

EASTFIELD

2009
Annexation Plan

City of Charlotte, North Carolina
The Official Report
(Amended: Eastfield North & Eastfield South)

ANNEXATION PLAN

CITY OF CHARLOTTE, NORTH CAROLINA

**A PROPOSAL TO CONSIDER ANNEXATION OF THE
EASTFIELD AREA**

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OCTOBER 2008

(this Report supersedes the “Eastfield” annexation report adopted by City Council on July 28, 2008)

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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

(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 original **Eastfield** Annexation Area, as defined in the annexation Report, was adopted by the City Council at a regular meeting held on the **28th day of July, 2008**. A notice of a public informational meeting held on the **18th day of September, 2008** and a public hearing to be held on the **27th day of October 2008** (proposed to be continued to **December 8, 2008** at 7:00 PM), on the question of annexation was published and mailed to property owners in accordance with legal requirements.

At the Council meeting of September 22, 2008, the boundary of the original Eastfield Annexation Area was revised as shown on the map on page vii of this document. This revision in the original Eastfield Annexation Area results in two separate annexation areas, designated in this Amended Report as Eastfield North and Eastfield South. This Amended Report includes separate sections which set forth the information described in the following paragraph for each of these areas. The proposed annexation of Eastfield North and Eastfield South is a continuation of the original proceeding to annex the original Eastfield Annexation Area, since both of these areas were included in the boundary of the original Eastfield Annexation Area.

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

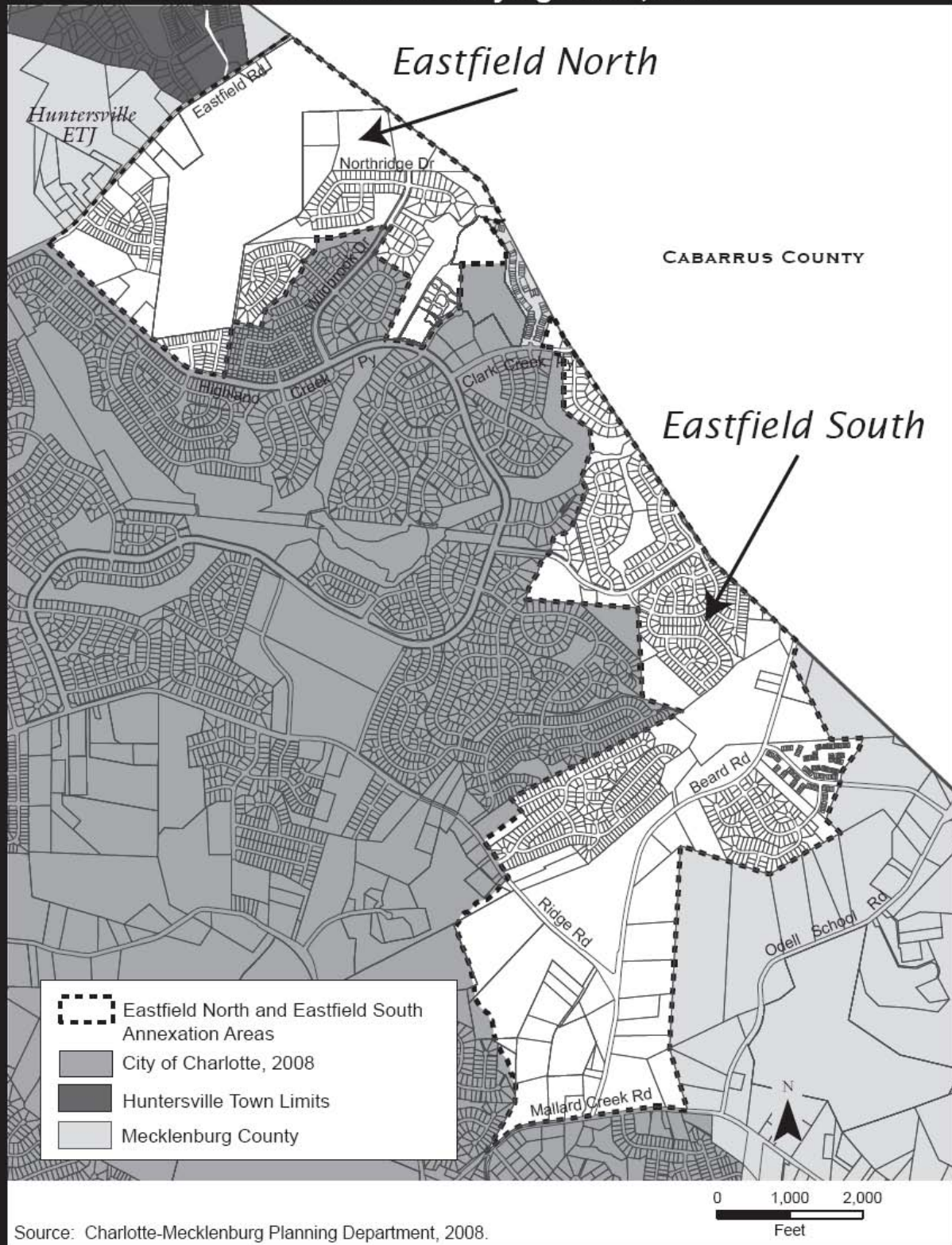
A statement setting forth the plans for extending other City services into the proposed annexation area and the method of financing the extension of these other services, even though such a statement is not required to be included in this Report

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 7th 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.

Eastfield North and Eastfield South Annexation Qualifying Areas, 2009



EASTFIELD NORTH

2009 **Annexation Plan**

City of Charlotte, North Carolina **A Summary Report**

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* (contained within Official Report only)

PART I: THE PROPOSED AREA

General Description of the Area

The **Eastfield North** area is located northeast of the current City limits, south of Eastfield Road and north of Clark Creek Parkway. The area stretches to the Mecklenburg/Cabarrus County line. The area contains a mixture of low-density and mid-density residential development (much of it associated with the Highland Creek community), as well as the Wallace Farm compost processing facility on Eastfield Road. The area contains **345.6** acres and has an estimated population of **953**.

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 **20,899.6** feet, of which **11,531.2** feet or **55.1%** 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 **3.07** persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are **390** dwelling units in the area (**296** single family and **94** multi-family), which when multiplied by the average household size of **2.87** for single-family units and **2.00** for multi-family units, and taking into account an occupancy rate of **96.2%** for single family units and **81.5%** for multi-

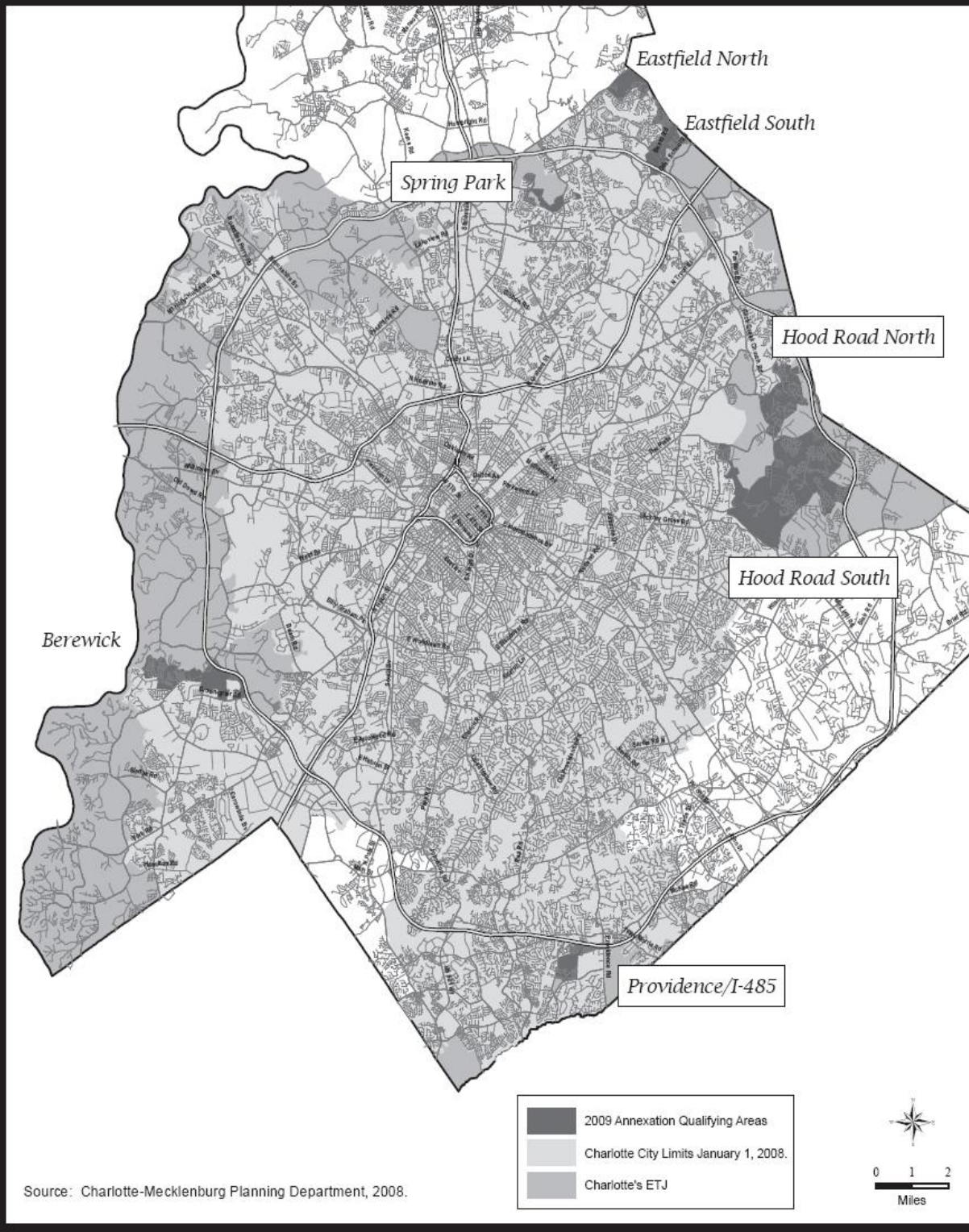
family units (all according to the latest federal decennial census, augmented by the 2006 U.S. Census American Community Survey data) results in an estimated total resident population of **953**. This population, when divided by the total number of acres (**309.5**) in the developed part of the area, results in a population density of **3.07** persons per acre.

2. The area proposed to be annexed **does not** meet the requirements of G.S. 160A-48(c)(2).
 3. The part of the area remaining (developed part of the area) after removing the subsection (d) land qualifies for annexation and meets the requirements of G.S. 160A-48(c)(3). There are a total number of **326** lots and tracts within the developed part of the area and of that number **303** or **92.9%** of the total number of lots and tracts in the developed part of the area are used for residential, commercial, industrial, institutional, or governmental purposes. Further, after excluding the acreage used for commercial, industrial, governmental, or institutional purposes, **142.5** acres remain in the developed part of the area. Of that acreage, **86.6** acres, or **60.7%** are in lots and tracts three acres or less in size in the developed part of the area.
- C. A portion of the proposed annexation area does not meet the requirements of G.S. 160A-48(c), 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 **345.6**. Of that acreage, **36.1** acres, or **10.4%** 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 **19,110.9** feet of which **17,420.9** feet or **91.1%** coincides with the present City boundary and the developed area (see the “subsection (d) land” map).

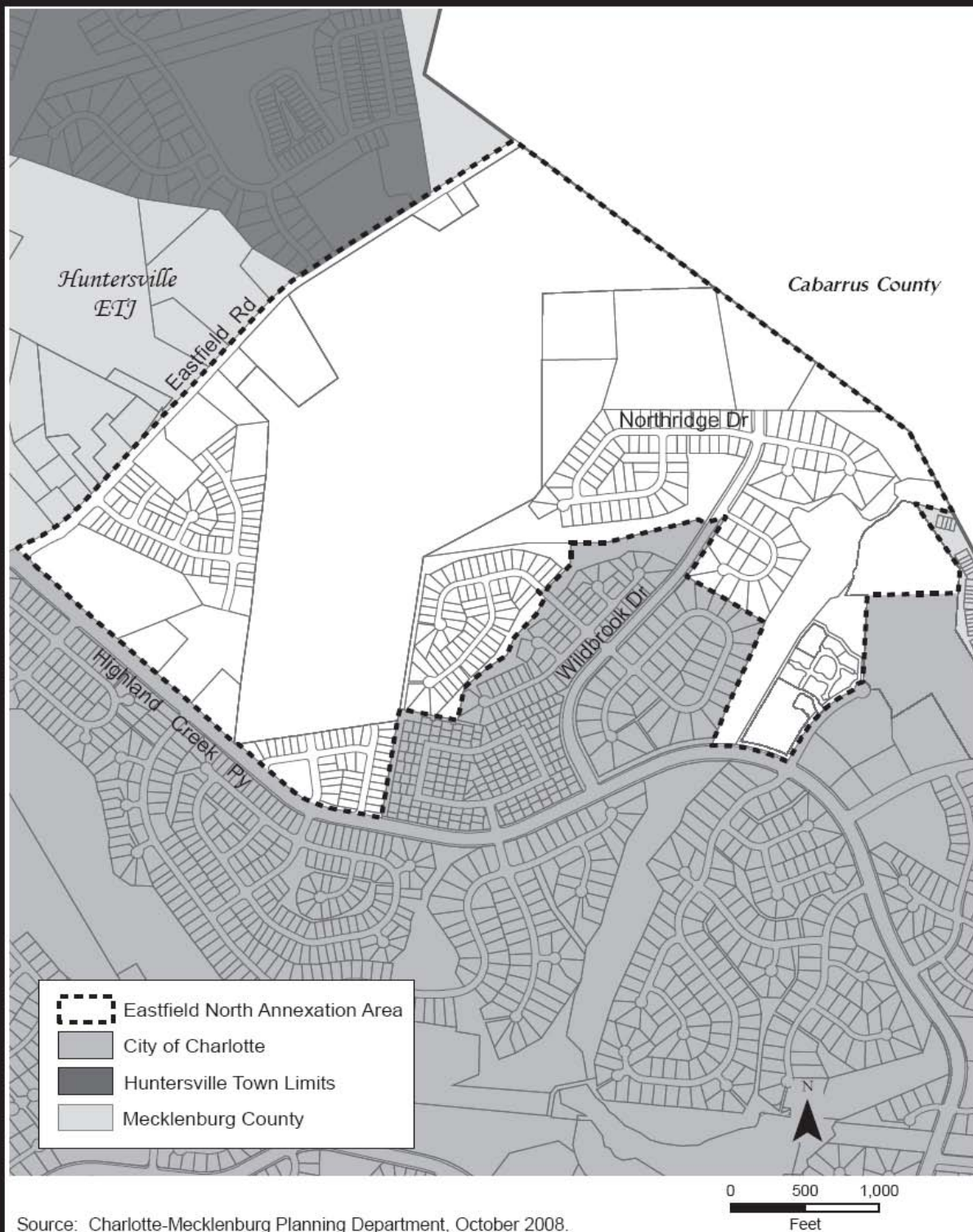
Maps of the Area

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.

