

**FAYETTEVILLE CITY COUNCIL
AGENDA
REGULAR MEETING
MAY 10, 2010
7:00 P.M.**

VISION STATEMENT

**The City of Fayetteville
is a GREAT PLACE TO LIVE with
a choice of DESIRABLE NEIGHBORHOODS,
LEISURE OPPORTUNITIES FOR ALL,
and BEAUTY BY DESIGN.**

**Our City has a VIBRANT DOWNTOWN,
the CAPE FEAR RIVER to ENJOY, and
a STRONG LOCAL ECONOMY.**

**Our City is a PARTNERSHIP of CITIZENS
with a DIVERSE CULTURE and RICH HERITAGE,
creating a SUSTAINABLE COMMUNITY.**



FAYETTEVILLE CITY COUNCIL
AGENDA
MAY 10, 2010
7:00 P.M.
City Hall Council Chamber

1.0 CALL TO ORDER

2.0 INVOCATION

3.0 PLEDGE OF ALLEGIANCE

4.0 APPROVAL OF AGENDA

5.0 ANNOUNCEMENTS AND RECOGNITIONS

6.0 PUBLIC FORUM

The public forum is designed to invite citizen input and discussion. The public forum is held on the second Monday of every month and shall be the first item of business after the Approval of the Agenda. The public forum shall last no longer than 15 minutes. The Mayor shall have the discretion to extend the public forum up to 30 minutes. Each speaker shall have up to two (2) minutes to speak. Anyone desiring to speak may sign up in advance with the City Clerk located on the Second Floor, City Hall, 433 Hay Street, Fayetteville, N.C., by FAX at (910) 433-1980, or by e-mail at cityclerk@ci.fay.nc.us. If speakers provide the subject matter ahead of the meeting, the City staff can ensure that appropriate information is available at the meeting. This information, however, is not required.

7.0 CONSENT

- 7.1 City Attorney - Consider Adoption of Resolution Authorizing an Interlocal Agreement and Transfer of Surplus Property to Cumberland County to Acquire the Texfi Property
- 7.2 City Manager's Office - FY 2011 State Legislative Agenda
- 7.3 Development Services (Planning & Zoning Division) - Adopt a Resolution Pursuant to NCGS 160A-31 and 160A-58.7 - Stating the Intent of the City to Annex Property Owned by the City that is Contiguous and Noncontiguous to the Existing City Limits of the Fayetteville Regional Airport and Setting May 24, 2010 as a Date for a Public Hearing (Airport Properties Areas 1 through 11)

- 7.4 Development Services (Planning & Zoning Division) - Adopt a Resolution Pursuant to NCGS 160A-58.2 - Setting May 24, 2010 as the date for a Public Hearing for a Petition-Initiated Noncontiguous Annexation Area (Eureka Chapel Missionary Baptist Church - Located on the NE corner of Jossie Street and McArthur Road)
- 7.5 Development Services (Planning & Zoning Division) -Special Sign Permit Request for up to 20 temporary event signs for the Cumberland CommuniCare Barbecue Event on May 21, 2010. Signs would be put out on May 17, 2010.
- 7.6 Engineering & Infrastructure - Recommendation of Bid Award for 2010 Street Resurfacing
- 7.7 Finance - Approve the Redemption of the Outstanding Municipal Building Projects, Series 1996 Bonds and Adopt Budget Ordinance Amendment 2010-6 (City of Fayetteville Finance Corporation - Bond Redemption)
- 7.8 Finance - Capital Project Ordinance 2010-18 and Resolution Authorizing Grant (FY2010 Transit Capital Grant)
- 7.9 Finance - Capital Project Ordinance Amendment 2010-30 (Texfi Property Acquisition)
- 7.10 Finance - Capital Project Ordinance Closeout 2010-15 (Demolition of City-Owned Buildings)
- 7.11 Finance - Special Revenue Fund Project Ordinance 2010-17 and Resolution Authorizing the Grant (FY2010 Transit Planning Grant 464)
- 7.12 Finance - Special Revenue Fund Project Ordinance 2010-18 (2010 Badges for Baseball Program)
- 7.13 Finance - Special Revenue Fund Project Ordinance 2010-19 (FY 2010 Cultural Arts Program)
- 7.14 Finance - Special Revenue Fund Project Ordinance Amendment 2010-6 (Energy Efficiency and Conservation Block Grant)
- 7.15 PWC - Financial Matters: Capital Project Fund Resolution and Initial Budget; Budget Amendment #1 – Annexation Phase V Reserve Fund for FY 2010 and Budget Amendment #5 – Water and Wastewater Utility Systems Rate Stabilization
- 7.16 PWC - Consider Adoption of Resolution and Order to File and Publish a Preliminary Assessment Resolution for the Extension of the Sanitary Sewer Collection System within Areas 8 and 9 of the Phase 5 Annexation.

7.17 Special Projects - Cape Fear Rivertrail-Phase 2. Land conveyance to Clean Water Trust Fund to obtain funding to build trail.

7.18 Transit - Set a Public Hearing Regarding the Transit Farebox Recovery

8.0 PUBLIC HEARINGS

For certain issues, the Fayetteville City Council may sit as a quasi-judicial body that has powers resembling those of a court of law or judge. The Council will hold hearings, investigate facts, weigh evidence and draw conclusions which serve as a basis for its decisions. All persons wishing to appear before the Council should be prepared to give sworn testimony on relevant facts.

8.1 An amendment to City Code Chapter 30-Zoning to allow fencing in certain side yard areas subject to allowed materials and height standards.

Presenter: Rob Anderson, Chief Development Officer, Development Services Department

9.0 OTHER ITEMS OF BUSINESS

9.1 Fiscal Year 2010-2011 Recommended Budget

Presenter: Dale E. Iman, City Manager

10.0 ADJOURNMENT

CLOSING REMARKS

POLICY REGARDING NON-PUBLIC HEARING AGENDA ITEMS

Anyone desiring to address the Council on an item that is not a public hearing must present a written request to the City Manager by 10:00 a.m. on the Wednesday preceding the Monday meeting date.

POLICY REGARDING PUBLIC HEARING AGENDA ITEMS

Individuals wishing to speak at a public hearing must register in advance with the City Clerk. The Clerk's Office is located in the Executive Offices, Second Floor, City Hall, 433 Hay Street, and is open during normal business hours. Citizens may also register to speak immediately before the public hearing by signing in with the City Clerk in the Council Chamber between 6:30 p.m. and 7:00 p.m.

POLICY REGARDING CITY COUNCIL MEETING PROCEDURES SPEAKING ON A PUBLIC AND NON-PUBLIC HEARING ITEM

Individuals who have not made a written request to speak on a nonpublic hearing item may submit written materials to the City Council on the subject matter by providing twenty (20) copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.

**COUNCIL MEETING WILL BE AIRED
MAY 10, 2010 - 7:00 PM
COMMUNITY CHANNEL 7**

**COUNCIL MEETING WILL BE RE-AIRED
MAY 12, 2010 - 10:00 PM
COMMUNITY CHANNEL 7**

Notice Under the Americans with Disabilities Act (ADA): *The City of Fayetteville will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Any person who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in any City program, service, or activity, should contact the office of Ron McElrath, ADA Coordinator, at rmcelrath@ci.fay.nc.us, 910-433-1696, or the office of Rita Perry, City Clerk at cityclerk@ci.fay.nc.us, 910-433-1989, as soon as possible but no later than 72 hours before the scheduled event.*

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Karen M. McDonald, City Attorney
DATE: May 10, 2010
RE: **City Attorney - Consider Adoption of Resolution Authorizing an Interlocal Agreement and Transfer of Surplus Property to Cumberland County to Acquire the Texfi Property**

THE QUESTION:

Whether Council desires to acquire the Texfi property.

RELATIONSHIP TO STRATEGIC PLAN:

More Attractive City - Clean and Beautiful; Capital Improvement Plan

BACKGROUND:

The City desires to purchase through foreclosure proceedings the abandoned property formerly owned by Texfi Industries located at PIN Nos. 0438-95-1325, 0438-74-9413, and 0438-96-4009. The foreclosure will allow the City to take advantage of funding opportunities through EPA grants and the City's Capital Improvement Plan to make this site environmentally safe. The acquisition will also expand the Clark Park Recreation Area, complete Phase II of the River Trail, and help protect the Cape Fear River for the benefit of all City and County residents.

ISSUES:

The outstanding taxes and fees as of March 31, 2010, are \$411,043.41. Of the taxes and fees, \$175,913.81 is owed to the City and \$235,129.60 is owed to the County. By statute, the County cannot waive outstanding taxes. The County is in need of two horse trailers and a vehicle which the City has as surplus property. If the City is the highest bidder at the foreclosure sale, the City will transfer title and ownership to the surplus property to the County. If the City is not the highest bidder, the City will have no obligation to transfer the property to the County.

OPTIONS:

1. Adopt the resolution authorizing the Interlocal Agreement and the transfer of surplus property and the execution of any and all other agreements needed to complete the acquisition of the Texfi property.
2. Do not adopt the resolution authorizing the Interlocal Agreement and the transfer of surplus property and the execution of any and all other agreements needed to complete the acquisition of the Texfi property.
3. Provide additional direction to staff.

RECOMMENDED ACTION:

Adopt the resolution authorizing the Interlocal Agreement and the transfer of surplus property and any and all other agreements needed to complete the acquisition of the Texfi property.

ATTACHMENTS:

Resolution
Interlocal Cooperation Agreement

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE
AUTHORIZING AN INTERLOCAL AGREEMENT FOR THE TRANSFER OF
SURPLUS PROPERTY TO CUMBERLAND COUNTY IN EXCHANGE FOR A TAX
GRANT BACK FOR THE PURCHASE OF THE TEXFI PROPERTY**

WHEREAS, the City Council of the City of Fayetteville (hereinafter “City”) hereby determines that it is necessary and in the public interest to acquire certain property for the following public purposes:

The future reuse and expansion of the Clark Park Recreation Area, completion of Phase II of the River Trail, and protection of the Cape Fear River by acquisition through tax foreclosure of the property formerly known as “Texfi”; and

WHEREAS, taxes, interest, and fees in the amount of \$411,043.41 are due on the said property. Of the taxes and fees, \$175,913.81 is owed to the City and \$235,129.60 is owed to Cumberland County (hereinafter “County”); and

WHEREAS, the County supports the objectives of the City in acquiring said property and the benefits that City ownership of said property will bring to County residents; and

WHEREAS, the County is in need of a vehicle and trailers for transport of animals by their Animal Services Department; and

WHEREAS, the parties agree to enter into an interlocal agreement to effectuate the City’s acquisition of the property through a transfer of City-owned surplus property to the County in exchange for a tax grant back.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fayetteville, that the City of Fayetteville shall in consideration of the mutual obligations set forth above, which are incorporated herein, the sufficiency and receipt of which is hereby acknowledged, pursuant to N.C.G.S. § 160A-461, enter into an Interlocal Cooperation Agreement with Cumberland County to transfer the agreed upon surplus property, pursuant to

N.C.G.S. § 160A-280, in exchange for a grant back of taxes paid to Cumberland County, after successful acquisition of the Texfi property through foreclosure.

ADOPTED this _____ day of _____, 2010.

CITY OF FAYETTEVILLE

By: _____
ANTHONY G. CHAVONNE, Mayor

ATTEST:

RITA PERRY, City Clerk

STATE OF NORTH CAROLINA

INTERLOCAL COOPERATION AGREEMENT

COUNTY OF CUMBERLAND

THIS INTERLOCAL COOPERATION AGREEMENT made and entered into this _____ day of April, 2010, by and between the CITY OF FAYETTEVILLE, a municipal corporation located in Cumberland County, North Carolina (hereinafter the "CITY"), and CUMBERLAND COUNTY, a political subdivision of the State of North Carolina (hereinafter the "COUNTY").

WITNESSETH:

WHEREAS, CITY desires to purchase through foreclosure proceedings the abandoned property formerly owned by TEXFI Industries located at Pin Numbers 0438-95-1325, 0438-74-9413, and 0438-96-4009 (hereinafter the "TEXFI Site").

WHEREAS, CITY has submitted an application for a Brownfields Agreement with the North Carolina Department of Environment and Natural Resources (DENR).

WHEREAS, award of a Brownfields designation will benefit CITY and COUNTY residents in that environmental contaminants on the TEXFI Site will be abated.

WHEREAS, cleanup of the TEXFI Site is beneficial to both the CITY and COUNTY as it will make the land suitable for reuse and protection of the PWC Hoffer Water Treatment Facility and the Cape Fear River.

WHEREAS, the foreclosure will allow the CITY to take advantage of funding opportunities with EPA grants and the CITY's Capital Improvement Plan to make the site environmentally safe and expand the Clark Park Recreation Area and complete Phase II of the River Trail for the benefit of all CITY and COUNTY residents.

WHEREAS, CITY will bear all costs associated with the acquisition of TEXFI Site.

WHEREAS, CITY and COUNTY taxes, interest, and fees in the amount of \$411,043.41 are due on the said property (hereinafter "Taxes").

WHEREAS, COUNTY is in need of a vehicle and trailer for transport of animals by Animal Services.

WHEREAS, the CITY, pursuant to N.C.G.S. § 160A-280, has a vehicle and a three-horse trailer in its surplus inventory.

WHEREAS, the abatement of the environmental dangers, future reuse and expansion of the Clark Park Recreation Area, completion of Phase II of the River Trail, and protection of the Cape Fear River, is of a great value to the COUNTY as well as the CITY.

NOW, THEREFORE, in consideration of the mutual obligations set forth below, the sufficiency and receipt of which is hereby acknowledged, pursuant to N.C.G.S. § 160A-461, the parties do hereby enter into this Interlocal Cooperation Agreement as follows:

1. The outstanding Taxes and fees as of March 31, 2010, are \$411,043.41. Of the Taxes and fees, \$175,913.81 is owed to the CITY and \$235,129.60 is owed to the COUNTY.

2. If the CITY is the highest bidder at the foreclosure sale, the CITY shall transfer title and ownership to the COUNTY the following surplus property: F350 Pickup 1992 Ford, Vehicle Identification Number 1FTJF35M8NNB18629, and a Three-Horse Trailer, Serial Number 1D9CS1826BP363719, free and clear, "AS IS".

3. The COUNTY shall grant back all COUNTY taxes received as a result of the CITY's successful acquisition of the property and within 30 days of receipt of the taxes or the confirmation of the sale, whichever occurs last.

4. In the event the CITY is not the highest bidder, the CITY will have no obligation to transfer the aforementioned property to the COUNTY and the COUNTY will be under no obligation to the CITY.

5. Neither party shall transfer nor assign its rights under this Agreement, nor grant any interest, privilege, or rights whatsoever under this Agreement.

6. The parties covenant and agree that this Interlocal Cooperation Agreement contains the entire agreement between them and that the terms hereof are contractual and not a mere recital. The parties acknowledge that the consideration recited herein constitutes the sole consideration for this Agreement, and that no other promises, statements, or representations except as appear herein have been made by any party (or any agent, attorney, or representative thereof) to induce either party enter into this Agreement.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the parties hereunto have set their hands and seals by authority duly given and intending thereby to be bound, as of the date and year first above written.

CITY OF FAYETTEVILLE

By: _____
DALE E. IMAN, City Manager

ATTEST:

RITA PERRY, City Clerk

CUMBERLAND COUNTY

By: _____
JAMES MARTIN, County Manager

ATTEST:

MARIE COLGAN, County Clerk

APPROVED AS TO LEGAL SUFFICIENCY:

KAREN M. MCDONALD, City Attorney

RICK MOOREFIELD, County Attorney

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

I, _____, a Notary Public for said County and State, do hereby certify that RITA PERRY personally appeared before me this day and acknowledged that she is the CITY CLERK for the CITY OF FAYETTEVILLE, a North Carolina Municipal Corporation, and that by authority duly given and as the act of the CITY OF FAYETTEVILLE, the foregoing instrument was signed in its name by its CITY MANAGER, DALE E. IMAN, sealed with its corporate seal and attested by RITA PERRY as its CITY CLERK.

WITNESS my hand and official seal, this the _____ day of April, 2010.

(Official Seal)

NOTARY PUBLIC

My commission expires: _____

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

I, _____, a Notary Public for said County and State, do hereby certify that MARIA COLGAN personally appeared before me this day and acknowledged that she is the COUNTY CLERK for CUMBERLAND COUNTY, a political subdivision of the State of North Carolina, and that by authority duly given and as the act of CUMBERLAND COUNTY, the foregoing instrument was signed in its name by its COUNTY MANAGER, JAMES MARTIN, sealed with its corporate seal and attested by MARIA COLGAN as its COUNTY CLERK.

WITNESS my hand and official seal, this the _____ day of April, 2010.

(Official Seal)

NOTARY PUBLIC

My commission expires: _____

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Douglas J. Hewett, Assistant City Manager
DATE: May 10, 2010
RE: **City Manager's Office - FY 2011 State Legislative Agenda**

THE QUESTION:

Does the proposed FY 2011 state legislative agenda meet the City Council's interest?

RELATIONSHIP TO STRATEGIC PLAN:

Supporting the legislative agenda and lobbying strategy is a high priority policy agenda item for the City goal of More Efficient City Government.

BACKGROUND:

The North Carolina General Assembly (NCGA) reconvenes on May 12, 2010. Fayetteville's legislative delegation's support and advocacy is instrumental in assisting the City with acquiring authority to establish certain programs and in securing community assets. To ensure the delegation is aware of the City's needs and interests, a short legislative agenda is prepared for their review and action. The following list represents the needs and interests identified thus far for presentation to the delegation prior to the May 12 session.

ISSUES:

The needs and interest for FY2011 that have been identified thus far are as follows:

- Parity of fines for speeding convictions in school zones and construction zones
- Advocate for local authority to boot vehicles for unpaid parking fine
- Support legislation to appropriate additional funds to the State Fire Protection Grant Fund to provide additional compensation to local fire districts and municipalities for providing local fire protection to state-owned buildings
- Support legislation that would provide additional funding for local transit systems
- Support legislation that would provide additional funding that address local transportation infrastructure needs highlighting I -295 as a priority.
- Oppose any efforts to balance the State budget using any state collected local government revenues
- Advocate for legislation supporting local ABC commission
- Oppose legislation which creates unfunded mandates for local governments
- Support the legislation revising the nuisance abatement law
- Oppose legislation that would impose a moratorium on local governments providing broadband services to the general public in their community
- Advocate for funding of local projects that prepare the City to meet the needs of its citizens and growing City.
- Support legislation that would revise the State Safelight program to ensure effectiveness of the program and to protect municipal resources and interests.

OPTIONS:

1. Approve, modify or reject recommendations
2. Take no action at this time.

RECOMMENDED ACTION:

Approve the FY 2011 state legislative agenda for presentation to the City's legislative delegation for their review and action.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Marsha Bryant, Planner II
DATE: May 10, 2010
RE: **Development Services (Planning & Zoning Division) - Adopt a Resolution Pursuant to NCGS 160A-31 and 160A-58.7 - Stating the Intent of the City to Annex Property Owned by the City that is Contiguous and Noncontiguous to the Existing City Limits of the Fayetteville Regional Airport and Setting May 24, 2010 as a Date for a Public Hearing (Airport Properties Areas 1 through 11)**

THE QUESTION:

Setting a Public Hearing Date to consider annexation of 11 areas (a total of 34 parcels). Ten areas are contiguous (33 parcels) and one area is noncontiguous (1 parcel - Area 7) to the existing city limit line around the Fayetteville Regional Airport. All 34 parcels are owned by the City of Fayetteville.

RELATIONSHIP TO STRATEGIC PLAN:

Strong Local Economy

BACKGROUND:

This is a City Initiated Annexation of City owned properties. At this time there are no new plans for development or use of these properties. These 34 properties are divided into 11 areas (10 being contiguous and 1 being noncontiguous). There is also a portion of 3 right-of-ways included in the annexations. Please see the attached table for information about each area in regards to the size, location, and current use of the properties as well as street right-of-ways to be included in the annexations.

ISSUES:

These parcels are owned by the City of Fayetteville and are not located within the City Limits of Fayetteville. City Council must hold a public hearing prior to voting on the annexation of property.

OPTIONS:

1. Set the Public Hearing date for May 24, 2010
2. Set a later date for a Public Hearing
3. Don't adopt the Resolutions to set the public hearing for annexation of these properties

RECOMMENDED ACTION:

Staff recommends that Council:

Move to adopt the attached Resolutions Setting a Public Hearing Date for the annexation of these properties for May 24, 2010.

ATTACHMENTS:

Table - Summary of Properties
Area 1 Information
Resolution of Intent - Area 1
Area 2 Information
Resolution of Intent - Area 2
Area 3 Information
Resolution of Intent - Area 3

Area 4 Information

Resolution of Intent - Area 4

Area 5 Information

Resolution of Intent - Area 5

Area 6 Information

Resolution of Intent - Area 6

Area 7 Information

Resolution of Intent - Area 7

Area 8 Information

Resolution of Intent - Area 8

Area 9 Information

Resolution of Intent - Area 9

Area 10 Information

Resolution of Intent - Area 10

Area 11 Information

Resolution of Intent - Area 11

City Owned Airport Properties for Annexation

March 2010

Total Number of Parcels: 34

(Divided into 11 different Areas/Maps – 10 Areas Contiguous and 1 Area Noncontiguous)

Total of Streets Included: 3

Area	Number of Parcels	Contiguous or Noncontiguous	Streets Included	Acreage	Land Use	County Zoning	2010	Parcel Numbers
Area 1	7	Contiguous	Pinehaven Drive (a portion is paved and a portion is unpaved)	89.31 (Parcel – 85.99 R-O-W – 3.32)	3 houses on lots 1, 3, & 4 remaining is wooded	RR Rural Residential and M(P) Industrial	Heavy Industrial	0435-45-7890 0435-33-2495 0435-33-6704 0435-33-8936 0435-44-0007 0435-44-1169 0435-44-2391
Area 2	1	Contiguous	A portion of unnamed drive (unpaved)	2.10 (Parcel – 1.96 R-O-W – .14)	Wooded	RR Rural Residential	Medium Density Residential	0435-76-3851
Area 3	18	Contiguous	Foot Hill Drive (non-existing)	16.14 (Parcel 15.31 R-O-W – .83)	Wooded	R15 Residential	Medium Density Residential	0435-78-2163 0435-78-3046 0435-78-5218 0435-78-6204 0435-78-7320 0435-78-9215 0435-78-6089 0435-77-7762 0435-77-7598 0435-77-8417 0435-77-8366 0435-77-9964 0435-77-9681 0435-88-0203 0435-88-1201 0435-87-2845 0435-87-1845 0435-87-0859

Area	Number of Parcels	Contiguous or Noncontiguous	Streets Included	Acreage	Land Use	County Zoning	2010	Parcel Numbers
Area 4	1	Contiguous	None	18.20	Wooded	M(P) Industrial	Heavy Industrial	0445-10-1281
Area 5	1	Contiguous	None	1.29	House and Wooded	M(P) Industrial	Heavy Industrial	0434-87-5085
Area 6	1	Contiguous	None	46.58	Wooded	M(P) Industrial	Heavy Industrial	0434-48-4715
Area 7	1	Noncontiguous	None	.46	House	M(P) Industrial	Heavy Industrial	0434-26-5285
Area 8	1	Contiguous	None	.61	Wooded	M(P) Industrial	Heavy Industrial	0434-26-5547
Area 9	1	Contiguous	None	2.17	Wooded	M(P) Industrial	Heavy Industrial	0434-26-1208
Area 10	1	Contiguous	None	1.22	Wooded	M(P) Industrial	Heavy Industrial	0434-26-1963
Area 11	1	Contiguous	None	.55	Cleared	M(P) Industrial	Heavy Industrial	0434-48-9901

BASIC INFORMATION ABOUT THE AREA PROPOSED FOR ANNEXATION

Date Petition Received: City Initiated/City Owned Property

Annexation Date: Effective Date:

Annexation Number:

1. Name of Area:	Airport Property Area 1
2. Petitioner:	City of Fayetteville
3. Location:	Eastern and Western sides of Pinehaven Drive and to include a portion of Pinehaven Drive
4. Tax Identification Number (PIN):	0435-45-7890, 0435-33-2495, 0435-33-6704, 0435-33-8936, 0435-44-0007, 0435-44-1169, 0435-44-2391
5. Fire Department Affected by Annexation:	Pearces Mill
6. Is the Area Contiguous:	Yes
7. Type of Proposed Annexation:	City Initiated Contiguous Annexation
8. Background:	Property owned by the City (Fayetteville Regional Airport)
9. Reason the Annexation is Proposed:	City Owned Property currently not within the City Limits
10. Number of Acres in Area:	89.31 (includes 3.32 acres of right-of-way)
11. Type of Development in Area:	<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing <input checked="" type="checkbox"/> Vacant
12. Present Conditions:	<p>a. <u>Present Land Use:</u> 3 residential homes and vacant/wooded land</p> <p>b. <u>Present Number of Housing Units:</u> 3</p> <p>c. <u>Present Demographics:</u> 7</p> <p>d. <u>Present Streets:</u> Pinehaven Drive (paved and unpaved right-of-way)</p>
13. Factors Likely to Affect Future of Area:	<p>a. <u>Plans of Owner:</u> Airport Property</p> <p>b. <u>Development Controls</u></p> <p>1. <u>Land Use Plan</u></p> <p>a. <u>2010 Plan:</u> Heavy Industrial</p> <p>2. <u>Zoning</u></p> <p>a. <u>Current Zoning in County:</u> RR Rural Residential and M(P) Industrial Districts</p> <p>b. <u>Likely Zoning After Annexation:</u> Unzoned</p> <p>c. <u>Maximum number of units allowed based on the zoning:</u> n/a</p>
14. Expected Future Conditions:	<p>a. <u>Future Land Use:</u> Airport Use</p> <p>b. <u>Future Number of Housing Units:</u> none</p> <p>c. <u>Future Demographics:</u> none</p> <p>d. <u>Future Streets:</u> Pinehaven Drive</p>

BASIC INFORMATION ABOUT THE AREA PROPOSED FOR ANNEXATION

Date Petition Received: City Initiated/City Owned Property

Annexation Date: _____ **Effective Date:** _____

Annexation Number: _____

	e. <u>Water and Sewer Service:</u> PWC f. <u>Electric Service:</u> PWC
15. Tax Value Land and Structures:	\$1,067,893

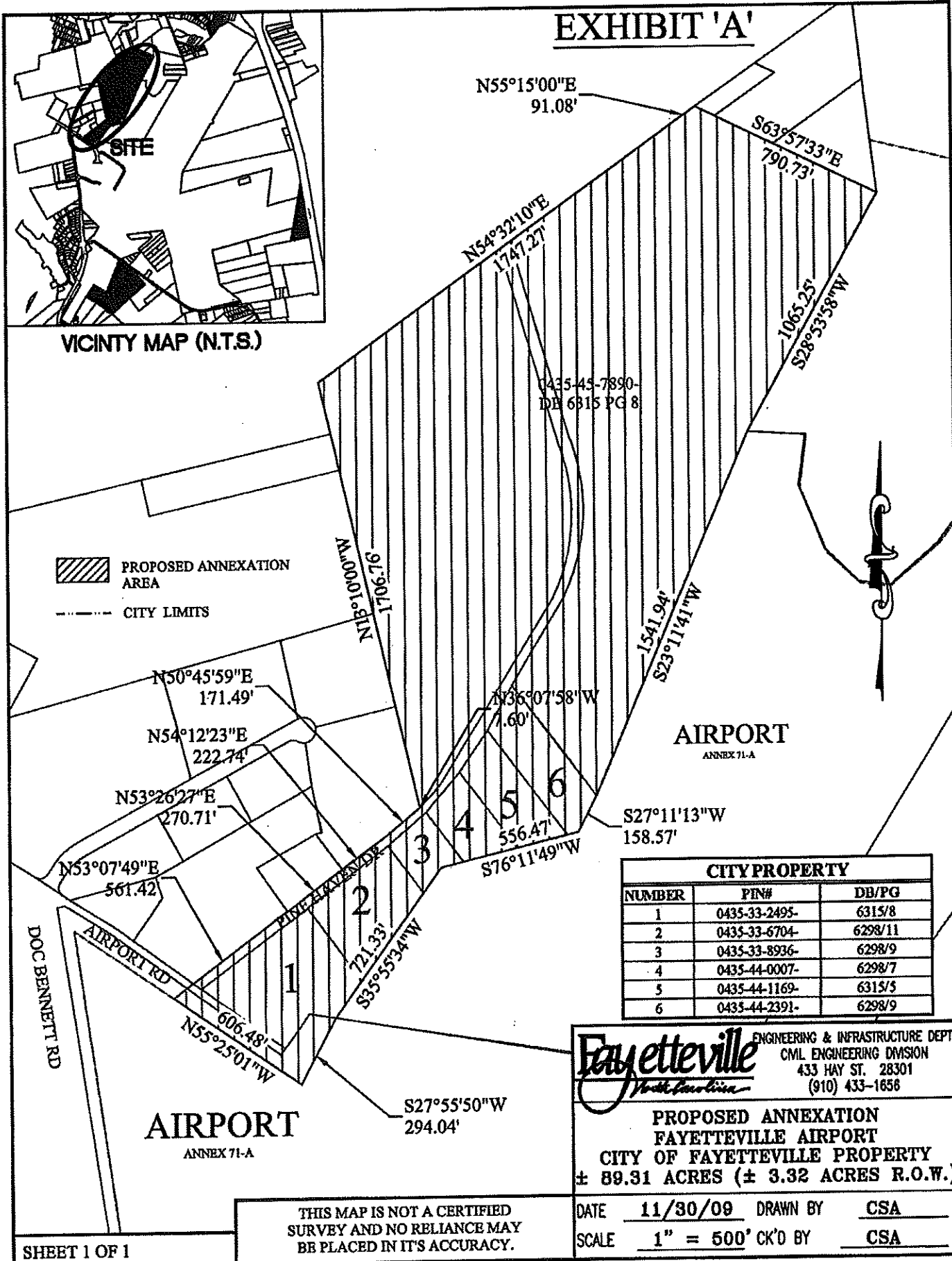
City Owned Airport Property Area 1



**Contiguous City Owned/City Initiated Annexation
7 parcels and Pinehaven Drive (paved and unpaved right-of-way)
89.31 acres (Parcels 85.99 and Right-of-Way 3.32)**



EXHIBIT 'A'



SHEET 1 OF 1

CITY OF FAYETTEVILLE (AIRPORT)
PROPOSED ANNEXATION
PINE HAVEN DRIVE
0435-33-2495, 0435-33-6704, 0435-33-8936
0435-44-0007, 0435-44-1169, 0435-44-2391

BEGINNING at a point located in the western right-of-way of a private drive known as Pine Haven Drive (60' wide) and the southern corner of a tract acquired from Will Z. Gibson, Jr. and wife Debbie Gibson, Sylvia G. Parnell and husband Ray Boyd Parnell, described in Deed Book 6315, Page 8, Cumberland County Registry; thence along the western property line of said parcel North 13 degrees 10 minutes 00 seconds West 1706.76 feet to a point in said property line; thence continuing with said property line North 54 degrees 32 minutes 10 seconds East 1747.27 feet; thence North 55 degrees 15 minutes 00 seconds East 91.08 feet to the northern most corner of said parcel; thence continuing to follow said property line South 63 degrees 57 minutes 33 seconds East 790.73 feet; thence South 28 degrees 53 minutes 58 seconds West 1065.25 feet to a point in the eastern property line of aforementioned parcel, said point being on the existing City Limit Line as established by Annexation 71-A, dated May 23, 1969; thence with the existing City Limit Line South 23 degrees 11 minutes 41 seconds West 1541.94 feet to the southwest corner of parcel identified by Tax PIN 0435-44-2391; thence continuing with the City Limit Line and aforementioned parcel South 27 degrees 11 minutes 13 seconds West 158.57 feet; thence South 76 degrees 11 minutes 49 seconds West 556.47 feet to a point in the southern property line of parcel identified by Tax PIN 0435-33-8936; thence continuing along City Limit Line South 35 degrees 55 minutes 34 seconds West 721.33 feet to a point in the southern boundary of a parcel identified as Tax PIN 0435-33-2495; thence continuing with City Limit Line South 27 degrees 55 minutes 50 seconds West 294.04 feet; thence continuing to follow City Limit Line North 55 degrees 25 minutes 01 seconds West 606.48 feet to a point in the western right-of-way of Airport Road (60' right-of-way); thence leaving said City Limit Line crossing Airport Road right-of-way North 53 degrees 07 minutes 49 seconds East 561.42 feet, said line being located on the northern

right-of-way of Pine Haven Drive; thence continuing along said right-of-way the following courses and distance: North 53 degrees 26 minutes 27 seconds East 270.71 feet; North 54 degrees 12 minutes 23 seconds East 222.74 feet; North 50 degrees 45 minutes 59 seconds East 171.49 feet; North 36 degrees 07 minutes 58 seconds West 7.60 feet to the **BEGINNING**.....containing 89.31 acres more or less.

