

ORDINANCE NO. 438-X

CARDINAL CREEK AREA
ANNEXATION

**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(a) to annex the area described below; and

WHEREAS, the City Council has by Resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held during a meeting at the Charlotte-Mecklenburg Government Center at 6:30 p.m. on December 12, 2022 after due notice by the Mecklenburg Times on November 29, 2022; 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 December 12, 2022:

LEGAL DESCRIPTION

That certain parcel or tract of land situated, lying and being in the City of Charlotte, Township of Crab Orchard, County of Mecklenburg, State of North Carolina and being more particularly described as follows:

Commencing at an existing NGS monument "Austin" having NC grid NAD 83 (2011) coordinates of N:554,642.44; E:1,495,510.80, thence North 73°44'07" East a horizontal ground distance of 4394.38 feet to an existing pinched top iron pipe, situated at a common corner between the lands of Omar Luis Santos & Fabiola Madrigal Hernandez as described in Deed Book 35541, Page 115, all Deed and Map Books recorded in the Mecklenburg County Public Register of Deeds, with the lands of William Wayne & Gina Banner Edwards as described in Deed Book 9164, Page 994 and shown on Map Book 28, Page 492 and being the Point of Beginning; thence along the southerly line of the aforesaid lands of Omar Luis Santos & Fabiola Madrigal Hernandez and the southerly line of the lands of Christopher J & Karen E Ashworth as described in Deed Book 10590, Page 54 and the southerly line of the lands of Cynthia Rachel Stafford Parker as described in Deed Book 30427, Page 857, South 73°30'01" East passing an existing 1/2" iron rod at a distance of 31.70 feet, continue and passing an existing 3/4" iron rod at a distance of 288.21 feet, for a total distance of 1155.14 feet to an existing angle iron; thence along the southwesterly line of the aforesaid lands of Cynthia Rachel Stafford Parker South 32°07'45" East a distance of 508.44 feet to a new 1/2" iron rod, situated on the northerly line of the lands of Laurel Baptist Church as described in Deed Book 26248, Page 916 and shown on Map Book 54, Page 573; thence along the northerly and westerly line of the aforesaid lands for the following two (2) courses and distances; 1) South 57°24'00" West a distance of 264.42 feet to a new 1/2" iron rod; 2) South 32°07'45" East a distance of 704.28 feet to a point, situated in the centerline of Plaza Road Extension (SR 2803) (a 60' perpetual easement for highway purposes) as described in Deed Book 4179, Page 824 and shown on Map Book 22, Page 849; Map Book 22, Page 962 and Map Book 54, Page 573; thence along the aforesaid centerline for the following three (3) courses and distances; 1) South 51°45'54" West a distance of 516.31 feet to a point; 2) along the arc of a curve to the right said curve having an arc length of 307.90 feet a radius of 1500.00 feet (chord bearing of South 57°38'44" West and chord distance of 307.36 feet) to a point; 3) South 63°31'34" West a distance of 558.79 feet to a point, situated on the northeasterly line of the lands of City of Peace Ministry, Inc. as described in Deed Book 27130, Page 456; thence along the aforesaid northeasterly line North 37°23'25" West a distance of 1144.04 feet to an angle iron; thence along the northerly line of the aforesaid lands and along the northerly line of the lands of Eliseo Pascual-Baez & Wendy A Pascual as described in Deed Book 32666, Page 196, South 57°09'07" West passing an existing 1" iron pipe at a distance of 288.21 feet for a total distance of 393.12 feet to a new 1/2" iron rod, situated on the easterly line on the lands of Michael S & Karen M Williams as described in Deed Book 18114, Page 56 and shown on Map Book 48, Page 683; thence along the easterly line of the aforesaid lands of Michael S & Karen M Williams as described in Deed Book 18114, Page 56 and Deed Book 28789, Page 954, and the easterly line

December 12, 2022

Ordinance Book 65, Page 351

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of the lands of Robert Eugene & Judy Myra Banner as described in Deed Book 4184, Page 220 and shown on the aforesaid Map Book 28, Page 492 and the easterly line of the lands of William Wayne & Gina Banner Edwards as described in Deed Book 9164, Page 994 and shown on Map Book 28, Page 492, North 23°17'10" East passing an existing 1/2" at a distance of 330.57 feet, continue and passing an existing 1/2" iron pipe at a distance of 346.52 feet, continue and passing an existing 3/4" iron rod at 696.30 feet, for a total distance of 1671.05 feet to the Point of Beginning; Containing 2,826,062 square feet or 64.8775 acres, as shown on a survey prepared by R. B. Pharr & Associates, P.A. dated October 28, 2021 (Project No. 93504).

Section 2. Upon and after December 12, 2022 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. Subject to change in accordance with applicable law, the annexed territory described above shall be included in the following Council electoral district 5.

Section 4. 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 Mecklenburg County Board of Elections, as required by G.S. 163-288.1.

Adopted this 12th day of December, 2022.

