

A G E N D A

HICKORY CITY COUNCIL

October 1, 2024



Life. Well Crafted.

6:00 p.m.



AGENDA
www.hickorync.gov

If you have any questions about any item on this agenda or if you need more information about any item in addition to the information contained in the agenda package, please call the City Manager at 323-7412. For more information about the City of Hickory go to: www.hickorync.gov.

Hickory City Council
76 North Center Street

October 1, 2024
6:00 p.m.

- I. Call to Order
- II. Invocation by Reverend David Roberts, Morning Star First Baptist Church
- III. Pledge of Allegiance
- IV. Special Presentations
 - A. Presentation of a Proclamation to Hickory Fire Department Staff for Fire Prevention Week October 6-12, 2024. **(Exhibit IV.A.)**
 - B. Presentation of a Proclamation to Centro Latino for Hispanic Heritage Month, September 15 – October 15, 2024. **(Exhibit IV.B.)**
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
 - A. Regular Meeting of September 17, 2024. **(Exhibit VI.A.)**
- VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.
 - A. Budget Revision Number 5. **(First Reading Vote: Unanimous)**
- VIII. Consent Agenda: All items below will be enacted by vote of City Council. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item IX.
 - A. Approval of the Citizens Advisory Committee Recommendations for Assistance through the City of Hickory’s Housing Programs. **(Exhibit VIII.A.)**

The mission of the City of Hickory’s Community Development Division is to preserve the existing housing base, enhance ownership opportunities for all its citizens to obtain decent housing, and provide a quality environment conducive to the safe and healthy growth of its citizenry. The seven-member Citizens’ Advisory Committee was formed to provide for citizen input in the facilitation of the City’s CDBG program, as well as any other similar community enhancement funding the City may receive. The following requests were considered by the Citizens’ Advisory Committee at a regular meeting on September 5, 2024.

 - Donna Vaughn, 918 8th Street NE, Hickory, was recommended for approval of up to \$12,000 under the City of Hickory’s 2024 Urgent Repair Program.

- Peggy Duke, 811 3rd Street SE, Hickory was recommended for approval of up to \$12,000 under the City of Hickory's 2024 Urgent Repair Program.

The Citizens' Advisory Committee recommends approval of the aforementioned requests for assistance through the City of Hickory's housing assistance programs.

- B. Call for a Public Hearing to Consider the Voluntary Contiguous Annexation of 151.218-Acres, Located at 432 Catawba Valley Boulevard, SE, 2115 3rd Street Place SE, and Five Adjoining Parcels, Identified as PINs 3701-08-78-9470, 3701-08-77-5545, 3701-08-87-5621, 3701-12-87-7400, 3701-12-87-5316, 3701-11-66-6796, 3701-11-66-6796, Owned by Blueberry Farm Hickory, LLC. **(Authorize Public Hearing for October 15, 2024, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building). (Exhibit VIII.B.)**
- C. Call for a Public Hearing to Consider the Voluntary Non-Contiguous Annexation of 3.799-Acres, Located at the Eastern Corner of the Intersection of 21st Street Drive SE, and 27th Street Drive SE, Identified at PIN 3722-14-32-1763, Owned by RFW Properties, LLC. **(Authorize Public Hearing for October 15, 2024, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building). (Exhibit VIII.C.)**
- D. Approval of the First Amendment to the Hickory-Catawba Wastewater Treatment Facility Expansion (ARPA) Agreement with Catawba County. **(Exhibit VIII.D.)**

Staff requests Council's approval of the First Amendment to the Hickory-Catawba Wastewater Treatment Facility Expansion (ARPA) Agreement between Catawba County and City of Hickory. The City of Hickory previously entered into an agreement with Catawba County on March 1, 2023, to expand the Hickory-Catawba Wastewater Treatment Facility from 1.5 million gallons per day to 3 million gallons per day to better manage the continued growth. The City of Hickory and Catawba County agree to amend Section 3.1 of the Hickory-Catawba Wastewater Treatment Facility Expansion (ARPA) Agreement. The modified agreement allows Catawba County to reimburse the City of Hickory for costs incurred for the approved activities under this agreement in the amount of \$1,400,000. Staff recommends Council's approval of the First Amendment to the Hickory-Catawba Wastewater Treatment Facility Expansion (ARPA) Agreement between Catawba County and City of Hickory.

- E. Approval of a Resolution Approving the Construction Management at Risk Construction Delivery Method for the Catawba River Environmental and Education Center Pursuant to the Provisions in NCGS 143-128.1. **(Exhibit VIII.E.)**

Staff requests Council's approval of the Resolution approving the construction management at risk construction delivery method for the Catawba River Environmental and Education Center. The Catawba River Environmental and Education Center Project will consist of an environmental and education center to be constructed on three parcels of land owned by the City of Hickory consisting of 24.51-acres located in Burke County. Staff has compared the advantages and disadvantages of using the construction management at risk construction delivery method for the project in lieu of the delivery methods identified in G.S. 143-128(a1)(1) through G. S. 143-128(a1)(3). The construction management at risk construction delivery method allows for selection of the most qualified contractor for the project and provides an opportunity for involvement of the contractor during the design process for the purpose of providing the architect with feedback on constructability and other design issues. The method also requires the Construction Manager to use prequalified subcontractors and allows for transparency of the overall bidding and construction process, including the costs incurred by the Construction Manager. Staff requests Council's approval of the Resolution approving the construction management at risk construction delivery method in accordance with G.S. 143-128.1.

- F. Approval of the Conveyance of 128.95 +/- Acres of City-Owned Property to the State of North Carolina as Additions to the North Carolina State Parks System for Public Access and Recreational Purposes. **(Exhibit VIII.F.)**

Staff requests Council's approval of the warranty deed to convey the properties located along Deitz Road and River Road, more particularly identified as a portion of 3701-16-84-4836 and all of 3701-15-73-4171, 3701-15-63-6164, and 3701-15-73-1634 to the State of North Carolina for the purposes of future development as additions to the North Carolina State Parks system. On January 15, 2019, Hickory City Council adopted Resolution Number 19-01, authorizing the City Manager to execute a letter of intent and any other necessary real estate documents for a future conveyance of the City's properties to the State of North Carolina, working through the Foothills Conservancy. The State of North Carolina is interested in the future development of these 128.95 +/- acres of properties located along Deitz Road and River Road into recreational and other opportunities for the public. The City of Hickory conveys the property in fee simple to the State of North Carolina as long as the State of North Carolina keeps the property predominately in its natural, scenic, or open condition and uses the entire property solely as an addition to the North Carolina State Parks system for public access and recreational purposes, and completes the construction of the amenities as defined in the Warranty Deed, as defined within ten years of the transfer of the property to the State of North Carolina. North Carolina General Statute 160A-279 permits the City to convey property to nonprofit entities. Staff recommends Council's approval of the warranty deed from the City of Hickory to the State of North Carolina for the purposes of a State Park for the conveyance of 128.95 +/- acres of City-owned property.

- G. Approval to Apply for the 2024 Justice Assistance Grant and Partner with Catawba County Sheriff's Office in the Amount of \$29,590 (Catawba County \$11,664, and Hickory Police Department \$17,926) and Approval of the Interlocal Agreement with Catawba County. **(Exhibit VIII.G.)**

Hickory Police Department requests approval to apply for the 2024 Justice Assistance Grant in collaboration with Catawba County Sheriff's Office. City of Hickory has received notification of approval to receive \$17,926 based grant through the Office of Justice Programs/Bureau of Justice Assistance (BJA) that utilizes Uniform Crime Reporting statistics of all law enforcement agencies to determine eligibility for direct federal grant awards. There is no match required. Catawba County Sheriff's Office has received notification of approval to receive \$11,664 based grant through the Office of Justice Programs/Bureau of Justice Assistance (BJA) that utilizes Uniform Crime Reporting statistics of all law enforcement agencies to determine eligibility for direct federal grant awards. Hickory Police Department will use the grant funds for annual licensing fee for two GrayKey forensic devices from Magnet Forensics in collaboration with Catawba County Sheriff's Office. The JAG legislation requires counties to remain a partner with the local jurisdictions receiving funds and must be a signatory on a required Memorandum of Understanding (MOU). Hickory Police Department recommends approval to apply and partner with Catawba County Sheriff's Office for the 2024 Justice Assistance Grant in the amount of \$29,590 (Catawba County Sheriff's Office – \$11,664 and Hickory Police - \$17,926). Hickory Police and Catawba County Sheriff's Office will share the remaining expense of the annual licensing fee to use two GrayKey forensic devices from Magnet Forensics for the FY2025-2026 fiscal year.

- H. Budget Revision Number 6. **(Exhibit VIII.H.)**

1. *To recognize and appropriate \$132,000 in 2024-2025 Urgent Repair Program funds.*
2. *To appropriate \$95,833 from General Fund Balance to roll forward remaining funds from the 911 FY23-24 budget.*

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business

A. Public Hearings

1. Consideration of the Preliminary Assessment Roll for Curb and Gutter Petition 24-01, for Property Located at 525 9th Avenue NW, Hickory – Presented by Public Works Director Steve Miller. **(Exhibit XI.A.1.)**

The City Clerk received petition number 24-01 from the owners of property along 525 9th Avenue NW to install curb and gutter along a portion of their street as per Section 29-2 of the Hickory Code of Ordinances. The petition was a single-party petition. The City Council adopted a Resolution Directing that Street Improvement Project Be Undertaken. Construction of the curb and gutter was completed on August 2, 2024. The preliminary assessment roll number 24-01 has been prepared based on the curb and gutter constructed along a portion of 525 9th Avenue NW in response to a petition by property owners. The City Clerk mailed a copy of the adopted Preliminary Resolution, which called for a public hearing, to all affected property owners. The Resolution confirms the assessment roll. Staff recommends approval of Assessment Roll 24-01 for curb and gutter constructed along a portion of 525 9th Avenue NW.

Notice of the public hearing was advertised in a newspaper having general circulation in the Hickory area on September 21, 2024.

2. Consideration of Closing an Unnamed Alley Located Between 1st Street SW and 2nd Street SW as requested by RGS Property LLC – Presentation by Public Works Director Steve Miller. **(Exhibit XI.A.2.)**

The City Clerk received a petition from RGS Property, LLC owner of the properties abutting an unnamed alley located between 1st Street SW and 2nd Street SW. The petition requests the City to close the unnamed alley per NCGS § 160A-299. The unnamed alley is bound on the north, south, east and west by the property owned by the Petitioner RGS Property LLC. The signature on the petition represents all the owner(s) of the property abutting this portion of the right-of-way. The petition fee of \$930 has been paid. A memo was sent to various departments for their input on the street closing. No public water or sewer is located in the street to be closed. Staff recommends Council's consideration of closing an unnamed alley located between 1st Street SW and 2nd Street SW, as petitioned by RGS Property LLC.

Notice of the public hearing was advertised in a newspaper having general circulation in the Hickory area on September 7, 14, 21, and 28, 2024.