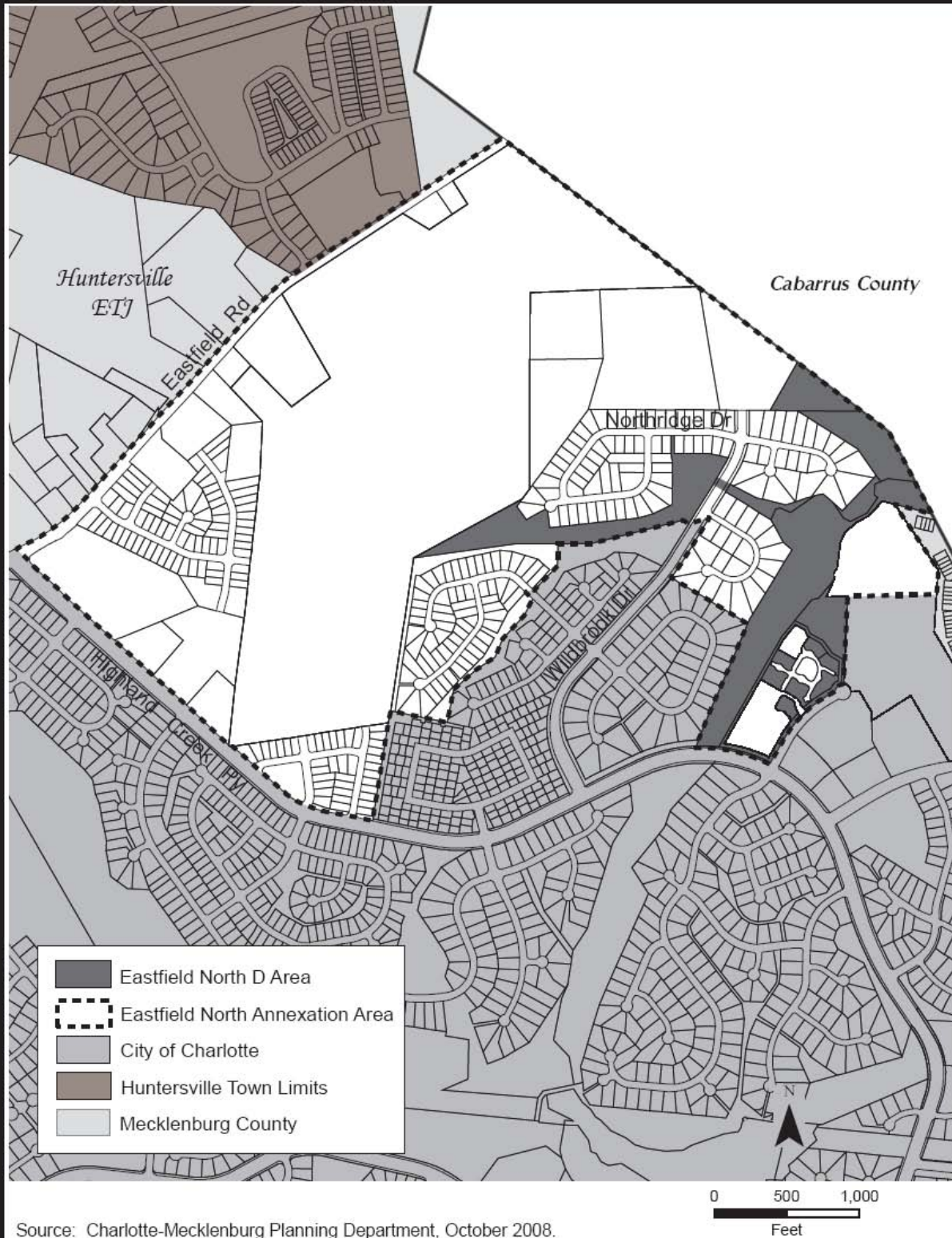
2009 Annexation Qualifying Areas



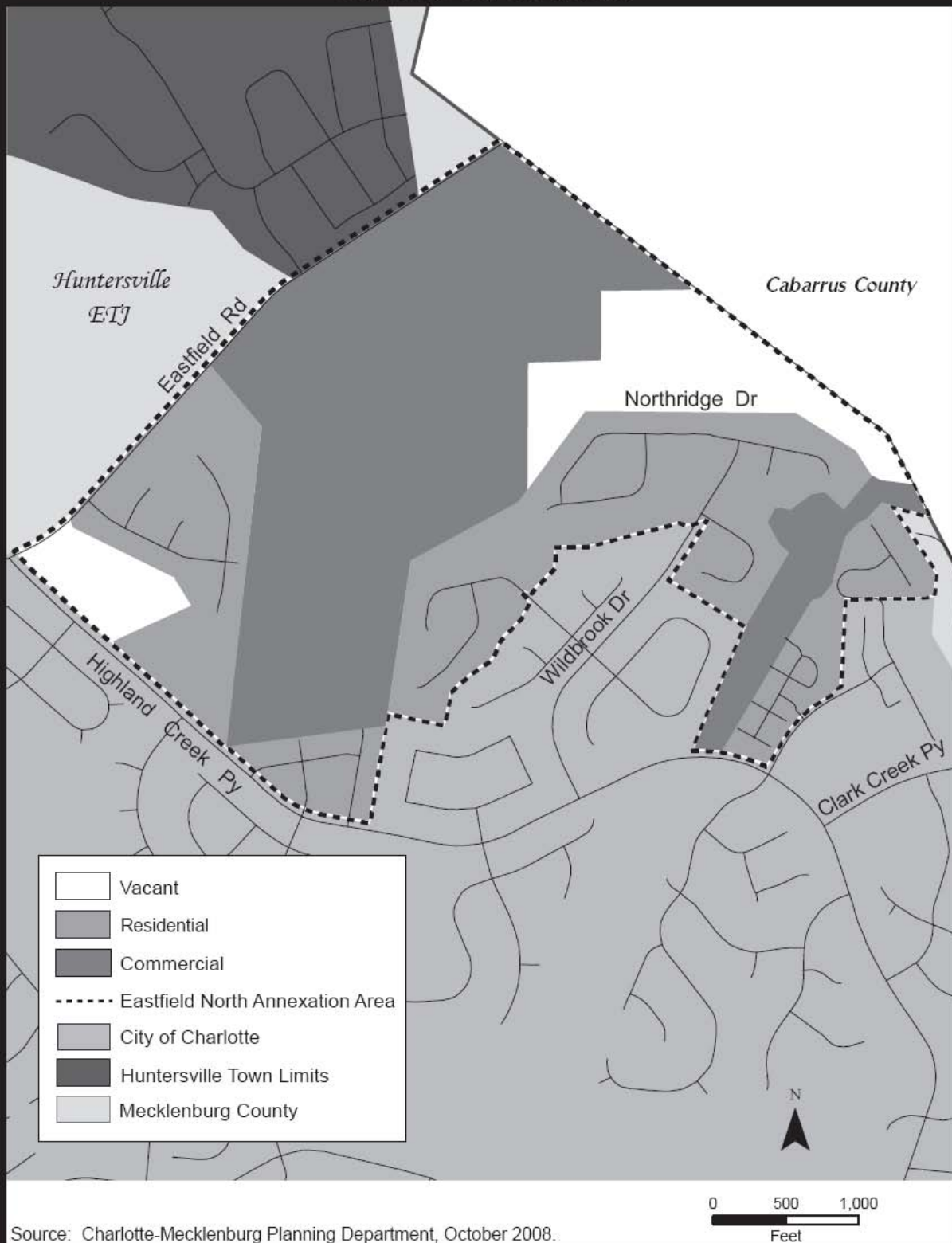
Eastfield North Annexation Qualifying Area, 2009



Eastfield North Annexation Qualifying Area, 2009 D Land Area



Eastfield North Annexation Qualifying Area, 2009 Generalized Land Use



PART II: PLAN FOR SERVICES

Extension of City Services

PLANS FOR THE CITY OF CHARLOTTE TO EXTEND MUNICIPAL SERVICES TO THE EASTFIELD NORTH 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 him. 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, 2009.

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 1,083 full-time employees operating 39 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 38 strategically located fire stations.

Fire protection services will be extended to the Eastfield North 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 Eastfield North Area will be provided by existing facilities located at Station 31, located at 3820 Ridge Road. Service will commence on the effective date of annexation. In order to provide fire service, start-up funds of \$55,734 from FY2009 will be required, along with operating funds of \$107,161 in FY2010 and \$89,772 in FY2011.

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 21	1023 Little Rock Road
Station 28	8031 Old Statesville Road
Station 35	1120 Pavilion Boulevard
Station 37	13828 South Tryon Street

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 28 lies in closest proximity, with back-up from the tanker located at Station 35.

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 vehicles, providing public transportation service along 75 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, with a reduced level of service in other parts of Mecklenburg County. Annexation of this area would increase the STS service levels, affecting specifically service hours and fares. The Americans with Disabilities Act (ADA) requires complementary paratransit service (such as STS) to operate within $\frac{3}{4}$ 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.

In order to provide operations/street maintenance services on substantially the same basis and in the same manner as provided in the City, approximately \$26,405 from the General Fund in FY2010 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, \$11,029 in FY2010 and \$71,537 in FY2011 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 six uptown parks, 33 City buildings and about 280 median, islands, and other landscape projects which are along rights-of-way or public facilities. Other responsibilities include the maintenance/mowing of City street rights-of-way, City tree maintenance within the City rights-of-way, and the operation and maintenance of six City cemeteries. They also plant and maintain street trees through the citizens' co-op program and the street tree replacement program. Landscape Management also 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. 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 to four million square feet of City-owned facilities. Services include HVAC maintenance, electrical, plumbing and construction maintenance.

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 Eastfield North area on substantially the same basis and in the same manner as provided in the City using existing resources. With the exception of \$1,409 in FY2010 and \$1,448 in FY2011, 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 16/18-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 regular collection day, on a scheduled basis, following the 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 \$117,101 from the General Fund in FY2010 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, \$161,772 from the FY2009 (current year) General Fund – which has been designated in the FY2009 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 resources will be required from either the current year (FY2009) for start-up, or from FY2010 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), are reproduced in small scale in Appendix F of this Summary report, and can also be viewed at 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.

Capital cost of providing basic water and sewer services to the area, in a manner consistent with the annexation statutes and Charlotte's Water/Sewer Extension Policy, is estimated to be approximately \$500,000 for sewer (no funds needed for water). Annual utilities operating expenses are estimated to be \$15,494 in FY2010 and \$532 in FY2011. Expenses for operating the systems will be derived from revenues obtained through the sale of water and sewer services. Information on financing water and sewer services is set forth in Appendix B.

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 forth 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 Appendix F of this Report contains maps of the basic water and sewer system in the annexation area. The Official Report for the annexation area also 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.

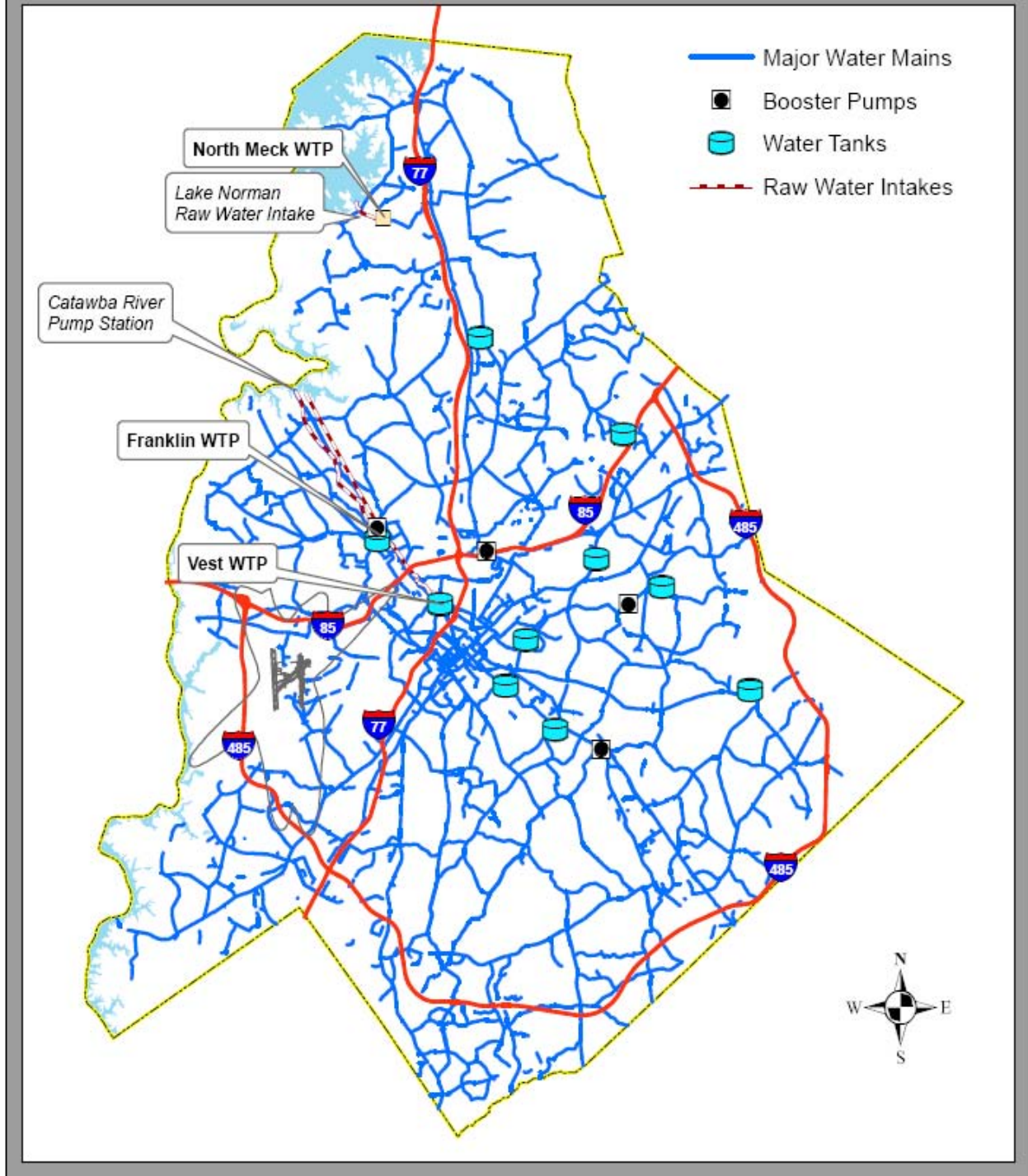
EASTFIELD NORTH ANNEXATION AREA

2009 Annexation

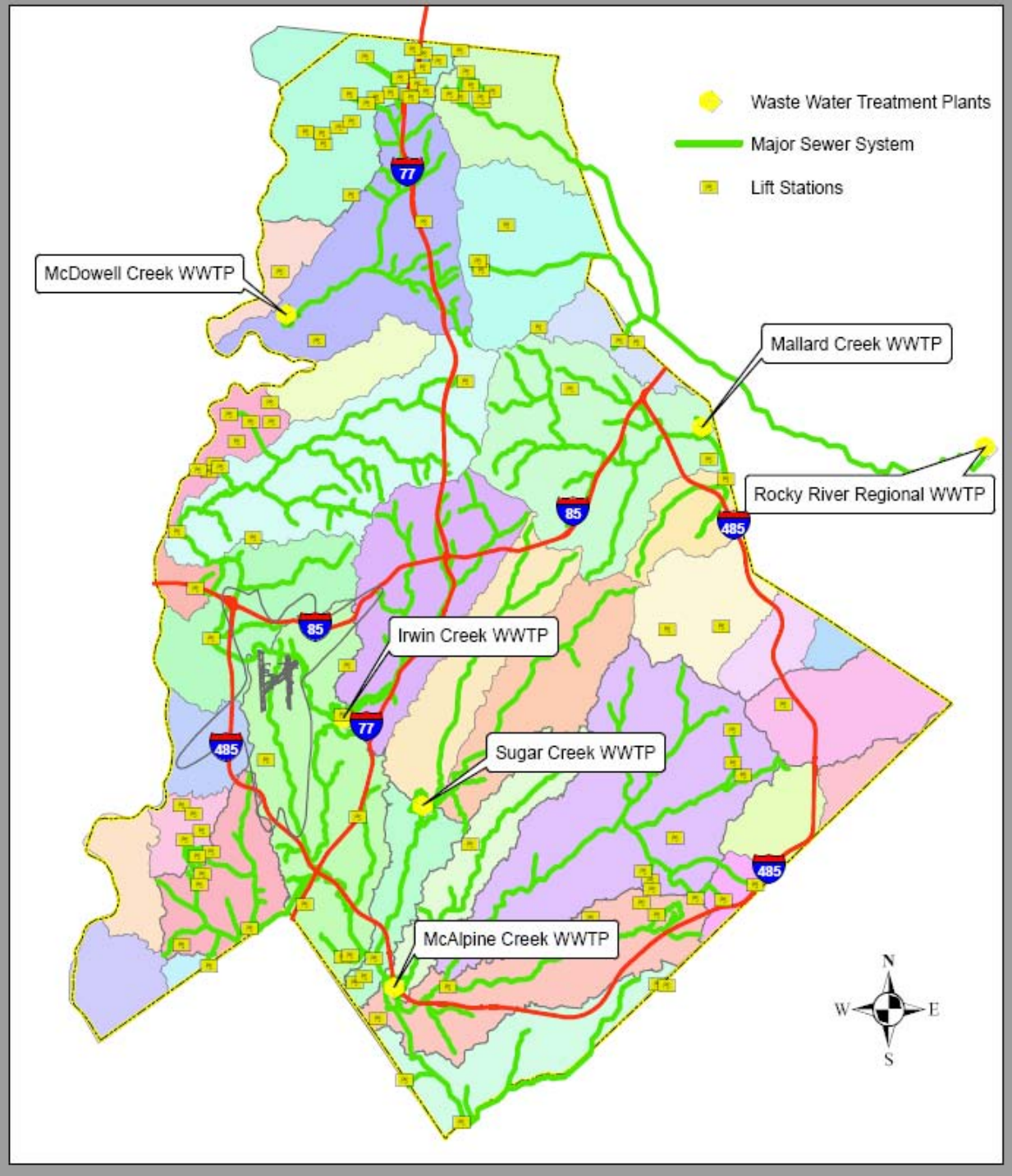
Proposed Construction Timetable for Water and Sanitary Sewer

Award Design Contract:	November, 2008
Begin Design/Survey:	November, 2008
Submit 50% of Completed Plans & right-of-way Maps for Acquisition:	May, 2009
Complete Water and Sanitary Sewer Design:	January, 2010
Advertise for Construction:	February, 2010
Complete Construction:	June 30, 2011

Charlotte-Mecklenburg Utilities Major Water System



Charlotte-Mecklenburg Utilities Major Sewer System



PART III: FIRE PROTECTION IMPACT STATEMENT

Eastfield North

Mallard Creek Volunteer Fire Department

The Mallard Creek Volunteer Fire Department (VFD) provides fire suppression services to the Eastfield North annexation area, and the Mecklenburg County Fire Marshal's Office provides fire prevention services. This 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 Mallard Creek VFD estimates that the area of its fire district is **7.12** square miles; it estimates that it protects a population of **10,241** people. The population of the Eastfield North area is estimated to be **953** and the area **0.54** square miles (**345.6** acres). Based on this information, annexation of the Eastfield North area will result in an estimated **7.6** percent reduction in the area and an estimated **9.3** percent reduction in the population served by the Mallard Creek VFD. After annexation, the Charlotte Fire Department will provide all fire protection services to the Eastfield North area, possibly supplemented by a contract for fire suppression with the Mallard Creek VFD.

