

CHARLOTTE CITY COUNCIL

Resolution Authorizing the Donation of City Property to North Carolina DMV

WHEREAS, North Carolina General Statutes Section 160A-274 authorizes the City to donate City property to another governmental agency; and,

WHEREAS, the City of Charlotte owns a Man transit bus, Vin#13M792092HC351842; and,

WHEREAS, the vehicle is no longer needed by the City; and,

WHEREAS, North Carolina DMV has expressed a need for this vehicle; and

NOW, THEREFORE, be it resolved by the Charlotte City Council that the City Manager or her designee is authorized to donate the property to North Carolina DMV

Adopted on this 8th day of January, 2001

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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January, 2001 the reference having been made in Minute Book 115, and recorded in full in Resolution Book 36, Page(s) 616.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of January, 2001.

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

CHARLOTTE CITY COUNCIL

**Resolution Authorizing the Sale of Surplus Personal Property To Town of
Huntersville**

WHEREAS, North Carolina General Statutes Section 160A-274 authorizes the City to sell personal property to another governmental agency by private sale; and,

WHEREAS, the City of Charlotte owns a 1993 Ford truck, Vin# 1FTHF25HOPNA67688; and,

WHEREAS, the vehicle is no longer needed by the City; and

WHEREAS, the Town of Huntersville has offered to purchase this vehicle at a price of \$3,500.00; and,

NOW, THEREFORE, be it resolved by the Charlotte City Council that the City Manager or her designee is authorized to sell the property to the Town of Huntersville.

Adopted on this 8th day of January, 2001

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 the resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January, 2001 the reference having been made in Minute Book 115, and recorded in full in Resolution Book 36, Page(s) 617.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of January, 2001.


Brenda R. Freeze, CMC, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **PROVIDENCE/WENDOVER ROAD INTERSECTION IMPROVEMENTS PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for **PROVIDENCE/WENDOVER ROAD INTERSECTION IMPROVEMENTS PROJECT** and estimated to be approximately **3,835 square feet (0.088 acre) for fee-simple, permanent utility easement, and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 181-083-20, said property currently owned by **KENT D. JOHNSON and wife, RADMILLA JOHNSON; SAXBY M. CHAPLIN, Trustee; ONE MORTGAGE CORPORATION, Beneficiary; Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

A RESOLUTION AUTHORIZING COMPENSATION FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS THE CITY COUNCIL OF THE CITY OF CHARLOTTE HAS ADOPTED THE FOLLOWING RESOLUTION TO ACQUIRE CERTAIN REAL PROPERTY AS INDICATED BELOW FOR THE PURPOSES OF THE CITY'S ECONOMIC DEVELOPMENT PROJECTS AND

WHEREAS THE CITY, EITHER IN GOOD FAITH OR UNDER OBLIGATION TO ACQUIRE THE PROPERTY OF THIS ORDER, HAS BEEN UNABLE TO REACH AN AGREEMENT WITH THE OWNERS FOR THE PURCHASE OF SAID REAL PROPERTY AND THE CITY HAS BEEN UNABLE TO NEGOTIATE A PURCHASE PRICE

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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January, 2001 the reference having been made in Minute Book 115, and recorded in full in Resolution Book 36, Page(s) 618-619.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of January, 2001.


Brenda R. Freeze, CMC, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **SANITARY SEWER-SERVE MARVIN ROAD PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for **SANITARY SEWER-SERVE MARVIN ROAD PROJECT** and estimated to be approximately **11,068 square feet (0.254 acre) for a permanent sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 223-091-02, said property currently owned by **CHARLES M. BLANKENSHIP and wife, PAULINE B. BLANKENSHIP; Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

A RESOLUTION AUTHORIZING COMPENSATION FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the SANITARY SEWER SERVICE MAINS ROAD PROJECT; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after making the attempt, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, that compensation for the acquisition of the property described herein be as follows: **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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January, 2001 the reference having been made in Minute Book 115, and recorded in full in Resolution Book 36, Page(s) 620-621.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of January, 2001.

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

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **SANITARY SEWER-SERVE MARVIN ROAD PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for **SANITARY SEWER-SERVE MARVIN ROAD PROJECT** and estimated to be approximately **12,146 square feet (0.279 acre) for a permanent sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 223-091-03, said property currently owned by **D. G. KAPERONIS and wife, EVANGELIA KAPERONIS; GUS N. KARRES and wife, PATRICIA KARRES; TED E. MAVROIDIS and wife, PAT MAVROIDIS; ANDREW P. HONDROS and spouse, if any; Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

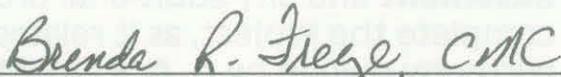
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January, 2001 the reference having been made in Minute Book 115, and recorded in full in Resolution Book 36, Page(s) 622-623.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of January, 2001.


Brenda R. Freeze, CMC, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **SANITARY SEWER-SERVE FARMINGTON SUBDIVISION PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for **SANITARY SEWER-SERVE FARMINGTON SUBDIVISION PROJECT** and estimated to be approximately **9,468 square feet (0.218 acre) for sanitary sewer easement and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 223-271-14, said property currently owned by **MARSHALL H. COSTNER and wife, DEBORAH H. COSTNER; HEIDI L. MORROW, Trustee; NATIONS EQUITY CORPORATION, INC.; Beneficiary; Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January, 2001 the reference having been made in Minute Book 115, and recorded in full in Resolution Book 36, Page(s) 624-625.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of January, 2001.

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

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the **JOHNSTON ROAD WIDENING-PH. II PROJECT**; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

PROPERTY DESCRIPTION:

Amount necessary for **JOHNSTON ROAD WIDENING-PH. II PROJECT** and estimated to be approximately **5,722 square feet (0.132 acre) for fee-simple and temporary construction easement** and any additional property or interest as the City may determine to complete the Project, as it relates to Tax Parcel No. 221-362-04, said property currently owned by **RICHARD A. GERALD, JR. and wife, KATHY A. GERALD; JAMES W. KISER, Trustee; TIM, INC., Trustee; BANK OF AMERICA (Successor to NCNB National Bank of North Carolina and NationsBank, N. A.), Beneficiary; Any Other Parties in Interest**, or the owners' successor-in-interest.

ESTIMATED JUST COMPENSATION:

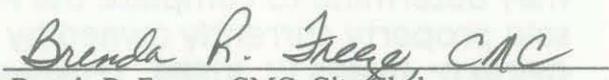
Such estimated just compensation as may be determined based upon the takings required by the final construction plans.

IT IS FURTHER RESOLVED that the estimated just compensation for the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January, 2001 the reference having been made in Minute Book 115, and recorded in full in Resolution Book 36, Page(s) 626-627.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of January, 2001.


Brenda R. Freeze, CMC, City Clerk

RESOLUTION CLOSING A PORTION OF FALLOW LANE IN THE
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a portion of Fallow Lane which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of Fallow Lane to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to BellSouth Telecommunications, Inc., Duke Power Company and all other owners of existing underground telecommunication facilities to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 8th day of January, 2001, and City Council determined that the closing of the portion of Fallow Lane is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of January 8, 2001, that the Council hereby orders the closing of the portion of Fallow Lane in the City of Charlotte Mecklenburg County, North Carolina as shown in a map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B", both of which are attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

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 a resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January, 2001, the reference having been made in Minute book 115, and recorded in full in resolution book 36, page(s) 628-630.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of January, 2001.

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

REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2001 FEB 12 09:52 AM
BOOK: 11924 PAGE 610-613 FEE: \$10.00
INSTRUMENT # 2001020250

Exhibit B

TRACT 1

Commencing at an existing City of Charlotte GPS station 1427 (#4 rebar with cap) thence N61°48'39"W 2619.81' to a rail road spike set; thence N10°52'26"W 972.46' to a #5 rebar, thence N56°56'09"W 123.39' to an point, said point being the POINT OF BEGINNING; thence with the arc of a curve to the left of radius of 40.00' having an arc length of 66.69'(chord N54°00'32"E 59.23') to an point; thence with the arc of a curve to the right of radius 35.00' having an arc length of 24.36'(chord N26°10'39"E 23.87') to an point; thence S46°06'45"W 81.11' to an point, the Point of Beginning. Containing 0.019 acres.

TRACT 2

Commencing at an existing City of Charlotte GPS station 1427 (#4 rebar with cap) thence N61°48'39"W 2619.81' to a rail road spike set; thence N10°52'26"W 972.46' to a #5 rebar; thence N56°56'09"W 123.39' to an point; thence N46°41'06"W 41.85' to an point, said point being the POINT OF BEGINNING; thence N40°04'48"E 50.74' to an point; thence with the arc of a curve to the left of radius of 20.00' having an arc length of 27.72'(chord N00°22'45"E 25.55') to an point; thence N39°19'19" 6.99' to an point; thence with the arc of a curve to the left of radius of 25.00' having an arc length of 20.15'(chord N62°24'55"W 19.61') to an point; thence with the arc of a curve to the right of radius of 40.00' having an arc length of 3.56'(chord N82°57'35"W 3.56') to an point; thence with the arc of a curve to the right of radius of 20.00' having an arc length of 47.25'(chord S12°43'25"E 37.00') to an point; thence with the arc of a curve to the left of radius of 40.00' having an arc length of 48.94'(chord S19°54'33"W 45.95') to an point, the Point of Beginning. Containing 0.024 acres.

RESOLUTION CLOSING A PORTION OF A 20-FOOT ALLEYWAY BETWEEN WEST MOREHEAD STREET AND BRYANT STREET IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2001 FEB 12 09:52 AM
BOOK 11921 PAGE 614-620 FEE: \$16.00
INSTRUMENT # 2001020251

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close a portion of a 20-foot alleyway between West Morehead Street and Bryant Street which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close a portion of a 20-foot alleyway between West Morehead Street and Bryant Street to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to M&J Equities, Charlotte-Mecklenburg Utilities, Engineering and Property Management, Piedmont Gas Company and all other owners of existing underground telecommunication facilities to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 8th day of January, 2001, and City Council determined that the closing of the portion of the 20-foot alleyway between West Morehead Street and Bryant Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

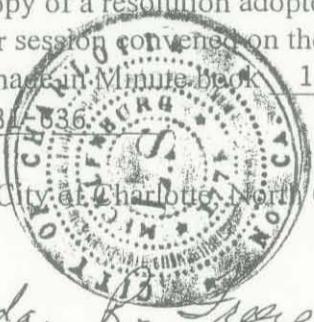
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of January 8, 2001, that the Council hereby orders the closing of the portion of the 20-foot alleyway between West Morehead Street and Bryant Street in the City of Charlotte Mecklenburg County, North Carolina as shown in a map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B", both of which are attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

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 a resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January, 2001, the reference having been made in Minute Book 115, and recorded in full in resolution book 36, page(s) 631-636.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of January, 2001.



Brenda R. Freeze, CMC

Brenda R. Freeze, CMC, City Clerk

Drawn by: City of Charlotte
Return to: City of Charlotte - Box

Being a tract or parcel of land situated in the City of Charlotte, Mecklenburg County, North Carolina and being more fully described as follows, viz:

BEING an existing 20' alleyway located between the property of now or formerly, Larry D. Watts and wife, Nancy H. Watts as described in Deed Book 5368, page 986 and now or formerly Green Acres, Inc. as described in Deed Book 4369, page 286, said alleyway as described herein based on Map Book 3 at page 540.

TWENTY FOOT ALLEYWAY

BEGINNING at a point located in the margin of Bryant Street, said point being the southwestern corner of Green Acres, Inc. thence with Bryant Street with a curve to the right having a radius of 1146.28' and arc length of 20.19 (chord bearing and distance of S 85 deg 18' 08" W, 20.19') to a point in the southeastern corner of Larry D. Watts; thence with Watts line, N 12 deg 35' 41" W, 187.34' to a point on the right of way of P&N Railway Co. sidetrack; thence with said sidetrack with a curve to the left having a radius of 490.84' with an arc length of 20.20'(chord bearing and distance of N 69 deg 23' 03" E, 20.20') to a point on the line of Green Acres, Inc.; thence with Green Acres, Inc. line S 12 deg 35' 41" E, 192.93' to the point and place of BEGINNING and containing 3,802 sq. ft/ 0.087 acre.

PORTION OF TWENTY FOOT ALLEYWAY- PARCEL A

BEGINNING at the southeastern corner of property of Larry D. Watts; thence with Larry D. Watts line N 12 deg 35' 41" W, 187.34' to a point on the right of way of P&N Railway Co. sidetrack; thence with said sidetrack with a curve to the left having a radius of 490.84' with an arc length of 10.08'(chord bearing and distance of N 69 deg 58' 31" E, 10.08') to a point; thence with a new line centered in the 20' alleyway (based on Map Book 3 at page 540) S 12 deg 35' 41" E, 190.08' to a point in the margin of Bryant Street; thence with Bryant Street, with a curve to the right having a radius of 1146.28' with an arc of 10.10' (chord bearing and distance of S 85 deg 33' 16" W, 10.10' to the point and place of BEGINNING and containing 1,887 sq. ft./ 0.043 acre.

PORTION OF TWENTY FOOT ALLEYWAY- PARCEL B

BEGINNING the southwestern corner of property of Green Acres, Inc. said point being in the margin of Bryant Street; thence with Bryant Street with a curve to the right having a radius of 1146.28' with an arc of 10.09' (chord bearing and distance of S 85 deg 02' 59" W, 10.09') to a point; thence with a new line centered in the 20' alleyway (based on Map Book 3 at page 540) N 12 deg 35' 41" W, 190.08' to a point in the right of way of P&N Railway Co. sidetrack; thence with said sidetrack with a curve to the left having a radius of 490.84' with an arc length of 10.11'(chord bearing and distance of N 68 deg 47' 47" E, 10.11') to a point; thence with the line of Green Acres, Inc. N 12 deg 35' 41" W, 192.93' to the point and place of BEGINNING and containing 1,915 sq. ft./ 0.044 acre.

Exhibit C

STATE OF NORTH CAROLINA

EASEMENT AGREEMENT

COUNTY OF MECKLENBURG

This Easement Agreement, made and entered into this 20 day of September, 2000, by and between NOLAN PROPERTIES, LLC, a North Carolina limited liability company (hereinafter referred to as "Grantor"), and M & J EQUITIES, a North Carolina general partnership (hereinafter referred to as "Grantee");

STATEMENT OF PURPOSE

WHEREAS, Grantor is the owner o a tract of land located at 1307 West Morehead Street and 1230 Bryant Street, in the City of Charlotte, Mecklenburg County, North Carolina, which is more particularly described in a deed recorded in Book 11377 at page 229 of the Mecklenburg County Public Registry, all is as shown on a survey by Meade Gunnell, Engineering & Surveying, P.C. dated October 4, 1999, entitled "Property of Green Acres, Inc., 1307 W. Morehead Street" (hereinafter referred to as "The Property"); and

WHEREAS, Grantee is the owner of property located on West Morehead Street, more particularly described in Book 5396 at page 273, which said property lies to the west of the Property of the Grantor, separated by an alleyway that is described hereinbelow; and

WHEREAS, an alley exists between the property of the Grantor and the Grantee, and continues in a southerly direction from this alleyway, parallel to, between, and adjacent to the property of the Grantor and the property of Larry D. Watts and wife, Nancy H. Watts, all as is shown on the above-referenced survey and in map book 3 at page 225 and as described in Deed Book 744 at page 28 of the Mecklenburg County Public Registry.

WHEREAS, Grantor desires to close that portion of the alleyway that is parallel to, between, and adjacent to the property of the Grantor and the property of Larry D. Watts and wife, Nancy H. Watts, all as is shown on the above-referenced survey, and described as Parcels A and B on said survey; and

WHEREAS, Grantee agrees to the closing of this portion of the alley on the condition that the Grantee is given an easement for pedestrian and vehicular traffic across the property of Grantor for egress, ingress and regress from the alley lying between the property of the Grantor and the Grantee and Bryant Street.

GRANT OF EASEMENT AND AGREEMENT

NOW, THEREFORE, in consideration of \$10.00 and other valuable consideration paid by Grantee, receipt of which Grantor hereby acknowledges, the Grantor does hereby grant and convey unto the Grantee, its successors and assigns, an easement, ten (10) feet in width, for purposes of egress, ingress and regress from the alley lying between the

property of the Grantor and the Grantee to Bryant Street, the centerline of said easement being more particularly described as follows:

Description of Centerline of easement, ten (10) feet in width: Beginning at a point located S 11-40-28 E 7.625 feet as measured from the southwestern corner of Lot 5, Block D of Wesley Heights as is shown on a map thereof recorded in Map Book 3 at page 225 of the Mecklenburg County Public Registry; thence from this beginning point N 82-57-27 E 26.38 feet to a point; thence S 12-31-18 W 206.15 feet to a point on the northerly margin of Bryant Street, as per survey by Meade Gunnell, Engineering & Surveying, P.C., dated October 4, 1999, entitled "Property of Green Acres, Inc., 1307 W. Morehead Street."

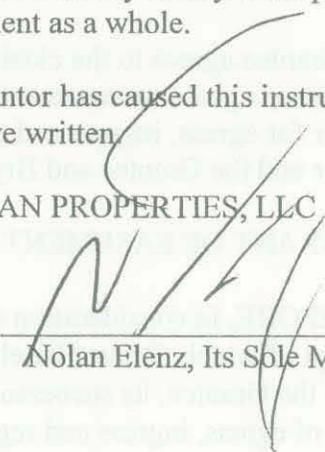
IT BEING UNDERSTOOD AND AGREED among the parties that the above-described Centerline may be altered or adjusted to accommodate landscaping or other improvements to the Property. Any alteration or adjustment shall be minor in nature and shall not in any way affect the rights granted herein and shall not impede grantee's ability to use the aforesaid easement for pedestrian and vehicular traffic to and from the remaining open portion of said alley across the grantor's property from and to Bryant Street.

TO HAVE AND TO HOLD, the aforesaid easement and all privileges and appurtenances thereunto belonging to Grantee, its heirs, successors and assigns, forever; it being understood and agreed that the rights and easements hereby granted are appurtenant to and run with the Grantee's property described in Book 5396 at page 273 of the Mecklenburg County Public Registry.

This instrument shall be binding upon and shall inure to the benefit of the parties hereto, and their respective representatives, heirs, beneficiaries, successors, assigns, tenants, guests and invitees. This instrument shall be interpreted in accordance with the laws of the State of North Carolina. No waiver by any party of any breach by any other party of any provision hereof shall be deemed to be a waiver of any other breach hereof or as a waiver of any such or other provision of this instrument. This instrument constitutes and sets forth the entire agreement and understanding between the parties hereto with respect to the subject matter hereof. If any provision of this instrument is declared invalid or unenforceable as a matter of law, such invalidity or unenforceability shall not affect or impair the validity or enforceability of any other provision of this instrument or the remainder of this instrument as a whole.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed and sealed as of the day and year first above written.

NOLAN PROPERTIES, LLC

BY: 

Nolan Elenz, Its Sole Member

M & J EQUITIES

BY: *John Mancino*
John Mancino, General Partner

NORTH CAROLINA

MECKLENBURG COUNTY

I, *Rosemary S. Kassner*, Notary Public for said County and State, certify that NOLAN ELENZ, the sole member of NOLAN PROPERTIES, LLC, personally came before me this day and acknowledged the due execution of the foregoing instrument on behalf of the company.

Witness my hand and official seal, this the *3rd* day of *October*, 2000.

(Official Seal)

Rosemary S. Kassner
Notary Public

My commission expires *03-20-04*.

NORTH CAROLINA

MECKLENBURG COUNTY

I, *Susan Esquivel*, Notary Public for said County and State, certify that JOHN MANCINO, general partner in M & J EQUITIES personally came before me this day and acknowledged the due execution of the foregoing instrument on behalf of the partnership.

Witness my hand and official seal, this the *20* day of *September*, 2000.

(Official Seal)

Susan Esquivel
Notary Public

My commission expires *11-20-01*.

RESOLUTION CLOSING PEACE STREET IN THE
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to close Peace Street between Eastway Drive and Miramar Drive which calls for a public hearing on the question and:

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close Peace Street between Eastway Drive and Miramar Drive to be sent by registered or certified mail to all owners of property adjoining the said street and prominently posted a notice of the closing and public hearing in at least 2 places along said street or alley, all as required by G.S. 160A-299; and

WHEREAS, the petitioner will provide an access easement to Engineering and Property Management Department, Charlotte-Mecklenburg Utilities, Piedmont Natural Gas Company, BellSouth Telecommunications, Inc., Duke Power Company, Time Warner Cable and all other owners of existing underground telecommunication facilities to maintain their facilities as shown on the attached map marked Exhibit A.

WHEREAS, the public hearing was held on the 8th day of January, 2001, and City Council determined that the closing of Peace Street between Eastway Drive and Miramar Drive is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of January 8, 2001, that the Council hereby orders the closing of Peace Street between Eastway Drive and Miramar Drive in the City of Charlotte Mecklenburg County, North Carolina as shown in a map marked "Exhibit A" and is more particularly described by metes and bounds in a document marked "Exhibit B", both of which are attached hereto and made a part hereof.

