



TOWN OF CORNELIUS

Cornelius Town Hall

BOARD OF COMMISSIONERS

November 4, 2019

Agenda

PRE-MEETING - 5:45 PM

- Closed Session
- Agenda Review

TOWN BOARD - 7:00 PM

1. CALL TO ORDER
2. DETERMINATION OF QUORUM
3. APPROVAL OF AGENDA
4. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE
5. MAYOR/COMMISSIONERS/MANAGER REPORTS
6. CITIZEN CONCERNS/COMMENTS
7. PUBLIC HEARING AND CONSIDERATION OF APPROVAL
 - A. REZ 05-19 Leafspring School - Public Hearing #2
8. PUBLIC HEARING
 - A. REZ 09-19 Bailey's Glenn Multifamily Amendment Public Hearing #1
9. CONSIDERATION OF APPROVAL
 - A. Electric Fund Write-offs
 - B. Architectural Review Board Appointments
 - C. US 21/Catawba Dual Roundabouts(C-5621) Donation of Property to NCDOT
10. CONSENT AGENDA
 - A. Resolution of Authorization for Outside Counsel
11. COMMISSIONER CONCERNS
12. ADJOURNMENT

Please note that to speak during **CITIZENS CONCERNS/COMMENTS** or **PUBLIC COMMENT**, please use the signup sheet provided before the Board meeting and list your name, address and topic. Each speaker will be allowed 3 minutes to speak. A "hard stop" will occur after 3 minutes for each speaker. Any information displayed must be submitted to the Town Clerk within 48 hours prior meeting.

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: November 4, 2019

To: Mayor and Board of Commissioners

From: Andrew Grant, Town Manager

Action Requested:

Hold a Closed Session to discuss:

- Potential real estate acquisition
- Consult with Town attorney under attorney-client privilege

Manager's Recommendation:

Hold a Closed Session

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

REQUEST FOR BOARD ACTION

 **Print**

Date of Meeting: November 4, 2019

To: Mayor and Board of Commissioners

From: Aaron Tucker, Assistant Planning Director

Action Requested:

Jeff Bazow of Bazow Holdings Cornelius, LLC is seeking to develop a daycare facility on the property located at 18100 Statesville Road. The preschool building will be approximately 15,000 sf. and an adjacent building of 10,000 sf for use as an afterschool. The school is suited to accommodate approximately 160 children for preschool and an additional 200 for after school care. These facilities are a mix of all day childcare, part-time care, and afterschool-only care.

The Planning Board unanimously recommended approval of the project at their regular meeting of October 14, 2019.

Manager's Recommendation:

Conduct Public Hearing #2 and approve an Ordinance to amend the zoning map with conditions and a Resolution declaring that REZ 05-19 is consistent with the Town's Land Use Plan and reasonable in the public's interest.

ATTACHMENTS:

Name:	Description:	Type:
LeafSpring_School_Signed_Application.pdf	Application	Backup Material
18100_Statesville_Rd_Zoning.pdf	Zoning Map	Backup Material
18100_Statesville_Rd_LU.pdf	Land Use Map	Backup Material
18100_Statesville_Rd_Vicinity.pdf	Aerial Vicinity Map	Backup Material
18100_Statesville_Rd_Property.pdf	Aerial Property Map	Backup Material
REZ_05-19(TB)_Leafspring_School_Staff_Report.pdf	Staff Report	Backup Material
00681_Leafspring_Cornelius_-_Rezoning_Resubmittal_Part1.pdf	Site Plan	Backup Material
00681_-_Leafspring_Cornelius_-_Site_Cross_Section.pdf	Leafspring School Cross Section	Backup Material
Revised_Color_Elevations_3.pdf	Preschool Color Elevation	Backup Material
Revised_Color_Elevations_1.pdf	After school (Village) Color Elevation	Backup Material
Revised_Color_Elevations_2.pdf	After school (Village) Color Elevation 2	Backup Material
Ordinance_on_Rezoning_Property_REZ_05-19_(Springleaf_School).pdf	Ordinance	Cover Memo
RESOLUTION_OF_THE_TOWN_OF_CORNELIUS_BOARD_REZ_05-19_(Leafspring_School)_Consistency_Statement.pdf	Resolution	Cover Memo



TOWN OF CORNELIUS

Planning Department

PO Box 399 | Cornelius, NC 28031 | Phone: 704-896-2461 | Fax: 704-896-2462

LAND DEVELOPMENT APPLICATION FORM

Staff Only:

Date Rec'd: _____

Rec'd by: _____

Case #: _____

1. Application Type	✓	Fee	✓	Fee
• Sketch Plan/Plat (Major Sub):	<input type="checkbox"/>	_____	• Conditional Zoning (CZ)	<input checked="" type="checkbox"/> \$1,250.00
• Preliminary Plat (Major Sub):	<input type="checkbox"/>	_____	• Special Use Permit (SUP)	<input type="checkbox"/> _____
• Final Plat (Major Sub):	<input type="checkbox"/>	_____	• Major Architectural Variation	<input type="checkbox"/> _____
• Construction Documents:	<input type="checkbox"/>	_____	• Minor Architectural Variation	<input type="checkbox"/> _____
• General Rezoning	<input type="checkbox"/>	_____	• Other: _____	<input type="checkbox"/> _____
Fee Total:				\$1,250.00

2. Project Information

Date of Application: July 22, 2019 Name of Project: Leafspring Schools

Location: 18100 Statesville Rd Property Size (acres): 4.1 AC # of Units/Lots: 1 Lot

Current Zoning: (NR) Neighborhood Residential Proposed Zoning: Conditional Zoning (CZ)

Current Land Use: Residential Proposed Land Use: Daycare/ After School Programming

Tax Parcel Number(s): 00508119

3. Contact InformationJeff Bazow/ Bazow Holdings Cornelius, LLC

Owner, Applicant, or Developer

8314 Society St

Address

Charlotte, NC 28277

City, State Zip

919-930-0466

Telephone

Fax

[Signature] Jeff Bazow 7/22/19

Signature Print Name Date

Email - jbazow@gmail.comCollin Brock, RLA/ Bloc Design, PLLC

Agent(s) (Engineer, Architect, Etc.)

2923 S. Tryon St Ste. 320

Address

Charlotte, NC 28203

City, State Zip

704-231-1911

Telephone

Fax

[Signature] Collin Brock 7/22/19

Signature Print Name Date

Email - cbrock@bloc-nc.com**4. The following items may also be required to be considered part of a complete application, please check all that apply on this list:**☒ **Signed "Original" application**☒ **Project Fee(s)** – See Fee Schedule☒ **Written Summary/Description of Request** can be on company letterhead. Shall include requested use or uses, sq. feet of non-residential space, or density and number of units/lots for residential, or any other applicable information. For CZ's, must also describe any variations proposed from the Land Development Code☐ **Property Survey** (at least one copy), including existing buildings, topography, wetlands, streams, vegetation (trees over 18" in diameter), and other natural features.☐ **Site/sketch plan** (at least one copy), may contain multiple pages and must be drawn to scale by an engineer or landscape architect. Shall include locations of buildings and/or lots, streets, parking, proposed grading, landscaping/screening, open space, watershed/storm water information, associated storm water measures, and proposed utilities and lighting. Shall also include general information from adjoining lots☒ **Illustrative (color) site/sketch plan** for presentation purposes with same layers as described above☒ **Architectural elevations, Perspective Renderings, and Architectural Review Board Checklist** may include multiple pages and must be drawn to scale by an architect. Include all primary and accessory buildings (all building sides), an illustrative color package, and black and white w/dimensions. Other architectural elements/features of the site such as gazebos, trellis's, garden walls, retaining walls, or other items over 4-feet in height must also be included (NOT REQUIRED, BUT OPTIONAL FOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENTS).☐ **Charlotte Water Capacity Assurance Review Application** Provide copy with application, and send original to CW.☐ **Illustrative (color) elevations** for presentation purposes for all items described above, as well as perspective (3D) renderings and photograph examples☒ **Digital Files** of all items listed above

Mr. Wayne Herron
Planning Director
Town of Cornelius
21445 Catawba Ave
Cornelius, NC 28031

Re: LeafSpring School Cornelius Rezoning Application – Written Summary

Dear Wayne,

Please find our enclosed application form and rezoning fee payment of \$1,250.00 for the aforementioned project. This letter serves as the Owner's written summary for the request for approval for the Conditional Zoning of the current property from Neighborhood Residential zoning for the use of a daycare facility.

The property is located at 18100 Statesville Road in Cornelius. The current site contains a single family home which is no longer occupied. The parcel is a single parcel (PIN# 00508119) of 4.1 acres. It is bound on both sides by Statesville Road and Washam Potts Road.

The petitioner is seeking to develop a high-quality daycare facility on the property which consists of a pre-school building of approximately 15,000 sf and an adjacent building of 10,000 sf for use as a Pre-K and afterschool programming. The school is suited to accommodate approximately 160 children for preschool and an additional 200 children for after school care for an approximate maximum capacity of 350 to 400 students and faculty. This is comprised of a mix of all-day childcare, part time care, and afterschool-only care. As indicated on the plans, the rear of the property will contain an ample playground area that will be programmed for all age groups and separated appropriately by ages internally. The playground area will be contained utilizing an aesthetic opaque fence comprising likely of aluminum framing with composite deck slats at a height of approximately 6'. Fire lane access will be provided as required to access the rear of the building. Buffers have been shown according to the code requirements.

The site is specifically oriented to preserve the cluster of large trees (mostly oaks) to enhance the aesthetic and natural shade opportunities, as well as preserve the trees which appear to be in strong health. The site contains the volume of parking that is at or above the adequate levels needed per the other similar locations in Matthews/Stallings and Ballantyne. Per the comments by Wayne, the applicant is indicating the cross-connecting driveway to the parcel to the south for future coordination of installation.

The Site Plan, Plan Rendering, and Architectural Elevations have been submitted via email on Monday July 22, 2019. Please let us know if you have any questions or require any additional information to initiate the process. We all look forward to working with you and your staff, as well as all involved parties of the process.

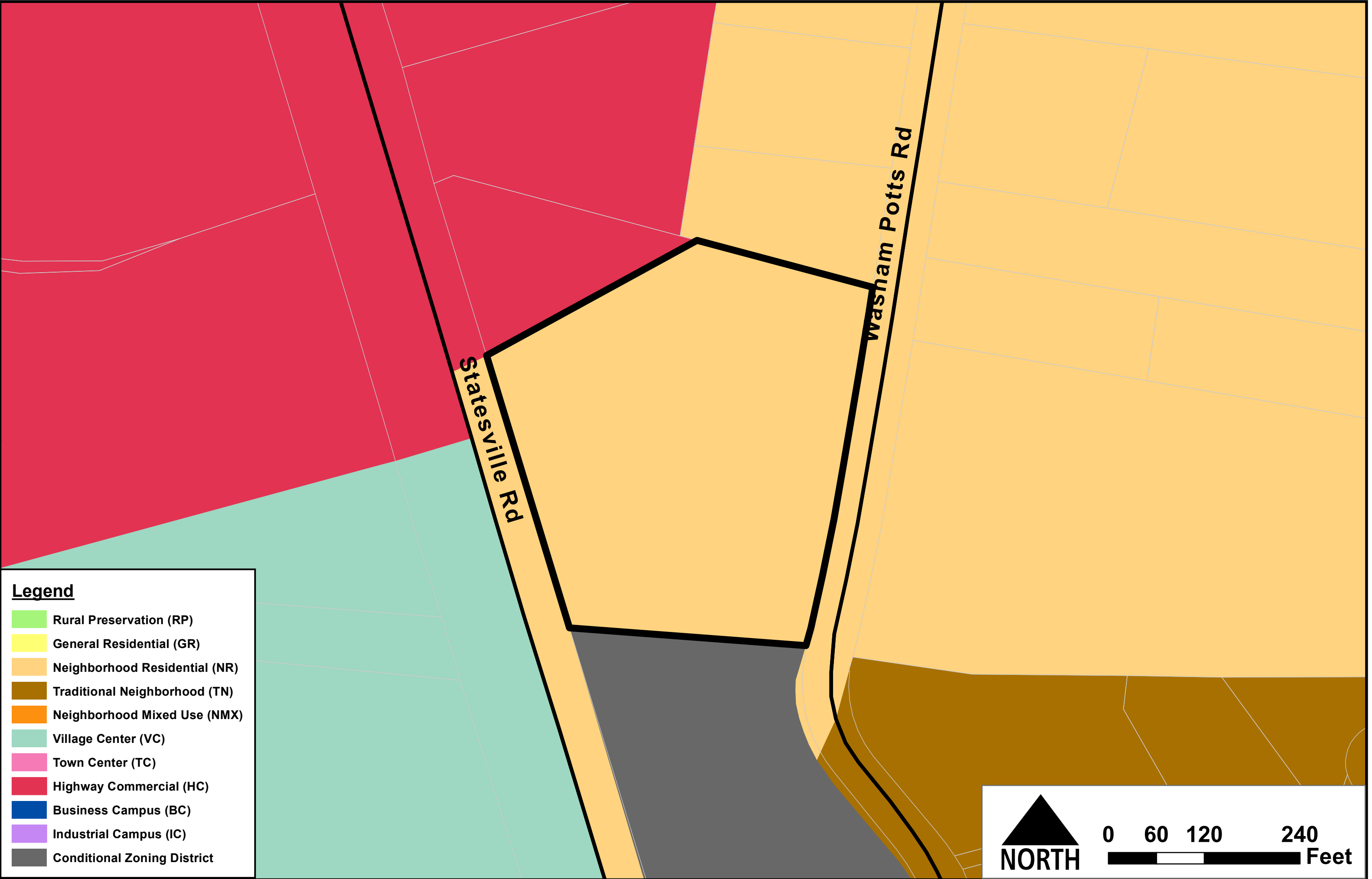
Regards,

Bloc Design, PLLC












A handwritten signature in black ink, appearing to read 'C Brock'.


Collin Brock, RLA
Managing Partner

cc: Larry Lockhart, Jr., PE – Bloc Design
David S. Klausman, PE, CMCSI – Bloc Design




Legend

-  Rural Preservation (RP)
-  General Residential (GR)
-  Neighborhood Residential (NR)
-  Traditional Neighborhood (TN)
-  Neighborhood Mixed Use (NMX)
-  Village Center (VC)
-  Town Center (TC)
-  Highway Commercial (HC)
-  Business Campus (BC)
-  Industrial Campus (IC)
-  Conditional Zoning District

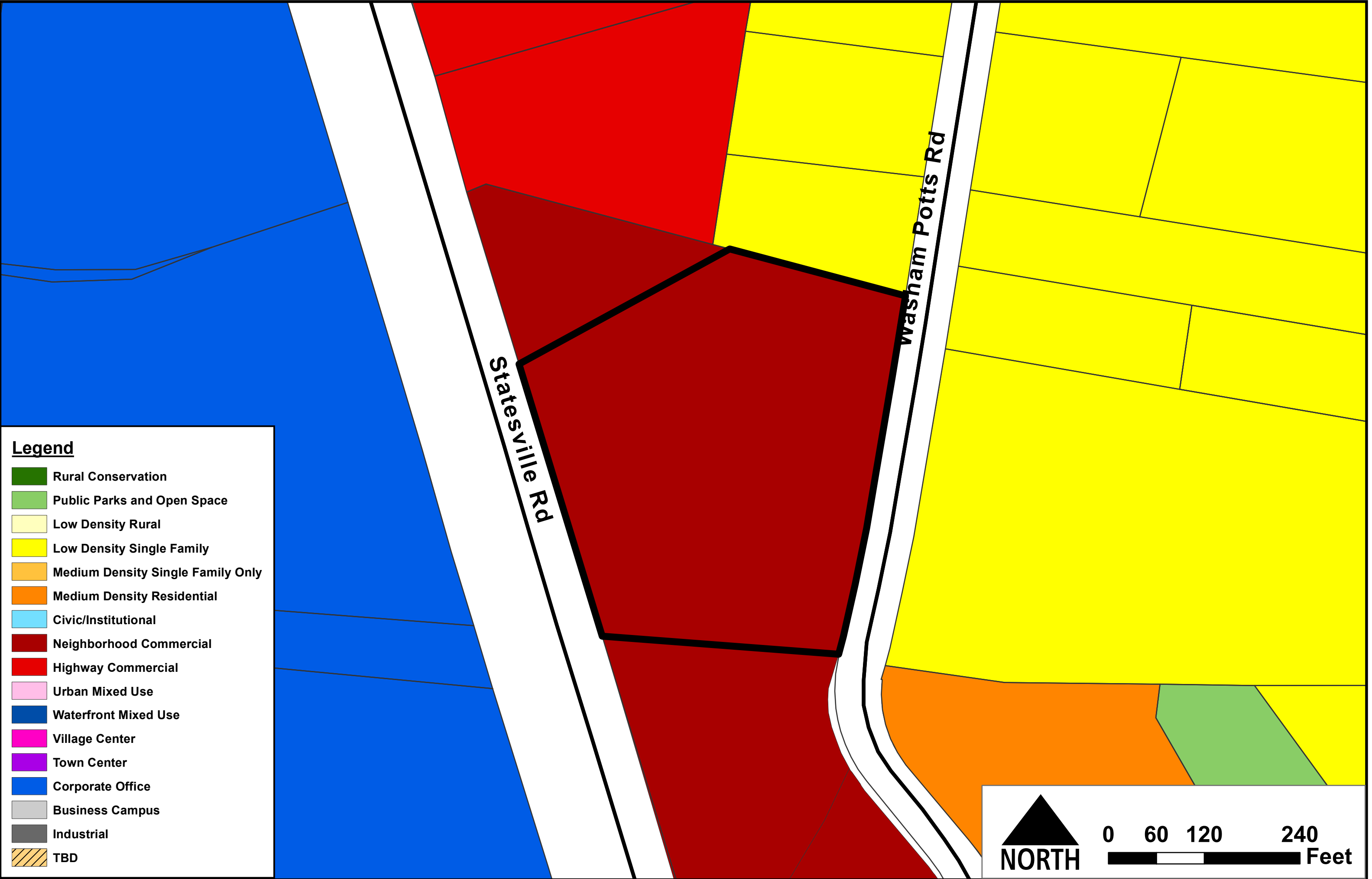


NORTH












0 60 120 240




Feet




Legend

-  Rural Conservation
-  Public Parks and Open Space
-  Low Density Rural
-  Low Density Single Family
-  Medium Density Single Family Only
-  Medium Density Residential
-  Civic/Institutional
-  Neighborhood Commercial
-  Highway Commercial
-  Urban Mixed Use
-  Waterfront Mixed Use
-  Village Center
-  Town Center
-  Corporate Office
-  Business Campus
-  Industrial
-  TBD



NORTH

0 60 120 240



Feet



Statesville Rd

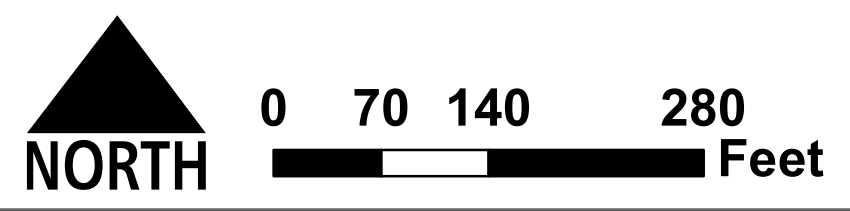
Washam Potts Rd

Cadman Ct

Cowboy

Oakhurst

Bailey Rd



Statesville Rd

Washam Potts Rd





REZ 05-19
Leafspring School

Conditional Zoning Request

Town Board Meeting
November 4, 2019

OWNER/APPLICANT: Jeff Bazow
Bazow Holdings Cornelius, LLC
8314 Society St.
Charlotte, NC 28277

AGENT: Collin Brock, RLA
Bloc Design, PLLC
2923 S. Tryon St
Suite 320
Charlotte, NC 2803

PROPERTY LOCATION: 18100 Statesville Rd.
(PID#: 00508119)

PROPERTY SIZE: 4.1 acres total

CURRENT LAND USE: Single Family Home

PROPOSED LAND USE: Daycare and After School Programming

EXISTING ZONING: NR (Neighborhood Residential)

PROPOSED ZONING: CZ (Conditional Zoning)

EXISTING CONDITIONS:

1. Description of Adjoining Zoning and Land Uses – This property has road frontage along Statesville Road and Washam Potts Road. To the north are residences and vacant land zoned HC (Highway Commercial). To the south this parcel directly touches the restaurant Cowboy that is zoned CZ (Conditional Zoning). Directly east those properties are zoned NR (Neighborhood Residential) and are single family homes. Meanwhile, to the west are vacant parcels zoned HC-CD (Highway Commercial Conditional District) or VC-CD (Village Center Conditional District). These have an approved site plan known as the Villages at Lake Norman.
2. Topography – The property has a slight slope towards the Washam Potts Road side of the property.
3. Vegetation – The majority of this property is covered with tree canopy. There are a few significantly large trees located near the current house. The applicant has surveyed all significant trees and has made plans to save them.

4. Infrastructure – The applicant has been asked to provide a Charlotte Water Capacity Assurance form to ensure water and sewer capacity is available for the site. Currently, water access is available. However, the site is missing several hundreds of feet of sewer that the applicant plans to install in order to connect to existing sewer lines.

