ORDINANCE NO. 5497-X INVERNESS 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 October 27, 2014 after due notice by the Mecklenburg Times on October 17, 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 October 27, 2014 (effective date):

LEGAL DESCRIPTION

BEGINNING AT A POINT, said point being on the existing City Limits Line and the northern right-of-way of Dixie River Road and being about 1675′ from the intersection of Dixie River Road and Shopton Road; THENCE following the City Limits Line and along the northern right-of-way of Dixie River Road the following ten (10) courses and distances; (1) THENCE S 82°06′20″ E a distance of 50.18′ to a point; (2) THENCE S 81°22′41″ E a distance of 50.70′ to a point; (3) THENCE S 79°02′02″ E a distance of 51.44′ to a point; (4) THENCE S 75°41′26″ E a distance of 51.52′ to a point; (5)
THENCE S 73°13'14" E a distance of 51.43' to a point; (6) THENCE S 70°32'08" E a distance of 51.17' to a point; (7) THENCE S 68°44'28" E a distance of 50.50' to a point; (8) THENCE S 68°11'49" E a distance of 50.16' to a point; (9) THENCE S 68°01'10" E a distance of 49.97' to a point; (10) THENCE S 68°04'39" E a distance of 31.81' to a point; THENCE leaving the City Limits line and crossing to the centerline of Dixie River Road S 84°43'43" W a distance of 33.42' to a point; \( \text{THENCE S 84°43'43" W a distance of 32.17' to a point; THENCE continuing across Dixie River Road S 77°30'09" W a distance of 53.31' to a point on the southern right-of-way of Dixie River Road; THENCE along the southern right-of-way of Dixie River Road the following seven (7) courses and distances; (1) THENCE S 68°28'55" E a distance of 39.83' to a point; (2) THENCE S 66°09'48" E a distance of 76.38' to a point; (3) THENCE S 68°40'28" E a distance of 50.31' to a point; (4) THENCE S 69°09'28" E a distance of 50.21' to a point; (5) THENCE S 70°01'32" E a distance of 50.49' to a point; (6) THENCE S 69°43'56" E a distance of 49.88' to a point; (7) THENCE S 69°07'51" E a distance of 37.05' to a point at the northwest corner of Tax Parcel 19925115; THENCE along the line of Tax Parcel 19925115 S 20°07'08" W a distance of 477.78' to a point; THENCE continuing along the line of Tax Parcel 19925115 S 68°15'53" E a distance of 141.39' to a point, the northwest corner of Lot 79, Inverness, Phase 1, Map 3 as recorded in Map Book 53 Page 196, Mecklenburg County Register of Deeds; THENCE along the line of Lot 79 S 18°41'13" W a distance of 149.89' to a point in the northwestern right-of-way of Langwell Lane; THENCE along the right-of-way of Langwell Lane N 70°11'55" W a distance of 34.88' to a point; THENCE crossing Langwell Lane S 23°31'06" W a distance of 49.04' to a point on the southern right-of-way of Langwell Lane; THENCE along the right-of-way of Langwell Lane the following three (3) courses and distances; (1) THENCE S 69°49'53" E a distance of 69.09' to a point; (2) THENCE with a curve turning to the right with an arc length of 199.04', with a radius of 340.01', with a chord bearing of S 53°03'40" E and a chord length of 196.21' to a point; (3) THENCE S 36°17'28" E a distance of 116.82' to a point; THENCE leaving the right-of-way of Langwell Lane along the back property lines of the lot in Inverness Phase 1 Map 1, as recorded in Map Book 51 Page 375 the following nine (9) courses and distances; (1) THENCE S 53°42'32" W a distance of 147.73' to a point; (2) THENCE S 36°17'28" E a distance of 16.28' to a point; (3) THENCE S 52°01'03" W a distance of 164.06' to a point; (4) THENCE S 51°34'03" W a distance of 67.02' to a point; (5) THENCE S 51°34'03" W a distance of 60.00' to a point; (6) THENCE S 51°34'03" W a distance of 60.00' to a point; (7) THENCE S 51°34'03" W a distance of 51.82' to a point; (8) THENCE S 44°11'16" W a distance of 264.00' to a point; (9) THENCE S 40°31'14" W a distance of 11.30' to a point at the northwest corner of Lot 23, Inverness Phase 1 Map 3 as recorded in Map Book 53 Page 196; THENCE along the back lot lines of Inverness Phase 1 Map 3 the following three (3) courses and distances; (1) THENCE S 40°31'14" W a distance of 364.40' to a point; (2) THENCE S 41°00'48" W a distance of 133.52' to a point; (3) THENCE S 51°10'43" W a distance of 87.11' to a point in the Common Open Space of Inverness Phase 1 Map 1 as recorded in Map Book 51 Page 375; THENCE along the Common Open Space of Inverness Phase 1 Map 1 the following eight (8) courses and distances;
