE ROUTES TO SCHOOLS PROGRAM FOR PEDESTRIAN INFRASTRUCTURE FOR SEDGEFIELD ELEMENTARY SCHOOL

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

- Section 1. That the sum of \$300,000 is hereby estimated to be available from the North Carolina Safe Routes to School Infrastructure Grant Program
- Section 2. That the sum of \$300,000 is hereby appropriated in the General Capital Investment Fund (2010) to the Sidewalk Construction Program, Sedgefield Elementary School Project (331.62).
- Section 3. That the existence of this project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.
- Section 4. All ordinances in conflict with this ordinance are hereby repealed.
- Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

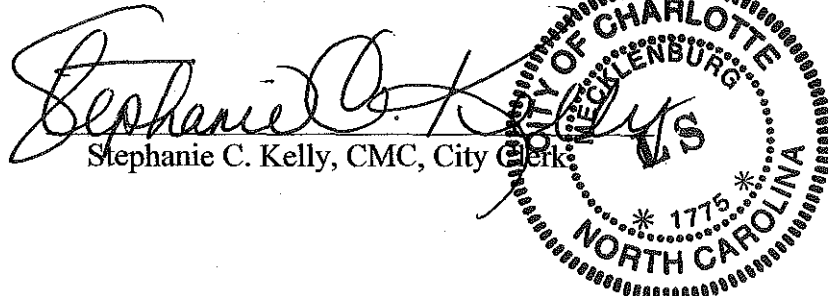


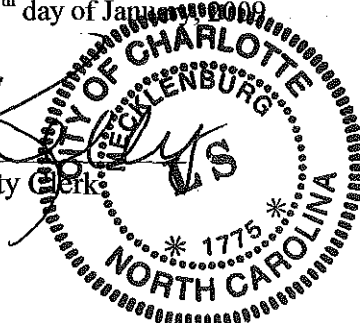
City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Ordinance Book 55, Page 960.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 2009


Stephanie C. Kelly, CMC, City Clerk



ORDINANCE NO. 4087-X

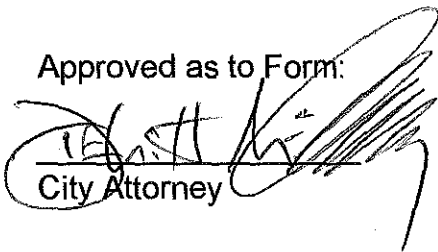
O-35

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3937-X, THE 2008-2009 BUDGET ORDINANCE, ESTIMATING STATE GRANT FUNDS AND PROVIDING AN APPROPRIATION FOR POND AND DAM REHABILITATION.

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

- Section 1. That the sum of \$790,000 is hereby estimated to be available from the State of North Carolina Pollution Control Program.
- Section 2. That the sum of \$790,000 is hereby appropriated to the Storm Water Capital Investment Fund 2701; 35870 - Storm Water Pollution Control.
- Section 3. All ordinances in conflict with this ordinance are hereby repealed.
- Section 4. This ordinance shall be effective immediately.


Approved as to Form:

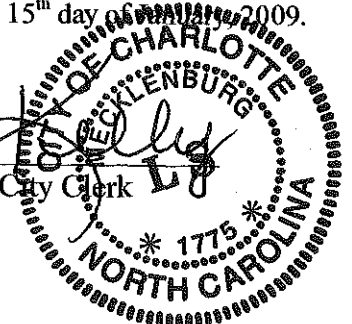

City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Ordinance Book 56, Page 961.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 2009.

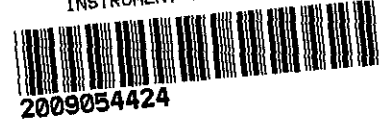

Stephanie C. Kelly, CMC, City Clerk



Eastfield North

ORDINANCE NO. 4088-X

FOR REGISTRATION J. DAVID GRANBERRY
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2009 APR 21 01:48:04 PM
BK: 24660 PG: 124-137 FEE: \$48.00
INSTRUMENT # 2009054424



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 18th day of September, 2008, and at the public hearing held on the 8th day of December, 2008, 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, 2009, 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 2009, 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:

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RETURNED TO CUSTOMER
JTB

- A. The area proposed to be annexed meets the general standards of G.S. 160A-48(b) as follows:
1. The area is contiguous, as defined in G.S. 160A-53, to the City's boundary as of the time of the beginning of this annexation proceeding.
 2. The aggregate boundary of the area is **20,899.6** feet, of which **11,531.2** feet or **55.1%** 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-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 **3.07** persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are **390** dwelling units in the area (**296 single family and 94 multi-family**), which when multiplied by the average household size of **2.87** for single-family units and **2.00** for multi-family units and taking into account an occupancy rate of **96.2%** for single family units and **81.5%** for multi-family units (all according to the latest federal decennial census, augmented by the 2006 U.S. Census American Community Survey data) results in an estimated total resident population of **953**. This population, when divided by the total number of acres (**309.5**) in the developed part of the area, results in a population density of **3.07** 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 **326** lots and tracts within the developed part of the area and of that number **303** or **92.9%** 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, **142.5** acres remain in the developed part of the area. Of that acreage, **86.6** acres, or **60.7%** 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 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 **345.6**. Of that acreage, **36.1** acres, or **10.4%** 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 **19,110.9** feet of which **17,420.9** feet or **91.1%** coincides with the present City boundary and the developed area (see the “subsection (d) land” map) in the report of plans for services approved by the City Council.
- 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 28th day of July, 2008, and filed in the office of the Clerk for public inspection, including any amendment(s).

