

MINUTES

Lowell City Council

Regular Meeting

Tuesday, October 12, 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, Finance Officer Jared Pyles, 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

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

IV. PUBLIC COMMENTS

Larry Simonds, 1603 Power Drive: Public Works

V. APPROVAL OF MINUTES

A. Minutes from Council Meeting Held September 14, 2021

Councilmember Funderburk made a motion to approve the minutes from the September 14, 2021 Council meeting, followed by a second from Councilmember Gillespie. Councilmembers Ervin and Robinson abstained from voting due to their absence at the September 14, 2021 meeting. The vote was three in favor, and none opposed. The motion carries to approve the minutes.

VI. CONSENT AGENDA

- A. Set Public Hearing for CDBG-I (Grant #18-I-3034) for November 9, 2021 Regarding Scope Amendment
- B. Set Public Hearing for CDBG-I (Grant #14-I-3033) for November 9, 2021 Regarding Grant Close-Out

Councilmember Ervin made a motion to approve the consent agenda items and set Public Hearing for Consent Agenda items A & B on November 9, 2021, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

VII. SPECIAL PRESENTATIONS

A. Proclamation #PR6-2021 Recognizing National Hispanic Heritage Month

Mayor Sandy Railey read the Proclamation #PR6-2021 recognizing National Hispanic Heritage month.

Councilmember Ervin made a motion to adopt Proclamation #PR6-2021, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

VIII. UNFINISHED BUSINESS

A. Public Hearing for Consideration of Zoning Map Amendment Rezoning Case RZ21-03 Regarding Parcel ID #128061, Lowry Oaks Development LLC, from the Current Zoning District of SFR-3 to MU-1

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

Alex Blackburn stated the following: on August 21, 2021 City Staff met with applicants in a pre-filing meeting with Andrew Lineberger and Scott Phillips regarding a possible Zoning Map Amendment regarding a parcel identified as PID #128061. Applicants concluded that the best course would be to request a rezoning from the current designation of Single Family Residential-3 (SFR-3) to Mixed Use-1 (MU-1). Staff also stated the Planning Board voted in unanimous decision to recommend to the Lowell City Council the requested rezoning of the property from SFR-3 to MU-1 during their September 7, 2021 meeting. Staff mailed public notices to property owners and the public notice for the hearing was advertised twice in the Gaston Gazette. Also, a neighborhood meeting took place on September 30, 2021 at City Hall. It was stated that all requirements for the rezoning application have been fulfilled and the City may proceed on to the Legislative Hearing scheduled for October 12, 2021, at 6:00 pm.

The applicants gave an overview to Council of the property and their intentions. They stated they were requesting a change in zoning from SFR-3 to MU-1 for the 6.37 acres. They also stated due to the size of the property and the typography of the land, the property is best suited for Mixed Use zoning (houses/townhomes/apartments). Also, stated was if they didn't get the zoning changed, they will leave this property and someone else can develop it in the future.

Public Comments:

The following list of citizens requested the Council to not change the zoning to Mixed Use due to the following concerns: Increase in traffic and crime; decrease in surrounding property values; detrimental to neighborhood; and an increase in run-off water. (Herb Gittens/Larry

Simonds/Scott Wilson/Randy Byrd/Ken Loudon/Mike Gault/James McKnight/Mary Vera/Jerry Morsel/Mark Maney/Ann Fredell/Mary Lou Esenwein).

Councilmember Robinson made a motion to accept pictures for Council review showing run-off from a citizen, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

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

Councilmember Funderburk stated the following Statement of Inconsistency for **denial**: After consideration of the Zoning Map Amendment, known as Case #RZ21-03, involving property identified as a single PID #128061, the City Council for the City of Lowell makes the motion that we do not approve the request to amend the property from the designation of Single Family Residential-3 (SFR-3) to Mixed Use-1 (MU-1). With consideration to the Future Land Use Plan as adopted April 13, 2021 maintains this area as Neighborhood uses as outlined in Single Family Residences. The property is currently surrounded by single family residences with little access available to the property. A change in zoning to MU-1 would also facilitate the increase in density from the current 3 units per acre provided in SFR-3 to 19 units per acre at the highest density. Due to the parcel's size of 6.37 acres in area, this would allot for 121 units to be placed on the property if/when the property owner succeeds in gaining access to the proposed property. By changing the zoning designation, we must also look at all the uses that would thereby be allowable in the requested MU-1 district and determine if they would benefit the existing neighborhoods in the area that would include retail and office spaces. While seeking to foster growth in the City of Lowell, we must also look to preserve our neighborhoods. The increased density would contribute to higher rates of traffic along the Stowe Drive and McAdenville Road intersection, as well as allowing for high density multi-family uses in an existing single-family area, and for the public interest as well as perceived detriments to neighbors and the surrounding community, I vote to deny the request for the Zoning Map Amendment RZ21-03. This motion was followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

B. Public Hearing for Consideration of Initial Zoning Map Amendment Regarding Parcel ID #'s 136564 and 202774 from the current Gaston County R-1/Ranlo ETJ zoning designation of R-12 to the City of Lowell zoning district of SFR-4

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

Alex Blackburn stated the following: on September 2, 2021 City staff met with representative Bob Clay and development team to discuss the designation of an initial zoning district to the property under petition for voluntary annexation. During this meeting it was determined that the agreeable district would be Single Family Residential-4. Currently the properties are still under the zoning jurisdiction of both the Ranlo ETJ, with a designation of R-12, and Gaston County Zoning District R-1. It was also stated that the Planning Board voted in unanimous approval to recommend the Lowell City Council approve the designation of Single Family Residential-4 to

the newly annexed property during their September 7, 2021 meeting. Staff stated public notices were mailed and two public notices were advertised in the Gaston Gazette. Also, a neighborhood meeting was scheduled for Monday, October 11, 2021 at City Hall. Staff stated all requirements of the Zoning Map Amendment has been fulfilled and City may proceed on to the Legislative Hearing scheduled for October 12, 2021.

