



**CITY OF LOWELL
COUNCIL MEETING AGENDA
TUESDAY, AUGUST 10, 2021, 6:00 P.M.**

- 1. CALL TO ORDER – Mayor Sandy Railey**
- 2. INVOCATION / PLEDGE OF ALLEGIANCE**
- 3. ADOPTION OF AGENDA FOR THIS MEETING**
- 4. PUBLIC COMMENTS**
- 5. APPROVAL OF MINUTES**
 - A. Minutes from Council Meeting Held July 13, 2021 **(p. 1-6)**
- 6. SPECIAL PRESENTATION**
 - A. Proclamation of Appreciation of Former Extra Territorial Jurisdiction Member of the Lowell Planning Board/Board of Adjustment Bill Stegall **(p. 7)**
- 7. UNFINISHED BUSINESS**
 - A. Public Hearing for August 10, 2021 Regarding Rezoning Case # RZ21-01 **(p. 8-34)**
 - B. Public Hearing for August 10, 2021 Regarding Rezoning Case # RZ21-02 **(p. 35-63)**
- 8. NEW BUSINESS**
 - A. Proposed Text Amendment to the Lowell Code of Ordinances Section 33.16 Regarding Planning Board Membership **(p. 64-66)**
 - B. Set Public Hearing for Consideration of Text Amendment to Lowell Development Ordinance Article 8, Table 8.1 Regarding Beauty Shops and Barber Shops **(p. 67-68)**
 - C. Set Public Hearing for Consideration of Text Amendment to Lowell Development Ordinance Article 19, Section 14 and Section 21:
 - To add reference to NC DOT Manual Regarding Construction Standards **(p. 69-70)**
 - D. Consideration Adoption of the City of Lowell Utility Extension Policy **(p. 71-81)**
 - E. River Falls Subdivision (Phase 3) Bond Release – True Homes **(p. 82-93)**
 - F. Consideration of Installment Finance Proposals for 3 Police Cars and related equipment **(p. 94-96)**
 - G. Discussion of FY 2020/2021 Interdepartmental Transfers **(p. 97-100)**
 - H. Consideration of 2021 Paving Schedule **(p. 101-103)**

- I. Petition to for Annexation of Contiguous Property; Belmont Land & Investment Parcel Id #'s 202774 and 136564; 263.12 acres (p. 104-134)

9. STAFF REPORTS

- A. Public Works Report (p. 135)
- B. Police Department Report (p. 136)
- C. Planning Department Report(p. 137-138)
- D. Parks and Rec. Department Report (p. 139-140)
- E. Fire Department Report (p. 141)
- F. Finance Officer Report (p. 142)

10. CITY ATTORNEY REPORT

11. CITY MANAGER REPORT

12. MAYOR AND CITY COUNCIL GENERAL DISCUSSION

13. CLOSED SESSION

- A. To Discuss the Acquisition of Real Property Pursuant to NCGS 143-318.11(a)(5)
- B. To Discuss Lease Negotiations Pursuant to NCGS 143-318.11(a)(5)

14. ADJOURN

MINUTES

Lowell City Council

Regular Meeting

Tuesday, July 13, 2021, 6:00 P.M.

I. CALL TO ORDER – Mayor Sandy Railey

Mayor Sandy Railey called the meeting to order at 6:00 p.m. Those attending in-person were Councilmember Phil Bonham, Councilmember Ken Ervin, Councilmember Candy Funderburk, City Manager Scott Attaway, City Attorney John Russell Jr, Finance Officer Jared Pyles, Planning Director Alex Blackburn, Police Chief Scott Bates, and City Clerk Beverly Harris. A quorum was determined at the beginning of the meeting. The meeting was teleconferenced to the public and the agenda and meeting materials were made available prior on the city's website. Members of the public were also present. Councilmembers Gillespie and Robinson were absent.

II. INVOCATION / PLEDGE OF ALLEGIANCE

Mayor gave the invocation and led everyone in the pledge of allegiance.

III. ADOPTION OF AGENDA FOR THIS MEETING

Councilmember Funderburk made a motion to adopt the agenda as presented, followed by a second from Councilmember Ervin. The vote was unanimously in favor.

IV. PUBLIC COMMENTS

There were public comments.

V. APPROVAL OF MINUTES

A. Minutes from Council Meeting Held June 8, 2021

Councilmember Ervin made a motion to approve the minutes from the May 11, 2021 Council meeting, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

VI. SPECIAL PRESENTATION

A. Proclamation Designating the month of July as Parks and Recreation Month

Mayor Railey read the Proclamation designating the month of July as Parks and Recreation month. Councilmember Ervin made a motion to approve the Proclamation, followed by a second from Councilmember Funderburk. The motion was unanimously in favor.

B. Presentation by the Catawba River Keeper: South Fork River Health Project

John Searby with the Catawba River Keeper made a presentation on the South Fork River Health Project. The presentation on the project included an overview of the needed assessment of the river, obtaining a planning grant, creating an EPA 9-point watershed plan, EPA 319 grant funds, and execution of the EPA 9-point watershed plan.

Scott Attaway stated this is a partnership between the Catawba River Keepers and local municipalities and an amount of \$2500 could be taken out of the Stormwater Fund to help fund this initiative.

Councilmember Ervin made a motion to approve the \$2500 donation out of the Stormwater Fund, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

VII. UNFINISHED BUSINESS

A. Discussion and Consideration of Montcross Emerge Initiative

Scott Attaway stated during the regular June 2021 City Council meeting, Montcross Chamber President Marc Jordan, gave a presentation regarding the Emerge Initiative. He stated this is a targeted community and economic growth initiative focusing on Belmont, Cramerton, Lowell, McAdenville, Mount Holly, and Stanley as we emerge from the COVID-19 Pandemic. Mr. Attaway stated the Emerge will focus on (1) Providing Marketing and Communications support to local governments and small businesses; (2) Support Small Business Recovery and Growth, (3) Attract and Promote Remote Workers, and (4) Promote and Support Health and Social Impact. Mr. Attaway stated staff recommends supporting this endeavor with a portion of the anticipated American Recovery Plan funding in the amount of \$10,000.

Councilmember Funderburk made a motion to approve the \$10,000 donation from the City of Lowell to the Montcross Emerge Initiative to be paid out of the anticipated American Recovery Plan funds based on the approval of those funds, followed from a second from Councilmember Ervin. The vote was unanimously in favor.

VIII. NEW BUSINESS

A. Consideration of Setting Public Hearing for August 10, 2021 Regarding Rezoning Case #RZ21-01

Scott Attaway stated staff has received a rezoning request application regarding the properties located at: 260 A Oakland Drive (PID #127183), 300 Oakland Drive (PID #127178), 400 A Oakland Drive (PID #127181), 506 Oakland Drive (PID #220489), and 518 Oakland Drive (PID #220488). He stated the request is to change from the existing SFR-4 Zoning District to the IND District.

Councilmember Funderburk made a motion to set public hearing for August 10, 2021 regarding rezoning case #RZ21-01, followed by a second from Councilmember Bonham. The vote was unanimously in favor.

B. Consideration of Setting Public Hearing for August 10, 2021 Regarding Rezoning Case #RZ21-02

Scott Attaway stated staff has received a rezoning request application regarding the property located at Parcel ID#216857. He stated there is not an assigned address to the property, but the subject parcel lies west of S. Church Street and adjoins the "NorthPoint/Lineberger Property". The request is to change from the existing SFR-4 Zoning District to the IND District.

Councilmember Funderburk made a motion to set public hearing for August 10, 2021 regarding rezoning case #RZ21-02, followed by a second from Councilmember Bonham. The vote was unanimously in favor.

C. Discussion of Possible Text Amendment to Lowell Development Ordinance Article 8, Table 8.1 Regarding Beauty Shops

Scott Attaway stated it has been requested by Council for staff to bring this matter before the entire City Council to discuss the matter of Beauty Shops in the Main Street zoning district.

There was further discussion and the Council requested this be presented to the Lowell Community Committee in partnership with the Montcross Emerge project. After further review by these groups it could be presented to Planning Board for consideration.

D. Consideration of Lowell Community Committee's Proposed Edgewood Cemetery Policy

Cristy Cummings stated the Lowell Community Committee has created a cemetery policy to provide for the beautification and proper maintenance of the cemetery grounds. Currently, there is no cemetery policy in place which has created unsightly problems and a hinderance for the Public Works Department in providing proper maintenance care in an efficient manner. Ms. Cummings then presented the policy to Council for review and possible consideration.

Councilmember Ervin made a motion to adopt the proposed Edgewood Cemetery policy as presented, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

E. Discussion and Possible Action Regarding Relocation of Matthew Armstrong Cemetery

Scott Attaway presented to Council a letter from NorthPoint Development requesting the City of Lowell's consent to move the grave (in accordance with NCGS 65-106) from the current location and relocate to another suitable site in conjunction with any living family member's wishes.

Michael Johnson with NorthPoint Development was present via conference. Mr. Johnson stated this is only a single grave on the site that would need to be moved.

Councilmember Ervin made a motion to authorize the continuation of the work by NorthPoint Development regarding movement of the Michael Armstrong Cemetery in accordance with NCGS 65-106, followed by a second from Councilmember Bonham. The vote was two in favor and one opposed (Funderburk). The motion carries with the majority being in favor.

F. Selection of Environmental Services for Community Center CDBG-NR

Scott Attaway stated three proposals for the environmental services at the Community Center were received. The proposals received were as follows:

- The EI Group Inc - \$6701.50
- Terracon - \$10,850
- ECS Southeast - \$22,750

Staff's recommendation to Council is to accept the proposal from The EI Group Inc. for \$6701.50.

Councilmember Ervin made a motion to accept the proposal from The EI Group Inc of \$6701.50 for the environmental services at the Community Center as part of the CDBG-NR grant work, followed by a second from Councilmember Bonham. The vote was unanimously in favor.

G. Discussion of 2021 RAISE Grant Application

Scott Attaway stated the City of Lowell, City of Gastonia, and Gaston County will submit the joint grant application for the 2021 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) on July 9th, 2021. Mr. Attaway stated staff will summarize the application and provide a copy of the submitted application once available.

IX. STAFF REPORTS

A. Public Works Report

Scott Attaway and Thomas Shrewsbury covered the public works report.

B. Police Department Report

Scott Attaway covered the police department report. Chief Bates presented Nick Marlow as our new police officer for the City of Lowell.

C. Planning Department Report

Scott Attaway and Alex Blackburn covered the planning department report.

D. Parks and Recreation Report

Cristy Cummings presented the Parks & Recreation report.

E. Fire Department Report

Scott Attaway presented the Fire Department report.

F. Finance Officer Report

Jared Pyles presented the monthly financial report.

X. CITY ATTORNEY REPORT

John Russell did not have anything new to report.

XI. CITY MANAGER REPORT

Scott Attaway gave updates on the following items:

- NC City/County Manager's Association meeting update
- AIA Mapping Project update
- New public works work order system begins soon
- Pedestrian/Bicycle improvements complete on McAdenville Road
- Scheduled sidewalk repairs complete
- Carolina Thread Trail update
- Citizens Academy to kickoff August 30 at 6:00 pm
- ARP Funding update
- International City/County Management Association'

Councilmember Ervin made a motion to approve Scott Attaway attending the International City/County Management Association meeting in Portland, Oregon, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

XII. MAYOR AND CITY COUNCIL GENERAL DISCUSSION

Councilmember Ervin inquired about interest in the second police officer position. Councilmember Funderburk inquired more about the Citizens Academy. Mayor Railey thanked all citizens who participated and came to the meeting.

XIII. CLOSED SESSION

A motion was made at 7:30 pm by Councilmember Ervin to go into Closed Session in accordance with provisions of NCGS 143-318.11(a)(5) to discuss the acquisition of real property, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

The Council reconvened from Closed Session at 7:46 pm.

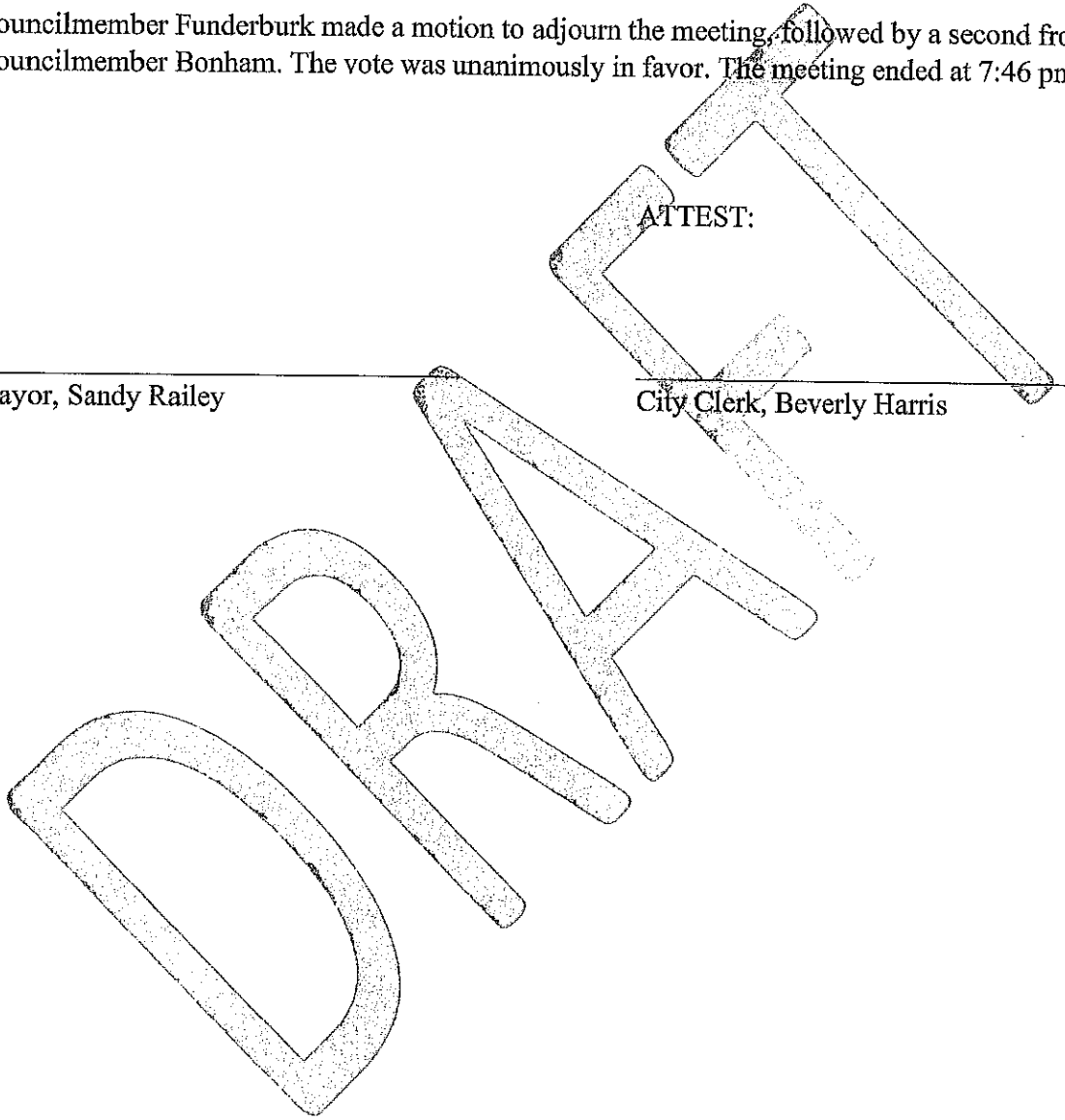
XIV. ADJOURN

Councilmember Funderburk made a motion to adjourn the meeting, followed by a second from Councilmember Bonham. The vote was unanimously in favor. The meeting ended at 7:46 pm.

ATTEST:

Mayor, Sandy Railey

City Clerk, Beverly Harris





PROCLAMATION

#PR5-2021

Service Appreciation for Billy "Bill" Frank Stegall

WHEREAS, Billy "Bill" Frank Stegall has served the City of Lowell as a member of the Planning and Board of Adjustment for over 15 years; whereupon he served as representative for the ETJ; and

WHEREAS, Bill Stegall has actively provided insightful input and thorough analysis for significant land use policy recommendations; leading much of the Planning Board's efforts to update the City's Land Use/Zoning Ordinances to completion; and

WHEREAS, Bill Stegall was passionate about raising awareness and understanding of Public Benefit, social justice in land use policies and supporting principles of good urban design and community planning. He was conscientious, diligent, thoughtful, patient, supportive and light-hearted. Bill's sense of humor lightened up contentious and controversial issues of great potential importance to the City and he welcomed contributions from the public, colleagues on the Board and the staff; and

WHEREAS, Bill Stegall as a member of the community and the former Extra-Terrestrial Jurisdiction, through his many years of service has led to the betterment and growth of the community.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lowell hereby gratefully records and extends its sincere appreciation and the appreciation of the community to Billy "Bill" Frank Stegall for his faithful and excellent service rendered to the City.

Proclamation adopted this the, 10th day of August, 2021.

ATTEST:

Sandy Railey, Mayor

Beverly Harris, City Clerk

AGENDA ITEM INFORMATION

AGENDA ITEM #: 7-A

DESCRIPTION: PUBLIC HEARING FOR AUGUST 10, 2021 REGARDING
REZONING CASE # RZ21-01

Please see the attached staff report and application from the Planning Director for Rezoning Case RZ21-01.

To: Scott Attaway, City Manager
From: Alex Blackburn, Planning Director
Date: August 5, 2021
Re: Rezoning of 5 Parcels on Oakland Drive, RZ21-01

On July 6, 2021 the City of Lowell Planning Board met to consider 5 properties on Oakland Drive (260, 300, 400, 506, and 518) being brought before the board for consideration of rezoning. As a result of the new Lowell Development Ordinance, the properties were rezoned from General Industrial (I-2) to Single Family Residential-4 (SFR-4) to coincide with the Comprehensive Land Use Plan. The above-mentioned properties are now requesting to be rezoned back to Industrial (IND).

The Planning Board voted in a 3-1 majority to recommend to the Lowell City Council the requested rezoning of the properties from SFR-4 to IND.

In their regular scheduled meeting on July 13, 2021, the City Council set a Public Hearing for the Consideration of Case #RZ21-01.

To prepare for the Public Hearing, City Staff have mailed Public Notices to property owners abutting and those parcels requesting Rezoning. These were mailed on July 28, 2021. In addition, two ads were prepared and published as public notice to be ran once a week for two consecutive weeks in the Gaston Gazette newspaper, first ad published July 29, second ad published August 5. Notification Signs were placed on the properties requesting rezoning on the morning of July 29th.

The applicant has provided all Public Hearing Consent Forms for property owners requesting change.

A Neighborhood Meeting has been scheduled for Monday, August 9, at 10:00 a.m. in the City Hall Council Chambers where residents may come and ask questions of the applicants. City Staff will be in attendance to answer procedural questions. I will keep you informed of the events of the meeting once it is completed.

Once the Neighborhood meeting is complete, all requirements for the Rezoning Application have been fulfilled and may proceed on to the Legislative Hearing scheduled for August 10, at 6:00 p.m.

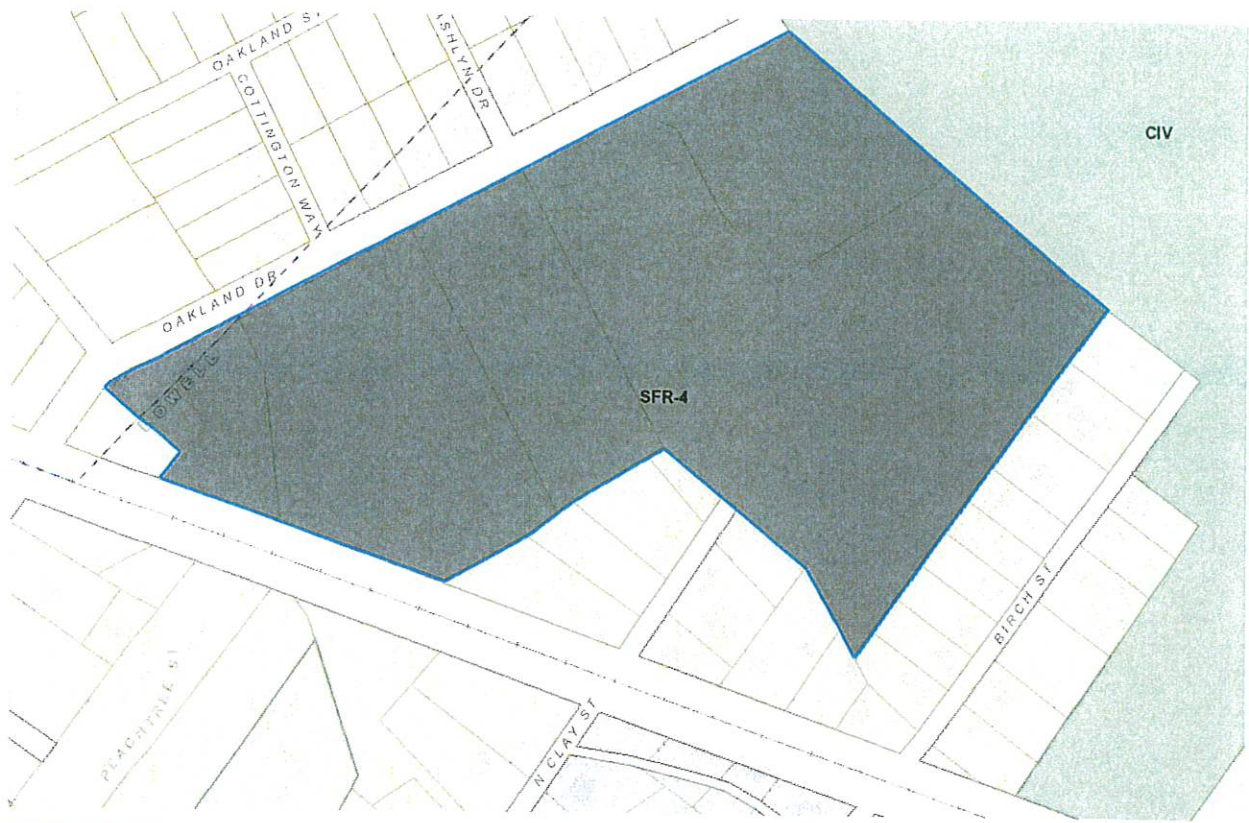
City of Lowell Planning Department – Staff Report

Applicant:	Rick Bournique
Property Owner(s):	Mike Griffin, Don Hill, Mark Jordan, I.B. Ventures
Property Location:	260 Oakland Drive 300 Oakland Drive 400 Oakland Drive 506 Oakland Drive 518 Oakland Drive
Property Size:	17.5 acres
Current Zoning:	Single Family Residential-4 (SFR-4)
Proposed Zoning:	Industrial (IND)

CASE # RS 21-01

Description:

On July 2nd, 2021 staff received a Zoning Map Amendment (rezoning) request from Mr. Rick Bournique representing the properties located at 260, 300, 400, 506, and 518 Oakland Drive. Parcel ID #'s: 127183, 127178, 127181, 220489, and 220488. The request is to change the current zoning of the properties from Single Family Residential-4 (SFR-4) to Industrial (IND).



Process:

Staff received the application and scheduled the rezoning to be reviewed at the next available meeting of the Lowell Planning Board.

- Pre-filing Meeting to discuss proposed amendment and to become more familiar with the applicable requirements and approval procedures
- Neighborhood Meeting to be hosted by the applicant(s) to be conducted prior to the Legislative Hearing by the City Council.
 - Neighborhood meeting scheduled for 10:00 am on August 9, at Lowell City Hall.
 - City Staff will be in attendance to answer any procedural questions that may arise and report to the City Manager the events of the meeting.
- Filing of Request
- Filing of Public Hearing Consent Forms from property owners represented in the rezoning.
 - Public Hearing Consent Forms have been received.
- Lowell Planning Board heard case and recommended approval.
- Staff to schedule with the City Council to set a public hearing for their August 10, 2021 meeting.
- Staff to schedule proper advertisement of the public hearing in the Gaston Gazette.
 - First ad ran in newspaper on July 29, 2021.
 - Second ad ran in newspaper on August 4, 2021.
- Staff to install rezoning signage on the subject property prior to the public hearing.
 - Signs were placed on all 5 properties on July 29, 2010
- Notices of adjoining property owners sent prior to the public hearing by staff.
 - Mailed July 28, 2021.

Meeting Dates:

- July 6, 2021 Planning Board Review of RZ21-01
- July 13, 2021 City Council to schedule the public hearing.
- Neighborhood meeting scheduled for 10:00 a.m.
- August 10, 2021 City Council to hold public hearing.

Staff Comments:

Current zoning for the properties in review on Oakland Drive is listed as Single Family Residential-4 which provides for the completion of existing residential neighborhoods and the development of new residential neighborhoods. Allowed building/lot types in the Single-Family Districts are Detached House. Listed uses are restricted to Single-Family, including duplex (two-family), homes and their accessory uses. Neighborhoods in these districts are the dominant land use in Lowell and are a major element in defining the character of the community. Standards for the Single-Family Residential Districts promote that new development maintains the character of the community. The Single-Family residential Districts permit the completion and conformity of conventional residential subdivisions already existing or approved in sketch plan form by the City of Lowell prior to the effective date of these regulations.

Proposed zoning of Industrial (IND) entails provision of locations for industrial uses that, due to scale of the buildings and/or the nature of the use, cannot be integrated into the community. Uses within the Industrial District are buffered from adjacent uses. The dominant uses in this district are manufacturing and warehouse storage. Small scale manufacturing and storage that is compatible with less intensive uses can and should be located in other non-residential or mixed-use districts. The Industrial District is reserved for uses which require very large buildings and/or large parking and loading facilities.

The Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) was contacted by City Staff to provide comment on the property in terms of transportation planning. Their remarks were as follows:

1. According to the 2021-2029 STIP, there are no funded transportation improvement projects in the immediate vicinity of this site.
2. Neither the GCLMPO 2045 Highway MTP nor the Highway CTP include any proposed improvements to any streets adjacent to the subject parcels.
3. The MPO recently submitted a passenger rail project from Gastonia to Charlotte along the P&N Rail Corridor for NCDOT's current round of prioritization. It is not likely that the project will be funded in the next STIP, but this will start the process for additional express designs/feasibility study.

The properties applying for rezoning were formally zoned as General Industrial (I-2) under the Unified Development Ordinance that was nullified with the adoption of the Lowell Development Ordinance by the Lowell City Council on May 11, 2021. This district was established to provide for areas of heavier manufacturing and industrial uses that are properly sited, based on such factors as: adjacent land uses, access to the transportation network, and the availability of public services and facilities. It is the intent of this district to provide an environment for industries that is unencumbered by nearby residential or commercial development. I-2 zoned districts shall be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses. The I-2 district is established in order to provide sites for activities that involve major transportation terminals, and manufacturing facilities that have a greater impact the surrounding area than industries found in the I-1 district. I-2 districts shall generally not be located adjacent to any property that is zoned for residential use, except when mitigating factors (i.e., terrain, buffering, and transportation access) are in place to substantively mitigate any potential negative impacts upon such residential areas caused by uses in the I-2 district. Any areas that are rezoned to an I-2 district subsequent to the adoption of this Ordinance shall be located so as to have direct access to or lie in close proximity of a principal or minor arterials.

APPLICATION FOR REZONING

TO: THE CITY OF LOWELL

APPLICATION #: R221-01
DATE FILED: 7-2-2021 11:00 AM
FEE PAID: \$350.00

The undersigned does (do) hereby respectfully make application and request to the City of Lowell to amend the Zoning Ordinance and/or change the Zoning Map of the City of Lowell as hereinafter requested and in support of this application the following facts are shown:

1) It is requested that the real property hereinafter described be rezoned from:

SR4 to I-2

2) The real property sought to be rezoned is owned in fee simple by:

I.B. Ventures, Mike Goulet, Don Hill, Mark Jordan
as evidenced in Deed Book _____ Page _____ of the Gaston County Register of Deeds Office. There are no restrictions or covenants of record appearing in the chain of title which would prohibit the property from being put to the use specified in Paragraph 1 of this application.

3) The address of the real property sought to be rezoned is: 300 - 200
400 - 506 - 578 Oakland Drive
and / or a further legal description by metes and bounds of said realty is attached to this application.

4) The real property sought to be rezoned is located on the _____ side of _____
_____ between _____ and _____
(street) (street)

_____ and further identified in Gaston County
Tax Book _____, Map _____, Parcel(s) 127183, 127178, 127181, 220488,
Said Lot(s) has (have) a frontage of _____ feet and a depth of _____ feet, 220488
or _____ acres.

5) The following are all the adjoining property owners who own land adjacent to all sides, front and rear, which shall include properties across the street from the property sought to be rezoned. The names and addresses listed below shall be determined

by the most recent tax listing as recorded in the Gaston County Tax Office. (Use additional pages if necessary.)

NAME	ADDRESS
Don Hill	300 Oakland Drive
I. B. Ventures Inga Barnard	400 Oakland Drive
Mark Joadan	506 Oakland Drive
MGC6 inc	260 Oakland Drive
Mike Gaultin	518 Oakland Drive

- 6) The applicant understands that a letter stating the date, time and place for the Public Hearing for the rezoning of said property shall be mailed to each of the parties listed in Paragraph 5 at least ten (10) days prior to the said Public Hearing.
- 7) If the applicant is not the legal owner of the property sought to be rezoned, the legal owners names and addresses shall be listed below. Owners shall be determined by the most recent tax listing as recorded in the Gaston County Tax Office. (Use additional pages if necessary.)

NAME	ADDRESS

- 8) A map or drawing identifying the real property requested to be rezoned and all attached properties with their designated zoning districts shown shall be attached to this application.