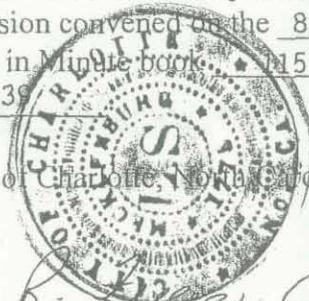
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

CERTIFICATION

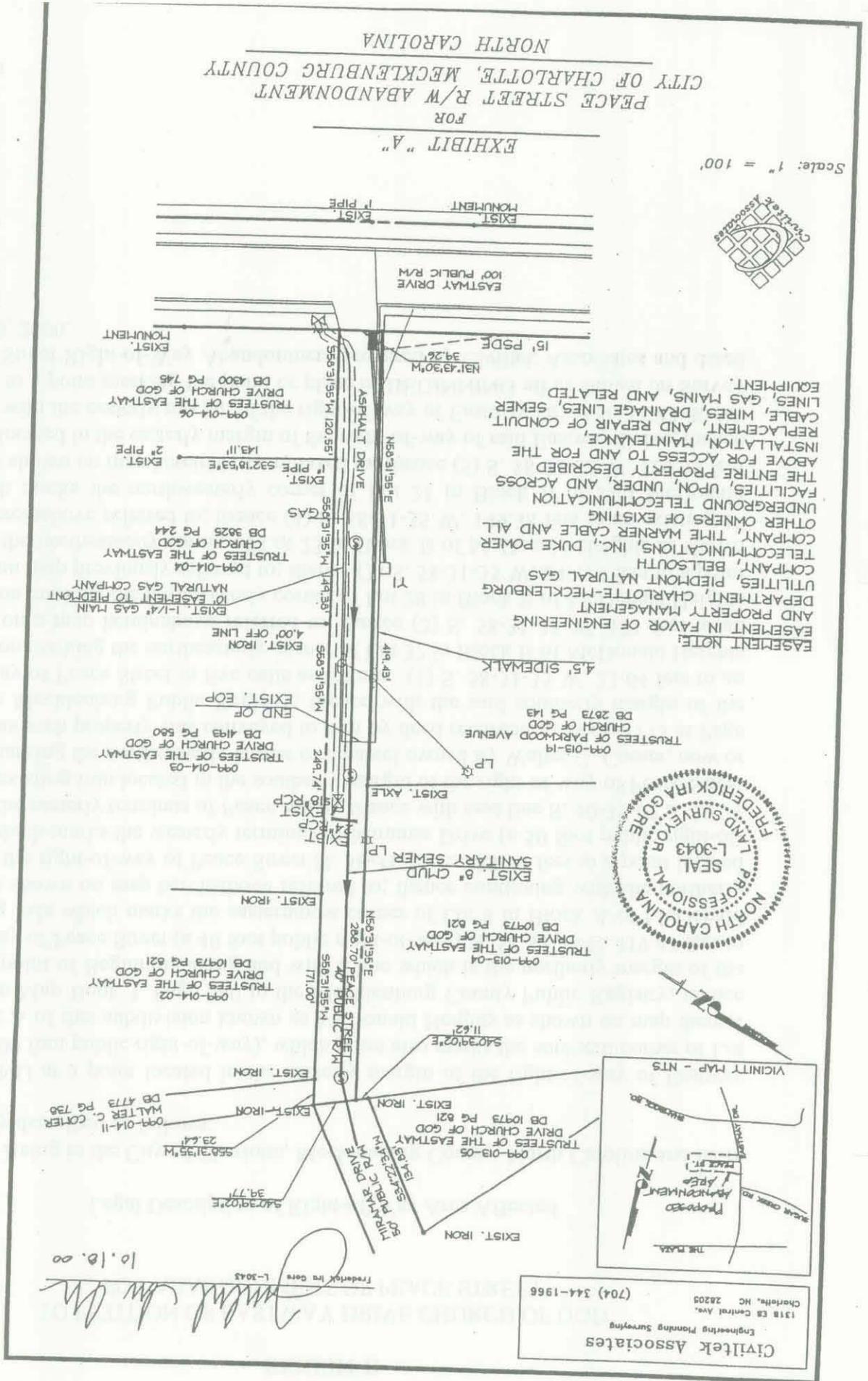
I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January, 2001, the reference having been made in Minute book 115, and recorded in full in resolution book 36, page(s) 637-639.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of January, 2001.

Drawn by: City of Charlotte
Return to: City of Charlotte - Box



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



Drawn by: City of Charlotte
Return to: City of Charlotte - Box

I, LINDA B. POISSANT, REVIEW OFFICER OF MECKLENBURG COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Linda B. Poissant
Review Officer

Date: 1/29/01

EXHIBIT B

TO PETITION OF EASTWAY DRIVE CHURCH OF GOD
FOR ABANDONMENT OF PEACE STREET

Legal Description of Right-of-Way Area Affected

Lying and Being in the City of Charlotte, Mecklenburg County, North Carolina and more particularly described as follows:

BEGINNING at a point located in the easterly margin of the right-of-way of Eastway Drive (a 100 foot public right-of-way), which point also marks the southern corner of Lot 2 in Block A of that subdivision known as McDonald Heights as shown on map thereof recorded in Map Book 3, Page 280 in the Mecklenburg County Public Registry; thence from said point of Beginning along and with a line which is the northerly margin of the right-of-way of Peace Street (a 40 foot public right-of-way) N. 58-31-35 E. 419.43 feet to an existing axle which marks the easternmost corner of Lot 8 in Block A of McDonald Heights as shown on map hereinabove referred to; thence continuing with the northerly margin of the right-of-way of Peace Street N. 58-31-35 E. 288.70 feet to a point located in a line which marks the westerly terminus of Miramar Drive (a 50 foot public right-of-way) and the easterly terminus of Peace Street; thence with said line S. 40-39-02 E. 39.77 feet to an existing iron located in the southerly margin of the right-of-way of Peace Street and also marking the northeasterly corner of a parcel owned by Walter C. Comer, now or formerly, as such property was conveyed to him by deed recorded in Book 4773 at Page 738 in the Mecklenburg Public Registry; thence with the said southerly margin of the right-of-way of Peace Street in five calls as follow: (1) S. 58-31-35 W. 23.64 feet to an existing iron marking the northeasterly corner of Lot 32 in Block B of McDonald Heights as shown on a map hereinabove referred to; thence (2) S. 58-31-35 W. 171 feet to an existing iron marking the northeasterly corner of Lot 28 in Block B of McDonald Heights as shown on map previously referred to; thence (3) S. 58-31-35 W. 249.74 feet to a point at or near the northeasterly corner of Lot 23 in Block B of McDonald Heights as shown on map hereinabove referred to; thence (4) S. 58-31-35 W. 149.38 feet to an existing 1" pipe which marks the northwesterly corner of Lot 21 in Block B of said McDonald Heights as shown on map hereinabove referred to; thence (5) S. 58-31-35 W. 120.55 feet to a point located in the easterly margin of the right-of-way of said Eastway Drive; thence along and with the easterly margin of the right-of-way of Eastway Drive N. 31-43-30 W. 39.26 feet to a point marking the point or place of BEGINNING all as shown on Survey for Peace Street Right-of-Way Abandonment prepared by Civiltek Associates and dated January 20, 2000.

RESOLUTION STATING THE INTENT OF THE CITY OF CHARLOTTE TO PAY
ECONOMIC LOSS TO QUALIFIED SOLID WASTE COLLECTION FIRMS
UNDER G. S. 160-49.3

BE IT RESOLVED by the City of Charlotte, North Carolina:

Section 1. That the City of Charlotte intends to pay the economic loss, as defined by G.S. §160A-49.3 (f), to those solid waste collection firms operating within areas proposed for annexation, as described in resolutions adopted September 25, 2000, including any subsequent amendments thereto.

Section 2. That such firms have substantially satisfied the requirements of G. S. 160A-49.3.

Section 3. That such economic loss shall not be paid until the annexation which gives rise to such loss becomes effective.

Section 4. That the names of such firms and the total amount of such economic loss are set forth below:

Waste Services (formerly Container Corporation of Carolina)	\$	21,641
Waste Services (formerly BFI)		2,873
Waste Industries, Inc.		935,255
Select Sanitation		44,248
Action Garbage Service, Inc.		22,280
		<u>\$1,026,297</u>

This the 8th day of January, 2001.

APPROVED AS TO FORM:

H. Minkus, Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January, 2001, the reference having been made in Minute Book 115 and recorded in full in Resolution Book 36, page(s) 640.

Brenda R. Freeze, CMC
Brenda Freeze
City Clerk

A RESOLUTION AMENDING REPORT OF PLANS FOR
SERVICES FOR PROSPERITY CHURCH ROAD AREA

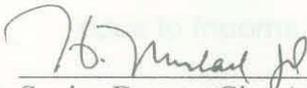
BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

Section 1. That the following pages are deleted from the report of plans for services for the Prosperity Church Road Area, as originally approved by the City Council on October 10, 2000: 12 and 12A.

Section 2. That the pages attached hereto and incorporated herein are substituted in lieu of the pages deleted from said report in Section 1 above.

Adopted this the 8th day of January, 2001.

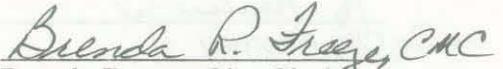
Approved as to form:


Senior Deputy City Attorney

CERTIFICATION

I, Brenda Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January 2001, the reference having been made in Minute Book 115, and is recorded in full in Resolution Book 36, at page(s) 641-643.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 9th day of January, 2001.


Brenda Freeze, City Clerk

A commensurate level of fire protection to the Prosperity Church Road Area will be provided by existing facilities located at Station 31 at 3820 Ridge Road, and Station 21 at 111 Ken Hoffman Drive. To operate during the first year, the Fire Department will incur additional expenditures of \$1,032,259, which will be appropriated from the general fund. The additional personnel and equipment required to provide this service will be secured. Service will commence on the effective date.

A contract with a rural fire department to provide fire protection is also an acceptable method of providing fire protection. The Mallard Creek Volunteer Fire Department has requested a contract to provide fire protection services in compliance with G.S. 160A-49.1. The City has offered a first responder contract having a five (5) year term and calling for first year payments of \$7,968. Contract costs will be appropriated in the annual budget from general revenues. The volunteer fire departments will not be required to respond regularly to any portion of the annexation area, which is not within the fire district served by the volunteer fire department prior to annexation. If said contract is terminated, expires or is not implemented for any reason, the City will provide fire protection services to the annexation area in substantially the same manner as such services are provided in the City.

TRANSIT. The Charlotte Area Transit System (CATS) presently has a fleet of 170 buses serving forty-two routes, including express service. The nearest routes serving the proposed annexation area are the Number 29 UNCC/ South Park and the Number 54X University Research Express. The level of transit service in the annexation area is substantially the same as similarly

situated areas. Additional transit service to the area will be considered in the future on the same basis as extension of service is considered in the rest of the City.

Special Transportation Services (STS). Special Transportation Services provides door-to-door transit services within Charlotte's City Limits for individuals with disabilities certified as eligible

A RESOLUTION AMENDING REPORT OF PLANS FOR
SERVICES FOR US HIGHWAY 29 AREA

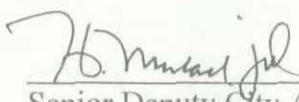
BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

Section 1. That the following pages are deleted from the report of plans for services for the US Highway 29 Area, as originally approved by the City Council on October 10, 2000: 12 and 12A.

Section 2. That the pages attached hereto and incorporated herein are substituted in lieu of the pages deleted from said report in Section 1 above.

Adopted this the 8th day of January, 2001.

Approved as to form:

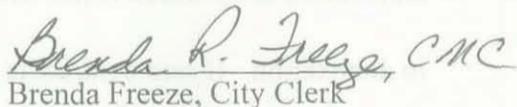


Senior Deputy City Attorney

CERTIFICATION

I, Brenda Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January 2001, the reference having been made in Minute Book 115, and is recorded in full in Resolution Book 36, at page(s) 644-646.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 9th day of January, 2001.


Brenda Freeze, City Clerk

acquire the site and construct the new three-bay fire station is estimated at \$3,530,000. To operate during the first year, the Fire Department will incur expenditures of \$1,068,797, including the purchase of rolling stock. All costs will be appropriated from the general fund.

Subsequent annual budgets will reflect the additional cost of services to the area. Service will commence on the effective date. If the new station is not completed by the effective date of annexation, a reasonable level of fire protection for the US Highway 29 area will be provided from existing facilities located at Station 27 at 111 Ken Hoffman Drive and Station 31 at 3820 Ridge Road.

A contract with a rural fire department to provide fire protection is also an acceptable method of providing fire protection. The Mallard Creek Volunteer Fire Department has requested a contract to provide fire protection services in compliance with G.S. 160A-49.1. The City has offered a first responder contract having a five (5) year term and calling for first year payments of \$2,556. Contract costs will be appropriated in the annual budget from general revenues. The volunteer fire departments will not be required to respond regularly to any portion of the annexation area, which is not within the fire district served by the volunteer fire department prior to annexation. If said contract is terminated, expires or is not implemented for any reason, the City will provide fire protection services to the annexation area in substantially the same manner as such services are provided in the City.

TRANSIT. The Charlotte Area Transit System (CATS) presently has a fleet of 170 buses serving forty-two routes, including express service. The nearest routes serving the proposed

annexation area are the Number 29 UNCC/South Park and the Number 39 UNCC/Uptown. The level of transit service in the annexation area is substantially the same as similarly situated areas.

Additional transit service to the area will be considered in the future on the same basis as extension of service is considered in the rest of the City.

[Signature]
Mayor, City of Chicago

CERTIFICATION

I, the undersigned, Mayor of the City of Chicago, hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of Chicago, on the _____ day of _____, 2001, the original having been made in Minute Book _____ and is attached in full in Resolution Book _____ at page(s) _____.

[Signature]
Mayor, City of Chicago

A RESOLUTION AMENDING REPORT OF PLANS FOR
SERVICES FOR BACK CREEK CHURCH ROAD AREA

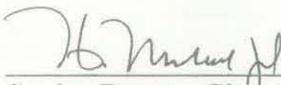
BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

Section 1. That the following pages are deleted from the report of plans for services for the Back Creek Church Road Area, as originally approved by the City Council on October 10, 2000: 3, 4, 5, 6, 7, 8, 26, 27, 30, 38, 39, 42, 43, 44, 45, 46, 47, and the large map of the Area entitled "2001 Annexation Proposed Water & Sewer Back Creek Church Road" dated October 5, 2000 and bearing the registered engineer seal of Charles M. Bliss. *

Section 2. That the pages attached hereto and incorporated herein are substituted in lieu of the pages deleted from said report in Section 1 above.

Adopted this the 8th day of January, 2001.

Approved as to form:

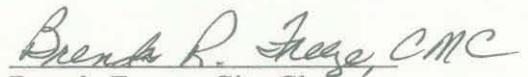


Senior Deputy City Attorney

CERTIFICATION

I, Brenda Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January 2001, the reference having been made in Minute Book 115, and is recorded in full in Resolution Book 36, at page(s) 647-664.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 9th day of January, 2001.



Brenda Freeze, City Clerk

* Amended water and sewer map approved on 1/8/01 is in the OFFICIAL REPORT BOOKLET POCKET for Back Creek Church Road Area.

PART I: THE PROPOSED AREA

General Description of the Area

The Back Creek Church Road Area is situated east of the existing city limits in the vicinity of Old Concord Road, Plaza Road Extension, and Back Creek Church Road. The area is a mixture of residential, commercial, industrial, and institutional land uses. The area contains University Commons and University East Business Parks; Duke Energy Operations Center and Division of Highways District Office; and Northridge Middle School and the new Grier Road Elementary School. The area also includes the residential communities of University Heights, Faires Farm (part of), Back Creek, Barrington Place, Glen Laurel, and Wyndham Place. The area contains 2,199 acres with an estimated population of 4,398.

Standards and Criteria

STATEMENT SHOWING THAT THE AREA PROPOSED TO BE ANNEXED MEETS THE LEGISLATIVE STANDARDS PRESCRIBED BY G.S. 160A-48.

- 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 76,553 feet, of which 48,344 feet or sixty-three percent (63 percent) coincides with the present city boundary.
 - 3. No part of the area is included within the boundary of another incorporated municipality.

- B. Except for the portion of the area described in Section C on page 4 (Subsection (d) portion of the area), the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The part of the area remaining after removing the Subsection (d) portion of the area (developed part of the area) qualifies for annexation under the standard

of two and three-tenths persons per acre of land as set forth in G.S. 160A-48(c)(1). The developed part of the area has an estimated total population of 2.63 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 1,782 dwelling units in the developed part of the area, which when multiplied by the average household size (according to the latest federal decennial census) results in an estimated total resident population of 4,368 in the developed part of the area. This population, when divided by the total number of acres (1,664) in the developed part of the area results in a population density of 2.63 persons per acre 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), but does meet the requirements of G.S. 160A-48(d)(2), and is referred to as the "Subsection (d) portion of the area." The acreage of the Subsection (d) portion of the area does not exceed twenty-five percent (25%) of the acreage of the area to be annexed. The total number of acres in the area to be annexed is 2,199. Of that acreage, 535 acres or 24% are contained in the Subsection (d) portion of the area. The Subsection (d) portion of the area is adjacent to and at least sixty percent (60%) of its external boundary coincides with a combination of the boundaries of the present city and the developed part of the area. The aggregate boundary of the Subsection (d) portion of the area is 49,238 feet of which 49,238 feet or one hundred percent (100%) coincides with the present city boundary and the boundary of the developed part of the area (see the D-Land Connection Map).

Maps of the Area

The following four pages contain maps of (a) the location of the area in relation to Charlotte, (b) the boundaries of the proposed annexation area, (c) the D-Land Connection Map, and (d) the generalized land use pattern for the area.

Annexation Areas, 2001



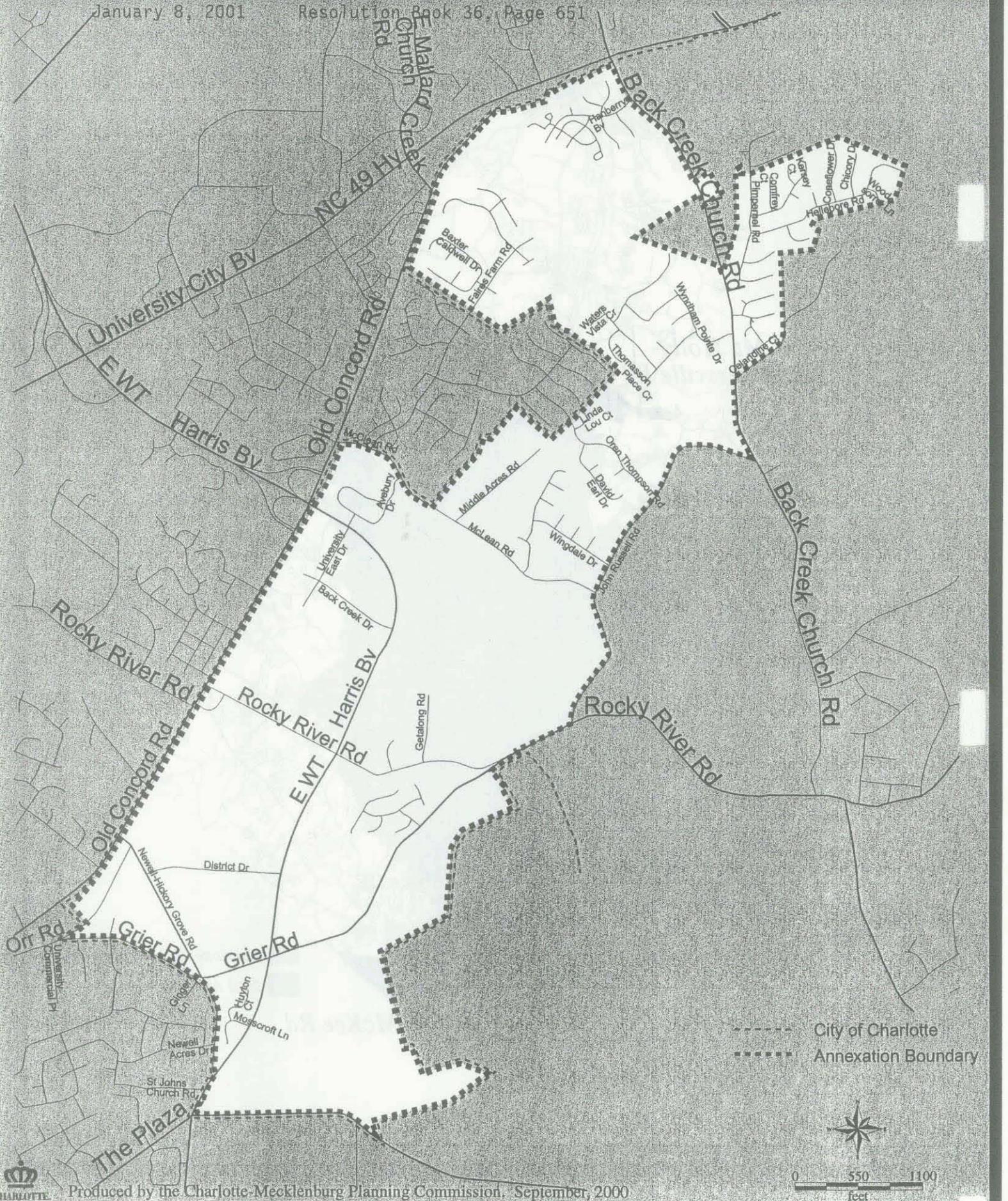
Produced by the Charlotte-Mecklenburg Planning Commission.