Public Comments:

The following citizens were against rezoning for the following reasons: Lowell should not annex because Ranlo did not want to annex the property due to the cost of installing the water system to tax payers, and traffic. (Larry Simonds/John Cato)

Applicant Comments:

The applicant (Bob Clay) clarified for the Council and stated the comments presented by Mr. Simonds was a lie. Mr. Clay stated the Town of Ranlo called him on several occasions asking for the property to be annexed into Ranlo. Mr. Clay stated there will be no cost to the tax payers because the developers will pay the entire cost of the water system installation. Mr. Clay stated the lowest priced home on this property will be \$350K and that could mean an increase to Lowell's tax base of \$35M. Mr. Clay also stated their company has donated 100's of acres to provide a corridor for the Carolina Thread Trail too and with all of this combined this annexation is a benefit for Lowell.

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

Councilmember Ervin stated for the approval of the Zoning Map Amendment requested for the newly annexed property PID #'s 136564 and 202774. With the petition of voluntary annexation received and approved, the property must be assigned a zoning designation existing within the Lowell Development Ordinance. The owners seek the designation of Single Family Residential-4 for the property encompassing 263.12 acres. With acknowledgement that this property was previously outside of the Corporate Limits of the City of Lowell, this area was not accounted for in the Future Land Use Plan, however, areas along Lowell-Spencer Mountain Road between these parcels and George Poston Park were included and labeled as Neighborhood. With the Comprehensive Land Use Plan/Future Land Use Map in mind and seeing the benefit to the property owner as well as citizens of the City of Lowell and the like uses allowed in the current zoning of Gaston County and Ranlo being of Single-Family Residential nature, it is felt that these reasons and others not included remain consistent and reasonable to approve the Initial Zoning Designation to be recorded as Single Family Residential-4 (SFR-4). This motion was seconded by Councilmember Gillespie. There was further discussion among Councilmembers.

Councilmember Robinson made a substitute motion to Councilmember Ervin's original motion to change the zoning on PID #'s 136564 and 202774 to Single Family Residential-3 (SFR-3) instead of Single Family Residential-4 (SFR-4), followed by a second from Councilmember Funderburk. The substitute motion vote was three in favor (Funderburk/Gillespie/Robinson) and two opposed (Ervin/Bonham). The substitute motion vote carries with the majority being in favor.

IX. NEW BUSINESS

A. Petition for Annexation of Non-Contiguous Property of Parcel ID #202167 and as shown by the metes and bounds description; 7.6 acres

Alex Blackburn stated on September 7, 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.

Councilmember Ervin made a motion to adopt Resolution #RS17-2021 directing the Clerk to investigate an annexation petition pursuant to Article 4A of G.S. 160A governing annexations for Parcel #202167, followed by a second from Councilmember Robinson. The vote was unanimously in favor.

The City Clerk, Beverly Harris, presented Council with her Certification of Sufficiency of Petition of Annexation for Parcel #202167.

B. Set 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 Ervin made a motion to adopt Resolution #RS18-2021 fixing the date of Public Hearing on question of annexation petition regarding Parcel ID #202167 pursuant to Article 4A of G.S. 160A governing annexations on November 9, 2021 at 6:00 pm, followed by a second from Councilmember Robinson. The vote was unanimously in favor.

C. 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

Alex Blackburn stated 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.

Councilmember Ervin made a motion to adopt Resolution #RS15-2021 directing the Clerk to investigate an annexation petition pursuant to Article 4A of G.S. 160A governing contiguous annexation for parcels #202166, 135144, and 210660, followed by a second from Councilmember Bonham. The vote was unanimously in favor.

The City Clerk, Beverly Harris, presented Council with her Certification of Sufficiency of Petition of Annexation for Parcel #202166, 135144, and 210660.

D. Set 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 Ervin made a motion to approve #RS16-2021 fixing the date of Public Hearing on question of annexation petition regarding Parcel ID #202166, 135144, and 210660, pursuant to Article 4A of G.S. 160A governing annexations on November 9, 2021 at 6:00 pm, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

E. Consideration of Contract with CCOG for Administration of CDBG-NR Community Center Renovations

Councilmember Gillespie made a motion to approve the CCOG contract in the amount of \$3,816 for Administration of CDBG-NR Community Center renovations, followed by a second from Councilmember Ervin. The vote was unanimously in favor.

X. 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

Cristy Cummings presented the Parks & Recreation report. (ATTACHED)

E. Fire Department Report

Scott Attaway presented the Fire Department report. (ATTACHED)

F. Finance Officer Report

Jared Pyles presented the monthly financial report. (ATTACHED)

XI. CITY ATTORNEY REPORT

The City Attorney, John Russell, Jr., stated there had been an update in Raleigh regarding Police reforms and penalties. He stated he will work with the City Manager to see what needs to be updated in the City's Ordinance.

XII. CITY MANAGER REPORT

Scott Attaway gave updates on the following items:

- I-85 widening – Aesthetics Committee mid-November kick off meeting
- Newsletter is being finalized
- Duke Power Rapid Charger city's first to receive in City Hall parking lot in front of flag poles

XIII. MAYOR AND CITY COUNCIL GENERAL DISCUSSION

Councilmember Ervin stated during a recent MPO meeting within their 2045 plan for NC roads, the Lowell-Spencer Mountain Road did not score high enough to make the first round of work. However, they did state that the project would be kept on the list and reviewed in the future.

Councilmember Gillespie thanked Jared Pyles and City Manager. He also thanked everyone for their support during the loss of his sister recently.

Mayor Railey thanked the staff and citizens for their participation in the meeting.

XIV. CLOSED SESSION


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

The Council reconvened from Closed Session at 9:00 pm.

