

MINUTES
Lowell City Council
Regular Meeting
Tuesday, November 9, 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, Councilmember Thomas Gillespie, Councilmember Shane Robinson, City Manager Scott Attaway, City Attorney John Russell Jr, Planning Director Alex Blackburn, Police Captain Carl Moore, 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.

II. INVOCATION / PLEDGE OF ALLEGIANCE

Councilmember Gillespie gave the invocation and led everyone in the pledge of allegiance.

III. ADOPTION OF AGENDA FOR THIS MEETING

Scott Attaway stated staff needs to amend Item 13: Closed Session to add item B (To Discuss Matters Regarding Personnel Pursuant to NCGS 143-318.11(a)(6)).

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

IV. PUBLIC COMMENTS

Barbara Ballard (21 Stowe Street) – Code enforcement.

V. APPROVAL OF MINUTES

A. Minutes from Council Meeting Held October 12, 2021

Councilmember Ervin made a motion to approve the minutes from the October 12, 2021 Council meeting, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

VI. SPECIAL PRESENTATION

A. Proclamation Recognizing Veteran's Day

Councilmember Ervin made a motion to adopt Proclamation #PR7-2021, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

VII. UNFINISHED BUSINESS

A. Public Hearing for CDBG-I (Grant #18-I-3034) Regarding Scope Amendment

Councilmember Funderburk made a motion to go into public hearing, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Scott Attaway stated staff has requested this public hearing to be continued to the December 14, 2021 City Council meeting at 6:00 pm. He stated not all information was back yet from the State.

Councilmember Funderburk made a motion to continue the public hearing for CDBG-I (Grant #18-I-3034) regarding scope amendment to the December 14, 2021 Council meeting at 6:00 pm, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

B. Public Hearing for CDBG-I (Grant #14-I-3033) Regarding Grant Close-Out

Councilmember Funderburk made a motion to go into public hearing, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Keith Carpenter with Withers Ravenel presented the close out memo for the CDBG-I (Grant #14-I-3033) (See attached).

Councilmember Ervin made a motion to close out the CDBG-I Grant #14-I-3033, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Councilmember Funderburk made a motion to go out of public hearing, followed by a second from Councilmember Bonham. The vote was unanimously in favor.

C. Public Hearing Regarding Petition for Annexation of Non-Contiguous Property of Parcel ID #'s 202167 and as shown by the metes and bounds description.

Councilmember Ervin made a motion to go into public hearing, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

Scott Attaway presented all required statutory items that have been taken care of regarding the petition for annexation of non-contiguous property of parcel ID #202167. (See attached memo.) Mr. Attaway stated the public hearing needed to be held as well as consideration of Ordinance (#OR8-2021) extending the corporate limits for the City of Lowell.

Gerald Flowers (owns 12 acres attached to parcel) wanted to know how many houses were going to be built per acre and if they would be on septic or city sewer.

Councilmember Ervin made a motion to go out of public hearing, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

Councilmember Ervin made a motion to adopt Ordinance #OR8-2021 extending the corporate limits for the City of Lowell with the annexation of Parcel #202167, followed by a second from Councilmember Bonham. The vote was unanimously in favor.

D. Public Hearing for Initial Zoning Map Amendment Regarding Parcel ID #202167 from the current Gaston County zoning designation of R-1 to the City of Lowell Zoning District of SFR-4

Councilmember Funderburk made a motion to go into public hearing, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Scott Attaway stated this public hearing will be continued until the December 14, 2021 Council meeting at 6:00 pm. Due to the need for the neighborhood meeting to be held.

Councilmember Ervin made a motion to continue the hearing for the Initial Zoning Map Amendment regarding Parcel ID #202167 from the current Gaston County zoning designation of R-1 to the City of Lowell Zoning District of SFR-4 to December 14, 2021 at 6:00 pm, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

E. Public Hearing Regarding Petition for Annexation of Contiguous Property of Parcel ID #'s 202166, 135144, and 210660 and as shown by the metes and bounds description; 20.46 acres

Councilmember Bonham made a motion to go into public hearing, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

Scott Attaway presented all required statutory items that have been taken care of regarding the petition for annexation of the contiguous property of parcel ID's #202166, 135144, and 210660. (See attached memo.) Mr. Attaway stated the public hearing needed to be held as well as consideration of the Ordinance (#OR10-2021) extending the corporate limits for the City of Lowell.

Councilmember Funderburk made a motion to go out of public hearing, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Councilmember Ervin made a motion to adopt Ordinance #OR10-2021 extending the corporate limits for the City of Lowell with parcel ID #'s 202166, 135144, and 210660, followed by a second from Councilmember Bonham. The vote was unanimously in favor.

F. Public Hearing for Initial Zoning Map Amendment Regarding Parcel ID #'s 202166, 135144, and 210660 from the Current Gaston County Zoning Designation of R-1 to the City of Lowell Zoning District of SFR-4

Councilmember Funderburk made a motion to go into public hearing, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Scott Attaway stated this public hearing will be continued until the December 14, 2021 Council meeting at 6:00 pm. Due to the need for the neighborhood meeting to be held.

Councilmember Ervin made a motion to continue the public hearing for the Initial Zoning Map Amendment Regarding Parcel ID #'s 202166, 135144, and 210660 from the Current Gaston County Zoning Designation of R-1 to the City of Lowell Zoning District of SFR-4 to December 14, 2021 at 6:00 pm, followed by a second from Councilmember Bonham. The vote was unanimously in favor.

G. Public Hearing Regarding Petition for Annexation of Contiguous Property of Gaston County Poston Park Parcel ID #'s 148011 and 148012 and as shown by the metes and bounds description; 338.95 acres

Councilmember Funderburk made a motion to go into public hearing, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Scott Attaway presented all required statutory items that have been taken care of regarding the petition for annexation of the contiguous property of parcel ID #148011 and 148012. (See attached memo.) Mr. Attaway stated the public hearing needed to be held as well as consideration of the Ordinance (#OR12-2021) extending the corporate limits.

Councilmember Ervin made a motion to go out of public hearing, followed by a second from Councilmember Bonham. The vote was unanimously in favor.

Councilmember Ervin made a motion to adopt Ordinance #OR12-2021 extending the corporate limits for the City of Lowell for parcel ID #148011 and 148012, followed by a second from Councilmember Bonham. The vote was unanimously in favor.

H. Public Hearing for Initial Zoning Map Amendment Regarding Parcel ID #'s 148011 and 148012 from the Current Gaston County Zoning Designation of RS-20 and Ranlo ETJ Zoning Districts of EL-1 and R-12 to the City of Lowell Zoning District of Civic

Councilmember Funderburk made a motion to go into public hearing, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Scott Attaway stated this public hearing will be continued until December 14, 2021 Council meeting at 6:00 pm. Due to the neighborhood meeting not being completed as of yet.

Councilmember Funderburk made a motion to continue the public hearing for the Initial Zoning Map Amendment Regarding Parcel ID #'s 148011 and 148012 from the Current Gaston County Zoning Designation of RS-20 and Ranlo ETJ Zoning Districts of EL-1 and R-12 to the City of

Lowell Zoning District of Civic until the December 14, 2021 Council meeting at 6:00 pm, followed by a second from Councilmember Ervin. The vote was unanimously in favor.

VIII. NEW BUSINESS

A. Consideration of Paving Bids and Selection of Paving Contractor

Scott Attaway presented a memo from the public works director regarding paving bids and selection of a paving contractor for consideration. Mr. Attaway stated staff recommends contracting with Mason Grading and Paving for \$142,275 on the streets as presented in the memo. (See attached memo)

Councilmember Ervin made a motion to accept and approve the bid from Mason Grading & Paving for \$142,275, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

B. Consideration of Interlocal Agreement for Fire Inspections with Gaston County

Scott Attaway presented an Interlocal Agreement for Fire Inspections with Gaston County for consideration.

Councilmember Ervin made a motion to approve the Interlocal Agreement for Fire Inspections with Gaston County as presented in the contract with changes discussed by the City Manager, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

C. Discussion of Code of Ordinances Section 130.01 as it Relates to Construction Noise

Scott Attaway stated staff has received several phone calls from concerned citizens regarding development and construction noise. Mr. Attaway stated the Lowell Code of Ordinances Section 130.01 requires construction to happen only between certain days of the week and certain hours. The noise is happening outside of these hours now. Mr. Attaway stated staff was bringing this to the Council's attention as a point of discussion and if deemed by the City Council, staff will bring forward a recommendation for a text amendment to a future Council meeting.

Council directed staff to continue checking with other towns and see how they handled this same issue and present to Council in December for a proposed text amendment.

D. Amendment to the 2021 Schedule of Meetings and City Holidays

Scott Attaway stated the New Year's Day Holiday for 2021 is observed on 12/31/21 for local governments and the State of North Carolina. This date was left off the current calendar and needs to be added.

Councilmember Ervin made a motion to amend the 2021 schedule of meetings and city holidays, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

E. Consideration of Appointment to the Planning Board, Board of Adjustment, Stormwater Commission, and Lowell Community Committee

Scott Attaway presented a memo from the City Clerk regarding an application of interest received on October 6, 2021 from Scott Wilson of 307 Caroline Avenue for consideration to be appointed to the Planning Board, Board of Adjustment, and Stormwater Commission.

Councilmember Ervin made a motion to appoint Scott Wilson to the Planning Board, Board of Adjustment, and Stormwater Commission, followed by a second from Councilmember Bonham. The vote was unanimously in favor.

F. Set Public Hearing for Consideration of Development Agreement for Parcel ID #212032

Scott Attaway asked Council to schedule a public hearing for the December 14, 2021 regular City Council meeting regarding the draft development agreement between the City of Lowell and True Homes as it relates to road and stormwater utility improvements in the approved Lowell Woods subdivision.

Councilmember Funderburk made a motion to set public hearing for consideration of the development agreement for parcel ID #212032 (Lowell Woods) for December 14, 2021 at 6:00 pm, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

G. Set Public Hearing for Proposed Text Amendment to the Lowell Development Ordinance (LDO) Article 5 Section 5.3-1(B)

Scott Attaway stated at the November 4, 2021 Planning Board meeting, they considered a request for a text amendment to the Lowell Development Ordinance to remove the requirements of a Neighborhood Meeting for Zoning Map Amendments with the exception of Special Use Permits and Conditional Zoning Requests. The Planning Board voted unanimously to recommend the amended text to the City Council for approval. (See attached text amendment)

Councilmember Funderburk made a motion to set public hearing for the proposed text amendment to the Lowell Development Ordinance (LDO) Article 5 Section 5.3-1(B) on December 14, 2021 at 6:00 pm, followed by a second from Councilmember Bonham. The vote was unanimously in favor

H. Consideration to Waive Reapplication Period of Zoning Map Amendment for Parcel ID #136564 and 202774

Scott Attaway stated in accordance with the LDO Article 5.3-4, staff has received a request by the property owner for parcel ID #136564 and 202774, to waive the wait period of four months after the date of the initial zoning map amendment approval or denial.

Bob Clay addressed the Council and gave them an update on why they are requesting them to waive the wait period of four months. Mr. Clay stated when the Council closed the public hearing, they could not address the comments made during the public hearing.

Councilmember Gillespie made the motion to waive the reapplication period of zoning map amendment for parcels ID #136564 and 202774, followed by a second from Councilmember Funderburk. The vote was four in favor (Bonham, Gillespie, Funderburk, Ervin), and one opposed (Robinson). The motion carries with the majority being in favor.

IX. STAFF REPORTS

A. Public Works Report

Scott Attaway and Thomas Shrewsbury covered the public works report. (ATTACHED)

B. Police Department Report

Scott Attaway covered the police department report. (ATTACHED)

C. Planning Department Report

Scott Attaway and Alex Blackburn covered the planning department report. (ATTACHED)

D. Parks and Recreation Report

Scott Attaway presented the Parks & Recreation report. (ATTACHED)

E. Fire Department Report

Scott Attaway presented the Fire Department report. (ATTACHED)

F. Finance Officer Report

Scott Attaway presented the monthly financial report. (ATTACHED)

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:

- I-85 Improvement Update from NCDOT
- 5K Update (2022)

- Tree Lighting Update (Dec 2 vs 11th)
- Grand Marshall Christmas Parade (Hunter Ballard) Dec 11th
- RAISE Grant Award Announcement 11/22
- 2022 Economic Forecast Update

XII. MAYOR AND CITY COUNCIL GENERAL DISCUSSION

Councilmember Ervin thanked Councilmember Robinson for his service.