3. Consideration of a Resolution to Abolish the City of Hickory Public Housing Authority and Transfer to the Western Piedmont Council of Governments – Presentation by City Manager Warren Wood. **(Exhibit XI.A.3.)**

The United States Department of Housing and Urban Development (HUD) provides funds for the provision of affordable housing through its public housing programs. The City of Hickory Public Housing Authority (HPHA) was created to administer said funds and manage all associated assets with the public housing program. HUD issued reports in 2012 and 2015 detailing a lack of adequate housing authority board oversight and administration and the City continues to receive complaints about the HPHA. HUD encourages the consolidation of public housing authorities to provide better administration of HUD programs and funds. A regional public housing authority provides greater economic and housing mobility for program clients. The Western Piedmont Council of Governments

(WPCOG) has been designated as a regional public housing authority since January 1, 1978 pursuant to Chapter 157 of the North Carolina General Statutes. North Carolina General Statutes §§ 160A-475 and 157-4.1A authorizes the City of Hickory to delegate by Resolution any powers to the WPCOG, including the transfer of its public housing authority. Staff recommends City Council's consideration of the Resolution to abolish the City of Hickory Public Housing Authority and approve the transfer to the Western Piedmont Council of Governments effective July 1, 2025.

Notice of the public hearing was advertised in a newspaper having general circulation in the Hickory area on September 21, 2024.

B. Departmental Reports

1. Appointments to Boards and Commissions

CITIZENS ADVISORY COMMITTEE

(Terms Expiring 6-30; 3-Year Terms) Appointed by City Council
At-Large (Council Appoints) VACANT

COMMUNITY APPEARANCE COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
At-Large (Outside City but within HRP) (Council Appoints) VACANT

COMMUNITY RELATIONS COUNCIL

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
African American (Council Appoints) VACANT
Caucasian (Council Appoints) VACANT
Other Minority (Council Appoints) VACANT
Other Minority (Council Appoints) VACANT

Alderman Freeman to Nominate Angela Hairston as an African-American Representative on the Community Relations Council.

HICKORY REGIONAL PLANNING COMMISSION

(Term Expiring 6-30; 3-Year Terms with Unlimited Appointments) (Appointed by City Council)
Burke County Representative (Mayor Appoints with Recommendation from Burke County) VACANT

HISTORIC PRESERVATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Historic Properties Owner (Council Appoints) VACANT

PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 1 (Wood Appoints) VACANT
At-Large (Mayor Appoints) VACANT
At-Large (Mayor Appoints) (Dana Andreasson Resigned 9-5-2024) VACANT

RECYCLING ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (Freeman Appoints) VACANT
Ward 5 (Zagaroli Appoints) VACANT
Ward 6 (Patton Appoints) VACANT
At-Large (Council Appoints) VACANT
At-Large (Council Appoints) VACANT

YOUTH COUNCIL

(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)

Youth Council Applicant Review Committee Recommends the Following Appointments:

Homeschool

VACANT

- C. Presentation of Petitions and Requests
- XII. Matters Not on Agenda (requires majority vote of Council to consider)
- XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature
- XIV. Adjournment

***Hickory City Code Section 2-56. Public Address to Council:**

“When conducting public hearings, considering ordinances, and otherwise considering matters wherein the public has a right to be heard, when it appears that there are persons present desiring to be heard, the Mayor shall require those opposing and favoring the proposed action to identify themselves. Each side of the matter shall be given equal time. Those opposing the proposed action shall be allowed 15 minutes for presentation, followed by 15 minutes for those favoring the action, with the opponents then to have five minutes for rebuttal and the proponents to then have five minutes for surrebuttal. Those persons on either side shall have the right to divide their allotted time among them as they may choose. The Council, by majority vote, may extend the time for each side equally. On matters in which the person desiring to address the Council does not have a legal right to speak, the Council shall determine whether it will hear the person. The refusal to hear a person desiring to speak may be based upon grounds that the subject matter is confidential, that its public discussion would be illegal, that it is a matter not within the jurisdiction of the Council or for any other cause deemed sufficient by the Council. Any person allowed to speak who shall depart from the subject under discussion or who shall make personal, impertinent, or slanderous remarks, or who shall become boisterous while addressing the Council shall be declared out of order by the Mayor, or by vote of the Council, and barred from speaking further before the Council unless permission to continue shall be granted by a majority vote of the Council, under such restrictions as the Council may provide.”

**The City of Hickory holds all public meetings in accessible rooms.
Special requests for accommodation should be submitted by individuals
with disabilities at least 48 hours before the scheduled meeting.
Phone Services (hearing impaired) – Call 711 or 1-800-735-2962**



Office of the Mayor

Exhibit IV.A.
City of Hickory
PO Box 398
Hickory, NC 28603
Phone: (828)323-7412
Fax: (828)323-7550
Email: hguess@hickorync.gov

PROCLAMATION Fire Prevention Week

- WHEREAS**, three out of five deaths happen in homes with either no smoke alarms or with no working smoke alarms; and
- WHEREAS**, working smoke alarms cut the risk of dying in a reported home fires almost in half; and
- WHEREAS**, smoke alarms sense smoke well before you can, alerting you to danger in the event of a fire in which you may have as little as 2 minutes to escape safely; and
- WHEREAS**, residents should install smoke alarms in every sleeping room, outside each sleeping area, and on every level of the home; and
- WHEREAS**, residents should test smoke alarms at least once a month; and
- WHEREAS**, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and
- WHEREAS**, the City of Hickory and first responders are committed to ensuring the safety and security of all those living in and visiting Hickory; and
- WHEREAS**, Hickory’s residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and
- WHEREAS**, the 2024 Fire Prevention Week theme, “Smoke alarms: Make them work for you.,” serves to remind us of the importance of having working smoke alarms in the home.

NOW THEREFORE, I Hank Guess, Mayor of the City of Hickory, North Carolina, on behalf of Hickory City Council, do hereby proclaim the week of October 6-12, 2024, as Fire Prevention Week, and urge all the people of Hickory to make sure their homes have working smoke alarms and to practice fire safety.

In witness hereof, I hereunto set my hand this 1st day of October 2024.

Hank Guess, Mayor



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Office of the Mayor

Exhibit IV.B.

City of Hickory

PO Box 398

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PROCLAMATION
HISPANIC HERITAGE MONTH
MES DE LA HERENCIA HISPANA
SEPTEMBER 15th - OCTOBER 15th 2024

WHEREAS, Each year, Americans observe National Hispanic Heritage Month “**Mes de la Herencia Hispana**” from September 15th to October 15th, by celebrating the histories, cultures, and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean and Central and South America; and

WHEREAS, the City of Hickory recognizes the significant contributions of all Hispanic city residents, Hispanic city employees, El Centro Latino, and numerous grassroots leaders, outreach groups that help increase cultural awareness, provide education, enrichment, and community engagement with our residents. It is through their support and community involvement that our city has continued to become a more culturally diverse, inclusive, and welcoming city for everyone; and

WHEREAS, the City of Hickory recognizes that Hispanics amount to an estimated total 12% of the City of Hickory population of which the majority of these residents speak Spanish; and

WHEREAS, the city of Hickory recognizes that Hispanics play a vital role in our economy and workforce and have also contributed in making Hickory a great city to live in.

THEREFORE, I Hank Guess, Mayor of Hickory, NC on behalf of Hickory City Council declare September 15th through October 15th, 2024

Hispanic Heritage Month

Proclaimed this, the 1st day of October, 2024.

Hank Guess, Mayor

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, September 17, 2024 at 6:00 p.m., with the following members present:

Tony Wood	Hank Guess	Anthony Freeman
Charlotte C. Williams	Aldermen	David P. Zagaroli
Danny Seaver		Jill Patton

A quorum was present.

Also present were City Manager Warren Wood, Deputy City Manager Rodney Miller, Assistant City Manager Rick Beasley, Assistant City Manager Yaidee Fox, City Attorney Timothy Swanson, Administrative Assistant Iris Childers, and City Clerk Debbie D. Miller

- I. Mayor Guess called the meeting to order. All Council members were present.
- II. Invocation by Reverend Dr. Alderman Freeman
- III. Pledge of Allegiance
- IV. Special Presentations
 - A. Presentation of a Proclamation to Lenoir-Rhyne University's Head Softball Coach Shena Hollar.

Mayor Guess asked all the representatives of the Lenoir-Rhyne softball program to come forward. He commented he had a very special presentation that he would read and present to these young ladies. He asked Head Softball Coach Shena Hollar to come forward. He advised the proclamation thoroughly explained all the accomplishments of this team under Shena's direction and guidance as their Coach. Mayor Guess read and presented the proclamation to Coach Shena Hollar.

Coach Shena Hollar thanked Council for the day. They had tried to do this in May but got busy and went outside of Orlando to the National Championship. They represented Lenoir-Rhyne and showed them who they were and how good they were. It was awesome.

Mayor Guess commented on how proud they were of the entire team and certainly under Coach Hollar's direction. This was just another day for them to recognize Lenoir-Rhyne and all of their contributions that they give to the community. He thanked them.

- V. Persons Requesting to Be Heard
 - A. Ms. Keisha Collins, just recently purchased a home at 815 3rd Street Court SW, Hickory, commented "What I want to say tonight is what is the citizen to do when they are being discriminated against by Schools, certain Police, Hospitals, etc. She wanted to know what a citizen was to do when they go to the City or County officials or entities, trusting them to investigate, protect and serve in honesty, yet she began to experience retaliation and the Police being called on me. What is a citizen to do when you have purchased the home through the City of Hickory's affordable housing initiative and the home begins to fall apart within one week? What is a citizen to do when we don't have money to hire an attorney and no one is being held accountable to do what's right, or legal? What is a citizen to do of color when they address the City in a Council meeting, no one acknowledges that what the citizen's concern is, and that same citizen witnessed Councilman Freeman stand up and openly apologize to an elderly white lady. What is the citizen to do to hear the Mayor has forwarded my concerns to all Council members, and not one Council member have reached out to me. What is the citizen to do when all they want to do is just be heard, respected and responded to, yet been ignored, things swept under rug and no acknowledgement? What is a citizen to do when the only one who understands them most of the time is the Chief of Police? I will acknowledge them, Captain Demas, Bryan Adams. And they understand that I mean well in anything that I address. But due to me already been labeled to society, people already have me judged and misunderstood. And even the officer over here, he has told me that Keisha, you do care. Yeah, I do care. But then when sometimes an officer is talked to me for no reason, I say, I don't care. I don't care what's going on. But like he said, you do care. Yeah, I do. But nobody's hearing my concerns. So, I'm here tonight to say what I'm gonna do as a citizen. I'm gonna keep emailing. I'm gonna keep showing up. I'm gonna still keep expressing my concern, because I'm a citizen with valid points that expects to be respected and heard. Thank you."
 - B. Mr. Cliff Moone, 4340 North Center Street, Hickory, referred to Ms. Collin's comments and commented that was a very passionate comment from that lady, and he knew his friends here would take care of the things that need to be taken care of. He advised he does this kind of normally, and he apologized ahead of time for anyone present for sounding like an old educator when he comes up to do this, but it was an important day. First, he thanked the City Council for providing the citizens the opportunity to do just what was done to address the Chair, the Council in these meetings. It was not too many years ago that he and others advocated to have this citizen's time moved to the front portion of the meeting. He thanked them again. While not unique, it was somewhat unusual that they meet here tonight, elected leaders, public administrators, staff and citizens on the anniversary date of the signing of the United States Constitution, September 17, 1787. Two-hundred thirty-