Applicant(s) Name: Inga Barnard
 Address: 8712 Mountain Shore Dr Sheffalls Road NC 28673
 Telephone: 704-400-9372

Applicant's Signature: Inga Barnard

City of Lowell
 101 West First Street
 Lowell, NC 28098

Telephone: 704 - 824 - 3518



POSTON
PARK

IND

MU-1

SFR-4

CIV

SFR-1



City of Lowell-Development Services Department
 101 W. First Street Lowell, NC 28098
 Phone: 704-824-3518 Web: lowellnc.com

Public Hearing Consent Form

To: City of Lowell Board of Adjustment / Planning Board / City Council

From: James M. Griffin member/manager of
MCGG Properties, LLC

Subject:

consent for variance / conditional use / appeal / subdivision variance / watershed variance / rezoning

Date: July 8, 2021

I, James M. Griffin for MCGG Properties, LLC, being the property owner of parcel(s) # 220488 @ 518 Oakland Dr, give consent to Rick Bourque to act on my behalf in applying for the PUBLIC HEARING REQUEST under consideration.

[Signature] 7-8-21
 Signature (owner) Date

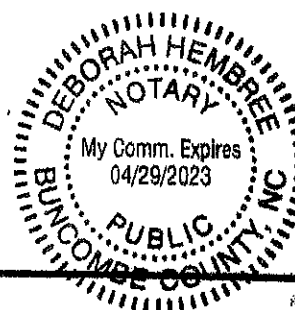
North Carolina
 Gaston County

I, Deborah Hembree, a Notary Public for the said County and State, do hereby certify that James M. Griffin personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this 8th of July, 2021.

[Signature]
 Notary Signature

My commission expires: April 29, 2023





City of Lowell-Development Services Department

101 W. First Street Lowell, NC 28098

Phone: 704-824-3518 Web: lowellnc.com

Public Hearing Consent Form

To: City of Lowell Board of Adjustment / Planning Board / City Council

From: Inga Barnard I.B. Ventures

Subject:

consent for variance / conditional use / appeal / subdivision variance / watershed variance / rezoning

Date: August 2, 2021

I, Inga Barnard for I.B. Ventures, being the property owner of parcel(s) (2718) 400 Oakland Dr + 220489 506 Oakland Dr, give consent to Rick Bournique to act on my behalf in applying for the PUBLIC HEARING REQUEST under consideration.

Inga Barnard
Signature (owner)

8-2-21
Date

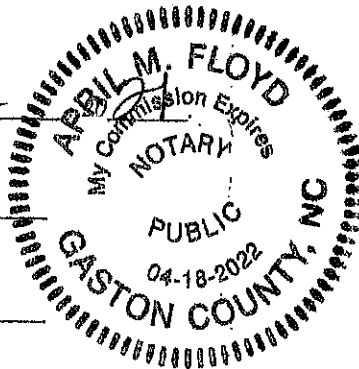
North Carolina
Gaston County

I, April M. Floyd, a Notary Public for the said County and State, do hereby certify that Inga Marie Barnard personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this 2nd of Aug

April M. Floyd
Notary Signature

My commission expires April 18, 2021





City of Lowell-Development Services Department

101 W. First Street Lowell, NC 28098

Phone: 704-824-3518 Web: lowellnc.com

Public Hearing Consent Form

To: City of Lowell Board of Adjustment / Planning Board / City Council

From: DONALD HILL / 300 OAKLAND DRIVE
LOWELL, NC. 28098

Subject:

consent for variance / conditional use / appeal / subdivision variance / watershed variance / rezoning

Date: 7-2-21

I, DONALD HILL / CATAWBA FIRE PROTECTION, INC., being the property owner of parcel(s) DB 2445-288, give consent to RKK BOURNIQUE to act on my behalf in applying for the **PUBLIC HEARING REQUEST** under consideration.

Donald Hill 7-2-21
Signature (owner) Date

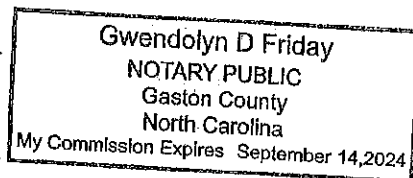
North Carolina
Gaston County

I, Gwendolyn D. Friday, a Notary Public for the said County and State, do hereby certify that Donald Hill personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this 2nd of July, 2021.

Gwendolyn D. Friday
Notary Signature

My commission expires: September 14, 2024





City of Lowell-Development Services Department

101 W. First Street Lowell, NC 28098

Phone: 704-824-3518 Web: lowellnc.com

Public Hearing Consent Form

To: City of Lowell Board of Adjustment / Planning Board / City Council

From: **K&J Investment, LLC**

260 Oakland Dr. Lowell, NC 28098

Subject:

consent for variance / conditional use / appeal / subdivision variance / watershed variance / rezoning

Date: 7/29/21

I, Mark Garrison Jordan, being the property owner of parcel(s) #127183 (260 Oakland Dr), give consent to **Rick Bournique** to act on my behalf in applying for the **PUBLIC HEARING REQUEST** under consideration.

[Signature]
Signature (owner)

7/29/21
Date

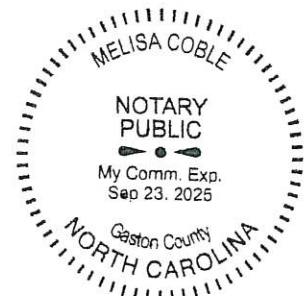
North Carolina
Gaston County

I, Melisa Coble, a Notary Public for the said County and State, do hereby certify that **Mark Garrison Jordan** personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this 29 of July, 2021.

[Signature]
Notary Signature

My commission expires: September 23, 2025



1/04-7 10-3000
WE BUY JUNK CARS
NO TITLE NEEDED

CASH NOW!
Best prices for
*Wrecked/Junk Cars
Any make/model
or condition-
With or without title
Call Us Last!
We'll beat any
competitor's price.
Hooper's Auto Salvage
704-868-2477
704-747-1997

Garage sales
neighborly deals...
Market

Garage Sales
Gastonia, Sat. July 31 7:00
am, 1208 Jones Street,
HUGE YARD SALE
4 Family Yard Sale Saturday
July 31
baby items, kitchen, decor,
board games, leafblower and
more!

Real Estate
Homes
starting fresh...

Acreeage
NEW LOT, State Park
atmosphere, 2 acres, open,
wooded, peaceful + private,
10 min. off I-85, \$49,900. Exc.
financing. Call 704-535-4159.

PHOTOS
are worth a
thousand words
included in
your ad.

Rooms For Rent
Master room for rent full bath
+ power, bed & dresser,
\$600/mo.
Call (704) 923-2993

Single Family Rentals
LARGE LOT, 2 bedrooms,
heat and air. No pets. \$150
per week plus deposit. Call
704-917-9492.

Govt Public Notices
for the latest...
STATE OF NORTH
CAROLINA IN THE
GENERAL COURT OF
JUSTICE
COUNTY OF GASTON
DISTRICT COURT DIVI-
SION
Juvenile Sect. File # 19-JT-
243

Public Notices
Your Source

SUMMONS PROCESS
BY PUBLICATION Rule 4 &
[Pursuant to 1A-1 Rule 4 &
7B-407J
IN RE:)
Destiny Taylor Watkins,)
DOB: August 27, 2009.)

TO: Leah Ashley Brennan is
the mother of the minor
child, Destiny Taylor
Watkins, born on the 27th
day of August, 2009.
TAKE NOTICE that a
Termination of Parental
Rights Petition has been
filed with regard to the
above referenced juvenile.
You are required to respond
to this petition by filing a
written answer with the
clerk who signed this
Process within forty (40)
days following the first date
of publication of this notice,
exclusive of such date, or
you may lose custody of the
above named juvenile. The
results of this hearing may
ultimately result in your
parental rights to the above
named juvenile being termi-
nated. Notice of the date,
time and place of the hearing

21, w.v.v.,
Gastonia, N.C. 28053
Telephone: (704) 852-3100
July 15, 22, 29, 2021 #6072727

Notice of Public Hearing
The City of Lowell's City
Council will hold a Public
Hearing at their regularly
scheduled meeting on Tues-
day, August 10, 2021, at 6:00
pm, at City Hall, 101 West
First Street, Lowell, North
Carolina, 28098.

The purpose of this Public
Hearing will be to consider a
proposed zoning map amend-
ment for the properties
between Oakland Drive and
Birch Street, with address:
260 Oakland Dr. (PID#
127183), 300 Oakland Dr.
(PID#127178), 400 Oakland
Dr. (PID#127181), 506
Oakland Dr. (PID#220489),
and 518 Oakland Dr.
(PID#220488). Requested
change from current zoning
district Single Family Resi-
dential-4 (SFR-4) to Indus-
trial (IND) zoning district.
Case #RZ21-01

For further information,
please call Alex Blackburn,
Planning and Zoning Admin-
istrator, at 704-824-3518.
July 29, Aug. 5, 2021 #6114605

Notice of Public Hearing
The City of Lowell's City
Council will hold a Public
Hearing at their regularly
scheduled meeting on Tues-
day, August 10th, 2021, at
6:00 pm, at City Hall, 101
West First Street, Lowell,
North Carolina, 28098.

The purpose of this Public
Hearing will be to consider a
proposed zoning map amend-
ment for the properties with
undesignated addresses located
on the north side of Inter-
state I-85 between Ethelyn
Avenue and Lynn Street.
Further described as Prop-
erty Parcel ID # 216857.
Proposed change will be
from current zoning of Single
Family Residential-4 (SFR-
4) to Industrial (IND) Zoning
District.
Case #RZ21-02

For further information,
please call Alex Blackburn,
Planning and Zoning Admin-
istrator, at 704-824-3518.
July 29, Aug. 5, 2021 #6114583

**PHOTOS are worth a thousand
words included in your ad.**

JULY 12, 19, 26, 2021
#6088757

STATE OF NORTH
CAROLINA
Gaston County
In The General
Court of Justice
Superior Court Division
Before the Clerk
File No. 2021 E 000463

**LETTERS
TESTAMENTARY**
G.S. 28A-6-1; 28A-6-3; 28A-11-
1; 36C-2-209

The Court in the exercise of
its jurisdiction of the probate
of wills and the administra-
tion of estates, and upon
application of the fiduciary,
has adjudged legally suffi-
cient the qualification of the
fiduciary named below and
orders that Letters be issued
in the above estate.

The fiduciary is fully autho-
rized by the laws of North
Carolina to receive and
administer all of the assets
belonging to the estate, and
these Letters are issued to
attest to that authority and
to certify that it is now in full
force and effect.

Creditors have 90 days to
reach out, must reach out
before August 20th.
Publish Date: May 20th, 2021
End Date: August 20th, 2021
Witness my hand and the
Seal of the Superior Court.

Leandria L. Locklear,
Administrator CTA
804 Running Cedar Ln.
Mt. Holly, NC 28120

Dated: 04/06/2021
K. Roxann Rankin, Clerk of
Superior Court
EX OFFICIO JUDGE OF
PROBATE
/s/ (illegible)
Assistant CSC
JULY 22, 29, August 5, 12th
2021
#6092767

NOTICE TO CREDITORS
GASTON COUNTY
NORTH CAROLINA
2021 E 001228

The undersigned, having
qualified as Co-Executors of
the Estate of Margaret R.
Furster, deceased, late of
Gaston County, North
Carolina, hereby notifies all
persons, firms and corpora-
tions having claims against
the decedent to present them

Defendant
TAKE NOTICE that a plead-
ing seeking relief against you
has been filed in the above
action. The nature of the
NORTH CAROLINA,
GASTON COUNTY.

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
BEFORE THE CLERK
ADMINISTRATOR CTA NOTICE

In the Matter of the Estate of:
JERRY STANLEY PHILLIPS,
Deceased.

Having qualified on the 13th day of July 2021 as Administra-
tor CTA of the Estate of Jerry Stanley Phillips, deceased,
late of Gaston County, North Carolina this is to notify all
persons, firms and corporations having claims against the
decedent to exhibit the same to the undersigned Administra-
tor CTA on or before the 15th day of October, 2021 or this
notice will be pleaded in bar of their recovery. All persons,
firms and corporations indebted to the estate should make
immediate payment.

This the 15th day of July 2021
Matthew Weaver, Adm CTA
612 Steel Road
Bessemer City, NC 28016

C. Andrew Neisler, Jr.
CLONINGER & NEISLER
P.O. Box 515
300 E. King Street
Kings Mountain, NC 28086
July 15, 22, 29, Aug. 5, 2021

STATE OF NORTH CAROLINA
Gaston County
In The General Court Of Justice
Superior Court Division
Before the Clerk
File No. 21 E 1181

IN THE MATTER OF THE ESTATE OF:
Cheryl Jacque Heigstod

**LETTERS
OF ADMINISTRATION**
G.S. 28A-6-1; 28A-6-3; 28A-11-1; 36C-2-209

The Court in the exercise of its jurisdiction of the probate of
wills and the administration of estates, and upon application
of the fiduciary, has adjudged legally sufficient the qualifica-
tion of the fiduciary named below and orders that Letters be
issued in the above estate.
The fiduciary is fully authorized by the laws of North
Carolina to receive and administer all of the assets belonging
to the estate, and these Letters are issued to attest to that
authority and to certify that it is now in full force and effect.
Witness my hand and the Seal of the Superior Court.

Brenton S. Beasley, Administrator
233 E. Graham St.
Shelby, NC 28150

Dated: 07/06/2021
K. Roxann Rankin, Clerk of Superior Court
EX OFFICIO JUDGE OF PROBATE
/s/ Assistant CSC
7/22, 7/29, 8/5, 8/12, 2021



BURIAL CRYPTS - True Companion "for two". Forest Lawn West Cemetery, Community Mausoleum, level 3. Reduced: \$10,000 (value \$17,500). Call 704-864-5999 or email carretram-clean@yahoo.com

FOREST LAWN WEST CEMETERY, Charlotte. Two spaces, "Gardens of Christ S-1", lot 331, 1 & 2. \$4,050 ea. Call 704-827-6569.

Furniture Household

Cummings Furniture
410 W. Dixon Blvd.
(Hwy 74 West & Corner of Egstview)
Shelby, NC
704-482-9806
Open Mon-Sat, 9a-6p

48th Anniversary Sale!!!



Buy One Recliner GET ONE FREE

Enjoy the Luxury & Comfort

Adjustable Mattress \$839

With base TRUCKLOAD MATTRESS SALE

Storewide Furniture, Mattress & Recliner Sale GOING ON NOW! **MADE IN THE USA!**

Cool Gel Memory Foam Queen Set

\$399

One of a Kind Deals on Furniture Close-Outs. **JUST RECEIVED: TRUCKLOADS UNCLAIMED TRANSIT FREIGHT!**

Real Estate Auctions



Real Estate Auction Online Bidding Ends August 19th at 2:00 PM

901 N. Main St.
Mount Holly, NC
150 year old Home, garage and outbuildings. 1+ acre of land. Located on a corner lot. 4 bedrooms, 1 bath, formal dining room, living room, family room, attached garage. Additional detached garage and 3 large storage buildings. Built in 1873, this home has room to expand and add additional bedrooms and baths. Preview/inspection of Home by appointment on July 28th from 5:00-6:30 pm. Contents of home will be sold on August 28th at 10:00 am.

Go to mcleanbid to bid and additional information! Mclean Auction & Realty NCALE 10073

Real Estate

Rentals

PUBLISHERS NOTICE

All real estate advertised herein is subject to the Federal Fair Housing Act, which makes it illegal to advertise any preference, limitation, or discrimination because of race, color, religion, sex, handicap, familial status, or national origin, or intention to make any such preference, limitation, or discrimination. "We will not knowingly accept any advertising for real estate which is in violation of the law. All persons are hereby informed that all dwellings advertised are available on an equal opportunity basis."



Apartments

Kendrick Square Apartments
800 W. Charlotte Ave.
Mt. Holly, NC 28120
Please call
704-827-7171

Rent Based on Income
Equal Housing Opportunity Employer & Provider.

Hotel-Motel Rooms

Utilities

Public Notices

for the latest...

Govt Public Notices

Notice of Public Hearing

The City of Lowell's City Council will hold a Public Hearing of their regularly scheduled meeting on Tuesday, August 10, 2021, at 6:00 pm, at City Hall, 101 West First Street, Lowell, North Carolina, 28098.

The purpose of this Public Hearing will be to consider a proposed zoning map amendment for the properties between Oakland Drive and Birch Street, with address: 260 Oakland Dr. (PID# 127183), 300 Oakland Dr. (PID#127178), 400 Oakland Dr. (PID#127181), 506 Oakland Dr. (PID#220489), and 518 Oakland Dr. (PID#220488). Requested change from current zoning district-4 (SFR-4) to Industrial (IND) zoning district. Case #RR21-01

For further information, please call Alex Blackburn, Planning and Zoning Administrator, at 704-824-3518. July 29, Aug. 5, 2021 #6114605

Notice of Public Hearing

The City of Lowell's City Council will hold a Public Hearing at their regularly scheduled meeting on Tuesday, August 10th, 2021, at 6:00 pm, at City Hall, 101 West First Street, Lowell, North Carolina, 28098.

The purpose of this Public Hearing will be to consider a proposed zoning map amendment for the properties with unassigned addresses located on the north side of Interstate 1-85 between Ethelyn Avenue and Lynn Street. Further described as Property Parcel ID # 216857. Proposed change will be from current zoning of Single Family Residential-4 (SFR-4) to Industrial (IND) Zoning District. Case #RZ21-02

For further information, please call Alex Blackburn, Planning and Zoning Administrator, at 704-824-3518. July 29, Aug. 5, 2021 #6114583

Notice To Creditors

7/14/2021, or this notice will be pleaded in bar of any recovery thereon. All persons indebted to said estate are requested to make prompt settlement.

This the 12th day of October, 2021.

Administrator for the Estate of Bobby Ray Deese
Dorothy Bennett Deese
1902 Alexis Lucia Rd.,
Stanley, NC 28164
July 15, 22-29, Aug. 5, 2021 #6068757

STATE OF NORTH CAROLINA
Gaston County
In The General Court Of Justice
Superior Court Division
Before the Clerk
File No. 2021 E 000463

IN THE MATTER OF THE ESTATE OF: Michael Juddell Hedgecoe
TESTAMENTARY
G.S. 28A-6-1; 28A-6-3; 28A-11-1; 36C-2-209

The Court in the exercise of its jurisdiction of the probate of wills and the administration of estates, and upon application of the fiduciary, has adjudged legally sufficient the qualification of the fiduciary named below and orders that Letters be issued in the above estate.

The fiduciary is fully authorized by the laws of North Carolina to receive and administer all of the assets belonging to the estate, and these Letters are issued to attest to that authority and to certify that it is now in full force and effect.

Creditors have 90 days to reach out, must reach out before August 20th.

Publish Date: May 20th, 2021
End Date: August 20th, 2021
Witness my hand and the Seal of the Superior Court.
Leandria L Locklear,
Administrator CTA
804 Running Cedar Ln.
Mt. Holly, NC 28120

Dated: 04/06/2021
K. Roxann Rankin, Clerk of Superior Court
EX OFFICIO JUDGE OF PROBATE
/s/ (illegible)
Assistant CSC
July 22, 29, August 5, 12th 2021
#6092767

...has asserted a Self-Service Storage Facility Lien (GS 44A-43) against the undersigned's personal property (furniture, household items & etc., including three (3) automotive engines), situated in the designated unit. The individuals whose goods are being sold at public auction pursuant to this lien are:
1. Kayleigh Marie Keener Unit 48
2. Michael Thomas Self Unit 43
Unless paid prior to the sale, the above individual's property will be sold at 10:00 A.M., or shortly thereafter, at Lewis Storage Center 5310 Union Road, Gaston County, North Carolina, 28056 on Thursday, August 12, 2021.
Lewis Storage Center, LLC,
Lien Claimant
T. Lamar Robinson, Jr.,
Manager
Aug 5, 2021 #6147729

SELL IT BUY IT FIND IT

- cars
- garage sales
- tickets
- jobs
- antiques
- motorcycles
- computers

IND IT
cars • garage sales • tickets • antiques • motorcycles • computers • boats sports • equipment • pet instruments • jewelry • furniture • auctions collectibles • jobs • appliances yard sales • tablets • cameras • coins

This is to inform you of a public meeting concerning the rezoning from R-4 to IND. of The properties located at 260, 300, 400, 506, and 518 Oakland Drive. This meeting will be held at The Lowell Town Hall on Monday August 9, 2021 at 10:00 am

Notice of Public Hearing

The City of Lowell's City Council will hold a Public Hearing at their regularly scheduled meeting on Tuesday, August 10, 2021, at 6:00 pm, at City Hall, 101 West First Street, Lowell, North Carolina, 28098.

The purpose of this Public Hearing will be to consider a proposed zoning map amendment for the properties between Oakland Drive and Birch Street, with address: 260 Oakland Dr. (PID# 127183), 300 Oakland Dr. (PID#127178), 400 Oakland Dr. (PID#127181), 506 Oakland Dr. (PID#220489), and 518 Oakland Dr. (PID#220488). Requested change from current zoning district Single Family Residential-4 (SFR-4) to Industrial (IND) zoning district.

Case #RZ21-01



For further information, please call Alex Blackburn, Planning and Zoning Administrator, at 704-824-3518.

PID	ACREAGE	PHYSICAL ADDRESS	OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	STATE	ZIP CODE
220488	2.17	518 OAKLAND DR	MCGG PROPERTIES LLC		432 OLD LEICESTER HWY	ASHEVILLE	NC	28806
127198	0.37		ARMS TRAVIS L		779 CASON ST	BELMONT	NC	28012
127649	0.17	212 OAKLAND DR	OWENS TANGELA HUTCHINS		734 CAPPS DR	BESSEMER CITY	NC	28016
127189	0.26	519 OAKLAND DR	MONDRAGON DIANA		822 OAK ST	CHARLOTTE	NC	28214
127196	0.24	227 OAKLAND DR	LOVINGOOD LORE FLOWERS		112 BOWDEN LN	GASTONIA	NC	28056
127195	0.26	228 OAKLAND DR	BRUZGIS JOHN J	MCKINNEY CATHY L	134 BURTON HILLS CIR	GASTONIA	NC	28054
127659	1.39	107 PEACHTREE ST	SMITH TRAVIS DANIEL	SMITH SHANNON HORTON	109 PEACHTREE ST	LOWELL	NC	28098
127660	1.37	109 PEACHTREE ST	SMITH PAMELA A &	SMITH TRAVIS DANIEL	109 PEACHTREE ST	LOWELL	NC	28098
127191	0.25	513 OAKLAND DR	FALLS HAROLD R JR	FALLS SHIRLEY P	1609 POWER LINE DR	LOWELL	NC	28098
127206	0.22	419 BIRCH ST	PERKINS KAREN HOLLIDAY		210 OAKLAND ST	LOWELL	NC	28098
127678	0.55		SMITH CHAD C	SMITH TOSHUA L	213 N CLAY ST	LOWELL	NC	28098
127648	0.25	214 OAKLAND DR	MOSS CAROLYN JACKSON		214 OAKLAND DR	LOWELL	NC	28098
148055	0.28	216 OAKLAND DR	JORDAN MARK G		216 S OAKLAND DRIVE	LOWELL	NC	28098
148048	0.23	224 OAKLAND DR	GODFREY ROBERT W	GODFREY DEBRA M	224 OAKLAND DR	LOWELL	NC	28098
127178	3.79	300 OAKLAND DR	CATAWBA FIRE PROTECTION INC		300 OAKLAND ST	LOWELL	NC	28098
127199	0.54	405 N CLAY ST	UNDERDOWN LORETTA K HEIRS		405 N CLAY ST	LOWELL	NC	28098
127197	0.44	409 N CLAY ST	MCCURRY MICHAEL	MCCURRY VIOLA MICHELLE	409 CLAY ST	LOWELL	NC	28098
127179	0.11		HARWELL WAYNE	HARWELL MARGARET	409 N CLAY ST	LOWELL	NC	28098
127205	0.24	417 BIRCH ST	BRADY JACKIE B	BRADY SHERRY L	417 BIRCH ST	LOWELL	NC	28098
127208	0.22	501 BIRCH ST	MESSICK JERRY DEAN		501 BIRCH ST	LOWELL	NC	28098
127210	0.22	505 BIRCH ST	BONE ASHTON DANIELLE		505 BIRCH ST	LOWELL	NC	28098
127211	0.36	509 BIRCH ST	LY JENNIE CONG		509 BIRCH ST	LOWELL	NC	28098
127217	0.34	515 BIRCH ST	BURDETTE REBECCA LYNN		511 BIRCH ST	LOWELL	NC	28098
212815	0.35	511 BIRCH ST	BURDETTE REBECCA LYNN		511 BIRCH ST	LOWELL	NC	28098
148054	0.26	610 RHYNE OAKLAND RD	CREECH EARL DONALD & OTHERS	CREECH CHERYL	610 RHYNE OAKLAND RD	LOWELL	NC	28098
127180	0.22		STEPHENSON TERRY WAYNE II		710 N CLAY ST	LOWELL	NC	28098
127202	0.45	710 N CLAY ST	STEPHENSON TERRY WAYNE II		710 N CLAY ST	LOWELL	NC	28098
127203	0.23	706 N CLAY ST	STEPHENSON TERRY W II		710 N CLAY ST	LOWELL	NC	28098
127226	0.24	225 OAKLAND DR	JENKINS ROSE ANN N HEIRS	C/O ANN JENKINS WEBB	225 OAKLAND DR	LOWELL	NC	28098
127209	0.21	503 BIRCH ST	HALL EDNA CAROL	C/O EDNA C BURKE	503 BIRCH STREET	LOWELL	NC	28098
127204	0.16	415 BIRCH ST	FRANKLIN GERALDINE HEIRS	C/O GARY FRANKLIN JR	PO BOX 603	LOWELL	NC	28098
127192	0.24	509 OAKLAND DR	KNIGHT ALICE F HEIRS	C/O THOMAS KNIGHT	509 OAKLAND DR	LOWELL	NC	28098
127181	2.21	400 A OAKLAND DR	IB VENTURES INC		P O BOX 464	LOWELL	NC	28098
220489	8.36	506 OAKLAND DR	IB VENTURES INC		P O BOX 464	LOWELL	NC	28098
127676	0.8		LOWELL CHURCH OF GOD		P O BOX 802	LOWELL	NC	28098
127193	0.24	507 1/2 OAKLAND DR	MORTON SANDRA G		PO BOX 458	LOWELL	NC	28098
127194	0.26	507 OAKLAND DR	MORTON SANDRA G		PO BOX 458	LOWELL	NC	28098
127225	0.24	226 OAKLAND DR	MORTON SANDRA		PO BOX 458	LOWELL	NC	28098
127183	1.09	260 A OAKLAND DR	JORDAN ROBERT CARY		PO BOX 789	LOWELL	NC	28098
148049	0.69	609 RHYNE OAKLAND RD	DO/28 INVESTMENTS LLC		PO BOX 8	LOWELL	NC	28098
127207	0.23	421 BIRCH ST	BRADY JACK REED		421 BIRCH ST	LOWELL	NC	28098
127190	0.35	517 OAKLAND DR	LAYEL TONY EUGENE		502 CHURCH ST	LOWELL	NC	28120
148012			Gaston County		PO Box 1578	Gastonia	NC	28053

Post Office Box 1748
Gastonia, North Carolina 28053
Phone (704) 866-6980

150 South York Street
Gastonia, North Carolina 28052
Fax (704) 869-1960

Memorandum

To: Alex Blackburn, Planning Director, City of Lowell
From: Julio Paredes, Planner
Date: July 21, 2021
Subject: RZ21-01 – GCLMPO Comments

Thank you for the opportunity to provide comments on a proposed rezoning within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) planning area. My comments are based on review of the parcels in accordance with the adopted Comprehensive Transportation Plan (CTP), the adopted 2045 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

The parcels are located at Oakland Dr. On behalf of the GCLMPO, I offer the following comments:

1. According to the 2020-2029 STIP, there are no funded transportation improvement projects in the immediate vicinity of this site.
2. Neither the GCLMPO 2045 Highway MTP nor Highway CTP include any proposed improvements to any streets adjacent to the subject parcels.
3. The MPO recently submitted a passenger rail project from Gastonia to Charlotte along the P&N Rail Corridor for NCDOT's current round of prioritization. It is not likely that the project will be funded in the next STIP, but this will start the process for additional express designs/feasibility study.

If you have any questions regarding my comments, please do not hesitate to contact me at 704-866-6980 or juliop@cityofgastonia.com.

CITY OF LOWELL
IN-HOUSE WORK ORDER

DATE: 7.29.21 TIME: _____ CALLER: Alex

SERVICE ADDRESS: Map Attached

NATURE OF CALL/WORK TO BE DONE:
Put out 5 rezoning signs
in locations on map where
X is please.

* Take picture of each sign
when placed.

CALL RECEIVED BY: SL

WORK COMPLETED BY: TR DATE: 7.28.21 TIME: AM

WORK DELAYED BECAUSE OF: _____

SIGNS PLACED



Please place these signs for REZ1-01 at the indicated
Red "X" for each property. Take pictures of each sign
when placed.

206, 300A, 300B, 300C, 400, 506, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

CITY OF LOWELL
PUBLIC HEARING

REQUEST: REZONING Z1-01
DATE: August 10, 2021
LOCATION: City Hall
INFORMATION: 704-824-3518
TIME: 6:00 PM



CITY OF LOWELL
PUBLIC HEARING
Z
REQUEST _____
DATE _____ TIME _____
LOCATION _____
INFORMATION _____

SLOW



CITY OF LOWELL
PUBLIC Z HEARING

REQUEST RECEIVED: _____ TIME: _____
DATE: _____
LOCATION: _____
INFORMATION: _____

CITY OF LOWELL
PUBLIC **Z** HEARING
REQUEST:
DATE: TIME:
LOCATION:
INFORMATION:

CITY OF LOWELL
PUBLIC **Z** HEARING
REQUEST: RE ZONING 201
DATE: 3-10-2021 TIME: 1:00PM
LOCATION: City Hall
INFORMATION: 201-327-3513

AGENDA ITEM INFORMATION

AGENDA ITEM #: 7-B

DESCRIPTION: PUBLIC HEARING FOR AUGUST 10, 2021 REGARDING
REZONING CASE # RZ21-02

Please see the attached staff report and application from the Planning Director for Rezoning Case RZ21-02.