**Airport Property--Area 1 -- (Located
on the Eastern and Western sides of
Pinehaven Drive)**

**A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO
ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS
CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO
N.C.G.S. 160A-31**

BE IT RESOLVED by the City Council of the City of Fayetteville that:

Section 1. It is the intent of the City Council, pursuant to G.S. 160A-31, to annex the property described in Section 2, which is owned by the City of Fayetteville.

Section 2. The legal description of the property is as follows:

**CITY OF FAYETTEVILLE (AIRPORT PROPERTY -- AREA 1)
PINE HAVEN DRIVE**

BEGINNING at a point located in the western right-of-way of a private drive known as Pine Haven Drive (60' wide) and the southern corner of a tract acquired from Will Z. Gibson, Jr. and wife Debbie Gibson, Sylvia G. Parnell and husband Ray Boyd Parnell, described in Deed Book 6315, Page 8, Cumberland County Registry; thence along the western property line of said parcel North 13 degrees 10 minutes 00 seconds West 1706.76 feet to a point in said property line; thence continuing with said property line North 54 degrees 32 minutes 10 seconds East 1747.27 feet; thence North 55 degrees 15 minutes 00 seconds East 91.08 feet to the northern most corner of said parcel; thence continuing to follow said property line South 63 degrees 57 minutes 33 seconds East 790.73 feet; thence South 28 degrees 53 minutes 58 seconds West 1065.25 feet to a point in the eastern property line of aforementioned parcel, said point being on the existing City Limit Line as established by Annexation 71-A, dated May 23, 1969; thence with the existing City Limit Line South 23 degrees 11 minutes 41 seconds West 1541.94 feet to the southwest corner of parcel identified by Tax PIN 0435-44-2391; thence continuing with the City Limit Line and aforementioned parcel South 27 degrees 11 minutes 13 seconds West 158.57 feet; thence South 76 degrees 11 minutes 49 seconds West 556.47 feet to a point in the southern property line of parcel identified by Tax PIN 0435-33-8936; thence continuing along City Limit Line South 35 degrees 55 minutes 34 seconds West 721.33 feet to a point in the southern boundary of a parcel identified as Tax PIN 0435-33-2495; thence continuing with City Limit Line South 27 degrees 55 minutes 50 seconds West 294.04 feet; thence continuing to follow City Limit Line North 55 degrees 25 minutes 01 seconds West 606.48 feet to a point in the western right-of-way of Airport Road (60' right-of-way); thence leaving said City Limit Line crossing Airport Road right-of-way North 53 degrees 07 minutes 49 seconds East 561.42 feet, said line being located on the northern right-of-way of Pine Haven Drive; thence continuing along said right-of-way the following courses and distance: North 53 degrees 26 minutes 27 seconds East 270.71 feet; North 54 degrees 12 minutes 23 seconds East 222.74 feet; North 50 degrees 45 minutes 59 seconds East 171.49 feet; North 36 degrees 07 minutes 58 seconds West 7.60 feet to the **BEGINNING**.....containing 89.31 acres more or less.

Section 3. The property described in Section 2 is contiguous to the current municipal boundaries.

Section 4. A public hearing on the question of annexation of the property will be held at City Hall Council Chambers at 7:00 p.m. on May 24, 2010.

Section 5. Notice of the public hearing shall be published in the Fayetteville Observer Times, a newspaper having general circulation in the City of Fayetteville of North Carolina, at least ten (10) days prior to the date of the public hearing.

Adopted this _____ day of _____, 2010.

BY: _____

Anthony G. Chavonne, Mayor

ATTEST:

Rita Perry, City Clerk

BASIC INFORMATION ABOUT THE AREA PROPOSED FOR ANNEXATION

Date Petition Received: City Initiated/City Owned Property

Annexation Date: Effective Date:

Annexation Number:

1. Name of Area:	Airport Property Area 2
2. Petitioner:	City of Fayetteville
3. Location:	South of the eastern end of Wolfberry Drive
4. Tax Identification Number (PIN):	0435-76-3851
5. Fire Department Affected by Annexation:	Pearces Mill
6. Is the Area Contiguous:	Yes
7. Type of Proposed Annexation:	City Initiated Contiguous Annexation
8. Background:	Property owned by the City (Fayetteville Regional Airport)
9. Reason the Annexation is Proposed:	City Owned Property currently not within the City Limits
10. Number of Acres in Area:	2.10 (includes .14 acres of right-f-way)
11. Type of Development in Area:	___ New ___ Existing <u>X</u> Vacant
12. Present Conditions:	a. <u>Present Land Use:</u> vacant/wooded land b. <u>Present Number of Housing Units:</u> 0 c. <u>Present Demographics:</u> 0 d. <u>Present Streets:</u> unnamed platted right-of-way (unpaved right-of-way)
13. Factors Likely to Affect Future of Area:	a. <u>Plans of Owner:</u> Airport Property b. <u>Development Controls</u> 1. <u>Land Use Plan</u> a. <u>2010 Plan:</u> Medium Density Residential 2. <u>Zoning</u> a. <u>Current Zoning in County:</u> RR Rural Residential District b. <u>Likely Zoning After Annexation:</u> Unzoned c. <u>Maximum number of units allowed based on the zoning:</u> n/a
14. Expected Future Conditions:	a. <u>Future Land Use:</u> Airport Use b. <u>Future Number of Housing Units:</u> none c. <u>Future Demographics:</u> none d. <u>Future Streets:</u> unnamed right-of-way e. <u>Water and Sewer Service:</u> PWC f. <u>Electric Service:</u> PWC
15. Tax Value Land and Structures:	\$16,875

**City Owned Airport Property
Area 2**



**Contiguous City Owned/City Initiated Annexation
1 parcel and a portion of an unnamed drive (unpaved right-of-way)
2.10 total acres (Parcel - 1.96 and Right-of-Way .14)**

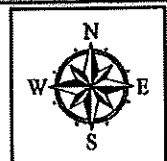
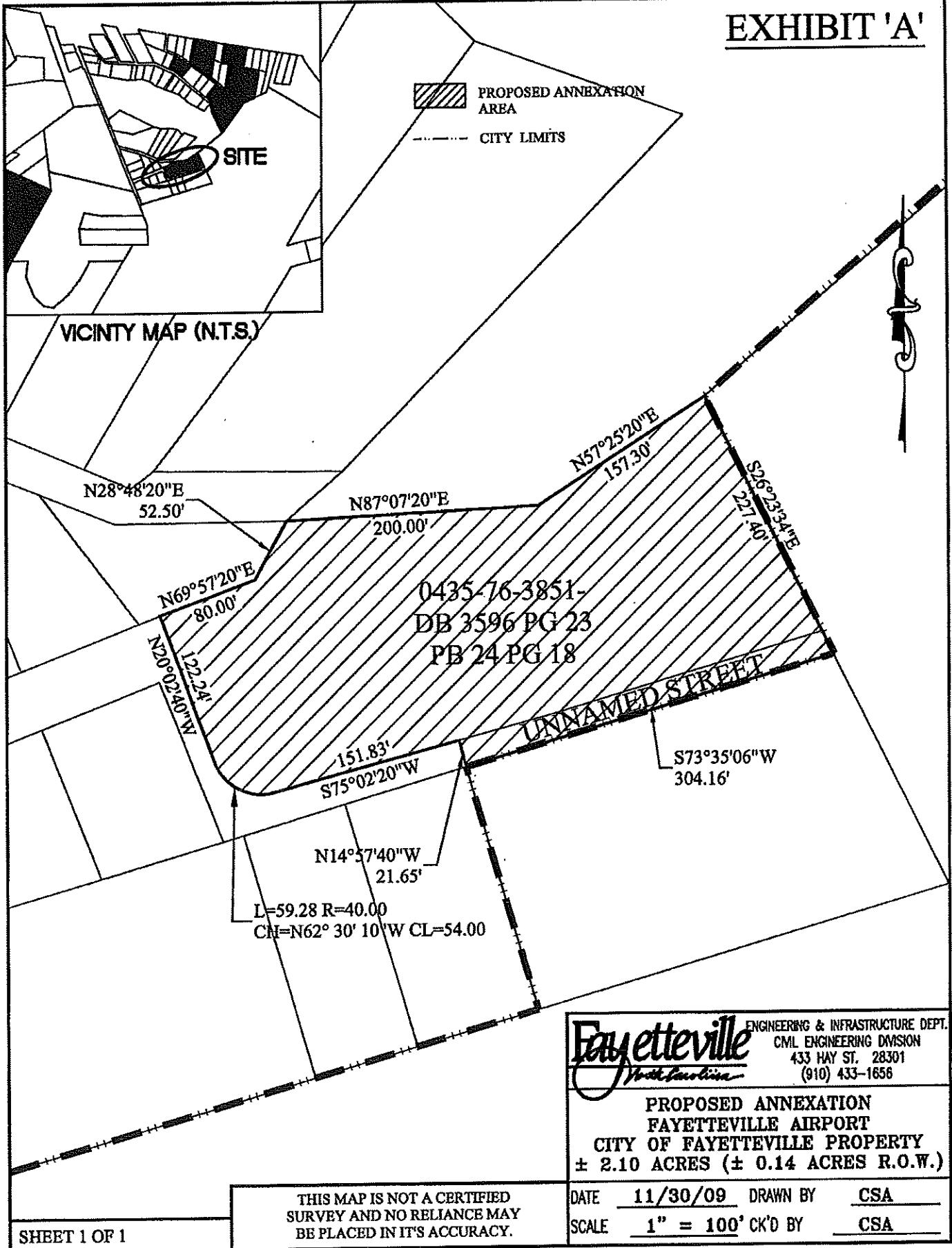


EXHIBIT 'A'



**CITY OF FAYETTEVILLE (AIRPORT)
PROPOSED ANNEXATION
RIGHT-OF-WAY FOR UNNAMED STREET
0435-76-3851**

BEGINNING at a point in the existing City Limit Line as established by Annexation 71-A, dated May 23, 1969, said point being the northwestern corner of a 2.7 acre tract acquired from E. G. Brisson; thence with the existing City Limit Line South 26 degrees 23 minutes 34 seconds East 227.40 feet to the northeast corner of Lot 1 of Mount Haven "South Section" Subdivision, as per plat of same duly recorded in Plat Book 24, Page 18; thence with the existing City Limit Line and running with the northern property lines of lots 1, 2 and 3, South 73 degrees 35 minutes 06 seconds West 304.16 feet to the northwest corner of Lot 3; thence leaving the existing City Limit Line and crossing an unnamed street North 14 degrees 57 minutes 40 seconds West 21.65 feet to the southern property line of lot 17, aforesaid subdivision; thence South 75 degrees 02 minutes 20 seconds West 151.83 feet to a curve; thence on a curve to the right having a radius of 40 feet and an arc length of 59.28 feet, having a chord bearing and distance of North 62 degrees 30 minutes 10 seconds West 54 feet to the western property line of lot 16; thence with the western property line of Lot 16, North 20 degrees 02 minutes 40 seconds West 122.24 feet to the westernmost corner of Lot 16, aforesaid subdivision; thence North 69 degrees 57 minutes 20 seconds East 80 feet; thence North 28 degrees 48 minutes 20 seconds East 52.50 feet; thence North 87 degrees 07 minutes 20 seconds East 200 feet; thence North 57 degrees 25 minutes 20 seconds East 157.30 feet to the **BEGINNING**.....containing 2.10 acres more or less.

Airport Property--Area 2 -- (Located
South of the Eastern end of
Wolfberry Drive)

**A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO
ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS
CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO
N.C.G.S. 160A-31**

BE IT RESOLVED by the City Council of the City of Fayetteville that:

Section 1. It is the intent of the City Council, pursuant to G.S. 160A-31, to annex the property described in Section 2, which is owned by the City of Fayetteville.

Section 2. The legal description of the property is as follows:

**CITY OF FAYETTEVILLE (AIRPORT PROPERTY -- AREA 2)
SOUTHEAST OF WOLFBERRY DRIVE**

BEGINNING at a point in the existing City Limit Line as established by Annexation 71-A, dated May 23, 1969, said point being the northwestern corner of a 2.7 acre tract acquired from E. G. Brisson; thence with the existing City Limit Line South 26 degrees 23 minutes 34 seconds East 227.40 feet to the northeast corner of Lot 1 of Mount Haven "South Section" Subdivision, as per plat of same duly recorded in Plat Book 24, Page 18; thence with the existing City Limit Line and running with the northern property lines of lots 1, 2 and 3, South 73 degrees 35 minutes 06 seconds West 304.16 feet to the northwest corner of Lot 3; thence leaving the existing City Limit Line and crossing an unnamed street North 14 degrees 57 minutes 40 seconds West 21.65 feet to the southern property line of lot 17, aforesaid subdivision; thence South 75 degrees 02 minutes 20 seconds West 151.83 feet to a curve; thence on a curve to the right having a radius of 40 feet and an arc length of 59.28 feet, having a chord bearing and distance of North 62 degrees 30 minutes 10 seconds West 54 feet to the western property line of lot 16; thence with the western property line of Lot 16, North 20 degrees 02 minutes 40 seconds West 122.24 feet to the westernmost corner of Lot 16, aforesaid subdivision; thence North 69 degrees 57 minutes 20 seconds East 80 feet; thence North 28 degrees 48 minutes 20 seconds East 52.50 feet; thence North 87 degrees 07 minutes 20 seconds East 200 feet; thence North 57 degrees 25 minutes 20 seconds East 157.30 feet to the **BEGINNING.....**containing 2.10 acres more or less.

Section 3. The property described in Section 2 is contiguous to the current municipal boundaries.

Section 4. A public hearing on the question of annexation of the property will be held at City Hall Council Chambers at 7:00 p.m. on May 24, 2010.

Section 5. Notice of the public hearing shall be published in the Fayetteville Observer Times, a newspaper having general circulation in the City of Fayetteville of North Carolina, at least ten (10) days prior to the date of the public hearing.

Adopted this _____ day of _____, 2010.

BY: _____

Anthony G. Chavonne, Mayor

ATTEST:

Rita Perry, City Clerk

BASIC INFORMATION ABOUT THE AREA PROPOSED FOR ANNEXATION

Date Petition Received: City Initiated/City Owned Property

Annexation Date: _____ **Effective Date:** _____

Annexation Number: _____

1. Name of Area:	Airport Property Area 3
2. Petitioner:	City of Fayetteville
3. Location:	Southern side of East Mountain Drive and Northern side of Mt. Haven Lake Road
4. Tax Identification Number (PIN):	0435-78-2163, 0435-78-3046, 0435-78-5218, 0435-78-6204, 0435-78-7320, 0435-78-9215, 0435-78-6089, 0435-77-7762, 0435-77-7598, 0435-77-8417, 0435-77-8366, 0435-77-9964, 0435-77-9681, 0435-88-0203, 0435-88-1201, 0435-87-2845, 0435-87-1845, 0435-87-0859
5. Fire Department Affected by Annexation:	Pearces Mill
6. Is the Area Contiguous:	Yes
7. Type of Proposed Annexation:	City Initiated Contiguous Annexation
8. Background:	Property owned by the City (Fayetteville Regional Airport)
9. Reason the Annexation is Proposed:	City Owned Property currently not within the City Limits
10. Number of Acres in Area:	16.14 (includes .83 acres of right-f-way)
11. Type of Development in Area:	____ New ____ Existing <u> X </u> Vacant
12. Present Conditions:	a. <u>Present Land Use:</u> vacant/wooded land b. <u>Present Number of Housing Units:</u> 0 c. <u>Present Demographics:</u> 0 d. <u>Present Streets:</u> Foot Hill Drive (non-existing right-of-way)
13. Factors Likely to Affect Future of Area:	a. <u>Plans of Owner:</u> Airport Property b. <u>Development Controls</u> 1. <u>Land Use Plan</u> a. <u>2010 Plan:</u> Medium Density Residential 2. <u>Zoning</u> a. <u>Current Zoning in County:</u> R15 Residential District b. <u>Likely Zoning After Annexation:</u> Unzoned c. <u>Maximum number of units allowed based on the zoning:</u> n/a
14. Expected Future Conditions:	a. <u>Future Land Use:</u> Airport Use b. <u>Future Number of Housing Units:</u> none c. <u>Future Demographics:</u> none

BASIC INFORMATION ABOUT THE AREA PROPOSED FOR ANNEXATION

Date Petition Received: City Initiated/City Owned Property

Annexation Date: _____ **Effective Date:** _____

Annexation Number: _____

	d. <u>Future Streets:</u> non-existing right-of-way e. <u>Water and Sewer Service:</u> PWC f. <u>Electric Service:</u> PWC
15. Tax Value Land and Structures:	\$104,064

**City Owned Airport Property
Area 3**



**Contiguous City Owned/City Initiated Annexation
18 parcels and Foot Hill Drive (unpaved right-of-way)
16.14 total acres (Parcels 15.31 and Right-of-Way .83)**

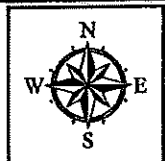


EXHIBIT 'A'

Parcel Line Table		
Line #	Length	Direction
L1	346.90	N10° 50' 51.27"E
L2	100.41	N76° 50' 58.77"W
L3	100.09	N76° 43' 53.83"W
L4	264.86	N10° 51' 05.43"E
L5	100.15	N79° 10' 53.83"W
L6	100.00	N79° 10' 53.83"W
L7	100.00	N79° 10' 53.83"W
L8	252.03	S10° 49' 03.73"W
L9	100.09	S76° 43' 53.83"E
L10	309.41	S10° 49' 06.17"W
L11	26.66	N52° 09' 08.11"W
L12	101.39	N46° 07' 26.88"W
L13	102.62	N51° 58' 53.83"W
L14	451.26	N10° 49' 07.97"E
L15	300.00	N79° 10' 50.49"W
L16	303.32	S10° 49' 03.38"W
L17	63.74	N54° 12' 53.83"W
L18	155.27	N59° 11' 49.48"W
L19	5.07	N70° 27' 53.83"W
L20	211.39	S25° 38' 50.74"W

Parcel Line Table		
Line #	Length	Direction
L21	79.70	S64° 21' 09.26"E
L22	120.30	S48° 05' 09.26"E
L23	192.91	N41° 54' 50.74"E
L24	100.57	S54° 12' 53.83"E
L25	82.81	S52° 07' 58.47"E
L26	100.01	S52° 02' 38.95"E
L27	114.19	S51° 58' 53.83"E
L28	207.50	S41° 04' 50.74"W
L29	69.00	S48° 37' 53.83"E
L30	42.00	S7° 20' 53.83"E
L31	112.20	S7° 20' 53.83"E
L32	173.10	S25° 26' 53.83"E
L33	127.50	S25° 26' 53.83"E
L34	151.40	N38° 12' 06.17"E
L35	39.37	N38° 10' 13.46"E
L36	281.48	N37° 57' 21.88"E
L37	36.73	N67° 41' 06.17"E
L38	119.60	N67° 41' 06.17"E

Fayetteville ENGINEERING & INFRASTRUCTURE DEPT.
CIVIL ENGINEERING DIVISION
433 HAY ST. 28301
(910) 433-1658

**PROPOSED ANNEXATION
FAYETTEVILLE AIRPORT
CITY OF FAYETTEVILLE PROPERTY
± 16.14 ACRES (±0.83 ACRES R.O.W.)**

SHEET 2 OF 2

THIS MAP IS NOT A CERTIFIED
SURVEY AND NO RELIANCE MAY
BE PLACED IN ITS ACCURACY.

DATE **11/30/09** DRAWN BY **CSA**
SCALE **N.T.S.** CK'D BY **CSA**

**CITY OF FAYETTEVILLE (AIRPORT)
PROPOSED ANNEXATION**

EAST MOUNTAIN DRIVE & FOOT HILL DRIVE

0435-78-2163, 0435-78-3046, 0435-78-5218, 0435-78-6204, 0435-78-7320, 0435-78-6089,
0435-78-9215, 0435-88-0203, 0435-88-1201, 0435-77-9964, 0435-87-0859, 0435-87-1845,
0435-87-2845, 0435-77-9681, 0435-77-8417, 0435-77-7598, 0435-77-7762, 0435-77-8366

BEGINNING at a point in the existing City Limit Line as established by Annexation 71-A, dated May 23, 1969, said point being the southeast corner of Lot 34 of Mount Haven Subdivision "Northeast Section", as per plat of same duly recorded in Plat Book 33, Page 29; thence leaving said City Limit Line and running with eastern property line of Lot 34 North 10 degrees 50 minutes 51.27 seconds East 346.90 feet to the northeast corner of said lot; thence North 76 degrees 50 minutes 58.77 seconds West 100.41 feet to the northeast corner of Lot 35; thence North 76 degrees 43 minutes 53.83 seconds West 100.09 feet to the southeast corner of Lot 28, Mount Haven Subdivision; thence North 10 degrees 51 minutes 05.43 seconds East 264.86 feet to the northeast corner of said lot, said point being in the southern right-of-way margin of Owen Drive (East Mountain Drive) having a 60 foot right-of-way; thence continuing with said right of way the following courses and distance: North 79 degrees 10 minutes 53.83 seconds West 100.15 feet; North 79 degrees 10 minutes 53.83 seconds West 100 feet; thence North 79 degrees 10 minutes 53.83 seconds West 100 feet; thence leaving said right-of-way South 10 degrees 49 minutes 03.73 seconds West 252.03 feet to the northwest corner of Lot 38, aforesaid subdivision; thence South 76 degrees 43 minutes 53.83 seconds East 100.09 feet to the northwest corner of Lot 37; thence South 10 degrees 49 minutes 06.17 seconds West 309.41 feet to a point in the northern property line of Lot 41; thence North 52 degrees 09 minutes 08.11 seconds West 26.66 feet to the right-of-way margin of Foot Hill Drive having a 30' right-of-way; thence continuing along said right-of-way North 46 degrees 07 minutes 26.88 seconds West 101.39 feet; thence North 51 degrees 58 minutes 53.83 seconds West 102.62 feet to the southeast corner of Lot 40; thence North 10 degrees 49 minutes 07.97 seconds East 451.26 feet to the northeast corner of Lot 24, said point being in the southern right-of-way margin of Owen Drive (East Mountain Drive);

thence continuing along said right-of-way North 79 degrees 10 minutes 50.49 seconds West 300 feet to the northwest corner of Lot 22; thence leaving said right-of-way South 10 degrees 49 minutes 03.38 seconds West 303.32 feet to the northern right-of-way margin of Foot Hill Drive; thence continuing along said right-of-way North 54 degrees 12 minutes 53.83 seconds West 63.74 feet; thence North 59 degrees 11 minutes 49.48 seconds West 155.27 feet; thence continuing along said right-of-way North 70 degrees 27 minutes 53.83 seconds West 5.07 feet; thence crossing said right-of-way South 25 degrees 38 minutes 50.74 seconds West 211.39 feet to the Southwest corner of Lot 8, said corner being in the right-of-way margin of Mount Haven Lake Road; thence continuing along said right-of-way South 64 degrees 21 minutes 09.26 seconds East 79.70 feet to the southwest corner of Lot 9; thence continuing with said right-of-way South 48 degrees 05 minutes 09.26 seconds East 120.30 feet to the southeast corner of Lot 9; thence leaving said right-of-way North 41 degrees 54 minutes 50.74 seconds East 192.91 feet to the southern right-of-way margin of Foot Hill Drive; thence along said right-of-way the following courses and distance: South 54 degrees 12 minutes 53.83 feet East 100.57 feet; South 52 degrees 07 minutes 58.47 seconds East 82.81 feet; South 52 degrees 02 minutes 38.95 seconds East 100.01 feet; thence South 51 degrees 58 minutes 53.83 seconds East 114.19 feet to the northwest corner of Lot 14, Mount Haven Subdivision; thence leaving said right-of-way South 41 degrees 04 minutes 50.74 seconds West 207.50 feet to the southwest corner of said Lot, corner being in the northern right-of-way margin of Mount Haven Lake Road; thence continuing along said right-of-way South 48 degrees 37 minutes 53.83 seconds East 69.00 feet; thence South 07 degrees 20 minutes 53.83 seconds East 42 feet to a point in the southern property line of Lot 14; thence leaving said right-of-way South 07 degrees 20 minutes 53.83 seconds East 112.20 feet to the southern corner of Lot 15; thence South 25 degrees 26 minutes 53.83 seconds East 173.10 feet to the southern corner of Lot 16; thence South 25 degrees 26 minutes 53.83 seconds East 127.50 feet to the southern margin of Lot 17, said point being in the City Limit Line as established by Annexation 71-A, dated May 23, 1969; thence continuing with said City Limit Line the following

courses and distances: North 38 degrees 12 minutes 06.17 seconds East 151.40 feet; North 38 degrees 10 minutes 13.46 seconds East 39.37 feet; North 37 degrees 57 minutes 21.88 seconds East 281.48 feet; North 67 degrees 41 minutes 06.17 seconds East 36.73 feet; North 67 degrees 41 minutes 06.17 seconds East 119.60 feet to the **BEGINNING**.....containing 16.14 acres more or less.

**Airport Property--Area 3 -- (Located
South of East Mountain Drive and
North of Mt. Haven Lake Road)**

**A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO
ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS
CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO
N.C.G.S. 160A-31**

BE IT RESOLVED by the City Council of the City of Fayetteville that:

Section 1. It is the intent of the City Council, pursuant to G.S. 160A-31, to annex the property described in Section 2, which is owned by the City of Fayetteville.

Section 2. The legal description of the property is as follows:

**CITY OF FAYETTEVILLE (AIRPORT PROPERTY -- AREA 3)
SOUTH OF EAST MOUNTAIN DRIVE
AND NORTH OF MT. HAVEN LAKE ROAD**

BEGINNING at a point in the existing City Limit Line as established by Annexation 71-A, dated May 23, 1969, said point being the southeast corner of Lot 34 of Mount Haven Subdivision "Northeast Section", as per plat of same duly recorded in Plat Book 33, Page 29; thence leaving said City Limit Line and running with eastern property line of Lot 34 North 10 degrees 50 minutes 51.27 seconds East 346.90 feet to the northeast corner of said lot; thence North 76 degrees 50 minutes 58.77 seconds West 100.41 feet to the northeast corner of Lot 35; thence North 76 degrees 43 minutes 53.83 seconds West 100.09 feet to the southeast corner of Lot 28, Mount Haven Subdivision; thence North 10 degrees 51 minutes 05.43 seconds East 264.86 feet to the northeast corner of said lot, said point being in the southern right-of-way margin of Owen Drive (East Mountain Drive) having a 60 foot right-of-way; thence continuing with said right of way the following courses and distance: North 79 degrees 10 minutes 53.83 seconds West 100.15 feet; North 79 degrees 10 minutes 53.83 seconds West 100 feet; thence North 79 degrees 10 minutes 53.83 seconds West 100 feet; thence leaving said right-of-way South 10 degrees 49 minutes 03.73 seconds West 252.03 feet to the northwest corner of Lot 38, aforesaid subdivision; thence South 76 degrees 43 minutes 53.83 seconds East 100.09 feet to the northwest corner of Lot 37; thence South 10 degrees 49 minutes 06.17 seconds West 309.41 feet to a point in the northern property line of Lot 41; thence North 52 degrees 09 minutes 08.11 seconds West 26.66 feet to the right-of-way margin of Foot Hill Drive having a 30' right-of-way; thence continuing along said right-of-way North 46 degrees 07 minutes 26.88 seconds West 101.39 feet; thence North 51 degrees 58 minutes 53.83 seconds West 102.62 feet to the southeast corner of Lot 40; thence North 10 degrees 49 minutes 07.97 seconds East 451.26 feet to the northeast corner of Lot 24, said point being in the southern right-of-way margin of Owen Drive (East Mountain Drive); thence continuing along said right-of-way North 79 degrees 10 minutes 50.49 seconds West 300 feet to the northwest corner of Lot 22; thence leaving said right-of-way South 10 degrees 49 minutes 03.38 seconds West 303.32 feet to the northern right-of-way margin of Foot Hill Drive; thence continuing along said right-of-way North 54 degrees 12 minutes 53.83 seconds West 63.74 feet; thence North 59 degrees 11 minutes 49.48 seconds West 155.27 feet; thence continuing along said right-of-way North 70 degrees 27 minutes 53.83

seconds West 5.07 feet; thence crossing said right-of-way South 25 degrees 38 minutes 50.74 seconds West 211.39 feet to the Southwest corner of Lot 8, said corner being in the right-of-way margin of Mount Haven Lake Road; thence continuing along said right-of-way South 64 degrees 21 minutes 09.26 seconds East 79.70 feet to the southwest corner of Lot 9; thence continuing with said right-of-way South 48 degrees 05 minutes 09.26 seconds East 120.30 feet to the southeast corner of Lot 9; thence leaving said right-of-way North 41 degrees 54 minutes 50.74 seconds East 192.91 feet to the southern right-of-way margin of Foot Hill Drive; thence along said right-of-way the following courses and distance: South 54 degrees 12 minutes 53.83 feet East 100.57 feet; South 52 degrees 07 minutes 58.47 seconds East 82.81 feet; South 52 degrees 02 minutes 38.95 seconds East 100.01 feet; thence South 51 degrees 58 minutes 53.83 seconds East 114.19 feet to the northwest corner of Lot 14, Mount Haven Subdivision; thence leaving said right-of-way South 41 degrees 04 minutes 50.74 seconds West 207.50 feet to the southwest corner of said Lot, corner being in the northern right-of-way margin of Mount Haven Lake Road; thence continuing along said right-of-way South 48 degrees 37 minutes 53.83 seconds East 69.00 feet; thence South 07 degrees 20 minutes 53.83 seconds East 42 feet to a point in the southern property line of Lot 14; thence leaving said right-of-way South 07 degrees 20 minutes 53.83 seconds East 112.20 feet to the southern corner of Lot 15; thence South 25 degrees 26 minutes 53.83 seconds East 173.10 feet to the southern corner of Lot 16; thence South 25 degrees 26 minutes 53.83 seconds East 127.50 feet to the southern margin of Lot 17, said point being in the City Limit Line as established by Annexation 71-A, dated May 23, 1969; thence continuing with said City Limit Line the following courses and distances: North 38 degrees 12 minutes 06.17 seconds East 151.40 feet; North 38 degrees 10 minutes 13.46 seconds East 39.37 feet; North 37 degrees 57 minutes 21.88 seconds East 281.48 feet; North 67 degrees 41 minutes 06.17 seconds East 36.73 feet; North 67 degrees 41 minutes 06.17 seconds East 119.60 feet to the **BEGINNING**.....containing 16.14 acres more or less.