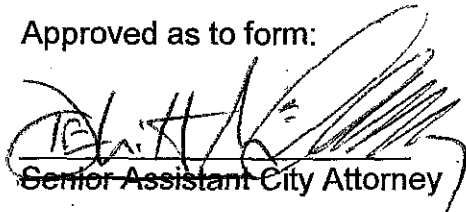
Section 4. That the City Council does hereby specifically find and declare that, on the effective date of annexation prescribed in Section 1 hereof, the City of Charlotte will have authority to issue bonds under the provisions of Sub-chapter IV of Chapter 159 of the General Statutes, if necessary, in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

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Ordinance Book 55, Pages (962-973).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 2009.



Stephanie C. Kelly, CMC, City Clerk

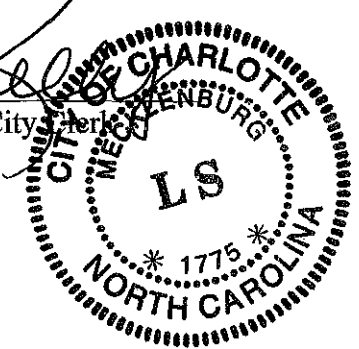


EXHIBIT A

2009 ANNEXATION AREA BOUNDARY DESCRIPTION

EASTFIELD NORTH ANNEXATION AREA

Beginning at a point on the existing CHARLOTTE CITY LIMITS LINE, said point being the intersection of a line 30 feet North of and parallel with Eastfield Road and the Northeasterly right-of way margin of Highland Creek Parkway (extended); thence in a Southeasterly direction following along the Existing Charlotte City Limits Line, also being the Northeasterly right-of-way margin of Highland Creek Parkway approximately 2,836 feet to a point, said point being located on the North right-of-way margin of Highland Creek Parkway described on a map titled Highland Creek Parkway Phase 3B, Map 2 recorded on Map Book 28 page 733; thence in a Northerly direction following along the Existing Charlotte City Limits Line also being the Easterly boundary line of Deed Book 1820 page 171 and the Westerly line of Map Book 28 page 733 with a bearing and distance of North 10-50-36 East 6.41 feet to a point, said point being located on the Northwest corner of the Common Area #5 as recorded in said Map Book 28 Page 733 and also being the point of beginning for Deed Book 10042 page 234 Mecklenburg Registry; thence continuing with the Existing Charlotte City Limits Line also being the Easterly line

of said Deed Book 1820 page 171 and the Westerly boundary line of Said Deed Book 10042 page 234 with a bearing and distance of: North 09-06-49 East 671.77 feet to a point, said point being an angle point on said boundary line and also being the Northeast corner of said Deed Book 1820 page 171 and also being the Southeasterly corner of Deed Book 3737 page 816; thence continuing along the Existing Charlotte City Limits Line, also being the Westerly boundary line of Said Deed Book 10042 page 234 and the Easterly line of Deed Book 3737 page 816, with a bearing and distance of North 08-31-44 East 78.24 feet to a point, said point being the Northwesterly corner of Deed Book 10042 page 234 located on the boundary line of said Deed Book 3737 page 816; thence in a Southeasterly direction following along the Existing Charlotte City Limits Line, also being the Northerly line of said Deed Book 10042 page 234, with a bearing and distance of South 79-09-24 East 407.11 feet to a point, said point being the Southwesterly corner of Lot 17 Block 51 of Highland Creek Hidden Meadow Village Map 1 Recorded in Map Book 30 page 821 located on the said Northerly line of said Deed Book 10042 page 234; thence in a Northeasterly direction following along the Existing Charlotte City Limits Line, also being the Northerly line of Lot 17 and Lot 18 of Block 51 and the Common Area 1 with a bearing and distance of North 10-51-40 East 232.26 feet to a point, said point being an angle point on the

Northerly boundary line of said Common Area 1; thence following along the Northerly boundary line of the said Common Area 1 with the following bearings and distances: North 48-35-44 East 200.05 feet to a point, North 55-41-16 East 162.42 feet to a point, North 21-48-52 East 132.73 feet to a point, North 42-51-24 East 213.96 feet to a point, North 27-44-33 East 127.27 feet to a point, said point being located on the Westerly right-of-way margin of Laurel Run Drive; Thence in a Northwesterly direction following along the Existing Charlotte City Limits Line, also being the Westerly right-of-way margin of said Laurel Run Drive, with a bearing and distance of North 47-37-29 West 104.37 feet to a point, said point being located at the Northwesterly end of said Road; thence in a Northeasterly direction following along the end of said Road with a bearing and distance of North 42-22-31 East 50.00 feet to a point, said point being the Northeasterly end of said Road; thence in a Southeasterly direction following along the Existing Charlotte City Limits Line, also being the Easterly right-of-way margin of said Road, with a bearing and distance of South 47-37-29 East 75.81 feet to a point, said point being located on the Northwesterly most corner of Common Area 2; thence in an Easterly direction following along the Northerly boundary line of said Common Area 2; with the following bearing and distances: North 27-44-33 East 29.73 feet to a point; North 44-22-21 East 210.17 feet to a

