

**ARDREY**

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**2007**  
**Annexation Plan**

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City of Charlotte, North Carolina  
A Summary Report

**ANNEXATION PLAN**

**CITY OF CHARLOTTE, NORTH CAROLINA**

**A PROPOSAL TO CONSIDER ANNEXATION OF THE**

**ARDREY**

**AREA**

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**JULY 2006**

# CONTENTS

	<u>PAGE</u>
<b>PREFACE: A SUMMARY OF THE ANNEXATION LAW .....</b>	<b>1</b>
<b>INTRODUCTION: THE ANNEXATION REPORT.....</b>	<b>4</b>
<b>PART I: THE PROPOSED AREA.....</b>	<b>6</b>
General Description of the Area .....	6
Standards and Criteria.....	6
Maps of the Area .....	7
Map of Proposed Annexation Areas in Charlotte.....	8
Map of Ardrey Area .....	9
Map of D-Land Connection .....	10
Map of Generalized Land Use in Proposed Area.....	11
<b>PART II: PLAN FOR SERVICES .....</b>	<b>12</b>
Statement of Extension of Services.....	12
Description of Services.....	12
General Government .....	12
Police Protection .....	13
Fire Protection .....	14
Transit.....	15
Transportation.....	16
Engineering and Property Management.....	18
Solid Waste Services .....	20
Business Support Services.....	22
Neighborhood Development .....	22
Other City Departments .....	23
Water and Sewer Service .....	23
Proposed Construction Timetable.....	25
Map of Existing Major Water System.....	26
Map of Wastewater Collection System .....	27
Map of Water Transmission Mains in Proposed Area .....	28
Map of Sewer Trunk Lines in Proposed Area .....	29

	<u>PAGE</u>
<b>PART III. FIRE PROTECTION IMPACT STATEMENT</b> .....	30
<u>Carolina VFD</u>	
Fire Suppression.....	30
Financial Information .....	32
Fire Prevention and Emergency Readiness.....	33
Insurance Risk.....	33
 <b>PART IV. CITY FINANCES and SERVICES IMPACT STATEMENT</b> .....	 35
 <b>APPENDICES</b> .....	 37
Appendix A: Statistical Summary.....	38
Appendix B: Economic Analysis .....	42
Appendix C: Legal Boundary Description .....	44
Appendix D: Rights of Certain Property Owners to Request Water and Sewer Service (including form) .....	47
Appendix E: Rights of Owners of Agricultural, Horticultural, and Forest Land in the Area.....	52
Appendix F: Water and Sewer Map (Registered Engineer).....	Folder*

\* (contained within Official Report only)

## PREFACE

### A SUMMARY OF THE NORTH CAROLINA ANNEXATION LAW AND ITS IMPLICATIONS FOR THE FUTURE DEVELOPMENT OF CHARLOTTE “What is Annexation?”

The annexation process serves a vital function in the overall development of the Charlotte urban area by aiding and guiding orderly municipal growth. In the past, Charlotte has expanded its corporate limits many times and these annexations have taken a number of forms.

Four methods of enlarging municipal boundaries are now available to cities in North Carolina under Article 4A Chapter 160A of the North Carolina General Statutes\*:

- (1) annexation by special act of the state legislature;
- (2) annexation by petition of all real property owners (Part 1);
- (3) annexation by municipal ordinance (Part 3);
- (4) annexation by petition of all real property owners of non-contiguous satellite areas (Part 4).

In the third method, the General Assembly of North Carolina has authorized municipalities to initiate the annexation of land undergoing urban development. North Carolina’s annexation law has been hailed as a major step forward in municipal efforts to meet many of the problems of urban expansion.

\* NC Annexation Statutes may be found on-line at:

[http://www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/ByArticle/Chapter\\_160A/Article\\_4A.html](http://www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_160A/Article_4A.html)

*(note: on-line address was valid at time of printing of this report but may be subject to change)*

Setting down the general principles and objectives of annexation, the statute provides:

Sound urban development is essential to the continued economic development of North Carolina. Municipalities are created to provide the governmental services essential for sound urban development and for the protection of health, safety and welfare in areas being intensively used for residential, commercial, industrial, institutional, and governmental purposes, or in areas undergoing such development. Municipal boundaries should be extended in accordance with legislative standards applicable throughout the State, to include such areas and to provide the high quality of governmental services needed therein for the public health, safety, and welfare. Areas annexed to municipalities in accordance with such uniform legislative standards should receive the services provided by the annexing municipality in accordance with annexation statute requirements. (G.S. 160A-45)

In addition to assuring that developed and developing urban areas will receive the protection and services necessary for sound urban growth, the city-initiated annexation law makes it possible to ensure that both the benefits and the responsibilities of urban life are shared by all the residents and property owners of the urban area. Often, a significant population living in the developed urban fringe beyond a city's limits receives many of the benefits of municipal tax dollars -- streets, public facilities, cultural events, museums, etc. -- without bearing a corresponding financial responsibility for those services. Because municipal services are necessary to the proper functioning and protection of the entire urban area, a basic principle may be derived -- that which is urban, should be municipal.

In the city-initiated annexation law, the state gives cities the authority to make municipal, that which is urban. To ensure that this authority will be used reasonably, the General Assembly established three key limitations. First, the law sets down objective statutory standards defining land as either "developed for urban purposes" or "land undergoing such development." Second, the law requires that the municipality be both ready and able to provide annexed areas with services equal to those provided within the rest of the city. Third, the law requires the annexation process to be undertaken publicly with advance notice of the annexation and with the opportunity for affected property owners and residents to be heard and to obtain information about the development of the annexation area and the plans for extending municipal services into the area.

Specifically, the city-initiated annexation law requires that the city prepare an annexation report, which spells out the city's plan for the financing and actual provision of services into the area that is proposed for annexation, and which documents that the area meets the prescribed standards for urban development to make it eligible for annexation. (Contracts with volunteer fire departments and private solid waste collection firms are acceptable methods of providing for fire protection and garbage collection services in annexed areas.) Following the adoption of an annexation ordinance, prescribed administrative and/or judicial review of the annexation may be requested to ensure that the city has complied with the applicable legal requirements, including following through with its plan to extend services.

The specific standards, which an area must meet in order to be eligible for annexation, are summarized below:

- (1) At least one-eighth (1/8) of the external boundary of the area must be contiguous to the current city limits.
- (2) The area cannot be part of another municipality.
- (3) The area must meet statutory criteria under at least one of the following standards:
  - (a) a minimum population density;
  - (b) a minimum population density and a minimum proportion of the area is subdivided into urban-sized lots;
  - (c) a minimum proportion of lots and tracts in the area is used for urban purposes and a minimum proportion of the residential and non-urban lots and tracts in the area is subdivided into urban-sized lots;
  - (d) the entire area of a water and sewer district, if the city and district agree that the district is developed for urban purposes and that the city will operate the district sewer system;
  - (e) all lots and tracts in the area are used for nonresidential urban uses.
- (4) In addition to property developed for urban purposes, the municipality may include a limited amount of undeveloped property in the area.

## **INTRODUCTION: THE ANNEXATION REPORT**

Pursuant to the authority vested in the City Council of the City of Charlotte by Article 4A, Part 3, Chapter 160A of the General Statutes of North Carolina, a resolution of intent to consider annexation of the Ardrey Annexation Area, as defined in this Report, was adopted by the City Council at a regular meeting held on the 24th day of July, 2006. A notice of a public informational meeting to be held on the 14th day of September, 2006 and a public hearing to be held on the 9th day of October 2006, on the question of annexation is being published and mailed to property owners in accordance with legal requirements. (The dates of the public informational meeting and/or public hearing are subject to change in accordance with applicable law.)

As a prerequisite to annexation, the City is required by law to prepare this Report setting forth plans for the extension of each major City service to the area proposed to be annexed. This Report includes:

- A statement showing that the area proposed to be annexed meets the legislative standards prescribed by G.S. 160A-48
- A map showing the present and proposed City boundaries and the qualification of the area proposed to be annexed
- A map showing the general land use pattern in the area proposed to be annexed
- A statement setting forth plans for extending to the proposed annexation area the following major municipal services performed within the City at the time of annexation: police protection, fire protection, solid waste collection, street maintenance, and the extension of major trunk water mains and sewer outfall lines
- A statement describing the method of financing the extension of these services
- A statement setting forth the plans for extending other City services into the proposed annexation area and the method of financing the extension of these other services, even though such a statement is not required to be included in this Report
- A statement describing the impact of annexation on the volunteer fire department providing service and on fire protection and fire insurance rates in the area proposed to be annexed
- A statement describing how the proposed annexation will affect the City's finances and



services, including City revenue change estimates

The official report – bearing the designation “The Official Report” on the cover - has been prepared in compliance with the foregoing requirements and is available for public inspection at the Office of the City Clerk, located on the 7<sup>th</sup> floor of the Charlotte-Mecklenburg Government Center, 600 E. Fourth Street, Charlotte, NC 28202. A summary of The Official Report is also viewable on-line at [www.charlotteplanning.org](http://www.charlotteplanning.org).

## **PART I: THE PROPOSED AREA**

### **General Description of the Area**

The Ardrey area is located south of the current City limits, between Rea and Marvin Roads, at the southern edge of Mecklenburg County. The area contains some low-density residential development, but is also characterized by two major new single family residential developments. The area contains 268.2 acres and has an estimated population of 584.

### **Standards and Criteria**

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

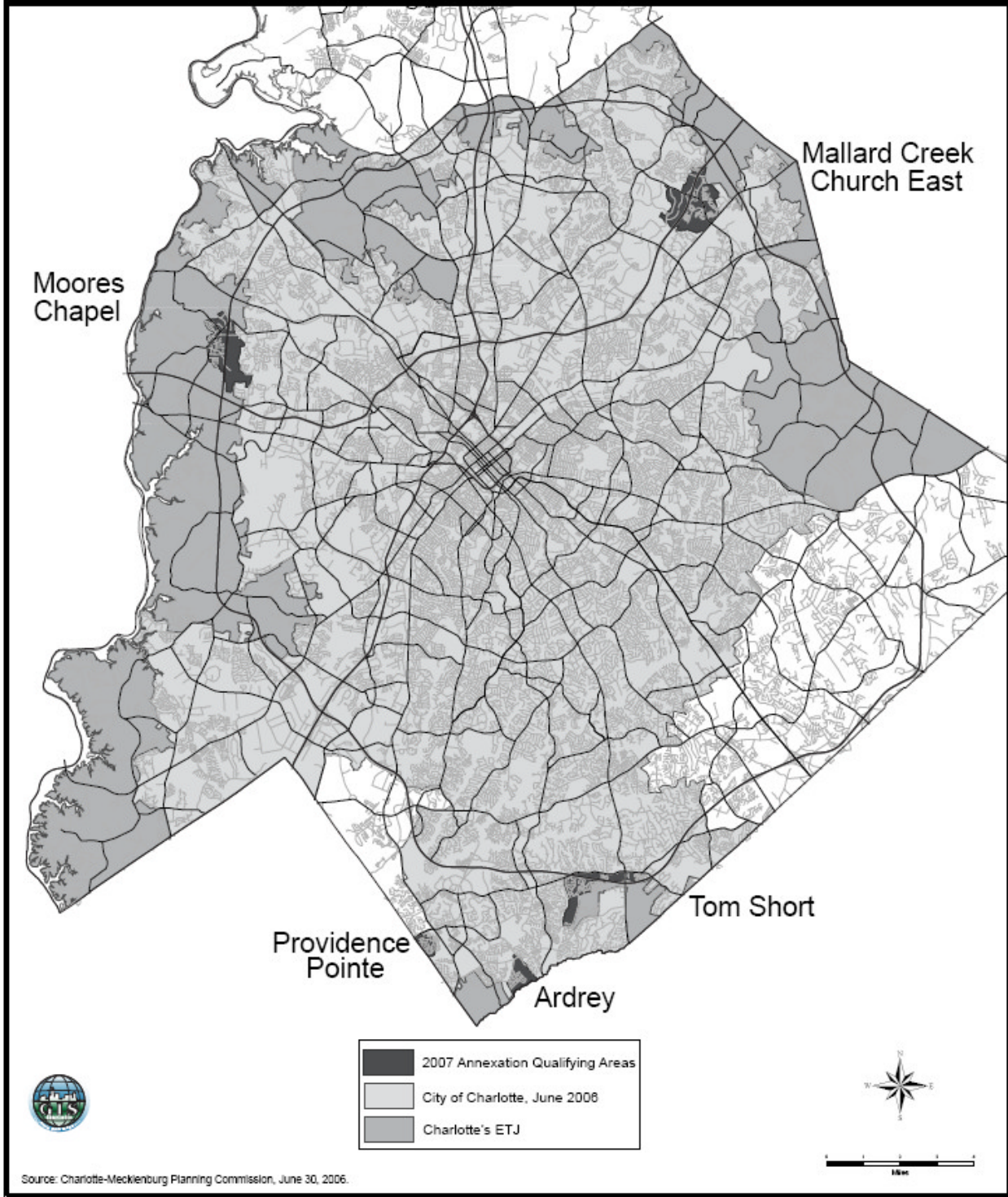
- A. The area proposed to be annexed meets the general standards of G.S. 160A-48(b) as follows:
  - 1. The area is contiguous, as defined in G.S. 160A-53, to the City's boundary as of the time of the beginning of this annexation proceeding.
  - 2. The aggregate boundary of the area is 17,743.1 feet, of which 11,689.6 feet or 65.8% coincides with the present City boundary.
  - 3. No part of the area is included within the boundary of another incorporated municipality.
  