Fire Suppression

The Mallard Creek VFD operates 2 pumpers, 1 water tanker, 1 rescue truck, and 1 brush truck for fire suppression services. Both pumpers, the water tanker, the rescue truck and the brush truck

are typically dispatched to all fires. The Mallard Creek 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. Mallard Creek reports that an average of 7 volunteers respond during daylight hours (8:00 a.m. to 6:00 p.m.) and 12 at night (6:01 p.m. to 7:59 a.m.).

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

The Charlotte Fire Department will provide fire suppression response to the Eastfield North area after annexation. The Department operates 39 engine companies, 14 ladder companies, 2 urban search and rescue squads, 5 water tankers, 5 brush trucks, and other assorted fire suppression equipment. At the first report of a structure fire in the Eastfield North 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 emergency 911 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 Mallard Creek VFD station is located at 10702 Mallard Creek Road. Average response time from this station to the Eastfield North area is estimated by Mallard Creek VFD to be approximately 7 minutes, depending upon the location of the fire within the Eastfield North area.

This time does not include response by volunteers to the fire station to staff the fire trucks, which is estimated by Mallard Creek VFD to average 2 minutes during the day and 4 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 Mallard Creek VFD was not provided by the company.

Charlotte Fire Department Station 31, located at 3820 Ridge Road, houses the closest engine and ladder with an estimated response time of 6 minutes and 4 seconds to the farthest point in the Eastfield North area, representing a distance of approximately 4.1 miles. Charlotte Fire Department Station 36, located at 2325 W. Mallard Creek Church Road will provide the second engine. Response times to the Eastfield North 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 Mallard Creek VFD for the most recently completed fiscal year were \$957,530. The Mallard Creek VFD has reported a liability of \$114,722.16 on apparatus and equipment. The Mallard Creek VFD estimates a loss of \$3,133 which is 19 percent of their total revenue as a result of the annexation in the Eastfield North area. The lump sum economic loss payment to Mallard Creek VFD is \$16,385.

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 Mallard Creek VFD, homes in the Eastfield North area receive a Class 5 rating from the North Carolina Rate Bureau. After annexation, with service from the Charlotte Fire Department, the Eastfield North area will be included in Charlotte's Class 3 rating. A table of comparisons follows:

Annual Premiums for HO3 Insurance Policy*				
	\$150,000 Valuation		\$250,000 Valuation	
	Frame	Brick	Frame	Brick
Class 3	\$477	\$455	\$720	\$688
Class 5	\$477	\$455	\$720	\$688
Class 6	\$477	\$455	\$720	\$688
* NC Rate Bureau base rates for standard coverage of a 3-year-old house with \$500 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.

Annual Premiums for Insuring a Small Business Structure **	
	\$300,000 Valuation
Class 3	\$2,588
Class 5	\$2,588
Class 6	\$2,588
** 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 Eastfield North annexation area indicates projected revenues of \$1,063,458 and \$691,549 in the first and second years of annexation, respectively. The anticipated service costs are \$778,599 and \$298,637 in the first and second years, respectively. In addition, \$500,000 in capital improvements are recommended.

The analysis of revenues and costs was presented to City Council at their meeting of **July 21, 2008**. Detailed information is on file in the City Clerk's Office ("2009 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 2009 City Revenues	FY 2010 – Annexation Area Estimated Revenue Change	FY 2011 – Annexation Area Estimated Revenue Change
Sales Tax	\$63,887,639	\$6,957	\$79,204
Beer and Wine Tax	\$3,068,000	4,589	4,726

A copy of this Report (including Appendix B), as well as a copy of the Preliminary 2009 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

EASTFIELD NORTH AREA IN TERMS OF STATUTORY REQUIREMENTS (STATISTICS COMPILED APRIL, 2008)

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	20,899.6 ft.	
2. Boundary contiguous with municipal boundary	11,531.2 ft.	
3. Proportion of total boundary contiguous with the municipal boundary	55.1%	>= 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	390	
2. Average number of persons per household (2000 Census) ⁽¹⁾	2.87 (single family) 2.00 (multi-family)	
3. Estimated population of developed part of the area	953	
4. Acreage of developed part of the area	309.5	
5. Population per acre in developed part of area	3.07	>= 2.3

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

⁽¹⁾ augmented by the 2006 U.S. Census American Community Survey data

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)	3.07	≥ 1.0
2. Total acreage of all lots in developed part of the area	290.0	
3. Total acreage of lots 3 acres or less in developed part of area	90.3	
4. Acreage of 3 above as proportion of 2 above	31.1%	$\geq 60\%$
5. Total number of lots in developed part of the area	326	
6. Number of lots in developed portion of area 1 acre or less	306	
7. Number of lots in 6 above as proportion of 5 above	93.8%	$\geq 65\%$

(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	326	
2. Total number of lots and tracts used for urban purposes in developed part of area	303	
3. Total lots and tracts used for urban purposes in developed part of area, as a proportion of total lots and tracts	92.9%	>=60%
4. Total acreage of developed part of area, excluding acreage used for commercial, industrial, governmental, or institutional purposes	142.5	
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	86.6	
6. Acreage in 5 above as proportion of acreage in 4 above	60.7%	>=60%

(area qualifies 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))	345.6	
2. Total acreage of subsection “d” land	36.1	
3. Percent of area which is subsection “d”	10.4%	<=25%
4. Total boundary of subsection “d” land	19,110.9 feet	
5. Boundary of subsection “d” land contiguous with municipal boundary and boundary of developed part of area	17,420.9 feet	
6. Boundary in 4 above as proportion of 5 above	91.1%	>=60%

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

Appendix B: 2009 Annexation Area Economic Analysis: Eastfield North

	FY09	FY10			FY11
	<u>Start-Up</u>	<u>One-Time</u>	<u>Recurring</u>	<u>Total</u>	<u>Total</u>
EXPENDITURES					
TRANSPORTATION					
Street Lighting	0	0	278	278	278
Operations	0	11,816	0	11,816	0
Street Maintenance	0	602	13,709	14,311	14,957
Electronic Systems	0	0	0	0	0
FIRE					
Operations	55,734	0	107,161	107,161	89,772
SOLID WASTE	161,772	3,941	113,160	117,101	120,113
ENGINEERING					
Operations	0	0	1,409	1,409	1,448
CITY MANAGER'S OFFICE					
Corporate Communications	10,122	0	0	0	0
NEIGHBORHOOD DEVELOPMENT	0	0	0	0	0
BUSINESS SUPPORT SERVICES	0	0	0	0	0
ECONOMIC LOSS					
Volunteer Fire Departments	16,385	0	0	0	0
Private Solid Waste Collection Firms	98,727	0	0	0	0
TOTAL GENERAL FUND	342,741	16,359	235,717	252,076	226,568
POWELL BILL FUND					
Street Maintenance	0	1,573	9,456	11,029	71,537
UTILITIES	0	14,990	503	15,494	532
STORM WATER FUND	0	0	0	0	0
TOTAL OPERATING EXPENDITURES	342,741	32,922	245,676	278,599	298,637
GENERAL CAPITAL					
Fire Stations	0	0	0	0	0
UTILITIES (Capital Expend)					
Water	0	0	0	0	0
Sewer	0	500,000	0	500,000	0
TOTAL EXPENDITURES	342,741	532,922	245,676	778,599	298,637

2009 Annexation Area Economic Analysis: Eastfield North

	FY09		FY10		FY11
	<u>Start-Up</u>	<u>One-Time</u>	<u>Recurring</u>	<u>Total</u>	<u>Total</u>
REVENUES					
TAXES AND FEES					
Property Taxes ⁽¹⁾	0	0	351,439	351,439	358,468
Police Service District Reduction ⁽¹⁾	0	0	(67,990)	(67,990)	(73,734)
Business Privilege	0	0	16,020	16,020	16,501
Cable TV Franchise	0	0	10,576	10,576	10,894
Animal Control	0	0	585	585	603
Utility Franchise	0	0	36,400	36,400	37,492
Sales Tax ⁽¹⁾	0	0	6,957	6,957	79,204
Beer and Wine Tax	0	0	4,589	4,589	4,726
Motor Vehicle License	0	0	4,655	4,655	4,748
Solid Waste Disposal	0	0	17,550	17,550	17,550
User Fees	0	0	16,449	16,449	17,207
TOTAL GENERAL FUND	0	0	397,231	397,231	473,658
POWELL BILL FUND	0	0	29,324	29,324	30,204
WATER AND SEWER OPERATING	0	14,990	503	15,494	532
MUNICIPAL DEBT SERVICE FUND ⁽¹⁾	0	0	59,386	59,386	89,710
PAY-AS-YOU-GO FUND ⁽¹⁾	0	0	38,141	38,141	72,847
STORM WATER FUND	0	0	23,883	23,883	24,599
TOTAL OPERATING REVENUES	0	14,990	548,468	563,458	691,549
COPs – FIRE STATION	0	0	0	0	0
WATER AND SEWER REVENUE BONDS	0	500,000	0	500,000	0
TOTAL ALL REVENUES	0	514,990	548,468	1,063,458	691,549
REVENUES OVER EXPENDITURES	(342,741)	(17,932)	302,791	284,859	392,913
Net Impact to General Fund	(342,741)	(16,359)	161,514	145,155	247,090

Note

⁽¹⁾ portions of the property tax, sales tax, and police service district reduction are allocated to the Pay-As-You-Go and Municipal Debt Service Funds.

APPENDIX C

2009 ANNEXATION AREA BOUNDARY DESCRIPTION

EASTFIELD NORTH ANNEXATION AREA

Beginning at a point on the existing CHARLOTTE CITY LIMITS LINE, said point being the intersection of a line 30 feet North of and parallel with Eastfield Road and the Northeasterly right-of way margin of Highland Creek Parkway (extended); thence in a Southeasterly direction following along the Existing Charlotte City Limits Line, also being the Northeasterly right-of-way margin of Highland Creek Parkway approximately 2,836 feet to a point, said point being located on the North right-of-way margin of Highland Creek Parkway described on a map titled Highland Creek Parkway Phase 3B, Map 2 recorded on Map Book 28 page 733; thence in a Northerly direction following along the Existing Charlotte City Limits Line also being the Easterly boundary line of Deed Book 1820 page 171 and the Westerly line of Map Book 28 page 733 with a bearing and distance of North 10-50-36 East 6.41 feet to a point, said point being located on the Northwest corner of the Common Area #5 as recorded in said Map Book 28 Page 733 and also being the point of beginning for Deed Book 10042 page 234 Mecklenburg Registry; thence continuing with the Existing Charlotte City Limits Line also being the Easterly line of said Deed Book 1820 page 171 and the Westerly boundary line of Said Deed Book 10042 page 234 with a bearing and distance of: North 09—06-49 East 671.77 feet to a point, said point being an angle point on said boundary line and also being the Northeast corner of said Deed Book 1820 page 171 and also being the Southeasterly corner of Deed Book 3737 page 816; thence continuing along the Existing Charlotte City Limits Line, also being the Westerly boundary line of Said Deed Book 10042 page 234 and the Easterly line of Deed Book 3737 page 816, with a bearing and distance of North 08-31-44 East 78.24 feet to a point, said point being the Northwesterly corner of Deed Book 10042 page 234 located on the boundary line of said Deed Book 3737 page 816; thence in a Southeasterly direction following along the Existing Charlotte City Limits Line, also being the Northerly line of said Deed Book 10042 page 234, with a bearing and distance of South 79-09-24 East 407.11 feet to a point, said point being the Southwesterly corner of Lot 17 Block 51 of Highland Creek Hidden Meadow Village Map 1 Recorded in Map Book 30 page 821 located on the said Northerly line of said Deed Book 10042 page 234; thence in a Northeasterly direction following along the Existing Charlotte City Limits Line, also being the Northerly line of Lot 17 and Lot 18 of Block 51 and the Common Area 1 with a bearing and distance of North 10-51-40 East 232.26 feet to a point, said point being an angle point on the Northerly boundary line of said Common Area 1; thence following along the Northerly boundary line of the said Common Area 1 with the following bearings and distances: North 48-35-44 East 200.05 feet to a point, North 55-41-16 East 162.42 feet to a point, North 21-48-52 East 132.73 feet to a point, North 42-51-24 East 213.96 feet to a point, North 27-44-33 East 127.27 feet to a point, said point being located on the Westerly right-of-way margin of Laurel Run Drive; Thence in a Northwesterly direction following along the Existing Charlotte City Limits Line, also being the Westerly right-of-way margin of said Laurel Run Drive, with a bearing and distance of North 47-37-29 West 104.37 feet to a point, said point being located at the Northwesterly end of said Road; thence in a Northeasterly direction following along the end of said Road with a bearing and distance of North 42-22-31 East 50.00 feet to a point, said point

being the Northeasterly end of said Road; thence in a Southeasterly direction following along the Existing Charlotte City Limits Line, also being the Easterly right-of-way margin of said Road, with a bearing and distance of South 47-37-29 East 75.81 feet to a point, said point being located on the Northwesterly most corner of Common Area 2; thence in an Easterly direction following along the Northerly boundary line of said Common Area 2; with the following bearing and distances: North 27-44-33 East 29.73 feet to a point; North 44-22-21 East 210.17 feet to a point; North 00-00-00 East 154.48 feet to a point; South 90-00-00 East 231.45 feet to a point; North 75-29-52 East 647.45 feet to a point; South 63-28-27 East 44.11 feet to a point, said point being the Southeasterly most point of said Common Area 2 located on Northerly boundary line of Common Area 3 recorded in Map Book 30 page 445; thence in a Northeasterly direction with the Existing Charlotte City Limits Line, crossing Wildbrook Drive with a bearing and distance of North 78-40-12 East 109.03 feet to a point, said point being located on the Southerly right-of-way margin of said Wildbrook Drive and also being the Northwesterly most point of a 30 foot radius at the Southwesterly corner of the intersection of Wildbrook Drive and Wren Creek Drive; thence in a Southeasterly direction with the Existing Charlotte City Limits Line, following a circular curve to the right with a radius of 30.00 feet and an arc length of 36.93 feet, having a chord bearing and distance of North 66-43-54 East 34.64 feet to a point, said point being the Northeasterly most corner of the common Area 4 recorded in said Map Book 30 page 445; thence in a Southwesterly direction following along the Existing Charlotte City Limits Line, also being the Southerly boundary line of said Common Area 4, with a bearing and distance of South 31-28-02 West 336.44 feet to a point; thence continuing in a Southwesterly direction with a circular curve to the right with a radius of 1,550 feet an arc length of 153.54 feet to a point, said point being the Northeasterly corner of Lot 31 of Highland Creek Subdivision, Laurel Run Village, recorded in Map Book 31 page 535; thence in a Southeasterly direction following along the Existing Charlotte City Limits Line, also being the Northeasterly line of Lots 31,30,29,28,27 and 26 of said Laurel Run Village with a bearing and distance of South 58-53-22 East 609.63 feet to a point, said point being the Northeasterly most corner of Lot 26 recorded in said Map Book 31 page 535; thence in a Southwesterly direction following along the Easterly lines of Lots 26,25,24,23, 22,21,20,19 and a .0785 ac common area with a bearing and distance of South 22-18-40 West 906.19 feet to a point, said point being the Southeasterly corner of said Map Book 31 page 535 located on the Southerly line of an area labeled 40' Common Area; Thence continuing with said line approximately 15 feet to the Northerly right-of-way line of Highland Creek Parkway, also being the Southwesterly corner of said Hole #12 as shown on a map entitled Golf Course Composite Plat prepared by E.S.P. Associates; thence in a Southeasterly direction following along the Existing Charlotte City Limits Line, also being the Northerly right-of-way margin of said Highland Creek Parkway, with a circular curve to the right having a radius of 1052.14 feet and an Arc length of 151.45 feet to a point, said point being the Southeasterly corner of said Hole #12 and also being the Southwesterly corner of Deed Book 9210 page 877; thence; continuing along said right-of way in a Southeasterly direction following the Southerly boundary line of Deed Book 9210 page 877 approximately 195 feet to a point, said point being a located on the Northerly right-of-way line of Highland Creek Parkway as described on a Map labeled Final Plat Of Highland Creek Parkway Phase 3B, Map 1 Tract "C" Highland Creek Subdivision recorded in Map Book 28 page 310, said point also being approximately 224 feet Northwest of the centerline of McChesney Drive; thence continuing with said right-of-way margin in a Southeasterly direction with a circular curve to the right having a radius of 1052.14 feet and an