point; North 00-00-00 East 154.48 feet to a point; South 90-00-00 East 231.45 feet to a point; North 75-29-52 East 647.45 feet to a point; South 63-28-27 East 44.11 feet to a point, said point being the Southeasterly most point of said Common Area 2 located on Northerly boundary line of Common Area 3 recorded in Map Book 30 page 445; thence in a Northeasterly direction with the Existing Charlotte City Limits Line, crossing Wildbrook Drive with a bearing and distance of North 78-40-12 East 109.03 feet to a point, said point being located on the Southerly right-of-way margin of said Wildbrook Drive and also being the Northwesterly most point of a 30 foot radius at the Southwesterly corner of the intersection of Wildbrook Drive and Wren Creek Drive; thence in a Southeasterly direction with the Existing Charlotte City Limits Line, following a circular curve to the right with a radius of 30.00 feet and an arc length of 36.93 feet, having a chord bearing and distance of North 66-43-54 East 34.64 feet to a point, said point being the Northeasterly most corner of the common Area 4 recorded in said Map Book 30 page 445; thence in a Southwesterly direction following along the Existing Charlotte City Limits Line, also being the Southerly boundary line of said Common Area 4, with a bearing and distance of South 31-28-02 West 336.44 feet to a point; thence continuing in a Southwesterly direction with a circular curve to the right with a radius of 1,550 feet an arc

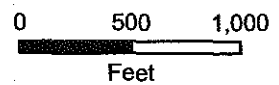
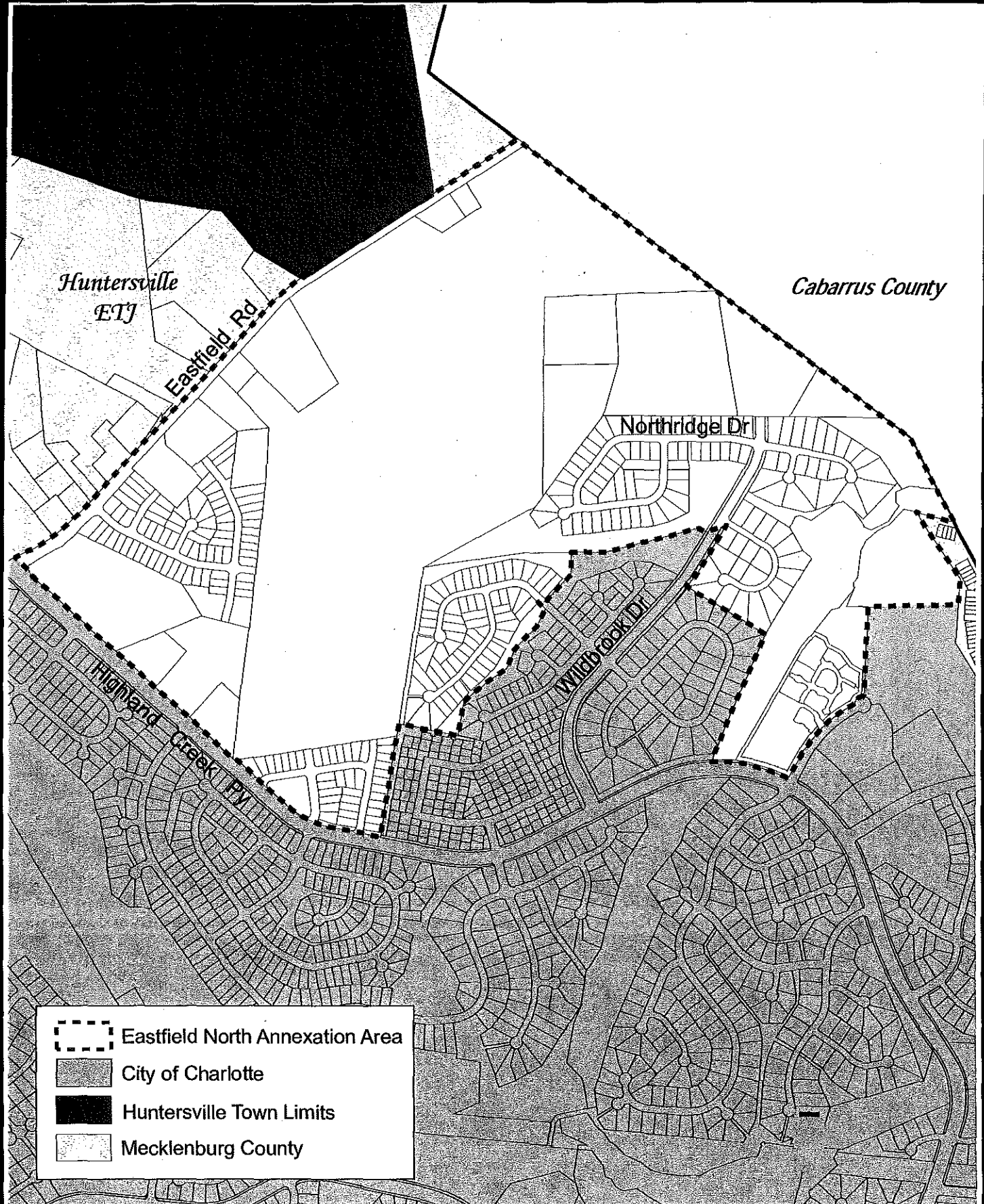
length of 153.54 feet to a point , said point being the Northeasterly corner of Lot 31 of Highland Creek Subdivision, Laurel Run Village, recorded in Map Book 31 page 535; thence in a Southeasterly direction following along the Existing Charlotte City Limits Line, also being the Northeasterly line of Lots 31,30,29,28,27 and 26 of said Laurel Run Village with a bearing and distance of South 58-53-22 East 609.63 feet to a point, said point being the Northeasterly most corner of Lot 26 recorded in said Map Book 31 page 535; thence in a Southwesterly direction following along the Easterly lines of Lots 26,25,24,23, 22,21,20,19 and a .0785 ac common area with a bearing and distance of South 22-18-40 West 906.19 feet to a point, said point being the Southeasterly corner of said Map Book 31 page 535 located on the Southerly line of an area labeled 40' Common Area; Thence continuing with said line approximately 15 feet to the Northerly right-of-way line of Highland Creek Parkway, also being the Southwesterly corner of said Hole #12 as shown on a map entitled Golf Course Composite Plat prepared by E.S.P. Associates; thence in a Southeasterly direction following along the Existing Charlotte City Limits Line, also being the Northerly right-of-way margin of said Highland Creek Parkway, with a circular curve to the right having a radius of 1052.14 feet and an Arc length of 151.45 feet to a point, said point being the Southeasterly corner of said Hole #12 and also being

