

RESOLUTION NO. 10-57

RESOLUTION AUTHORIZING THE MAYOR TO CONVEY EASEMENTS AT THE WEST ASHEVILLE PARK TO THE METROPOLITAN SEWERAGE DISTRICT FOR THE MORRIS STREET AND TALMADGE COURT SEWER REHABILITATION PROJECT.

WHEREAS, pursuant to N.C. Gen. Stat. Sec. 160A-273 grants authority to cities to convey easements across city property; and

WHEREAS, the City of Asheville, hereinafter the City, is the owner of property located off of Talmadge Court and Morris Street, identified as PIN # 96289198480000, known as the West Asheville Park; and

WHEREAS, the Metropolitan Sewerage District of Buncombe County, North Carolina, hereinafter MSD, has requested a Permanent Easement containing approximately 1514 square feet along with a Temporary Construction Easement containing approximately 1550 square feet over a portion of said property at Talmadge Court and Morris Street; and

WHEREAS, the sewerage improvements in the Morris Street and Talmadge Court Sewer Rehabilitation Project for which the easements are requested will benefit the community;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The Mayor is hereby authorized to execute any and all documents, subject to review and approval by the City Attorney, to convey a permanent easement and temporary easement over a portion of property located at Talmadge Court and Morris Street, known as the West Asheville Park (PIN # 96289198480000) to the Metropolitan Sewerage District of Buncombe County, North Carolina for the purposes of implementing the Morris Street and Talmadge Court Sewer Rehabilitation Project.

Read, approved and adopted this 9th day of March, 2010.

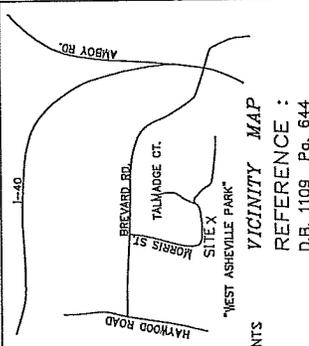
Magdalen Bourleson
City Clerk

Ingrm Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Bourleson
City Clerk



NTS
 "WEST ASHEVILLE PARK"
VICINITY MAP
 REFERENCE :
 D.B. 1109 Pg. 644
 NOTES :
 THIS SURVEY IS SUBJECT TO ALL OR ANY EASEMENTS, RIGHTS OF WAY OR RESTRICTIONS THAT MAY LEGALLY AFFECT THIS PROPERTY. ALL DISTANCES SHOWN ON THIS PLAT ARE NC GRID LENGTHS. THE COMBINED SCALE FACTOR IS : 0.999794 NO CORNERS SET UNLESS OTHERWISE NOTED.

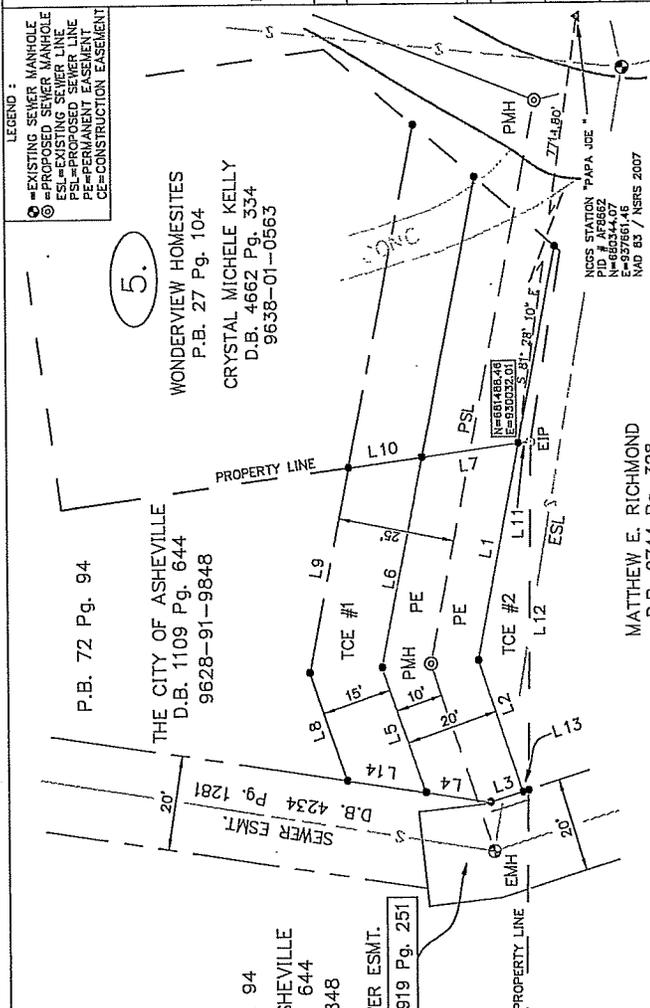
PERMANENT EASEMENT :
 1514 Sq. Ft.
 CONSTRUCTION EASEMENT #1 :
 0.02 AC.
 CONSTRUCTION EASEMENT #2 :
 0.01 AC.
 490 Sq. Ft.

AREA :
 PERMANENT EASEMENT :
 0.03 Ac.
 CONSTRUCTION EASEMENT #1 :
 0.02 Ac.
 CONSTRUCTION EASEMENT #2 :
 0.01 Ac.
 490 Sq. Ft.

METROPOLITAN SEWERAGE DISTRICT
 OF BUNCOMBE COUNTY, NC

Morris Street @ Talmadge

SEWER LINE EASEMENT ACROSS THE PROPERTY OF:
City of Asheville
 PIN NUMBER : 9628-91-9848
 BUNCOMBE COUNTY, N.C.



LEGEND :
 ⊕ = EXISTING SEWER MANHOLE
 ⊙ = PROPOSED SEWER MANHOLE
 --- = EXISTING SEWER LINE
 - - - = PROPOSED SEWER LINE
 PE = PERMANENT EASEMENT
 CE = CONSTRUCTION EASEMENT

5.
 WONDERVIEW HOMESITES
 P.B. 27 Pg. 104
 CRYSTAL MICHELE KELLY
 D.B. 4662 Pg. 334
 9638-01-0563

P.B. 72 Pg. 94
 THE CITY OF ASHEVILLE
 D.B. 1109 Pg. 644
 9628-91-9848

D.B. 4234 Pg. 1281
 SEWER ESMT.

P.B. 72 Pg. 94
 THE CITY OF ASHEVILLE
 D.B. 1109 Pg. 644
 9628-91-9848

D.B. 1919 Pg. 251
 SEWER ESMT.

