

MAYOR
Michael L. Alvarez

MAYOR PRO TEM
David L. Cohn



TOWN COUNCIL
Robert W. Allen
Christopher M. King
Darlene T. Luther
David K. Waddell

Indian Trail Town Council Meeting
May 22, 2012
Civic Building
6:30 p.m.

1. **CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE**
2. **ADDITIONS AND DELETIONS** **action**
3. **MOTION TO APPROVE AGENDA** **action**
4. **PRESENTATIONS**
 - a. Eagle Scout John Michael Milton
5. **PUBLIC COMMENTS**
6. **CONSENT AGENDA** **action**
 - a. Approval of May 8, 2012 minutes
 - b. Approval of Revised Rural Center Grant Agreement
 - c. Infrastructure Rural Center Grant Agreement
 - d. Auditors Contract Renewal
 - e. Resolution Directing the Publication of the Notice of Intent to Apply to the Local Government Commission for Approval of Bonds.
 - f. Resolution Authorizing the Finance Director to Apply to the Local Government Commission (LGC) for approval of the Town's proposed General Obligation Bond financing and to submit such application to the LGC.
 - g. Resolution setting forth the Certain Statements of Facts concerning certain Bond issues.
7. **PUBLIC HEARINGS** **action**
 - a. Annexation Ordinance 131 for portion of Phase 9 Brandon Oaks Subdivision

- b. Fiscal Year 2012/2013 Town of Indian Trail Budget – *This item was advertised in the Enquirer Journal on Wednesday, May 9, 2012*

8. BUSINESS ITEMS

- a.

9. DISCUSSION ITEMS

- a. Budget Workshop
- b. Discussion of Public Safety Committee Agenda Items

10. MANAGERS REPORT

11. COUNCIL COMMENTS

12. CLOSED SESSION

action

13. ADJOURN

action

**To speak concerning an item on the Agenda, please print your name and address on the sign up sheet on the table prior to the meeting. Each speaker will be limited to 3 minutes.
AS A COURTESY, PLEASE TURN CELL PHONES OFF WHILE MEETING IS IN PROGRESS**

CERTIFICATE OF RECOGNITION

IN RECOGNITION OF JOHN MICHAEL MILTON FOR ACHIEVING THE RANK OF EAGLE SCOUT

WHEREAS, The Boy Scouts of America was founded on February 8th, 1910, and has been at the forefront of instilling timeless values in our youth; and

WHEREAS, The Boy Scouts of America is committed to helping millions of youth succeed by providing the support, friendship, and mentoring necessary for character building, citizenship training, and personal fitness; and

WHEREAS, John Michael Milton has been very active in the Boy Scouts and has recently completed an Eagle project management by bringing together volunteers to enhance student community life at Reformed Theological Seminary located in Charlotte; and

WHEREAS, John Michael Milton has achieved the coveted rank of Eagle Scout, the highest and most distinguished award earned by a Boy Scout, which reflects determination, dedication and leadership; and

WHEREAS, John Michael Milton was also recently awarded the “James M. Stewart Good Citizenship Award” for his contributions to the community in keeping with the values of the late, great actor; and

WHEREAS, John Michael Milton has been accepted into Grove City College in Pennsylvania, where he will be preparing for a career in public service; and

NOW THEREFORE, I, Michael L. Alvarez, the Mayor of the Town of Indian Trail along with the Indian Trail Town Council recognize **John Michael Milton** for his exceptional commitment and hard work in achieving the rank of Eagle Scout. We honor you for your abilities, achievements and citizenship and wish you continued success in all your life’s endeavors.

BY: _____
Michael L. Alvarez, Mayor



Town of Indian Trail
Minutes of Town Council
May 8, 2012
Civic Building
6:30 P.M.

The following members of the governing body were present:

Mayor: Michael L. Alvarez

Council Members: Robert Allen, David Cohn, Christopher King, Darlene Luther,
and David Waddell.

Staff Members: Town Manager Joe Fivas, Town Clerk Peggy Piontek, Town
Attorney Keith Merritt, Planning Director Shelley DeHart, Rox
Burhans, Finance Director Marsha Sutton, Tax Collector Janice
Cook, Jennifer Smith, Kelly Barnhardt and Adam McLamb

CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Alvarez called the meeting to order and lead in the Pledge of Allegiance.

ADDITIONS AND DELETIONS

Robert Allen made a motion to approve adding Resolution for Stone Theatre improvement onto the agenda as item 8b

Motion Passed 4 - 1 with David Waddell opposing.

MOTION TO APPROVE AGENDA

Robert Allen made a motion to approve the agenda.

Council voted unanimously in favor of the motion.

PRESENTATIONS

None

PUBLIC COMMENTS

Regina Dickerson, 5807 Rocky River Road, Indian Trail, NC has been a resident for 35 years, she feels the citizens of Indian Trail are in need of a park that will permit dog walking and bike riding asking Council to give this matter serious consideration.

CONSENT AGENDA

Town Clerk, Peggy Piontek informed Council that the draft minutes presented tonight have been slightly modified, provided them with a copy of the modification; if approved it is with those slight modifications.

- a. Approval of April 24, 2012 minutes
- b. Month End Tax Report for April 2012
- c. Resolution Directing the Clerk to Investigate Annexation
Petition 131 **(COPY ATTACHED HERETO AND MADE A PART
OF THE MINUTES)**

- d. Certificate of Sufficiency (**COPY ATTACHED HERETO AND MADE A PART OF THE MINUTES**)
- e. Resolution setting the date for the Public Hearing to May 22, 2012 for Annexation 131 (**COPY ATTACHED HERETO AND MADE A PART OF THE MINUTES**)
- f. Budget Amendments (**COPY ATTACHED HERETO AND MADE A PART OF THE MINUTES**)

Robert Allen made a motion to approve the Consent Agenda with additions made by the Town Clerk.

Council voted unanimously in favor of the motion.

PUBLIC HEARINGS

a. ZM 2011-004 Industrial Ventures

Ms. DeHart stated that this is a request to rezone 2 parcels from Regional Business District (RBD) to Light Industrial (LI). Location: Industrial Ventures: 2807 Chambers Drive and 4900 Starcrest. Applicant: Town of Indian Trail. Tax Parcels: 07048026B and 07048040. Ms. DeHart informed Council this is simply a housekeeping action, as a town initiated rezone occurred in November of 2009 for the various phases of Industrial Ventures and when reviewing town records, it appears that these 2 parcels were not included in original rezone.

The Planning Board heard this matter on April 17, 2012 and found the proposed amendment is consistent with the following goal of the Comprehensive Plan:

Goal 1.3.2 Land Use: The proposed rezone provides a mix of different types of land uses and avoids potential land use conflicts between neighboring properties because it will change the zoning classification to Light Industrial which is consistent with the zoning on adjacent properties and consistent with the land uses within the Industrial Ventures; and

Whereas the Planning Board further finds this zoning reclassification is a reasonable request and is in the public interest because it promotes the goals of the adopted Indian Trail Comprehensive Plan in the areas of Land Use and is

consistent with the adopted plans within the Town of Indian Trail.

The Planning Board voted to recommend approval to the Town Council.

Mayor Alvarez opened and closed the public comments portion of the hearing as no one signed up to speak

Christopher King made a motion to concur with findings and approve ZM 2011-004 Industrial Ventures as presented.