- B. Part or all of the area is developed for urban purposes as described in one or more of the following sub-sections:
  - 1. The part of the area remaining (developed part of the area) after removing the subsection (d) land qualifies for annexation under the standards of two and three-tenths persons per acre of land. The developed part of the area has an estimated total population of 2.87 persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are 192 dwelling units in the area (all single family units), which when multiplied by the average household size of 3.14 for single-family units and taking into account an occupancy rate of 96.9% for single family units (all according to the latest federal decennial census) results in an estimated total resident population of 584. This population, when divided by the total number of acres (203.0) in the developed part of the area, results in a population density of 2.87 persons per acre.

2. The area proposed to be annexed does not meet the requirements of G.S. 160A-48(c)(2).
  3. The area proposed to be annexed does not meet the requirements of G.S. 160A-48(c)(3).
- C. A portion of the proposed annexation area does not meet the requirements of G.S. 160A-48(c), as described in B1, B2, and B3 above, but does meet the requirements of G.S. 160A-48(d)(2). This area – known as “subsection (d) land” - does not exceed twenty-five percent (25%) of the total area to be annexed. The total number of acres in the area to be annexed is 268.2. Of that acreage, 65.2 acres, or 24.3% is contained in the area not yet developed for urban purposes. The area is adjacent and at least sixty percent (60%) of its external boundary coincides with any combination of the present City boundary and the areas developed for urban purposes as defined in G.S. 160A-48(c). The aggregate boundary of the undeveloped area is 7,912.4 feet of which 7,912.4 feet or one hundred percent (100%) coincides with the present City boundary and the developed area (see the “subsection (d) land” map).

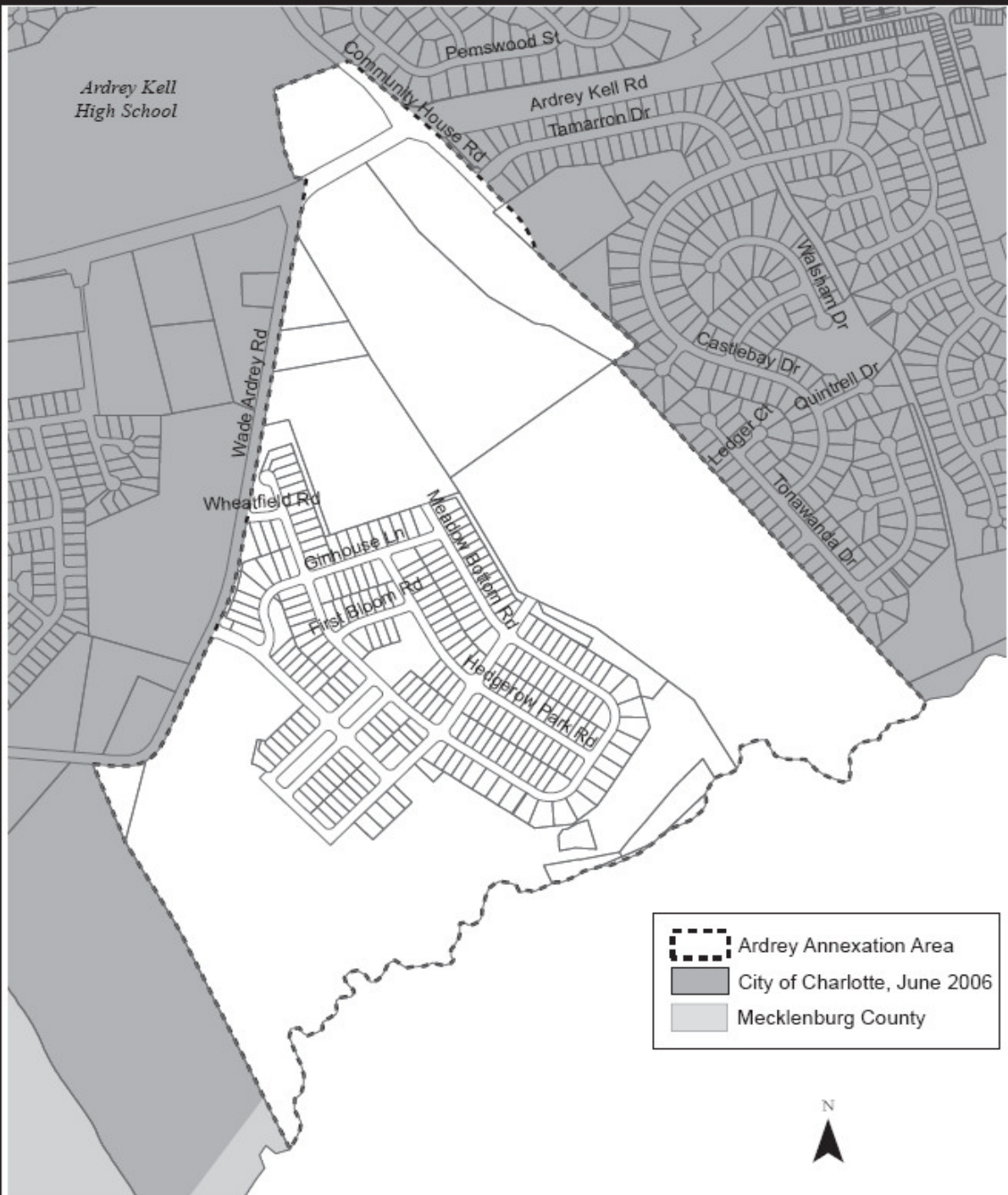
## **Maps of the Area**

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 subsection (d) land, and (d) the generalized land use pattern for the area.