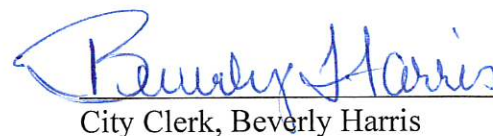
XV. ADJOURN

Councilmember Funderburk made a motion to adjourn the meeting, followed by a second from Councilmember Gillespie. The vote was unanimously in favor. The meeting ended at 9:00 pm

ATTEST:



Mayor, Sandy Railey



City Clerk, Beverly Harris



PROCLAMATION

#PR6-2021

WHEREAS, Hispanic Heritage Month is an opportunity to celebrate the culture, history, and contributions of Hispanic American citizens and highlights the countless achievements and contributions; and

WHEREAS, the observation began in 1968 as Hispanic Heritage Week under President Lyndon B. Johnson; this was observed annually until 1988 when it was expanded by President Ronald Reagan to the period of September 15th through October 15th and became National Hispanic Heritage Month, and this has been celebrated annually since then; and

WHEREAS, more than sixty million Americans of Hispanic origin today contribute to our national diversity, enriching the quality of American life with centuries old traditions that reflect the multi-ethnic and multicultural customs of their communities, while adding their own distinct and dynamic perspectives to the story of our country; and

WHEREAS, this observance affords special opportunities to become more knowledgeable about Hispanic heritage and to honor the many Hispanic Americans who represent a significant and fast growing demographic of the City of Lowell, we honor the invaluable ways they contribute to our country; and

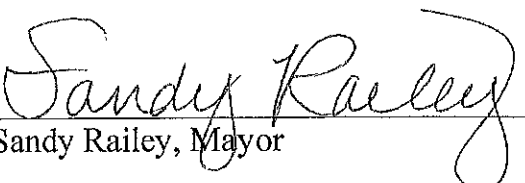
NOW THEREFORE, I, Sandy Railey, Mayor of the City of Lowell and the City Council of the City of Lowell, do hereby proclaim the month beginning September 15 and ending October 15, 2021 as

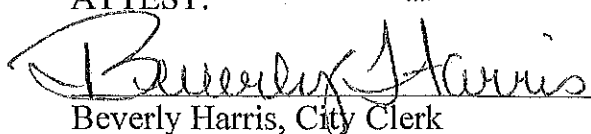
National Hispanic Heritage Month

and urge all citizens to join us in celebrating the great contributions of Hispanic Americans to our city, state, and nation.

IN WITNESS THEREOF, I hereunto set my hand and caused the seal of the City of Lowell to be affixed, this 12th day of October in the year of our Lord two thousand twenty-one.




Sandy Railey, Mayor

ATTEST:

Beverly Harris, City Clerk



RESOLUTION #RS17-2021

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE AN
ANNEXATION PETITION PURSUANT TO
ARTICLE 4A OF G.S. 160A GOVERNING ANNEXATIONS
(Parcel 202167)**

WHEREAS, a petition requesting annexation of an area described in said petition was received on the 24th day of September, 2021 by the City of Lowell; and

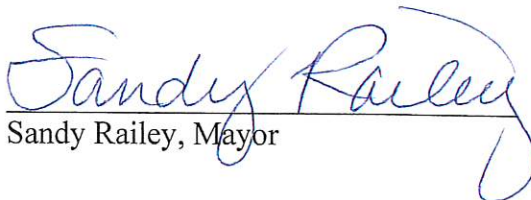
WHEREAS, N.C.G.S. Chapter 160A, Article 4A, Part 1 provides that the sufficiency of the petition shall be investigated by the City Clerk of the City of Lowell, North Carolina before further annexation proceedings consistent within the petition can take place; and

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

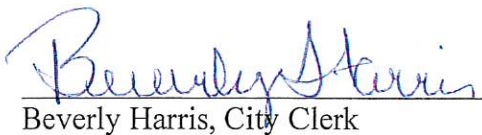
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lowell, North Carolina that:

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

ADOPTED this the 12th day of October 2021.


Sandy Railey, Mayor

ATTEST:


Beverly Harris, City Clerk





CITY OF LOWELL, NORTH CAROLINA

Certification of Sufficiency of Petition of Annexation

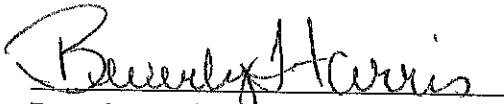
Date: October 12, 2021

To the City Council of the City of Lowell, North Carolina:

I, Beverly Harris, Clerk to the Council of the City of Lowell, North Carolina, do hereby certify that the request for voluntary annexation by the owners of real property located at:

The property located along Lowell-Spencer Mountain Road, Gaston County Parcel ID 202167 has been investigated for sufficiency for voluntary annexation.

The result of the investigation of this petition has been found to be sufficient under North Carolina General Statute 160A-31.


Beverly Harris, City Clerk

Date of Public Hearing: November 9, 2021

Time of Public Hearing: 6:00 P.M.



RESOLUTION #RS18-2021

**RESOLUTION FIXING THE DATE OF PUBLIC HEARING ON QUESTION OF
ANNEXATION PETITION PURSUANT TO
ARTICLE 4A OF G.S. 160A GOVERNING ANNEXATIONS
(PARCEL 202167)**

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

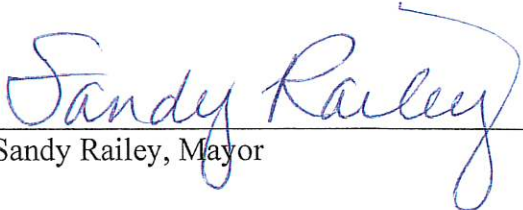
WHEREAS, the Mayor and Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

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

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

- Section 1. A public hearing on the question of annexation of the area described herein will be held at the Lowell City Hall, 101 W. First Street, Lowell, NC 28098 at 6:00pm on the 9th day of November, 2021.
- Section 2. The area proposed for annexation is described as follows:
See Attached Metes and Bounds Description (Attachment A)
- Section 3. Notice of the public hearing shall be published in the Gaston Gazette newspaper as required by law.