Council voted unanimously in favor of the motion.

b. ZM2012-001 Brandon Oaks

Rox Burhans presented to Council a request to rezone 91 parcels (approximately 28.112 acres) from Residential R20 (R-20 Union Co) to Single-Family Residential 4 (SF-4) with a Pre-Existing Development Overlay (PED Overlay 1). Properties were annexed March 28, 2012 by Annexation 130. Location: Portion of Brandon Oaks Phase 9 (The Gardens). Applicant: Town of Indian Trail Tax Parcels: 91 Parcels recently annexed by Annexation No. 130.

The Planning Board heard this item at its April 17, 2012 meeting and made the following required findings:

Goal 1.3.1 Quality of Life: The proposed rezoning to SF-4 with a PED Overlay 1 will help to promote a better quality of life for our residents by ensuring the continuation of the unique identity and residential character of the Brandon Oaks community.

Goal 1.3.1 Quality of Life: The proposed rezoning to SF-4 with a PED Overlay 1 will help provide a diverse range of housing opportunities in Indian Trail by providing additional medium density housing within an overall planned development community with varying housing sizes and densities.

Reasonableness and Public Interest: The request for this zoning district and overlay is a reasonable request and is in the public interest because it promotes

the goal of the adopted Comprehensive Plan in the area of *Quality of Life* and is consistent with the other adopted plans within the Town.

Mayor Alvarez opened and closed the public comments portion of the hearing as no one had signed up to speak.

Robert Allen made a motion to concur with findings and approve as presented for ZM2012-001.

Council voted unanimously in favor of the motion.

BUSINESS ITEMS

- a. A Resolution to Union County Commissioners for the purpose of a room dedication in the Union West Library of Indian Trail.

Mr. Fivas advised that the Town was approached to try and find a way to honor one of our former Council Members and community assets Lane Vickery. We have presented you with a Resolution requesting the Union County Commissioners consider one of the rooms in the library after Ms. Vickery. Mr. Fivas, staff members and Council commented on the positive impact Ms. Vickery has had on our community and development in Indian Trail.

Robert Allen made a motion to approve the Resolution to Union County Commissioners.

Council voted unanimously in favor of the motion.

- b. Resolution for Stone Theatre Improvements

Mr. Fivas advised that yesterday the General Assembly and the North Carolina Department of Transportation requested an additional resolution to confirm the Town's commitment to the Old Monroe Road improvements for a total of \$200,000. This resolution will assist the North Carolina General Assembly and North Carolina Department of Transportation in securing Contingency Funds and

other State Funds as needed for the construction of these improvements. This does not include the safety improvements that have already been approved by the Town Council. They have found a new power issue and we will bring you that information at another meeting.

Robert Allen made a motion to approve the Resolution for Old Monroe Road improvements options.

Motion Passed 4 - 1 with David Waddell opposing.

DISCUSSION ITEMS

a. Budget Workshop

Mr. Fivas presented some of the highlights of the Fiscal Year 2012/2013 budget. Topics included: budget process, population growth, tax classification, organization chart, tax rate comparisons with communities approximately our size, debt service ratio comparison, intergovernmental ration comparisons, a chart to show where each tax penny collected is applied, revenue summary and town revenues.

Mr. Fivas advised he is not recommending a property tax increase, he is proposing Council consideration of an annual \$30 solid waste fee for residential solid waste, and there is no anticipation of additional full time employees being considered. The highlights of the expense summary presented includes 3 new Deputy positions, one which has already been approved and 2 of which will be partly funded through a grant (confirmation expected in the fall of 2012), the County has advised that annual law enforcement costs will increased 6.92%. Mr. Fivas proposed the creation of the Indian Trail Cultural Arts Center with a program budget of \$7,000, starting a Citizen Academy for ealy 2013 (\$1,000 cost), the possibility of new solid waste services, build a temporary small Public Works facility which can be used for future park maintenance area for the 51-acre park. Mr. Fivas is recommending a 1.9% COLA for town employees, \$2,230,000 in Capital Improvements, the possible purchase of a Community Park and funds available for park implementation, the continuation of rewriting the Municipal

Code and to work with the community and Town Council to begin planning for future community facility locations.

Upon completion of the budget presentation, Council asked several questions and had several comments to make. They discussed the idea of having another budget workshop this month.

Robert Allen made a motion to approve another budget workshop on May 22nd meeting after the public hearing.

Mr. Fivas suggested that if time is an issue on May 22nd, Council consider continuing the meeting to Wednesday, May 23rd if necessary.

Council voted unanimously in favor of the motion.

Mr. Waddell suggested that if we are adding another officer in the fall regardless of the grant, we should put it in the budget now to avoid shuffling too much around to add the second officer in the fall.

Mr. Fivas stated there are funds allocated in the budget for resources, from a process standpoint it would be easier to wait and see what the decision is from the State and then react to that decision. Mr. Cohn suggested waiting and seeing what happens.

b. Discussion of Bond question.

Mr. Fivas informed Council our Bond Counsel has prepared three draft questions for your consideration. He believes that all three questions would work for this situation; however, he believes that question #2 is the safest alternative. It provides the opportunity to redirect the funds if the current property on Oakwood Lane is not purchased. **(COPY ATTACHED HERETO AND MADE A PART OF THE MINUTES).**

Christopher King made a motion to approve the verbiage for: "*SHALL* the order authorizing \$8,500,000 of bonds secured by the pledge of the full faith and credit of the Town of Indian Trail, North Carolina to pay the costs of providing for the acquisition, construction, renovation, improvement and equipping of parks and recreation facilities for a park located at 304 Matthews-Indian Trail Road and another community park to be designated by the Town, including the acquisition of land, rights-of-way and easements related thereto, if necessary, and a tax to be levied for the payment thereof be approved?"

Mr. Waddell stated that he believes \$8,500,000 is excessive for this town, it's a mistake and the money should be used for infrastructure

Motion Passed 4 - 1 with David Waddell opposing.

MANAGERS REPORT

Mr. Fivas passed out a photograph donated by Extreme Ice of the US National hockey team when they played Canada. He thanked everyone for their attendance on Clean Up day and feels we provided a great service for our citizens. It was a fun morning and we appreciate their assistance, as well as Waste Pro for their efforts and assistance. Movie night was a great success; we had approximately 300 people, one of our biggest movie nights. Family Fun Day is coming up on June 2nd, tell your friends to come out. It will be a carnival type atmosphere, the event is completely free.

COUNCIL COMMENTS

Mayor Alvarez showed the picture donated by Extreme Ice advising these gentlemen have little or no use of their lower extremities and acknowledging the inspiration the athletes showed on how to overcome obstacles. They could have sat home and done nothing, these are the most respectful and inspiring people he has ever met in his life. We could all take a lesson from the tenacity they show in their lives and the desire to succeed.

Ms. Luther stated that Family Fun Day rides are free, kids have a great time. So many community festivals have wonderful events but it's expensive to put the kids on the rides. Spread the word, let people know this is an awesome event for everyone. Mayor Alvarez you are a breath of fresh air, she greatly appreciates it, he goes to everything with a positive spirit and the people appreciate it and thanked him for it.

Mr. Waddell shared an article written by John Hood, pertaining to where and how specific firms operate depending on what they produce and for which markets. As a whole you will more successfully predict economic performance with business cost measures than with quality of life measures. He invited everyone to read the article, is North Carolina's climate improving published in the Enquirer Journal Saturday, April 21st.