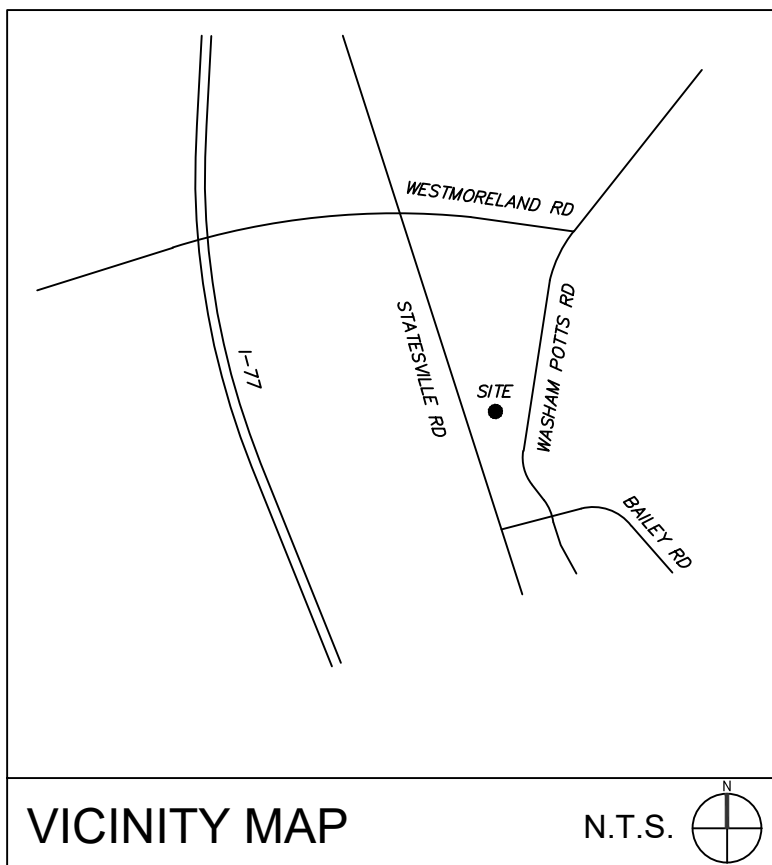
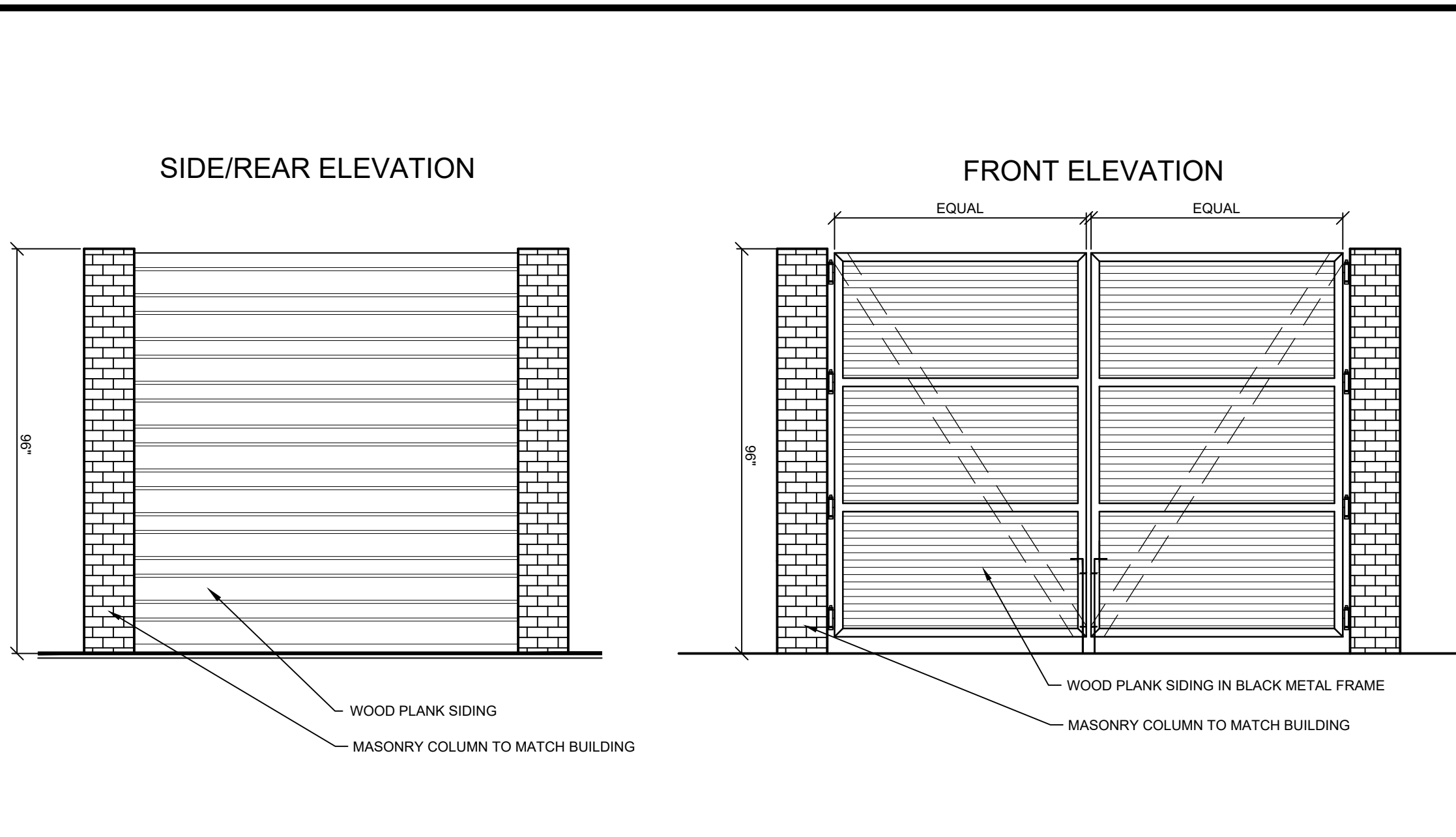
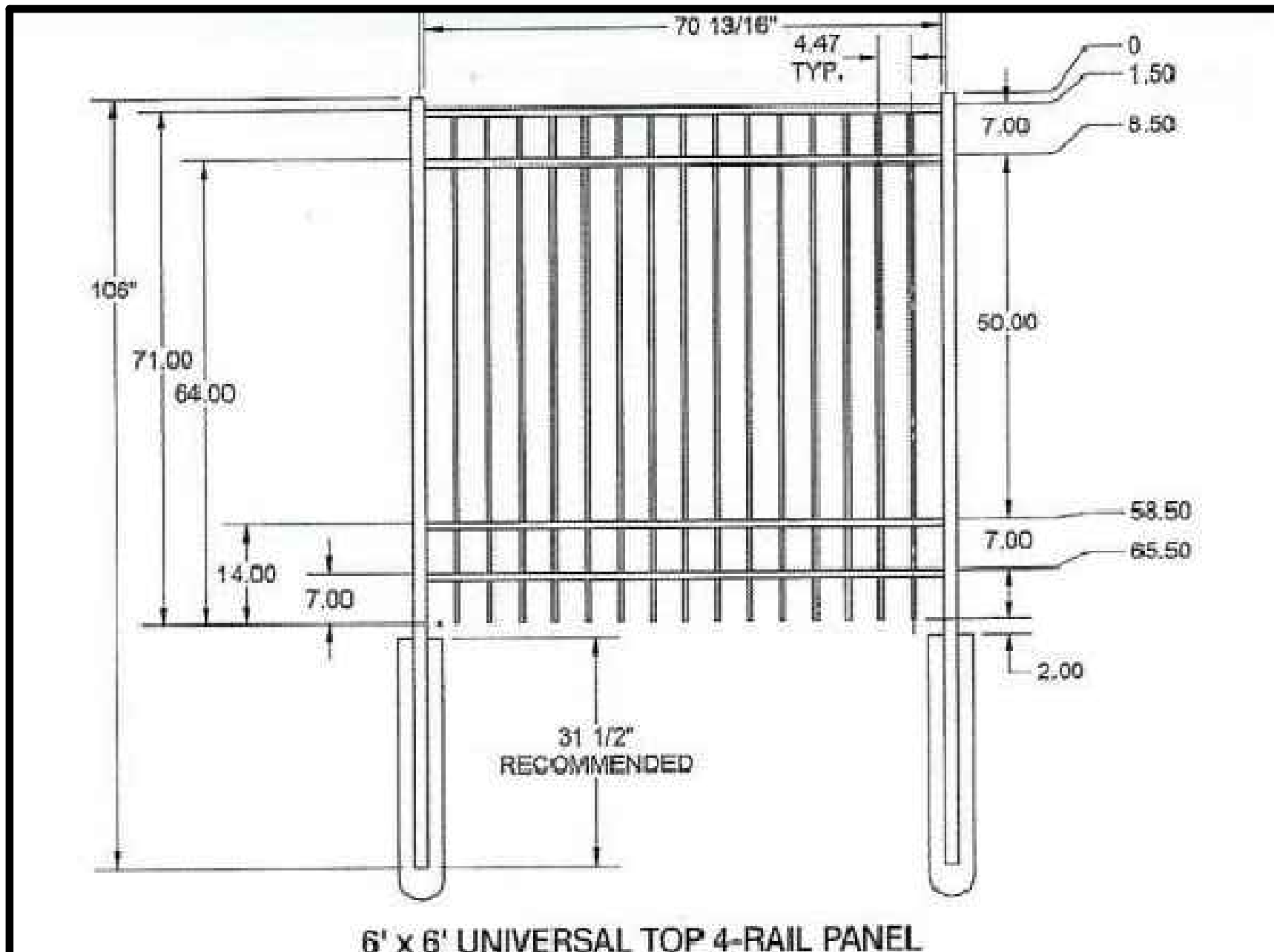
STAFF COMMENTS:

1. Project Overview – Jeff Bazow of Bazow Holdings Cornelius, LLC is seeking to develop a daycare facility on the property located at 18100 Statesville Road. The preschool building will be approximately 15,000 sf. and an adjacent building of 10,000 sf for use as an afterschool. The school is suited to accommodate approximately 160 children for preschool and an additional 200 for after school care. These facilities are a mix of all day childcare, part-time care, and afterschool- only care.
2. History - This site has one single family home that was built in 1955.
3. Land Use Plan Consistency – The Land Use Plan adopted by the Town Board on January 6th, 2014 designates this property as “Neighborhood Commercial,” which allows multi-tenant commercial, professional office, and banks to list a few uses.
4. Pre-Development Review Committee – The sketch plan was presented to the PDRC on July 15, 2019. The plan proposed demolishing the single family structure and constructing two 10,000-14,000 sf buildings. One building would house preschool and the other building would be an after school facility. The PDRC was generally supportive of the proposed development.
5. Community Meeting – The applicant held the required community meeting on Wednesday, August 14, 2019. One citizen attended the meeting. His concern was about the added traffic on Washam Potts Road.
6. Town Board Public Hearing #1 – The meeting was held the following Monday August 19, 2019. The same citizen was attendance and voiced similar concerns. Neighbors had buffer concerns along residential property.
7. Architectural Review- The meeting was held on Friday October 4, 2019. The board mentioned that the building is supposed to have an entrance on both Washam Potts and Highway 21. The board also commented that the building does not appear to meet the 60% glass requirement, they would like to see all elevations in color going forward, and they don’t want the 6 foot wall that goes around the entire site to block the view of the buildings from the road. The board also asked that they place more windows to the after school building. ARB would like the applicants to make the appropriate changes and resubmit.
8. Planning Board- The meeting was held on Monday October 14, 2019. The board voted unanimously to recommend approval with conditions.

STAFF RECOMMENDATIONS:

Staff recommends approval with conditions. The following conditions are listed below:

1. Town approval is contingent on review and approval by other applicable local, state and federal agencies.
2. The development shall comply with all other applicable requirements of the Town of Cornelius Land Development Code.
3. Town approval incorporates and shall comply with any and all submittals in the case file and correspondence presented to the board in support of this application, including, but not limited to the following: The site/sketch plan, architectural elevations, and any other information related to this case or improvements recommended by the Town and/or other agencies.
4. A payment in lieu may be made instead of constructing the 10' multi-use path along Highway 21.
5. The sidewalk on Washam Potts Road shall be reconstructed to a minimum of 5'.

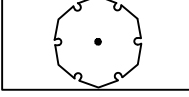
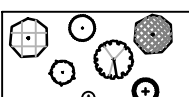


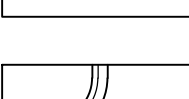




VICINITY MAP

N.T.S.

SURVEY DISCLAIMER

TOPOGRAPHIC SURVEY DATED AUGUST 27, 2019 PROVIDED BY CAROLINA SURVEYORS, INC. P.O. BOX 207, PINEVILLE, NC 28134 (704) 889-7601.

	PROPOSED TREE
	PROPOSED SHRUBS
	EXISTING TREE
	PROPOSED SIDEWALK
	
	PROPOSED 1'-6\" data-bbox="265 665 935 765"/>
	PROPOSED ACCESSIBLE SPACE

ZONING SUMMARY:

OWNER: JEFF BAZOW
CIVIL ENGINEER/LANDSCAPE ARCHITECT: BLOC DESIGN, PLLC
BLOC DESIGN PHONE #: 704-940-2883

ZONING DESIGNATION: CZ PARCEL SIZE: 4.137 ACRES
JURISDICTION: TOWN OF CORNELIUS PROJECT AREA: 4.137 ACRES
PARCEL NUMBER: 00508119

SETBACK AND YARD REQUIREMENTS
FRONT: 30' FRONT SETBACK
SIDE: NONE
REAR: 30' REAR SETBACK

SCREENING REQUIRED
FRONT: 15' WIDE PARKING SCREEN
SIDE: 10' WIDE PARKING SCREEN
REAR: 15' WIDE PARKING SCREEN

BUFFERS REQUIRED
FRONT: 15' WIDE LANDSCAPE BUFFER
SIDE: 30' RESIDENTIAL BUFFER
REAR: 15' WIDE LANDSCAPE BUFFER

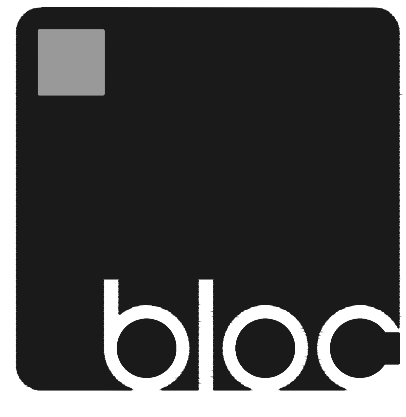
IMPERVIOUS COVERAGE - TOTAL: 85,200
BUILDING COVERAGE: 25,191 SF
PAVING COVERAGE: 38,990 SF
APPROXIMATE PLAYGROUND COVERAGE: 22,000 (BASED ON LEAFSPRING MATTHEWS)
(SYNTHETIC RUBBER PLAYGROUND MATERIAL)

PARKING SUMMARY MAXIMUM 4 SPACES/1,000 SF - MINIMUM 2 SPACES/1,000 SF
REQUIRED: MAX. 92 SPACES, MIN. 48 SPACES (TOTAL BUILDING AREA OF 23,000 SF)
PROVIDED: 83 (REGULAR: 75, ACCESSIBLE: 4 INC. VAN SPACE, BUS: 4)
LOADING SPACES: NA

BICYCLE PARKING SUMMARY (TOWN OF CORNELIUS)
SHORT TERM: 4
LONG TERM: NA

DEVELOPMENT STANDARDS

- THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING APPLICATION FILED BY BAZOW HOLDINGS CORNELIUS, LLC FOR AN APPROXIMATELY 4.1 ACRE SITE LOCATED AT 18100 STATESVILLE ROAD CORNELIUS, NC 28031. TAX PARCEL ID #00508119.
- THE DEVELOPMENT AND USE OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE TOWN OF CORNELIUS UNIFIED DEVELOPMENT ORDINANCE.
- FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF THE ORDINANCE. MINOR ALTERATIONS OR CHANGES TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS ARE SUBJECT TO PROVISIONS WITHIN THE ORDINANCE.
- SCREENING, LANDSCAPING AND BUFFERS: SCREENING AND LANDSCAPING SHALL CONFORM TO THE STANDARDS OF THE ORDINANCE.
- TRANSPORTATION AND PARKING: VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY NCDOT AND THE TOWN OF CORNELIUS.
- VEHICULAR PARKING SHALL BE PROVIDED ON THE SITE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE AND AS GENERALLY DEPICTED ON THE PLANS.
- THE ALIGNMENTS OF THE INTERNAL DRIVES AND PARKING AREAS TO BE LOCATED ON THE SITE ARE SUBJECT TO MINOR MODIFICATIONS OR ALTERATIONS REQUIRED DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PERMITTING PROCESSES.
- SIGNS: ALL SIGNS INSTALLED ON THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE ORDINANCE. SIGNS WILL BE INSTALLED AT BOTH ENTRANCE DRIVES.
- STORM WATER: THE DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE MECKLENBURG COUNTY STORMWATER ORDINANCE.
- BINDING EFFECT OF THE REZONING APPLICATION: IF THIS REZONING APPLICATION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT AND/OR USE OF THE SITE IMPOSED UNDER THIS REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND ENDURE TO THE BENEFIT OF APPLICANT AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS "APPLICANT," "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF APPLICANT OR THE OWNER OR OWNER OF THE SITE FROM THE TIME OF TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.
- PETITIONER WILL MAKE REASONABLE EFFORT TO PRESERVE THE LARGE EXISTING TREES DIRECTLY ADJACENT TO PROPOSED PRESCHOOL. HOWEVER, BASED ON INITIAL STUDY OF PROPOSED SEWER EXTENSION, THE SITE MAY REQUIRE SIGNIFICANT GRADING TO ACCOMMODATE CONNECTION TO SEWER. ALL INTERNAL TREE REQUIREMENTS (60' TREE COVER RULE) WILL BE ADHERED TO VIA STANDARD SIZE (1.5\"/>
- PETITIONER RESERVES THE RIGHT TO UTILIZE PERMEABLE PAVEMENT FOR ALL OR PORTIONS OF THE ASPHALT DRIVE ABLES AND PARKING SPACES IN ORDER TO MEET MECKLENBURG COUNTY STORMWATER REQUIREMENTS FOR WATER QUALITY AND DETENTION. IF UTILIZED, THE STORMWATER BMP AREA INDICATED WILL REMAIN AS OPEN GRASSED AREA.
- B-1 LANDSCAPE BUFFER ALONG STATESVILLE ROAD WILL NOT REQUIRE MASONRY WALL DUE TO PRESCHOOL. IF B-1 WHICH SHALL BE GREATER THAN 2' ABOVE ROAD GRADE. VILLAGE IS CURRENTLY REQUIRED TO PROVIDE 3' HEIGHT MASONRY WALL. SCREEN WALL WILL BE 3' HEIGHT DOUBLE WYTHE BRICK MASONRY WALL WITH BRICK CAP, UNLESS FUTURE GRADING PLACES F.F.E ABOVE 2' THRESHOLD.
- ANTICIPATED DRIVEWAY LOCATION SUBJECT TO MODIFICATION PER NCDOT REQUIREMENTS.



Bloc Design
2923 S. Tryon Street, Suite 320
Charlotte, NC 28203
phone: 704-940-2883
www.bloc-nc.com

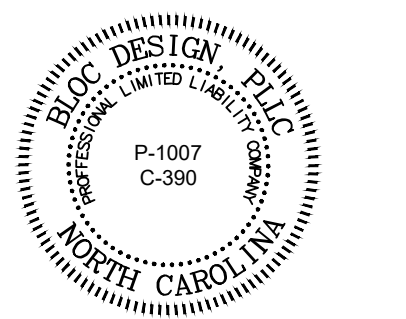
landscape architecture | planning | civil engineering



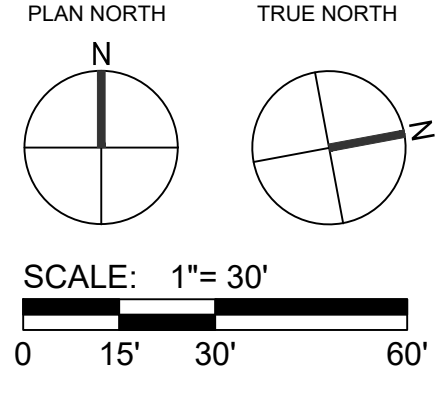
REVISIONS	
NO.	DATE
1	09.09.19
2	10.29.19

DISCLAIMER ©2019:
Information contained in this document is the property of Bloc Design, PLLC, and the project client listed on this document.
The reproduction, copying, and other use without written consent is prohibited and may be subject to legal action to the fullest extent possible.

stamp / seal:

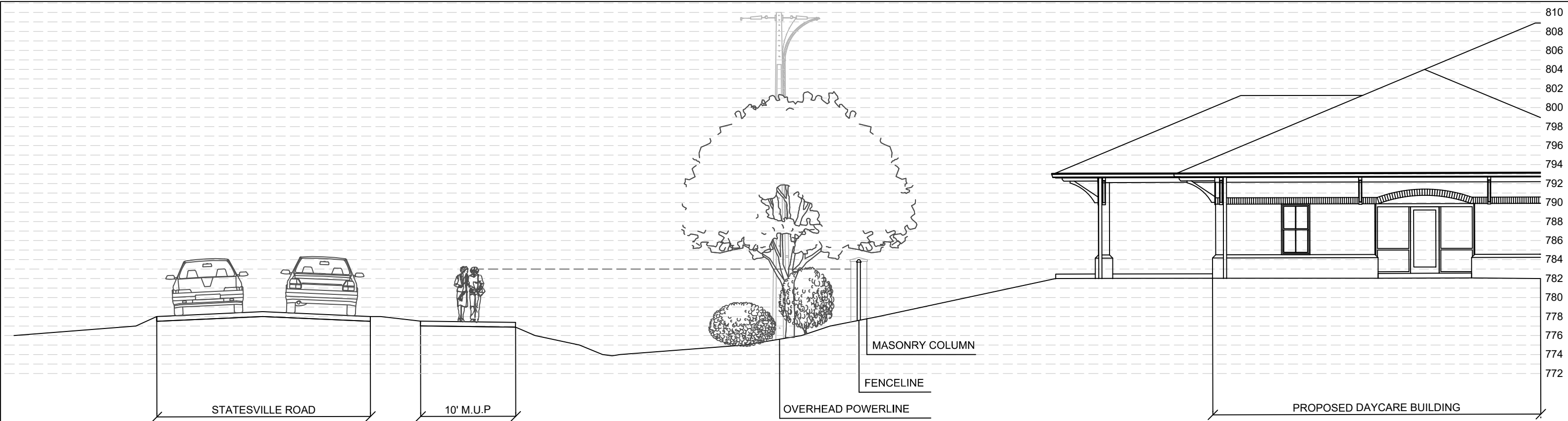


Leafspring Cornelius
After school & Pre-school
Child Care Facility
18100 Statesville Road
Cornelius, NC 28031

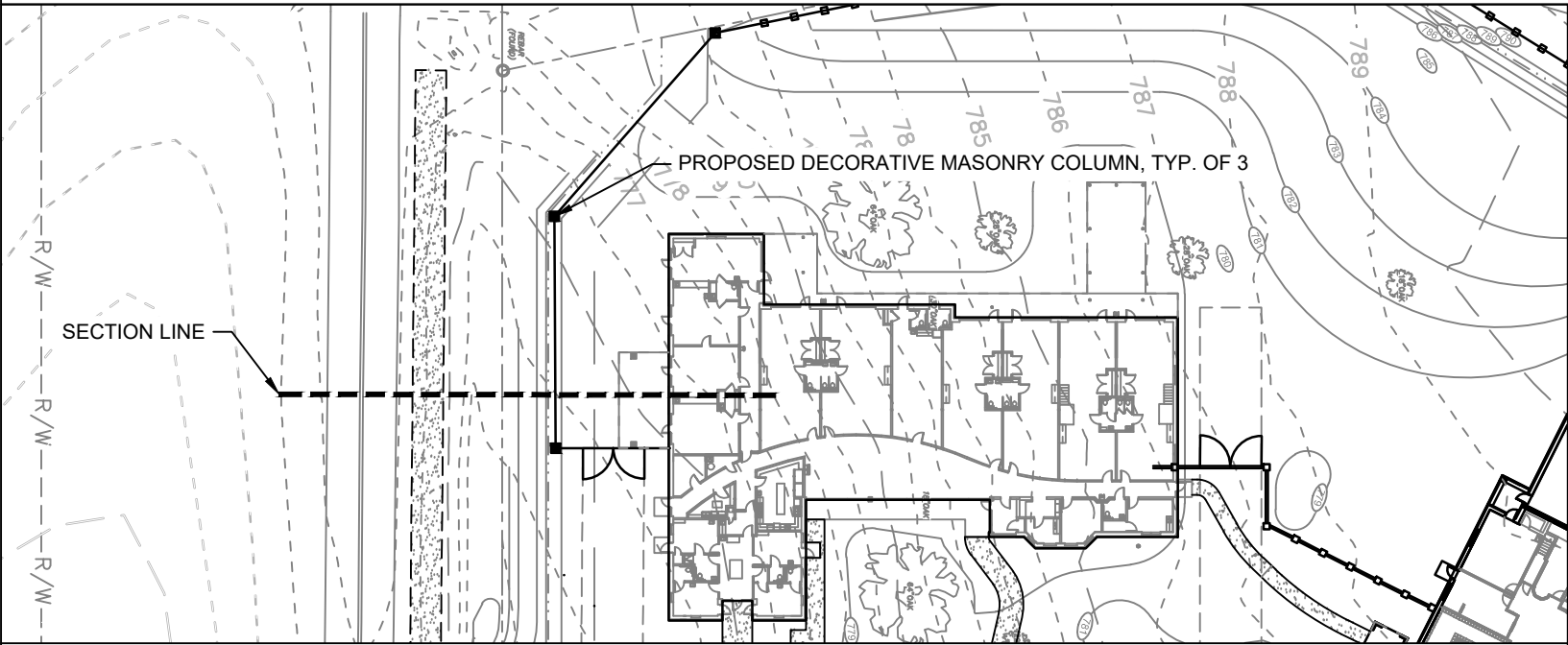


DATE: 10/29/19	MPIC: CCB
DRAWN BY: LVH	CHECKED BY: CCB
PROJECT NUMBER: 00681.00	
SCALE: 1"=30'	
TITLE: CONCEPTUAL SITE PLAN	