APPROVED AS TO FORM:



Charlotte City Attorney

CERTIFICATION

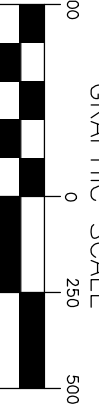
I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December 2022, the reference having been made in Minute Book 157, and recorded in full in Ordinance Book 65, Page(s) 349-353.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12th day of December 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

GRAPHIC SCALE



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December 12, 2022

Ordinance Book 65, Page 352



MAP REFERENCE:
NC GRID NAD 83(2011)

NCS MONUMENT "AUSTIN"
NC GRID NAD 83 (2011)
PUBLISHED AND USED
N=554,642.44
E=1,495,510.80
ELEV=694.42 NAVD 88
CGF: 0.99984415

N/3.44 D/2.7
4394.38 (GROUND)
4393.70 (GRID)

POINT OF BEGINNING

LEGEND:
DB - DEED BOOK
CP - CALCULATED POINT
ECM - EXISTING CONCRETE MONUMENT
EIR - EXISTING IRON ROD
EN - EXISTING NAIL
MB - MAP BOOK
NIR - NEW IRON ROD
PIN - PINCH IDENTIFICATION NUMBER
PG - PAGE
R/W - RIGHT-OF-WAY
PROPERTY LINE (NOT SURVEIED)
RIGHT-OF-WAY
RIGHT-OF-WAY (NOT SURVEIED)
EASEMENT

60' PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
DB, 4179, PG. 824
NCDOT PROJECT NO. 8.2723503

PLAZA ROAD EXTENSION
SR 2803

TRACT II
VINCENT J &
FAYE N CARDINAL
DB. 2237, PG. 513
PIN: 105-222-14 &
PIN: 105-222-15
2,162,755 SQ. FT.
OR 49.6501 ACRES

TRACT I
VINCENT J &
FAYE N CARDINAL
DB. 2236, PG. 545
PIN: 105-211-01
663,307 SQ. FT.
OR 15.2274 ACRES

88' DUKE POWER
COMPANY EASEMENT
NO DEED REFERENCE

NOTES:

1. THIS IS NOT A BOUNDARY SURVEY. SEE RBP PROJECT # 93504, DATED OCTOBER 28, 2021, FOR ALL BOUNDARY INFORMATION.
2. THE PURPOSE OF THIS MAP IS TO ESTABLISH AN AREA TO BE ANNEXED INTO THE CITY OF CHARLOTTE. ALL AS SHOWN HEREON.
3. PHYSICAL IMPROVEMENTS EXIST ON SUBJECT PROPERTY THAT ARE NOT SHOWN HEREON.
4. THIS MAP WAS PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
5. AREAS CALCULATED BY COORDINATE COMPUTATION.
6. THIS MAP IS NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.

C:\CARLSON PROJECTS\94\3\94396\DWG\94396.DWG
PLOTTED: 9/20/2022

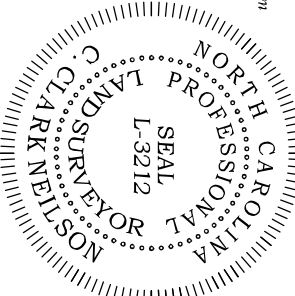
SURVEYOR'S CERTIFICATE:

I, C. CLARK NEILSON, CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION AND THAT THE PLAT WAS PREPARED FOR THE PURPOSE OF ANNEXATION, AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN HEREON.

C. CLARK NEILSON
NCPLS, L-3212
cneilson@rbpharr.com

DATE

SHEET 1 OF 2
NOTE: NOT A VALID
SURVEY WITHOUT
ALL SHEETS.



AREA TABLE
TRACT I - 663,307 SQ. FT. OR 15.2274 ACRES
TRACT II - 2,162,755 SQ. FT. OR 49.6501 ACRES
TOTAL AREA - 2,826,062 SQ. FT. OR 64.8775 ACRES

CARDINAL CREEK AREA ANNEXATION:

D.R. HORTON, INC.

11521-11615 PLAZA ROAD EXTENSION
CITY OF CHARLOTTE, GRAB ORCHARD TOWNSHIP,
MECKLENBURG COUNTY, NC
DEED REFERENCE: 2236-545, 2237-513
MAP REFERENCE: 54-573

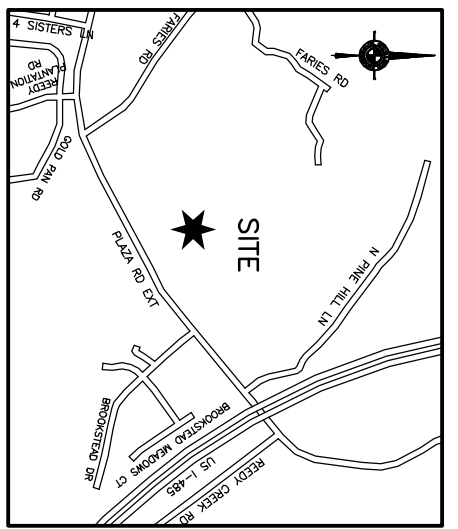
TAX PARCEL #: 105-211-01, 105-222-14, 105-222-15

R.B. PHARR AND ASSOCIATES, P.A.