September 17, 2024

seven years ago, this now oldest written Constitution was birthed in the same Philadelphia room where, just eleven years earlier, the Declaration of Independence was adopted. He hoped and felt sure they all felt the importance of pausing a moment to commemorate, to celebrate, and to reflect upon the abiding significance of the heritage they had been bequeathed and the responsibility they all share to regularly read and reread the constitution, to consider its contents, and to in bide the wisdom and spirit of its purposes stated in its preamble, which ordained and established republican democracy, our civic consciousness, and our freedoms. In an era where so many of us have become jaded and cynical, even despairing of the integrity of our cultural and civic institutions, renewing our understanding and shared commitment to our common values and principles found in the Constitution, seems to him to be of the utmost urgency. He left them with the words of Constitutional Scholar Yuval Levin, who became an American Citizen in 1998, he was born in Israel. He was the Author of American Covenant, How the Constitution Unified Our Nation and Could Again, he recommended the book. He wrote, "we" is the first word of the Constitution. It is the first word of the glorious second paragraph of the Declaration of Independence. Both documents speak in the first person, plural, because they speak, both of them for a people taking joint ownership of their common faith. The Declaration of Independence helps them understand why it was worth the effort to make that "we" a reality. And the Constitution helps us see just how that could be done. We now need to be reminded of both the why and the how. That reminding will need to take the form of civic practice and constitutional renewal. But its purpose was ultimately to let us see one another as belonging together again. The Constitution thereby offers us the hope of greater unity. We should be cheered by that hope, and we should profoundly be grateful for the glorious fact that we all get to be Americans together. Thank you for the time.

Mayor Guess asked if anyone else present wished to be heard. No one else appeared.

VI. Approval of Minutes

A. Regular Meeting of September 3, 2024

Alderman Patton moved, seconded by Alderman Seaver that the Minutes of September 3, 2024 be approved. The motion carried unanimously.

VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.

Alderman Patton moved, seconded by Alderman Williams that the following be reaffirmed and ratified on second reading. The motion carried unanimously.

- A. Approval of an Ordinance Amendment Adding Section 23-9 to the Hickory Code of Ordinances for Nonresidential Fees. (First Reading Vote: Unanimous)
- B. Approval of the Implementation of a Speed Limit Reduction to 25mph along 11th Avenue NE from 5th Street NE to 3rd Street Drive NE, and along 4th Street NE from 11th Avenue NE to 10th Avenue Drive NE. (First Reading Vote: Unanimous)
- C. Budget Revision Number 4. (First Reading Vote: Unanimous)

VIII. Consent Agenda: All items below will be enacted by vote of City Council. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item IX.

Alderman Patton moved, seconded by Alderman Freeman approval of the Consent Agenda. The motion carried unanimously.

- A. Called for a Public Hearing to Consider the Preliminary Assessment Roll for Curb and Gutter Petition 24-01, for Property Located at 525 9th Avenue NW, Hickory, and Approval of the Resolution Authorizing Preparation of the Assessment Roll (Authorized Public Hearing for October 1, 2024, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

RESOLUTION NO. 24-55
RESOLUTION AUTHORIZING PREPARATION OF ASSESSMENT ROLL AND
PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL
NO. 24-01

WHEREAS, the curb, and gutter project along a portion of 525 9th Avenue NW, Hickory has been completed and it has been determined that the project consisted of 109 linear feet of curb and gutter at \$32.50 per linear foot and 24 linear feet for driveway(s) at \$65.25 per linear foot for the property located at 525 9th Avenue NW, Hickory.

NOW, THEREFORE, BE IT RESOLVED:

THAT, the property whose owners that have not paid their proportionate part of the project shall be assessed at the rate of \$32.50 per linear foot for curb and gutter and \$65.25 per linear foot for driveway(s);

THAT, the Clerk be, and she is hereby ordered to prepare an assessment roll or ledger to show the names of persons assessed as far as they can be ascertained, the amount assessed against them, respectively, with a brief description of the lots or parcels of land assessed, and

THAT, the Clerk shall file the Preliminary Assessment Roll in the City Clerk's Office available for public inspection and shall publish and notify property owners of the public hearing as required by North Carolina General Statute 160A-227.

THAT, a public hearing will be held at 6:00 p.m. in the Council Chamber of the Municipal Building, located at 76 North Center Street, Hickory, North Carolina, on the 1st day of October 2024, for the purpose of hearing all interested persons who appear with respect to any matter covered by the Preliminary Assessment Roll.

- B. Authorized Staff to Apply for Rural Community Capacity Building Funding from the North Carolina Department of Commerce in the Amount of \$45,000.

Staff requests that the City Council authorize staff to apply for Rural Community Capacity Building Funding from the NC Department of Commerce. The Rural Community Capacity Building program provides technical assistance to communities in North Carolina to assist their ability to apply for grants and spur economic development in their communities. City staff has been attending this training since May 2024, and the program concludes in September 2024. As part of the program, the City is eligible to apply for a \$45,000 grant to promote economic development. In the City's original application to participate in the program, staff requested using the implementation funds to update the City's Economic Development Strategic Plan. This plan was approved by City Council in December 2017. Given the construction of the Hickory Trail, the impacts of the COVID-19 pandemic on employment and commuting patterns, along with construction of significant housing in downtown Hickory, and additional issues, the plan is ready for an update. The funds will be used to hire a consultant to assist staff in updating the plan and ensure it meets the City's current economic development needs. Staff recommends that City Council authorize staff to apply for Rural Community Capacity Building Funding from the NC Department of Commerce in the amount of \$45,000.

- C. Approved on First Reading Budget Revision Number 5.

**ORDINANCE NO. 24-35
BUDGET REVISION NUMBER 5**

BE IT ORDAINED by the Governing Board of the City of Hickory that, pursuant to N.C. General Statutes 159.15 and 159.13.2, the following revision be made to the annual budget ordinance for the fiscal year ending June 30, 2025, and for the duration of the Project Ordinance noted herein.

SECTION 1. To amend the General Fund within the FY 2024-25 Budget Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Government	6,752	-
Public Safety	1,220	-
Culture & Recreation	3,336	-
TOTAL	11,308	-

To provide funding for the above, the General Fund revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous	6,752	-
Other Financing Sources	1,220	-
Sales and Services	3,336	-
TOTAL	11,308	-

SECTION 2. Copies of the budget revision shall be furnished to the Clerk of the Governing Board, and to the City Manager (Budget Officer) and the Finance Officer for their direction.

- IX. Items Removed from Consent Agenda – None
- X. Informational Item
- XI. New Business

A. Public Hearings

1. Approved the FY2023-2024 Consolidated Annual Performance and Evaluation Report (CAPER) for Submission as Required by the US Department of Housing and Urban Development – Presented by Business and Community Development Manager Dave Leonetti.

Consideration of the FY 2023-2024 Consolidated Annual Performance and Evaluation Report (CAPER) for submission as required by the U.S. Department of Housing and Urban Development. The U.S. Department of Housing and Urban Development requires the City of Hickory, as a Community Development Block Grant (CDBG) entitlement funding recipient, to report on CDBG monies spent within the previous fiscal year. The CAPER evaluates the effectiveness of the use of resources in addressing identified goals and objectives cited in the Annual Action Plan which is prepared before the fiscal year begins. CDBG resources were used for the following activities: Housing Rehabilitation - \$168,887.45; Housing Rehab Administration - \$36,850.82; ALFA - \$10,000; Exodus Homes- \$8,000; Family Care Center - \$6,500; Salvation Army Boys & Girls Club - \$8,000; Hickory Soup Kitchen - \$8,000; Catawba Science Center - \$8,000; Public Infrastructure Improvements - \$188,992.55; Fair Housing - \$1,419; and Program Administration-\$64,180.49; for a total of \$508,830.31. The City of Hickory, in complying with the U.S. Department of Housing and Urban Development's requirements, is preparing the CAPER, for submission to HUD. The CAPER outlines the City's CDBG expenditures from July 1, 2023 thru June 30, 2024.

Notice of the availability of this document for public review and notice of the public hearing was advertised in a newspaper having general circulation in the Hickory area on August 31, September 7, and September 14, 2024.

City Manager Warren Wood advised the public hearing was consideration of the FY 2023-2024, consolidated annual performance and evaluation report, also known as the CAPER, for submission as required by the US Department of Housing and Urban Development. He asked Business and Community Development Manager Dave Leonetti to the podium for the presentation.

Business and Community Development Manager Dave Leonetti gave a PowerPoint presentation. He advised he would present the consolidated annual performance and evaluation report to the US Department of Housing and Urban Development, CAPER. As an entitlement recipient of Community Development Block Grant funds, the City was required to submit an annual report each year, and that outlines how the City spent its Community Development Block Grant money and what was accomplished during the previous year. The period under consideration was July 1, 2023 to June 30, 2024. He gave a brief overview of the major projects and line-item expenditures. He noted Council had the entire document in their agenda packets. They spent approximately \$119,000 on improvements to Civitan Park and approximately \$70,000 on improvements to the Westmont Senior Center and accessible routes. There were a couple of areas where the sidewalks did not have curb cuts and accessible routes to the pickleball courts. He referred to the PowerPoint and displayed some photos before and after of Civitan Park. He advised the former location of the playground was down in a hole on the opposite side of the parking area. They put in a brand-new play structure that included new climbing structures, slides and all that, and also a new picnic shelter. That was right at the main parking lot. They also improved the access to the community garden area. It was a lot easier because honestly, he worked at the City for several years before he realized that there was a playground at the bottom of that park. He referred to the PowerPoint and displayed before pictures of the Westmont Senior Center. He pointed out the bus stop curb area as well. He referred to a photo and advised they had removed some of that awning and redid a lot of the fascia and gutters along that to spruce that up, and also added a lot of concrete to allow wheelchair access to the courts.

Mr. Leonetti discussed other projects that they did this year. In the housing rehabilitation program, they rehabilitated six different homes occupied by low to moderate income owners. Promotion of fair housing and general program administration was approximately \$64,000. He referred to the PowerPoint and displayed photos of some of the repairs that they did. A lot of the times there were bathroom remodels, steps, things that were going to help a low- and moderate-income homeowner either reduce hazards or help them stay in their home longer. He advised in public services they had a cap of 15% of their annual grant that they could spend on public service activities. They granted that this past year to six nonprofit organizations. ALFA to fund case manager services for persons living with HIV and AIDS. Exodus Homes which funds employment services for people in their substance abuse residential programs. The Family Care Center that

provided case management services to their folks, families experiencing homelessness. Salvation Army Boys and Girls Club this funded their after-school program. The Soup Kitchen funded their pantry and their daily lunches. The Science Center funded a portion of their portal to science program, which provides low- and moderate-income families access to educational camps and memberships to the Science Center.