Mr. King spoke about the success of Trash pickup day, he received a lot of positive feedback, commending Waste Pro and its staff for doing a great job. All of the employees were positive and appeared to want to be out there.

Mr. Cohn invited everyone to a bar-be-que next Saturday at 4 pm in Bonterra. It is a fund raiser for a neighbor who has stage 4 cancer. Please come out and support her.

Mr. Allen stated that recycling day was a huge hit and complimented Waste Pro on a great job. Family Fun Day is coming up get out there and enjoy yourselves.

Mayor Alvarez wished everyone a Happy Mother's Day.

CLOSED SESSION

None

ADJOURN

Christopher King made a motion to adjourn
Council voted unanimously in favor of the motion.

APPROVED:

Michael L. Alvarez, Mayor

Attest:

Peggy Piontek, Town Clerk



TO: Mayor and Town Council

FROM: Kelly Barnhardt

DATE: May 22, 2012

SUBJECT: Approval of Revised Rural Center Grant Full Application

A technical amendment was made by the NC Rural Center on the Commitment of Other Funds form, regarding the NC Rural Center Full-Application. The additional \$300,000 infrastructure investment made by Sun Valley LLC was changed to \$387,826.85. This is the money that the developer is paying for infrastructure at Sun Valley Theatre that is not covered by the Grant amount of \$300,000. Nothing in the amount of the Grant being received has changed.



TO: Mayor and Town Council

FROM: Kelly Barnhardt

DATE: May 22, 2012

SUBJECT: Stone Theatre-SunValley LLC Infrastructure Grant Agreement

The process for this Infrastructure Grant has been completed and approved by the NC Rural Center. The resulting document is an agreement between the Town and the NC Rural Center that will need to be signed by the Town / Mayor for approval of funds to be released to the Town. Legal Counsel has reviewed these documents. The Town acts as a mediary for the grant funds to then go to the developer, Sun Valley LLC. The amount of grant funds is \$300,000.



TO: Mayor and Town Council
FROM: Joe Fivas
DATE: May 15, 2012
SUBJECT: Annual Approval of Audit Contract

With the end of the year approaching it is time again to prepare for our end of year financial audit by our auditors, Tinsley and Terry. The Local Government Commission (LGC) approval is required for all contracts and invoices for audit services in the state of North Carolina, including special audits and agreed-upon procedures for local governments. As part of their approval process the LGC requires the following:

- Approval of the audit contract by the governing board; and,
- The Mayor's signature indicating approval on the contract.

Staff is recommending the Council approve the attached contract for services.

CONTRACT TO AUDIT ACCOUNTS
Of TOWN OF INDIAN TRAIL

Governmental Unit

On this 2ND day of MAY, 2012, TINSLEY & TERRY, CPAS, P.A.

Auditor

19109 W. CATAWBA AVE., SUITE 116

Mailing Address

CORNELIUS, NC 28031, hereinafter referred to as

the Auditor, and TOWN COUNCIL of TOWN OF INDIAN TRAIL, hereinafter referred

Governing Board

Governmental Unit

to as the Governmental Unit, agree as follows:

1. The Auditor shall audit all statements and disclosures required by generally accepted accounting principles and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit for the period beginning JULY 1, 2011, and ending JUNE 30, 2012. The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion will be rendered in relation to (as applicable) the governmental activities, the business-type activities, the aggregate discretely presented component units, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types).
2. At a minimum, the Auditor shall conduct his/her audit and render his/her report in accordance with generally accepted auditing standards. The Auditor shall perform the audit in accordance with *Government Auditing Standards* if required by the State Single Audit Implementation Act, as codified in G.S. 159-34. If required by OMB Circular A-133 and the State Single Audit Implementation Act, the auditor shall perform a Single Audit. This audit and all associated workpapers may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the LGC. If the audit and/or workpapers are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners.
3. This contract contemplates an unqualified opinion being rendered. If financial statements are not prepared in accordance with generally accepted accounting principles (GAAP), or the statements fail to include all disclosures required by GAAP, please provide an explanation for that departure from GAAP in an attachment.
4. This contract contemplates an unqualified opinion being rendered. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract
5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, July 2007 revisions, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of their most recent peer review report regardless of the date of the prior peer review report to the Governmental Unit and the Secretary of the Local Government Commission prior to the execution of the audit contract. (See Item 22) If the audit firm received a peer review rating other than pass, the auditor shall not contract with any Local Government Units without first contacting the Secretary of the Local Government Commission for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to *Government Accounting Standards*, the Auditor shall provide an explanation as to why in an attachment.
6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to the SLGFD within four months of fiscal year end. Audit report is due on: OCTOBER 31, 2012. If it becomes necessary to amend this due date or the audit fee, an amended contract along with a written explanation of the delay must be submitted to the Secretary of the Local Government Commission for approval.
7. It is agreed that generally accepted auditing standards include a review of the Governmental Unit's systems of internal control and accounting as the systems relate to accountability of funds, adherence to budget requirements, and adherence to law requirements. In addition, the Auditor will make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his findings, together with his recommendations for improvement. That written report must include all matters defined as "significant deficiencies and material weaknesses" in AU 325 of the *AICPA Professional Standards*. The Auditor shall file a copy of that report with the Secretary of the Local Government Commission.
8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the Local Government Commission. This includes annual or special audits, agreed upon procedures related to Internal Control, bookkeeping or other assistance necessary to prepare the Unit's records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit until the invoice has been approved by the Secretary of the Local Government Commission. (This also includes any progress billings.) [G.S. 159-34 and 115C-447] The process for invoice approval has changed. All invoices for Audit work must be submitted by email in PDF format to the Secretary of the Local Government Commission for approval. The invoices must be emailed to: lge.invoices@nctreasurer.com

Email Subject line should read "unit name – invoice. The PDF invoice marked approved with approval date will be returned by email to the Auditor for them to present to the Local Government Unit for payment. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.

9. In consideration of the satisfactory performance of the provisions of this agreement, the Governmental Unit shall pay to the Auditor, upon approval by the Secretary of the Local Government Commission, the following fee, which includes any cost the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (Federal and State grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts:

Year-end bookkeeping assistance – [For audits subject to Government Auditing Standards, this is limited to bookkeeping services permitted by revised Independence Standards] _____

Audit \$11,750

Preparation of the annual financial statements \$3,250

Prior to submission of the completed audited financial report, applicable compliance reports and amended contract (if required) auditors may submit invoices for approval for services rendered, not to exceed 75% of the total of the stated fees above. If the current contracted fee is not fixed in total, invoices for services rendered may be approved for up to 75% of the prior year audit fee. The 75% cap for interim invoice approval for this audit contract is \$11,250