NGSS STATION "TAPA" JCE
 PID # AF9852
 N=660344.07
 E=660320.01
 MAG 83 / NSRS 2007

MATTHEW E. RICHMOND
 D.B. 2744 Pg. 328
 9638-01-0403

Line	Bearing	Distance
L1	N 75° 47' 29" W	46.59'
L2	S 71° 03' 51" W	29.48'
L3	N 16° 42' 27" W	7.37'
L4	N 8° 42' 45" E	14.26'
L5	N 71° 03' 51" E	27.96'
L6	S 78° 47' 29" E	45.13'
L7	S 7° 41' 31" E	21.14'
L8	N 71° 03' 51" E	24.14'
L9	S 78° 47' 29" E	44.04'
L10	S 7° 41' 31" E	15.85'
L11	S 7° 41' 31" E	2.74'
L12	N 89° 13' 52" W	73.60'
L13	N 16° 42' 27" W	1.27'
L14	N 8° 42' 45" E	16.95'

PERMANENT EASEMENT : L1-L2-L3-L4-L5-L6-L7
CONSTRUCTION EASEMENT #1 L14-L8-L9-L10-L6-L5
CONSTRUCTION EASEMENT #2 L11-L12-L13-L2-L1

THIS DOCUMENT WAS ORIGINALLY ISSUED AND SEALED BY M. DALE CIPAR, NC PLS, L-3036 ON NOV. 18, 2009. THIS MEDIA SHOULD NOT BE CONSIDERED AN ORIGINAL DRAWING OR DOCUMENT.

Date _____ Revisions Made _____ In. _____

828-255-0297

Cipar, Ingle, Anders & Associates Inc.

 www.cisurveying.com

JOB #7780

RESOLUTION NO. 10-58

RESOLUTION AUTHORIZING THE MAYOR TO CONVEY SANITARY SEWER EASEMENTS AT THE MURPHY OAKLEY PARK TO THE METROPOLITAN SEWERAGE DISTRICT FOR THE LIBERTY STREET SEWER REHABILITATION PROJECT

WHEREAS, pursuant to N.C. Gen. Stat. Sec. 160A-273 grants authority to cities to convey easements across city property or right-of-way; and

WHEREAS, the City of Asheville, hereinafter the City, is the owner of property located off of Liberty Street, identified as PINS 965758112100000, 965758140200000, 965748833600000, 965758350700000 known as the Murphy Oakley Park; and

WHEREAS, the Metropolitan Sewerage District of Buncombe County, North Carolina, hereinafter MSD, has requested a Permanent Easement containing approximately 19,001 square feet along with a Temporary Construction Easement containing approximately 26,483 square feet over a portion of said property at Liberty Street; and

WHEREAS, the sewerage improvements in the Liberty Sewer Rehabilitation Project for which the easements are requested will benefit the community;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The Mayor is hereby authorized to execute any and all documents, subject to review and approval by the City Attorney, to convey a permanent easement and temporary easement over a portion of property located at Liberty Street, known as the Murphy Oakley Park (PINS # 965758112100000, 965758140200000, 965748833600000, 965758350700000) to the Metropolitan Sewerage District of Buncombe County, North Carolina for the purposes of implementing the Liberty Street Sewer Rehabilitation Project.

Read, approved and adopted this 9th day of March, 2010.

Magdalen Bourleson
City Clerk

Angie Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Bourleson
City Clerk

Plot Bk. 143 Pg. 109



VICINITY MAP

REFERENCE:
D.B. 884, PG. 265 & D.B. 884, PG. 367.
P.B. 05, PG. 110
PIN: 9657.07585308

AREA:
PERMANENT EASEMENT # 1 = 1000.143 SQ. FT. OR 0.439 AC.
CONSTRUCTION EASEMENT # 1 = 1208.118 SQ. FT. OR 0.277 AC.
CONSTRUCTION EASEMENT # 2 = 1048.828 SQ. FT. OR 0.240 AC.
CONSTRUCTION EASEMENT # 3 = 1208.118 SQ. FT. OR 0.277 AC.

EASEMENTS:
PERMANENT EASEMENT # 1 = L1 THRU L20.
CONSTRUCTION EASEMENT # 1 = L1, L3, L12, L21 THRU L23, L5, L4, L13, L14, L15, L16.
CONSTRUCTION EASEMENT # 2 = L29 THRU L33, L32 THRU L34.
CONSTRUCTION EASEMENT # 3 = L29 THRU L32, L33 THRU L34.

NOTES:
This survey is subject to any easements, encumbrances or other facts that may be discovered by a title examination.
All areas shown were derived from coordinate computation.
There are no recoverable North Carolina Old Assessments located within 2000' of this site.
Beneath the surface of the ground, there may be uncharted or unrecorded utility lines, pipes, conduits, cables, or other man-made or natural objects. They must be located by the scale factor of 0.999996.
No corners were set unless otherwise noted.
This site is not located in a special flood hazard area as determined by FEMA.
This survey is of another category, such as an easement survey.

THE CITY OF ASHEVILLE
D.B. 884, PG. 365
PIN: 9657.07585251

PAUL H. REYNOLDS
D.B. 4482, PG. 1277
PIN: 9657.07582325

VERNON D. HUNTER
D.B. 1077, PG. 17
PIN: 9657.07582227

LOU HARRISON
D.B. 104, PG. 391
PIN: 9657.07582118

THE CITY OF ASHEVILLE
D.B. 884, PG. 365
PIN: 9657.07585335

THE CITY OF ASHEVILLE
D.B. 884, PG. 367
PIN: 9657.06487365

ALDEN WILKINS
D.B. 1888, PG. 306
PIN: 9657.07570914

CHRYL LEBBY
D.B. 1657, PG. 748
PIN: 9657.06476830

THE CITY OF ASHEVILLE
D.B. 884, PG. 365
PIN: 9657.07585035

THE CITY OF ASHEVILLE
D.B. 884, PG. 365
PIN: 9657.07585035

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D.B. 884, PG. 365
PIN: 9657.07585035