(1) THENCE S 61°18'19" W a distance of 37.12' to a point; (2) THENCE S 78°05'40" W a distance of 33.19' to a point; (3) THENCE N 80°40'19" W a distance of 28.16' to a point; (4) THENCE S 66°24'54" W a distance of 29.09' to a point; (5) THENCE S 37°45'25" W a distance of 30.79' to a point; (6) THENCE S 64°25'09" W a distance of 19.92' to a point; (7) THENCE S 88°47'13" W a distance of 54.59' to a point; (8) THENCE S 18°00'12" E a distance of 113.31' to a point in the Common Open Space of Berwick Phase VI Map 1 and Phase I Map 4 as recorded in Map Book 44 Page 491; THENCE along the Common Open Space of Berwick Phase VI Map 1 and Phase I Map 4 the following fourteen (14) courses and distances; (1) THENCE N 58°37'36" W a distance of 30.87' to a point; (2) THENCE N 18°25'26" W a distance of 112.99' to a point; (3) THENCE N 89°05'48" W a distance of 240.03' to a point; (4) THENCE N 89°55'19" W a distance of 68.32' to a point; (5) THENCE N 78°37'17" W a distance of 270.78' to a point; (6) THENCE N 61°08'42" W a distance of 612.26' to a point; (7) THENCE N 63°04'32" W a distance of 26.45' to a point; (8) THENCE N 37°51'31" W a distance of 116.34' to a point; (9) THENCE N 02°12'54" E a distance of 184.74' to a point; (10) THENCE N 28°22'41" W a distance of 199.19' to a point; (11) THENCE N 11°29'59" E a distance of 134.19' to a point; (12) THENCE N 38°02'01" W a distance of 98.50' to a point; THENCE N 26°25'59" W a distance of 125.79' to a point; (13) THENCE S 61°20'17" W a distance of 176.90' to a point; (14) THENCE S 87°51'01" W a distance of 440.30' to a point in the line of Duke Energy property line as shown on Carolina Centers, LLC Map as recorded in Map Book 33 Page 515; THENCE along the line of Carolina Centers, LLC the following fourteen (14) courses and distances; (1) THENCE N 39°56'32" E a distance of 26.80' to a point; (2) THENCE N 09°28'28" E a distance of 24.02' to a point; (3) THENCE S 35°02'41" W a distance of 63.58' to a point; (4) THENCE N 33°42'28" W a distance of 15.28' to a point; (5) THENCE N 03°32'43" W a distance of 91.95' to a point; (6) THENCE N 41°54'59" E a distance of 88.25' to a point; (7) THENCE N 25°18'13" E a distance of 92.20' to a point; (8) THENCE N 34°13'59" E a distance of 25.04' to a point; (9) THENCE N 54°44'51" E a distance of 74.31' to a point; (10) THENCE N 44°18'06" E a distance of 34.25' to a point; (11) THENCE N 07°25'50" E a distance of 18.73' to a point; (12) THENCE N 20°04'24" E a distance of 51.83' to a point; (13) THENCE N 64°09'03" E a distance of 224.19' to a point; (14) THENCE N 36°44'41" E a distance of 16.24' to a point in the line of Tax Parcel 19905109 as recorded in Deed Book 12722 Page 642; THENCE along the line of Tax Parcel 19905109 N 06°42'52" E a distance of 217.96' to a point; THENCE continuing along the line of Tax Parcel 19905109 N 16°59'07" E a distance of 278.68' to a point in the centerline of Dixie River Road; THENCE along the centerline of Dixie River Road the following three (3) courses and distances; (1) THENCE S 78°28'53" E a distance of 112.36' to a point; (2) THENCE S 79°27'39" E a distance of 49.97' to a point; (3) THENCE S 80°19'16" E a distance of 50.03' to a point; THENCE leaving the centerline of Dixie River Road S 76°58'13" E a distance of 171.65' to a point on the southern right-of-way of Dixie River Road and the western most corner of Tax Parcel 19925105 as recorded in Deed Book 12722 Page 542; THENCE along the southern boundary line of Tax Parcel 19925105 S 66°12'45" E a distance of 93.84' to a point; THENCE continuing along the southern boundary line of Tax Parcel
19925105 S 58°54'55" E a distance of 122.65' to a point, The southwestern corner of Tax Parcel 14117127 as recorded in Map Book 38 Page 521; THENCE along the southern boundary line of Tax Parcel 14117127 S 58°07'20" E a distance of 69.70' to a point; THENCE S 80°51'58" E a distance of 140.32' to a point, the southwestern corner of Tax Parcel 14117123 and the City Limits Line; THENCE along the southern line of Tax Parcel 14117123 and along the existing City Limits Line S 80°51'58" E a distance of 644.56' to a point; THENCE continuing along Tax Parcel 14117123 and the City Limits Line N 57°30'22" E a distance of 260.94' to a point; THENCE continuing along Tax Parcel 14117123 and the City Limits Line N 57°30'22" E a distance of 202.74'; THENCE to a point in the southern right-of-way of Dixie River Road N 19°47'29" E a distance of 238.72' to a point to a point in the southern right-of-way of Dixie River Road; THENCE crossing Dixie River Road and following the existing City Limits Line N Or 53°40" E a distance of 60.03' to the POINT OF BEGINNING. Having an area of 97.779 acres, more or less.