10. The auditor working with a local governmental unit that has outstanding revenue bonds will include in the notes to the audited financial statements, whether or not required by the revenue bond documents, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the auditor should be aware that any other bond compliance statements or additional reports required in the authorizing bond documents need to be submitted to the Local Government Commission simultaneously with the local government's audited financial statements unless otherwise specified in the bond documents.
11. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include but not be limited to the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the governmental unit and all of its component units prepared in accordance with generally accepted accounting principles, (c) supplementary information requested by the client or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board as soon as practical after the close of the accounting period.
12. If the audit firm is required by the NC CPA Board or the Secretary of the Local Government Commission to have a pre-issuance review of their audit work, there must be a statement added to the engagement letter specifying the pre-issuance review including a statement that the Unit of Government will not be billed for the pre-issuance review. The pre-issuance review must be performed **prior** to the completed Audit being submitted to the Local Government Commission. The pre-issuance report must accompany the audit report upon submission to the Local Government Commission.
13. The Auditor shall electronically submit the report of audit to the Local Government Commission when (or prior to) submitting the invoice for services rendered. The report of audit, as filed with the Secretary of the Local Government Commission, becomes a matter of public record for inspection and review in the offices of the Secretary by any interested parties. Any subsequent revisions to these reports must be sent to the Secretary of the Local Government Commission. These audited financial statements are used in the preparation of Official Statements for debt offerings (the auditors' opinion is not included), by municipal bond rating services, to fulfill secondary market disclosure requirements of the Securities and Exchange Commission, and other lawful purposes of the government, without subsequent consent of the auditor. If it is determined by the Local Government Commission that corrections need to be made to the unit's financial statements they should be provided within three days of notification unless, another time frame is agreed to by the Local Government Commission.

The Local Government Commission's process for submitting contracts, audit reports and Invoices are subject to change. Auditors should use the submission process in effect at the time of submission.

In addition, if the North Carolina Office of the State Auditor designates certain programs to be audited as major programs, a turnaround document and a representation letter addressed to the State Auditor shall be submitted to the Local Government Commission.

14. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the Secretary of the Local Government Commission, this agreement may be varied or changed to include the increased time and/or compensation as may be agreed upon by the Governing Board and the Auditor.
15. If an approved contract needs to be varied or changed for any reason, the change must be made in writing, signed and dated by all parties and pre-audited if the change includes a change in audit fee. This document and a written explanation of the change must be submitted by email in PDF format to the Secretary of the Local Government Commission for approval. The portal address to upload your amended contract and Letter of explanation documents is <http://nctreasurer.slgfd.leapfile.net> No change shall be effective unless approved by the Secretary of the Local Government Commission, the Governing Board, and the Auditor.

16. Whenever the Auditor uses an engagement letter with the client, Item 17 is to be completed by referencing the engagement letter and attaching a copy of the engagement letter to the contract to incorporate the engagement letter into the contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract will control. Engagement letter terms are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 22 of this contract. Engagement letters containing indemnification clauses will not be approved by the Local Government Commission.
17. Special provisions should be limited. Please list any special provisions in an attachment. **SEE ENGAGEMENT LETTER**
18. A separate contract should not be made for each division to be audited or report to be submitted. A separate contract must be executed for each component unit which is a local government and for which a separate audit report is issued.
19. The contract must be executed, pre-audited, physically signed by all parties and submitted in PDF format including unit and auditor signatures to the Secretary of the Local Government Commission. The current portal address to upload your contractual documents is <http://nctreasurer.slgfd.leapfile.net> Electronic signatures are not accepted at this time. Included with this contract are instructions to submit contracts and invoices for approval as of March 5, 2012. These instructions are subject to change. Please check the NC Treasurer's web site at www.nctreasurer.com for the most recent instructions.
20. The contract is not valid until it is approved by the Local Government Commission. The staff of the Local Government Commission shall notify the unit and auditor of contract approval by email. The audit should not be started before the contract is approved.
21. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the Local Government Commission.
22. All of the above paragraphs are understood and shall apply to this agreement, except the following numbered paragraphs shall be deleted: (See Item 16.)
23. **All communications regarding Audit contract requests for modification or official approvals will be sent to the email addresses provided in the following areas.**

Audit Firm Signature:
 Firm TINSLEY & TERRY, CPAS, P.A.

By CLARE H. MEYER
 (Please type or print name)

Clare H Meyer, CPA
 (Signature of authorized audit firm representative)

Email Address of Audit Firm:
CLAREM@BELLSOUTH.NET

Date 5/2/2012

Unit Signatures:

By MICHAEL ALVAREZ, MAYOR
 (Please type or print name and title)

(Signature of Mayor/Chairperson of governing board)

Date _____

Date Governing Body Approved Audit Contract - G.S. 159-34(a)

Unit Signatures (continued):

By _____
 (Chair of Audit Committee- please type or print name)

 (Signature of Audit Committee Chairperson)

Date _____
 (If unit has no audit committee, this section should be marked "N/A.")

This instrument has been preaudited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act. Additionally, the following date is the date this audit contract was approved by the governing body.

MARSHA SUTTON FINANCE DIRECTOR

Governmental Unit Finance Officer (Please type or print name)

 (Signature)

Email Address of Finance Officer

financedirector@admin.indiantrail.org

Date _____

(Preaudit Certificate must be dated.)



TO: Mayor and Town Council

FROM: Joe Fivas

DATE: May 15, 2012

SUBJECT: Resolution Directing the Publication of the Notice of Intent to Apply to the Local Government Commission for Approval of Bonds

As part of the initial bond process, the governing body must approve a resolution directing the publication of a Notice of Intention to Apply to the Local Government Commission for Approval of Bonds. This notice must be published at least 10 days prior to the Town applying to the Local Government Commission. This allows any resident or taxpayer of the Town of Indian Trail to object to the issuance of the bonds.

Staff is recommending the Council approve the attached Resolution of the Notice of Intention to Apply to the Local Government Commission for Approval of Bonds.

RESOLUTION

RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF INDIAN TRAIL, NORTH CAROLINA
DIRECTING THE PUBLICATION OF NOTICE OF INTENTION
TO APPLY TO THE LOCAL GOVERNMENT
COMMISSION FOR APPROVAL OF BONDS

WHEREAS, the Town Council (the "*Town Council*") of the Town of Indian Trail, North Carolina (the "*Town*") is considering the issuance of general obligation bonds of the Town which shall be for the following purposes and in the following maximum amounts:

\$8,500,000 of bonds to pay the costs of providing for the acquisition, construction, renovation, improvement and equipping of parks and recreation facilities for a park located at 304 Matthews-Indian Trail Road and another community park to be designated by the Town, including the acquisition of land, rights-of-way and easements related thereto, if necessary.

NOW, THEREFORE, BE IT RESOLVED by the Town Council that the Town Clerk is hereby directed to cause a copy of the "NOTICE OF INTENTION TO APPLY TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF BONDS" to be published in the *The Enquirer-Journal* on or about May 25, 2012.

READ, APPROVED AND ADOPTED this 22nd day of May, 2012.

Town Clerk

Mayor

APPROVED AS TO FORM:

Town Attorney

NOTICE OF INTENTION TO APPLY TO THE
LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF BONDS

NOTICE IS HEREBY GIVEN of intention of the undersigned to file application with the Local Government Commission, Raleigh, North Carolina for its approval of the issuance of general obligation bonds of the Town of Indian Trail, North Carolina which shall be for the following purposes and in the following maximum amounts:

\$8,500,000 of bonds to pay the costs of providing for the acquisition, construction, renovation, improvement and equipping of parks and recreation facilities for a park located at 304 Matthews-Indian Trail Road and another community park to be designated by the Town, including the acquisition of land, rights-of-way and easements related thereto, if necessary.