# 2007 Annexation Qualifying Areas

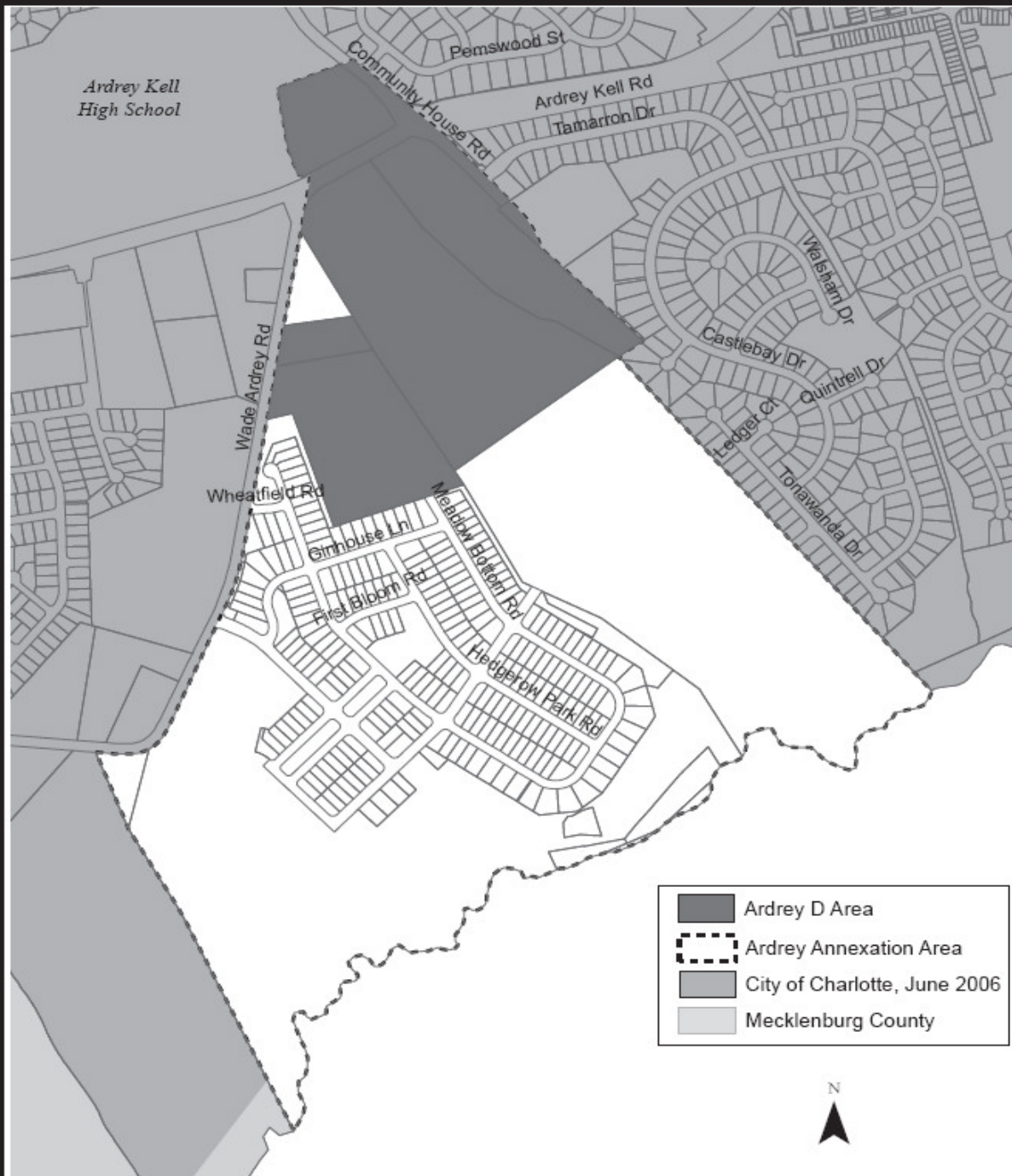


# Ardrey Annexation Qualifying Area, 2007



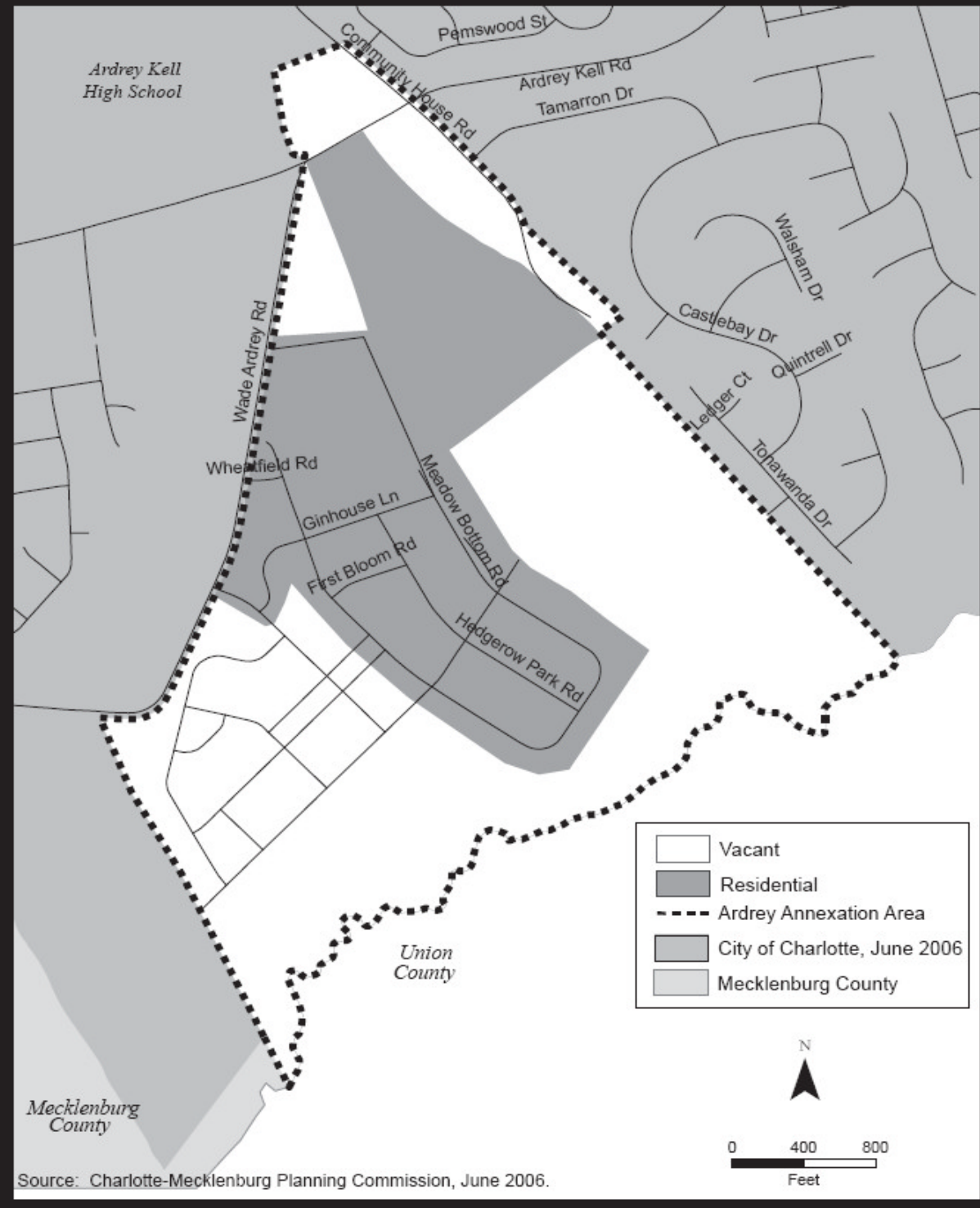
Source: Charlotte-Mecklenburg Planning Commission, June 2006.

## Ardrey Annexation Qualifying Area, 2007 D Land Area



Source: Charlotte-Mecklenburg Planning Commission, June 2006.

## Ardrey Annexation Qualifying Area, 2007 Generalized Land Use



## **PART II: PLAN FOR SERVICES**

### **Extension of City Services**

#### **PLANS FOR THE CITY OF CHARLOTTE TO EXTEND MUNICIPAL SERVICES TO THE ARDREY ANNEXATION AREA.**

Police protection, solid waste collection, and street maintenance services of the City of Charlotte will be extended to the area proposed for annexation immediately upon the effective date of annexation on substantially the same basis and in the same manner as such services are provided in the City prior to annexation. Except to the extent already provided, major trunk water mains and sewer outfall lines will be extended into the area proposed for annexation so that when such lines are constructed, property owners in the area will be able to secure water and sewer service from Charlotte-Mecklenburg Utilities (CMU) (a City department), according to the CMU Water and Sewer Extension Policy. If construction is required for a new fire station and/or to complete a basic water distribution system throughout the area proposed for annexation, reasonably effective fire protection services will be provided until such construction as is described in this Report is completed. A contract with a volunteer fire department to provide fire protection is an acceptable method of providing fire protection. A contract with a private solid waste collection firm to provide collection services is also an acceptable method of providing solid waste collection services in a proposed annexation area. The City shall provide all of these services as described in the following statements:

### **Description of Services**

**GENERAL GOVERNMENT.** The electorate of the City of Charlotte adopted the Council/Manager form of government in 1929. The government, general management, and control of all affairs of the City are vested in a City Council with eleven (11) members and a Mayor elected by and from qualified voters. Members hold office for terms of two years each. The membership of City Council includes four members elected at large by all voters and seven members elected from districts. Each District Council member is elected by qualified voters of his



or her district and must reside in the district which he/she represents.

The City Manager is appointed by the Mayor and City Council and serves at their pleasure as administrative head of the City, leaving the function of political leadership to the Mayor and the Council. The Manager carries out the laws enacted by the City Council and executes their wishes through the operations of the City's various departments, the heads of which report directly to her. The Manager prepares and submits preliminary annual budgets to the Mayor and Council and keeps them advised of the City's financial condition and needs.

The meetings of the City Council are open to the public, and consideration is given to citizens, residents, property owners, and others who present problems and recommendations.

**POLICE PROTECTION.** On October 1, 1993, police services were consolidated from the Mecklenburg County Police and City of Charlotte Police into the Charlotte-Mecklenburg Police Department (a department of the City). The Charlotte-Mecklenburg Police Department (CMPD) is a highly-trained and efficient police department whose function is the protection of life and property. Police services are provided on a continuous twenty-four hour basis and the department is prepared for emergency response to calls for service. The department performs a variety of functions, ranging from traffic control to crime prevention, and uses modern law enforcement equipment, facilities, and operations.

Police services -- such as 911 emergency service, a computerized information system, community policing, criminal investigations, and animal control-- are already being provided in the annexation area by the City pursuant to the City-County police services agreement. Police services are provided uniformly throughout the City, the annexation area, and all other portions of Mecklenburg County covered by this agreement. Therefore, police service delivery in the proposed annexation area will remain unchanged. No additional personnel or equipment will be required to provide police protection services in the annexation area.

The City's police services agreement with Mecklenburg County provides County funding as a

percentage of the CMPD's total service area population, which is comprised of the City of Charlotte and the remaining unincorporated areas of Mecklenburg County. Funding of police services for the proposed annexation area would shift from the collection of the County's Law Enforcement Service District tax to the City's property tax effective June 30, 2007.

**FIRE PROTECTION.** The Fire Department provides the residents of Charlotte with a high level of fire protection and suppression services, and maintains standards consistent with the requirements of the Insurance Services Office. The City enjoys a favorable insurance rating of "three". Protection is afforded by 1,082 full-time employees operating 38 engine companies, 14 ladder companies, 5 water tankers, 2 air crash/fire/rescue companies, 5 brush trucks, 2 heavy rescue squads, and 4 hazardous materials trucks. The Department's equipment is housed in 37 strategically located fire stations.

Fire protection services will be extended to the Ardrey Area on substantially the same basis and in the same manner as provided in the City, except as otherwise described in this section of the Report. This level of fire protection to the Ardrey Area will be provided by existing facilities located at Station 32, located at 9225 Bryant Farms Road, and Station 24 located at 7132 Pineville-Matthews Road. Service will commence on the effective date of annexation.

Reasonably effective fire protection services will be provided on the effective annexation date in those portions of the annexation area that do not contain the basic water system, until the completion of the basic water system in accordance with applicable statutes, and as described elsewhere in this Report. Each piece of Charlotte Fire Department apparatus carries a booster tank holding between 350 and 750 gallons of water, intended to provide water sufficient to begin a fire attack (and in many cases sufficient to suppress a fire). This apparatus will serve as the first fire incident attack in areas not currently served by basic water service. Additionally, Charlotte Fire Department has five 1,000 gallon tankers that are placed strategically to respond to geographic areas without sufficient water service for fire suppression. These tankers will be located at stations intended to respond to these under-served areas until water service is established.

Currently, the tankers are located at:

Station 9	4529 McKee Road
Station 12	420 Inwood Drive
Station 21	1023 Little Rock Road
Station 28	8031 Old Statesville Road
Station 35	1120 Pavilion Boulevard

While the annexation area is sufficiently served by basic water service for fire protection purposes, if a tanker were to be needed to be dispatched to the area, the tanker at Station 9 lies in closest proximity.

A contract with a volunteer fire department to provide fire protection is also an acceptable method of providing fire protection. If a volunteer fire department serving the annexation area makes a written request for a good faith offer, the City is required to make a good faith effort to negotiate a five-year contract with the volunteer fire department to provide fire protection in the area to be annexed. The written request must be delivered to the City Clerk no later than 15 days before the annexation public hearing.

**TRANSIT.** The Charlotte Area Transit System (CATS) operates a fleet of over 400 buses, providing public transportation service along 72 routes located throughout Mecklenburg County and surrounding counties in the Charlotte region. CATS services include express service, local, cross-town, neighborhood-community shuttles and activity center circulators.

There are currently no routes serving the annexation area. 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, as set forth by the Metropolitan Transit Commission (MTC).

In addition to the previously-listed CATS services, Special Transportation Services (STS) provides door-to-door transit services within Charlotte's City Limits, and the Towns of Matthews and Pineville. The Americans with Disabilities Act (ADA) requires complementary paratransit

service (such as STS) to operate within ¾ of a mile from any CATS local bus route. Individuals with disabilities certified as eligible according to ADA may qualify for STS paratransit service. Should local fixed route service be extended to the annexation area, STS ADA-paratransit service coverage would also need to be extended.

No additional transit funds will be required to provide transit services to the annexation area on substantially the same basis and in the same manner as provided in the City, as set forth by the MTC.

**DEPARTMENT OF TRANSPORTATION.** The general responsibility of the Charlotte Department of Transportation (CDOT) is to provide a safe, efficient and balanced transportation system for the movement of people and goods in the City of Charlotte. The department maintains all City streets; designs, installs, and maintains traffic signals and traffic control equipment; fabricates and installs street name and other traffic signs and markings; and performs transportation planning and provides design services for the transportation system and roadway system improvements. The department also conducts the City's Sidewalk Program, authorizes street light installations by Duke Energy, and approves take over billing for existing streetlights on public streets.

**Operations/Street Maintenance Services.** CDOT maintains, repairs and constructs all facilities located within the City street right of way. The current street maintenance policy states that the City of Charlotte is responsible for the general maintenance of all streets provided they are constructed in accordance with established City standards. In addition, the City will accept for maintenance those streets, which at the time of annexation are being maintained by the NC Department of Transportation (except those streets which form a part of the permanent State highway system, including all thoroughfares). Maintenance services include patching holes in the pavement, repairing roadway shoulders, cleaning and repairing storm water inlets and drains within the right of way and other related services.

The individual property owner is responsible for (1) maintenance of any property between the

property line and the curb or the edge of the paved street; (2) the provision of adequate drainage facilities so that his property will be free of standing water and will permit the natural flow of the water and, in the case of failure, the property owner shall bear the cost of facilities to alleviate this situation; and (3) the adequate maintenance and repair of adjoining sidewalk. At the request of the property owner, the City will repair or replace sidewalk with the cost of all materials necessary for the work to be borne by the property owner.

CDOT also evaluates, paves, and accepts for maintenance private streets qualifying for the Non-System Residential Street Program (NSRSP). This is a capital program that provides services for the construction of new public streets and is not a street maintenance program. Improved residential properties that front on private streets may be eligible for the NSRSP if two or more homes are served by the private street, if the majority of affected owners petition the City, and if all right-of-way required under this program for the street is donated to the City. Two million dollars of funding for the NSRSP is included in the FY2007-2011 City Capital Investment Plan, to be funded through the 2006 bond referendum (In the event the referendum fails to pass, the NSRSP will be un-funded – both in the annexation areas and City-wide). Private streets located within the proposed annexation estimated at up to \$1.48 million of NSRSP funding (cumulative cost of all NSRSP candidate projects in all five 2007 annexation qualifying areas) would be added to the list of existing City streets eligible for funding through this program.

In order to provide operations/street maintenance services on substantially the same basis and in the same manner as provided in the City, approximately \$87,301 from the General Fund in FY2008 will be appropriated in the annual budget to reflect the additional cost of services to this area. Additional personnel and equipment required to provide this service to the area will be secured. Additionally, capital costs of \$70,354 and \$43,808 in FY2009 from Powell Bill Funds will be required in order to improve area streets to City maintenance standards. Information on financing operations/street maintenance services is set forth in Appendix B. Street maintenance and other street-related services will commence on the effective date of annexation.