Section 3. The property described in Section 2 is contiguous to the current municipal boundaries.

Section 4. A public hearing on the question of annexation of the property will be held at City Hall Council Chambers at 7:00 p.m. on May 24, 2010.

Section 5. Notice of the public hearing shall be published in the Fayetteville Observer Times, a newspaper having general circulation in the City of Fayetteville of North Carolina, at least ten (10) days prior to the date of the public hearing.

Adopted this _____ day of _____, 2010.

BY: _____

ATTEST:

Anthony G. Chavonne, Mayor

Rita Perry, City Clerk

BASIC INFORMATION ABOUT THE AREA PROPOSED FOR ANNEXATION

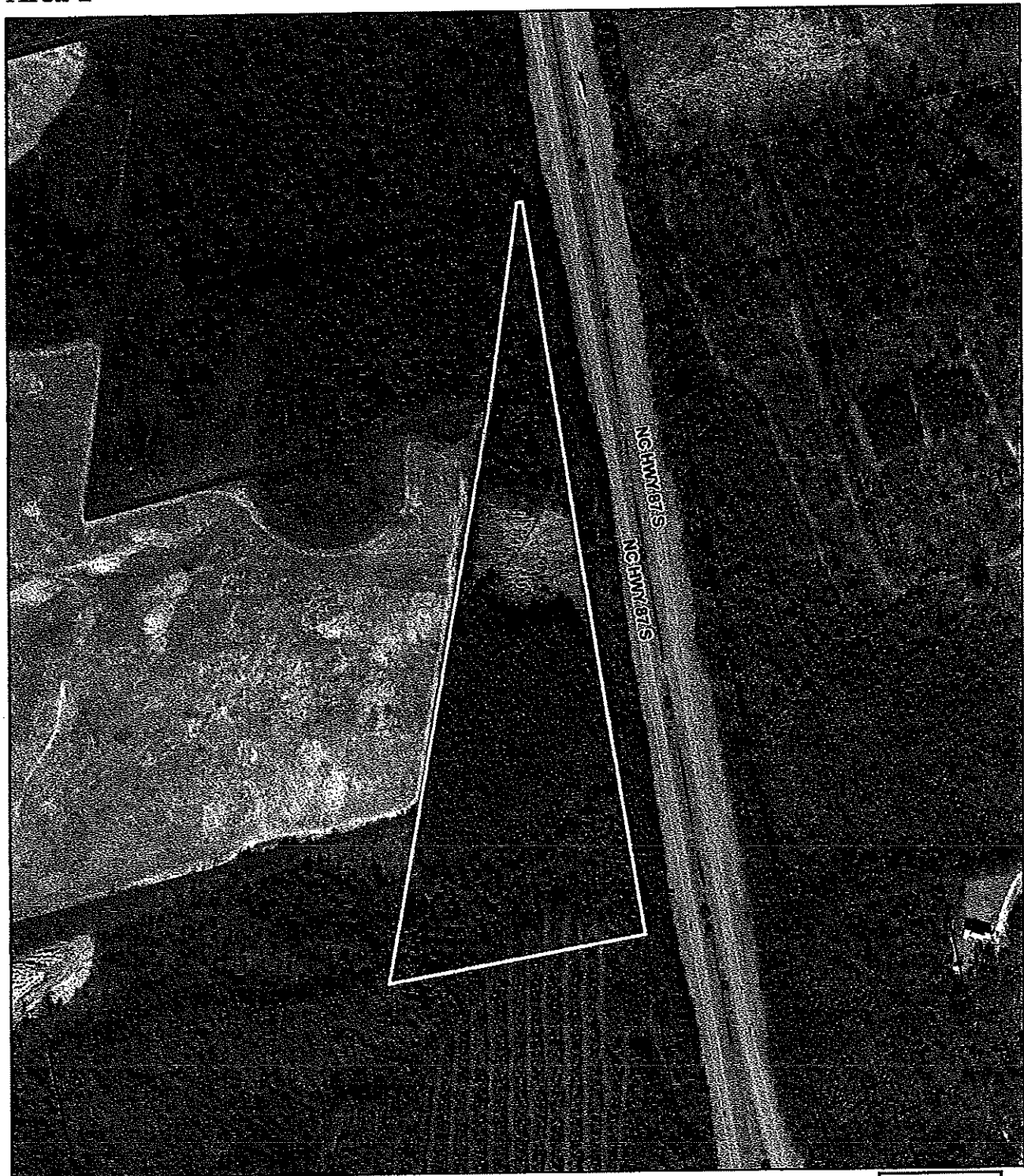
Date Petition Received: City Initiated/City Owned Property

Annexation Date: Effective Date:

Annexation Number:

1. Name of Area:	Airport Property Area 4
2. Petitioner:	City of Fayetteville
3. Location:	Western side of NC Hwy 87
4. Tax Identification Number (PIN):	0445-10-1281
5. Fire Department Affected by Annexation:	Pearces Mill
6. Is the Area Contiguous:	Yes
7. Type of Proposed Annexation:	City Initiated Contiguous Annexation
8. Background:	Property owned by the City (Fayetteville Regional Airport)
9. Reason the Annexation is Proposed:	City Owned Property currently not within the City Limits
10. Number of Acres in Area:	18.20
11. Type of Development in Area:	<input type="checkbox"/> New <input type="checkbox"/> Existing <input checked="" type="checkbox"/> Vacant
12. Present Conditions:	a. <u>Present Land Use:</u> vacant/wooded land b. <u>Present Number of Housing Units:</u> 0 c. <u>Present Demographics:</u> 0 d. <u>Present Streets:</u> none
13. Factors Likely to Affect Future of Area:	a. <u>Plans of Owner:</u> Airport Property b. <u>Development Controls</u> 1. <u>Land Use Plan</u> a. <u>2010 Plan:</u> Heavy Industrial 2. <u>Zoning</u> a. <u>Current Zoning in County:</u> M(P) Industrial District b. <u>Likely Zoning After Annexation:</u> Unzoned c. <u>Maximum number of units allowed based on the zoning:</u> n/a
14. Expected Future Conditions:	a. <u>Future Land Use:</u> Airport Use b. <u>Future Number of Housing Units:</u> none c. <u>Future Demographics:</u> none d. <u>Future Streets:</u> none e. <u>Water and Sewer Service:</u> PWC f. <u>Electric Service:</u> PWC
15. Tax Value Land and Structures:	\$47,137

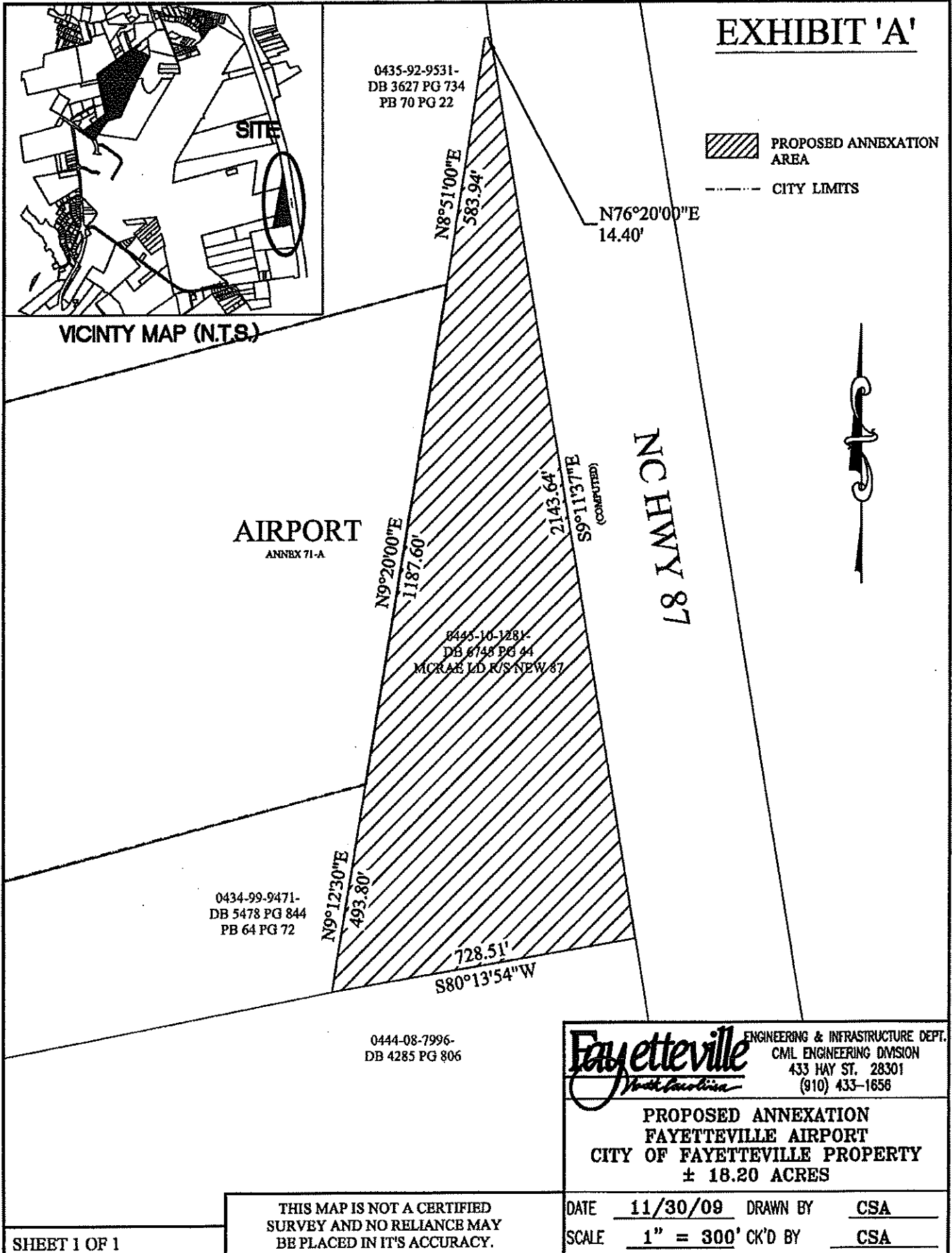
**City Owned Airport Property
Area 4**



Contiguous City Owned/City Initiated Annexation
1 parcel
18.20 acres



EXHIBIT 'A'



**CITY OF FAYETTEVILLE (AIRPORT)
PROPOSED ANNEXATION
0445-10-1281**

BEGINNING in the southeast corner of a 18.20 acre tract acquired from Nancy Butler Tyson more particularly described in Deed Book 6745, Page 44 Cumberland County Registry, said point being in the western right-of-way margin of North Carolina Highway 87; thence leaving said right-of-way South 80 degrees 13 minutes 54 seconds West 728.51 feet to the southwest corner of said parcel; thence North 09 degrees 12 minutes 30 seconds East 493.80 feet to a point in the existing City Limit Line as established by Annexation 71-A, dated May 23, 1969; thence continuing with City Limit Line North 09 degrees 20 minutes 00 seconds East 1187.60 feet to a point in the western property line of aforesaid lot; thence leaving said City Limit Line North 08 degrees 51 minutes 00 seconds East 583.94 feet; thence North 76 degrees 20 minutes 00 seconds East 14.40 feet to the northern most point of said parcel, said point being on the western right-of-way margin of North Carolina Highway 87; thence continuing along said right-of-way on computed bearing and distance of South 09 degrees 11 minutes 37 seconds East 2143.64 feet to the point of **BEGINNING**.....containing 18.20 acres more or less.

**Airport Property--Area 4 -- (Located
on the Western side of NC Hwy 87)**

**A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO
ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS
CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO
N.C.G.S. 160A-31**

BE IT RESOLVED by the City Council of the City of Fayetteville that:

Section 1. It is the intent of the City Council, pursuant to G.S. 160A-31, to annex the property described in Section 2, which is owned by the City of Fayetteville.

Section 2. The legal description of the property is as follows:

**CITY OF FAYETTEVILLE (AIRPORT PROPERTY -- AREA 4)
LOCATED ON THE WESTERN SIDE OF NC HWY 87**

BEGINNING in the southeast corner of a 18.20 acre tract acquired from Nancy Butler Tyson more particularly described in Deed Book 6745, Page 44 Cumberland County Registry, said point being in the western right-of-way margin of North Carolina Highway 87; thence leaving said right-of-way South 80 degrees 13 minutes 54 seconds West 728.51 feet to the southwest corner of said parcel; thence North 09 degrees 12 minutes 30 seconds East 493.80 feet to a point in the existing City Limit Line as established by Annexation 71-A, dated May 23, 1969; thence continuing with City Limit Line North 09 degrees 20 minutes 00 seconds East 1187.60 feet to a point in the western property line of aforesaid lot; thence leaving said City Limit Line North 08 degrees 51 minutes 00 seconds East 583.94 feet; thence North 76 degrees 20 minutes 00 seconds East 14.40 feet to the northern most point of said parcel, said point being on the western right-of-way margin of North Carolina Highway 87; thence continuing along said right-of-way on computed bearing and distance of South 09 degrees 11 minutes 37 seconds East 2143.64 feet to the point of **BEGINNING**.....containing 18.20 acres more or less.

Section 3. The property described in Section 2 is contiguous to the current municipal boundaries.

Section 4. A public hearing on the question of annexation of the property will be held at City Hall Council Chambers at 7:00 p.m. on May 24, 2010.

Section 5. Notice of the public hearing shall be published in the Fayetteville Observer Times, a newspaper having general circulation in the City of Fayetteville of North Carolina, at least ten (10) days prior to the date of the public hearing.

Adopted this _____ day of _____, 2010.

BY: _____

Anthony G. Chavonne, Mayor

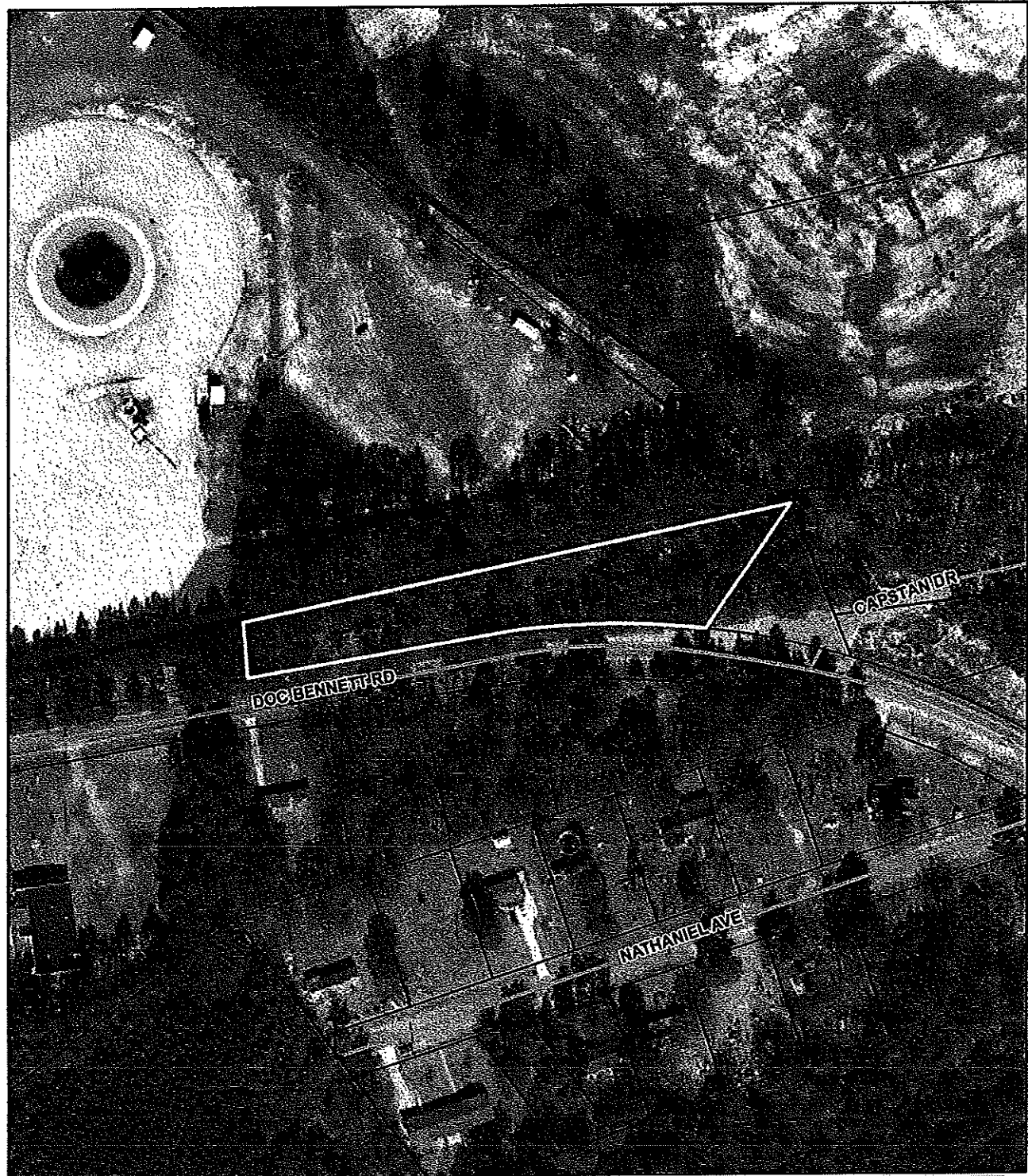
ATTEST:

Rita Perry, City Clerk

BASIC INFORMATION ABOUT THE AREA PROPOSED FOR ANNEXATION**Date Petition Received: City Initiated/City Owned Property****Annexation Date: Effective Date:****Annexation Number:**

1. Name of Area:	Airport Property Area 5
2. Petitioner:	City of Fayetteville
3. Location:	Northern side of Doc Bennett Road
4. Tax Identification Number (PIN):	0434-87-5085
5. Fire Department Affected by Annexation:	Pearces Mill
6. Is the Area Contiguous:	Yes
7. Type of Proposed Annexation:	City Initiated Contiguous Annexation
8. Background:	Property owned by the City (Fayetteville Regional Airport)
9. Reason the Annexation is Proposed:	City Owned Property currently not within the City Limits
10. Number of Acres in Area:	1.29
11. Type of Development in Area:	<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing <input checked="" type="checkbox"/> Vacant
12. Present Conditions:	a. <u>Present Land Use:</u> house and wooded land b. <u>Present Number of Housing Units:</u> 1 c. <u>Present Demographics:</u> 2 d. <u>Present Streets:</u> none
13. Factors Likely to Affect Future of Area:	a. <u>Plans of Owner:</u> Airport Property b. <u>Development Controls</u> 1. <u>Land Use Plan</u> a. <u>2010 Plan:</u> Heavy Industrial 2. <u>Zoning</u> a. <u>Current Zoning in County:</u> M(P) Industrial District b. <u>Likely Zoning After Annexation:</u> Unzoned c. <u>Maximum number of units allowed based on the zoning:</u> n/a
14. Expected Future Conditions:	a. <u>Future Land Use:</u> Airport Use b. <u>Future Number of Housing Units:</u> none c. <u>Future Demographics:</u> none d. <u>Future Streets:</u> none e. <u>Water and Sewer Service:</u> PWC f. <u>Electric Service:</u> PWC
15. Tax Value Land and Structures:	\$30,046

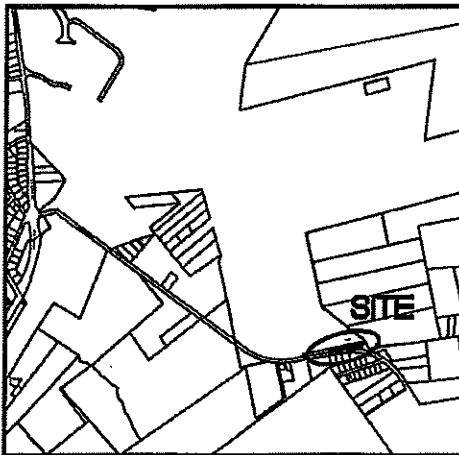
**City Owned Airport Property
Area 5**



Contiguous City Owned/City Initiated Annexation
1 parcel
1.29 acres





EXHIBIT 'A'

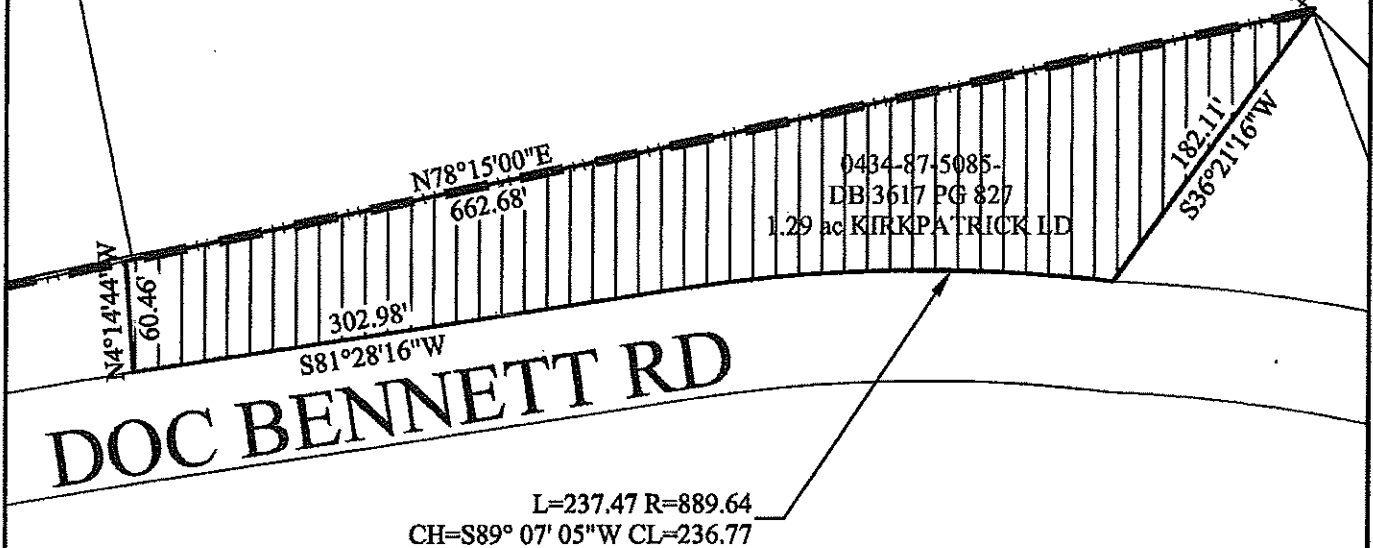


VICINTY MAP (N.T.S.)

AIRPORT

ANNEX 71-A

 PROPOSED ANNEXATION AREA
 CITY LIMITS



Fayetteville ENGINEERING & INFRASTRUCTURE DEPT.
 CIVIL ENGINEERING DIVISION
 433 HAY ST. 28301
 (910) 433-1656

PROPOSED ANNEXATION
 FAYETTEVILLE AIRPORT
 CITY OF FAYETTEVILLE PROPERTY
 ± 1.29 ACRES

THIS MAP IS NOT A CERTIFIED
 SURVEY AND NO RELIANCE MAY
 BE PLACED IN ITS ACCURACY.

DATE 11/30/09 DRAWN BY CSA
 SCALE 1" = 100' CK'D BY CSA

SHEET 1 OF 1

CITY OF FAYETTEVILLE (AIRPORT)
PROPOSED ANNEXATION
North Side of Doc Bennett Road
0434-87-5085

BEGINNING at a point in the City Limit Line established by Annex 71-A dated May 23, 1969, said point being near the northeast corner of an animal pet cemetery on the North side of Doc Bennett Road (SR 2212) and running thence South 36 degrees 21 minutes 16 seconds West 182.11 feet to a point in point in the right-of-way margin of Doc Bennett Road; thence with the northern right-of-way margin of said road as a curve to the left with a radius of 889.64 feet for an arc distance of 237.47 feet, having a chord bearing and distance of South 89 degrees 07 minutes 05 seconds West 236.77 feet; thence continuing with said road margin South 81 degrees 28 minutes 16 seconds West 302.98 feet to a point; thence leaving said margin North 4 degrees 14 minutes 44 seconds West 60.46 feet to a point in the City Limit Line; thence with the City Limit Line North 78 degrees 15 minutes 00 seconds East 662.68 feet to the point of **BEGINNING**.....containing 1.29 acres more or less.

**Airport Property—Area 5 – (Located
on the Northern side of Doc Bennett
Road)**

**A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO
ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS
CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO
N.C.G.S. 160A-31**

BE IT RESOLVED by the City Council of the City of Fayetteville that:

Section 1. It is the intent of the City Council, pursuant to G.S. 160A-31, to annex the property described in Section 2, which is owned by the City of Fayetteville.

Section 2. The legal description of the property is as follows:

**CITY OF FAYETTEVILLE (AIRPORT PROPERTY – AREA 5)
LOCATED ON THE NORTHERN SIDE OF DOC BENNETT ROAD**

BEGINNING at a point in the City Limit Line established by Annex 71-A dated May 23, 1969, said point being near the northeast corner of an animal pet cemetery on the North side of Doc Bennett Road (SR 2212) and running thence South 36 degrees 21 minutes 16 seconds West 182.11 feet to a point in point in the right-of-way margin of Doc Bennett Road; thence with the northern right-of-way margin of said road as a curve to the left with a radius of 889.64 feet for an arc distance of 237.47 feet, having a chord bearing and distance of South 89 degrees 07 minutes 05 seconds West 236.77 feet; thence continuing with said road margin South 81 degrees 28 minutes 16 seconds West 302.98 feet to a point; thence leaving said margin North 4 degrees 14 minutes 44 seconds West 60.46 feet to a point in the City Limit Line; thence with the City Limit Line North 78 degrees 15 minutes 00 seconds East 662.68 feet to the point of **BEGINNING**.....containing 1.29 acres more or less.

Section 3. The property described in Section 2 is contiguous to the current municipal boundaries.

Section 4. A public hearing on the question of annexation of the property will be held at City Hall Council Chambers at 7:00 p.m. on May 24, 2010.

Section 5. Notice of the public hearing shall be published in the Fayetteville Observer Times, a newspaper having general circulation in the City of Fayetteville of North Carolina, at least ten (10) days prior to the date of the public hearing.

Adopted this _____ day of _____, 2010.