Any citizen or taxpayer of the Town of Indian Trail, North Carolina objecting to the issuance of any or all of said bonds, within seven (7) days after the date of publication of this notice, may file with the Local Government Commission, 325 N. Salisbury Street, Raleigh, North Carolina 27603, Attention: Secretary, and with the undersigned a written statement setting forth each objection to the proposed bond issue and such statement shall contain the name and address of the person filing it.

**TOWN COUNCIL OF THE TOWN OF INDIAN
TRAIL, NORTH CAROLINA**

/s/ Peggy Piontek

Peggy Piontek

Town Clerk

Town of Indian Trail, North Carolina

STATE OF NORTH CAROLINA)
)
COUNTY OF UNION) SS:

I, *Peggy Piontek*, Town Clerk of the Town of Indian Trail, North Carolina, *DO HEREBY CERTIFY* the attached to be a true and correct copy of a Resolution entitled, “**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF INDIAN TRAIL, NORTH CAROLINA DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO APPLY TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF BONDS**” adopted by the Town Council at a meeting held on the 22nd day of May, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town, this the 22nd day of May, 2012.

(SEAL)

Town Clerk
Town of Indian Trail, North Carolina



TO: Mayor and Town Council

FROM: Joe Fivas

DATE: May 15, 2012

SUBJECT: Resolution of the Town Council of the Town of Indian Trail, North Carolina Authorizing the Finance Director to Apply to the Local Government Commission for Approval of the Town's Proposed General Obligation Bond Financing and to Submit Such Application to the Local Government Commission

After the Town publishes the Notice of Intent in the paper, the Finance Director must wait at least 10 days before being eligible to apply to the Local Government Commission for Approval of the Town's Proposed General Obligation Bond Financing. As part of the Local Government Commission's approval process, they require a resolution from the Town Council which authorizes the Finance Director to apply after the 10 day period has passed for residents or taxpayers to file objections to the process.

Staff is recommending the Council approve the attached Resolution of the Town Council of the Town of Indian Trail, North Carolina Authorizing the Finance Director to Apply to the Local Government Commission for Approval of the Town's Proposed General Obligation Bond Financing and to Submit Such Application to the Local Government Commission.

RESOLUTION

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF INDIAN TRAIL,
NORTH CAROLINA AUTHORIZING THE FINANCE DIRECTOR TO APPLY TO THE
LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF THE TOWN'S PROPOSED
GENERAL OBLIGATION BOND FINANCING AND TO SUBMIT SUCH
APPLICATION TO THE LOCAL GOVERNMENT COMMISSION

WHEREAS, the Town Council (the "*Town Council*") of the Town of Indian Trail, North Carolina (the "*Town*") proposes to set a public hearing on the following Bond Order entitled:

"BOND ORDER AUTHORIZING THE ISSUANCE OF \$8,500,000 GENERAL
OBLIGATION PARKS AND RECREATION BONDS OF THE TOWN OF INDIAN
TRAIL, NORTH CAROLINA"

WHEREAS, it is necessary, as a condition to the consideration and adoption of the Bond Order, to submit an Application to the Local Government Commission for Approval of the Bonds, all in the manner required by The Local Government Bond Act.

NOW, THEREFORE, be it resolved by the Town Council that the Finance Director of the Town is hereby directed to file with the Local Government Commission an application for its approval of the general obligation bonds hereinbefore described, on a form prescribed by said Commission, and (1) to request in such application that said Commission approve the Town's use of Parker Poe Adams & Bernstein LLP of Charlotte, North Carolina, as bond counsel for the Town and (2) to state in such application such facts and to attach thereto such exhibits in regard to such general obligation bonds and to the Town and its financial condition, as may be required by said Commission.

BE IT FURTHER RESOLVED that this Resolution shall become effective on the date of its adoption.

READ, APPROVED AND ADOPTED this 22nd day of May, 2012.

Town Clerk

Mayor

APPROVED AS TO FORM:

Town Attorney

STATE OF NORTH CAROLINA)
)
COUNTY OF UNION) SS:

I, *Peggy Piontek*, Town Clerk of the Town of Indian Trail, North Carolina, *DO HEREBY CERTIFY* the attached to be a true and correct copy of a Resolution entitled, “**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF INDIAN TRAIL, NORTH CAROLINA AUTHORIZING THE FINANCE DIRECTOR TO APPLY TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF THE TOWN’S PROPOSED GENERAL OBLIGATION BOND FINANCING AND TO SUBMIT SUCH APPLICATION TO THE LOCAL GOVERNMENT COMMISSION**” adopted by the Town Council of the Town of Indian Trail at a regular meeting held on the 22nd day of May, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town, this the 22nd day of May, 2012.

(SEAL)

Town Clerk
Town of Indian Trail, North Carolina



TO: Mayor and Town Council

FROM: Joe Fivas

DATE: May 15, 2012

SUBJECT: Resolution of the Town Council of the Town of Indian Trail, North Carolina
Making Certain Statements of Fact Concerning Proposed Bond Issue

As part of the application package to the Local Government Commission, they require a Resolution making certain finding of fact concerning the proposed bond issuance. These requirements are stated in Section 159-52 of the North Carolina General Statutes.

Staff is recommending the Council approve the attached Resolution of the Town Council of the Town of Indian Trail, North Carolina Making Certain Statements of Fact Concerning Proposed Bond Issue.

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF INDIAN TRAIL, NORTH CAROLINA
MAKING CERTAIN STATEMENTS OF FACT
CONCERNING PROPOSED BOND ISSUE**

WHEREAS, the Town Council (the "*Town Council*") of the Town of Indian Trail, North Carolina (the "*Town*") is considering the issuance of bonds of the Town which shall be for the following purposes and in the following maximum amount:

\$8,500,000 of bonds to pay the costs of providing for the acquisition, construction, renovation, improvement and equipping of parks and recreation facilities for a park located at 304 Matthews-Indian Trail Road and another community park to be designated by the Town, including the acquisition of land, rights-of-way and easements related thereto, if necessary.

WHEREAS, certain findings of fact by the Town Council must be presented to enable the Local Government Commission of the State of North Carolina to make certain determinations as set forth in Section 159-52 the North Carolina General Statutes, as amended.

NOW, THEREFORE, BE IT RESOLVED that the Town Council, meeting in open session on the 22nd day of May, 2012, has made the following factual findings in regard to this matter:

A. *Facts Regarding Necessity of Proposed Financing.* The proposed bonds are necessary and expedient to pay the costs of the acquisition, construction, renovation, improvement and equipping of parks and recreation facilities for a park located at 304 Matthews-Indian Trail Road and another community park to be designated by the Town, including the acquisition of land, rights-of-way and easements related thereto, if necessary.

B. *Facts Supporting the Amount of Bonds Proposed.* The sums estimated for these bonds are adequate and not excessive for the proposed purposes. Estimates for the proposed projects to be financed with such bonds have been carefully analyzed and determined by persons knowledgeable about the proposed projects.

C. *Past Debt Management Procedures and Policies.* The Town's debt management procedures and policies are excellent and have been carried out in compliance with law. The Town employs an Finance Director to oversee compliance with applicable laws relating to debt management. The Town Council requires annual audits of Town finances. In connection with these audits, compliance with laws is reviewed. The Town is not in default in any of its debt service obligations. The Town Attorney reviews all debt-related documents for compliance with laws.