SHEET NO:
RZ-1



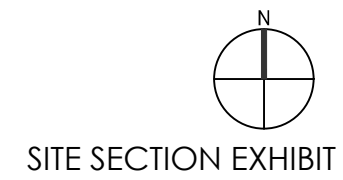
SITE CROSS SECTION 1"=10'



SECTION LINE AND REVISED COLUMN LOCATIONS 1"=60'

LEAFSPRING CORNELIUS

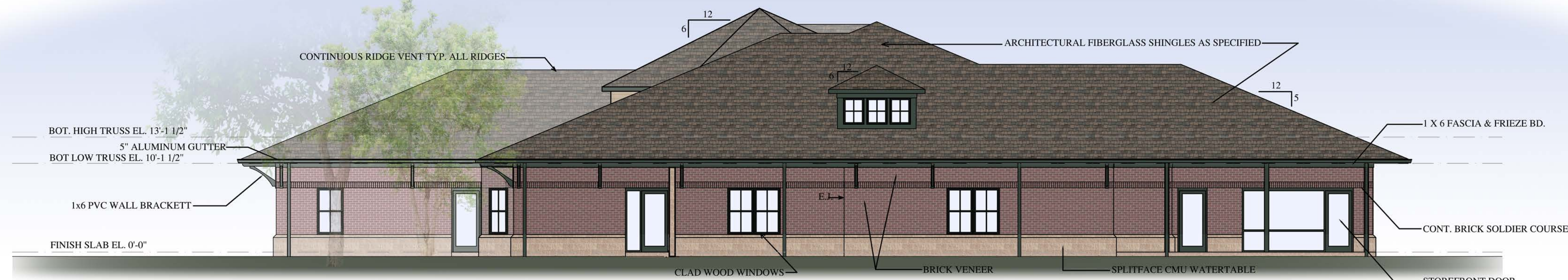
CORNELIUS, NC





Bloc Design
2923 S. Tryon Street, Suite 320
Charlotte, NC 28203
phone: 704-940-2883
www.bloc-nc.com

landscape architecture | planning | civil engineering

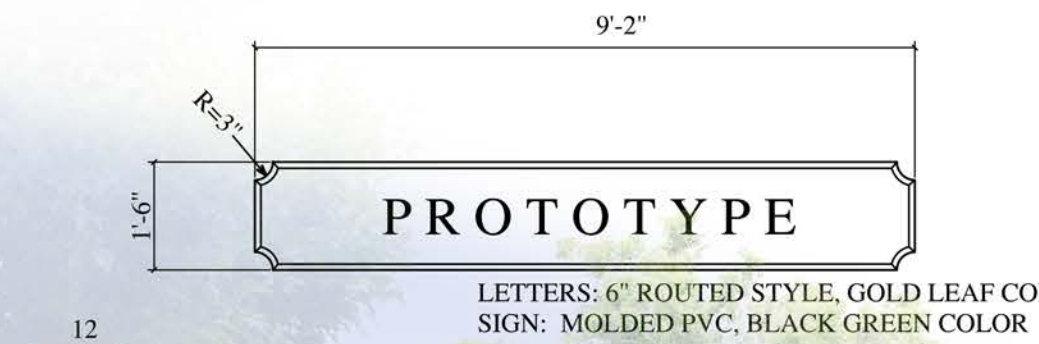


1 RIGHT ELEVATION
1/8" = 1'-0"



2 LEFT ELEVATION
1/8" = 1'-0"

2.1 INT. ELEVATION
1/8" = 1'-0"



3 FRONT ELEVATION
1/8" = 1'-0"

NOTE:
ALL DOWNSPOUTS SHALL BE CONNECTED TO THE
STORM WATER SYSTEM, SEE ALSO CIVIL DRAWINGS

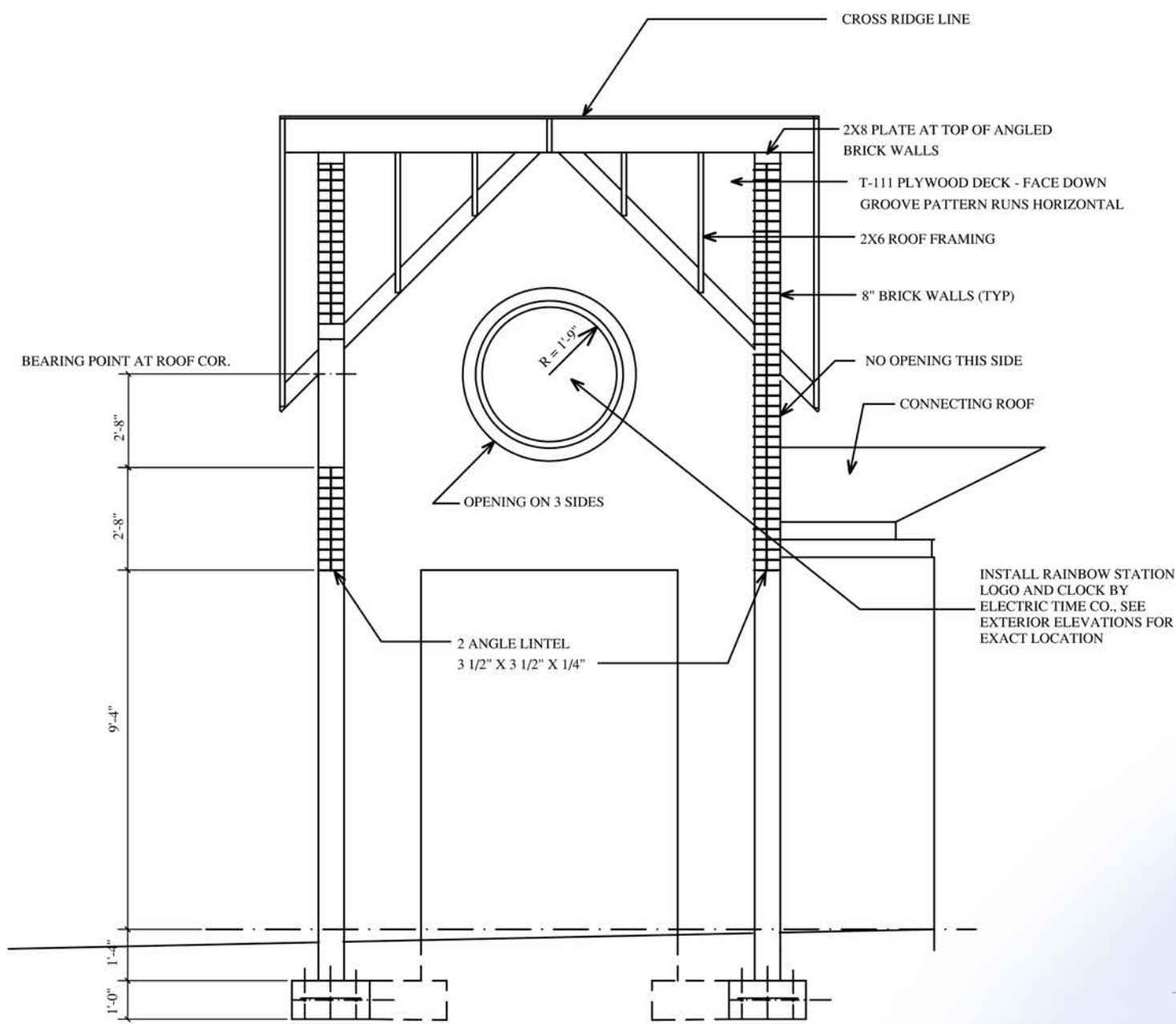


4 BACK ELEVATION
1/8" = 1'-0"

REVISIONS	
NO.	DATE



1 FRONT ELEVATION
A-2 3/16" = 1'-0"



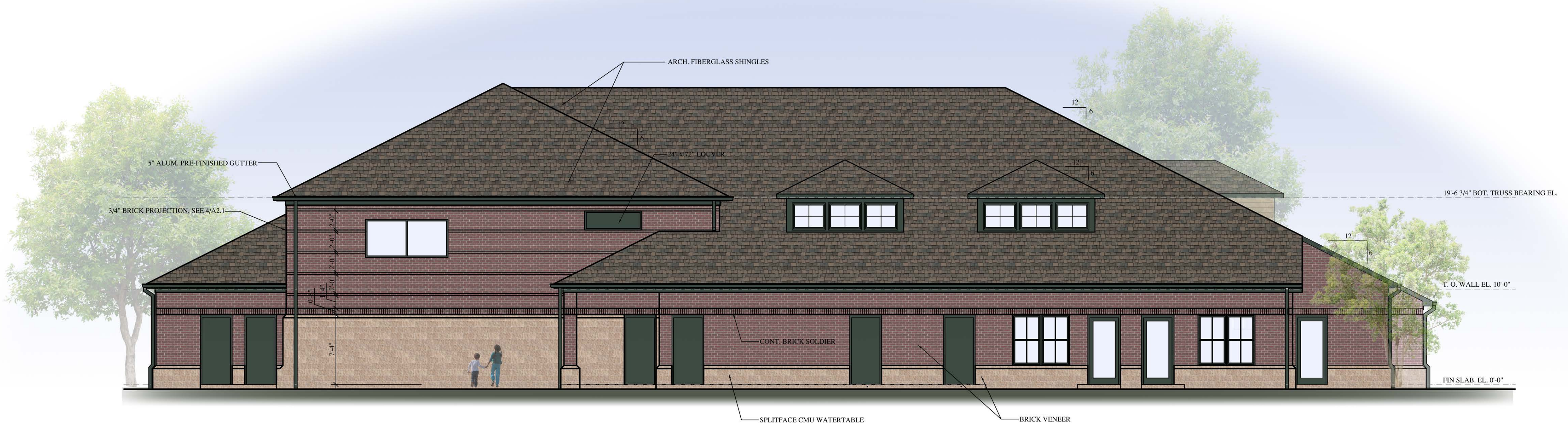
3 TOWER SECTION
A-2 1/4" = 1'-0"



2 BACK ELEVATION
A-2 3/16" = 1'-0"

NOTE:

1. ALL DOWNSPOUTS SHALL BE CONNECTED TO THE STORM WATER SYSTEM, SEE ALSO CIVIL DRAWINGS.
2. PROVIDE CONTROL JOINTS IN MASONRY PER INDUSTRY STANDARDS.
3. PROVIDE FIREBLOCKING INSTALLED AT MAXIMUM INTERVALS OF 20' WITHIN CONCEALED SPACES OF EXTERIOR WALL COVERINGS AND OTHER EXTERIOR ARCHITECTURAL ELEMENTS OF COMBUSTIBLE CONSTRUCTION. THERE SHALL BE NO CONCEALED SPACE EXCEEDING 100 SQ. FT BETWEEN BLOCKING.



3
A-2.1
SIDE ELEVATION
3/16" = 1'-0"



4
A-2.1
SIDE ELEVATION
3/16" = 1'-0"

NOTE:
1. ALL DOWNSPOUTS SHALL BE CONNECTED TO THE STORM WATER SYSTEM, SEE ALSO CIVIL DRAWINGS.
2. PROVIDE CONTROL JOINTS IN MASONRY PER INDUSTRY STANDARDS.
3. PROVIDE FIREBLOCKING INSTALLED AT MAXIMUM INTERVALS OF 20' WITHIN CONCEALED SPACES OF EXTERIOR WALL COVERINGS AND OTHER EXTERIOR ARCHITECTURAL ELEMENTS OF COMBUSTIBLE CONSTRUCTION. THERE SHALL BE NO CONCEALED SPACE EXCEEDING 100 SQ. FT BETWEEN BLOCKING.

AN ORDINANCE TO AMEND THE TOWN OF CORNELIUS ZONING MAP

REZ 05-19 Leafspring School

WHEREAS, the Town of Cornelius has received an application requesting that the zoning classification of parcels of land subject to the zoning regulations of the Town be reclassified; and

WHEREAS, notice of public hearing on the question of the reclassification of the subject parcels has been provided through posting of the property; and

WHEREAS, notice of public hearing on the question of the reclassification of the subject parcels has been provided through advertisement in a newspaper of general circulation in the Town; and

WHEREAS, property owners contiguous to the subject parcels have been notified by first class mail of the public hearing on the question of the reclassification; and

WHEREAS, a public hearing on the question of the reclassification of the subject parcel has been held by the Board of Commissioners of the Town of Cornelius.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF CORNELIUS THAT:

Tax Parcel Numbers 00508119 consisting of approximately 4.1 acres located at 18100 Statesville Rd., be reclassified as *Conditional Zoning (CZ) District* as shown on *Exhibit A* and as further subject to the conditions shown on *Exhibit B* attached hereto and incorporated herein by reference.

Adopted this the 4th day of November, 2019.

Woody T. Washam, Jr., Mayor

ATTEST:

APPROVED AS TO FORM:

Lori A. Harrell, Town Clerk

Town Attorney

Exhibit A

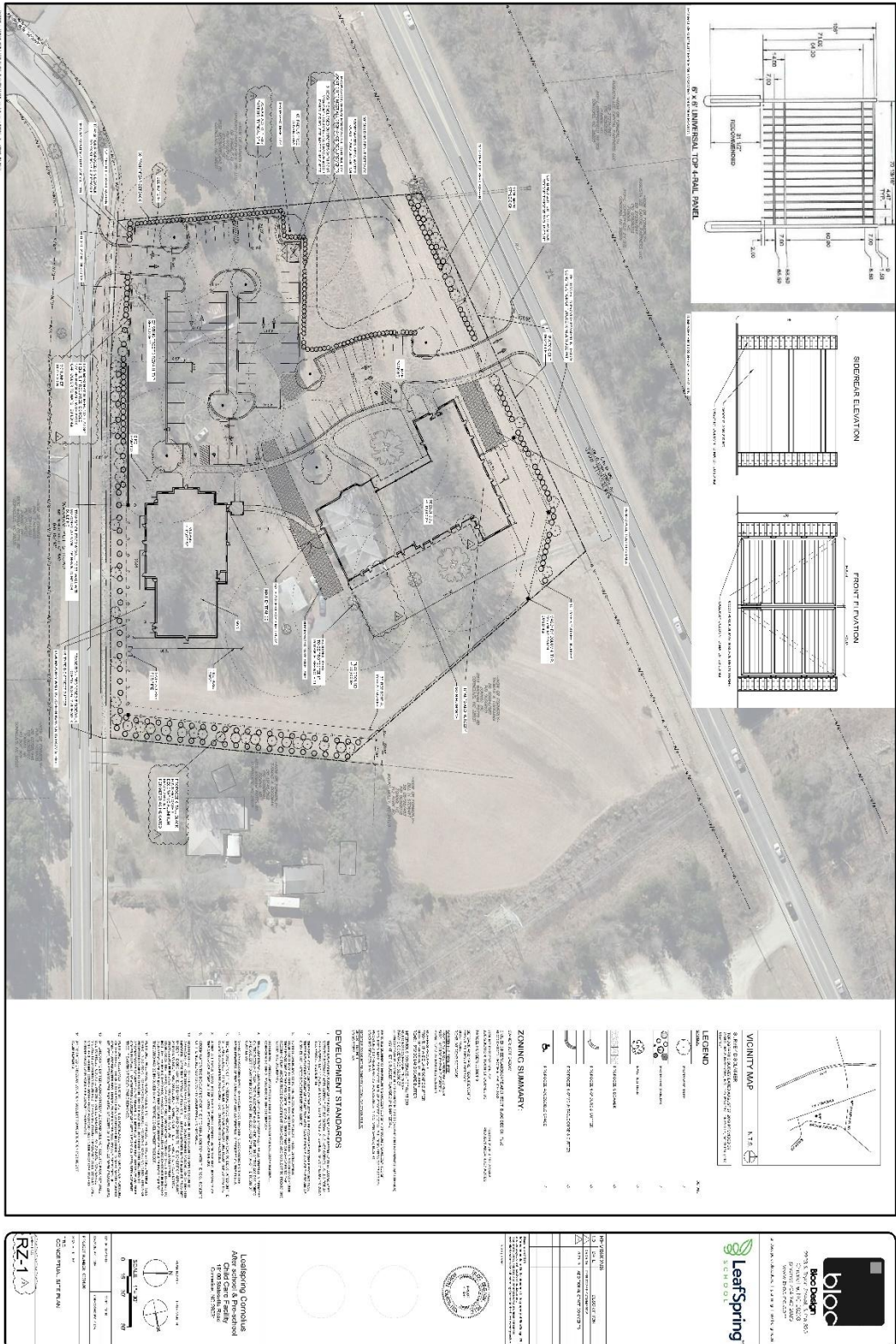


Exhibit B

Conditions of REZ 05-19

1. Town approval is contingent on review and approval by other applicable local, state and federal agencies.
2. The development shall comply with all other applicable requirements of the Town of Cornelius Land Development Code.
3. Town approval incorporates and shall comply with any and all submittals in the case file and correspondence presented to the board in support of this application, including, but not limited to the following: The site/sketch plan, architectural elevations, and any other information related to this case or improvements recommended by the Town and/or other agencies.
4. A payment in lieu may be made instead of constructing the 10' multi-use path along Highway 21.
5. The sidewalk on Washam Potts Road shall be reconstructed to a minimum of 5'.

**RESOLUTION OF THE TOWN OF CORNELIUS BOARD OF
COMMISSIONERS PERTAINING TO THE REASONABLENESS AND
CONSISTENCY OF PROPOSED ZONING MAP AMENDMENTS**

REZ 05-19 Leafspring School

WHEREAS, Jeff Bazow, applicant, initiated the process to rezone the property located at 18100 Statesville Rd. (PID #: 00508119), which consists of 4.1 acres, to *Conditional Zoning District* as shown in *Exhibit A*, and to use the property in accordance with the conditions set forth in *Exhibit B*; and

WHEREAS, in accordance with the provisions of North Carolina General Statutes 160A-382 and 383, the Town Board has considered the reasonableness and consistency of rezoning the above described property and adopts the following statement.

NOW, THEREFORE, BE IT RESOLVED, by the Town of Cornelius Board of Commissioners that the rezoning is consistent with the Town's adopted comprehensive land use plan as proposed and is reasonable and in the public interest because the Land Use Plan categorizes this property as Neighborhood Commercial. A daycare and after school are considered appropriate uses in the Neighborhood Commercial category.

Adopted this 4th day of November, 2019.

Woody T. Washam, Jr., Mayor

ATTEST:

Lori A. Harrell, Town Clerk

APPROVED AS TO FORM:

Town Attorney

Exhibit A

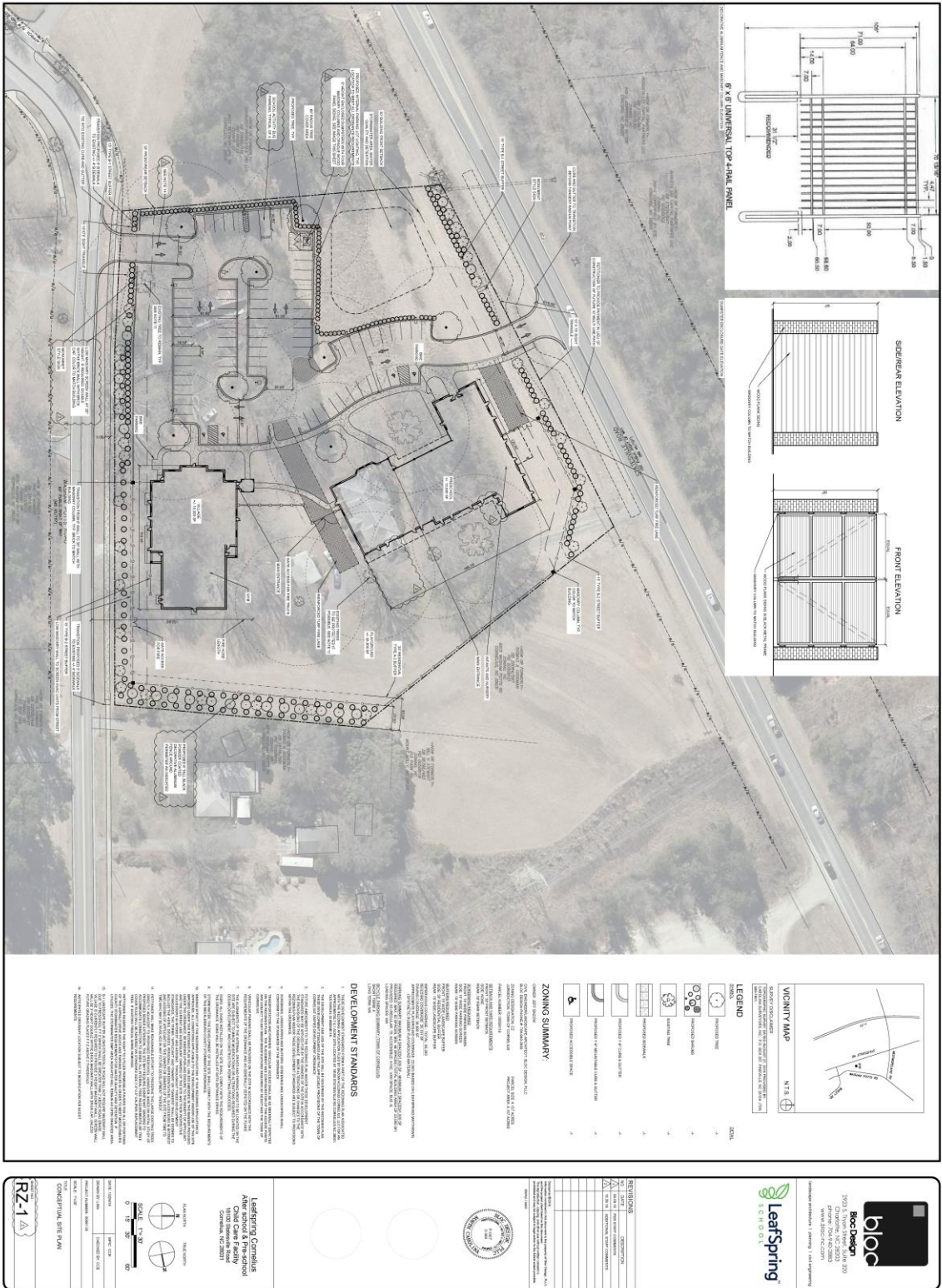


Exhibit B

Conditions of REZ 05-19

1. Town approval is contingent on review and approval by other applicable local, state and federal agencies.
2. The development shall comply with all other applicable requirements of the Town of Cornelius Land Development Code.
3. Town approval incorporates and shall comply with any and all submittals in the case file and correspondence presented to the board in support of this application, including, but not limited to the following: The site/sketch plan, architectural elevations, and any other information related to this case or improvements recommended by the Town and/or other agencies.
4. A payment in lieu may be made instead of constructing the 10' multi-use path along Highway 21.
5. The sidewalk on Washam Potts Road shall be reconstructed to a minimum of 5'.

REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: November 4, 2019

To: Mayor and Board of Commissioners

From: Aaron Tucker, Assistant Planning Director

Action Requested:

Receive public input for a request by South Creek Construction, Inc. to amend a previously approved rezoning plan and develop 8.78 acres of property located at 18206 Old Statesville Road (PID#: 00713117). The property is currently zoned VC-CZ (Village Center Conditional Zoning). The current approval allows for three, four-story multi-family buildings with a total of 132 units. The amendment proposes an additional clubhouse building for the pool and an additional building to function as the pool pump house and for chemical storage.

Staff has completed the review of the site plan and has no comments.

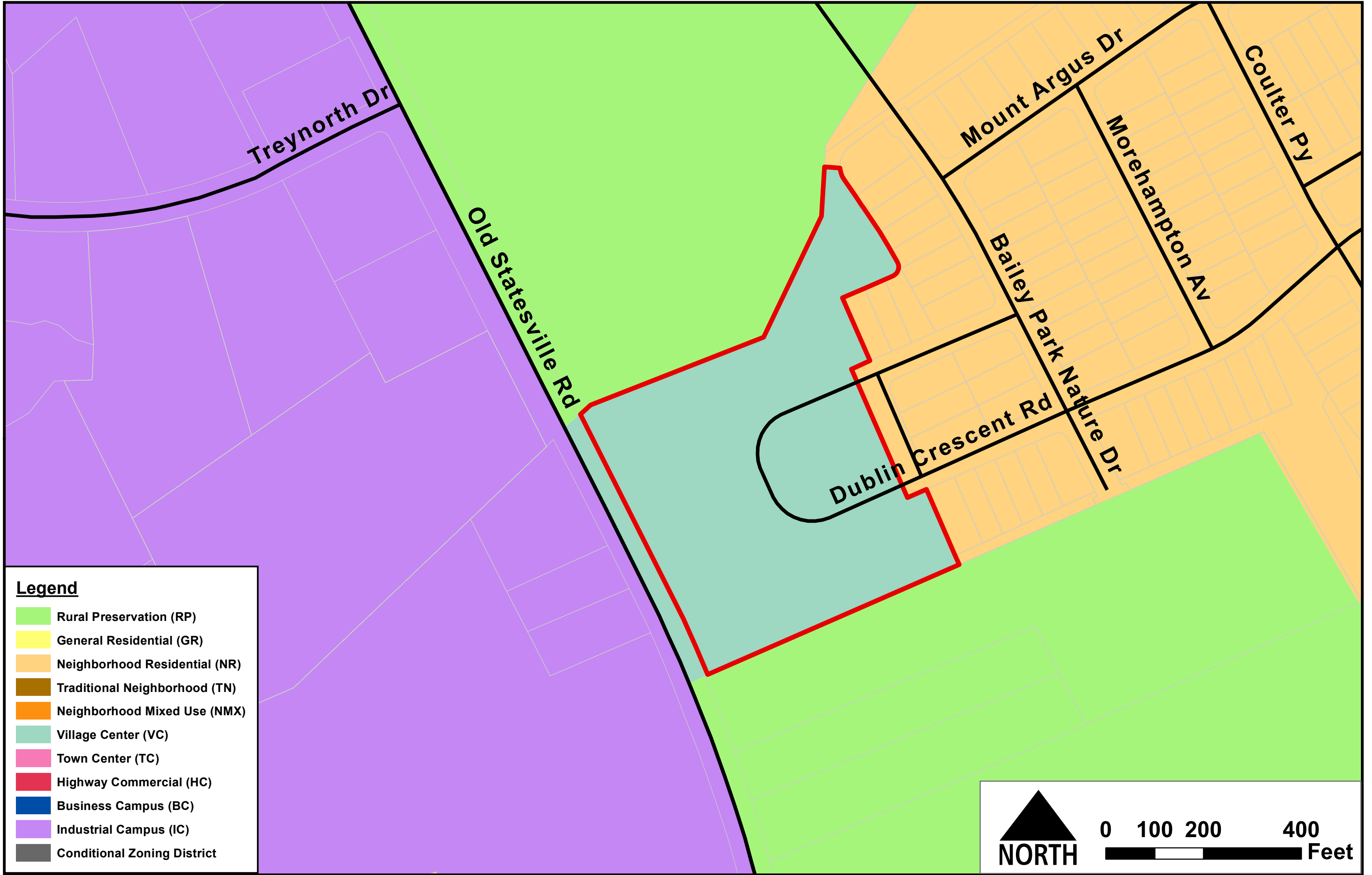
As a previously approved development, a community meeting is not required for the addition of a club house and pump house.

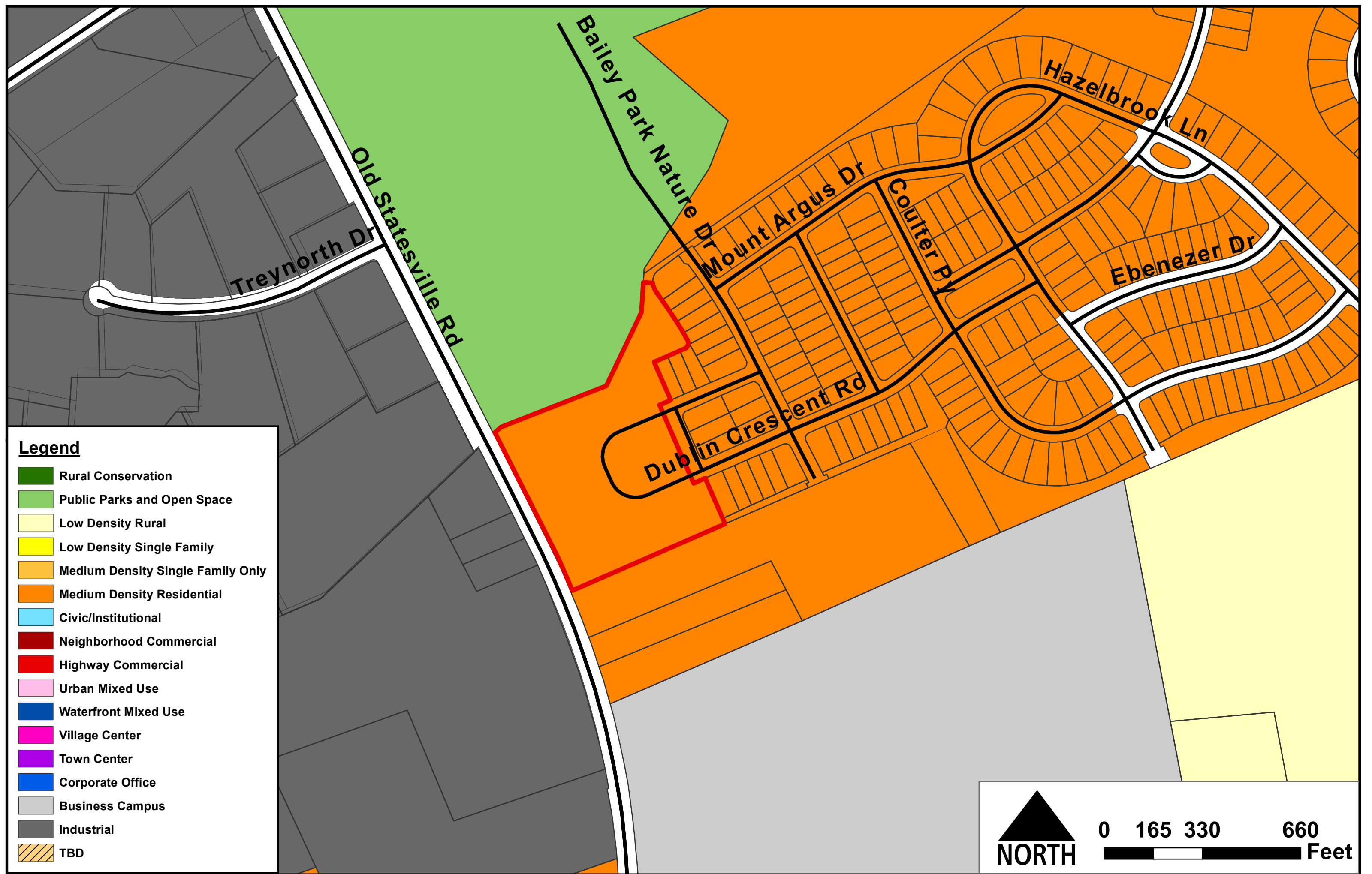
Manager's Recommendation:

Conduct Public Hearing #1.

ATTACHMENTS:


Name:	Description:	Type:
Bailey_s_Glen_Multi-Family_Zoning.pdf	Zoning Map	Backup Material
Bailey_s_Glen_Multi-Family_LU.pdf	Land Use Map	Backup Material
Bailey_s_Glen_Multi-Family_Vicinity.pdf	Vicinity Map	Backup Material
Bailey_s_Glen_Multi-Family_Property.pdf	Property Map	Backup Material
Bailey_s_Glen_Multi-Family-Site_Plan.pdf	Site Plan	Backup Material
baileysglensiteview.pdf	Rendering_Aerial	Backup Material
poolaerial.pdf	Rendering_Pool Amenity 1	Backup Material
poolview4.pdf	Rendering_Pool Amenity 2	Backup Material






Legend

-  Rural Conservation
-  Public Parks and Open Space
-  Low Density Rural
-  Low Density Single Family
-  Medium Density Single Family Only
-  Medium Density Residential
-  Civic/Institutional
-  Neighborhood Commercial
-  Highway Commercial
-  Urban Mixed Use
-  Waterfront Mixed Use
-  Village Center
-  Town Center
-  Corporate Office
-  Business Campus
-  Industrial
-  TBD

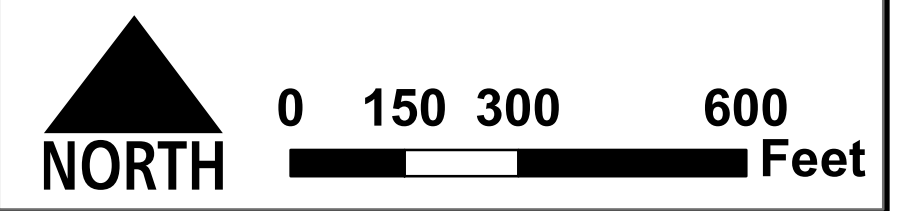
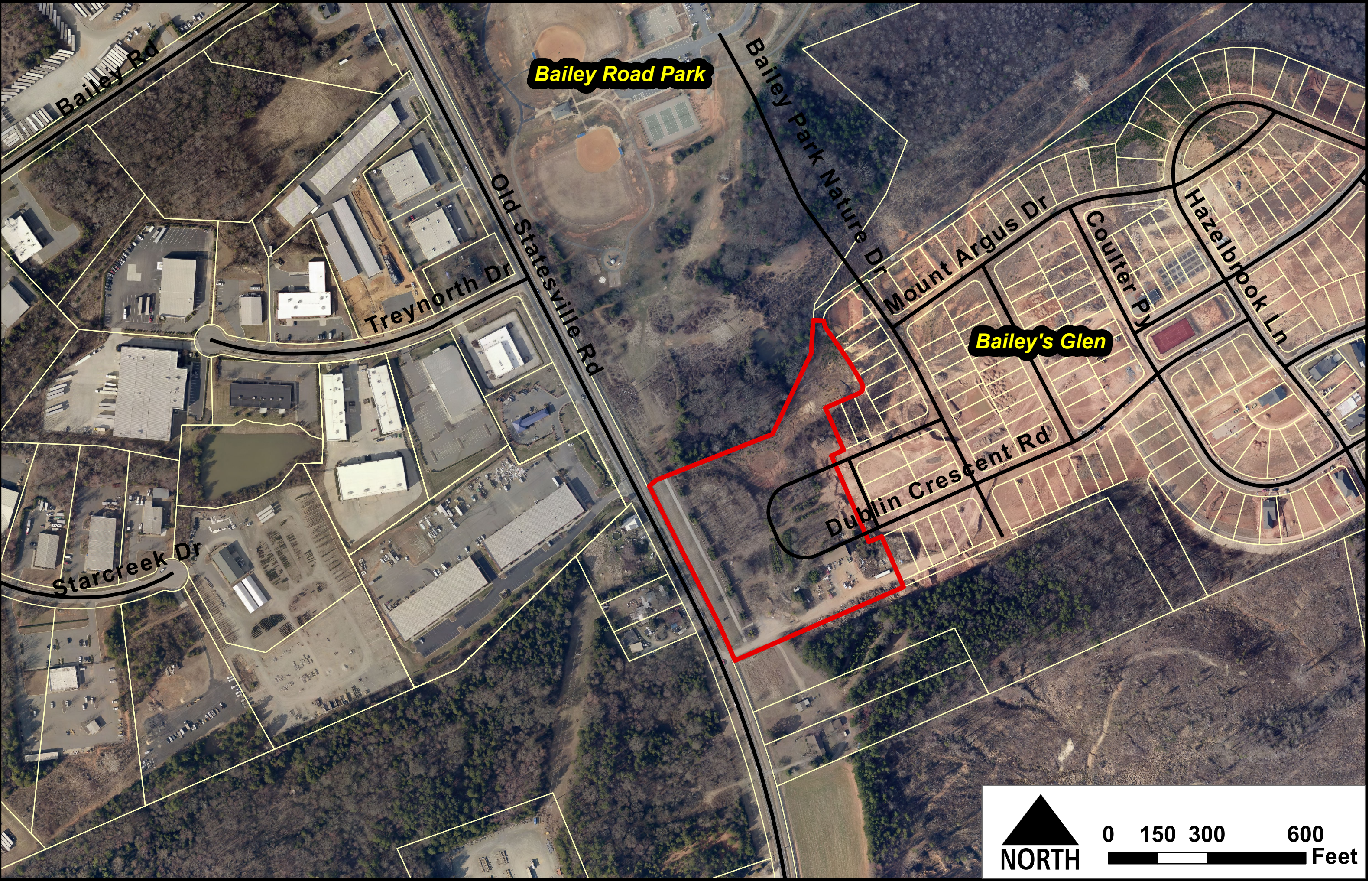


NORTH

0 165 330 660



Feet



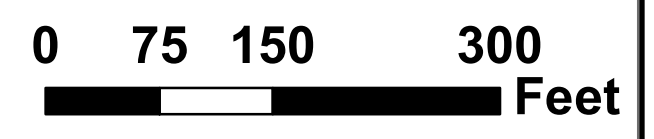
Old Statesville Rd

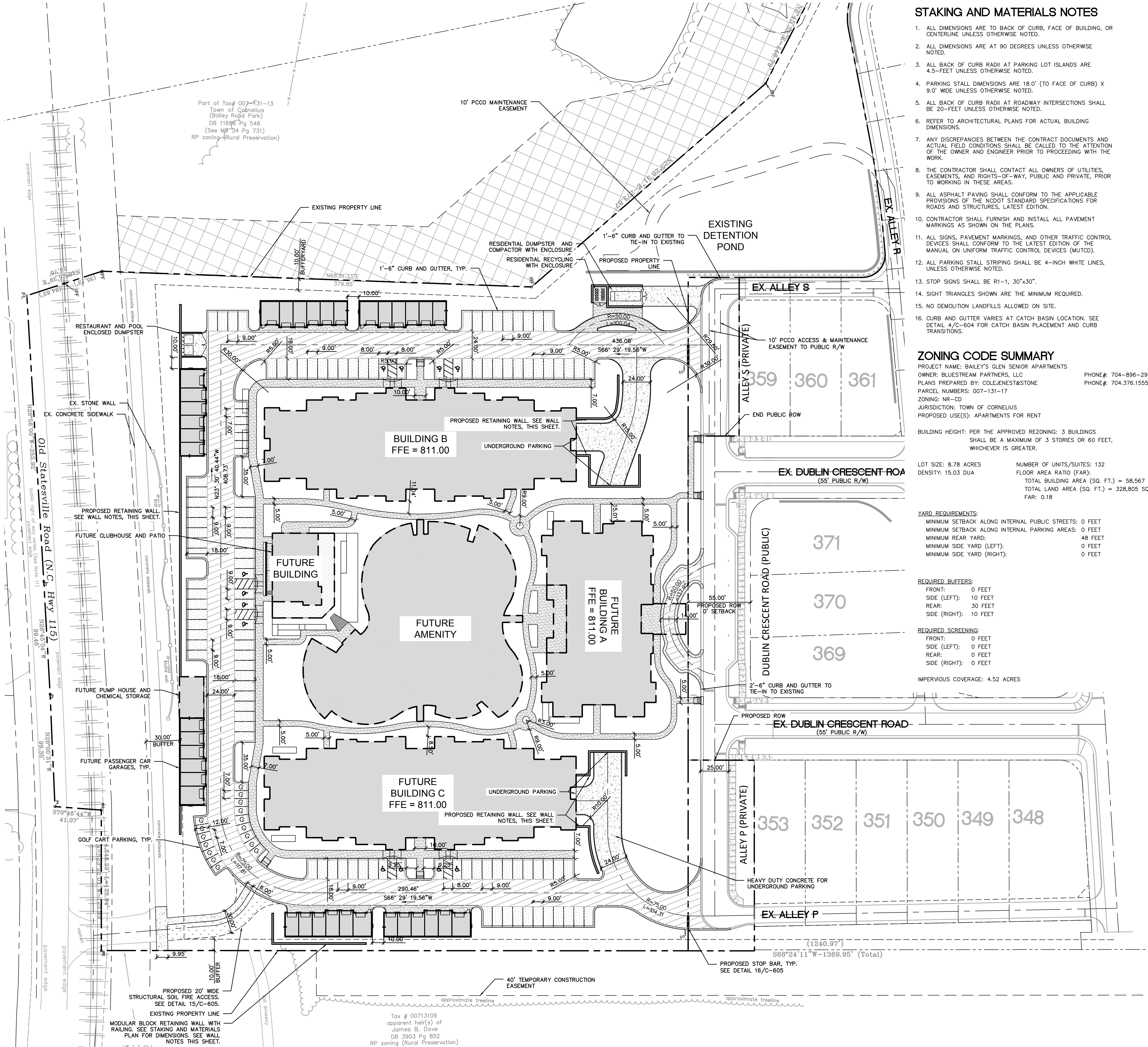
Inver Dr
Dublin Crescent Rd

Bailey Park Nature Dr

Morehampton Av

Coulter Pkwy





STAKING AND MATERIALS NOTES

1. ALL DIMENSIONS ARE TO BACK OF CURB, FACE OF BUILDING, OR CENTERLINE UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE AT 90 DEGREES UNLESS OTHERWISE NOTED.
3. ALL BACK OF CURB RADII AT PARKING LOT ISLANDS ARE 4.5- FEET UNLESS OTHERWISE NOTED.
4. PARKING STALL DIMENSIONS ARE 18.0' (TO FACE OF CURB) X 9.0' WIDE UNLESS OTHERWISE NOTED.
5. ALL BACK OF CURB RADII AT ROADWAY INTERSECTIONS SHALL BE 20- FEET UNLESS OTHERWISE NOTED.
6. REFER TO ARCHITECTURAL PLANS FOR ACTUAL BUILDING DIMENSIONS.
7. ANY DISCREPANCIES BETWEEN THE CONTRACT DOCUMENTS AND ACTUAL FIELD CONDITIONS SHALL BE CALLED TO THE ATTENTION OF THE OWNER AND ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
8. THE CONTRACTOR SHALL CONTACT ALL OWNERS OF UTILITIES, EASEMENTS, AND RIGHTS-OF-WAY, PUBLIC AND PRIVATE, PRIOR TO WORKING IN THESE AREAS.
9. ALL ASPHALT PAVING SHALL CONFORM TO THE APPLICABLE PROVISIONS OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES, LATEST EDITION.
10. CONTRACTOR SHALL FURNISH AND INSTALL ALL PAVEMENT MARKINGS AS SHOWN ON THE PLANS.
11. ALL SIGNS, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
12. ALL PARKING STALL STRIPING SHALL BE 4-INCH WHITE LINES, UNLESS OTHERWISE NOTED.
13. STOP SIGNS SHALL BE R1-1, 30"x30".
14. SIGHT TRIANGLES SHOWN ARE THE MINIMUM REQUIRED.
15. NO DEMOLITION LANDFILLS ALLOWED ON SITE.
16. CURB AND GUTTER VARIES AT CATCH BASIN LOCATION. SEE DETAIL 4/C-604 FOR CATCH BASIN PLACEMENT AND CURB TRANSITIONS.

ZONING CODE SUMMARY

PROJECT NAME: BAILEY'S GLEN SENIOR APARTMENTS
OWNER: BLUESTREAM PARTNERS, LLC
PLANS PREPARED BY: COLEJENEST&STONE
PARCEL NUMBERS: 007-131-17
ZONING: NR-CD
JURISDICTION: TOWN OF CORNELIUS
PROPOSED USE(S): APARTMENTS FOR RENT

BUILDING HEIGHT: PER THE APPROVED REZONING: 3 BUILDINGS SHALL BE A MAXIMUM OF 3 STORIES OR 60 FEET, WHICHEVER IS GREATER.

LOT SIZE: 8.78 ACRES
DENSITY: 15.03 DUA
NUMBER OF UNITS/SUITES: 132
FLOOR AREA RATIO (FAR):
TOTAL BUILDING AREA (SQ. FT.) = 58,567 SQ. FT.
TOTAL LAND AREA (SQ. FT.) = 328,805 SQ. FT.
FAR: 0.18

YARD REQUIREMENTS:

MINIMUM SETBACK ALONG INTERNAL PUBLIC STREETS: 0 FEET
MINIMUM SETBACK ALONG INTERNAL PARKING AREAS: 0 FEET
MINIMUM REAR YARD: 48 FEET
MINIMUM SIDE YARD (LEFT): 0 FEET
MINIMUM SIDE YARD (RIGHT): 0 FEET

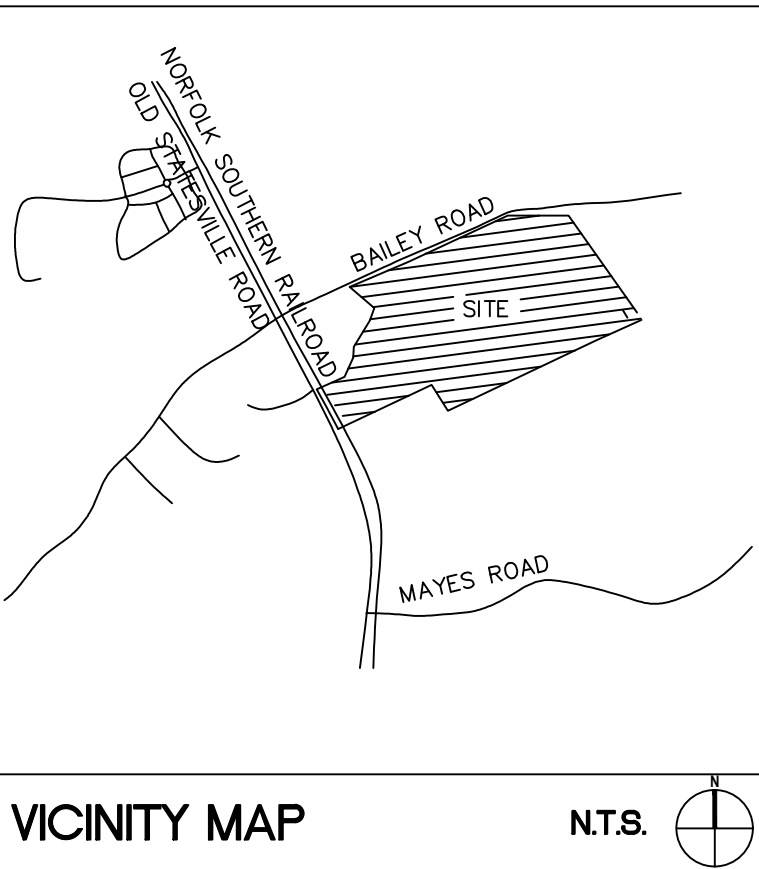
REQUIRED BUFFERS:

FRONT: 0 FEET
SIDE (LEFT): 10 FEET
REAR: 30 FEET
SIDE (RIGHT): 10 FEET

REQUIRED SCREENING:

FRONT: 0 FEET
SIDE (LEFT): 0 FEET
REAR: 0 FEET
SIDE (RIGHT): 0 FEET

IMPERVIOUS COVERAGE: 4.52 ACRES



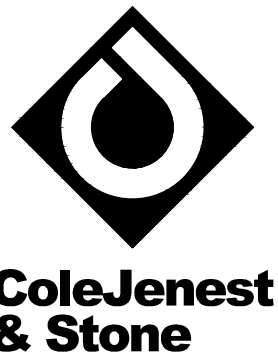
SURVEY DISCLAIMER
TOPOGRAPHIC SURVEY DATED JUNE 18, 2012, PROVIDED BY A.G. ZOUBEK & SONS, 1414 EAST 5TH STREET, CHARLOTTE, NC 28204, (704) 372-9444. ADDITIONAL INFORMATION SHOWN PER CONSTRUCTION DRAWINGS FOR BAILEY'S GLEN SENIOR APARTMENT INFRASTRUCTURE, PREPARED BY COLEJENEST & STONE, P.A., DATED 09/16/16.