BY: _____

Anthony G. Chavonne, Mayor

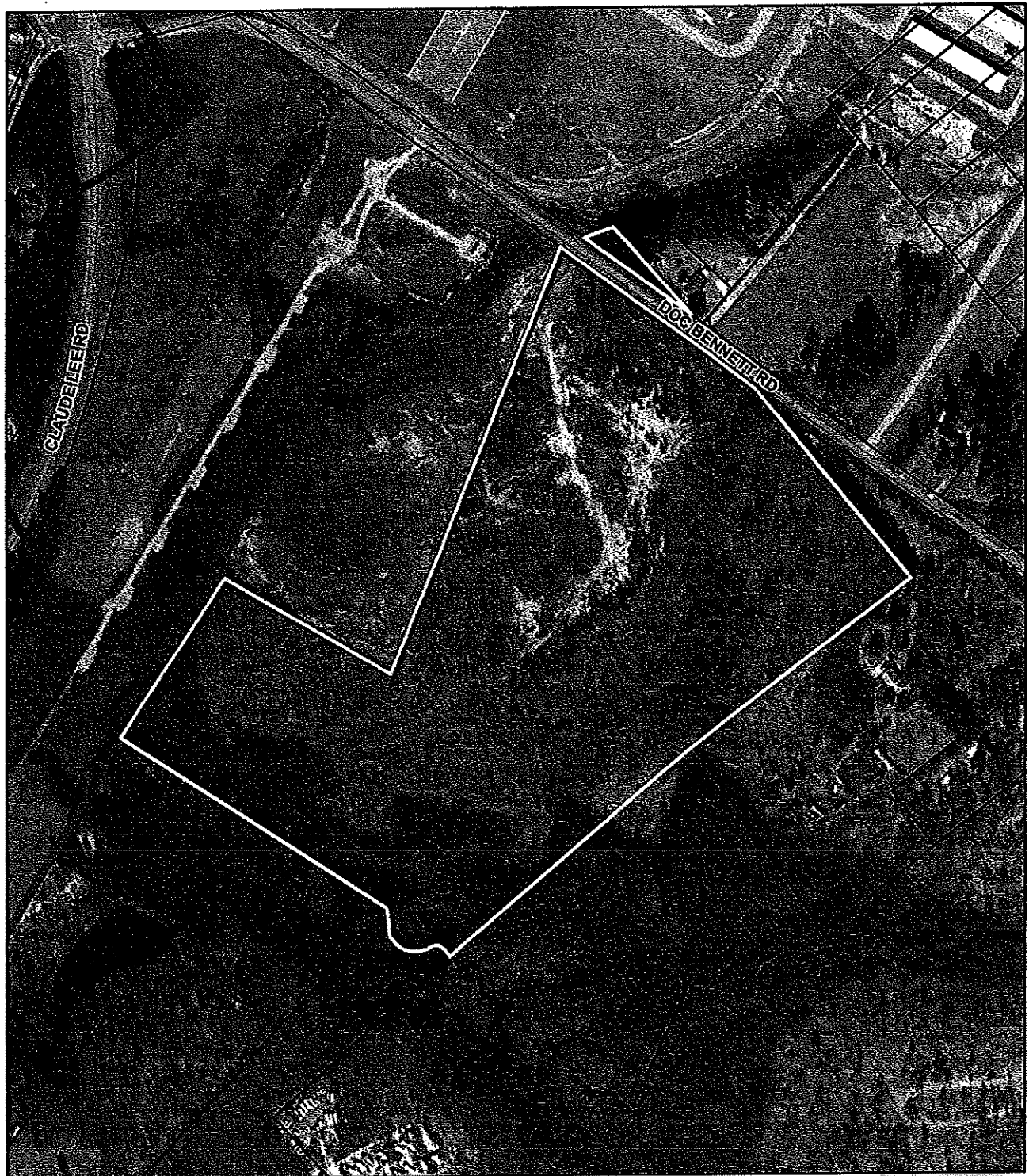
ATTEST:

Rita Perry, City Clerk

BASIC INFORMATION ABOUT THE AREA PROPOSED FOR ANNEXATION**Date Petition Received: City Initiated/City Owned Property****Annexation Date: Effective Date:****Annexation Number:**

1. Name of Area:	Airport Property Area 6
2. Petitioner:	City of Fayetteville
3. Location:	Southern side of Doc Bennett Road, East of Claude Lee Road
4. Tax Identification Number (PIN):	0434-48-4715
5. Fire Department Affected by Annexation:	Pearces Mill
6. Is the Area Contiguous:	Yes
7. Type of Proposed Annexation:	City Initiated Contiguous Annexation
8. Background:	Property owned by the City (Fayetteville Regional Airport)
9. Reason the Annexation is Proposed:	City Owned Property currently not within the City Limits
10. Number of Acres in Area:	46.58
11. Type of Development in Area:	<input type="checkbox"/> New <input type="checkbox"/> Existing <input checked="" type="checkbox"/> Vacant
12. Present Conditions:	a. <u>Present Land Use:</u> vacant/wooded land b. <u>Present Number of Housing Units:</u> 0 c. <u>Present Demographics:</u> 0 d. <u>Present Streets:</u> none
13. Factors Likely to Affect Future of Area:	a. <u>Plans of Owner:</u> Airport Property b. <u>Development Controls</u> 1. <u>Land Use Plan</u> a. <u>2010 Plan:</u> Heavy Industrial 2. <u>Zoning</u> a. <u>Current Zoning in County:</u> M(P) Industrial District b. <u>Likely Zoning After Annexation:</u> Unzoned c. <u>Maximum number of units allowed based on the zoning:</u> n/a
14. Expected Future Conditions:	a. <u>Future Land Use:</u> Airport Use b. <u>Future Number of Housing Units:</u> none c. <u>Future Demographics:</u> none d. <u>Future Streets:</u> none e. <u>Water and Sewer Service:</u> PWC f. <u>Electric Service:</u> PWC
15. Tax Value Land and Structures:	\$232,894

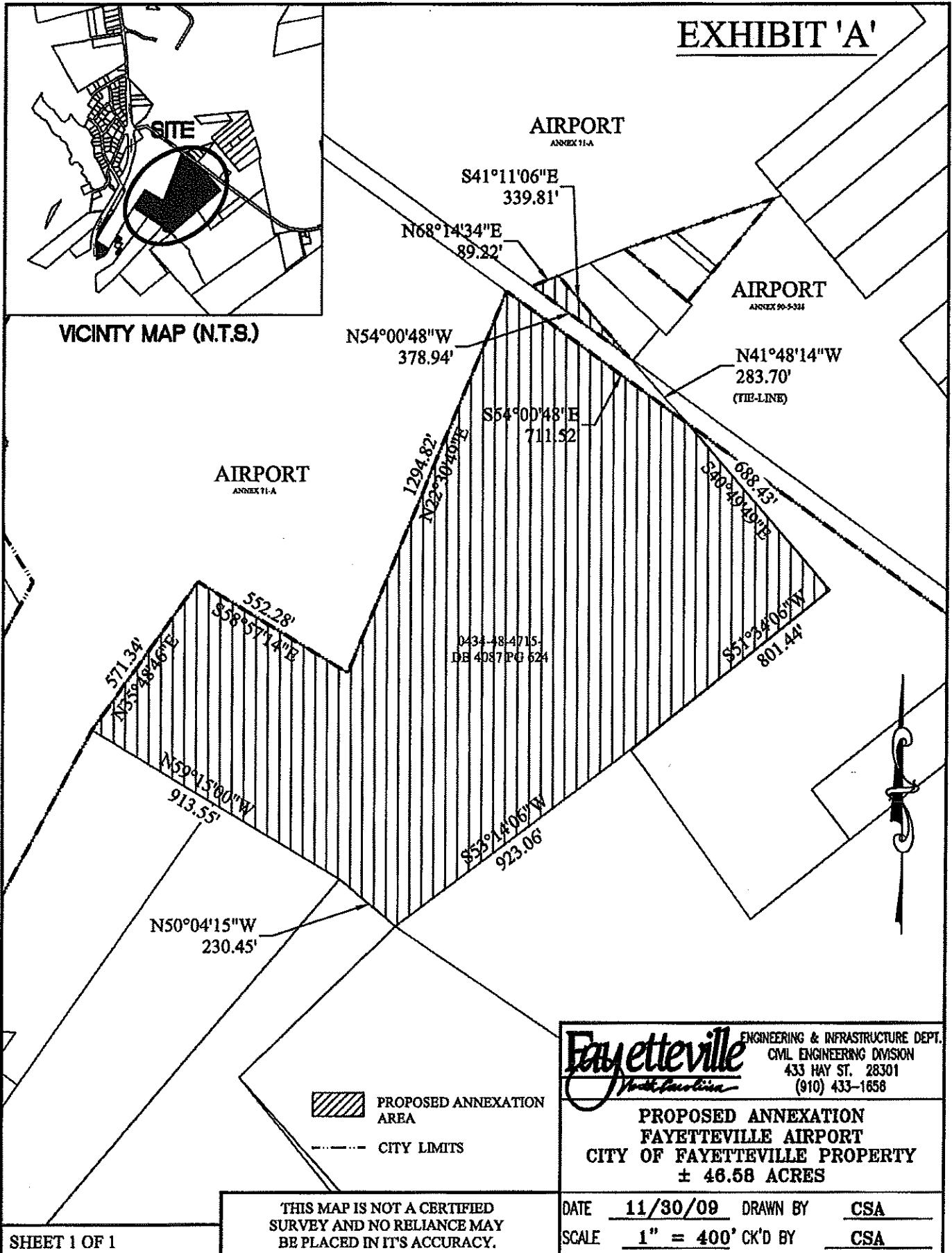
**City Owned Airport Property
Area 6**



Contiguous City Owned/City Initiated Annexation
1 parcel
46.58 acres



EXHIBIT 'A'



**CITY OF FAYETTEVILLE (AIRPORT)
PROPOSED ANNEXATION
DOC BENNETT ROAD
0434-48-4715**

Tract 1:

BEGINNING at the northeast corner of a 46.58 acre tract acquired from Gladys T. Szymarek, et al described in Deed Book 4087, Page 624, Cumberland County Registry, said point being located south of the southern right of way margin of Doc Bennett Road (SR 2212); thence running along said property line on a computed bearing and distance of South 51 degrees 34 minutes 06 seconds West 801.44 feet; thence South 53 degrees 14 minutes 06 seconds East 923.06 feet to the southeast corner of said parcel; thence continuing along said property line North 50 degrees 04 minutes 15 seconds West 230.45 feet to a point in the southern boundary line of said parcel; thence North 59 degrees 15 minutes 00 seconds West 913.55 feet to the southwest corner of aforementioned parcel, said point being in the City Limit Line as established by Annexation 71-A; thence continuing along said property line and City Limit Line North 35 degrees 48 minutes 46 seconds East 571.34 feet to a point; thence continuing with City Limit Line and parcel boundary South 58 degrees 57 minutes 14 seconds East 552.28 feet to a concrete monument; thence North 22 degrees 30 minutes 49 seconds East 1,294.82 feet to the southern right of way margin of Doc Bennett Road (SR 2212); thence continuing along said right of way and with City Limit Line South 54 degrees 00 minutes 48 seconds East 711.52 feet; thence leaving said right of way and City Limit Line South 40 degrees 49 minutes 49 seconds East 688.43 feet to the **BEGINNING**.

Tract 2:

BEGINNING in the northwest corner of 46.58 acre tract acquired from Gladys T. Szymarek, et al described in Deed Book 4087, Page 624, Cumberland County Registry, said point being located north of Doc Bennett Road (SR 2212) and being located in the City Limit Line as established by Annexation 71-A; thence running along City Limit Line South 41 degrees 11 minutes 06 seconds

East 339.81 feet to the northern right of way margin of Doc Bennett Road, said point being in the City Limit Line as established by Annexation 90-5-328 dated May 7, 1990; thence with said right of way margin and City Limit Line North 54 degrees 00 minutes 48 seconds West 378.94 feet; thence continuing with City Limit Line and property line North 68 degrees 14 minutes 34 seconds East 89.32 feet to the **BEGINNING**.

Said Tracts 1 and 2 makeup parcel identified as Tax PIN 0434-48-4715; parcels are divided by Doc Bennett Road (SR 2212).

**Airport Property--Area 6 -- (Located
on the Southern side of Doc Bennett
Road, East of Claude Lee Road)**

**A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO
ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS
CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO
N.C.G.S. 160A-31**

BE IT RESOLVED by the City Council of the City of Fayetteville that:

Section 1. It is the intent of the City Council, pursuant to G.S. 160A-31, to annex the property described in Section 2, which is owned by the City of Fayetteville.

Section 2. The legal description of the property is as follows:

**CITY OF FAYETTEVILLE (AIRPORT PROPERTY -- AREA 6)
LOCATED ON THE SOUTHERN SIDE OF DOC
BENNETT ROAD, EAST OF CLAUDE LEE ROAD**

Tract 1: **BEGINNING** at the northeast corner of a 46.58 acre tract acquired from Gladys T. Szymarek, et al described in Deed Book 4087, Page 624, Cumberland County Registry, said point being located south of the southern right of way margin of Doc Bennett Road (SR 2212); thence running along said property line on a computed bearing and distance of South 51 degrees 34 minutes 06 seconds West 801.44 feet; thence South 53 degrees 14 minutes 06 seconds East 923.06 feet to the southeast corner of said parcel; thence continuing along said property line North 50 degrees 04 minutes 15 seconds West 230.45 feet to a point in the southern boundary line of said parcel; thence North 59 degrees 15 minutes 00 seconds West 913.55 feet to the southwest corner of aforementioned parcel, said point being in the City Limit Line as established by Annexation 71-A; thence continuing along said property line and City Limit Line North 35 degrees 48 minutes 46 seconds East 571.34 feet to a point; thence continuing with City Limit Line and parcel boundary South 58 degrees 57 minutes 14 seconds East 552.28 feet to a concrete monument; thence North 22 degrees 30 minutes 49 seconds East 1,294.82 feet to the southern right of way margin of Doc Bennett Road (SR 2212); thence continuing along said right of way and with City Limit Line South 54 degrees 00 minutes 48 seconds East 711.52 feet; thence leaving said right of way and City Limit Line South 40 degrees 49 minutes 49 seconds East 688.43 feet to the **BEGINNING**.

Tract 2: **BEGINNING** in the northwest corner of 46.58 acre tract acquired from Gladys T. Szymarek, et al described in Deed Book 4087, Page 624, Cumberland County Registry, said point being located north of Doc Bennett Road (SR 2212) and being located in the City Limit Line as established by Annexation 71-A; thence running along City Limit Line South 41 degrees 11 minutes 06 seconds East 339.81 feet to the northern right of way margin of Doc Bennett Road, said point being in the City Limit Line as established by Annexation 90-5-328 dated May 7, 1990; thence with said right of way margin and City Limit Line North 54 degrees 00 minutes 48 seconds West 378.94 feet; thence continuing with City Limit Line and property line North 68 degrees 14 minutes 34 seconds East 89.32 feet to the **BEGINNING**.

Said Tracts 1 and 2 makeup parcel identified as Tax PIN 0434-48-4715; parcels are divided by Doc Bennett Road (SR 2212).

Section 3. The property described in Section 2 is contiguous to the current municipal boundaries.

Section 4. A public hearing on the question of annexation of the property will be held at City Hall Council Chambers at 7:00 p.m. on May 24, 2010.

Section 5. Notice of the public hearing shall be published in the Fayetteville Observer Times, a newspaper having general circulation in the City of Fayetteville of North Carolina, at least ten (10) days prior to the date of the public hearing.

Adopted this _____ day of _____, 2010.

BY: _____

Anthony G. Chavonne, Mayor

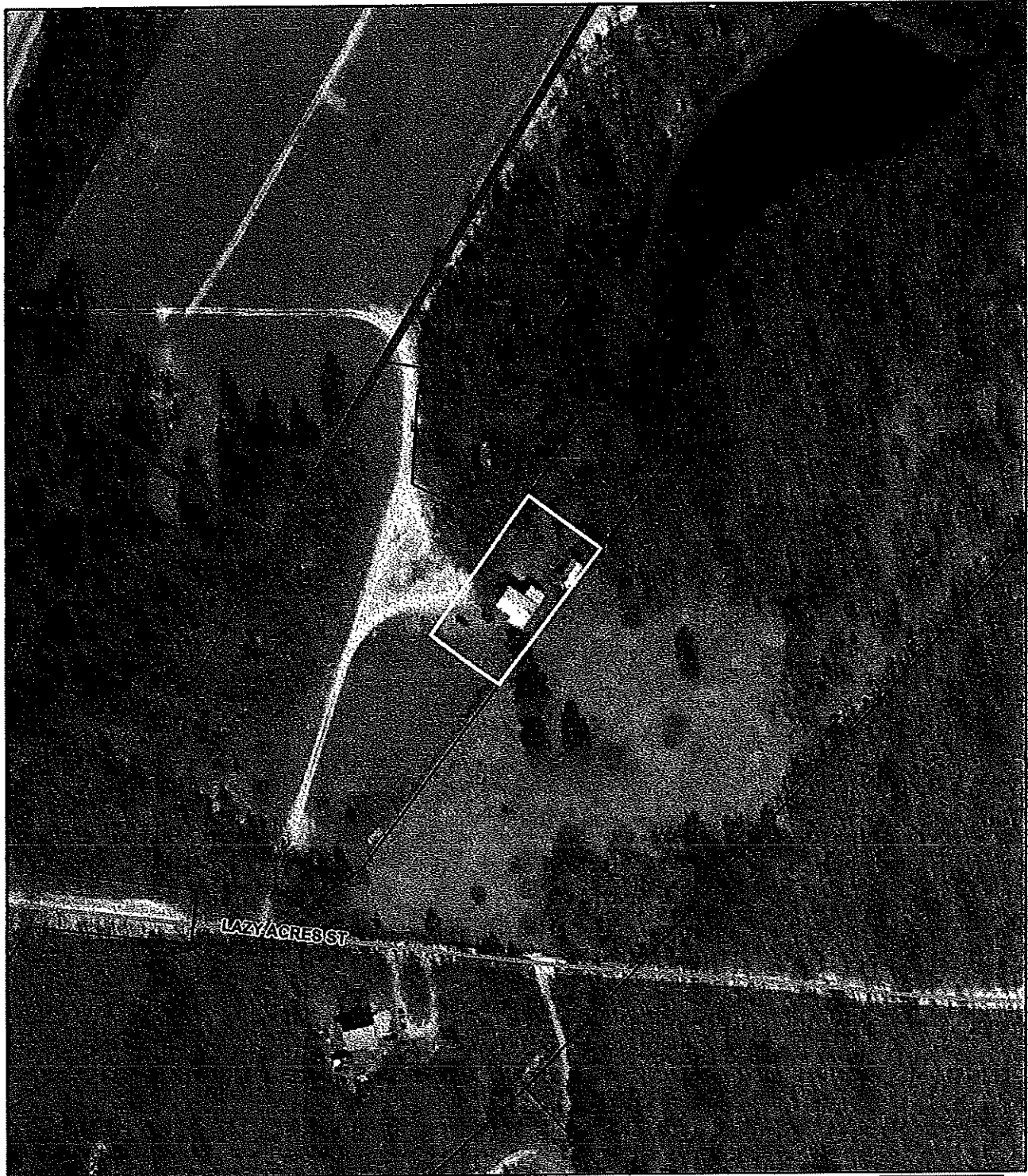
ATTEST:

Rita Perry, City Clerk

BASIC INFORMATION ABOUT THE AREA PROPOSED FOR ANNEXATION**Date Petition Received: City Initiated/City Owned Property****Annexation Date: Effective Date:****Annexation Number:**

1. Name of Area:	Airport Property Area 7
2. Petitioner:	City of Fayetteville
3. Location:	Eastern side of Claude Lee Road, Northeast of Lazy Acres Street
4. Tax Identification Number (PIN):	0434-26-5285
5. Fire Department Affected by Annexation:	Pearces Mill
6. Is the Area Contiguous:	No
7. Type of Proposed Annexation:	City Initiated Non Contiguous Annexation
8. Background:	Property owned by the City (Fayetteville Regional Airport)
9. Reason the Annexation is Proposed:	City Owned Property currently not within the City Limits
10. Number of Acres in Area:	.41
11. Type of Development in Area:	<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing <input type="checkbox"/> Vacant
12. Present Conditions:	a. <u>Present Land Use:</u> house b. <u>Present Number of Housing Units:</u> 1 c. <u>Present Demographics:</u> 2 d. <u>Present Streets:</u> none
13. Factors Likely to Affect Future of Area:	a. <u>Plans of Owner:</u> Airport Property b. <u>Development Controls</u> 1. <u>Land Use Plan</u> a. <u>2010 Plan:</u> Heavy Industrial 2. <u>Zoning</u> a. <u>Current Zoning in County:</u> M(P) Industrial District b. <u>Likely Zoning After Annexation:</u> Unzoned c. <u>Maximum number of units allowed based on the zoning:</u> n/a
14. Expected Future Conditions:	a. <u>Future Land Use:</u> Airport Use b. <u>Future Number of Housing Units:</u> none c. <u>Future Demographics:</u> none d. <u>Future Streets:</u> none e. <u>Water and Sewer Service:</u> PWC f. <u>Electric Service:</u> PWC
15. Tax Value Land and Structures:	\$58,221

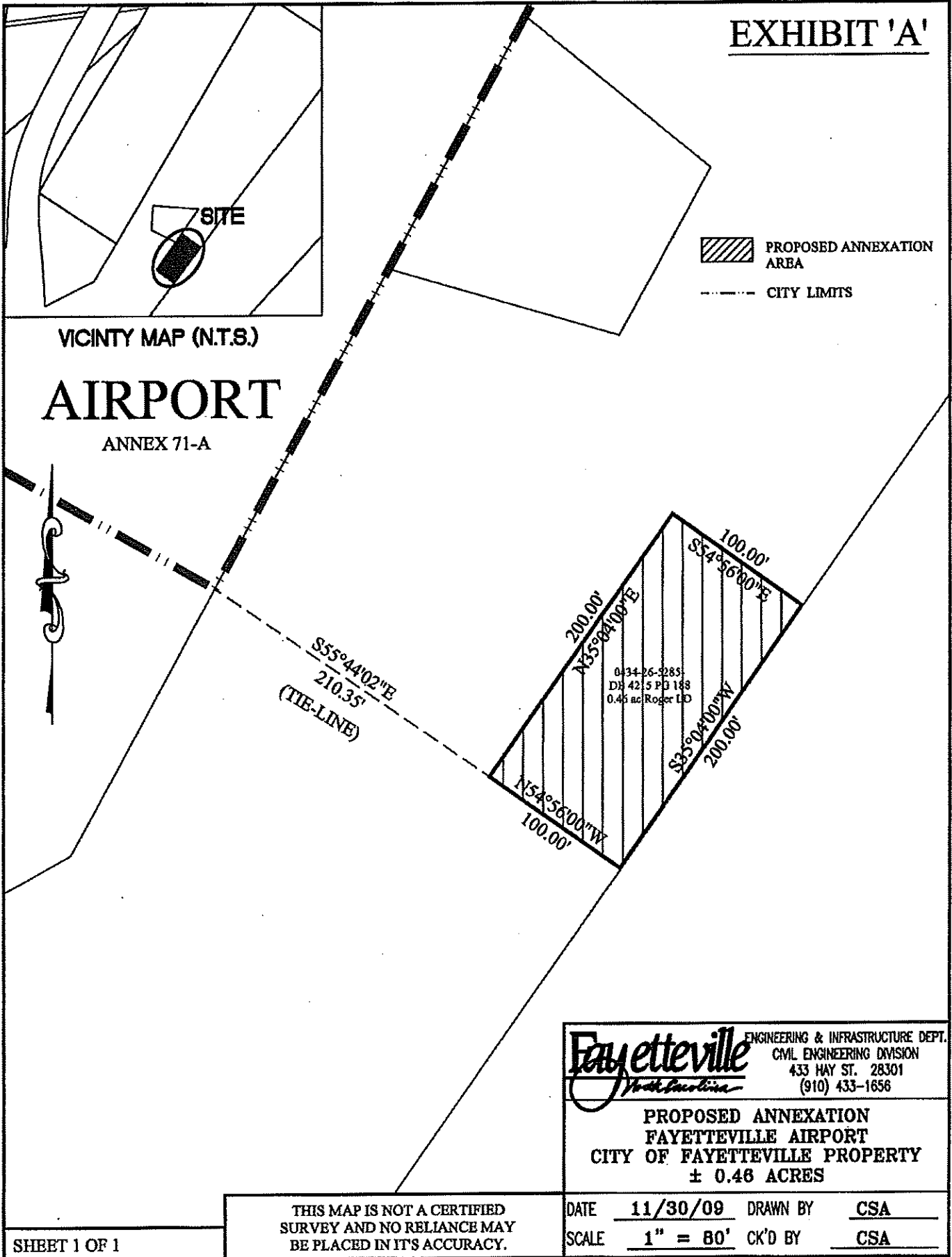
**City Owned Airport Property
Area 7**



Non-Contiguous City Owned/City Initiated Annexation
1 parcel
.46 acres



EXHIBIT 'A'



CITY OF FAYETTEVILLE (AIRPORT)
PROPOSED ANNEXATION
0434-26-5285

COMMENCING at a corner of the City of Fayetteville property by deed from William W. Hill and wife Deborah Hill and Brenda Ann Byrd and husband Kenneth A. Byrd, Deed Book 4215, Page 188, said corner being South 55 degrees 44 minutes 02 seconds East 210.35 feet from southernmost corner of the Fayetteville Regional Airport glide slope property in the City Limit Line as established by Annexation 71-A dated May 23, 1969, said point being the place of **BEGINNING**; thence North 35 degrees 04 minutes 00 seconds East 200.0 feet; thence South 54 degrees 56 minutes 00 seconds East 100.0 feet; thence South 35 degrees 04 minutes 00 seconds West 200.0 feet; thence North 54 degrees 56 minutes 00 seconds West 100.00 feet to the **BEGINNING**.....containing 0.46 acres more or less.

Airport Property--Area 7 -- (Located on the Eastern side of Claude Lee Road, Northeast of Lazy Acres Street)

A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS NOT CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO N.C.G.S. 160A-58.7

BE IT RESOLVED by the City Council of the City of Fayetteville that:

Section 1. It is the intent of the City Council, pursuant to G.S. 160A-58.7, to annex the property described in Section 2, which is owned by the City of Fayetteville.

Section 2. The legal description of the property is as follows:

CITY OF FAYETTEVILLE (AIRPORT PROPERTY – AREA 7)

COMMENCING at a corner of the City of Fayetteville property by deed from William W. Hill and wife Deborah Hill and Brenda Ann Byrd and husband Kenneth A. Byrd, Deed Book 4215, Page 188, said corner being South 55 degrees 44 minutes 02 seconds East 210.35 feet from southernmost corner of the Fayetteville Regional Airport glide slope property in the City Limit Line as established by Annexation 71-A dated May 23, 1969, said point being the place of **BEGINNING**; thence North 35 degrees 04 minutes 00 seconds East 200.0 feet; thence South 54 degrees 56 minutes 00 seconds East 100.0 feet; thence South 35 degrees 04 minutes 00 seconds West 200.0 feet; thence North 54 degrees 56 minutes 00 seconds West 100.00 feet to the **BEGINNING**.....containing 0.46 acres more or less.

Section 3. The property described in Section 2 is not contiguous to the current municipal boundaries, but will meet the requirements of G.S. 160A-58.1.(b)

Section 4. A public hearing on the question of annexation will be held at City Hall Council Chambers at 7:00 p.m. on May 24, 2010.

Section 5. Notice of the public hearing shall be published in the Fayetteville Observer Times, a newspaper having general circulation in the City of Fayetteville of North Carolina, at least ten (10) days prior to the date of the public hearing.

Adopted this _____ day of _____, 2010.

BY: _____

ATTEST:

Anthony G. Chavonne, Mayor

Rita Perry, City Clerk

BASIC INFORMATION ABOUT THE AREA PROPOSED FOR ANNEXATION**Date Petition Received: City Initiated/City Owned Property****Annexation Date:****Effective Date:****Annexation Number:**

1. Name of Area:	Airport Property Area 8
2. Petitioner:	City of Fayetteville
3. Location:	Eastern side of Claude Lee Road, Northeast of Lazy Acres Street
4. Tax Identification Number (PIN):	0434-26-5547
5. Fire Department Affected by Annexation:	Pearces Mill
6. Is the Area Contiguous:	Yes
7. Type of Proposed Annexation:	City Initiated Contiguous Annexation
8. Background:	Property owned by the City (Fayetteville Regional Airport)
9. Reason the Annexation is Proposed:	City Owned Property currently not within the City Limits
10. Number of Acres in Area:	.61
11. Type of Development in Area:	<input type="checkbox"/> New <input type="checkbox"/> Existing <input checked="" type="checkbox"/> Vacant
12. Present Conditions:	a. <u>Present Land Use:</u> vacant/wooded b. <u>Present Number of Housing Units:</u> 0 c. <u>Present Demographics:</u> 0 d. <u>Present Streets:</u> none
13. Factors Likely to Affect Future of Area:	a. <u>Plans of Owner:</u> Airport Property b. <u>Development Controls</u> 1. <u>Land Use Plan</u> a. <u>2010 Plan:</u> Heavy Industrial 2. <u>Zoning</u> a. <u>Current Zoning in County:</u> M(P) Industrial District b. <u>Likely Zoning After Annexation:</u> Unzoned c. <u>Maximum number of units allowed based on the zoning:</u> n/a
14. Expected Future Conditions:	a. <u>Future Land Use:</u> Airport Use b. <u>Future Number of Housing Units:</u> none c. <u>Future Demographics:</u> none d. <u>Future Streets:</u> none e. <u>Water and Sewer Service:</u> PWC f. <u>Electric Service:</u> PWC
15. Tax Value Land and Structures:	\$13,685

**City Owned Airport Property
Area 8**



Contiguous City Owned/City Initiated Annexation
1 parcel
.61 acres

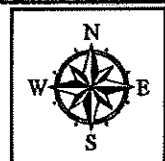
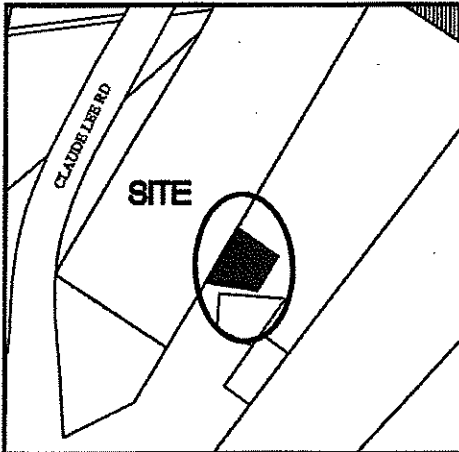


EXHIBIT 'A'





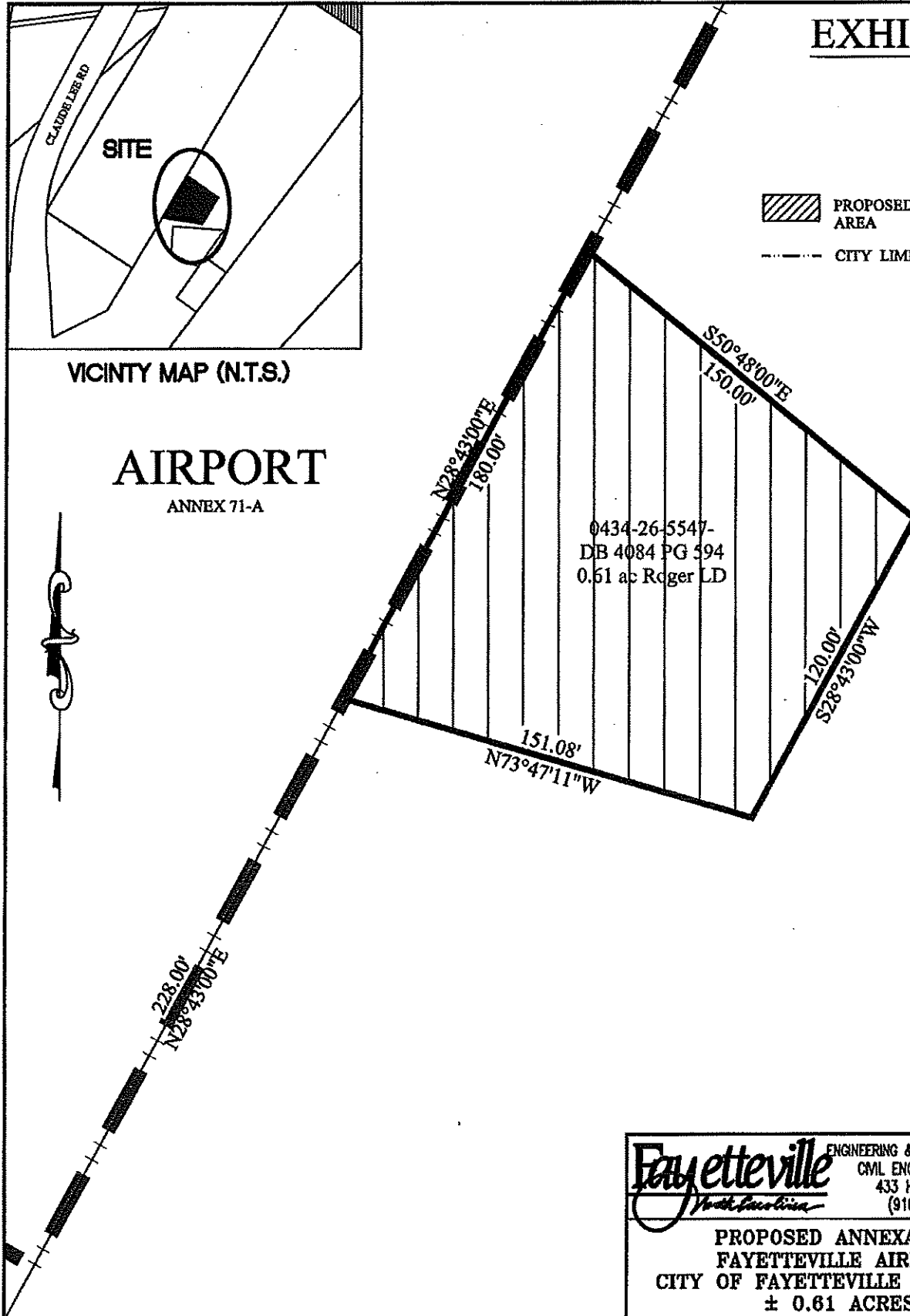
VICINTY MAP (N.T.S.)