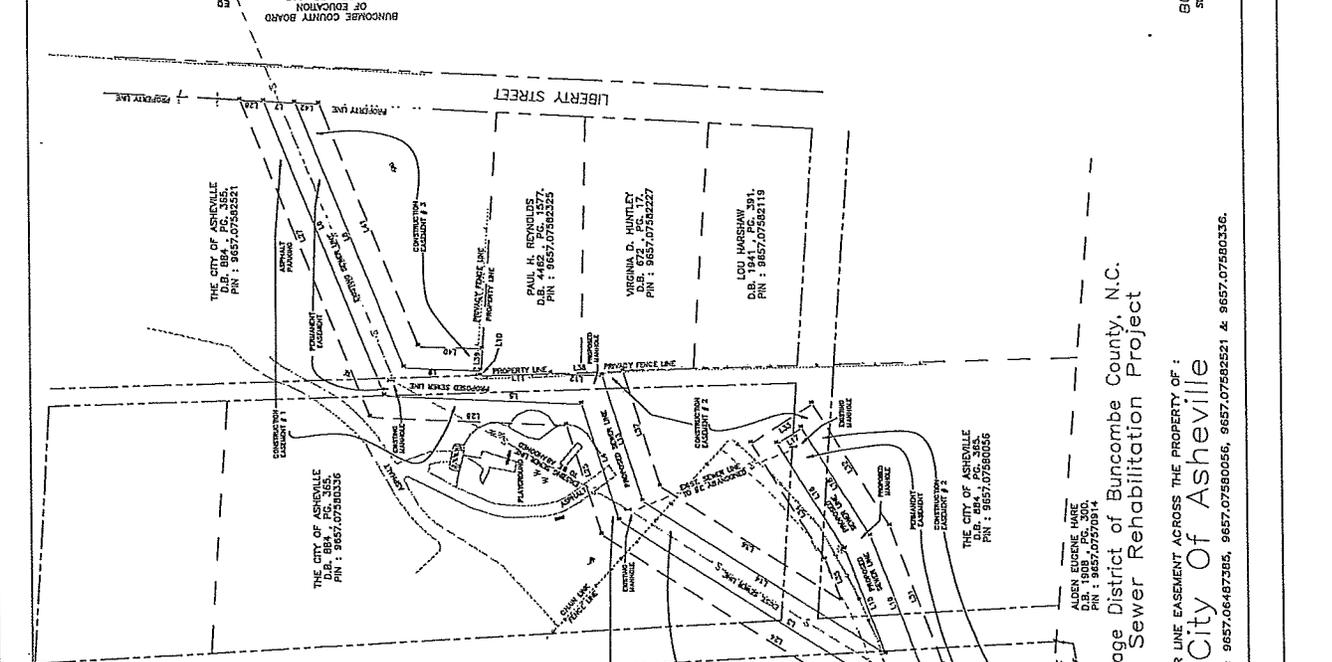
THE CITY OF ASHEVILLE
D.B. 884, PG. 365
PIN: 9657.07585035

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PIN: 9657.07585035

THE CITY OF ASHEVILLE
D.B. 884, PG. 365
PIN: 9657.07585035



N.C. Grid North - NAD 27
Based Upon Datum Furnished By
Metropolitan Sewerage District
And Tied To Existing Monholes

THIS DOCUMENT WAS ORIGINALLY ISSUED AND SEALED
BY DAVID A. INGLE, NC PLS, L-3423 ON 09-02-08.
THIS MEDIA SHOULD NOT BE CONSIDERED AN ORIGINAL DOCUMENT.

PRELIMINARY PLAT !!!
DO NOT USE FOR CONVEYANCE OR CONSTRUCTION....

SEWER LINE EASEMENT ACROSS THE PROPERTY OF:
The City of Asheville
Metropolitan Sewerage District of Buncombe County, N.C.
Liberty Street Sewer Rehabilitation Project

Parcel Identification Numbers: 9657.06487365, 9657.07580056, 9657.07585251 & 9657.07580336.

Job # 7663

REVISIONS

Date Revisions Made Int

City of Asheville
& Associates
Professional Surveying & Land Planning - Mapping
Asheville, NC 28601
(828)-258-0287 www.citysurveying.com

David A. Ingle, Surveyor
Registration Number L-2423

State of North Carolina
County of Buncombe

I, _____ Review Officer of
Buncombe County, do hereby certify that the map or plat to
be recorded hereon was prepared in accordance with the
requirements for recording.

Date: _____ Review Officer

Recorded this the _____ day of _____, 2008
at _____, N.C. Recorded in Book _____ Page _____

Office of the Register of Deeds, Buncombe County
Asheville, NC 28601

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11 10 9 8 7 6 5 4 3 2 1

Table with columns: Line, Bearing, Distance. Contains survey data for lines L1 through L42.

RESOLUTION NO. - 10-59

RESOLUTION DIRECTING THE CITY CLERK TO ADVERTISE AN OFFER OF PURCHASE FOR UPSET BIDS REGARDING PROPERTY OFF OF SHORT STREET

WHEREAS, the City of Asheville owns certain property off of Short Street, being PIN 9649-11-8703-00000; and

WHEREAS, the City of Asheville has received an offer to purchase said property from BK Property Partners of Asheville in the amount of \$71,000; and

WHEREAS, North Carolina General Statutes Section 160A-269 provides for the sale of real property by negotiated offer, advertisement, and upset bids; and

WHEREAS, the City has no anticipated need for the property;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Pursuant to North General Statute Sec. 160A-269, the City Clerk is hereby directed to publish a notice of the intent of the City of Asheville to sell the parcel of real property off of Short Street, PIN 9649-11-8703-00000 to BK Property Partners for \$71,000.00. The notice shall contain a general description of the property, the amount and terms of the offer and a notice that within ten days any person may raise the bid by not less than 10% of the first \$1,000.00 and 5% of the remainder of the purchase price of \$71,000.00.

Read and approved and adopted this 9th day of March, 2010.

Magdalen Bureson
CITY CLERK

Ann W Bellamy
MAYOR

Approved as to form:

[Signature]
CITY ATTORNEY

Magdalen Bureson
City Clerk

RESOLUTION NO. 10-60

RESOLUTION AUTHORIZING PRIMARY AND SECONDARY AGENTS REPRESENTING THE CITY OF ASHEVILLE TO APPLY AND OBTAIN FINANCIAL ASSISTANCE FOR THE SEVERE WINTER STORM DURING THE PERIOD OF DECEMBER 18, 2009 THRU DECEMBER 25, 2009

WHEREAS, the winter storm of December 18, 2009 thru December 25, 2009 has been declared a federal disaster by the Federal Emergency Management Agency Administration and identified as FEMA-1871-DR-N; and

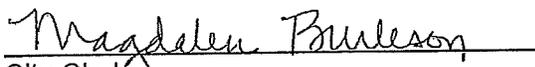
WHEREAS, North Carolina's Division of Emergency Management requires primary and secondary agents representing the City of Asheville be authorized by resolution to execute and file applications for federal and/or state assistance on behalf of the City of Asheville for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act (Public Law 93-228 as amended) or as otherwise available; and

WHEREAS, Richard Grant, Administrator of Public Works Services and Cathy Ball, Director of Public Works are authorized to represent and act for the City of Asheville in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances attached.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City of Asheville City Council authorizes Richard Grant, Administrator of Public Works Services and Cathy Ball, Director of Public Works to represent the City of Asheville for the winter of December 18, 2009 thru December 25, 2009, identified as FEMA-1871-DR-N.