LEGEND

SYMBOL	DETAIL
	PROPOSED SIDEWALK 5,6/C-600
	PROPOSED ACCESSIBLE RAMP 9,11/C-600
	PROPOSED ACCESSIBLE SPACE 1/C-604
	PROPOSED ACCESSIBLE SIGN 2/C-604
	PROPOSED STOP SIGN -/-
	HEAVY DUTY CONCRETE 12/C-604
	HEAVY DUTY BITUMINOUS CONCRETE 14/C-605
	LIGHT DUTY BITUMINOUS CONCRETE 18/C-605
	PROPOSED 1'-6" CURB & GUTTER 1/C-600
	PROPOSED 2'-6" CURB & GUTTER 1/C-600
	PROPOSED LIGHTING -/-



1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAG MEN, ETC. AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND CHARLOTTE WATER SPECIFICATIONS.
4. SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.



Shaping the Environment
Realizing the Possibilities

Land Planning
Landscape Architecture
Civil Engineering
Urban Design

200 South Tryon Street, Suite 1400
Charlotte, North Carolina 28202
P: 704.376.1555 F: 704.376.7851
www.colejeneststone.com

Bluestream
Partners, LLC.

17532 Sailview Drive
Cornelius
North Carolina 28031

BAILEY'S GLEN
SENIOR CONDOS

11250 Dublin Crescent Road
Cornelius, North Carolina 28078

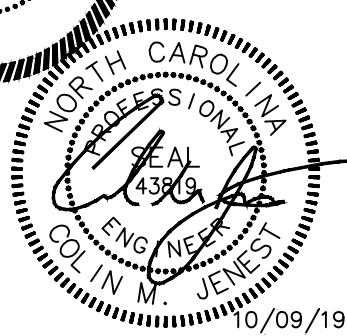
DIMENSION
CONTROL PLAN

Project No.
4135.03

Issued
08/30/19

Revised

10/09/19 - PER TOWN COMMENTS



SCALE: 1"=40'

0 20 40 80

C-100

The drawings, the project manual and the design shown thereon are instruments of ColeJenest & Stone, P.A. The reproduction or unauthorized use of the documents without consent of ColeJenest & Stone, P.A. is prohibited.

ColeJenest & Stone, P.A. 2017 ©







REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: November 4, 2019

To: Mayor and Board of Commissioners
From: Julie Niswonger, Finance Director
Don Mitchell, Electric System Manager

Action Requested:

Town staff and ElectriCities have cooperatively worked at collecting finaled electric accounts to accurately reflect the amount customers owe the Town. Commensurate with last year, Staff recommends that annually the Board approve write offs of amounts that have proved uncollectible for more than 3 years. While this will not stop our collection efforts (these amounts will remain with our collection agency and we will continue to seek collection through the use of NC Debt Setoff program for accounts over \$50), our financial statements will no longer report the amounts as likely collectible. Since FY2013, when the Debt Setoff program was initiated, the Town has collected \$57,746.47 in uncollectible electric debt.

Staff is requesting the Board approve write offs from FY2016 totaling \$20,385.22. In total, the Town has collected 99.7% of revenue billed in FY2016. The Town Board last approved write offs in November 2018.

Manager's Recommendation:

Approve the FY2016 write off uncollectible accounts.

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

REQUEST FOR BOARD ACTION

 **Print**

Date of Meeting: November 4, 2019

To: Mayor and Board of Commissioners

From: Aaron Tucker, Assistant Planning Director

Action Requested:

The two year terms for seat #6 and #7 are set to expire at the end of October.


Teresa Hawkins and Rick Kamakaris have agreed to be reappointed to serve an additional two years, with terms to expire in October of 2021. Both Members are recommended for reappointment by Chairman Eve.

Seat #5, currently occupied by Mark Hoidas, has a term expiring at the end October. Mr. Hoidas has determined he will not seek re-appointment. Staff will work with the Communications Manager to advertise the vacancy for seat #5 and bring back a recommendation in the future.

Manager's Recommendation:

Reappoint Teresa Hawkins and Rick Kamakaris to seats 6 and 7 of the Architectural Review Board.

ATTACHMENTS:

Name:	Description:	Type:
 Draft_ARB_Members_10.29.2019.pdf	Draft Roster	Backup Material

ARCHITECTURAL REVIEW BOARD 2019

SEAT	APT	TERM	NAME	PROFESSION	ADDRESS	HOME NO.	BUS. NO.	CELL NO.	E-MAIL
1	2016	10/18 - 10/20	Recah Harward	Interior Designer	21408 Hickory Street			7049098316	rhawward@labellapc.com
2	2018	10/18-10/20	Megan Hoover	Architect	20658 Spring Grove Lane			704-303-0493	megan.hoover@gmail.com
3	2007	10/18 - 10/20	David Eve	Architect	22548 John Gamble Road	704-892-5015	704-377-2990	704-618-4229	deve@redlinedq.com
4	2007	10/18 - 10/20	Joseph Harris	Architect	21120 Blakely Shores Dr.	704-892-4955	704-904-1432		thejoeharris@bellsouth.net
5		10/19 - 10/21	vacant						
6	2010	10/19 - 10/21	Teresa Hawkins	Landscape Architect	21326 Bethel Church Road	704-892-8625		704-657-3838	teresa_hawkins@att.net
7	2015	10/19 - 10/21	Richard Kamakaris	Architect	17433 Harbor Walk Drive			704.604.1519	kamakaris@gmail.com

REQUEST FOR BOARD ACTION

 **Print**

Date of Meeting: November 4, 2019

To: Mayor and Board of Commissioners
From: Wayne Herron, AICP
Deputy Manager/Director of Planning

Action Requested:

There are four properties that NCDOT needs to acquire from the Town for the construction of the US 21/Catawba dual roundabout project. The four properties are described as follows:






1. The end of Burton Lane. Right-of-way and a permanent drainage and utility easement along with a temporary construction easement. Please note Attachment #1.
2. Community Garden. Right-of-way and a temporary construction easement. Please note Attachment #2.
3. The south/east quadrant of the US 21/Catawba intersection. Right-of-way and a permanent utility and drainage easement along with a temporary construction easement. Please note Attachment #3.
4. US 21 just north of the new roundabout. Right-of-way and a permanent drainage and utility easement. Please note Attachment #4.

The Town Attorney has reviewed each of the documents provided.

Manager's Recommendation:

Approval of the Donation to NCDOT of right-of-way, permanent drainage and utility easements and temporary construction easements at four locations for the US 21/Catawba dual roundabout project (C-5621).

ATTACHMENTS:

Name:	Description:	Type:
 PID_003-192-15 - Attachment 1.pdf	Attachment 1	Backup Material
 PID_005-181-05 Attachment 2.pdf	Attachment 2	Backup Material
 PID_005-182-29.33.34.38 Attachment 3.pdf	Attachment 3	Backup Material
 PID_005-182-22 Attachment 4.pdf	Attachment 4	Backup Material
 C-5621 Rdy phm op 2.pdf	Dual Roundabout Map	Backup Material



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

DATE:
WBS ELEMENT: 50146.2.1
FA PROJECT:
TIP/PARCEL: C-5621 006
COUNTY: MECKLENBURG
DESCRIPTION: Dual Roundabouts North & South of SR 5544 (Catawba Ave) & US 21
Intersection in Cornelius

Property Owner Acknowledgement of the Terms for the Voluntary Donation Of Property to the North
Carolina Department of Transportation.

The undersigned property owner and/or the undersigned property owner's legal representatives freely acknowledge their desire and willingness to voluntarily transfer their ownership of privately owned real property to the North Carolina Department of Transportation for the benefit of the above sited public transportation project without receipt of just compensation. It is further agreed and acknowledged by the undersigned property owner and/or the property owner's legal representative that the property owner and/or legal representative has been advised that he/she is entitled to have an appraisal made on his/her property to determine just compensation and the owner releases the Department from this obligation and waives any compensation in exchange for the donation of property as right of way in full settlement of his/her claim. The purpose of this document is to ensure compliance under Title 23 of the United States Code of Federal Regulations (CFR), Subchapter H (Right-of-Way and Environment), Part 710 (Right-of-Way and Real Estate), Subpart E (Property Acquisition Alternatives), Subsection .505 (Real Property Donations).

TOWN OF CORNELIUS

(CORPORATE SEAL)

BY: _____,
_____, Mayor of Town of Cornelius

BY: _____,
_____, Clerk of Town of Cornelius

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: _____

(Official Seal)	North Carolina, _____ County
	I, _____, a Notary Public for _____ County, North Carolina, certify that
	_____ personally came before
	me this day and acknowledged that he/she is the CLERK of the Town of _____, and that by authority duly given, the foregoing instrument was signed in its name by its Mayor of the Town of Cornelius, sealed with its corporate seal, and attested by _____ as its CITY CLERK.
	Witness my hand and official seal this the _____ day of _____, 20 ____.
	_____ Notary Public
	My commission expires: _____

Revenue Stamps \$ 0.00

DEED FOR HIGHWAY RIGHT OF WAY

THIS INSTRUMENT DRAWN BY Trent Culp CHECKED BY Stephen Frey

The hereinafter described property ☐ Does ☒ Does not include the primary residence of the Grantor

RETURN TO: Professional Property Services, Inc.
18335 Old Statesville Road, Unit A
Cornelius, NC 28031

NORTH CAROLINA
COUNTY OF MECKLENBURG
TAX PARCEL 003-192-15

TIP/PARCEL NUMBER: C-5621 006
WBS ELEMENT: 50146.2.1
ROUTE: Dual Roundabouts North &
South of SR 5544 (Catawba
Ave) & US 21 Intersection in
Cornelius

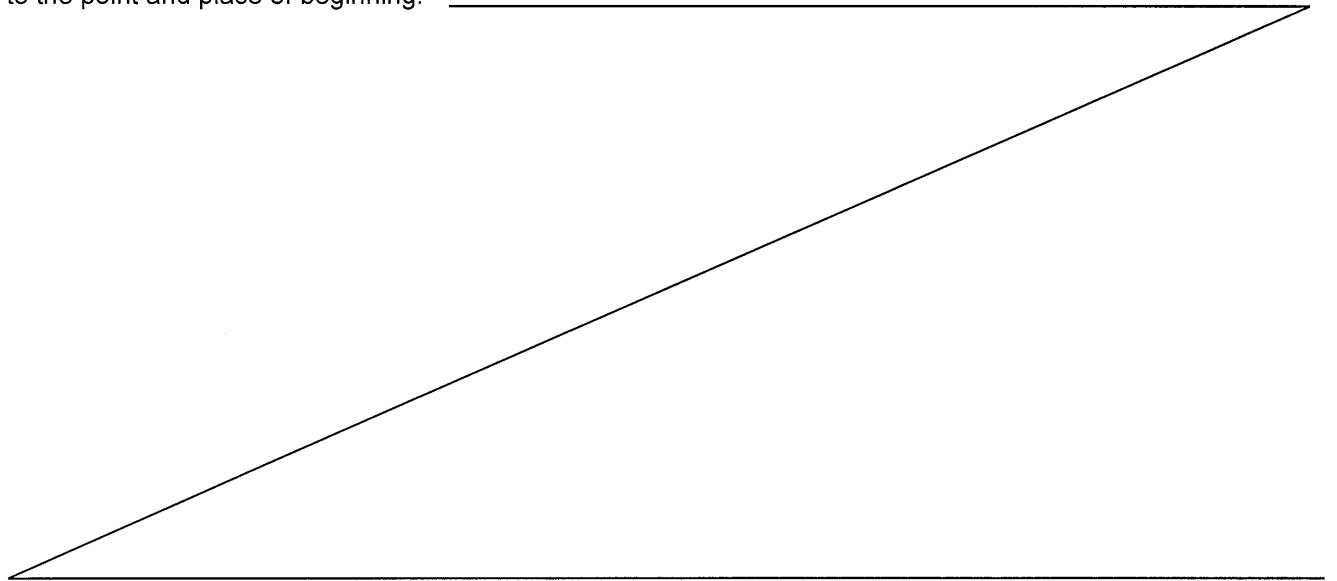
THIS FEE SIMPLE DEED, made and entered into this the _____ day of _____ 20 _____
by and between Town of Cornelius
PO Box 399
Cornelius, NC 28031

hereinafter referred to as GRANTORS, and the Department of Transportation, an agency of the State of North Carolina, 1546 Mail Service Center, Raleigh, NC 27611, hereinafter referred to as the Department;

WITNESSETH

That the GRANTORS, for themselves, their heirs, successors, and assigns, for and in consideration of the sum of \$ 1.00 agreed to be paid by the DEPARTMENT to the GRANTORS, do hereby give, grant and convey unto the DEPARTMENT, its successors and assigns, in FEE SIMPLE that certain property located in 9 Township, Mecklenburg County, North Carolina, which is particularly described as follows:

Point of beginning being S 39°14'59.2" W, 66.174 feet from -Y7- Sta 12+00 thence to a point on a bearing of S 76°59'45.9" W 12.938 feet thence to a point on a bearing of S 2°26'19.4" W 30.202 feet thence to a point on a bearing of N 22°46'29.4" E 31.242 feet thence to a point on a bearing of N 22°46'29.4" E 4.642 feet returning to the point and place of beginning.



IN ADDITION, and for the aforesated consideration, the GRANTORS further hereby convey to the DEPARTMENT, its successors and assigns the following described areas and interests:

Permanent Drainage/Utility Easement described as follows:
Point of beginning being S 39°14'59.2" W, 66.174 feet from -Y7- Sta 12+00 thence to a point on a bearing of S 22°46'29.4" W 26.161 feet thence to a point on a bearing of N 81°39'10.2" E 231.406 feet thence to a point on a bearing of S 88°47'28.1" E 42.526 feet thence to a point on a bearing of N 88°37'10.1" W 189.726 feet thence to a point on a bearing of N 88°37'10.1" W 13.360 feet thence to a point on a bearing of S 76°59'45.9" W 59.852 feet returning to the point and place of beginning.

Said Permanent Drainage/Utility easement in perpetuity is for the installation and maintenance of drainage facilities and/or utilities, and for all purposes for which the DEPARTMENT is authorized by law to subject same. The Department and its agents or assigns shall have the right to construct and maintain in a proper manner in, upon and through said premises a drainage facility and/or utility line or lines with all necessary pipes, poles and appurtenances, together with the right at all times to enter said premises for the purpose of inspecting said drainage facility and/or utility lines and making all necessary repairs and alterations thereon; together with the right to cut away and keep clear of said drainage facility and/or utility lines, all trees and other obstructions that may in any way endanger or interfere with the proper maintenance and operation of the same with the right at all times of ingress, egress and regress. It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above-described permanent drainage/utility easement area(s). It is further understood and agreed that Permanent Drainage/Utility Easement shall be used by the Department for additional working area during the above described project. The underlying fee owner shall have the right to continue to use the Permanent drainage/Utility Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

Permanent Utility Easement described as follows:
Point of beginning being S 33°28'21.5" W, 101.098 feet from -Y7- Sta 12+00 thence to a point on a bearing of S 2°26'19.4" W 28.263 feet thence to a point on a bearing of N 23°5'11.0" E 42.294 feet thence to a point on a bearing of S 81°39'10.2" W 11.742 feet thence to a point on a bearing of S 22°46'29.4" W 9.723 feet returning to the point and place of beginning.

Said Permanent Utility easement in perpetuity is for the installation and maintenance of utilities, and for all purposes for which the DEPARTMENT is authorized by law to subject same. The Department and its agents or assigns shall have the right to construct and maintain in a proper manner in, upon and through said premises a utility line or lines with all necessary pipes, poles and appurtenances, together with the right at all times to enter said premises for the purpose of inspecting said utility lines and making all necessary repairs and alterations thereon; together with the right to cut away and keep clear of said utility lines, all trees and other obstructions that may in any way endanger or interfere with the proper maintenance and operation of the same with the right at all times of ingress, egress and regress. It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above-described Permanent Utility Easement area(s). It is further understood and agreed that Permanent Utility Easement shall be used by the Department for additional working area during the above described project. The underlying fee owner shall have the right to continue to use the Permanent Utility Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

Temporary Construction Easement described as follows:
Point of beginning being S 79°46'40.7" E, 243.134 feet from -Y7- Sta 12+00 thence to a point on a bearing of N 88°37'10.1" W 19.805 feet thence to a point on a bearing of N 88°47'28.1" W 16.914 feet thence to a point on a bearing of S 19°39'7.7" E 61.819 feet thence to a point on a bearing of N 85°46'5.0" E 8.340 feet thence to a point on a bearing of N 7°37'37.2" E 57.276 feet returning to the point and place of beginning.

This construction easement(s) shall expire upon completion and acceptance of the aforementioned project. The underlying fee owner shall have the right to continue to use the Temporary Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

SPECIAL PROVISIONS. This deed is subject to the following provisions only:

None _____

COUNTY: Mecklenburg WBS ELEMENT: 50146.2.1 TIP/PARCEL NO.: C-5621 006

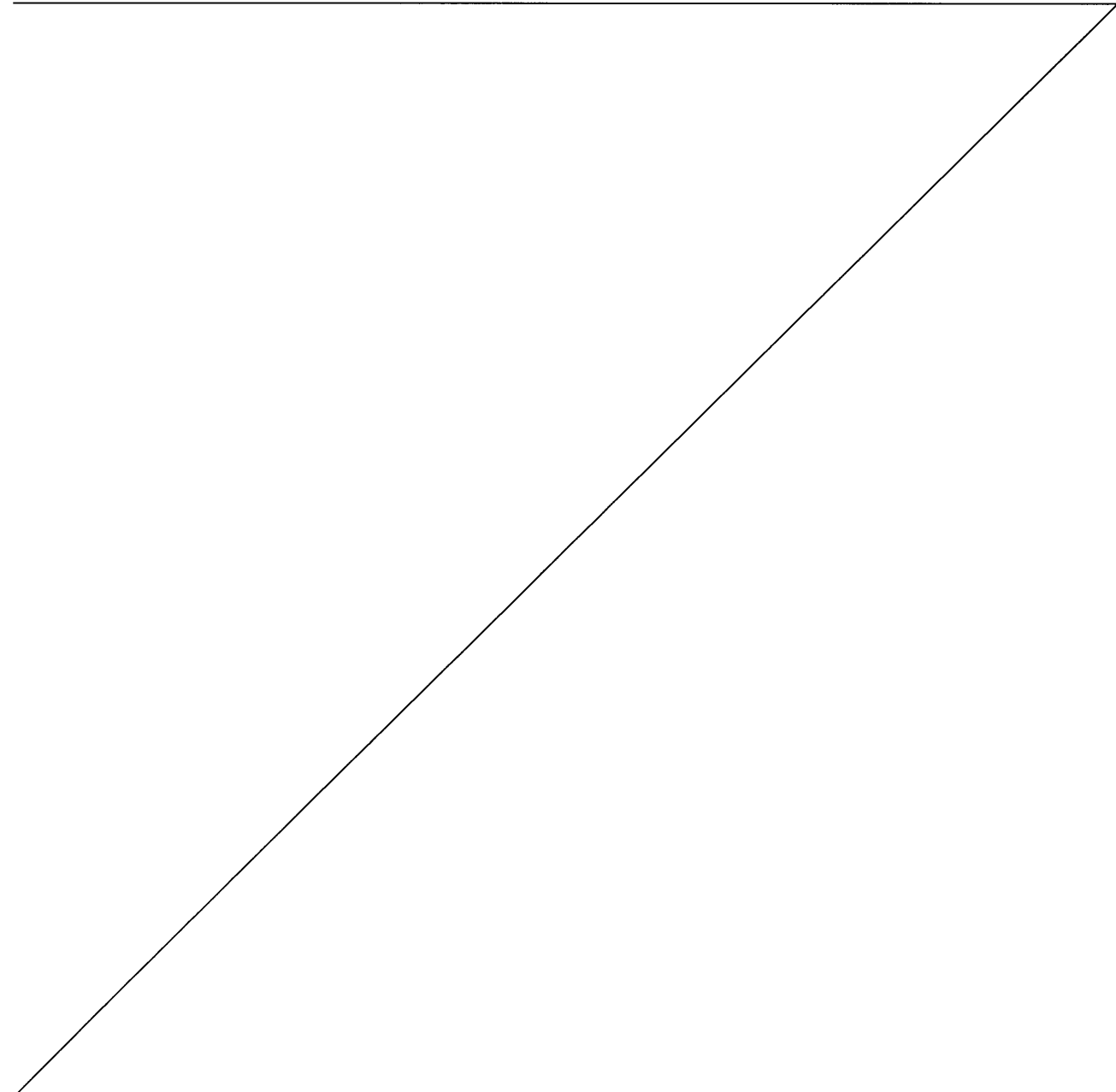
The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the Mecklenburg County Registry in Deed Book 25028 Page 977 .

The final right of way plans showing the above described right of way are to be certified and recorded in the Office of the Register of Deeds for said County pursuant to N.C.G.S. 136-19.4, reference to which plans is hereby made for purposes of further description and for greater certainty.

The Grantors acknowledge that the project plans for Project # 50146.2.1 have been made available to them. The Grantors further acknowledge that the consideration stated herein is full and just compensation pursuant to Article 9, Chapter 136 of the North Carolina General Statutes for the acquisition of the said interests and areas by the Department of Transportation and for any and all damages to the value of their remaining property; for any and all claims for interest and costs; for any and all damages caused by the acquisition for the construction of Department of Transportation Project # 50146.2.1 , Mecklenburg County, and for the past and future use of said areas by the Department of Transportation, its successors and assigns for all purposes for which the said Department is authorized by law to subject the same.

TO HAVE AND TO HOLD the aforesaid premises and all privileges and appurtenances thereunto belonging to the DEPARTMENT, its successors and assigns in FEE SIMPLE, or by easement as indicated, for the past, present and future use thereof and for all purposes which the said Department is authorized by law to subject the same.

