

ORDINANCE NO. _____ **WATERMARK AT MALLARD CREEK AREA
ANNEXATION**

**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 during a virtual meeting that was accessible via the Government Channel, the City's Facebook page, or the City's YouTube page at 5:00 p.m. on January 25, 2021 after due notice by the Mecklenburg Times on January 5, 2021; 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 22, 2021:

LEGAL DESCRIPTION

BEGINNING AT AN EXISTING NCDOT RIGHT-OF-WAY DISK AT THE INTERSECTION OF THE SOUTHERN MARGIN OF THE VARIABLE WIDTH PUBLIC RIGHT-OF-WAY OF MALLARD CREEK ROAD AND THE EASTERN MARGIN OF THE VARIABLE WIDTH PUBLIC RIGHT-OF-WAY OF AMANDA ELLEN ROAD, BEING THE NORTHWESTERLY MOST CORNER OF MALLARD CREEK CHARLOTTE NC, LLC AS RECORDED IN THE MECKLENBURG COUNTY PUBLIC REGISTRY IN DEED BOOK 35191, PAGE 806, SAID DISK LYING N 66°25'51" E, 182.52' FROM AN EXISTING NCDOT RIGHT-OF-WAY DISK ON THE LANDS OWNED BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION; THENCE, FROM SAID POINT OF BEGINNING, ALONG AND WITH THE RIGHT-OF-WAY OF MALLARD CREEK ROAD N 67°58'12" E, 158.68' TO A NEW#5 REBAR SET, A COMMON CORNER WITH JANET ELAINE BLANCHARD & CHARLES MICHAEL BLANCHARD AS RECORDED IN THE MECKLENBURG COUNTY PUBLIC REGISTRY IN DEED BOOK 19999, PAGE 942; THENCE, DEPARTING THE RIGHT-OF-WAY OF MALLARD CREEK ROAD AND ALONG AND WITH THE WESTERN BOUNDARIES OF BLANCHARD, S 02°09'26" W, 446.61' TO AN EXISTING BENT AXLE, A COMMON CORNER WITH MALLARD CREEK CHARLOTTE NC, LLC AS RECORDED IN THE MECKLENBURG COUNTY PUBLIC REGISTRY IN DEED BOOK 35191, PAGE 806; THENCE, ALONG AND WITH THE NORTHERN BOUNDARIES OF MALLARD CREEK CHARLOTTE NC, LLC 64°03'48" E, 495.34' TO A NEW#5 REBAR SET ALONG THE WESTERN MARGIN OF THE VARIABLE WIDTH

PUBLIC RIGHT-OF-WAY OF ODELL SCHOOL ROAD; THENCE, ALONG AND WITH THE RIGHT-OF-WAY OF ODELL SCHOOL ROAD, WITH A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 950.00', AN ARC LENGTH OF 166.73' AND HAVING A CHORD BEARING AND DISTANCE OF S 07°07'42" W, 166.51' TO AN EXISTING NCDOT RIGHT-OF-WAY DISK; THENCE, S 80°51'05" E, 29.84' TO AN EXISTING NCDOT RIGHT-OF-WAY DISK; THENCE, WITH A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 488.51', AN ARC LENGTH OF 219.41' AND HAVING A CHORD BEARING AND DISTANCE OF S 21°52'49" W, 217.57' TO A NEW#5 REBAR SET; THENCE, S 34°44'50" W, 135.63' TO A NEW#5 REBAR SET, A COMMON CORNER WITH MALLARD CREEK CHARLOTTE NC, LLC AS RECORDED IN THE MECKLENBURG COUNTY PUBLIC REGISTRY IN DEED BOOK 35191, PAGE 806; THENCE, TURNING AND CROSSING ODELL SCHOOL ROAD, S 19°48'54" E, 49.19' TO A NEW#5 REBAR SET ALONG THE EASTERN MARGIN OF THE RIGHT-OF-WAY OF ODELL SCHOOL ROAD, A COMMON CORNER OF HICKORY GROVE BAPTIST CHURCH AS RECORDED IN DEED BOOK 8023, PAGE 218; THENCE, DEPARTING THE RIGHT-OF-WAY OF ODELL SCHOOL ROAD AND ALONG AND WITH THE WESTERN BOUNDARIES OF HICKORY GROVE BAPTIST CHURCH S 19° 48'56" E, 272.45' TO A NEW#5 REBAR SET IN AN OLD STUMP; THENCE S 04°58'50" W, 320.32' TO A FOUND CONCRETE MONUMENT. A COMMON CORNER WITH ISSV REAL TY HOLDINGS OF NORTH CAROLINA LLC AS RECORDED IN DEED BOOK 30834, PAGE 281; THENCE, ALONG AND WITH THE WESTERN BOUNDARIES OF ISSV REALTY HOLDINGS OF NORTH CAROLINA LLC S 04°58'09" W, 420.44' TO A FOUND #4 REBAR ALONG THE NORTHERN MARGIN OF THE VARIABLE WIDTH PUBLIC RIGHT-OF-WAY OF RIDGE ROAD; THENCE, ALONG AND WITH THE RIGHT-OF-WAY OF RIDGE ROAD N 42°48'43"W, 440.28' TO AN EXISTING NCDOT RIGHT-OF-WAY DISK AT THE INTERSECTION WITH THE EASTERN MARGIN OF THE RIGHT-OF-WAY OF ODELL SCHOOL ROAD; THENCE, CROSSING THE INTERSECTION OF RIDGE ROAD AND ODELL SCHOOL ROAD, N 42° 48'15" W, 168.76' TO AN EXISTING NCDOT RIGHT-OF-WAY DISK, THE SOUTHERN MOST CORNER OF MALLARD CREEK CHARLOTTE NC, LLC AS RECORDED IN THE MECKLENBURG COUNTY PUBLIC REGISTRY IN DEED BOOK 35191, PAGE 817; THENCE, ALONG AND WITH THE SOUTHERN BOUNDARY OF MALLARD CREEK CHARLOTTE NC, LLC AND THE RIGHT-OF-WAY OF RIDGE ROAD N 42°49'46" W, 500.00' TO AN EXISTING NCDOT RIGHT-OF-WAY DISK AT THE INTERSECTION OF THE EASTERN MARGIN OF THE RIGHT-OF-WAY OF AMANDA ELLEN ROAD; THENCE, ALONG AND WITH THE RIGHT-OF-WAY OF AMANDA ELLEN ROAD THE FOLLOWING FIVE (5) COURSES AND DISTANCES (1) N 06°11'48" E, 39.67' TO A NEW #5 REBAR SET; THENCE, (2) N 47°09'59" E, 323.92' TO AN EXISTING NCDOT RIGHT-OF-WAY DISK; THENCE, (3) WITH A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 420.00', AN ARC LENGTH OF 247.53' AND HAVING A CHORD BEARING AND DISTANCE OF N 30°17'53" E, 243.96' TO A NEW#5 REBAR SET; THENCE, (4) WITH A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 420.00', AN ARC LENGTH OF 259.74' AND HAVING A CHORD BEARING AND DISTANCE OF N 04°18'08" W, 255.62' TO AN EXISTING NCDOT RIGHT-OF-WAY DISK; THENCE, (5) N 22°02'53" W, 167.57' TO THE POINT OF BEGINNING AND CONTAINING 15.916 ACRES.