D. *Past Budgetary and Fiscal Management Policies.* The Town's budgetary and fiscal management policies have been carried out in compliance with laws. Annual budgets are closely reviewed by the Town Council before final approval of budget ordinances. Budget amendments changing a function total or between functions are presented to the Town Council at regular Town Council meetings. The Finance Director presents financial information to the Town Council which shows budget to actual comparisons annually and otherwise as the Town Manager deems necessary or as a member of the Town Council may request.

E. ***Increase in Taxes; Retirement of Debt.*** The schedule for issuing the bonds will require a property tax increase to pay principal and interest on the bonds, but the increase in taxes necessary to service the proposed debt will not be excessive. The schedule for issuance anticipates issuing the bonds in several series beginning in fiscal year 2013.

READ, APPROVED AND ADOPTED this 22nd day of May, 2012.

Town Clerk

Mayor

APPROVED AS TO FORM:

Town Attorney

STATE OF NORTH CAROLINA)
)
COUNTY OF UNION) SS:

I, *Peggy Piontek*, Town Clerk of the Town of Indian Trail, North Carolina, *DO HEREBY CERTIFY* the attached to be a true and correct copy of a Resolution entitled, “**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF INDIAN TRAIL, NORTH CAROLINA MAKING CERTAIN STATEMENTS OF FACT CONCERNING PROPOSED BOND ISSUE**” adopted by the Town Council of the Town of Indian Trail, North Carolina at a regular meeting held on the 22nd day of May, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town, this the 22nd day of May, 2012.

(SEAL)

Town Clerk
Town of Indian Trail, North Carolina



PO Box 2430

Indian Trail, NC 28079

PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT

Case: Annexation #131	
Reference Name	Portions of Phase 9 of Brandon Oaks Subdivision
Applicant	Shiple and Sadler
Submittal Date	March & April 2012
Location	2010 Canopy Drive & 6005 Sipes Place, Indian Trail
Tax Map Number	07091004 (Canopy Dr) & 07091029 (Sipes Place)

Summary

This is a request by property owners to annex their properties (identified above) into the Town of Indian Trail. The Council took the following actions at its May 8th, 2012 meeting initiating the annexation process:

1. Adopted a resolution directing the Town Clerk to Investigate the Sufficiency of the Voluntary Annexation Petition; and
2. Certified the Sufficiency of the Annexation Petition; and
3. Adopted a resolution setting the public hearing to May 22, 2012.

Background and Analysis

There are two properties representing a total of approximately .36 acres. These properties are located within the Brandon Oaks Subdivision within the unincorporated area of the County. The subject properties are developed with single-family residential dwelling and are surrounded by the Town's existing jurisdictional boundaries. The following consistency finding, pursuant to NCGS § 160A-31(d) regarding voluntary annexations in North Carolina, must be made for the annexation to be valid:

- 1.) The Town Council of Indian Trail finds that, pursuant to the requirements of NCGS § 160A-31(d), that the proposed Annexation Ordinance #131 petition offered by the applicant does in fact meet all requirements for a proper voluntary annexation under North Carolina law and is found to be valid in form and manner.

Staff Recommendation

Staff recommends to the Town Council the following actions:

- 1.) Receive this staff report and public testimony on this annexation.
- 2.) Make the required finding in accordance with NCGS § 160A-31(d) reading into the record the statement above; and
- 3.) Make a motion to approve/disapprove extending the corporate limits of the Town of Indian Trail to include Annexation Ordinance #131 establishing the effective date of the annexation as June 1, 2012



Staff Contact

Shelley DeHart, AICP
704 821-5401

Attachment One: Proposed Annexation Ordinance #131 w/Legal Description

Attachment Two: Petition Application for Proposed Voluntary Annexation w/Maps

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF
INDIAN TRAIL, NORTH CAROLINA**

**ANNEXATION ORDINANCE #131 – Two parcels located within A Portion of Phase 9 of
Brandon Oaks Subdivision consisting of a total of .36 acres (2010 Canopy Drive 07091004
& 6005 Sipes PI 07091029)**

WHEREAS, the Town Council has been petitioned pursuant to N.C.G.S. Chapter 160A, Article 4A, Part 1 to annex the area described below; and

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

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of annexation was held at the Town Hall at 6:30 PM on the 22nd day of May, 2012, after due notice by the Enquirer Journal newspaper; and

WHEREAS, the Town Council finds that the petition meets the requirements of G.S. 160A-31(d);

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Indian Trail, North Carolina that:

Section 1. By Virtue of the authority granted pursuant to N.C.G.S. Chapter 160A, Article 4A, Part 1, the following described territory is hereby annexed and made part of the Town of Indian Trail, North Carolina as of the 22th day of May, 2012:

See Attached Metes and Bounds Description

Section 2. Upon and after the 1st day of June, 2012, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Indian Trail, North Carolina and shall be entitled to the same privileges and benefits as other parts of the Town of Indian Trail, North Carolina. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Indian Trail, North Carolina shall cause to be recorded in the office of the Register of Deeds of Union County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Board of Elections, as required by G.S. 163-288.1.

Section 4. The Attorney of the Town of Indian Trail, North Carolina shall submit in the Office of the United States Attorney General, in accordance with Section 5 of the Voting Rights Act of 1965, codified as 42 U.S.C. 1973c, documents and materials required for review pursuant to federal law.

Adopted this 22nd day of May, 2012.

TOWN OF INDIAN TRAIL

BY: _____
Michael L. Alvarez, Mayor

ATTEST:

APPROVED AS TO FORM:

Peggy Piontek, Town Clerk

Keith J. Merritt, Town Attorney

TRACK 1 – 6005 SIPES PL; 07091029

Being all of Lot 52 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161. 0.180 Acres Annexation

Commencing at a pipe found at the southeast corner of Lot 47 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161, thence N57-24-02E 301.69' to a point, the southwest corner of Lot 52 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161 and the **Point of Beginning**.

Thence from said **Point of Beginning**, with the western line of Lot 52 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161 N32-33-03W 131.00' to a point, the northwest corner of Lot 52 Block 20 on the right-of-way of Sipes Place; Thence with the right-of-way of Sipes Place N57-26-57E 60.00' to a point, the northeast corner of Lot 52 Block 20; Thence with the eastern line of Lot 52 Block 20 S32-33-03E 130.95' to a point, the southeast corner of Lot 52 Block 20; Thence with the southern line of Lot 52 Block 20 S57-24-02W 60.00' to a point, the **Point of Beginning**.

Being all of Lot 52 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161. 0.180 Acres as shown on the Annexation Exhibit of Brandon Oaks a Portion of Phase 9 by Yarbrough-Williams & Houle Inc, dated 05-03-2012.

TRACK 2 – 2010 CANOPY DRIVE;07091004

Being all of Lot 27 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161. 0.186 Acres Annexation

Commencing at a pipe found at the southeast corner of the Common Open Space of the Gardens at Brandon Oaks Phase 9b Map 1 as recorded in the Union County Register of Deeds Office in Plat Cabinet J File 683, thence S46-20-06E 175.60' to a pipe found in the western line of Brandon Oaks; Thence N53-04-49E 388.94' to a point, the northwest corner of Lot 27 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161 and the **Point of Beginning**.