Read, approved and adopted this the 9th day of March, 2010.



 City Clerk

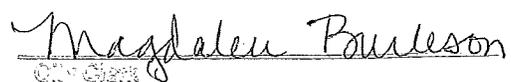


 Mayor

Approved as to form:



 City Attorney



 City Clerk

RESOLUTION NO. 10- 61

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF ASHEVILLE A FEDERAL AVIATION ADMINISTRATION GRANT AGREEMENT FOR FISCAL YEAR 2010 PART A

WHEREAS, the City of Asheville has the authority pursuant to G. S. 160A-17.1 to apply for and received grants from the federal government, and to enter into agreements as to the administration of such grants; and

WHEREAS, the Federal Aviation Administration ("FAA") has offered a grant agreement to the Asheville Regional Airport Authority in the amount of \$902,490; and

WHEREAS, the City of Asheville and the County of Buncombe are co-sponsors of the grant agreement; and

WHEREAS, the FAA requires each sponsor to execute said grant agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The Mayor be and is hereby authorized to execute the FAA Grant Agreement Part A, in the amount of \$902,490.

Read, approved and adopted this 9th day of March, 2010.

Magdalen Bourleson
CITY CLERK

Ann Bellamy
MAYOR

Approved as to form:

[Signature]
CITY ATTORNEY

Magdalen Bourleson
City Clerk

RESOLUTION NO. 10-62

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MATRIX SYSTEMS FOR A CARD ACCESS AND CAMERA SECURITY SYSTEM FOR THE CITY OF ASHEVILLE

WHEREAS, the City of Asheville has authority pursuant to Article 2 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, the City of Asheville needs to install and upgrade security systems for safety and accountability purposes; and

WHEREAS, the amount of the Agreement is \$239,049 and the monies have been budgeted in the Asheville Police Department's and Risk Management's Fiscal Year Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to enter into a contract on behalf of the City of Asheville with Matrix Systems for \$239,049 for the Card Access and Camera Security System for The City of Asheville and further authorized to execute any change orders to said contract or documents which may arise during construction of said project up to the budgeted amount.

Read, approved and adopted this the 9th day of March, 2010.

Magdalen Buelson
City Clerk

Tom Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Buelson
City Clerk

RESOLUTION NO. 10-63

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR THE NATIONAL ENDOWMENT FOR THE ARTS MAYORS' INSTITUTE ON CITY DESIGN PROGRAM GRANT

WHEREAS, the City is authorized pursuant to N.C.G.S 160A-17.1 to accept grants-in-aid and loans from the federal and state governments and their agencies for constructing, expanding, maintaining and operating any project or facility or performing any function which the City may be authorized by general law or local act to perform; and

WHEREAS, the City wishes to apply for the Mayors' Institute on City Design Program Grant involving a cultural arts project; and

WHEREAS, the Parks, Recreation, and Cultural Arts Department presents for consideration the statement of interest criteria, grant criteria, and applicable deadlines regarding said grant; and

WHEREAS, the grant, if awarded requires a non federal one to one match; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to apply for the NEA Mayors' Institute on City Design Program Grant.

Read, approved and adopted this the 9th day of March, 2010.

Magdalen Burleson
City Clerk

Angie Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Burleson
City Clerk

RESOLUTION NO. 10- 64

RESOLUTION APPROVING THE REPORT SETTING FORTH PLANS TO PROVIDE SERVICES TO THE AREA PROPOSED FOR THE ANNEXATION WHICH IS GENERALLY KNOWN AS THE INGLES AREA

WHEREAS, the Asheville City Council at its regular meeting of February 23, 2010, adopted Resolution No.10-40, entitled "Resolution Stating the Intent of the City of Asheville, North Carolina, to Consider Annexation of the Area Known as the Ingles Area, Described Herein, and Fixing the Date of the Public Information Meeting and the Public Hearing on the Question of Annexation;" and

WHEREAS, the date of the public information meeting with respect to the annexation of the Ingles Area was established by Resolution No. 10-40 as April 12, 2010, and the date of the public hearing on the question of annexing the Ingles Area was established by said resolution as May 11, 2010; and

WHEREAS, the City of Asheville Planning and Development Department has prepared a report setting forth plans to provide services to the Ingles Area (herein "Annexation Services Plan"), in accordance with N.C.G.S. 160A-47, which report has been submitted to and reviewed by the City Council; and

WHEREAS, N.C.G.S. 160A-49(c) requires the City Council to approve the Annexation Services Plan at least 30 days before the date of the public informational meeting and make it available to the public in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The Annexation Services Plan for the Ingles Area be, and the same is, hereby approved; and
2. The approved Annexation Services Plan for the Ingles Area shall be made available to the public in the office of the City Clerk forthwith, and in any event not later than March 12, 2010.

Read, approved and adopted this the 9th day of March, 2010.

Magdalen Bourleson
City Clerk

Angie Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Bourleson
City Clerk

RESOLUTION NO. 10-165

RESOLUTION APPROVING THE REPORT SETTING FORTH PLANS TO PROVIDE SERVICES TO THE AREA PROPOSED FOR THE ANNEXATION WHICH IS GENERALLY KNOWN AS THE SCHENCK PARKWAY AREA

WHEREAS, the Asheville City Council at its regular meeting of February 23, 2010, adopted Resolution No. 10-41, entitled "Resolution Stating the Intent of the City of Asheville, North Carolina, to Consider Annexation of the Area Known as the Schenck Parkway Area, Described Herein, and Fixing the Date of the Public Information Meeting and the Public Hearing on the Question of Annexation;" and

WHEREAS, the date of the public information meeting with respect to the annexation of the Schenck Parkway Area was established by Resolution No. 10-41 as April 12, 2010, and the date of the public hearing on the question of annexing the Schenck Parkway Area was established by said resolution as May 11, 2010; and

WHEREAS, the City of Asheville Planning and Development Department has prepared a report setting forth plans to provide services to the Schenck Parkway Area (herein "Annexation Services Plan"), in accordance with N.C.G.S. 160A-47, which report has been submitted to and reviewed by the City Council; and

WHEREAS, N.C.G.S. 160A-49 (c) requires the City Council to approve the Annexation Services Plan at least 30 days before the date of the public informational meeting and make it available to the public in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The Annexation Services Plan for the Schenck Parkway Area be, and the same is, hereby approved; and
2. The approved Annexation Services Plan for the Schenck Parkway Area shall be made available to the public in the office of the City Clerk forthwith, and in any event not later than March 12, 2010.