ADOPTED this the 12th day of October 2021


Sandy Railey, Mayor

ATTEST:


Beverly Harris, City Clerk



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



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

PETITION REQUESTING ANNEXATION FOR A
NON-CONTIGUOUS PROPERTY

Date: October 8, 2021

To the City Council of the City of Lowell;

1. The undersigned owner of real property hereby petitions for annexation to the City of Lowell of that area described on the Gaston County Tax map as Parcel **202167**, and the boundaries of the property are described in the vesting deed attached hereto as Exhibit A.
2. The area to be annexed is not contiguous to the City of Lowell.

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

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

BELMONT LAND AND INVESTMENT COMPANY, LLC

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

Phone Number: 704-823-2211

E-mail: bill.carstarphen@pharrusa.com

Exhibit A
Vesting Deed Describing Real Property
[attached]

Parcels 202167
"Tract 2"

BK 3397PG130

02/08/02 12:38PM 000000#7766
**17 Cheryl

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

Excise Tax 4117.00

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 Asante

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

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 _____ Township,

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

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

Handwritten: # 23

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) RICHARD K. FALKNOR, President (SEAL)

BY: Catawba Lands Conservancy (SEAL)

ATTEST: Secretary (Corporate Seal) (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 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.

REGISTER OF DEEDS FOR COUNTY 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 163.00 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 30-54-45 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.

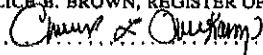
Witness my hand and official seal, this the 5th day of February, 2002.


Jeffrey Grant Koenig, Notary Public

My Commission Expires: December 2, 2003.



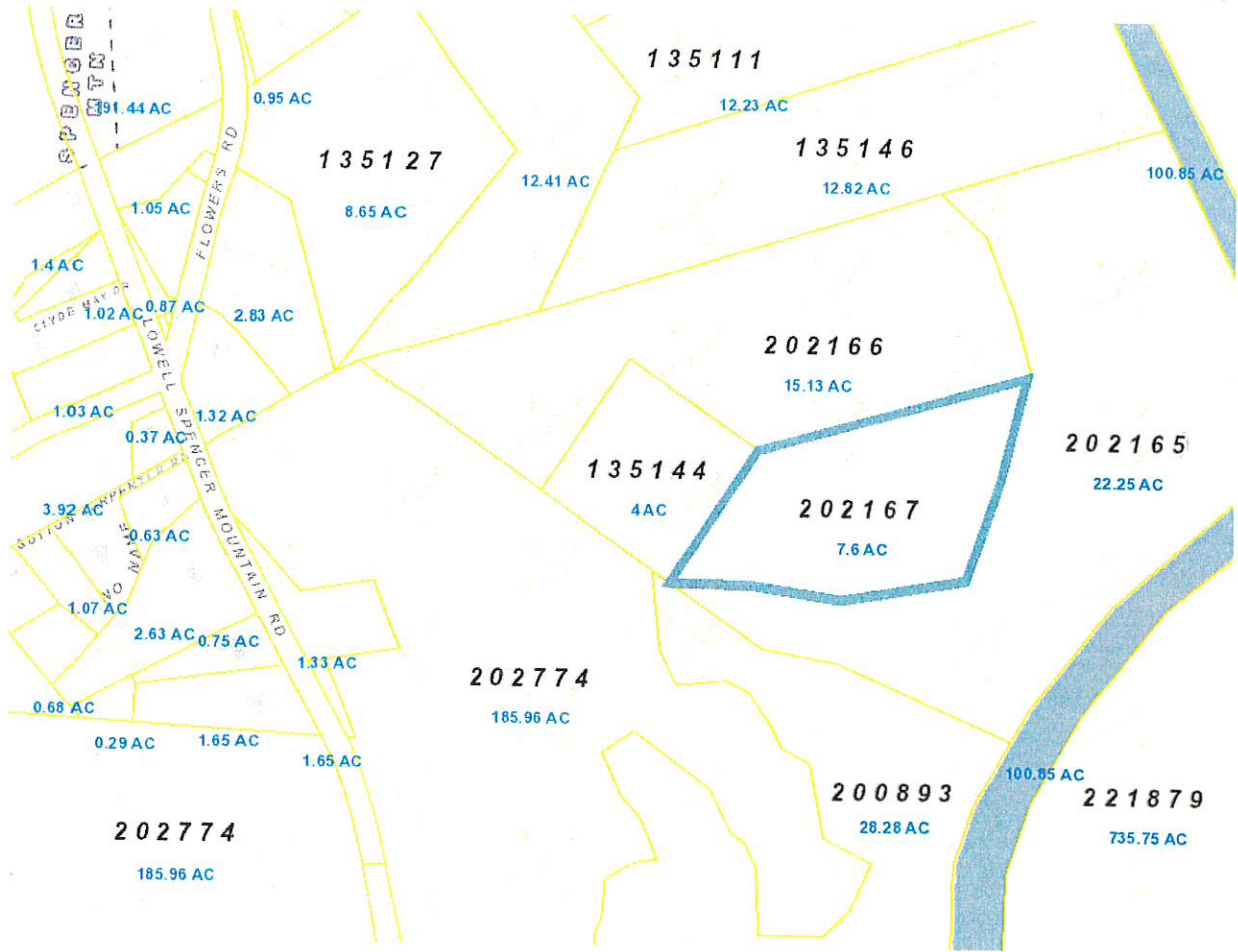
NORTH CAROLINA, GASTON COUNTY Jeffrey Grant Koenig
The foregoing certificate(s) of
....., Notary Public of Mecklenburg County, NC.....

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 12:58 o'clock P.M.
ALICE B. BROWN, REGISTER OF DEEDS
By:  Deputy Asst.

UNOFFICIAL



Printed On: 10/8/2021



Disclaimer: The information provided is not to be considered as a Legal Document or Description. The Map & Parcel Data is believed to be accurate, but Gaston County does not guarantee its accuracy. Values shown are as of January 1, 2019.