arc length of 175.71 feet to a point, said point being located on the point of a circular curve to the left; thence with the circular curve to the left having a radius of 30.00 feet and an arc length of 31.06 to a point, said point being located on the westerly right-of way margin of McChesney Drive; thence with a circular curve to the left along the said right-of-way having a radius of 30.00 feet and an arc length of 14.38 feet to a point, said point being located on the end of said curve; thence following along said right-of-way in a North Northeasterly direction with a bearing and distance of North 28-18-18 East 26.72 feet to a point, said point being the Northwesternly most point of the Westerly right-of-way margin of Said McChesney Drive as shown on said recorded Map Book 28 page 310; thence continuing with the Existing Charlotte City Limits Line, also being the said right-of-way line and also being the Southeasterly boundary line of Deed Book 9210 page 877 as shown on Map Book 28 page 328, with bearings and distances as follows: North 28-18-17 East 115.90 feet to a point thence following a circular curve to a right having a radius of 831.00 feet and an arc length of 493.11 feet to a point; thence North 62-18-13 East 12.26 feet to a point, thence with a circular curve to the Left having a radius of 25.00 feet and an arc length of 19.88 feet to a point; thence with a circular curve to the right having a radius of 55.00 feet and an arc length of 73.01 feet to a point, said point being located on the Northerly right-of-way line of McChesney Drive and also being the Southwesterly corner of Lot 1 Block 35 of the Final Plat of Highland Creek (Village Center Phase 1 Map 1 Tract "D") recorded in Map Book 28 page 328; thence in a northerly direction leaving said right-of-way line and following along the boundary line of Deed Book 9210 page 877 and said Lot 35 Block 35 with the following (2) bearings and distances: North 02-47-33 East 593.68 feet to a point, thence North 88-40-28 East 613.99 feet to a point; said point being the northeasterly corner of Unit File Map 451 Page 29 and also being the southeasterly corner of Unit File Map 451 Page 58, thence leaving the existing Charlotte City Limits Line in a northerly direction following along the easterly boundary line of The Glen at Highland Creek Condominium said lot as described in Unit File 451 Page 58, said line also being the westerly boundary line of said lot as described in Map Book 45 Page 229 with the following (3) bearings and distances: (1) North 03-46-45 East 168.78 feet, (2) North 33-32-57 West 546.54 feet, (3) South 76-40-50 East approximately 268 feet to a point on the Mecklenburg/Cabarrus County line as shown on Map Book 45 Page 229, said county line also being referenced in Map Book 39 Page 201, thence along and with the Mecklenburg/Cabarrus County line in a northwestern direction with the following (2) bearings and approximate distances as shown on said Map Book 39 Page 201, (1) N 27-39-42 W approximately 634 feet to a point, (2) N 52-46-44 W approximately 3340 feet to a point, said point being 30 feet North of and normal to the centerline of Eastfield Road; thence in a Southwest direction following along and with the line referred to as the (Huntersville Sphere Of Influence) being located 30 feet North of and parallel with the centerline of Eastfield Road approximately 4400 feet to a point, said point being the point and 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 under Chapter 160A, Article 4A, Part 3 of the North Carolina General Statutes (the Annexation Statutes) to request the City to provide for 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. Those statutes require certain steps to be taken by qualified property owners and by the City. If those steps are taken in accordance with those statutes, both the City and qualified property owners under the Annexation Statutes will have different rights and obligations than would otherwise apply. Any property owner who is interested in pursuing such rights and obligations should review the Annexation Statutes for a description of such rights and obligations and should consider consulting with an attorney representing the property owner. The Annexation Statutes require that a request to extend a water and/or sewer line 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 Monday, **October 27, 2008** beginning at 6:00 PM (proposed to be continued to Monday, **December 8, 2008** beginning at 7:00 PM), in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, located at 600 East Fourth Street, Charlotte, North Carolina. The meeting schedule/location is subject to change in accordance with applicable law. Information about any changes in the meeting schedule/location of the City Council may be obtained from the City Clerk.

The applicable connection and capacity fees currently in effect are as follows. Depending on the circumstances associated with a requested extension, the costs to be paid may differ than those set forth below.

- Residential sewer: \$3,373 for a conventional 4-inch sewer lateral to the property line with a standard $\frac{3}{4}$ " water meter listed below if paid prior to construction of the requested sewer line. Larger sewer services will be at additional cost. Areas served by low pressure sewer systems (primarily lake front property) will require significant additional expense by the property owner for a low pressure sewer pumping system. Please contact Charlotte-Mecklenburg Utilities New Services at 704-399-2221.
- Residential water: \$1,777 for a standard $\frac{3}{4}$ " water meter to the property line if paid prior to the construction of the requested water line. Larger water meters will be at additional cost. Please contact Charlotte-Mecklenburg Utilities New Services at 704-399-2221.
- Commercial/Industrial sewer: Fees are a function of the size of sewer connection required and the water meter size plus 50% of the cost to construct the requested sewer line. Please contact Charlotte-Mecklenburg Utilities New Services at 704-399-2221
- Commercial/Industrial water: Fees are a function of the size of the water meter(s) required for the various water uses (ie. domestic, fire protection and irrigation) plus 50% of the cost to construct the requested water line. In addition there will be a backflow preventer. Please contact Charlotte-Mecklenburg Utilities New Services at 704-399-2221.

The above fees are based upon the fee structure in place for Fiscal 2009 (July 1, 2008 through June 30, 2009) and are the fees which would apply to requests made in accordance with the terms of this Request and the Annexation Statutes. All other requests for extensions will be subject to the fee structure in effect at the time of payment.

For the current annexation process, the deadline required by the Annexation Statutes for filing this form with the City Clerk is by the close of business on Monday, November 3, 2008.

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

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 according to the financial policies in effect in the City of Charlotte for extending water and sewer lines:

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 Charlotte-Mecklenburg Utilities (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. This written demand will be no sooner than the effective date of this annexation which is June 30, 2009. Failure to pay all funds in full and 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 Director of Charlotte-Mecklenburg Utilities.
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 City acknowledges that the undersigned may be entitled to certain benefits as set forth in the Annexation Statutes if the undersigned complies with the terms of this Request and with the Annexation Statutes related to this Request and if the City fails to install the requested water and/or sewer lines within 2 years of the effective date of annexation. Such benefits may include a court order requiring the completion of such line(s) and the payment of costs and attorney fees in any successful court action against the City. Additional, possible relief from property taxes may be requested from the North Carolina Local Government Commission. The undersigned acknowledge(s) that: the undersigned is/are solely responsible for complying with the applicable requirements imposed on property owners by the Annexation Statutes related to the requested water and/or sewer line and for complying with the applicable requirements imposed on property owners by this Request; and the City has not waived compliance with such requirements in any manner.
16. 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:

SIGNATURES:

(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. A “tenant in common” describes a situation where a property is owned by two individuals who are not married to one another.
- * 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

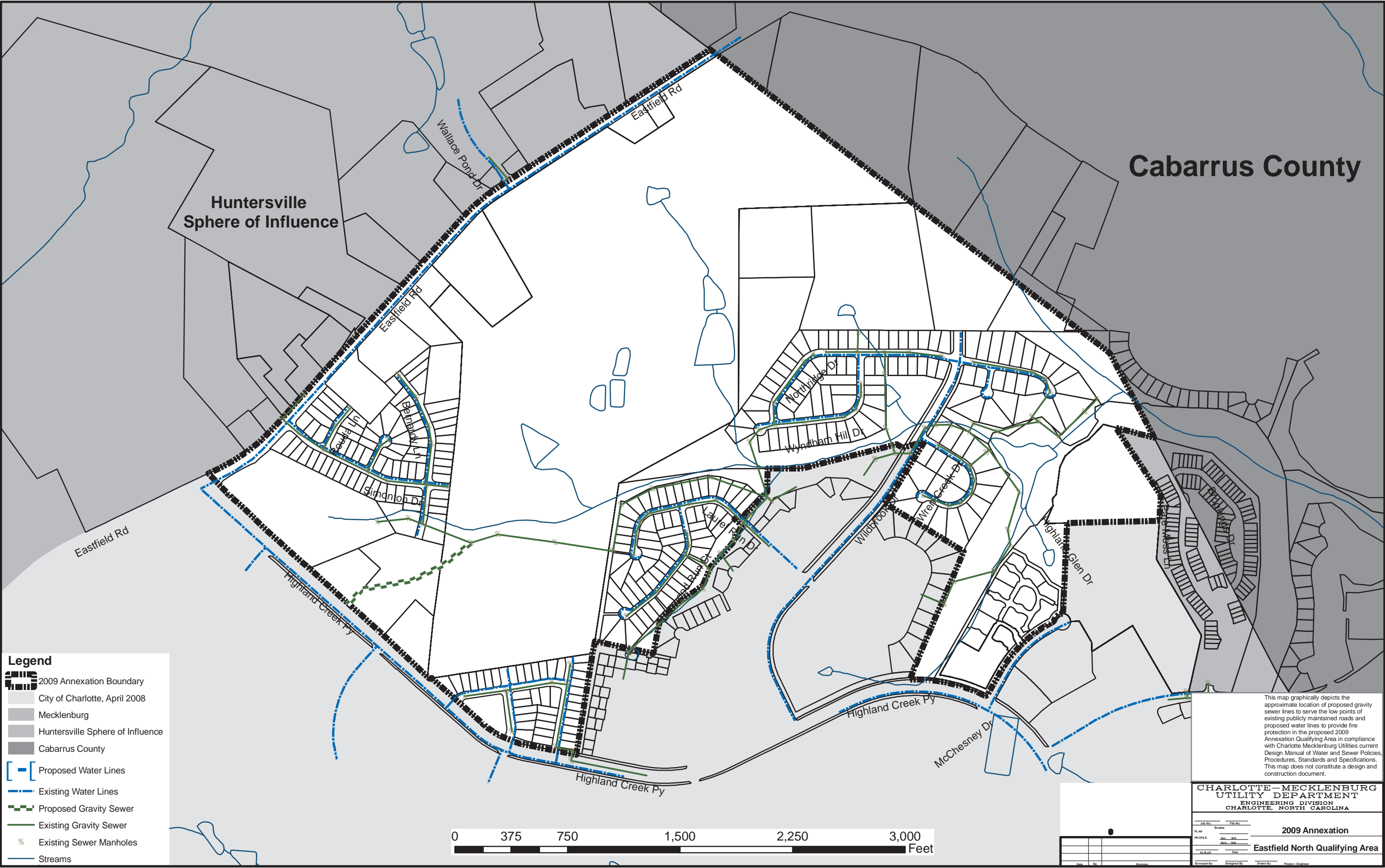
NOTICE OF POTENTIAL RIGHTS TO OWNERS OF AGRICULTURAL LAND, HORTICULTURAL LAND AND FORESTLAND IN THE AREA

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 28, 2008** 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.

APPENDIX F

MAPS OF THE BASIC WATER AND SEWER SYSTEMS TO BE EXTENDED IN THE ANNEXATION AREA

The following pages contain maps depicting the basic water and sewer systems to be extended in the annexation area. The Official Report for the annexation area also contains one or more detailed maps of the annexation area depicting present major trunk water mains and sewer interceptors and outfalls and the 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.



Cabarrus County

Huntersville
Sphere of Influence

Legend

- 2009 Annexation Boundary
- City of Charlotte, April 2008
- Mecklenburg
- Huntersville Sphere of Influence
- Cabarrus County
- Proposed Water Lines
- Existing Water Lines
- Proposed Gravity Sewer
- Existing Gravity Sewer
- % Existing Sewer Manholes
- Streams

This map graphically depicts the approximate location of proposed gravity sewer lines to serve the low points of existing publicly maintained roads and proposed water lines to provide fire protection in the proposed 2009 Annexation Qualifying Area in compliance with Charlotte Mecklenburg Utilities current Design Manual of Water and Sewer Policies, Procedures, Standards and Specifications. This map does not constitute a design and construction document.

CHARLOTTE—MECKLENBURG
UTILITY DEPARTMENT
ENGINEERING DIVISION
CHARLOTTE, NORTH CAROLINA

2009 Annexation
Eastfield North Qualifying Area

0 375 750 1,500 2,250 3,000 Feet

Job No.	File No.
PLAN	Scale
PROFILE	Job No.
As Built	Date
Drawn By	Designed By
Checked By	Project Engineer

EASTFIELD SOUTH

2009 Annexation Plan

City of Charlotte, North Carolina A Summary Report

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* (contained within Official Report only)

PART I: THE PROPOSED AREA

General Description of the Area

The **Eastfield South** area is located northeast of the current City limits, north of Mallard Creek Road and south of Clark Creek Parkway. The area stretches to the Mecklenburg/Cabarrus County line. The area contains a mixture of low-density and mid-density residential development (much of it associated with the Highland Creek community). The area contains **562.0** acres and has an estimated population of **2,237**.