Mr. Leonetti advised the Community Development Specialist, Anna Beth Walker and Civil Engineer I, Sam Abernethy worked on improvements to Cliff Teague Park. They were upgrading the restrooms over there and doing some overall facelifts to the park. Funds were used for some street resurfacing in low- and moderate-income neighborhoods. They continued the promotion of the small business loan program and micro enterprise grant programs. They had approved one of those this year. A microenterprise grant to a music school downtown. The housing rehab program would continue, and they would continue to support nonprofits in the community. He asked for any questions.

Mayor Guess asked for any questions for Mr. Leonetti.

Alderman Wood asked how the grant amount was calculated and what it was a function of.

Mr. Leonetti explained the amount that they received from HUD each year was based on a very elaborate formula. No one really knows, but it was based on poverty rates, population and all those things, and the total amount that was approved.

Alderman Wood asked if it was consistent from year to year, the amount of the grants.

Mr. Leonetti had been working in it since 2012, and he thought the smallest amount they had received was \$287,000, \$330,000 - \$340,000 was on the high end.

Alderwoman Williams commented that it does not incrementally go up with cost of living or anything.

Mr. Leonetti replied no, it does not. It was actually whatever Congress approved each year.

Alderwoman Williams referred to the six agencies that were recipients of the public service grants, were those the people that applied every year? Or could other people apply?

Mr. Leonetti advised it was open to apply, and the application period opens normally in January and the deadlines were in February. This current year that they were in, he believed there were nine agencies that were funded. He thought there were two - three brand new agencies that they had not funded in the past.

Alderwoman Williams commented that it seemed like ALFA had been there for as long as she had been following this. But they could rotate.

Mr. Leonetti responded correct. Whatever agency they have to meet one of their consolidated plan goals. One of the consolidated plans goals was services to persons with HIV and AIDS and one of the only nonprofits.

City Manager Warren Wood commented that process went through the Citizens Advisory Committee in terms of the recommendations.

Mr. Leonetti advised that they would be doing a new consolidated plan this spring. The City's five years were up this year. This was the final year of that plan.

Alderman Seaver asked if the City used some of that money for loans. Low interest loans.

Mr. Leonetti advised they have a deferred loan. The housing rehabilitation program was a deferred zero interest loan to low- and moderate-income homeowners.

Alderman Seaver commented recycle some of that money.

Mr. Leonetti replied, correct, it was partially forgivable, but they do receive money back into the program to provide more loans.

Alderman Seaver commented still try to use it all up.

Mayor Guess asked for any other questions for Mr. Leonetti. He thanked Mr. Leonetti. He explained the rules for conducting the public hearing. He declared the public hearing open and asked if there was anyone present to speak in opposition to the proposal. Mayor Guess asked if there was anyone present to speak in favor of the proposal. Mayor Guess closed the public hearing.

Alderwoman Williams moved, seconded by Alderman Wood approval of the FY2023-2024 Consolidated Annual Performance and Evaluation Report (CAPER). The motion carried unanimously.

B. Departmental Reports

1. Update on Various City of Hickory Projects

City Manager Warren Wood presented a PowerPoint presentation. He knew that City Council had seen what he was going to discuss, but it wanted to put it out for public consumption. Capital projects, specifically the bond program, the City had approximately \$115 million worth of projects related to the bond program. The \$40 million in bond funds that the City citizens approved in 2014, they had leveraged that \$40 million, now up to \$75 million to go with that, \$115 million worth of projects specifically related to the bond program. They could make a case that what had been done so far had created over 1,500 new jobs. A lot of those at the Trivium Corporate Center. There had been a total of \$845 million in private investment within a half mile along the trail system and Trivium. The same for housing units within that same half mile each side of the trail system. Over 1,300 new housing units. You could argue that some of those would have happened anyway, but the message was it had an impact, a very positive impact. That was measurable to some degree. They said it would create private investment, new jobs, and it had and continued to.

City Manager Warren Wood referred to the PowerPoint and displayed a map of the Hickory Trail. It was actually closer to twelve miles with the existing greenway. The idea, over time, was to loop this. He knew a lot of it looked like dead ends, but over time, the next generation of the trail system would loop in places. He noted they could already see where they were doing that incrementally. The City Walk was the first piece of the trail system to be completed. That was two and a half miles. Of course, that also included a complete redo of downtown, which looked great. They continued to get great feedback about the impact that the City Walk has had. The Riverwalk was the second project to be completed, 2.3 miles. Looked great during the day, and it looked great at night as well. That was the second piece to be completed. The Aviation Walk, 3.1 mile, they opened that section a month or two ago. He referred to the PowerPoint and displayed a map. He pointed out where they had started to loop some of the trail system. He noted a section that would tie into the Aviation Walk down Clement, which was a different project that would tie into a section at ASU Hickory. That would tie the ASU Hickory extension into the Aviation Walk down by those storage units and through that small business park there. He referred to the PowerPoint map and noted the piece that would connect to ASU Hickory from Clement Boulevard. The other piece tied into this. If they drove down Clement Boulevard, they could see they were really making a lot of progress. That would be a road and a piece of the trail system. It would go right up to ASU Hickory. That was under construction. The other piece tying into the Aviation Walk was the piece that goes down to Goat Farm Road. They had conversations with Burke County. They saw what this was doing. How do they start planning to tie into what the City has? Ideally on the Burke County side of Hickory, out by the Airport. That section was also under construction.

City Manager Warren Wood discussed the Historic Ridgeview Walk. That was almost finished, hopefully by the end of this calendar year, if not sooner. That project had gone really well. That was 1.2 miles. There would also eventually be a crosswalk there at US70, at the end of the Historic Ridgeview Walk that crosses over to the Walmart Neighborhood Store.

City Manager Warren Wood advised the last piece that would tie everything in together was the OLLE Art Walk, which was under construction. They did the groundbreaking for that, and they were just getting started on that piece. That would tie everything into the bond projects. Originally, the bond program was going to be 5 miles of trail, they had doubled that with the grant money that had been received and extended it even further.

City Manager Warren Wood commented that Trivium Corporate Center was the last piece of the bond program. He thought they had four lots left on the Trivium west side, and then there was the large 106-acre piece on the east side, which they had the infrastructure installed with the road, and water and sewer. That had also spurred development. There were a couple housing developments that had

also started to go up beside the Trivium Corporate Center. They thought it was going to take a couple of decades to build that out and they were really ahead of schedule. That was a Class "A" advanced manufacturing business park.

City Manager Warren Wood referred to the PowerPoint and advised this was not a City project but would have a big impact on the City. The US 321 widening, that number, kept going up, it was probably a \$400 million project. It would start in the next two years, and it would probably be an eight-year buildout, six to eight years to finish that project. That was going to have a huge impact on the west side of town. There were 45,000 cars a day that go up and down US 321. That was a high-profile area for Hickory.

City Manager Warren Wood discussed Airport projects. They had talked about extending the runway. That was actually a three-phase project. There was an EMAS system that needs to be built on the east side, before they could start the expansion. It was like a runaway truck ramp construction project. He noted that he and Deputy City Manager Rodney Miller went to Memphis a couple of weeks ago and they felt good about getting a \$9 million allocation to do that first phase of that project. That would clear the way to do this. It was a 200-foot extension on the east side and a 400-foot on the west side. It was actually going to be one more foot than that somewhere because they were going to say it was over 7,000 feet, 7001-feet. It was a marketing ploy. Also at the airport, they were really working on hangar expansion, both T-hangars and box hangars. They did the first set of the twelve T-hangars and have another set of twelve going in now, under construction. They would be starting construction on a 12,000 square foot box hangar as well. He thought there was 50 or 60 aircraft on a waiting list at the Airport. There was definitely a demand. Having closed the secondary runway, it really allowed them to build tax base. They have that partnership with Burke County where there was a baseline and anything revenue wise off those planes, the taxes off those planes that they received, they remit half of that back to the City to go back into more hangar development. It was a good partnership. They do not have commercial service, but they have a 139 certificate with the FAA that allows them to have commercial service. They were still pursuing that and would continue to keep that certificate. They got the Aviation Museum as well that he talked about. There was also going to be some taxiway improvements and that sort of thing. They also got a \$750,000 grant to upgrade the lighting system at the Airport. They found out about that today. That was not on this list. They continue to upgrade and keep the Airport modern. Airport Director Chad Hunsucker had done a great job out there. He stressed there was a tremendous demand for hangars, and hangar space. The idea with those T- hangars was to get the small planes out of the big hangar space so they could put the big planes in the big hangars, because obviously those were much more valuable. That was the thought there.

City Manager Warren Wood advised the Aviation Museum was under construction. That was a \$20 plus million-dollar project allocation. CVCC had a component of that. There was a \$15 million allocation from the State, as well as private fundraising that went into that. He referred to the PowerPoint and pointed out the connection of the Aviation Museum to the Aviation Walk. There was a fourth extension of the Aviation Walk that was being done. Most of this was grant money.

City Manager Warren Wood discussed Appalachian State University – Hickory Campus. He thought they received approximately \$50 million, and they were going floor by floor. There enrollment was over 500 for the fall and they were hurrying to do these floors so they can continue to accommodate their growth. Eventually, they would start looking outside the footprint of their current facility and looking at building new buildings. They had really done a great job renovating that building and repurposing that Corning Headquarters space.

City Manager Warren Wood noted that CEO of Hickory Metro Convention Center Mandy Hildebrand was present. The Convention Center had a \$15 million expansion, 35,000 square foot open space with tall ceiling heights that allow them to have more sporting events, boat shows, things that require big, tall ceiling heights. It was overall about a 45,000 square foot expansion, which was complete. There were some odds and ends, but it was mostly complete. They did a great job of operating that while construction was going on. They were redoing all the roofs. It was like a new facility. There were also two new hotels, one was under construction, Home2Suites, which was right near the Convention Center, and another one out near Bob Evans, which he thought was in the design phase, but there would be two new hotels coming. Some other projects were the sidewalk project from Sandy Ridge Road and the intersection of Sandy Ridge Road and Springs Road down to McDonald Parkway. There was no sidewalk along that section. That was an area where people walked out of necessity. They had worked with the Department of Transportation (DOT) on a project there. There was one or two places where they had to cross the street, but that was the best they could do.

They would have crosswalks and all that. That project was under design. That would be a really good project for Springs Road. In addition to that, the roundabout at Sandy Ridge Road and 8th Street Drive NE. That was a congestion mitigation grant that they received. It had been on the books for a long time, but they were moving forward with the design now. That process was going to take approximately 18-months to 2-years to finish that project on the roundabout, but that would help traffic flow tremendously in that intersection.