Thence from said **Point of Beginning**, with the northern line of Lot 27 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161 N38-58-47E 60.00' to a point, the northeast corner of Lot 27 Block 20; Thence with the eastern line of Lot 27 Block 20 S51-01-13E 135.00' to a point, the southeast corner of Lot 27 Block 20 on the right-of-way of Canopy Drive; Thence with the right-of-way of Canopy Drive S38-58-47W 60.00' to a point, the southwest corner of Lot 27 Block 20; Thence with the western line of Lot 27 Block 20 N51-01-13W 135.00 to a point, the **Point of Beginning**.

Being all of Lot 27 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161. 0.186 Acres as shown on the Annexation Exhibit of Brandon Oaks a Portion of Phase 9 by Yarbrough-Williams & Houle Inc, dated 05-03-2012.



YARBROUGH-WILLIAMS & HOULE, INC.

• Planning • Surveying • Engineering

NCBELS C-0475

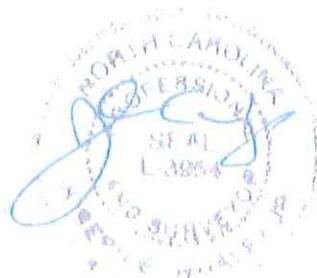
SC COA332

Being all of Lot 52 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161. 0.180 Acres Annexation

Commencing at a pipe found at the southeast corner of Lot 47 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161, thence N57-24-02E 301.69' to a point, the southwest corner of Lot 52 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161 and the **Point of Beginning**.

Thence from said **Point of Beginning**, with the western line of Lot 52 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161 N32-33-03W 131.00' to a point, the northwest corner of Lot 52 Block 20 on the right-of-way of Sipes Place; Thence with the right-of-way of Sipes Place N57-26-57E 60.00' to a point, the northeast corner of Lot 52 Block 20; Thence with the eastern line of Lot 52 Block 20 S32-33-03E 130.95' to a point, the southeast corner of Lot 52 Block 20; Thence with the southern line of Lot 52 Block 20 S57-24-02W 60.00' to a point, the **Point of Beginning**.

Being all of Lot 52 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161. 0.180 Acres as shown on the Annexation Exhibit of Brandon Oaks a Portion of Phase 9 by Yarrbrough-Williams & Houle Inc, dated 05-03-2012.



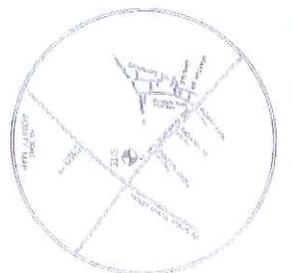
5-3-12

AS SHOWN ON THE PREVIOUS SHEET OF THIS PLAN
 THE TOTAL AREA OF THE PROJECT IS 180 ACRES
 THE TOTAL AREA OF THIS SHEET IS 100 ACRES

GRAPHIC SCALE
 1" = 100 FT.
 1" = 200 FT.

NO.	DESCRIPTION	AREA (ACRES)
1	RESIDENTIAL	100.00
2	COMMERCIAL	10.00
3	INDUSTRIAL	5.00
4	OPEN SPACE	65.00
5	TOTAL	180.00

NO.	DESCRIPTION	AREA (ACRES)
1	RESIDENTIAL	100.00
2	COMMERCIAL	10.00
3	INDUSTRIAL	5.00
4	OPEN SPACE	65.00
5	TOTAL	180.00



THE UNDERSIGNED HAS BEEN ADVISED BY THE APPLICANT THAT THE APPLICANT HAS THE RIGHT OF FIRST REFUSAL TO PURCHASE THE PROPERTY DESCRIBED IN THIS PLAN AND HAS WAIVED SAID RIGHT OF FIRST REFUSAL TO PURCHASE THE PROPERTY DESCRIBED IN THIS PLAN.

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WVI WARRIOR ENGINEERING & SURVEYING, INC.
 1111 W. 10th Street, Suite 100, Oklahoma City, Oklahoma 73106
 (405) 555-1111

PROJECT: ANNEXATION INTO THE TOWN OF INDIAN TRAIL
ANNEXATION ORDINANCE NO. 131
PROJECT (180 ACRES): BRANDON OAKS A PORTION OF PHASE 9
VANUE TOWNSHIP UNION CO. N.C.
FOR PAGE/DIVID PROPERTIES LTD.

SHEET TITLE: ANNEXATION INTO THE TOWN OF INDIAN TRAIL
ANNEXATION ORDINANCE NO. 131

DATE: 11/19/2018

PETITION REQUESTING A CONTIGUOUS ANNEXATION

DATE: 9-20-12

To the Town Council of the Town of Indian Trail, North Carolina:

1. We, the undersigned owners of real property, respectfully request that the area described in paragraph 2 below be annexed to the Town of Indian Trail, North Carolina.
2. The area to be annexed is contiguous to the primary limits of the Town of Indian Trail, North Carolina and the boundaries of such territory are as follows:

SEE ATTACHED DESCRIPTION OF BOUNDARIES
(Copy of Deed or other source containing legal description of properties requesting annexation)

NAME
(print or type)

ADDRESS

SIGNATURE

	NAME (print or type)	ADDRESS	SIGNATURE
1.	George Lottus	2012 Campy Dr.	[Signature]
2.	Robert Almond	2014 Campy Dr.	[Signature]
3.	Kim Sadler	2010 Campy Dr.	Kim Sadler
4.			
5.			
6.			
7.			
8.			
9.			
10.			

#1 & 2 Annexed under petition #130



YARBROUGH-WILLIAMS & HOULE, INC.

Planning • Surveying • Engineering

NCBELS C-0475

SC COA.332

Being all of Lot 27 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161. 0.186 Acres Annexation

Commencing at a pipe found at the southeast corner of the Common Open Space of the Gardens at Brandon Oaks Phase 9b Map 1 as recorded in the Union County Register of Deeds Office in Plat Cabinet J File 683, thence s46-20-06e 175.60' to a pipe found in the western line of Brandon Oaks; Thence N53-04-49E 388.94' to a point, the northwest corner of Lot 27 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161 and the **Point of Beginning**.

Thence from said **Point of Beginning**, with the northern line of Lot 27 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161 N38-58-47E 60.00' to a point, the northeast corner of Lot 27 Block 20; Thence with the eastern line of Lot 27 Block 20 S51-01-13E 135.00' to a point, the southeast corner of Lot 27 Block 20 on the right-of-way of Canopy Drive; Thence with the right-of-way of Canopy Drive S38-58-47W 60.00' to a point, the southwest corner of Lot 27 Block 20; Thence with the western line of Lot 27 Block 20 N51-01-13W 135.00 to a point, the **Point of Beginning**.

Being all of Lot 27 Block 20 of Brandon Oaks Phase 9 Map 5 as recorded in the Union County Register of Deeds Office in Plat Cabinet K File 161. 0.186 Acres as shown on the Annexation Exhibit of Brandon Oaks a Portion of Phase 9 by Yarrbrough-Williams & Houle Inc, dated 05-03-2012.