**ENGINEERING AND PROPERTY MANAGEMENT DEPARTMENT.** This department is responsible for providing a variety of services to other departments, which include engineering services, real estate acquisition, asset management, building maintenance, and landscape management. In addition, the department is responsible for the administration of certain City regulations relative to land development and management of the City's storm water capital systems improvement and maintenance. The general objectives of the department are to plan, design, and control construction of new capital improvements to meet community needs, develop programs for maintaining existing public facilities, and ensure that private development adheres to certain City regulations.

**Survey/Mapping Division.** The Survey Section is responsible for all the surveying needs of Engineering and for every other City department with the exception of the Charlotte-Mecklenburg Utilities (CMU) and Aviation. Surveying services, using either City forces or outside resources, are provided for all City Capital Investment Program projects, acquisition and disposal of all City real property, providing control data for the topographical mapping services, location and stake-out services for the building permit process, surveying for all storm drainage repair projects, staking rights-of-way throughout the City and maintenance of the survey control system throughout the City and surrounding areas. The Mapping Section provides mapping services to all departments except CMU and Aviation, and manages mapping consultant contracts; provides Geographic Information System (GIS) mapping services and operates the map room for the department.

**Real Estate Division.** This division is responsible for the appraisal and acquisition of property on behalf of the City for Engineering, CMU, CATS, CDOT, and Neighborhood Development for the construction of public facilities. Its Asset Management Section inventories and sells all surplus City owned real estate and conducts the negotiations to lease City owned property when appropriate. Real Estate assists CMU by acquiring land and easements for extending water and sewer services to newly annexed areas. This assignment may be performed by City staff or may be contracted to private agents. Services will be in accordance with CMU schedules.

**Land Development Division.** This Division reviews and inspects private development sites ranging from single family subdivisions to large commercial projects to ensure compliance with pertinent City Ordinances and standards. This group is also responsible for coordination of site-related City Code requirements (including City Zoning Ordinance) through the building permit process.

**Storm Water Services Division** Storm Water Services provides a safe, clean, and cost-effective storm drainage system that controls flooding and erosion through capital improvement and maintenance projects. Through its Water Quality program, Storm Water Services meets regulatory compliance standards, administers environmental permitting, lowers pollution caused by storm water run-off, and monitors Best Management Practices installed in connection with land development.

**Landscape Management Division.** This division is responsible for landscaping and grounds maintenance for seven uptown parks, 53 City buildings and over 225 median, islands, and other landscape projects which are along rights-of-way or public facilities. Other responsibilities include the maintenance/mowing of vacant City lots, City street rights-of-way, and the I-77/I-277 Loop. They also plant and maintain street trees through the citizens' co-op program and the street tree replacement program. Tree maintenance services include removal of dead, diseased, or fallen trees, pruning dead wood, and clearing site distance obstructions (low hanging and broken limbs that block street signs and street lights) on City rights-of-way. Landscape Management reviews plans and designs for roadway and other right-of-way construction projects where landscaping and street trees would be installed through the capital program. The City's six cemeteries are operated and maintained by this division. These services are performed either with City personnel or with contract services. Landscape Management services will commence on the effective date of the annexation.

**Building Maintenance Division.** This division provides preventative maintenance and repairs for 168 City-owned facilities. Services include HVAC maintenance, electrical and construction maintenance, and painting.

**Other Divisions.** The other divisions of the Engineering and Property Management Department are more directly affected by the City's Capital Investment Program than by service requests from citizens, residents, property owners or the development community.

Engineering & Property Management services can be provided to the Ardrey area on substantially the same basis and in the same manner as provided in the City using existing resources. With the exception of \$1,000 annually for survey/mapping services, no additional funding will be required for this area. Information on financing Engineering and Property Management service is set forth in Appendix B. Services will commence on the effective date of annexation.

**SOLID WASTE SERVICES.** The department provides weekly garbage, recyclables and yard waste collection services; has a call-in service for collection of bulk items, white goods, tires and dead animals; delivers rollout carts and recycling bins to customers; sweeps, cleans and picks up litter from streets and right-of-way areas; participates with neighborhoods in cleaning up illegal dumps, sponsorship of neighborhood gardens and specialized cleaning programs; provides public education and customer service; and manages contracts for solid waste collection services.

**Collections.** This division provides weekly residential collection of garbage, recyclables, yard waste, bulky items, white goods and tires, although portions of the City may be served through a contract with a private solid waste collection firm under managed competition guidelines. Residents are provided with one 96-gallon rollout cart and one 14/18-gallon recycling bin free of charge. Garbage, recyclables and yard waste are collected from the curb on a regularly-scheduled weekly collection day. Bulk items, white goods and tires are collected on the next regularly-scheduled collection day, following receipt of a call-in pick-up request. Disabled residents may request backyard garbage collection upon the recommendation of a certified physician and receive the service upon verification of the need by City staff.

**Special Services.** This division provides weekly garbage collection from small businesses; dead



animal collection; sweeps and cleans permanently paved streets; litter collection and cleanup of illegal dumps; delivery of rollout carts and recycling bins and general cleanup services in the Central Business District on a routine basis and for special events.

**Administration: Collection Services.** A contract with a private solid waste collection firm to provide collection services is an acceptable method of providing such services in the proposed annexation area. If a private solid waste collection firm of sufficient size providing collection services in the proposed annexation area requests a contract, the City is required to either contract with such firms for a period of two years after the effective date of annexation or pay to such firms in lieu of a contract a sum equal to a determined economic loss. The written request for a contract must be delivered to the City Clerk at least ten days before the annexation public hearing.

The City contracts with a private company to collect refuse and recyclables from multi-family complexes having 30 or more residential units that use dumpsters or compactors. The City also contracts to provide scheduled bulky item pickup service for these complexes. Additionally, the City contracts the delivery and maintenance of all rollout garbage containers. Regardless of whether solid waste services are provided by a private solid waste collection firm or by City forces in the proposed annexation area, such services will be provided on substantially the same basis and in the same manner as such services are provided in the City.

In order to provide solid waste services on substantially the same basis and in the same manner as provided in the City, approximately \$30,473 from the General Fund in FY2008 will be appropriated in the annual budget to reflect the additional cost of services to this area. Additional personnel and equipment required to provide this service to the area will be secured.

Additionally, \$57,194 from the FY2007 (current year) General Fund – which has been designated in the FY2007 budget for annexation start-up costs – will be applied to start-up costs associated with solid waste services. Information on financing Solid Waste Services is set forth in Appendix B.

Services will commence on the effective date of annexation.

**BUSINESS SUPPORT SERVICES** Business Support Services (BSS) is responsible for providing the corporate services infrastructure necessary for the success of the City. The services include fleet management, corporate technology, procurement, radio and network communications, and an assortment of other operational and strategic services.

No additional funding will be required for BSS to extend its services to the proposed annexation area on substantially the same basis and in the same manner as now provided in the City. Services will commence on the effective date of annexation.

**NEIGHBORHOOD DEVELOPMENT** The Neighborhood Development Key Business provides services in three basic areas.

**Code Enforcement** This area enforces the City's minimum housing code and nuisance ordinances that improve the City's appearance and health and safety. These nuisance ordinances include abandoned vehicles, high weeds/grass, trash and illegal dumps and parking on front lawns. Code Enforcement also enforces the City Zoning Ordinance that regulates land use and development intensity in order to promote the health and safety of City residents.

**Housing Services** This area administers the City's federal Community Development Block Grant, and oversees a number of housing and community development programs and activities including the affordable housing program, the HOME grant, and innovative housing initiatives.

**Neighborhood Services** This area provides neighborhood capacity building through complex problem solving, community leadership and organizational development, neighborhood matching grants and workforce development administration.

No additional resources will be required for Neighborhood Development to extend its services to the proposed annexation area on substantially the same basis and in the same manner as now provided in the City. Services will commence on the effective date of annexation.

**OTHER CITY DEPARTMENTS.** Several other departments of City government are not involved in direct services to residents of the City or to its geographic areas. However, these departments are essential to the general operation of municipal business and will service the annexation areas in the same manner that they service the existing City. Such departments include Finance, Planning, Human Resources, Budget and Evaluation, and Aviation.

No additional resources will be required to provide these other City services on substantially the same basis and in the same manner as provided in the City. Services will commence on the effective date of annexation.

**WATER AND SEWER SERVICE.** Charlotte-Mecklenburg Utilities (CMU) – a department of the City - is responsible for the operation, maintenance, and extension of water and sewer facilities that serve Charlotte and Mecklenburg County. The department's treatment system provides the Charlotte-Mecklenburg area with adequate quantities of potable water, and returns treated wastewater back to streams and rivers. The department operates on revenue generated by the sale of water and sewer service to its customers.

Unless already provided, the basic water system will be constructed in the area proposed for annexation so that fire hydrants can be placed within the following distances of existing land uses and provide necessary water lines and fire hydrants for fire protection purposes:

<u>Use</u>	<u>Distance</u>
Single family residential	750 feet
Multi-family residential	500 feet
Business	500 feet

Unless already provided, the basic sewer system will be extended to the low point in every publicly-maintained street. The basic water and sewer systems to be extended in the annexation area are shown in the Official Report (viewable at the Office of the Charlotte City Clerk, located

at 600 E. Fourth Street, Charlotte, NC 28202), and are reproduced in small scale in this Summary Report (which can be viewed at [www.charlotteplanning.org](http://www.charlotteplanning.org)).

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

The water and sewer systems to be provided in the area will meet the requirements of the annexation law and will include the extension of major trunk water mains and sewer outfall lines into the area so that when such lines have been extended, property owners in the area will be able to secure water and sewer service from the City according to the Water/Sewer Extension Policy adopted by the Charlotte City Council on May 26, 1992, including any amendments thereto. Extension of sewer street mains and water mains in dedicated, maintained streets will be constructed in accordance with the Water/Sewer Extension Policy.

No additional resources will be required to provide basic sewer trunk system and the basic water system to this area.

Owners of occupied dwelling units and owners of operating commercial or industrial properties within the area proposed to be annexed have certain rights to request the extension of water and/or sewer lines to such properties or to a point on a public street or road right-of-way adjacent to such properties according to the financial policies in effect in the City for extending water and sewer lines. Additional information about such rights is set for in Appendix D of this Report.

Below is a proposed timetable for the construction of the basic water and sewer systems in the proposed annexation area. The following pages contain maps of the existing water and sewer system countywide and the basic water and sewer system in the annexation area. The Official

Report for the annexation area contains one or more detailed maps of the annexation area showing present major trunk water mains and sewer interceptors and outfalls and the proposed extension of such mains and outfalls bearing the seal of a registered professional engineer. Such maps are located in a pocket at the end of the Official report, viewable in the office of the Charlotte City Clerk, located in the Charlotte-Mecklenburg Government Center, 600 E. Fourth Street, Charlotte, NC 28202.