the Southwesterly corner of Deed Book 9210 page 877; thence; continuing along said right-of way in a Southeasterly direction following the Southerly boundary line of Deed Book 9210 page 877 approximately 195 feet to a point, said point being a located on the Northerly right-of-way line of Highland Creek Parkway as described on a Map labeled Final Plat Of Highland Creek Parkway Phase 3B, Map 1 Tract "C" Highland Creek Subdivision recorded in Map Book 28 page 310, said point also being approximately 224 feet Northwest of the centerline of McChesney Drive; thence continuing with said right-of-way margin in a Southeasterly direction with a circular curve to the right having a radius of 1052.14 feet and an arc length of 175.71 feet to a point, said point being located on the point of a circular curve to the left; thence with the circular curve to the left having a radius of 30.00 feet and an arc length of 31.06 to a point, said point being located on the westerly right-of way margin of McChesney Drive; thence with a circular curve to the left along the said right-of-way having a radius of 30.00 feet and an arc length of 14.38 feet to a point, said point being located on the end of said curve; thence following along said right-of-way in a North Northeasterly direction with a bearing and distance of North 28-18-18 East 26.72 feet to a point, said point being the Northwesterly most point of the Westerly right-of-way margin of Said McChesney Drive as shown on said recorded Map Book 28 page

310; thence continuing with the Existing Charlotte City Limits Line, also being the said right-of-way line and also being the Southeasterly boundary line of Deed Book 9210 page 877 as shown on Map Book 28 page 328, with bearings and distances as follows: North 28-18-17 East 115.90 feet to a point thence following a circular curve to a right having a radius of 831.00 feet and an arc length of 493.11 feet to a point; thence North 62-18-13 East 12.26 feet to a point, thence with a circular curve to the Left having a radius of 25.00 feet and an arc length of 19.88 feet to a point; thence with a circular curve to the right having a radius of 55.00 feet and an arc length of 73.01 feet to a point, said point being located on the Northerly right-of-way line of McChesney Drive and also being the Southwesterly corner of Lot 1 Block 35 of the Final Plat of Highland Creek (Village Center Phase 1 Map 1 Tract "D") recorded in Map Book 28 page 328; thence in a northerly direction leaving said right-of-way line and following along the boundary line of Deed Book 9210 page 877 and said Lot 35 Block 35 with the following (2) bearings and distances: North 02-47-33 East 593.68 feet to a point, thence North 88-40-28 East 613.99 feet to a point; said point being the northeasterly corner of Unit File Map 451 Page 29 and also being the southeasterly corner of Unit File Map 451 Page 58, thence leaving the existing Charlotte City Limits Line in a northerly direction following along the easterly boundary line of The Glen

at highland Creek Condominium said lot as described in Unit File 451 Page 58, said line also being the westerly boundary line of said lot as described in Map Book 45 Page 229 with the following (3) bearings and distances: (1) North 03-46-45 East 168.78 feet, (2) North 33-32-57 West 546.54 feet, (3) South 76-40-50 East approximately 268 feet to a point on the Mecklenburg/Cabarrus County line as shown on Map Book 45 Page 229, said county line also being referenced in Map Book 39 Page 201, thence along and with the Mecklenburg/Cabarrus County line in a northwestern direction with the following (2) bearings and approximate distances as shown on said Map Book 39 Page 201, (1) N 27-39-42 W approximately 634 feet to a point, (2) N 52-46-44 W approximately 3340 feet to a point, said point being 30 feet North of and normal to the centerline of Eastfield Road; thence in a Southwest direction following along and with the line referred to as the (Huntersville Sphere Of Influence) being located 30 feet North of and parallel with the centerline of Eastfield Road approximately 4400 feet to a point, said point being the point and place of beginning.

Eastfield North Annexation Qualifying Area, 2009





J. DAVID GRANBERRY
REGISTER OF DEEDS, MECKLENBURG
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE, NC 28202

PLEASE RETAIN YELLOW TRAILER PAGE

It is part of the recorded document, and must be submitted with original for re-recording
and/or cancellation.