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 **35,009.2** feet, of which **19,314.0** feet or **55.1%** 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 **4.58** persons per acre. This estimate is made in accordance with G.S. 160A-54(1). There are **887** dwelling units in the area (**732** single family and **155** multi-family), which when multiplied by the average household size of **2.87** for single-family units and **2.00** for multi-family units, and taking into account an occupancy rate of **96.2%** for single family units and **81.5%** for multi-family units (all according to the latest federal decennial census, augmented by the 2006 U.S. Census American Community Survey data) results in an estimated total

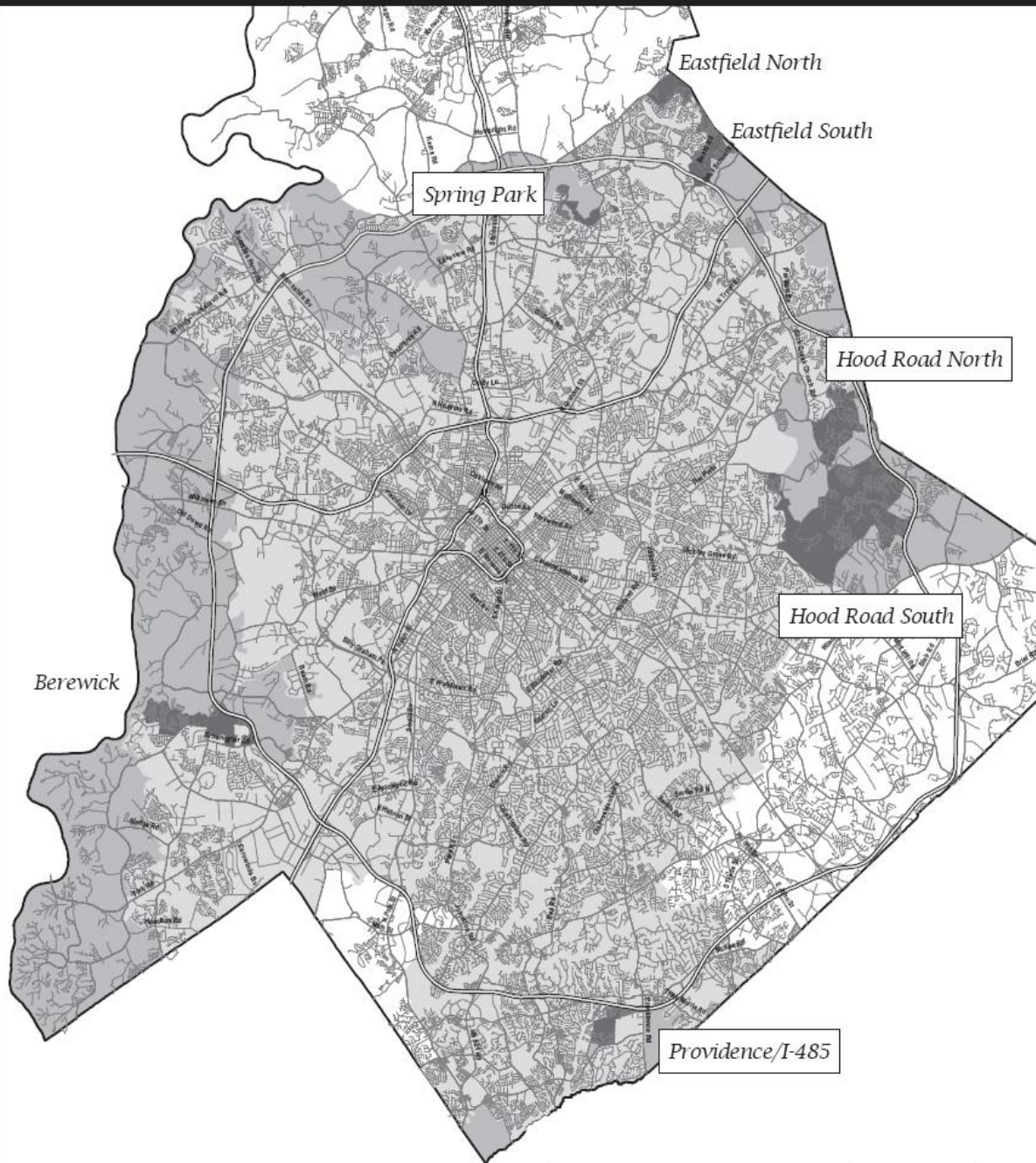
resident population of **2,237**. This population, when divided by the total number of acres (**487.9**) in the developed part of the area, results in a population density of **4.58** persons per acre.

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 **562.0**. Of that acreage, **74.1** acres, or **13.1%** 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 **9,047.0** feet of which **9,047.0** feet or **one hundred percent (100%)** coincides with the present City boundary and the developed area (see the “subsection (d) land” map).

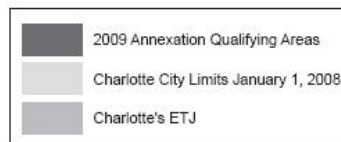
Maps of the Area

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.

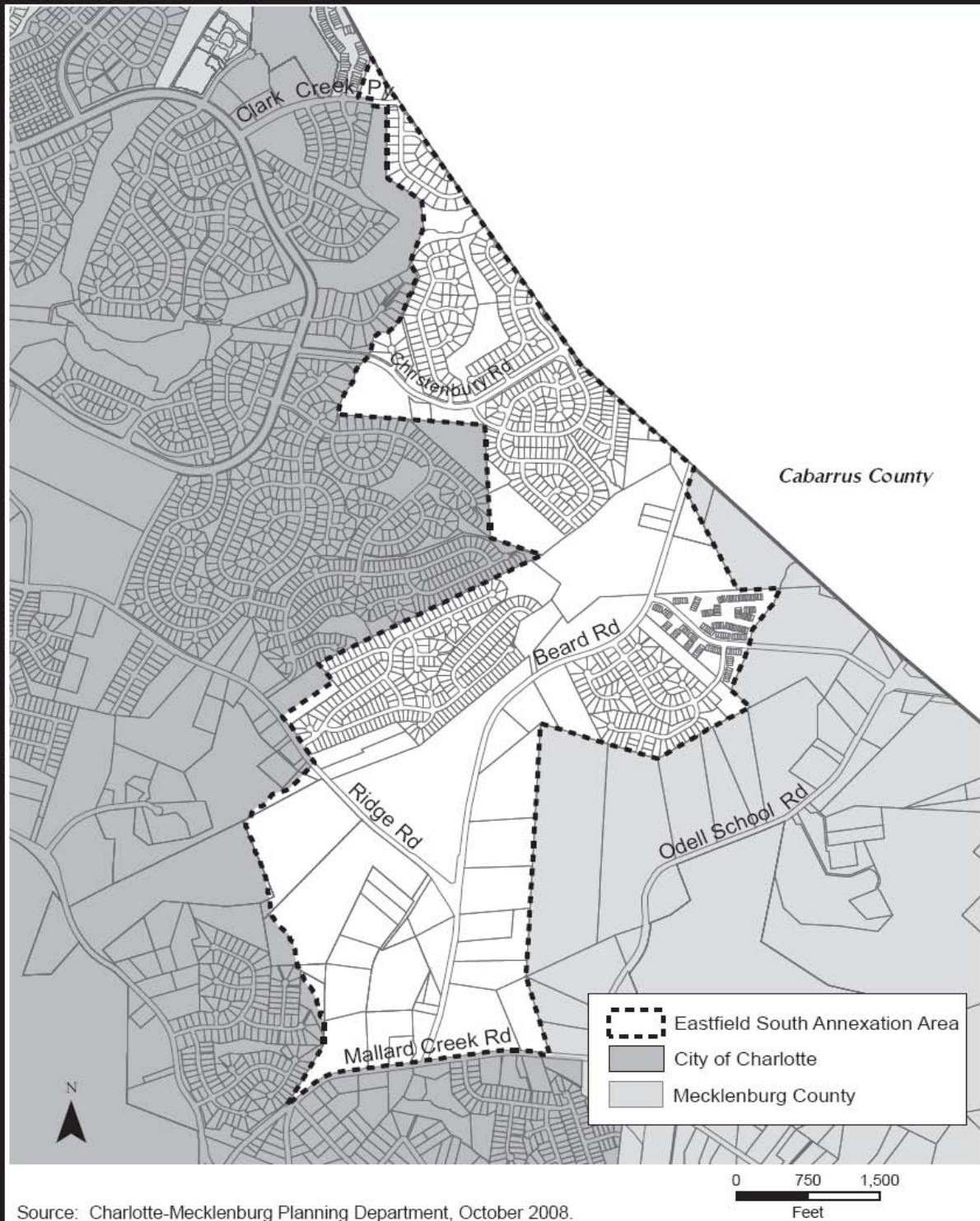
2009 Annexation Qualifying Areas



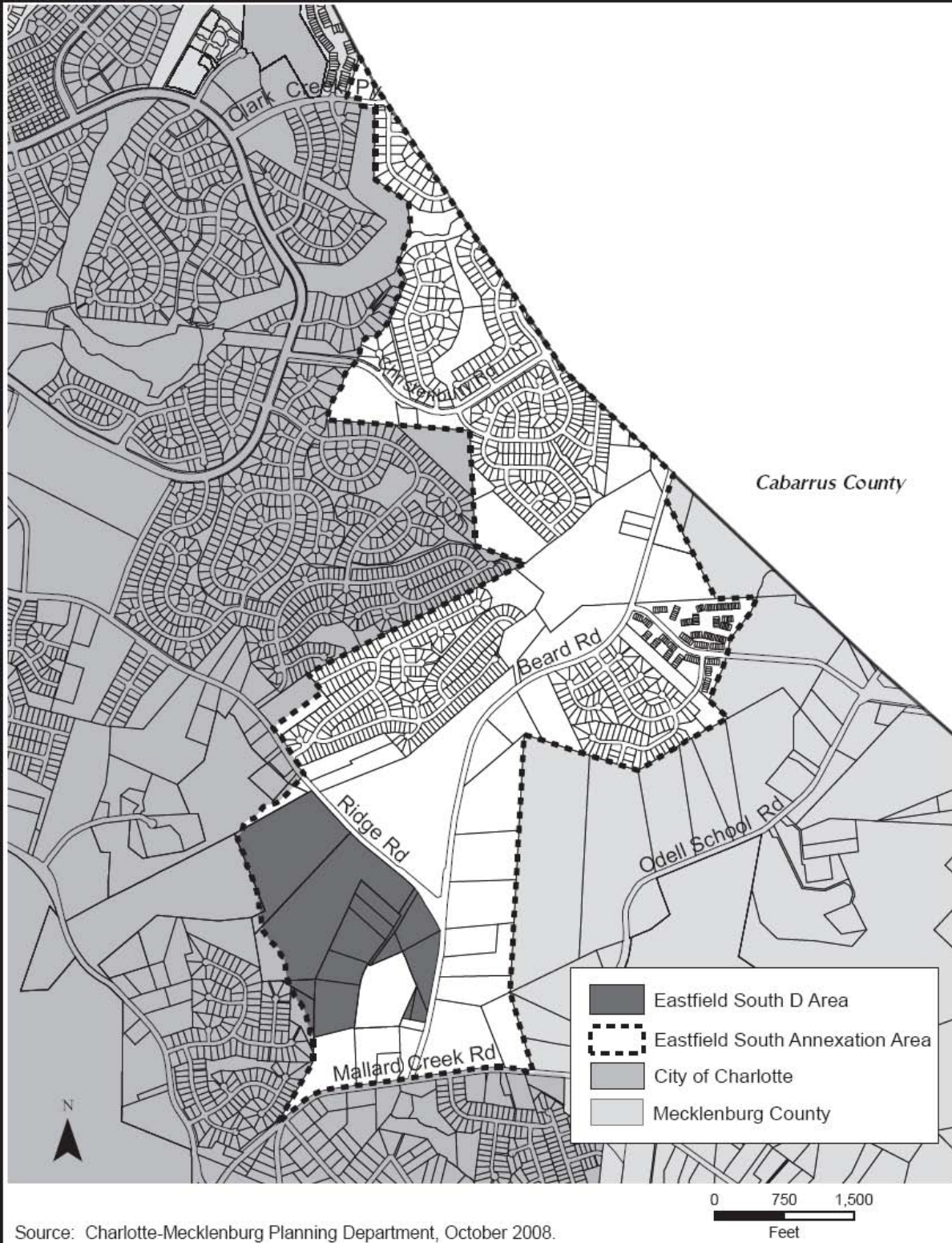
Source: Charlotte-Mecklenburg Planning Department, 2008.



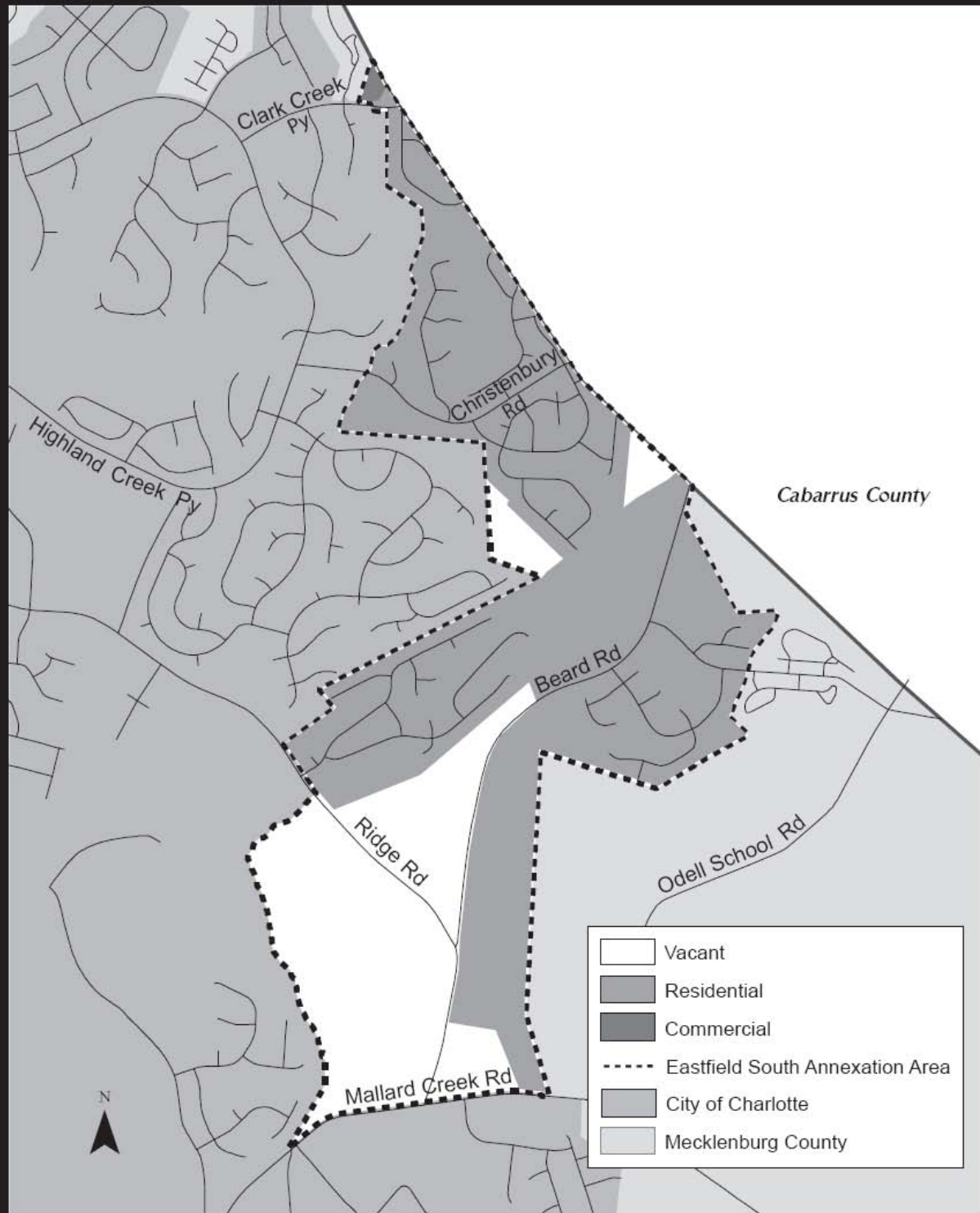
Eastfield South Annexation Qualifying Area, 2009



Eastfield South Annexation Qualifying Area, 2009 D Land Area



Eastfield South Annexation Qualifying Area, 2009 Generalized Land Use



Source: Charlotte-Mecklenburg Planning Department, October 2008.

PART II: PLAN FOR SERVICES

Extension of City Services

PLANS FOR THE CITY OF CHARLOTTE TO EXTEND MUNICIPAL SERVICES TO THE EASTFIELD SOUTH 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 him. 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, 2009.

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 1,083 full-time employees operating 39 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 38 strategically located fire stations.

Fire protection services will be extended to the Eastfield South 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 Eastfield South Area will be provided by existing facilities located at Station 31, located at 3820 Ridge Road. Service will commence on the effective date of annexation. In order to provide fire service, start-up funds of \$8,017 from FY2009 will be required, along with operating funds of \$16,722 in FY2010 and \$17,569 in FY2011.

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 21	1023 Little Rock Road
Station 28	8031 Old Statesville Road
Station 35	1120 Pavilion Boulevard
Station 37	13828 South Tryon Street

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 28 lies in closest proximity, with back-up from the tanker located at Station 35.

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 vehicles, providing public transportation service along 75 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, with a reduced level of service in other parts of Mecklenburg County. Annexation of this area would increase the STS service levels, affecting specifically service hours and fares. The Americans with Disabilities Act (ADA) requires complementary paratransit service (such as STS) to operate within $\frac{3}{4}$ 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.

In order to provide operations/street maintenance services on substantially the same basis and in the same manner as provided in the City, approximately \$70,065 from the General Fund in FY2010 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 \$33,127 in FY2010 and \$215,040 in FY2011 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 six uptown parks, 33 City buildings and about 280 median, islands, and other landscape projects which are along rights-of-way or public facilities. Other responsibilities include the maintenance/mowing of City street rights-of-way, City tree maintenance within the City rights-of-way, and the operation and maintenance of six City cemeteries. They also plant and maintain street trees through the citizens' co-op program and the street tree replacement program. Landscape Management also 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. 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 to four million square feet of City-owned facilities. Services include HVAC maintenance, electrical, plumbing and construction maintenance.