To: Scott Attaway, City Manager
From: Alex Blackburn, Planning Director
Date: August 5, 2021
Re: Rezoning of PID# 216857, Case #RZ21-02

On July 6, 2021, the City of Lowell Planning Board met to consider the Rezoning of a 25.75 acre property at Parcel ID # 216857. The property is currently distinguished as Single Family Residential-4 (SFR-4) and is requesting a change to Industrial (IND).

The Planning Board voted unanimously to recommend approval of the rezoning to the City Council.

During their regular scheduled meeting on July 13, 2021, the City Council set a Public Hearing date for the Consideration of Case # RZ21-02 to be held on August 10, 2021.

In preparation for the hearing, City Staff mailed Public Notices to property owners abutting and those parcels requesting Rezoning. These were mailed on July 28, 2021. In addition, two ads were prepared and published as public notice to be ran once a week for two consecutive weeks in the Gaston Gazette newspaper, first ad published July 29, second ad published August 5. Notification Signs were placed on the properties requesting rezoning on the morning of July 29th.

The applicant has provided all Public Hearing Consent Forms for property owners requesting change.

A Neighborhood Meeting has been scheduled to be held virtually on Friday, August 6, 2021, at 6:00 p.m.. City Staff will be in attendance to answer procedural questions. I will keep you informed of the events of the meeting once it is completed.

Once the Neighborhood meeting is complete, all requirements for the Rezoning Application have been fulfilled and may proceed on to the Legislative Hearing scheduled for August 10, at 6:00 p.m.

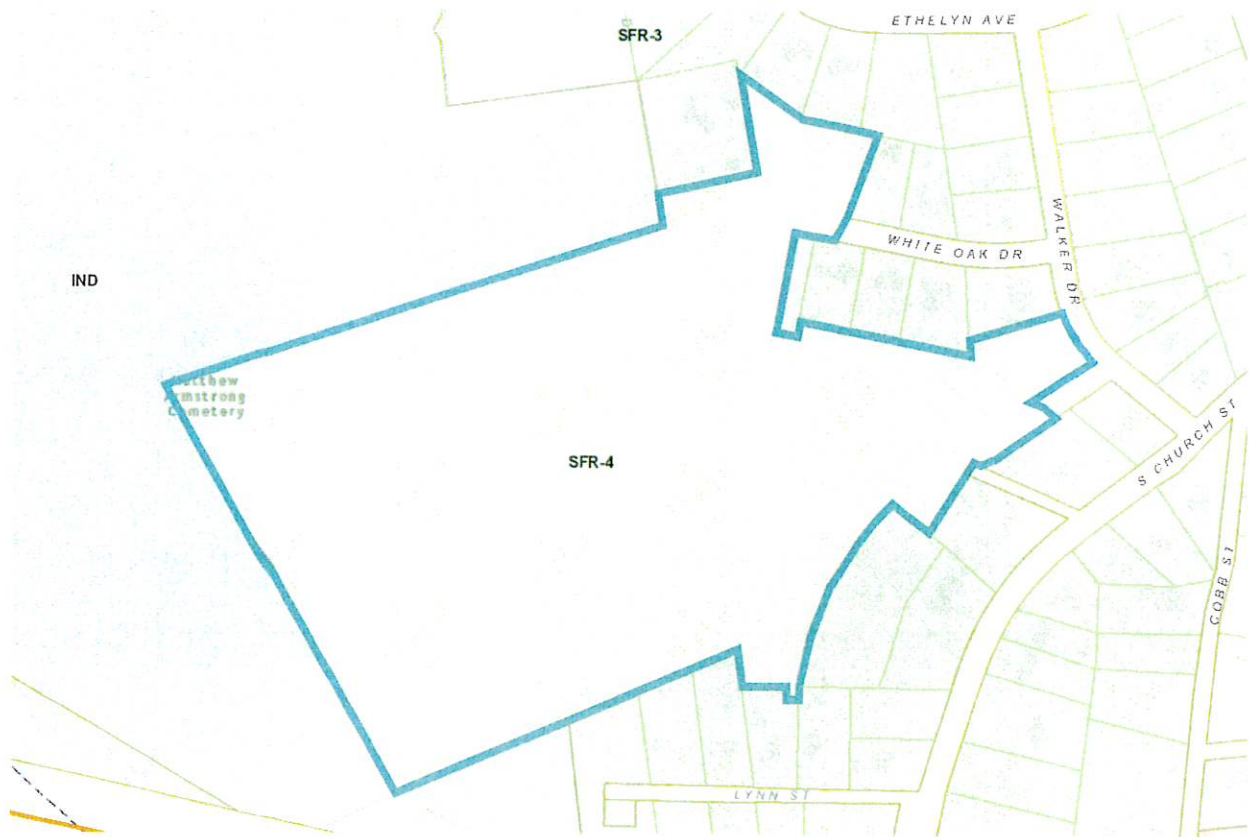
City of Lowell Planning Department – Staff Report

CASE # CUP 21-02

Applicant:	Michael Johnston
Property Owner(s):	Mark W. Mitchem Paul Mitchem Rebecca B. Mitchem Heirs
Property Location:	Parcel ID# 216857
Property Size:	25.75
Current Zoning:	Single Family Residential-4 (SFR-4)
Proposed Zoning:	Industrial (IND)

Description:

On July 2nd, 2021 staff received a Zoning Map Amendment (rezoning) request from Mr. Michael Johnston representing North Point Development after speaking with City Manager Scott Attaway regarding changing Parcel ID# 216857 from its current zoning district of Single Family Residential-4 (SFR-4) to Industrial (IND).



Process:

Staff received the application and scheduled the rezoning request to be reviewed at the next available meeting of the Lowell Planning Board on July 6th, 2021.

- Pre-filing Meeting to discuss proposed amendment and to become more familiar with the applicable requirements and approval procedures.
- Neighborhood meeting to be hosted by the applicant(s) to be conducted prior to the Legislative Hearing by the City Council.
 - Virtual meeting scheduled for August 6, 2021 at 6 p.m.
- Filing of Request
- Filing of Public Hearing Consent Forms from property owners represented in the rezoning.
 - Received.
- Lowell Planning Board Heard case RZ21-02 and recommended approval to the City Council on July 6, 2021.
- Staff to schedule with the City Council to set a public hearing for their August 10, 2021 meeting.
- Staff to schedule proper advertisement of the public hearing to run once a week for two consecutive calendar weeks in a newspaper having general circulation in the area.
 - First ad ran in newspaper on July 29, 2021.
 - Second ad ran in newspaper on August 5, 2021.
- Staff to install rezoning signage on the subject property prior to public hearing.
 - Signage posted on July 28, 2021.
- Notices of adjoining property owners to be sent prior to the public hearing by staff.
 - Mailed notice July 28, 2021.

Meeting Dates:

- July 2, 2021 Pre-filing Meeting
- July 6, 2021 Planning Board Review of RZ21-02
- July 13, 2021 City Council to set Public Hearing.
- August 6, 2021 Neighborhood Meeting (Virtual) at 6 p.m.
- August 10, 2021 City Council to hold Public Hearing.

Staff Comments:

Current zoning for the property in review is listed as Single Family Residential-4 (SFR-4) which provides for the completion of existing residential neighborhoods and the development of new residential neighborhoods. Allowed building/lot types in the Single-Family Districts are Detached House. Listed uses are restricted to Single-Family, including duplex (two-family), homes and their accessory uses. Neighborhoods in these districts are the dominant land use in Lowell and are a major element in defining the character of the community. Standards for the Single-Family Residential Districts promote that new development maintains the character of the community. The Single-Family residential Districts permit the completion and conformity of

conventional residential subdivisions already existing or approved in sketch plan form by the City of Lowell prior to the effective date of these regulations.

Proposed zoning of Industrial (IND) entails provision of locations for industrial uses that, due to scale of the buildings and/or the nature of the use, cannot be integrated into the community. Uses within the Industrial District are buffered from adjacent uses. The dominant uses in this district are manufacturing and warehouse storage. Small scale manufacturing and storage that is compatible with less intensive uses can and should be located in other non-residential or mixed-use districts. The Industrial District is reserved for uses which require very large buildings and/or large parking and loading facilities.

The Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) for comments regarding future transportation planning in the area. The comments received were as follows:

1. According to the 2020-2029 STIP, there are no funded transportation improvement projects in the immediate vicinity of this site.
2. A proposed extension of Aberdeen Blvd. from Cox Road to Main Street Lowell is included in both the MPO's CTP and MTP. Known as the Lineberger Connector and Lineberger Connector Extension, the proposed thoroughfare will consist of a three-lane cross-section with curb and gutter and sidewalks.

The GCLMPO supports the proposed rezoning of this parcel from Single Family Residential-4 (SFR-4) to Industrial (IND). The adjacent property along the Lineberger Connector Project provides space for new industries locating within the region to attract professional, skilled, and managerial staff. Many residents of Gastonia and Lowell would readily seek employment within this area in lieu of a commute out of the county to work. This not only improves the quality of life and overall well-being for those workers, but also improves the quality of the environment through reduced vehicle emissions. In addition, the development of this area provides adjacent residents opportunities for upward mobility through proximity to well-paying jobs.

Michael Johnston
NP Dev.

APPLICATION FOR REZONING

TO: THE CITY OF LOWELL

APPLICATION #: R221-02

DATE FILED:

FEE PAID: \$350

The undersigned does (do) hereby respectfully make application and request to the City of Lowell to amend the Zoning Ordinance and/or change the Zoning Map of the City of Lowell as hereinafter requested and in support of this application the following facts are shown:

- 1) It is requested that the real property hereinafter described be rezoned from:

SFR-4 to IND

- 2) The real property sought to be rezoned is owned in fee simple by:

Paul Mitchem and Mark W. Mitchem

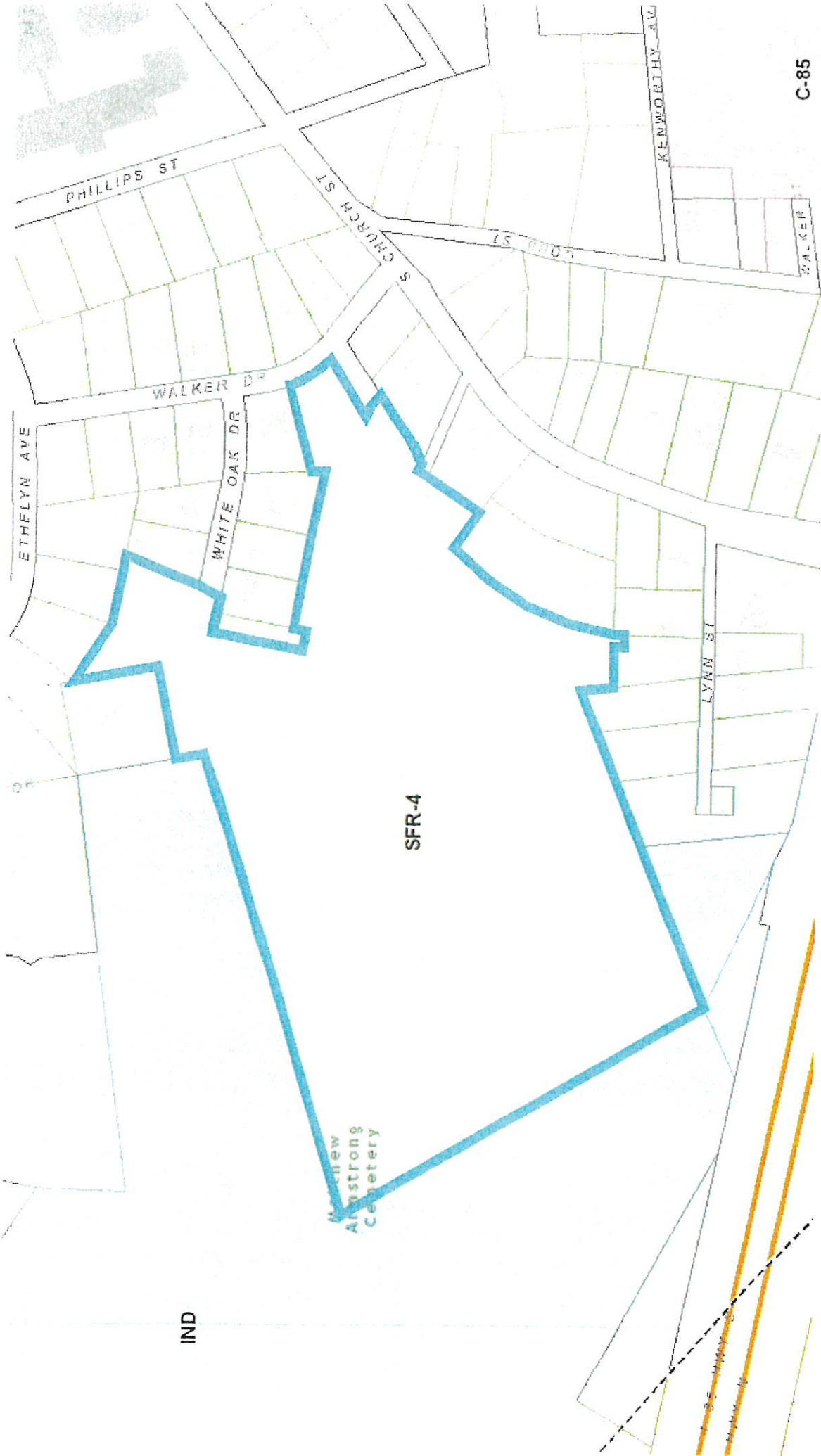
as evidenced in Deed Book 1190 Page 448 of the Gaston County Register of Deeds Office. There are no restrictions or covenants of record appearing in the chain of title which would prohibit the property from being put to the use specified in Paragraph 1 of this application.

- 3) The address of the real property sought to be rezoned is: Lynn Street and / or a further legal description by metes and bounds of said realty is attached to this application.

- 4) The real property sought to be rezoned is located on the East side of Church Street between Lynn and White Oak (street) (street)

and further identified in Gaston County Tax Book _____, Map _____, Parcel(s) 216857 Said Lot(s) has (have) a frontage of _____ feet and a depth of _____ feet, or 25.75 acres.

- 5) The following are all the adjoining property owners who own land adjacent to all sides, front and rear, which shall include properties across the street from the property sought to be rezoned. The names and addresses listed below shall be determined



C-85

SFR-4

IND

Andrew
Armstrong
Cemetery

Parcel Number	Current Owners	Mailing Address	Physical Address	Deed Book	Deed Page	Sale Date	Deed Book	Deed Page	Acreage	Property Use	Taxable Value
128489	MILAM LESLIE M	17210 PENNINGTON DR, HUNTERVILLE, NC 280780000	612 S CHURCH ST	004E	1005	7/29/2004			0.67	RESIDENTIAL	\$156,860.00
128465	GARDNER GERTIE	310 LYNN STREET, LOWELL, NC 280980000	310 LYNN ST	0748	0031	8/8/1959	012	046	0.42	RESIDENTIAL	\$96,840.00
128524	CALDWELL STEPHEN NORMAN CALDWELL DEBORAH SETZER	308 WALKER DR , LOWELL, NC 28098	308 WALKER DR	2698	0262	8/29/1997	017	006	0.49	RESIDENTIAL	\$141,140.00
128526	COX JOEY L COX GINGER W	306 WALKER DR , LOWELL, NC 280980000	306 WALKER DR	4225	1176	5/30/2006	017	006	0.43	RESIDENTIAL	\$228,130.00
127859	JONES GEORGE M JONES KIMBERLY H	2611 BELMEADE DR, CHARLOTTE, NC 282149239	515 ETHELYN AVE	4814	1046	11/9/2015	019	078	0.47	RESIDENTIAL	\$181,300.00
128493	LOWERY CHARLES D	710 S CHURCH ST, LOWELL, NC 280980000	NO ASSIGNED ADDRESS	0772	0473	2/2/1961	012	046	1.19	RESIDENTIAL	\$20,680.00
128475	HANNA MARILYN J	613 WHITE OAK DR, LOWELL, NC 280981834	617 WHITE OAK DR	4688	0877	7/30/2013	017	006	0.38	RESIDENTIAL	\$135,820.00
128455	JACKSON H EDWARD	PO BOX 1062, GASTONIA, NC 280531062	NO ASSIGNED ADDRESS	3891	0824	12/9/2003			1.11	RESIDENTIAL	\$12,570.00
128453	JACKSON H EDWARD	PO BOX 1062, GASTONIA, NC 280531062	NO ASSIGNED ADDRESS	3891	0824	12/9/2003			0.54	RESIDENTIAL	\$6,590.00
128495	LOWERY CHARLES D	710 S CHURCH ST, LOWELL, NC 280980000	710 S CHURCH ST	0772	0472	2/2/1961	012	046	0.8	RESIDENTIAL	\$244,130.00
128517	WHEELER WILLIAM T WHEELER DONNA C	304 WALKER DRIVE, LOWELL, NC 280980000	304 WALKER DR	2287	0622	7/1/1993	017	006	0.35	RESIDENTIAL	\$145,360.00
128481	MCKENZIE JOHN S MCKENZIE JOY B	PO BOX 457, LOWELL, NC 280980000	609 WHITE OAK DR	1166	0793	8/22/1975	017	006	0.46	RESIDENTIAL	\$201,880.00
128458	JACKSON H EDWARD	PO BOX 1062, GASTONIA, NC 280531062	NO ASSIGNED ADDRESS	3891	0824	12/9/2003			0.5	RESIDENTIAL	\$10,300.00

Parcel Number	Current Owners	Mailing Address	Physical Address	Deed Book	Deed Page	Sale Date	Deed Book	Deed Page	Acreage	Property Use	Taxable Value
128490	ELLIOTT GARY DON ELLIOTT LINDA REYNOLDS	PO BOX 1011 , LOWELL, NC 280980000	702 S CHURCH ST	5058	2282	8/7/2019	012	046	0.7	RESIDENTIAL	\$199,870.00
128464	MITCHEM REBECCA B HEIRS	302 SOUTH CLEAR CREEK DR, FRIENDSWOOD, TX 77546	306 LYNN ST	4274	1478	11/28/2006	012	046	0.44	RESIDENTIAL	\$88,470.00
216858	MITCHEM JOSEPH L & DAVIDSON MARIA M	C/O JOSEPH L MITCHEM 226 FORBUSH MTN DR, CHAPEL HILL, NC 275141906	NO ASSIGNED ADDRESS	012E	1535	11/22/2012			0.19	RESIDENTIAL	\$1,580.00
128478	KEPHART TIMOTHY L KEPHART NANCY P	610 WHITE OAK DR, LOWELL, NC 280980000	610 WHITE OAK DR	3529	0325	9/13/2002	017	006	0.34	RESIDENTIAL	\$159,480.00
127860	RIMMER JACQUELINE HAWKS	517 ETHELYN AVE, LOWELL, NC 280981815	517 ETHELYN AVE	4105	2226	3/7/2005	019	078	0.55	RESIDENTIAL	\$144,810.00
128477	LYNCH LAURIE	613 WHITE OAK DRIVE, LOWELL, NC 28098	613 WHITE OAK DR	4996	0771	8/24/2018	017	006	0.38	RESIDENTIAL	\$114,140.00
128494	MITCHEM REBECCA B	302 SOUTH CLEAR CREEK DR, FRIENDSWOOD, TX 77546	NO ASSIGNED ADDRESS	1100	0650	1/26/1973	012	046	0.4	RESIDENTIAL	\$8,240.00
304673	NP GASTONIA INDUSTRIAL LLC	4825 NW 4-1ST STREET SUITE 500, RIVERSIDE, MO 64150	3301 LINEBERGER RD	5184	1270	12/21/2020	092	116	111.57	INDUSTRIAL	\$1,135,230.00
128460	HOWELL CATHY E	312 LYNN ST, LOWELL, NC 28098	312 LYNN ST	2557	0186	6/3/1996	012	046	0.51	RESIDENTIAL	\$142,340.00
216857	MITCHEM REBECCA B HEIRS	302 SOUTH CLEAR CREEK DR, FRIENDSWOOD, TX 77546	NO ASSIGNED ADDRESS	4120	944	4/28/2005			25.75	RESIDENTIAL	\$12,480.00
127824	MCCUEN TERESA A	912 LAKEVIEW DR, LOWELL, NC 280981819	912 LAKEVIEW DR	3138	0317	5/18/2015			1	RESIDENTIAL	\$165,820.00

Parcel Number	Current Owners	Mailing Address	Physical Address	Deed Book	Deed Page	Sale Date	Deed Book	Deed Page	Acreage	Property Use	Taxable Value
127858	VAUGHN TIMOTHY SHELDON & VAUGHN KAREN CATHEY	513 ETHELYN AVE , LOWELL, NC 280980000	513 ETHELYN AVE	4203	0451	3/6/2006	019	078	0.45	RESIDENTIAL	\$148,590.00
128510	WILLARD JONATHAN D WILLARD GWENDOLYN P	606 S CHURCH ST, LOWELL, NC 280981810	606 S CHURCH ST	4887	0412	12/23/2016			0.37	RESIDENTIAL	\$203,120.00
127857	WRIGHT BILLIE JOAN	612 WHITE OAK DR, LOWELL, NC 28098	NO ASSIGNED ADDRESS	4505	2280	3/10/2010	019	078	0.63	RESIDENTIAL	\$10,300.00
128454	JACKSON H EDWARD	PO BOX 1062 , GASTONIA, NC 280531062	NO ASSIGNED ADDRESS	3891	0824	12/9/2003			1.29	RESIDENTIAL	\$12,630.00
128479	WRIGHT BILLIE JOAN	612 WHITE OAK DR, LOWELL, NC 28098	612 WHITE OAK DR	4505	2285	3/10/2010	017	006	0.36	RESIDENTIAL	\$136,230.00
128485	SARNS KAREN A	307 WALKER DR , LOWELL, NC 280980000	307 WALKER DR	4509	2416	4/9/2010	017	006	0.46	RESIDENTIAL	\$167,080.00

by the most recent tax listing as recorded in the Gaston County Tax Office. (Use additional pages if necessary.)

NAME	ADDRESS
SEE ATTACHED	
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

- 6) The applicant understands that a letter stating the date, time and place for the Public Hearing for the rezoning of said property shall be mailed to each of the parties listed in Paragraph 5 at least ten (10) days prior to the said Public Hearing.
- 7) If the applicant is not the legal owner of the property sought to be rezoned, the legal owners names and addresses shall be listed below. Owners shall be determined by the most recent tax listing as recorded in the Gaston County Tax Office. (Use additional pages if necessary.)

NAME	ADDRESS
Rebecca B Mitchem Heirs	302 S. Clear Creek Dr, Friendswood, TX 77546
_____	_____
_____	_____
_____	_____

- 8) A map or drawing identifying the real property requested to be rezoned and all attached properties with their designated zoning districts shown shall be attached to this application.

Applicant(s) Name: Mark W. Mitchem
Address: 302 S. Clear Creek Dr, Friendswood TX 77546
Telephone: 713-201-6175

Applicant's Signature: 

City of Lowell
101 West First Street
Lowell, NC 28098 .

Telephone: 704 - 824 - 3518



To: Michael Johnston, North Point Development
From: Alex Blackburn, Planning Director
Date: July 7, 2021
Re: Rezoning of Property PID# 216857, Case# RZ21-02.

During the July 6th, 2021 Regular Scheduled meeting of the City of Lowell Planning the property listed as Parcel ID# 216857, containing 25.75 acres was reviewed to consider a zoning map amendment (rezoning) from the current zoning designation of Single Family Residential-4 (SFR-4) to Industrial (IND).

The Planning Board voted unanimously to recommend to the Lowell City Council the requested rezoning of the properties from SFR-4 to IND.

With the recommendation of the Planning Board, this issue will now be sent before the City Council at their next meeting on July 13th, 2021 to set a date for the Legislative Hearing at the August 10th, 2021 City Council meeting, to vote on the matter.

In addition, it is required that the applicant for a zoning map amendment (rezoning) provide Public Hearing Consent forms from parcel owner(s) requesting a change that is not the applicant. You have not submitted the Public Hearing Consent form at this time and we must have that on file for the rezoning to be heard by the City Council. I have included that form in this letter. The applicant must also meet with representatives and/or landowners of the neighborhood in which the property is located, as authorized by N.C.G.S. 160D-602(e). Coordinate the time and date of this meeting with staff to allow for City Staff to attend and answer procedural questions that arise. This meeting may be held at City Hall, please coordinate with myself if you choose to hold the meeting here. The neighborhood meeting must be conducted prior to the date of the legislative hearing on August 10th, 2021.



BURIAL CRYPTS - True Companion "for two", Forest Lawn West Cemetery, Mausoleum, level 3. Reduced: \$10,000 (Value \$17,500). Call 704-864-5999 or email carrettram-crem@yahoo.com

FOREST LAWN WEST CEMETERY, Charlotte. Two spaces, "Gardens of Christ S-1", lot 331, 1 & 2. \$4,050 ea. Call 704-827-6569.

Furniture Household

Cummings Furniture
410 W. Dixon Blvd.
(Hwy 74 West & Corner of Eastview)
Shelby, NC
704-482-9806
Open Mon-Sat, 9a-6p
48th Anniversary Sale!!!



Buy One Recliner GET ONE FREE
Enjoy the Luxury & Comfort of An Adjustable Mattress \$839
with base TRUCKLOAD MATTRESS SALE
Storewide Furniture, Mattress & Recliner. **MADE IN THE USA!**
Cool Gel Memory Foam
Queen Set
\$399
One of a Kind Deals on Furniture Close-Outs. **JUST RECEIVED: TRUCKLOADS UNCLAIMED TRANSPORT FREIGHT!**

Real Estate Auctions



Real Estate Auction Online Bidding Ends August 19th at 2:00 PM
901 N. Main St.
Mount Holly, NC

150 year old Home, garage and outbuildings. 1+ acre of land. Located on a corner lot. 4 bedrooms, 1 bath, formal dining room, living room, family room, attached garage. Additional detached garage and 3 large storage buildings. Built in 1873. This home has room to expand and add additional bedrooms and baths. Preview/inspection of Home by appointment on July 28th from 5:00-6:30 pm. Contents of home will be sold on August 28th at 10:00 am.
Go to mcleanebid to bid and additional information! McLean Auction & Realty NCALE 10073

Real Estate Rentals

PUBLISHER'S NOTICE

All real estate advertised herein is subject to the Federal Fair Housing Act, which makes it illegal to advertise any preference, limitation, or discrimination because of race, color, religion, sex, handicap, familial status, or national origin, or intention to make any such preference, limitation, or discrimination. "We will not knowingly accept any advertising for real estate which is in violation of the law. All persons are hereby informed that all dwellings advertised are available on an equal opportunity basis."

Apartment

Kendrick Square Apartments
800 W. Charlotte Ave.
Mt. Holly, NC 28120
Please call
704-827-7171
Rent Based on Income
Equal Housing Opportunity Employer & Provider.

Hotel-Motel Rooms

Utilities

Public Notices

for the latest...

Govt Public Notices

Notice of Public Hearing

The City of Lowell's City Council will hold a Public Hearing at their regularly scheduled meeting on Tuesday, August 10, 2021, at 6:00 pm, at City Hall, 101 West First Street, Lowell, North Carolina, 28098.

The purpose of this Public Hearing will be to consider a proposed zoning map amendment for the properties between Oakland Drive and Birch Street, with address: 260 Oakland Dr. (PID# 122183), 300 Oakland Dr. (PID#127178), 400 Oakland Dr. (PID#127181), 506 Oakland Dr. (PID#220489), and 518 Oakland Dr. (PID#220488). Requested change from current zoning district Single Family Residential (IND) to Industrial (IND) zoning district.
Case #RZ21-01

For further information, please call Alex Blackburn, Planning and Zoning Administrator, at 704-824-3518, July 29, Aug. 5, 2021 #6114605

Notice of Public Hearing

The City of Lowell's City Council will hold a Public Hearing at their regularly scheduled meeting on Tuesday, August 10th, 2021, at 6:00 pm, at City Hall, 101 West First Street, Lowell, North Carolina, 28098.

The purpose of this Public Hearing will be to consider a proposed zoning map amendment for the properties with unassigned addresses located on the north side of Interstate I-85 between Ethelyn Avenue and Lynn Street. Further described as Property Parcel ID # 216857. Proposed change will be from current zoning of Single Family Residential-4 (SFR-4) to Industrial (IND) Zoning District.
Case #RZ21-02

For further information, please call Alex Blackburn, Planning and Zoning Administrator, at 704-824-3518, July 29, Aug. 5, 2021 #6114553

Notice to Creditors

7/14/2021, or this notice will be pleaded in bar of any recovery thereon. All persons indebted to said estate are requested to make prompt settlement.

This is the 12th day of October, 2021.

Administrator for the Estate of Bobby Ray Deese
Dorothy Bennett Deese
1902 Alexis Lucia Rd.,
Stanley, NC 28164

July 15, 22-29, Aug. 5, 2021
#6068757

STATE OF NORTH CAROLINA
Gaston County
In The General Court Of Justice
Superior Court Division
Before the Clerk
File No. 2021 E 000463

IN THE MATTER OF THE ESTATE OF: Michael Juddell Hedgecoe
LETTERS TESTAMENTARY
G.S.28A-6-1; 28A-6-3; 28A-11-1; 36C-2-209

The Court in the exercise of its jurisdiction of the probate of wills and the administration of estates, and upon application of the fiduciary, has adjudged legally sufficient the qualification of the fiduciary named below and orders that Letters be issued in the above estate.

The fiduciary is fully authorized by the laws of North Carolina to receive and administer all of the assets belonging to the estate, and these Letters are issued to attest to that authority and to certify that it is now in full force and effect.
Creditors have 90 days to reach out, must reach out before August 20th.
Publish Date: May 20th, 2021
End Date: August 20th, 2021
Witness my hand and the Seal of the Superior Court.