Filed For Registration: 04/21/2009 01:48:04 PM
Book: RE 24660 Page: 124-137
Document No.: 2009054424
ORD 14 PGS \$48.00
Recorder: TERESITA BYRUM



2009054424

Eastfield South

ORDINANCE NO. 4089-X

FOR REGISTRATION J. DAVID GRANBERRY
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2009 APR 21 01:48:04 PM
BK: 24660 PG: 109-123 FEE: \$51.00

INSTRUMENT # 2009054423



2009054423

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 18th day of September, 2008, and at the public hearing held on the 8th day of December, 2008, 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, 2009, 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 2009, 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:

RETURNED TO CUSTOMER

- 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 **35,009.2** feet, of which **19,314.0** feet or **55.1%** 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-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 **4.58** persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are **887** dwelling units in the area (**732** single family and **155** multi-family), which when multiplied by the average household size of **2.87** for single-family units and **2.00** for multi-family units, and taking into account an occupancy rate of **96.2%** for single family units and **81.5%** for multi-family units (all according to the latest federal decennial census, augmented by the 2006 U.S. Census American Community Survey data) results in an estimated total resident population of **2,237**. This population, when divided by the total number of acres (**487.9**) in the developed part of the area, results in a population density of **4.58** 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 **562.0**. Of that acreage, **74.1** acres, or **13.1%** 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 **9,047.0** feet of which **9,047.0** feet or **100%** coincides with the present City boundary and the developed area (see the “subsection (d) land” map) in the report of plans for services approved by the City Council.

- 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 28th day of July, 2008, and filed in the office of the Clerk for public inspection, including any amendment(s).

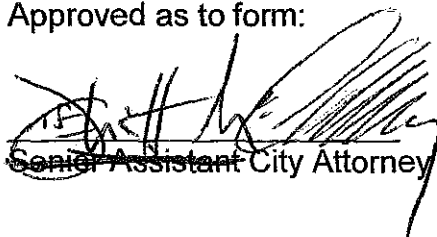
Section 4. That the City Council does hereby specifically find and declare that, on the effective date of annexation prescribed in Section 1 hereof, the City of Charlotte will have authority to issue bonds under the provisions of Sub-chapter IV of Chapter 159 of the General Statutes, if necessary, in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

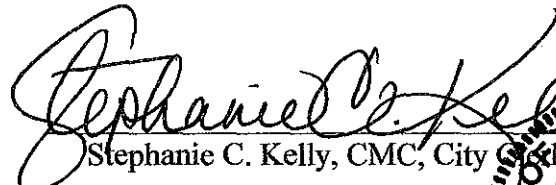


Senior Assistant City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Ordinance Book 56, Pages (974-986).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 2009.


Stephanie C. Kelly, CMC, City Clerk

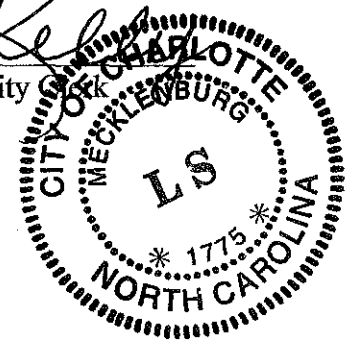


EXHIBIT A

2009 ANNEXATION AREA BOUNDARY DESCRIPTION

EASTFIELD SOUTH ANNEXATION AREA

Beginning at a point on the existing Mecklenburg/Cabarrus County line, said point also being located on the eastern boundary of said parcel D-9 as recorded in Map Book 40 Page 505, and said point also being located on the westerly boundary line of the parcel described in Deed Book 11839 Page 172, thence in a Southerly direction with a bearing and distance of South 17-53-23 West 474.30 feet to a point, said point being the Southwestern corner of the property described in Deed Book 11839 Page 172, thence following along the existing Charlotte City Limits line in a Southeasterly direction along the northern right-of-way of Clarke Creek Parkway South 83-38-03 East 158.96 feet to a point, said point being at the end of said right-of-way as recorded in Map Book 28 page 433; thence continuing along existing Charlotte City Limits line crossing said Clarke Creek Parkway in a Southerly direction with a bearing and distance of South 06-21-57 West 60.05 feet to a point, said point being the Northeast corner of Lot 40 Block 32, located on the Southerly right-of-way of said Clarke Creek Parkway, Fairmeadows Village Highland Creek Subdivision Tract "D" recorded in Map Book 28

page 433; thence continuing in a Southerly direction with the easterly boundary line of Lot 40 and the Westerly boundary line of Hole #15, as shown on that said plat map entitled Golf Course Composite Plat prepared by E.S.P. Associates, P.A., with a bearing and distance of South 09-19-24 West approximately 40 feet to a point, said point being the Northwesterly corner of Highland Creek Golf Club Hole #15; thence following along the Existing Charlotte City Limits Line, also being the northerly line of said Hole #15, with a bearing and distance of North 82-45-39 East 143.26 feet to a point, said point being the northeast corner of said Hole #15; thence in a Southwesterly direction following along the Easterly boundary line of Hole #15 with bearings and distances as follows: South 00-08-32 West 787.11 feet to a point; thence South 55-46-10 East 441.27 feet to a point, thence South 06-08-02 East 304.35 feet to a point, thence South 19-08-35 West 209.12 feet to a point, thence South 21-08-20 West 174.66 feet to a point, thence South 20-45-37 West 44.39 feet to a point, said point being the Northerly most corner of Lot 14 Block 5 recorded in Map Book 26 Page 262; thence continuing in a Southerly direction along the Eastern boundary line of Lots 14 through 7 and a Common Area, the following bearings and distances: South 50-06-50 East 34.33 feet to a point; thence South 27-49-06 East 128.84 feet to a point; thence South 28-34-29 West 104.54 feet to a point; thence South