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 Eastfield South area on substantially the same basis and in the same manner as provided in the City using existing resources. With the exception of \$625 in FY2010 and \$625 in FY2011, 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 16/18-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 regular collection day, on a scheduled basis, following the 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 \$32,586 from the General Fund in FY2010 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, \$13,043 from the FY2009 (current year) General Fund – which has been designated in the FY2009 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.

Additional resources of \$10,143 will be required from current year (FY2009) for start-up, and of \$19,850 in FY2010 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), are reproduced in small scale in Appendix F of this Summary report, and can also be viewed at 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.

Capital cost of providing basic water and sewer services to the area, in a manner consistent with the annexation statutes and Charlotte's Water/Sewer Extension Policy, is estimated to be approximately \$100,000 for water and \$500,000 for sewer. Annual utilities operating expenses are estimated to be \$34,486 in FY2010 and \$1,183 in FY2011. Expenses for operating the systems will be derived from revenues obtained through the sale of water and sewer services. Information on financing water and sewer services is set forth in Appendix B.

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 Appendix F of this Report contains maps of the basic water and sewer system in the annexation area. The Official Report for the annexation area also 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.

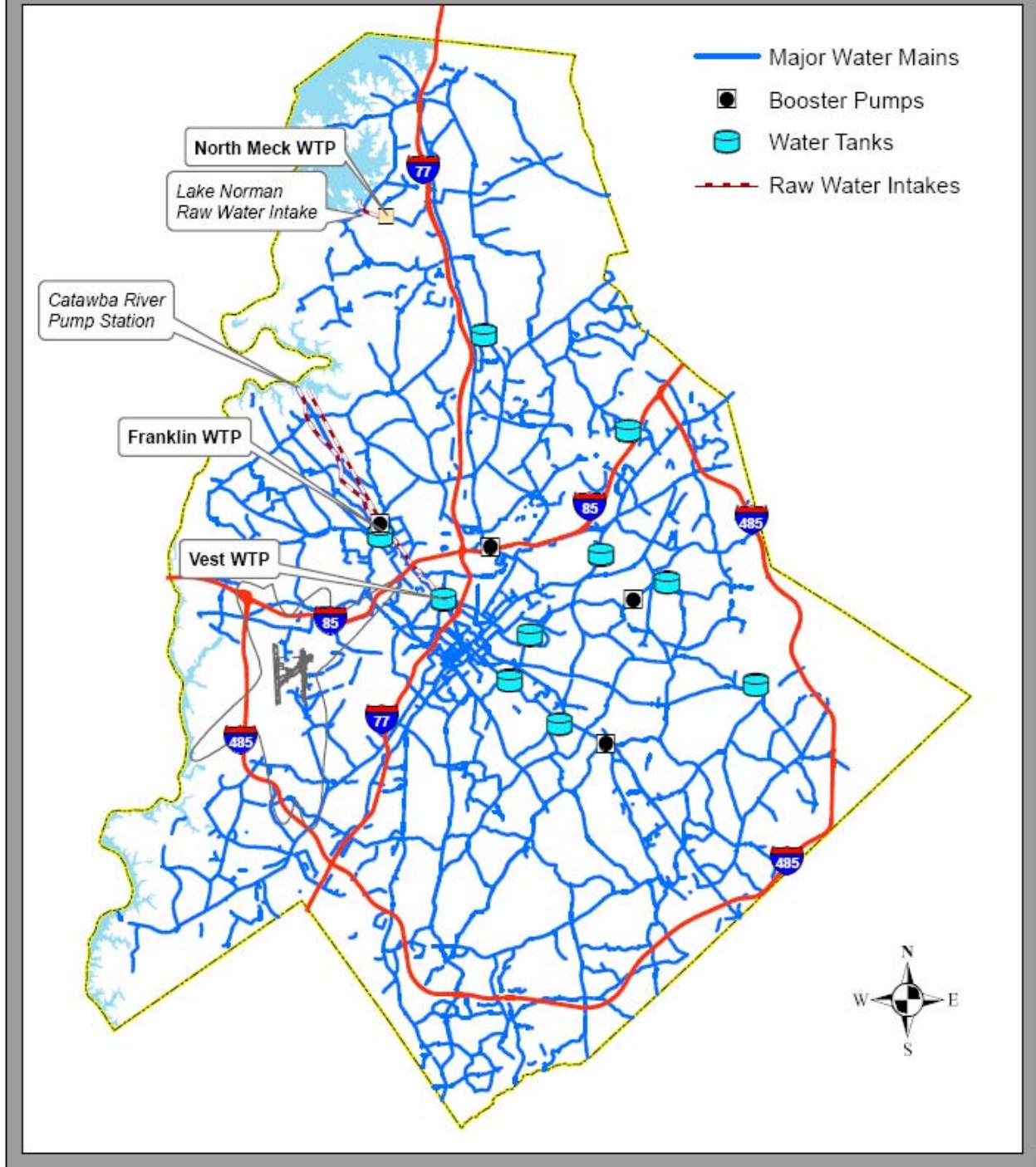
EASTFIELD SOUTH ANNEXATION AREA

2009 Annexation

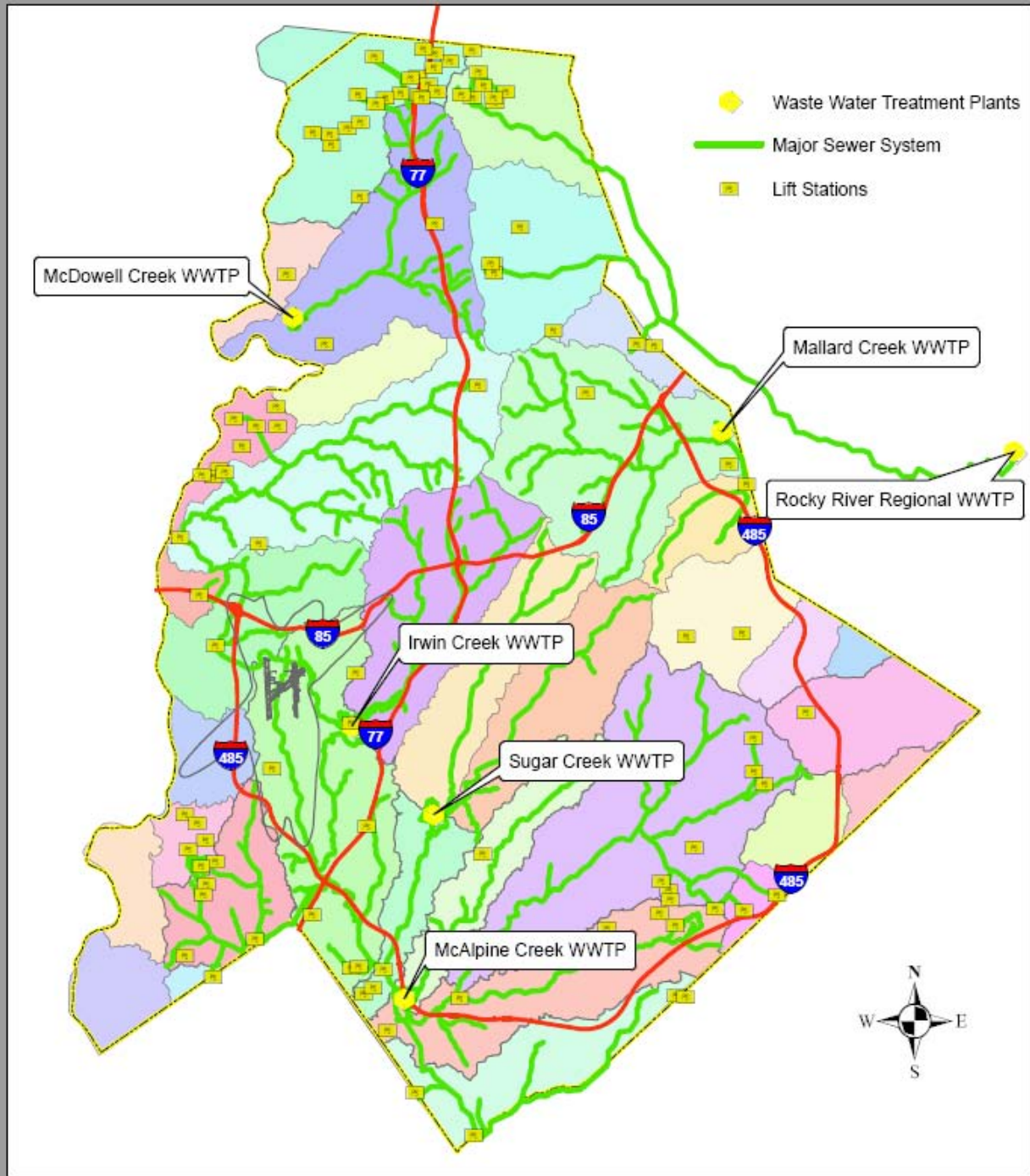
Proposed Construction Timetable for Water and Sanitary Sewer

Award Design Contract:	November, 2008
Begin Design/Survey:	November, 2008
Submit 50% of Completed Plans & right-of-way Maps for Acquisition:	May, 2009
Complete Water and Sanitary Sewer Design:	January, 2010
Advertise for Construction:	February, 2010
Complete Construction:	June 30, 2011

Charlotte-Mecklenburg Utilities Major Water System



Charlotte-Mecklenburg Utilities Major Sewer System



PART III: FIRE PROTECTION IMPACT STATEMENT

Eastfield South

Mallard Creek Volunteer Fire Department

The Mallard Creek Volunteer Fire Department (VFD) provides fire suppression services to the Eastfield South annexation area, and the Mecklenburg County Fire Marshal's Office provides fire prevention services. This 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 Mallard Creek VFD estimates that the area of its fire district is **7.12** square miles; it estimates that it protects a population of **10,241** people. The population of the Eastfield South area is estimated to be **2,237** and the area **0.88** square miles (**562.0** acres). Based on this information, annexation of the Eastfield South area will result in an estimated **12.3** percent reduction in the area and an estimated **21.8** percent reduction in the population served by the Mallard Creek VFD. After annexation, the Charlotte Fire Department will provide all fire protection services to the Eastfield South area, possibly supplemented by a contract for fire suppression with the Mallard Creek VFD.

Fire Suppression

The Mallard Creek VFD operates 2 pumpers, 1 water tanker, 1 rescue truck, and 1 brush truck for fire suppression services. Both pumpers, the water tanker, the rescue truck and the brush truck

are typically dispatched to all fires. The Mallard Creek 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. Mallard Creek reports that an average of 7 volunteers respond during daylight hours (8:00 a.m. to 6:00 p.m.) and 12 at night (6:01 p.m. to 7:59 a.m.).

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

The Charlotte Fire Department will provide fire suppression response to the Eastfield South area after annexation. The Department operates 39 engine companies, 14 ladder companies, 2 urban search and rescue squads, 5 water tankers, 5 brush trucks, and other assorted fire suppression equipment. At the first report of a structure fire in the Eastfield South 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 emergency 911 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.

in adjoining counties.

The Mallard Creek VFD station is located at 10702 Mallard Creek Road. Average response time from this station to the Eastfield South area is estimated by Mallard Creek VFD to be approximately 7 minutes, depending upon the location of the fire within the Eastfield South area.

This time does not include response by volunteers to the fire station to staff the fire trucks, which is estimated by Mallard Creek VFD to average 2 minutes during the day and 4 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 Mallard Creek VFD was not provided by the company.

Charlotte Fire Department Station 31, located at 3820 Ridge Road, houses the closest engine and ladder with an estimated response time of 5 minutes and 4 seconds to the farthest point in the Eastfield South area, representing a distance of approximately 3.4 miles. Charlotte Fire Department Station 36, located at 2325 W. Mallard Creek Church Road will provide the second engine. Response times to the Eastfield South 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 Mallard Creek VFD for the most recently completed fiscal year were \$957,530. The Mallard Creek VFD has reported a liability of \$114,722.16 on apparatus and equipment. The Mallard Creek VFD estimates a loss of \$5,112, which is 31 percent of their total revenue as a result of the annexation in the Eastfield South area. The lump sum economic loss payment to Mallard Creek VFD is \$30,144.

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 Mallard Creek VFD, homes in the Eastfield South area receive a Class 5 rating from the North Carolina Rate Bureau. After annexation, with service from the Charlotte Fire Department, the Eastfield South area will be included in Charlotte's Class 3 rating. A table of comparisons follows:

Annual Premiums for HO3 Insurance Policy*				
	\$150,000 Valuation		\$250,000 Valuation	
	Frame	Brick	Frame	Brick
Class 3	\$477	\$455	\$720	\$688
Class 5	\$477	\$455	\$720	\$688
Class 6	\$477	\$455	\$720	\$688
* NC Rate Bureau base rates for standard coverage of a 3-year-old house with \$500 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.

Annual Premiums for Insuring a Small Business Structure **	
	\$300,000 Valuation
Class 3	\$2,588
Class 5	\$2,588
Class 6	\$2,588
** 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 Eastfield South annexation area indicates projected revenues of \$1,636,961 and \$1,263,894 in the first and second years of annexation, respectively. The anticipated service costs are \$807,461 and \$335,331 in the first and second years, respectively. In addition, \$1,100,000 in capital improvements are recommended for projects such as water and sewer service extensions.

The analysis of revenues and costs was presented to City Council at their meeting of **July 21, 2008**. Detailed information is on file in the City Clerk's Office ("2009 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 2009 City Revenues	FY 2010 – Annexation Area Estimated Revenue Change	FY 2011 – Annexation Area Estimated Revenue Change
Sales Tax	\$63,887,639	\$12,800	\$145,723
Beer and Wine Tax	\$3,068,000	10,647	10,967

A copy of this Report (including Appendix B), as well as a copy of the Preliminary 2009 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

EASTFIELD SOUTH AREA IN TERMS OF STATUTORY REQUIREMENTS (STATISTICS COMPILED APRIL, 2008)

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	35,009.2 ft.	
2. Boundary contiguous with municipal boundary	19,314.0 ft.	
3. Proportion of total boundary contiguous with the municipal boundary	55.1%	>= 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	887	
2. Average number of persons per household (2000 Census) ⁽¹⁾	2.87 (single family) 2.00 (multi-family)	
3. Estimated population of developed part of the area	2,237	
4. Acreage of developed part of the area	487.9	
5. Population per acre in developed part of area	4.58	>= 2.3

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

⁽²⁾ augmented by the 2006 U.S. Census American Community Survey data

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)	4.58	≥ 1.0
2. Total acreage of all lots in developed part of the area	431.5	
3. Total acreage of lots 3 acres or less in developed part of area	194.3	
4. Acreage of 3 above as proportion of 2 above	45.0%	$\geq 60\%$
5. Total number of lots in developed part of the area	978	
6. Number of lots in developed portion of area 1 acre or less	933	
7. Number of lots in 6 above as proportion of 5 above	95.4%	$\geq 65\%$

(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	978	
2. Total number of lots and tracts used for urban purposes in developed part of area	908	
3. Total lots and tracts used for urban purposes in developed part of area, as a proportion of total lots and tracts	92.8%	>=60%
4. Total acreage of developed part of area, excluding acreage used for commercial, industrial, governmental, or institutional purposes	392.5	
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	182.5	
6. Acreage in 5 above as proportion of acreage in 4 above	46.5%	>=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))	562.0	
2. Total acreage of subsection “d” land	74.1	
3. Percent of area which is subsection “d”	13.1%	<=25%
4. Total boundary of subsection “d” land	9,047.0 feet	
5. Boundary of subsection “d” land contiguous with municipal boundary and boundary of developed part of area	9,047.0 feet	
6. Boundary in 4 above as proportion of 5 above	100%	>=60%