And the GRANTORS covenant with the DEPARTMENT, that the GRANTORS are seized of the premises in fee simple, have the right to convey the same in fee simple, or by easement as indicated, that the title thereto is marketable and free and clear of all encumbrances, and that the GRANTORS 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 hereby conveyed subject to the following exceptions:
None



COUNTY: Mecklenburg WBS ELEMENT: 50146.2.1 TIP/PARCEL NO.: C-5621 006

IN WITNESS WHEREOF, the GRANTORS pursuant to authority delegated by the Town of Cornelius Town Council on _____, have caused this instrument to be signed in its corporate name by its Mayor, its corporate seal to be hereunto affixed, and attested by its TOWN CLERK by order of the TOWN OF CORNELIUS TOWN COUNCIL, the day and year first above written.

This instrument does not transfer the herein described interests unless and until this document is accepted by an authorized agent of the Department of Transportation.

TOWN OF CORNELIUS

(CORPORATE SEAL)

BY: _____
_____, Mayor of Town of Cornelius

BY: _____
_____, Clerk of Town of Cornelius

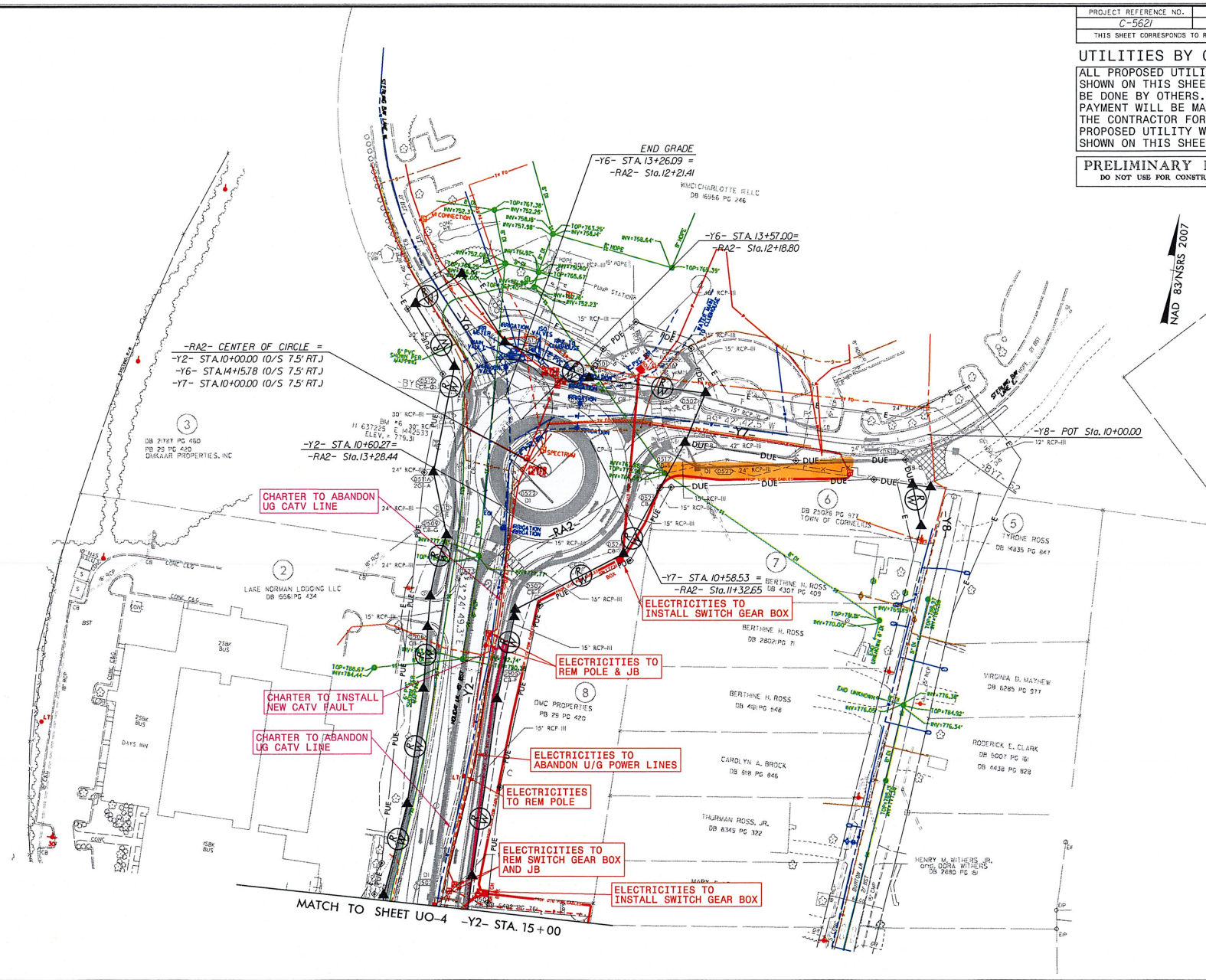
ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: _____

(Official Seal)	North Carolina, _____ County
	I, _____, a Notary Public for _____ County, North Carolina, certify that _____ personally came before me this day and acknowledged that he/she is the CLERK of the Town of <u>Cornelius</u> , and that by authority duly given, the foregoing instrument was signed in its name by its Mayor of the Town of Cornelius, sealed with its corporate seal, and attested by _____ as its CITY CLERK.
	Witness my hand and official seal this the _____ day of _____, 20 ____.
	_____ Notary Public
	My commission expires: _____

UTILITIES BY OTHERS

ALL PROPOSED UTILITY WORK SHOWN ON THIS SHEET WILL BE DONE BY OTHERS. NO PAYMENT WILL BE MADE TO THE CONTRACTOR FOR PROPOSED UTILITY WORK SHOWN ON THIS SHEET.
--

NAD 83/NRS 2007





STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

DATE:
WBS ELEMENT: 50146.2.1
FA PROJECT:
TIP/PARCEL: C-5621 017
COUNTY: MECKLENBURG
DESCRIPTION: Dual Roundabouts North & South of SR 5544 (Catawba Ave) & US 21
Intersection in Cornelius

Property Owner Acknowledgement of the Terms for the Voluntary Donation Of Property to the North Carolina Department of Transportation.

The undersigned property owner and/or the undersigned property owner's legal representatives freely acknowledge their desire and willingness to voluntarily transfer their ownership of privately owned real property to the North Carolina Department of Transportation for the benefit of the above sited public transportation project without receipt of just compensation. It is further agreed and acknowledged by the undersigned property owner and/or the property owner's legal representative that the property owner and/or legal representative has been advised that he/she is entitled to have an appraisal made on his/her property to determine just compensation and the owner releases the Department from this obligation and waives any compensation in exchange for the donation of property as right of way in full settlement of his/her claim. The purpose of this document is to ensure compliance under Title 23 of the United States Code of Federal Regulations (CFR), Subchapter H (Right-of-Way and Environment), Part 710 (Right-of-Way and Real Estate), Subpart E (Property Acquisition Alternatives), Subsection .505 (Real Property Donations).

TOWN OF CORNELIUS

(CORPORATE SEAL)

BY: _____
_____, Mayor of Town of Cornelius

BY: _____
_____, Clerk of Town of Cornelius

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: _____

(Official Seal)	North Carolina, _____ County
	I, _____, a Notary Public for _____ County, North Carolina, certify that
	_____ personally came before
	me this day and acknowledged that he/she is the CLERK of the Town of _____, and that by authority duly given, the foregoing instrument was signed in its name by its Mayor of the Town of Cornelius, sealed with its corporate seal, and attested by _____ as its CITY CLERK.
	Witness my hand and official seal this the _____ day of _____, 20 ____.
	_____ Notary Public
	My commission expires: _____

Revenue Stamps \$ 0.00

DEED FOR HIGHWAY RIGHT OF WAY

THIS INSTRUMENT DRAWN BY Trent Culp CHECKED BY Stephen Frey

The hereinafter described property ☐ Does ☒ Does not include the primary residence of the Grantor

RETURN TO: Professional Property Services, Inc.
18335 Old Statesville Road, Unit A
Cornelius, NC 28031

NORTH CAROLINA
COUNTY OF MECKLENBURG
TAX PARCEL 005-181-05

TIP/PARCEL NUMBER: C-5621 017
WBS ELEMENT: 50146.2.1
ROUTE: Dual Roundabouts North &
South of SR 5544 (Catawba
Ave) & US 21 Intersection in
Cornelius

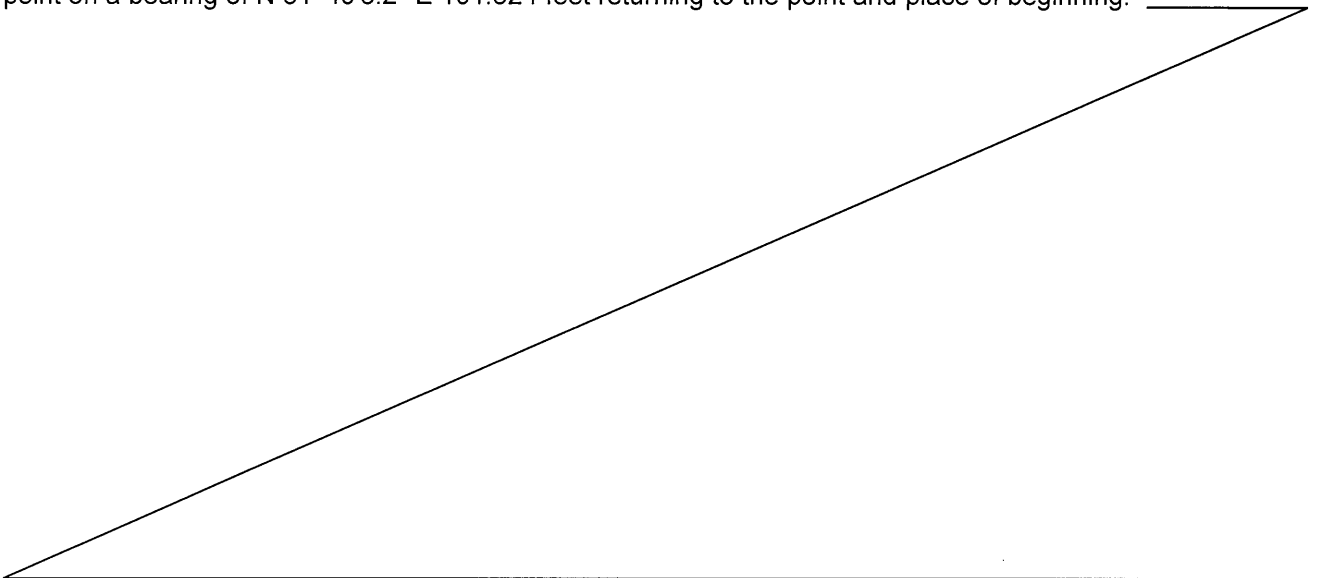
THIS FEE SIMPLE DEED, made and entered into this the _____ day of _____ 20 _____
by and between Town of Cornelius
PO Box 399
Cornelius, NC 28031

hereinafter referred to as GRANTORS, and the Department of Transportation, an agency of the State of North Carolina, 1546 Mail Service Center, Raleigh, NC 27611, hereinafter referred to as the Department;

WITNESSETH

That the GRANTORS, for themselves, their heirs, successors, and assigns, for and in consideration of the sum of \$ 1.00 agreed to be paid by the DEPARTMENT to the GRANTORS, do hereby give, grant and convey unto the DEPARTMENT, its successors and assigns, in FEE SIMPLE that certain property located in 9 Township, Mecklenburg County, North Carolina, which is particularly described as follows:

Point of beginning being S 72°57'49.7" E, 83.175 feet from -L- Sta 19+00 thence to a point on a bearing of N 6°51'49.0" E 2.886 feet thence to a point on a bearing of S 83°48'7.0" W 100.552 feet thence to a point on a bearing of S 78°53'13.2" W 0.126 feet thence to a point on a bearing of S 6°51'49.0" W 6.759 feet thence to a point on a bearing of N 81°40'6.2" E 101.624 feet returning to the point and place of beginning.



IN ADDITION, and for the aforesated consideration, the GRANTORS further hereby convey to the DEPARTMENT, its successors and assigns the following described areas and interests:

Temporary Construction Easement described as follows:
Point of beginning being S 28°16'21.2" W, 44.389 feet from -L- Sta 19+00 thence to a point on a bearing of S 6°51'49.0" W 8.814 feet thence to a point on a bearing of N 84°15'21.9" E 100.494 feet thence to a point on a bearing of N 6°51'49.0" E 13.516 feet thence to a point on a bearing of S 81°40'6.2" W 101.624 feet returning to the point and place of beginning.

It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above described area(s) until such time that the property owners alter the adjacent lands in such a manner that the lateral support of the cut and/or fill slopes are no longer needed. Any additional construction areas lying beyond the beyond the right of way limits and beyond any permanent easement areas will terminate upon completion of the project. The underlying fee owner shall have the right to continue to use the Temporary Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

SPECIAL PROVISIONS. This deed is subject to the following provisions only:

The undersigned property owners request that the Department enter upon our lands outside the right of way to the extent necessary for the reconnection of our driveway and we will have no further claim as a result of said reconnection.

The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the Mecklenburg County Registry in Deed Book 27078 Page 368 .

The final right of way plans showing the above described right of way are to be certified and recorded in the Office of the Register of Deeds for said County pursuant to N.C.G.S. 136-19.4, reference to which plans is hereby made for purposes of further description and for greater certainty.

The Grantors acknowledge that the project plans for Project # 50146.2.1 have been made available to them. The Grantors further acknowledge that the consideration stated herein is full and just compensation pursuant to Article 9, Chapter 136 of the North Carolina General Statutes for the acquisition of the said interests and areas by the Department of Transportation and for any and all damages to the value of their remaining property; for any and all claims for interest and costs; for any and all damages caused by the acquisition for the construction of Department of Transportation Project # 50146.2.1 , Mecklenburg County, and for the past and future use of said areas by the Department of Transportation, its successors and assigns for all purposes for which the said Department is authorized by law to subject the same.

TO HAVE AND TO HOLD the aforesaid premises and all privileges and appurtenances thereunto belonging to the DEPARTMENT, its successors and assigns in FEE SIMPLE, or by easement as indicated, for the past, present and future use thereof and for all purposes which the said Department is authorized by law to subject the same.

And the GRANTORS covenant with the DEPARTMENT, that the GRANTORS are seized of the premises in fee simple, have the right to convey the same in fee simple, or by easement as indicated, that the title thereto is marketable and free and clear of all encumbrances, and that the GRANTORS 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 hereby conveyed subject to the following exceptions:
None

B/17/49

REVISIONS

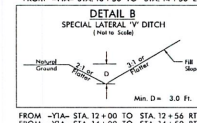
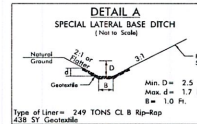
15-APR-2008 10:28 C:\6621\RDG\plan\4.dgn

-Y2- CURVE DATA
 P Sta 15+20.86
 $\Delta = 5^\circ 35' 38.8" (LT)$
 $D = 4' 46' 28.7"$
 $L = 117.16'$
 $T = 58.63'$
 $R = 1,200.00'$
 $SE = 025$
 $RO = 70'$

BEGIN PROJECT C-5621
 -L- STA.11+30.00

BEGIN CONSTRUCTION
 -L- STA.10+00.00

WIDEN 5' SIDEWALK
 AND ACCESSIBLE RAMPS
 TO ACCOMMODATE 10'
 OPENING.



FROM -Y1A- STA.12+00 TO STA.14+50 RT
 FROM -Y1A- STA.14+00 TO STA.14+50 RT

MATCH TO SHEET 6 -Y1A- STA. 14+50

MATCH TO SHEET 5 -Y2- STA. 15+00

-Y2- PT Sta.15+79.40

END GRADE
 -Y2- STA.19+53.79 =
 -L- STA.14+62.97
 OLKTRIP 30.25' LT)
 CORPORATION
 DB 32034 PG 8

-Y3A- PC Sta.10+47.18 15' RCP-III

BEGIN GRADE
 -Y3A- STA.10+00.00

END GRADE
 -Y3A- STA.12+38.81 =
 -L- STA.18+09.77
 (42.25' LT)

END PROJECT C-5621
 -L- STA.20+65.00

-Y1A- CURVE DATA
 P Sta 11+32.81
 $\Delta = 3^\circ 31' 45.4" (RT)$
 $D = 1' 46' 45.7"$
 $L = 241.1'$
 $T = 121.76'$
 $R = 3,220.00'$
 $SE = RC$
 $RO = 64'$

-Y3A- CURVE DATA
 P Sta 11+68.94
 $\Delta = 19^\circ 44' 05.7" (RT)$
 $D = 8' 11' 06.4"$
 $L = 241.1'$
 $T = 121.76'$
 $R = 700.00'$
 $SE = 03$
 $RO = 47.5'$

-Y3A- CURVE DATA
 P Sta 2+35.49
 $\Delta = 13^\circ 28' 58.2" (LT)$
 $D = 7' 41' 06.1"$
 $L = 173.19'$
 $T = 87.00'$
 $R = 735.97'$
 $SE = NC$

RETAIN ALL CURBING AND BRICK
 PAVING FOR SIDEWALKS OR REPLACE
 WITH THE SAME OR SIMILAR MATERIAL.

* 4' MONOLITHIC CONCRETE ISLAND
 PLUS 1.0' WIDTH TO EOT

FOR ROW INFO, SEE SHEET RW-4
 FOR -L- PROFILE, SEE SHEET 7
 FOR -Y1A- PROFILE, SEE SHEET 7
 FOR -Y2- PROFILE, SEE SHEET 8
 FOR -Y3A- PROFILE, SEE SHEET 9
 FOR -Y3B- PROFILE, SEE SHEET 9

EXIST HYDRO
 LEGEND:
 ① RETAIN
 ② PLUG & FILL
 ③ REMOVE

PROJECT REFERENCE NO. C-5621	SHEET NO. 4
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
INCOMPLETE PLANS DO NOT USE FOR A/W ACQUISITION	
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	

RS&H
 INC FIRM LICENSE NO. F-0493

NAD 83 NSRS 2007



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

DATE:
WBS ELEMENT: 50146.2.1
FA PROJECT:
TIP/PARCEL: C-5621 022
COUNTY: MECKLENBURG
DESCRIPTION: Dual Roundabouts North & South of SR 5544 (Catawba Ave) & US 21
Intersection in Cornelius

Property Owner Acknowledgement of the Terms for the Voluntary Donation Of Property to the North
Carolina Department of Transportation.

The undersigned property owner and/or the undersigned property owner's legal representatives freely acknowledge their desire and willingness to voluntarily transfer their ownership of privately owned real property to the North Carolina Department of Transportation for the benefit of the above sited public transportation project without receipt of just compensation. It is further agreed and acknowledged by the undersigned property owner and/or the property owner's legal representative that the property owner and/or legal representative has been advised that he/she is entitled to have an appraisal made on his/her property to determine just compensation and the owner releases the Department from this obligation and waives any compensation in exchange for the donation of property as right of way in full settlement of his/her claim. The purpose of this document is to ensure compliance under Title 23 of the United States Code of Federal Regulations (CFR), Subchapter H (Right-of-Way and Environment), Part 710 (Right-of-Way and Real Estate), Subpart E (Property Acquisition Alternatives), Subsection .505 (Real Property Donations).

TOWN OF CORNELIUS

(CORPORATE SEAL)

BY: _____
_____, Mayor of Town of Cornelius

BY: _____
_____, Clerk of Town of Cornelius

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: _____

(Official Seal)	North Carolina, _____ County
	I, _____, a Notary Public for _____ County, North Carolina, certify that
	_____ personally came before
	me this day and acknowledged that he/she is the CLERK of the Town of _____, and that by authority duly given, the foregoing instrument was signed in its name by its Mayor of the Town of Cornelius, sealed with its corporate seal, and attested by _____ as its CITY CLERK.
	Witness my hand and official seal this the _____ day of _____, 20 ____.
	_____ Notary Public
	My commission expires: _____

Revenue Stamps \$ 0.00

DEED FOR HIGHWAY RIGHT OF WAY

THIS INSTRUMENT DRAWN BY Trent Culp CHECKED BY Stephen Frey

The hereinafter described property ☐ Does ☒ Does not include the primary residence of the Grantor

RETURN TO: Professional Property Services, Inc.
18335 Old Statesville Road, Unit A
Cornelius, NC 28031

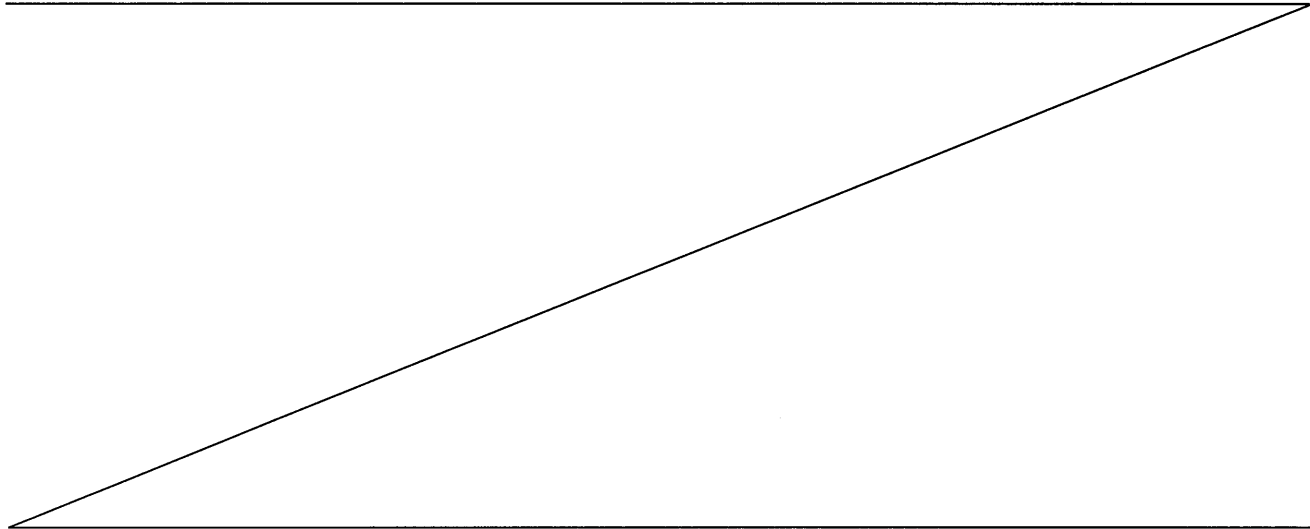
NORTH CAROLINA	TIP/PARCEL NUMBER:	<u>C-5621 022</u>
COUNTY OF <u>MECKLENBURG</u>	WBS ELEMENT:	<u>50146.2.1</u>
TAX PARCEL <u>005-182-29</u>	ROUTE:	<u>Dual Roundabouts North &</u>
<u>005-182-33</u>		<u>South of SR 5544 (Catawba</u>
<u>005-182-34</u>		<u>Ave) & US 21 Intersection in</u>
<u>005-182-38</u>		<u>Cornelius</u>

THIS FEE SIMPLE DEED, made and entered into this the _____ day of _____ 20 _____
by and between Town of Cornelius
PO Box 399
Cornelius, NC 28031

hereinafter referred to as GRANTORS, and the Department of Transportation, an agency of the State of North Carolina, 1546 Mail Service Center, Raleigh, NC 27611, hereinafter referred to as the Department;

WITNESSETH

That the GRANTORS, for themselves, their heirs, successors, and assigns, for and in consideration of the sum of \$ 1.00 agreed to be paid by the DEPARTMENT to the GRANTORS, do hereby give, grant and convey unto the DEPARTMENT, its successors and assigns, in FEE SIMPLE that certain property located in 9 Township, Mecklenburg County, North Carolina, which is particularly described as follows:
Point of beginning being S 6°1'58.8" E, 190.238 feet from -L- Sta 15+00 thence to a point on a bearing of S 82°37'39.7" W 25.787 feet thence to a point on a bearing of S 9°12'6.7" E 39.674 feet thence to a point on a bearing of S 80°50'21.1" W 18.244 feet thence to a point on a bearing of S 20°38'57.7" E 34.269 feet thence to a point on a bearing of N 85°3'23.1" E 14.572 feet thence to a point on a bearing of N 10°36'2.7" E 49.798 feet thence along a curve 27.281 feet and having a radius of 3287.039 feet. The chord of said curve being on a bearing of N 3°6'19.3" E, a distance of 27.281 feet returning to the point and place of beginning.