AIRPORT

ANNEX 71-A



 PROPOSED ANNEXATION AREA
 CITY LIMITS



Fayetteville ENGINEERING & INFRASTRUCTURE DEPT.
 CIVIL ENGINEERING DIVISION
 433 HAY ST. 28301
 (910) 433-1656

PROPOSED ANNEXATION
 FAYETTEVILLE AIRPORT
 CITY OF FAYETTEVILLE PROPERTY
 ± 0.61 ACRES

SHEET 1 OF 1

THIS MAP IS NOT A CERTIFIED
 SURVEY AND NO RELIANCE MAY
 BE PLACED IN ITS ACCURACY.

DATE 11/30/09 DRAWN BY CSA
 SCALE 1" = 50' CK'D BY CSA

**CITY OF FAYETTEVILLE (AIRPORT)
PROPOSED ANNEXATION
0434-26-5547**

BEGINNING at a point in the City Limit Line established by Annexation 71-A dated May 23, 1969, said point being located North 28 degrees 43 minutes East 228.0 feet from the monument at the southernmost corner of the City of Fayetteville Municipal Airport runway and running thence with the existing City Limit Line North 28 degrees 43 minutes 00 seconds East 180 feet; thence leaving the City Limit Line South 50 degrees 48 minutes 00 seconds East 150 feet; thence South 28 degrees 43 minutes 00 seconds West 120 feet; thence North 73 degrees 47 minutes 11 seconds West 151.08 feet **BEGINNING**.... Containing 0.61 acres more or less.

**Airport Property—Area 8 – (Located
on the Eastern side of Claude Lee
Road, Northeast of Lazy Acres Street)**

**A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO
ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS
CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO
N.C.G.S. 160A-31**

BE IT RESOLVED by the City Council of the City of Fayetteville that:

Section 1. It is the intent of the City Council, pursuant to G.S. 160A-31, to annex the property described in Section 2, which is owned by the City of Fayetteville.

Section 2. The legal description of the property is as follows:

**CITY OF FAYETTEVILLE (AIRPORT PROPERTY – AREA 8)
LOCATED ON THE EASTERN SIDE OF CLAUDE LEE ROAD,
NORTHEAST OF LAZY ACRES STREET**

BEGINNING at a point in the City Limit Line established by Annexation 71-A dated May 23, 1969, said point being located North 28 degrees 43 minutes East 228.0 feet from the monument at the southernmost corner of the City of Fayetteville Municipal Airport runway and running thence with the existing City Limit Line North 28 degrees 43 minutes 00 seconds East 180 feet; thence leaving the City Limit Line South 50 degrees 48 minutes 00 seconds East 150 feet; thence South 28 degrees 43 minutes 00 seconds West 120 feet; thence North 73 degrees 47 minutes 11 seconds West 151.08 feet **BEGINNING....** Containing 0.61 acres more or less.

Section 3. The property described in Section 2 is contiguous to the current municipal boundaries.

Section 4. A public hearing on the question of annexation of the property will be held at City Hall Council Chambers at 7:00 p.m. on May 24, 2010.

Section 5. Notice of the public hearing shall be published in the Fayetteville Observer Times, a newspaper having general circulation in the City of Fayetteville of North Carolina, at least ten (10) days prior to the date of the public hearing.

Adopted this _____ day of _____, 2010.

BY: _____

Anthony G. Chavonne, Mayor

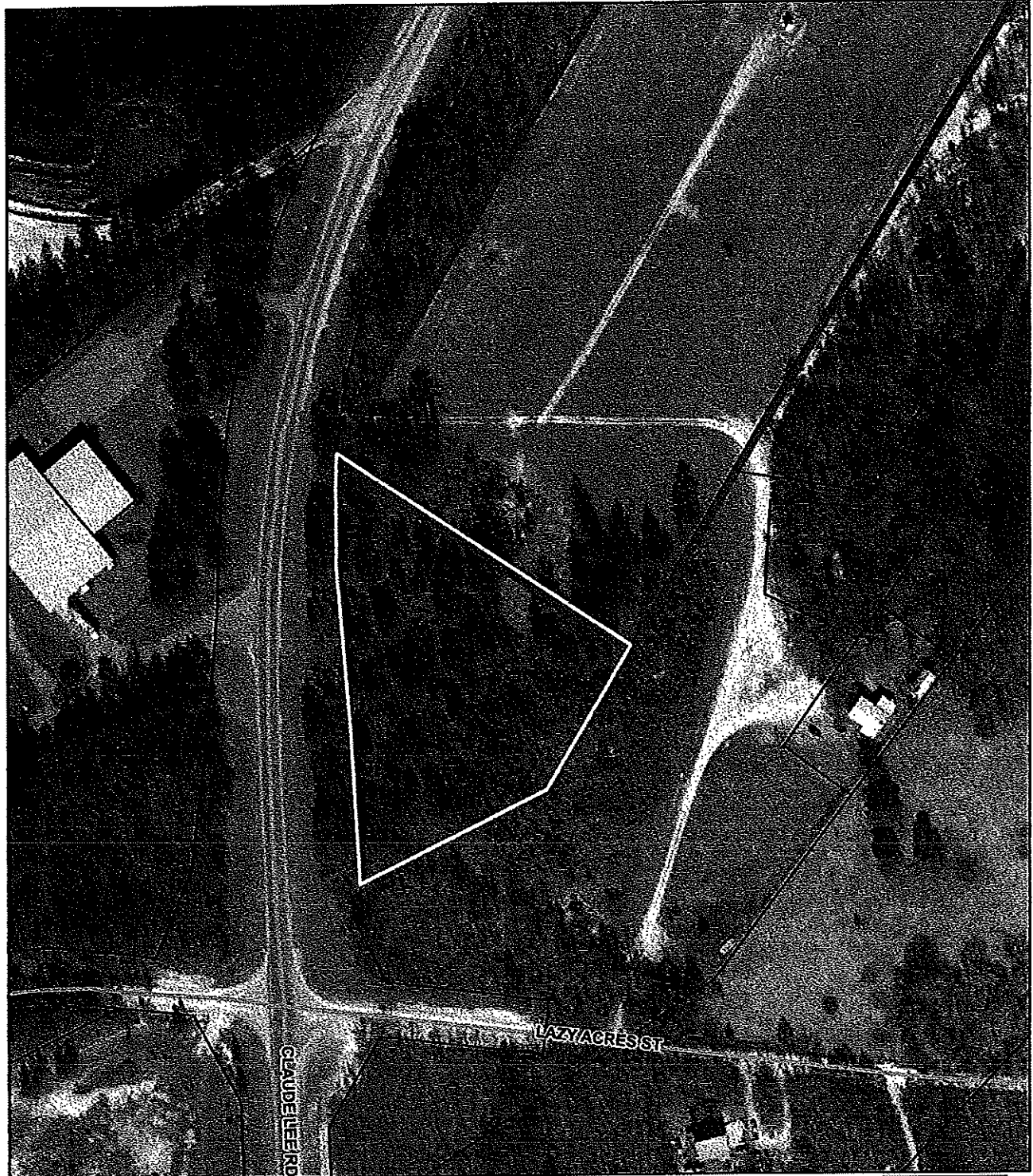
ATTEST:

Rita Perry, City Clerk

BASIC INFORMATION ABOUT THE AREA PROPOSED FOR ANNEXATION**Date Petition Received: City Initiated/City Owned Property****Annexation Date: Effective Date:****Annexation Number:**

1. Name of Area:	Airport Property Area 9
2. Petitioner:	City of Fayetteville
3. Location:	Eastern side of Claude Lee Road, North of Lazy Acres Street
4. Tax Identification Number (PIN):	0434-26-1208
5. Fire Department Affected by Annexation:	Pearces Mill
6. Is the Area Contiguous:	Yes
7. Type of Proposed Annexation:	City Initiated Contiguous Annexation
8. Background:	Property owned by the City (Fayetteville Regional Airport)
9. Reason the Annexation is Proposed:	City Owned Property currently not within the City Limits
10. Number of Acres in Area:	2.17
11. Type of Development in Area:	<input type="checkbox"/> New <input type="checkbox"/> Existing <input checked="" type="checkbox"/> Vacant
12. Present Conditions:	a. <u>Present Land Use:</u> vacant/wooded b. <u>Present Number of Housing Units:</u> 0 c. <u>Present Demographics:</u> 0 d. <u>Present Streets:</u> none
13. Factors Likely to Affect Future of Area:	a. <u>Plans of Owner:</u> Airport Property b. <u>Development Controls</u> 1. <u>Land Use Plan</u> a. <u>2010 Plan:</u> Heavy Industrial 2. <u>Zoning</u> a. <u>Current Zoning in County:</u> M(P) Industrial District b. <u>Likely Zoning After Annexation:</u> Unzoned c. <u>Maximum number of units allowed based on the zoning:</u> n/a
14. Expected Future Conditions:	a. <u>Future Land Use:</u> Airport Use b. <u>Future Number of Housing Units:</u> none c. <u>Future Demographics:</u> none d. <u>Future Streets:</u> none e. <u>Water and Sewer Service:</u> PWC f. <u>Electric Service:</u> PWC
15. Tax Value Land and Structures:	\$53,035

**City Owned Airport Property
Area 9**



Contiguous City Owned/City Initiated Annexation
1 parcel
2.17 acres

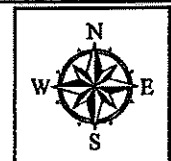
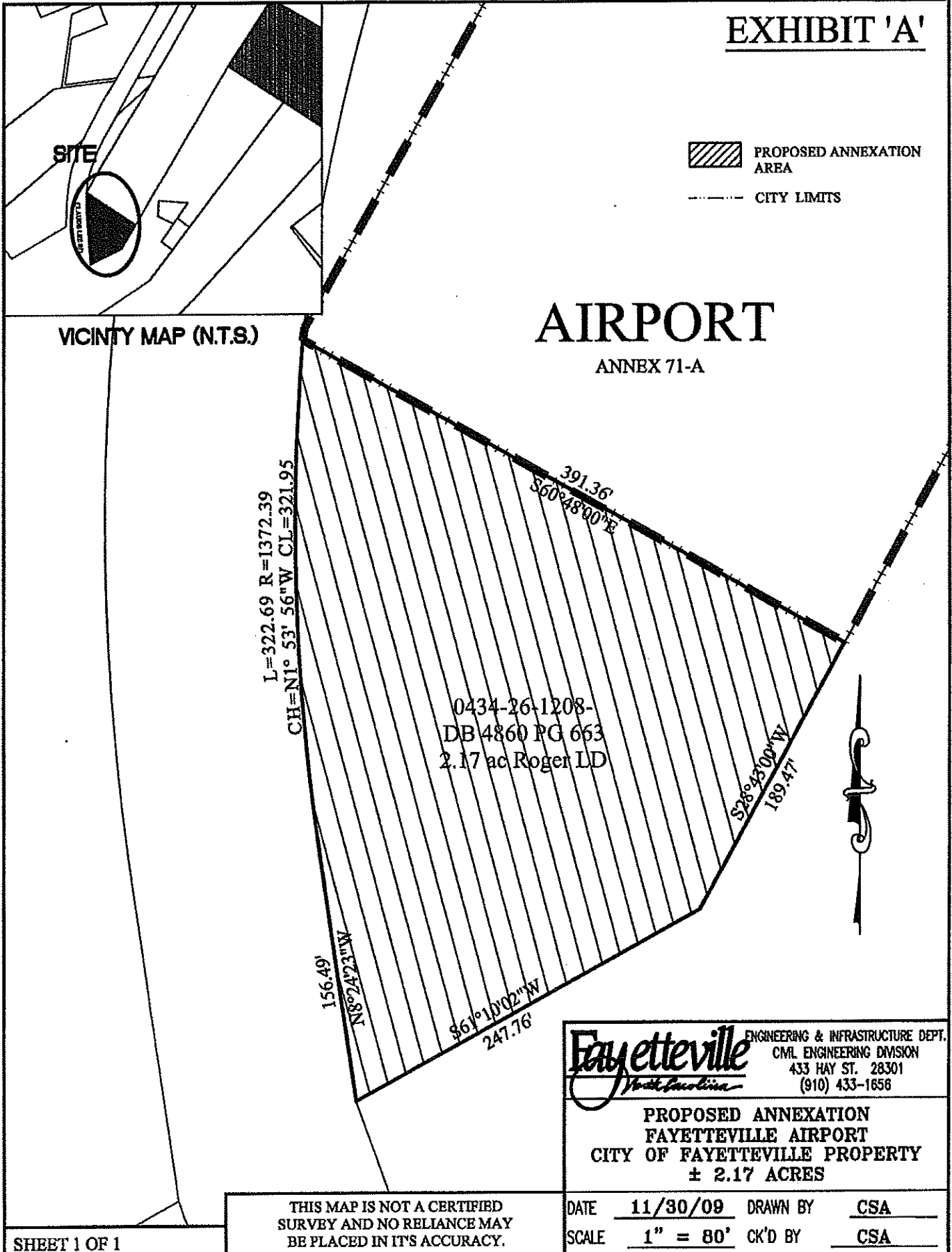


EXHIBIT 'A'



SHEET 1 OF 1

CITY OF FAYETTEVILLE (AIRPORT)
PROPOSED ANNEXATION
0434-26-1208

BEGINNING at the southernmost corner of the Fayetteville Regional Airport glide slope property in the City Limit Line as established by Annexation 71-A dated May 23, 1969, thence leaving the City Limit Line South 28 degrees 43 minutes 00 seconds West 189.47 feet; thence South 61 degrees 10 minutes 02 seconds West 247.76 feet to the eastern right-of-way margin of the Claude Lee Road, SR 2341, also known as the Airport Connector Road; thence with said road margin North 08 degrees 24 minutes 23 seconds West 156.49 feet to a point of curvature; thence with the aforesaid right-of-way on a curve to the right in a northerly direction on a radius of 1,372.39 feet to an arc distance of 322.69 feet, having a chord bearing and distance of North 1 degree 53 minutes 56 seconds West 321.95 feet to a concrete monument on the City Limit Line; thence with the existing City Limit Line South 60 degrees 48 minutes East 391.36 feet to the **BEGINNING**.....containing 2.17 acres more or less.

**Airport Property--Area 9 – (Located
on the Eastern side of Claude Lee
Road, North of Lazy Acres Street)**

**A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO
ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS
CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO
N.C.G.S. 160A-31**

BE IT RESOLVED by the City Council of the City of Fayetteville that:

Section 1. It is the intent of the City Council, pursuant to G.S. 160A-31, to annex the property described in Section 2, which is owned by the City of Fayetteville.

Section 2. The legal description of the property is as follows:

**CITY OF FAYETTEVILLE (AIRPORT PROPERTY – AREA 9)
LOCATED ON THE EASTERN SIDE OF CLAUDE LEE ROAD,
NORTH OF LAZY ACRES STREET**

BEGINNING at the southernmost corner of the Fayetteville Regional Airport glide slope property in the City Limit Line as established by Annexation 71-A dated May 23, 1969, thence leaving the City Limit Line South 28 degrees 43 minutes 00 seconds West 189.47 feet; thence South 61 degrees 10 minutes 02 seconds West 247.76 feet to the eastern right-of-way margin of the Claude Lee Road, SR 2341, also known as the Airport Connector Road; thence with said road margin North 08 degrees 24 minutes 23 seconds West 156.49 feet to a point of curvature; thence with the aforesaid right-of-way on a curve to the right in a northerly direction on a radius of 1,372.39 feet to an arc distance of 322.69 feet, having a chord bearing and distance of North 1 degree 53 minutes 56 seconds West 321.95 feet to a concrete monument on the City Limit Line; thence with the existing City Limit Line South 60 degrees 48 minutes East 391.36 feet to the **BEGINNING**.....containing 2.17 acres more or less.

Section 3. The property described in Section 2 is contiguous to the current municipal boundaries.

Section 4. A public hearing on the question of annexation of the property will be held at City Hall Council Chambers at 7:00 p.m. on May 24, 2010.

Section 5. Notice of the public hearing shall be published in the Fayetteville Observer Times, a newspaper having general circulation in the City of Fayetteville of North Carolina, at least ten (10) days prior to the date of the public hearing.

Adopted this _____ day of _____, 2010.

BY: _____

Anthony G. Chavonne, Mayor

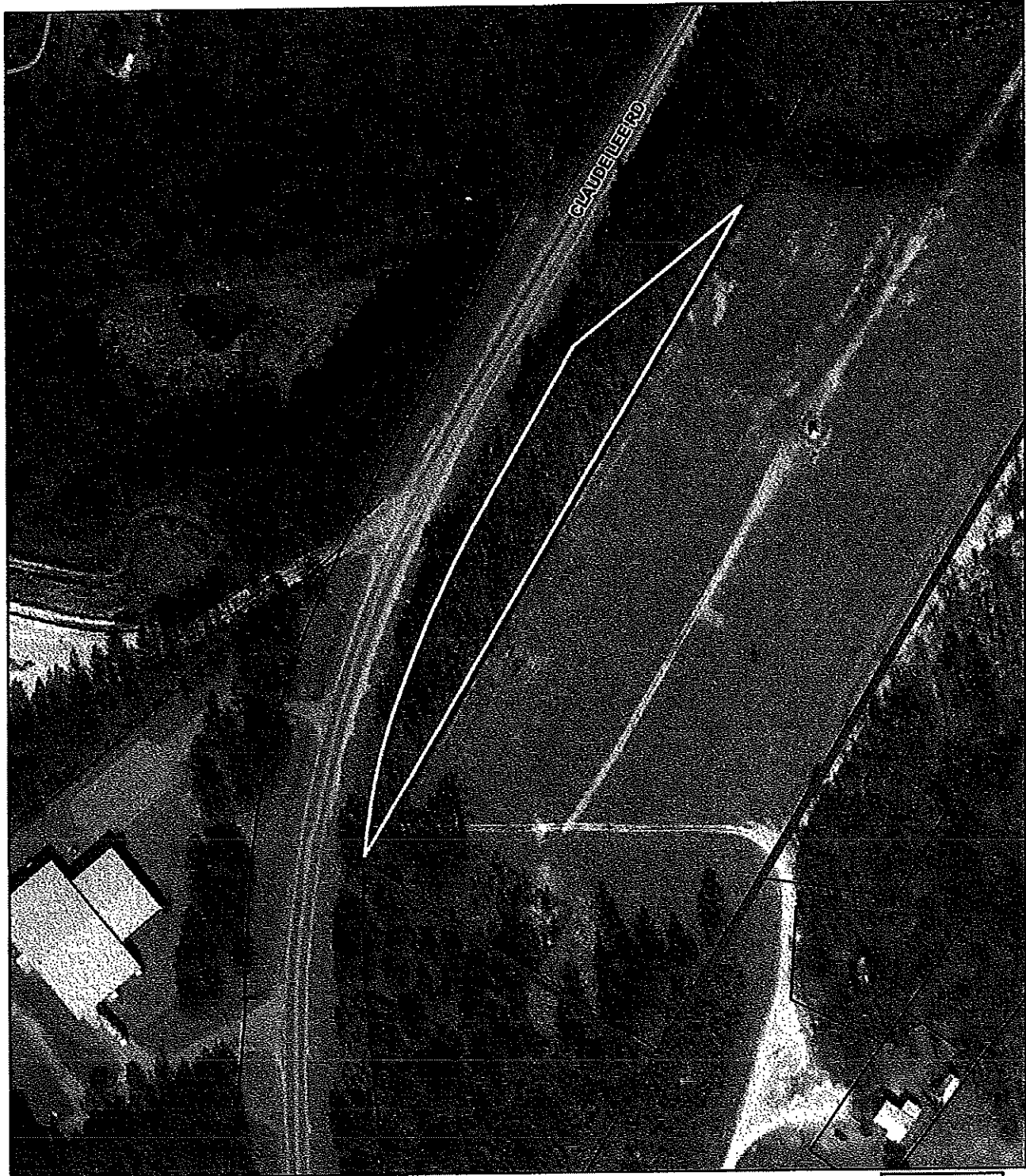
ATTEST:

Rita Perry, City Clerk

BASIC INFORMATION ABOUT THE AREA PROPOSED FOR ANNEXATION**Date Petition Received: City Initiated/City Owned Property****Annexation Date: Effective Date:****Annexation Number:**

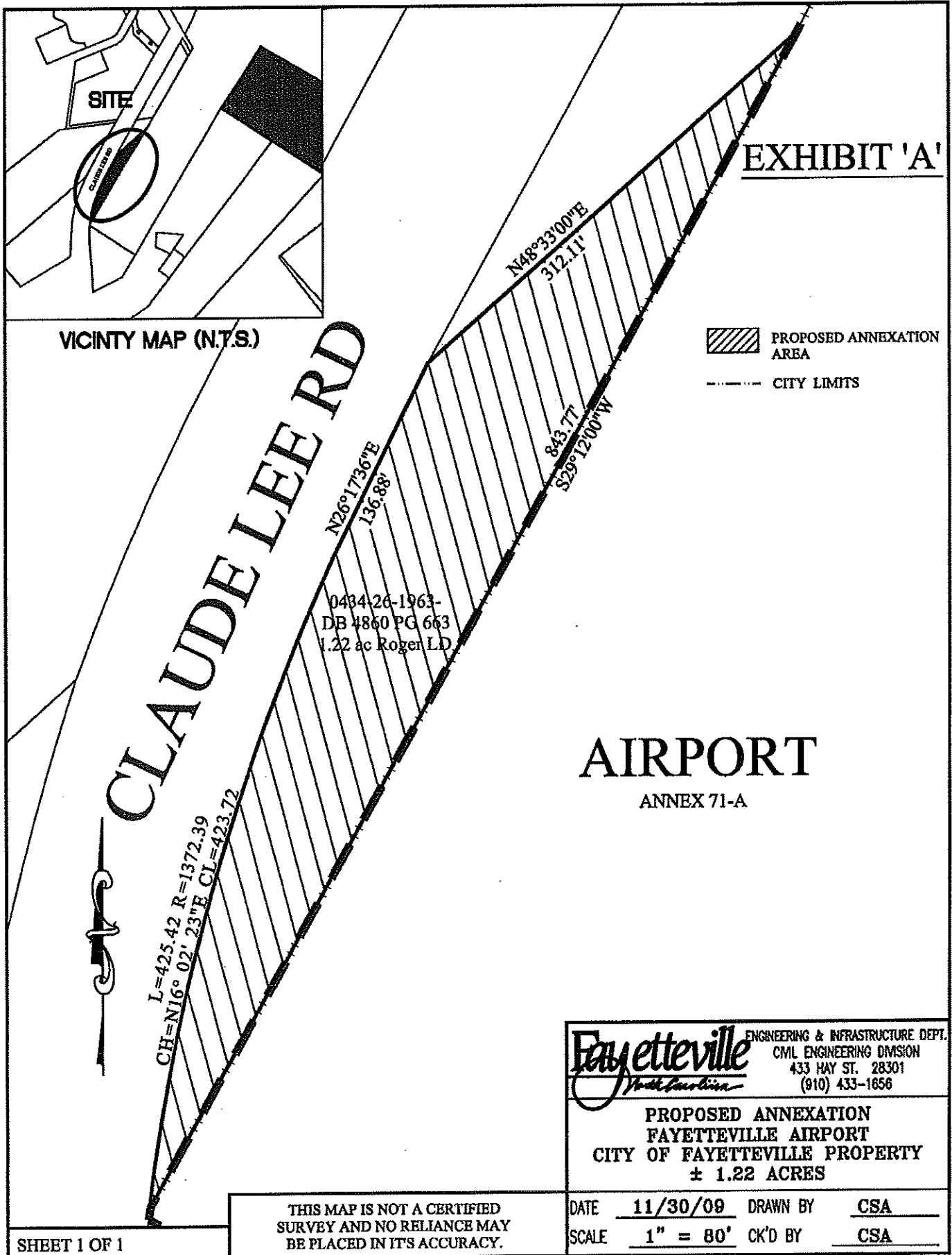
1. Name of Area:	Airport Property Area 10
2. Petitioner:	City of Fayetteville
3. Location:	Eastern side of Claude Lee Road
4. Tax Identification Number (PIN):	0434-26-1963
5. Fire Department Affected by Annexation:	Pearces Mill
6. Is the Area Contiguous:	Yes
7. Type of Proposed Annexation:	City Initiated Contiguous Annexation
8. Background:	Property owned by the City (Fayetteville Regional Airport)
9. Reason the Annexation is Proposed:	City Owned Property currently not within the City Limits
10. Number of Acres in Area:	1.22
11. Type of Development in Area:	<input type="checkbox"/> New <input type="checkbox"/> Existing <input checked="" type="checkbox"/> Vacant
12. Present Conditions:	a. <u>Present Land Use:</u> vacant/wooded b. <u>Present Number of Housing Units:</u> 0 c. <u>Present Demographics:</u> 0 d. <u>Present Streets:</u> none
13. Factors Likely to Affect Future of Area:	a. <u>Plans of Owner:</u> Airport Property b. <u>Development Controls</u> 1. <u>Land Use Plan</u> a. <u>2010 Plan:</u> Heavy Industrial 2. <u>Zoning</u> a. <u>Current Zoning in County:</u> M(P) Industrial District b. <u>Likely Zoning After Annexation:</u> Unzoned c. <u>Maximum number of units allowed based on the zoning:</u> n/a
14. Expected Future Conditions:	a. <u>Future Land Use:</u> Airport Use b. <u>Future Number of Housing Units:</u> none c. <u>Future Demographics:</u> none d. <u>Future Streets:</u> none e. <u>Water and Sewer Service:</u> PWC f. <u>Electric Service:</u> PWC
15. Tax Value Land and Structures:	\$22,586

**City Owned Airport Property
Area 10**



Contiguous City Owned/City Initiated Annexation
1 parcel
1.22 acres





**CITY OF FAYETTEVILLE (AIRPORT)
PROPOSED ANNEXATION
0434-26-1963**

BEGINNING at a concrete monument in the southwestern corner of the Fayetteville Regional Airport glide slope property in the City Limit Line as established by Annexation 71-A dated May 23, 1969, said point being in the eastern right-of-way margin of the Claude Lee Road (SR 2341), also known as the Airport Connector Road and running thence with the aforesaid right-of-way and leaving the City Limit Line on a curve to the right having a radius of 1,372.39 feet for an arc distance 425.42 feet, having a chord bearing and distance of North 16 degrees 02 minutes 23 seconds East 423.72 feet; thence continuing with the aforesaid road margin North 26 degrees 17 minutes 36 seconds East 136.88 feet; thence leaving the Claude Lee Road margin North 48 degrees 33 minutes 00 seconds East 312.11 feet to the existing City Limit Line; thence with the existing City Limit Line South 29 degrees 12 minutes 00 seconds West 843.77 feet to the point of **BEGINNING**....containing 1.22 acres more or less.

Airport Property-Area 10 -
(Located on the Eastern side of
Claude Lee Road)

**A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO
ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS
CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO
N.C.G.S. 160A-31**

BE IT RESOLVED by the City Council of the City of Fayetteville that:

Section 1. It is the intent of the City Council, pursuant to G.S. 160A-31, to annex the property described in Section 2, which is owned by the City of Fayetteville.

Section 2. The legal description of the property is as follows:

**CITY OF FAYETTEVILLE (AIRPORT PROPERTY – AREA 10)
LOCATED ON THE EASTERN SIDE OF CLAUDE LEE ROAD**

BEGINNING at a concrete monument in the southwestern corner of the Fayetteville Regional Airport glide slope property in the City Limit Line as established by Annexation 71-A dated May 23, 1969, said point being in the eastern right-of-way margin of the Claude Lee Road (SR 2341), also known as the Airport Connector Road and running thence with the aforesaid right-of-way and leaving the City Limit Line on a curve to the right having a radius of 1,372.39 feet for an arc distance 425.42 feet, having a chord bearing and distance of North 16 degrees 02 minutes 23 seconds East 423.72 feet; thence continuing with the aforesaid road margin North 26 degrees 17 minutes 36 seconds East 136.88 feet; thence leaving the Claude Lee Road margin North 48 degrees 33 minutes 00 seconds East 312.11 feet to the existing City Limit Line; thence with the existing City Limit Line South 29 degrees 12 minutes 00 seconds West 843.77 feet to the point of **BEGINNING**....containing 1.22 acres more or less.

Section 3. The property described in Section 2 is contiguous to the current municipal boundaries.

Section 4. A public hearing on the question of annexation of the property will be held at City Hall Council Chambers at 7:00 p.m. on May 24, 2010.

Section 5. Notice of the public hearing shall be published in the Fayetteville Observer Times, a newspaper having general circulation in the City of Fayetteville of North Carolina, at least ten (10) days prior to the date of the public hearing.

Adopted this _____ day of _____, 2010.