RESOLUTION #RS15-2021

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE AN
ANNEXATION PETITION PURSUANT TO
ARTICLE 4A OF G.S. 160A GOVERNING CONTIGUOUS ANNEXATIONS
(Parcels 202166, 135144, 210660)**

WHEREAS, a petition requesting annexation of an area described in said petition was received on the 24th day of September, 2021 by the City of Lowell; and

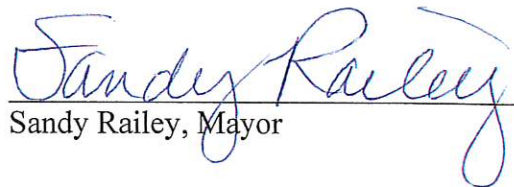
WHEREAS, N.C.G.S. Chapter 160A, Article 4A, Part 1 provides that the sufficiency of the petition shall be investigated by the City Clerk of the City of Lowell, North Carolina before further annexation proceedings consistent within the petition can take place; and

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

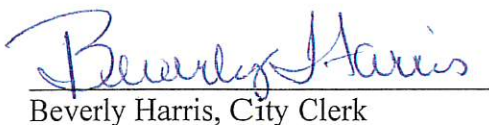
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lowell, North Carolina that:

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

ADOPTED this the 12th day of October 2021.


Sandy Railey, Mayor

ATTEST:


Beverly Harris, City Clerk





CITY OF LOWELL, NORTH CAROLINA

Certification of Sufficiency of Petition of Annexation


Date: October 12, 2021

To the City Council of the City of Lowell, North Carolina:

I, Beverly Harris, Clerk to the Council of the City of Lowell, North Carolina, do hereby certify that the request for voluntary annexation by the owners of real property located at:

The property located along Lowell-Spencer Mountain Road, Gaston County Parcel ID 202166, 135144 and 210660 have been investigated for sufficiency for voluntary annexation.

The result of the investigation of this petition has been found to be sufficient under North Carolina General Statute 160A-31.


Beverly Harris, City Clerk

Date of Public Hearing: November 9, 2021

Time of Public Hearing: 6:00 P.M.



RESOLUTION #RS16-2021

**RESOLUTION FIXING THE DATE OF PUBLIC HEARING ON QUESTION OF
ANNEXATION PETITION PURSUANT TO
ARTICLE 4A OF G.S. 160A GOVERNING CONTIGUOUS ANNEXATIONS
(PARCELS 202166, 135144, 210660)**

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

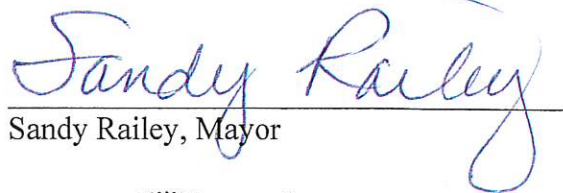
WHEREAS, the Mayor and Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

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

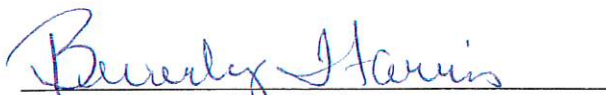
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lowell, North Carolina that:

- Section 1. A public hearing on the question of annexation of the area described herein will be held at the Lowell City Hall, 101 W. First Street, Lowell, NC 28098 at 6:00pm on the 9th day of November, 2021.
- Section 2. The area proposed for annexation is described as follows:
See Attached Metes and Bounds Description (Attachment A)
- Section 3. Notice of the public hearing shall be published in the Gaston Gazette newspaper as required by law.

ADOPTED this the 12th day of October 2021


Sandy Railey, Mayor

ATTEST:


Beverly Harris, City Clerk



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



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

PETITION REQUESTING ANNEXATION FOR A
CONTIGUOUS PROPERTY

Date: October 8, 2021

To the City Council of the City of Lowell;

1. The undersigned owner of real property hereby petitions for annexation to the City of Lowell of that area described on the Gaston County Tax map as Parcels **202166, 135144, and 210660**, and the boundaries of the property are described in the vesting deeds attached hereto as **Exhibit A**.
2. The area to be annexed is contiguous to the City of Lowell.

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

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

BELMONT LAND AND INVESTMENT COMPANY, LLC

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

Phone Number: 704-823-2211

E-mail: bill.carstarphen@pharrusa.com

Exhibit A
Vesting Deeds Describing Real Property
[attached]

Parcels 202166
"Tract 1"

BK3397PG130

02/08/02 12:38PM 000000H7766
**17 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

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 _____ Township,

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

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

Cl
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) RICHARD K. FALKNOR, President (SEAL)
President Catawba Lands Conservancy (SEAL)
ATTEST: Secretary (Corporate Seal) (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 ... 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 recorded at the date and time and in the Book and Page shown on the first page hereof.

REGISTER OF DEEDS FOR COUNTY
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 385.27 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 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 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

02/08/02 12:38PM 000000#7767
**17 Cheryl

Excise Tax: \$44.00

Recording Time, Book and Page

DEED \$17.00
REVENUE FEES \$44.00
***TOTAL \$61.00
CASH \$61.00
CHANGE \$0.00

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:

#578

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.

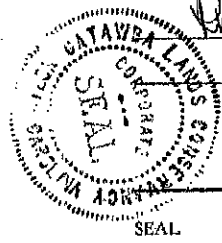
Catawba Lands Conservancy
Corporate Name _____ (SEAL)

By: Richard H. Gilbert

President _____ (SEAL)

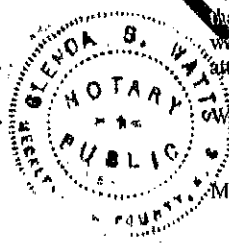
ATTEST: [Signature] _____ (SEAL)

For Secretary _____ (SEAL)
(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 H. Gilbert 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 h as its _____ Secretary on behalf of the corp.



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

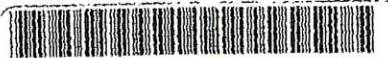
My Commission expires: 6/5/2004 Glenda S. Watts
Notary Public

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 [Signature] 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 (RE#5666) PO Box 1115, Gastonia, NC 28053

Brief description for the Index: _____

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

GRANTOR	GRANTEE
OPAL JEAN BLUE, Unmarried	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 40 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. $\frac{1}{2}$ Book 4211, Page 146.