Date: August 31, 2000



Back Creek Church Rd Annexation Area

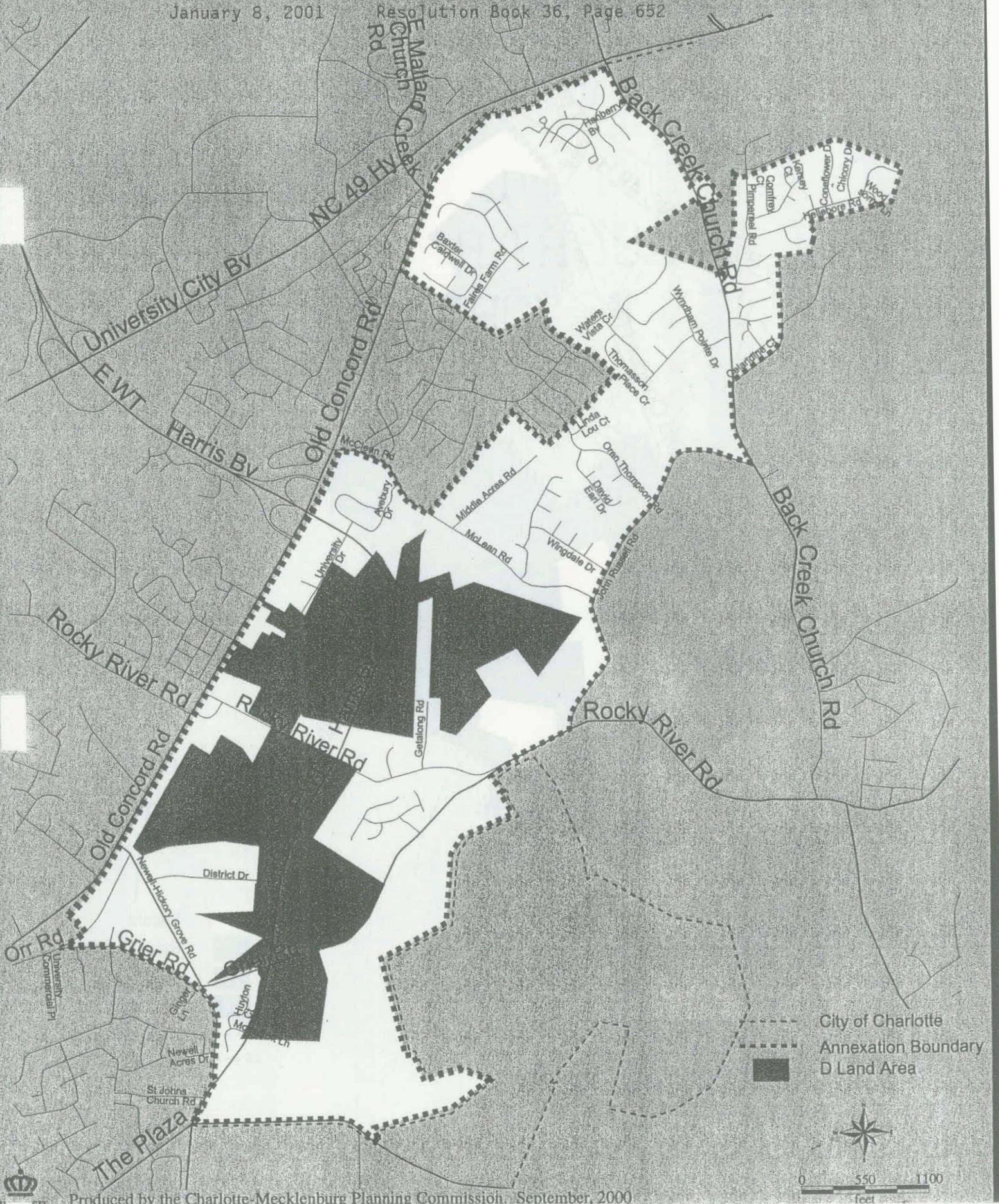
January 8, 2001 Resolution Book 36, Page 651



Back Creek Church Rd Annexation Area

January 8, 2001

Resolution Book 36, Page 652



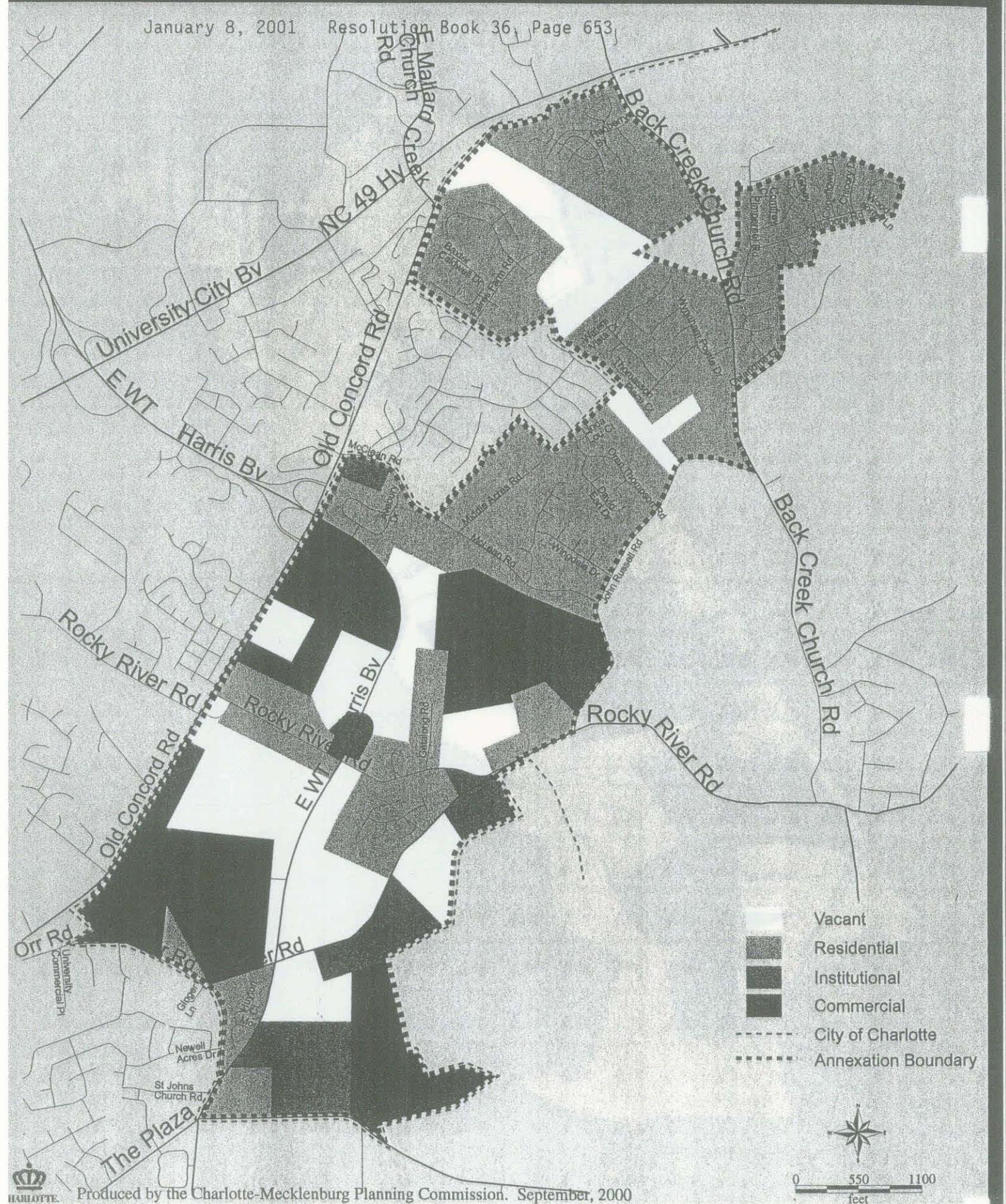
City of Charlotte
Annexation Boundary
D Land Area



0 550 1100
feet

Back Creek Church Rd Annexation Area

January 8, 2001 Resolution Book 36, Page 653



PART III: FIRE PROTECTION IMPACT STATEMENT

Newell Volunteer Fire Department

The Newell Volunteer Fire Department provides fire suppression services to Back Creek Church Road, and the Mecklenburg County Fire Marshal's Office provides fire prevention services. The Newell VFD serves as a rural fire protection district as defined by G.S. 153A-233 and does not levy a fire tax on the property it protects. It also reports that it does not employ full-time personnel.

The Newell Volunteer Fire Department estimates that the area of its fire district is 10.69 square miles; it estimates that it protects a population of 8,800 people. The population of Back Creek Church Road is estimated to be 4,398 and the area 3.4 square miles. Based on this information, annexation of Back Creek Church Road will result in a 50 percent reduction in the area and a 29 percent reduction in the population served by the Newell Volunteer Fire Department.

After annexation, the Charlotte Fire Department will provide all fire protection services to Back Creek Church Road, possibly supplemented by a contract for fire suppression with the Volunteer Fire Department.

Fire Suppression

The Newell Volunteer Fire Department operates 2 pumpers, a heavy rescue truck, and a ladder truck for fire suppression services. Volunteer firefighters' response is based on their individual ability to leave home or work when dispatched for a fire. Newell VFD reports that an average of

APPENDIX A

STATISTICAL SUMMARY PER STATUTORY REQUIREMENTS

**BACK CREEK CHURCH ROAD
 AREA IN TERMS OF STATUTORY REQUIREMENTS
 (STATISTICS COMPILED JUNE, 2000)**

I. STATUTORY REQUIREMENT	Measured or Calculated	Statutory Standard
At least one-eighth (1/8) of the total boundary of the area must coincide with the municipal boundary:		
1. Total boundary	76,533 ft.	
2. Boundary contiguous with municipal boundary	48,344 ft.	
3. Proportion of total boundary contiguous with the municipal boundary	63%	(1/8 or 12.5%)
II. QUALIFYING CRITERIA		
A. Has a resident population equal to at least two and three-tenths persons for each acre of land within the developed part of the area:		
1. Total number of dwellings in developed part of the area	1,782	
2. Average number of persons per household (1990 Census)	2.65	
3. Estimated population of developed part of area	4,368	
4. Acreage of developed part of the area	1,664 acres	
5. Population per acre in developed part of area	2.63	(2.3)

STATISTICAL SUMMARY (Continued)

	Measured or Calculated	Statutory Standard
<p>B. At least sixty percent of the external boundary of the area not meeting the requirements of subsection (c) must coincide with any combination of the municipal boundary and the boundary of an area or areas developed for urban purposes as defined in subsection (c). However, these areas not yet developed for urban purposes may not exceed twenty-five percent of the total area to be annexed (Subsection D portion of the area):</p>		
1. Total acreage of the area	2,199 acres	
2. Total acreage of Subsection D portion of the area	535 acres	
3. Total acreage of Subsection D portion of the area as a proportion of the total acreage of the area	24%	(25%)
4. Total boundary of Subsection D portion of the area	49,238 feet	
5. Boundary of Subsection D portion of the area contiguous with municipal boundary and boundary of developed part of the area	49,238 feet	
6. Boundary length in Section II B 5 as a proportion of the boundary length in Section II B 4.	100%	(60%)

APPENDIX C

FY01 ANNEXATION AREA DESCRIPTION

BACK CREEK CHURCH ROAD

Beginning at a point on the existing CHARLOTTE CITY LIMITS, said point being the intersection of the Westerly boundary line of a lot described in Deed Book 4838 page 529 with said Southerly right-of-way margin of Rocky River Road, said point being located approximately 550 feet East of the Rocky River Road / Grier Road intersection, said point also being located approximately 920 feet West of the extension of the centerline of John Russell Road, Thence; in a Westerly direction with the Southerly right-of-way margin of Rocky River Road approximately 387 feet to a point, said point being the intersection of the said Southerly right-of-way margin of Grier Road with the Southerly right-of-way margin of Rocky River Road, Thence; continuing in a Westerly direction with the Southerly right-of-way margin of Grier Road approximately 365 feet to a point, said point being the intersection of the Westerly line of said lot described in Deed Book 4313 page 924 thence; with the Westerly boundary line of said lot in six courses as follows: 1) South 38-18-30 East approximately 342 feet to a point; 2) South 66-39-20 West 54.00 feet to a point; 3) South 28-31-50 East 429 feet to a point; 4) South 56-39-20 West 973 feet to a point; 5) South 31-28-10 West 372 feet to a point; 6) South 06-31-30 West 1,221 feet to a point, said point being the Southern most corner of property as described in Deed Book 3811 page 850, Thence; with the Westerly line of Deed Book 4313 page 924, South 62-05-15 West 1,325.88 feet to a point, said point being the Westerly most corner of property as described in said Deed Book 4313 page 924, Thence; with the Easterly line of said deed for seven courses as follows: 1) South 13-41-11 East 1,785.97 feet to a point; 2) North 89-59-00 East 139 feet to a point; 3) South 20-34-00 East 512.80 feet to a point; 4) North 67-51-00 East 304 feet to a point; 5) North 78-41-00 East 393.50 feet to a point; 6) South 69-55-08 East 481.50 feet to a point; 7) South 50-24-06 West 782.86 feet to a point, said point being a southeasterly corner of property as described in Deed Book 5115 page 963, Thence; with the boundary line of Deed Book 4135 page 629 with three courses as follows: 1) South 76-13-35 West 597.75 feet to a point; 2) South 76-20-36 West 870.90 feet to a point, 3) South 17-15-34 East 271 feet to a point, said point being the intersection of the Northerly right-of-way margin of Plaza Road Extension with the Easterly line of the property as described in Deed Book 1184 page 199, said point also being the intersection of said right-of-way margin with the Westerly line of property described in Deed Book 4135 page 629, Thence; continuing along the Northerly right-of-way margin of Plaza Road Extension in a Westerly direction approximately 3,364 feet to a point, said point being on the Northerly right-of-way margin of Plaza Road Extension, said point also being approximately 213.16 feet in a Westerly direction along the Northerly right-of-way margin of Plaza Road Extension from the Easterly property line of a lot as described in Deed Book 5019 page 877, Thence; in a Northwesterly direction approximately 30 feet to a point, said point being located where a line 40 feet North of and parallel with the centerline of the Plaza Road Extension intersects with a line 40 feet East of and parallel with the centerline of W.T. Harris Boulevard (formerly Newell-Hickory Grove Road), Thence; in a Northerly direction following along a line 40 feet East of and parallel with the centerline of W.T. Harris Boulevard approximately 2,000 feet to a point, said point being located 40 feet East of and normal to the centerline of W.T. Harris Boulevard (formerly Newell-Hickory Grove Road), Thence; in a

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Northwesterly direction following along a line 40 feet North of and parallel with the centerline of Grier Road crossing W.T.Harris Boulevard (formerly Newell-Hickory Grove Road) approximately 3,080 feet to a point, said point being located where a line 40 feet South of and parallel with the centerline of Orr Road intersects with a line 40 feet North of and parallel with the centerline of Grier Road, Thence; in a Northeasterly direction along a line 40 feet South of and parallel with the centerline of Orr Road approximately 600 feet to a point, said point being a point 40 feet South of and normal to the centerline of Orr Road, Thence; in a Northwesterly direction following along the Easterly boundary line of a lot as described in Deed Book 3726 page 691 as having a bearing and distance of North 39-51-00 West approximately 434 feet crossing Orr Road to a point, said point being the Northeasterly corner of lot located in the centerline of the Southern Railroad as described in Deed Book 3726 page 691, Thence; running in a Northeasterly direction following along the centerline of the Southern Railroad approximately 4,090 feet, crossing Newell-Hickory Grove Road to a point being located where the centerline of the Southern Railroad intersects with a line 40 feet North of and parallel with the centerline of Rocky River Road West, if(extended), Thence; in a Northeasterly direction with the centerline of the railroad approximately 5,414 feet crossing SR 2841, Rocky River Road East and the controlled access of W.T. Harris Boulevard to a point, said point being the intersection point of the centerline of Southern Railroad and the Southerly right-of-way margin of McLean Road, Thence; in a Southeasterly direction following along the said right-of-way margin of McLean Road approximately 942 feet to a point, said point being the intersection of the Westerly property line of said lot described in Deed Book 1639 page 210 with the Southerly right-of-way margin of McLean Road, Thence; South 30-11 East approximately 135 feet to a point, said point being the intersection of the Southerly right-of way margin of McLean Road with the Easterly property line of said property, Thence; South 30-11 East 323.49 feet to a point, said point being the intersection of the Easterly property line of the lot described in Deed Book 4531 page 310 with the Southerly right-of-way margin of McLean Road, Thence; South 30-11 East 42.8 feet to a point, Thence; continuing in a Southeasterly direction with the Southerly right-of-way margin of McLean Road along the arc of a circular curve having a radius of 666.8 feet, and a Arc distance of 207.20 feet to a point, said point being the intersection of the Southerly right-of-way margin of McLean Road with the Easterly property line of the lot described in Deed Book 1811 page 8, Thence; with said Southerly right-of-way margin in a Southeasterly direction with the arc of a circular curve to the left having a radius of 761.94 feet, and a Arc distance of 151.18 feet to a point, Thence; South 62-35 East 298.82 feet to a point, said point being on the Southerly right-of-way margin of McLean Road, said point also being the intersection of the Southerly right-of-way margin of McLean Road with the Easterly property line of the property described in Deed Book 1387 page 287, Thence; in a Northerly direction with the Easterly boundary line of the property described in Deed Book 6066 page 429 approximately 60 feet to a point, said point being the intersection of the Easterly boundary line of said property with the Northerly right-of way margin of McLean Road, Thence; continuing in a Northerly direction North 33-43 East approximately 610 feet to a point, said point being the Easterly corner of the property as described in Deed Book 6066 page 429, Thence; for two courses as shown on a map of Pondside at Faires Farm, Map 4, recorded in Map Book 21 page 790 as follows: 1) North 45-16-22 East 603.52 feet to a point, 2) North 22-35-27 East 100.06 feet to a point, Thence; with the following three courses as shown on a map of Pondside at Faires Farm, Map Book 21 page 858 as follows: 1) North 22-35-27 East 230.42 feet to a point, 2) South 70-28-46 East 125.03 feet to a point, 3) North 38-36-50 East 520.0 feet to a point, said point the Southwesterly corner of Lot 5, Block C, Map Book 22 page 255, Thence; with the rear property lines

of Lot 5 and Lot 8 in Block C as shown on Map Book 22 page 255 for two courses as follows: 1) North 38-36-50 East 208.02 feet to a point, 2) South 46-11-30 East 87.72 feet to a point, said point being the Southeasterly corner of Lot 8 in Block C of Overlook at Faires Farm, Section 1, Map 1, Map Book 22 page 255, Thence; running with the rear lot lines of Lots 9 through 19 of Block C of Overlook at Faires Farm, Section 1, Map 2, Map Book 22 page 474 for two courses as follows: 1) South 46-11-30 East 760.32 feet to a point, 2) North 49-16-55 East 338.19 feet to a point as shown on recorded Map Book 22 page 713, Thence; in a Northeasterly direction with the Southerly property lines of Lot 161 Block B and Lot 41 Block C, North 49-16-55 East 355.74 feet to a point, said point being the Southeasterly corner of Lot 161 in Block B of The Meadows at Faires Farm, Section 1, as shown in Map Book 22 page 713, Thence; with the property line of a lot described in Deed Book 5176 page 547 with the following 10 courses as follows: 1) North 43-50-29 East 1070.18 feet to a point, 2) North 44-37-31 West 620.97 feet to a point, 3) North 76-25-1-40 West 150.00 feet to a point, 4) North 53-03-41 West 140.27 feet to a point, 5) North 53-46-08 West 271.57 feet to a point, 6) North 75-53-18 West 82.28 feet to a point, 7) North 51-45-56 West 206.07 feet to a point, 8) North 12-32-22 West 456.27 feet to a point, 9) South 58-39-00 West 1,015.00 feet to a point, 10) North 54-30-12 West 1982.47 feet to a point, said point being in the centerline of the Southern Railroad and also being the most Northwesterly corner of the property as described in said Deed Book 5176 page 547, Thence; in a Easterly direction with the centerline of Southern Railroad approximately 5,250 feet to a point, said point being the intersection of the centerline of said railroad with the Easterly right-of-way margin of Back Creek Church Road said point lying 100 feet south of the intersection of the southerly right-of-way margin of University City Boulevard with the Easterly right-of-way margin of Back Creek Church Road, Thence; continuing in a Southeasterly direction running along the Easterly right-of-way margin of Back Creek Church Road and crossing a Duke Power Company easement approximately 2,520 feet to a point, said point being located on the Southerly right-of-way margin of the Duke Power Company easement recorded in Deed Book 2765 page 235 and also being the intersection of the Easterly right-of-way margin of Back Creek Church Road with the Northerly boundary line of the property as described in Deed Book 5266 page 550, Thence; in a Northeasterly direction following along the Southerly right-of-way margin of the Duke Power Company easement and also being the Northerly boundary line of said Deed Book 5266 page 550 with a bearing and distance of North 53-18-00 East 248.02 Feet to a point, said point being the Northeasterly corner of said deed, Thence; in a Southeasterly direction following along the boundary line of said Deed Book 5266 page 550 with a bearing and distance as follows: South 37-38-00 East 238.30 feet to a point, said point being the Southeasterly corner of said property in Deed Book 5266 page 550 and also being the Southerly most corner of Deed Book 2367 page 67 which is also located on the Northerly boundary line of property described in Deed Book 1913 page 613, Thence; in a Northeasterly direction following along the Northerly property line of said Deed Book 1913 page 613 with a bearing and distance of North 56-10 East 19.29 feet to a point, said point being the Northerly most corner of said Deed Book 1913 page 613 located on the Southerly boundary line of Deed Book 2367 page 67, Thence; continuing with the Easterly property line of said Deed Book 1913 page 613 with a bearing and distance of South 33-40 East 252.33 feet to a point, said point being the Southeasterly most corner of said Deed Book 1913 page 613, Thence; continuing in a Southwesterly direction with the Southerly property line of said Deed Book 1913 page 613 with a bearing and distance of South 56-10 West 407.50 feet to a point located in the center of a hard surface road named Back Creek Church Road, Thence; continuing in a Southwesterly direction with the said property line extended to a point of intersection with the Westerly right-of-way margin of

said Back Creek Church Road, Thence in a North Northwesterly direction along and with the Westerly right-of-way margin of said Back Creek Church Road to a point located on the boundary line of a parcel of land described in said Deed Book 4611 page 818 and also being a common line with Deed Book 7502 page 823, Thence; in a Southwesterly direction with said Deed Book 4611 page 818 with a bearing and distance of South 53-30 West approximately 1520 feet to a point said point being the Westerly most corner of Said Deed Book 4611 page 818, Thence; in a Southeasterly direction with the Southwesterly property line of said Deed Book 4611 page 818 with a bearing and distance of South 75-15 East 1886.45 feet to a point, passing over Back Creek Church Road at approximately 1700 feet, said point being located on the Westerly boundary line of Back Creek Forest at Back Creek Section 1, recorded in Map Book 25 page 555, Thence in a Northerly direction with the property line of said Deed Book 4611 page 818 and also being the Westerly property lines of Lots 1 through 13, Block 1 of said Map Book 25 page 555 with a bearing and distance of North 14-07-57 East 901 feet to a point, said point being the Northwesterly corner of Lot 13 Block 1 of said Map Book 25 page 555 and also being the Southwesterly corner of Lot 14 Block 1 of Back Creek Phase 2, Map 1, recorded in Map Book 26 page 955, Thence in a Northerly direction with the Easterly boundary line of said Deed Book 4611 page 818 and also being the Westerly property lines of Lots 14 through 26, Block 1 of said Map Book 26 page 955 with a bearing and distance of North 01-52-10 West 1011.00 feet to a point, said point being the Northwesterly corner of said Lot 26 and also being 91.20 feet south of the Northerly most corner of Deed Book 4611 page 818 and the Southeasterly corner of said Deed Book 2367 page 67, Thence; following along the Northerly boundary line of said Lot 26, North 88-07-50 East 140.00 feet to the Northeasterly corner of said Lot 26 and also being located on the Westerly right-of-way margin of Pimpernel Road, Thence; crossing said road North 86-16-24 East 50.03 feet to a point, said point being the Easterly right-of-way margin of Pimpernel Road and also being the Northwesterly corner of Lot 71 Block 5, Thence; in a Northeasterly direction following along said boundary line North 65-48-45 East 154.58 feet to a point, said point also being the Northeasterly corner of Lot 71 Block 5 of Back Creek Phase 2, Map 1 recorded in Map Book 26 page 955 and also being the Northwesterly corner of Lot 53 Block 5, of Back Creek Phase 2, Map 2 recorded in Map Book 27 page 141, Thence; continuing along said boundary line also being the Northerly boundary lines of Lots 53-52 a bearing and distance of North 65-48-45 East 327.32 feet to a point, said point being the Northeasterly corner of Lot 52 Block 5 and the Northerly most corner of Lot 51 Block 5 recorded in Map Book 27 page 141 and also being the Northeasterly corner of Lot 34 Block 5 of Back Creek Phase 2, Map 3 recorded in Map Book 28 page 37, Thence; continuing along said boundary line with the Northerly boundary lines of the following Lots 34-33-32-25-24-23, Block 5 with a bearing and distance of North 65-48-45 East 891.67 feet to a point, said point being the Northeasterly corner of said Lot 23 Block 5 of Back Creek Phase 2, Map 3 recorded in Map Book 28 page 37 and also being the Northerly most corner of Lot 40 Block 2 of Back Creek Phase 3, Map 2 recorded in Map Book 29 page 528 Thence; continuing along said boundary line with the Northerly boundary lines of the following Lots 40-41-42 Block 2 of said Back Creek Phase 3, Map 2 with the following bearings and distances as follows: North 65-48-46 East 298.34 feet to a point, said point being a angle point located on the Northerly boundary line of said Lot 41 and also being the intersection point of the Southerly right-of-way margin of the PROPOSED OUTER BELT (project # 6.678004T)(Deed Book 7844 page 444) Thence; continuing with said right-of-way margin, South 79-12-16 East 117.40 feet to a point, Thence; South 67-53-41 East 42.62 feet to a point, said point being the Northeasterly most corner of Lot 42 Block 2, Back Creek Phase 3 Map 2 recorded in Map 29 page 528 and also being the