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

Appendix B: 2009 Annexation Area Economic Analysis: Eastfield South

	FY09	FY10			FY11
	<u>Start-Up</u>	<u>One-Time</u>	<u>Recurring</u>	<u>Total</u>	<u>Total</u>
EXPENDITURES					
TRANSPORTATION					
Street Lighting	0	0	834	834	834
Operations	0	26,305	0	26,305	0
Street Maintenance	0	1,804	41,122	42,926	44,863
Electronic Systems	0	0	0	0	0
FIRE					
Operations	8,017	0	16,722	16,722	17,569
SOLID WASTE	13,043	582	32,004	32,586	34,856
ENGINEERING					
Operations	0	0	625	625	625
CITY MANAGER'S OFFICE					
Corporate Communications	23,507	0	0	0	0
NEIGHBORHOOD DEVELOPMENT	10,143	0	19,850	19,850	20,361
BUSINESS SUPPORT SERVICES	0	0	0	0	0
ECONOMIC LOSS					
Volunteer Fire Departments	30,144	0	0	0	0
Private Solid Waste Collection Firms	240,914	0	0	0	0
TOTAL GENERAL FUND	325,767	28,691	111,157	139,848	119,108
POWELL BILL FUND					
Street Maintenance	0	4,728	28,399	33,127	215,040
UTILITIES	0	33,366	1,121	34,486	1,183
STORM WATER FUND	0	0	0	0	0
TOTAL OPERATING EXPENDITURES	325,767	66,785	140,677	207,461	335,331
GENERAL CAPITAL					
Fire Stations	0	0	0	0	0
UTILITIES (Capital Expend)					
Water	0	100,000	0	100,000	0
Sewer	0	500,000	0	500,000	0
TOTAL EXPENDITURES	325,767	666,785	140,677	807,461	335,331

2009 Annexation Area Economic Analysis: Eastfield South

	FY09		FY10		FY11
	<u>Start-Up</u>	<u>One-Time</u>	<u>Recurring</u>	<u>Total</u>	<u>Total</u>
REVENUES					
TAXES AND FEES					
Property Taxes ⁽¹⁾	0	0	646,596	646,596	659,527
Police Service District Reduction ⁽¹⁾	0	0	(157,908)	(157,908)	(171,248)
Business Privilege	0	0	16,020	16,020	16,501
Cable TV Franchise	0	0	24,541	24,541	25,278
Animal Control	0	0	1,316	1,316	1,355
Utility Franchise	0	0	69,506	69,506	71,592
Sales Tax ⁽¹⁾	0	0	12,800	12,800	145,723
Beer and Wine Tax	0	0	10,647	10,647	10,967
Motor Vehicle License	0	0	10,800	10,800	11,016
Solid Waste Disposal	0	0	39,465	39,465	39,465
User Fees	0	0	16,463	16,463	17,219
TOTAL GENERAL FUND	0	0	690,246	690,246	827,395
POWELL BILL FUND	0	0	71,467	71,467	73,611
WATER AND SEWER OPERATING	0	33,366	1,121	34,486	1,183
MUNICIPAL DEBT SERVICE FUND ⁽¹⁾	0	0	102,721	102,721	157,959
PAY-AS-YOU-GO FUND ⁽¹⁾	0	0	80,011	80,011	143,974
STORM WATER FUND	0	0	58,030	58,030	59,771
TOTAL OPERATING REVENUES	0	33,366	1,003,596	1,036,961	1,263,894
COPs – FIRE STATION	0	0	0	0	0
WATER AND SEWER REVENUE BONDS	0	600,000	0	600,000	0
TOTAL ALL REVENUES	0	633,366	1,003,596	1,636,961	1,263,894
REVENUES OVER EXPENDITURES	(325,767)	(33,419)	862,919	829,500	928,562
Net Impact to General Fund	(325,767)	(28,691)	579,089	550,398	708,287

Note

⁽¹⁾ portions of the property tax, sales tax, and police service district reduction are allocated to the Pay-As-You-Go and Municipal Debt Service Funds.

APPENDIX C

2009 ANNEXATION AREA BOUNDARY DESCRIPTION

EASTFIELD SOUTH ANNEXATION AREA

Beginning at a point on the existing Mecklenburg/Cabarrus County line, said point also being located on the eastern boundary of said parcel D-9 as recorded in Map Book 40 Page 505, and said point also being located on the westerly boundary line of the parcel described in Deed Book 11839 Page 172, thence in a Southerly direction with a bearing and distance of South 17-53-23 West 474.30 feet to a point, said point being the Southwestern corner of the property described in Deed Book 11839 Page 172, thence following along the existing Charlotte City Limits line in a Southeasterly direction along the northern right-of-way of Clarke Creek Parkway South 83-38-03 East 158.96 feet to a point, said point being at the end of said right-of-way as recorded in Map Book 28 page 433; thence continuing along existing Charlotte City Limits line crossing said Clarke Creek Parkway in a Southerly direction with a bearing and distance of South 06-21-57 West 60.05 feet to a point, said point being the Northeast corner of Lot 40 Block 32, located on the Southerly right-of-way of said Clarke Creek Parkway, Fairmeadows Village Highland Creek Subdivision Tract "D" recorded in Map Book 28 page 433; thence continuing in a Southerly direction with the easterly boundary line of Lot 40 and the Westerly boundary line of Hole #15, as shown on that said plat map entitled Golf Course Composite Plat prepared by E.S.P.

Associates, P.A., with a bearing and distance of South 09-19-24 West approximately 40 feet to a point, said point being the Northwesterly corner of Highland Creek Golf Club Hole #15; thence following along the Existing Charlotte City Limits Line, also being the northerly line of said Hole #15, with a bearing and distance of North 82-45-39 East 143.26 feet to a point, said point being the northeast corner of said Hole #15; thence in a Southwesterly direction following along the Easterly boundary line of Hole #15 with bearings and distances as follows: South 00-08-32 West 787.11 feet to a point; thence South 55-46-10 East 441.27 feet to a point, thence South 06-08-02 East 304.35 feet to a point, thence South 19-08-35 West 209.12 feet to a point, thence South 21-08-20 West 174.66 feet to a point, thence South 20-45-37 West 44.39 feet to a point, said point being the Northerly most corner of Lot 14 Block 5 recorded in Map Book 26 Page 262; thence continuing in a Southerly direction along the Eastern boundary line of Lots 14 through 7 and a Common Area, the following bearings and distances: South 50-06-50 East 34.33 feet to a point; thence South 27-49-06 East 128.84 feet to a point; thence South 28-34-29 West 104.54 feet to a point; thence South 07-40-37 West 79.70 feet to a point; thence South 45-51-47 West 54.41 feet to a point; thence South 03-24-27 West 31.49 feet to a point; thence South 21-26-27 West 240.57 feet to a point; thence South 30-15-24 West 91.70 feet to a point; thence South 51-42-37 West 100.83 feet to a point; thence South 88-50-18 West 80.60 feet to a point; thence South 49-45-28 West 94.63 feet to a point; thence South 09-54-19 West 115.42 feet to a point; thence South 15-43-53 West 63.39 feet to a point, said point being the Southeasterly most point of Common Area #1 as shown on said Recorded Map Book 26 page 262; thence continuing with the Existing Charlotte City Limits Line in a Southerly direction along the Eastern boundary line of Lots 7 through 5 Block 2 and Common Area #1 crossing Duke Power's right-of-way as shown on Recorded Map Book 26 page 376 the following bearings and distances: South 15-43-53 West

24.48 feet to a point; thence South 43-02-08 West 194.00 feet to a point; thence South 15-50-28 West 162.95 feet to a point; thence South 35-34-30 West 137.08 feet to a point; thence South 23-48-12 West 100.65 feet to a point; thence South 14-25-37 West 34.94 feet to a point, said point being the Southeasterly most corner of Lot 5 Block 2 as shown on said map; thence continuing with the Existing Charlotte City Limits Line in a Southerly direction along the Eastern boundary line of Lot 2 Block 3, as shown on said map, South 14-25-37 West 118.69 feet to a point, said point being the intersection of a point on the line of said property with the Northwesternly most corner of the Common Area as shown on Recorded Map Book 26 page 851; thence continuing in an Easterly direction along the Northern boundary line of the Common Area and Lots 1 through 8 Block 12 the following bearings and distances: North 89-06-47 East 64.55 feet to a point; thence South 85-51-05 East 924.92 feet, crossing a Duke Power right-of-way, to a point, said point being on the northerly line of common area 1, as shown on said recorded Map Book 27 page 74; thence South 85-49-57 East 560.72 feet to a point, said point being the Northeasterly most corner of Common Area #1 as shown on Recorded Map Book 27 page 74; thence continuing in a Southerly direction along the Existing Charlotte City Limits Line, also being the Eastern boundary line of Common Area #1 and Lots 70 through 73 the following bearing and distance: South 02-40-58 East 1,248.52 feet to a point, said point being the Southeasterly most corner of Lot 73 as shown on said map; thence South 70-59-35 East 581.02 feet to a point, said point being the Northeasterly most corner of Common Area #1 as shown on Recorded Map Book 26 page 357; thence continuing in a Southwesterly direction along the Southeastern boundary line of Common Area #1 and Lots 113 through 104 Block 20 the following bearing and distance: South 63-20-46 West 670.66 feet to a point, said point being the Southwesterly most point of Lot 104 Block 20 as shown on said map, said point also being a point on the line of the property as described in Deed Book 6220 page 175; thence South 63-20-54 West approximately 1,955 feet to a point, said point being the intersection of said property with the Northerly most point of the property as described in Deed Book 1840 page 183; thence South 39-30-00 East 254.00 feet to a point; thence South 54-00-00 West 660.80 feet to a point, said point being the intersection of said property with the Northerly right-of-way margin of Ridge Road; thence continuing in a Southeasterly direction following along the Existing Charlotte City Limits Line, also being the Northerly right-of-way margin of Ridge Road approximately 670 feet to a point, said point being the intersection of said right-of-way with the Easterly boundary line of the property as described in Deed Book 7400 page 766 if extended; thence in a Southwesterly direction approximately 30.00 feet to a point, said point being the centerline of Ridge Road, said point also being the Northerly most point of the property as described in Deed Book 7400 page 766; thence South 54-00-00 West 165.35 feet to a point, said point being the intersection of the Southwesterly most corner of said property with the centerline of a creek; thence in a Southwesterly direction following along the Existing Charlotte City Limits Line, also being the centerline of said creek approximately 900 feet to a point, said point being the intersection of said creek with Little Stoney Creek; thence in a Southerly direction following the Existing Charlotte City Limits Line, also being the centerline of Little Stoney Creek, approximately 2,300 feet to a point, said point being the intersection of said creek with a point on the line of the property as described in Deed Book 3636 page 746; thence South 03-19-02 West approximately 260 feet to a point, said point being the Southeasterly most point of said property, said point also being the Northeasterly most corner of Lot 38 as shown on Recorded Map Book 26 page 875; thence South 30-09-56 West

767.42 feet along and with the easterly line of Lots 38 – 31 and a common area as shown on aforesaid Map Book 26 Page 875 and Map 26 Page 646 to a point, said point being on the Northerly right-of-way margin of Mallard Creek Road; thence continuing in a Northeasterly direction along the Existing Charlotte City Limits Line also being the North/Northwesterly right-of-way margin of Mallard Creek Road, crossing over Ridge Road, approximately 2,800 feet to a point, said point being the intersection of the North/Northwesterly right-of-way margin Of Mallard Creek Road and the Westerly lot line of the property as described in Deed 15578 page 240 (if extended); thence crossing Mallard Creek Road with the Existing Charlotte City Limits Line approximately 30 feet to a point, said point being on the centerline of Mallard Creek Road; thence with the Existing Charlotte City Limits Line approximately 100 feet in an Easterly direction along the centerline of Mallard Creek Road to a point, said point being the intersection of the centerline of Mallard Creek Road and the easterly lot line as described in Deed Book 3237 Page 484 (extended), thence leaving the existing Charlotte City Limits line along the easterly line of the property as described in Deed Book 3237 page 484, N 16-00-00 W 906.99 feet to a point, said point being the Northeasterly corner of Deed Book 3237 page 484, a common corner with Deed Book 5683 page 149; thence N 4-11-37 E 175 feet to a point, said point being the Southeasterly corner of Deed Book 6805 page 214; thence N 4-11-37 E 572.47 feet to a point, said point being the Southeasterly corner of Deed Book 3482 page 007; thence N 4-11-40 E 467.40 feet to a point, said point being Southeasterly corner of Deed Book 3482 page 010; thence N 4-11-40 E 530.15 feet to a point, said point being the Southeasterly corner of Deed Book 3482 page 001; thence N 4-11-40 E 1034.85 feet to a point, said point being the Northerly corner of Deed Book 3482 page 001; thence S 74-07-33 E 210 feet to a point, said point the Southeasterly corner of Deed Book 7964 page 449 and the Southwesterly corner of Deed Book 7730 page 814; thence S 74-07-33 E 497.11 feet to a point, said point being the Southwesterly corner of Lot 61 Phase 1 Map 3 as shown on Map Book 35 Page 399; thence southeasterly following along the southwesterly lines of lots 61,60,59,58,55, crossing Branscomb Drive and continuing along lots 54 and 51, S 72-42-55 E 600.52 feet to a point, said point being the Southern most point on Lot 51 as shown on said Map Book 35 Page 399; thence northeasterly following along the southeasterly lines of 51 through 43 and part of lot 42, N 58-56-59 E 631.24 feet to a point, said point being on the southeasterly line of lot 42, as shown on Map Book 35 page 399, thence N 60-55-43 E 28.03 feet to a point, said point being the southern most corner of lot 41 as shown on said Map Book 35 Page 267, thence northeasterly following along lot 41 and a common open space N 60-55-43 E 466.79 feet to a point, said point being the Northeastern corner of a 1.839 acre Common Open Space; thence along the northern line of said common open space N 46-50-42 W 275.89 feet to a point, said point being the most Southern point of the Common Open Space as shown on Map Book 36 Page 279; thence in a Northeasterly direction following along the Easterly line of the common open space with the following bearings and distances: N 21-06-57 E 249.22 feet to a point, thence N 25-18-32 E 120.29 feet to a point, thence N 18-45-32 E 132.46 feet to a point, thence crossing Carolina Lily lane N 13-25-47 E 201.95 feet to a point, thence N 37-44-13 E 363.32 feet to a point, thence N 23-05-28 E 169.32 feet to a point, said point being the Northeastern corner of said Common Open Space; thence along the Northerly line of the common open space S 86-41-21 W 446.10 feet to a point, said point being the Southeasterly corner of Deed Book 4521 page 550; thence N 26-48-10 W 544.59 feet to a point, said point being the Southeasterly corner of Deed Book 4500 page 165; thence N

26-48-10 W approximately 660 feet to a point, said point being 30 feet East of and normal to the centerline of Beard Road, thence in a Northeast direction with a line 30 feet East of and parallel with the centerline of Beard Road approximately 290 feet to a point, said point being located on the Mecklenburg County/Cabarrus County Line; thence crossing Beard Road in a Northwesterly direction following along the Mecklenburg County/Cabarrus County Line approximately 60 feet to a point, thence continuing with the Mecklenburg County/Cabarrus County Line as shown on recorded Map Book 39 page 201 with the following (3) courses: (1) N 46-30-27 W approximately 1600 feet to a point, (2) N 33-34-23 W 3524.51 feet to a point, (3) N 33-34-56 W 154.69 feet to a point, said point being the intersection of the outer boundary of Hole #13 as described in Deed Book 11839 page 172 and the Mecklenburg County/Cabarrus County Line; thence following the county line, N 27-39-42 W approximately 366 feet to a point, said point being the point and 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 under Chapter 160A, Article 4A, Part 3 of the North Carolina General Statutes (the Annexation Statutes) to request the City to provide for 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. Those statutes require certain steps to be taken by qualified property owners and by the City. If those steps are taken in accordance with those statutes, both the City and qualified property owners under the Annexation Statutes will have different rights and obligations than would otherwise apply. Any property owner who is interested in pursuing such rights and obligations should review the Annexation Statutes for a description of such rights and obligations and should consider consulting with an attorney representing the property owner. The Annexation Statutes require that a request to extend a water and/or sewer line 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 Monday, **October 27, 2008** beginning at 7:00 PM (proposed to be continued to Monday, **December 8, 2008** beginning at 7:00 PM) in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, located at 600 East Fourth Street, Charlotte, North Carolina. The meeting schedule/location is subject to change in accordance with applicable law. Information about any changes in the meeting schedule/location of the City Council may be obtained from the City Clerk.

The applicable connection and capacity fees currently in effect are as follows. Depending on the circumstances associated with a requested extension, the costs to be paid may differ than those set forth below.

- Residential sewer: \$3,373 for a conventional 4-inch sewer lateral to the property line with a standard $\frac{3}{4}$ " water meter listed below if paid prior to construction of the requested sewer line. Larger sewer services will be at additional cost. Areas served by low pressure sewer systems (primarily lake front property) will require significant additional expense by the property owner for a low pressure sewer pumping system. Please contact Charlotte-Mecklenburg Utilities New Services at 704-399-2221.
- Residential water: \$1,777 for a standard $\frac{3}{4}$ " water meter to the property line if paid prior to the construction of the requested water line. Larger water meters will be at additional cost. Please contact Charlotte-Mecklenburg Utilities New Services at 704-399-2221.
- Commercial/Industrial sewer: Fees are a function of the size of sewer connection required and the water meter size plus 50% of the cost to construct the requested sewer line. Please contact Charlotte-Mecklenburg Utilities New Services at 704-399-2221
- Commercial/Industrial water: Fees are a function of the size of the water meter(s) required for the various water uses (ie. domestic, fire protection and irrigation) plus 50% of the cost to construct the requested water line. In addition there will be a backflow preventer. Please contact Charlotte-Mecklenburg Utilities New Services at 704-399-2221.