6

BY: _____

Anthony G. Chavonne, Mayor

ATTEST:

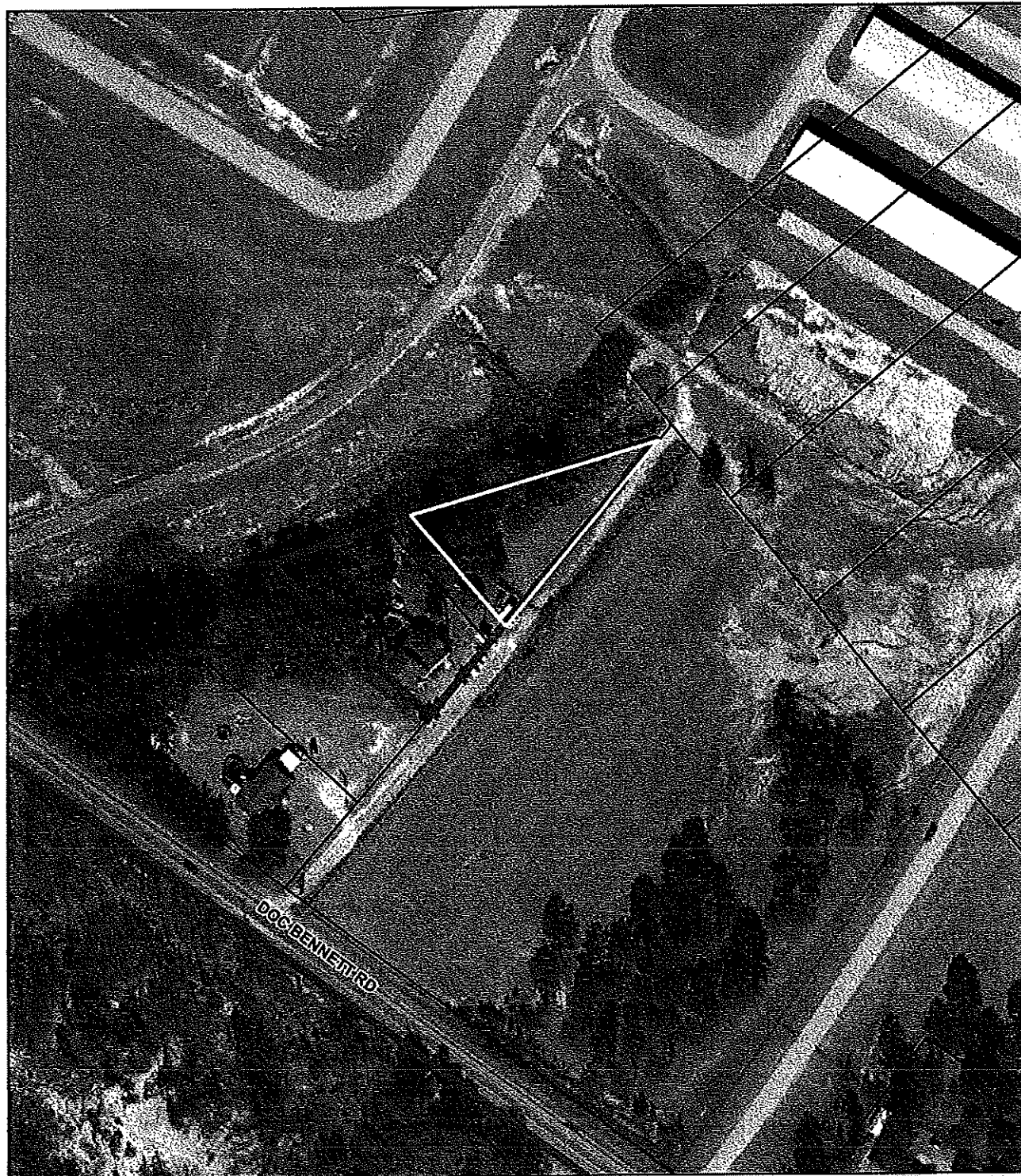
Rita Perry, City Clerk

7

BASIC INFORMATION ABOUT THE AREA PROPOSED FOR ANNEXATION**Date Petition Received: City Initiated/City Owned Property****Annexation Date: Effective Date:****Annexation Number:**

1. Name of Area:	Airport Property Area 11
2. Petitioner:	City of Fayetteville
3. Location:	Northern side of Doc Bennett Road
4. Tax Identification Number (PIN):	0434-48-9907
5. Fire Department Affected by Annexation:	Pearces Mill
6. Is the Area Contiguous:	Yes
7. Type of Proposed Annexation:	City Initiated Contiguous Annexation
8. Background:	Property owned by the City (Fayetteville Regional Airport)
9. Reason the Annexation is Proposed:	City Owned Property currently not within the City Limits
10. Number of Acres in Area:	.55
11. Type of Development in Area:	<input type="checkbox"/> New <input type="checkbox"/> Existing <input checked="" type="checkbox"/> Vacant
12. Present Conditions:	a. <u>Present Land Use:</u> vacant/cleared b. <u>Present Number of Housing Units:</u> 0 c. <u>Present Demographics:</u> 0 d. <u>Present Streets:</u> none
13. Factors Likely to Affect Future of Area:	a. <u>Plans of Owner:</u> Airport Property b. <u>Development Controls</u> 1. <u>Land Use Plan</u> a. <u>2010 Plan:</u> Heavy Industrial 2. <u>Zoning</u> a. <u>Current Zoning in County:</u> M(P) Industrial District b. <u>Likely Zoning After Annexation:</u> Unzoned c. <u>Maximum number of units allowed based on the zoning:</u> n/a
14. Expected Future Conditions:	a. <u>Future Land Use:</u> Airport Use b. <u>Future Number of Housing Units:</u> none c. <u>Future Demographics:</u> none d. <u>Future Streets:</u> none e. <u>Water and Sewer Service:</u> PWC f. <u>Electric Service:</u> PWC
15. Tax Value Land and Structures:	\$10,488

**City Owned Airport Property
Area 11**



Contiguous City Owned/City Initiated Annexation
1 parcel
.55 acres

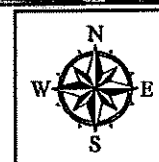
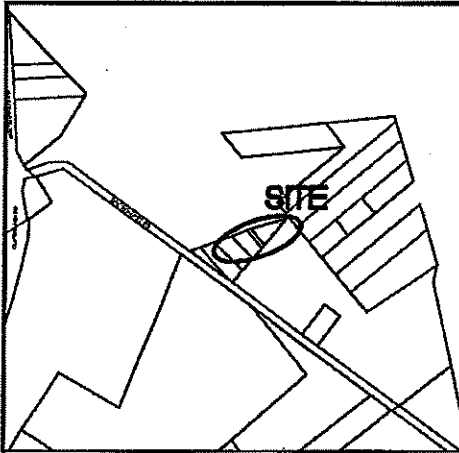




EXHIBIT 'A'



VICINTY MAP (N.T.S.)

 PROPOSED ANNEXATION AREA
 CITY LIMITS

AIRPORT
ANNEX 71-A

S69°49'00"W
27.59'
(TIE-LINE)

328.40'
N71°25'53"E
043-48-9907-
DB 4456 PC 83

N50°05'02"W
171.66'

S59°52'37"W
279.62'

AIRPORT
ANNEX 90-5-328

AIRPORT
ANNEX 71-A

Fayetteville ENGINEERING & INFRASTRUCTURE DEPT.
CIVIL ENGINEERING DIVISION
433 HAY ST. 28301
(910) 433-1656

PROPOSED ANNEXATION
FAYETTEVILLE AIRPORT
CITY OF FAYETTEVILLE PROPERTY
± 0.55 ACRES

THIS MAP IS NOT A CERTIFIED
SURVEY AND NO RELIANCE MAY
BE PLACED IN ITS ACCURACY.

DATE 11/30/09 DRAWN BY CSA
SCALE 1" = 100' CK'D BY CSA

SHEET 1 OF 1

**CITY OF FAYETTEVILLE (AIRPORT)
PROPOSED ANNEXATION
0434-48-9907**

BEGINNING at an iron stake in the City Limit Line as established by Annexation 71-A, dated May 23, 1969, and Annexation 90-5-328, dated May 7, 1990, said stake being the dividing line between the Airport Property of the City of Fayetteville as shown on plat recorded in Book 26, Page 41, Cumberland County Registry, and the property of M. D. Bennett shown on plat recorded in Book of Plats 29, Page 47, Cumberland County Registry, South 69 degrees 49 minutes West 27.59 feet from a concrete monument in the southwestern line of the Floyd Young Estate, said concrete monument being the northeast corner of the M. D. Bennett property as described in deed recorded in Book 858, Page 35, Cumberland County Registry, and running thence with the City Limit Line established by Annexation 71-A and said dividing line South 71 degrees 25 minutes 53 seconds East 328.40 feet to an iron stake; thence South 50 degrees 05 minutes 02 seconds West 171.66 feet to an iron stake; thence continuing with said City Limit Line South 39 degrees 52 minutes 31 seconds West 279.62 feet to the **BEGINNING**....containing 0.55 acres more or less.

**Airport Property—Area 11 —
(Located on the Northern side of Doc
Bennett Road)**

**A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO
ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS
CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO
N.C.G.S. 160A-31**

BE IT RESOLVED by the City Council of the City of Fayetteville that:

Section 1. It is the intent of the City Council, pursuant to G.S. 160A-31, to annex the property described in Section 2, which is owned by the City of Fayetteville.

Section 2. The legal description of the property is as follows:

**CITY OF FAYETTEVILLE (AIRPORT PROPERTY – AREA 11)
LOCATED ON THE NORTHERN SIDE OF DOC BENNETT ROAD**

BEGINNING at an iron stake in the City Limit Line as established by Annexation 71-A, dated May 23, 1969, and Annexation 90-5-328, dated May 7, 1990, said stake being the dividing line between the Airport Property of the City of Fayetteville as shown on plat recorded in Book 26, Page 41, Cumberland County Registry, and the property of M. D. Bennett shown on plat recorded in Book of Plats 29, Page 47, Cumberland County Registry, South 69 degrees 49 minutes West 27.59 feet from a concrete monument in the southwestern line of the Floyd Young Estate, said concrete monument being the northeast corner of the M. D. Bennett property as described in deed recorded in Book 858, Page 35, Cumberland County Registry, and running thence with the City Limit Line established by Annexation 71-A and said dividing line South 71 degrees 25 minutes 53 seconds East 328.40 feet to an iron stake; thence South 50 degrees 05 minutes 02 seconds West 171.66 feet to an iron stake; thence continuing with said City Limit Line South 39 degrees 52 minutes 31 seconds West 279.62 feet to the **BEGINNING**....containing 0.55 acres more or less.

Section 3. The property described in Section 2 is contiguous to the current municipal boundaries.

Section 4. A public hearing on the question of annexation of the property will be held at City Hall Council Chambers at 7:00 p.m. on May 24, 2010.

Section 5. Notice of the public hearing shall be published in the Fayetteville Observer Times, a newspaper having general circulation in the City of Fayetteville of North Carolina, at least ten (10) days prior to the date of the public hearing.

Adopted this _____ day of _____, 2010.

BY: _____

Anthony G. Chavonne, Mayor

ATTEST:

Rita Perry, City Clerk

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Marsha Bryant, Planner
DATE: May 10, 2010
RE: Development Services (Planning & Zoning Division) - Adopt a Resolution Pursuant to NCGS 160A-58.2 - Setting May 24, 2010 as the date for a Public Hearing for a Petition-Initiated Noncontiguous Annexation Area (Eureka Chapel Missionary Baptist Church - Located on the NE corner of Jossie Street and McArthur Road)

THE QUESTION:

Setting a Public Hearing Date to consider annexation of an area not contiguous to the City Limits.

RELATIONSHIP TO STRATEGIC PLAN:

Strong Local Economy

BACKGROUND:

A petition requesting annexation has been received and processed through the City Development Services Department Planning Division. Development plans for a 4,000 square foot church have been approved by the County Planning Department for the subject property.

ISSUES:

The property is not contiguous to the City limits but is within the City's MIA area. The owners requested PWC water service; therefore, a petition requesting annexation was required. City Council must hold a public hearing prior to voting on the annexation petition.

OPTIONS:

1. Set the Public Hearing date for May 24, 2010
2. Set a later date for a Public Hearing

RECOMMENDED ACTION:

Staff recommends that Council move to approve the attached Resolution Setting a Public Hearing Date of May 24, 2010 for the requested annexation.

ATTACHMENTS:

Map of the Property
Legal Description of the Property
Certificate of Sufficiency of Petition
Petition
Resolution of Intent

EXHIBIT 'A'

SHEET 1 OF 1

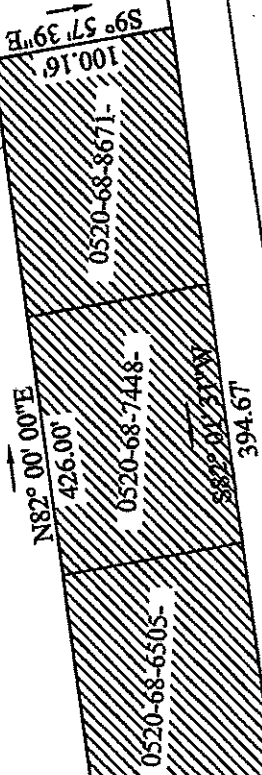
N37° 48' 41"E
0.02'
(COMPUTED)

N10° 07' 38"W
28.98'

N18° 10' 44"W
51.24'

CENTER ST.

L=34.81, R=25.00
(CH=N58° 12' 20"W CL=32.07)



JOSSIE ST.

McARTHUR RD.

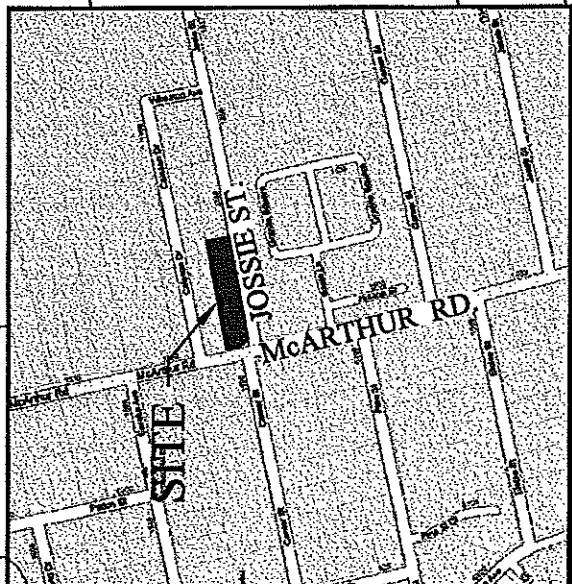
PROPOSED ANNEXATION AREA

Fayetteville
ENGINEERING & INFRASTRUCTURE DEPT.
CIVIL ENGINEERING DIVISION
433 HAY ST. 28301
(910) 433-1656

PROPOSED ANNEXATION
EUREKA CHAPEL MISSIONARY
BAPTIST CHURCH PROPERTY
± 0.97 ACRES

THIS MAP IS NOT A CERTIFIED
SURVEY AND NO RELIANCE MAY
BE PLACED IN ITS ACCURACY

DATE 03/02/10 DRAWN BY WRB
SCALE 1" = 100' CK'D BY CSA



VICINITY MAP (N.T.S.)

***Eureka Chapel Missionary Baptist Church
NE Corner of Jossie Street and McArthur Road***

BEGINNING at the northwestern corner of Lot 12F as shown in Plat Book 123, Page 175 of the Cumberland County Registry and continuing thence for a first call North 82 degrees East 426 feet to a point, thence South 09 degrees 57 minutes 39 seconds East 100.16 feet to a point, thence South 82 degrees 01 minutes 31 seconds West 394.67 feet to a point, thence with a curve to the right having a radius of 25 with a chord bearing and distance of North 58 degrees 12 minutes 20 seconds West 32.07 feet, thence North 18 degrees 10 minutes 44 seconds West 51.24 feet thence North 10 degrees 07 minutes 38 seconds West 28.98 feet, thence North 37 degrees 48 minutes 41 seconds East 0.02 feet to the BEGINNING, and containing approximately 0.97 acres.

**Eureka Chapel Missionary Baptist
Church – (Located on the Northeast
Corner of Jossie Street and McArthur
Road)**

CERTIFICATE OF SUFFICIENCY

To the City Council of the City of Fayetteville, North Carolina.

I, Rita Perry, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Fayetteville, this ____ day of _____, 2010.

(SEAL)

Rita Perry, City Clerk

**PETITION REQUESTING ANNEXATION
(NON-CONTIGUOUS)**

Date Received by Planning: 2-23-2010Received by: MBryant

To the Mayor and City Council of the City of Fayetteville, North Carolina.

1. We the undersigned owner(s) respectfully request that the area described in the attached be annexed to the City of Fayetteville, North Carolina.
2. The area to be annexed is non-contiguous to the City Limits and a map indicating the boundaries of such territory is attached.
3. A map showing the proposed annexation area in relation to the existing City Limits is attached.
4. A deed of the property is attached indicating the deed book and page number.
5. A metes and bounds legal description of the proposed annexation area is attached.
6. Tax Parcel ID Number (PIN): 0520-68-7448/0520-68-0505 Acreage: .98
7. Location: 1500 McARTHUR ROAD
8. Have you obtained a vested right from the County Planning Department for any proposed development at this location? SITE PLAN APPROVED WORK IN PROGRESS

Please fill in the name of the Corporation, LLC, or Partnership and sign your name and title below:

Signatures of all owners.		INDIVIDUAL	
Owner Signature	Print Name	Phone Number	Address
<u>Lorene Williams</u>	<u>LORENE WILLIAMS</u>	<u>910-822-1464</u>	<u>1500 McARTHUR RD, NC</u>
	<u>TRUSTEE</u>		
CORPORATION NAME:			
Signatures of all Individuals, and their Title, who are required to sign for the corp.	Print Name And Title	Phone Number	Address
LIMITED LIABILITY CORPORATION NAME:			
Signatures of all Individuals, and their Title, who are required to sign for the corp.	Print Name And Title	Phone Number	Address
PARTNERSHIP NAME:			
Signatures of all Individuals, and their Title, who are required to sign for the Partnership	Print Name And Title	Phone Number	Address

**Eureka Chapel Missionary Baptist
Church – (Located on the Northeast
Corner of Jossie Street and McArthur
Road)**

**A RESOLUTION FIXING A DATE FOR A PUBLIC HEARING
FOR A PETITION-INITIATED NON-CONTIGUOUS ANNEXATION
AREA PURSUANT TO N.C.G.S. 160A-58.2**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, certification by the Clerk of the City of Fayetteville as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fayetteville of North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at City Hall Council Chambers at 7:00 p.m. on May24, 2010.

Section 2. The area proposed for annexation is described as follows:

***Eureka Chapel Missionary Baptist Church
NE Corner of Jossie Street and McArthur Road***

BEGINNING at the northwestern corner of Lot 12F as shown in Plat Book 123, Page 175 of the Cumberland County Registry and continuing thence for a first call North 82 degrees East 426 feet to a point, thence South 09 degrees 57 minutes 39 seconds East 100.16 feet to a point, thence South 82 degrees 01 minutes 31 seconds West 394.67 feet to a point, thence with a curve to the right having a radius of 25 with a chord bearing and distance of North 58 degrees 12 minutes 20 seconds West 32.07 feet, thence North 18 degrees 10 minutes 44 seconds West 51.24 feet thence North 10 degrees 07 minutes 38 seconds West 28.98 feet, thence North 37 degrees 48 minutes 41 seconds East 0.02 feet to the BEGINNING, and containing approximately 0.97 acres.

Section 3. Notice of the public hearing shall be published in the Fayetteville Observer, a newspaper having general circulation in the City of Fayetteville of North Carolina, at least ten (10) days prior to the date of the public hearing.

Adopted this _____ day of _____, 2010.

BY: _____

Anthony G. Chavonne, Mayor

ATTEST:

Rita Perry, City Clerk

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Karen Hilton, Planning & Zoning Division Manager
DATE: May 10, 2010
RE: **Development Services (Planning & Zoning Division) -Special Sign Permit Request for up to 20 temporary event signs for the Cumberland CommuniCare Barbecue Event on May 21, 2010. Signs would be put out on May 17, 2010.**

THE QUESTION:

Whether or not to approve the special request for temporary event signs for the Cumberland CommuniCare Barbecue Event.

RELATIONSHIP TO STRATEGIC PLAN:

Partnership of Citizens

BACKGROUND:

The Sign Ordinance contains a provision, Section 30-259, allowing special permits for temporary on and off premises signs for festivals and major events for the purposes of giving directions and information. The request is subject to the approval of City Council who may limit the number. Locations to be negotiated by staff.

ISSUES:

The City Council has routinely approved similar requests for similar events for several years. The Cumberland CommuniCare Barbecue Event will be held at the Harris Teeter parking lot on Raeford Road.

OPTIONS:

1. Grant the special sign permit for up to 20 signs to be removed by the end of the day, May 22, 2010.
2. Grant the special sign permit with a different limit on the number of signs. Locations to be negotiated by staff.
3. Deny the special sign permit as requested.

RECOMMENDED ACTION:

Option 1: Move to grant the special sign permit with up to 20 signs to be removed no later than May 22, 2010.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of Council
FROM: Gloria Wrench, Purchasing Manager
DATE: May 10, 2010
RE: Engineering & Infrastructure - Recommendation of Bid Award for 2010 Street Resurfacing

THE QUESTION:

Staff requests approval to award a contract for the City's 2010 resurfacing work. This work consists of resurfacing 83 streets (approximately 16.63 miles).

*Attached please find the list of streets to be included in this contract.

RELATIONSHIP TO STRATEGIC PLAN:

Growing City, Livable Neighborhoods - A Great Place to Live

BACKGROUND:

Formal bids were received April 22, 2010 for the project entitled "Resurface Various Streets - 2010". Bids received are as follows:

Barnhill Contracting Company, Fayetteville, NC	\$2,591,752.96
Highland Paving Co., Fayetteville, NC	\$2,717,881.05

Barnhill Contracting Company will utilize HUB certified DBE subcontractors for approximately 10.2% of the work on this project.

ISSUES:

None

OPTIONS:

(1) Award contract according to staff recommendation. (2) Reject bids and not award contract.

RECOMMENDED ACTION:

Award a contract to the lowest responsive, responsible bidder, Barnhill Contracting Company, Fayetteville, NC, in the amount of \$2,591,752.96.

ATTACHMENTS:

2010 Resurfacing Street List

2009-2010 APPROVED RESURFACING

STREETS FROM PREVIOUS YEAR

NO.	STREET	FROM	TO	LENGTH	WIDTH
1	DICK ST.	RUSSELL ST.	OTTIS JONES FREEWAY	500	32
2	IVY RD.	MCKIMMON RD.	LYON RD.	437	25

PROPOSED STREETS

NO.	STREET	FROM	TO	LENGTH	WIDTH
3	PELT DR.	HARVEY DR.	CARLYLE ST.	1246	32
4	ITALY ST.	ROBESON ST.	ELLIS ST.	1208	25
5	MARTINQUE PL.	BAHAMA LOOP	BAHAMA LOOP	565	26
6	****REMOVED****				
7	BRADLEY ST.	SHEA CT.	DEAD END	524	27
8	SIMPSON ST.	BROADFOOT AVE.	BRYAN ST.	701	25
9	REGAN ST.	ECCLES DR.	MCLAMB DR.	1006	22
10	WADDELL DR.	MURCHISON RD.	DEAD END	2065	32
11	JACKS FORD DR.	SANTA FE DR.	WATERFORD DR.	1166	36
12	****REMOVED****				
13	POE ST.	SOUTHERN AVE.	DEAD END	1076	32
14	HARVEY DR.	PELT DR.	CUL-DE-SAC	627	25
15	FERNCREEK DR.	RAEFORD RD.	RAVENCROFT CT.	1961	37
16	****REMOVED****				
17	DELAWARE DR.	ROANOKE	TRAINER DR.	1162	27
18	OPAL CT.	LIVINGSTON DR. EXT.	CUL-DE-SAC	620	24
19	LIVINSTON DR.	SHAW RD. EXT.	DEAD END	610	32
20	****REMOVED****				
21	COOPER RD.	STACY WEAVER DR.	DEAD END	932	27
22	LAKE VALLEY RD.	YADKIN RD.	LAKE VALLEY RD.	860	25
23	DEVERS ST.	HULL RD.	FORT BRAGG RD.	1400	36
24	HULL RD.	DEVERS ST.	FORT BRAGG RD.	3239	39
25	ANN ST.	BOW ST.	GROVE ST.	1541	23
26	****REMOVED****				
27	TRINITY ST.	LANGDON ST.	DEAD END	773	32
28	BIXLEY DR.	DUNCAN ST.	DAISY LANE	645	32
29	VAN BUREN AVE.	PAMALEE DR.	DUNCAN ST.	226	36
30	SCOTTY HILL RD.	CAIN RD.	ROGERS DR.	2029	27
31	VALENCIA DR.	CAIN RD.	DEAD END	1752	32
32	EVERGLADE DR.	VALENCIA DR.	CUL-DE-SAC	329	22
33	AIREDALE CT.	DOWLESS DR.	CUL-DE-SAC	130	25
34	****REMOVED****				
35	SEABROOK RD.	LANGDON ST.	TOPEKA DR.	3978	32
36	S. COOL SPRINGS ST.	PERSON ST.	RUSSELL ST.	753	32
37	****REMOVED****				
38	N. KENNEDY ST.	PERSON ST.	ADAM ST.	388	32
39	ADAM ST.	N. COOL SPRINGS ST.	N. KENNEDY ST.	701	22
40	PURDUE DR.	RAEFORD RD.	CARDIFF DR.	2747	54
41	TOPEKA ST.	SEABROOK RD.	WILLIS ST.	1810	44
42	BIRKDALE CT.	WAGONEER DR.	CUL-DE-SAC	584	25
43	MICHAEL ST.	WILLBOROUGH AVE.	EMELINE AVE.	630	32
44	NICKEY AVE.	PRINCE ST.	END OF PAVEM.	169	25
45	TOKAY DR.	RAMSEY ST.	DEAD END	3950	40
46	BRUNNER ST.	MOORE ST.	MURCHISON RD.	492	25
47	MOORE ST.	HILLSBORO ST.	BRUNNER ST.	536	25
48	KENNY BUNK DR.	HIDDEN FORGE DR.	CUL-DE-SAC	1621	26

<u>No.</u>	<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Width</u>
49	HIDDEN FORGE DR.	SIPLE AVE.	SIPLE AVE.	630	32
50	CALDERA PL.	KENNY BUNK DR.	CUL-DE-SAC	164	26
51	DAWNVIEW PL.	SIPLE AVE.	CUL-DE-SAC	190	26
52	BEDLOE ST.	BEDLOE ST.	BEDLOE ST.	3481	26
53	****REMOVED****				
54	****REMOVED****				
55	ARGYLL RD.	CUL-DE-SAC	CUL-DE-SAC	1400	25
56	CLUNY DR.	MURRY HILL RD.	ARGYLL RD.	774	26
57	LOUISE ST.	SKIBO RD.	BRIDGE	1110	25
58	APRICOT CT.	NUTMEG CT.	NUTMEG CT.	310	20
59	BAXTER ST.	CLEARWATER DR.	ASHFIELD DR.	838	32
60	GOWAN LANE	ASHFIELD DR.	KELBURN DR.	494	25
61	LIONEL LANE	ASHFIELD DR.	KELBURN DR.	630	25
62	KELBURN DR.	ASHFIELD DR.	MEGELLAN DR.	1407	25
63	SANTIATO DR.	CALAMAR DR.	PRESTIGE BLVD.	2513	26
64	DEVLIN DR.	EICHELBERGER DR.	GEIBERGER DR.	513	25
65	SWANN ST.	GEIBERGER DR.	WEISKOPF CT.	1816	25
66	DIAMOND ST.	IVORY CT.	CUL-DE-SAC	840	26
67	FARLEY PL.	SUMMERTIME RD.	CUL-DE-SAC	542	26
68	DANBURY RD.	MURCHISON RD.	DEAD END	2054	25
69	CAMDEN RD.	WHITFIELD RD.	DEAD END	1463	32
70	MAXEWELL ST.	HAY ST.	RUSSELL ST.	785	32
71	DONALDSON ST.	FRANKLIN ST.	RUSSELL ST.	380	34
72	GLEN PL.	GOODVIEW AVE.	GENERAL LEE AVE.	311	32
73	SCHOOL ST.	B. ST	EASTERN BLVD.	446	22
74	PEPPERBUSH DR.	SPINDLETREE DR.	SPINDLETREE DR.	2464	25
75	QUETWOOD PL.	SPINDLETREE DR.	CUL-DE-SAC	663	26
76	WINDY KNOLL PL.	SPINDLETREE DR.	CUL-DE-SAC	640	26
77	ST. JOHNS WOOD CT.	HUNINGTON RD.	CUL-DE-SAC	695	32
78	SPRINGWATER CT.	RIM RD.	CUL-DE-SAC	150	25
79	MILL POND CT.	RIM RD.	CUL-DE-SAC	150	25
80	EDWARDS ST.	HILLSBORO ST.	DEAD END	858	22
81	FOSTER DR.	DOWFIELD DR.	ROSEHILL RD.	1074	25
82	S. KENNEDY ST.	PERSON ST.	RUSSELL ST.	770	25
83	LILLY DR.	DOBBINS AVE.	DEAD END	325	25
84	CASTLE FALLS CR.	RIM RD.	RIM RD.	1875	26
85	MALONEY AVE.	LAMON ST.	DEAD END	1021	32
86	SUMMERCHASE DR.	TOUCHSTONE DR.	TOUCHSTONE DR.	1356	25
87	****REMOVED****				
88	AVALA DR.	PRESTIGE BLVD.	CUL-DE-SAC	1752	26
89	SHERWOOD DR.	MAGNOLIA AVE.	S. OLIVE ST.	418	15
90	LANDAU RD.	TAMARACK DR.	ROLLS AVE.	820	25
91	COLINWOOD DR.	MCPHERSON CHURCH RD.	KINGSFORD RD.	231	36
92	LAMBERT ST.	OAKRIDGE AVE.	CUL-DE-SAC	1791	20
93	DUNN RD.	HWY 24	PERSON ST.	902	23

Micro Length 87,798
Resurf. Miles 16.63

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa T. Smith, Chief Financial Officer
DATE: May 10, 2010
RE: **Finance - Approve the Redemption of the Outstanding Municipal Building Projects, Series 1996 Bonds and Adopt Budget Ordinance Amendment 2010-6 (City of Fayetteville Finance Corporation - Bond Redemption)**

THE QUESTION:

This amendment will appropriate \$2,101,415 to pay off the outstanding Municipal Building Projects, Series 1996 bonds resulting in an interest savings for the City.

RELATIONSHIP TO STRATEGIC PLAN:

Mission Principle: Financially Sound City Government

BACKGROUND:

- The City of Fayetteville Finance Corporation has \$2,040,000 in outstanding principal on Series 1996, Municipal Building Project bonds bearing interest rates of 5.625%.
- As the bond interest rate exceeds current interest rates for investment of City funds, it is financially prudent to redeem the outstanding bonds using Capital Funding Plan fund balance.
- The recommended budget ordinance amendment will appropriate \$1,746,319 of Capital Funding Plan resources from the General Fund, \$354,355 of Finance Corporation Fund balance and \$471 of projected Finance Corporation investment income to pay principal, interest and associated expenses to redeem the bonds.

ISSUES:

None

OPTIONS:

- Approve the redemption and adopt the budget ordinance amendment to appropriate funding to redeem the outstanding Municipal Building Project, Series 1996 bonds.
- Do not approve the redemption of the bonds and do not adopt the budget ordinance amendment.

RECOMMENDED ACTION:

Approve the redemption of the Municipal Building Project, Series 1996 bonds and adopt the budget ordinance amendment.