Leandrea L Locklear,
Administrator CTA
804 Running Cedar Ln.
Mt. Holly, NC 28120

Dated: 04/06/2021
K. Roxann Rankin, Clerk of Superior Court
EX OFFICIO JUDGE OF PROBATE
s/ (illegible)
Assistant CSC
July 22, 29, August 5, 12th 2021
#6092767

LLC nos asserted a Self-Service Storage Facility Lien (GS 44A-43) against the undersigned's personal property (furniture, household items & etc., including three (3) automotive engines), situated in the designated unit. The individuals whose goods are being sold at public auction pursuant to this lien are:
1. Kayleigh Marie Keener
Unit 48
2. Michael Thomas Self
Unit 43
Unless paid prior to the sale, the above individual's property will be sold at 10:00 A.M., or shortly thereafter, at Lewis Storage Center 5310 Union Road, Gaston County, Gastonia, North Carolina, 28056 on Thursday, August 12, 2021.
Lewis Storage Center, LLC,
Len Claimant
T. Lamor Robinson, Jr.,
Manager
Aug 5, 2021 #6147799

SELL IT BUY IT FIND IT

- cars
- garage sales
- tickets
- jobs
- antiques
- motorcycles
- computers

IND IT

cars • garage sales • tickets • antiques • motorcycles • computers • boats sports • equipment • pet instruments • jewelry • furniture • auctions collectibles • jobs • appliances yard sales • tablets • cameras • coins

1/04-110-0000
WE BUY JUNK CARS
NO TITLE NEEDED

CASH NOW!
Best prices for
 *Wrecked/Junk Cars
 Any make/model
 or condition.
 With or without title
Call Us Last!
*We'll beat any
 competitor's price.*
 Hooper's Auto Salvage
 704-868-2477
 704-747-1997

**WE BUY UNWANTED &
 JUNK CARS!** No title
 needed. ID req. We pay
 top dollar! 803-374-7545.

Garage sales
Market
 neighborhood deals...

Garage Sales

Gastonia, Sat. July 31 7:00
 am, 1208 Jones Street,
HUGE YARD SALE
 4 Family Yard Sale Saturday
 July 31
 baby items, kitchen, decor,
 board games, leafblower and
 more!

Real Estate
Homes
 starting fresh...

Acreage

NEW LOT, State Park
 atmosphere, 2 acres, open,
 wooded, peaceful + private,
 10 min. off I-85, \$49,900. Exc.
 financing. Call 704-535-4159.

PHOTOS
 are worth a
 thousand words
 included in
 your ad.

Rooms For Rent
 Master room for rent, full bath
 + power, bed & dresser,
 Call (704)923-2993

Single Family Rentals

LARGE LOT, 2 bedrooms,
 heat and air. No pets. \$150
 per week plus deposit. Call
 704-917-9492.

Kings Mountain Peaceful
 living in Country Woods.
 Great for retirees! 2 adults 1
 child max. 2 min to 185, 1217
 S Battleground 2BR 1,5BA
 \$130/wk, credit/crim chk. No
 pets Forth Prop. 704.6781.526

Public Notices
 for the latest...

Govt Public Notices

STATE OF NORTH
CAROLINA COURT OF
GENERAL JUSTICE
COUNTY OF GASTON
DISTRICT COURT DIVI-
SION
 Juvenile Sect. File # 19-JT-
 243

SUMMONS PROCESS
BY PUBLICATION Rule 4 &
 Pursuant to 1A-1
 7B-4071
 (IN RE:)
 Destiny Taylor Watkins.)
 DOB: August 27, 2009.)

TO: Leah Ashley Brennan is
 the mother of the minor
 child, Destiny Taylor
 Watkins, born on the 27th
 day of August, 2009.
TAKE NOTICE that a
 termination of Parental
 Rights Petition has been
 filed with regard to the
 above referenced juvenile.
 You are required to respond
 to this petition by filing a
 written answer with the
 clerk who signed this
 process within forty (40)
 days following the first date
 of publication of this notice,
 exclusive of such date, or
 you may lose custody of the
 above named juvenile. The
 results of this hearing may
 ultimately result in your
 parental rights to the above
 named juvenile being termi-
 nated. Notice of the date,
 time and place of the hearing

J. W. WY.
 Gastonia, N.C. 28053
 Telephone: (704) 852-3100
 July 15, 22, 29, 2021 #6072727

Notice of Public Hearing

The City of Lowell's City
 Council will hold a Public
 Hearing at their regularly
 scheduled meeting on Tues-
 day, August 10, 2021, at 6:00
 pm, at City Hall, 101 West
 First Street, Lowell, North
 Carolina, 28098.

The purpose of this Public
 Hearing will be to consider a
 proposed zoning map amend-
 ment for the properties
 between Oakland Drive and
 Birch Street, with address:
 260 Oakland Dr. (PID#
 127183), 300 Oakland Dr.
 (PID#127178), 400 Oakland
 Dr. (PID#127181), 506
 Oakland Dr. (PID#220489),
 and 518 Oakland Dr.
 (PID#220488). Requested
 change from current zoning
 district Single Family Resi-
 dential-4 (SFR-4) to Indus-
 trial (IND) zoning district.
Case #RRZ21-01

For further information,
 please call Alex Blackburn,
 Planning and Zoning Admin-
 istrato, at 704-824-3518.
 July 29, Aug. 5, 2021 #6114605

Notice of Public Hearing

The City of Lowell's City
 Council will hold a Public
 Hearing at their regularly
 scheduled meeting on Tues-
 day, August 10th, 2021, at
 6:00 pm, at City Hall, 101
 West First Street, Lowell,
 North Carolina, 28098.

The purpose of this Public
 Hearing will be to consider a
 proposed zoning map amend-
 ment for the properties with
 unassigned addresses located
 on the north side of Inter-
 state 1-85 between Ethelyn
 Avenue and Lynn Street.
 Further described as Prop-
 erty Parcel ID # 216887.
 Proposed change will be
 from current zoning of Single
 Family Residential-4 (SFR-
 4) to Industrial (IND) Zoning
 District
Case #RRZ21-02

For further information,
 please call Alex Blackburn,
 Planning and Zoning Admin-
 istrato, at 704-824-3518.
 July 29, Aug. 5, 2021 #6114583

PHOTOS are worth a thousand
words included in your ad.

JULY 13, 20, 27, AUG. 3, 2021
 #6068757

STATE OF NORTH
CAROLINA
 Gaston County
 In The General
 Court of Justice
 Superior Court Division
 Before the Clerk
 File No. 2021 E 000463

IN THE MATTER OF THE
ESTATE OF: Michael Jodel
 Hedecoe

LETTERS
TESTAMENTARY.
 G.S.28A-6-1; 28A-6-3; 28A-11-
 1; 36C-2-209

The Court in the exercise of
 its jurisdiction of the probate
 of wills and the administra-
 tion of estates, and upon
 application of the fiduciary,
 has adjudged legally suffi-
 cient the qualification of the
 fiduciary named below and
 orders that Letters be issued
 in the above estate.

The fiduciary is fully autho-
 rized by the laws of North
 Carolina to receive and
 administer all of the assets
 belonging to the estate, and
 these Letters are issued to
 attest to that authority and
 to certify that it is now in full
 force and effect.
 Creditors have 90 days to
 reach out, must reach out
 before August 20th.
 Publish Date: May 20th, 2021
 End Date: August 20th, 2021
 Witness my hand and the
 Seal of the Superior Court.

Leandrea L Locklear,
 Administrator CTA
 804 Running Cedar Ln.
 Mt. Holly, NC 28120

Dated: 04/06/2021
 K. Roxann Rankin, Clerk of
 Superior Court
EX OFFICIO JUDGE OF
PROBATE
 (s/ (illegible)
 Assistant CSC
 July 22, 29, August 5, 12th
 2021
 #6099267

NOTICE TO CREDITORS
GASTON COUNTY
NORTH CAROLINA
 2021 E 001228

The undersigned, having
 qualified as Co-Executors of
 the Estate of Margaret R.
 Fournshee, deceased, late of
 Gaston County, North
 Carolina, hereby notifies all
 persons, firms and corpora-
 tions having claims against
 the decedent to present them

Defendant
TAKE NOTICE that a plead-
 ing seeking relief against you
 has been filed in the above
 action. The nature of the

NORTH CAROLINA,
GASTON COUNTY.

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
BEFORE THE CLERK
ADMINISTRATOR CTA NOTICE

In the Matter of the Estate of:
JERRY STANLEY PHILLIPS,
 Deceased.

Having qualified on the 13th day of July 2021 as Adminis-
 trator CTA of the Estate of Jerry Stanley Phillips, deceased,
 late of Gaston County, North Carolina this is to notify all
 persons, firms and corporations having claims against the
 decedent to exhibit the same to the undersigned Adminis-
 trator CTA on or before the 16th day of October, 2021 or this
 notice will be pleaded in bar of their recovery. All persons,
 firms and corporations indebted to the estate should make
 immediate payment.

This the 15th day of July 2021
 Matthew Weaver, Adm CTA
 612 Steel Road
 Bessemer City, NC 28016

C. Andrew Neisler, Jr.
CLONINGER & NEISLER
 P.O. Box 515
 300 E. King Street
 Kings Mountain, NC 28086
 July 15, 22, 29, Aug. 5, 2021

STATE OF NORTH CAROLINA
 Gaston County
 In The General Court Of Justice
 Superior Court Division
 Before the Clerk
 File No. 21 E 1181

IN THE MATTER OF THE ESTATE OF:
 Cheryl Jacque Helgestad

LETTERS
of ADMINISTRATION
 G.S.28A-6-1; 28A-6-3; 28A-11-1; 36C-2-209

The Court in the exercise of its jurisdiction of the probate of
 wills and the administration of estates, and upon applica-
 tion of the fiduciary, has adjudged legally sufficient the qualifi-
 cation of the fiduciary named below and orders that Letters be
 issued in the above estate.

The fiduciary is fully authorized by the laws of North
 Carolina to receive and administer all of the assets belonging
 to the estate, and these Letters are issued to attest to that
 authority and to certify that it is now in full force and effect.
 Witness my hand and the Seal of the Superior Court.

Brenton S. Beegley, Administrator
 233 E. Grohnm St.
 Shelby, NC 28150

Dated: 07/06/2021
 K. Roxann Rankin, Clerk of Superior Court
EX OFFICIO JUDGE OF PROBATE
 (s/ Assistant CSC

7/22, 7/29, 8/5, 8/12, 2021

Notice of Public Hearing

The City of Lowell's City Council will hold a Public Hearing at their regularly scheduled meeting on Tuesday, August 10, 2021, at 6:00 pm, at City Hall, 101 West First Street, Lowell, North Carolina, 28098.

The purpose of this Public Hearing will be to consider a proposed zoning map amendment for the properties with unassigned addresses located on the north side of Interstate I-85 between Ethelyn Avenue and Lynn Street. Further described as Property Parcel ID # 216857. Proposed change will be from current zoning of Single Family Residential-4 (SFR-4) to Industrial (IND) Zoning District.

Case #RZ21-02



For further information, please call Alex Blackburn, Planning and Zoning Administrator, at 704-824-3518.

July 29, 2021

To Whom It May Concern,

Please be noticed that a public hearing will be held on August 10, 2021 at 101 W. First Street, Lowell, North Carolina with regard to the rezoning of Parcel ID# 216857, Case# RZ21-02. This matter appeared before the City of Lowell Planning Board and Board of Adjustment on June 6th and was approved by unanimous approval for review by the Lowell City Council. The request entails the rezoning of 25.75 acres from Single Family Residential-4 (SFR-4) to Industrial (IND).

Informational Public Meetings will be held

FRIDAY AUGUST 6th from 6 – 7p via Google Meeting

Video call link: <https://meet.google.com/sbg-qwmp-qmw>

Or dial: (US) +1 315-758-1060 PIN: 704 706 412#

More phone numbers: <https://tel.meet/sbg-qwmp-qmw?pin=1929304424922>

Wednesday August 10th prior to the Council meeting at City Hall, 101 W. First Street, Lowell, North Carolina

Any other inquiries can be directed to Michael Johnston, Northpoint Development, mjohnston@northpointkc.com.

Regards,

Michael Johnston
Northpoint Development

Parcel Number	Current Owners	Mailing Address	Physical Address	Deed Book	Deed Page	Sale Date	Deed Book	Deed Page	Acreage	Property Use	Taxable Value
128489	MILAM LESLIE M	17210 PENNINGTON DR, HUNTERSVILLE, NC 280780000	612 S CHURCH ST	004E	1005	7/29/2004			0.67	RESIDENTIAL	\$156,860.00
128465	GARDNER GERTIE	310 LYNN STREET, LOWELL, NC 280980000	310 LYNN ST	0748	0031	8/8/1959	012	046	0.42	RESIDENTIAL	\$96,840.00
128524	CALDWELL STEPHEN NORMAN CALDWELL DEBORAH SETZER	308 WALKER DR , LOWELL, NC 28098	308 WALKER DR	2698	0262	8/29/1997	017	006	0.49	RESIDENTIAL	\$141,140.00
128526	COX JOEY L COX GINGER W	306 WALKER DR , LOWELL, NC 280980000	306 WALKER DR	4225	1176	5/30/2006	017	006	0.43	RESIDENTIAL	\$228,130.00
127859	JONES GEORGE M JONES KIMBERLY H	2611 BELMEADE DR, CHARLOTTE, NC 282149239	515 ETHELYN AVE	4814	1046	11/9/2015	019	078	0.47	RESIDENTIAL	\$181,300.00
128493	LOWERY CHARLES D	710 S CHURCH ST, LOWELL, NC 280980000	NO ASSIGNED ADDRESS	0772	0473	2/2/1961	012	046	1.19	RESIDENTIAL	\$20,680.00
128475	HANNA MARILYN J	613 WHITE OAK DR, LOWELL, NC 280981834	617 WHITE OAK DR	4688	0877	7/30/2013	017	006	0.38	RESIDENTIAL	\$135,820.00
128455	JACKSON H EDWARD	PO BOX 1062, GASTONIA, NC 280531062	NO ASSIGNED ADDRESS	3891	0824	12/9/2003			1.11	RESIDENTIAL	\$12,570.00
128453	JACKSON H EDWARD	PO BOX 1062, GASTONIA, NC 280531062	NO ASSIGNED ADDRESS	3891	0824	12/9/2003			0.54	RESIDENTIAL	\$6,590.00
128495	LOWERY CHARLES D	710 S CHURCH ST, LOWELL, NC 280980000	710 S CHURCH ST	0772	0472	2/2/1961	012	046	0.8	RESIDENTIAL	\$244,130.00
128517	WHEELER WILLIAM T WHEELER DONNA C	304 WALKER DRIVE, LOWELL, NC 280980000	304 WALKER DR	2287	0622	7/1/1993	017	006	0.35	RESIDENTIAL	\$145,360.00
128481	MCKENZIE JOHN S MCKENZIE JOY B	PO BOX 457, LOWELL, NC 280980000	609 WHITE OAK DR	1166	0793	8/22/1975	017	006	0.46	RESIDENTIAL	\$201,880.00
128458	JACKSON H EDWARD	PO BOX 1062, GASTONIA, NC 280531062	NO ASSIGNED ADDRESS	3891	0824	12/9/2003			0.5	RESIDENTIAL	\$10,300.00

Parcel Number	Current Owners	Mailing Address	Physical Address	Deed Book	Deed Page	Sale Date	Deed Book	Deed Page	Acreage	Property Use	Taxable Value
128490	ELLIOTT GARY DON ELLIOTT LINDA REYNOLDS	PO BOX 1011, LOWELL, NC 280980000	702 S CHURCH ST	5058	2282	8/7/2019	012	046	0.7	RESIDENTIAL	\$199,870.00
128464	MITCHEM REBECCA B HEIRS	302 SOUTH CLEAR CREEK DR, FRIENDSWOOD, TX 77546	306 LYNN ST	4274	1478	11/28/2006	012	046	0.44	RESIDENTIAL	\$88,470.00
216858	MITCHEM JOSEPH L & DAVIDSON MARIA M	C/O JOSEPH L MITCHEM 226 FORBUSH MTN DR, CHAPEL HILL, NC 275141906	NO ASSIGNED ADDRESS	012E	1535	11/22/2012			0.19	RESIDENTIAL	\$1,580.00
128478	KEPHART TIMOTHY L KEPHART NANCY P	610 WHITE OAK DR, LOWELL, NC 280980000	610 WHITE OAK DR	3529	0325	9/13/2002	017	006	0.34	RESIDENTIAL	\$159,480.00
127860	RIMMER JACQUELINE HAWKS	517 ETHELYN AVE, LOWELL, NC 280981815	517 ETHELYN AVE	4105	2226	3/7/2005	019	078	0.55	RESIDENTIAL	\$144,810.00
128477	LYNCH LAURIE	613 WHITE OAK DRIVE, LOWELL, NC 28098	613 WHITE OAK DR	4996	0771	8/24/2018	017	006	0.38	RESIDENTIAL	\$114,140.00
128494	MITCHEM REBECCA B	302 SOUTH CLEAR CREEK DR, FRIENDSWOOD, TX 77546	NO ASSIGNED ADDRESS	1100	0650	1/26/1973	012	046	0.4	RESIDENTIAL	\$8,240.00
304673	NP GASTONIA INDUSTRIAL LLC	4825 NW 41ST STREET SUITE 500, RIVERSIDE, MO 64150	3301 LINEBERGER RD	5184	1270	12/21/2020	092	116	111.57	INDUSTRIAL	\$1,135,230.00
128460	HOWELL CATHY E	312 LYNN ST, LOWELL, NC 28098	312 LYNN ST	2557	0186	6/3/1996	012	046	0.51	RESIDENTIAL	\$142,340.00
216857	MITCHEM REBECCA B HEIRS	302 SOUTH CLEAR CREEK DR, FRIENDSWOOD, TX 77546	NO ASSIGNED ADDRESS	4120	944	4/28/2005			25.75	RESIDENTIAL	\$12,480.00
127824	MCCUEN TERESA A	912 LAKEVIEW DR, LOWELL, NC 280981819	912 LAKEVIEW DR	3138	0317	5/18/2015			1	RESIDENTIAL	\$165,820.00

Parcel Number	Current Owners	Mailing Address	Physical Address	Deed Book	Deed Page	Sale Date	Deed Book	Deed Page	Acreage	Property Use	Taxable Value
127858	VAUGHN TIMOTHY SHELDON & VAUGHN KAREN CATHEY	513 ETHELYN AVE, LOWELL, NC 280980000	513 ETHELYN AVE	4203	0451	3/6/2006	019	078	0.45	RESIDENTIAL	\$148,590.00
128510	WILLARD JONATHAN D WILLARD GWENDOLYN P	606 S CHURCH ST, LOWELL, NC 280981810	606 S CHURCH ST	4887	0412	12/23/2016			0.37	RESIDENTIAL	\$203,120.00
127857	WRIGHT BILLIE JOAN	612 WHITE OAK DR, LOWELL, NC 28098	NO ASSIGNED ADDRESS	4505	2280	3/10/2010	019	078	0.63	RESIDENTIAL	\$10,300.00
128454	JACKSON H EDWARD	PO BOX 1062, GASTONIA, NC 280531062	NO ASSIGNED ADDRESS	3891	0824	12/9/2003			1.29	RESIDENTIAL	\$12,630.00
128479	WRIGHT BILLIE JOAN	612 WHITE OAK DR, LOWELL, NC 28098	612 WHITE OAK DR	4505	2285	3/10/2010	017	006	0.36	RESIDENTIAL	\$136,230.00
128485	SARNS KAREN A	307 WALKER DR , LOWELL, NC 280980000	307 WALKER DR	4509	2416	4/9/2010	017	006	0.46	RESIDENTIAL	\$167,080.00

by the most recent tax listing as recorded in the Gaston County Tax Office. (Use additional pages if necessary.)

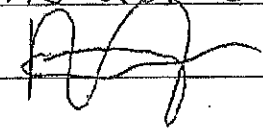
NAME	ADDRESS
SEE ATTACHED	

- 6) The applicant understands that a letter stating the date, time and place for the Public Hearing for the rezoning of said property shall be mailed to each of the parties listed in Paragraph 5 at least ten (10) days prior to the said Public Hearing.
- 7) If the applicant is not the legal owner of the property sought to be rezoned, the legal owners names and addresses shall be listed below. Owners shall be determined by the most recent tax listing as recorded in the Gaston County Tax Office. (Use additional pages if necessary.)

NAME	ADDRESS
Rebecca B Mitchem Heirs	302 S. Clear Creek Dr, Friendswood, TX 77546

- 8) A map or drawing identifying the real property requested to be rezoned and all attached properties with their designated zoning districts shown shall be attached to this application.

Applicant(s) Name: Mark W. Mitchem
Address: 302 S. Clear Creek Dr., Friendswood TX 77546
Telephone: 713-201-6175

Applicant's Signature: 

City of Lowell
101 West First Street
Lowell, NC 28098 .

Telephone: 704 - 824 - 3518

by the most recent tax listing as recorded in the Gaston County Tax Office. (Use additional pages if necessary.)

NAME	ADDRESS
SEE ATTACHED	

- 6) The applicant understands that a letter stating the date, time and place for the Public Hearing for the rezoning of said property shall be mailed to each of the parties listed in Paragraph 5 at least ten (10) days prior to the said Public Hearing.
- 7) If the applicant is not the legal owner of the property sought to be rezoned, the legal owners names and addresses shall be listed below. Owners shall be determined by the most recent tax listing as recorded in the Gaston County Tax Office. (Use additional pages if necessary.)

NAME	ADDRESS
Rebecca B Mitchem Heirs	302 S. Clear Creek Dr, Friendswood, TX 77546

- 8) A map or drawing identifying the real property requested to be rezoned and all attached properties with their designated zoning districts shown shall be attached to this application.

Applicant(s) Name: Paul Mitchem
Address: 163 Boussemont Circle, Asheville NC, 28806
Telephone: 828-808-1272

Applicant's Signature: 

City of Lowell
101 West First Street
Lowell, NC 28098

Telephone: 704 - 824 - 3518

Memorandum

To: Alex Blackburn, Planning Director, City of Lowell
From: Randi P. Gates, AICP, Principal Transportation Planner/GCLMPO Administrator ^{RPG}
Date: July 21, 2021
Subject: RZ21-02 - GCLMPO Comments

Thank you for the opportunity to provide comments on a proposed rezoning within the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) planning area. My comments are based on review of the site in accordance with the adopted Comprehensive Transportation Plan (CTP), the adopted 2045 Metropolitan Transportation Plan (MTP), and the current State Transportation Improvement Program (STIP).

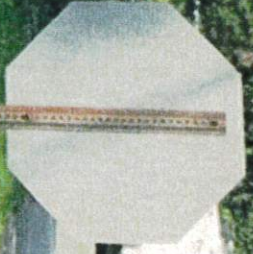
The site is located at Parcel ID# 216857, adjacent to the Gateway85 project. On behalf of the GCLMPO, I offer the following comments:

1. According to the 2020-2029 STIP, there are no funded transportation improvement projects in the immediate vicinity of this site.
2. A proposed extension of Aberdeen Blvd from Cox Rd to Main St in Lowell is included in both the MPO's CTP and MTP. Known as the Lineberger Connector and Lineberger Connector Extension, the proposed thoroughfare will consist of a three-lane cross-section with curb and gutter and sidewalks on both sides.

The GCLMPO supports the proposed rezoning of this parcel from Single Family Residential-4 (SFR-4) to Industrial (IND). The adjacent property along the Lineberger Connector Project provides space for new industries locating within the region to attract professional, skilled, and managerial staff. Many residents of Gastonia and Lowell would readily seek employment within this area in lieu of a commute out of the county to work. This not only improves the quality of life and overall well-being for those workers, but also improves the quality of the environment through reduced vehicle emissions. In addition, the development of this area provides adjacent residents opportunities for upward mobility through proximity to well-paying jobs.

If you have any questions regarding my comments, please do not hesitate to contact me at 704-854-6604 or randig@cityofgastonia.com.

CITY OF LOWELL
PUBLIC Z HEARING
REQUEST RESPONSE 2:00Z
DATE: 7/29/2014 TIME: 2:00 PM
LOCATION: City Hall
INFORMATION: 781-324-1573



CITY OF LOWELL
PUBLIC **Z** HEARING
REQUEST: REZONING
DATE: 10/26/2011 TIME: 6:00 PM
LOCATION: City Hall
INFORMATION: 708-929-3518

CITY OF LOWELL
PUBLIC **Z** HEARING
REQUEST: RE ZONING Z11-02
DATE: 4-14-2021 TIME: 6:00 PM
LOCATION: City Hall
INFORMATION: 701-829-3518



CITY OF LOWELL
PUBLIC Z HEARING
REQUEST READING 2:02
DATE August 20, 2023
LOCATION City Hall
INFORMATION 701 824-3518
TIME 6:00 PM

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-A

DESCRIPTION: PROPOSED TEXT AMENDMENT TO THE LOWELL CODE OF
ORDINANCES SECTION 33.16

Please see the attached memo from the Planning Director regarding a text amendment to the Lowell Code of Ordinances Section 33.16 Membership and Vacancies; Attendance.

To: Scott Attaway, City Manager
From: Alex Blackburn, Planning Director
Date: August 4, 2021
Re: Proposed Text Amendment to the City of Lowell, North Carolina Code of Ordinances.

With the relinquishment of the Extra Territorial Jurisdiction of the City of Lowell, and to reflect the text of the Lowell Development Ordinance adopted May 11th, 2021. It is requested the Lowell City Council amend the current wording of the City of Lowell, North Carolina Code of Ordinances to reflect the Lowell Development Ordinance text found in Article 4.2-2.

As it currently reads, the City of Lowell, North Carolina Code of Ordinances states in **§ 33.16 Membership and Vacancies; Attendance.**

The Planning Board shall consist of eight members. Five members shall be citizens and residents of the city, and shall be appointed by the City Council; three members shall be citizens of Gaston County who reside outside the city but within the extraterritorial jurisdiction of the city as specified by an extraterritorial boundary ordinance adopted pursuant to G.S. § 160A-360(b), and shall be appointed by the Board of Commissioners of the county. The members of the Planning Board shall serve for terms of three years. Vacancies occurring for reasons other than expiration of term shall be filled as they occur for the unexpired remainder of the term. Faithful attendance at meetings of the Planning Board is to be considered a prerequisite to continued membership, and the City Council may remove and replace any member continually delinquent in his or her duty to attend.

(1995 Code, § 2-29)

The proposed change would be to mirror the wording found in the **Lowell Development Ordinance Article 4.2-2:**

Membership by Appointment. The Planning Board shall consist of **seven (7) members**, who shall reside within the City Limits. Members shall be appointed by the City Council in accordance with G.S.160D-310. All members shall have equal rights, privileges and duties; except as defined for officers by adopted Rules of Procedure. All members shall be appointed for three (3) year terms except in making the original appointments. In making the original appointment three (3) members shall be appointed for a three (3) year term, two (2) members shall be appointed for a two (2) year term, and two (2) members shall be appointed for a one (1) year term.

City of Lowell, North Carolina Code of Ordinances §33.18 Jurisdiction and Voting deals primarily with the members appointed by the Board of County Commissioners as representatives of the Extra-Territorial Jurisdiction. Considering that the City of Lowell no longer has an ETJ, I believe that this section should be stricken from the Code of Ordinances.

There is also no mention of the Board of Adjustment in the Code of Ordinances. The Lowell Development Ordinance states that the Board of Adjustment consist of 5 members appointed by the City Council. As displayed here in **Article 4.3-2**:

Membership by Appointment. The Board of Adjustment shall consist of five (5) members, who shall reside within the City Limits. Members shall be appointed by the City Council in accordance with G.S.160D-310. All members shall have equal rights, privileges and duties; except as defined for officers by adopted Rules of Procedure. All members shall be appointed for three (3) year terms except in making the original appointments.

(A.) Seating Members. In making the original appointment two (2) members shall be appointed for a three (3) year term, two (2) members shall be appointed for a two (2) year term, and one (1) member shall be appointed for a one (1) year term.

(B.) Alternates. The City Council may, in its discretion, appoint alternate members to serve on the Board of Adjustment in the absence or temporary disqualification of any regular member or to fill a vacancy pending appointment of a member. Alternate members shall be appointed for the same term, at the same time, and in the same manner as regular members. Each alternate member, while attending any regular or special meeting of the board and serving on behalf of any regular member, shall have and may exercise all the powers and duties of a regular member. (G.S. 160D-302(a)).

I believe that the City Council could appoint five members of the Planning Board to make up the Board of Adjustment, with two members designated as Alternates.

This issue needs to be brought before the City Council for their consideration and input on the topic.

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-B

DESCRIPTION: SET PUBLIC HEARING FOR CONSIDERATION OF TEXT
AMENDMENT TO LOWELL DEVELOPMENT ORDINANCE
ARTICLE 8, TABLE 8.1 REGARDING BEAUTY SHOPS AND
BARBER SHOPS

Please see the attached memo from the Planning Director regarding a proposed text amendment to the LDO.

To: Scott Attaway, City Manager
From: Alex Blackburn, Planning Director
Date: August 4, 2021
Re: Public Hearing for Text Amendment to the Lowell Development Ordinance

Scott, on August 3, 2021, the City of Lowell Planning Board reviewed the consideration requested by the Lowell City Council to amend the current Lowell Development Ordinance regarding the removal of Beauty/Barber Shops from the Main Street Zoning District.

During the meeting it was discussed that the listed uses would still be available in the Mixed Use (MU-1 and MU-2) Districts as well as the US 74 Commercial (C-74) and I-85 Commercial (C-85) Districts. However, it would create several Nonconformities as there are a relatively elevated number of these uses currently found within the Main Street (MS) zoning districts.

The Planning Board voted 3-1 against the proposed text amendment to the Lowell Development Ordinance.

I am requesting that the Lowell City Council, during their regular scheduled meeting on August 10th, 2021, schedule a Public Hearing for the consideration of the text amendment for September 14th, 2021.