City Manager Warren Wood advised all that he went through that was not DOT or ASU, that was all City projects, was about \$180 million worth of projects. He advised 90% of that was funded primarily through grants. They hit all that when there was a lot of money available over the last few years. They were able to tap into that. That was not normal to see that much money. There was always going to be grants, but the level of grant allocations that they saw, they probably would not see that again. Just managing expectations, they would continue to go after grants. They had some in the hopper. He knew the State was not going to have nearly as much money as they had been allocating coming up. They would still continue to pursue grant opportunities and then some projects would be of such significance that they would want to do their selves, even if they did not have a grant in hand, particularly on the water and sewer side. He did not really add any water and sewer projects in here, but they have a lot of really nice projects that they finished, a lot under construction, and a lot in design that were all funded. That was a good position to be in. A lot of these projects were shovel ready which allowed them to be put ahead of some others that were also seeking some of these grant funds. That was a tribute to Infrastructure Grants Manager Karen Dickerson, and Transportation Project Coordinator John Marshall, and others that go after these grant monies. It was a lot to manage too. They really did not add any more staff. He mentioned Public Works Director Steve Miller, Transportation & Engineer Manager Caroline Kone, Deputy City Manager Rodney Miller, Assistant City Manager Yaidee Fox, and Public Utilities Director Will Hamblin. It was like having a second job, but they had done it really without adding additional staff. That was a testament to them and their work.

Alderman Wood referred to the senior staff, and commented their senior staff had done a lot in this. They had been intimately involved in all these projects. He recognized a group that he saw on a regular basis. That was the people that were doing the maintenance and keeping this pristine. These walks and things like that. They just picked it right up. There was no fall off whatsoever. He was looking at it this evening on the way here and it was immaculate, and they deserved a lot of credit for that. Everybody does. He did not think there was anybody in the City that had not been affected by these projects and they owed all of them a big thanks, but he did not want them to be overlooked.

City Manager Warren Wood appreciated that because they really had not added any more maintenance staff. They thought they would, but they had been able to keep up. There was overtime and weekends and all that, but they had really been able to manage that with the staff that they had in place. He appreciated all that.

Alderwoman Patton appreciated that they have not let any other park, or anything slip. They were at one of the parks on a Sunday. As sure as fate, they pulled up and emptied the trash. Someone asked if they worked-on Sundays. She said yes, they take care of it, and it shows on all of their parks.

City Manager Warren Wood asked staff to make sure that got back to their folks.

Mayor Guess commented that they had said it from here before, but it certainly was worth repeating, all of their coworkers do an amazing job each and every day. That was not just from what they see. But he hears the same thing when he was out in the community. Whether it was someone who had lived here all their life, or if it was somebody that comes to him and says, you know what, we were looking for a place to go, and we started looking at Hickory. We started hearing about Hickory and all the wonderful things that were going on, and so they decided to come and be a part of Hickory. Again, it was not because of any one individual it was because of the collective bunch of coworkers that they have and the working relationships and partnerships that they have with the surrounding municipalities and other entities. They were extremely fortunate that they live here in Hickory and that they have the dedicated, loyal folks that they have, not only in the community, but in the City of Hickory as their coworkers. He could not tell them enough, and they had heard it from all the Council members, and they would continue to give them the praises and thanks for everything that gets accomplished all the time. He thanked staff again.

City Manager Warren Wood thanked Assistant City Manager Rick Beasley; he had not recognized him.

2. Appointments to Boards and Commissions

CITIZENS ADVISORY COMMITTEE
 (Terms Expiring 6-30; 3-Year Terms) Appointed by City Council
 At-Large (Council Appoints) VACANT

COMMUNITY APPEARANCE COMMISSION
 (Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
 At-Large (Outside City but within HRP) (Council Appoints) VACANT

COMMUNITY RELATIONS COUNCIL
 (Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
 African American (Council Appoints) VACANT
 Caucasian (Council Appoints) VACANT
 Caucasian (Council Appoints) VACANT
 Other Minority (Council Appoints) VACANT
 Other Minority (Council Appoints) VACANT

Alderwoman Williams Nominated Christy Lohr Sapp as a Caucasian Representative on the Community Relations Council.

HICKORY REGIONAL PLANNING COMMISSION
 (Term Expiring 6-30; 3-Year Terms with Unlimited Appointments) (Appointed by City Council)
 Burke County Representative (Mayor Appoints with Recommendation from Burke County) VACANT

HISTORIC PRESERVATION COMMISSION
 (Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
 Historic Properties Owner (Council Appoints) VACANT

PUBLIC ART COMMISSION
 (Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
 Ward 1 (Wood Appoints) VACANT
 At-Large (Mayor Appoints) VACANT
 At-Large (Mayor Appoints) (Dana Andreasson Resigned 9-5-2024) VACANT

RECYCLING ADVISORY BOARD
 (Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
 Ward 4 (Freeman Appoints) VACANT
 Ward 5 (Zagaroli Appoints) VACANT
 Ward 6 (Patton Appoints) VACANT
 At-Large (Council Appoints) VACANT
 At-Large (Council Appoints) VACANT

YOUTH COUNCIL
 (Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)

Youth Council Applicant Review Committee Recommends the Following Appointments:

Homeschool VACANT

Alderwoman Williams moved seconded by Mayor Guess approval of the above nominations. The motion carried unanimously.

C. Presentation of Petitions and Requests

XII. Matters Not on Agenda (requires majority vote of Council to consider)

XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature

Alderman Wood referenced something he saw on social media. Positive. That might be unprecedented, actually, but a positive comment he saw on social media from a young person. He did not know the lady's age. Her mom posted it, a comment that her daughter made about Hickory. They were out this past weekend in the evening on the City Walk and things like that. And the mom put on social media that her daughter, who was probably, ten or twelve maybe, he was guessing, said, "mom, it's like we're in Raleigh or something". Because of the activity and everything that was going on downtown. He took it as a positive. That was an observation of what kind of impact it was having, and young people were noticing.

Mayor Guess commented he was talking about the hustle and bustle.

Alderman Wood replied yes, he was impressed by that comment.

Mayor Guess commented and rightfully so. Although Hickory was not trying to be Raleigh or Charlotte or anybody else, we want to be Hickory.

City Manager Warren Wood commented that ironically, his brother and his wife were in from Greensboro this weekend for his 45th Class Reunion. And they went down the Riverwalk, the Aviation Walk, and the City Walk, and they were just blown away. They were like, we do not have anything like this in Greensboro. They said we have something special here.

Alderman Freeman commented being a Pastor and a City Councilman he was certainly used to hearing the blues. He wanted to encourage the community that the nationally renowned bluesman Mac Arnold and Plate Full O'Blues would be in town this coming Saturday on the Samuel William Davis Sr. Multipurpose Field starting at 4:00 p.m. Collectively, they could come out and hear the blues.

Alderman Wood inquired if he was on America's Got Talent.

Alderman Freeman did not know.

Alderman Wood thought he was if it was not mistaken.

Alderman Seaver commented that he had been here about every year.

Mayor Guess thanked the Elks Lodge for hosting their 911 remembrance ceremony, of course, on 9-11, and that happened to be the same day as the Farmers Market. Obviously the downtown was really congested with activities going on with the Farmers Market. They partnered with the folks from the Elks Lodge and moved the 911 remembrance ceremony to their front lawn. He certainly wanted to thank them for partnering with them on that remembrance ceremony and allowing them to use their front lawn for that. He commended the Fire Department and Police personnel. As always, they had a good remembrance ceremony, and they appreciated everybody's efforts and time spent related to that.

XIV. There being no further business, the meeting adjourned at 6:48 p.m.

Mayor

City Clerk

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COUNCIL AGENDA MEMOS

To: City Manager's Office

From: Dave Leonetti, Business Services & Community Development Manager

Contact Person: Dave Leonetti, Business Services & Community Development Manager

Date: September 5, 2024

Re: Citizens Advisory Committee Recommendation

REQUEST

Recommendation for assistance through the City of Hickory's Housing Programs.

BACKGROUND

The mission of the City of Hickory's Community Development Division is to preserve the existing housing base, enhance ownership opportunities for all of its citizens to obtain decent housing, and provide a quality environment conducive to the safe and healthy growth of its citizenry. The seven-member Citizens' Advisory Committee was formed to provide for citizen input in the facilitation of the City's CDBG program, as well as any other similar community enhancement funding the City may receive.

ANALYSIS

The following requests were considered by the Citizens' Advisory Committee at a regular called meeting on September 5, 2024:

- Donna Vaughn, 918 8th St. NE, Hickory, was recommended for approval of up to \$12,000.00 under the City of Hickory's 2024 Urgent Repair Program.
- Peggy Duke, 811 3rd Street SE, Hickory, was recommended for approval of up to \$12,000.00 under the City of Hickory's 2024 Urgent Repair Program.

RECOMMENDATION

The Citizens' Advisory Committee recommends approval of the aforementioned requests for assistance through the City of Hickory's housing assistance programs.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

056-1620-558-32-02

Reviewed by:

Dave Leonetti *(DL)*

Initiating Department Head

9-5-24

Date

Deputy City Attorney, A. Dula

Date

Rodney Miller
Asst. City Manager Rodney Miller

9/26/24

Date

R. Beasley
Asst. City Manager, R. Beasley

9/26/24

Date

Kari Dunlap
Finance Officer, Kari Dunlap

9/23/24

Date

Cameron McHargue
Deputy Finance Officer,
Cameron McHargue

9-23-24

Date

Yaidee Fox
~~Exec~~ Asst City Manager Yaidee Fox

9/26/24

Date

Recommended for approval and placement on _____ Council agenda (as
Consent, Public Hearing, Informational, Department Report, etc).

W. Wood
City Manager, W. Wood

9.26.24
Date

4

COUNCIL AGENDA MEMOS

To: City Manager's Office

From: Office of Business Development, Planning Division

Contact Person: Cal Overby, Planning Manager

Date: September 19, 2024

Re: Voluntary contiguous annexation of property owned by Blueberry Farm Hickory, LLC.

REQUEST

Call for public hearing, to be held on October 15, 2024, for the consideration of the voluntary contiguous annexation of 151.218 acres of properties located 432 Catawba Valley Blvd SE, 2115 3rd St Place SE and five other adjoining parcels. These properties are identified as PINs 370108789470, 370108775545, 370108875621, 370112877400, 370112875316, 370111666796, 370111666796.

BACKGROUND

The properties are currently located within the City of Hickory's extraterritorial jurisdiction, and zoned R-2 Residential. The owners / developer intends to construct a residential subdivision containing 308 attached and detached single-family residences utilizing a conservation subdivision technique. This technique creates smaller building lots with preserved open space. The existing R-2 zoning permits residential density at a rate of four unit per acre, which could result in the construction of 600+ dwellings. The density proposed by the developer is approximately 50% of what could potentially be constructed.

The property owner desires to connect the property to city sewer service, which requires annexation.

ANALYSIS

The owner of the property is requesting annexation in order to gain access to city utilities. As previously noted, the property is planned to be developed to into a residential subdivision containing 308 new residential lots.

Surrounding properties are zoned R-1 and R-2 Residential, as well as Planned Development. The surrounding areas consist of residences, vacant land and a public middle school.