The above fees are based upon the fee structure in place for Fiscal 2009 (July 1, 2008 through June 30, 2009) and are the fees which would apply to requests made in accordance with the terms of this Request and the Annexation Statutes. All other requests for extensions will be subject to the fee structure in effect at the time of payment.

For the current annexation process, the deadline required by the Annexation Statutes for filing this form with the City Clerk is by the close of business on Monday, November 3, 2008.

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

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 according to the financial policies in effect in the City of Charlotte for extending water and sewer lines:

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 Charlotte-Mecklenburg Utilities (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. This written demand will be no sooner than the effective date of this annexation which is June 30, 2009. Failure to pay all funds in full and 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 Director of Charlotte-Mecklenburg Utilities.
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 City acknowledges that the undersigned may be entitled to certain benefits as set forth in the Annexation Statutes if the undersigned complies with the terms of this Request and with the Annexation Statutes related to this Request and if the City fails to install the requested water and/or sewer lines within 2 years of the effective date of annexation. Such benefits may include a court order requiring the completion of such line(s) and the payment of costs and attorney fees in any successful court action against the City. Additional, possible relief from property taxes may be requested from the North Carolina Local Government Commission. The undersigned acknowledge(s) that: the undersigned is/are solely responsible for complying with the applicable requirements imposed on property owners by the Annexation Statutes related to the requested water and/or sewer line and for complying with the applicable requirements imposed on property owners by this Request; and the City has not waived compliance with such requirements in any manner.
16. 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:

SIGNATURES:

(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. A “tenant in common” describes a situation where a property is owned by two individuals who are not married to one another.
- * 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

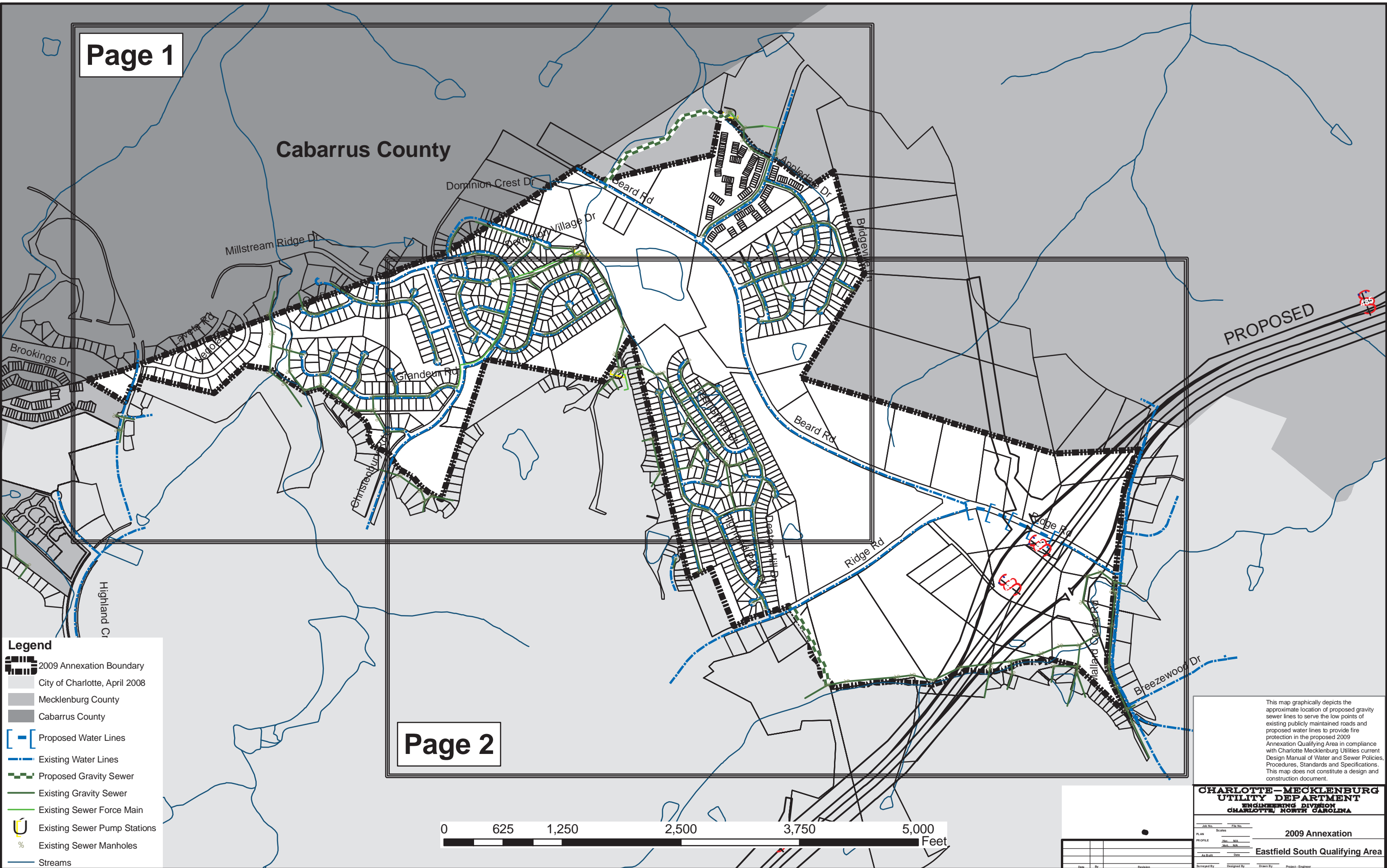
Owners of agricultural land, horticultural land and forestland in the area proposed for annexation may have rights to a delay in many of the effects on such land of the proposed annexation of the area. G.S. 160A-49(f1) and (f2) provide that land being taxed at present-use value pursuant to G. S. 105-277.4 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 28, 2008** 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.

APPENDIX F

MAPS OF THE BASIC WATER AND SEWER SYSTEMS TO BE EXTENDED IN THE ANNEXATION AREA

The following pages contain maps depicting the basic water and sewer systems to be extended in the annexation area. The Official Report for the annexation area also contains one or more detailed maps of the annexation area depicting present major trunk water mains and sewer interceptors and outfalls and the 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.

Cabarrus County



Legend

- 2009 Annexation Boundary
- City of Charlotte, April 2008
- Mecklenburg County
- Cabarrus County
- Proposed Water Lines
- Existing Water Lines
- Proposed Gravity Sewer
- Existing Gravity Sewer
- Existing Sewer Force Main
- Existing Sewer Pump Stations
- Existing Sewer Manholes
- Streams



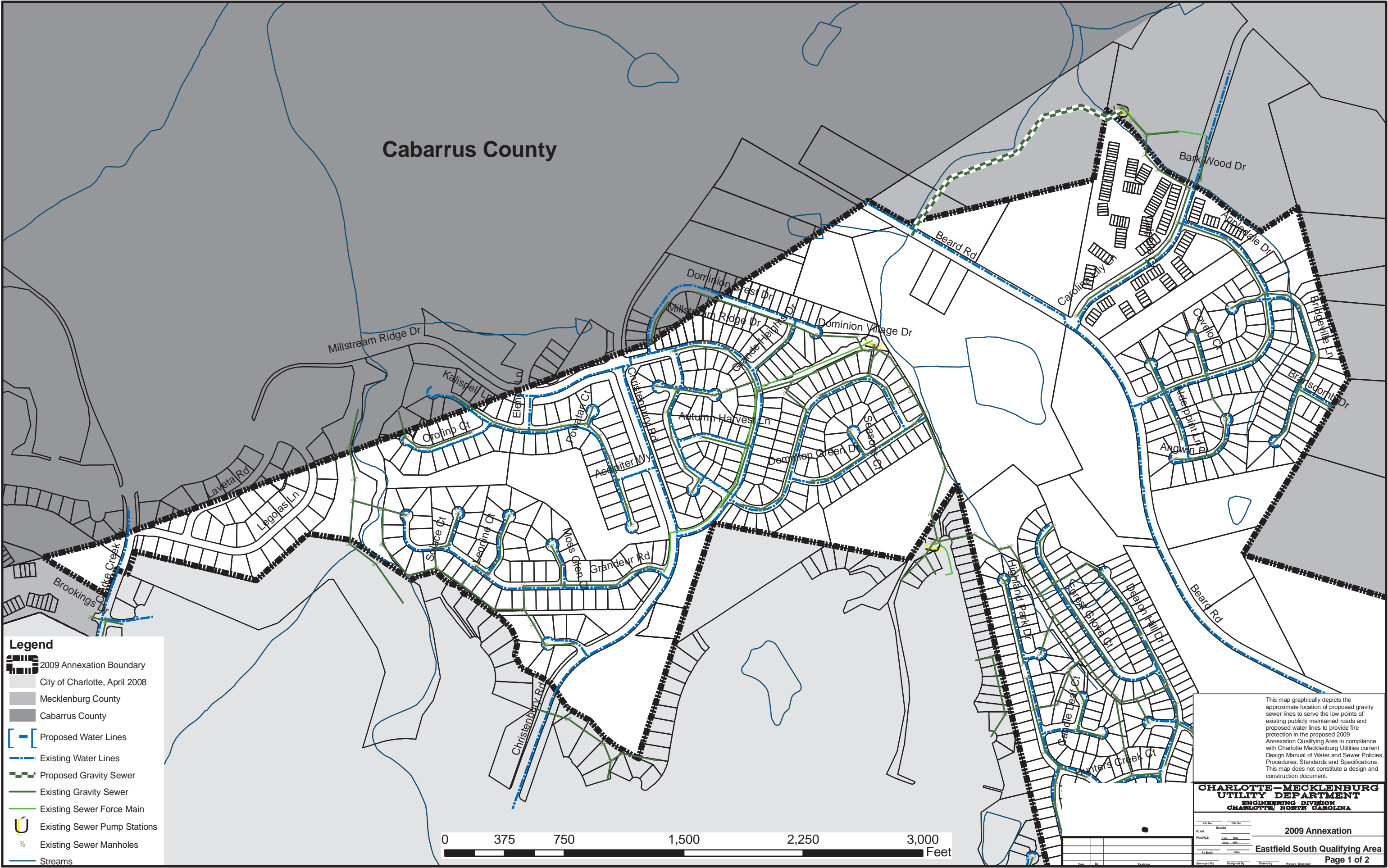
PROPOSED

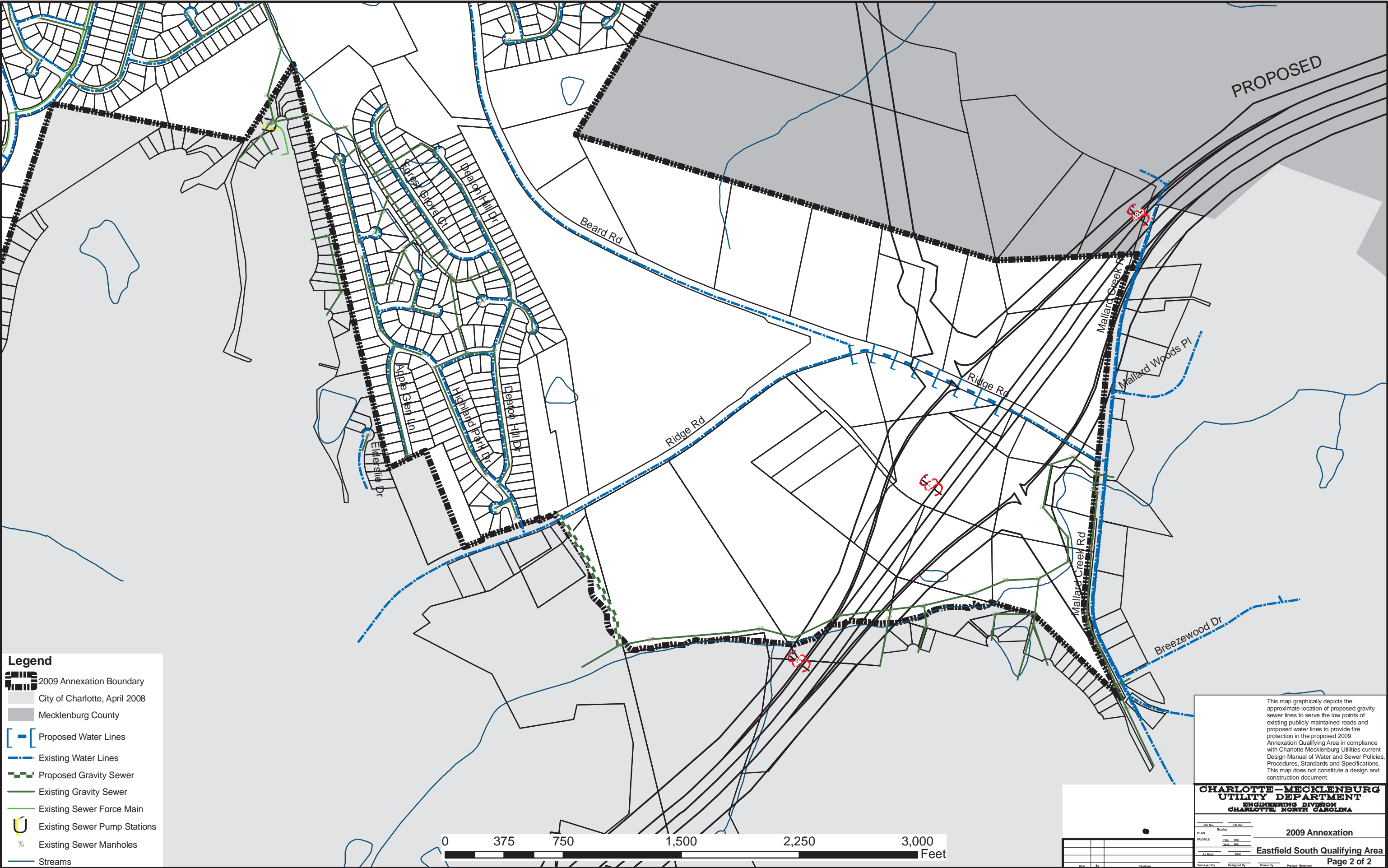
This map graphically depicts the approximate location of proposed gravity sewer lines to serve the low points of existing publicly maintained roads and proposed water lines to provide fire protection in the proposed 2009 Annexation Qualifying Area in compliance with Charlotte Mecklenburg Utilities current Design Manual of Water and Sewer Policies, Procedures, Standards and Specifications. This map does not constitute a design and construction document.

CHARLOTTE-MECKLENBURG UTILITY DEPARTMENT
ENGINEERING DIVISION
CHARLOTTE, NORTH CAROLINA












Job No.	File No.
2009 Annexation	

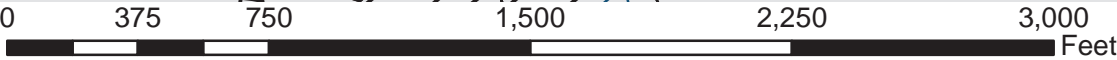
Eastfield South Qualifying Area





Legend

-  2009 Annexation Boundary
-  City of Charlotte, April 2008
-  Mecklenburg County
-  Proposed Water Lines
-  Existing Water Lines
-  Proposed Gravity Sewer
-  Existing Gravity Sewer
-  Existing Sewer Force Main
-  Existing Sewer Pump Stations
-  Existing Sewer Manholes
-  Streams



This map graphically depicts the approximate location of proposed gravity sewer lines to serve the low points of existing publicly maintained roads and proposed water lines to provide fire protection in the proposed 2009 Annexation Qualifying Area in compliance with Charlotte Mecklenburg Utilities current Design Manual of Water and Sewer Policies, Procedures, Standards and Specifications. This map does not constitute a design and construction document.

CHARLOTTE-MECKLENBURG UTILITY DEPARTMENT	
ENGINEERING DIVISION CHARLOTTE, NORTH CAROLINA	
Job No.	File No.
Scale	
PLAN	2009 Annexation
PROJECT	Eastfield South Qualifying Area
As Built	Date
Surveyed By	Designed By
Drawn By	Project Engineer