Read, approved and adopted this the 9th day of March, 2010.

Magdalen Burleson
City Clerk

Jim Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Burleson
City Clerk

RESOLUTION NO. 10- 66

RESOLUTION APPROVING THE REPORT SETTING FORTH PLANS TO PROVIDE SERVICES TO THE AREA PROPOSED FOR THE ANNEXATION WHICH IS GENERALLY KNOWN AS THE FARLEIGH STREET AREA

WHEREAS, the Asheville City Council at its regular meeting of February 23, 2010, adopted Resolution No.10-42, entitled "Resolution Stating the Intent of the City of Asheville, North Carolina, to Consider Annexation of the Area Known as the Farleigh Street Area, Described Herein, and Fixing the Date of the Public Information Meeting and the Public Hearing on the Question of Annexation;" and

WHEREAS, the date of the public information meeting with respect to the annexation of the Farleigh Street Area was established by Resolution No. 10-42 as April 12, 2010 and the date of the public hearing on the question of annexing the Farleigh Street Area was established by said resolution as May 11, 2010; and

WHEREAS, the City of Asheville Planning and Development Department has prepared a report setting forth plans to provide services to the Farleigh Street Area (herein "Annexation Services Plan"), in accordance with N.C.G.S. 160A-47, which report has been submitted to and reviewed by the City Council; and

WHEREAS, N.C.G.S. 160A-49 (c) requires the City Council to approve the Annexation Services Plan at least 30 days before the date of the public informational meeting and make it available to the public in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The Annexation Services Plan for the Farleigh Street Area be, and the same is, hereby approved; and
2. The approved Annexation Services Plan for the Farleigh Street Area shall be made available to the public in the office of the City Clerk forthwith, and in any event not later than March 12, 2010.

Read, approved and adopted this the 9th day of March, 2010.

Magdalen Bourleson
City Clerk

Angela Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Bourleson
City Clerk

RESOLUTION NO. 10- 67

RESOLUTION APPROVING THE REPORT SETTING FORTH PLANS TO PROVIDE SERVICES TO THE AREA PROPOSED FOR THE ANNEXATION WHICH IS GENERALLY KNOWN AS THE DEERFIELD AREA

WHEREAS, the Asheville City Council at its regular meeting of February 23, 2010, adopted Resolution No.10-43, entitled "Resolution Stating the Intent of the City of Asheville, North Carolina, to Consider Annexation of the Area Known as the Deerfield Area, Described Herein, and Fixing the Date of the Public Information Meeting and the Public Hearing on the Question of Annexation;" and

WHEREAS, the date of the public information meeting with respect to the annexation of the Deerfield Area was established by Resolution No. 10-43 as April 12, 2010 and the date of the public hearing on the question of annexing the Deerfield Area was established by said resolution as May 11, 2010; and

WHEREAS, the City of Asheville Planning and Development Department has prepared a report setting forth plans to provide services to the Deerfield Area (herein "Annexation Services Plan"), in accordance with N.C.G.S. 160A-47, which report has been submitted to and reviewed by the City Council; and

WHEREAS, N.C.G.S. 160A-49 (c) requires the City Council to approve the Annexation Services Plan at least 30 days before the date of the public informational meeting and make it available to the public in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The Annexation Services Plan for the Deerfield Area be, and the same is, hereby approved; and

2. The approved Annexation Services Plan for the Deerfield Area shall be made available to the public in the office of the City Clerk forthwith, and in any event not later than March 12, 2010.

Read, approved and adopted this the 9th day of March, 2010.

Magdalen Bourleson
City Clerk

Angie Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Bourleson
City Clerk

RESOLUTION NO. 10- 68

RESOLUTION APPROVING THE REPORT SETTING FORTH PLANS TO PROVIDE SERVICES TO THE AREA PROPOSED FOR THE ANNEXATION WHICH IS GENERALLY KNOWN AS THE MOUNTAINBROOK AREA

WHEREAS, the Asheville City Council at its regular meeting of February 23, 2010, adopted Resolution No.10-44, entitled "Resolution Stating the Intent of the City of Asheville, North Carolina, to Consider Annexation of the Area Known as the Mountainbrook Area, Described Herein, and Fixing the Date of the Public Information Meeting and the Public Hearing on the Question of Annexation;" and

WHEREAS, the date of the public information meeting with respect to the annexation of the Mountainbrook Area was established by Resolution No. 10-44 as April 12, 2010 and the date of the public hearing on the question of annexing the Mountainbrook Area was established by said resolution as May 11, 2010; and

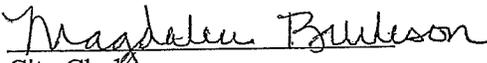
WHEREAS, the City of Asheville Planning and Development Department has prepared a report setting forth plans to provide services to the Mountainbrook Area (herein "Annexation Services Plan"), in accordance with N.C.G.S. 160A-47, which report has been submitted to and reviewed by the City Council; and

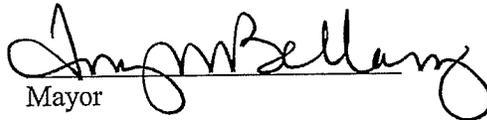
WHEREAS, N.C.G.S. 160A-49 (c) requires the City Council to approve the Annexation Services Plan at least 30 days before the date of the public informational meeting and make it available to the public in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The Annexation Services Plan for the Mountainbrook Area be, and the same is, hereby approved; and
2. The approved Annexation Services Plan for the Mountainbrook Area shall be made available to the public in the office of the City Clerk forthwith, and in any event not later than March 12, 2010.

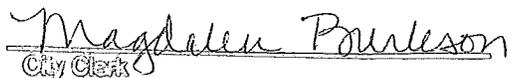
Read, approved and adopted this the 9th day of March, 2010.