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Northwesterly corner of Lot 68 Block 2 of Back Creek Phase 3, Map 3 recorded in Map Book 29 page 649, Thence; continuing with the Southerly right-of way margin of the Proposed Outer Belt also being the Northerly boundary line of Lots 68-69 with the following bearing and distance: South 67-53-41 East 444.41 feet to a point, said point being the Northerly most corner of Lot 69 Block 2, of Back Creek Phase 3, map 3 recorded in Map Book 29 page 649 and also being the Easterly most corner of Lot 88, Block 2 of Back Creek Phase 3, Map 4 recorded in Map Book 32 page 306, Thence; continuing with the Southerly right-of-way margin of the PROPOSED OUTER BELT (project # 6.678004T)(Deed Book 7869 page 372) also being the Northerly boundary lines of Lots 88-89-90-91-92-93-94-95 Block 2 with the following bearing and distance as follows: South 67-53-41 East 700.55 feet to a point, said point being the Northeasterly corner of Lot 95 Block 2 of Back Creek Phase 3, Map 4 and also the Northwesterly corner of Deed Book 2679 page 143 located on the southerly right-of-way margin of PROPOSED OUTER BELT, Thence; in a South Southwesterly direction following along the boundary lines of Lots 95-13-02-01 and crossing Hellebore Road from said Map Book 32 page 306 and Deed Book 2679 page 143 a bearing and distance of South 15-34-26 West 640.41 feet to a point, said point being the Southeasterly corner of Lot 1 Block 6, of Back Creek Phase 3, Map 4 and also being a angle point on the Easterly boundary line of Deed Book 2679 page 143 and also being the Northeasterly corner of Deed Book 9956 page 551, Thence; in a Southwesterly direction following along the southerly boundary line of Lots 1 Block 6 and crossing Woodsorrel Lane and Lots 91 and 88 Block 3 of Map Book 32 page 306 all located on the Northerly boundary line of Deed Book 9956 page 551 with a bearing and distance of South 74-45-31 West 624.00 feet to a point, said point being the Southwesterly corner of Lot 88 Block 6 of Back Creek Phase 3, Map 4 recorded in Map Book 32 page 306 and also being the Southeasterly corner of Lot 87 Block 2 of Back Creek Phase 3, Map 3 recorded in Map Book 29 page 649, Thence; continuing with the said boundary lines with Lots 87-86-85-84-83 with the following bearing and distance of South 74-45-31 West 372.07 feet to a point, said point being the Southwesterly corner of Lot 83 of Back Creek Phase 3, Map 3 recorded in Map Book 29 page 649 and also being the Southeasterly corner of Lot 82 Block 3 of Back Creek Phase 3, Map 2 recorded in Map Book 29 page 528, Thence continuing with said boundary lines with Lots 82-81-80-79 Block 3 with a bearing and distance of South 74-45-31 West 295.00 feet to a point, said point being the Southwesterly corner of Lot 79 Block 3 of Back Creek Phase 3, Map 2 recorded in Map Book 29 page 528 and also being the Southeasterly corner of Lot 78 Block 3 of Map Book 29 page 293, Thence; continuing with said boundary lines with Lots 78-77-76-75 with the following bearings and distances as follows: South 74-45-30 West 157.46 feet to a point, South 29-05-19 West 65.67 feet to a point, said point being the Southwesterly corner of Lot 75 Block 3 of Back Creek Phase 3, Map 1 recorded in Map Book 29 page 293 and also being the Easterly most corner of Lot 74 Block 3 of Map Book 28 page 39, Thence; continuing with said boundary lines of Lots 74-63-62-61-60-59-57 Block 3 which is still a common line to that of Deed Book 9956 page 551 with the following four bearings and distances as follows: 1) South 29-05-19 West 55.57 feet to a point, 2) South 48-08-16 East 150.54 feet to a point, said point being the Easterly most corner of Lot 63 Block 3, 3) South 14-30-25 West 358.66 feet to a point, said point being the Southeasterly corner of Lot 62 of said Map Book, 4) South 82-38-14 West 556.23 feet to a point, said point being the Southwesterly most corner of Lot 57 Block 3 of Back Creek Forest at Back Creek, Map 6 recorded in Map Book 28 page 39, and also being the Southwesterly most corner of Lot 33 Block 3 of Back Creek Forest at Back Creek, Map 5 recorded in Map Book 26 page 750, Thence; continuing along said boundary lines with Lots 33 and 32 with bearings and distances as follows: Thence; South 82-38-14 West 25.41 feet to a point, Thence; South

03-29-31 East 200.18 feet to a point, said point being the Southeasterly corner of Lot 32 Block 3 of said Map Book 26 page 750 and also being the Northeasterly corner of Lot 14 Block 3, Back Creek Forest At Back Creek Map 2 recorded in Map Book 25 page 933, Thence; continuing along said boundary lines with Lots 14-13-12 Block 3 with the following bearing and distance of South 03-29-31 East 330.39 feet to a point, said point being the Southeasterly corner of Lot 12 Block 3 recorded in Map Book 25 page 933 and also being the Northeasterly corner of Lot 14 Block 4 of Winding Creek at Back Creek, Map 1 recorded in Map Book 25 page 521 also passing the Southwesterly corner of Deed Book 9956 page 551 and the Northwesterly corner of Deed Book 6607 page 325 which is located South 03-29-31 East approximately 394 feet from the Northeasterly corner of Lot 14 Block 3, Map Book 25 page 933, Thence; continuing along said boundary line with the easterly line of Lots 14-15-16 Block 4 of Winding Creek At Back Creek, Map 1 recorded in Map Book 25 page 521 with the following bearings and distances of South 03-29-31 East 268.26 feet to a point, Thence; South 02-58-48 East 91.42 feet to a point, said point being the Southeasterly corner of Lot 16 Block 4 of Map Book 25 page 521, and also being the Northeasterly corner of Lot 32 Block 4 of Winding Creek At Back Creek, Map 2 recorded in Map Book 25 page 895 and also passing the Southwesterly corner of Deed Book 6607 page 325 which is a common point to the Northwesterly corner of Deed Book 7224 page 336 in a direction of South 02-58-48 East approximately 291 feet from the Northeasterly corner of said Lot 14 Block 4 Map Book 25 page 521, Thence; continuing in a Southerly direction with said boundary line of Deed Book 7224 page 336 and with the Easterly lines of Lots 32 and 33 Block 4 Map Book 25 page 895 with a bearing and distance of South 02-58-48 East 313.23 feet to a point, said point being the Southeasterly corner of Lot 33 Block 4 of Winding Creek At Back Creek, Map 2 recorded on Map Book 25 page 895, and also being the Northerly most corner of the common open space recorded in Map Book 26 page 310 called Winding Creek At Back Creek, Map 4, Thence; continuing in a Southerly direction with the Easterly boundary line of said common open space and the Westerly line of Deed Book 7224 page 336, a bearing and distance of South 02-58-48 East approximately 70 feet to a point, said point being the Southern most corner of Said Deed Book 7224 page 336 also being located on the Westerly right-of-way margin of Timber Ridge Road, Thence; with a perpendicular line in a Easterly direction approximately 60 feet to a point marking the Easterly right-of-way margin of said Timber Ridge Road, Thence; in a South Southwesterly direction meandering along the Easterly right-of-way margin of said Timber Ridge Road approximately 3,050 feet to a point, said point being the intersection of the Easterly right-of-way margin of Timber Ridge Road with the extension of the Southerly right-of-way margin of John Russell Road, Thence; in a West Southwesterly direction meandering along the Easterly right-of-way margin of John Russell Road approximately 7,200 feet to a point, said point being the intersection of the Easterly right-of-way margin of John Russell Road (extended) with the Southerly right-of-way margin of Rocky River Road, Thence in a southwesterly direction following along the Southerly right-of-way margin of Rocky River Road approximately 950 feet to the POINT AND PLACE OF BEGINNING.

A RESOLUTION AMENDING REPORT OF PLANS FOR
SERVICES FOR MCKEE ROAD AREA

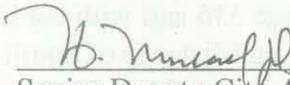
BE IT RESOLVED by the City Council of the City of Charlotte, North
Carolina:

Section 1. That the following pages are deleted from the report of plans for
services for the McKee Road Area, as originally approved by the City Council on
October 10, 2000: 3, 4, 5, 6, 7, 8, 21, 26, 27, 30, 35, 43, 44, 45, 46, 48, 49, 50, 51, and
the large map of the Area entitled "2001 Annexation Proposed Water & Sewer
Extensions McKee Road" dated October 5, 2000 and bearing the registered engineer
seal of Charles M. Bliss. *

Section 2. That the pages attached hereto and incorporated herein are
substituted in lieu of the pages deleted from said report in Section 1 above.

Adopted this the 8th day of January, 2001.

Approved as to form:


Senior Deputy City Attorney

CERTIFICATION

I, Brenda Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby
certify that the foregoing is a true and exact copy of a Resolution adopted by the City
Council of the City of Charlotte, North Carolina, in regular session convened on the
8th day of January 2001, the reference having been made in Minute
Book 115, and is recorded in full in Resolution Book 36, at
page(s) 665-686.

WITNESS my hand and the corporate seal of the City of Charlotte, North
Carolina this the 9th day of January, 2001.


Brenda Freeze, City Clerk

* Amended water and sewer map approved on 1/8/01 is in the OFFICIAL REPORT
BOOKLET POCKET for McKee Road Area.

PART I: THE PROPOSED AREA

General Description of the Area

The McKee Road area is situated south of the present city limits between McKee Road and the Mecklenburg/Union County line. Willowmere, Providence Hills, Providence Woods, and Deerfield Creek are some of the subdivisions included within the annexation boundaries. The area also contains Colonel Frances J. Beatty District Park. The area contains 1,229 acres and has an estimated residential population of 2,596.

Standards and Criteria

STATEMENT SHOWING THAT THE AREA PROPOSED TO BE ANNEXED MEETS THE LEGISLATIVE STANDARDS PRESCRIBED BY G.S. 160A-48.

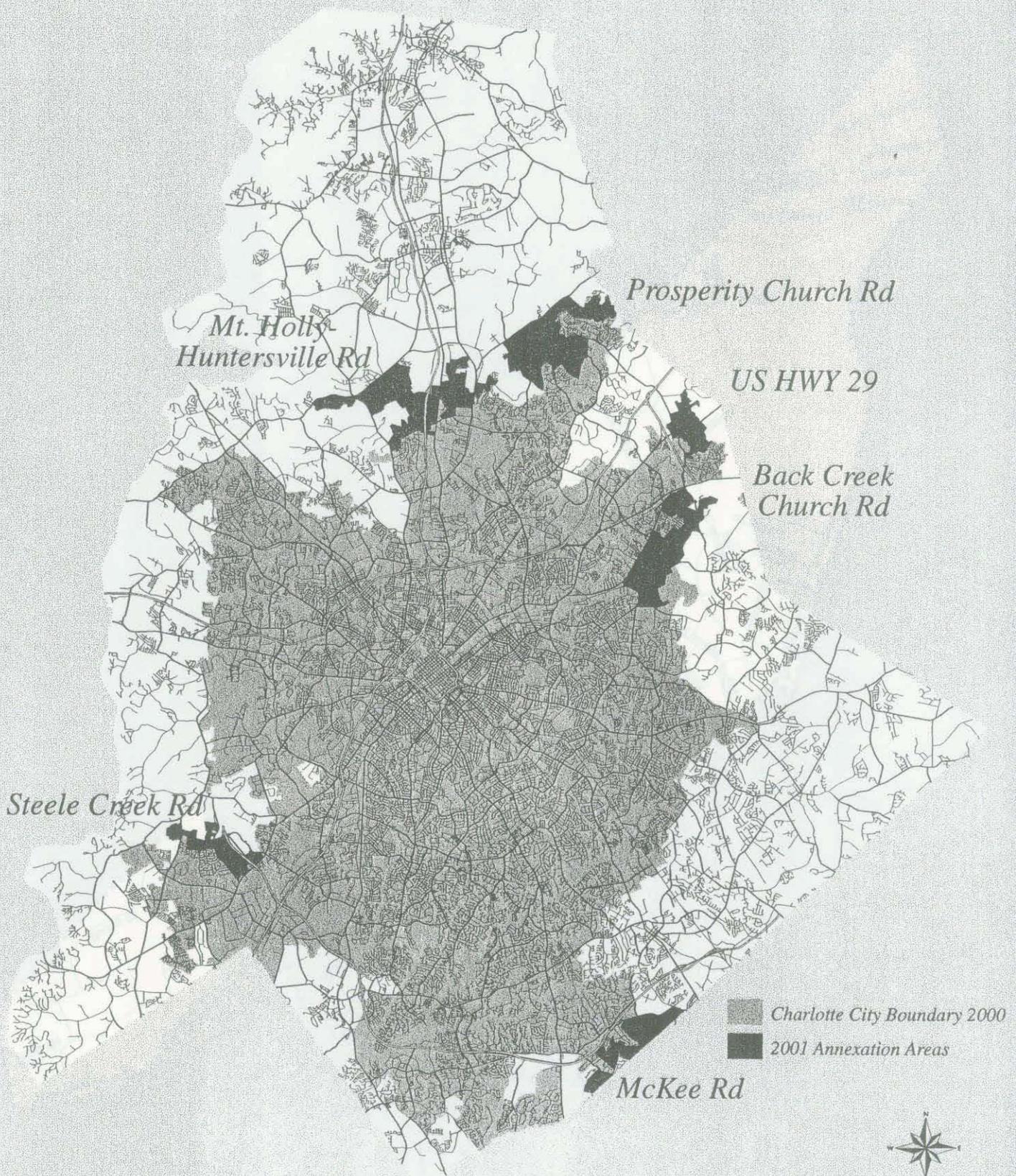
- A. The area proposed to be annexed meets the general standards of G.S. 160A-48(b) as follows:
1. The area is contiguous, as defined in G.S. 160A-53, to the city's boundary as of the time of the beginning of this annexation proceeding.
 2. The aggregate boundary of the area is 65,515 feet, of which 28,929 feet or forty-four percent (44 percent) coincides with the present city boundary.
 3. No part of the area is included within the boundary of another incorporated municipality.
- B. Except for the portion of the area described in Section D on page 4 (Subsection (d) portion of the area), the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The part of the area remaining after removing the Subsection (d) portion of the area (developed part of the area) qualifies for annexation under the standard of two and three-tenths persons per acre of land as set forth in G.S. 160A-48(c)(1). The developed part of the area has an estimated total population of 2.75 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 850 dwelling units in the developed part of the area, which when multiplied by the average household size (according to the latest federal decennial census) results in an estimated total resident population of 2,540 in the developed part of the area. This population, when divided by the total number of acres (925) in the developed part of the area results in a population density of 2.75 persons per acre in the developed part of the area.

- C. Except for the Subsection (d) portion of the area, the area proposed to be annexed also meets the requirements of G.S. 160A-48(c)(3). There are a total number of 898 lots and tracts within the developed part of the area and of that number 722 or 80% 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, 564 acres remain in the developed part of the area. Of that acreage, 405 acres or 72% are in lot and tracts three acres or less in size in the developed part of the area.
- D. A portion of the proposed annexation area does not meet the requirements of G.S. 160A-48(c), but does meet the requirements of G.S. 160A-48(d)(2), and is referred to as the "Subsection (d) portion of the area." The acreage of the Subsection (d) portion of the area does not exceed twenty-five percent (25%) of the acreage of the area to be annexed. The total number of acres in the area to be annexed is 1,229. Of that acreage, 304 acres or 24% are contained in the Subsection (d) portion of the area. The Subsection (d) portion of the area is adjacent to and at least sixty percent (60%) of its external boundary coincides with a combination of the boundaries of the present city and the developed part of the area. The aggregate boundary of the Subsection (d) portion of the area is 24,374 feet of which 18,622 feet or seventy-six percent (76%) coincides with the present city boundary and the boundary of the developed part of the area (see the D-Land Connection Map).

Maps of the Area

The following four pages contain maps of (a) the location of the area in relation to Charlotte, (b) the boundaries of the proposed annexation area, (c) the D-Land Connection Map, and (d) the generalized land use pattern for the area.

Annexation Areas, 2001



Steele Creek Rd

*Mt. Holly
Huntersville Rd*

Prosperity Church Rd

US HWY 29

*Back Creek
Church Rd*

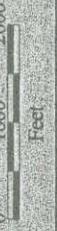
McKee Rd

Charlotte City Boundary 2000
2001 Annexation Areas



Produced by the Charlotte-Mecklenburg Planning Commission.