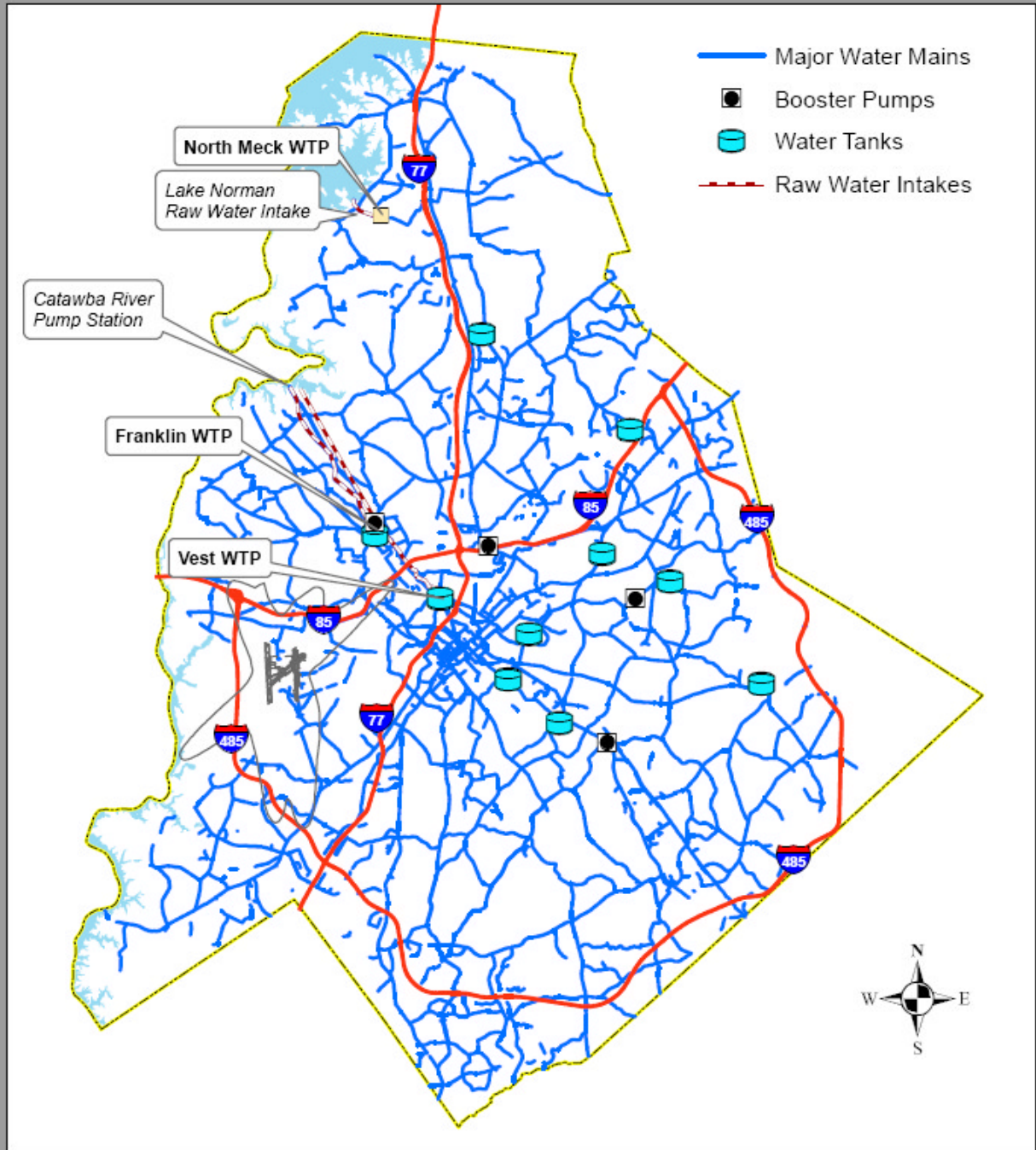
## **ARRDEY ANNEXATION AREA**

### **2007 Annexation**

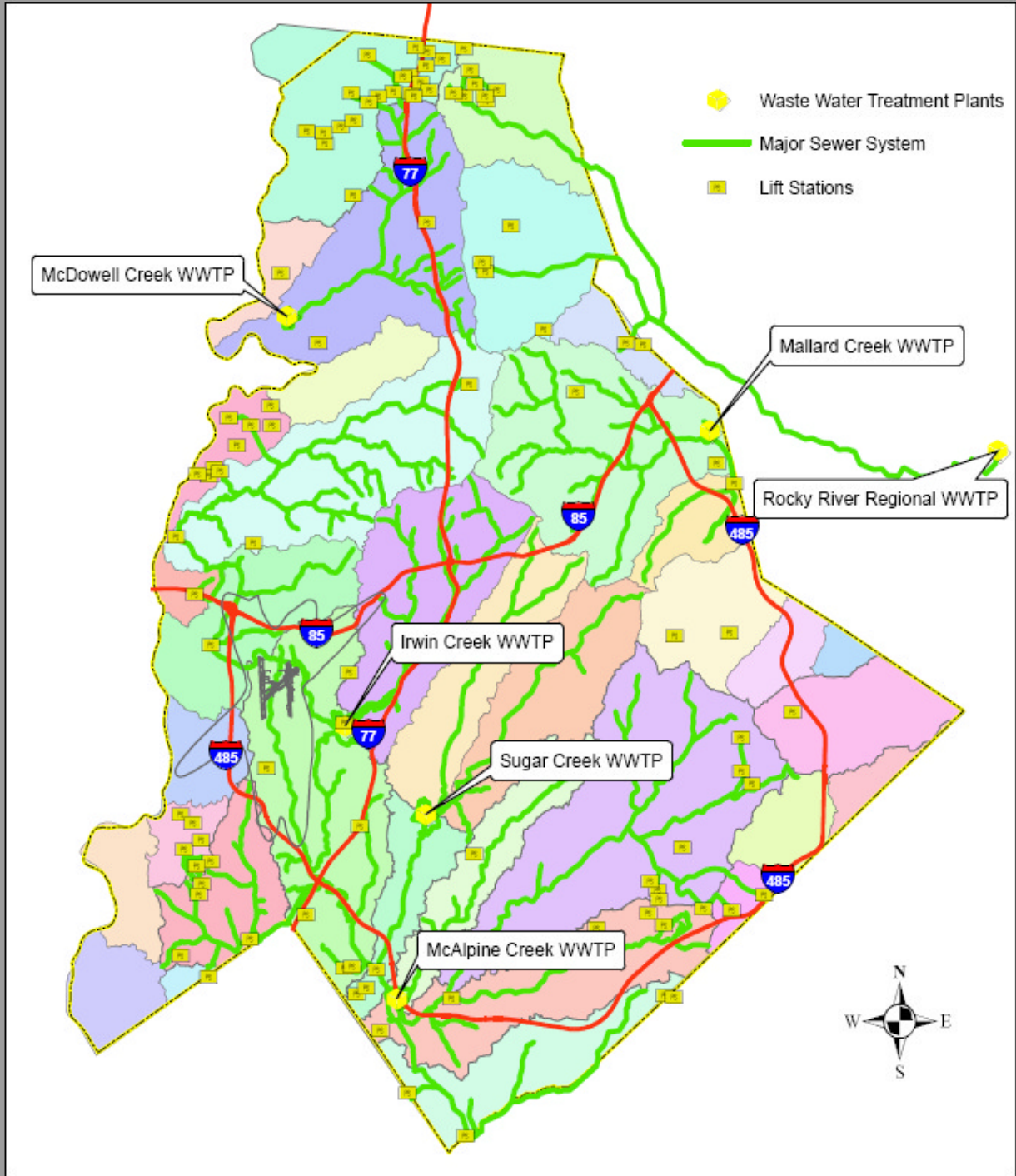
#### **Proposed Construction Timetable for Water and Sanitary Sewer**

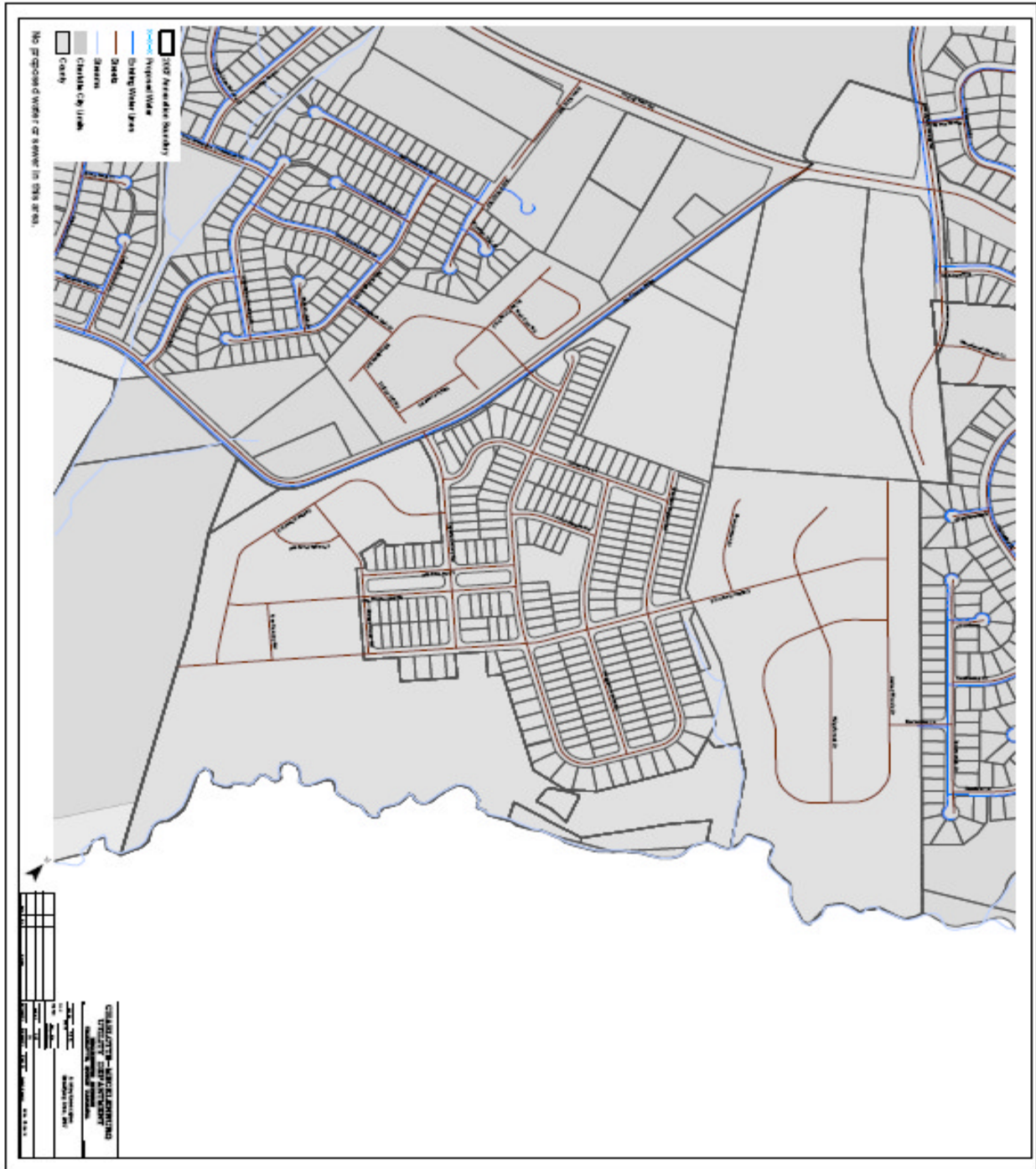
Award Design Contract:	November, 2006
Begin Design/Survey:	November, 2006
Submit 50% of Completed Plans & right-of-way Maps for Acquisition:	May, 2007
Complete Water and Sanitary Sewer Design:	January, 2008
Advertise for Construction:	February, 2008
Complete Construction:	June 30, 2009