07-40-37 West 79.70 feet to a point; thence South 45-51-47 West 54.41 feet to a point; thence South 03-24-27 West 31.49 feet to a point; thence South 21-26-27 West 240.57 feet to a point; thence South 30-15-24 West 91.70 feet to a point; thence South 51-42-37 West 100.83 feet to a point; thence South 88-50-18 West 80.60 feet to a point; thence South 49-45-28 West 94.63 feet to a point; thence South 09-54-19 West 115.42 feet to a point; thence South 15-43-53 West 63.39 feet to a point, said point being the Southeasterly most point of Common Area #1 as shown on said Recorded Map Book 26 page 262; thence continuing with the Existing Charlotte City Limits Line in a Southerly direction along the Eastern boundary line of Lots 7 through 5 Block 2 and Common Area #1 crossing Duke Power's right-of-way as shown on Recorded Map Book 26 page 376 the following bearings and distances: South 15-43-53 West 24.48 feet to a point; thence South 43-02-08 West 194.00 feet to a point; thence South 15-50-28 West 162.95 feet to a point; thence South 35-34-30 West 137.08 feet to a point; thence South 23-48-12 West 100.65 feet to a point; thence South 14-25-37 West 34.94 feet to a point, said point being the Southeasterly most corner of Lot 5 Block 2 as shown on said map; thence continuing with the Existing Charlotte City Limits Line in a Southerly direction along the Eastern boundary line of Lot 2 Block 3, as shown on said map, South 14-25-37 West 118.69 feet to a point, said point being the

intersection of a point on the line of said property with the Northwestern most corner of the Common Area as shown on Recorded Map Book 26 page 851; thence continuing in an Easterly direction along the Northern boundary line of the Common Area and Lots 1 through 8 Block 12 the following bearings and distances: North 89-06-47 East 64.55 feet to a point; thence South 85-51-05 East 924.92 feet, crossing a Duke Power right-of-way, to a point, said point being on the northerly line of common area 1, as shown on said recorded Map Book 27 page 74; thence South 85-49-57 East 560.72 feet to a point, said point being the Northeasterly most corner of Common Area #1 as shown on Recorded Map Book 27 page 74; thence continuing in a Southerly direction along the Existing Charlotte City Limits Line, also being the Eastern boundary line of Common Area #1 and Lots 70 through 73 the following bearing and distance: South 02-40-58 East 1,248.52 feet to a point, said point being the Southeasterly most corner of Lot 73 as shown on said map; thence South 70-59-35 East 581.02 feet to a point, said point being the Northeasterly most corner of Common Area #1 as shown on Recorded Map Book 26 page 357; thence continuing in a Southwesterly direction along the Southeastern boundary line of Common Area #1 and Lots 113 through 104 Block 20 the following bearing and distance: South 63-20-46 West 670.66 feet to a point, said point being the Southwesterly most point of Lot 104 Block 20 as shown

on said map, said point also being a point on the line of the property as described in Deed Book 6220 page 175; thence South 63-20-54 West approximately 1,955 feet to a point, said point being the intersection of said property with the Northerly most point of the property as described in Deed Book 1840 page 183; thence South 39-30-00 East 254.00 feet to a point; thence South 54-00-00 West 660.80 feet to a point, said point being the intersection of said property with the Northerly right-of-way margin of Ridge Road; thence continuing in a Southeasterly direction following along the Existing Charlotte City Limits Line, also being the Northerly right-of-way margin of Ridge Road approximately 670 feet to a point, said point being the intersection of said right-of-way with the Easterly boundary line of the property as described in Deed Book 7400 page 766 if extended; thence in a Southwesterly direction approximately 30.00 feet to a point, said point being the centerline of Ridge Road, said point also being the Northerly most point of the property as described in Deed Book 7400 page 766; thence South 54-00-00 West 165.35 feet to a point, said point being the intersection of the Southwesterly most corner of said property with the centerline of a creek; thence in a Southwesterly direction following along the Existing Charlotte City Limits Line, also being the centerline of said creek approximately 900 feet to a point, said point being the intersection of said creek