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-C

DESCRIPTION: SET PUBLIC HEARING FOR CONSIDERATION OF TEXT
AMENDMENT TO LOWELL DEVELOPMENT ORDINANCE
ARTICLE 19, SECTION 14 AND SECTION 21:
- TO ADD REFERENCE TO NC DOT MANUAL REGARDING
CONSTRUCTION STANDARDS

Please see the attached memo from the Planning Director regarding a proposed text amendment to the LDO regarding adding NCDOT standards for the Stormwater Design Manual.

To: Scott Attaway, City Manager
From: Alex Blackburn, Planning Director
Date: August 4, 2021
Re: Proposed Text Amendment to the Lowell Development Ordinance, Article 19

Scott, the City of Lowell Planning Board considered a request for a text amendment to the Lowell Development Ordinance to add reference to the North Carolina Department of Transportation Subdivision Roads Minimum Construction Standards. The Planning Board voted unanimously to approve the amended text to the City Council for approval.

The reference would be added in Article 19, Section 14, and Section 21. To include the wording displayed below in red.

Section 14: Stormwater Design Manual (amended September __, 2021)

The City of Lowell's Planning and Development Services Department may furnish additional guidance and standards for the proper implementation of the regulations of this article and may provide such information in the form of a Stormwater Design Manual. Stormwater management practices that are designed, constructed, or maintained in accord with the Stormwater Design Manual must be presumed to comply with these regulations. However, the Stormwater Administrator shall have the right to consult other engineers and duly qualified professionals, and to impose any conditions or require any modifications deemed necessary to meet the purpose, intent and requirements of this ordinance. **In the absence of a Stormwater Design Manual standards and specifications set forth in the NCDOT Subdivision Roads Minimum Construction Standards, specifically Section I - Construction Standards, Subsection I-A - Drainage and structures to meet Subsection I-B Structures (Bridges, Culverts, Dams and Retaining Walls) shall apply.**

Section 21: Original Effective Date and Incorporation into Lowell Development Ordinance

This Article was previously adopted as the Stormwater Ordinance for the City of Lowell, North Carolina and made effective on the 1st day of July 2007. No content has been changed or modified as part of incorporating the material content of this previously adopted ordinance known hereafter as **Article 19** of the **Lowell Development Ordinance** **except for the reference to the NCDOT manual in Section 14.**

I am requesting the City Council during their regular scheduled meeting on August 10th, 2021 to schedule a Public Hearing on the text amendment for September 14th, 2021.

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-D

DESCRIPTION: CONSIDERATION OF ADOPTION OF THE CITY OF LOWELL
UTILITY EXTENSION POLICY

Please see the attached policy for managing utility allocations and extensions.

City of Lowell
Policy for Managing Utility Allocations & Extensions

PURPOSE: A Policy to Establish the Provision of Water Distribution and Sewer Collection Services to Serve the Corporate Limits of the City of Lowell and Incorporate by Extension Additional Areas Outside the Corporate Limits Which May be Advantageous for Annexation into the City of Lowell, North Carolina.

WHEREAS, the City of Lowell, incorporated 1879, for the purpose of establishing essential municipal services for both current and future citizens;

WHEREAS, the City of Lowell City Council declares the extension of potable water and sewer collection services into areas of need and areas of future growth to be a major priority; *and*

WHEREAS, the City of Lowell City Council desires to establish a sound policy for the management of both water and sewer capacity to promote orderly growth in accordance with the *City of Lowell Comprehensive Land Use Plan.*

SCOPE/COVERAGE:

Section 1 - Policy for Evaluating and Reserving Utility Allocations

I. General Principles

- A. The City of Lowell has allocated substantial capital for investment in the infrastructure necessary to support a growing, prosperous, and healthy community. Water supply and wastewater treatment capacity are among the most important elements of this infrastructure.
- B. Increasing the City's property tax base and/or revenue sources by the expansion and improvement of residential, commercial and industrial land uses and fostering a higher quality of life for its residents are the paramount factors by which utility allocation decisions are based.
- C. Consistent with the intent of this policy and other public statements and policies made by the City Council, the following hierarchy shall apply to the evaluation of utility allocation requests:
 - 1. Location: The priority for utility extension will be given to applicants whose subject extension is to service an area that is within the corporate limits or otherwise incorporated into the City of Lowell.
 - 2. Industrial projects and other major employers.
 - 3. Commercial development projects with a mixed-use element.

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4. Non-profit or civic uses which contribute to or attract significant economic development to the City.
5. Additional phases attached to residential projects with a proven record of quality product and economic success.
6. Residential projects that include tangible, high quality community amenities.
7. Residential projects that include diverse products and opportunities.
8. Residential projects, not otherwise described above.

II. Reservation Process

- A. The owner of any project requiring utility service within the City of Lowell shall submit a written application for an allocation. The application shall be in letter form, addressed to the City, and shall include detailed information on the amount of capacity necessary to serve the project, the nature of the project, project schedule in relation to consumption of utility capacity, and other supporting information demonstrating how the project serves the needs and interest of the City of Lowell.
- B. The Planning Board shall review and make recommendation to the City Council for consideration and approval all allocations, which require or may require a daily flow allocation of five thousand gallons (5,000 gpd) or more; any application that requests allocation for any project outside the incorporated jurisdiction of the City; and, any allocation made for a land use category from capacity otherwise set aside for a different land use type.
 1. Residential Subdivision Development, Mixed-use Planned Developments, Commercial and/or Industrial Developments, and Special Use Permits. The City Council shall with deliberation incorporate the evaluation of utility allocation requests into the decision-making process associated with each of the aforementioned review processes established within the City's development standards and specifications. The criteria contained herein for evaluation of utility allocation requests shall be included as elements within the review process for the accompanying land use application with regard to conformity with City of Lowell' policies and ordinances, planning practices, and consistency with the adopted *City of Lowell Comprehensive Land Use Plan* or later version.

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- C. The City Public Works Engineer shall review for approval all incorporated area applications for utility capacity, which require a daily flow allocation of less than five thousand gallons (5,000 gpd) for allocations.
1. The City Public Works Engineer shall consider the goals articulated by this and related City policies when reviewing applications for utility allocations. If an application is denied, the City Public Works Engineer shall state in writing the reasons for denial of the request.
 2. Appeals process. Any applicant whose application for utility service is denied by the City Public Works Engineer and who believes that such denial is inconsistent with the goals and priorities stated by this and related City policies may appeal the denial for review by the City Council for final decision at the next regularly scheduled City Council meeting.
- D. Utility allocations granted under this policy shall require the requestor to post the tap fees within forty-five (45) days of the date the allocation is granted. Failure to pay the tap fees within this period may result in revocation of the allocation.
1. All utility allocations approved by the City shall be effective for a period of twenty-four (24) months. Projects possessing an allocation must start construction within the time shown on the project schedule prepared and submitted by the developer or customer.
 2. Upon request by the applicant and at the discretion of the City Manager, an allocation may be extended for a twelve (12) month period.
 4. At the final expiration date for an unused allocation the City shall rescind the allocation and retain sixty percent (60%) of the applicable fees paid to the City.
 5. Authority of the distributing of utility allocations in association with the City's utility services is held exclusively by the City of Lowell. Utility allocations shall not be redistributed to a third party.
 6. Relinquishment of allocated utilities shall be in accordance with Subsection II.E of this policy.

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- E. An allocation holder may relinquish capacity back to the City subject to the following policies for reimbursement of fees paid:
1. If a project is unsuccessful in obtaining any required City or County permit or approval or any State permit or approval, and the allocation holder relinquishes capacity back to the City within ninety (90) days of the date the allocation is granted, the full amount paid on utility tap fees shall be reimbursed without penalty or other withholding by the City.
 2. If a project is successful in obtaining all required City, County and State approvals and agrees to relinquish the total capacity allocation granted back to the City within ninety (90) days following receipt of final permit approval from the City, then the total amount of the utility capacity fees paid to the City shall be returned without penalty or other withholding by the City.
 3. If a project is unsuccessful in obtaining any required City or County permit or approval or any State permit or approval and holds an allocation for ninety (90) or more days, but relinquishes back to the City the full amount of allocation within fewer than six (6) months beyond the scheduled date for start of construction, then twenty percent (20%) of the total utility tap fees shall be retained by the City and the remaining amount shall be returned to the applicant.
 4. If a project is successful in obtaining all required City, County and State approvals and holds an allocation for ninety (90) or more days following receipt of final permit approval from the City, but relinquishes back to the City the full amount of allocation within fewer than six (6) months beyond the scheduled date for start of construction, then twenty percent (20%) of the total utility tap fees shall be retained by the City and the remaining amount shall be returned to the applicant.
 5. If a project is or is not successful in obtaining all required City, County and State approvals and the allocation holder agrees to relinquish the total capacity allocation granted back to the City after six (6) months beyond the scheduled date for start of construction, but within twelve (12) months beyond the scheduled date for start of construction, then thirty percent (30%) of the total utility tap fees shall be retained by the City and the remaining amount shall be returned to the applicant.

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6. If a project is or is not successful in obtaining all required City, County and State approvals and the allocation holder agrees to relinquish the total capacity allocation granted back to the City after twelve (12) months beyond the scheduled date for start of construction, but within eighteen (18) months beyond the scheduled date for start of construction, then forty percent (40%) of the total utility tap fees shall be retained by the City and the remaining amount shall be returned to the applicant.
 7. If a project is or is not successful in obtaining all required City, County and State approvals and the allocation holder agrees to relinquish the total capacity allocation granted back to the City after eighteen (18) months beyond the scheduled date for start of construction, but within twenty-four (24) months beyond the scheduled date for start of construction, then fifty percent (50%) of the total utility tap fees shall be retained by the City and the remaining amount shall be returned to the applicant.
 8. If a project is or is not successful in obtaining all required City, County and State approvals and has not demonstrated significant construction advancement in the proposed project within twenty-four (24) months beyond the scheduled date for start of construction, then the City shall rescind the allocation and retain sixty percent (60%) of the applicable fees paid to the City and the remaining amount shall be returned to the applicant.
- F. Granting of a utility allocation does not imply or confer approval of any other applications or reviews as may be required by City Ordinance or policy and does not imply or create any vested right per G.S 160D-108.
- G. If the City of Lowell approves an allocation for utility capacity for a project and a permit for such project is ultimately denied by the North Carolina Department of Environmental Quality, its successors or other responsible regulatory agency, then the City of Lowell shall bear no liability for any costs incurred by the applicant, nor bear further responsibility in the matter. In such cases, applicable utility access fees, if previously collected, shall be returned as provided in Subsection II.E.

III. Capacity Accounting

- A. Due to weather related factors, the regulatory environment, and the dynamic nature of both water resources and wastewater flow and treatment, accounting of available utility capacity is, by its very nature, inexact. The City of Lowell shall seek to track the amount of capacity that may be available for allocation; however, such reports do not constitute a policy statement, commitment or guarantee on the amount of capacity available for allocation.
 - 1. The City Public Works Engineer shall prepare and incorporate as part of the program established hereunder a schedule of utility capacity available and a list of allocations granted.
 - 2. The City Public Works Engineer shall make at least annual reports to the City Council regarding the status of utility capacities available and allocations granted.

Section 2 - Utility Extension Policy

I. General Principles

- A. The City of Lowell has allocated substantial capital for investment in the infrastructure necessary to support a growing, prosperous, and healthy community. Water supply and wastewater treatment capacity are among the most important elements of this infrastructure.
- B. Increasing the City's property tax base and/or revenue by the expansion and improvement of residential, commercial and industrial, and/or civic land uses and fostering a higher quality of life for its residents are the paramount factors by which utility allocation decisions are based.
- C. Consistent with the intent of this policy and other public statements and policies made by the City Council, the following hierarchy shall apply to the evaluation of utility extension requests:
 - 1. Location: The priority for utility extension will be given to applicants whose subject extension is to service an area that is within the corporate limits or otherwise incorporated into the City of Lowell.
 - 2. Industrial projects and other major employers.
 - 3. Commercial development projects with a mixed-use element.
 - 4. Non-profit or civic uses which contribute to or attract significant economic development to the City.

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5. Additional phases attached to residential projects with a proven record of quality product and economic success.
 6. Residential projects that include tangible, high quality community amenities.
 7. Residential projects that include diverse products and opportunities.
 8. Residential projects, not otherwise described above.
- D. The planning and extension of water and sewer systems of the City of Lowell shall be accomplished in accordance with the following general principles:
1. Extensions shall be made to promote the orderly growth of the community. The minimum distance for any extension of a water main or sanitary sewer main shall be determined by City Council. In general, the minimum distance for extensions shall be one platted block or, in the case of water mains, from main line valve to main line valve; and in the case of sanitary sewer extensions, from manhole to manhole.
 2. The size of water mains and sanitary sewer mains to be installed, and the other required system facilities shall be determined by the City Council in accordance with the recognized standards and accepted engineering practices and design, and in accordance with applicable system plans adopted by the City Council.
 3. The City shall be responsible for the maintenance, operation, control and ownership of all water and sewer facilities.
 4. Developers of subdivisions shall be responsible for the full cost of installing utilities within their own subdivisions, and for the full cost of any mains or outfalls required to connect said subdivisions to the water or sewer systems of the City existing at the time. This provision shall apply to all subdivisions whether within or outside of the corporate limits.

II. Application for Extension and Approval of Extension Application

- A. Any property owner or owners desiring water or sanitary sewer service shall apply in writing to the City Council requesting the extension of water or sanitary sewer service or both. No request for the extension of services shall be considered unless submitted in writing in accordance with this Chapter and applicable provisions of the City of Lowell Development Ordinance.

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- B. The applicant shall be required to submit as part of the application, and prior to approval, such information, plans, specifications, or other data as may be required to adequately determine if the requirements of this Chapter and applicable provisions of the City of Lowell Development Ordinance are to be met.
- C. Prior to final approval by the City, the applicant shall furnish to the City all necessary information, reports, plans and specifications as well as appropriate fees payable to the City and documentation of all required permits from other units of government and their agencies.
- D. When application is made for a water or sewer extension or both to serve an area or development that is planned as part of a larger development project or subdivision, all of which is not to be developed at the time application is made, the owner or owners shall submit plans in sufficient detail in order to determine the size and type facilities which will be necessary to serve the entire development or subdivision when completed.
- E. No extension to the water or sanitary sewer system of the City shall be made, and no application approved, except in accordance with the requirements of this Section and the consistent with the adopted *City of Lowell Comprehensive Land Use Plan* or later version.

III. Financing Extensions within the Corporate Limits

- A. *Extensions to Existing Lots, Parcels or Developed Property.*
 - 1. When application is received requesting the extension of water or sanitary sewer service or both to serve property, within the corporate limits, which is developed or where streets have been previously dedicated and accepted by the City, and where the area is not part of a new subdivision, the City Public Works Engineer or other person designated by the City Council shall estimate the cost of the project and present the application for the extension, the estimated cost and other required information to the City Council for consideration. If the application is approved by the City Council, and subject to the availability of funds, the City will install or have installed by contract under its supervision, the extensions which have been approved, and the extensions shall be financed in accordance with this Section.

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2. Upon receipt of a petition to extend a water and/or sewer main, the City Council has the following five options for response:
 - a. Install the extension at the City's expense.
 - b. Approve and allow the petitioner to install the extension at petitioner's expense.
 - c. Install the extension at the petitioner's expense.
 - d. Install and jointly finance the extension in cooperation with the petitioner.
 - e. Deny the request.
3. The criteria under which an option will be chosen are generally defined herein; however, the City Council may act according to any aforementioned option, which it feels is in the best interest of the City.
4. When the City determines that it is advisable to install larger size lines or facilities than are necessary to serve the benefited property, the difference in the cost of the larger size facilities over the cost of the facilities required to serve the benefited property the extensions shall be paid by the City and excluded from the total cost to be shared by the property owner(s) and the City as provided herein.

- B. *Extension by the City Council's Initiative.* Nothing in this Chapter shall prevent the City Council from extending water or sanitary sewer mains or both within the corporate limits on their own initiative without receipt of an application from property owners and to assess the cost of such extensions in accordance with Subsection III.A above, when, in the opinion of the City Council, the general public interest requires such extensions of service.

IV. Financing Extensions to Subdivisions and Properties Outside of the Corporate Limits

The financing of extensions of water or sanitary sewer service or both to properties located outside of the corporate limits or to subdivisions for which the extension of service has not been approved as of the date of adoption of this Ordinance shall be performed in accordance with the provisions of this Article and other applicable City Ordinances including but not limited to the City of Lowell Development Ordinance.

- A. All applications for water and sewer extensions to serve properties located outside of the corporate limits or to serve subdivisions, for which an application for extension has not been approved as of the date of this Ordinance, shall be made in the same manner and under the same requirements as provided for in Subsection III.A and Subsection III.B.

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- B. If an application is approved by the City Council, the owner or owners shall be required to pay 100% of the total cost of all extensions. However, the City may participate to the extent agreed upon by the City Council in the cost of larger size mains that are in excess of the size mains required to serve the project. No reimbursement by the City shall be made upon annexation and all water and sewer lines connected to the City system and located outside of the corporate limits shall become the property of the City at the time those facilities are connected.

- C. All applicants requesting utility services shall, at the request of the City, file a petition for annexation to the City. Failure to file a petition for voluntary annexation or satellite annexation on notice from the City may result in immediate termination of water service upon finding by the City Council of a breach of the agreement for the provision of water service.

V. Specifications; Ownership

Any water mains or sanitary sewer mains, lift stations, pumping stations, tanks, controls, telemetry, easements and/or other appurtenances extended under the provisions of this Chapter shall be installed and constructed in accordance with the approved plans, specifications and other requirements of the City. All facilities installed under the provisions of this Chapter, whether within or outside the corporate limits, shall become the sole property of the City and under its jurisdiction and control for any and all purposes whatsoever at the time those facilities are connected to the City system. The property owner or owners shall grant to the City such utility easement as the City may require. In addition, a deed to the City for water or sewer facilities installed which are located outside the corporate limits, the cost of which is borne by the applicant or property owners, shall be executed prior to the time any extensions provided for in this Chapter are connected to the City system.

ADOPTED on this the ___th **day of** _____ **2021**

s/ _____
Sandy Railey, Mayor

s/ _____
Beverly Harris, City Clerk

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-E

DESCRIPTION: RIVER FALLS SUBDIVISION (PHASE 3) BOND RELEASE –
TRUE HOMES

True Homes has requested the City of Lowell to remove the final bond of \$65,000 from River Falls Phase 3. The City's engineer, LaBella, has verified that all requirements have been met by the developer and the City may release the bond. Please see the attached documentation from the engineer.



July 28, 2021

Scott Attaway, City Manager
City of Lowell
101 West First Street
Lowell, NC 28098

SUBJECT: River Falls Phase 3 Map 1
Recommendation for Roadway Performance Bond Release

Dear Scott:

Gaston County has provided final approval along with a copy of the Operation & Maintenance agreement for the Stormwater Management facility at River Falls (Attachment 1). Field observations confirmed the installation of the required street lighting, as referenced in the previous Bond Reduction letter (Attachment 2). Therefore, the performance bond in the amount of \$65,000.00 for this phase of the subdivision may be released.

If you have any questions, please contact us at 704-941-2132.

Sincerely,

LaBella Associates

Bonnie A. Fisher, PE
Project Manager

Attachments: Stormwater Management O&M Agreement for River Falls
Performance Bond Letter 1/9/2020

cc: Shaun Gasparini, True Homes



January 9, 2020

Kevin Krouse, City Manager
City of Lowell
101 West First Street
Lowell, NC 28098

SUBJECT: River Falls Phase 3 Map 1
Recommendation for Performance Bond Reduction – **REVISED**

Dear Kevin:

LaBella conducted a final inspection of the River Falls Subdivision Map 1 on December 12, 2019 to verify completion of the subdivision improvements previously bonded by the developer. Our inspection confirmed satisfactory completion of all construction items except for conversion of the erosion control ponds to permanent detention ponds and the installation of decorative street lights.

The developer plans to complete the necessary pond construction and plantings in the spring, and the cost of \$62,500 as shown on the attached revised Engineer's estimate is satisfactory for this work. Coordination for lighting installation of eight (8) lights is in progress by the developer. We recommend that an amount equal to \$250 per street lights, plus 25% contingency, be included in the new bond amount ($\$250 \times 8 = \$2,000 \times 1.25 = \$2,500$).

Therefore, the performance bond may be reduced to a total of $\$62,500 + \$2,500 = \underline{\$65,000.00}$.

If you have any questions, please contact us at 704-941-2132.

Sincerely,

LaBella Associates

Bonnie A. Fisher, PE
Project Manager

Attachment – Engineer's Estimate

cc: Jeff Boenisch, True Homes
Shaun Gasparini, True Homes



THE MAIN STREET AMERICA GROUP



Bond No. 316631

SUBDIVISION BOND

KNOW ALL MEN BY THESE PRESENTS, THAT, we, True Homes, LLC as Principal, and NGM Insurance Company, 55 West Street, Keene, NH 03431, as Surety, are held and firmly bound unto the Town of Lowell, as Obligee, in the full and just sum of One Hundred Eighty Six Thousand Seven Hundred Ninety Nine Dollars and 00/100 (\$186,799.00) for the payment of which sum, well and truly to be made, the said Principal and Surety bind themselves, and their respective heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal is the owner of a certain tract of land in Gaston County more particularly described as follows: River Falls Phase 3, Map 2

WHEREAS, The Principal has entered into an agreement with the Obligee, wherein the Principal agrees to construct the following: River Falls Phase 3, Map 2 in said tract.

NOW, THEREFORE, the condition of this obligation is such that, if the Principal shall faithfully perform the terms of said agreement on its part shall fully indemnify and save harmless the Obligee from all cost and damage which the Obligee may suffer by reason of failure so to do and shall fully reimburse and repay the Obligee all outlay and expense which the Obligee may incur in making good such default, then this obligation shall be null and void, otherwise it shall remain in full force and effect.

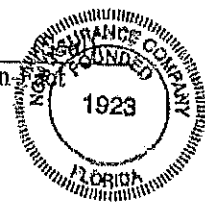
IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this 27th day of August, 2018.

Attest [Signature]

True Homes, LLC
BY: [Signature] (Seal)
President

Attest [Signature]
Donna K. Ashley

NGM Insurance Company
BY: [Signature]
Angela D. Ramsby, Attorney-in-Charge



POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"SECTION 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them. "


does hereby make, constitute and appoint Angela D. Ramsey its true and lawful Attorney-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed, bond number 316631 dated August 27, 2018 on behalf of True Homes, LLC in favor of Town of Lowell and to bind NGM Insurance Company thereby as fully and to the same extent as if such instrument was signed by the duly authorized officers of the NGM Insurance Company; the acts of said Attorney are hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such officer and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 4th day of October, 2015.

NGM INSURANCE COMPANY By:

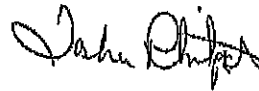

Bruce R. Fox
Vice President, General
Counsel and Secretary



State of Florida,
County of Duval.

On this October 4th, 2015, before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Bruce R. Fox of the NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me fully sworn, deposed and said that he is an officer of said Company, aforesaid; that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

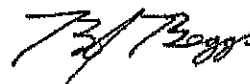
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Jacksonville, Florida this 4th day of October, 2015.





Tosha Ann Philipot
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF915117
Expires 10/3/2018

I, Brian J. Beggs, Vice President of the NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in full force and effect. *IN WITNESS WHEREOF*, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this 27th day of August, 2018.





WARNING: Any unauthorized reproduction or alteration of this document is prohibited.

TO CONFIRM VALIDITY of the attached bond please call 1-603-358-1343.

TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claim Dept. or call our Bond Claim Dept. at 1-603-358-1229.

QUANTITY ESTIMATE

FRANKLIN S. CRAIG, PE
 Consulting Engineer
 2543 Gleneagles Drive
 Gastonia NC 28056
 704-813-3764

Date	3/9/2018
Requested By:	Town of Lowell
Customer ID	True Homes

EXHIBIT "B"

Estimate For:
 Town of Lowell

SITE
River Falls Phase 3 Map 1
 Lowell, Gaston County, North Carolina

Description	Quantity	Units	Unit Cost	Total
5 ft. Sidewalk	2,918	Linear Feet	21.00	\$61,278
Street Trees	73	Each	225.00	\$16,425
1.5" S9.5B Lift	4,219	Square Yards	8.80	\$37,127
1.5" SF9.5A Final Lift	4,219	Square Yards	8.80	\$37,127
Basin Conversion	2	Each	25,000	\$50,000

OTHER COMMENTS
 Street Trees: Lacebark Elm - 26 Count
 Autumn Blaze Red Maple - 47 Count
 1.5" S9.5B Final Lift is described as Course #2 on plans. This final lift is to be placed after 80% of the homesites are developed and in accordance with note #15 of approved plans.

Subtotal	\$201,957.00	\$50,000.00
25% Contingency	\$50,490.00	\$12,500.00
OTHER	\$0.00	
TOTAL	\$252,447.00	\$62,500.00

Estimate Prepared By: Franklin S. Craig, PE

Revisions for Basin conversion only by: Bonnie A. Fisher, PE
 December 31, 2019

Permit Number: _____
 (to be provided by DWQ)
 Drainage Area Number: _____

Wet Detention Basin Operation and Maintenance Agreement

PERMANENT WET POND BMP1 - RIVER FALLS SUBDIVISION

I will keep a maintenance record on this BMP. This maintenance record will be kept in a log in a known set location. Any deficient BMP elements noted in the inspection will be corrected, repaired or replaced immediately. These deficiencies can affect the integrity of structures, safety of the public, and the removal efficiency of the BMP.

The wet detention basin system is defined as the wet detention basin, pretreatment including forebays and the vegetated filter if one is provided.

This system (check one):

does does not incorporate a vegetated filter at the outlet.

This system (check one):

does does not incorporate pretreatment other than a forebay.

Important maintenance procedures:

- Immediately after the wet detention basin is established, the plants on the vegetated shelf and perimeter of the basin should be watered twice weekly if needed, until the plants become established (commonly six weeks).
- No portion of the wet detention pond should be fertilized after the first initial fertilization that is required to establish the plants on the vegetated shelf.
- Stable groundcover should be maintained in the drainage area to reduce the sediment load to the wet detention basin.
- If the basin must be drained for an emergency or to perform maintenance, the flushing of sediment through the emergency drain should be minimized to the maximum extent practical.
- Once a year, a dam safety expert should inspect the embankment.

After the wet detention pond is established, it should be inspected once a month and within 24 hours after every storm event greater than 1.0 inches (or 1.5 inches if in a Coastal County). Records of operation and maintenance should be kept in a known set location and must be available upon request.

Inspection activities shall be performed as follows. Any problems that are found shall be repaired immediately.

BMP element:	Potential problem:	How I will remediate the problem:
The entire BMP	Trash/debris is present.	Remove the trash/debris.
The perimeter of the wet detention basin	Areas of bare soil and/or erosive gullies have formed.	Regrade the soil if necessary to remove the gully, and then plant a ground cover and water until it is established. Provide lime and a one-time fertilizer application.
	Vegetation is too short or too long.	Maintain vegetation at a height of approximately six inches.

Permit Number: _____
 (to be provided by DWPQ)

Drainage Area Number: _____

BMP element:	Potential problem:	How I will remediate the problem:
The inlet device: pipe or swale	The pipe is clogged.	Unclog the pipe. Dispose of the sediment off-site.
	The pipe is cracked or otherwise damaged.	Replace the pipe.
	Erosion is occurring in the swale.	Regrade the swale if necessary to smooth it over and provide erosion control devices such as reinforced turf matting or riprap to avoid future problems with erosion.
The forebay	Sediment has accumulated to a depth greater than the original design depth for sediment storage.	Search for the source of the sediment and remedy the problem if possible. Remove the sediment and dispose of it in a location where it will not cause impacts to streams or the BMP.
	Erosion has occurred.	Provide additional erosion protection such as reinforced turf matting or riprap if needed to prevent future erosion problems.
	Weeds are present.	Remove the weeds, preferably by hand. If pesticide is used, wipe it on the plants rather than spraying.
The vegetated shelf	Best professional practices show that pruning is needed to maintain optimal plant health.	Prune according to best professional practices
	Plants are dead, diseased or dying.	Determine the source of the problem: soils, hydrology, disease, etc. Remedy the problem and replace plants. Provide a one-time fertilizer application to establish the ground cover if a soil test indicates it is necessary.
	Weeds are present.	Remove the weeds, preferably by hand. If pesticide is used, wipe it on the plants rather than spraying.
The main treatment area	Sediment has accumulated to a depth greater than the original design sediment storage depth.	Search for the source of the sediment and remedy the problem if possible. Remove the sediment and dispose of it in a location where it will not cause impacts to streams or the BMP.
	Algal growth covers over 50% of the area.	Consult a professional to remove and control the algal growth.
	Cattails, phragmites or other invasive plants cover 50% of the basin surface.	Remove the plants by wiping them with pesticide (do not spray).

Permit Number: _____
(to be provided by DWQ)

I acknowledge and agree by my signature below that I am responsible for the performance of the maintenance procedures listed above. I agree to notify DWQ of any problems with the system or prior to any changes to the system or responsible party.

Project name: RIVER FALLS SUBDIVISION

BMP drainage area number: _____

Print name: RIVER FALLS HOMEOWNERS ASSOCIATION INC.

Title: President HOA

Address: 5105 MEADOW Woods Dr

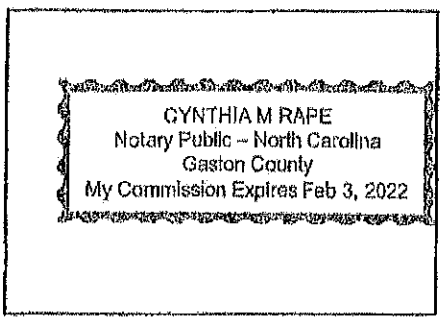
Phone: 704 6081857

Signature: [Handwritten Signature]

Date: 4-15-2021

Note: The legally responsible party should not be a homeowners association unless more than 50% of the lots have been sold and a resident of the subdivision has been named the president.