Councilmember Funderburk asked if an additional handicap parking sign can be added in the City Hall parking lot. She also asked that a sign be added for right turn at N. Main and McAdenville Rd. She wanted additional flags ordered for streets. Also, she was concerned about the upcoming population in Lowell schools.

Councilmember Gillespie thanked Councilmember Robinson for his service.

Mayor Railey thanked everyone for coming to the meeting.

XIII. CLOSED SESSION

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

B. To Discuss Matters Regarding Personnel Pursuant to NCGS 143-318.11(a)(6)

A motion was made at 8:00 pm by Councilmember Gillespie to go into Closed Session in accordance with provisions of NCGS 143-318.11(a)(5) and NCGS 143-318.11(a)(6), followed by a second from Councilmember Ervin. The vote was unanimously in favor.

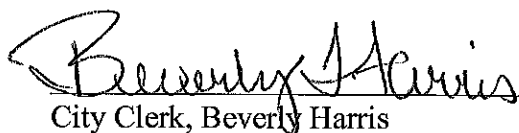
The Council reconvened from Closed Session at 8:30 pm.

XIV. ADJOURN

Councilmember Funderburk made a motion to adjourn the meeting, followed by a second from Councilmember Ervin. The vote was unanimously in favor. The meeting ended at 8:30 pm.

ATTEST:


Mayor, Sandy Railey


City Clerk, Beverly Harris



PROCLAMATION

#PR7-2021

VETERAN'S DAY

November 11, 2021

WHEREAS, carefully preserved within the pages of American history lie the valiant stories of the men and women who fought with valor and fortitude to defend the ideals upon which our great nation was founded: liberty, freedom, and justice; and

WHEREAS, these dedicated men and women, our United States veterans, reinforce the truth that heroism is not a gift or a goal, but often a moment, and sometimes a lifetime, of pure selflessness; and

WHEREAS, our veterans disregard personal well-being and act with incredible honor to preserve for us, the citizens of this great nation, a gift of unapproachable magnitude: our freedom; and

WHEREAS, it is the City of Lowell's duty to honor the memory of our dedicated servicemen and women who never returned home, having made the ultimate sacrifice to preserve our nation and its way of life; and

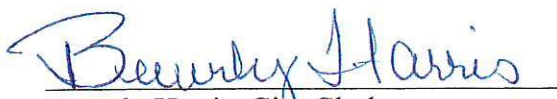
WHEREAS, the City of Lowell pays special tribute to the valiant guardians of our freedom who remain listed as Missing in Action, and offer our support to the loving families who hope for their safe return; and

WHEREAS, as citizens of the United States of America, we owe an inexpressible debt to our veterans, and today we ask with humility and eternal gratitude that their spirit never be forgotten.

NOW, THEREFORE, I, SANDY H. RAILEY, Mayor of the City of Lowell, on behalf of the City of Lowell Council, do hereby proclaim November 11, 2021, as VETERANS DAY. I encourage all citizens to participate in activities that bestow honor and commendation on American heroes past and present.

This the 9th day of November, 2021.

ATTEST:


Beverly Harris, City Clerk


Sandy H. Railey, Mayor

City of Lowell Council Memo

To: Beverly Harris

From: Amanda Whitaker, Withers Ravenel

Date: 11/5/2021

Re: Closeout Public Hearing for CDBG-I 14-I-3033 Project and Final Report

Background:

The City of Lowell received a \$285,211 Community Development Block Grant for Infrastructure from the NC Department of Environmental Quality, Division of Water Infrastructure in 2018 to replace approximately 700 linear feet of gravity sewer line in the Phillips Street area. The project is now complete, all activities have been completed, and all invoices have been paid.

Total CDBG-I expenditures for the project are approximately: \$285,211 Administration: \$28,521, Water Improvements: \$256,690.

The purpose of the scheduled closeout public hearing is to inform the public of the activities and accomplishments of the grant and allow them the opportunity to speak. Below is what was detailed in the final report as the activities and budget for the project.

CDBG-I Project Final Report Details:

1. PROJECT SUMMARY

The City of Lowell CDBG-I Project 14-I-3033 West First Street Sewer Rehabilitation/Replacement Project included the rehabilitation of the existing gravity sewer collection system sewer lines serving Phillips Street. According to City Staff, the wastewater collection system contains a large amount of aging infrastructure, which allows excessive amounts of I/I to enter the system and flow to the wastewater treatment plant. This ultimately resulted in a sanitary sewer overflow (SSO) of over 14,000 gallons at the pump station just north of the plant after a severe rain event in May 2018. The NCDEQ issued the City of Lowell a NOV for violating Permit Condition I (2) of Permit No. WQCS00164 by failing to effectively manage, maintain, and operate their collection system so that there is no SSO to the surrounding land or surface water.

The pump station sits alongside the South Fork Catawba River, which is classified by the State as a water supply (WS-V adjacent to the cited SSO and WS-IV approximately 5 miles downstream). The close proximity of the SSO to the river constituted making an outlet to the waters of the State for purposes of G.S. 143-215.1(a)(1), for which a permit is required that the wastewater treatment plant does not hold. The SSO also risked further compromising a 303(d)-listed segment of the South Fork Catawba River Arm of Lake Wylie just downstream of the Lowell WWTP.

The City identified an area of the collection system containing approximately 7,870 LF of pipe, most of which is 8-inch vitrified clay pipe (VCP) that is over 50 years old to be evaluated and replaced or rehabilitated to reduce the I/I problem. Approximately 29 manholes in the area were identified as well to be evaluated and rehabilitated as necessary.

The identified area was funded out of two CDBG-I funds, 2014 and 2018. The area funded out of 2014, numbered 14-I-3033, included approximately 1,200 LF of gravity sewer to be evaluated for replacement and/or rehabilitation. Total work completed in the 14-project area included the following:

- CCTV and light cleaning of 704.2 LF of 8-inch VCP sewer lines
- CIPP lining of 90 LF of 8-inch VCP sewer line
- 1 cutting of intruding service with robotic cutter
- 1 8-inch PVC point repair of 8-inch VCP sewer at 6- to 8-feet of depth
- CCTV inspection of 5 service laterals
- Installation of 26 LF of 4-inch PVC sewer laterals at 6- to 8-feet of depth
- Installation of (1) 4-inch PVC cleanout

This project benefited approximately 11 persons 9 were low-moderate income people totaling 81.81% LMI.

2. CHANGES TO THE PROJECT

The project was originally bid on March 10, 2021. The low bidder was Bio-Nomic Services with a bid of \$102,696.00 for the 14-I-3033 project area. Bio-Nomic Services was awarded the project.

There were two change orders issued for the project during construction. The first change order was to reduce the scope of the 14-project area, as the bid amount exceeded the funded amount for the 14 project. The change order reduced the price of the 14-project area by \$46,291.00 to show that the cost of the 14 project would not exceed the funded amount. The change order did not change the overall Contract Price, as the contract includes both the 14

and 18 project areas. The amount the 14 project was reduced by was added to the 18-project area. No days were added to the Contract Time. Under Change Order No. 1:

In the 14-project area:

- The bid quantity for item 5) CIPP Rehabilitation of 8" Sewer (footage may be added pending findings of additional CCTV work performed under this contract) was reduced from 371 LF to 90 LF.
- The bid quantity for item 6) 8" PVC SDR 35 Point Repair Sewer up to 12' Long (6'-8' Depth) was reduced from 3 EA to 1 EA.
- The bid quantity for line item 10) Reconnect Service Lateral to Main Line Using CIP "Top Hat" following CIPP Rehabilitation of Main Line was reduced from 7 EA to 3 EA.
- The bid quantity for line item 11) Saw-cut, Remove, and Replace Roadway Pavement was reduced from 150 SY to 50 SY.

Additional changes under Change Order No. 1 were made to the 18-project area to incorporate the reduced quantities from the 14 project to keep the overall contract price the same. These changes will be detailed in the final Engineering Report for the 18-I-3034 project.

The third change order was the final adjusting change order for the 14-project. Under Change Order 2, the final 14-project price was adjusted based on actual quantities installed by the Contractor at the conclusion of the 14-I-3033 project.

The final 14-Project Area cost for construction was \$28,253.83, engineering services \$228,436.17, and administration services \$28,521.

PROJECT COMPLETION

Figure 1. Phillips Street after completion of sewer rehabilitation.



Figure 2. Pavement Patch on Phillips Street after completion of sewer rehabilitation.



Figure 3. Pavement Patches on Phillips Street after completion of sewer rehabilitation.



CITY OF LOWELL
PUBLIC HEARING NOTICE
CLOSEOUT OF CDBG INFRASTRUCTURE PROJECT 14-I-3033

Notice is hereby given that the City of Lowell will conduct a public hearing on November 9th, 2021, at 7:00pm, or as soon thereafter as the agenda will allow, at the City Municipal Building, 101 W. First Street, Lowell, NC relative to the closeout of the Community Development Block Grant for Infrastructure (CDBG-I). The City received a grant of \$285,211 in Community Development Block Grant Funds (CDBG) to replace/rehabilitate approximately 700 linear feet of gravity sewer line in the Phillips Street area.

The purpose of this public hearing is to review the expenditures and activities that have been accomplished through the CDBG-Infrastructure Sewer Project (14-I-3033).

All activities are complete, and the City is in the process of closing out the grant. Total CDBG-I expenditures for the project are approximately: \$285,211 Administration: \$28,521, Sewer Improvements: \$256,690. The project benefited approximately 81.81 % low-moderate income households.

Citizens will be given the opportunity to provide oral and written comment on the City's use of CDBG-I funds at the public hearing. All interested citizens are encouraged to attend.

If additional information is needed, please contact the City Clerk at 704-824-3518 or at 101 W. First Street, Lowell NC 28332. Formal written complaints or comments concerning the CDBG-I Project (14-I-3033) that are submitted to the City Clerk prior to or following the public hearing will be responded to within ten working days by the City.

Persons with disabilities or who otherwise need assistance should contact the City Clerk at 704-824-3518 or at 101 W. First Street, Lowell NC 28332, or Relay North Carolina # 711 by November 5th, 2021. Accommodations will be made for all who request assistance with participating in the public hearing.

This information is available in Spanish or any other language upon request. Please contact the City Clerk, at 704-824-3518 or at 101 W. First Street, Lowell NC 28332 for accommodations for this request.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con City Clerk al 704-824-3518 o en 101 W. First Street Lowell NC 28332, de alojamiento para esta solicitud.



To: Scott Attaway, City Manager
From: Alex Blackburn, Planning Director
Date: November 5, 2021
RE: Petition for Voluntary Annexation of Non-Contiguous Property of Belmont Land & Investment Co.

BACKGROUND

On September 27, 2021, the owners of property known as Parcel ID# 202167 of Gaston County submitted a petition for Voluntary Non-Contiguous Annexation into the City limits of the City of Lowell. The property consists of 7.60 acres.

FINDINGS AND CONCLUSIONS

The standards for annexation in accordance to North Carolina General Statute 160A-58.1 are statutorily met in that all standards of NCGS 160A-58.1(b) are satisfactorily fulfilled. The property will be required to have a City of Lowell Zoning District designated 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.

THE ACTIONS TAKEN AT THE OCTOBER 12, 2021 MEETING INCLUDE:

- a. Petition for voluntary non-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 October 5, 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 November 9, 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 NOVEMBER 9, 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.