Date: August 31, 2000



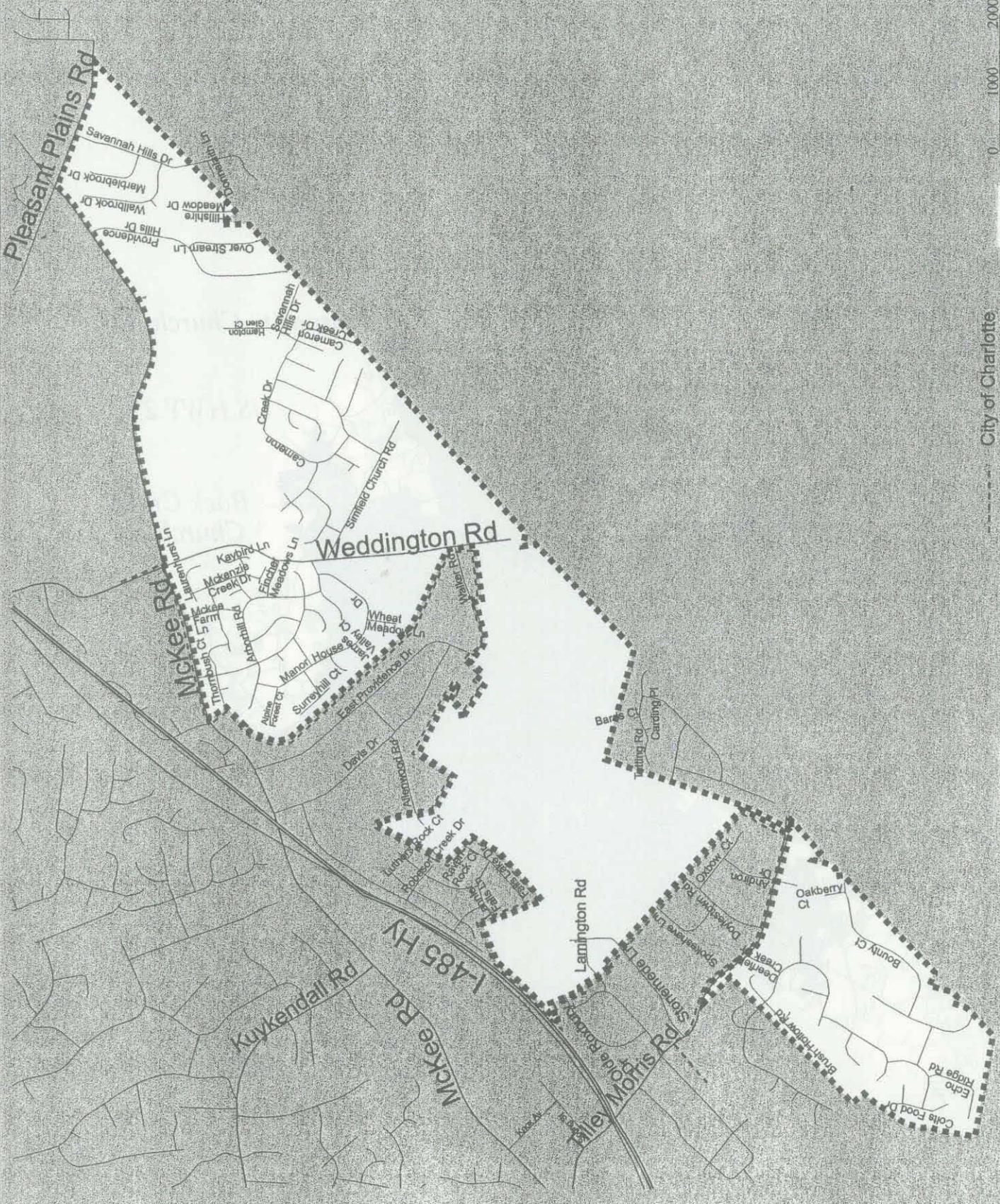
City of Charlotte
Annexation Boundary

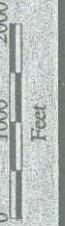
September, 2000

Produced by the Charlotte-Mecklenburg Planning Commi

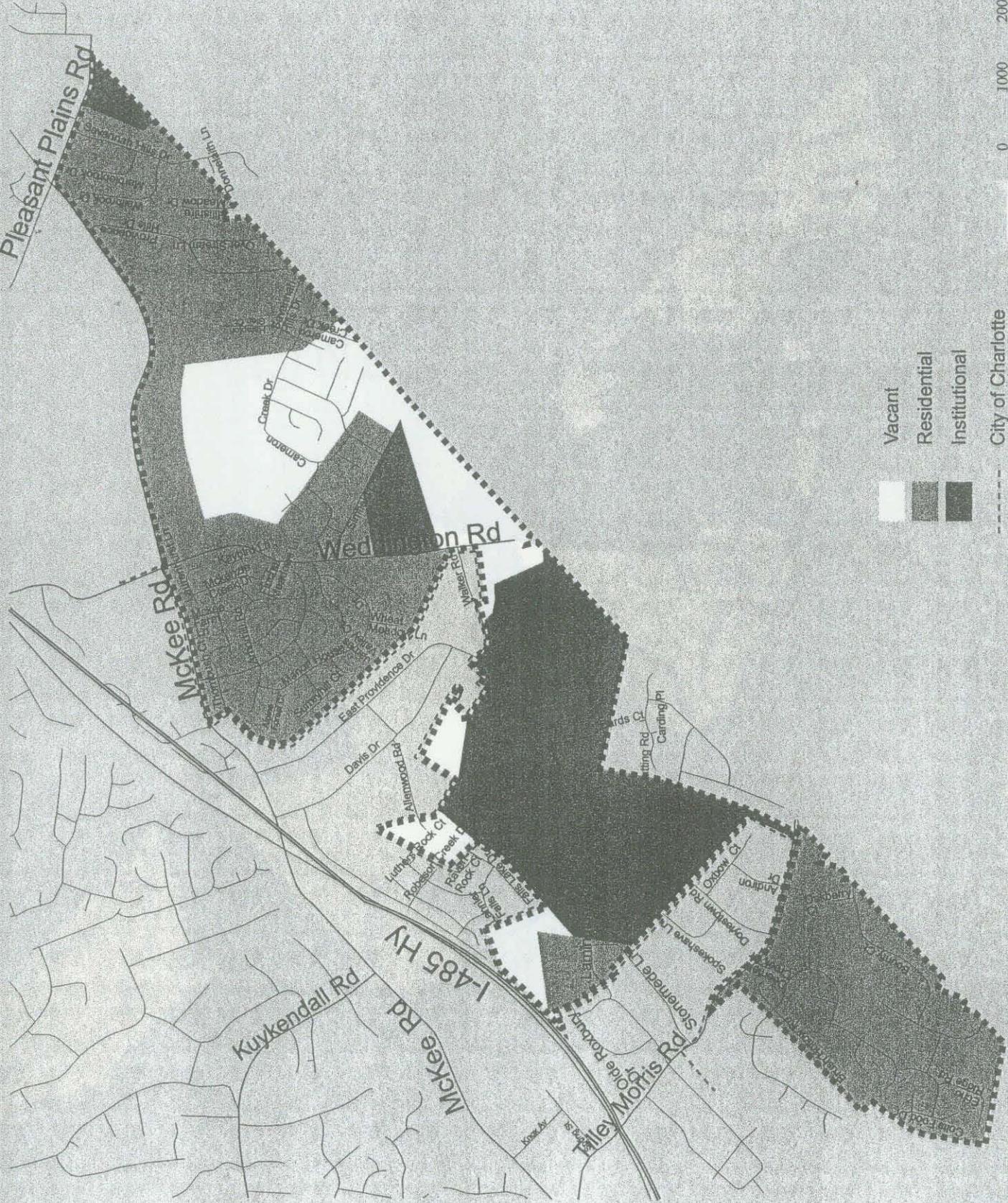


McKee Rd Annexation Area





McKee Rd Annexation Area



	Vacant
	Residential
	Institutional
	City of Charlotte
	Annexation Boundary





LEGEND

—○— PROPOSED WATER LINES
 - - - - - EXISTING WATER LINE

14620± LF TOTAL PROPOSED WATER MAINS

***** PROPOSED 2001 ANNEXATION

No.	Date	By	Revision

**CHARLOTTE-MECKLENBURG
 UTILITY DEPARTMENT
 ENGINEERING DIVISION
 CHARLOTTE, NORTH CAROLINA**

Job No. _____	File No. _____	2001 ANNEXATION PROPOSED WATER LINES			
PLAN	Scales 1" = 1/2 MILE	McKEE ROAD			
PROFILE	Hor. _____ Vert. _____				
As Built	Date				
Surveyed By	Designed By	ECS	Project-Engr	Approved By	Date

Sheet 6 of 7

PART III: FIRE PROTECTION IMPACT STATEMENT

Matthews Volunteer Fire Department

The Matthews Volunteer Fire Department provides fire suppression services to McKee Road, and the Mecklenburg County Fire Marshal's Office provides fire prevention services. The Matthews VFD serves as a rural fire district as defined by G.S. 153A-233 and does not levy a fire tax on the property it protects. It also reports that it does not employ full-time personnel.

The Matthews Volunteer Fire Department estimates that the area of its fire district is 16.19 square miles; it estimates that it protects a population of 19,705 people. The population of McKee Road is estimated to be 2,596 and the area 1.9 square miles. Based on this information, annexation of will result in a 3 percent reduction in the area and a 2 percent reduction in the population served by the Matthews Volunteer Fire Department.

After annexation, the Charlotte Fire Department will provide all fire protection services to McKee Road, possibly supplemented by a contract for fire suppression with the Matthews Volunteer Fire Department.

Fire Suppression

The Matthews Volunteer Fire Department operates 2 pumpers, 1 water tanker, 2 brush trucks, a heavy rescue truck, and a ladder truck for fire suppression services. Volunteer firefighters' response is based on their individual ability to leave home or work when dispatched for a fire.

PART III: FIRE PROTECTION IMPACT STATEMENT

Providence Volunteer Fire Department

The Providence Volunteer Fire Department provides fire suppression services to McKee Road, and the Mecklenburg County Fire Marshal's Office provides fire prevention services. The Providence VFD serves an insurance district as defined by G.S. 153A-233 and does not levy a fire tax on the property it protects. It also reports that it does not employ full-time personnel.

The Providence Volunteer Fire Department estimates that the area of its fire district is 4.1 square miles; it estimates that it protects a population of 3,500 people. The population of McKee Road is estimated to be 2,596 and the area 1.9 square miles. Based on this information, annexation of McKee Road will result in a 37 percent reduction in the area and a 28 percent reduction in the population served by the Providence Volunteer Fire Department.

After annexation, the Charlotte Fire Department will provide all fire protection services to McKee Road, possibly supplemented by a contract for fire suppression with the Providence Volunteer Fire Department.

Fire Suppression

The Providence Volunteer Fire Department operates 3 pumpers, 1 water tanker, and 1 brush truck, for fire suppression services. Volunteer firefighters' response is based on their individual ability to leave home or work when dispatched for a fire. Providence VFD reports that an average of 3 volunteers respond during daylight hours (8:00 a.m. to 6:00 p.m.) and 10 at night

APPENDIX A

STATISTICAL SUMMARY PER STATUTORY REQUIREMENTS

**MCKEE ROAD
 AREA IN TERMS OF STATUTORY REQUIREMENTS
 (STATISTICS COMPILED JUNE, 2000)**

	Measured or Calculated	Statutory Standard
I. STATUTORY REQUIREMENT		
At least one-eighth (1/8) of the total boundary of the area must coincide with the municipal boundary:		
1. Total boundary	65,515 ft.	
2. Boundary contiguous with municipal boundary	28,929 ft.	
3. Proportion of total boundary contiguous with the municipal boundary	44%	(1/8 or 12.5%)
II. QUALIFYING CRITERIA		
A. Has a resident population equal to at least two and three-tenths persons for each acre of land within the developed part of the area:		
1. Total number of dwellings in developed part of the area	850	
2. Average number of persons per household (1990 Census)	3.23	
3. Estimated population of developed part of area	2,540	
4. Acreage of developed part of the area	925 acres	
5. Population per acre in developed part of area	2.75	(2.3)

STATISTICAL SUMMARY (Continued)

	Measured or Calculated	Statutory Standard
<p>B. At least 60 % of the total number of lots and tracts in the developed part of the area at the time of annexation are used for urban purposes, and is subdivided into lots and tracts such that at least 60 % of the total acreage in the developed part of the area, not counting the acreage used for commercial, industrial, governmental, or institutional purposes, consist of lots and tracts three acres or less in size:</p>		
1. Total number of lots and tracts in developed part area	898	
2. Total number of lots and tracts used for urban purposes in developed part of area	722	
3. Total lots and tracts used for urban purposes in developed part of area, as a proportion of the total number of lots and tracts	80%	(60%)
4. Total acreage of developed part of area, excluding the acreage used for commercial, industrial, governmental, or institutional purposes	564 acres	
5. Total acreage of developed part of area in lots and tracts three acres or less, not counting the acreage used for commercial, industrial, governmental, or institutional purposes	405 acres	
6. Acreage in Section II B 5 as a proportion of acreage in Section II B 4	72 %	(60%)

STATISTICAL SUMMARY (Continued)

	Measured or Calculated	Statutory Standard
C. At least sixty percent of the external boundary of the area not meeting the requirements of subsection (c) must coincide with any combination of the municipal boundary and the boundary of an area or areas developed for urban purposes as defined in subsection (c). However, these areas not yet developed for urban purposes may not exceed twenty-five percent of the total area to be annexed (Subsection D portion of the area):		
1. Total acreage of the area	1,229 acres	
2. Total acreage of Subsection D portion of the area	304 acres	
3. Total acreage of Subsection D portion of the area as a proportion of the total acreage of the area	24%	(25%)
4. Total boundary of Subsection D portion of the area	24,374 feet	
5. Boundary of Subsection D portion of the area contiguous with municipal boundary and boundary of developed part of the area	18,622 feet	
6. Boundary length in Section II C 5 as a proportion of the boundary length in Section II C 4.	76%	(60%)

wastewater back to streams and rivers. The department operates on revenue generated by the sale of water and sewer service to its customers.

In order to comply with the annexation law, the City of Charlotte -- as recommended by the Charlotte-Mecklenburg Utility Department -- will provide this area with the basic sewer trunk system and the basic water system required for fire protection. The basic sewer trunk system and the basic fire protection system for the area will be under contract and construction as set forth in the proposed construction timetable. In any event, the construction will be completed within two years of the effective date of annexation.

The water and sewer systems to be provided in the annexed area will meet the requirements of the annexation law and will be consistent with the Water/Sewer Extension Policy adopted by the City Council on May 26, 1992. Extension of sewer street mains and water mains in dedicated, maintained streets will be constructed in accordance with the Water/Sewer Extension Policy.

The City has begun negotiations with Union County to acquire the existing Union County sewer collection and water distribution system within the portion of the Providence Hills Subdivision proposed for annexation. If the City is not able to acquire the existing sewage collection system from Union County, the City will make arrangements with Union County for sewer customers of this portion of the Union County sewer collection system to obtain sewer service from Union County on substantially the same basis that sewer service is provided by the City to its sewer customers within the City. If the City is not able to acquire the existing Union County water

distribution system from Union County in the portion of the Providence Hills Subdivision proposed for annexation, the City will extend the City's water distribution system into the portion of the Providence Hills Subdivision proposed for annexation, as shown on the large map included in the official annexation report on file in the Office of the City Clerk entitled "2001 Annexation Proposed Water & Sewer Extensions McKee Road" dated 01/03/01 and bearing the registered engineer seal of Charles M. Bliss. The contract(s) with Union County as described herein will be concluded and implemented within two years of the effective date of annexation. The capital cost of implementing such contract(s), together with the capital costs of extending water and sewer lines in other parts of the McKee Road Area, will not exceed the cost set forth below for providing the proposed basic sewer trunk system and the proposed basic fire protection system.

The proposed basic sewer trunk system is estimated to cost \$1,281,438 and the proposed basic fire protection system is estimated at \$806,940. In order to provide funds to finance the extensions to the basic systems that are called for in this plan, the City will issue bonds pursuant to Sub Chapter IV, Chapter 159 of the General Statutes. Expenses for operating the systems will be derived from revenues obtained through the sale of water and sewer services.

Notice to Owners of Occupied Dwelling Units and Operating Commercial or Industrial

Property in the Area of Rights To Request Water and Sewer Service. Owners of occupied

APPENDIX B
Economic Analysis: McKee Road

	FY01	FY02		FY03	
	<u>Start-Up</u>	<u>One-Time</u>	<u>Recurring</u>	<u>Total</u>	<u>Total</u>
EXPENDITURES					
TRANSPORTATION					
Street Lighting	0	0	38,617	38,617	38,617
Operations	3,217	10,489	5,810	16,299	8,034
Street Maintenance	0	0	28,862	28,862	29,193
Electronic Systems	0	0	0	0	0
Engineering	12,220	0	470	470	470
FIRE					
Operations	231,510	13,709	86,287	99,996	89,954
SOLID WASTE					
Sanitation	85,887	3,595	151,421	155,016	153,985
ENGINEERING					
Operations	10,304	1,500	11,555	13,055	12,647
CITY MANAGER'S OFFICE					
Corporate Communications	10,492	0	0	0	0
NEIGHBORHOOD DEVELOPMENT					
Operations	0	0	0	0	0
BUSINESS SUPPORT SERVICES					
Operations	7,043	0	760	760	760
ECONOMIC LOSS					
Volunteer Fire Departments	50,565	0	0	0	0
Private Solid Waste Collection Firms	50,565	0	0	0	0
TOTAL GENERAL FUND	461,803	29,293	323,782	353,075	333,660
POWELL BILL FUND					
Street Maintenance	146,961	0	88,937	88,937	187,539
CIP - Bridge Improvements	0	48,329	0	48,329	0
STORM WATER FUND	0	0	17,132	17,132	17,810
TOTAL OPERATING EXPENDITURES	608,764	77,622	429,850	507,472	539,008
GENERAL CAPITAL					
Fire Station	0	0	0	0	0
Transportation	0	0	0	0	0
UTILITIES (Capital Expend)					
Water	0	806,940	0	831,000	0
Sewer	0	1,281,438	0	862,188	0
TOTAL EXPENDITURES	608,764	2,166,000	429,850	2,200,660	539,008

APPENDIX C

FY01 ANNEXATION AREA DESCRIPTION

MCKEE ROAD

Beginning at a point on the existing CHARLOTTE CITY LIMITS, said point being the Southeasterly corner of Lot as described in Deed Book 4251 page 161; thence in a Southeasterly direction following a line 30 feet south and parallel to Tilley Morris Road approximately 3686 feet to a point, said point being the intersection point of a line 30 feet south of and parallel to Tilley Morris Road and the easterly lot line of Lot 45B of said Map Book if extended; thence in a Northeasterly direction crossing Tilley Morris Road to a point, said point being the Southeasterly corner of Lot 45B as shown on Map Book 18 page 12; thence along the Easterly lot line of Lot 45B North 34-08-11 East 312.00 feet to a point, said point being the Northeasterly corner of Lot 45B as shown on said Map, said point also being the Southeasterly corner of Lot 36B as shown on Map Book 18 page 12; thence following the Southeasterly lot lines of Lots 36B, 35B, 34B and the Northeasterly lot lines of Lots 34B, 32B 31B, 30B, 29B, 28B, 27B and 26B North 34-08-11 East 200.11 feet, North 24-41-59 East 235.99, North 44-40-19 West 1510 feet crossing Doylestown Road to a point, said point being the Northeasterly corner of Lot 26A as shown on Map Book 18 page 118; thence along the Northeasterly boundary of said Map North 44-40-19 West 805 feet crossing Spokeshave Lane to a point, said point being the Southeasterly corner of Lot 11A, said point also being the Northeasterly corner of Map Book 18 page 119; thence in a Northwesterly direction along the Northeasterly lot line of Lots 11A and 10A North 44-40-19 West 659.61 feet crossing Stonemede Lane to a point, said point being the Northerly most corner of Lot 10A as shown in said Map; thence in a Southwesterly direction with a portion of said lot South 51-03-03 West approximately 80 feet to a point, said point being the Southeast corner of Lot 11 as shown in Map Book 23 page 77, said point also being on the Northwesterly lot line of Lot 10A map Book 18 page 120; thence along the Easterly lot lines of Lots 11, 20, and 21 North 39-18-28 feet West 197.85, crossing Lamington Road North 19-44-17 East 53.07 feet, North 33-06-26 West 264.76 feet to a point, said point being the common rear corner of Lots 21 and 22 as shown on Map Book 23 page 77; thence along the Easterly lot line of Lots 22, 23 and Lot 24 South 82-22-41 West 51.00 feet, North 21-52-51 West 481.71 feet crossing Olde Roxbury Drive to a point, said point being the Northeasterly corner of Lot 24 as shown on Map Book 23 page 77; thence with the Northerly line of Lots 24 and 25 Map Book 23 page 77 and a portion of the Northerly line of Lot 26 South 68-28-40 West 337.97 feet to a point, said point being an angle point on the rear lot line of Lot 26 as shown on Map Book 23 page 77; thence in a Northeasterly direction along the Southerly right-of way margin line (Controlled Access Line) of I-485 a distance approximately 1,350 feet to a point, said point being on the right-of way margin line (Controlled Access Line) of I-485, said point also being 175 feet south of and Normal to the centerline of I-485; thence with the Northerly line of a portion of Lot 7 and Lots 8, 9 and 10 North 71-31 East approximately 550 feet to a point; thence with the Easterly line of Lots 10 through 14 South 19-20 East 900 feet; thence South 19-20 East 53.93 feet to a point, said point being the Southeasterly corner of Lot 14 Block 1 Map Book 9 page 269; thence with a portion of the Northerly line of lot as described in Deed Book 6080 page 691 North 51-04-10 East 967.09 feet to a point, said point being the Northwesterly corner of lot as in said Deed; thence along a

portion of said line North 28-28-08 East approximately 413.43 to a point, said point also being on the Northerly line of lot as described in Deed Book 6080 page 695; thence along the Westerly and Northerly line of lot as described in Deed Book 4369 page 466 the following bearings and distances: North 40 West 503 feet, North 29-30 East 1.105 feet, North 74-45 East 55.41 feet to a point, said point the Northwesterly corner of Lot 17 Block 6 Map Book 9 page 357; thence with the Westerly line of said lot South 9-43-40 East 526.23 feet to a point, said point being the Southwesterly corner of Lot 17 Block 6 as shown on Map Book 9 page 357; thence in a Southerly direction to the southerly right-of-way margin line of Allenwood Road to a point, said point being the Northwesterly corner of Lot 16 block 7 Map Book 9 page 357; thence along the Westerly line of said lot South 9-43-40 East 244.25 feet to a point, said point being the Southwesterly corner of Lot 16 Block 7 Map Book 9 page 357; thence with rear lot line of Lots 16 through 11, and Lots 7 through 1 of Block 7 Map Book 9 page 357 the following bearings and distances: South 57-13-30 East 587.70 feet, North 38-12-20 East 670.15 feet, South 59-01-10 East 943.50 feet, South 53-50-10 East 107.37 feet to a point, said point being the common rear corner between Lots 7 and 8 as shown on Map Book 9 page 357; thence with said line South 53-50-10 East 132.63 feet to a point, said point being on the Southwesterly line of Lot 8 as shown on Map Book 9 page 357; thence following the Westerly, Southerly and a portion of the Easterly boundary of said property bearings and distances North 78-20-30 West 72.33 feet, South 76-52-20 West 39.58 feet, North 53-50-10 West 160.00 feet, North 59-01-10 West 62.47 feet, South 47-07-50 West 227.61 feet, South 88-59-40 West 120.13 feet, South 52-40-06 East 345.95 feet to a point, said point being the Southwesterly corner of property as described in Deed Book 6497 page 270; thence South 56-16-20 East 242.00 feet; thence North 37-23-39 East 132.37 feet to a point, said point being the Southwesterly corner of lot as described in Deed Book 3052 page 202, said point also being the northwesterly right-of-way margin of Walker Road; thence South 50-31-30 East 142.00 feet to a point, said point being the Southeasterly corner of said lot; thence with the southerly line of said lot North 43-12 East 258.79 feet to a point, said point being on the Southerly line of a lot as described in Deed Book 3052 page 202; thence in a Southeasterly direction 30 feet South of and parallel to Walker Road a distance approximately 1,033 feet to a point, said point being the Northwesterly most corner of said lot as described in Deed Book 4323 page 923; thence South 02-00 West approximately 117 feet to a point, said point being the Southerly most corner of said lot; thence in a Southeasterly direction along said line North 85 East approximately 813 feet to a point, said point being on the Northeasterly line of lot as described in Deed Book 3513 page 335; thence in a Northeasterly direction following a line 30 feet Northwest of and parallel to Weddington Road crossing Walker Road (SR 3551) a distance of approximately 451 feet to a point, said point being 30 feet Northwest of and normal to the centerline of Weddington Road; thence along a portion of the Westerly line of property as described in Deed Book 2215 page 209 a bearing and distance of North 64-34 West approximately 1275 feet to a point, said point being the Southeasterly corner of Lot 8 Block 2 Map Book 9 page 357; thence with the Easterly lines of Lots 15 through Lot 3 Block 1 and Lots 8 through Lot 1 Block 2 of said Map Book the following bearings and distances: North 39-18-00 West 1221.24 feet, North 39-12-20 West 1216 feet, North 11-01 West 151.54 feet, North 47-36-30 East 152.0 feet to a point, said point being the Southwesterly corner of Lot 2 Block 1 as shown on Map Book 9 page 357; thence along the Westerly and Southerly line of said lot a bearing and distance of South 45-06-20 East 20 feet, North 47-36-30 East 123.73 feet, North 47-36-30 East 133.51 feet to a point, said point being the Southeasterly corner of lot as described in Deed Book 4190 page 970; thence with said line North 31-33-00 West 275 feet to a point, said

