

ORDINANCE NO. _____

THE TOWNS AT MALLARD MILLS

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

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

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

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held in the Meeting Chamber of the Charlotte - Mecklenburg Government Center, 600 E. Fourth Street, Charlotte, N.C. at 7:00 p.m. on February 24, 2020 after due notice by the Mecklenburg Times on February 11, 2020; and

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

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the City of Charlotte as of February 24, 2020:

LEGAL DESCRIPTION

BEGINNING at an existing rebar on the northerly margin of the right-of-way of Mallard Creek Rd, being a common corner of the property of DD Mallard Creek LLC (now or formerly) recorded in Deed Book 32884 Page 77; thence following the common line thereof fourteen (14) calls: (1) with a bearing of N 09°01'58" W and a distance of 543.38' to a point; (2) with a bearing of N 39°39'28" E and a distance of 48.11' to a point; (3) with a bearing of N 58°13'02" E and a distance of 58.60' to a point; (4) with a bearing of N 60°40'36" E and a distance of 67.07' to a point; (5) with a bearing of N 53°32'37" E and a distance of 59.09' to a point; (6) with a bearing of N 51°20'34" E and a distance of 36.89' to a point; (7) with a bearing of N

50°45'33" E and a distance of 59.55' to a point; (8) with a bearing of N 47°21'25" E and a distance of 57.85' to a point; (9) with a bearing of N 46°44'56" E and a distance of 47.32' to a point; (10) with a bearing of N 46°53'01" E and a distance of 49.22' to a point; (11) with a bearing of N 47°35'55" E and a distance of 31.05' to a point; (12) with a bearing of N 48°17'26" E and a distance of 52.23' to a point; (13) with a bearing of N 80°57'50" E and a distance of 50.33' to a point; (14) with a bearing of N 09°02'10" W and a distance of 572.07' to an existing bent rebar on the common line of the property of Mill Creek Master Association of Mecklenburg Inc (now or formerly) recorded in Deed Book 12546, Page 484 and shown on Map Book 35, Page 267, said common line also being the existing city limits line; thence following the common line and existing city limits line with a bearing of N 60°54'24" E and a distance of 30.49' to an existing rebar, being the common corner of the property of RSH Apartments SPE LLC (now or formerly) recorded in Deed Book 33266, Page 360 and shown on Map Book 46, Page 145 and the common corner of the property of Phyllis Stewart (now or formerly) recorded in Deed Book 9789, Page 794; thence leaving the current city limits line and following the common line of Stewart three (3) calls: (1) with a bearing of S 09°02'10" E and a distance of 122.60' to a point; (2) with a bearing of S 46°51'14" E and a distance of 658.61' to a point; (3) with a bearing of N 83°49'59" E and a distance of 27.62' to a point in the common line of the property of Terry C Philips (now or formerly) recorded in Deed Book 4596, Page 848; thence following the common line of Philips with a bearing of N 40°07'54" E and a distance of 147.02' to a point; thence with a bearing of S 46°55'37" E and a distance of 288.61' to a point; thence with a curve to the right having a radius of 1827.99' and an arc length of 93.25', and being chorded by a bearing of S 37°19'26" W and a distance of 93.24' to a point; thence with a bearing of N 46°53'06" W and a distance of 208.40' to a point; thence with a curve to the right having a radius of 130.50' and an arc length of 96.78', and being chorded by a bearing of S 62°35'13" W and a distance of 94.58' to a point; thence with a bearing of S 83°49'59" W and a distance of 60.00' to a point; thence with a curve to the left having a radius of 119.50' and an arc length of 10.80', and being chorded by a bearing of S 81°14'41" W and a distance of 10.79' to a point on the common line of Philips; thence following the common line of Philips two (2) calls: (1) with a bearing of S 40°07'54" W and a distance of 90.59' to a point; (2) with a bearing of S 55°59'39" E and a distance of 352.25' to an existing rebar on the northerly margin of the right-of-way of Mallard Creek Rd; thence following said right-of-way seven (7) calls: (1) with a bearing of S 48°59'57" W and a distance of 29.96' to a point; (2) with a bearing of S 49°01'59" W and a distance of 265.65' to a point; (3) with a bearing of S 50°08'32" W and a distance of 63.10' to a point; (4) with a curve to the right having a radius of 570.00' and an arc length of 173.49', and being chorded by a bearing of S 58°51'42" W and a distance of 172.82' to a point; (5) with a bearing of S 67°34'52" W and a distance of 119.69' to an existing rebar; (6) with a bearing of S 67°37'04" W and a distance of 122.63' to an existing rebar; (7) with a bearing of S 67°41'31" W and a distance of 429.56' to an existing rebar; being the point of BEGINNING, having an area of 17.177 acres more or less, as shown on a survey by Carolina Surveyors, Inc.

Section 2. Upon and after February 24, 2020 the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Charlotte and shall be entitled to the same privileges and benefits as other parts of the City of Charlotte. Said territory shall be subject to municipal taxes according to G.S.160A-58.10.

Section 3. Subject to change in accordance with applicable law, the annexed territory described above shall be included in the following Council electoral district 4:

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

Adopted this _____ day of _____.

APPROVED AS TO FORM:

Charlotte City Attorney