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF LOWELL and
INCORPORATE BY ANNEXATION A NON-CONTIGUOUS AREA INTO THE CITY OF LOWELL,
NORTH CAROLINA**

Ordinance #OR8-2021

WHEREAS, a Petition signed by Gaston County, North Carolina, being the owners of the certain land areas located along Lowell-Spencer Mountain Road, Gaston County Parcel ID 202167 hereinafter described in Attachment A attached hereto, was received by the City of Lowell on September 27, 2021; and,

WHEREAS, the owner Petitioned that said area be annexed into the corporate limits of the City of Lowell, North Carolina, as authorized by Part 1, Article 4A, Chapter 160A of the General Statutes of North Carolina; and,

WHEREAS, the Petition was presented to the Mayor and City Council during the regular meeting of October 12, 2021; and,

WHEREAS, on October 12, 2021 the Mayor and City Council directed, by Resolution duly adopted, the City Clerk of the City of Lowell, North Carolina, to investigate the sufficiency of said Petition and to certify the results to the Mayor and City Council; and,

WHEREAS, at the regular meeting of the Mayor and City Council held on October 12, 2021, a Certificate of Sufficiency from the City Clerk of the City of Lowell was presented to the Mayor and City Council wherein the City Clerk certified that upon due investigation found the above individuals who signed the aforementioned Petition constitute the owners of the land within the boundaries described in said Petition and, as hereinafter described, that said boundaries are non-contiguous to the present City limit primary boundaries, and are eligible to be annexed pursuant to G.S. 160A-31, et seq. of the General Statutes of North Carolina; and,

WHEREAS, following the receipt by the Mayor and City Council of the City of Lowell, North Carolina, of a Certificate of Sufficiency from the City Clerk of the City of Lowell, said information and due consideration thereof by the Council, passed a motion to adopt a Resolution whereby a public hearing upon the question of such annexation was called to be had before the Mayor and City Council of the City of Lowell at 6:00 p.m. on the 9th day of November 2021; and,

WHEREAS, the City Clerk was duly authorized and did so cause notice of such public hearing to be published in the Gaston Gazette, a newspaper having general circulation in the City of Lowell, North Carolina, at least ten (10) days prior to the date of such public hearing, such notice contained Gaston County property identification numbers of the areas proposed to be annexed as set forth in the Petition; and,

WHEREAS, it appears to the Mayor and City Council from the publisher's Affidavit with clipping attached thereto, duly filed with the City Clerk, that a notice of such public hearing as directed by the Mayor and City Council was duly published in the Gaston Gazette in its issue of the 21st day of October, 2021 and the 28th day of October, 2021, which dates of publications were at least ten (10) days prior to the date set for such public hearing; and,

WHEREAS, a public hearing was held by the Mayor and City Council of the City of Lowell on the 9th day of November, 2021 at the stated time and place where the petitioners and any other residents of the City of Lowell were given an opportunity to appear and be heard on the question of the sufficiency of the Petition and the desirability of the annexation; and,

WHEREAS, the Mayor and City Council, after due deliberation and consideration during the regular Mayor and City Council meeting held on November 9, 2021, now finds that the Petition meets the requirements of G.S. 160A-31, et seq. of the General Statutes of North Carolina, that the Petition contained the signatures of the owners of the real property within the area proposed for annexation, that the Petitions are otherwise valid and that the public health, safety and welfare of the inhabitants of the City and of the area proposed for annexation will be best served by the annexation through the expansion, now or in the future, of essential public services provided by the City.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Lowell, North Carolina, in regular meeting assembled the 9th day of November 2021, hereby adopts this ordinance as follows:

SECTION 1: That the area described in the Petition for non-contiguous annexation be and the same is hereby annexed to and is made a part of the corporate limits of the City of Lowell, North Carolina, the areas being described in Attachment "A" hereto.

SECTION 2: From and after the effective date of this Ordinance, the territory so annexed and the property therein located shall be subject to all debts, laws, ordinances and regulations in force in the City of Lowell, North Carolina, and shall be entitled to the privileges and benefits available to other parts of the municipality. The newly annexed territory shall be subject to municipal taxes levied as provided in Section 160A-58.10 of the General Statutes of North Carolina.

SECTION 3: It shall be the duty of the Mayor of the City of Lowell to cause an accurate map of such annexed territory, together with a copy of this Ordinance duly certified, to be recorded in the office of the Register of Deeds of Gaston County, North Carolina, and in the office of the Secretary of State of North Carolina.

SECTION 4: This Annexation shall become effective upon adoption.

Adopted this 9th day of November 2021.

s/ 
Sandy Railey, Mayor

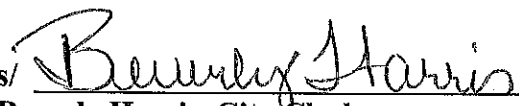
s/ 
Beverly Harris, City Clerk

Exhibit A

Vesting Deed Describing Real Property

[attached]

Parcels 202167
"Tract 2"

BK3397PG130

02/08/02 12:38PM 000000H7766
XX17 Cheryl

| | |
|--------------|-----------------|
| DEED | \$23.00 |
| REVENUE FEES | \$117.00 |
| ***TOTAL | \$140.00 |
| CHECK | \$519.00 |
| CHANGE | \$379.00 |

Excise Tax \$117.00

Recording Time, Book and Page

Tax Lot No. 10-6-15 Parcel Identifier No. _____
Verified by _____ County on the _____ day of _____
by _____

Mail after recording to Grantee

This instrument was prepared by Jeffrey Grant Koenig, 831 E. Morehead St., Suite 760, Charlotte, NC 28202

Brief description for the Index

2 Tracts

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 5th day of February, 2002, by and between

GRANTOR

GRANTEE

Catawba Lands Conservancy, a NC
Non-Profit Corporation

105 West Morehead Street
Charlotte, NC 28202

Behrman Land and Investment
Company

P. O. Box 1939
McAdenville, NC 28101

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 the City of _____ Township,

_____ County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

RECORDING FEE
EXCISE TAX PAID

23.00
117.00

The property hereinabove described was acquired by Grantor by instrument recorded in

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 whomsoever except for the exceptions hereinafter stated.

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

All such valid and enforceable easements, restrictions and rights of way of record and the lien of ad valorem taxes for the current year which the grantee herein assumes and agrees to pay.

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.

.....
(Corporate Name)
BY:
..... President
ATTEST:
.....
..... Secretary (Corporate Seal)

SEAL-STAMP

NORTH CAROLINA, Mecklenburg County.

I, a 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 .. 5th .. day of February 2002 ..

My commission expires: December 2, 2003 Jeffrey Grant Koenig Notary Public

SEAL-STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that
personally came before me this day and acknowledged 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

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

By
Deputy/Assistant - Register of Deeds

EXHIBIT "A"

Located in Gastonia Township, Town of Spencer Mountain, Gaston County, North Carolina and being described as two tracts:

TRACT 1: BEGINNING at a tall rebar in a stump hole, a common corner of the properties of May (Deed Book 178, Page 434), Brown (Deed Book 1432, Page 802), Flowers (Deed Book 2805, Page 657), Belmont Land and Investment (Deed Book 172, Page 626) and Catawba Lands Conservancy; running thence from said Beginning point with the line of Flowers (Deed Book 2805, Page 657), North 73-34-34 East 541.23 feet to an iron pin; thence with the line of Lloyd (Deed Book 2737, Page 814) North 73-34-34 East 1,067.50 feet to an iron pin set; thence a new line South 45-12-55 East 103.41 feet to an iron pin; thence a new line South 21-12-20 East 221.52 feet to an iron pin; thence a new line South 14-55-00 East 165.00 feet to an iron pin; thence South 74-41-55 East 757.05 feet to an iron pin; thence along the line of Al Shanteer (Deed Book 2746, Page 267) North 55-49-17 West 414.98 feet to an iron pin; thence a new line South 34-10-46 West 418.10 feet to a rebar found in the common line of Hoffman and Belmont Land and Investment (Deed Book 172, Page 626); thence from said rebar, along the line of Belmont Land and Investment, North 55-29-40 West 585.27 feet to the point and place of Beginning, and containing approximately 12.60 acres, all as surveyed by Tom Kelso, RLS dated November 30, 2001 and titled "Hoffman-Pharr Tracts Catawba Lands Conservancy".

TRACT 2: BEGINNING at an iron pipe, a common point with Belmont Land and Investment (Deed Book 172, Page 626), Hoffman and Al Shanteer (Deed Book 2746, Page 267, Plat Book 54, Page 73); running thence from said Beginning point along a new line South 88-22-49 East 144.64 feet to an iron pin; thence a new line South 32-17-26 East 83.87 feet to an iron pin; thence a new line South 81-34-03 East 235.68 feet to an iron pin; thence a new line North 39-54-45 East 334.13 feet to an iron pin; thence a new line North 19-13-41 East 283.11 feet to an iron pin; thence a new line North 13-35-00 East 225.00 feet to an iron pin; thence a new line North 05-31-12 East 54.96 feet to an iron pin; thence along a new line South 74-04-29 West 744.26 feet to an iron pin found in the line of Al Shanteer (Deed Book 2746, Page 267); thence with the Al Shanteer line South 83-56-57 West 420.38 feet to the point and place of Beginning, and containing approximately 7.44 acres, all as surveyed by Tom Kelso, RLS dated November 30, 2001 and titled "Hoffman-Pharr Tracts Catawba Lands Conservancy".

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

I, Jeffrey Grant Koenig, a Notary Public, certify that Richard K. Falknor personally came before me this day and acknowledged that he is President of Catawba Lands Conservancy, a North Carolina Corporation, and that he, as President being authorized to do so, executed the foregoing instrument on behalf of the corporation.

Witness my hand and official seal, this the 5th day of February, 2002.


Jeffrey Grant Koenig, Notary Public

My Commission Expires: December 2, 2003.

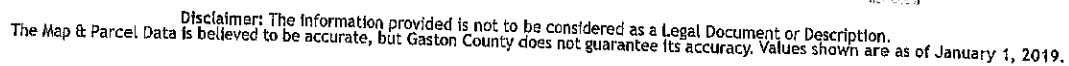
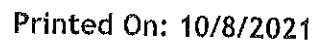


NORTH CAROLINA, GASTON COUNTY

The foregoing certificate(s) of Jeffrey Grant Koenig
Notary Public of Mecklenburg County, NC

is (are) certified to be correct. This instrument was presented for registration and recorded in this office at Book 3397, Page 130
this 8th day of February, 2002 at 12:38 o'clock P. M.
ALICE B. BROWN, REGISTER OF DEEDS
By: Cheryl L. Quigley Deputy Asst.

UNOFFICIAL



THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.

To: Scott Attaway, City Manager
From: Alex Blackburn, Planning Director
Date: November 5, 2021
RE: Petition for Voluntary Annexation for Contiguous Property of Belmont Land & Investment Co.

BACKGROUND

On September 27, 2021, the owners of property known as Parcel ID #'s 202166, 135144, and 210660 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 20.46 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 recently annexed property 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 TAKEN AT THE OCTOBER 12, 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 October 5, 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 November 9, 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 NOVEMBER 9, 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.

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF LOWELL and
INCORPORATE BY ANNEXATION A CONTIGUOUS AREA INTO THE CITY OF LOWELL, NORTH
CAROLINA**

Ordinance #OR10-2021

WHEREAS, a Petition signed by Gaston County, North Carolina, being the owners of the certain land areas located along Lowell-Spencer Mountain Road, Gaston County Parcel ID 202166, 135144, and 210660, hereinafter described in Attachment A attached hereto, was received by the City of Lowell on September 27, 2021; and,

WHEREAS, the owner Petitioned that said area be annexed into the corporate limits of the City of Lowell, North Carolina, as authorized by Part 1, Article 4A, Chapter 160A of the General Statutes of North Carolina; and,

WHEREAS, the Petition was presented to the Mayor and City Council during the regular meeting of October 12, 2021; and,

WHEREAS, on October 12, 2021 the Mayor and City Council directed, by Resolution duly adopted, the City Clerk of the City of Lowell, North Carolina, to investigate the sufficiency of said Petition and to certify the results to the Mayor and City Council; and,

WHEREAS, at the regular meeting of the Mayor and City Council held on October 12, 2021, a Certificate of Sufficiency from the City Clerk of the City of Lowell was presented to the Mayor and City Council wherein the City Clerk certified that upon due investigation found the above individuals who signed the aforementioned Petition constitute the owners of the land within the boundaries described in said Petition and, as hereinafter described, that said boundaries are contiguous to the present City limit primary boundaries, and are eligible to be annexed pursuant to G.S. 160A-31, et seq. of the General Statutes of North Carolina; and,

WHEREAS, following the receipt by the Mayor and City Council of the City of Lowell, North Carolina, of a Certificate of Sufficiency from the City Clerk of the City of Lowell, said information and due consideration thereof by the Council, passed a motion to adopt a Resolution whereby a public hearing upon the question of such annexation was called to be had before the Mayor and City Council of the City of Lowell at 6:00 p.m. on the 9th day of November 2021; and,

WHEREAS, the City Clerk was duly authorized and did so cause notice of such public hearing to be published in the Gaston Gazette, a newspaper having general circulation in the City of Lowell, North Carolina, at least ten (10) days prior to the date of such public hearing, such notice contained Gaston County property identification numbers of the areas proposed to be annexed as set forth in the Petition; and,

WHEREAS, it appears to the Mayor and City Council from the publisher's Affidavit with clipping attached thereto, duly filed with the City Clerk, that a notice of such public hearing as directed by the Mayor and City Council was duly published in the Gaston Gazette in its issue of the 21st day of October, 2021 and the 28th day of October, 2021, which dates of publications were at least ten (10) days prior to the date set for such public hearing; and,

WHEREAS, a public hearing was held by the Mayor and City Council of the City of Lowell on the 9th day of November, 2021 at the stated time and place where the petitioners and any other residents of the City of Lowell were given an opportunity to appear and be heard on the question of the sufficiency of the Petition and the desirability of the annexation; and,

WHEREAS, the Mayor and City Council, after due deliberation and consideration during the regular Mayor and City Council meeting held on November 9, 2021, now finds that the Petition meets the requirements of G.S. 160A-31, et seq. of the General Statutes of North Carolina, that the Petition contained the signatures of the owners of the real property within the area proposed for annexation, that the Petitions are otherwise valid and that the public health, safety and welfare of the inhabitants of the City and of the area proposed for annexation will be best served by the annexation through the expansion, now or in the future, of essential public services provided by the City.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Lowell, North Carolina, in regular meeting assembled the 9th day of November 2021, hereby adopts this ordinance as follows:

SECTION 1: That the area described in the Petition for contiguous annexation be and the same is hereby annexed to and is made a part of the corporate limits of the City of Lowell, North Carolina, the areas being described in Attachment "A" hereto.