The current tax value of the properties are \$948,100. If annexed, the property would generate \$4,313 in additional tax revenues. This value does not consider any new lots or residences constructed upon them.

Upon analysis, staff has determined the petition meets the statutory requirements for voluntary annexation, and adequate public services are available.

RECOMMENDATION

Staff finds the petition to be in conformity with applicable statutes and recommends approval of the petition.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

Reviewed by:

Brian Frazier *BMF* 9/19/2024
Initiating Department Head Date

Rodney Miller 9/26/24
Asst. City Manager R. Miller Date

Kari Dunlap 9/23/24
Finance Officer, K. Dunlap Date

Yadée Fox 9/26/24
Asst City Manager Yadée Fox Date

City Attorney, T. Swanson _____ Date
Paul Beasley 9/26/24
Asst. City Manager, R. Beasley Date

Cameron McHargue 9-23-24
Deputy Finance Officer, Date
Cameron McHargue

Recommended for approval and placement on _____ Council agenda (as
Consent, Public Hearing, Informational, Department Report, etc).

Warren Wood
City Manager, Warren Wood

9.26.24
Date

RESOLUTION NO. 24-____
RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED
UNDER G.S. 160A-31 AND/OR 160A-58.1, AS AMENDED

WHEREAS, a petition from Blueberry Farm Hickory LLC requesting annexation of an area described in a petition was received on September 16, 2024, by the City Council of the City of Hickory; and

WHEREAS, G.S. 160A-31 and G.S. 160A-58.1 provide that the sufficiency of the petition shall be investigated by the Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Hickory deems it advisable to proceed in response to this request for annexation.

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

THAT, the Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the City Council the result of her investigation.

CERTIFICATE OF SUFFICIENCY

TO THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA:

I, Debbie D. Miller, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31 and/or G.S. 160A-58.1, as amended:

Property of Blueberry Farm Hickory LLC, containing 151.218-acres more or less, located on Catawba Valley Boulevard SE between 3rd Street Place SE and 18th Avenue SE, and identified as PINs 3701-08-77-5545; 3701-08-78-9470; 3701-12-75-5345; 3701-11-66-6796; 3701-12-87-5316; 3701-12-87-7400; and 3701-08-87-5621.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory this 16th day of September, 2024.



Debbie D. Miller

Debbie D. Miller, City Clerk

Resolution No. 24-____
Blueberry Farm Hickory LLC
Voluntary Contiguous Annexation

5. WATER AND SEWER AVAILABILTY AND CONNECTIONS

We, the undersigned property owner(s), herby understand and agree we shall be responsible for all costs associated with providing for extensions and/or connections to the City of Hickory public utility system (water and sewer). This includes all design, permitting, construction, legal and applicable City of Hickory Tap Fees. Furthermore, we shall be responsible for obtaining any and all necessary easements and encroachment agreements needed to provide for such extensions or connections and provide those to the City of Hickory as appropriate.

The undersigned owner further acknowledges, they shall be responsible for any future utility extensions required to serve the property due to subdivision of the property.

6. OWNER'S AFFIDAVIT

We, the undersigned property owners(s), hereby certify that the information contained herein and submitted in support of this application is true and correct.

Adam Florenza Managing Member of Blueberry Farm Hickory LLC
Printed Name of Property Owner(s)

[Signature]
Signature of Property Owner(s)

301 Fieldbrook Place Charlotte NC 28209
Address of Property Owner(s)

704-905-9908
Telephone Number of Property Owner(s)

(Please choose the appropriate notary block)

State of North Carolina – County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of this foregoing instrument for the purposes expressed herein. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

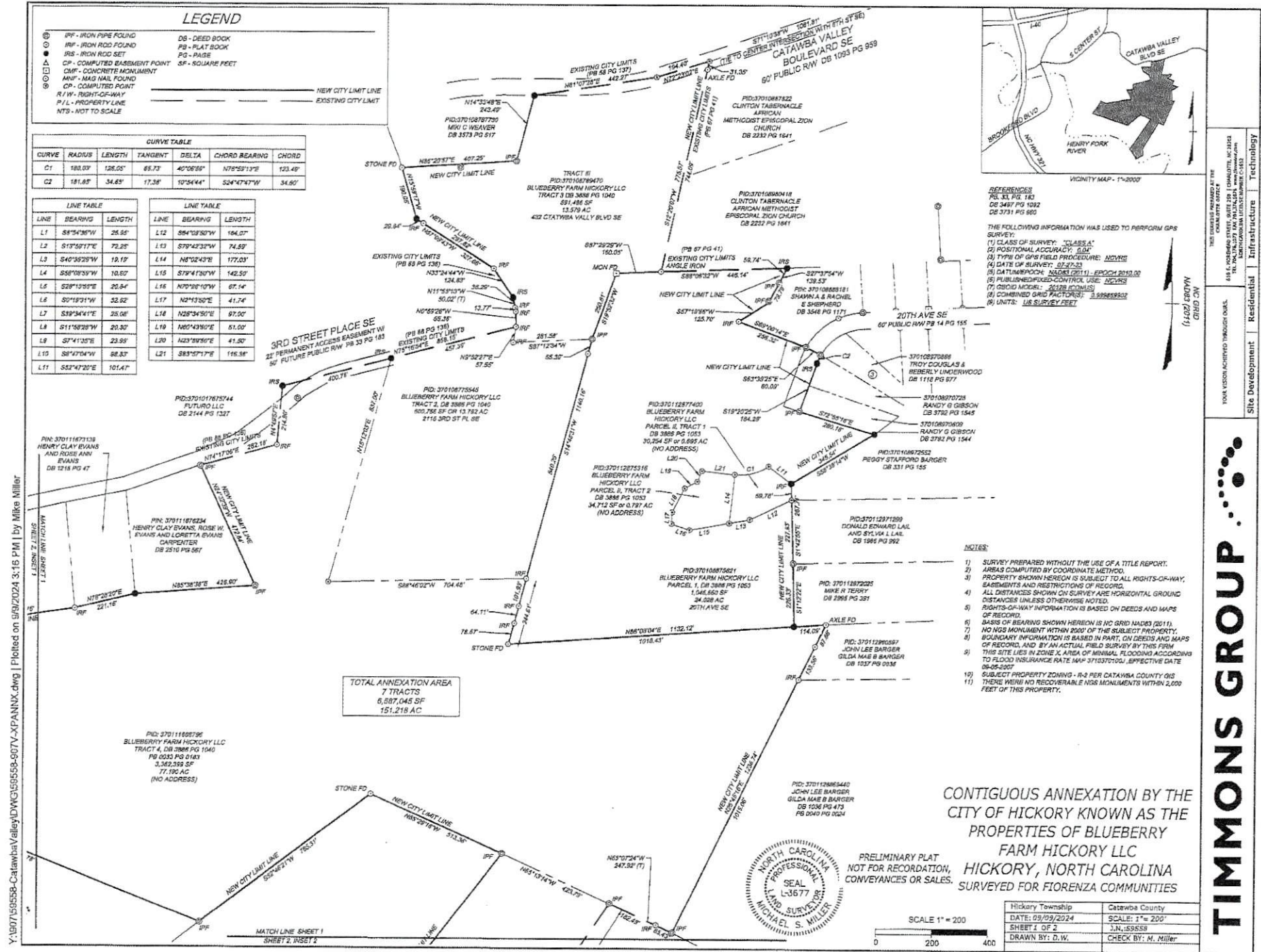
My Commission Expires: _____
Notary Public

State of North Carolina – County of Mecklenburg

I, the undersigned Notary Public of the County and State aforesaid, certify that Adam Florenza personally came before me this day an acknowledged the he/ she is the Managing Member of Blueberry Farm Hickory LLC corporation / limited liability corporation / general partnership / limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity he/she signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 21st day of August, 2024.

My Commission Expires 09/21/2026
Bridget McClellan
Notary Public





LEGEND

●	IRP - IRON PIPE FOUND	DB - DEED BOOK
○	IRP - IRON ROD FOUND	PB - PLAT BOOK
●	IRS - IRON ROD SET	PG - PAGE
△	CP - COMPUTED EASEMENT POINT	SF - SQUARE FEET
○	CMF - CONCRETE MONUMENT	
○	MMF - MAG NAIL FOUND	
○	CP - COMPUTED POINT	
---	R/W - RIGHT-OF-WAY	---
---	P/L - PROPERTY LINE	---
---	NTS - NOT TO SCALE	---

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	180.0'	126.0'	69.7'	40°06'59"	N78°55'13"E	123.49'
C2	181.8'	34.8'	17.38'	19°54'44"	S24°47'47"W	34.80'

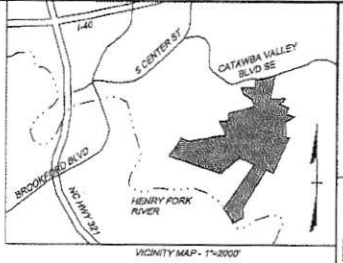
LINE TABLE

LINE	BEARING	LENGTH
L1	S8°54'36"W	26.54'
L2	S13°57'17"E	72.25'
L3	S40°35'29"W	19.19'
L4	S58°09'33"W	10.62'
L5	S28°12'59"E	29.84'
L6	S0°19'21"W	32.52'
L7	S39°34'41"E	25.08'
L8	S11°50'29"W	20.30'
L9	S7°41'30"E	23.59'
L10	S8°47'04"W	68.33'
L11	S52°47'20"E	101.47'

LINE TABLE

LINE	BEARING	LENGTH
L12	S94°03'30"W	104.07'
L13	S78°42'32"W	74.59'
L14	N8°02'43"E	177.03'
L15	S7°41'30"W	142.50'
L16	N70°06'10"W	67.14'
L17	N2°13'30"E	41.74'
L18	N26°34'30"E	97.00'
L19	N60°43'30"E	51.00'
L20	N23°39'30"E	41.50'
L21	S83°57'17"E	116.58'

TOTAL ANNEXATION AREA
7 TRACTS
6,887,045 SF
151.218 AC



REFERENCES
REL. 31 PG. 183
DB 3487 PG. 1092
DB 3731 PG. 600

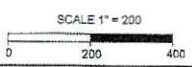
THE FOLLOWING INFORMATION WAS USED TO PERFORM GPS SURVEY:
 (1) CLASS OF SURVEY: CLASS A
 (2) POSITIONAL ACCURACY: 0.04'
 (3) TYPE OF GPS FIELD PROCEDURE: MOVING
 (4) DATE OF SURVEY: 02-27-23
 (5) DATUM/EPOCH: NAD83(2011) - EPOCH 4 2010.00
 (6) DATUM/EPOCH: NAD83(2011) - EPOCH 4 2010.00
 (7) OBSID MODELS: 2023B (2023)
 (8) COMBINED GNS FACTORS: 3.99999902
 (9) UNITS: US SURVEY FEET

- NOTES:**
- 1) SURVEY PREPARED WITHOUT THE USE OF A TITLE REPORT.
 - 2) AREAS COMPUTED BY COORDINATE METHOD.
 - 3) PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.
 - 4) ALL DISTANCES SHOWN ON SURVEY ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
 - 5) RIGHTS-OF-WAY INFORMATION IS BASED ON DEEDS AND MAPS OF RECORD.
 - 6) BASIS OF BEARING SHOWN HEREON IS NO GRID NAD83 (2011).
 - 7) NO NGS MONUMENT WITHIN 200' OF THE SUBJECT PROPERTY.
 - 8) BOUNDARY INFORMATION IS BASED IN PART, ON DEEDS AND MAPS OF RECORD, AND BY AN ACTUAL FIELD SURVEY BY THIS FIRM. THIS SITE LIES IN ZONE 8, AREA OF MINIMAL FLOODING ACCORDING TO FLOOD INSURANCE RATE MAP 371037000, EFFECTIVE DATE 09-05-2007.
 - 9) SUBJECT PROPERTY ZONING - R-2 PER CATAWBA COUNTY GIS.
 - 10) THERE WERE NO RECOVERABLE NGS MONUMENTS WITHIN 2,000 FEET OF THIS PROPERTY.