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)

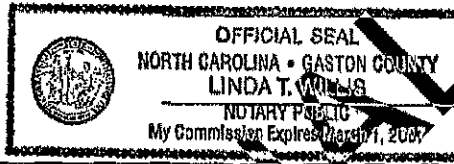
[Signature]

OPAL JEAN BLUE, Unmarried (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

[Signature]

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: _____

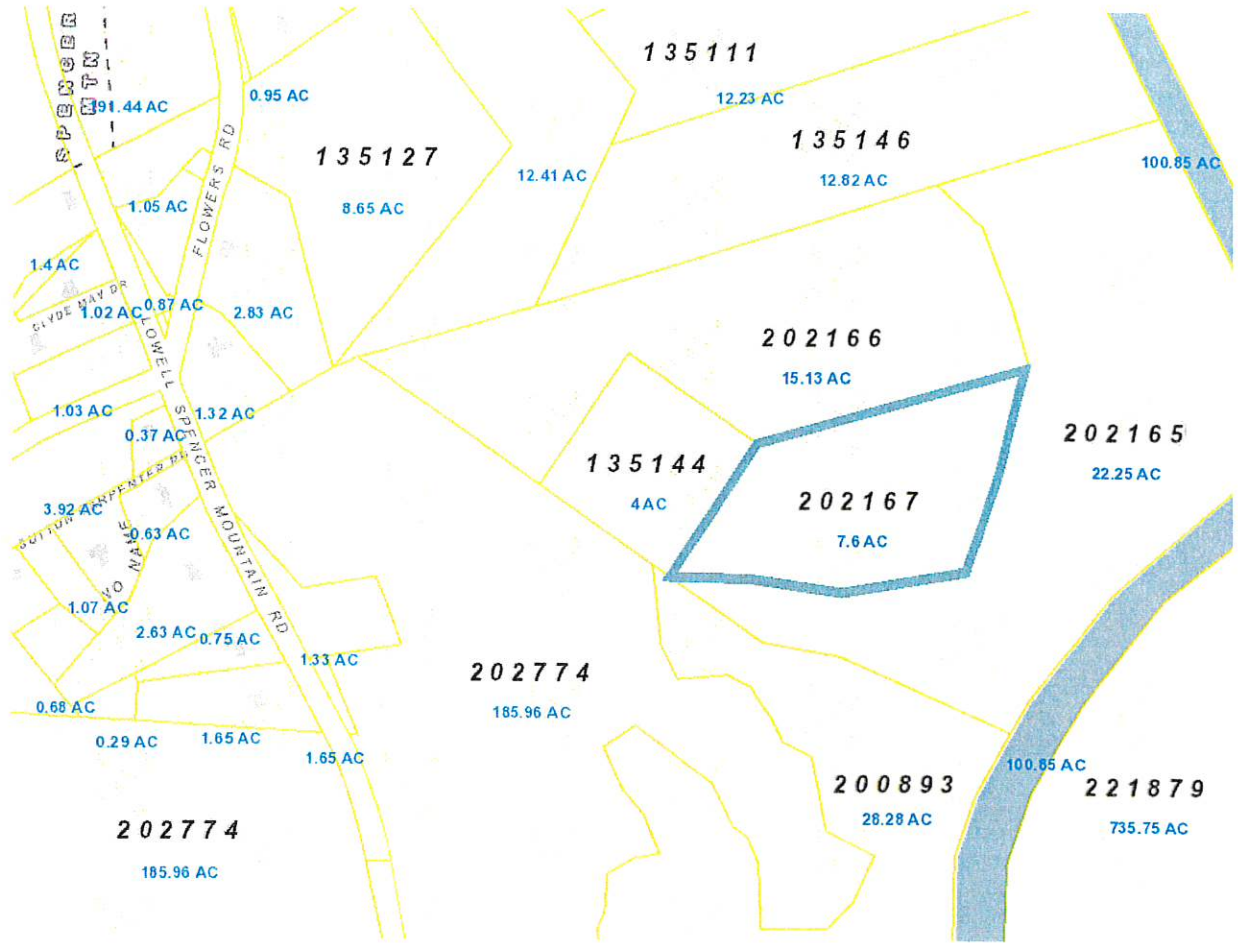
Notary Public

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



Printed On: 10/8/2021



Disclaimer: The information provided is not to be considered as a Legal Document or Description. The Map & Parcel Data is believed to be accurate, but Gaston County does not guarantee its accuracy. Values shown are as of January 1, 2019.

Public Works
Monthly Report
September 2021

City crews were assisted this by the Rural Water Association this month. They assisted the City Staff in smoke testing the Wilkinson Blvd, Groves St, Robinson St and S. Church St Neighborhoods. The goal was to identify ways that stormwater may be entering the Sanitary Sewer System which then gets treated at our Waste Treatment Plant as I&I. Several deficiencies were identified, and staff has begun the repairs in these areas.

City of Lowell picked up bulk trash this month, ran very smoothly.

Street department employees worked on R.O.W maintenance on main roads and sewer lines.

Crews made repairs to a generator deck at the waste treatment plant (CIP related).

Water department continued leak investigation in town looking to lower water loss.

2 inch main break on Railroad St.

6 inch main break on N. Main St.

2 inch line break on Ford Drive.

2 inch water leak on Walker Drive.

Repair man hole on N. Main Street

Prepare equipment for leaf collection which begins on Oct 15th

To: Scott Attaway, City Manager
 From: Alex Blackburn, Planning Director/Code Enforcement
 Date: September 30, 2021
 RE: Monthly Department Update

Code Enforcement

For the month of September several violations were abated due to the occurrence of our quarterly bulk pick up. Several other complaints were resolved with the mowing of grass by owners, but this process is still on-going.

Two hearings were held involving minimum housing and an abandoned structure. No parties were in attendance other than myself and the Gaston County Chief Inspector, the owners of both properties have been notified of the hearing’s outcome and orders for abatement.