SURVEYING AND MAPPING
LICENSED SURVEYOR NO. C-4471

969 E. 7TH STREET SUITE 100 CHARLOTTE, NC 28204 TEL (704) 376-2186

SCALE: 1" = 500' DATE: AUGUST 8, 2022 JOB NO. 94396 DRAWN: CW



VICINITY MAP

NOT TO SCALE

December 12, 2022

Ordinance Book 65, Page 353

CITY OF PEACE MINISTRY, INC.

DB. 27130, PG. 456
PIN: 105-222-13ELISEO PASCUAL-BAEZ &
WENDY A PASCUALDB. 32666, PG. 196
PIN: 105-222-28MICHAEL S & KAREN
M WILLIAMSDB. 18114, PG. 56
MB. 48, PG. 683
PIN: 105-222-29MICHAEL S &
KAREN M WILLIAMSDB. 28789, PG. 954
PIN: 105-222-30ROBERT EUGENE &
JUDY MYRA BANNERDB. 4184, PG. 220
LOT 1: MB. 28, PG. 492
PIN: 105-222-19

A

B

C

D

E

F

G

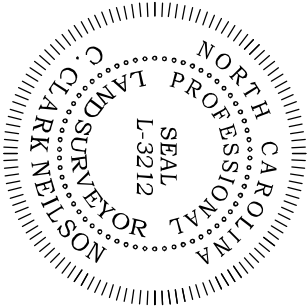
H

I

J

WILLIAM WAYNE & GINA
BANNER EDWARDSDB. 9164, PG. 994
LOT 2: MB. 28, PG. 492
PIN: 105-222-26OMAR LUIS SANTOS &
FABIOLA MADRIGAL HERNANDEZDB. 35541, PG. 115
PIN: 105-211-12CHRISTOPHER J &
KAREN E ASHWORTHDB. 10590, PG. 54
PIN: 105-211-14CYNTHIA RACHEL
STAFFORD PARKERDB. 30427, PG. 857
PIN: 105-211-02LAUREL BAPTIST CHURCH
DB. 26248, PG. 916
LOT A & LOT B
MB. 54, PG. 573
PIN: 105-211-15

LINE	BEARING	DISTANCE
L1	S73°30'01"E	1155.14'
L2	S32°07'45"E	508.44'
L3	S57°24'00"W	264.42'
L4	S32°07'45"E	704.28'
L5	S51°45'54"W	516.31'
L6	S63°31'34"W	558.79'
L7	N37°23'25"W	1144.04'
L8	S57°09'07"W	393.12'
L9	N23°17'10"E	1671.05'



C. Clark Neilson
09/10/22

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE
C1	1500.00'	307.90'	S57°38'44"W	307.36'	11°45'40"

SHEET 2 OF 2NOTE: NOT A VALID
SURVEY WITHOUT
ALL SHEETS.

CARDINAL CREEK AREA ANNEXATION:

D.R. HORTON, INC.11521-11615 PLAZA ROAD EXTENSION
CITY OF CHARLOTTE, CRAB ORCHARD TOWNSHIP,
MECKLENBURG COUNTY, NC
DEED REFERENCE: 2238-545, 2237-513
MAP REFERENCE: 54-573

TAX PARCEL #: 105-211-01, 105-222-14, 105-222-15

R.B. PHARR AND ASSOCIATES, P.A.SURVEYING AND MAPPING
LICENSE NO. C-1471
969 E. 7TH STREET SUITE 100 CHARLOTTE, NC 28204 TEL (704) 376-2186

SCALE: N/A DATE: AUGUST 8, 2022 JOB NO. 94396 DRAWN: CW

NOTES:

1. SEE SHEET 1 OF 2 FOR ALL PROPERTY INFORMATION.

PLOTTED: 9/20/2022
C:\CARLSON PROJECTS\94\3\94396\DWG\94396.DWG

O-11

ORDINANCE NO. 439-X

AN ORDINANCE TO AMEND ORDINANCE NUMBER 318-X, THE 2022-2023 BUDGET ORDINANCE, PROVIDING AN APPROPRIATION OF \$2,196,711.90 FOR THE CRAIGHEAD-TRYON FLOOD MITIGATION INITIATIVE

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

Section 1. That the sum of \$2,196,711.90 is hereby estimated to be available from the following source:

North Carolina Department of Public Safety

Section 2. That the sum of \$2,196,711.90 is hereby appropriated in the Storm Water Capital Projects Fund (6360) into the following project:

7530150059 (Craighead/Tryon SDIP)

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. That all ordinances in conflict with this ordinance are hereby repealed.

Section 5. That this ordinance shall be effective upon adoption.

Approved as to form:



City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 December 2022, the reference having been made in Minute Book 157, and recorded in full in Ordinance Book 65, Page(s) 354.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 12th day of December 2022.



Stephanie C. Kelly, City Clerk, MMC, NCCMC