SECTION 2: From and after the effective date of this Ordinance, the territory so annexed and the property therein located shall be subject to all debts, laws, ordinances and regulations in force in the City of Lowell, North Carolina, and shall be entitled to the privileges and benefits available to other parts of the municipality. The newly annexed territory shall be subject to municipal taxes levied as provided in Section 160A-58.10 of the General Statutes of North Carolina.

SECTION 3: It shall be the duty of the Mayor of the City of Lowell to cause an accurate map of such annexed territory, together with a copy of this Ordinance duly certified, to be recorded in the office of the Register of Deeds of Gaston County, North Carolina, and in the office of the Secretary of State of North Carolina.

SECTION 4: This Annexation shall become effective upon adoption.

Adopted this 9th day of November 2021.

s/ 
Sandy Railey, Mayor

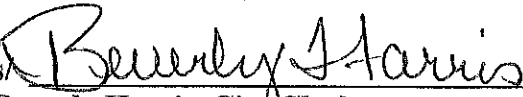
s/ 
Beverly Harris, City Clerk

Exhibit A

Vesting Deeds Describing Real Property

[attached]

Parcels 202166 and 2021667

BK3397PG130

02/08/02 12:38PM 000000H7766
KK17 Cheryl

| | |
|--------------|----------|
| DEED | \$23.00 |
| REVENUE FEES | \$117.00 |
| XXXTOTAL | \$140.00 |
| CHECK | \$517.00 |
| CHANGE | \$379.00 |

Excise Tax \$117.00

Recording Time, Book and Page

Tax Lot No. 10-6-15 Parcel Identifier No.
Verified by County on the day of
by

Mail after recording to Grantee

This instrument was prepared by Jeffrey Grant Koenig, 831 E. Morehead St., Suite 760, Charlotte, NC 28202

Brief description for the Index

2 Tracts

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 5th day of February, 2002, by and between

GRANTOR

GRANTEE

Catawba Lands Conservancy, a NC
Non-Profit Corporation

105 West Morehead Street
Charlotte, NC 28202

Bohmont Land and Investment
Company

P. O. Box 1939
McAdenville, NC 28101

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 Township,

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

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

Q.
50

RECORDING FEE 23.00
EXCISE TAX PAID 117.00

The property hereinabove described was acquired by Grantor by instrument recorded in

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 whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:
All such valid and enforceable easements, restrictions and rights of way of record and the lien of ad valorem taxes for the current year which the grantee herein assumes and agrees to pay.

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.

.....
(Corporate Name)
BY:
..... President
ATTEST:
..... Secretary (Corporate Seal)

SEAL-STAMP

NORTH CAROLINA, Mecklenburg County.

I, a Notary Public of the County and State aforesaid, certify that
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 February 2002.

My commission expires: December 2, 2003 Jeffrey Grant Koenig Notary Public

SEAL-STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that
personally came before me this day and acknowledged 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

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.

By
Deputy/Assistant - Register of Deeds

EXHIBIT "A"

Located in Gastonia Township, Town of Spencer Mountain, Gaston County, North Carolina and being described as two tracts:

TRACT 1: BEGINNING at a tall rebar in a stump hole, a common corner of the properties of May (Deed Book 178, Page 434), Brown (Deed Book 1432, Page 802), Flowers (Deed Book 2805, Page 657), Belmont Land and Investment (Deed Book 172, Page 626) and Catawba Lands Conservancy; running thence from said Beginning point with the line of Flowers (Deed Book 2805, Page 657), North 73-34-34 East 541.23 feet to an iron pin; thence with the line of Lloyd (Deed Book 2737, Page 814) North 73-34-34 East 1,067.50 feet to an iron pin set; thence a new line South 45-12-55 East 103.41 feet to an iron pin; thence a new line South 21-12-20 East 221.52 feet to an iron pin; thence a new line South 14-55-00 East 165.00 feet to an iron pin; thence South 74-41-55 East 757.05 feet to an iron pin; thence along the line of Al Shanteer (Deed Book 2746, Page 267) North 55-49-17 West 414.98 feet to an iron pin; thence a new line South 34-10-46 West 418.10 feet to a rebar found in the common line of Hoffman and Belmont Land and Investment (Deed Book 172, Page 626); thence from said rebar, along the line of Belmont Land and Investment, North 55-29-40 West 585.27 feet to the point and place of Beginning, and containing approximately 12.60 acres, all as surveyed by Tom Kelso, RLS dated November 30, 2001 and titled "Hoffman-Pharr Tracts Catawba Lands Conservancy".

TRACT 2: BEGINNING at an iron pipe, a common point with Belmont Land and Investment (Deed Book 172, Page 626), Hoffman and Al Shanteer (Deed Book 2746, Page 267, Plat Book 54, Page 73); running thence from said Beginning point along a new line South 88-22-49 East 144.84 feet to an iron pin; thence a new line South 32-17-26 East 83.87 feet to an iron pin; thence a new line South 81-34-03 East 235.68 feet to an iron pin; thence a new line North 80-54-45 East 334.13 feet to an iron pin; thence a new line North 19-13-41 East 283.11 feet to an iron pin; thence a new line North 13-35-00 East 225.00 feet to an iron pin; thence a new line North 05-31-12 East 54.96 feet to an iron pin; thence along a new line South 74-04-29 West 744.26 feet to an iron pin found in the line of Al Shanteer (Deed Book 2746, Page 267); thence with the Al Shanteer line South 33-56-57 West 420.38 feet to the point and place of Beginning, and containing approximately 7.44 acres, all as surveyed by Tom Kelso, RLS dated November 30, 2001 and titled "Hoffman-Pharr Tracts Catawba Lands Conservancy".

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

I, Jeffrey Grant Koenig, a Notary Public, certify that Richard K. Falknor personally came before me this day and acknowledged that he is President of Catawba Lands Conservancy, a North Carolina Corporation, and that he, as President being authorized to do so, executed the foregoing instrument on behalf of the corporation.

Witness my hand and official seal, this the 5th day of February, 2002.


Jeffrey Grant Koenig, Notary Public

My Commission Expires: December 2, 2003.



NORTH CAROLINA, GASTON COUNTY

The foregoing certificate(s) of Jeffrey Grant Koenig
Notary Public of Mecklenburg County, NC

is (are) certified to be correct. This instrument was presented for registration and recorded in this office at Book 3397, Page 130
this 5th day of February, 2002 at 12:38 o'clock P. M.
ALICE B. BROWN, REGISTER OF DEEDS
By: Cheryl A. O'Quinn Deputy Asst.

UNOFFICIAL

Parcel 135144

BK3397PG134

02/06/02 12:38PM 000000#7767

KK17 Cheryl

| | |
|----------------------|---------|
| DEED | \$17.00 |
| REVENUE FEES | \$44.00 |
| NOT TOTAL | \$61.00 |
| CASH | \$61.00 |
| CHANGE | \$0.00 |

Excise Tax: \$44.00

Recording Time, Book and Page

Tax Parcel No. _____ Parcel Identifier No. 10-006-014
Verified by _____ County on the _____ day of _____, 20____
by _____

Mail after recording to: _____ Grantee

This instrument was prepared by _____ William H. McMullen, Attorney at Law

Brief description for the Index

4.0 ac. Off Lowell/Spencer Mtn. Rds.
Book 54 at Page 73

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this 7th day of Feb. January, 2002, by and between

GRANTOR

GRANTEE

Catawba Lands Conservancy,
a North Carolina non-profit corporation

Belmont Land and Investment Company
P. O. Box 1939
McAdenville, NC 28101

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, _____ Township, Gaston County, North Carolina and more particularly described as follows:

#512
Beginning at a point marked by a rebar iron pipe, which point is located S 55-29-40 E 585.27 feet from a "tall rebar" located in a stump hole marking the common corner of the May (Deed Book 178 at Page 434); Brown (Deed Book 1432 at Page 802) and Flowers (Deed Book 2805 at Page 657) (all now or formerly); Thence from said Beginning point as herein located N 34-10-46 E 418.10 feet to a pipe; Thence S 55-49-17 E 414.98 feet to a "buggy axle"; Thence S 33-56-57 W 420.38 feet to a pipe located in the common line of Belmont Land and Investment Co.; Thence continuing along and with the common line of Belmont Land and Investment Co. N 55-30-29 W 416.68 feet to the point and place of Beginning, all as shown on a plat of Hoffman-Pharr Tracts for Catawba Lands Conservancy prepared by Tom Kelso, RLS, dated November 15, 2001.

Being in all respects the same property as shown and described on that certain plat recorded in Book 54 at Page 73 in said Gaston County Public Registry.

RECORDING FEE 17.00
EXCISE TAX PAID 44.00

The property herein above described was acquired by Grantor by instrument(s) recorded in _____
 Book 3364, Page 454 in the Gaston Public Registry

A map showing the above-described property is recorded in Plat Book 54, Page 73.

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:

All 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.

Catawba Lands Conservancy
 Corporate Name

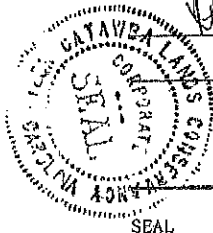
By: Richard K. Johnson

 President

ATTEST: [Signature]

 For Secretary

 (Corporate seal)

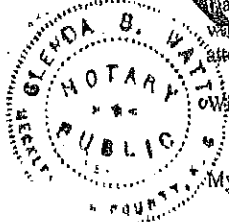


STATE OF NORTH CAROLINA, COUNTY OF Mecklenburg

I, Glenda S. Watts, a Notary Public of the County and State aforesaid, certify that Richard K. Johnson personally came before me this day and acknowledged that he is the President Secretary of CATAWBA LANDS CONSERVANCY, a North Carolina non-profit 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. ON behalf of the corp.

Witness my hand and official stamp or seal, this 7th day of February, 2000

My Commission expires: 6/5/2004 Glenda S. Watts
 Notary Public



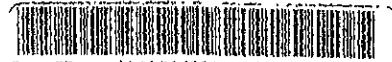
The foregoing Certificate(s) of Glenda S. Watts, NP

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: Cheryl L. Quikamp, Deputy/Assistant-Register of Deeds

Parcel 210660



Doc ID: 011089420003 Type: CRP
Recorded: 04/20/2006 at 03:07:48 PM
Fee Amt: \$70.00 Page 1 of 3
Excise Tax: \$50.00
Instr# 200600078388
Gaston, NC
Susan S. Lockridge Register of Deeds

BK 4214 pg 2394-2396

3 RECORDING FEE 20.00
EXCISE TAX PAID 50.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 50.00

Parcel Identifier No. 135143, 10-6-13.01 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: Grantee

This instrument was prepared by: Parks H. Wilson, Jr., Attorney at Law (RE33666) PO Box 1115, Gastonia, NC 28053

Brief description for the Index: _____

THIS DEED made this 20th day of April, 2006, by and between

GRANTOR

OPAL JEAN BLUE, Unmarried

GRANTEE

BELMONT LAND & INVESTMENT COMPANY, LLC
PO Box 1939
McAdenville, NC 28101

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 EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 4212 page 1318.