Zoning:

The Zoning Department has issued several permits including a permit for a single-family house to be constructed at 1102 N Main Street. I have also received requests for verification letters for businesses investigating properties within Lowell.

ZP21-59	Single Family Residence	True Homes	1303 River Run Drive	\$100	8/26/2021
	Driveway Cut Permit	True Homes	1303 River Run Drive	\$25	
ZP21-60	Single Family Residence	Southwin Builder	1102 N Main Street	\$100	9/10/2021
ZP21-61	Change of Use	Ray Hamam	3015 Lowell Road	\$100	9/8/2021
ZP21-62	ABC Permit	Rosalinda Fitz	720 McAdenville Ave	\$50	9/20/2021
	Verification Letter	Angelina Pillsbury	831 S Main Street	\$50	9/9/2021
	Verification Letter	Rhonda Cain	3924 E Franklin Blvd.	\$50	9/23/2021

During the September Council Meeting, City Council scheduled a Public Hearing for Zoning Case #RZ21-03 for the upcoming meeting on October 12, 2021. This case is requesting a change from the current zoning designation of Single Family Residential-3 (SFR-3) to Mixed Use-1 (MU-1) for the property identified as PID # 128061 at the end of Lowry Lane. The applicants have submitted all required paperwork and will be holding their Neighborhood Meeting in the Council Chambers at City Hall on September 30th.

Also, during the meeting, the City Council voted to adopt ordinance for annexing two parcels of land along the Lowell-Spencer Mountain Road. The two properties are owned by Belmont Land & Investment Co. and further identified as Parcel ID #'s 136564 and 202774. A Public Hearing was also scheduled by the City Council for their October 12th meeting in regards to the establishment of an initial zoning district for the newly annexed parcels of Belmont Land & Investments Co. along Lowell- Spencer Mountain Road, further identified as Parcel ID #'s 136564 and 202774.

The City Council also voted unanimously in favor of amending the Lowell Development Ordinance in regards to the addition of texts to Article 19, Sections 14 and 21 to include

reference to the North Carolina Department of Transportation Manual for Construction Standards regarding Stormwater Design Manual.

Planning:

The Lowell Planning Board met on September 7th and voted in the affirmative to pass recommendation of approval to the City Council on the matter of RZ21-03 as outlined above. Also approved were the initial zoning designations of Single Family Residential-4 (SFR-4) to be applied to the now annexed property of Belmont Land & Investment Co. and the designation of Civic to the property of George Poston Park that is petitioning the City of Lowell for annexation.

The City Council also appointed Mr. Troy Roberts to the Lowell Planning Board, the Board of Adjustment and the Stormwater Commission.

An application to Voluntarily Annex Contiguous Property was received and is being reviewed currently for 4 additional parcels of land owned by Belmont Land & Investment Co.

Stormwater:

As mentioned above, the City Council heard and voted in unanimous approval for the text amendment to the Lowell Development Ordinance to add reference to the North Carolina Department of Transportation Subdivision Roads Minimum Construction Standards, regarding stormwater design manual. This was added to Lowell Development Ordinance Article 19, Sections 14 and 21.

Lowell Police Department September Highlights

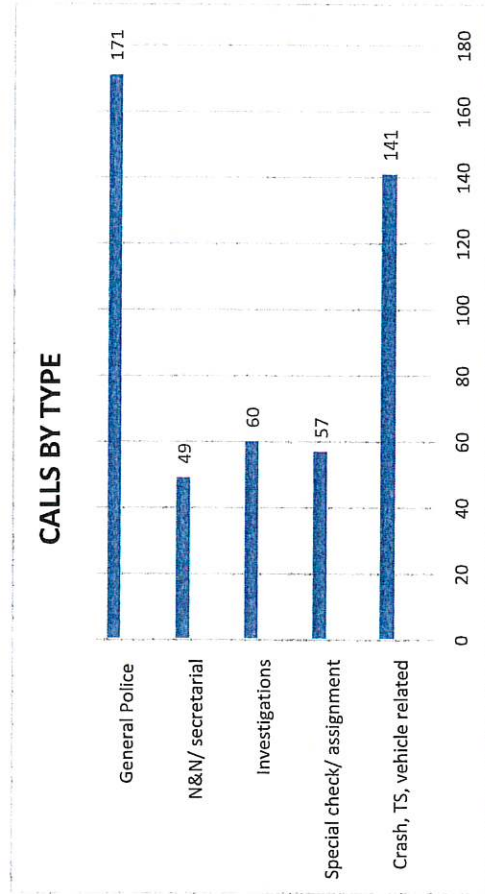
- Total calls for the month: 480 (up 15% from 2020 and 30% from 2019)
- There were 16 misdemeanor arrests and 3 felony arrests.
- Officers responded to and completed 33 traffic crash investigations/ reports.
- Police staff completed 61 hours of training this month.
- Officer Mulkern attended a multiple agency DWI checking station on September 10th in Belmont where he made 1 arrest and issued 3 citations.
- Command staff interviewed then extended an offer of employment to a police officer candidate, pending background investigation. That investigation is complete and he is currently working his 2 week notice with his current employer. Mr. Anderson will be introduced at a future council meeting.

POLICE REPORT SEPTEMBER 2021

Grouped call type	Value
Crash, TS, vehicle related	141
Special check/ assignment	57
Investigations	60
N&N/ secretarial	49
General Police	171

Monthly calls September 2019-2021

2019	368
2020	417
2021	480



Parks and Recreation September 2021 Monthly Report

Events

Scheduled, rescheduled (forecasted inclement weather) and then hosted Hosted Trucks in the Park. Had a dozen different vehicles plus a helicopter from Med Center Air. Public Works brought 4 vehicles, Lowell PD, Lowell Fire, Agriculture Center brought out ladder trucks that Lowell PD had a contact for, Gaston County Special Unit, City of Gastonia Police Mobile Command Center, GEMS, Salvation Army bus, and Kona Ice was there selling shaved ice. Lots of positive feedback from this event.