point being on the Easterly lot line of Lot described in Deed Book 4190 page 970; thence in a Easterly direction following a line 30 feet South of and parallel to McKee Road a distance of approximately 2370 feet to a point, thence in an easterly direction following a line 30 feet south of and parallel to McKee Road crossing Weddington Road a distance of approximately 7390 feet to a point, said point being the Northwesterly most corner of said lot as described in Deed Book 9836 page 765; thence in a Southeasterly direction 30 feet south and parallel to Pleasant Plains Road a distance of approximately 1950 feet to a point, said point being on the Mecklenburg County and Union County boundary line; thence in a Southwesterly direction along the Mecklenburg County and Union County boundary line to a point, said point being on the easterly lot line of Lot 35 Map Book 29 page 545; thence along the easterly lot line of said lot North 12-35-34 West approximately 30 feet to a point, said point being the southeast corner of Lot 36 Map Book 29 page 718; thence along the southerly lot line of Lot 36 South 77-24-26 West 162.50 feet to a point, said point being the southwest corner of Lot 36 Map Book 29 page 718, and said point also being the easterly right-of-way margin line for Savannah Hills Drive; thence crossing Savannah Hills Drive South 24-41-11 West 82.55 feet to a point, said point being the westerly right-of-way margin line for Savannah Hills Drive, and said point also being the southeast corner of Lot 15 Map Book 29 page 718; thence along the southerly lot line of Lot 15 South 77-24-26 West 332.91 feet to a point, said point the southwest corner of Lot 15 Map Book 29 page 718, and said point also being the northwest corner of Lot 18 Map Book 31 page 705; thence along the westerly lot line of Lot 18 South 00-34-56 East approximately 290 feet to point, said point being on the Mecklenburg County and Union County boundary line; thence in a southwesterly direction along the Mecklenburg County and Union County boundary line crossing Hillshire Meadow Drive to a point, said point being on the southerly lot line of Lot 27 Plat C page 575 as recorded in the Union County Public Registry; thence along said lot line South 75-03-49 West approximately 99 feet to a point, said point being the southwest corner of Lot 27 Plat C page 575 as recorded in the Union County Public Registry, and said point also being located on the westerly lot line of Lot 19 Map Book 26 page 129; thence along said lot line South 13-58-20 East 55.71 feet to a point, said point being the southeast Lot 19 Map Book 26 page 129, and said point also being the Mecklenburg County and Union County boundary line; thence in a southwesterly direction along the Mecklenburg County and Union County boundary line to a point, said point being on the southerly lot line of Lot 20 as described in Deed Book 7678 page 532; thence along said lot line of Lot 20 South 76-59-09 west approximately 36 feet to a point, said point being the southwest corner of Lot 20 as described in Deed Book 7678 page 532, and said point also being the easterly right-of-way margin line for Over Stream Lane; thence in a southerly direction along the right-of-way of Over Stream Lane approximately 20 feet to point, said point being the Mecklenburg County and Union County boundary line; thence along the Mecklenburg county and Union county boundary line crossing Over Stream Lane, Providence Hills Drive, Smithfield Church Road and Weddington Road to a point, said point being the northeast corner of Lot 32 Map Book 19 page 462; thence along the northerly line of said Lots 32 and 31 North 70-38-17 West 568 feet to a point, said point being the northwest corner of Lot 31 Map Book 19 page 462, and said point also being the northeast corner of Lot 30 Map Book 20 page 487; thence along the northerly line of said Lots 30 and 29 North 70-38-17 West 148 feet to a point, said point being the northwest corner of Lot 29 Map Book 20 page 487, said point also being the northeast corner of Lot 28 Map Book 19 page 537; thence along the northerly lot lines of Lots 28, 27, and 26 North 70-38-17 West 524.82 feet to a point, said point being the northwest corner of Lot 26 Map Book 19 page 537, and said point also being the northeast corner of Lot 23

Map Book 19 page 464; thence along the northerly lot line of said Lots 23 and 22 North 70-38-17 West 391.78 feet to a point, said point being the northwest corner of Lot 22 Map Book 19 page 464; thence along the westerly lot lines of Lots 22, 21, and 20 South 24-32-24 West 791.80 feet to a point, said point being the southwest corner of Lot 20 Map Book 19 page 464, said point also being the northwest corner of Lot 1 Map Book 18 page 336; thence along the westerly lot lines of Lot 1 and Lot 17 crossing Quilting Road South 23-48-40 West approximately 350 feet to a point, said point being the southwest corner of Lot 17 Map Book 18 page 336, said point also being the northwest corner of Lot 16 Map Book 18 page 213; thence following the westerly lot lines of Lots 16 through 1 South 23-48-40 West 1007 feet, South 24-40-40 West 218.26 feet, South 34-04-40 West 494.47 feet to a point, said point being the southwest corner of Lot 1 Map Book 8 page 213, said point also being the intersection point of a line 30 feet North and parallel to Tilley Morris Road; thence in a Southwesterly direction crossing Tilley Morris Road to a point, said point being the northeast corner of Lot 7 Deed Book 3314 page 457; thence in a southeasterly direction following a line 30 feet South and parallel to Tilley Morris Road approximately 100 feet to a point, said point being on the Mecklenburg County and Union County boundary line; thence in a Southwesterly direction along the Mecklenburg County and Union County boundary line to a point, said point being the northeast lot line of Lot 34 Map Book 20 page 774; thence with the northerly line of said lot North 47-39-18 West approximately 96 feet to a point, said point being the northwest corner of Lot 34 Map Book 20 page 774, and said point also being the northeast corner of Lot 32 Map Book 20 page 774; thence along the northwesterly lot line of said lot South 19-41-51 West approximately 185 feet to a point, said point being on the Mecklenburg County and Union County boundary line; thence in a southwesterly direction along the Mecklenburg County and Union County boundary line crossing Bounty Court to a point, said point being located on the southerly right-of-way margin of Bounty Court and also being the northeast corner of Lot 40 Map Book 20 page 774; thence along the said right-of-way margin and the northerly lot line of said lot South 83-17-25 West 130 feet to a point, said point being the northwest corner of Lot 40 Map Book 774, and said point also being the northeast corner of Lot 41 Map Book 20 page 774; thence in a southeasterly direction along said lot line South 7-41-49 East approximately 72 feet to a point, said point being on the Mecklenburg County and Union County boundary line; thence in a southwesterly direction along the Mecklenburg County and Union County boundary line to a point, said point being on the southwesterly lot line of Lot 51 Map Book 20 page 776; thence along the southerly lot line of said Lots 51 and 52 North 66-59-22 West approximately 82 feet to a point, said point being on the southwesterly lot line of Lot 52 Map Book 20 page 776, and said point also being the northeast corner of Lot 56 Map Book 20 page 776; thence along the southeasterly lot line of said lot South 26-00-00 West approximately 173 feet to point, said point being on the Mecklenburg County and Union County boundary line; thence in a southwesterly direction along the Mecklenburg County and Union County boundary line crossing Amanda Drive to a point, said point being on the northerly lot line of Lot 8 Map book 21 page 443, and also being the southerly right-of-way margin of said Amanda Drive; thence along lot line of said Lot 8 North 64-00-00 East approximately 33 feet to a point, said point being the northwest corner of Lot 8 Map Book 21 page 443, and said point also being the northeast corner of Lot 1 Map Book 21 page 443; thence along lot line of said lot South 25-55-21 west approximately 89 feet to point, said point being on the Mecklenburg County and Union County boundary line; thence in a southwesterly direction along the Mecklenburg County and Union County line across said Lot 1 to a point, said point being located on the southeast lot line of said Lot 1 as shown on Map Book

21 page 443; thence with the southerly line of said lot North 76-44-40 West approximately 290 feet to a point, said point being the southwest corner of lot shown on Map Book 21 page 443, and said point also being the southeast corner of Lot 2 Map Book 20 page 776; thence with the southerly line of said lot North 76-44-40 West 270 feet to a corner of Lot 2 Map Book 20 page 776, and said point also being the southwest corner of lot as described in Deed Book 3825 page 116; thence in a westerly direction North 75-45-40 West 923.56 feet to a point, said point being the approximate centerline of Six Mile Creek; thence in a northeasterly direction along the centerline of Six Mile Creek a distance of approximately 1470 feet to a point, said point being the southwesterly corner of lot as shown on Map Book 28 page 226; thence in a northeasterly direction along said lot lines as shown on Map Book 28 page 226 the following distances: North 41-32-24 East 259.13 feet, North 38-16-53 West 219.59 feet, North 48-00-24 East 738.45 feet to a point, said point being the northeast corner of lot as shown on Map Book 28 page 226, said point also being the Northwest corner of Lot 22 Map Book 28 page 225; thence along the northerly lot lines of Lots 22 through 15 North 48-00-24 East 997.63 feet to a point, said point being the northeast corner of Lot 15 Map Book 28 page 225, said point also being the northwest corner of Lot 14 Map Book 28 page 224; thence along the northerly lot lines of Lots 14 through 9 North 48-00-24 East 738.12 feet to a point, said point being the northeast corner of Lot 9 Map Book 28 page 224, and said point also being the northwest corner of lot as described in Deed Book 8226 page 575, thence in a northeasterly direction North 48-00-24 East approximately 100 feet to a point, said point being on the southwesterly lot line of a Lot as described in Deed Book 8266 page 589, thence in a northwesterly direction along said lot line as described in Deed Book 8266 page 589 approximately 575 feet to the place of beginning.

A RESOLUTION AMENDING REPORT OF PLANS FOR
SERVICES FOR STEELE CREEK AREA

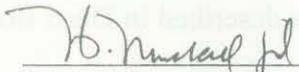
BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

Section 1. That the following pages are deleted from the report of plans for services for the Steele Creek Area, as originally approved by the City Council on October 10, 2000: 3, 4, 5, 6, 7, 8, 26, 27, 38, 39, 40, 43, 44, 45, 46, 47, 48, and the large map of the Area entitled "2001 Annexation Proposed Water & Sewer Extensions Steele Creek Area" dated October 5, 2000 and bearing the registered engineer seal of Charles M. Bliss. *

Section 2. That the pages attached hereto and incorporated herein are substituted in lieu of the pages deleted from said report in Section 1 above.

Adopted this the 8th day of January, 2001.

Approved as to form:



Senior Deputy City Attorney

CERTIFICATION

I, Brenda Freeze, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January 2001, the reference having been made in Minute Book 115, and is recorded in full in Resolution Book 36, at page(s) 687-704.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 9th day of January, 2001.



Brenda Freeze, City Clerk

* Amended water and sewer map approved on 1/8/01 is in the OFFICIAL REPORT BOOKLET POCKET for Steele Creek Area.

PART I: THE PROPOSED AREA

General Description of the Area

The Steele Creek area is located to the southwest of the existing city limits along Interstate 485 and Brown-Grier Road. The proposed annexation area includes the Steelechase, Griers Fork, and Cedar Run residential communities. The area contains 983 acres with an estimated population of 2,323. The area also contains Whitehall Technical Park, Whitehall Commons Shopping Center, and three public schools (Steele Creek Elementary, Kennedy Middle, and Olympic High Schools).

Standards and Criteria

STATEMENT SHOWING THAT THE AREA PROPOSED TO BE ANNEXED MEETS THE LEGISLATIVE STANDARDS PRESCRIBED BY G.S. 160A-48.

- 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 58,528 feet, of which 23,511 feet or forty percent (40 percent) coincides with the present city boundary.
 - 3. No part of the area is included within the boundary of another incorporated municipality.

- B. Except for the portion of the area described in Section D on page 4 (Subsection (d) portion of the area), the area proposed to be annexed meets the requirements of G.S. 160A-48(c)(1). The part of the area remaining after removing the Subsection (d) portion of the area (developed part of the area) qualifies for annexation under the standard of two and three-tenths persons per acre of land as set forth in G.S. 160A-48(c)(1). The developed part of the area has an estimated total population of 2.82 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 867 dwelling units in the developed part of the area, which when multiplied by the average household size (according to the latest federal decennial census) results in an estimated total resident population of 2,301 in the developed part of the area. This population, when divided by

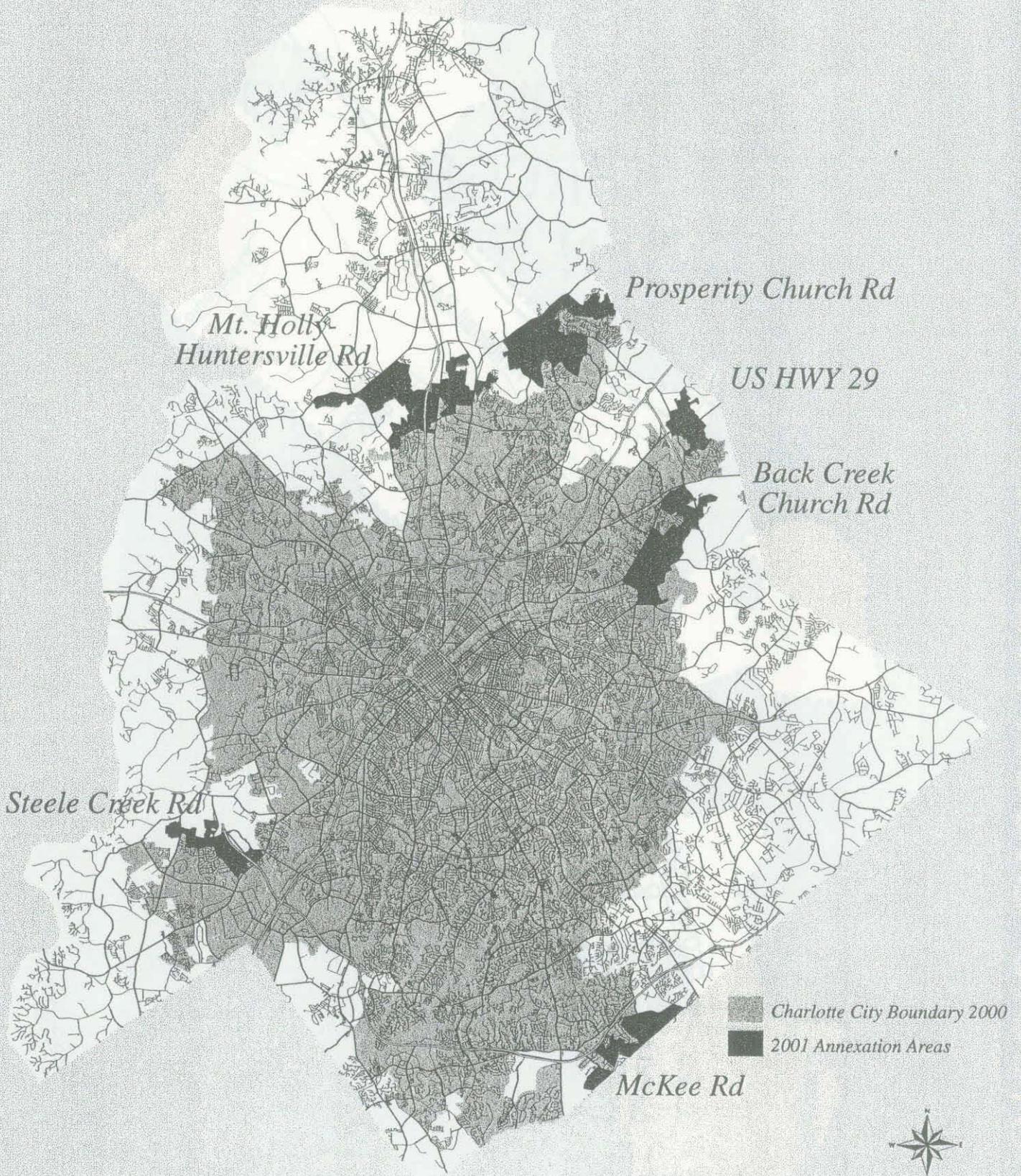
the total number of acres (816) in the developed part of the area results in a population density of 2.82 persons per acre in the developed part of the area.

- C. Except for the Subsection (d) portion of the area, the area proposed to be annexed also meets the requirements of G.S. 160A-48(c)(3). There are a total number of 901 lots and tracts within the developed part of the area and of that number 874 or 97% 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, 418 acres remain in the developed part of the area. Of that acreage, 285 acres or 68% are in lot and tracts three acres or less in size in the developed part of the area.
- D. A portion of the proposed annexation area does not meet the requirements of G.S. 160A-48(c), but does meet the requirements of G.S. 160A-48(d)(2), and is referred to as the "Subsection (d) portion of the area." The acreage of the Subsection (d) portion of the area does not exceed twenty-five percent (25%) of the acreage of the area to be annexed. The total number of acres in the area to be annexed is 983. Of that acreage, 167 acres or 17% are contained in the Subsection (d) portion of the area. The Subsection (d) portion of the area is adjacent to and at least sixty percent (60%) of its external boundary coincides with a combination of the boundaries of the present city and the developed part of the area. The aggregate boundary of the Subsection (d) portion of the area is 23,043 feet of which 21,580 feet or ninety-four percent (94%) coincides with the present city boundary and the boundary of the developed part of the area (see the D-Land Connection Map).

Maps of the Area

The following four pages contain maps of (a) the location of the area in relation to Charlotte, (b) the boundaries of the proposed annexation area, (c) the D-Land Connection Map, and (d) the generalized land use pattern for the area.

Annexation Areas, 2001



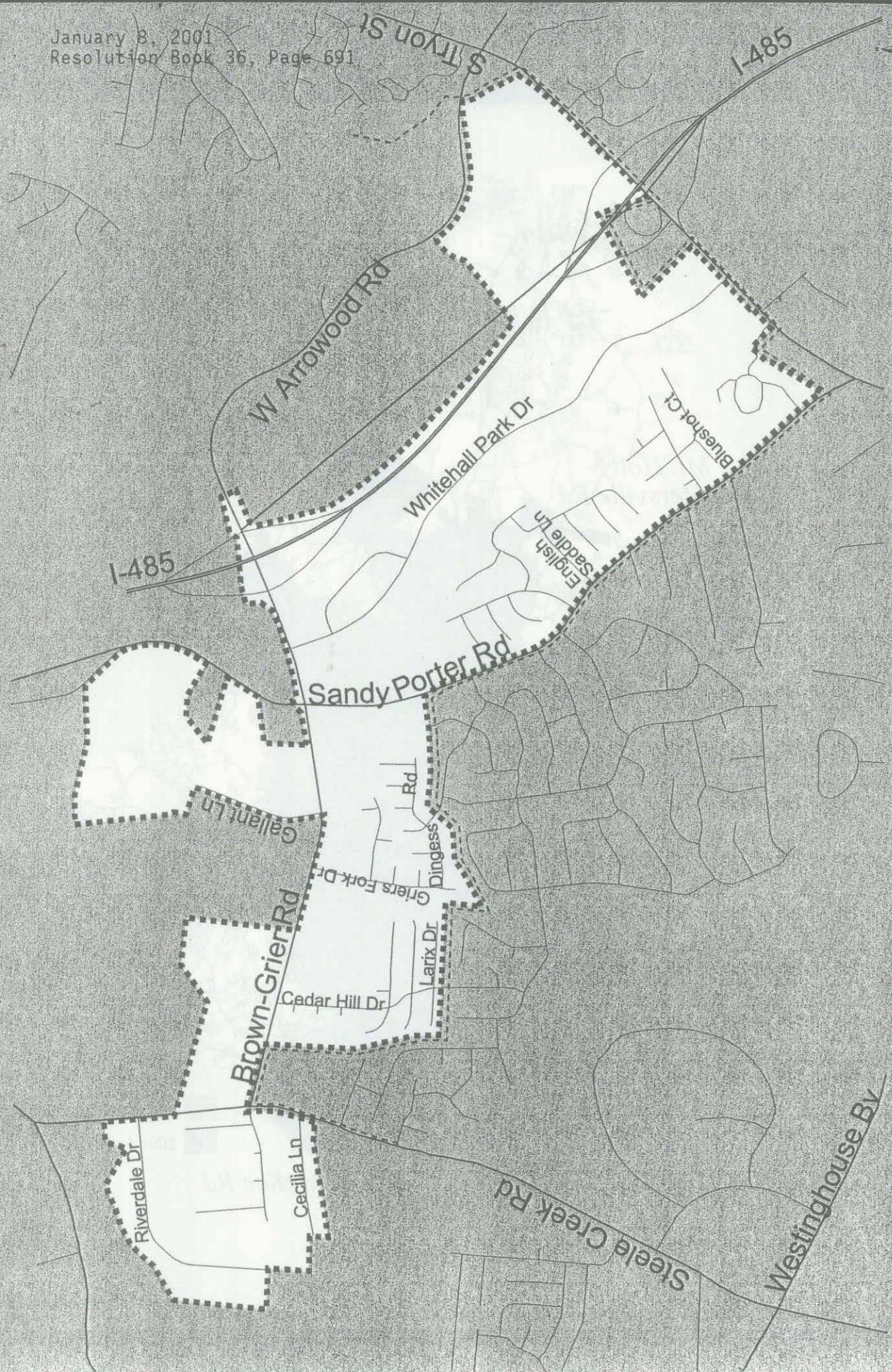
Produced by the Charlotte-Mecklenburg Planning Commission.