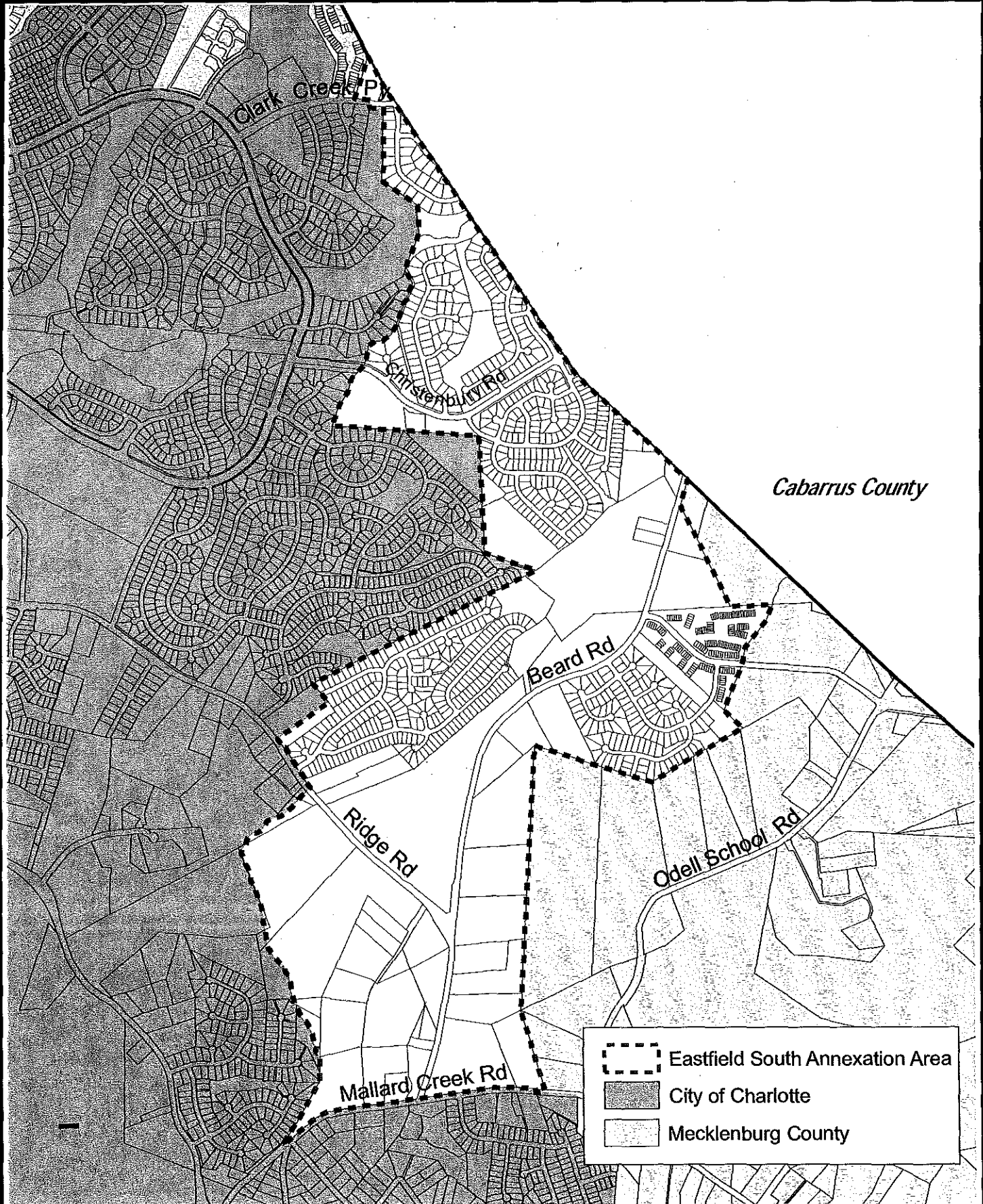
with Little Stoney Creek; thence in a Southerly direction following the Existing Charlotte City Limits Line, also being the centerline of Little Stoney Creek, approximately 2,300 feet to a point, said point being the intersection of said creek with a point on the line of the property as described in Deed Book 3636 page 746; thence South 03-19-02 West approximately 260 feet to a point, said point being the Southeasterly most point of said property, said point also being the Northeasterly most corner of Lot 38 as shown on Recorded Map Book 26 page 875; thence South 30-09-56 West 767.42 feet along and with the easterly line of Lots 38 - 31 and a common area as shown on aforesaid Map Book 26 Page 875 and Map 26 Page 646 to a point, said point being on the Northerly right-of-way margin of Mallard Creek Road; thence continuing in a Northeasterly direction along the Existing Charlotte City Limits Line also being the North/Northwesterly right-of-way margin of Mallard Creek Road, crossing over Ridge Road, approximately 2,800 feet to a point, said point being the intersection of the North/Northwesterly right-of-way margin Of Mallard Creek Road and the Westerly lot line of the property as described in Deed 15578 page 240 (if extended); thence crossing Mallard Creek Road with the Existing Charlotte City Limits Line approximately 30 feet to a point, said point being on the centerline of Mallard Creek Road; thence with the Existing Charlotte City Limits Line approximately 100

feet in an Easterly direction along the centerline of Mallard Creek Road to a point, said point being the intersection of the centerline of Mallard Creek Road and the easterly lot line as described in Deed Book 3237 Page 484 (extended), thence leaving the existing Charlotte City Limits line along the easterly line of the property as described in Deed Book 3237 page 484, N 16-00-00 W 906.99 feet to a point, said point being the Northeasterly corner of Deed Book 3237 page 484, a common corner with Deed Book 5683 page 149; thence N 4-11-37 E 175 feet to a point, said point being the Southeasterly corner of Deed Book 6805 page 214; thence N 4-11-37 E 572.47 feet to a point, said point being the Southeasterly corner of Deed Book 3482 page 007; thence N 4-11-40 E 467.40 feet to a point, said point being Southeasterly corner of Deed Book 3482 page 010; thence N 4-11-40 E 530.15 feet to a point, said point being the Southeasterly corner of Deed Book 3482 page 001; thence N 4-11-40 E 1034.85 feet to a point, said point being the Northerly corner of Deed Book 3482 page 001; thence S 74-07-33 E 210 feet to a point, said point the Southeasterly corner of Deed Book 7964 page 449 and the Southwesterly corner of Deed Book 7730 page 814; thence S 74-07-33 E 497.11 feet to a point, said point being the Southwesterly corner of Lot 61 Phase 1 Map 3 as shown on Map Book 35 Page 399; thence southeasterly following along the southwesterly lines of lots 61,60,59,58,55, crossing Branscomb