I, Cynthia M Rape, a Notary Public for the State of N.C., County of Gaston, do hereby certify that Bill Knox personally appeared before me this 15 day of April, 2021, and acknowledge the due execution of the forgoing wet detention basin maintenance requirements. Witness my hand and official seal,



SEAL

My commission expires Feb 3, 2022 Cynthia M Rape, Notary Public

Permit Number: _____
(to be provided by DWQ)
Drainage Area Number: _____

Wet Detention Basin Operation and Maintenance Agreement

PERMANENT WET POND BMP2 - RIVER FALLS SUBDIVISION

I will keep a maintenance record on this BMP. This maintenance record will be kept in a log in a known set location. Any deficient BMP elements noted in the inspection will be corrected, repaired or replaced immediately. These deficiencies can affect the integrity of structures, safety of the public, and the removal efficiency of the BMP.

The wet detention basin system is defined as the wet detention basin, pretreatment including forebays and the vegetated filter if one is provided.

This system (check one):

does does not incorporate a vegetated filter at the outlet.

This system (check one):

does does not incorporate pretreatment other than a forebay.

Important maintenance procedures:

- Immediately after the wet detention basin is established, the plants on the vegetated shelf and perimeter of the basin should be watered twice weekly if needed, until the plants become established (commonly six weeks).
- No portion of the wet detention pond should be fertilized after the first initial fertilization that is required to establish the plants on the vegetated shelf.
- Stable groundcover should be maintained in the drainage area to reduce the sediment load to the wet detention basin.
- If the basin must be drained for an emergency or to perform maintenance, the flushing of sediment through the emergency drain should be minimized to the maximum extent practical.
- Once a year, a dam safety expert should inspect the embankment.

After the wet detention pond is established, it should be inspected once a month and within 24 hours after every storm event greater than 1.0 inches (or 1.5 inches if in a Coastal County). Records of operation and maintenance should be kept in a known set location and must be available upon request.

Inspection activities shall be performed as follows. Any problems that are found shall be repaired immediately.

BMP element:	Potential problem:	How I will remediate the problem:
The entire BMP	Trash/debris is present.	Remove the trash/debris.
The perimeter of the wet detention basin	Areas of bare soil and/or erosive gullies have formed.	Regrade the soil if necessary to remove the gully, and then plant a ground cover and water until it is established. Provide lime and a one-time fertilizer application.
	Vegetation is too short or too long.	Maintain vegetation at a height of approximately six inches.

Permit Number: _____
 (to be provided by DWQ)

Drainage Area Number: _____

BMP element:	Potential problem:	How I will remediate the problem:
The inlet device: pipe or swale	The pipe is clogged.	Unclog the pipe. Dispose of the sediment off-site.
	The pipe is cracked or otherwise damaged.	Replace the pipe.
	Erosion is occurring in the swale.	Regrade the swale if necessary to smooth it over and provide erosion control devices such as reinforced turf matting or riprap to avoid future problems with erosion.
The forebay	Sediment has accumulated to a depth greater than the original design depth for sediment storage.	Search for the source of the sediment and remedy the problem if possible. Remove the sediment and dispose of it in a location where it will not cause impacts to streams or the BMP.
	Erosion has occurred.	Provide additional erosion protection such as reinforced turf matting or riprap if needed to prevent future erosion problems.
	Weeds are present.	Remove the weeds, preferably by hand. If pesticide is used, wipe it on the plants rather than spraying.
The vegetated shelf	Best professional practices show that pruning is needed to maintain optimal plant health.	Prune according to best professional practices
	Plants are dead, diseased or dying.	Determine the source of the problem: soils, hydrology, disease, etc. Remedy the problem and replace plants. Provide a one-time fertilizer application to establish the ground cover if a soil test indicates it is necessary.
	Weeds are present.	Remove the weeds, preferably by hand. If pesticide is used, wipe it on the plants rather than spraying.
The main treatment area	Sediment has accumulated to a depth greater than the original design sediment storage depth.	Search for the source of the sediment and remedy the problem if possible. Remove the sediment and dispose of it in a location where it will not cause impacts to streams or the BMP.
	Algal growth covers over 50% of the area.	Consult a professional to remove and control the algal growth.
	Cattails, phragmites or other invasive plants cover 50% of the basin surface.	Remove the plants by wiping them with pesticide (do not spray).

Permit Number: _____
(to be provided by DWQ)

I acknowledge and agree by my signature below that I am responsible for the performance of the maintenance procedures listed above. I agree to notify DWQ of any problems with the system or prior to any changes to the system or responsible party.

Project name: RIVER FALLS SUBDIVISION

BMP drainage area number: _____

Print name: RIVER FALLS HOMEOWNERS ASSOCIATION INC.

Title: President HOA

Address: 5005 MEADOW WOODS DR

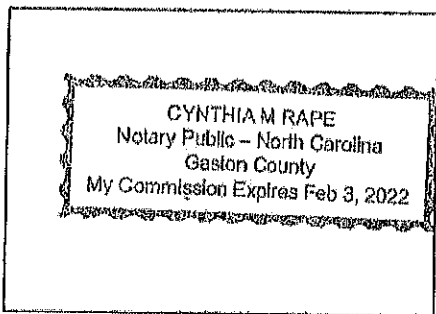
Phone: 2046081857

Signature: [Signature] BILL KNOX

Date: 4-15-2021

Note: The legally responsible party should not be a homeowners association unless more than 50% of the lots have been sold and a resident of the subdivision has been named the president.

I, Cynthia M Rape, a Notary Public for the State of N.C., County of Gaston, do hereby certify that Bill Knox personally appeared before me this 15 day of April, 2021, and acknowledge the due execution of the forgoing wet detention basin maintenance requirements. Witness my hand and official seal,



SEAL

My commission expires: Feb 3, 2022, Cynthia M Rape, Notary public

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-F

DESCRIPTION: CONSIDERATION OF INSTALLMENT FINANCE PROPOSALS
FOR POLICE VEHICLES AND RELATED EQUIPMENT

The FY 22 budget included \$120,000 capital items of 3 police cruisers and the related equipment for those vehicles. A Request for Proposals was advertised in the Gaston Gazette and posted on our website. Sealed bids are due at City Hall on August 9, 2021 at 12:00 p.m. and bids to be read publicly at 2:00 p.m. the same day. Those bids will be tabulated and presented to Council on August 10th at the regularly scheduled City Council meeting. A copy of the RFP is attached.



Financial Services Department

July 26, 2021

Request for Proposals for Equipment Installment Financing

The City of Lowell, North Carolina (the “City”) desires to enter into an installment financing agreement pursuant to N.C.G.S. §160A-20 in a principal amount not to exceed \$120,000 for the purpose of financing the cost of three police vehicles and relevant equipment purchases (collectively, the “Project”) and paying related financing costs. The City is soliciting proposals to provide the necessary financing for the Project, subject to the terms and conditions set forth in this Request for Proposals.

A. Pertinent Information

1. The Project consists of various governmental vehicles and equipment expected to include, but is not limited to, the items designated on the attached vehicle and equipment list.
2. Mullen Holland and Cooper P.A. (MHC), Gastonia, North Carolina, will serve as special counsel to the City for this financing. Legal documentation necessary for the financing will be prepared either by the successful bidder, its counsel or MHC, as agreed to by such parties. In any event, all legal documentation will be subject to the approval of the City’s counsel. By submitting a proposal, the winning bidder waives any conflict of interest that might arise in connection with Mullen Holland and Cooper’s (MHC) representation of the City as special counsel in connection with the financing.
3. The financing will be bank eligible under Section 265 of the Internal Revenue Code of 1986, as amended.

B. Contract Specifications

1. The amount of the financing is not to exceed \$115,000
2. The desired term of the financing is for 60 months. The City desires substantially level debt service payments.
3. Installment payments (principal and interest) are to be made either annually or semi-annually in arrears. Please submit debt service schedules for each payment term offered.
4. The interest rate shall be fixed for the entire term.

5. The interest rate(s) proposed must be guaranteed for at least forty-five (45) days. The City desires to close the transaction on or before August 31, 2019.
6. Prepayment terms shall be specified in the bid.
7. The City's obligations under the installment financing agreement will be secured by a security interest in all or a portion of the equipment being financed. No deficiency judgment may be rendered against the City for breach of a contractual obligation under the Installment Financing Agreement, and the taxing power of the City will not be pledged to secure repayment hereunder. The successful bidder will be required to prepare and file UCC-1 financing statements and take such other actions as necessary to perfect the security interest in the vehicles and equipment being financed.
8. The installment financing agreement must not contain a non-substitution clause.

C. Submission of Proposal

Proposals can be emailed to bharris@lowellnc.com or mailed prior to the bid opening to the City of Lowell City Clerk at 101 W. First Street Lowell, NC 28098. **All bids must be received by 12:00P.M. August 9, 2021. Bids to be opened and read publicly at 2 P.M., August 9, 2021.**

It is expected that the City Council will formally accept the winning proposal at its August 10, 2021 City Council meeting.

At a minimum, proposals must specify the following information:

1. The term of the financing (i.e., 60 months).
2. The interest rate for the entire term.
3. The terms of repayment. Please attach sample debt service schedules.
4. Proposed terms for optional prepayment.
5. If there are any additional costs associated with this financing, including origination or placement fees, escrow fees, counsel fees and expenses, please list. State whether or not any of such fees or expenses will be capped.
6. Describe how the proceeds of the financing will be required to be held and invested pending expenditure to pay project and financing costs.

The City reserves the right to request additional information from and negotiate terms with the bidders and reserves the right to reject all proposals and to waive any irregularity or informality. Although the selection will be based substantially on lowest total financing cost (including both interest costs and additional costs), the City reserves the right to select the bidder that best meets the needs of the City.

You may contact Jared Pyles at (704) 824-3518 or jpyles@lowellnc.com if further information is needed or if you have any questions regarding this Request for Proposal.

Thank you in advance for your consideration.

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-G

DESCRIPTION: DISCUSSION OF FY 2020/2021 INTERDEPARTMENTAL
TRANSFERS

Please see the attached memo from the Finance Officer regarding interdepartmental transfers for the Fiscal Year ending June 30, 2021.

MEMO

To: Scott Attaway, City Manager

From: Jared Pyles, Finance Director

RE: Budget Transfers

Finance has made lateral inter-fund transfers within the General Fund from the Public Works, Parks & Recreation, and Stormwater Departments to the Administration Department for Fiscal Year Ending June 30, 2021. The transfer from each department totals no more than 10% of the allocated budget for that department for the fiscal year. See attached for the line-item transfers.

Department	Original Budget	Budget Transfers	Ending Budget	YTD thru 6/30/2021	Budget Remaining	Percent Remaining	Percent of FY21 Remaining
General Fund							
Administration	576,764.00	27,500.00	604,264.00	592,106.00	12,158.00	2%	0%
Public Safety	1,061,467.00	-	1,061,467.00	1,043,012.41	18,454.59	2%	0%
Public Works	289,524.00	-	289,524.00	215,804.50	73,719.50	25%	0%
Sanitation	263,486.00	-	263,486.00	261,890.71	1,595.29	1%	0%
Parks & Rec	189,934.00	(17,500.00)	172,434.00	88,018.71	84,415.29	44%	0%
Stormwater	109,047.00	(10,000.00)	99,047.00	89,647.58	9,399.42	9%	0%
Powell Bill	93,306.00	-	93,306.00	41,727.71	51,578.29	55%	0%
Total	2,583,528.00		2,583,528.00	2,332,207.62	251,320.38	10%	0%
Water/Sewer Fund							
Water/Sewer	1,034,277.00	(21,000.00)	1,013,277.00	1,002,116.77	11,160.23	1%	0%
Wastewater Treatment	253,377.00	21,000.00	274,377.00	272,544.08	1,832.92	1%	0%
Total	1,287,654.00		1,287,654.00	1,274,660.85	12,993.15	1%	0%

Notes:
 1 - Due to the budget deficit in the Administration Department at year-end, Finance has transferred budget within the General Fund from the Public Works, Parks & Recreation, and Stormwater Departments by \$27,500. The overages within the Administration Department can be attributed to Professional Services and Contracted Services, with expenses related to Environmental Consulting and the UDO.
 2 - Due to the budget deficit in the Wastewater Treatment Department at year-end, Finance has transferred budget within the Water/Sewer Fund from the Water/Sewer department by \$21,000, totaling 2% of the Water/Sewer budget. The overages in the Wastewater Treatment Department can be attributed to sampling & analysis and repairs from Contract Maintenance.

City of Lowell, North Carolina
 Manager's Budget Summary
 Presented at the 8/20/21 Board Meeting
 For Fiscal Year Ending June 30, 2021

BUDGET TRANSFERS LEGEND: D = DEPARTMENTAL; L = LATERAL

BUD #	BUDGET TYPE	ACCOUNT NAME TO	ACCOUNT NAME FROM	EXPLANATION	BUDGET AMOUNT
1	L	10-4100-0400	10-6120-1500	Transfer funds to cover Administrative expenses related to Environmental Consulting and the UDO	\$ 17,500.00
2	D	10-4100-0400	10-4100-8900	Transfer funds to cover Administrative expenses related to Environmental Consulting and the UDO	\$ 4,633.00
3	D	10-4100-0400	10-4100-0900	Transfer funds to cover Administrative expenses related to Environmental Consulting and the UDO	\$ 531.00
4	D	10-4100-1300	10-4100-1400	Transfer funds to cover excess utilities expenses	\$ 967.00
5	D	10-4100-2600	10-4100-1600	Transfer funds to cover excess advertising expenses	\$ 3,239.00
6	D	10-4100-2600	10-4100-1400	Transfer funds to cover excess advertising expenses	\$ 2,421.00
7	D	10-4100-3300	10-4100-3304	Transfer of funds to cover excess departmental supplies expenses	\$ 2,022.00
8	D	10-4100-3300	10-4100-0200	Transfer of funds to cover excess departmental supplies expenses	\$ 4,854.00
9	D	10-4100-4500	10-4100-1400	Transfer funds to cover Administrative expenses related to Environmental Consulting and the UDO	\$ 1,418.00
10	D	10-4100-4500	10-4100-1500	Transfer funds to cover Administrative expenses related to Environmental Consulting and the UDO	\$ 1,562.00
11	L	10-4100-4500	10-9000-7400	Transfer funds to cover Administrative expenses related to Environmental Consulting and the UDO	\$ 10,000.00
12	D	10-4100-4500	10-4100-5700	Transfer funds to cover Administrative expenses related to Environmental Consulting and the UDO	\$ 1,002.00
13	D	10-9000-0400	10-9000-1400	Transfer of funds to cover expenses related to the Stormwater Fee Study & Financial Analysis	\$ 1,000.00
14	D	10-9000-0400	10-9000-1600	Transfer of funds to cover expenses related to the Stormwater Fee Study & Financial Analysis	\$ 5,000.00
15	D	10-9000-0400	10-9000-7400	Transfer of funds to cover expenses related to the Stormwater Fee Study & Financial Analysis	\$ 2,367.00
16	D	10-9000-0400	10-9000-3300	Transfer of funds to cover expenses related to the Stormwater Fee Study & Financial Analysis	\$ 1,050.00
17	D	10-9000-0400	10-9000-1600	Transfer of funds to cover expenses related to the Stormwater Fee Study & Financial Analysis	\$ 5,000.00
18	D	10-9000-0400	10-9000-0200	Transfer of funds to cover expenses related to the Stormwater Fee Study & Financial Analysis	\$ 3,753.00
19	L	30-8200-8502	30-8100-7400	Transfer of funds to cover expenses related to additional expenses for Sampling & Analysis WWTP	\$ 21,000.00
20	D	30-8200-8502	30-8200-1600	Transfer of funds to cover expenses related to additional expenses for Sampling & Analysis WWTP	\$ 3,462.00
21	D	30-8200-0400	30-8200-1300	Transfer of funds to cover expenses related to WWTP Professional Services and Engineering	\$ 3,626.00
22	D	30-8100-4800	30-8100-7400	Transfer of funds to cover Water for Resale expenses	\$ 19,155.00
23	D	30-8100-4800	30-8100-8200	Transfer of funds to cover Water for Resale expense	\$ 8,793.00
24	D	30-8100-1600	30-8100-0400	Transfer of funds to cover excess equipment repair	\$ 2,363.00
25	D	30-8100-3300	30-8100-0400	Transfer of funds to cover supplies purchased for the water meter project	\$ 10,795.00
26	D	30-8100-3300	30-8100-8200	Transfer of funds to cover supplies purchased for the water meter project	\$ 6,241.00
27	D	30-8100-3300	30-8100-1300	Transfer of funds to cover supplies purchased for the water meter project	\$ 1,817.00
28	D	30-8100-4500	30-8100-1300	Transfer of funds to cover Water for Resale expense	\$ 1,292.00

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-H

DESCRIPTION: CONSIDERATION OF 2021 PAVING SCHEDULE

Please see the attached memo from the Public Works Director regarding the recommendations for resurfacing and street repairs.

To: Scott Attaway, City Manager
From: Thomas Shrewsbury, Public Works Director
Date: August 4, 2021
Re: 2021 Paving Schedule

City of Lowell Staff have evaluated and identified city streets that we believe are due for rehabilitation and resurfacing. There were a number of factors that went into putting together the list of recommended improvements. Some of those factors include increased maintenance costs and labor hours due to potholes, street depressions, pavement crumbling, and breaking of at the edges. Some of the roadways listed have undergone utility repairs and upgrades by the City of Lowell as well as other utility providers that have created a need for resurfacing. Prioritizing factors can also include areas with stormwater issues as well as the volume of traffic using the roadway.

In 2020-2021, the City of Lowell resurfaced seven of the streets listed on the 2019 paving list. The completed project cost was \$121,514.00.

Staff recommended to resurface six more streets from the list in 2021-2022.

#7 Phillips Street

#12 Walnut Street

#10 Reid Street (portion)

#14 River Falls Drive (portion)

#11 Costner Street

#15 Rogosin Blvd.

The 2021-2022 estimated cost for these projects would be \$145,200.

*Please take into consideration that the estimates include 25% which is to be used for pre-construction prep work. This includes raising manholes and valves, patching bad spots, filling low spots and subgrade issues.

*An asphalt overlay is applying a new layer of hot mix asphalt to the street surface and sealing it. Milling or patching is expected to preserve the life of the street pavement for at least 15 years.

Projects rated from worst to best conditions:

Project area	From	TO	Sq. yards	Prep	Total Cost	
#1 W. Third Street 358 ft. x 20 ft	N. Main Street	N. Church Street	796 Sq. Yards 2 Manholes	Plus 25%	\$10,447	Complete \$11,598.00
#2 N. Church Street 345 ft x 18 ft.	W. Third Street	W. Second Street	690 Sq. Yards 1 Manhole	Plus 25%	\$9,056	Complete \$9,895.00
#3 Black Street 616 ft. x 18 ft.	Linberger Road	Riverview Subdivisio	1232 Sq. Yards 2 Manholes	Plus 25%	\$16,170	Complete \$16,850.00
#4 N. Clay Street 990 ft x 16 ft.	W. First Street	Railroad Crossing	1,760 Sq. Yards 5 Manholes/2Valves	plus 25%	\$23,100	Complete \$21,475.00
#5 Oakland Street 450ft. X 16ft.	Ash Street	Birch Street	800 Sq. Yards 4 Manholes/1 Valve	Plus 25%	\$10,500	Complete \$13,375
#6 Bowen Drive 342ft x 24 ft	E. First Street	cul-de-sac	912 Sq. Yards 2 Manholes/1 Valve	Plus 25%	\$11,970	Complete \$14,831
#7 Phillips Street 1838 ft. x 24 ft	S. Church Street	Railroad Crossing	4901 Sq. Yards 7 Manholes	Plus 25%	\$73,515	Pave 2021
#8 Martha Ave. 1538 ft. x 18 ft.	N. Main Street	End of Road	3076 Sq. Yards 4 Manholes	Plus 25%	\$40,372	Complete \$33,490
#9 Ash Street 1117 ft. x 23 ft.	W. First Street	End of Road	2854 Sq. Yards 2 Manholes/1 Valve	Plus 25%	\$42,810	HOLD 2022
#10 Reid Street 225ft. X 20 ft.	S. Main Street	Indian Walk	500 Sq. Yards 2 Manholes/4 valves	Plus 25%	\$7,500	Pave 2021
#11 Costner Street 626 ft x 17ft	Power Drive	Dogwood Street	1182 Sq. Yards 3 Manholes	Plus 25%	\$15,615	Pave 2021
#12 Walnut Street 826ft x 18 ft.	Rogosin	End of Road	1652 Sq. Yards 3 Manholes/1 Valve	Plus 25 %	\$24,780	Pave 2021
#13 McAdenville Ave 1208ft. X 20ft	Stowe Drive	Power Drive	2685 Sq. Yards 4 Manholes/1 Valve	Plus 25%	\$40,275	Hold 2022
#14 River falls Drive 284ft. X 24ft.	N Main Street	Meadow Wood Dr.	757 Sq. yards 2 Manholes/1 Valve	Plus 25%	\$11,355	Pave 2021
#15 Rogosin Blvd. 150ft X 16ft	Rankin Street	End of road	300 Sq. Yards 6 inch's of stone	Plus 25 %	\$12,435	Pave 2021

2020 actual cost (resurfacing only) \$121,514.00

Estimate for remaining streets -- \$228,285

Estimate for suggested pave in 2021 --- \$145,200

2021 work would probably be contracted two separate companies due to the required needs of the roadway.

Public Works Department

Monthly Report

July 2021

Water and Sewer Dept:

- Water leak, Walnut St.
- Water leak at WWTP
- Water Leak, Catawba Run
- Water tap on Perkins St.
- Water Leak, Lowell Bethesda Rd
- Water Leak – First & Main Street
- Perform drying bed maintenance at WWTP.
- Property clearing at Preston Place Lift Station.

Street and Stormwater Department:

- Crews worked on street sign maintenance.
- Employees worked to clean and spray sidewalks on main roads.
- Employees worked to eliminate blind curves by trimming back overgrown vegetation.
- Staff worked to repair sink hole issues on River Run Rd.
- Extra work was put into Harold Rankin Park. Clearing, spraying and ballfield maintenance.

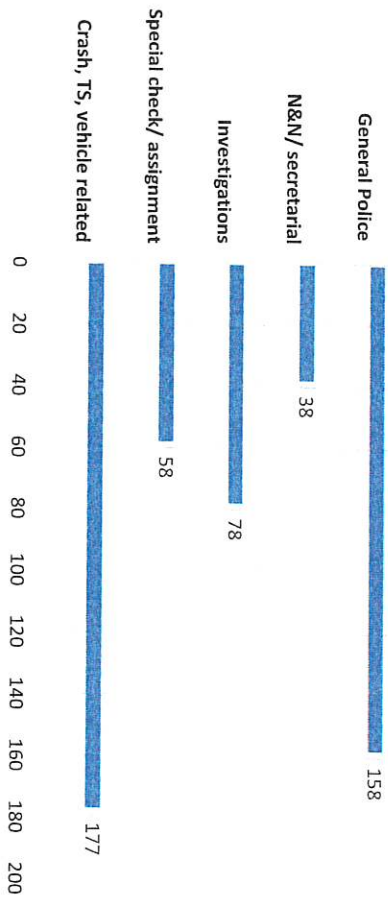
POLICE REPORT JULY 2021

Grouped call type	Value
Crash, TS, vehicle related	177
Special check/ assignment	58
Investigations	78
N&N/ secretarial	38
General Police	158

Monthly calls July 2019-2021

2019	426
2020	475
2021	511

Calls by Type July



To: Scott Attaway, City Manager
 From: Alex Blackburn, Planning Director/Code Enforcement
 Date: July 30, 2021
 Re: Monthly Departmental Update

Planning Department

Code Enforcement

For the month of July, 2021, City Staff were involved in 7 Violations ranging from Tall Grass to Bulk Items left at the roadway. To date, all but one of the violations has been remedied.

A continuation of investigation and abatement from June regarding two properties that have been abandoned and one that is not meeting the Minimum Housing requirements of the Lowell Code of Ordinances is also in the process of abatement with the property owners following the inspection conducted by Gaston County Chief Inspector M. Roper and myself.

Zoning:

The Zoning Department has issued 10 Zoning Permits and initiated 2 Rezoning request RZ21-01 and RZ21-02.

RZ21-01	Rezoning	Rick Bourlique	260-300-400-506-518 Oakland Dr	\$350	7/2/2021
RZ21-02	Rezoning	North Point	PID# 216857	\$350	7/2/2021
ZP21-45	Sign Permit	Pete Hatcher/Truist Bank	830 Groves St.	\$100	7/1/2021
ZP21-46	Demo Permit	Robert Hawkins	4424 Wilkinson Blvd.	\$100	7/8/2021
ZP21-47	Change of Use	Alisa Frye/Fryeday Coffee	106 E First Street	\$100	7/9/2021
ZP21-48	Change of Use	Rosalinda Fitz	720 McAdenville Ave	\$100	7/14/2021
ZP21-49	Accessory Structure/Fence	Margaret Reed	625 Overlook Rd.	\$25	7/20/2021
ZP21-50	Accessory Structure/Solar	Jeffery Bennet	571 River View Dr	\$25	7/21/2021
ZP21-51	Remodel/No Expansion	Thomas Shrewsbury	3121 Lowell Road	\$25	7/22/2021
ZP21-52	Remodel/No Expansion	Revitalizing Real Estate LLC	508 N First Street	\$25	7/22/2021
ZP21-53	Temporary Sign Permit	Rosalinda Fritz	720 McAdenville Ave	\$50	7/22/2021
ZP21-54	Accessory Structure/Field House pre-plat review	Gaston Christian School River Heights	1625 Lowell-Bethesda Rd.	\$250 \$860	7/28/2021 7/26/2021

Rezoning Case # RZ21-01 includes 5 properties on the right side of Oakland Drive requesting a zoning change from its current zoning district of Single Family Residential-4 (SFR-4) to Industrial (IND). Public notice has been posted in the Gaston Gazette twice, the first ad occurring on July 29th and the second ad to run this coming Thursday, August 5th. Notices have also been mailed to property owners abutting the applying parcels, and those were mailed on the morning of July 28th. Notification Signs were posted on the 5 properties on July 29th. To date I have received 1 phone call regarding this case.

Rezoning Case # RZ21-02 is for the Parcel ID # 216857 that runs to the West of S Church Street between Ethelyn Street and Lynn Street. It is requested that the property be transferred from the current zoning of Single Family Residential-4 (SFR-4) to Industrial (IND). Public notice has been posted in the Gaston Gazette twice, the first ad occurring on July 29th and the second ad to run this coming Thursday, August 5th. Notices have also been mailed to property owners

abutting the applying parcels, and those were mailed on the morning of July 28th. Notification Signs were posted in the area on July 29th. To date I have received 4 phone call regarding this case.

At the July 13th City Council meeting, Planning and Zoning Staff were instructed by Councilwoman Funderburk to begin a text amendment to the Lowell Development Ordinance to remove Beauty/Barber Shops as listed uses in the Main Street Zoning District. The NC Planners Listserv e-mail chain was utilized for discussion on the issue. This issue will be brought before the Planning Board at their August 3rd meeting.

In working with Rick Flowe of N-Focus and Bonnie Fisher of LaBella Engineering, it was agreed that a text amendment should be considered to the Lowell Development Ordinance, Article 19, Section 14 and Section 21 to add reference to the North Carolina Department of Transportation Manual regarding Construction Standards. This will be considered during the August 3rd Planning Board Meeting.

Planning:

The City of Lowell Planning Board met on July 6th, and considered RZ21-01 and RZ21-02.

RZ21-01 was heard and approved in a 3-1 vote for recommendation of approval to the City Council.

RZ21-02 was heard and approved in a 4-0 vote for recommendation of approval to the City Council.

The Residential Development currently referred to as Lowell Woods has submitted their preliminary site plan for the Planning Board to make comments on in their August 3rd meeting.

Due to the relinquishment of the City of Lowell Extra Territorial Jurisdiction the City of Lowell Code of Ordinances will need to be amended to reflect that the Planning Board and Board of Adjustment consist of 7 members of Lowell residents to reflect the current Lowell Development Ordinance wording.

Stormwater:

As mentioned above, the City of Lowell Planning Board will consider a text amendment to the Lowell Development Ordinance Article 19, Section 14 and Section 21.

We are working with our partners in the RSPC in developing handouts for specific needs in our city to assist in public education and outreach concerning Stormwater for various target audiences. As well as to develop Lowell specific inspection forms and schedules.

Several meetings were held regarding the consultation of mapping outfalls and Stormwater infrastructure in the City of Lowell to get an idea of methods and costs for the project and reasonable timeframes for achieving completion in regards to the NCDEQ Permit requirements. Several municipal stormwater professionals were also able to provide some insights and cost saving strategies.

Parks and Recreation

July 2021 Monthly Report

Events

Hosted Dinos in the Park on July 17. 250 cars parked between 3 rows in parking lot and on t-ball field. Estimated attendance 800-1000 people. Special thanks to Public Works for sending an employee to help with parking.

Created artwork of events

Event listing creations on facebook and website

Promoting events

Submitting event information to media outlets

Co-hosted 2 Storytime at the Park events with the library

Finalizing details of the events

Created online registration form and opened vendor registration

Securing trucks for Trucks in the Park and seeking out contacts with trucks.

Athletics

Cancelled contract with the new registration platform due to lack of support with getting the website usable. Website was up and looked great but issue on their backend with receiving payments. Working with current registration platform to improve the site. Many changes have already been made to layout to improve the look of the website.

Soccer registration opened July 15 for ages 3-15. Sign-ups close August 13, practices begin August 14. Sign-ups are going well.

Communication with parents about upcoming first day of practice and upcoming DICK's weekend

Dragging big field for baseball field

Discussions with area Parks and Recreation Departments for fall sports plans and registration dates

Set up of a fall 2021 City of Lowell 20% weekend at Dick's Sporting Goods as part of our contract for their youth sports sponsorship - August 6-August 8

Hosted two in-person registration events to accept registrations and answer questions about the program. July 17 at Dinos in the Park and on August 7.