# Charlotte-Mecklenburg Utilities Major Water System



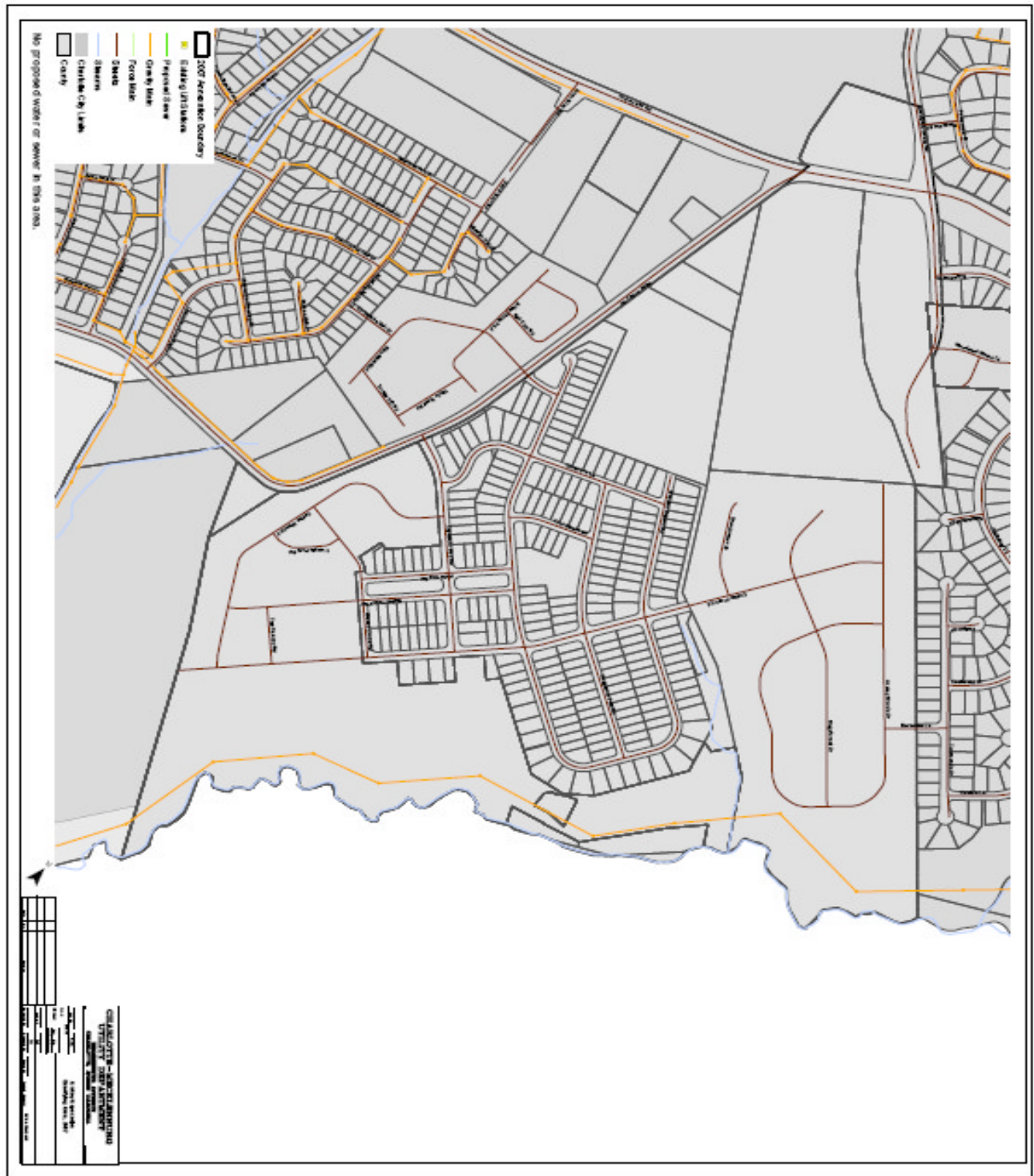
# Charlotte-Mecklenburg Utilities Major Sewer System





Proposed Water Transmission Mains





Proposed Sewer Trunk Lines

## **PART III: FIRE PROTECTION IMPACT STATEMENT**

### **Carolina Volunteer Fire Department**

The Carolina Volunteer Fire Department (VFD) provides fire suppression services to the Ardrey annexation area, and the Mecklenburg County Fire Marshal's Office provides fire prevention services. The Carolina VFD serves as an insurance district as defined by G.S. 153A-233 and no fire tax is levied on the property it protects. It also reports that it does not employ full-time personnel.

The Carolina VFD estimates that the area of its fire district is 2.97 square miles; it estimates that it protects a population of 4,789 people. The population of the Ardrey area is estimated to be 584 and the area .41 square miles. Based on this information, annexation of the Ardrey area will result in an estimated 13.8 percent reduction in the area and an estimated 12 percent reduction in the population served by the Carolina VFD. After annexation, the Charlotte Fire Department will provide all fire protection services to the Ardrey area, possibly supplemented by a contract for fire suppression with the Carolina VFD.

#### Fire Suppression

The Carolina VFD did not report the pumpers, water tankers, or brush trucks it operates for fire suppression services, nor did it report specifically upon what apparatus is dispatched to fires.

Therefore a comparison of their equipment to that which is dispatched by the Charlotte Fire Department could not be done. The Carolina VFD utilizes water from Charlotte-Mecklenburg

Utility hydrants for fire suppression purposes. Volunteer firefighters' response is based on their individual ability to leave home or work when dispatched for a fire. Carolina VFD did not report the number of volunteers who respond during daylight hours (8:00 a.m. to 6:00 p.m.) or at night (6:01 p.m. to 7:59 a.m.).

At the first report of a structure fire in the Ardrey area, the Pineville Volunteer Fire Department is also dispatched to assist the Carolina VFD. The Mecklenburg County communications center provides dispatching to all Mecklenburg County volunteer fire departments, receiving calls through the 911 emergency number. Additional assistance is available upon Pineville VFD's request from other volunteer departments and from the Charlotte Fire Department.

The Charlotte Fire Department will provide fire suppression response to the Ardrey area after annexation. The Charlotte Fire Department is the only professional, municipal fire department in Mecklenburg County and is the only fire department that employs full-time firefighters. The Department operates 38 engine companies, 14 ladder companies, 2 urban search and rescue squads, 4 water tankers, 4 brush trucks, and other assorted fire suppression equipment. At the first report of a structure fire in the Ardrey area, a battalion chief, two engine companies, and a ladder company will be dispatched with a day and nighttime staff of 13 firefighters and officers. Dispatching will be provided by the Department's communications center, which receives calls through the 911 emergency number. Additional assistance in suppressing fires is available from all Charlotte Fire Department companies, and mutual aid can be requested from volunteer fire departments, and – if necessary – from municipal departments located in adjoining counties.

The Carolina VFD station is located at 10101 Providence Road West. Average response time from this station to the Ardrey area is estimated by the Charlotte Fire Department to be approximately 3 minutes, with a response range from 2.5 to 3.5 minutes, depending upon the location of the fire within the Ardrey area. This represents a distance range from 1.4 to 1.8 miles. This time does not include response by volunteers to the fire station to staff the fire trucks, which is estimated by Carolina VFD to average 5 to 7 minutes during the day and 5 minutes at night. Because volunteers may respond directly to the fire scene from various parts of the community, it is difficult to determine the response time for an adequate number of personnel to control a fire. The average number of personnel dispatched by the Carolina VFD was not provided by the company.

Charlotte Fire Department Station 32, located at 9225 Bryant Farms Road, houses the closest engine with an estimated response time of 4 minutes to the farthest point in the Ardrey area, with an estimated response range of between 4 and 5 minutes, representing a distance range of 2.0 to 2.4 miles. Charlotte Fire Department Station 24, located at 7132 Pineville-Matthews Road, will provide the second engine, and a ladder will come from Station 32. Response times to the Ardrey area meet the City-wide standard for protection of single family residential property (9 minutes maximum), multifamily residential (6 minutes), and business property (6 minutes) which correspond to Class 3 requirements of the Insurance Services Office.

### Financial Information

Capital assets of the Carolina VFD for the most recently completed fiscal year were \$900,000. The Carolina VFD has reported a liability of \$142,928.27 on apparatus and equipment. The Carolina VFD did not estimate the revenue loss that will occur from the annexation of the Ardrey area.

### Fire Prevention and Emergency Readiness

The Mecklenburg County Fire Marshal's Office currently provides fire code enforcement, fire investigation services, smoke detector installations, public education, and construction plans review. After annexation, the Charlotte Fire Department will provide all these services, plus juvenile firesetters counseling and fire hydrant maintenance.

### Insurance Risk

With fire suppression provided by the Carolina VFD, homes in the Ardrey area receive a Class 6 rating from the North Carolina Rate Bureau. After annexation, with service from the Charlotte Fire Department, the Ardrey area will be included in Charlotte's Class 3 rating. A table of comparisons follows:

<b>Annual Premiums for HO3 Insurance Policy*</b>				
	\$150,000 Valuation		\$250,000 Valuation	
	Frame	Brick	Frame	Brick
Class 3	\$658	\$626	\$658	\$626
Class 5	\$658	\$626	\$658	\$626
Class 6	\$658	\$626	\$658	\$626
* NC Rate Bureau base rates for standard coverage of a 3-year-old house with \$100 deductible and credits for smoke detectors, fire extinguishers, and deadbolt locks.				

Insurance rates for businesses may vary considerably, and large structures which are determined by the Insurance Services Office to require more than 3500 gallons of water per minute for firefighting are rated individually and independently of the area's insurance classification. A typical sample rate for a small business structure is shown below.

<b>Annual Premiums for Insuring a Small Business Structure **</b>	
	\$300,000 Valuation
Class 3	\$2,042
Class 5	\$2,112
Class 6	\$2,213
** NC Rate Bureau base rates for a non-sprinklered brick mercantile structure	

## **PART IV: CITY FINANCES AND SERVICES IMPACT STATEMENT**

The City has prepared an analysis of forecasted revenues and cost estimates for providing City services as part of an economic analysis for each annexation area. These revenues include the property tax, sales tax, beer and wine tax, utility franchise tax, business privilege tax, animal licenses, motor vehicle license, utilities franchise tax, solid waste disposal fees, storm water fees, and Powell Bill funds. Service cost estimates were generated for street/transportation services, fire and police protection services, engineering services, solid waste collection, water and sewer service, neighborhood development service, and business support services.

An analysis of revenues and costs for the Ardrey annexation area indicates projected revenues of \$272,092 and \$319,360 in the first and second years of annexation, respectively. The anticipated service costs are \$189,128 and \$83,061 in the first and second years, respectively.

The analysis of revenues and costs was presented to City Council at their meeting of July 17, 2006. Detailed information is on file in the City Clerk's Office ("2007 Preliminary Annexation Report") and in Appendix B of this Report.

There are several sources of revenues for Mecklenburg County that will be impacted by the proposed annexation. Those revenue sources and the estimated change in those revenues for the City as a result of the proposed annexation are set forth in the following chart:

TAXES AND FEES	FY 2007 City Revenues	FY 2008 – Annexation Area Estimated Revenue Change	FY 2009 – Annexation Area Estimated Revenue Change
Sales Tax	\$53,865,430	\$2,633	\$30,117
Beer and Wine Tax	\$2,800,000	2,233	2,299

( ) figures in parentheses above indicate a decrease

A copy of this Report (including Appendix B), as well as a copy of the Preliminary 2007 Annexation Report are both provided to the Clerk of the Board of County Commissioners for Mecklenburg County.



# **APPENDICES**

## APPENDIX A

### STATISTICAL SUMMARY PER ANNEXATION STATUTORY REQUIREMENTS

#### ARDREY AREA IN TERMS OF STATUTORY REQUIREMENTS (STATISTICS COMPILED APRIL, 2006)

##### STATUTORY PREREQUISITE

At least one-eighth (1/8) of the total boundary (or 12.5%) of the area must coincide with the present municipal boundary.

	<u>Measured or Calculated</u>	<u>Statutory Standard</u>
1. Total boundary	17,743.1 ft.	
2. Boundary contiguous with municipal boundary	11,689.6 ft.	
3. Proportion of total boundary contiguous with the municipal boundary	65.8%	>= 12.5%

*(area meets this statutory prerequisite)*

##### QUALIFYING CRITERIA – GS 160A-48(c)(1)

Has a resident population equal to at least 2.3 persons for each acre of land within the developed part of the area.

	<u>Measured or Calculated</u>	<u>Statutory Standard</u>
1. Total number of dwellings in developed part of area	192	
2. Average number of persons per household (2000 Census)	3.14 (single family)	
3. Estimated population of developed part of the area	584	
4. Acreage of developed part of the area	203.0	
5. Population per acre in developed part of area	2.87	>= 2.3

*(area qualifies under GS 160A-48(c)(1))*

STATISTICAL SUMMARY (Continued)

QUALIFYING CRITERIA – GS 160A-48(c)(2)

Has a resident population equal to at least one person per acre in the developed part of the area, and at least 60% of the acreage of all the lots in the developed part of the area must be in lots 3 acres or less and at least 65% of the number of lots in the developed part of the area must be one acre or less.