City Clerk


Mayor

Approved as to form:


City Attorney


City Clerk

RESOLUTION NO. 10- 69

RESOLUTION APPROVING THE REPORT SETTING FORTH PLANS TO PROVIDE SERVICES TO THE AREA PROPOSED FOR THE ANNEXATION WHICH IS GENERALLY KNOWN AS THE WATERS ROAD AREA

WHEREAS, the Asheville City Council at its regular meeting of February 23, 2010, adopted Resolution No.10-45, entitled "Resolution Stating the Intent of the City of Asheville, North Carolina, to Consider Annexation of the Area Known as the Waters Road Area, Described Herein, and Fixing the Date of the Public Information Meeting and the Public Hearing on the Question of Annexation;" and

WHEREAS, the date of the public information meeting with respect to the annexation of the Waters Road Area was established by Resolution No. 10-45 as April 12, 2010 and the date of the public hearing on the question of annexing the Farleigh Street Area was established by said resolution as May 11, 2010; and

WHEREAS, the City of Asheville Planning and Development Department has prepared a report setting forth plans to provide services to the Waters Road Area (herein "Annexation Services Plan"), in accordance with N.C.G.S. 160A-47, which report has been submitted to and reviewed by the City Council; and

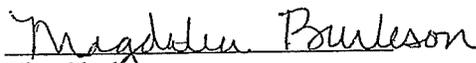
WHEREAS, N.C.G.S. 160A-49 (c) requires the City Council to approve the Annexation Services Plan at least 30 days before the date of the public informational meeting and make it available to the public in the office of the City Clerk;

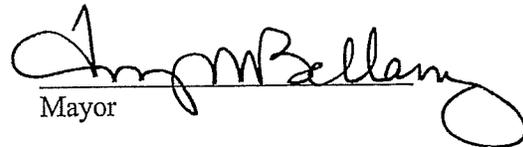
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The Annexation Services Plan for the Waters Road Area be, and the same is, hereby approved; and

2. The approved Annexation Services Plan for the Waters Road Area shall be made available to the public in the office of the City Clerk forthwith, and in any event not later than March 12, 2010.

Read, approved and adopted this the 9th day of March, 2010.


City Clerk


Mayor

Approved as to form:


City Attorney


City Clerk

RESOLUTION NO. 10- 70

RESOLUTION APPROVING THE REPORT SETTING FORTH PLANS TO PROVIDE SERVICES TO THE AREA PROPOSED FOR THE ANNEXATION WHICH IS GENERALLY KNOWN AS THE ROCKING PORCH ROAD AREA

WHEREAS, the Asheville City Council at its regular meeting of February 23, 2010, adopted Resolution No.10-46, entitled "Resolution Stating the Intent of the City of Asheville, North Carolina, to Consider Annexation of the Area Known as the Rocking Porch Road Area, Described Herein, and Fixing the Date of the Public Information Meeting and the Public Hearing on the Question of Annexation;" and

WHEREAS, the date of the public information meeting with respect to the annexation of the Rocking Porch Road Area was established by Resolution No. 10-46 as April 12, 2010 and the date of the public hearing on the question of annexing the Rocking Porch Road Area was established by said resolution as May 11, 2010; and

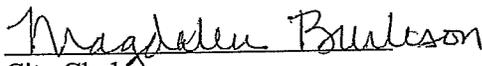
WHEREAS, the City of Asheville Planning and Development Department has prepared a report setting forth plans to provide services to the Rocking Porch Road Area (herein "Annexation Services Plan"), in accordance with N.C.G.S. 160A-47, which report has been submitted to and reviewed by the City Council; and

WHEREAS, N.C.G.S. 160A-49 (c) requires the City Council to approve the Annexation Services Plan at least 30 days before the date of the public informational meeting and make it available to the public in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The Annexation Services Plan for the Rocking Porch Road Area be, and the same is, hereby approved; and
2. The approved Annexation Services Plan for the Rocking Porch Road Area shall be made available to the public in the office of the City Clerk forthwith, and in any event not later than March 12, 2010.

Read, approved and adopted this the 9th day of March, 2010.


City Clerk


Mayor

Approved as to form:


City Attorney


City Clerk

RESOLUTION NO. 10- 71

RESOLUTION APPROVING THE REPORT SETTING FORTH PLANS TO PROVIDE SERVICES TO THE AREA PROPOSED FOR THE ANNEXATION WHICH IS GENERALLY KNOWN AS THE KEASLER/SUNNYCREST AREA

WHEREAS, the Asheville City Council at its regular meeting of February 23, 2010, adopted Resolution No.10-47, entitled "Resolution Stating the Intent of the City of Asheville, North Carolina, to Consider Annexation of the Area Known as the Keasler/Sunnycrest Area, Described Herein, and Fixing the Date of the Public Information Meeting and the Public Hearing on the Question of Annexation;" and

WHEREAS, the date of the public information meeting with respect to the annexation of the Keasler/Sunnycrest Area was established by Resolution No. 10-47 as April 12, 2010 and the date of the public hearing on the question of annexing the Keasler/Sunnycrest Area was established by said resolution as May 11, 2010; and

WHEREAS, the City of Asheville Planning and Development Department has prepared a report setting forth plans to provide services to the Keasler/Sunnycrest Area (herein "Annexation Services Plan"), in accordance with N.C.G.S. 160A-47, which report has been submitted to and reviewed by the City Council; and

WHEREAS, N.C.G.S. 160A-49 (c) requires the City Council to approve the Annexation Services Plan at least 30 days before the date of the public informational meeting and make it available to the public in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The Annexation Services Plan for the Keasler/Sunnycrest Area be, and the same is, hereby approved; and
2. The approved Annexation Services Plan for the Keasler/Sunnycrest Area shall be made available to the public in the office of the City Clerk forthwith, and in any event not later than March 12, 2010.

Read, approved and adopted this the 9th day of March, 2010.