IN ADDITION, and for the aforesated consideration, the GRANTORS further hereby convey to the DEPARTMENT, its successors and assigns the following described areas and interests:

Permanent Utility Easement described as follows:

Point of beginning being S 6°1'58.8" E, 190.238 feet from -L- Sta 15+00 thence along a curve 27.281 feet and having a radius of 3287.039 feet. The chord of said curve being on a bearing of S 3°6'19.3" W, a distance of 27.281 feet thence to a point on a bearing of S 10°36'2.7" W 49.798 feet thence to a point on a bearing of N 85°3'23.1" E 10.301 feet thence to a point on a bearing of N 10°35'44.5" E 48.300 feet thence to a point on a bearing of N 3°6'19.2" E 27.368 feet thence to a point on a bearing of N 87°9'19.8" W 10.000 feet returning to the point and place of beginning.

Said Permanent Utility easement in perpetuity is for the installation and maintenance of utilities, and for all purposes for which the DEPARTMENT is authorized by law to subject same. The Department and its agents or assigns shall have the right to construct and maintain in a proper manner in, upon and through said premises a utility line or lines with all necessary pipes, poles and appurtenances, together with the right at all times to enter said premises for the purpose of inspecting said utility lines and making all necessary repairs and alterations thereon; together with the right to cut away and keep clear of said utility lines, all trees and other obstructions that may in any way endanger or interfere with the proper maintenance and operation of the same with the right at all times of ingress, egress and regress. It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above-described Permanent Utility Easement area(s). It is further understood and agreed that Permanent Utility Easement shall be used by the Department for additional working area during the above described project. The underlying fee owner shall have the right to continue to use the Permanent Utility Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

Permanent Drainage Easement described as follows:

Point of beginning being S 53°48'5.4" E, 74.459 feet from -L- Sta 15+00 thence to a point on a bearing of S 83°43'44.8" W 17.826 feet thence to a point on a bearing of S 4°0'27.3" W 142.000 feet thence to a point on a bearing of S 82°37'39.7" W 12.553 feet thence to a point on a bearing of S 87°9'19.8" E 10.000 feet thence to a point on a bearing of S 3°6'19.2" W 27.368 feet thence to a point on a bearing of S 10°35'44.5" W 48.300 feet thence to a point on a bearing of N 85°3'23.1" E 40.026 feet thence to a point on a bearing of N 6°29'9.3" E 113.584 feet thence to a point on a bearing of N 6°46'23.7" W 90.126 feet thence to a point on a bearing of N 6°14'46.6" W 14.796 feet returning to the point and place of beginning.

Said Permanent Drainage Easement in perpetuity is for the installation and maintenance of drainage facilities, and for all purposes for which the DEPARTMENT is authorized by law to subject same. The Department and its agents or assigns shall have the right to construct and maintain in a proper manner in, upon and through said premises a drainage facility with all necessary pipes, poles and appurtenances, together with the right at all times to enter said premises for the purpose of inspecting said drainage facility and making all necessary repairs and alterations thereon; together with the right to cut away and keep clear of said drainage facility, all trees and other obstructions that may in any way endanger or interfere with the proper maintenance and operation of the same with the right at all times of ingress, egress and regress.

It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above-described Permanent Drainage Easement area(s). It is further understood and agreed that Permanent Drainage Easement shall be used by the Department for additional working area during the above described project. The underlying fee owner shall have the right to continue to use the Permanent Drainage Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

Temporary Construction Easement described as follows:

Point of beginning being S 70°43'52.5" E, 151.167 feet from -L- Sta 15+00 thence to a point on a bearing of N 4°0'27.3" E 15.142 feet thence to a point on a bearing of S 83°43'44.8" W 51.000 feet thence to a point on a bearing of S 83°43'44.8" W 33.174 feet thence to a point on a bearing of S 6°14'46.6" E 14.796 feet thence to a point on a bearing of N 83°48'7.0" E 81.479 feet returning to the point and place of beginning.

It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above described area(s) until such time that the property owners alter the adjacent lands in such a manner that the lateral support of the cut and/or fill slopes are no longer needed. Any additional construction areas lying beyond the beyond the right of way limits and beyond any permanent easement areas will terminate upon completion of the project. The underlying fee owner shall have the right to continue to use the Temporary Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

SPECIAL PROVISIONS. This deed is subject to the following provisions only:
None

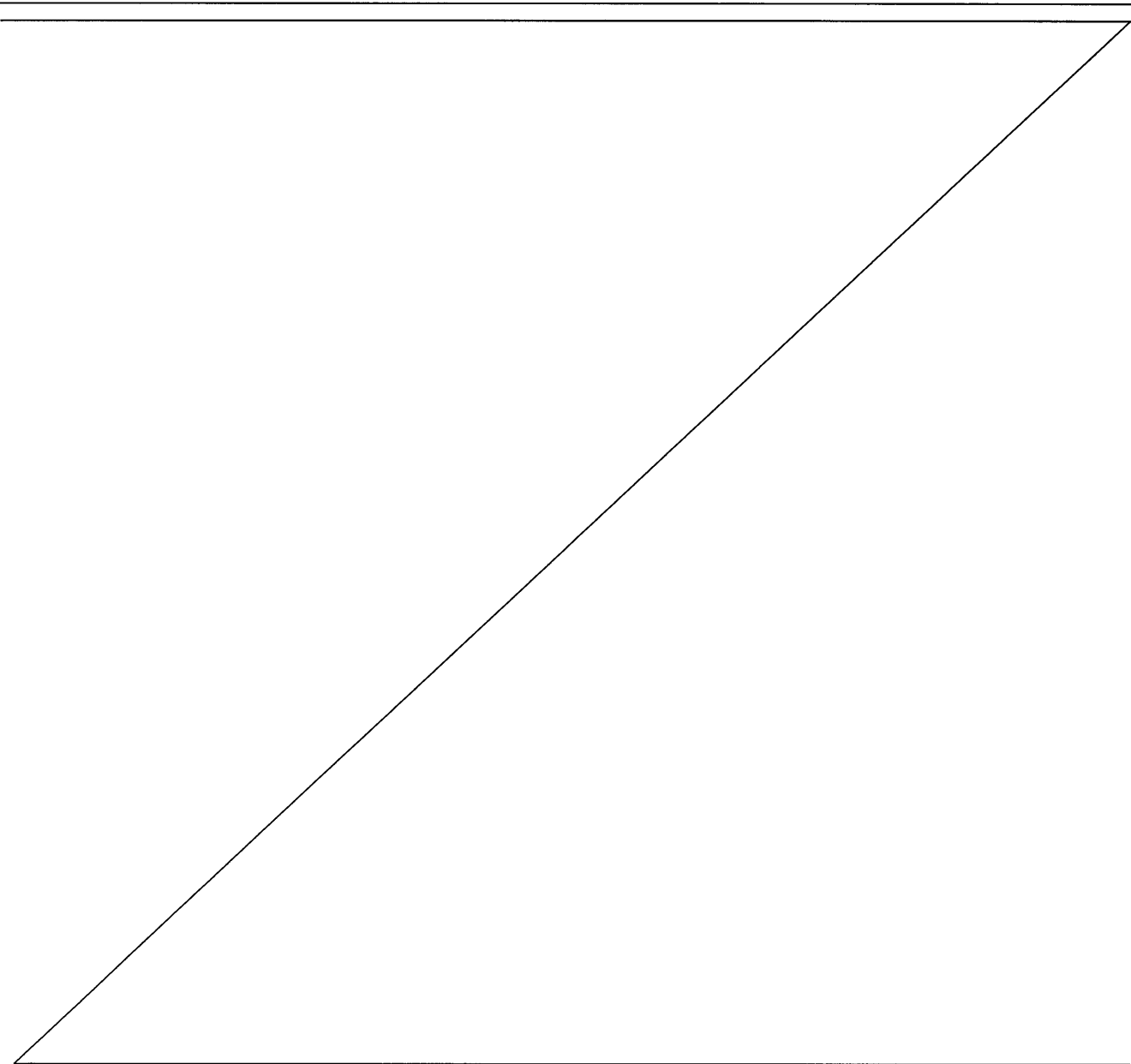
The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the Mecklenburg County Registry in Deed Book 27535 Page 929 .

The final right of way plans showing the above described right of way are to be certified and recorded in the Office of the Register of Deeds for said County pursuant to N.C.G.S. 136-19.4, reference to which plans is hereby made for purposes of further description and for greater certainty.

The Grantors acknowledge that the project plans for Project # 50146.2.1 have been made available to them. The Grantors further acknowledge that the consideration stated herein is full and just compensation pursuant to Article 9, Chapter 136 of the North Carolina General Statutes for the acquisition of the said interests and areas by the Department of Transportation and for any and all damages to the value of their remaining property; for any and all claims for interest and costs; for any and all damages caused by the acquisition for the construction of Department of Transportation Project # 50146.2.1 , Mecklenburg County, and for the past and future use of said areas by the Department of Transportation, its successors and assigns for all purposes for which the said Department is authorized by law to subject the same.

TO HAVE AND TO HOLD the aforesaid premises and all privileges and appurtenances thereunto belonging to the DEPARTMENT, its successors and assigns in FEE SIMPLE, or by easement as indicated, for the past, present and future use thereof and for all purposes which the said Department is authorized by law to subject the same.

And the GRANTORS covenant with the DEPARTMENT, that the GRANTORS are seized of the premises in fee simple, have the right to convey the same in fee simple, or by easement as indicated, that the title thereto is marketable and free and clear of all encumbrances, and that the GRANTORS 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 hereby conveyed subject to the following exceptions:
None



COUNTY: Mecklenburg WBS ELEMENT: 50146.2.1 TIP/PARCEL NO.: C-5621 022

IN WITNESS WHEREOF, the GRANTORS pursuant to authority delegated by the Town of Cornelius Town Council on _____, have caused this instrument to be signed in its corporate name by its Mayor, its corporate seal to be hereunto affixed, and attested by its TOWN CLERK by order of the TOWN OF CORNELIUS TOWN COUNCIL, the day and year first above written.

This instrument does not transfer the herein described interests unless and until this document is accepted by an authorized agent of the Department of Transportation.

TOWN OF CORNELIUS

(CORPORATE SEAL)

BY: _____
_____, Mayor of Town of Cornelius

BY: _____
_____, Clerk of Town of Cornelius

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: _____

(Official Seal)	North Carolina, _____ County
	I, _____, a Notary Public for _____ County, North Carolina, certify that _____ personally came before me this day and acknowledged that he/she is the CLERK of the Town of <u>Cornelius</u> , and that by authority duly given, the foregoing instrument was signed in its name by its Mayor of the Town of Cornelius, sealed with its corporate seal, and attested by _____ as its CITY CLERK.
	Witness my hand and official seal this the _____ day of _____, 20 _____.
	_____ Notary Public
	My commission expires: _____

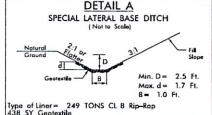
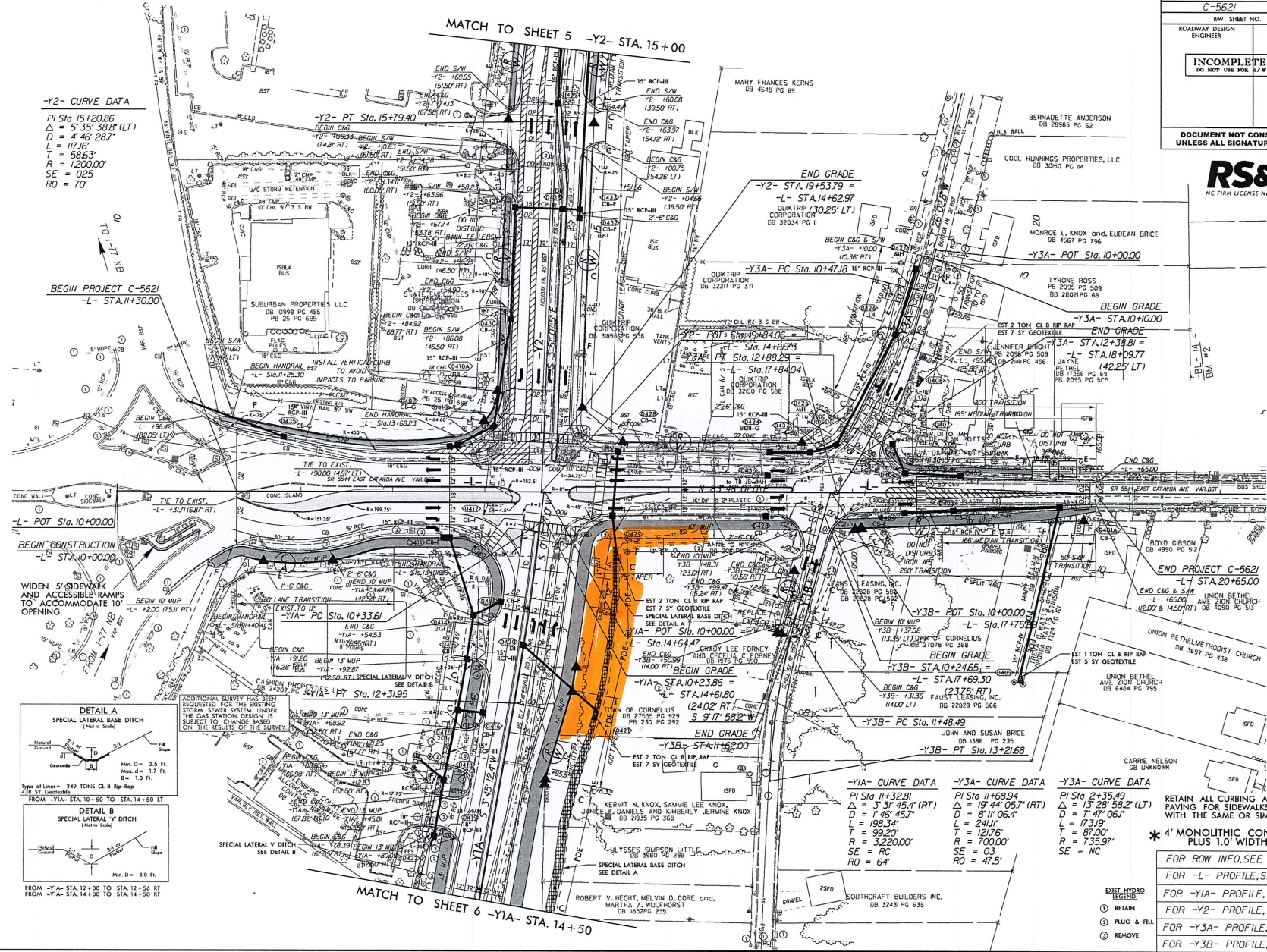
8/17/94

8/17/94 2:09 PM C:\28- C5621- R04.pnt 4.dgn

PROJECT REFERENCE NO.	SHEET NO.
C-5621	4
RDW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	
INCOMPLETE PLANS DO NOT USE FOR A/C ACQUISITION	
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	

RS&H
INC. FIRM LICENSE NO. F-0493

NAD 83/NSRS 2007



RETAIN ALL CURBING AND BRICK PAVING FOR SIDEWALKS OR REPLACE WITH THE SAME OR SIMILAR MATERIAL.
* 4' MONOLITHIC CONCRETE ISLAND PLUS 1.0' WIDTH TO EOT

FOR ROW INFO, SEE SHEET RW-4
FOR -L- PROFILE, SEE SHEET 7
FOR -Y1A- PROFILE, SEE SHEET 7
FOR -Y2- PROFILE, SEE SHEET 8
FOR -Y3A- PROFILE, SEE SHEET 9
FOR -Y3B- PROFILE, SEE SHEET 9



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

DATE:
WBS ELEMENT: 50146.2.1
FA PROJECT:
TIP/PARCEL: C-5621 028
COUNTY: MECKLENBURG
DESCRIPTION: Dual Roundabouts North & South of SR 5544 (Catawba Ave) & US 21
Intersection in Cornelius

Property Owner Acknowledgement of the Terms for the Voluntary Donation Of Property to the North
Carolina Department of Transportation.

The undersigned property owner and/or the undersigned property owner's legal representatives freely acknowledge their desire and willingness to voluntarily transfer their ownership of privately owned real property to the North Carolina Department of Transportation for the benefit of the above sited public transportation project without receipt of just compensation. It is further agreed and acknowledged by the undersigned property owner and/or the property owner's legal representative that the property owner and/or legal representative has been advised that he/she is entitled to have an appraisal made on his/her property to determine just compensation and the owner releases the Department from this obligation and waives any compensation in exchange for the donation of property as right of way in full settlement of his/her claim. The purpose of this document is to ensure compliance under Title 23 of the United States Code of Federal Regulations (CFR), Subchapter H (Right-of-Way and Environment), Part 710 (Right-of-Way and Real Estate), Subpart E (Property Acquisition Alternatives), Subsection .505 (Real Property Donations).

TOWN OF CORNELIUS

(CORPORATE SEAL)

BY: _____,
_____, Mayor of Town of Cornelius

BY: _____,
_____, Clerk of Town of Cornelius

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: _____

(Official Seal)	North Carolina, _____ County
	I, _____, a Notary Public for _____ County, North Carolina, certify that
	_____ personally came before
	me this day and acknowledged that he/she is the CLERK of the Town of _____, and that by authority duly given, the foregoing instrument was signed in its name by its Mayor of the Town of Cornelius, sealed with its corporate seal, and attested by _____ as its CITY CLERK.
	Witness my hand and official seal this the _____ day of _____, 20 ____.
	_____ Notary Public
	My commission expires: _____

Revenue Stamps \$ 0.00

DRAINAGE/UTILITY EASEMENT

THIS INSTRUMENT DRAWN BY Trent Culp CHECKED BY Stephen Frey

Return to: Professional Property Services, Inc.
18335 Old Statesville Road, Unit A
Cornelius, NC 28031

NORTH CAROLINA	TIP/PARCEL NUMBER:	C-5621 028
COUNTY OF MECKLENBURG	WBS ELEMENT:	50146.2.1
TAX PARCEL 005-182-22	ROUTE:	Dual Roundabouts North & South of SR 5544 (Catawba Ave) & US 21 Intersection in Cornelius

THIS EASEMENT, made and entered into this the day of 20 by and between Town of Cornelius
PO Box 399
Cornelius, NC 28031

hereinafter referred to as GRANTORS, and the Department of Transportation, an agency of the State of North Carolina, 1546 Mail Service Center, Raleigh, NC 27611, hereinafter referred to as the Department;

WITNESSETH

THAT WHEREAS, the DEPARTMENT desires to construct and maintain a drainage and/or a utility facility through and across the property of GRANTORS,

AND WHEREAS, GRANTORS, recognizing the benefits accruing to their said property through the construction and maintenance by the DEPARTMENT of roads and highways upon or in the vicinity of said property of GRANTORS,

NOW, THEREFORE, in consideration of said benefits, and further consideration of \$ 1.00 and other valuable considerations, GRANTORS hereby release the DEPARTMENT, its successors and assigns, from any and all claims for damages by reason of the construction and maintenance of said drainage and/or utility facility across and through the lands of GRANTORS, and GRANTORS hereby give, grant, bargain, sell and convey unto the DEPARTMENT, its successors, and assigns, an easement for the construction and maintenance of a drainage and/or utility facility across and through the property of GRANTORS located in 9 Township, Mecklenburg County, and being more fully described in a deed recorded in Book 29562, Page 650, Mecklenburg County Registry, said easement being described as follows:

Point of beginning being S 79°56'7.1" E, 90.968 feet from -Y1A- Sta 16+00 thence to a point on a bearing of S 19°40'46.1" W 36.397 feet thence to a point on a bearing of S 86°14'47.6" E 15.071 feet thence to a point on a bearing of N 4°30'39.2" W 2.917 feet thence to a point on a bearing of N 4°30'39.2" W 32.450 feet returning to the point and place of beginning.

The final right of way plans showing the above described area are to be certified and recorded in the Office of the Register of Deeds for said county pursuant to N.C.G.S. 136-19.4, reference to which plans is hereby made for purposes of further description and for greater certainty.

Said Permanent Drainage/Utility Easement in perpetuity is for the installation and maintenance of drainage facilities and/or utilities, and for all purposes for which the DEPARTMENT is authorized by law to subject same. The Department and its agents or assigns shall have the right to construct and maintain in a proper manner in, upon and through said premises a drainage facility and/or utility line or lines with all necessary pipes, poles and appurtenances, together with the right at all times to enter said premises for the purpose of inspecting said drainage facility and/or utility lines and making all necessary repairs and alterations thereon; together with the right to cut away and keep clear of said drainage facility and/or utility lines, all trees and other obstructions that may in any way endanger or interfere with the proper maintenance and operation of the same with the right at all times of ingress, egress and regress. The underlying fee owner shall have the right to continue to use the Permanent Drainage/Utility Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above-described Permanent Drainage/Utility Easement area(s). It is further understood and agreed that Permanent Drainage/Utility Easement shall be used by the Department for additional working area during the above described project.

IN ADDITION, and for the aforesated consideration, the GRANTORS further hereby convey to the DEPARTMENT, its successors and assigns the following described areas and interests:

Permanent Utility Easement described as follows:
Point of beginning being S 57°1'10.5" E, 92.162 feet from -Y1A- Sta 16+00 thence to a point on a bearing of S 19°40'46.1" W 4.558 feet thence to a point on a bearing of N 85°48'13.8" E 243.538 feet thence to a point on a bearing of N 3°0'3.5" W 5.001 feet thence to a point on a bearing of S 85°48'13.8" W 226.888 feet thence to a point on a bearing of S 4°30'39.2" E 2.917 feet thence to a point on a bearing of N 86°14'47.6" W 15.071 feet returning to the point and place of beginning.

Said Permanent Utility easement in perpetuity is for the installation and maintenance of utilities, and for all purposes for which the DEPARTMENT is authorized by law to subject same. The Department and its agents or assigns shall have the right to construct and maintain in a proper manner in, upon and through said premises a utility line or lines with all necessary pipes, poles and appurtenances, together with the right at all times to enter said premises for the purpose of inspecting said utility lines and making all necessary repairs and alterations thereon; together with the right to cut away and keep clear of said utility lines, all trees and other obstructions that may in any way endanger or interfere with the proper maintenance and operation of the same with the right at all times of ingress, egress and regress. It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above-described Permanent Utility Easement area(s). It is further understood and agreed that Permanent Utility Easement shall be used by the Department for additional working area during the above described project. The underlying fee owner shall have the right to continue to use the Permanent Utility Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

This EASEMENT is subject to the following provisions only:

None

There are no conditions to this EASEMENT not expressed herein.