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

NC Bar Association Form No. L-3 © 1976, Revised © 1977, 2002

Printed by Agreement with the NC Bar Association - 1981 SoftPro Corporation, 333 E. Six Forks Rd., Raleigh, NC 27609

EXHIBIT "A"

BEGINNING at a point situated in the centerline of Lowell-Spencer Mountain Road (SR #2201) said point is on the line of the property of Freda Davis, as described in that deed recorded in Book 562 at Page 457, and the same is also North 00 degrees 47 minutes 51 seconds East 11,123.822 feet from NCGS monument "first" (N=559,416.580 feet, E=1,372,072.660 feet) thence with the common line of the property of Barker, as described in that deed recorded in Book 3199 at page 834 and Elliott, as described in that deed recorded in Book 3131 at Page 216 and along the centerline of Lowell-Spencer Mountain Road, the following courses and distances: 1) North 29 degrees 49 minutes 18 seconds West 266.15 feet to a point; 2) North 28 degrees 09 minutes 18 seconds West 100.0 feet to a point; and 3) North 24 degrees 08 minutes 24 seconds West 91.42 feet to a point, thence continuing within the right of way of Lowell-Spencer Mountain Road, North 41 degrees 55 minutes 08 seconds East 20.72 feet to an established iron rod on the common line of the property of the Grantee herein as described in that deed recorded in Book 466 at Page 144, thence with the common line of the property of the Grantee herein the following courses and distances: 1) South 42 degrees 49 minutes 33 seconds East 311.02 feet to a new iron rod; 2) North 81 degrees 31 minutes 47 seconds East 200.06 feet to an established iron rod; 3) South 20 degrees 19 minutes 07 seconds East 190.93 feet to an established iron rod; and 4) South 81 degrees 33 minutes 05 seconds West 200.23 feet to an established iron rod, corner of the property of Davis, as described in the foregoing deed, thence with the common line of the property of Davis, South 81 degrees 33 minutes 05 seconds West 75.88 feet to the Point of Beginning, containing a total of 1.6506 acres.

Reference is made to that deed recorded in Book 4212 at Page 1318. ² Book 4211, Page 194d.

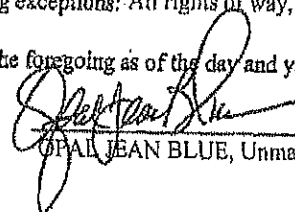
The above description was taken from an unrecorded survey prepared by R. B. Pharr & Associates, P.A. Registered Surveyor, dated December 19, 2005 and captioned "Boundary Survey for Belmont Land & Investment".

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 whomsoever, other than the following exceptions: All rights of way, conditions, easements and restrictions, if any, of record. 2006 ad valorem taxes.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

(Entity Name)

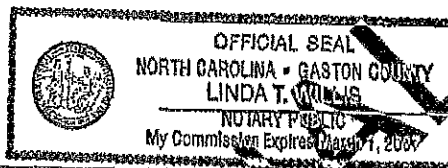

OPAL JEAN BLUE, Unmarried (SEAL)

(SEAL)

By: _____
Title: _____

By: _____
Title: _____

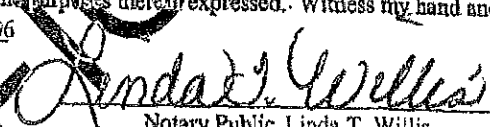
By: _____
Title: _____



State of North Carolina - County of Gaston

I, the undersigned Notary Public of the County and State aforesaid, certify that OPAL JEAN BLUE, Unmarried personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 20th day of April, 2006

My Commission Expires: March 1, 2007


Notary Public Linda T. Willis

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he is the _____ of _____ a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____

Notary Public

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____

Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____

Notary Public

The foregoing Certificate(s) of _____ 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.

By: _____ Register of Deeds for _____ County
Deputy/Assistant - Register of Deeds

NC Bar Association Form No. L-3 © 1976, Revised © 1977, 2002

Printed by Agreement with the NC Bar Association - 1981 SoftPro Corporation, 333 E. Six Forks Rd., Raleigh, NC 27609

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF LOWELL and
INCORPORATE BY ANNEXATION A CONTIGUOUS AREA INTO THE CITY OF LOWELL, NORTH
CAROLINA**

Ordinance #OR12-2021

WHEREAS, a Petition signed by Gaston County, North Carolina, being the owners of the certain land areas located along Lowell-Spencer Mountain Road, Gaston County Parcel ID 148011 and 148012, hereinafter described in Attachment A attached hereto, was received by the City of Lowell on August 26, 2021; and,

WHEREAS, the owner Petitioned that said area be annexed into the corporate limits of the City of Lowell, North Carolina, as authorized by Part 1, Article 4A, Chapter 160A of the General Statutes of North Carolina; and,

WHEREAS, the Petition was presented to the Mayor and City Council during the regular meeting of September 14, 2021; and,

WHEREAS, on September 14, 2021 the Mayor and City Council directed, by Resolution duly adopted, the City Clerk of the City of Lowell, North Carolina, to investigate the sufficiency of said Petition and to certify the results to the Mayor and City Council; and,

WHEREAS, at the regular meeting of the Mayor and City Council held on September 14, 2021, a Certificate of Sufficiency from the City Clerk of the City of Lowell was presented to the Mayor and City Council wherein the City Clerk certified that upon due investigation found the above individuals who signed the aforementioned Petition constitute the owners of the land within the boundaries described in said Petition and, as hereinafter described, that said boundaries are contiguous to the present City limit primary boundaries, and are eligible to be annexed pursuant to G.S. 160A-31, et seq. of the General Statutes of North Carolina; and,

WHEREAS, following the receipt by the Mayor and City Council of the City of Lowell, North Carolina, of a Certificate of Sufficiency from the City Clerk of the City of Lowell, said information and due consideration thereof by the Council, passed a motion to adopt a Resolution whereby a public hearing upon the question of such annexation was called to be had before the Mayor and City Council of the City of Lowell at 6:00 p.m. on the 9th day of November 2021; and,

WHEREAS, the City Clerk was duly authorized and did so cause notice of such public hearing to be published in the Gaston Gazette, a newspaper having general circulation in the City of Lowell, North Carolina, at least ten (10) days prior to the date of such public hearing, such notice contained Gaston County property identification numbers of the areas proposed to be annexed as set forth in the Petition; and,

WHEREAS, it appears to the Mayor and City Council from the publisher's Affidavit with clipping attached thereto, duly filed with the City Clerk, that a notice of such public hearing as directed by the Mayor and City Council was duly published in the Gaston Gazette in its issue of the 21st day of October, 2021 and the 28th day of October, 2021, which dates of publications were at least ten (10) days prior to the date set for such public hearing; and,

WHEREAS, a public hearing was held by the Mayor and City Council of the City of Lowell on the 9th day of November, 2021 at the stated time and place where the petitioners and any other residents of the City of Lowell were given an opportunity to appear and be heard on the question of the sufficiency of the Petition and the desirability of the annexation; and,

WHEREAS, the Mayor and City Council, after due deliberation and consideration during the regular Mayor and City Council meeting held on November 9, 2021, now finds that the Petition meets the requirements of G.S. 160A-31; et seq. of the General Statutes of North Carolina, that the Petition contained the signatures of the owners of the real property within the area proposed for annexation, that the Petitions are otherwise valid and that the public health, safety and welfare of the inhabitants of the City and of the area proposed for annexation will be best served by the annexation through the expansion, now or in the future, of essential public services provided by the City.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Lowell, North Carolina, in regular meeting assembled the 9th day of November 2021, hereby adopts this ordinance as follows:

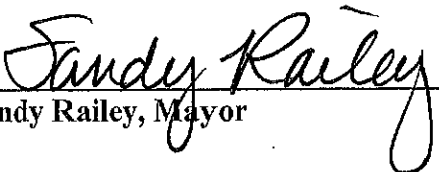
SECTION 1: That the area described in the Petition for contiguous annexation be and the same is hereby annexed to and is made a part of the corporate limits of the City of Lowell, North Carolina, the areas being described in Attachment "A" hereto.

SECTION 2: From and after the effective date of this Ordinance, the territory so annexed and the property therein located shall be subject to all debts, laws, ordinances and regulations in force in the City of Lowell, North Carolina, and shall be entitled to the privileges and benefits available to other parts of the municipality. The newly annexed territory shall be subject to municipal taxes levied as provided in Section 160A-58.10 of the General Statutes of North Carolina.

SECTION 3: It shall be the duty of the Mayor of the City of Lowell to cause an accurate map of such annexed territory, together with a copy of this Ordinance duly certified, to be recorded in the office of the Register of Deeds of Gaston County, North Carolina, and in the office of the Secretary of State of North Carolina.

SECTION 4: This Annexation shall become effective upon adoption.

Adopted this 9th day of November 2021.

s/ 
Sandy Railey, Mayor

s/ 
Beverly Harris, City Clerk

ATTACHMENT A

Tract One:

BEGINNING at a concrete monument located in the northern margin of Spencer Mountain Lowell Road (State Road Number 2201), said concrete monument being the southwest corner of Crompton Knowles Corporation as shown in Deed Book 1264 at Page 165 in the Gaston County Registry; running thence with the northern margin of the Spencer Mountain Lowell Road South 62 degrees 03 minutes 25 seconds East 84.10 feet to an iron pin; South 60 degrees 59 minutes 02 seconds East 86.17 feet to an iron pin; South 55 degrees 30 minutes 42 seconds East 123.23 feet to an iron pin; South 46 degrees 18 minutes 22 seconds East 109.39 feet to an iron pin; South 37 degrees 56 minutes 51 seconds East 117.92 feet to an iron pin; South 29 degrees 43 minutes 28 seconds East 110.62 feet to an iron pin; South 22 degrees 04 minutes 02 seconds East 116.05 feet to an iron pin; South 20 degrees 31 minutes 27 seconds East 152.82 feet to a concrete monument located in the northern margin of the Spencer Mountain Lowell Road, said monument also being located in the western line of Guilford Mills, Inc., as shown in Deed Book 1266 at Page 410 in the Gaston County Registry; thence with the lines of Guilford Mills, Inc. the following courses and distances: (1) South 40 degrees 46 minutes 51 seconds West 1378.44 feet to an iron pin; (2) South 36 degrees 50 minutes 00 seconds East 980.35 feet to an iron pin; (3) South 39 degrees 03 minutes 18 seconds East 930.32 feet to an iron pin; (4) South 79 degrees 09 minutes 29 seconds East 251.04 feet to an iron pin; (5) South 23 degrees 00 minutes 23 seconds East 706.54 feet to an iron pin, said iron pin being a common corner of Guilford Mills, Inc., as shown in Deed Book 1266 at Page 410 in the Gaston County Registry and Tultex Corporation as shown in Deed Book 62 at Page 556 in the Gaston County Registry; thence with the western line of Tultex Corporation South 33 degrees 09 minutes 24 seconds West 955.58 feet to a tack in the centerline of the P & N Railroad; thence with the centerline of said railroad North 71 degrees 48 minutes 45 seconds West 429.05 feet to an iron pin, said iron pin being located in the eastern margin of Burch Street; thence with the eastern margin of Burch Street North 34 degrees 32 minutes 25 seconds East 81.38 feet to an iron pin, said iron pin being the southwest corner of Floyd T. Peeler, as shown in Deed Book 1368 at Page 737 in the Gaston County Registry; thence with the southern line of Peeler South 54 degrees 00 minutes 35 seconds East 153.43 feet to an iron pin, the southeast corner of Peeler; thence North 32 degrees 13 minutes 25 seconds East 528.72 feet to an iron pin, the northeast corner of Judith D. Davis as shown in Deed Book 1426 at Page 212 and Deed Book 1432 at Page 355 in the Gaston County Registry; thence with the northern line of Davis and crossing Burch Street North 55 degrees 22 minutes 50 seconds West 161.87 feet to an iron pin located in the Western margin of Burch Street, said iron pin also being located in the eastern line of Lucille A. Burdette as shown in Deed Book 1394 at Page 3 in the Gaston County Registry; thence North 34 degrees 32 minutes 25 seconds East 183.46 feet to an iron pin located in the northeastern corner of United Spinners Corporation as shown in Deed Book 998 at Page 230 in the Gaston County Registry; thence with the northern line of United Spinners Corporation North 55 degrees 32 minutes 13 seconds West 149.90 feet to an iron pin, said iron pin being the northeastern corner of Carolina Country Barbecue, Inc. as shown in Deed Book 1430 at Page 55 in the Gaston County Registry; thence with the northern line of Carolina Country Barbecue, Inc., North 51 degrees 27 minutes 40 seconds West 662.74 feet to an iron pin located in the Southern margin of Oakland Street; thence with the eastern terminus of Oakland Street and with the eastern line of W. A. Crosby as shown in Deed Book 1480 at Page 454 in the Gaston County Registry North 27 degrees 54 minutes 05 seconds West 204.80 feet to an iron pin, the northernmost corner of W. A. Crosby; thence South 61 degrees 01 minute 23 seconds West 28