ATTACHMENTS:

Budget Ordinance Amendment 2010-6

2009-2010 BUDGET ORDINANCE AMENDMENT
CHANGE 2010-6

BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA:

That the City of Fayetteville Budget Ordinance adopted June 22, 2009 is hereby amended as follows:

Section 1. It is estimated that the following revenues and other financing sources will be available during the fiscal year beginning July 1, 2009, and ending June 30, 2010, to meet the appropriations listed in Section 2.

<u>Item</u>	<u>Listed As</u>	<u>Revision</u>	<u>Revised Amount</u>
<u>Schedule J: City of Fayetteville Finance Corporation</u>			
Investment Income	\$ -	\$ 471	\$ 471
Interfund Transfer	1,808,250	1,746,319	3,554,569
Fund Balance Appropriation	-	354,355	354,355
Total Estimated City of Fayetteville Finance Corporation Revenues and Other Financing Sources	<u>\$ 1,808,250</u>	<u>\$ 2,101,145</u>	<u>\$ 3,909,395</u>

Section 2. The following amounts are hereby appropriated for the operations of the City Government and its activities for the fiscal year beginning July 1, 2009, and ending June 30, 2010, according to the following schedules:

<u>Item</u>	<u>Listed As</u>	<u>Revision</u>	<u>Revised Amount</u>
<u>Schedule J: City of Fayetteville Finance Corporation</u>			
Total Estimated City of Fayetteville Finance Corporation Expenditures	<u>\$ 1,808,250</u>	<u>\$ 2,101,145</u>	<u>\$ 3,909,395</u>

Adopted this 10th day of May, 2010.

CITY COUNCIL ACTION MEMO

TO: Mayor and City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: May 10, 2010
RE: **Finance - Capital Project Ordinance 2010-18 and Resolution Authorizing Grant (FY2010 Transit Capital Grant)**

THE QUESTION:

Capital Project Ordinance 2010-18 will appropriate the budget for the FY2010 Transit Capital Grant 90-X464 for various capital items including the rehabilitation of buses, technology upgrades and building renovations. The resolution will authorize the City Manager to execute the grant agreement with the NC Department of Transportation.

RELATIONSHIP TO STRATEGIC PLAN:

Principle A: Great Place to Live – Accessible and efficient transit throughout the City.
Value – Stewardship – Looking for ways to leverage city resources and to expand revenues.

BACKGROUND:

- Transit has received federal and state grants for various capital items including the rehabilitation of existing buses, technology upgrades and building renovations.
- The Federal Transit Administration will fund 80% of the capital expenditures, the North Carolina Department of Transportation (NCDOT) will fund 10% of the cost of certain capital items and the City must fund the balance of the cost.
- The proposed funding sources for the \$811,667 ordinance are:
 - FTA (\$649,334)
 - NCDOT (\$72,824)
 - Local Match- General Fund Transfer (\$89,509)
- To receive the state grant, the attached resolution must be adopted to authorize the City Manager to execute the grant agreement.

ISSUES:

None

OPTIONS:

- 1) Adopt Capital Project Ordinance 2010-18 and the associated resolution.
- 2) Do not adopt Capital Project Ordinance 2010-18 and the associated resolution.

RECOMMENDED ACTION:

Adopt Capital Project Ordinance 2010-18 and adopt the resolution authorizing the grant agreement with the NC Department of Transportation.

ATTACHMENTS:

CPO 2010-18
Resolution

CAPITAL PROJECT ORDINANCE
ORD 2010-18

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The authorized project is for the funding of the FY2010 Transit Capital Grant 464, which includes funds for the rehabilitation of buses, technology upgrades and building renovations.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various agreements executed and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

Federal Transit Administration	\$	649,334
North Carolina Department of Transportation		72,824
Local Match- General Fund Transfer		89,509
	\$	<u>811,667</u>

Section 4. The following amounts are appropriated for the project:

Project Expenditures	\$	<u>811,667</u>
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Section 5. Copies of this capital project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 10th day of May, 2010.

RESOLUTION
AUTHORIZING **CITY OF FAYETTEVILLE**
TO ENTER INTO AN AGREEMENT WITH
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

A motion was made by _____ and seconded by _____
for adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, the **CITY OF FAYETTEVILLE** has requested the North Carolina
Department of Transportation to assist in the funding of the **FY2010 Transit Capital
Grant**; and

WHEREAS, the **CITY OF FAYETTEVILLE** will provide **10%** of the cost of the above
described project;

NOW THEREFORE, BE IT RESOLVED that the **CITY MANAGER *** is hereby
authorized to enter into a contract with the Department of Transportation and execute
all agreements and contracts with the North Carolina Department of Transportation,
Public Transportation Division.

.....
I, _____ * do hereby certify that the above is a true and correct copy
of an excerpt for the minutes of a meeting of the **City of Fayetteville City Council** duly
held on the **10th** day of **May, 2010**.

Signature of Certifying Official

* the official authorized to enter onto agreement **SHOULD NOT** sign the resolution.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa T. Smith, Chief Financial Officer
DATE: May 10, 2010
RE: **Finance - Capital Project Ordinance Amendment 2010-30 (Texfi Property Acquisition)**

THE QUESTION:

This amendment will appropriate \$418,000 for the acquisition of the Texfi site. The funds will be primarily used to pay property taxes, fees and associated interest owed on the property.

RELATIONSHIP TO STRATEGIC PLAN:

Principle J: Sustainable Community

BACKGROUND:

- This is an approved capital improvement project for the acquisition of the abandoned Texfi property located adjacent to Clark Park and the Hoffer Drive Water Treatment Plant.
- A portion of the property will be used for the next phase of the Cape Fear River Trail. Further use of the remainder of the property will be developed by staff and recommended in future CIP budget reviews.
- The source of funds for this amendment consists of a \$179,000 transfer from the General Fund and a \$239,000 contribution from Cumberland County.
- The County's actual contribution will equal the amount of County taxes the City must pay to acquire the property.
- The primary source of funds for the City's General Fund transfer is the City's property tax revenue that will be received when the City acquires this property.
- These funds will be primarily used to pay the outstanding City and County taxes, storm water fees and associated interest owed on the property.
- If approved, the revised project budget will be \$527,236.

ISSUES:

None

OPTIONS:

- Approve the amendment and acquire the property.
- Do not approve the amendment and do not acquire the property.

RECOMMENDED ACTION:

Approve the capital project ordinance amendment.

ATTACHMENTS:

CPOA 2010-30 (Texfi Acquisition)

CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2010-30 (CPO 2009-4)

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby amended:

Section 1. The project change authorized is to Capital Project Ordinance 2009-4, adopted June 9, 2008, as amended, for the funding of Texfi property acquisition and development.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various agreements executed and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

	Listed As	Amendment	Revised
General Fund Transfer	\$ 109,376	\$ 179,000	\$ 288,376
Cumberland County	-	239,000	239,000
	<u>\$ 109,376</u>	<u>\$ 418,000</u>	<u>\$ 527,376</u>

Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 109,376</u>	<u>\$ 418,000</u>	<u>\$ 527,376</u>
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Section 5. Copies of this capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 10th day of May, 2010.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: May 10, 2010
RE: **Finance - Capital Project Ordinance Closeout 2010-15 (Demolition of City-Owned Buildings)**

THE QUESTION:

Staff requests Council to approve the closeout of a completed capital project ordinance for the demolition of city-owned buildings.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 3: More Attractive City - Clean and Beautiful - Objective 3: Cleaner community with less trash and less visual blight.

BACKGROUND:

- Annually, the City closes out several projects that have been completed in previous fiscal years and that are no longer active.
- The project referenced above has been completed in a previous fiscal year, and the revenues and expenditures related to the project have been audited.
- The attached ordinance closeout details the budget, actual revenues, and actual expenditures for the project.

ISSUES:

None

OPTIONS:

1. Adopt Capital Project Ordinance Closeout 2010-15.
2. Do not adopt Capital Project Ordinance Closeout 2010-15.

RECOMMENDED ACTION:

Adopt Capital Project Ordinance Closeout 2010-15.

ATTACHMENTS:

CLO 2010-15 Demolition of City-Owned Buildings Ordinance

CAPITAL PROJECT ORDINANCE CLOSEOUT
CLO 2010-15 (CPO 2009-12)

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby closed:

Section 1. The project closing authorized is to Capital Project Ordinance 2009-12, adopted June 9, 2008, as amended, for the funding of the demolition of City-owned buildings, including buildings on Russell Street and Old Wilmington Road.

Section 2. The project director is hereby directed to proceed with the necessary closing entries and collection of any and all grant and loan agreements outstanding.

Section 3. The following revenues were made available to the City for the project:

	<u>Budget</u>	<u>Actual</u>
Transportation Fund Transfer- (Capital Project Ordinance 92-4, as amended)	\$ 41,345	\$ 41,345
General Fund Transfer	32,380	21,413
Total Revenues	<u>\$ 73,725</u>	<u>\$ 62,758</u>

Section 4. The following amounts were appropriated and expended for the project:

	<u>Budget</u>	<u>Actual</u>
Project Expenditures	<u>\$ 73,725</u>	<u>\$ 62,758</u>

Section 5. Copies of this capital project ordinance closeout shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 10th day of May, 2010

CITY COUNCIL ACTION MEMO

TO: Mayor and City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: May 10, 2010
RE: **Finance - Special Revenue Fund Project Ordinance 2010-17 and Resolution Authorizing the Grant (FY2010 Transit Planning Grant 464)**

THE QUESTION:

Special Revenue Fund Project Ordinance 2010-17 will appropriate the budget for the FY2010 Transit Planning Grant. The resolution will authorize the City Manager to execute the grant agreement with the NC Department of Transportation.

RELATIONSHIP TO STRATEGIC PLAN:

Principle A: Great Place to Live – Accessible and efficient transit throughout the City.
Value – Stewardship – Looking for ways to leverage city resources and to expand revenues.

BACKGROUND:

- Transit receives federal and state grants annually for planning.
- The Federal Transit Administration (FTA) will fund 80%, North Carolina Department of Transportation (NCDOT) will fund 10% and the City must provide a 10% local match of the cost of the project.
- The proposed funding sources for the \$273,236 ordinance are:
 - FTA (\$218,588)
 - NC DOT (\$27,324)
 - General Fund Transfer (\$27,324)
- To receive the state grant, the attached resolution must be adopted to authorize the City Manager to execute the grant agreement.

ISSUES:

None

OPTIONS:

- 1) Adopt Special Revenue Fund Project Ordinance 2010-17 and resolution authorizing the grant.
- 2) Do not adopt Special Revenue Fund Project Ordinance 2010-17 and resolution authorizing the grant.

RECOMMENDED ACTION:

Adopt Special Revenue Fund Project Ordinance 2010-17 and adopt the resolution authorizing the grant agreement with the NC Department of Transportation.

ATTACHMENTS:

Resolution

SRO 2010-17

RESOLUTION
AUTHORIZING **CITY OF FAYETTEVILLE**
TO ENTER INTO AN AGREEMENT WITH
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

A motion was made by _____ and seconded by _____
for adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, the **CITY OF FAYETTEVILLE** has requested the North Carolina
Department of Transportation to assist in the funding of the **FY2010 Transit Planning
Grant**; and

WHEREAS, the **CITY OF FAYETTEVILLE** will provide **10%** of the cost of the above
described project;

NOW THEREFORE, BE IT RESOLVED that the **CITY MANAGER *** is hereby
authorized to enter into a contract with the Department of Transportation and execute
all agreements and contracts with the North Carolina Department of Transportation,
Public Transportation Division.

.....
I, _____ * do hereby certify that the above is a true and correct copy
of an excerpt for the minutes of a meeting of the **City of Fayetteville City Council** duly
held on the **10th** day of **May, 2010**.

Signature of Certifying Official

* the official authorized to enter onto agreement **SHOULD NOT** sign the resolution.

SPECIAL REVENUE FUND PROJECT ORDINANCE
ORD 2010-17

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following special revenue project ordinance is hereby adopted:

Section 1. The project authorized is for the funding of the FY 2010 Transit Planning Grant 464 awarded by the Federal Transit Administration.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various contract agreements executed with the Federal and State governments and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

Federal Transit Administration	\$ 218,588
NC DOT	27,324
Local Match- General Fund Transfer	<u>27,324</u>
	<u><u>\$ 273,236</u></u>

Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u><u>\$ 273,236</u></u>
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Section 5. Copies of this special revenue project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 10th day of May, 2010.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: May 10, 2010
RE: **Finance - Special Revenue Fund Project Ordinance 2010-18 (2010 Badges for Baseball Program)**

THE QUESTION:

The ordinance appropriates \$32,823 for the 2010 Badges for Baseball Program.

RELATIONSHIP TO STRATEGIC PLAN:

Principle C: Leisure Opportunities For All - 2. Leisure facilities, programs and services for all family generations.

BACKGROUND:

- This program is a multi-faceted crime prevention and mentoring program that conveys the tenets of "The Ripken Way" to young people through a variety of programs including Healthy Choices, Healthy Children and baseball/softball themed activities.
- The current funding sources consist of a \$25,000 cash award from the Walmart Foundation passing through the Cal Ripken, Sr. Foundation and \$7,823 of in-kind donations from the Office of Juvenile Justice and Delinquency Prevention passing through the Cal Ripken, Sr. Foundation.
- The attached ordinance will formally establish the budget for this program.

ISSUES:

None

OPTIONS:

1. Adopt Special Revenue Fund Project Ordinance 2010-18.
2. Do not adopt Special Revenue Fund Project Ordinance 2010-18.

RECOMMENDED ACTION:

Adopt Special Revenue Fund Project Ordinance 2010-18.

ATTACHMENTS:

SRO 2010-18 Badges for Baseball 2010

SPECIAL REVENUE FUND PROJECT ORDINANCE
ORD 2010-18

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following special revenue project ordinance is hereby adopted:

Section 1. The project authorized is for the funding of the 2010 Badges for Baseball Program awarded by the Cal Ripken, Sr. Foundation.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various contract agreements executed with the Federal and State governments and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

Federal Office of Juvenile Justice and Delinquency Prevention pass through Cal Ripken, Sr. Foundation in-kind award	\$ 7,823
Walmart Foundation pass through Cal Ripken, Sr. Foundation cash award	\$ 25,000
	<u>\$ 32,823</u>

Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 32,823</u>
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Section 5. Copies of this special revenue project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 10th day of May, 2010.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: May 10, 2010
RE: Finance - Special Revenue Fund Project Ordinance 2010-19 (FY 2010 Cultural Arts Program)

THE QUESTION:

The ordinance appropriates \$22,520 for the FY 2010 Cultural Arts Program.

RELATIONSHIP TO STRATEGIC PLAN:

Principle C: Leisure Opportunities For All - 2. Leisure facilities, programs and services for all family generations.

BACKGROUND:

- The \$22,520 ordinance is for an expanded cultural arts program providing a variety of affordable arts programs to be offered in community recreation centers.
- The current funding sources consist of a grant from the Arts Council of Fayetteville/Cumberland County in the amount of \$10,000 and a required local match funded by a General Fund transfer in the amount of \$12,520.
- The attached project ordinance will formally establish the budget for this project.

ISSUES:

None

OPTIONS:

1. Adopt Special Revenue Fund Project Ordinance 2010-19.
2. Do not adopt Special Revenue Fund Project Ordinance 2010-19.

RECOMMENDED ACTION:

Adopt Special Revenue Fund Project Ordinance 2010-19.

ATTACHMENTS:

SRO 2010-19 FY 2010 Cultural Arts Program Ordinance

SPECIAL REVENUE FUND PROJECT ORDINANCE
ORD 2010-19

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following special revenue project ordinance is hereby adopted:

- Section 1. The project authorized is for the funding of the FY 2010 Cultural Arts Program awarded by the Arts Council of Fayetteville/Cumberland County.
- Section 2. The project director is hereby directed to proceed with the project within the terms of the various contract agreements executed with the Federal and State governments and within the funds appropriated herein.
- Section 3. The following revenues are anticipated to be available to the City to complete the project:

Arts Council of Fayetteville/Cumberland County	\$ 10,000
Local Match- General Fund Transfer	12,520
	<u>\$ 22,520</u>

- Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 22,520</u>
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- Section 5. Copies of this special revenue project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 10th day of May, 2010.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: May 10, 2010
RE: **Finance - Special Revenue Fund Project Ordinance Amendment 2010-6 (Energy Efficiency and Conservation Block Grant)**

THE QUESTION:

The attached special revenue project ordinance will appropriate an additional \$1,386,000 for the City's Energy Efficiency and Conservation Program.

RELATIONSHIP TO STRATEGIC PLAN:

Principle J: Sustainable Community

BACKGROUND:

- The Energy Efficiency and Conservation Strategy Program - Phase I was approved by the U. S. Department of Energy releasing additional funding to begin the program as presented in the strategy plan.
- Some of the goals of this program include the reduction of greenhouse gas emissions and improvement of energy efficiency.
- There is no local match required for this grant.
- The attached special revenue fund project ordinance amendment will formally increase the budget for this project to \$1,486,000.

ISSUES:

None

OPTIONS:

1. Adopt Special Revenue Fund Project Ordinance Amendment 2010-6.
2. Do not adopt Special Revenue Fund Project Ordinance Amendment 2010-6.

RECOMMENDED ACTION:

Adopt Special Revenue Fund Project Ordinance Amendment 2010-6.

ATTACHMENTS:

SROA 2010-6 Energy Efficiency and Conservation Strategy Ordinance

CITY OF FAYETTEVILLE

May 10, 2010

SPECIAL REVENUE FUND PROJECT ORDINANCE AMENDMENT
CHANGE 2010-6 (ORD 2010-13)

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following special revenue project ordinance is hereby amended:

Section 1. The project change authorized is to the Special Revenue Project Ordinance 2010-13, adopted November 23, 2009, as amended, for the American Recovery and Reinvestment Act of 2009 (ARRA) Energy Efficiency and Conservation Block Grant awarded by the U. S. Department of Energy.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various grant agreements executed with the Federal and State governments and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

	<u>Listed As</u>	<u>Amendment</u>	<u>Revised</u>
U.S. Department of Energy, National Energy Technology Laboratory	<u>\$ 100,000</u>	<u>\$ 1,386,000</u>	<u>\$ 1,486,000</u>

Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 100,000</u>	<u>\$ 1,386,000</u>	<u>\$ 1,486,000</u>
----------------------	-------------------	---------------------	---------------------

Section 5. Copies of this special revenue project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 10th day of May, 2010.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Steven K. Blanchard, PWC CEO/General Manager
DATE: May 10, 2010
RE: **PWC - Financial Matters: Capital Project Fund Resolution and Initial Budget; Budget Amendment #1 – Annexation Phase V Reserve Fund for FY 2010 and Budget Amendment #5 – Water and Wastewater Utility Systems Rate Stabilization**

THE QUESTION:

The Public Works Commission of the City of Fayetteville requests City Council adopt the following PWC financial items: Capital Project Fund Resolution and Initial Budget; Budget Amendment #1 – Annexation Phase V Reserve Fund for FY 2010 and Budget Amendment #5 – Water and Wastewater Utility Systems Rate Stabilization.

RELATIONSHIP TO STRATEGIC PLAN:

Quality utility services.

BACKGROUND:

During their regular meeting of April 28, 2010 the Public Works Commission considered and approved the following financial matters relating to the PWC Budget and to forward to City Council for adoption:

1. Resolution PWC2010.02 Establishing the Annexation Phase V – Areas 8 through 13 Capital Project Fund. This resolution establishes the Annexation Phase V – Areas 8 -13 Capital Project Fund (CPF) for the purpose of accounting for the installation of water and sewer utilities in Annexation Phase V, Areas 8-13.
2. Annexation Phase V – Areas 8 through 13 Capital Project Fund. Established the initial Capital Project Fund Budget for Fiscal Years 2010-2013 for Annexation Phase V – Areas 8-13.
3. Amendment #1 to the Annexation Phase V Reserve Fund for Fiscal Year 2010. This budget amendment is to adjust for monies from the City, interest income, debt service and design and easement purchases for Annexation, Phase V, Areas 8 & 9.
4. Amendment #5 to the Water and Wastewater Utility Systems Rate Stabilization Fund for Fiscal Year 2010. This budget amendment adjusts for the anticipated transfer to the General Fund this fiscal year. It has been determined this transfer will not be needed.

ISSUES:

None

OPTIONS:

None

RECOMMENDED ACTION:

Adopt the following as recommended by PWC: Capital Project Fund Resolution and Initial Budget; Budget Amendment #1 – Annexation Phase V Reserve Fund for FY 2010 and Budget Amendment #5 – Water and Wastewater Utility Systems Rate Stabilization.

ATTACHMENTS:

D Miller Transmittal Letter

PWC Resolution 2010.02

City Resolution

Initial CPF Budget, Phase V Areas 8-13

Amendment #1 - Annexation Phase V Reserve Fund for FY 2010

Amendment #5 - Water/Wastewater Utility Systems Rate Stabilization Fund for FY 2010



WILSON A. LACY, COMMISSIONER
TERRI UNION, COMMISSIONER
LUIS J. OLIVERA, COMMISSIONER
MICHAEL G. LALLIER, COMMISSIONER
STEVEN K. BLANCHARD, CEO/GENERAL MANAGER

PUBLIC WORKS COMMISSION
OF THE CITY OF FAYETTEVILLE
ELECTRIC & WATER UTILITIES

955 OLD WILMINGTON RD
P.O. BOX 1089
FAYETTEVILLE, NORTH CAROLINA 28302 1089
TELEPHONE (AREA CODE 910) 483-1401
FAX (AREA CODE 910) 829-0207

April 28, 2010

MEMO TO: Steven K. Blanchard, CEO

MEMO FROM: J. Dwight Miller, CFO

SUBJECT: Financial Matters for Commission Agenda (Revised)

The following financial matters are for the Commissioners consideration at their April 28, 2010 meeting:

1. Resolution PWC2010.02 establishes the Annexation Phase V – Areas 8 through 13 Capital Project Fund. Staff request that the Commission adopt the resolution and forward to City Council for adoption of a similar resolution on May 10, 2010.
2. Establish the initial budget for the Annexation Phase V – Areas 8 through 13 Capital Project Fund for fiscal years 2010-2013. Staff request that the Commission adopt the budget and forward to City Council for adoption on May 10, 2010.
3. Amendment #1 to the Annexation Phase V Reserve Fund for fiscal year 2010 is to adjust for monies from the City, interest income, debt service and design and easement purchases for areas 8 & 9. Staff request that the Commission adopt the budget and forward to City Council for adoption on May 10, 2010.
4. Amendment #2 to the Annexation Phase V Reserve Fund for fiscal year 2011 is to receive monies from the City, Water/Wastewater fund, loan from the ERSF, assessments and disburse for debt service, expenses of Areas 8-13 and interest to the ERSF. Staff request that the Commission adopt the budget and forward to City Council for adoption on June 14, 2010.
5. Amendment #5 to the Water and Wastewater Utility Systems Rate Stabilization Fund for fiscal year 2010 adjusts for the anticipated transfer to the General Fund this fiscal year. It has been determined this transfer will not be needed. Staff request that the Commission adopt the budget and forward to City Council for adoption on May 10, 2010.

BUILDING COMMUNITY CONNECTIONS SINCE 1905

AN EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

6. Amendment #6 to the Water and Wastewater Utility Systems Rate Stabilization Fund for fiscal year 2011 adjusts for monies to be transferred from the Water/Sewer General Fund and interest income and to transfer back to the Water/Sewer General Fund \$2 million that is anticipated to balance the 2011 fiscal year General Fund Budget. Staff request that the Commission adopt the budget and forward to City Council for adoption on June 14, 2010.
7. Amendment #8 to the ERSF for fiscal year 2011 receives the budgeted Electric General Fund transfer and anticipated interest income and transfers \$4,505,000 short-term loan to the Phase V Reserve Fund. Staff request that the Commission adopt the budget and forward to City Council for adoption on June 14, 2010.

Attachments (8)

**RESOLUTION OF THE PUBLIC WORKS COMMISSION OF THE
CITY OF FAYETTEVILLE, NORTH CAROLINA ESTABLISHING AN
ANNEXATION PHASE V – AREAS 8 THROUGH 13 CAPITAL
PROJECT FUND**

WHEREAS, the Public Works Commission of the City of Fayetteville, NC (COMMISSION) and the City of Fayetteville, NC (CITY) adopted a policy (POLICY) on May 7, 2008 and May 12, 2008, respectively, concerning the funding of water and sewer installation for areas 6 through 34 within the City of Fayetteville that were annexed through the involuntary annexation process and designated as Phase V; and

WHEREAS, the North Carolina Local Government Budget and Fiscal Control Act requires the use of a capital project fund for the proceeds of all bond issuances and debt instruments; and

WHEREAS, the COMMISSION intends to construct areas 8 through 13 (PROJECT) in fiscal years 2011 through 2013; and

WHEREAS, the PROJECT will be funded through a combination of funds from the Annexation Phase V Reserve Fund and proceeds from a revenue bond issue having an anticipated sale date in fiscal year 2013. The COMMISSION may, at its option, fully fund the PROJECT with bond proceeds and reimburse the reserve fund; and

WHEREAS, the COMMISSION desires to establish a capital project fund to account for the financing and construction activity associated with the PROJECT.

NOW, THEREFORE, be it resolved by the COMMISSION that:

Section 1. The COMMISSION hereby creates an Annexation Phase V- Area 8 through 13 Capital Project Fund (CPF) for the purpose of accounting for the installation of water and sewer utilities in said areas.

Section 2. The CPF will remain operational until the project areas are complete and all accounting transactions are finalized. Any remaining funds may be transferred to another appropriate fund to finance other water and wastewater projects as provided for in the Bond Order.

Section 3. The COMMISSION will manage this fund to include the accounting and reporting, disbursements, and investment of funds. The COMMISSION also establishes and will maintain a budget for the expected sources and uses of funds (EXHIBIT A).

Section 4. The City Council of the CITY is hereby requested to adopt this resolution in the form presented above.

ADOPTED, this the 28th day of April, 2010.

PUBLIC WORKS COMMISSION

Terri Union, Chairman

Attest:

Michael G. Lallier, Secretary

**RESOLUTION OF THE CITY OF FAYETTEVILLE, NORTH
CAROLINA ESTABLISHING AN ANNEXATION PHASE V – AREAS 8
THROUGH 13 CAPITAL PROJECT FUND**

WHEREAS, the Public Works Commission of the City of Fayetteville, NC (COMMISSION) and the City of Fayetteville, NC (CITY) adopted a policy (POLICY) on May 7, 2008 and May 12, 2008, respectively, concerning the funding of water and sewer installation for areas 6 through 34 within the City of Fayetteville that were annexed through the involuntary annexation process and designated as Phase V; and

WHEREAS, the North Carolina Local Government Budget and Fiscal Control Act requires the use of a capital project fund for the proceeds of all bond issuances and debt instruments; and

WHEREAS, the COMMISSION intends to construct areas 8 through 13 (PROJECT) in fiscal years 2011 through 2013; and

WHEREAS, the PROJECT will be funded through a combination of funds from the Annexation Phase V Reserve Fund and proceeds from a revenue bond issue having an anticipated sale date in fiscal year 2013. The COMMISSION may, at its option, fully fund the PROJECT with bond proceeds and reimburse the reserve fund; and

WHEREAS, the CITY desires to establish a capital project fund to account for the financing and construction activity associated with the PROJECT.

NOW, THEREFORE, be it resolved by the CITY that:

Section 1. The CITY hereby creates an Annexation Phase V- Area 8 through 13 Capital Project Fund (CPF) for the purpose of accounting for the installation of water and sewer utilities in said areas.

Section 2. The CPF will remain operational until the project areas are complete and all accounting transactions are finalized. Any remaining funds may be transferred to another appropriate fund to finance other water and wastewater projects as provided for in the Bond Order.

Section 3. The COMMISSION will manage this fund to include the accounting and reporting, disbursements, and investment of funds. The CITY also establishes and COMMISSION will maintain a budget for the expected sources and uses of funds (EXHIBIT A).

Section 4. This resolution shall become effective upon its adoption.

ADOPTED, this the 10th day of May, 2010.

CITY OF FAYETTEVILLE

Mayor

Attest:

City Clerk

CITY OF FAYETTEVILLE PUBLIC WORKS COMMISSION
Annexation Phase V - Areas 8 -13 Capital Project Fund
For Fiscal Years 2010 - 2013

Initial Budget

	Prior Years	Proposed Initial Budget	Recommended Inception to Date Budget
Estimated Revenues and Other Funding Sources			
Transfer from Annexation Phase V Reserve	\$ -	\$ 9,000,000	\$ 9,000,000
Total Revenues and Other Funding Sources	\$ -	\$ 9,000,000	\$ 9,000,000
Estimated Expenditures and Other Uses			
Utility installation cost	\$ -	\$ 9,000,000	\$ 9,000,000
Total Expenditures and Other Uses	\$ -	\$ 9,000,000	\$ 9,000,000

Note: Expenditures above reflect FY 2011 estimates, not the total cost of the project

ADOPTED BY COMMISSION
ADOPTED BY CITY COUNCIL

<i>Proposed</i>	<i>April 28, 2010</i>
<i>Proposed</i>	<i>May 10, 2010</i>

CITY OF FAYETTEVILLE PUBLIC WORKS COMMISSION
Annexation Phase V Reserve Fund
From Inception through Fiscal Year 2010
Amendment #1 - FY 2010

	Current Budget	Proposed Amendment #1 Budget	Recommended Inception to Date Budget
Estimated Revenues and Other Funding Sources			
Transfer from PWC Water/Sewer Fund	\$ 1,500,000	\$ -	\$ 1,500,000
Transfer from City of Fayetteville	646,760	10,218	656,978
Loan from Electric Rate Stabilization Fund	-	-	-
Assessment revenue including interest	-	-	-
Interest Income	20,000	(18,000)	2,000
Total Revenues and Other Funding Sources	\$ 2,166,760	\$ (7,782)	\$ 2,158,978
Estimated Expenditures and Other Uses			
Transfer to PWC Water/Sewer Fund - Debt Service	\$ -	\$ 91,300	\$ 91,300
Transfer to Annexation Phase V, Areas 8 -13 CPF	-	609,530	609,530
Transfer to Electric Rate Stabilization Fund - Interest	-	-	-
Appropriated net assets	2,166,760	(708,612)	1,458,148
Total Expenditures and Other Uses	\$ 2,166,760	\$ (7,782)	\$ 2,158,978

ADOPTED BY COMMISSION:
ADOPTED BY CITY COUNCIL:

May 27, 2009	Proposed	April 28, 2010
June 8, 2009	Proposed	May 10, 2010

CITY OF FAYETTEVILLE PUBLIC WORKS COMMISSION
Water and Wastewater Utility Systems Rate Stabilization Fund
From Inception through Fiscal Year 2010

Amendment #5 - FY 2010

	Current Approved FY 2010 Budget	Amendment #5 Fiscal Year 2010	Recommended Inception to Date Budget
Estimated Revenues and Other Funding Sources			
Transfer from Water/Sewer General Fund	\$ 3,000,000	\$ -	\$ 3,000,000
Interest Income	219,500	-	219,500
Total Revenues and Other Funding Sources	\$ 3,219,500	\$ -	\$ 3,219,500
Estimated Expenditures and Other Uses			
Transfer to Water/Sewer General Fund	\$ 1,687,085	\$ (1,687,085)	\$ -
Appropriated Net Assets	1,532,415	1,687,085	3,219,500
Total Expenditures and Other Uses	\$ 3,219,500	\$ -	\$ 3,219,500

ADOPTED BY COMMISSION
ADOPTED BY CITY COUNCIL

May 27, 2009

June 8, 2009

Proposed:

Proposed:

April 28, 2010

May 10, 2010

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Joe Callis, PWC Business Planning Manager
DATE: May 10, 2010
RE: **PWC - Consider Adoption of Resolution and Order to File and Publish a Preliminary Assessment Resolution for the Extension of the Sanitary Sewer Collection System within Areas 8 and 9 of the Phase 5 Annexation.**

THE QUESTION:

Providing sanitary sewer service to Areas 8 and 9 of the Phase 5 Annexation.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 4: More Efficient City Government - Cost-Effective Service Delivery.