Section 2. Upon and after October 27, 2014 (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 City Council electoral district: 3.

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 27th day of October, 2014.

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 27th of October, 2014, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 74-79.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of October 2014.

Stephanie C. Kelly, MMC NCCMC, City Clerk
AN ORDINANCE AMENDING CITY CODE CHAPTER 18 – STORMWATER, ARTICLE IV – POST-CONSTRUCTION STORMWATER ORDINANCE

ORDINANCE NO. 5498

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Chapter 18, Article IV "Post-Construction Stormwater" of the Code of the City of Charlotte is hereby amended as follows:

DIVISION 4: DEVELOPMENT AND REDEVELOPMENT MITIGATION

1. SECTION 18-161: MITIGATION PAYMENT

   a. Amend Section 18-161, MITIGATION PAYMENT, SUBSECTION (c) "Redevelopment not within transit station areas or distressed business districts.
      The remaining section shall remain unchanged. The revised text shall read as follows:

      (c) Redevelopment not within transit station areas or distressed business districts. For a period of time beginning with approval of this Ordinance amendment and ending October 31, 2014 December 31, 2017, projects involving redevelopment of existing built-upon-area and the cumulative addition of less than 20,000 square feet of new built-upon-area, are allowed by right to forego meeting the requirements of this article, except for required stream buffers and phosphorous requirements, provided one of the following measures is implemented on the site:

         (1) If an analysis of the downstream storm water conveyance system confirms that volume and peak control facilities may be waived by the Storm Water Administrator, provide 85 percent TSS removal from first inch of rainfall for entire project and pay the city a mitigation fee according to rates set forth in the administrative manual for the pre-project built upon area and any additional impervious area; or
         (2) If an analysis of the downstream storm water conveyance system confirms that volume and peak control facilities may be waived by the Storm Water Administrator, pay the city a mitigation fee according to rates set forth in the administrative manual for the pre-project built upon area and any additional impervious area; or
         (3) Provide one-year, 24-hour volume control and ten-year, six-hour peak control for entire project and pay the city a mitigation fee.
That this ordinance shall become effective upon its 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 27th of October, 2014, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 80-81.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of October 2014.

[Signature]
Stephanie C. Kelly, MMC, NCCMC, City Clerk
ORDINANCE NO. 5499-X O-25


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

Section 1. That the sum of $309,110 is hereby estimated to be available from The U.S. Department of Justice, DNA Backlog Reduction Grant:

2600-30-30-0000-000000-000000-00-421101 $309,110
304022002-1100-11004200-2015

Section 2. That the sum of $309,110 is hereby appropriated to the Public Safety Grant Fund, 2600-30-30-3090-304022000-000000-00-530500, to the following projects:

304022002-9001000000 $309,110

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 27th of October, 2014, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 82.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of October 2014.

\[Signature\]

Stephanie C. Kelly, MMC NCCMC City Clerk
ORDINANCE NO. 5500-X O-26

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 $156,375 is hereby estimated to be available from the following private developer sources: Charlotte—Charter Properties Inc. ($24,375), 1125 South Tryon Street, LLC ($23,500), and The Charlotte-Mecklenburg Hospital Authority ($108,500)

Section 2. That the sum of $156,375 is hereby appropriated in the General Capital Investment Fund (4001) Developer Contributions Project (4292000018)

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 27th of October, 2014, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 83.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of October 2014.

[Signature]
Stephanie C. Kelly, MMC NOCMC, City Clerk
ORDINANCE NO. 5501-X O-27

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5405-X, THE 2014-2015 BUDGET ORDNANCE PROVIDING AN APPROPRIATION OF $312,570.50 FOR THE CONTRACT TO KELBY CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE DAILY DECK ACCESS ROAD

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

Section 1. That the sum of $312,570.50 is hereby appropriated from the Aviation Discretionary Fund for the contract with Kelby Construction, Inc.

Section 2. That the sum of $312,570.50 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:

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 27th of October, 2014, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 84.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of October 2014.

Stephanie C. Kelly, MMC NCCMC, City Clerk
5503-X

ORDINANCE


WHEREAS, the dwelling located at 2401 Ashley Road in the City of Charlotte has been found by the Code Enforcement Officer 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 Officer of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 2401 Ashley Road in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

[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 27th of October, 2014, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 86.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of October 2014.

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

5504-X


WHEREAS, the dwelling located at 215 Gene 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 215 Gene 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 27th of October, 2014, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Pages(s) 87.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of October 2014.

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

5505-X

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 4214 ROCHELLE LANE 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 MARTIN E. TOYE, JR. 1320 FILLMORE AVENUE UNIT 143 CHARLOTTE, NC 28203

WHEREAS, the dwelling located at 4214 Rochelle Lane 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 4214 Rochelle Lane 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:

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 27th of October, 2014, the reference having been made in Minute Book 137, and recorded in full in Ordinance Book 59, Page(s) 88.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 27th day of October 2014.

Stephanie C. Kelly, MMC NCCMC, City Clerk