feet to an iron pin, the southeast corner of Keds Screen Printing as shown in Deed Book 1068 at Page 700 in the Gaston County Registry; thence with two lines of Keds Screen Printing as follows: (1) North 27 degrees 46 minutes 37 seconds West 146 feet to an iron pin; (2) South 61 degrees 01 minute 23 seconds West 157.08 feet to an iron pin; thence North 29 degrees 02 minutes 22 seconds West 185.35 feet to an iron pin; thence with the northernmost line of those lots shown in Block 14 of that certain plat recorded in Plat Book 7 at Page 59 in the Gaston County Registry South 60 degrees 43 minutes 01 second West 803.90 feet to an iron pin, located in the eastern line of Golden Harvest Missions, Inc.; thence with the eastern line of Golden Harvest Missions, Inc. North 29 degrees 02 minutes 22 seconds West 149.74 feet to a concrete monument; thence with the northern line of Golden Harvest Missions, Inc. South 60 degrees 30 minutes 28 seconds 298.95 feet to a concrete monument; thence continuing South 60 degrees 30 minutes 28 seconds West 15.84 feet to an iron pin in the eastern margin of State Road Number 2218; thence North 41 degrees 35 minutes 45 seconds West 498.80 feet to an iron pin, said pin being a common corner of Thomas Childers as shown in Deed Book 1484 at Page 733 and Deed Book 1490 at Page 647 and Edith Poston as shown in Deed Book 938 at Page 303 in the Gaston County Registry; thence with the lines of Edith Poston as follows: (1) North 41 degrees 33 minutes 37 seconds West 552 feet to a point; (2) North 04 degrees 13 minutes 40 seconds East 1332.87 feet to an iron pin located in the southern line of Crawford R. Jordan, Sr. as shown in Deed Book 1238 at Page 501 in the Gaston County Registry; thence with the lines of Crawford R. Jordan, Sr. as follows: (1) South 76 degrees 32 minutes 36 seconds East 386.21 feet to an iron pin; (2) North 00 degrees 42 minutes 47 seconds West 454.09 feet to an iron pin; (3) South 81 degrees 20 minutes 15 seconds East 303.04 feet to an iron pin; (4) North 83 degrees 06 minutes 01 second East 359.53 feet to an iron pin; (5) North 41 degrees 45 minutes 06 seconds West 483.43 feet to an iron pin, said iron pin being a common corner with Edith Poston as shown in Deed Book 892 in Page 164 in the Gaston County Registry; thence with the lines of Edith Poston as shown in Deed Book 892 at Page 164 the following courses and distances: (1) North 32 degrees 11 minutes 18 seconds East 1675.82 feet to an iron pin; (2) North 47 degrees 41 minutes 02 seconds West 230.84 feet to an iron pin, the southeast corner of Dole D. Tallent as shown in Deed Book 1306 at Page 67 and Deed Book 1310 at Page 358 in the Gaston County Registry; thence North 46 degrees 27 minutes 50 seconds East 232.20 feet to an iron pin; thence North 59 degrees 40 minutes 14 seconds East 190.93 feet to an iron pin, a corner of Clariese C. Safar as shown in Deed Book 1760 at Page 211 in the Gaston County Registry; thence with the lines of Safar North 73 degrees 36 minutes 18 seconds East 165.16 feet to an iron pin; South 80 degrees 59 minutes 10 seconds East 143.82 feet to an iron pin located near the bank of the south fork of the Catawba River; thence running with the south fork of the Catawba River the following courses and distances: (1) South 00 degrees 33 minutes 41 seconds West 285.69 feet to an iron pin; (2) South 35 degrees 24 minutes 46 seconds East 346.30 feet to an iron pin; (3) South 65 degrees 42 minutes 58 seconds East 144.20 feet to an iron pin located in the western line of Crompton Knowles Corporation as above referenced; thence with the western line of Crompton Knowles Corporation South 41 degrees 09 minutes 57 seconds West 823.07 feet to a concrete monument, the point and place of Beginning. The same being a 169.3175 acre tract of land acquired by Superior Properties, Inc. by deed recorded in Deed Book 518 at Page 93 in the Gaston County Registry.

The foregoing description was taken from a survey by John W. Lineberger, Registered Surveyor, entitled "Survey made at the request of Gaston County.

Being the identical property conveyed to Gaston County by deed dated August 31, 1987 and recorded in Book 1930 at Page 101 in the Gaston County Registry.

TRACT TWO:

BEGINNING at an iron pin located at the northwest corner of Thomas Childers as shown in Deed Book 1494 at Page 733 and Deed Book 1490 at Page 647 in the Gaston County Registry; and running thence with the western line of Childers and crossing State Road Number 2218 South 33 degrees 56 minutes 15 seconds West 842.24 feet to a p.k. nail located in the centerline of the P & N Railroad; thence with the centerline of said railroad North 71 degrees 47 minutes 45 seconds West 360 feet to an iron pin, said iron pin being a common corner with John R. Morgan, Jr. and shown in Deed Book 1368 at Page 889 in the Gaston County Registry; running thence North 5 degrees 14 minutes 52 seconds East 2,367.33 feet to an iron pin, said iron pin being the northeast corner of R. L. Buchanan as shown in Deed Book 1036 at Page 821 in the Gaston County Registry; thence South 84 degrees 58 minutes 22 seconds East 329 feet to an iron pin; thence with two lines of Superior Properties, Inc. as shown in Deed Book 518 at Page 93 in the Gaston County Registry South 04 degrees 13 minutes 40 seconds West 1332.87 feet to a point; thence South 41 degrees 33 minutes 37 seconds East 552 feet to an iron pin, the point and place of Beginning. The same being a 24.283 acre tract of land, said land having been acquired by Edith Poston by deed recorded in Deed Book 938 at Page 303 in the Gaston County Registry.

The foregoing description was taken from a survey by John W. Lineberger, Registered Surveyor, dated December 22, 1987, and entitled "Survey made at the request of Gaston County."

Being the identical Tract I conveyed to Gaston County by deed dated March 13 1990 and recorded in Book 2030 at Page 246 in the Gaston County Registry.

SAVE AND EXCEPT those portions of the above described property conveyed to Crawford Ray Jordan, Sr. and wife, Josie Lee Jordan by deed recorded in the Gaston County Registry in Deed Book 2340 at Page 3 in the Gaston County Registry, and described as Tract I containing 1.7909 acre and Tract II as containing 7.2091 acres.

TRACT THREE:

BEGINNING at an iron pin, the northernmost corner of Crawford R. Jordan, Sr., as show in Deed Book 1238 at Page 501 in the Gaston County Registry; and running thence with the northwestern lines of Jordan the following courses and distances: (1) North 87 degrees 53 minutes 11 seconds West 274.56 feet to an iron pin; (2) South 33 degrees 08 minutes 25 seconds West 436.31 feet to an iron pin; (3) South 69 degrees 10 minutes 10 seconds West 61.26 feet to an iron pin; (4) South 60 degrees 51 minutes 59 seconds West 207.84 feet to an iron pin; (5) North 83 degrees 46 minutes 16 seconds West 165.85 feet to an iron pin; (6) North 71 degrees 06 minutes 16 seconds West 77.62 feet to an iron pin, the common corner of Jordan and Frank T. Buchanan as shown in Deed Book 1318 at Page 110 and Deed Book 1268 at Pages 804 and 806 in the Gaston County Registry; thence with the northwestern lines of Buchanan the following courses and distances: (1) North 71 degrees 43 minutes 09 seconds West 16.45 feet to an iron pin; (2) South 64 degrees 52 minutes 12 seconds West 110.88 feet to an iron pin; (3) South 80 degrees 30 minutes 18 seconds West 125.26 feet to an iron pin; (4) South 31 degrees 00 minutes 45 seconds West 84.15 feet to an iron pin, said iron pin being located in the eastern line of Burlington

Manufacturing Company as shown in Deed Book 140 at Page 416 in the Gaston County Registry; thence with the eastern margin of Burlington Manufacturing Company North 2 degrees 53 minutes 30 seconds East 646.43 feet to a concrete monument located at the edge of a branch; thence continuing with the eastern line of Burlington Manufacturing Company North 01 degree 58 minutes 57 seconds East 734.63 feet to a concrete monument; thence North 2 degrees 00 minutes 17 seconds East 191.17 feet to an iron pin, the southeast corner of Douglas H. Wiggins as shown in Deed Book 1050 at Page 19 in the Gaston County Registry; thence North 00 degrees 43 minutes 03 seconds West 806.06 feet to an iron pin, the northeastern corner of Robert B. Ghannt as shown in Deed Book 1160 at Page 337 and Deed Book 664 at Page 456 in the Gaston County Registry; thence with the line of Ghannt North 79 degrees 26 minutes 59 seconds West 527.87 feet to an iron pin located in the branch; thence with the branch as it meanders the following courses and distances: (1) North 17 degrees 18 minutes 31 seconds West 58.07 feet; (2) North 75 degrees 51 minutes 30 seconds West 18.92 feet; (3) North 13 degrees 47 minutes 07 seconds East 63.70 feet; (4) North 88 degrees 01 minute 38 seconds West 41.97 feet; (5) North 25 degrees 38 minutes 52 seconds West 46.47 feet; (6) North 69 degrees 54 minutes 10 seconds West 68.01 feet; (7) North 48 degrees 18 minutes 11 seconds West 79.11 feet; (8) North 81 degrees 04 minutes 55 seconds West 24.85 feet; (9) South 26 degrees 41 minutes 31 seconds West 53.39 feet; (10) North 45 degrees 23 minutes 45 seconds West 71.45 feet; (11) North 89 degrees 41 minutes 11 seconds West 21.06 feet; (12) North 23 degrees 06 minutes 15 seconds East 37.81 feet; (13) North 58 degrees 28 minutes 57 seconds West 43.62 feet; (14) North 11 degrees 48 minutes 00 seconds West 19.19 feet; (15) North 70 degrees 10 minutes 34 seconds West 117.32 feet; (16) North 25 degrees 57 minutes 31 seconds West 59.48 feet; (17) North 46 degrees 55 minutes 34 seconds West 66.79 feet; (18) North 60 degrees 36 minutes 47 seconds West 15.07 feet; thence with the eastern line of Charles T. Stowe, Jr., et al as shown in Deed Book 1210 at Page 170 in the Gaston County Registry North 18 degrees 13 minutes 41 seconds East 933.37 feet to an iron pin; thence North 20 degrees 55 minutes 10 seconds East 516.43 feet to an iron pin, the common corner with Jefferson Pilot Broadcasting Company; thence with the southern line of Jefferson Pilot Broadcasting Company North 73 degrees 28 minutes 49 seconds East 1,765.93 feet to an iron pipe, said iron pipe being a common corner of Jefferson Pilot Broadcasting Company and Belmont Land and Investment Company (now or formerly), as shown in Deed Book 466 at Page 144, and of Belmont Land and Investment Company (now or formerly) as shown in Deed Book 680 at Page 255 in the Gaston County Registry; thence with the lines of Belmont Land and Investment Company (now or formerly) as shown in Deed Book 680 at Page 255 the following courses and distances: (1) South 04 degrees 57 minutes 18 seconds West 362.71 feet to a concrete monument; (2) South 57 degrees 31 minutes 27 seconds West 1572.25 feet to a post oak; (3) South 58 degrees 17 minutes 59 seconds East 1670.56 feet to an iron pin; (4) South 85 degrees 30 minutes 03 seconds East 165 feet to an iron pin; (5) South 45 degrees 51 minutes 28 seconds East 200.60 feet to an iron pin; thence with the southern line of Dole D. Tallent as shown in Deed Book 1454 at Page 363, and crossing the Spencer Mountain Lowell Road (State Road Number 2201) South 47 degrees 05 minutes 04 seconds East 639.46 feet to an iron pin; thence South 47 degrees 41 minutes 02 seconds East 230.84 feet to an iron pin; thence South 32 degrees 11 minutes 18 seconds West, again crossing the Spencer Mountain Lowell Road (State Road Number 2201), 1675.82 feet to the point or place of Beginning. The same being a 150.3065 acre tract acquired by Edith Poston by deed recorded in Deed Book 892 at Page 164 in the Gaston County Registry.