	<u>Measured or Calculated</u>	<u>Statutory Standard</u>
1. Population per acre (calculated above)	2.87	>= 1.0
2. Total acreage of all lots in developed part of the area	189.6	
3. Total acreage of lots 3 acres or less in developed part of area	51.0	
4. Acreage of 3 above as proportion of 2 above	26.8%	>=60%
5. Total number of lots in developed part of the area	215	
6. Number of lots in developed portion of area 1 acre or less	207	
7. Number of lots in 6 above as proportion of 5 above	96.2%	>=65%

*(area does not qualify under GS 160A-48(c)(2))*

STATISTICAL SUMMARY (Continued)

QUALIFYING CRITERIA – GS 160A-48(c)(3)

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 acreage used for commercial, industrial, governmental, or institutional purposes) consist of lots and tracts three acres or less in size.

	<u>Measured or Calculated</u>	<u>Statutory Standard</u>
1. Total number of lots and tracts in developed part of area	215	
2. Total number of lots and tracts used for urban purposes in developed part of area	201	
3. Total lots and tracts used for urban purposes in developed part of area, as a proportion of total lots and tracts	93.4%	>=60%
4. Total acreage of developed part of area, excluding acreage used for commercial, industrial, governmental, or institutional purposes	100.0	
5. Total acreage of developed part of area in lots and tracts 3 acres or less, not counting acreage used for commercial, industrial, governmental, or institutional purposes	41.0	
6. Acreage in 5 above as proportion of acreage in 4 above	41.0%	>=60%

*(area does not qualify under GS 160A-48(c)(3))*

STATISTICAL SUMMARY (Continued)

QUALIFYING CRITERIA – GS 160A-48(d)

At least sixty percent of the external boundary of the area not meeting the requirements of subsection (c) (above) 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.

	<u>Measured or Calculated</u>	<u>Statutory Standard</u>
1. Total acreage of annexation area (combined subsection (c) & (d))	268.2	
2. Total acreage of subsection “d” land	65.2	
3. Percent of area which is subsection “d”	24.3%	<=25%
4. Total boundary of subsection “d” land	7,912.4 feet	
5. Boundary of subsection “d” land contiguous with municipal boundary and boundary of developed part of area	7,912.4 feet	
6. Boundary in 4 above as proportion of 5 above	100%	>=60%

*(area qualifies under GS 160A-48(d))*

## Appendix B: 2007 Annexation Area Economic Analysis: Ardrey

	FY07	FY08			FY09
	<u>Start-Up</u>	<u>One-Time</u>	<u>Recurring</u>	<u>Total</u>	<u>Total</u>
<b>EXPENDITURES</b>					
TRANSPORTATION					
Street Lighting	0	0	2,742	2,742	2,742
Operations	0	82,374	0	82,374	0
Street Maintenance	0	0	2,185	2,185	2,185
Electronic Systems	0	0	0	0	0
FIRE					
Operations	0	0	0	0	0
SOLID WASTE	57,194	414	30,059	30,473	33,326
ENGINEERING					
Operations	0	0	1,000	1,000	1,000
CITY MANAGER'S OFFICE					
Corporate Communications	19,915	0	0	0	0
NEIGHBORHOOD DEVELOPMENT					
	0	0	0	0	0
BUSINESS SUPPORT SERVICES					
	0	0	0	0	0
ECONOMIC LOSS					
Volunteer Fire Departments	5,489	0	0	0	0
Private Solid Waste Collection Firms	0	0	0	0	0
<b>TOTAL GENERAL FUND</b>	<b>82,598</b>	<b>82,788</b>	<b>35,986</b>	<b>118,774</b>	<b>39,253</b>
POWELL BILL FUND					
Street Maintenance	0	27,736	42,618	70,354	43,808
CIP - Bridge Improvements	0	0	0	0	0
STORM WATER FUND					
	0	0	0	0	0
<b>TOTAL OPERATING EXPENDITURES</b>	<b>82,598</b>	<b>110,524</b>	<b>78,604</b>	<b>189,128</b>	<b>83,061</b>
GENERAL CAPITAL					
Fire Station	0	0	0	0	0
Transportation	0	0	0	0	0
UTILITIES (Capital Expend)					
Water	0	0	0	0	0
Sewer	0	0	0	0	0
<b>TOTAL EXPENDITURES</b>	<b>82,598</b>	<b>110,524</b>	<b>78,604</b>	<b>189,128</b>	<b>83,061</b>

## 2007 Annexation Area Economic Analysis: Ardrey

	FY07	FY08			FY09
	<u>Start-Up</u>	<u>One-Time</u>	<u>Recurring</u>	<u>Total</u>	<u>Total</u>
<b>REVENUES</b>					
TAXES AND FEES					
Property Taxes <sup>(1)</sup>	0	0	152,537	152,537	157,113
Business Privilege	0	0	0	0	0
Cable TV Franchise	0	0	4,118	4,118	4,242
Animal Control	0	0	288	288	298
Utility Franchise	0	0	13,052	13,052	13,444
Sales Tax <sup>(1)</sup>	0	0	2,633	2,633	30,117
Beer and Wine Tax	0	0	2,233	2,233	2,299
Motor Vehicle License	0	0	2,323	2,323	2,369
Solid Waste Disposal	0	0	7,282	7,282	7,500
User Fees	0	0	0	0	0
<b>TOTAL GENERAL FUND</b>	<b>0</b>	<b>0</b>	<b>184,466</b>	<b>184,466</b>	<b>217,383</b>
POWELL BILL FUND	0	0	23,860	23,860	24,576
MUNICIPAL DEBT SERVICE FUND <sup>(1)</sup>	0	0	30,917	30,917	37,221
PAY-AS-YOU-GO FUND <sup>(1)</sup>	0	0	18,363	18,363	24,203
STORM WATER FUND	0	0	14,487	14,487	15,976
<b>TOTAL OPERATING REVENUES</b>	<b>0</b>	<b>0</b>	<b>272,092</b>	<b>272,092</b>	<b>319,360</b>
FY2007-FY2011 CIP	0	0	0	0	0
WATER AND SEWER REVENUE BONDS	0	0	0	0	0
<b>TOTAL ALL REVENUES</b>	<b>0</b>	<b>0</b>	<b>272,092</b>	<b>272,092</b>	<b>319,360</b>
<b>REVENUES OVER EXPENDITURES</b>	<b>(82,598)</b>	<b>(110,524)</b>	<b>193,488</b>	<b>82,964</b>	<b>236,299</b>
Net Impact to General Fund	(82,598)	(82,788)	148,480	65,692	178,130

### Note

<sup>(1)</sup> portions of the property tax and sales tax are allocated to the Pay-As-You-Go and Municipal Debt Service Funds based on the property tax distribution.

## APPENDIX C

### 2007 ANNEXATION AREA BOUNDARY DESCRIPTION

#### ARDREY ANNEXATION AREA

Beginning at a point on the existing CHARLOTTE CITY LIMITS, said point being the southern most corner of Deed Book 13097, Page 476 located on the Mecklenburg County, North Carolina / Union County, North Carolina line and also being at the centerline of Six Mile Creek; said BEGINNING POINT being also the Southeasterly corner of the lot as described in Deed Book 18846, Page 235; thence in a Southwesterly direction along and with the Mecklenburg County, North Carolina / Union County, North Carolina line, the centerline of Six Mile Creek and the Southerly line of the Lot described in Deed Book 18846, Page 235, approximately 1,505 feet to a point, said point being in the centerline of Six Mile Creek, on the Mecklenburg County / Union County line, and being the Southeasterly corner of the Lot described in Deed Book 14955, Page 94; thence in a Southwesterly direction with the centerline of Six Mile Creek, the County line and the Southerly line of the Lot described in Deed book 14955, Page 94 approximately 4,175 feet to a point, said point being on the centerline of Six Mile Creek, on the Mecklenburg County / Union County line and being the corner of the Lot described in Deed Book 14955, Page 94; thence leaving said Six Mile Creek, Mecklenburg County / Union County line and continuing along the Westerly line of the Lot described in Deed Book 14955, Page 94, North 25-49-38 West 326.43 feet to a point on the existing CHARLOTTE CITY LIMITS LINE; thence following the existing CHARLOTTE CITY LIMITS LINE North 26-03-28 West 1,032.78 feet to a point; thence North 29-37-54 West 572.94 feet to a point; said point being the Southerly corner of Lot described in Deed Book 17784, Page 587; thence with westerly line of Lot described in Deed Book 17784, Page 587 the following bearing and distance, North 19-08-41 West 454.92 feet to a point, said point being on the southerly margin of Wade Ardrey Road and also a point on the existing CHARLOTTE CITY LIMITS LINE, thence with the CHARLOTTE CITY LIMITS LINE and in a Northeasterly direction following along a line 30 feet East of and parallel with the centerline of Wade Ardrey Road approximately 281.83 feet to a point, said point being in the Northwesterly corner of the Lot described in Deed Book 14955, Page 94; thence in a Northeasterly direction following along a line 30 feet East of and parallel with the centerline of Wade Ardrey Road approximately 753 feet to a point, said point being on the Southerly margin of Captain Ardrey Road as shown on Map Book 42, Page 283; thence continuing along a line 30 feet East of and parallel with the centerline of Wade Ardrey Road crossing Captain Ardrey Road as shown on Map Book 42, Page 283 with the following bearing and distance, North 23-50-46 West 158.69 feet to a point, said point being on the Northerly margin of Captain Ardrey Road and also a point on the Westerly line of an area entitled Common Open Space as shown on Map Book 42, Page 283; thence continuing along a line 30 feet East of and parallel with the centerline of Wade Ardrey Road with the Westerly line of the Common Open Space as shown on Map Book 42, Page 283 with a circular curve to the left having a radius of 1195.35 feet, a



distance of 261.52 feet with a chord of North 17-34-42 East 261.00 feet to a point, said point being the Southwesterly corner of the Common Area Open Space (0.322 Acres) as shown on Map Book 39, Page 843 and also on the Easterly margin of Wade Ardrey Road and the CHARLOTTE CITY LIMITS LINE; thence with the westerly line of the Common Open Space, crossing Wheatfield Road, Common Open Space (0.288 Acres) and Common Open Space / Tree Save Area 1 (0.730 Acres) as shown on Map Book 39, Page 843 with the following (2) calls: 1) with the arc of a circular curve to the left having a radius of 1195.35 feet, a distance of 32.21 feet with a chord of North 10-32-20 East 32.21 feet to a point, 2) North 09-46-01 East 784.17 feet to a point, said point being the Southwesterly corner of Lot described in Deed Book 9688, Page 312; thence in a Northeasterly direction following along a line 30 feet East of and parallel with the centerline of Wade Ardrey Road approximately 298 feet to a point, said point being the Southwesterly corner of the Lot described in Deed Book 9688, Page 315; thence in a Northeasterly direction following along a line 30 feet East of and parallel with the centerline of Wade Ardrey Road approximately 227 feet to a point, said point being the Southwesterly corner of the Lot described in Deed Book 17014, Page 838, thence in a Northeasterly direction following along a line 30 feet East of and parallel with the centerline of Wade Ardrey Road approximately 540 feet to a point, said point being the Northwesterly corner of the Lot described in Deed Book 8194, Page 160, thence in a Northerly direction following along a line 30 feet East of and parallel with the centerline of Wade Ardrey Road crossing Ardrey Kell Road approximately 330 feet to a point, said point being on the CHARLOTTE CITY LIMITS LINE and 30 feet North of and parallel with centerline of Ardrey Kell Road, said point being the Southeasterly most corner of the Lot described in Deed Book 18276, Page 939; thence in a Northerly direction along the Western line of the Lot described in Deed book 18276, Page 939 with the following(4) bearings and distances: 1) North 85-33-32 West 42.50 feet to a point, 2) North 24-44-32 West 148.04 feet to a point, 3) North 08-43-21 West 354.98 feet to a point, 4) North 67-19-28 East 395.14 feet to a point, said point being the Northeasterly corner of the Lot as described in Deed Book 18276, Page 939 located on the centerline of Community House Road; thence in an Easterly direction with said line extended and crossing said Community House Road approximately 30 feet to a point, said point being 55 feet North of the Northerly margin of Purchase Street; thence Southeasterly with the existing CHARLOTTE CITY LIMITS LINE and along and with the Easterly margin of Community House Road, crossing Ardrey Kell Road approximately 656 feet to a point, said point being the Northwest corner of Lot 1, Block 4, as shown on recorded Map Book 22, Page 943; thence along and with the Eastern margin of Community House Road crossing Tamarron Drive, South 44-07-10 East 502.54 feet to a point on the Eastern margin of Community House Road, said point being the Southwesterly corner of Lot 01, Block 01 as shown on Map Book 23, Page 350 and also a point on the Northerly line of Deed Book 19068, Page 797; thence in a Southeasterly direction following the Eastern margin of Community House Road and the existing CHARLOTTE CITY LIMITS line approximately 280 feet to a point; thence following the existing CHARLOTTE CITY LIMITS line as follows: South 46-51-13 East approximately 600 feet to a point, said point being the angle point of Lot 30, Block 01, Map Book 23, page 777; thence South 46-51-13 West 188.50 feet to a point, said point being on the Northerly line of Lot 34, Block 01 as shown on Map Book 24, Page 754, thence with the