Magdalen Baulson
City Clerk

Angie Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Baulson
City Clerk

RESOLUTION NO. 10-72

RESOLUTION APPROVING THE REPORT SETTING FORTH PLANS TO PROVIDE SERVICES TO THE AREA PROPOSED FOR THE ANNEXATION WHICH IS GENERALLY KNOWN AS THE UPPER SONDLLEY AREA

WHEREAS, the Asheville City Council at its regular meeting of February 23, 2010, adopted Resolution No.10-48, entitled "Resolution Stating the Intent of the City of Asheville, North Carolina, to Consider Annexation of the Area Known as the Upper Sondley Area, Described Herein, and Fixing the Date of the Public Information Meeting and the Public Hearing on the Question of Annexation;" and

WHEREAS, the date of the public information meeting with respect to the annexation of the Upper Sondley Area was established by Resolution No. 10-48 as April 12, 2010 and the date of the public hearing on the question of annexing the Upper Sondley Area was established by said resolution as May 11, 2010; and

WHEREAS, the City of Asheville Planning and Development Department has prepared a report setting forth plans to provide services to the Upper Sondley Area (herein "Annexation Services Plan"), in accordance with N.C.G.S. 160A-47, which report has been submitted to and reviewed by the City Council; and

WHEREAS, N.C.G.S. 160A-49 (c) requires the City Council to approve the Annexation Services Plan at least 30 days before the date of the public informational meeting and make it available to the public in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The Annexation Services Plan for the Upper Sondley Area be, and the same is, hereby approved; and
2. The approved Annexation Services Plan for the Upper Sondley Area shall be made available to the public in the office of the City Clerk forthwith, and in any event not later than March 12, 2010.

Read, approved and adopted this the 9th day of March, 2010.

Magdalen Bourleson
City Clerk

Angie Balleny
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Bourleson
City Clerk

RESOLUTION NO. 10- 73

RESOLUTION APPROVING THE REPORT SETTING FORTH PLANS TO PROVIDE SERVICES TO THE AREA PROPOSED FOR THE ANNEXATION WHICH IS GENERALLY KNOWN AS THE TUNNEL ROAD AREA

WHEREAS, the Asheville City Council at its regular meeting of February 23, 2010, adopted Resolution No.10-49, entitled "Resolution Stating the Intent of the City of Asheville, North Carolina, to Consider Annexation of the Area Known as the Tunnel Road Area, Described Herein, and Fixing the Date of the Public Information Meeting and the Public Hearing on the Question of Annexation;" and

WHEREAS, the date of the public information meeting with respect to the annexation of the Tunnel Road Area was established by Resolution No. 10-49 as April 12, 2010 and the date of the public hearing on the question of annexing the Tunnel Road Area was established by said resolution as May 11, 2010; and

WHEREAS, the City of Asheville Planning and Development Department has prepared a report setting forth plans to provide services to the Tunnel Road Area (herein "Annexation Services Plan"), in accordance with N.C.G.S. 160A-47, which report has been submitted to and reviewed by the City Council; and

WHEREAS, N.C.G.S. 160A-49 (c) requires the City Council to approve the Annexation Services Plan at least 30 days before the date of the public informational meeting and make it available to the public in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

- 1. The Annexation Services Plan for the Tunnel Road Area be, and the same is, hereby approved; and
- 2. The approved Annexation Services Plan for the Tunnel Road Area shall be made available to the public in the office of the City Clerk forthwith, and in any event not later than March 12, 2010.

Read, approved and adopted this the 9th day of March, 2010.

Magdalen Brouleson
City Clerk

Angela Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Brouleson
City Clerk

RESOLUTION NO. 10- 74

RESOLUTION APPROVING THE REPORT SETTING FORTH PLANS TO PROVIDE SERVICES TO THE AREA PROPOSED FOR THE ANNEXATION WHICH IS GENERALLY KNOWN AS THE WILLOW WINDS AREA

WHEREAS, the Asheville City Council at its regular meeting of February 23, 2010, adopted Resolution No.10-50, entitled "Resolution Stating the Intent of the City of Asheville, North Carolina, to Consider Annexation of the Area Known as the Willow Winds Area, Described Herein, and Fixing the Date of the Public Information Meeting and the Public Hearing on the Question of Annexation;" and

WHEREAS, the date of the public information meeting with respect to the annexation of the Willow Winds Area was established by Resolution No. 10-50 as April 12, 2010 and the date of the public hearing on the question of annexing the Willow Winds Area was established by said resolution as May 11, 2010; and

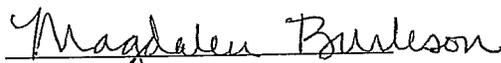
WHEREAS, the City of Asheville Planning and Development Department has prepared a report setting forth plans to provide services to the Willow Winds Area (herein "Annexation Services Plan"), in accordance with N.C.G.S. 160A-47, which report has been submitted to and reviewed by the City Council; and

WHEREAS, N.C.G.S. 160A-49 (c) requires the City Council to approve the Annexation Services Plan at least 30 days before the date of the public informational meeting and make it available to the public in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The Annexation Services Plan for the Willow Winds Area be, and the same is, hereby approved; and
2. The approved Annexation Services Plan for the Willow Winds Area shall be made available to the public in the office of the City Clerk forthwith, and in any event not later than March 12, 2010.

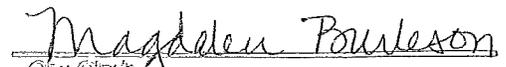
Read, approved and adopted this the 9th day of March, 2010.


 City Clerk


 Mayor

Approved as to form:


 City Attorney


 City Clerk

RESOLUTION NO. 10- 75

RESOLUTION APPROVING THE REPORT SETTING FORTH PLANS TO PROVIDE SERVICES TO THE AREA PROPOSED FOR THE ANNEXATION WHICH IS GENERALLY KNOWN AS THE AIRPORT ROAD AREA

WHEREAS, the Asheville City Council at its regular meeting of February 23, 2010, adopted Resolution No.10-51, entitled "Resolution Stating the Intent of the City of Asheville, North Carolina, to Consider Annexation of the Area Known as the Airport Road Area, Described Herein, and Fixing the Date of the Public Information Meeting and the Public Hearing on the Question of Annexation;" and

WHEREAS, the date of the public information meeting with respect to the annexation of the Airport Road Area was established by Resolution No. 10-51 as April 12, 2010 and the date of the public hearing on the question of annexing the Airport Road Area was established by said resolution as May 11, 2010; and

WHEREAS, the City of Asheville Planning and Development Department has prepared a report setting forth plans to provide services to the Airport Road Area (herein "Annexation Services Plan"), in accordance with N.C.G.S. 160A-47, which report has been submitted to and reviewed by the City Council; and

WHEREAS, N.C.G.S. 160A-49 (c) requires the City Council to approve the Annexation Services Plan at least 30 days before the date of the public informational meeting and make it available to the public in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The Annexation Services Plan for the Airport Road Area be, and the same is, hereby approved; and
2. The approved Annexation Services Plan for the Airport Road Area shall be made available to the public in the office of the City Clerk forthwith, and in any event not later than March 12, 2010.