The foregoing description was taken from a survey by John W. Lineberger, Registered Surveyor, dated December 22, 1987, entitled "made at the request of Gaston County."

Being the identical Tract II conveyed to Gaston County by deed dated March 13 1990 and recorded in Book 2030 at Page 246 in the Gaston County Registry.

TRACT FOUR:

LYING AND BEING in Gaston County, North Carolina, and partially in Gastonia Township and partially in Southpoint Township and further described from plat of survey made by Findlay, Withers and McConnaughey, Inc., Registered Surveyors, dated October, 1984, and entitled "Property to be conveyed to James Huffman", and further described as follows:

BEGINNING at an iron (formerly stake and stones) situate at the intersection of the west and south lines of George Poston (formerly Ranlo Manufacturing Company lines) with the north line of other Poston property (Deed Book 372 at Page 259) and runs thence with the Poston (formerly Ranlo Manufacturing Company) line North 02 degrees 08 minutes West 454.27 feet to an old iron west of Duke Power Company high tension pole line; thence with nine (9) lines of Poston as follows: South 82 degrees 42 minutes East 302.92 feet to an old iron at a Walnut; thence North 81 degrees 40 minutes East 360 feet to an old iron; thence North 43 degrees 18 minutes West 482.64 feet to an old iron; thence North 89 degrees 00 minutes West 275.29 feet to an old iron at a double oak; thence South 31 degrees 34 minutes West 436.47 feet to an old iron; thence South 67 degrees 37 minutes West 61.30 feet to an old iron at a gum; thence South 59 degrees 34 minutes West 207.5 feet to an old iron; thence North 85 degrees 15 minutes West 165.75 feet to an old iron; thence North 72 degrees 41 minutes West 93.75 feet to an old iron at a birch; and continuing thence South 63 degrees 36 minutes West 110.95 feet to an iron; thence South 79 degrees 13 minutes West 125.37 feet to an old iron; thence South 29 degrees 09 minutes West 84.0 feet to an old iron; thence South 15 degrees 27 minutes East 108.0 feet to a concrete monument in the north line of Stroup Estate property (now or formerly); thence with said line South 86 degrees 23 minutes East 309.63 feet to an old iron, common corner of Stroup Estate and Poston; thence with Poston line South 77 degrees 59 minutes East 386.38 feet to the point or place of beginning.

SAVE AND EXCEPT that portion of above described property conveyed to R. L. Buchanan by deed recorded in the Gaston County Registry in Deed Book 592 at Page 511; said tract as described containing 11½ acres, more or less, and 9.97 acres, more or less, remaining after said exception.

Being the identical property conveyed to Gaston County by deed dated January 14, 1994 and recorded in Deed Book 2337 at Page 605 in the Gaston County Registry.

TO: Scott Attaway, City Manager
From: Thomas Shrewsbury
Date: 11/02/2021
Re: Paving Bids

City of Lowell staff has sent out bid packets and details for six municipal streets approved by Council for paving. The paving project was submitted and approved by council in August 2021.

City streets recommended for improvement were:

| | |
|-----------------|-------------------|
| Phillips Street | River Falls Drive |
| Walnut Street | Costner Street |
| Reid Street | Rogosin Blvd. |

Bid Packets and details were sent to:

Tarpon Construction, Gastonia NC
Mason Grading, Dallas NC
Atlantic Paving, Charlotte NC
Custom Paving, Gastonia
Gaston Asphalt

Bids Received:

| | |
|--------------------------------------|-----------|
| • Mason Grading & Paving | \$142,275 |
| • Custom Site Development and Paving | \$168,095 |
| • Gaston Asphalt Paving | \$182,132 |

Staff would recommend contracting with Mason Grading & Paving

5.3 Amendment Process

5.3-1 Initial Application Process. (Proposed)

(A.) Pre-filing meeting. Before filing an application for an amendment an applicant shall meet with the *Planning, Zoning & Subdivision Administrator* to discuss the proposed amendment and to become more familiar with the applicable requirements and approval procedures.

(B.) Neighborhood meeting. For **Special Use and Conditional Zoning**, it is required that the applicant meet with representatives and/or landowners of the neighborhood in which the property for which the proposed map amendment (rezoning) is located as authorized by G.S. 160d-602(e). The applicant shall coordinate the time and date of the meeting to enable the *Planning, Zoning & Subdivision Administrator* to attend and address procedural questions that arise. the neighborhood meeting shall be conducted prior to the date of the legislative hearing at which comments on the application will be heard. This meeting may be held either before or after, but not on, the date of the meeting at which the Planning Board review and recommendation is scheduled.

(C.) Filing.

(1.) An application requesting an amendment shall be filed with the *Planning, Zoning & Subdivision Administrator*.

(2.) Applicable fees shall be payable as set forth by the *Lowell City Council*.

(3.) Completed applications submitted by 12:00 noon on the 15th day of any calendar month will be considered at the meeting of the *Lowell Planning Board* scheduled for the following month.

(D.) Content and valid authorization of applications.

(1.) Each application shall contain or be accompanied by all information required on the application form provided by the *Planning, Zoning & Subdivision Administrator*.

(2.) Every amendment proposing to change the district boundary lines shall be accompanied by metes and bounds description, a survey of the area involved, or reference to existing lots, sufficient in the estimation of the *Planning, Zoning & Subdivision Administrator* to plot or otherwise identify the amendment on the Official Zoning Map of the City of Lowell.

(3.) Any person designated by the owner(s) of the property included in the petition to serve as agent for the owner shall submit such authorization in writing with the application. See Section 5.2 of this Article.

Public Works

Monthly Report

October 2021

- Street department employees focused much of their time this month cleaning sidewalks and curbing.
- Crews began leaf collection.
- City crews have started working through Christmas lights in preparation for the holidays.
- Water department continued leak investigation in town working to eliminate water loss.
- 2-inch main break on Stowe Street
- 2-inch line break on Caroline Ave.
- 2-inch line break on Stowe Drive
- 2-inch water leak on Ethelyn Ave.
- Replaced broken cut off on Walnut Street
- 2-inch line break on Bridge Street
- 1 inch break at Harold Rankin Park
- ¾ inch break on McAdenville Rd.
- Sewer Dept Employees work on repairs to inflow issued discovered during smoke testing last month.

To: Scott Attaway, City Manager

From: Alex Blackburn, Planning Director/Code Enforcement

Date: November 1, 2021

RE: Monthly Department Update

Code Enforcement

For the month of October, the Code Enforcement Office responded to 13 complaints of violation regarding the City Code of Ordinance as well as the Lowell Development Ordinance. Of those 13, 8 have been abated and written and verbal contact has been made with the others before time expires on their abatement period.

| | | | | | |
|------------|---------------------------------|------------|------------------------------------|------------|-----------------|
| 10/6/2021 | 512 N. Main Street | 10/6/2021 | Junk/ Debris (Couch) | 10/6/2021 | Abated by owner |
| 10/7/2021 | 117 W. First Street | 10/7/2021 | Tall Grass | 10/7/2021 | Abated by Owner |
| 10/7/2021 | 205 W. First Street | 10/7/2021 | Tall Grass | 10/7/2021 | Abated by owner |
| 10/7/2021 | 516 N. Main Street | 10/8/2021 | Junk/Debris (Mattresses) | 10/8/2021 | Abated by Owner |
| 10/7/2021 | 1012 N. Main Street | 10/8/2021 | Junk/Debris/Tall Grass/Vegetation | 10/8/2021 | Abated by owner |
| 10/7/2021 | 101 E. First Street | 10/8/2021 | Awning/Windows/ Minimum Structure | 10/11/2021 | |
| 10/7/2021 | 303 N. Main Street | 10/8/2021 | Unpermitted Use in Zoning District | 10/11/2021 | |
| 10/11/2021 | 613 Martha Ave | 10/12/2021 | Couches by the road | 10/12/2021 | Abated |
| 10/12/2021 | 3115 W First Street (Lowell RD) | 10/12/2021 | Bulk Waste at Road Side | 10/12/2021 | Abated by owner |
| 10/12/2021 | 302 Gittens Street | 10/12/2021 | Bulk Waste at Road Side | 10/12/2021 | Abated by owner |
| 10/25/2021 | 1202 N Main Street | 10/26/2021 | Debris in Yard/Driveway | 10/26/2021 | |
| 10/25/2021 | 638 Overlook Road | 10/26/2021 | Bulk Waste at Road Side | 10/26/2021 | |
| 10/29/2021 | 708 Groves Street | 10/29/2021 | Bulk Waste at Road Side (Mattress) | 10/29/2021 | |

Zoning:

The Zoning Department has issued several permits this month involving residential dwellings, demolition permits, and changes of use.

| | | | | | |
|---------|--------------------------|---|-------------------------|-------|------------|
| ZP21-63 | Multi-Family Home Permit | R. Trado (Bi-State Dev. Group) | 7000A, B, C Owens Court | \$190 | 10/14/2021 |
| ZP21-64 | Interior Remodel | JD24 Investments LLC | 1207 N Main Street | \$25 | 10/13/2021 |
| ZP21-65 | Fence Permit | Michael Lewis | 109 Oakland Drive | \$25 | 10/21/2021 |
| ZP21-66 | Demolition | Foard Construction | 4210 E Franklin Blvd. | \$25 | 10/27/2021 |
| ZP21-67 | Accessory Structure | Ray Ward | 913 Railroad Street | \$25 | 10/28/2021 |
| ZP21-68 | Change of Use | Trod Gaston, LLC d/b/a Gastonia Chevrolet | 831 S Main Street | \$100 | 10/29/2021 |
| | Verification Letter | Angelina Pillsbury | 831 S Main Street | \$50 | 9/9/2021 |
| | Verification Letter | Rhonda Cain | 3924 E Franklin Blvd. | \$50 | 10/8/2021 |
| | Verification Letter | Julie Whitman | 3778 E Franklin BLVD | \$50 | 10/12/2021 |

During the October City Council meeting, the City Council voted against the property owners request for a Zoning Map Amendment regarding 6.37 acres on Lowry Lane and in a 3-2 vote denied the change to Mixed Use-1 (MU-1) thereby maintaining the zoning designation as Single Family Residential-3 (SFR-3).

It was also during this meeting that the City Council set the Initial Zoning Designation of Belmont Land & Investment Co.'s Parcel's 136564 and 202774 as Single Family Residential-3 (SFR-3).

A Public Hearing was set for the November 9, 2021 Council Meeting for the proposed annexation of 3 contiguous parcels (PID #'s 202166, 135144, and 210660) and 1 Non-

Contiguous Parcel (PID # 202167). Two ads were posted in the Gaston Gazette as well as mailers and signs placed on the property.

Planning:

The Lowell Planning Board met on October 5th and voted to approve to council the recommendation of the Single Family Residential-4 (SFR-4) zoning designation to the 4 parcels outlined to be discussed in Public Hearing during the November 9th Council Meeting.

Staff has met with several developers regarding current and future projects within the City of Lowell and feel comfortable with the progress being made with each one.

Stormwater:

The Environmental Committee/Stormwater Committee will begin discussing possible credit/exemption criteria for stormwater fees in order to reward property owners that implement stormwater retention methods on their property in accordance to the Stormwater Utility Ordinance. This will be an in-depth process and I will maintain updates as it proceeds.

Lowell Police Department October Highlights

- Total calls for the month: 481 (up 17% from 2020 and 19% from 2019)
- There were 11 misdemeanor arrests and 13 felony arrests
- Officer Bowen seized 28 grams of methamphetamine that has a taxable value of \$5600. 75% of that will be paid back to the police through NCDOR drug tax program.
- Ofc. Mulkern attended another DWI checkpoint for the Governor's Highway safety program.
- Points acquired through the GHSP by officers of the police department were used to order 3 new Alcho-Sensors. These will be used to assist in establishing probable cause in DWI arrest situations.
- Certification paperwork was completed for new Officer Anderson. We expect his certification to be back the second week of this month.
- Command staff and City Hall staff interviewed a candidate to fill the last roster spot at the PD. We expect to have the background check completed soon and will send off for certification. When this is complete, the police department will be fully staffed.