Date: August 31, 2000





Steele Creek Rd Annexation Area



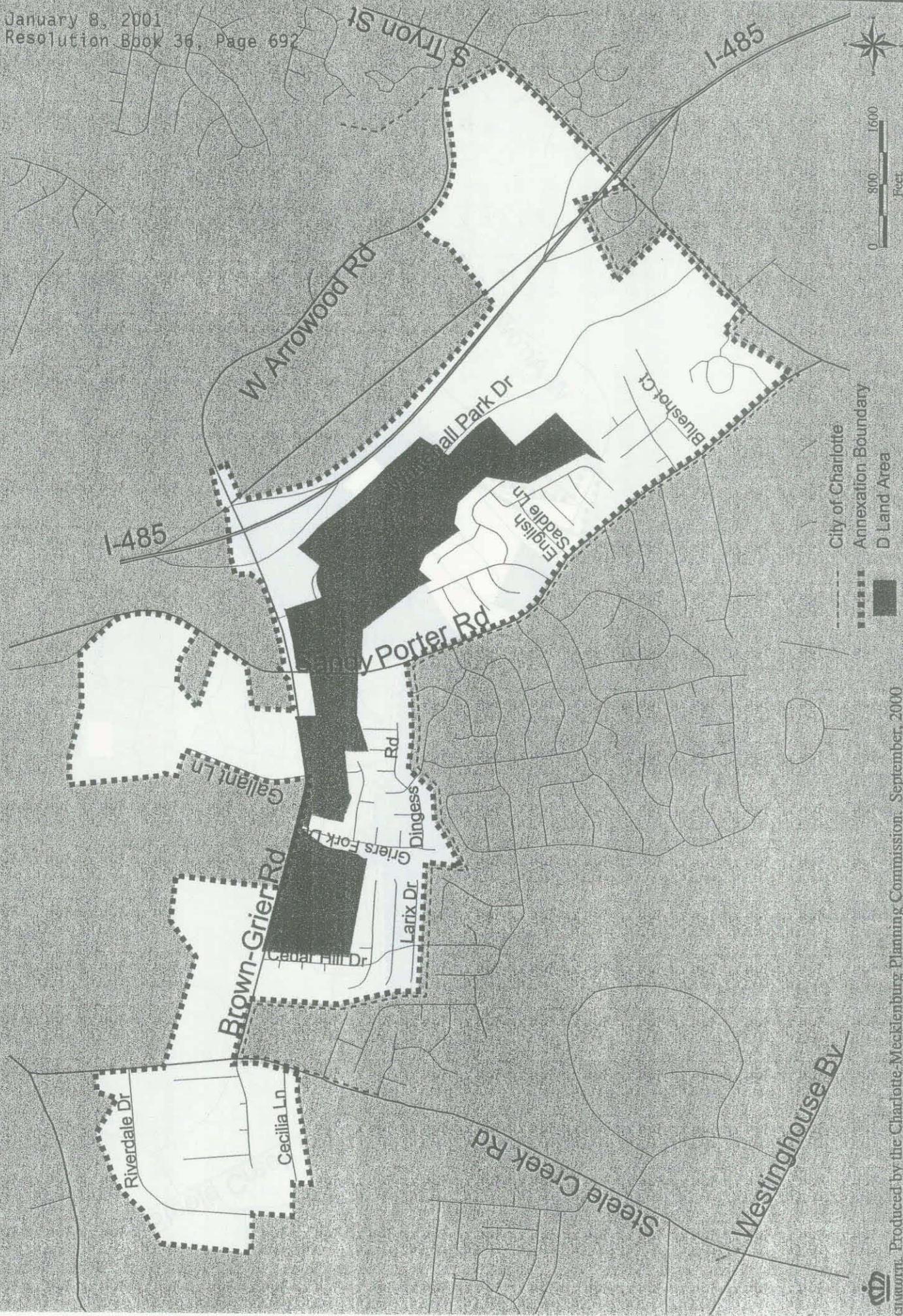
--- City of Charlotte
- - - - - Annexation Boundary

September, 2000

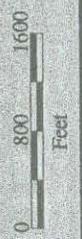
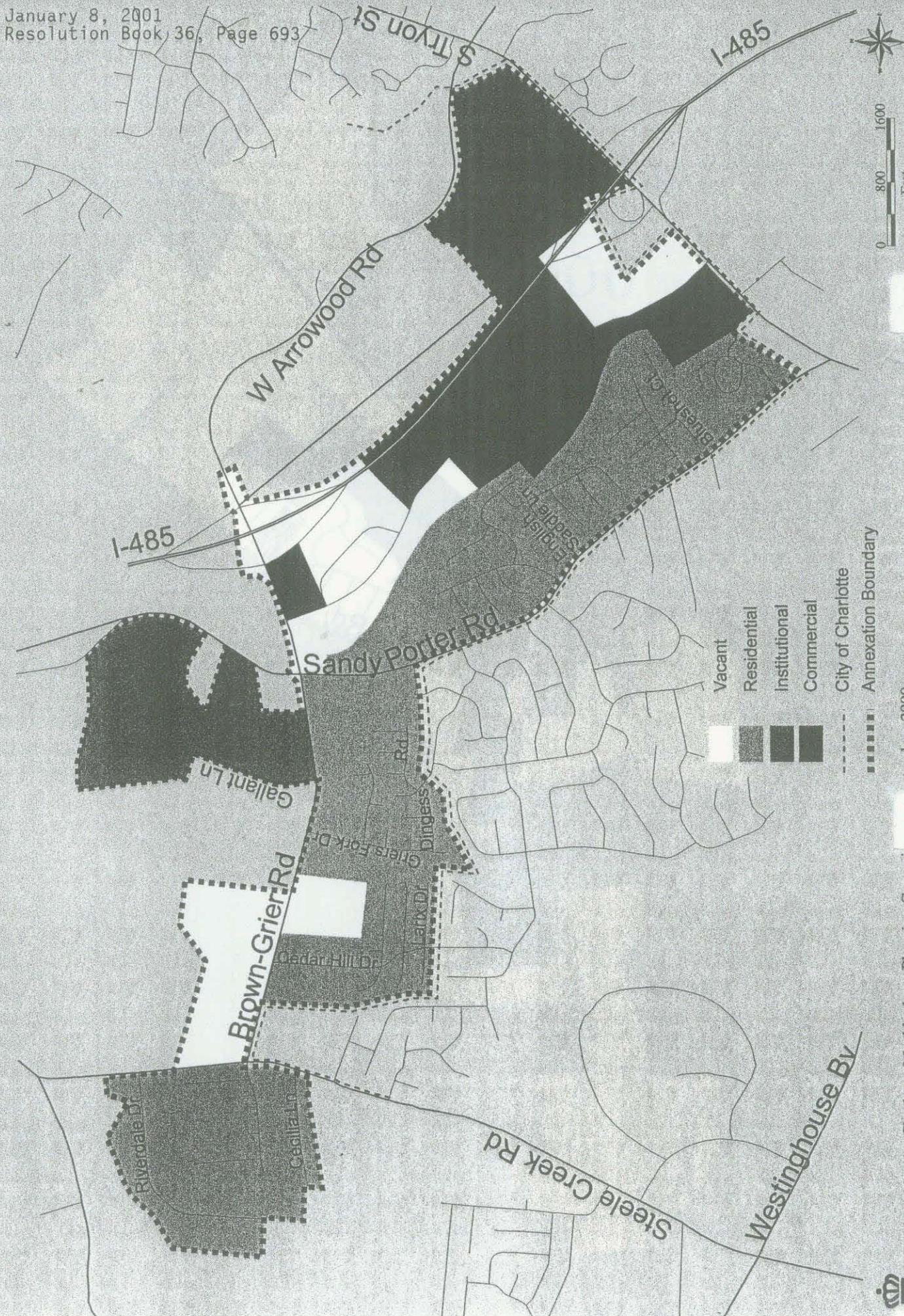
Produced by the Charlotte-Mecklenburg Planning Commission



Steele Creek Rd Annexation Area

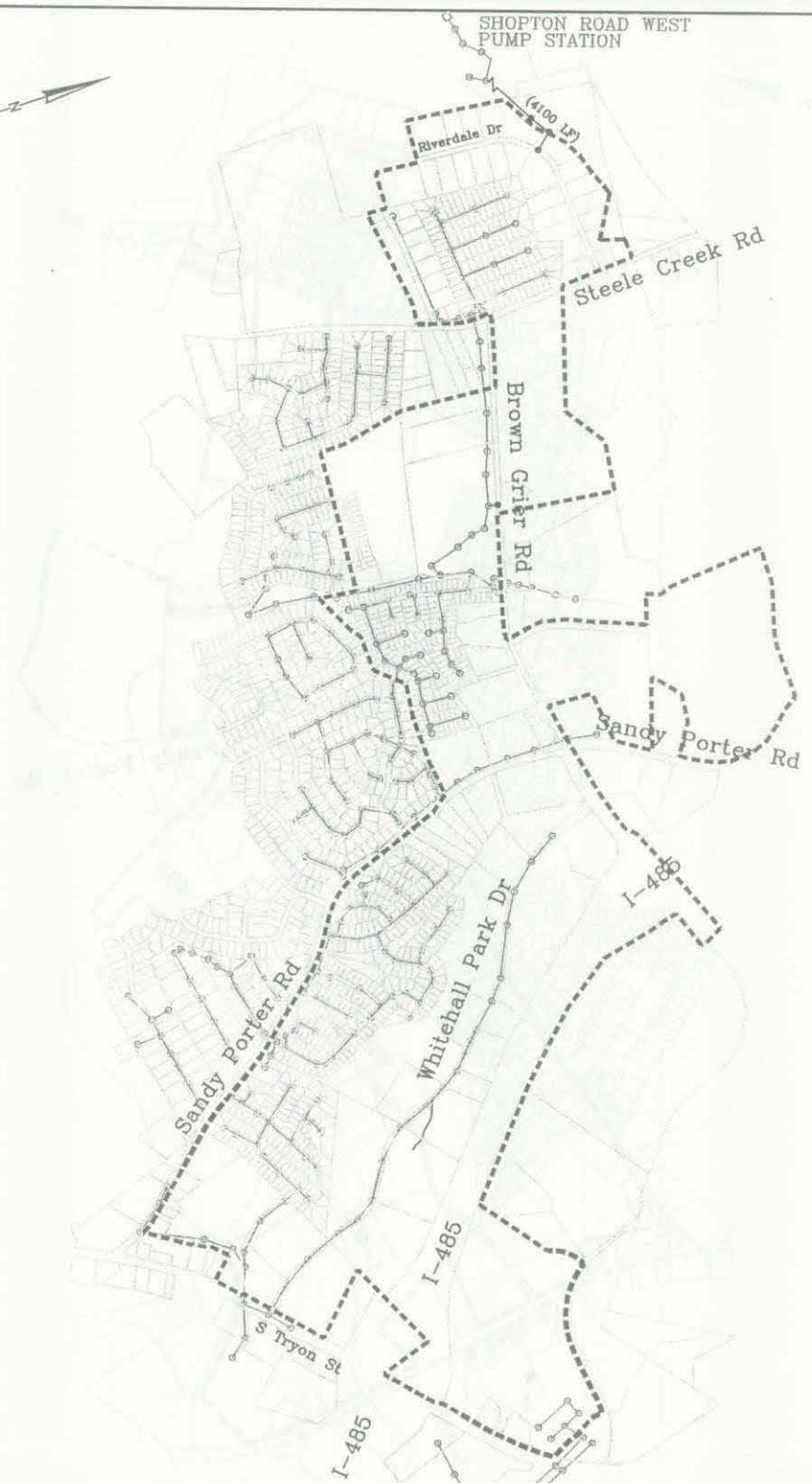


Steele Creek Rd Annexation Area



- Vacant
- Residential
- Institutional
- Commercial
- City of Charlotte
- Annexation Boundary





LEGEND

- EXISTING SEWER
- PROPOSED SANITARY SEWER TRUNK LINES
- 4200± LF TOTAL PROPOSED SANITARY SEWER TRUNK LINES
- PROPOSED 2001 ANNEXATION

No.	Date	By	Revision

CHARLOTTE-MECKLENBURG UTILITY DEPARTMENT ENGINEERING DIVISION CHARLOTTE, NORTH CAROLINA	
Job No. _____ File No. _____ Scales PLAN 1" = 1/2 MILE PROFILE Hor. _____ Vert. _____ As Built _____ Date _____	2001 ANNEXATION PROPOSED SEWER TRUNK LINES STEELE CREEK
Surveyed By _____ Designed By _____ Drawn By _____ Project-Engr _____ Approved By _____ Date _____	ECS _____ Project-Engr _____ Approved By _____ Date _____ Sheet <u>7</u> Of <u>7</u>

APPENDIX A

STATISTICAL SUMMARY PER STATUTORY REQUIREMENTS

STEELE CREEK ROAD
 AREA IN TERMS OF STATUTORY REQUIREMENTS
 (STATISTICS COMPILED JUNE, 2000)

	Measured or Calculated	Statutory Standard
I. STATUTORY REQUIREMENT		
At least one-eighth (1/8) of the total boundary of the area must coincide with the municipal boundary:		
1. Total boundary	58,528 ft.	
2. Boundary contiguous with municipal boundary	23,511 ft.	
3. Proportion of total boundary contiguous with the municipal boundary	40%	(1/8 or 12.5%)
II. QUALIFYING CRITERIA		
A. Has a resident population equal to at least two and three-tenths persons for each acre of land within the developed part of the area:		
1. Total number of dwellings in developed part of the area	867	
2. Average number of persons per household (1990 Census)	2.87	
3. Estimated population of developed part of area	2,301	
4. Acreage of developed part of the area	816 acres	
5. Population per acre in developed part of area	2.82	(2.3)

STATISTICAL SUMMARY (Continued)

	Measured or Calculated	Statutory Standard
<p>B. At least 60 % of the total number of lots and tracts in the developed part of the area at the time of annexation are used for urban purposes, and is subdivided into lots and tracts such that at least 60 % of the total acreage in the developed part of the area, not counting the acreage used for commercial, industrial, governmental, or institutional purposes, consist of lots and tracts three acres or less in size:</p>		
1. Total number of lots and tracts in developed part area	901	
2. Total number of lots and tracts used for urban purposes in developed part of area	874	
3. Total lots and tracts used for urban purposes in developed part of area, as a proportion of the total number of lots and tracts	97%	(60%)
4. Total acreage of developed part of area, excluding the acreage used for commercial, industrial, governmental, or institutional purposes	418 acres	
5. Total acreage of developed part of area in lots and tracts three acres or less, not counting the acreage used for commercial, industrial, governmental, or institutional purposes	285 acres	
6. Acreage in Section II B 5 as a proportion of acreage in Section II B 4	68 %	(60%)

STATISTICAL SUMMARY (Continued)

	Measured or Calculated	Statutory Standard
<p>C. At least sixty percent of the external boundary of the area not meeting the requirements of subsection (c) must coincide with any combination of the municipal boundary and the boundary of an area or areas developed for urban purposes as defined in subsection (c). However, these areas not yet developed for urban purposes may not exceed twenty-five percent of the total area to be annexed (Subsection D portion of the area):</p>		
1. Total acreage of the area	983 acres	
2. Total acreage of Subsection D portion of the area	167 acres	
3. Total acreage of Subsection D portion of the area as a proportion of the total acreage of the area	17%	(25%)
4. Total boundary of Subsection D portion of the area	23,043 feet	
5. Boundary of Subsection D portion of the area contiguous with municipal boundary and boundary of developed part of the area	21,580 feet	
6. Boundary length in Section II C 5 as a proportion of the boundary length in Section II C 4.	94%	(60%)

APPENDIX C

FY01 ANNEXATION AREA DESCRIPTION

STEELE CREEK ROAD

Beginning at a point on the Existing CHARLOTTE CITY LIMITS, said point being the Northeasterly most corner of a 59.62 Acre tract described and recorded in Deed Book 8890 Page 502 said point also being located on the Southwesterly right-of-way margin of Arrowood Road extension lying in the centerline of Coffey Creek, Thence; in a Southerly direction with the centerline of Coffey Creek to a point, said point being the centerline of said creek located 300 feet from the centerline of NC Highway 49 (York Rd.) Thence; in a Southerly direction approximately 300 feet to a point, said point being approximately 170 feet South of the centerline of said Coffey Creek located on the right-of-way of NC Highway 49, Thence; in a Southwesterly direction following along the Westerly right-of-way margin of said NC Highway 49 a distance of approximately 1,850 feet to a point, said point being the Northeasterly line of property as described in Deed Book 6336 Page 910 located on the Westerly right-of-way margin of said NC Highway 49 (York Rd.), Thence; in a Northerly direction following along the said Northeasterly line of said Deed Book 6306 Page 910 as having a bearing and distance of North 16-49-30 West 606.86 feet to a point, said point being the Northerly most corner of said Deed Book 6306 Page 910, Thence; in a Westerly direction with the Northwesterly line of said Deed Book with a bearing and distance of South 65-57-25 West 846.36 feet to a point, said point being the Westerly most corner of said property recorded in said Deed Book 6336 Page 910, Thence; continuing in a Southwesterly direction with Westerly property line of Deed Book 6220 Page 985 with a bearing and distance of South 66-00-04 West 313.80 feet to a point, said point being the Westerly most corner of said Deed Book, Thence; in a Southeasterly direction following along the Southerly line of Said Deed Book 6220 page 985 with two bearings and distances as follows South 44-09-41 East 498.11 feet to a point, said point being the Westerly most corner of property as described in Deed Book 4773 page 66 and the Southerly most corner of property as described in said Deed Book 6220 page 985, Thence; in a Southeasterly direction with the Southerly line of property described in Deed Book 4773 page 66 with a bearing and distance of South 44-09-41 East 410.36 feet to a point, said point being the Southerly most corner of said lot described in said Deed Book 4773 page 66, Thence; in a Southwesterly direction with a line 60 feet North of and Parallel with the centerline of York Road approximately 1,404 feet to a point, said point being 60 feet North of and normal to the centerline of York Road, Thence; in a Northwesterly direction following along the property line of a lot described in Deed Book 4254 page 199 with bearings and distances as follows: Thence; North 41-37 West approximately 386 feet to a point, Thence; South 48-23 West 124.95 feet to a point, Thence; South 39-45 West 122.80 feet to a point, Thence; South 9-51 West 73.11 feet to a point, Thence; South 38-54-30 West 133.12 feet to a point, Thence; South 55-38-30 East 19.00 feet to a point, Thence; South 34-08 West 125.00 feet to a point, Thence; South 36-56-30 West 233.59 feet to a point, said point being the Southerly line of a lot as described in Deed Book 2950 page 200 located on the said line of said Deed Book 4254 page 199, Thence; in a Southwesterly direction along the said Southerly line of said Deed Book 2950 page 200 with a bearing and distance of South 33-59 West approximately 211 feet to a point, said point being in the Southerly line of lot as described in said Deed Book 2950 page 200 and also being located 10 feet East of and normal to the Easterly right-of-way margin of Sandy Porter Road (SR 1142), Thence; in a Northerly direction along said line that is 10 feet east and / or Northeast of and parallel with the Easterly right-of-way margin of Sandy Porter Road approximately 6,355 feet to a point, said point being 10 feet East of and normal to the Easterly right-of-way margin of said Sandy Porter Road, Thence; crossing Sandy Porter Road (SR 1142) in a Westerly direction along the Northerly line of Lots 6 and 7 in Block 17 as shown on a Recorded Map Book 17 Page 286 as having a bearing and distance of South 84-51-50 West approximately