AS PER THE RECORDS OF THE PLAT BOOKS OF THE COUNTY OF WASHINGTON, DISTRICT OF COLUMBIA, THE PLAT OF THE SUBDIVISION OF THE LANDS OF THE DISTRICT OF COLUMBIA, PLAT NO. 1 OF 1870-1874

AS PER THE RECORDS OF THE PLAT BOOKS OF THE COUNTY OF WASHINGTON, DISTRICT OF COLUMBIA, THE PLAT OF THE SUBDIVISION OF THE LANDS OF THE DISTRICT OF COLUMBIA, PLAT NO. 2 OF 1875-1879

AS PER THE RECORDS OF THE PLAT BOOKS OF THE COUNTY OF WASHINGTON, DISTRICT OF COLUMBIA, THE PLAT OF THE SUBDIVISION OF THE LANDS OF THE DISTRICT OF COLUMBIA, PLAT NO. 3 OF 1880-1884

AS PER THE RECORDS OF THE PLAT BOOKS OF THE COUNTY OF WASHINGTON, DISTRICT OF COLUMBIA, THE PLAT OF THE SUBDIVISION OF THE LANDS OF THE DISTRICT OF COLUMBIA, PLAT NO. 4 OF 1885-1889

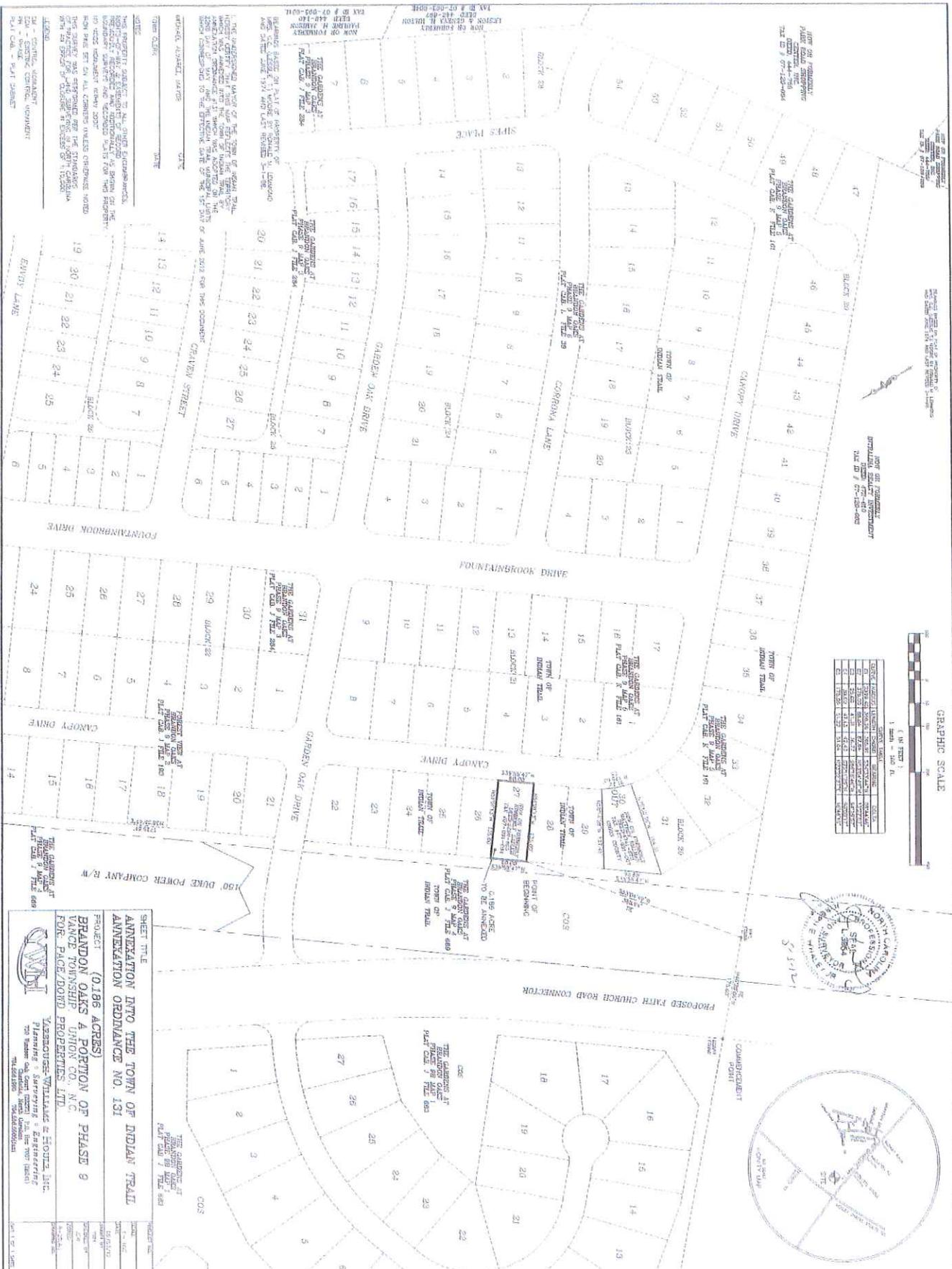
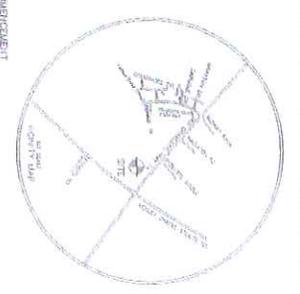
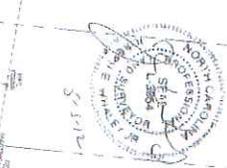
AS PER THE RECORDS OF THE PLAT BOOKS OF THE COUNTY OF WASHINGTON, DISTRICT OF COLUMBIA, THE PLAT OF THE SUBDIVISION OF THE LANDS OF THE DISTRICT OF COLUMBIA, PLAT NO. 5 OF 1890-1894

AS PER THE RECORDS OF THE PLAT BOOKS OF THE COUNTY OF WASHINGTON, DISTRICT OF COLUMBIA, THE PLAT OF THE SUBDIVISION OF THE LANDS OF THE DISTRICT OF COLUMBIA, PLAT NO. 6 OF 1895-1899

AS PER THE RECORDS OF THE PLAT BOOKS OF THE COUNTY OF WASHINGTON, DISTRICT OF COLUMBIA, THE PLAT OF THE SUBDIVISION OF THE LANDS OF THE DISTRICT OF COLUMBIA, PLAT NO. 7 OF 1900-1904

AS PER THE RECORDS OF THE PLAT BOOKS OF THE COUNTY OF WASHINGTON, DISTRICT OF COLUMBIA, THE PLAT OF THE SUBDIVISION OF THE LANDS OF THE DISTRICT OF COLUMBIA, PLAT NO. 8 OF 1905-1909

AS PER THE RECORDS OF THE PLAT BOOKS OF THE COUNTY OF WASHINGTON, DISTRICT OF COLUMBIA, THE PLAT OF THE SUBDIVISION OF THE LANDS OF THE DISTRICT OF COLUMBIA, PLAT NO. 9 OF 1910-1914



SHEET TITLE
ANNEXATION INTO THE TOWN OF INDIAN TRAIL
ANNEXATION ORDINANCE NO. 131

PROJECT (0.186 ACRES)
BRANDON OAKS A PORTION OF PHASE 9
VANCE TOWNSHIP UNION CO. N.C.
FOR PACE/BOARD PROPERTIES LTD.

Planners & Surveyors & Engineers
700 Walnut St., Suite 1000, Charlotte, NC 28202
TEL: 704.375.1111 FAX: 704.375.1112

DATE: 12/15/10
SCALE: AS SHOWN
BY: S. L. W.