Communication with Dolphins on field rental for football practice. Organization added Sundays to the current schedule for the lower field for a couple of hours in the afternoon. Current schedule is Mondays, Tuesdays, Thursdays (evenings) and now Sunday afternoon 2:30-5:30pm. Schedule may change slightly once Parks and Recreation soccer program starts.

General

General communications answering inquiries via phone, social media, email

Picking up trash, cleaning Community Center before rentals

Social media postings and Website updates

4 new 8' tables for Harold Rankin Park received and installed by Public Works. The two current tables under the shelter didn't match 100% so one was added to the Funbrella for rental purposes and the other replaced the broken wooden table under the shelter at Bob Bolick Park.

LCC meeting preparation

Assisted PD with National Night Out event with staff at the event from Parks and Recreation and the LCC

Communication with Holbrook – banner sponsorship for home games – City is sponsoring a banner.

Lowell Volunteer Fire Department

Lowell, NC

This report was generated on 8/2/2021 9:15:20 PM



Incident Type Count per Station for Date Range

Start Date: 07/01/2021 | End Date: 07/31/2021

INCIDENT TYPE	# INCIDENTS
Station: 17 - STATION 17	
121 - Fire in mobile home used as fixed residence	1
132 - Road freight or transport vehicle fire	1
140 - Natural vegetation fire, other	1
143 - Grass fire	7
311 - Medical assist, assist EMS crew	3
321 - EMS call, excluding vehicle accident with injury	2
322 - Motor vehicle accident with injuries	10
324 - Motor vehicle accident with no injuries.	4
412 - Gas leak (natural gas or LPG)	1
460 - Accident, potential accident, other	1
500 - Service Call, other	2
511 - Lock-out	1
531 - Smoke or odor removal	1
550 - Public service assistance, other	1
551 - Assist police or other governmental agency	2
553 - Public service	1
622 - No incident found on arrival at dispatch address	2
700 - False alarm or false call, other	3
745 - Alarm system activation, no fire - unintentional	1
746 - Carbon monoxide detector activation, no CO	1
# Incidents for 17 - Station 17:	46

Only REVIEWED incidents included.



emergencyreporting.com
 Doc Id: 857
 Page # 1 of 1

Finance

July 2021 Monthly Report

Utility Billing

Stormwater Utility has been fully integrated into the City's billing and financial software – bills were generated and mailed at the end of July

Calls related to Stormwater Utility approximately 0.5% (half-percent) of all Lowell residents

Continuing to work through issues with Mueller Mi.Net (service addresses with incorrect reading multipliers, meters not responding in the network, etc.)

Foot traffic at City Hall has remained steady since re-opening City Hall

10 additional roll carts have been added – 4 commercial, 6 residential

Finance

Awaiting deposit for ARP funding – bank account has already been established to house funding separate from our general checking. Will likely need to establish a Special Revenue Fund to properly account for this money. Appropriations are still TBD - limited guidance has been provided for allowable costs at this time

Powell Bill Expenditure Report and Street Mapping were submitted to the State to ensure funding for Fiscal Year 2022

Fiscal Year 2021 audit is nearing commencement

AGENDA ITEM INFORMATION

AGENDA ITEM #: 8-I

DESCRIPTION: PETITION TO ANNEX CONTIGUOUS PROPERTY

Please see the attached application from the City Clerk regarding a Petition Filed from Belmont Land & Investment regarding annexation of property parcel id #'s 136564 and 202774.

City of Lowell
101 W. First Street
Lowell, North Carolina 28098



Phone: 704-824-3518
www.lowellnc.com

PETITION REQUESTING ANNEXATION FOR A
CONTIGUOUS PROPERTY

Date: August 9, 2021

To the City Council of the City of Lowell;

1. The undersigned owner of real property hereby petition for annexation to the City of Lowell of that area described on the Gaston County Tax map as Parcels **202774 and 136564**, and the boundaries of the property are described in the vesting deeds attached hereto as Exhibit A.

2. The area to be annexed is contiguous to the City of Lowell.

Property Owner Name	Property Owner Address	Signature
Belmont Land and Investment Company, LLC	100 Main Street McAdenville, NC 28101	<i>William P. Carstarphen</i>

WARNING: THE TITLE TO THE SUBJECT PROPERTY CANNOT BE TRANSFERRED PRIOR TO THE COMPLETION OF THE ANNEXATION PROCESS (which is the Annexation Order adopted by the City Council) OR THE PROCEDURE WILL HAVE TO BE DONE OVER FROM THE BEGINNING.

BELMONT LAND AND INVESTMENT COMPANY, LLC

By: *William P. Carstarphen*
William P. Carstarphen, President

Phone Number: 704-823-2211

E-mail: bill.carstarphen@pharrusa.com

Exhibit A
Vesting Deeds Describing Real Property
[attached]

NORTH CAROLINA
GASTON COUNTY.

70 release see Bk. 850-Pg. 598-

(A)
(Parcel # 202774)

THIS DEED, made this 7 day of Aug. 1945, by Mrs. Alice J. McAden and husband, Henry M. McAden, of Mecklenburg County and State of North Carolina, of the first part, to Belmont Land and Investment Company, of Gaston County and State of North Carolina, of the second part:

WITNESSETH, That said parties of the first part, in consideration of FORTY THOUSAND AND NO/100 DOLLARS (\$40,000.00), to them paid by party of the second part, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain, sell and convey to said party of the second part, its successors and assigns, those certain tracts or parcels of land in Southpoint Township, Gaston County, North Carolina, and bounded as follows, viz:

✓ FIRST TRACT: Those three certain tracts of land containing together about 173.75 acres, as described in that certain deed from Edward H. Coates, Trustee, to Henry M. McAden, dated May 18, 1895, and duly recorded in Office of the Register of Deeds for Gaston County in Book 29 at Pages 239 et seq., to which reference is hereby made, and reference being also made to the deed from Henry M. McAden to John H. McAden, which is recorded in Book 44 at Page 385, et seq., in said Register's Office, the deed from Sallie J. McAden and others, recorded in Book 79, Pages 125 et seq., in said Registry, the deed from Joel J. McAden to Henry M. McAden, recorded in Book 94, Pages 308 et seq., in said Registry, and reference being further made to a certain deed from B. R. Smith and wife to Henry M. McAden, recorded in Book 29, pages 243 et seq., in said Registry;

✓ SECOND TRACT: That certain tract of land containing about sixty (60) acres, as described in that certain deed from D. W. Mitchem and wife, to H. M. McAden, dated September 28, 1896, and recorded in said Registry in Book 30, Page 219, to which reference is hereby made, reference being also made to the deed from Henry M. McAden to John H. McAden, recorded in Book 44 at Page 385 in Registry as aforesaid, the deed from Sallie J. McAden et al to Henry M. McAden, recorded in Book 79, Page 125 in said Registry as aforesaid, and the deed from Joel J. McAden to Henry M. McAden, recorded in Book 94, Page 308 in said Registry as aforesaid;

✓ THIRD TRACT: Those two certain tracts of land containing together about 249.25 acres, described in that certain deed from A. C. Lineberger and wife to Henry M. McAden, dated April 4, 1900, and recorded in Book 40, Page 575 et seq., in said Registry, to which reference is hereby made;

✓ FOURTH TRACT: Those three certain tracts of land containing 571.94 acres, more or less, as described in that certain deed D. W. Mitchem and wife to Henry M. McAden, dated April 10, 1925, and duly recorded in said Registry in Book 199, Page 118, to which reference is hereby made;

✓ FIFTH TRACT: That certain tract of land containing 15.6 acres, more or less, as described in that certain deed from D. W. Mitchem and wife to Henry M. McAden, dated April 23, 1923, and recorded in Book 172, Page 75, in said Registry;

SIXTH TRACT: That certain tract of land containing about 6.86 acres, more or less, as described in that certain deed from D. W. Mitchem and wife to Henry M. McAden, dated June 30, 1923, and recorded in Book 172, Page 398 in said Registry, to which reference is hereby made;

SEVENTH TRACT: All those certain water rights and other rights and easements which were granted and conveyed to Henry M. McAden by D. W. Mitchem and wife by two deeds, one dated August 1, 1912, and recorded in Book 94, Page 85 in said Registry, and the other dated March 24, 1925, and duly recorded in Book 190, Page 598 in said Registry, to which deeds reference is hereby made;

EIGHTH TRACT: All those certain water rights and other rights and easements which were reserved unto the said Henry M. McAden, his heirs and assigns, under and by the terms of that certain deed from the said Henry M. McAden and wife to D. W. Mitchem, dated April 10, 1925, and recorded in Book 199, Pages 180 et seq., in said Registry, to which reference is hereby made for a particular description of the said water rights, other rights and easements.

Excepting, however, such parts, if any, of the several tracts or parcels of land above described and referred to as have heretofore been conveyed by the said Henry M. McAden by the following deeds recorded in said Registry, to-wit: (1) Deed to Art Cloth Mills, recorded in Book 172, Page 76, purporting to convey a tract of land containing 18 acres, more or less; (2) Deed to D. W. Mitchem, recorded in Book 172, Page 581, conveying a tract containing 5.51 acres, more or less; and (3) Deed to the Town of Lowell, recorded in Book 190, Page 381, conveying a 40' foot street.

This conveyance, however, is made subject to the several grants or rights of way and easements made by the said Henry M. McAden as follows and so far as they relate to or affect any of the lands above described and referred to-wit: (1) Grant to Piedmont Traction Company, recorded in Book 83, Page 154 in said Registry (2) Grant to Southern Power Company, by deed recorded in Book 154, Page 537 in said Registry; (3) Deed to Southern Power Company, recorded in Book 154, Page 538 in said Registry; (4) deed to Southern Power Company, recorded in Book 154, Page 539 in said Registry; (5) deed to Southern Power Company, recorded in Book 199, Page 123, in said Registry; (6) Deed to Duke Power Company, recorded in Book 343, Page 81 in said Registry; and (7) Deed from Henry M. McAden and others to Plantation Pipe Line Company, recorded in Book 406 at Page 302 in said Registry, to all of which instruments reference is hereby made.

And is in all respects the same property conveyed by S. O. Robinson, Sheriff Gaston County, to Mrs. Alice J. McAden, on October 9, 1942, deed for which is recorded in Book 432 at Page 223 Office Register of Deeds for Gaston County.

It is the intent and purpose of the parties of the first part to convey to the party of the second part, all of their right, title and interest in and to all of the real estate which they, or either of them, own in Gaston County, North Carolina, and by this instrument they do hereby so convey absolutely to the party of the second part all real estate, easements, water rights or other real property located within the bounds of Gaston County, North Carolina, regardless of whether the same is otherwise referred to or described in this instrument.

TO HAVE AND TO HOLD the aforesaid tracts or parcels of land, and all privileges and appurtenances thereto belonging, to the said party of the second part, its successors and assigns, to their only use and behoof forever.

And the said parties of the first part, for themselves and their heirs, executors and administrators, covenant with said party of the second part, its successors and assigns, that they are seized of said premises in fee and have right to convey in fee simple; that the same are free and clear from all encumbrances, and that they do hereby forever warrant and will forever defend the said title to the same against the claims of all persons whatsoever.

IN TESTIMONY WHEREOF, the said Mrs. Alice J. McAden and husband, Henry M. McAden, have hereunto set their hands and seals, this the day and year first above written.

Mrs. Alice J. McAden (Seal)

Henry M. McAden (Seal)

Cora S. Long
August 7, 1945

My commission expires October 13th, 1945 (N. P. Seal)

NORTH CAROLINA
MECKLENBURG COUNTY.

I, Cora S. Long, Notary Public, do hereby certify that Henry M. McAden and Mrs. Alice J. McAden, his wife, personally appeared before me this day and acknowledged the due execution of the annexed Deed of Conveyance, and the said Mrs. Alice McAden, being by me privately examined, separate and apart from her said husband, touching her voluntary execution of the same, doth state that she signed the same freely and voluntarily, without fear or compulsion of her said husband or any other person, and that she doth still voluntarily assent thereto.

Witness my hand and notarial seal, this 7 day of Aug. 1945.

My commission expires:
Oct. 13, 1945 (N. P. Seal)

Cora S. Long,
Notary Public

NORTH CAROLINA-Gaston County

The foregoing certificate of Cora S. Long, a Notary Public of Mecklenburg County, N. C. is adjudged to be correct. Let the instrument with certificates be recorded. Witness my hand this the 8th day of August 1945.

Lewis Fry, Deputy
Clerk Superior Court

Filed for registration at 2:40 o'clock P. M. on the 8 day of August 1945, and Recorded and Verified in the office of the Register of Deeds of Gaston County, N. C. In Book 466, Page 144. This 23 day of August 1945.

H. P. Johnson
Register of Deeds

Deputy

Signed, sealed and delivered in the presence of.....

her
Charlotte X Gill (Seal)
mark
Jack McClure (Seal)
Emma McClure (Seal)
Lee Reid (Seal)
Cora Reid (Seal)
Charlton Johnson (Seal)
Mildred Johnson (Seal)

State of North Carolina,
County of Gaston.

I, R. R. Reid, a Notary Public in and for the County of Mecklenburg and said State, do hereby certify that Sam Gill and wife, Charlotte Gill; Lee Reid and wife, Cora Reid; Charlton Johnson, and wife, Mildred Johnson; Jack McClure and wife, Emma McClure personally appeared before me this day, and acknowledged the due execution of the foregoing instrument, and that the said Charlotte Gill, Cora Reid, Mildred Johnson, and Emma McClure, wives of the above named husbands, being by me privately examined, separate and apart from their said husbands touching their voluntary execution of the same, do state that they signed the same freely and voluntarily, without fear or compulsion of their said husbands or any other person, and that they do still voluntarily assent thereto.

Witness my hand and official seal, this the 15th day of May A. D. 1925.

R. R. Reid, Notary Public Mecklenburg County
(N.P. Seal) my com. expires Jan. 21, 1926

State of North Carolina,
County of Gaston.

The foregoing certificate of R. R. Reid, Notary Public is adjudged to be correct. Let the instrument and certificate be registered. This 20 day of May 1925.

G. S. Hendricks, G. S. C.

Filed at 4 P. M. May 20th 1925, and registered May 23rd 1925.

NOT OFFICIAL

Register of Deeds

State of North Carolina,
Gaston County.

1925
Katherine E. Eason
attached and cancelled

This Deed made this tenth day of April A. D. 1925 by and between D. W. Mitchem and wife M. A. Mitchem, of the County of Gaston and State of North Carolina, parties of the first part, and Henry M. McAden of the County of Mecklenburg and State of North Carolina, party of the second part:

Witnesseth: That the said parties of the first part, in consideration of One Hundred Dollars and other lands to them conveyed to them paid by the part... of the second part, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain, sell and convey unto said Henry M. McAden and his heirs, all those tracts or parcels of land, situate, lying, and being in Gastonia Township, Gaston County, State of North Carolina, and more particularly described and defined as follows:

First Tract: Begins at the mouth of a branch on the bank of the South Fork of the Catawba River and runs thence up the river as it meanders North 77 East 55 poles to the first bend, thence North 64 East 84 poles to the second bend, thence North 30 East 25 poles to the third bend; thence North 7 West 90 poles to a persimmon at the mouth of a branch; thence West 20 $\frac{3}{4}$ poles to a poplar; thence North 40 West 64 poles to a sycamore; thence North 85 West 158 poles to a Mountain oak on old line; thence South 78 poles to a pine on old line; thence South 59 East 66 poles to a Post Oak; thence South 34 East 32 poles to a Black-Oak; thence South 67 East 49 poles to a dead Chestnut in the field; thence South 15 East 28 poles to a Cherry tree in the field; thence South 12 West 5 poles to the beginning, containing two hundred and twelve (212) acres, more or less; and being the identical tract of Land conveyed to said D. W. Mitchem by A. E. Woltz and wife by deed dated May 12th 1923, and registered in said county in Book No. 172 at page 141.

Second Tract: Begins at a Sycamore, said Mitchem's corner, and runs with his line South 38 East 60 poles to a poplar; thence East 27 poles to a stake; Mitchem's corner on the West Bank of the South Fork at the mouth of a branch; thence up the river as it meanders 50 $\frac{1}{2}$ poles to the mouth of the Golt branch; thence up said branch North 67 West 34 poles to a stake, Hoffman's corner; thence with his line North 82 West 12 poles to a rock pile; thence North 56 West 80 poles to a large Poplar, Hoffman's corner; thence a New Line South 61 $\frac{1}{2}$ West 28 $\frac{1}{2}$ poles to a stake on the West side of the road; thence South 43 East 28 poles to a stake in the road; thence South 20 $\frac{1}{2}$ East 25 $\frac{1}{2}$ poles to said Mitchem's line on the edge of the road; thence along said line South 35 East 55 poles to the beginning, containing forty four and forty four hundredths (44.44) acres, more or less; and being the identical tract of Land conveyed by Morgan D. May and wife to said Mitchem by deed dated September 14th 1923, and registered in said county in Book No. 172 at page 626.

Third Tract: Begins at a White Oak stump on the East bank of the South Fork of the Catawba River, M. G. Rhyme's corner, and runs with his line North 75 $\frac{1}{2}$ East 14 poles to a stake; and pointers, Antonio's corner; thence with his line South 4 East 72 $\frac{1}{2}$ poles to a stake and pointers, a corner of the 34 acre tract; thence South 69 $\frac{1}{2}$ East 88 poles to a stake and pointers on K. C. Stroup's line; thence with said line South 4 West 75 poles to a stake and pointers on the north bank of the South Fork river; thence up the river as it meanders 500 poles to the beginning, containing one hundred fifteen and a half (115 $\frac{1}{2}$) acres, more or less; and being the identical tract of land conveyed to said D. W. Mitchem by Lizzie Lowman and others by deed dated September -, 1924, and registered in said County in Book No. 190 at page 273.

And also any and all rights and easements to perpetually pond, raise and back the waters of the said South Fork and all tributaries to any height desired at any time and at any place or places by a dam or dams or other obstructions, together with the right to use any and all necessary lands in the construction of such dam or dams and in going to and from the same at all times - it being the intention of the parties to the first part to convey to the party of the second part, his heirs and assigns, all water rights they may own in and along said streams.

I have and to Hold the aforesaid tracts or parcels of land, and all privileges and appurtenances thereto belonging, to the said Henry M. McAden, his heirs and assigns, to their only use and behoof forever.

And the parties of the first part for themselves, their heirs, executors, and adminis-

1200
trators, covenant with the said party of the second part, his heirs and assigns, that they are seized of said premises in fee, and have right to convey the same in fee simple; that the same are free and clear from all encumbrances, and that they will warrant and defend the said title to the same against the lawful claims of all persons whomsoever.

In Testimony Whereof, the said parties of the first part to these presents have hereunto set their hands and seals the day and year above written.

D. W. Mitchem (Seal)

M. A. Mitchem (Seal)

Signed, sealed and delivered in the presence of
State of North Carolina,
County of Gaston.

I, W. H. Holmes, a Notary Public for said County and State, do hereby certify that D. W. Mitchem and M. A. Mitchem, wife personally appeared before me this day, and acknowledged the due execution of the foregoing (or annexed) instrument and the said M. A. Mitchem wife (or wives) of being by me privately examined, separate and apart from said husband touching her voluntary execution of the same do state that she signed the same freely and voluntarily, without fear or compulsion of said husband or any other person and that she does still voluntarily assent thereto. Let the instrument and the certificate be registered.

Witness my hand and seal this 11th day of April A. D. 1925.

W. H. Holmes, Notary Public (N.P. Seal)
My com. expires June 25, 1925

State of North Carolina,
County of Gaston.

The foregoing (or annexed) certificate of W. H. Holmes, Notary Public is adjudged to be correct. Let the instrument and the certificate be registered.

This 21st day of May A. D. 1925.

S. C. Hendricks, Clerk Superior Court

Filed at 9 A. M. May 21st 1925, and registered May 23rd 1925.

H. R. Thompson

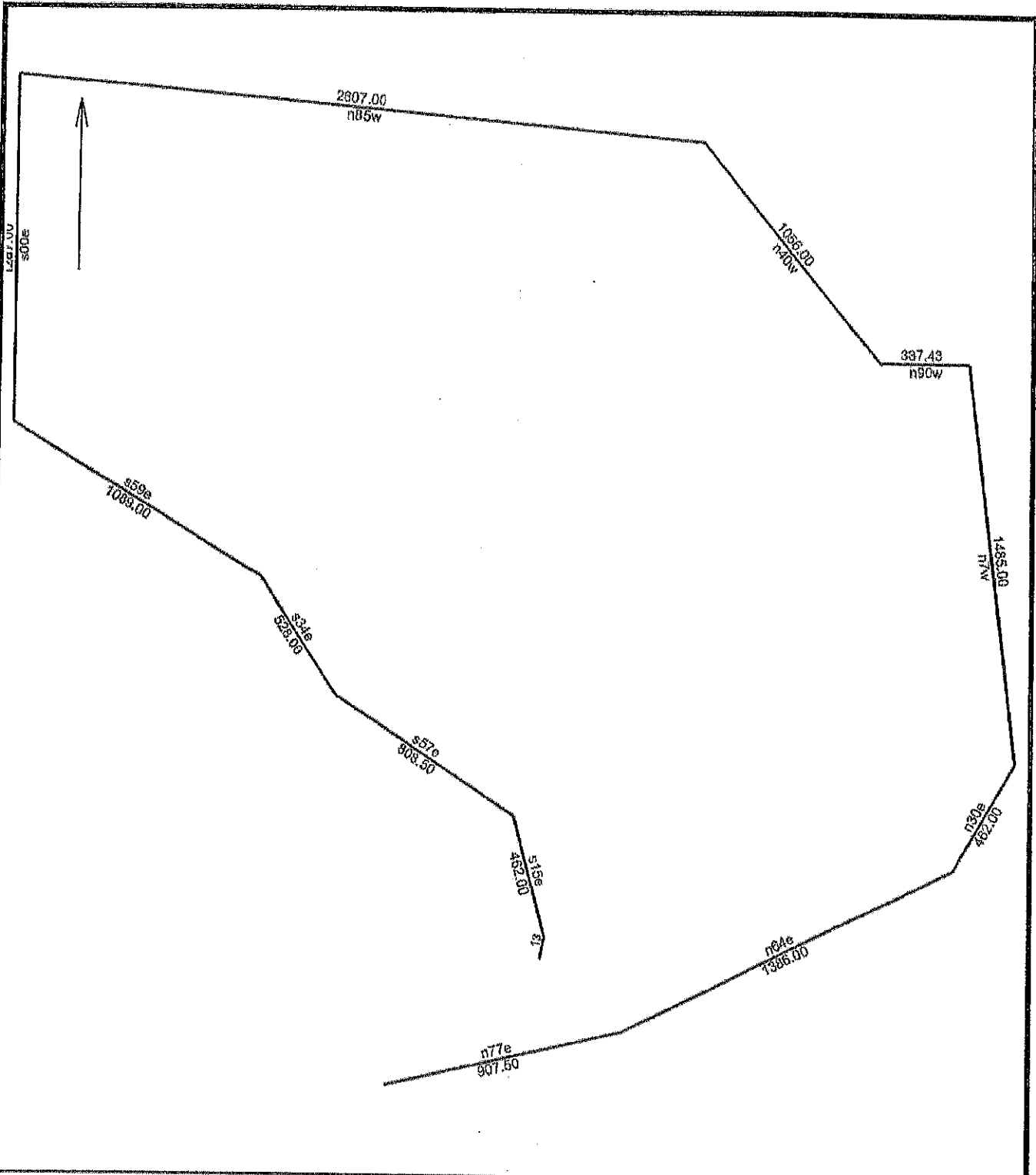
Register of Deeds.

15-20
Alexander Street
attached and cancelled

State of North Carolina,
Gaston County.

This Deed made this tenth day of April A. D. 1925 by and between Henry M. McAden and wife, Alice Jones McAden of the County of Mecklenburg and State of North Carolina, parties of the first part, and David W. Mitchem, of the County of Gaston and State of North Carolina party of the second part:

Witnesseth, That the said parties of the first part, in consideration of One Hundred Dollars and the conveyance of certain other lands to them paid by the party of the second part, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain, sell and convey unto said David W. Mitchem and his heirs,



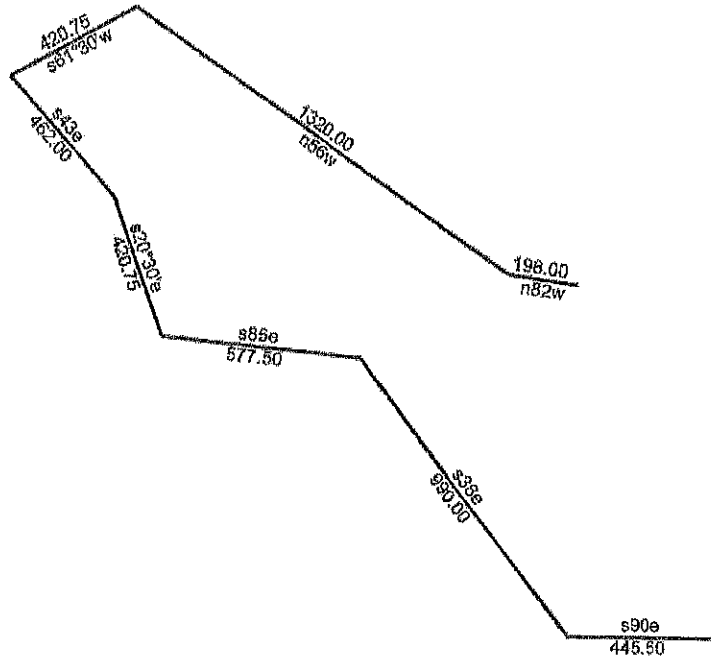
8/10/2021

Scale: 1 Inch = 527 feet

File:

Tract 1: 217.6188 Acres, Closure: s50.5025w 742.72 ft. (1/17), Perimeter=12498 ft.

01 n77e 907.50	10 s34e 528.00
02 n64e 1386.00	11 s57e 808.50
03 n30e 462.00	12 s15e 462.00
04 n7w 1485.00	13 s12w 82.50
05 n90w 337.43	
06 n40w 1056.00	
07 n85w 2607.00	
08 s00e 1287.00	
09 s59e 1089.00	



8/10/2021

Scale: 1 inch= 527 feet

File:

Tract 1: 11.6390 Acres, Closure: n23.2638w 1087.28 ft. (1/4), Perimeter=4835 ft.

- | | |
|-------------------|----------------|
| 01 n82w 198.00 | 08 s90e 445.50 |
| 02 n56w 1320.00 | |
| 03 s61.30w 420.75 | |
| 04 s43e 462.00 | |
| 05 s20.30e 420.75 | |
| 06 s85e 577.50 | |
| 07 s38e 990.00 | |

Less and except property conveyed to Catawba Lands Conservancy by deed dated 9/6/02 recorded at Book 3397 page 136 of the Gaston Co. Registry (2168) and property conveyed to Catawba Lands Conservancy by deed dated 3/21/03 recorded at Book 3673 page 236-238 of the Gaston Co. Registry (2169). The later deeds contain metes and bounds description, which together with the Mitchem Deed / deed plotter survey will identify the new municipal boundary, subject to confirmation by survey.

02/08/02 12:39PM 000000H7768
**17 Cheryl

Excise Tax \$ 231.00

DEED \$23.00
REVENUE FEES \$231.00
***TOTAL \$254.00
Recording Time, Cash and Page \$23.00
CASH \$23.00
FEE \$0.00

Tax Lot No. Part of 10-006-013-00-000

Parcel Identifier No.

