ORDINANCE NO. 5545-X

WAVERLY AREA

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

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

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

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 E. Fourth Street, Charlotte, N.C. at 7:00 p.m. on January 12, 2015 after due notice by the Mecklenburg Times on December 23, 2014; and

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

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the City of Charlotte as of January 12, 2015 (effective date):

LEGAL DESCRIPTION

That certain parcel or tract of land situated, lying and being in the Township of Providence, County of Mecklenburg, State of North Carolina and being all of the lands as described in Deed Book 29441, Page 592; Deed Book 29441, Page 658; Deed Book 29441, Page 671 and being a portion of the lands as described in Deed Book 29441, Page 678 and being more particularly described as follows:

Commencing at an existing NGS monument "Sixteen" having NC NAD 83 coordinates of N: 481,361.38, E: 1,470,360.43, thence South 04°57'08" East a horizontal ground distance of 1606.49 feet to an existing
punch, located on an existing concrete headwall, situated on the easterly margin of Providence Road (NC Highway 16) (a variable width public right-of-way)(a 140' public right-of-way within this area) as shown on NCDOT plans having a project number of 34813.2.3, and being recorded in Instrument Number 2008034600, and being the Point of Beginning; thence along a common line between the southeasterly margin of the aforesaid Providence Road with the northerly line of the lands of Providence Road Farms, LLC as described in Deed Book 29441, Page 592, all Deed and Map Deeds recorded in the Mecklenburg County Public Register of Deeds, South 58º35'40" East a distance of 35.54 feet to an existing iron rod situated on the easterly margin of the aforesaid Providence Road (a 200' public right-of-way within this area); thence along the southerly line of the lands of Star City Development Company, Inc. as described in Deed Book 4503, Page 935 and being Tract C as shown on Map Book 1166, Page 689, for the following two (2) courses and distances; 1) South 60º13'44" East a distance of 346.03 feet to an existing iron rod with a nail at the base, situated on the northerly line of the lands of Providence Road Farms, LLC, as shown on a Plat entitled “Revised Waverly Map 1, Phase 1” recorded in Map Book 56, Pages 771-772 and described in Deed Book 29441, Page 678; 2) South 52º16'09" East a distance of 1995.63 feet to an existing iron rod, situated on the westerly line of the lands of Shiloh I, LLC and Shiloh II, LLC as described in Deed Book 24029, Page 132 & 139; thence along the westerly line of the aforesaid lands for the following four (4) courses and distances; 1) South 25º11'55" West a distance of 1710.91 feet to the base of an existing iron rod; 2) South 68º42'29" East a distance of 42.34 feet to the base of an existing iron pipe; 3) South 23º00'23" West a distance of 685.26 feet to an existing iron rod; 4) South 61º01'08" West a distance of 363.60 feet to an existing iron rod, situated on the easterly line of the lands of Waltonwood at Providence, LLC as described in Deed Book 27813, Page 622 and shown as Tract 1 on a plat entitled “Waltonwood Map 1” Map Book 54, Page 520; thence along the easterly line of the aforesaid lands North 00º39'23" West a distance of 879.21 feet to an existing iron rod, situated on the southerly margin of Providence Country Club; Drive (a variable width public right-of-way) as shown on the aforesaid Map Book 54, Page 520; thence along the existing terminus line of the aforesaid Providence Country Club Drive North 00º06'17" East a distance of 79.99 feet to an existing iron rod, situated on the northerly margin of the aforesaid Providence Country Club Drive; thence along the aforesaid northerly margin North 89º53'35" West a distance of 67.94 feet to a new iron rod, situated at a common corner between Parcel B and the Future Development Remaining Area as shown on the aforesaid Map Book 56, Pages 771-772; thence along a common line between the aforesaid lands for the following nine (9) courses and distances; 1) North 00º36'02" West a distance of 62.51 feet to a new iron rod; 2) with a curve along the arc of a curve to the left said curve having an arc length of 48.19 feet a radius of 475.50 feet (chord bearing of North 03º30'15" West and chord distance of 48.17 feet) to a new iron rod; 3) North 06º24'28" West a distance of 133.20 feet to a new iron rod; 4) with a curve along the arc of a curve to the right said curve having an arc length of 53.97 feet a radius of 532.50 feet (chord bearing of North 03º30'15" West and chord distance of 53.95 feet) to a new iron rod; 5) North 00º41'18" West a distance of 32.55 feet to a new iron rod; 6) North 84º53'24" West a distance of 10.05 feet to a new iron rod; 7) South 89º23'58" West a distance of 138.15 feet to a new iron rod; 8) South 83º41'19" West a distance of 9.60 feet to a new iron rod; 9) North 00º36'00" West a distance of 128.95 feet to a point; thence with a new line over, upon and through the aforesaid lands of Providence Road Farms, LLC as described in Deed Book 29441, Page 678, for the following two (2) courses and distances; 1) South 89º23'58" West a distance of 58.38 feet to a point; 2) North 00º26'54" East a distance of 38.58 feet to an existing iron pipe, situated on the easterly line of the lands of Fast Pace Providence, LLC as described in Deed Book 25275, Page 74 and shown on a plat entitled “Cranfield Academy Easement Plat” Map Book 52, Page 627; thence along the easterly and northerly line of the aforesaid lands for the following two (2) courses and distances; 1) North 00º26'54" East a distance of 223.62 feet to an existing iron pipe; 2) South 88º59'14" West a distance of 255.88 feet
January 12, 2015
Ordinance Book 59, Page 220