Read, approved and adopted this the 9th day of March, 2010.

Magdalen Burleson
City Clerk

Angela Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Burleson
City Clerk

RESOLUTION NO. 10- 76

RESOLUTION TO APPROVE LOANS FROM THE CITY'S HOUSING TRUST FUND

WHEREAS, on September 12, 2000, the City Council of the City of Asheville first appropriated funds and adopted policies and detailed program guidelines for administering a Housing Trust Fund to assist in the development and preservation of affordable housing in the City; and

WHEREAS, one (1) qualified applications for Housing Trust Fund loans has been received; and

WHEREAS, the City Council's Housing and Community Development Committee has reviewed the proposal from Beaucatcher Properties, LLC and has made its recommendation to Council to approve the loan;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

\$200,000 be awarded to Beaucatcher Properties, LLC for the development of twelve (12) single family rental units on Tunnel Road, to be made available for disbursement immediately following loan closing.

Read, approved and adopted this 9th day of March, 2010.

Magdalen Bourleson
CITY CLERK

Jim Bellamy
MAYOR

Approved As To Form:

[Signature]
CITY ATTORNEY

Magdalen Bourleson
CITY CLERK

RESOLUTION NO. 10-77

RESOLUTION TO AMEND THE CITY'S HOUSING TRUST FUND

WHEREAS, on September 12, 2000, the City Council of the City of Asheville first appropriated funds and adopted policies and detailed program guidelines for administering a Housing Trust Fund to assist in the development and preservation of affordable housing in the City; and

WHEREAS, the program guidelines have been amended from time to time, most recently in January, 2010; and

WHEREAS, the evaluation of risk factors and review of existing underwriting protocol have made changes to the Funds guidelines advisable; and

WHEREAS, the City Council's Housing and Community Development Committee has reviewed the guidelines and made recommendations to Council regarding the underwriting and risk analysis of new Housing Trust Fund applications;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The Housing Trust Fund program guidelines be amended to include nine (9) underwriting and risk management criteria as follows:

1. An application fee of \$300 will be required to be paid at the time of application. The fee will be used to pay for credit reports on all principal partners (excluding LIHTC projects and non-profit organizations), project monitoring expenses, and criminal background checks if determined as necessary by the Community Development Director, and assist with other costs of administration.
2. The Housing Trust Fund loan must close in no less than 3rd lien position.
3. With the exception of land acquisition, all loans will close as a line of credit.
4. A property appraisal dated no later than six (6) months prior to closing will be required. If the appraisal reflects a total loan-to-value (TLTV) of more than 95%, the City may require a pledge of additional equity or other assets prior to closing.
5. Eligible costs will be limited to land acquisition and hard costs only. All draws, except those for acquisition, will be on a reimbursement basis only.
6. All financing commitments must be secured prior to closing.
7. All HTF funds must be drawn down proportionately with other financing sources.
8. With the exception of LIHTC projects and non-profit agencies, personal guarantees will be required for all principals, partnerships, and majority members holding more than 19.9% ownership in the organization.
9. If the risk of loss appears high, a loan may be denied despite the proposed project meeting other goals and objectives of the City.

Read, approved and adopted this 9th day of March, 2010.

Magdalen Bureson
CITY CLERK

Jim Bellamy
MAYOR

Approved As To Form:

Richard L. ...
CITY ATTORNEY

Magdalen Bureson
CITY CLERK

RESOLUTION NO. 10- 78

RESOLUTION AMMENDING THE CITY OF ASHEVILLE FEES AND CHARGES MANUAL

WHEREAS, by resolution dated March 9, 2010, the Asheville City Council Amended the City's Housing Trust Fund Program to require an application fee of \$300.00; and

WHEREAS, the City's Fees and Charges Manual must be amended to incorporate the \$300.00 application fee as set forth in the attached Exhibit "A."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City's Fees and Charges Manual be amended as set forth on the attached Exhibit "A."

Read, approved and adopted this 9th day of March, 2010.

Madalene Boulson
CITY CLERK

Angie Bellamy
MAYOR

Approved As To Form:

Russell
CITY ATTORNEY

Madalene Boulson
City Clerk

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**CITY OF ASHEVILLE
FEES & CHARGES MANUAL**

DEPARTMENT Planning and Development DIVISION Community Development
Revenue Name Housing Trust Fund Application Fee
Account Code 23004100:450000

Description of Revenue

Non-refundable application deposit required with each new Housing Trust Fund application.

Fee Schedule

\$300.00 all applications

RESOLUTION NO. 10-79

RESOLUTION AUTHORIZING THE CITY MANAGER TO CAUSE TO BE DEVELOPED AND ADVERTISED A REQUEST FOR QUALIFICATIONS FOR THE PROCUREMENT OF ARCHITECTURAL, ENGINEERING AND OR SURVEYING SERVICES FOR REPAIRS TO THE CITY BUILDING

WHEREAS, Resolution No. 09-79 approved on April 28, 2009, authorized a contract with Sutton-Kennerly & Associates to conduct an exterior inspection for water infiltration into the Asheville City Building, more commonly known as the City Hall Building; and

WHEREAS, the Sutton-Kennerly & Associates' report outlined the causes of water infiltration into the City Building; and

WHEREAS, due to the extent and depth of damage caused by water infiltration into the City Building, it is imperative that all due diligence proceed in creating a Plan of action to take corrective action as to prevent any further water infiltration into the City Building; and

WHEREAS, the repairs and cost to correct the water infiltration into the City Building are complex and costly; and

WHEREAS, City staff recommends that funding be allocated for a project manager to develop an RFQ for the procurement of architectural, engineering, surveying and other related services; and

WHEREAS, City Council is receptive to the allocation of funding for the employment by the City of a Project Manager to develop an RFQ and other related services to effectuate repairs to the City Building.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized subject to a budget ordinance amendment to contract, employ or otherwise associate a project manager to proceed with developing and advertising a Request for Qualifications for the procurement of architectural, engineering, surveying and other related services pertaining to the City Building and perform other related tasks.

Read, approved and adopted this the 9th day of March, 2010.

Magdalen Burlison
City Clerk

Angela Bellamy
Mayor

Approved as to form:

Russell
City Attorney

Magdalen Burlison
City Clerk