LESS AND EXCEPT THE AREA WITHIN THE RIGHT-OF-WAY OF ODELL SCHOOL ROAD, CONTAINING 1.022 ACRES, AS DESCRIBED AS FOLLOWS:

BEGINNING AT A NEW#5 REBAR SET ALONG THE EASTERN MARGIN OF THE RIGHT-OF-WAY OF ODELL SCHOOL ROAD, BEING THE NORTHERLY MOST CORNER OF MALLARD CREEK CHARLOTTE NC, LLC AS RECORDED IN DEED BOOK 33298, PAGE 355; THENCE, ALONG AND WITH THE EASTERN MARGIN OF THE RIGHT-OF-WAY OF ODELL SCHOOL ROAD WITH A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 2047.00', AN ARC LENGTH OF 296.54' AND HAVING A CHORD BEARING AND DISTANCE OF S 30°05'58" W, 296.28' TO A NEW#5 REBAR SET; THENCE, S 25°56'52" W, 36.78' TO A NEW#5 REBAR SET; THENCE, WITH A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 1006.90', AN ARC LENGTH OF 115.46' AND HAVING A CHORD BEARING AND DISTANCE OF S 22°39'45" W, 115.40' TO A NEW #5 REBAR SET; THENCE, WITH A

CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 1006.90', AN ARC LENGTH OF 2.90' AND HAVING A CHORD BEARING AND DISTANCE OF S19°17'42" W, 2.90' TO AN EXISTING NCDOT RIGHT-OF-WAY DISK; THENCE, S 70°43'56" E, 29.43' TO AN EXISTING NCDOT RIGHT-OF-WAY DISK; THENCE, S 21°46'04" W, 207.26' TO A NEW#5 REBAR SET; THENCE, S 09°37'21" W, 8.41' TO A NEW#5 REBAR SET; THENCE, S 09°33'18" W, 63.08' TO AN EXISTING NCDOT RIGHT-OF-WAY DISK; THENCE, N 42°48'15" W, 168.76' TO AN EXISTING NCDOT RIGHT-OF-WAY DISK; THENCE, ALONG AND WITH THE RIGHT-OF-WAY OF ODELL SCHOOL ROAD N 62°42'15" E, 60.39' TO AN EXISTING NCOOT RIGHT-OF-WAY DISK; THENCE, N 21°21'34" E, 87.61' TO A NEW#5 REBAR SET; THENCE, N 21°21'34" E, 65.19' AN EXISTING NCDOT RIGHT-OF-WAY DISK; THENCE, S 71°10'01" E, 29.57' TO A NEW#5 REBAR SET; THENCE, WITH A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 1046.90', AN ARC LENGTH OF 124.74' AND HAVING A CHORD BEARING AND DISTANCE OF N 22°32'03" E, 124.67' TO A NEW#5 REBAR SET; THENCE, N 25°56'52" E, 36.78' TO A NEW#5 REBAR SET; THENCE, WITH A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 2087.00', AN ARC LENGTH OF 320.51' AND HAVING A CHORD BEARING AND DISTANCE OF N 30°20'56" E, 320.19' TO A NEW#5 REBAR SET; THENCE, N 34°44'50" E, 10.70' TO A NEW#5 REBAR SET; THENCE, S 19°48'54" E, 49.19' TO THE POINT OF BEGINNING, CONTAINING 1.022 ACRES.

Section 2. Upon and after February 22, 2021 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