to an existing iron rod, situated on the easterly margin of the aforesaid Providence Road (NC Highway 16) (a variable width public right-of-way within this area), also situated on the current easterly limit line of the City of Charlotte; thence along the aforesaid easterly margin and the easterly limit line for the following seven (7) courses and distances; 1) North 00°31'01" East a distance of 74.48 feet to an existing metal monument; 2) North 00°13'54" East a distance of 181.61 feet to an existing metal monument; 3) North 05°12'37" West a distance of 227.42 feet to an existing metal monument; 4) North 08°46'30" West a distance of 149.61 feet to an existing metal monument; 5) North 01°31'57" West a distance of 251.67 feet to an existing metal monument; 6) North 00°39'45" West a distance of 390.08 feet to an existing iron rod; 7) North 00°39'26" West passing an existing metal monument at 31.01 feet for a total distance of 836.95 feet to the Point of Beginning; Containing 3,674,326 square feet or 84.3509 acres, as shown on an exhibit map prepared by R. B. Pharr & Associates, P.A. dated March 17, 2014, last revised October 03, 2014 (Project No. 80963).

Section 2. Upon and after January 12, 2015 (effective date) the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Charlotte and shall be entitled to the same privileges and benefits as other parts of the City of Charlotte. Said territory shall be subject to municipal taxes according to G.S.160A-58.10.

Section 3. Subject to change in accordance with applicable law, the annexed territory described above shall be included in the following Council electoral district: 7.

Section 4. The Mayor of the City of Charlotte shall cause to be recorded in the office of the Register of Deeds of Mecklenburg County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Mecklenburg County Board of Elections, as required by G.S. 163-288.1.

Adopted this 12th day of January, 2015.

APPROVED AS TO FORM:

[Signature]
Charlotte City Attorney
CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th of January, 2015, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 218-222.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 12, 2015.

Stephanie C. Kelly, MMC, NCCMC, City Clerk
January 12, 2015
Ordinance Book 59, Page 223

ORDINANCE NO. 5546-X O-33

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5405-X, THE 2014-2016 BUDGET ORDINANCE APPROPRIATING $5,000,000 OF PROCEEDS FROM THE NASCAR HALL OF FAME TAX FUND FOR PAYMENT TO ONE NEW CHARLOTTE, LLC FOR THE COST OF ACQUISITION, CONSTRUCTION, REPAIR, MAINTENANCE, AND FINANCING OF THE NASCAR HALL OF FAME

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

Section 1. That the sum of $5,000,000 is hereby estimated to be available from existing Occupancy Tax revenues (fund balance) in the NASCAR Hall of Fame Tax Fund (Fund 2004) (Funding Source: 5000)

Section 2. That the sum of $5,000,000 is hereby appropriated to the Hall of Fame Tax Fund (Fund 2004; GI: String: 2004-00-20-0000-000000-0003024-000-559100-) for transfer to the Hall of Fame Debt Service Fund (Fund 3024)

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

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

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

[Signature]

City Attorney

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th of January, 2015, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 223.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 12, 2015.

[Signature]
Stephanie C. Kelly, MMC NCCMC, City Clerk
January 12, 2015
Ordinance Book 59, Page 224

ORDINANCE NO. 5547-X O-34


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

Section 1. That the sum of $1,588,000 is hereby estimated to be available from the North Carolina Department of Transportation (NCDOT) (Funding Source: 1200)

Section 2. That the sum of $1,588,000 is hereby appropriated to the General Capital Investment Fund 4001, Michael Baker Bridge Project 4288200022

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

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

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

City Attorney

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th of January, 2015, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 224.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 12, 2015.