436 feet to a point, said point being the Northwestern corner of Lot 7 in Block 17 as shown on said Map Book 17 Page 286, Thence; continuing in a Westerly direction crossing Mapleton Road approximately 60 feet to a point, said point being located on the Westerly right-of-way margin of said Mapleton Road, Thence; in a Westerly direction along the Northerly line of Lot 1 in Block 16 as shown on Map Book 17 Page 286 as having a bearing and distance of North 89-17-40 West 190.00 feet to a point, said point being the Northwestern corner of Lot 1 in Block 16 as shown on said Map Book 17 page 286, Thence; in a Westerly direction along the Northerly line of Lots 9 through 15 in Block 16 as shown on recorded Map Book 19 page 427 as having bearings and distances as follows: Thence; North 89-17-40 West 70.35 feet to a point, Thence; North 86-16-20 West 296.34 feet to a point, Thence; North 78-52-20 West 398.48 feet to a point, said point being the Northwestern corner of said Lot 15 in Block 16 of said Map Book 19 Page 427, Thence; in a Southwesterly direction along the Westerly line of Lot 15 in Block 18 and crossing Meadhaven Drive and the Westerly line of Lot 26 in Block 13 as shown on said Map Book 19 page 427 with the following bearing and distance: Thence; South 43-58-20 West 165.06 feet to a point, Thence; South 46-41-10 West 125.98 feet to a point, said point being the Northwestern corner of said Lot 26 in Block 13 as shown on said Map Book 19 Page 427, and also being the Northerly most corner of Lot 9 in Block 13 as described in Map Book 19 Page 328, Thence; in a South and Southwesterly direction following along the line with Lots 9 through 18 Block 13 as shown on said Map Book 19 page 328 as having bearing and distance as follows: Thence; South 49-29-50 West 117.67 feet to a point, Thence; South 89-53-50 West 409.10 feet to a point, Thence; South 53-08-40 West 165.29 feet to a point, Thence; South 85-56-50 West 496.30 feet to a point, said point being the Northwestern corner of Lot 18 Block 13 Map Book 19 page 328 and also being the Southerly most corner of the a Greenway area as shown on Recorded Map Book 21 Page 958, Thence; in a Northerly direction along the Westerly line of said Green Way space as shown on said Map Book as having a bearing and distance of North 11-05-57 West 453.23 feet to a point, said point being the Northeasterly most corner of the Green Way space as shown on said Map Book, Thence; in a Westerly direction along the Northerly line of Lots 16 through 18 and Lots 20 through 25 in Block 1 as shown on recorded Map Book 21 page 958 with a bearing and distance of North 82-57-20 West 867.96 feet to a point, said point being the Northwestern most corner of Lot 25 in Block 1 on said Map Book 21 page 958 and also being the Northeasterly most corner of Lot 65 in Block 1 on recorded Map Book 22 page 754, Thence; continuing in a Westerly direction along the Northerly line of Lot 65 in Block 1 crossing Cedar Hill Drive and Lot 33 in Block 3 as shown on said Map Book 22 page 754 as having a bearing and distance of North 82-57-20 West 406.07 feet to a point, said point being the Northwestern most point of Lot 33 in Block 3 as shown on recorded in Map Book 22 page 754 and also being the Easterly most point of Lot 9 in Block 3 as shown on said recorded in Map Book 21 page 959, Thence; continuing in a Westerly direction along the Northerly line of Lots 9 and 8 in Block 3 as shown on Said Map Book 21 page 959 as having a bearing and distance of North 82-57-20 West 370.00 feet to a point, said point being the Northwestern most point of Lot 8 in Block 3 as shown on said Map Book 21 page 959 and also being located on the Easterly line of Lot 34 in Block 3 as shown on recorded Map Book 21 page 711 and also being the Southwesterly most corner of the property as described in Deed Book 6615 page 567, Thence; in a Northerly direction along the Easterly line of Lots 33 through 26 in Block 3 as shown on Recorded Map Book 21 page 845 as having a bearing and distance as follows: Thence; North 02-42-54 East 292.94 feet to a point, Thence; North 08-52-59 West 390.00 feet to a point, said point being the Northeasterly most point of Lot 26 as shown on recorded Map Book 21 page 845 and also being the Southeasterly most corner of Lot 14 as shown on recorded Map Book 22 Page 140, Thence; continuing in a Northerly direction along the Easterly line of Lots 14 through 12 in Block 3 as shown on Recorded Map Book 22 page 140 as having a bearing and distance of North 08-52-59 West 354.20 feet to a point, said point being the Northeasterly corner of Lot 12 Block 3 in said Map Book and also being the Southeasterly corner of Deed Book 3484 page 488, Thence; continuing in a Northerly direction with the Easterly line of Deed Book 3484 page 488 with bearing and distance of North 03-56 East 431.20 feet to a point, said point being the Northeasterly corner of Deed Book 3484 page 488 and also being the Southeasterly corner of Deed Book 3867 page 628, Thence; continuing in a Northerly direction with the Easterly line of Deed Book 3867 page

628 with bearing and distance of North 03-55 East 277.30 feet to a point, said point being the Northeasterly corner of Deed Book 3867 page 628 and also being the Southeasterly corner of Deed Book 5440 page 825, Thence; continuing in a Northerly direction with the Easterly line of Deed Book 5440 page 825 with a bearing and distance of North 03-56 East 141.50 feet to a point, said point being the Northeasterly corner of Deed Book 5440 page 825 and also being the Southeasterly corner of Deed Book 2679 page 223, Thence; continuing in a Northerly direction with the Easterly line of Deed Book 2679 page 223 with a bearing and distance of North 03-56 East 141.50 feet to a point, said point being the Northeasterly corner of Deed Book 2679 page 223 and also being approximately 85 feet in a Southerly direction from the Southerly right-of-way margin of Brown-Grier Road, Thence; in a Northerly direction approximately 85 feet to the Southerly right-of-way margin of Brown-Grier Road, Thence; in a Northerly direction approximately 60 feet to the Northerly right-of-way margin of said Brown-Grier Road, Thence; in a Westerly direction with the Northerly right-of-way margin of said Brown-Grier Road approximately 800 feet to a point, said point being the Easterly right-of-way margin of Steele Creek Road, Thence; continuing in a Westerly direction crossing Steele Creek Road to a point, said point being the intersection of the Northerly right-of-way margin of Brown-Grier Road (extended) with the Westerly right-of-way margin of said Steele Creek Road, Thence; in a South Southwesterly direction following along the Westerly right-of-way margin of Steele Creek Road approximately 870 feet to a point, said point being the Southeasterly corner of Lot 2 of Cecilia Lane Subdivision Map 1 recorded in Map Book 27 Page 699 and also being located approximately 204 feet in a Southwesterly direction from Cecilia Lane, Thence; in a Westerly direction following along the Southerly boundary line of Lot 2 and Lot 1 of Cecilia Lane Subdivision Map 1 said Map Book 27 Page 699 with bearing and distance as follows: Thence; North 55-44-00 West 244.08 feet to a point, said point being an angle point on said line of Lot 1, Thence; South 81-37-00 West 142.02 feet to a point, said point being the Southwest corner of said Lot 1 and also being the Southeast corner of Lot 2, Thence; South 81-37-02 West 794.82 feet to a point, said point being the Southwest corner of said Lot 1 and also being the Southeast corner of Lot 1 of Cecilia Lane Subdivision Map 2 recorded in Map Book 29 Page 567, Thence; continuing in a Westerly direction following along the Southerly boundary line of Lots 1 and Lots 2 of Cecilia Lane Subdivision Map 2 with bearing and distance of South 81-37-00 West 241.22 feet to a point, said point being the Southeast corner of said Lot 2, Thence; in a Northerly direction following along the Westerly boundary line of said Lot 2 recorded in said Map Book 29 Page 567 with a bearing and distance of North 03-49-42 East 200.00 feet to a point, said point being the Northwest corner of said Lot 2 of Cecilia Lane Subdivision Map 2 and also being located on the Southerly right-of-way margin of Cecilia Lane, Thence; crossing Cecilia Lane in a Northerly direction approximately 60 feet to a point, said point being the Southeast corner of Deed Book 4118 Page 917 and also being the Southwest corner of Lot 10 of recorded Map Book 11 Page 193 located on the Northerly right-of-way line of said Cecilia Lane, Thence; in a Westerly direction following along the Southerly boundary line of said Deed Book 4118 page 917 with bearing and distance of North 88-30-41 West 434.86 feet to a point, said point being the Southwest corner of said Deed Book 4118 page 917, Thence; in a Northerly direction following along the Westerly boundary line of said Deed Book 4118 page 917 with a bearing and distance of North 02-42-54 East 504.15 feet to a point, said point being the Northwest corner of said Deed Book 4118 Page 917 and also being the Southwest corner of Lot 14 in Block "B" of Section One of Riverdale recorded in Map Book 8 page 23 located on the Easterly right-of-way margin of Riverdale Drive, Thence; in a Westerly direction crossing said Riverdale Drive and following the Southerly boundary line of Lot 15 in Block "A" with a bearing and distance of North 88-34-00 West 512.76 feet to a point, said point being the Southwest corner of said Lot 15, Thence; in a Northerly direction following along the Westerly boundary line of Lots 15 through 10 in Block "A" with the following bearing and distance of North 05-20 East 1,146.91 feet to a point, said point being an angle point marking the Northwesterly most corner of said Lot 10, Thence; in a Northeasterly direction following along the Northerly boundary line of said Lot 10 through Lot 8 in Block "A" with the following bearings and distances as follows: Thence; North 60-25 East 472.25 feet to a point, Thence; North 40-02 East 220.51 feet to a point, Thence; North 47-37 East 188.11 feet to a point, Thence; North 59-50 East 220.00 feet to a point, said point being the Northeasterly corner of said

Lot 8 in Block "A" of Section one of Riverdale recorded in Map Book 21 page 23 and also being the Northwesterly corner of Lot 7 in Block "A" of Section one of Riverdale recorded in Map Book 8 Page 21, Thence; continuing in a Northeasterly direction with the Northerly boundary line of Lots 7 through 5 in said Block "A" with bearings and distances as follows: North 72-23 East 235.50 feet to a point, Thence; North 65-08 East 212.43 feet to a point, Thence; North 70-58 East 105.35 feet to a point, said point being the Northerly most corner of said Lot 5 in Block "A" of Map Book 8 page 21 and also being the Northwesterly most corner of Deed Book 1685 page 88, Thence; continuing in a Southeasterly direction with the Northeasterly boundary line of said Lot 5 Block "A" and also the Northerly boundary lines of Lot 4 and Lot 3B Block "A" and also being the Southwesterly boundary line of said Deed Book 1685 page 88 with the following bearing and distance as follows: South 60-42 East 552.27 feet to a point, said point being the Southerly most corner of said Deed Book 1685 page 88 and also being the Northeasterly most corner of said Lot 3B and also being the Westerly most corner of Lot 3A Block "A" recorded in said Map Book 8 page 21, Thence: continuing in a Northeasterly direction with the Easterly boundary line of said Deed Book 1685 page 88 and also being the Northwesterly boundary line of said Lot 3A with the following bearing and distance as follows: North 15-52 East 285.6 feet to a point, said point being the Northeasterly most corner of said Deed Book 1685 page 88 and also being the Northerly most corner of Lot 3A a common corner to the Northwest corner of Lot 1 in said Block "A", Thence: continuing in a Northeasterly direction following along the Northerly boundary line of Lot 1 in said Block "A" with a bearing and distance of North 86-24 East 220.34 feet to a point, said point being the Northeast corner of said Lot 1 Block "A" of Section One of Riverdale recorded in said Map Book 8 Page 21 located on the Westerly right-of-way margin of Steele Creek Road, Thence; crossing said Steele Creek Road with a bearing and distance of North 86-24 East approximately 60 feet to a point, said point being the Easterly right-of-way margin of said Steele Creek Road, Thence; following along the Easterly right-of-way margin of Steele Creek Road in a Southerly direction with a bearing and distance of South 05-10 East approximately 879 feet to a point, said point being located on the Southerly boundary line of Deed Book 2692 page 11, Thence: following along the Southerly boundary line of said Deed Book 2692 page 11 in a Southeasterly direction with bearings and distances as follows: Thence; South 67-44-30 East approximately 1,407 feet to a point, Thence; North 62-32 East 560.28 feet to a point, Thence; South 79-30 East 590.94 feet to a point, said point being the Northeast corner of Deed Book 3009 page 020 located on the Southerly boundary line of said Deed Book 2692 page 11, Thence; in a Southerly direction following along the Westerly boundary line of said Deed Book 3009 page 020 with a bearing and distance of South 08-02-38 West approximately 1,310 feet to a point, said point being 30 feet North of and normal to the centerline of Brown-Grier Road, Thence; in a Southeasterly direction with a line 30 North of and Parallel with the centerline of Brown-Grier Road approximately 1,460 feet to a point, said point being the intersection of a line 30 feet North of and parallel with the centerline of Brown-Grier Road and with a line that is 30 feet West of and parallel with the centerline of Gallant Lane, Thence; following along the said line 30 feet West of and parallel with the centerline of Gallant Lane in a Northerly direction approximately 1,640 feet to a point, said point being 30 feet West of and normal to the centerline of Gallant Lane located on the Southerly boundary line of Deed Book 2629 page 025, Thence; in a Westerly direction following along the Southerly boundary line of Deed Book 2629 Page 025 with a bearing and distance of North 72-40-10 West approximately 358 feet to a point, said point being the Southwesterly most corner of said Deed Book 2629 page 025 located in the branch, Thence; in a Northerly direction following along the Branch also being the Westerly boundary line of said Deed Book 2629 page 25 with the following ten courses: 1) North 07-33-50 East 159.13 feet to a point, 2) North 14-47-50 East 55.36 feet to a point, 3) North 19-42-40 West 133.78 feet to a point, 4) North 03-47-30 West 91.01 feet to a point, 5) North 01-49-20 East 70.46 feet to a point, 6) North 06-40-20 East 333.56 feet to a point, 7) North 31-44-40 West 58.22 feet to a point, 8) North 48-13-30 West 31.43 feet to a point, 9) North 17-48-30 West 58.49 feet to a point, 10) North 04-42 West 177.42 feet to a point, said point being located in said Branch, Thence; leaving said Branch with the following courses, Thence; North 04-28-10 West 213.00 feet to a point, said being the Northwesterly corner of said Deed Book 2629 page 25, Thence: in a Easterly direction following along the Northerly boundary line of said Deed Book 2629 Page 25 with the

following courses: Thence; North 84-56-00 East 363.75 feet to a point, Thence; South 74-51-00 East 670.81 feet to a point, Thence; North 89-11-00 East approximately 680 feet to a point, said point being 40 feet West and normal to the centerline line of Sandy Porter Road (SR.#1142), Thence; in a South Southwesterly direction following along a line 40 feet west and parallel to the centerline of said Sandy Porter Road (SR#1142) approximately 1,730 feet to a point, Thence; in a Northwesterly direction with a boundary line common to said Deed Book 2629 page 25 and Deed Book 8037 Page 77 (6.58 Acre tract) with the following courses: Thence: North 57-48-20 West approximately 440 feet to a point, Thence; North 85-12-50 West 248.24 feet to a point, Thence; South 55-17-10 West 433.70 feet to a point, said point being the Southwesterly most corner of said Deed Book 8037 page 77 a (6.58 Acre Tract) located on the Southerly boundary line of said Deed Book 2629 page 25, Thence; in a Southeasterly direction following along the Southerly boundary line of Deed Book 8037 page 77 with a bearing and distance of South 72-12 East approximately 850 feet to a point, said point being 40 feet west of and normal to the centerline of said Sandy Porter Road (SR#1142), Thence; in a Southwesterly direction following a line 40 feet West and parallel with the centerline of said Sandy Porter Road (SR#1142), approximately 450 feet to a point, said point being 40 feet West and normal to the center line of said Sandy Porter Road (SR#1142), Thence; in a Westerly direction following along the boundary line of a Lot described as (area taken) in Deed Book 4986 page 693 with bearings and distances as follows: Thence; North 82-59-24 West approximately 580 feet to a point, Thence; South 03-11-56 West approximately 530 feet to a point, said point being located on the Northerly control access line of Brown-Grier Road a State Highway Project 8.U672208 as described in Deed Book 8459 Page 400 and also shown on a State Highway Map labeled (ROADWAY CORRIDOR OFFICAL MAP)(WEST CHARLOTTE OUTER LOOP FROM NORTH OF YORK ROAD TO NORTH OF MOORES CHAPEL) sheet 2 and 3, Thence; in a Northeasterly direction following along the Northerly control access line of Brown-Grier Road North 78-47-32 East approximately 400 feet to a point, said point being on the Northwesterly corner of the intersection of Brown-Grier Road and Sandy Porter Road as shown on said State Highway Map, said map also showing the following coordinates of said point North 516,209, East 1,415,995, Thence; continuing with said control access line crossing said Sandy Porter Road with a bearing and distance of North 78-14-28 East 250.25 to a point, said point located on the Northeasterly corner of the intersection of Brown-Grier Road and Sandy Porter Road having the coordinates of North 516,260 and East 1,416,240, Thence; continuing along the Northerly control access line of said Brown-Grier Road with a bearing and distance of North 73-47-41 East 333.24 feet to a point, said point having the coordinates of North 516,353 and East 1,416,560, Thence; North 69-49-35 East 385.66 feet to a point, said point having the coordinates of North 516,486 and East 1,416,922, Thence; North 73-00-46 East 438.12 feet to a point, said point having the coordinates of North 516,614 and East 1,417,341, Thence; North 14-02-10 East 98.95 feet to a point, said point being located on the Northwesterly corner of the intersection of Brown-Grier Road and the I-485 "OUTER BELT LOOP" interchange and said point having the coordinates of North 516,710 and East 1,417,365 , Thence; in a Northeasterly direction leaving the said control access line and running diagonally across the I-485 "OUTER BELT LOOP" interchange with a bearing and distance of North 66-52-56 East 929.65 feet to a point, said point being located on the Northeasterly corner of the intersection of the I-485 "OUTER BELT LOOP" interchange and Arrowood Road West to a point, said point being located on the control access line having the coordinates of North 517,075 and East 1,418,477, Thence; in a Northeasterly direction following along the Northerly control access line of Arrowood Road West with a bearing and distance of North 80-30-06 East 260.57 feet to a point, said point having coordinates of North 517,118 and East 1,418,477, Thence; continuing with said line a bearing and distance of North 69-30-36 East 202.83 feet to a point, said point being the Northeasterly most corner of the said Control access line as shown on said State Highway Map sheet 2 ,having coordinates of North 517,189 and East 1,418,667, Thence: in a Southerly direction crossing said Arrowood Road West with a bearing and distance of South 25-21-28 East 233.49 feet to a point, said point having coordinates of North 516,978 and East 1,418,767 shown on a map labeled (ROADWAY CORRIDOR OFFICIAL MAP) (WEST CHARLOTTE OUTER LOOP FROM NORTH OF YORK ROAD TO NORTH OF MOORES CHAPEL) sheet 2 and 3, and also being a corner described in Deed

Book 10257 page 966 which is located South 22-41-57 East 48.69 feet from the Southerly right-of-way margin of Arrowood Road West which is located on the said control access line, thence; in a Southerly direction following along the control access line also being the Westerly boundary line of said Deed Book 10257 page 966 with the following bearings and distances as follows: Thence; South 67-17-44 West 426.47 feet to a point, Thence; South 24-41-54 West 95.62 feet to a point, Thence; South 09-31-57 East 886.19 feet to a point, Thence; with a circular curve to the left having a radius of 5,564.29 feet an Arc length of 904.30 feet and a chord bearing of South 36-40-41 East and a chord length of 903.30 feet to a point, Thence; with circular curve to the left having a radius of 5,564.29 feet an Arc length of 739.70 feet and a chord bearing of South 45-08-53 East and a chord length of 739.16 feet to a point, Thence; continuing with said line South 49-46-13 East 171.12 feet to a point, said point being the Southwesterly corner of said Deed Book 10257 page 966 and also being the Northwest corner of Deed Book 7974 page 814 located on the said Control access line of I-485 (OUTER BELT LOOP), Thence; continuing with said control access line in a Southeasterly direction approximately 750 feet to a point, said point being the Southwest corner of Deed Book 7974 page 814 and also being the Northwest corner of Deed Book 8890 page 502 located on the control access line of I-485 (OUTER BELT LOOP), Thence; leaving said control access line in a Northeasterly direction following along the Northerly property line of said Deed Book 8890 page 502 with bearings and distances as follows: Thence; North 52-22-55 East 940.49 feet to a point, Thence; with a circular curve to the left having a radius of 500.00 feet an Arc length of 457.30 feet and having a chord bearing of North 35-26-17 East and a Chord length of 441.53 feet to a point, said point being the Northeasterly corner of said Deed Book 8890 page 502 located on the Southerly right-of-way of Arrowood Road West, Thence; following along the Southerly right-of-way margin of said Arrowood Road West in a Southeasterly direction with the following bearings and distances: Thence; with a circular curve to the left having a radius of 1005.00 an Arc length of 1104.70 feet and a chord bearing of South 65-59-42 East and a chord distance of 1049.92 feet to a point, Thence; North 82-30-55 East 595.36 feet to a point, Thence; with a circular curve to the right having a radius of 898.50 feet an Arc length of 183.04 feet and having a chord bearing of South 88-21-04 East and a chord length of 182.72 feet to a point, said point being the Northeasterly corner of said Deed Book 8890 page 502 being located on the Southerly right-of-way of Arrowood Road West and lying in the centerline of Coffey Creek and also being the POINT AND PLACE OF BEGINNING.

THIS THE 8th DAY OF January 2001
RESOLUTION

I, Mayor E. Patrick, of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January, 2001, the same having been made in public session, and recorded in full in Resolution Book 36, Page 704.

[Signature]
Mayor E. Patrick, City of Charlotte

RESOLUTION AUTHORIZING CITY MANAGER TO NEGOTIATE
AGREEMENT FOR SALE OF PROPERTY

WHEREAS, the City of Charlotte owns 2.1 acres of land on Fourth Street that is encumbered by a waste cell ("Parcel B") as well as a 3.95 acre tract of land at the corner of Fourth and Cedar Streets ("Parcel C"); and

WHEREAS, Summit Properties was the high bidder for Parcel C pursuant to North Carolina General Statutes public sale provisions and currently has a contract with the City for the purchase of Parcel C at \$29.54/sq. ft.; and

WHEREAS, Summit seeks to expand its proposed multi-use development and has offered to purchase Parcel B (post-remediation) for the same \$29.54 sq. ft. price as Summit Properties offered for Parcel C; and

WHEREAS, the sale to Summit Properties of Parcels B and C will advance the objectives of the Council-adopted Third Ward Plan and the City's Housing Policy by providing continuity of development as well as workforce housing in the uptown area.

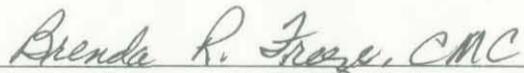
NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Charlotte, pursuant to Section 8.22 of the City of Charlotte Charter, that it hereby authorizes the City Manager and City staff to negotiate a contract for the sale of Parcels B and C to Summit Properties.

THIS THE 8th DAY OF January 2001.

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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January, 2001 the reference having been made in Minute Book 115, and recorded in full in Resolution Book 36, Page(s) 705.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of January, 2001.


Brenda R. Freeze, CMC, City Clerk