CONTIGUOUS ANNEXATION BY THE
CITY OF HICKORY KNOWN AS THE
PROPERTIES OF BLUEBERRY
FARM HICKORY LLC
HICKORY, NORTH CAROLINA
SURVEYED FOR FIORENZA COMMUNITIES



PRELIMINARY PLAT
NOT FOR RECORDATION,
CONVEYANCES OR SALES.



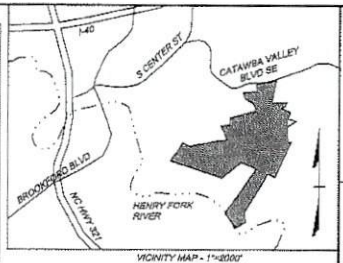
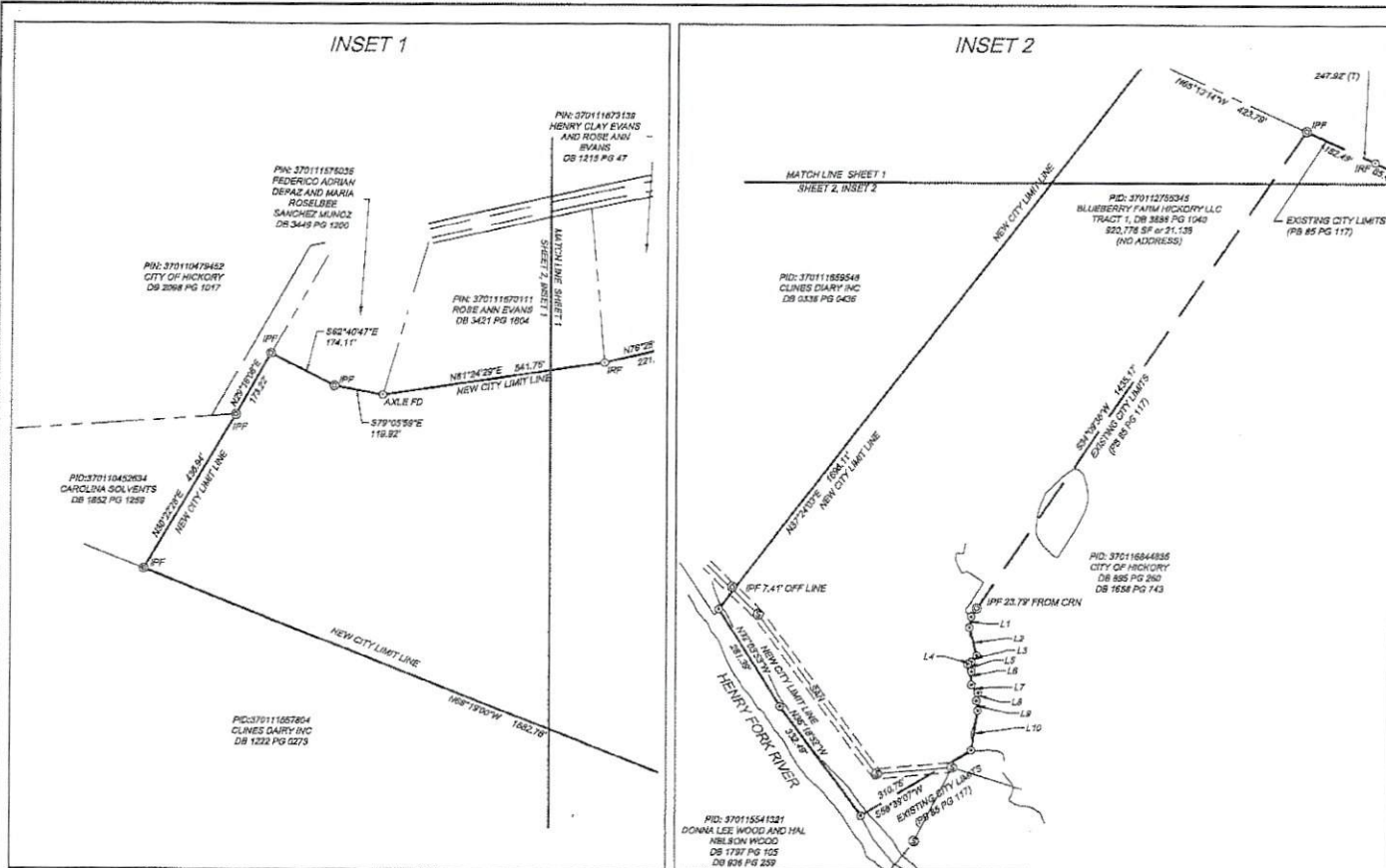
Hickory Township	Catawba County
DATE: 09/09/2024	SCALE: 1" = 200'
SHEET 1 OF 2	J.N. S9558
DRAWN BY: D.W.	CHECK BY: M. Miller

Y:\1907595558-CatawbaValley\DWG\595559-9074-XFANNX.dwg | Plotted on 9/9/2024 3:16 PM | By Mike Miller

THIS SURVEY WAS PERFORMED AT THE CATAWBA VALLEY OFFICE
654 E. CATAWBA STREET, SUITE 200 | HICKORY, NC 28540
TEL: 815.285.8888 | FAX: 815.285.8889
WWW.TIMMONSGROUP.COM

TIMMONS GROUP
Site Development
Residential
Infrastructure
Technology

Y:190759559-CatawbaValleyDWG\358558-907V-XPANNY.dwg | Plotted on 9/9/2024 3:17 PM | by Mike Miller



REFERENCES
 PB 31 PG 153
 DB 3497 PG 1292
 DB 3731 PG 965

THE FOLLOWING INFORMATION WAS USED TO PERFORM GPS SURVEY:
 (1) CLASS OF SURVEY: "CLASS A"
 (2) POSITIONAL ACCURACY: 0.04'
 (3) TYPE OF GPS FIELD PROCEDURE: NGSYS
 (4) DATE OF SURVEY: 07-25-24
 (5) DATUM/EPOCH: NAD83(2011) - EPOCH 2010.00
 (6) PUBLISHED/CONTROL USE: NGSYS
 (7) GRID MODEL: 2011SB (DOMESTIC)
 (8) COMBINED GRID FACTOR(S): 0.999999997
 (9) UNITS: US SURVEY FEET

STATE OF NORTH CAROLINA
 COUNTY OF CATAWBA

I, _____, A REVIEW OFFICER OF CATAWBA COUNTY CERTIFY ON THIS _____ DAY OF _____, 20____, THAT THE MAP TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____

SURVEYOR CERTIFICATION

I, MICHAEL S. MILLER, PLS, HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DESCRIBED IN DEEDS AND MAPS OF RECORD OR OTHER REFERENCE SOURCES; THAT THE ERROR OF CLOSURE AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000+; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION OF RECORD; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH TITLE 21 NCAC 58.1600, AS AMENDED.

THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO BOUNDARY PLATS OF AREAS ANNEXED BY MUNICIPALITIES NOR TO PLATS OF MUNICIPAL BOUNDARIES, WHATEVER NOT REQUIRED BY LAW TO BE RECORDED.

NO L-3677 SURVEYOR

PRELIMINARY PLAT
 NOT FOR RECORDATION,
 CONVEYANCES OR SALES.

NORTH CAROLINA, CATAWBA COUNTY

PROPERTY ON THIS PLAT WAS DULY APPROVED FOR ANNEXATION BY THE CITY COUNCIL OF THE CITY OF HICKORY ON THE _____ DAY _____, 2024 AND AN ORDINANCE DULY ADOPTED AND CERTIFIED AND THIS MAP IS HEREBY ORDERED TO BE RECORDED IN ACCORDANCE WITH NCDS 150A-25.

BY: _____ MAYOR, CITY OF HICKORY

ATTEST: _____ CITY CLERK

DATE: _____

STATE OF NORTH CAROLINA
 COUNTY OF CATAWBA

STATE OF NORTH CAROLINA
 COUNTY OF CATAWBA

I, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT _____ PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THAT SHE IS CITY CLERK OF THE CITY OF HICKORY, A NORTH CAROLINA MUNICIPAL CORPORATION, AND THAT BY AUTHORITY DULY GIVEN AND AS THE ACT OF THE CITY COUNCIL OF THE CITY OF HICKORY, THE FOREGOING INSTRUMENT WAS SIGNED IN ITS NAME AND BY ITS MAYOR, SEALED WITH ITS CORPORATE SEAL, AND ATTESTED BY HER AS ITS CLERK.

WITNESS MY HAND AND OFFICIAL STAMP OR SEAL THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

LEGEND

⊙	IRP - IRON PIPE FOUND	DB - DEED BOOK
⊙	IRP - IRON ROD FOUND	PB - PLAT BOOK
●	IRS - IRON ROD SET	PG - PAGE
▲	CP - COMPUTED EASEMENT POINT	SF - SQUARE FEET
□	CMF - CONCRETE MONUMENT	
⊙	MNF - MAN NAIL FOUND	
⊙	CP - COMPUTED POINT	
R/W	RIGHT-OF-WAY	NEW CITY LIMIT LINE
P/L	PROPERTY LINE	EXISTING CITY LIMIT
NTS	NOT TO SCALE	

CONTIGUOUS ANNEXATION BY THE
 CITY OF HICKORY KNOWN AS THE
 PROPERTIES OF BLUEBERRY
 FARM HICKORY LLC
 HICKORY, NORTH CAROLINA
 SURVEYED FOR FIORENZA COMMUNITIES

SCALE 1" = 200

Hickory Township	Catawba County
DATE: 09/09/2024	SCALE: 1"= 200'
SHEET 1 OF 2	J.N.:59558
DRAWN BY: D.W.	CHECK BY: M. Miller

THIS DRAWING IS THE PROPERTY OF THE SURVEYOR'S OFFICE.
 NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.