Promoting events

Finalizing details of the events

Answering questions and accepting vendor registration for Fall Festival (Festival in the Park) for October 9.

Hand delivering of Treat Walk flyers and discussing the event with local businesses.

Attended River Falls/CTT/City of Lowell meeting regarding Carolina Thread Trail.

Athletics

Soccer is in full swing. Will run through mid-October.

Lining of 3-4 soccer field weekly, 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

General

General communications answering inquiries via phone, social media, email

Picking up trash

Social media postings and website updates

LCC meeting preparation

LCC meeting

Communication with Holbrook – new paved walking track that will benefit all Lowell residents. Walking track will be open to the community after school hours. Assisting with recommendations on fundraising (Dine to Donate event at Bubba's 33 and vendor set-up at City's events) and recommendations on promoting their fundraising.

Communication with NC State on P&R Master Plan. Survey prep, review, modifications, approval of website launch for Master Plan.

Reviewed history of Blackboard Connect undeliverable phone numbers/bad phone numbers reports. Sue assisted me with this project and we removed 1,000 phone numbers

Lowell Volunteer Fire Department

Lowell, NC

This report was generated on 10/6/2021 7:49:58 PM



Incident Type Count per Station for Date Range

Start Date: 09/01/2021 | End Date: 09/30/2021

INCIDENT TYPE	# INCIDENTS
Station: 17 - STATION 17	
131 - Passenger vehicle fire	1
251 - Excessive heat, scorch burns with no ignition	1
300 - Rescue, EMS incident, other	1
311 - Medical assist, assist EMS crew	4
322 - Motor vehicle accident with injuries	7
324 - Motor vehicle accident with no injuries.	11
413 - Oil or other combustible liquid spill	1
445 - Arcing, shorted electrical equipment	1
461 - Building or structure weakened or collapsed	1
500 - Service Call, other	2
511 - Lock-out	1
522 - Water or steam leak	1
600 - Good intent call, other	1
611 - Dispatched & cancelled en route	3
622 - No incident found on arrival at dispatch address	1
700 - False alarm or false call, other	3
711 - Municipal alarm system, malicious false alarm	1
744 - Detector activation, no fire - unintentional	1
745 - Alarm system activation, no fire - unintentional	2
900 - Special type of incident, other	3

Incidents for 17 - Station 17:

47

Only REVIEWED incidents included.



emergencyreporting.com
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 Page # 1 of 1

City of Lowell, North Carolina
 FY 2022 Dashboard
 8/31/2021

Department	Budget	YTD thru 8-31-2021	Budget Remaining	Percent Remaining	Percent of FY21 Remaining
General Fund					
Administration	622,970.00	91,164.53	531,805.47	85%	83%
Public Safety	1,337,185.00	165,196.64	1,171,988.36	88%	83%
Public Works	276,078.00	31,659.28	244,418.72	89%	83%
Sanitation	264,548.00	43,888.84	220,659.16	83%	83%
Parks	183,225.00	25,605.87	157,619.13	86%	83%
Powell Bill	89,000.00	2,776.25	86,223.75	97%	83%
Total	2,773,006.00	360,291.41	2,412,714.59	87%	83%
Water/Sewer Fund					
Water/Sewer	1,093,520.00	179,642.96	913,877.04	84%	83%
Wastewater Treatment	291,081.00	32,950.86	258,130.14	89%	83%
Total	1,384,601.00	212,593.82	1,172,007.18	85%	83%
Stormwater Fund					
Stormwater	337,919.00	26,400.36	311,518.64	92%	83%
Total	337,919.00	26,400.36	311,518.64	92%	83%

Notes:
None

City of Lowell, North Carolina
 FY 2022 Revenue Dashboard
 8/31/2021

Type	Budget	YTD thru 8-31-2021	Budget Remaining	Percent Remaining	Percent of FY21 Remaining
General Fund					
General Fund	2,773,007.00	213,758.40	2,559,248.60	92%	83%
Water/Sewer Fund	1,349,601.00	225,729.65	1,123,871.35	83%	83%
Stormwater Fund	337,919.00	26,960.19	310,958.81	92%	83%
Total	4,460,527.00	466,448.24	3,994,078.76	90%	83%

Notes:
 None

Finance

September 2021 Monthly Report

Utility Billing

Stormwater collection rates are approximately 95% of billed from the first two months of billing. 98% of the uncollected accounts are from vacant residential parcels.

Finance

The City's annual audit is still underway – the goal is to have the audit completed with a report submitted to the LGC by October 31, 2021

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StarNews | The Dispatch | Times-News
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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:

09/23/2021, 09/30/2021

and that the fees charged are legal.
Sworn to and subscribed before on 09/30/2021

Nicole Jacobs

Legal Clerk

Audie Burt

Notary, State of WI, County of Brown

7/27/25

My commission expires

Publication Cost: \$142.60

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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, **October 12th, 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 a proposed Initial Zoning Map Amendment 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 **136564** and **202774**. 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.
Sept 23, 30, 2021 #6315901

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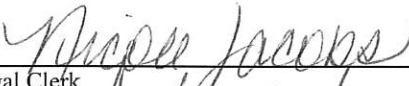
City Of Lowell
Ben Blackburn
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STATE OF NORTH CAROLINA, COUNTY OF GASTON

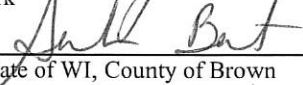
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and that the fees charged are legal.
Sworn to and subscribed before on 09/30/2021



Legal Clerk



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7/27/25

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The purpose of this Public Hearing will be to consider a proposed Zoning Map Amendment, Case # RZ21-03, for the property without an assigned address located between High Street and Stowe Street to the north of McAdenville Ave. Further identified as Parcel ID # **128061**. Proposed change will be from current zoning of Single Family Residential-3 (SFR-3) to Mixed Use-1 (MU-1) zoning district.

For further information, please call Alex Blackburn, Planning and Zoning Administrator, at 704-824-3518.
Sept 23, 30, 2021 #6315922