Verified by _____ County on the _____ day of _____, 19____
by _____

Mail after recording to Grantee

This instrument was prepared by Johnston, Allison & Hord, P.A. (RCH)

Brief Description for the index

28.79 acres on West Bank of South Fork of the
Catawba River

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made 6th day of February, 2002, by and between

GRANTOR	GRANTEE
BELMONT LAND AND INVESTMENT COMPANY, a North Carolina corporation	CATAWBA RIVERS CONSERVANCY, a North Carolina non-profit corporation
	Mailing Address: 105 W. Morehead Street Charlotte, NC 28202

Enter in appropriate block for each party's name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Gaston County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference

#521

RECORDING FEE 23.00
EXCISE TAX PAID 231.00

EXHIBIT A

Lying and being in Gaston County, North Carolina and more particularly described as follows:

BEGINNING at an existing iron pipe, being the Southerly corner of the 4 acre tract of land as shown on map recorded in Plat Book 54 at Page 73 in the Gaston Public Registry, and the common corner of tract of land described in Deed Book 1456 at Page 444, in said Registry, thence with the tie line of said Plat and the South line of said tract described in Deed Book 1456 at Page 444 with the Hoffman line, S. 35-46-15 E. 309.09 feet to an existing iron pipe; thence 84-59-56 E. 198.02 feet to an existing iron pipe; thence S. 59-02-07 E. 563.12 feet to the mouth of Colt Branch on the West bank of the South Fork of the Catawba River; thence along the West bank of said River S. 29-29-38 W. 60.05 feet to a point; thence continuing with the river bank S. 22-02-50 W. 99.32 feet to a point; thence S. 17-17-14 W. 106.07 feet to a point; thence S. 04-24-31 feet W. 93.83 feet to a point; thence S. 00-39-11 W. 105.06 feet to a point; thence S. 04-26-38 W. 101.36 feet to a point; thence S. 03-53-03 E. 183.41 feet to a point; thence S. 13-30-21 E. 99.87 feet to a point; thence S. 14-44-27 E. 95.77 feet to a point; thence S. 00-52-00 E. 100.34 feet to a point; thence S. 17-06-17 E. 109.34 feet to a point; thence S. 01-15-49 W. 104.93 feet to a point; thence S. 04-18-02 E. 93.01 feet to a point; thence S. 06-25-34 E. 99.74 feet to a point; thence S. 04-38-17 E. 100.88 feet to a point; thence S. 00-15-39 E. 153.80 feet to a point; thence S. 00-18-22 E. 95.28 feet to a point; thence S. 00-51-52 E. 96.03 feet to a point; thence S. 03-50-22 W. 95.60 feet to a point; thence S. 08-50-07 W. 94.46 feet to a point; thence S. 07-31-22 W. 104.23 feet to a point; thence S. 37-33-41 W. 110.36 feet to a point; thence S. 35-08-35 W. 100.88 feet to a point; thence S. 40-38-31 W. 102.67 feet to a point; thence leaving the river bank N. 50-46-12 W. 307.10 feet to a new iron pin; thence N. 39-05-16 E. 262.34 feet to a new iron pin; thence N. 02-41-42 W. 91.14 feet to a new iron pin; thence N. 13-33-48 E. 79.40 feet to a new iron pin; thence N. 31-53-56 E. 49.45 feet to a new iron pin; thence N. 35-01-58 E. 57.78 feet to a new iron pin; thence N. 14-08-49 E. 54.62 feet to a new iron pin; thence N. 39-05-06 W. 150.26 feet to a new iron pin; thence N. 59-30-00 W. 69.22 feet to a new iron pin; thence N. 03-20-58 W. 37.31 feet to a new iron pin; thence N. 28-30-39 E. 76.39 feet to a new iron pin; thence N. 21-37-40 E. 54.74 feet to a new iron pin; thence N. 01-00-17 E. 127.39 feet to a new iron pin; thence N. 10-28-48 W. 88.65 feet to a new iron pin; thence N. 06-33-48 W. 171.81 feet to a new iron pin; thence N. 26-31-50 W. 93.19 feet to a new iron pin; thence N. 88-50-50 W. 72.34 feet to a new iron pin; thence N. 77-52-56 W. 153.72 feet to a new iron pin; thence N. 87-57-49 W. 112.18 feet to a new iron pin; thence N. 70-29-22 W. 108.79 feet to a new iron pin; thence N. 77-37-17 W. 116.65 feet to a new iron pin; thence N. 67-15-54 W. 75.08 feet to a new iron pin; thence N. 30-33-55 W. 66.56 feet to a new iron pin; thence N. 47-49-26 E. 94.49 feet to a new iron pin; thence N. 85-19-03 E. 177.82 feet to a new iron pin; thence N. 53-04-52 W. 238.47 feet to a new iron pin; thence N. 40-37-07 W. 186.91 feet to a new iron pin; thence N. 12-32-06 W. 61.65 feet to a new iron pin; thence N. 20-49-02 E. 61.68 feet to a new iron pin; thence N. 03-20-09 E. 88.97 feet to a new iron pin; thence N. 54-50-41 E. 77.25 feet to a new iron pin; thence N. 80-25-59 E. 75.23 feet to a new iron pin; thence N. 24-03-10 W. 100.88 feet to a new iron pin; thence N. 33-53-54 W. 120.96 feet to a new iron pin; thence N. 25-51-30 W. 92.13 feet to a new iron pin; thence N. 53-05-01 E. 102.31 feet to a new iron pin; thence S. 53-26-56 E. 246.67 feet to a new iron pin; thence S. 28-15-46 E. 135.35 feet to a new iron pin; thence S. 54-03-13 E. 47.43 feet to a new iron pin; thence S. 21-50-05 E. 77.92 feet to a new iron pin; thence S. 02-21-

29 E. 169.80 feet to a new iron pin; thence N. 88-58-27 E. 177.94 feet to a new iron pin; thence N. 48-33-25 E. 83.46 feet to a new iron pin; thence N. 26-23-10 E. 152.17 feet to a new iron pin; thence N. 69-27-19 W. 80.28 feet to a new iron pin; thence N. 58-41-21 W. 68.93 feet to a new iron pin; thence N. 12-00-25 W. 94.46 feet to a new iron pin; thence N. 08-48-30 W. 105.66 feet to a new iron pin; thence N. 67-09-57 W. 85.90 feet to a new iron pin; thence N. 21-37-41 W. 58.95 feet to a new iron pin; thence N. 35-58-40 W. 115.83 feet to a new iron pin; thence N. 56-58-49 W. 63.05 feet to a new iron pin; thence S. 82-03-55 W. 138.36 feet to a new iron pin; thence N. 25-17-48 W. 102.56 feet to a new iron pin; thence N. 08-40-43 W. 206.86 feet to an existing iron pipe being the point or place of BEGINNING, and containing 28.79 acres; per survey by Robert T. Kelso L-3145 dated December 10, 2001.

UNOFFICIAL

The property hereinabove described was acquired by Grantor by instrument recorded in Book 466, Page 144, Gaston Public Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

Valid and enforceable easements, rights-of-way and other conditions of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

BELMONT LAND AND INVESTMENT COMPANY,
a North Carolina corporation

(Corporate Name)
By: [Signature]
President

_____ (SEAL)

_____ (SEAL)

ATTEST:
[Signature]
Secretary (Corporate Seal)

_____ (SEAL)

_____ (SEAL)

SEAL-STAMP

NORTH CAROLINA, County of _____
I, the undersigned Notary Public of the County and State aforesaid, certify that _____ Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this ___/___/___.

My commission expires: ___/___/___ Notary Public

ANN G. JENKINS
NOTARY PUBLIC
GASTON COUNTY, N.C.

NORTH CAROLINA, Gaston County.
I, the undersigned, a Notary Public of the County and State aforesaid, certify that Jim A. Estabrook personally came before me this day and acknowledged that he/she is President of Belmont Land and Investment Company, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed on behalf of the corporation. Witness my hand and official stamp or seal, this 6th day of February, 2002.

*By its President [Signature]
My commission expires: 3-11-03 Ann C. Jenkins Notary Public

The foregoing Certificate(s) of Ann C. Jenkins, NP

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Alice B. Brown REGISTER OF DEEDS FOR Gaston COUNTY

By [Signature] Deputy/Assistant-Register of Deeds

BOOK 3673
PAGES 236 - 238

Gaston County, NC
Recorded 03/28/2003 09:20:55pm
No 9999-00072348 1 of 3 pages
Excise Tax: \$102.00
Alice B. Brown, Register of Deeds

Excise Tax: \$ 102.00 Recording Time, Book and Page

Tax Parcel No.: Part of 10-006-013-00-000 Parcel Identifier No.:

Prepared by: Williams Law, Attorney Mail to: Grantee

Brief description for the Index: 12.74 acres on West Bank of South Fork of the Catawba River

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this 21st day of March 2003, by and between.

GRANTOR GRANTEE

BELMONT LAND AND INVESTMENT COMPANY, a North Carolina corporation CATAWBA LANDS CONSERVANCY, a North Carolina non-profit corporation

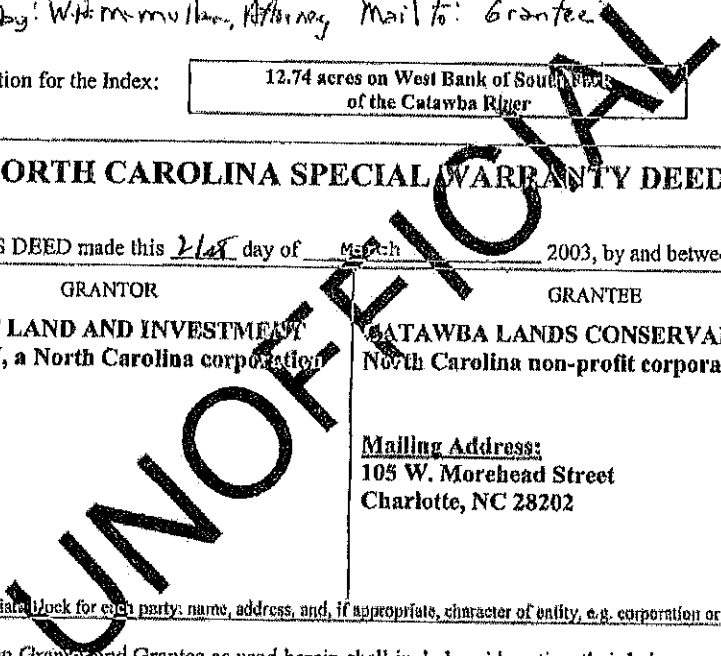
Mailing Address:
105 W. Morehead Street
Charlotte, NC 28202

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Gastonia, Gaston County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.



9999-00072348

RECORDING FEE 20.00
EXCISE TAX PAID 102.00

EXHIBIT A

Lying and being near the Town of Spencer Mountain, Gastonia Township, Gaston County, North Carolina and more particularly described as follows:

BEGINNING at a point located in the West bank of the South Fork of the Catawba River, which point marks the southernmost corner of that certain 28.79 acre parcel conveyed by Belmont Land and Investment Company to Catawba Lands Conservancy by deed duly recorded in the Gaston County Public Registry in Book 3394 at Page 136; thence from said point of BEGINNING along and with the said West bank of the South Fork of the Catawba River in twenty (20) calls as follow: (1) S. 44-41-05 W. 72.75 feet to a point; thence (2) S. 69-55-32 W. 141.85 feet to a point; thence (3) S. 60-06-28 W. 89.99 feet to a point; thence (4) S. 67-23-46 W. 97.94 feet to a point; thence (5) S. 61-27-45 W. 102.89 feet to a point; thence (6) S. 62-48-36 W. 97.82 feet; thence (7) S. 63-48-14 W. 100.83 feet to a point; thence (8) S. 63-48-12 W. 97.48 feet to a point; thence (9) S. 61-23-40 W. 97.53 feet to a point; thence (10) S. 57-53-10 W. 98.50 feet to a point; thence (11) S. 60-13-40 W. 100.53 feet to a point; thence (12) S. 59-46-59 W. 84.91 feet to a point; thence (13) S. 68-52-24 W. 101.11 feet to a point; thence (14) S. 75-51-15 W. 100.76 feet to a point; thence (15) S. 78-02-17 W. 105.40 feet to a point; thence (16) S. 85-29-40 W. 81.51 feet to a point; thence (17) S. 84-54-33 W. 83.92 feet to a point; thence (18) S. 75-23-36 W. 68.84 feet to a point; thence (19) S. 83-52-57 W. 90.38 feet to a point; and thence (20) S. 82-03-07 W. 115.12 feet to a concrete monument; thence leaving the said West bank and proceeding in a northeasterly direction N. 23-26-11 E. 84.47 feet to a concrete monument; thence N. 10-44-36 W. 227.84 feet to a point; thence proceeding in a general easterly direction N. 62-37-45 E. 449.50 feet to a point; thence N. 74-18-28 E. 245.16 feet to a point; thence N. 59-16-57 E. 253.14 feet to a point; thence N. 62-38-59 E. 515.37 feet to a point; thence N. 66-29-53 E. 265.87 feet to a point marking a corner of the 28.79 acre parcel referred to above; thence with the line which marks the southwesterly property line of said 28.79 acre parcel S. 50-46-12 E. 307.10 feet to a point located on the West bank of the South Fork of the Catawba River being the point or place of BEGINNING and containing 12.74 acres according to survey for Catawba Lands Conservancy and Belmont Land and Investment Company prepared by Robert T. Kelso, Professional Land Surveyor, dated December 10, 2001.

UNOFFICIAL

The property herein above described was acquired by Grantor by instrument(s) recorded in Book 466, Page 144, Gaston County Public Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in feo simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

Valid and enforceable easements, restrictions and rights-of-way, if any, of record.

IN WITNESS WHEREOF, the Grantor has hereunto set their hand and seal, or if corporate, has caused this instrument to be signed in the corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

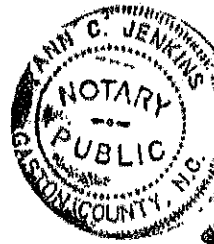
BELMONT LAND AND INVESTMENT COMPANY,
a North Carolina corporation

By: *Ann Carstarphen*
President

ATTEST:

Secretary (Corporate Seal)

SEAL-STAMP
STATE OF NORTH CAROLINA
COUNTY OF GASTON



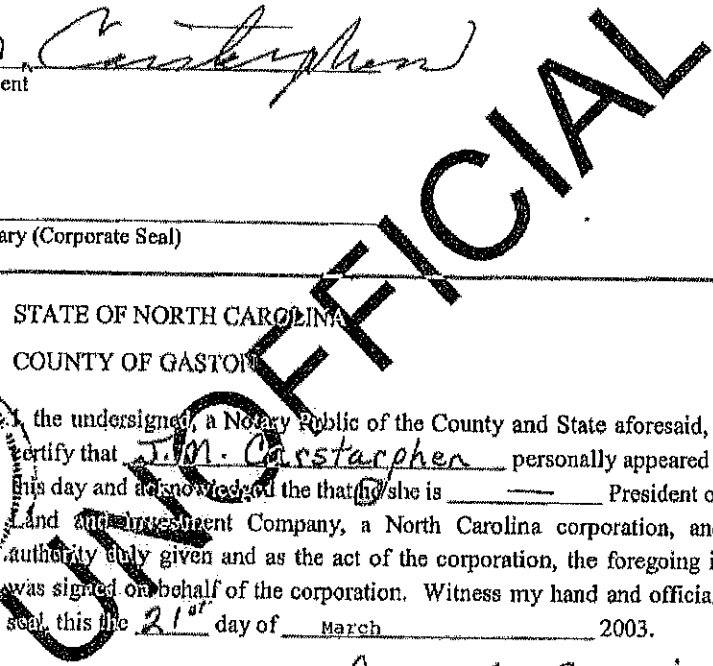
I, the undersigned, a Notary Public of the County and State aforesaid, do hereby certify that *Ann Carstarphen* personally appeared before me this day and acknowledged that she is _____ President of Belmont Land and Investment Company, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed on behalf of the corporation. Witness my hand and official stamp or seal, this the 21st day of March 2003.

Ann C. Jenkins
Notary Public
My Commission Expires: 03-11-08

The foregoing Certificate(s) of *Ann C. Jenkins*

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

David S. Starn REGISTER OF DEEDS FOR *Gaston* COUNTY
By *David S. Starn*, Deputy Assistant-Register of Deeds



(A)
(Parcel # 136564)

BK 3253 PG 175

06/05/01 3:01PM 000000#0525
*X08 Retn

Excise Tax	\$ 600.00	DEED	\$14.00
		REVENUE FEES	\$600.00
		***TOTAL	\$614.00
		Recording Time, Book and Page	
Tax Lot No. 10-22-9	Parcel Identifier No. 9	CHECK CHANGE	\$618.00
Verified by	County on the		\$4.00
by	day of		

Mail after recording to the Grantee

This instrument was prepared by ROBINSON AND WILSON, L.L.P., Post Office Box 1115, Gastonia, North Carolina 28053

Brief description for the Index (30882)

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 5th day of June, 2001 by and between

GRANTOR
 CLYDE H. MAY and wife REBECCA H. MAY
 DOROTHY M. BROWN, and husband ROBERT C. BROWN
 BLANCHE M. ABERNATHY and husband
 JOSEPH D. ABERNATHY
 HAZEL M. EMMERLING, Widow, Individually and
 as Executrix of Estate of Vivian May Sapp

GRANTEE
 BELMONT LAND AND INVESTMENT COMPANY
 Post Office Box 1989
 McAdenville, NC 28101-1939

Enter in appropriate blank for each party, name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Gastonia, Gastonia Township, Gaston County, North Carolina and more particularly described as follows:

SEE ATTACHED SHEET MARKED EXHIBIT "A" AND INCOPORATED HEREIN BY REFERENCE.

RECORDING FEE 14.00
 EXCISE TAX PAID 600.00

#87

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1760, Page 211; Book 3094, Page 74

A map showing the above described property is recorded in Plat Book _____ page _____

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whatsoever, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

- The Grantees herein agree to assume and satisfy the 2001 ad valorem taxes.
- Right of way to Southern Power Company in Book 94 at Page 353.
- Rights of way to Duke Power in Book 670 at Page 99, Book 708 at Page 377 and Book 890 at Page 138.
- Right of way to AT&T in Book 1983 at Page 313.
- Right to back water recorded in Book 586 at Page 265.

UNOFFICIAL

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officer, and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

.....
(Corporate Name)

By:

.....
President

ATTEST:

.....
Secretary (Corporate Seal)

USE BLACK INK ONLY

Clyde H. May
CLYDE H. MAY (SEAL)

Rebecca H. May
REBECCA H. MAY (SEAL)

Dorothy M. Brown
DOROTHY M. BROWN (SEAL)

Robert C. Brown
ROBERT C. BROWN (SEAL)

.....
(Corporate Name)

By:

.....
President

ATTEST:

.....
Secretary (Corporate Seal)

USE BLACK INK ONLY

Blanche M. Abernathy
BLANCHE M. ABERNATHY (SEAL)

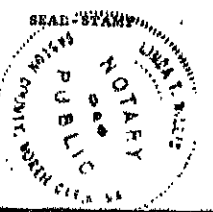
Joseph D. Abernathy
JOSEPH D. ABERNATHY (SEAL)

Hazel M. Emmerling
HAZEL M. EMMERLING, WIDOW, (SEAL)

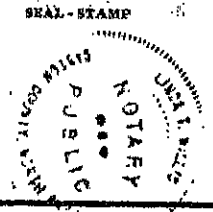
Individually and as Executrix of the Estate of Vivian May Sapp (SEAL)



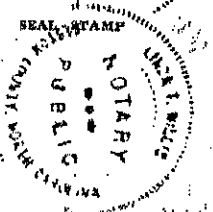
NORTH CAROLINA, _____ Gaston _____ County.
 I, a Notary Public of the County and State aforesaid, certify that CLYDE H. MAY and wife REBECCA H. MAY
 Grantor,
 personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 5th day of June 2001.
 My commission expires: March 1, 2002
 Linda T. Willis Notary Public



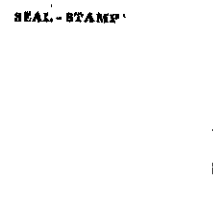
NORTH CAROLINA, _____ Gaston _____ County.
 I, a Notary Public of the County and State aforesaid, certify that DOROTHY M. BROWN and husband ROBERT C. BROWN
 Grantor,
 personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 5th day of June 2001.
 My commission expires: March 1, 2002
 Linda T. Willis Notary Public



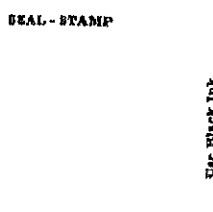
NORTH CAROLINA, _____ Gaston _____ County.
 I, a Notary Public of the County and State aforesaid, certify that BLANCHE M. ABERNATHY and husband JOSEPH D. ABERNATHY
 Grantor,
 personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 5th day of June 2001.
 My commission expires: March 1, 2002
 Linda T. Willis Notary Public



NORTH CAROLINA, _____ Gaston _____ County.
 I, a Notary Public of the County and State aforesaid, certify that HAZEL M. EMMERLING, Widow Individually and as Executrix of the Estate of Vivian May Sapp
 Grantor,
 personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 5th day of June 2001.
 My commission expires: March 1, 2002
 Linda T. Willis Notary Public



NORTH CAROLINA, _____ County.
 I, a Notary Public of the County and State aforesaid, certify that _____ he is _____ Secretary of _____ a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by _____ as its _____ Secretary. Witness my hand and official stamp or seal, this _____ day of _____
 My commission expires: _____ Notary Public



NORTH CAROLINA, _____ County.
 I, a Notary Public of the County and State aforesaid, certify that _____ he is _____ Secretary of _____ a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by _____ as its _____ Secretary. Witness my hand and official stamp or seal, this _____ day of _____
 My commission expires: _____ Notary Public

The foregoing Certificate(s) of Linda T. Willis, sup

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Alice B. Brown REGISTER OF DEEDS FOR Gaston COUNTY
 by Patricia W. [unclear] Deputy/Assistant-Register of Deeds.

EXHIBIT "A"

BEGINNING at a concrete monument in the western margin of the Spencer Mountain-Lowell Road, S. R. 2201 (a 60-foot right of way); said monument being located in the common line of the lands described herein and the lands now or formerly owned by Belmont Land and Investment Company as described in that deed recorded in Book 466 at Page 144 of the Gaston County Registry; thence South 11 degrees 22 minutes 48 seconds East 43.12 feet to a point in the center of said right of way; thence South 21 degrees 44 minutes 00 seconds West 134.09 feet to an existing iron pin in the center of said right of way; thence South 73 degrees 57 minutes 17 seconds West 604.02 feet to an iron pin; thence South 41 degrees 21 minutes 57 seconds West 382.59 feet to an iron pin located in the common line of the lands now or formerly owned by Tallent as described in Deed Book 1052 at Page 46 and Deed Book 1270 at Page 232; thence with the common line with Tallent, North 46 degrees 4 minutes 23 seconds West 236.47 feet to an iron pin; thence with the common line South 53 degrees 09 minutes 34 seconds West 444.33 feet to an existing iron pin on the line of Edith H. Poston, now or formerly, as described in Deed Book 892 at Page 164, said iron pin also being a corner of Tallent; thence with the common line of Poston the following courses and distances: (1) North 45 degrees 49 minutes 32 seconds West 200.74 feet to an iron pin set; (2) North 85 degrees 30 minutes 03 seconds West 165.00 feet to an iron pin set in the common line; (3) North 58 degrees 13 minutes 03 seconds West 1,671.30 feet to a 30 inch post oak tree; (4) North 57 degrees 33 minutes 57 seconds East 1,571.40 feet to a concrete monument; (5) North 4 degrees 56 minutes 07 seconds East 362.64 feet to an existing iron pin located in the common corner of the lands now or formerly owned by Poston, and the lands now or formerly owned by Jefferson-Pilot Broadcasting Company as described in that deed recorded in Deed Book 492 at Page 88 in the Gaston County Registry and the lands now or formerly owned by Belmont Land and Investment Company as described in the deed recorded in Deed Book 466 at Page 144; thence with the common line of Belmont Land and Investment Company the following courses and distances to the beginning: (1) South 57 degrees 51 minutes 48 seconds East 1,082.23 feet to an existing iron pin; (2) South 30 degrees 58 minutes 37 seconds East 514.44 feet to an existing iron pin; thence South 49 degrees 55 minutes 47 seconds East 772.07 feet to the point and place of **BEGINNING**, containing 78.468 acres as shown on that map of Tanner, Lineberger and McConnaughey, dated February 20, 1985 and revised June 17, 1985.

REFERENCE is made to Order recorded in Book 1760 at Page 211 and Deed recorded in Book 3094 at Page 74, both in the Gaston County Registry, together with the Last Will and Testament of Vivian May Sapp and that certain Family Settlement Agreement dated May 16, 2000 in File #01-E-182 in the Office of the Clerk of Superior Court for Gaston County. By execution hereof Grantors herein convey all of their right, title and interest in the above described tract and waive any right of repurchase as granted in the Last Will and Testament of Vivian May Sapp.



MEMORANDUM
CITY OF LOWELL, N.C.

To: Mayor and City Council

Date: August 10, 2021

From: Alex Blackburn, Planning, Zoning and Subdivision Administrator

Re: Voluntary Annexation Petition for contiguous property of Belmont Land & Investment CO.

BACKGROUND

On August 10, 2021, the owners of property known as Parcel ID # 136564 and Parcel ID #202774 of Gaston County submitted a petition for voluntary contiguous annexation into the city limits of the City of Lowell. The properties consist of a total of 263.12 acres.

FINDINGS AND CONCLUSIONS

The standards for annexation require that the property must be contiguous to the “primary corporate limits”. The fact that the property lies in abutment to the Gaston County George Poston Park, deemed as a political subdivision, demonstrates the contiguity requirements of North Carolina General Statute 160A-31(f) are satisfactorily met by the petition submitted to the City of Lowell. The property will be required to have a City of Lowell zoning district designation upon successful annexation.

FISCAL IMPACT

The new development will be subject to applicable taxes and fees in accordance with rates in effect through the City of Lowell. The City will deliver standard municipal services for the property upon development. The City will receive additional revenues from Ad Valorem tax assessments and applicable state shared revenues.

RECOMMENDATION FOR ACTION ON ANNEXATION & ZONING

There are several steps required to annex and apply City of Lowell zoning to these properties. The following outline illustrates how this process may be completed in two regular meetings of the City Council.

THE ACTIONS THAT MAY BE TAKEN AT THE AUGUST 10, 2021 MEETING INCLUDE:

- a. Petition for voluntary contiguous annexation
- b. Direct (by resolution) for the City Clerk to investigate the sufficiency of the petition.
- c. Upon receipt of petition certification by City Clerk, call (by resolution) for public hearing at the next regular meeting.

ADDITIONAL STEPS BETWEEN CITY COUNCIL MEETINGS

While the Mayor and City Council Members undertake the process of annexation, the Planning Board may initiate the process of amending the Official Zoning Map per North Carolina General Statute §160D-204 to run concurrent with the annexation process. The property does not lie within any area designated by the City of Lowell 2040 Comprehensive Land Use Plan adopted April 13, 2021. With the proposal of the property owner, we may anticipate a recommendation for the Single Family Residential-4 (SFR-4) zoning designation from the Planning Board.

1. Schedule for the September 7, 2021 Planning Board agenda to request their recommendation on the designation of the appropriate zoning district;
2. Advertise for a Public Legislative Hearing scheduled for September 14, 2021 before the Mayor and City Council on the subjects of 1) annexing the property and 2) amending the City of Lowell's Official Zoning Map, of the Lowell Development Ordinance.

NEXT STEPS BY MAYOR AND CITY COUNCIL – THE ACTIONS THAT MAY BE TAKEN AT THE SEPTEMBER 14, 2021 REGULAR MEETING INCLUDE:

1. Conducting the required Annexation Public Hearing for the purpose of receiving input from citizens and/or persons owning an interest in the subject property concurrently with the required Zoning Map Amendment Public Legislative Hearing for the purpose of receiving comment from citizens and/or persons owning an interest in the subject property and the designation of an initial zoning district.
2. Consideration (adoption or rejection) of an Ordinance Extending the Corporate Limits (annexation) to include the subject property.
3. Consideration (adoption or rejection) of an Ordinance Amending the Official Zoning Map (initial zoning) for the newly annexed property.

FINAL STEPS FOLLOWING ANNEXATION AND ZONING

Following the annexation of the property, staff will be preparing additional materials to

1. Update Official Zoning Map in City Clerk's record, Administrator's record and online.
2. Update shape-files with Gaston County GIS to reflect the new zoning and jurisdictional designations online.
3. Record the annexation with both the NC Secretary of State and Gaston County Register of Deeds;

4. Notify all public utilities of the change in the corporate limits of the City for their proper reporting of utility franchise taxes paid to the State of North Carolina so local shared revenues can be properly distributed;
5. Accept application from owner for the approval (by staff) of site plan(s) for any future project;
6. Process zoning permit application and issue permit(s) upon compliance with the Lowell Development Ordinance.



RESOLUTION #RS9-2021

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE AN
ANNEXATION PETITION PURSUANT TO
ARTICLE 4A OF G.S. 160A GOVERNING CONTIGUOUS ANNEXATIONS**

WHEREAS, a petition requesting annexation of an area described in said petition was received on the 10th day of August, 2021 by the City of Lowell; and

WHEREAS, N.C.G.S. Chapter 160A, Article 4A, Part 1 provides that the sufficiency of the petition shall be investigated by the City Clerk of the City of Lowell, North Carolina before further annexation proceedings consistent within the petition can take place; and

WHEREAS, the Mayor and Council of the City of Lowell, North Carolina deems it advisable to direct the City Clerk to investigate the sufficiency of the petition;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lowell, North Carolina that:

The City Clerk is hereby directed to investigate the sufficiency of the above-described petition under N.C.G.S. Chapter 160A, Article 4A, Part 1 and to certify as soon as possible to the Mayor and Council of the City of Lowell the result of the investigation.

ADOPTED this the 10th day of August 2021.

Sandy Railey, Mayor

ATTEST:

Beverly Harris, City Clerk



RESOLUTION #RS10-2021

**RESOLUTION FIXING THE DATE OF PUBLIC HEARING ON QUESTION OF
ANNEXATION PETITION PURSUANT TO
ARTICLE 4A OF G.S. 160A GOVERNING CONTIGUOUS ANNEXATIONS**

WHEREAS, a petition pursuant to N.C.G.S. Chapter 160A, Article 4A, Part 1 requesting annexation of the area described herein has been received; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lowell, North Carolina that:

- Section 1. A public hearing on the question of annexation of the area described herein will be held at the Lowell City Hall, 101 W. First Street, Lowell, NC 28098 at 6:00pm on the 14th day of September, 2021.
- Section 2. The area proposed for annexation is described as follows:
See Attached Metes and Bounds Description (Attachment A)
- Section 3. Notice of the public hearing shall be published in the Gaston Gazette newspaper as required by law.

ADOPTED this the 10th day of August 2021

Sandy Railey, Mayor

ATTEST:

Beverly Harris, City Clerk

ATTACHMENT "A"

(To Include Map on Next Page)

Tax Parcel #202774; DB466, Page 144-146:

BEING all of Tax Parcel #202774 as shown on the attached map of Property of Belmont Land and Investment Company to include property conveyed in Deed Book 466, Pages 144-146, dated August 7, 1945 and recorded in the Office of the Register of Deeds for Gaston County, North Carolina, less and except property conveyed to Catawba Lands Conservancy by deed dated 9/6/02 recorded at Book 3397 page 136 of the Gaston Co. Registry and property conveyed to Catawba Lands Conservancy by deed dated 3/21/03 recorded at Book 3673 page 236-238 of the Gaston Co. Registry.

Tax Parcel #136564; DB3253, Page 175:

BEING all of Tax Parcel #136564 as shown on the attached map of Property of Belmont Land and Investment Company to include property conveyed in Deed Book 3253 at Page 175 and recorded in the Office of the Register of Deeds for Gaston County, North Carolina.

Although strict accuracy standards have been employed in the compilation of this map, Gaston County does not make or imply any warranties or assume any responsibility for the information presented on this map or its use. This map is for illustration purposes only.

Created by Juan G. Garcia - Senior Transportation Planner
Date: August 10, 2021