Northerly line of Lot 34, Block 01 as shown on Map book 24, Page 754 and Lot 35, Block 01 as shown on Map 23, Page 777, South 52-14-58 West 170.19 feet to a point, said point being the Northwestern corner of Lot 35, Block 01 as shown on Map Book 23, Page 777; thence continuing from said point along and with the rear of Lots 35, 36 and 37, Block 01 as shown on Map Book 23, Page 777 South 41-49-00 East 382.00 feet to a point, said point being the Northwestern corner of Lot 66, Block 01 as shown on Map Book 25, Page 264; thence in a Southeasterly direction with the rear of Lots 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76 and 77, Block 01 as shown on Map Book 25, Page 264 South 41-49-00 East 932 feet to a point, said point being the Northwestern corner of Lot 78, Block 01 as shown on Map Book 26, Page 519; thence with the Westerly line of Lot 78, Block 01 as shown on Map Book 26, Page 519, crossing Burnside Lane, and along the Westerly line of Lots 65, 64, 63, 62, 61, 60 & 59, Block 08 and the common area, South 41-49-00 East 1,063.17 feet to a point, said point being the Northwestern corner of the Lot described in Deed Book 13097, Page 476; thence in a Southeasterly direction along the Westerly line of Deed Book 13097, Page 476 an approximate distance of 125 feet to a point, said point being in the centerline of Six Mile Creek, on the Mecklenburg County, North Carolina / Union County, North Carolina line and also the place of beginning.

## **APPENDIX D**

**RIGHTS OF OWNERS OF OCCUPIED DWELLING UNITS AND OPERATING COMMERCIAL OR INDUSTRIAL PROPERTY IN THE AREA OF RIGHTS TO REQUEST WATER AND SEWER SERVICE (AND REQUEST FORM)**

Owners of occupied dwelling units and owners of operating commercial or industrial property within the area proposed to be annexed have the right to request the extension of water and/or sewer lines to such property or to a point on a public street or road right-of-way adjacent to such property according to the financial policies in effect in the City for extending water and sewer lines. The request must be submitted on a form available from the office of the City Clerk and must be returned to that office no later than five (5) days after the public hearing on the question of annexing the area in order to preserve this right. (A copy of this form, and the instructions for its completion, may be found below.) As of the approval of this Report, the public hearing on the question of annexing the area is scheduled to be conducted during the City Council meeting scheduled for October 9, 2006 beginning at 6:00 PM in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, located at 600 East Fourth Street, Charlotte, North Carolina.

For the current annexation process, the deadline required by State Statute for filing this form with the City Clerk is by the close of business on October 16, 2006.

REQUEST OF PROPERTY OWNER(S) IN AREA TO BE ANNEXED  
FOR EXTENSION OF WATER AND/OR SEWER LINE(S)

1. Pursuant to G.S. §160A-47(3)(b), the undersigned hereby request(s) the City of Charlotte to extend the following water and/or sewer line(s) to the Subject Property as described below, or to a point on a public street or road right-of-way adjacent to the Subject Property:

Water Line: (Check one) \_\_\_\_\_ Yes; \_\_\_\_\_ No  
 Sewer Line: (Check one) \_\_\_\_\_ Yes; \_\_\_\_\_ No

2. Describe the real property to be served by the requested water and/or sewer extension ("Subject Property"). The description must be as accurate and complete as possible, including but not limited to the following:

- a) Street address of the Subject Property \_\_\_\_\_  
\_\_\_\_\_
- b) Deed reference and/or county tax parcel number of the Subject Property \_\_\_\_\_  
\_\_\_\_\_
- c) Other identifying information about the Subject Property (plat reference, or attach metes and bounds description if available) \_\_\_\_\_  
\_\_\_\_\_
- d) Attach map of Subject Property, if available.

3. Name(s) of owner(s) (Important: List full name of each person or entity who holds an ownership interest in the Subject Property)

<u>Name</u>	<u>Current Mailing Address</u>	<u>Current Telephone No.</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(Note - attach additional sheets as necessary)

4. The undersigned certify(ies) that: he/she/they own(s) the Subject Property or is/are authorized to execute this request on behalf of the owner(s); and no person or entity holds an ownership interest in the Subject Property to the best of his/her/their knowledge, except as listed in Paragraph 3 above.

5. The undersigned certify(ies) that: the Subject Property is located within the area to be annexed by the City of Charlotte, as described in the resolution of intent adopted by the City

Council on \_\_\_\_\_, 20\_\_\_\_\_ and designated in the resolution of intent as the \_\_\_\_\_ Area (insert name of annexation area ("Area")).

6. The undersigned certifies that the Subject Property is of one of the following types (check one):
  - \_\_\_\_\_ Occupied Dwelling Unit
  - \_\_\_\_\_ Operating Commercial Property
  - \_\_\_\_\_ Operating Industrial Property
  - \_\_\_\_\_ Other (If other, describe how the Subject Property is currently used on a separate sheet and submit as attachment to this request.)
7. The undersigned understand(s) and acknowledge(s) that, if this request requires the extension of a water and/or sewer line along the right-of-way of a street or road, this request shall be effective only if such street or road has been accepted for maintenance as a public street or road by the State of North Carolina on or before the date of the public hearing for the Area. If such street or road has not been accepted for maintenance as a public street or road by the State of North Carolina by such date, the requested extension will not be required to be made. If such street or road is accepted for public maintenance by the State of North Carolina or the City of Charlotte after the date of the public hearing for the Area, a new request for an extension of water and/or sewer lines may be submitted. The water and/or sewer line(s) included in such a new request will be installed after receipt of the new request in accordance with the policies of the City of Charlotte for water and/or sewer extensions that are in effect at that time.
8. The undersigned understand(s) and acknowledge(s) that: this request form was supplied by the City of Charlotte as provided by law; this request form must be properly completed, executed and received by the City Clerk (Charlotte Mecklenburg Government Center, 600 East Fourth Street, Charlotte, NC 28202) not less than 5 days after the public hearing on the question of annexing the Area in order to be valid; time is of the essence in all matters related to the submission and implementation of this request; and the requested extension will be made according to the current financial policies of the City of Charlotte for making such extensions, which may require substantial advance financial participation by the owner(s) of the Subject Property.
9. All funds which the owner(s) of the Subject Property is/(are) required to pay under current financial policies must be received by the Director of the Charlotte-Mecklenburg Utility Department (5100 Brookshire Blvd., Charlotte, NC 28216) within twenty (20) calendar days after written demand by the City of Charlotte is mailed to the owner(s) of the Subject Property, using the name(s) and address(es) appearing in Paragraph 3 above. Failure to pay all funds in a timely manner will render this request void automatically and the requested extension will not be required to be made.
10. The rights, privileges and obligations vested in the owner(s) of the Subject Property by the due execution and timely submission of this request may not be transferred in any manner.
11. This request must be signed by each owner or duly authorized representative in compliance with the Instructions for signing, attached hereto as Exhibit A and incorporated herein by reference. This request will be rendered void if it is not duly executed in compliance with Exhibit A by each owner or duly authorized representative.
12. This request will be rendered void by the occurrence of any one or both of the following circumstances: failure to complete this request or provide any information which the undersigned is required to provide by this form; or inclusion on this request of any false or misleading information.

13. No portion of this request may be stricken by any person. No term or condition may be added to this request. If any portion of this request form is modified in any manner, except as required by the due completion and execution hereof, the resulting request is subject to being declared void by the KBE of CMUD.
14. The undersigned agree(s) to provide the City of Charlotte upon written request with such information as may be reasonably necessary or convenient to determine the validity of this request and the applicability of G.S. §160A-47(3)(b) to this request. Failure to provide such information within ten (10) calendar days after receipt of the City's request will authorize the KBE of CMUD to declare this request to be void.
15. The undersigned understand(s) and acknowledge(s) that all of the terms and conditions set forth in this request are valid and binding upon the undersigned.

SIGNATURES:

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SIGNATURES:

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(Note: Attach additional sheets as necessary)

EXHIBIT A

Instructions for Signing Request of Property Owner(s)  
In Area To Be Annexed for Extension of Water And/Or Sewer Lines

- \* Own signature: Each person signing the request must sign his or her own name and provide his/her address. No one can sign this request on behalf of another person, unless there is a valid power of attorney or court order authorizing the person signing the request to do so on behalf of any property owner and unless a copy of such power of attorney or court order is submitted as an attachment to this request.
- \* Wife and husband: If the property is owned jointly by a wife and husband, each spouse must sign the request. One spouse cannot sign for another spouse.
- \* Corporation: If the property owner or representative is a corporation, the request must be executed by a corporate officer authorized to act on behalf of the corporation, attested by the corporate secretary, and the corporate seal affixed.
- \* Partnership: If the property owner or representative is a general or limited partnership, the request must be signed by a general partner of the partnership.
- \* Limited Liability Company: If the property owner is a limited liability company, the request must be signed by a manager of the limited liability company.
- \* Tenants in common: Each tenant in common in the ownership of the Subject Property must sign the request.
- \* Life estate: If a person has only a life estate in the Subject Property, it is necessary to include the signature(s) of the owner(s) of the remaining interest(s) as well as the life tenant's signature.

Any signature on the request that is not in compliance with these instructions shall be invalid.

Do Not Write Below This Line

The Clerk (or designated Deputy or Assistant) of the City of Charlotte hereby certifies that the attached request form was received on the following date:

\_\_\_\_\_

Signature: \_\_\_\_\_  
Clerk (Deputy/Assistant)

Date: \_\_\_\_\_

**APPENDIX E**

**NOTICE OF POTENTIAL RIGHTS TO OWNERS OF AGRICULTURAL LAND,  
HORTICULTURAL LAND AND FORESTLAND IN THE AREA**

Owners of agricultural land, horticultural land and forestland in the area proposed for annexation may have rights to a delay in many of the effects on such land of the proposed annexation of the area. G.S. 160A-49(f1) and (f2) provide that land being taxed at present-use value pursuant to G. S. 105-277.4 qualifies for a delay in many of the effects of the proposed annexation. G.S. 160A-49(f1) and (f2) also provide that the owner of land that was eligible for present-use value taxation on July 24, 2006 but which has not been in actual production for the time period required by G.S. 105-277.3 may qualify for a delay in many of the effects of the proposed annexation by making application to the Mecklenburg County Tax Assessor's Office for certification thereof to the City. For qualified tracts, the proposed annexation will not become fully effective, including taxation and services, until the last day of the month in which the tract or part thereof becomes ineligible for present-use value classification under G.S. 105-277.4 or no longer meets the requirements of G.S. 160A-49(f1)(2). Upon the proposed annexation of the area, any qualified tracts: will be considered part of the City only (1) for the purpose of establishing City boundaries for additional annexation and (2) for the exercise of City authority pursuant to Article 19 of Chapter 160A of the North Carolina General Statutes (planning, zoning, and regulation of development); will not be taxed by the City and will not be entitled to services from the City as a result of annexation; and will continue to be provided police protection service and water and sewer service by the City in the same manner as such services are provided to such tracts by the City prior to the proposed annexation. Upon the proposed annexation of the area and at such time as a tract or part thereof becomes ineligible for any delay in the effects of annexation as set forth above, all City services will be provided to such tract or part thereof on substantially the same basis and in the same manner as such services are provided in the City. The Mecklenburg County Tax Assessor's Office will provide information to the City on the eligibility of owners for the rights described above.