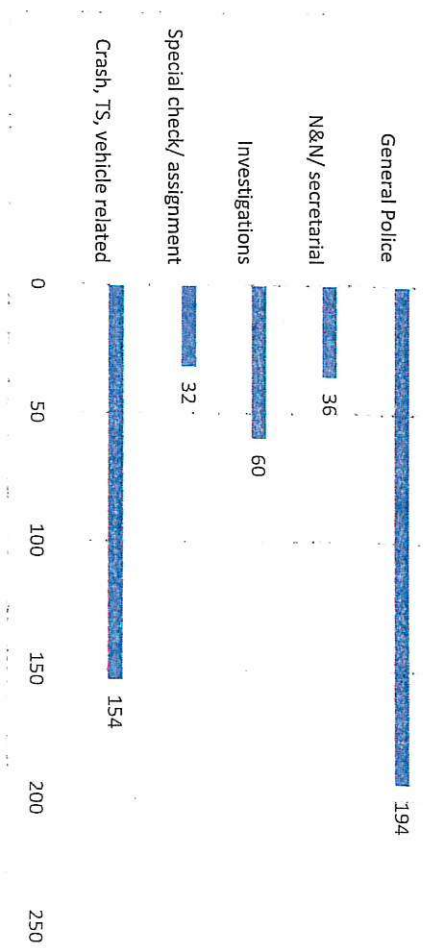
POLICE REPORT OCTOBER 2021

| Grouped call type | Value |
|----------------------------|-------|
| Crash, TS, vehicle related | 154 |
| Special check/ assignment | 32 |
| Investigations | 60 |
| N&N/ secretarial | 36 |
| General Police | 194 |

Monthly calls October 2019-2021

| | |
|------|-----|
| 2019 | 403 |
| 2020 | 454 |
| 2021 | 481 |

Calls by general type



Parks and Recreation

October 2021 Monthly Report

Events

Scheduled, rescheduled (inclement weather) and then hosted Treat Walk. Participating businesses included: Tech @ Lowell Library, Presbyterian Church of Lowell, Childcare Connections, Winters Past, The Ivy Salon, Vera's Beauty Salon, Harvest Church, Back of the Moon, Randy's Garage, Lowell Parks and Recreation, and Lowell Public Works. Rain from earlier in the day, cold temperatures, and the event being postponed to after Halloween deterred people from coming out, we had about 60-70 kids – estimated total of 100-125 people including parents.

Creation of Parks and Rec marketing flyer that includes upcoming events and Needs Assessment Household Survey QR code.

Festival in the Park preparations and coordinating of the event. Fantastic turnout for the first two hours of the event. One food concession vendor (cakes in a cup) sold out within the first hour of the event. Another food vendor ran out of several food options within the first 2 hours. For 2022 Fall Festival or Festival in the Park, will move time to 3-7. Advertising event, vendor spotlights on facebook, confirming amusements, stage, band, scheduling craft vendor unloading times, vendor emails, marking spaces on the ground, directing vendors where to go on day of the event, meeting with amusements company for placement of rides, picking up new City merchandise, working with Finance on a new payment processing for Parks and Recreation (Square), taking photos of event, selling tickets, selling merchandise, clean-up of the event, cash/credit card reconciliation report to Finance.

Answering questions and accepting parade entries registration for the Christmas Parade.

Created artwork for Veteran's Day event, Senior Lunch, Christmas Parade.

After discussing with the City Manager, will be separating the Tree Lighting Ceremony since our parade falls late in the month each year. Tree Lighting Ceremony will be Thursday, December 2.

Preparation for Music in the Park – time changed in early November to 4-6pm due to the low forecasted temperatures for that evening (mid-30s.)

Athletics

3-4 soccer finished mid-October, 7-8 soccer runs through November 13.

Lining of 3-4 soccer field through mid-October, cleaning restrooms.

Athletics Supervisor field supervising of 3-4 home soccer games, being on site in Belmont for the 7-8 games on Saturdays.

Communication with Dolphins on field rental for football practice

Basketball registration closing on Saturday, November 6 at Music in the Park.

General

General communications answering inquiries via phone, social media, email

Picking up trash

Social media postings and website updates

LCC meeting preparation

LCC meeting

Creation of Focus Groups for Master Plan. 6 groups of 4 people in each group. Sending emails and phone calls to those candidates. Focus Groups include: Non-Profits, LCC, Seniors/ADA, Athletics, Faith-Based, and Business. NC State facilitated those meetings over Zoom and staff has received great feedback from both members of those groups and NC State on how well the meetings went. Non-profits, LCC, and Faith-Based has been held/scheduled. Athletics is in the process of being scheduled. Staff is still working on the lists for the other two groups: Seniors/ADA and Business.

Creation of Fall newsletter, sending to printers, approval, double-checking sorting/counting, check request, and delivery of newsletters to Post Office.

Lowell Volunteer Fire Department

Lowell, NC

This report was generated on 11/7/2021 2:44:52 PM



Incident Type Count per Station for Date Range

Start Date: 10/01/2021 | End Date: 10/31/2021

| INCIDENT TYPE | # INCIDENTS |
|--|-------------|
| Station: 17 - STATION 17 | |
| 111 - Building fire | 1 |
| 118 - Trash or rubbish fire, contained | 1 |
| 130 - Mobile property (vehicle) fire, other | 1 |
| 132 - Road freight or transport vehicle fire | 1 |
| 311 - Medical assist, assist EMS crew | 6 |
| 322 - Motor vehicle accident with injuries | 2 |
| 324 - Motor vehicle accident with no injuries. | 14 |
| 400 - Hazardous condition, other | 1 |
| 444 - Power line down | 2 |
| 463 - Vehicle accident, general cleanup | 1 |
| 500 - Service Call, other | 1 |
| 520 - Water problem, other | 2 |
| 551 - Assist police or other governmental agency | 2 |
| 553 - Public service | 1 |
| 611 - Dispatched & cancelled en route | 3 |
| 622 - No incident found on arrival at dispatch address | 3 |
| 661 - EMS call, party transported by non-fire agency | 1 |
| 736 - CO detector activation due to malfunction | 1 |
| 743 - Smoke detector activation, no fire - unintentional | 1 |
| # Incidents for 17 - Station 17: | 45 |

Only REVIEWED incidents included.



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



StarNews | The Dispatch | Times-News
Sun Journal | The Daily News | The Star
The Free Press | Gaston Gazette

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City Of Lowell
Ben Blackburn
City Of Lowell
101 W. FIRST ST
Lowell NC 28098

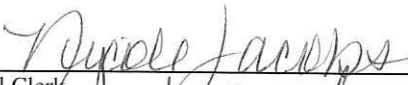
STATE OF NORTH CAROLINA, COUNTY OF GASTON

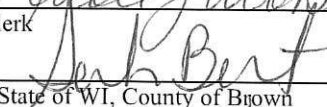
The Gaston Gazette, a newspaper printed and published in the city of Gastonia, and of general circulation in the County of Gaston, State of North Carolina, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue dated:

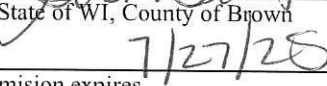
10/29/2021

and that the fees charged are legal.

Sworn to and subscribed before on 10/29/2021



Legal Clerk


Notary, State of WI, County of Brown


My commission expires 7/27/25

Publication Cost: \$213.90

Order No: 6448179

Customer No: 510640

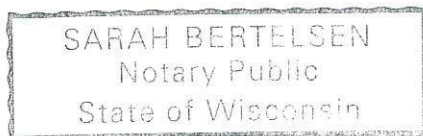
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CITY OF LOWELL
PUBLIC HEARING NOTICE
CLOSEOUT OF CDBG
INFRASTRUCTURE
PROJECT 14-I-3033

Notice is hereby given that the City of Lowell will conduct a public hearing on November 9th, 2021, at 6:00pm, or as soon thereafter as the agenda will allow, at the City Municipal Building, 101 W. First Street, Lowell, NC relative to the closeout of the Community Development Block Grant for Infrastructure (CDBG-I). The City received a grant of \$285,211 in Community Development Block Grant Funds (CDBG) to replace/rehabilitate approximately 700 linear feet of gravity sewer line in the Phillips Street area.

The purpose of this public hearing is to review the expenditures and activities that have been accomplished through the CDBG-Infrastructure Sewer Project (14-I-3033).

All activities are complete, and the City is in the process of closing out the grant. Total CDBG-I expenditures for the project are approximately: \$285,211 Administration: \$28,521, Sewer Improvements: \$256,690. The project benefited approximately 81.81 % low-moderate income households.

Citizens will be given the opportunity to provide oral and written comment on the City's use of CDBG-I funds at the public hearing. All interested citizens are encouraged to attend.

If additional information is needed, please contact the City Clerk at 704-824-3518 or at 101 W. First Street, Lowell NC 28332. Formal written complaints or comments concerning the CDBG-I Project (14-I-3033) that are submitted to the City Clerk prior to or following the public hearing will be responded to within ten working days by the City.

Persons with disabilities or who otherwise need assistance should contact the City Clerk at 704-824-3518 or at 101 W. First Street, Lowell NC 28332, or Relay North Carolina # 711 by November 5th, 2021. Accommodations will be made for all who request assistance with participating in the public hearing.

This information is available in Spanish or any other language upon request. Please contact the City Clerk, at 704-824-3518 or at 101 W. First Street, Lowell NC 28332 for accommodations for this request.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con City Clerk al 704-824-3518 o en 101 W. First Street Lowell NC 28332, de alojamiento para esta solicitud.

Equal Housing
Opportunity

Oct 29, 2021

#6448179

LOCALiQ

StarNews | The Dispatch | Times-News
Sun Journal | The Daily News | The Star
The Free Press | Gaston Gazette

PO Box 631245 Cincinnati, OH 45263-1245

PROOF OF PUBLICATION

City Of Lowell
Ben Blackburn
City Of Lowell
101 W. FIRST ST
Lowell NC 28098

STATE OF NORTH CAROLINA, COUNTY OF GASTON

The Gaston Gazette, a newspaper printed and published in the city of Gastonia, and of general circulation in the County of Gaston, State of North Carolina, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue dated:

10/21/2021, 10/28/2021

and that the fees charged are legal.

Sworn to and subscribed before on 10/28/2021

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$188.60

Order No: 6416742

Customer No: 510640

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of Copies:

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SARAH BERTELSEN
Notary Public
State of Wisconsin

Notice of Public Hearing

The City of Lowell's City Council will hold a Public Hearing at their regularly scheduled meeting on Tuesday, November 9th, 2021, at 6:00 pm, at City Hall, 101 W First Street, Lowell, North Carolina, 28098.

The purpose of this Public Hearing will be to consider the concurrent Voluntary Annexation Petition and Initial Zoning Designation, as per the Lowell Development Ordinance. Property in question is located along Lowell-Spencer Mountain Road known, in name, as Gaston County George Poston Park. Further identified as Parcel ID #'s 148011 and 148012. Proposed application of initial zoning district is for Civic (CIV) from the current districts of both Gaston County- RS-20, and Ranlo ETJ - R-12 and EI-1.

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

Hearing impaired persons requiring persons requiring assistance should contact the City Clerk (704) 824-3518 at least 24 hours prior to the hearing to request special accommodations.

Oct 21, 28, 2021 #6371191



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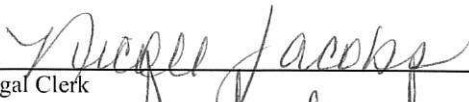
City Of Lowell
Ben Blackburn
City Of Lowell
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STATE OF NORTH CAROLINA, COUNTY OF GASTON

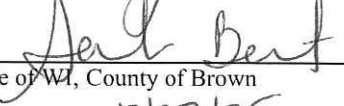
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and that the fees charged are legal.
Sworn to and subscribed before on 10/28/2021



Legal Clerk



Notary, State of WI, County of Brown

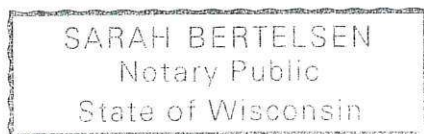
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Notice of Public Hearing

The City of Lowell's City Council will hold a Public Hearing at their regularly scheduled meeting on Tuesday, November 9th, 2021, at 6:00 pm, at City Hall, 101 W First Street, Lowell, North Carolina, 28098.

The purpose of this Public Hearing will be to consider the concurrent Voluntary Annexation Petition and Initial Zoning Designation for the property without an assigned address located along Lowell-Spencer Mountain Road to the north of George Poston Park. Further identified as Parcel ID #'s 202166, 135144, 210660 and the Non-Contiguous property of PID #'s 202167. Proposed application of initial zoning district is for Single Family Residential-4 (SFR-4).

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

Hearing impaired persons requiring assistance should contact the City Clerk (704) 824-3518 at least 24 hours prior to the hearing to request special accommodations.

Oct 21, 28, 2021 #6418307