To HAVE AND TO HOLD said perpetual easement for highway purposes unto the DEPARTMENT, its successors and assigns, and the GRANTORS, for themselves, their heirs, successors, executors and assigns, hereby warrant and covenant that they are the sole owners of the property; that they solely have the right to grant the easement; and that they will forever warrant and defend title to the same against the lawful claims of all persons whomsoever;

The Grantors acknowledge that the project plans for Project # 50146.2.1 have been made available to them. The Grantors further acknowledge that the consideration stated herein is full and just compensation pursuant to Article 9, Chapter 136 of the North Carolina General Statutes for the acquisition of the said interests and areas by the Department of Transportation and for any and all damages to the value of their remaining property; for any and all claims for interest and costs; for any and all damages caused by the acquisition for the construction of Department of Transportation Project # 50146.2.1, Mecklenburg County, and for the past and future use of said areas by the Department of Transportation, its successors and assigns for all purposes for which the said Department is authorized by law to subject the same.

IN WITNESS WHEREOF, the GRANTORS pursuant to authority delegated by the Town of Cornelius Town Council on _____, have caused this instrument to be signed in its corporate name by its Mayor, its corporate seal to be hereunto affixed, and attested by its TOWN CLERK by order of the TOWN OF CORNELIUS TOWN COUNCIL, the day and year first above written.

This instrument does not transfer the herein described interests unless and until this document is accepted by an authorized agent of the Department of Transportation.

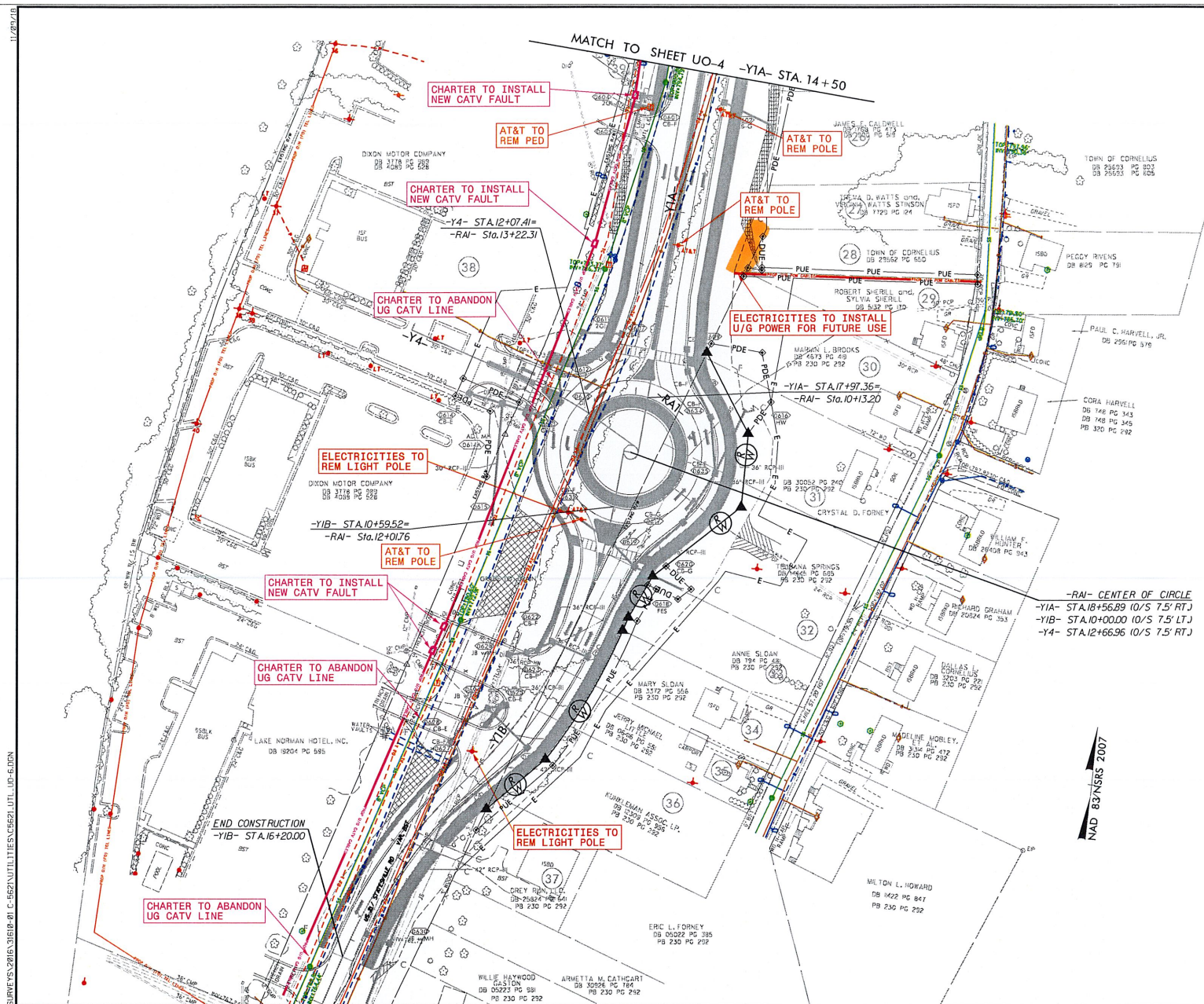
TOWN OF CORNELIUS

(CORPORATE SEAL) BY: _____
_____, Mayor of Town of Cornelius

BY: _____
_____, Clerk of Town of Cornelius

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY:

(Official Seal)	North Carolina, _____ County
	I, _____, a Notary Public for _____ County, North Carolina, certify that _____ personally came before me this day and acknowledged that he/she is the CLERK of the Town of <u>Cornelius</u> , and that by authority duly given, the foregoing instrument was signed in its name by its Mayor of the Town of Cornelius, sealed with its corporate seal, and attested by _____ as its CITY CLERK.
	Witness my hand and official seal this the _____ day of _____, 20 ____.
	_____ Notary Public
	My commission expires: _____





OCTOBER 10, 2018



OCTOBER 10, 2018

RS&H

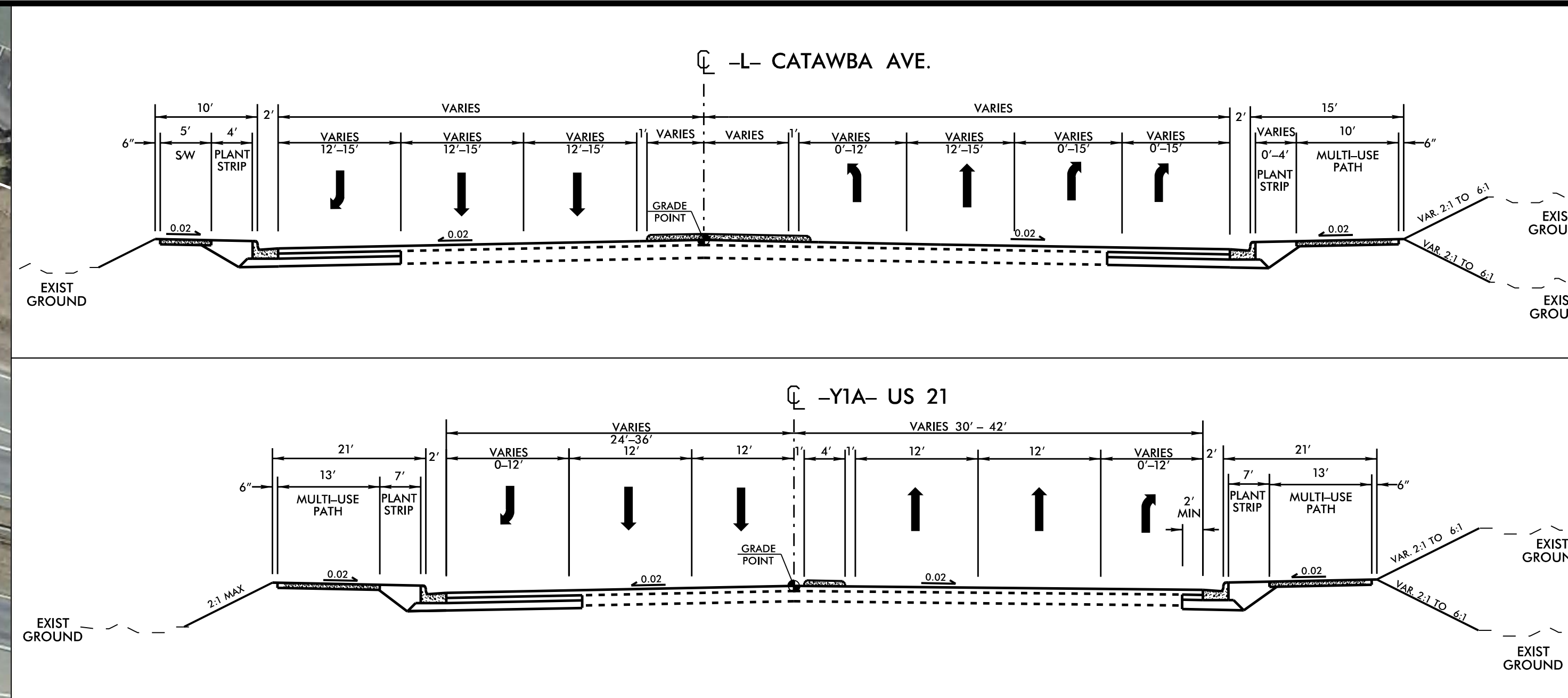
PUBLIC MEETING MAP
TIP NO. C-562
MECKLENBURG COUNTY
INTERSECTION IMPROVEMENTS
AT SR 2679 (CATAWBA AVE.)
AND U.S. 21 (STATESVILLE RD.)



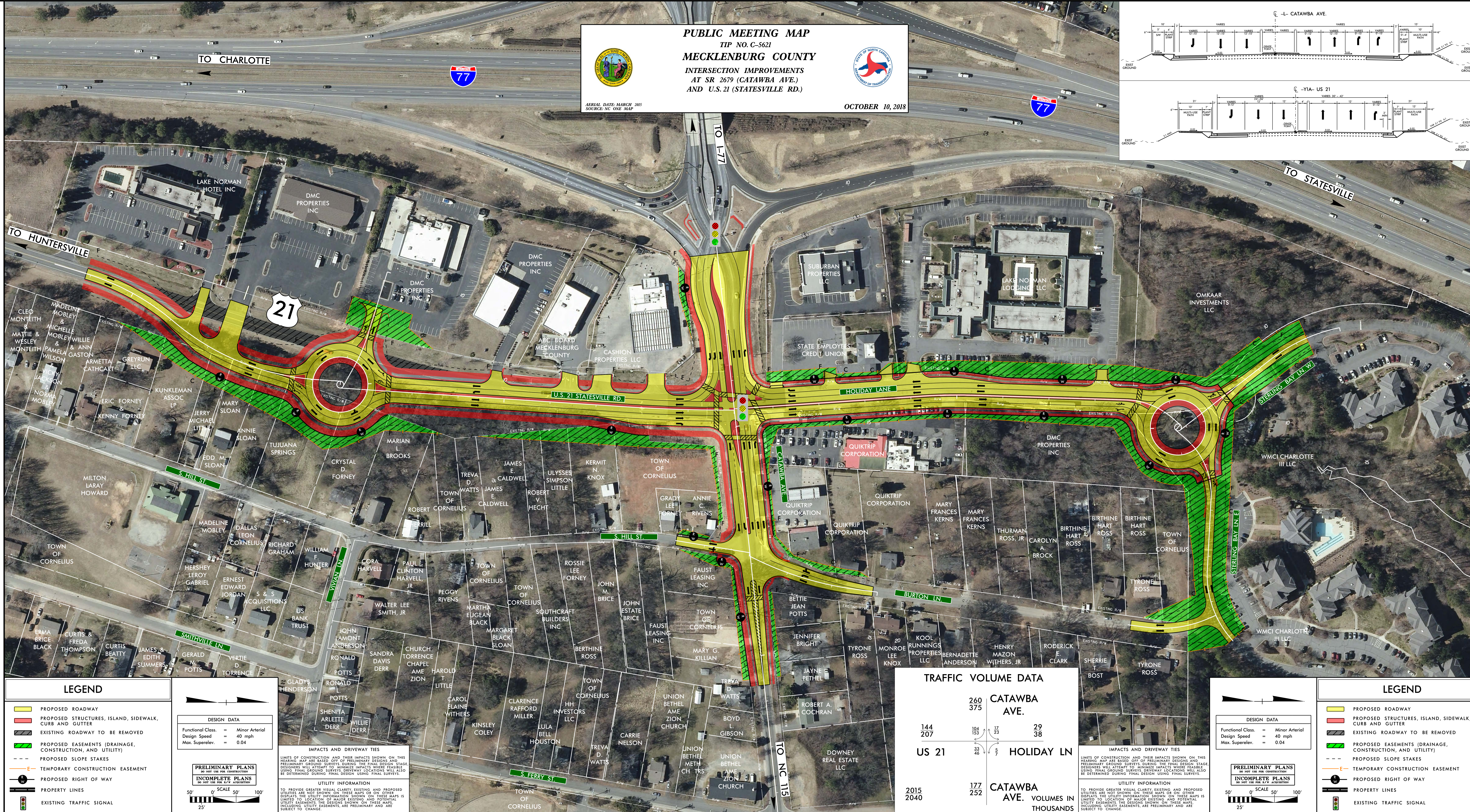
AERIAL DATE: MARCH 2015
SOURCE: NC ONE MAP



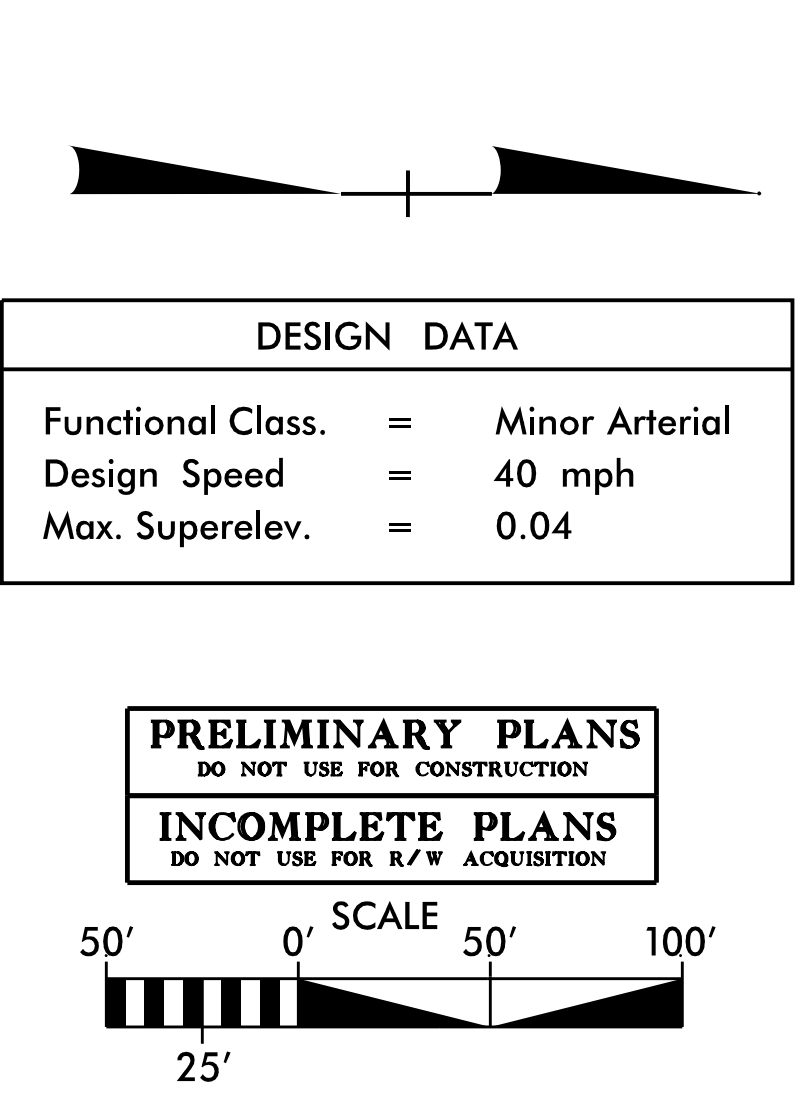
OCTOBER 10, 2018



RS&H



- LEGEND**
- PROPOSED ROADWAY
 - PROPOSED STRUCTURES, ISLAND, SIDEWALK, CURB AND GUTTER
 - EXISTING ROADWAY TO BE REMOVED
 - PROPOSED EASEMENTS (DRAINAGE, CONSTRUCTION, AND UTILITY)
 - PROPOSED SLOPE STAKES
 - TEMPORARY CONSTRUCTION EASEMENT
 - PROPOSED RIGHT OF WAY
 - PROPERTY LINES
 - EXISTING TRAFFIC SIGNAL



IMPACTS AND DRIVEWAY TIES

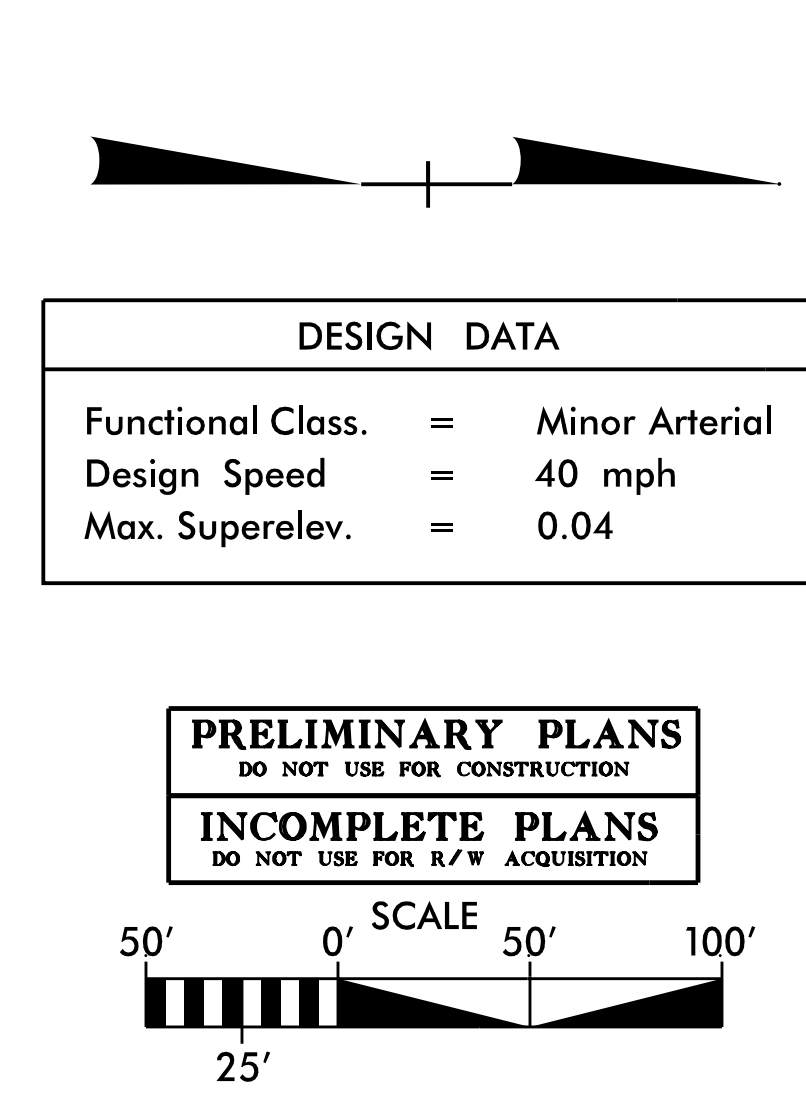
LIMITS OF CONSTRUCTION AND THEIR IMPACTS SHOWN ON THIS MAP ARE BASED ON PRELIMINARY DESIGN AND PRELIMINARY GROUND SURVEYS. DURING THE FINAL DESIGN STAGE, DESIGNERS WILL ATTEMPT TO MINIMIZE IMPACTS WHERE FEASIBLE. UTILITY EASEMENTS, DRIVEWAY LOCATIONS WILL ALSO BE DETERMINED DURING FINAL DESIGN USING FINAL SURVEYS.

UTILITY INFORMATION

TO PROVIDE GREATER VISUAL CLARITY, EXISTING AND PROPOSED UTILITIES ARE NOT SHOWN ON THESE MAPS OR ON OTHER DISPLAYS. THE UTILITY INFORMATION SHOWN ON THESE MAPS IS UTILITY EASEMENTS. THE DESIGNS SHOWN ON THESE MAPS, INCLUDING UTILITY EASEMENTS, ARE PRELIMINARY AND ARE SUBJECT TO CHANGE.

TRAFFIC VOLUME DATA

CATAWBA AVE.		US 21		HOLIDAY LN		CATAWBA AVE.	
260	375	144	207	104	153	177	252
29	38	33	48	17	23	29	38
						VOLUMES IN THOUSANDS	
		2015		2020			



- LEGEND**
- PROPOSED ROADWAY
 - PROPOSED STRUCTURES, ISLAND, SIDEWALK, CURB AND GUTTER
 - EXISTING ROADWAY TO BE REMOVED
 - PROPOSED EASEMENTS (DRAINAGE, CONSTRUCTION, AND UTILITY)
 - PROPOSED SLOPE STAKES
 - TEMPORARY CONSTRUCTION EASEMENT
 - PROPOSED RIGHT OF WAY
 - PROPERTY LINES
 - EXISTING TRAFFIC SIGNAL



OCTOBER 10, 2018



REQUEST FOR BOARD ACTION

 [Print](#)

Date of Meeting: November 4, 2019

To: Mayor and Board of Commissioners

From: Andrew Grant, Town Manager


Action Requested:

Pursuant to Article V, Section 5.2 of the Town Charter of the Town of Cornelius, it is the duty of the Town Attorney to prosecute suits for and against the Town; however, under certain litigation circumstances it is in the best interest of the Town to be served by outside counsel, under the management and oversight of the Town Attorney and the Town Manager.

Manager's Recommendation:

Approve a Resolution for Authorization of Outside Counsel.

ATTACHMENTS:

Name:	Description:	Type:
 RES-Appointing Outside Counsel.docx	Resolution for Outside Counsel	Resolution Letter

RESOLUTION APPOINTING OUTSIDE COUNSEL

WHEREAS, pursuant to Article V, Section 5.2 of the Town Charter of the Town of Cornelius, it is the duty of the Town Attorney to prosecute suits for and against the Town; and

WHEREAS, this Board agrees that it is in the best interests of the Town of Cornelius that the Town's litigation interests under certain circumstances are best served by the appointment of outside counsel, under the management and oversight of the Town Attorney and the Town Manager.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Cornelius:

1. The law firms of Gardner & Skelton, PLLC, McGuire Woods and Cranfill, Sumner & Hartzog (collectively, "Appointed Outside Counsel") are hereby appointed to prosecute and defend the Town of Cornelius in those legal proceedings wherein the Town Attorney and Town Manager determine the Town's best interests are served by the engagement of outside litigation counsel.
2. Appointed Outside Counsel shall be under the management and oversight of the Town Attorney and the Town Manager, and the Town Manager is hereby authorized to take steps necessary to procure the services of these firms when appropriate.

BE IT FURTHER RESOLVED, that all actions heretofore taken by the Town Manager, Town Attorney and any of the Appointed Outside Counsel of the Town of Cornelius acting on behalf of the Town of Cornelius in furtherance of the foregoing resolutions are hereby ratified, adopted, approved and confirmed in all respects.

Adopted this 4th day of November, 2019.

Woody Washam, Jr., Mayor

ATTESTED:

APPROVED AS TO FORM:

Lori A. Harrell, Town Clerk

Town Attorney