BACKGROUND:

The next step in the process of providing sanitary sewer service to Areas 8 and 9 of the Phase 5 Annexation area requires adoption of the Preliminary Assessment Resolution by City Council. I am enclosing the original Preliminary Assessment Resolution for all streets within Areas 8 and 9 where we anticipate utilities being installed and for which property owners may be assessed a portion of the utility installation cost. I have also enclosed a proposed schedule of the next several items that will need to be completed as part of this process. After adoption of the Preliminary Assessment Resolution, PWC will publish the required notice and mail copies of the Resolution to the affected property owners prior to the public hearing. You will note the Resolution contains the date and time for the public hearing regarding this issue which is May 24, 2010.

ISSUES:

N/A

OPTIONS:

N/A

RECOMMENDED ACTION:

Authorize the attached Preliminary Assessment Resolution and hold the public hearing on May 24, 2010.

ATTACHMENTS:

Preliminary Assessment Resolution
Schedule

RESOLUTION AND ORDER TO FILE AND PUBLISH A PRELIMINARY ASSESSMENT RESOLUTION FOR THE EXTENSION OF THE SANITARY SEWER COLLECTION SYSTEM IN ALL OR A PORTION OF THE STREETS WITHIN AREAS 8 AND 9 OF THE PHASE 5 ANNEXATION LISTED ON EXHIBIT “A”.

WHEREAS, The City Council of the City of Fayetteville has determined that it may be in the best interest of the City to extend its sanitary sewer collection system and that in order to provide such an extension, it would be necessary to assess part of the cost thereof upon the real property abutting thereon:

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Fayetteville, North Carolina:

1. That it is intended that the sanitary sewer system of the City of Fayetteville shall be extended by constructing a sanitary sewer collection system over, along, and to the following property under and by virtue of Chapter 160A, Article 10 of the General Statutes of North Carolina and the procedure therein established.
2. That an assessment upon the property receiving benefit of the sanitary sewer extension in the amount of \$5,000 be hereafter assessed for what is described as single family residential parcels requiring one sewer service lateral with remaining property being assessed at an equal rate of \$55.56 per foot of road frontage but not less than ninety (90) feet plus the average cost for service laterals as may be installed for the benefit of the non-single family residential parcels.
3. That the assessment herein provided for shall be payable in cash or, if any property owner shall so elect and give notice of that fact to the City Council by and through its Public Works Commission in accordance with Chapter 160A, Sections 232 and 233 of the General Statutes of North Carolina, they shall have the option and privilege of paying the assessment over a term of ten (10) equal annual installments, said installments to bear interest at a rate not to exceed eight percent per annum.

4. That a public hearing on all matters covered by this Resolution shall be held on the 24th day of May, 2010, at the City Hall Council Chamber in the City of Fayetteville, North Carolina, at 7:00 p.m.

This the ____ day of _____, 2010.

CITY OF FAYETTEVILLE

Anthony G. Chavonne, Mayor

Rita Perry, City Clerk

The following City Council members voted for passage of the above Resolution:

The following City Council members voted against the above Resolution:

EXHIBIT "A"

Construction Area 8 - LaGrange

Street Names	From Intersection	To Intersection
Amberly Way Drive	N. Reilly Road westwardly	To street end
Ascot Avenue	N. Reilly Road westwardly	To street end
Black Drive	N. Reilly Road westwardly	To street end
Bridgeman Drive	N. Reilly Road westwardly	To street end
Carrollburg Drive	Channing Drive westwardly	To street end
Channing Drive	Deerwood Drive northwardly	To street end
Crown Avenue	N. Reilly Road westwardly	To street end
Decatur Drive	Decatur Place northwardly	To Seaton Place
Decatur Drive	Seaton Place southwardly	To Overbrook Drive
Decatur Place	Decatur Drive southwardly	To street end
Faraday Place	Carrollburg Drive westwardly	To street end
Kisco Drive	N. Reilly Road westwardly	To street end
Lemont Drive	Carrollburg Drive northwardly	To street end
Overbrook Drive	N. Reilly Road westwardly	To Decatur Drive
Paxton Drive	Deerwood Drive westwardly	To Decatur Drive
Reilly Road	Bridgeman Drive northwardly	To Paxton Drive
Seaton Place	Decatur Drive northwardly	To street end
Smithfield Street	Black Street northwardly	To street end
Smithfield Street	Black Street southwardly	To street end
Telfair Drive	N. Reilly Road westwardly	To street end

Construction Area 9 - Summerhill

Street Names	From Intersection	To Intersection
Ashwood Circle	Roundtree Drive westwardly	To street end
Barnwell Place	Roundtree Drive westwardly	To street end
Bashlot Place	Enfield Drive northwardly	To street end
Bedford Road	Fillyaw Road southwardly	To street end
Bedford Road	Fillyaw Road northwardly	To street end
Dandridge Drive	Danish Drive southwestwardly	To Fillyaw Road
Dandridge Drive	Danish Drive southeastwardly	To Fillyaw Road
Enfield Drive	Dandridge Drive eastwardly	To Dandridge Drive
Fillyaw Road	Applewood Lane southwestwardly	To N. Reilly Road
Garfield Drive	Fillyaw Road southwardly	To Dandridge Drive
Hallstead Circle	Roundtree Drive westwardly	To street end
Lansing Court	Garfield Drive westwardly	To street end
Marquis Place	Dandridge Drive eastwardly	To street end
N. Reilly Road	Fillyaw Road southwardly	To Kisco Drive
N. Reilly Road	Fillyaw Road northwardly	To Amboy Drive
Romain Court	Enfield Drive northwardly	To street end
Roundtree Drive	Fillyaw Road southwardly	To Dandridge Drive
Ruton Court	Enfield Drive northwardly	To street end
Stockport Circle	Roundtree Drive eastwardly	To street end
Wakefield Drive	Fillyaw Road southwardly	To Dandridge Drive

ANNEXATION/ASSESSMENT CHECKLIST

Phase 5 Annexation Area 8 and 9 - LaGrange and Summerhill

ITEM NUMBER	DATE	ITEM
1	September 8, 2003	Resolution of Intent Adoption (<i>at least 30 days before public hearing</i>)
2	September 19, 2003	Notice to Property Owners of Resolution of Intent (<i>at least 4 weeks before public hearing</i>)
3	October 20, 2003 October 28, 2003 October 30, 2003 November 3, 2003 November 6, 2003	Neighborhood Meetings
4	November 10, 2003	Public Hearing (<i>at least 60 days before adoption of ordinance</i>)
5	November 17, 2003	Deadline for Water & Sewer Extension Request from Property Owner (not later than 5 days after the public hearing)
6	November 24, 2003	Annexation Ordinance Adopted
7	September 30, 2005	Annexation Effective
8	September 29, 2009	Survey & Appraisal Notification/Lateral Location Letters Sent
9	May 10, 2010	Preliminary Assessment Resolution Adopted
10	May 11, 2010	Pending Assessment List Provided to Accounting
11	May 13, 2010	Publish Notice of Adoption of Preliminary Assessment Resolution (<i>at least 10 days before public hearing</i>)
12	May 13, 2010	Mail Copies of Preliminary Assessment Resolution to Property Owners (<i>at least 10 days before public hearing</i>)
13	May 13, 2010	Certification of Mailing of Preliminary Assessment Resolution
14	May 24, 2010	Public Hearing
15	June 14, 2010	Resolution Directing Project be Undertaken adopted (not earlier than 3 weeks nor later than 10 weeks from date of adoption of preliminary assessment resolution)
16	TBD	Connection notifications mailed
17	TBD	Resolution Declaring Cost, Ordering Preparation of Preliminary Assessment Roll and Calling Public Hearing
18	TBD	Publish Notice of Completion of Preliminary Assessment Roll (at least 10 days before public hearing)
19	TBD	Mail Copies of Notice to Affected Property Owners (at least 10 days before public hearing)
20	TBD	Certification of Mailing of Preliminary Assessment Roll
21	TBD	Public Hearing
22	TBD	Resolution Confirming Assessment Roll and Levying Assessments adopted
23	TBD	Resolution Confirming Assessment Roll and Levying Assessments Delivered to Tax Collector
24	TBD	Publish Notice Assessment Roll has been Confirmed (<i>after 20 days from confirmation of assessment roll</i>)
25	TBD	Mail Individual Assessment Notices to Property Owners (<i>after 20 days from confirmation of assessment roll</i>) (<i>property owners have 30 days to pay with no interest -- after 30 days assessments will be due and payable</i>)

CITY COUNCIL ACTION MEMO

TO: Mayor and City Council
FROM: Craig Hampton, Special Projects Director
DATE: May 10, 2010
RE: **Special Projects - Cape Fear Rivertrail-Phase 2. Land conveyance to Clean Water Trust Fund to obtain funding to build trail.**

THE QUESTION:

Does council wish to convey land into the Clean Water Trust Fund

RELATIONSHIP TO STRATEGIC PLAN:

listed as project in 2009-2014 Strategic Plan; Management Agenda-Goal 3-More Attractive City-Clean and Beautiful.

BACKGROUND:

The city received a \$1.3 million grant from the Clean Water Trust Fund to assist with the building of phase 2 of the Cape Fear Rivertrial. That grant requires that we convey land in perpetuity to the Trust Fund as a land Conservation Easement that restricts any future development or disturbance. Council has previously conveyed all city-owned land into the Trust. This land is a portion of the Botanical Gardens area where the trail will end for this phase. this action completes the conveyance to the fund allowing the city to request the funds. Portions of the trail should be under construction in late summer 2010 with completion dependent upon approvals of designs to cross under the mainline CSX track.

ISSUES:

There are no known unresolved issues.

OPTIONS:

1. Approve action and adopt Resolution attached as requested
2. Do not approve and provide direction to staff

RECOMMENDED ACTION:

1. Approve action and adopt Resolution as requested.

ATTACHMENTS:

Resolution of Conveyance

Map of Area Conveyed into Trust Fund

**A RESOLUTION AUTHORIZING THE CONSERVATION EASEMENT
CONVEYED BY THE CAPE FEAR BOTANICAL GARDENS TO THE CITY OF
FAYETTEVILLE TO BE CONVEYED INTO THE NORTH CAROLINA CLEAN
WATER MANAGEMENT TRUST FUND CONSERVATION EASEMENT
PROGRAM**

WHEREAS, the City of Fayetteville (hereinafter City) and the State of North Carolina acting through the NC Clean Water Management Trust Fund (hereinafter CWMTF) have agreed upon and executed a grant agreement commonly known as CWMTF Project Number 2006B-006 (hereinafter Grant) with an effective date of October 29, 2008 and a value of \$1.3 million dollars, and;

WHEREAS, the purpose of the Grant is to provide additional funding for the creation of the second phase of the Cape Fear River Trail extending along the Cape Fear River from Methodist College to the Cape Fear Botanical Gardens, and beyond, and in return the City of Fayetteville is to convey that certain Conservation Easement given to the City by the Cape Fear Botanical Gardens into the CWMTF for the purposes of establishment of a perpetual conservation easement for a riparian greenway along the Cape Fear River that includes portions of the Cape Fear River Trail, a public use amenity enjoyed and used by thousands of Fayetteville and Cumberland County citizens and visitors, and;

WHEREAS, the Grant Agreement contains various terms and conditions that the City must comply with in order to obtain the funding and one of those aforementioned terms and conditions is the conveyance, in perpetuity, of the Conservation Easement conveyed to the City of Fayetteville by the Cape Fear Botanical Gardens into the CWMTF by passage of a resolution by the governing body of the City of Fayetteville, and;

WHEREAS, the City is prepared and able to comply with the terms and conditions of the Grant and specifically to convey, in perpetuity, the below described easement into the CWMTF

BEING a portion of Parcel Number 0447-24-4738, said portion being 17.39 acres more or less.

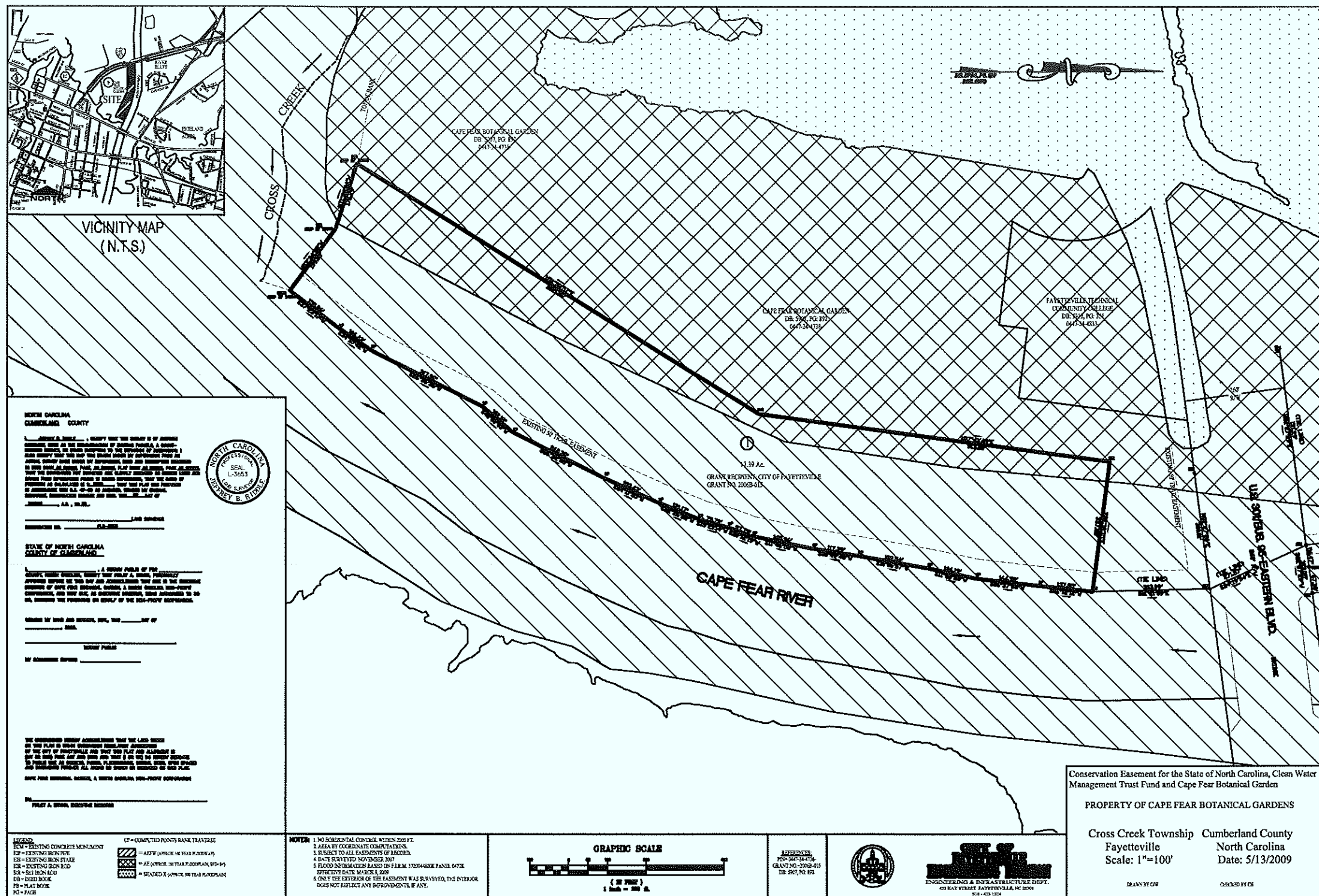
Said land also being shown on Attachment A- Map of Cape Fear Botanical Garden Easement Area;

NOW THEREFORE BE IT RESOLVED, the city council of the City of Fayetteville hereby authorizes the perpetual conveyance of the above described easement into the NC Clean Water Management Conservation Trust Fund for the purposes of establishment of a perpetual conservation easement for a riparian greenway along the Cape Fear River that includes portions of the Cape Fear River Trail, and authorizes the City Manager or Designee to complete and execute any and all future documents or instruments necessary to effect this order.

Authorized this Date of May 10, 2010

Anthony Chavonne, Mayor of City of Fayetteville

Attest: City Clerk



CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Ron Macaluso, Transit Director
DATE: May 10, 2010
RE: Transit - Set a Public Hearing – Regarding the Transit Farebox Recovery

THE QUESTION:

What is the most equitable manner to increase farebox recovery to support the transit system?

RELATIONSHIP TO STRATEGIC PLAN:

More Efficient City Government – Cost Effective Service Delivery

BACKGROUND:

As a result of the FY 2011 budgeting process, the Transit Department was directed to increase revenues and decrease operating budget by 5%. In order to accomplish these directives, the revenue source of farebox recovery was identified. A detailed review of the fee structure and recorded dates of increases was performed. The results of this review are attached to this CCAM. The area identified as the avenue to increase the farebox recovery came from the Elderly & Disabled and ADA Paratransit fares. As noted in the attached review sheet, the fares for that category of customers, has not been changed since 1994. Additionally, in November of 2002, the City Council put into place “Free Ride Thursdays” for the Elderly & Disabled. The increases are as follows: 1) Discount Bus Fare (E&D) from \$0.35 to \$0.50; 2) Discount 10-ride Pass (E&D) from \$3.40 to \$5.00; 3) Discount 30-day Pass (E&D) from \$11.70 to \$15.00; 4) ADA Demand Response from \$1.50 to \$2.00; 5) FASTTRAC! 10-ride Pass from \$13.50 to \$20.00; 6) FASTTRAC! 20-ride Pass from \$27.00 to \$40.00; and 7) the elimination of the “Free Ride Thursdays”.

ISSUES:

Increasing revenue sources to support the existing transit system.

OPTIONS:

- Approve the setting of a public hearing
- Deny the setting of a public hearing

RECOMMENDED ACTION:

Approve the setting of a public hearing

ATTACHMENTS:

Fare Recovery Review

FAREBOX RECOVERY
REVIEW

050110

Farebox Description	Date Last Changed	Current Fare	Proposed Fare	Rationale
Discount Bus Fare (E&D)	1994	\$0.35	\$0.50	Discount fare is 1/2 of adult regular fare
Discount 10-ride Pass (E&D)	1994	\$3.40	\$5.00	10 rides x \$0.50
Discount 30-day Pass (E&D)	Prior to 2003	\$11.70	\$15.00	Discount fare is 1/2 of adult regular pass
ADA Demand Response	1994	\$1.50	\$2.00	Max is 2X adult regular fare
FASTTRAC! 10-ride Pass	Prior to 2003	\$13.50	\$20.00	10 rides x \$2.00
FASTTRAC! 20-ride Pass	Prior to 2003	\$27.00	\$40.00	20 rides x \$2.00
Elimination of the "Free Ride Thursdays"	Nov-02	\$0.00	as applicable / rider	

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of the City Council
FROM: Rob Anderson, Chief Development Officer, Development Services Department
DATE: May 10, 2010
RE: **An amendment to City Code Chapter 30-Zoning to allow fencing in certain side yard areas subject to allowed materials and height standards.**

THE QUESTION:

What height and placement standards for fences and walls allow reasonable and appropriate use of private yards while the fences or walls still function as safe and attractive elements in the community's built form?

RELATIONSHIP TO STRATEGIC PLAN:

More attractive city; A great place to live.

BACKGROUND:

Recent concerns about the limited privacy (solid) fencing allowed in side and corner side yards under current fence regulations resulted in the Development Services staff and the Planning Commission identifying the changes described in the Issues Section. The changes would expand the area that can be included behind a 6' privacy fence while requiring certain fence materials and setbacks to maintain the safety and attractiveness in these more visible corner and side yard areas.

A diagram is attached to illustrate the changes relative to the front, side and rear yard areas. The rear yard area, in blue, currently is the only yard area allowed to be enclosed by a privacy fence, and that area is reduced for corner lots because the corner side yard is also a secondary front yard with larger setbacks. (A fence is generally between 4 and 6 or 7 feet in height, solid or opaque in appearance/materials.)

ISSUES:

Privacy fences on corner lots and in the side yard has been the main focus. The reasons for these changes are:

1. to allow greater area within a solid 6' privacy fence;
2. to increase the standards for materials used for fencing in front and corner side yards--the most highly visible portions of a yard; and
3. to make the standards clearer.

Following is a summary of changes by yard area; these changes apply to both residential and commercial districts. In the attached diagram, the green area illustrates the additional area that could be enclosed by a solid 6' privacy fence.

Rear: Current: up to 7' solid or non-solid fence/wall is allowed (chainlink included).

Proposed: up to 6' solid or non-solid fence/wall (chainlink included), for consistency with other allowed fence heights and the standards for group developments.

Side: Current: 3' solid or up to 6' non-solid fence/wall (chainlink included) (up to 3' may be a solid base).

Proposed: same plus up to 6' solid fence/wall if set back at least 20' from the street right of way. *Subsequent to the Commission meeting, staff identified a clarification that is recommended: "Fencing in side yards cannot extend beyond the line of the front facade or secondary front facade of the primary building."*

Front: Current: up to 3' solid or up to 6' non-solid fence/wall (chainlink included) or a combination fence with up to 3' solid base.

Proposed: same except that a 6' non-solid fence must be ornamental metal and chainlink would be limited to a maximum height of 4'.

As with existing standards, all properties must keep the sight triangle (area at the intersections of development driveways and a street) free of visual obstacles. Standards for Group Developments continue to require a 5' setback from all street property lines and all fences and walls must be 6' or less.

OPTIONS:

- (1) recommend approval of the proposed amendments (minor adjustments can be made)
- (2) defer action for additional research or revision, or
- (3) recommend denial of the proposed amendments.

RECOMMENDED ACTION:

The Development Services Department recommends Option 2) Move to defer action for additional research or revision.

ATTACHMENTS:

Fence regulations - Existing
Fence Regulations - Proposed
Fence Regulations - illustration

Fence Regulations

Current Standards:

Sec. 30-190. General yard regulations.

(d) Nothing in this chapter shall prevent the construction of an open chainlink type fence or a nonsolid wall of a height not to exceed six feet in the front and side yards within any residential or commercial district. A solid wall or fence of a height not to exceed three feet shall be permitted in the front and side yards within any residential or commercial district. A combination solid wall or fence with a nonsolid wall or fence not to exceed six feet, solid wall or fence not to exceed three feet, may be constructed in the front and side yards within any residential or commercial district. A solid or nonsolid wall or fence of a height not to exceed seven feet shall be permitted from the rear of any residential structure and may enclose the entire rear yard in any residential district. Solid or nonsolid fencing not to

exceed seven feet in height may be used in any required yard to enclose a group development approved under chapter 25; provided, however, that such fencing shall not be permitted closer than five feet to any street property line; shall not be closer than 20 feet to the intersection of any entrance street and a public street; and shall not be permitted in the area governed by section 30-80 [*corner visibility*]. No fencing shall be permitted on corner lots in the area governed by section 30-80.

Fence material is limited to wood, masonry, chain link, wrought iron, vinyl, aluminum, steel, galvanized metal or a comparable material as approved by the Building Inspector. Permitted material excludes material never intended for a fence. Any support or bracing shall face toward the interior of the property.

(For Ref. Only)

Sec. 30-80. Corner visibility.

In all districts except the central business district no fence, wall, shrubbery, sign or other obstruction to vision between the heights of 2 ½ feet and 15 feet shall be permitted within 20 feet of the intersection of two streets or railroad right-of-way lines or of a street and a railroad right-of-way line.

(Code 1961, § 32-20)

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
FAYETTEVILLE AMENDING CHAPTER 30, ZONING ARTICLE VI
GENERAL DIMENSIONAL REGULATION OF THE CODE OF ORDINANCES
OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA**

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that the Code of Ordinances of the City of Fayetteville be amended as follows:

Section 1. Article VI is amended by deleting Section 30-190(d) in its entirety and replaced with the following:

Section 30-190 General yard regulations

- (d) Nothing in this chapter shall prevent the construction of a non-solid wall or an open chain link type fence of a height not to exceed 6 feet in the side and rear yards within any residential or commercial district. Chain link fence may not exceed 4 feet in the front yard within any residential or commercial district.
- (e) A solid wall or fence, not to exceed 6 feet may enclose the rear and side yards within any residential or commercial district. Exception: On corner lots a 20 foot set back from the right of way must be maintained in the secondary front yard *and all side yard fencing must be behind the front or secondary front façade of the primary building.* Situations not covered in this section will be at the discretion of the Building Inspector or his designee and may include minor adjustments to corner lot fencing according to building orientation and street configuration.
- (f) A 3 foot solid wall or fence may enclose the entire front yard within any residential or commercial district. A combination of a 3 foot solid wall or fence and 50 percent non-solid fence not to exceed 6 feet may also enclose the entire front yard within any residential or commercial district.

- (g) Fence and wall material is limited to any combination of treated or rot resistance wood posts and planks, masonry materials, chain link, wrought iron, vinyl, decorative metal materials, brick, stone or products designed to resemble these materials or materials approved by the Building Inspector or his designee. Permitted material excludes material never intended for a fence. Any support or bracing shall face toward the interior of the property.
- (h) Permitted fence colors should be in keeping with the character of the surrounding neighborhood.
- (i) Solid or non-solid fencing not to exceed 6 feet in height may be used in any required yard to enclose a group development approved under chapter 25; provided, however, that such fencing shall not be permitted closer than 5 feet to any street property line; shall not be closer than 20 feet to the intersection of any entrance street and a public street; and shall not be permitted in the area governed by section 30-80. No fencing shall be permitted on corner lots in the area governed by section 30-80.

Section 2. Renumber remaining material beginning with Section 30-190(e), "Except as provided in this section, dish antennas....."

Section 3. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of Ordinances, City of Fayetteville, North Carolina, and the section of this ordinance may be renumbered to accomplish such intention.

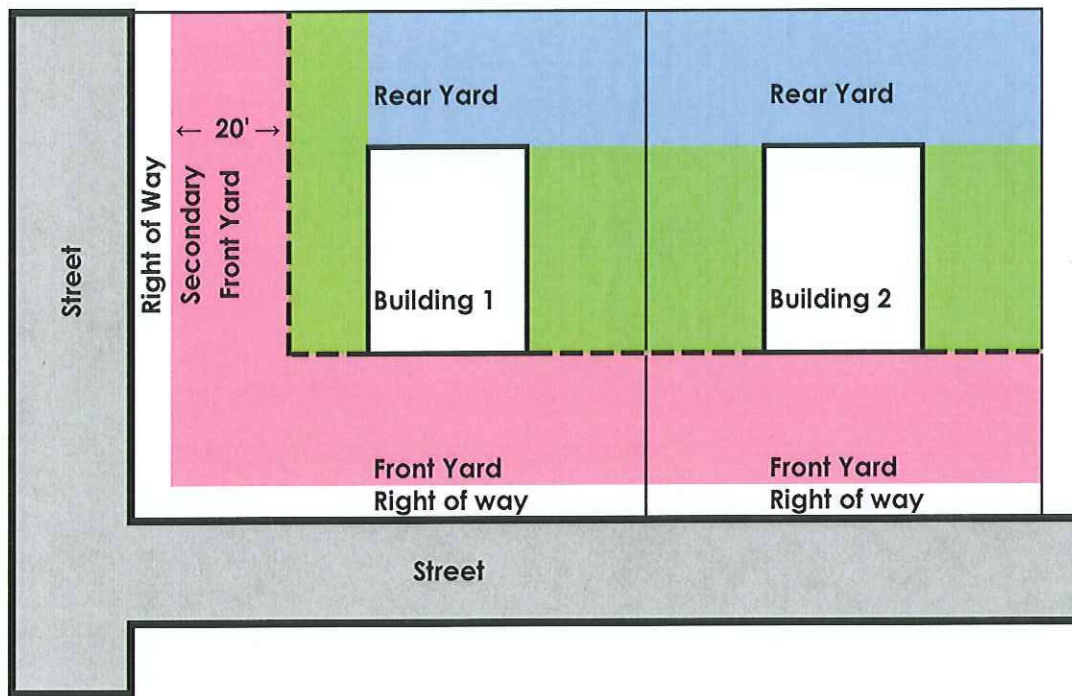
Adopted this the _____ day of _____, 2010.

CITY OF FAYETTEVILLE

ANTHONY G. CHAVONNE, Mayor

ATTEST:

RITA PERRY, City Clerk



Blue area is the current area allowed for a 7' solid wall or wood privacy fence. (Back yard only)

Green area is the proposed area for a 6' solid wall or wood privacy fence to include the blue area. (Back yard, side yard and secondary front yard.)

Pink area may have the following: (Front yard and secondary front yard)

3' solid wall or fence

3' solid wall or fence with 50% non-solid not to exceed 6'

4' Chain Link

Non-solid Ornamental not to exceed 6'

Note: All three colored areas may be enclosed with 4' open chain link fence.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Dale E. Iman, City Manager
DATE: May 10, 2010
RE: **Fiscal Year 2010-2011 Recommended Budget**

THE QUESTION:

The City Manager will present an overview of the Fiscal Year 2010-2011 Recommended Budget to begin the City Council budget deliberation process.

RELATIONSHIP TO STRATEGIC PLAN:

Mission Principle: Financially sound city government; Full range of quality municipal services; Services delivered in a cost-effective manner.

BACKGROUND:

The Fiscal Year 2010-2011 Recommended Budget Document has been distributed to City Council and is also available for public inspection at the office of the City Clerk and on the city website.

Next steps scheduled for the budget process include:

- Budget work shops on May 12 and May 17, 2010
- Budget public hearing on May 24, 2010
- Confirmation of Council changes for adopted budget on June 7, 2010
- Adoption of the budget on June 14, 2010

ISSUES:

None

OPTIONS:

None

RECOMMENDED ACTION:

No action required