Stephanie C. Kelly, MMC NCCMC City Clerk
January 12, 2015
Ordinance Book 59, Page 225

ORDINANCE NO. 5548-X O-35

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5405-X, THE 2014-2015 BUDGET ORDINANCE PROVIDING AN APPROPRIATION FOR TRAFFIC SIGNAL IMPROVEMENTS

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

Section 1. That the sum of $32,950 is hereby estimated to be available from the following private developer sources: South Kings Development, LLC ($14,500), Batson Cook ($1,000), and Charlotte Latin Schools, Inc. ($17,450)

Section 2. That the sum of $32,950 is hereby appropriated in the General Capital Investment Fund (4001)

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

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

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

City Attorney

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th of January, 2015, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 225.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 12, 2015.

[Signature]
Stephanie C. Kelly, MMC NCCMC, City Clerk
ORDINANCE NO. 5549-X O-36

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5406-X, THE 2014-2015 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF $854,970 FOR THE CONTRACT WITH ZOLADZ CONSTRUCTION CO., INC.; SUMMIT ENGINEERING & CONSTRUCTION SERVICES, INC.; AND BESCO ELECTRICAL CORPORATION FOR THE TERMINAL ELEVATED ROADWAY PROJECT.

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

Section 1. That the sum of $854,970 is hereby appropriated from the Aviation Discretionary Fund for the Terminal Elevated Roadway project.

Section 2. That the sum of $854,970 is hereby appropriated in the Aviation Community Investment Plan Fund

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

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

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

[Signature]

City Attorney

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th of January, 2015, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 226.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 12, 2015.

[Signature]
Stephanie C. Kelly, MMC, NCCMG, City Clerk
ORDINANCE NO. 5550-X O-37

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5405-X, THE 2014-2015 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF $828,503 FOR THE FEDERAL AVIATION ADMINISTRATION REIMBURSABLE AGREEMENT

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

Section 1. That the sum of $828,503 is hereby appropriated from the Aviation Discretionary Fund for the Federal Aviation Administration Reimbursable Agreement for a siting study.

Section 2. That the sum of $828,503 is hereby appropriated in the Aviation Community Investment Plan Fund. The Federal Aviation Administration Reimbursable Agreement, AJW-FN-ESA-14-7268, in the amount of $501,062.46:
   - Fund 6064
   - Project 4020901526
   - Source 6000
   - Type 600066001
   - Year 0000
   The Federal Aviation Administration Reimbursable Agreement, AJW-FN-ESA-14-7269, in the amount of $127,440.54:
   - Fund 6064
   - Project 4020901527
   - Source 6000
   - Type 600066001
   - Year 0000

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

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

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

[Signature]

City Attorney

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th of January, 2015, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 227.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January, 2015.

[Seal]

Stephanie C. Kelly, MMC NCCMC, City Clerk
January 12, 2015
Ordinance Book 59, Page 228

ORDINANCE NO. 5551-X O-38

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5405-X, THE 2014-2015 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF $550,000 FOR THE CONTRACT WITH AirtT TO PROVIDE SYSTEM IMPLEMENTATION, SETUP, AND CONFIGURATION OF AirtT'S GATE RESOURCES MANAGEMENT SYSTEM

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

Section 1. That the sum of $550,000 is hereby appropriated from the Aviation Discretionary Fund for the contract with AirtT

Section 2. That the sum of $550,000 is hereby appropriated in the Aviation Community Investment Plan Fund

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

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

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

[Signature]
City Attorney

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th of January, 2015, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 228.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 12, 2015.

[Signature]
Stephanie C. Kelly, MMC NCCMC, City Clerk
ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 206 LANDER STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF UNKNOWN HEIRS OF STEVE LAWRENCE WELCH 206 LANDER STREET CHARLOTTE, NC 28208

WHEREAS, the dwelling located at 206 Lander Street in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 206 Lander Street in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

[Signature]
Senior Assistant City Attorney

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th of January, 2015, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 229.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 12, 2015.

[Signature]
Stephanie C. Kelly, MMC NCCMG, City Clerk
ORDINANCE


WHEREAS, the dwelling located at 1004 Wainwright Avenue in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 1004 Wainwright Avenue in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

[Signature]
Senior Assistant City Attorney

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th of January, 2015, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 230.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 12, 2015.

[Seal]
Stephanie C. Kelly, MMC NCCMC, City Clerk
ORDINANCE


WHEREAS, the dwelling located at 1301 Norris Avenue in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 1301 Norris Avenue in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

[Signature]
Senior Assistant City Attorney

CERTIFICATION

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th of January, 2015, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 231.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 12th day of January 12, 2015.

[Signature]
Stephanie C. Kelly, MMC NCCMC, City Clerk