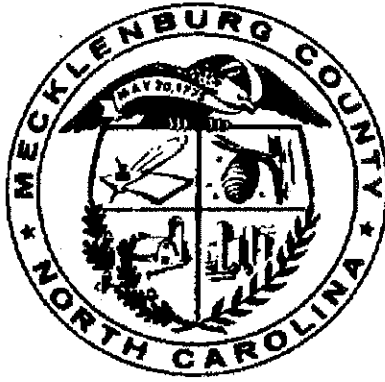
Drive and continuing along lots 54 and 51, S 72-42-55 E 600.52 feet to a point, said point being the Southern most point on Lot 51 as shown on said Map Book 35 Page 399; thence northeasterly following along the southeasterly lines of 51 through 43 and part of lot 42, N 58-56-59 E 631.24 feet to a point, said point being on the southeasterly line of lot 42, as shown on Map Book 35 page 399, thence N 60-55-43 E 28.03 feet to a point, said point being the southern most corner of lot 41 as shown on said Map Book 35 Page 267, thence northeasterly following along lot 41 and a common open space N 60-55-43 E 466.79 feet to a point, said point being the Northeastern corner of a 1.839 acre Common Open Space; thence along the northern line of said common open space N 46-50-42 W 275.89 feet to a point, said point being the most Southern point of the Common Open Space as shown on Map Book 36 Page 279; thence in a Northeasterly direction following along the Easterly line of the common open space with the following bearings and distances: N 21-06-57 E 249.22 feet to a point, thence N 25-18-32 E 120.29 feet to a point, thence N 18-45-32 E 132.46 feet to a point, thence crossing Carolina Lily lane N 13-25-47 E 201.95 feet to a point, thence N 37-44-13 E 363.32 feet to a point, thence N 23-05-28 E 169.32 feet to a point, said point being the Northeastern corner of said Common Open Space; thence along the Northerly line of the common open space S 86-41-21 W 446.10 feet to a point, said point being the

Southeasterly corner of Deed Book 4521 page 550; thence N 26-48-10 W 544.59 feet to a point, said point being the Southeasterly corner of Deed Book 4500 page 165; thence N 26-48-10 W approximately 660 feet to a point, said point being 30 feet East of and normal to the centerline of Beard Road, thence in a Northeast direction with a line 30 feet East of and parallel with the centerline of Beard Road approximately 290 feet to a point, said point being located on the Mecklenburg County/Cabarrus County Line; thence crossing Beard Road in a Northwesterly direction following along the Mecklenburg County/Cabarrus County Line approximately 60 feet to a point, thence continuing with the Mecklenburg County/Cabarrus County Line as shown on recorded Map Book 39 page 201 with the following (3) courses: (1) N 46-30-27 W approximately 1600 feet to a point, (2) N 33-34-23 W 3524.51 feet to a point, (3) N 33-34-56 W 154.69 feet to a point, said point being the intersection of the outer boundary of Hole #13 as described in Deed Book 11839 page 172 and the Mecklenburg County/Cabarrus County Line; thence following the county line, N 27-39-42 W approximately 366 feet to a point, said point being the point and place of beginning.

Eastfield South Annexation Qualifying Area, 2009



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Feet



J. DAVID GRANBERRY
REGISTER OF DEEDS, MECKLENBURG
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE, NC 28202

PLEASE RETAIN YELLOW TRAILER PAGE

It is part of the recorded document, and must be submitted with original for re-recording
and/or cancellation.

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Book: RE 24660 Page: 109-123
Document No.: 2009054423
ORD 15 PGS \$51.00
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2009054423

AN ORDINANCE TO AMEND ORDINANCE NUMBER 3937-X, THE 2008-2009 BUDGET ORDINANCE, TO PROVIDE APPROPRIATIONS FOR THE START-UP COSTS FOR PROVISION OF SERVICES IN TWO ANNEXATION AREAS FOR THE JUNE 30, 2009 ANNEXATION.

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

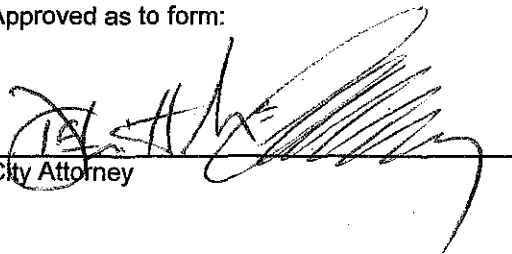
Section 1. That the sum of \$668,508 is hereby available from the fund balance of the General Fund (0101)

Section 2. That the sum of \$668,508 is hereby appropriated to the General Fund (0101) for the operation of City government services in five annexation areas.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. This ordinance shall be effective upon adoption.

Approved as to form:

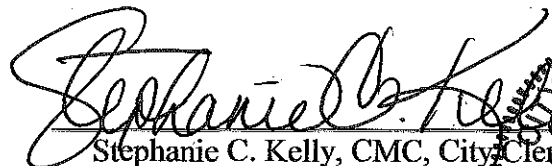


City Attorney

CERTIFICATION

I, Stephanie C. Kelly, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of January, 2009, the reference having been made in Minute Book 128, and recorded in full in Ordinance Book 56, Page 987.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of January, 2009.



Stephanie C. Kelly, CMC, City Clerk