TIMMONS GROUP
 Infrastructure Technology
 Site Development Residential

State of North Carolina
Department of the Secretary of State

SOSID: 2881395
Date Filed: 7/18/2024 2:53:00 PM
Elaine F. Marshall
North Carolina Secretary of State
C2024 200 01501

Limited Liability Company
ARTICLES OF ORGANIZATION

Pursuant to §57D-2-20 of the General Statutes of North Carolina, the undersigned does hereby submit these Articles of Organization for the purpose of forming a limited liability company.

- 1. The name of the limited liability company is: Blueberry Farm Hickory LLC
(See Item 1 of the Instructions for appropriate entity designation)
- 2. The name and address of each person executing these articles of organization is as follows: (State whether each person is executing these articles of organization in the capacity of a member, organizer or both by checking all applicable boxes.) **Note: This document must be signed by all persons listed.**

Name	Business Address	Capacity
<u>Fiorenza Properties LLC</u>	<u>- 301 Fieldbrook Place Charlotte NC, 28209-2245 United States</u>	<input checked="" type="checkbox"/> Member <input checked="" type="checkbox"/> Organizer
_____	_____	<input type="checkbox"/> Member <input type="checkbox"/> Organizer
_____	_____	<input type="checkbox"/> Member <input type="checkbox"/> Organizer

3. The name of the initial registered agent is: Fiorenza Properties LLC

4. The street address and county of the initial registered agent office of the limited liability company is:
Number and Street 301 Fieldbrook Pl
City Charlotte State: NC Zip Code: 28209-2245 County: Mecklenburg

5. The mailing address, if different from the street address, of the initial registered agent office is:
Number and Street _____
City _____ State: NC Zip Code: _____ County: _____

6. Principal office information: (Select either a or b.)
a. The limited liability company has a principal office.
The principal office telephone number: _____
The street address and county of the principal office of the limited liability company is:
Number and Street: _____
City: _____ State: _____ Zip Code: _____ County: _____

The mailing address, if different from the street address, of the principal office of the company is:

Number and Street: _____

City: _____ State: _____ Zip Code: _____ County: _____

b. The limited liability company does not have a principal office.

7. Any other provisions which the limited liability company elects to include (e.g., the purpose of the entity) are attached.

8. **(Optional):** Listing of Company Officials (See instructions on the importance of listing the company officials in the creation document.

Name	Title	Business Address
Fiorenza Properties LLC	Managing Member	301 Fieldbrook Pl Charlotte NC, .

9. **(Optional):** Please provide a business e-mail address: Privacy Redaction
 The Secretary of State's Office will e-mail the business automatically at the address provided above at no cost when a document is filed. The e-mail provided will not be viewable on the website. For more information on why this service is offered, please see the instructions for this document.

10. These articles will be effective upon filing, unless a future date is specified:

This is the 18th day of July, 2024 .

Fiorenza Properties LLC

Adam Fiorenza

Signature

Adam Fiorenza Manager

Type or Print Name and Title

The below space to be used if more than one organizer or member is listed in Item #2 above.

Signature

Signature

Type or Print Name and Title

Type or Print Name and Title

NOTE:

1. Filing fee is \$125. This document must be filed with the Secretary of State.



LIMITED LIABILITY COMPANY ANNUAL REPORT

NAME OF LIMITED LIABILITY COMPANY: Fiorenza Properties, LLC

SECRETARY OF STATE ID NUMBER: 1478757 STATE OF FORMATION: NC

REPORT FOR THE CALENDAR YEAR: 2024

Filing Office Use Only
E - Filed Annual Report
1478757
CA202409901264
4/8/2024 09:46
<input type="checkbox"/> Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Fiorenza Properties, LLC

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____
SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY	4. REGISTERED AGENT OFFICE MAILING ADDRESS
<u>118 E Kingston Ave, Ste 16</u>	<u>118 E Kingston Ave, Ste 16</u>
<u>Charlotte, NC 28203 Mecklenburg County</u>	<u>Charlotte, NC 28203</u>

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Real Estate

2. PRINCIPAL OFFICE PHONE NUMBER: (704) 905-9908 x 3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS	5. PRINCIPAL OFFICE MAILING ADDRESS
<u>118 E Kingston Ave, Ste 16</u>	<u>118 E Kingston Ave, Ste 16</u>
<u>Charlotte, NC 28203</u>	<u>Charlotte, NC 28203</u>

6. Select one of the following if applicable. (Optional see instructions)
- The company is a veteran-owned small business
 - The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: <u>Adam R. Fiorenza</u>	NAME: _____	NAME: _____
TITLE: <u>President</u>	TITLE: _____	TITLE: _____
ADDRESS: _____	ADDRESS: _____	ADDRESS: _____
<u>301 Fieldbrook Place</u>		
<u>Charlotte, NC 28209</u>		

SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

<u>Adam R. Fiorenza</u>	<u>4/8/2024</u>
SIGNATURE	DATE

Form must be signed by a Company Official listed under Section C of This form.

<u>Adam R. Fiorenza</u>	<u>President</u>
Print or Type Name of Company Official	Print or Type Title of Company Official

This Annual Report has been filed electronically.
MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525

3886-1040

FILED ELECTRONICALLY
 CATAWBA COUNTY NC
 DONNA HICKS SPENCER

FILED Aug 01, 2024
 AT 08:51:00 AM
 BOOK 03886
 START PAGE 1040
 END PAGE 1046
 INSTRUMENT # 13522
 EXCISE TAX \$6,600.00
 MR

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax:	\$6,600.00
Parcel ID:	0042890, 0042901, 0042903, and 0042905
Mail/Box to:	Grantee
Prepared by:	Hamilton Stephens Steele & Martin, PLLC (GWS) 525 N. Tryon Street, Ste 1400, Charlotte, NC 28202
Brief description for the Index:	Approximately 126 acres near Catawba Valley Blvd., Catawba County, NC

THIS SPECIAL WARRANTY DEED ("Deed") is made on the 30 day of July, 2024, by and between:

GRANTOR	GRANTEE
Blueberry Farms, LLC A North Carolina limited liability company Mailing Address: 4455 NC Highway 10W Newton, NC 28658	Blueberry Farm Hickory LLC A North Carolina limited liability company Mailing Address: 118 E. Kingston Ave., Ste 16 Charlotte, NC 28203

Grantor and Grantee includes the above parties and their respective heirs, successors, and assigns, whether singular, plural, masculine, feminine or neuter, as required by context.

FOR VALUABLE CONSIDERATION paid by Grantee, the receipt and legal sufficiency of which is acknowledged, Grantor by this Deed does hereby grant, bargain, sell and convey to Grantee, in fee simple, all that certain lot, parcel of land or condominium unit in Catawba County, North Carolina and more particularly described as follows (the "Property"):

See attached Exhibit A.

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 3497, page 1092.

All or a portion of the Property includes or does not include the primary residence of a Grantor.

A map showing the Property is recorded in Plat Book ____, page ____.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple. Grantor covenants with Grantee that Grantor has done nothing to impair such title as Grantor received, and Grantor shall

3886-1041

warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

1. All easements, covenants, conditions, and restrictions of record and affecting the Property.
2. The lien of ad valorem taxes for the current year and subsequent years.
3. Matters that would be disclosed by a current and accurate survey of the property.
4. Zoning, land use, and building laws, regulations, and ordinances.

[signature and notarization on following page]

WEB

3886-1042

IN WITNESS WHEREOF, Grantor has duly executed this North Carolina Special Warranty Deed, if an entity by its duly authorized representative.

Blueberry Farms, LLC

By: *Michael Dorsey*
Name: Michael Dorsey
Title: Manager

STATE OF North Carolina
COUNTY OF Catawba

I Tammye Essary Smith, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 25 day of July, 2024 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): Michael Dorsey

Affix Notary Seal/Stamp
TAMMYE ESSARY SMITH
NOTARY PUBLIC
Catawba County
North Carolina
My Commission Expires May 19, 2027

Tammye Essary Smith
Notary Public (Official Signature)
My commission expires: 5/19/27

3886-1043

EXHIBIT A
LEGAL DESCRIPTION

Tract One:

All that certain lot or parcel of land situated in Hickory Township, Catawba County, North Carolina and being more particularly described as follows:

BEGINNING at an old corner iron located in the line of C. Michael Nicks and wife, Sally A. Nicks (now or formerly), and being the northwestern corner of the property of the City of Hickory (now or formerly), thence with the line of the City of Hickory, South 33 degrees 04 minutes 35 seconds West 1411.77 feet to an old corner iron; thence South 33 degrees 04 minutes 35 seconds West 23.40 feet to a point in the center of a creek; thence continuing in the creek for ten (10) calls: South 07 degrees 49 minutes 35 seconds West 26.95 feet to a point; thence South 15 degrees 04 minutes 18 seconds East 72.25 feet to a point; thence South 39 degrees 30 minutes 28 seconds West 19.19 feet to a point; thence South 57 degrees 03 minutes 58 seconds West 10.60 feet to a point; thence South 29 degrees 18 minutes 56 seconds East 20.84 feet to a point; thence South 00 degrees 45 minutes 30 seconds East 32.62 feet to a point; thence South 40 degrees 39 minutes 42 seconds East 25.08 feet to a point; thence South 10 degrees 53 minutes 27 seconds West 20.30 feet to a point; thence South 08 degrees 46 minutes 36 seconds East 23.99 feet to a point; thence South 07 degrees 42 minutes 03 seconds West 98.83 feet to a point; thence leaving the creek South 57 degrees 34 minutes 06 seconds West 257.00 feet to an iron pin; thence South 57 degrees 34 minutes 06 seconds West 53.76 feet to a point in the middle of the Henry Fork River; thence continuing in the Henry Fork River for two (2) calls, North 37 degrees 23 minutes 53 seconds West 332.49 feet to a point; thence North 33 degrees 08 minutes 01 seconds West 280.56 feet to a point; thence leaving the Henry Fork River, North 36 degrees 19 minutes 02 seconds East 40.45 feet to an iron pin in the line of Cline's Dairy, Inc. (now or formerly); thence with the line of Cline's Dairy, Inc., North 36 degrees 19 minutes 02 seconds East 1657.66 feet to an old corner iron set in the line of the property of C. Michael Nicks and wife, Sally A. Nicks (now or formerly); thence with the line of Nicks for two (2) calls, South 66 degrees 21 minutes 10 seconds East 295.80 feet to an iron pin; thence South 66 degrees 12 minutes 23 seconds East 127.23 feet to an old corner iron, the point of **BEGINNING**, and containing 21.104 acres, more or less, according to a survey dated February 11, 1997 by John C. Vaughn, RLS and entitled "Property of C. Michael Nicks and wife, Sally A. Nicks."

Together with that certain easement and right of way for personal and vehicular traffic for ingress and egress to and from the above-described property, as described in a deed of easement recorded in Book 1498 at Page 960 in the Catawba County Registry.

3886-1044

For partial chain of title, see those deeds recorded in Book 2884 at Page 1905 and Book 2019 at Page 636 in the Catawba County Registry.

This parcel is shown as Parcel Identification Number (PIN): 3701 - 12 - 75 - 5345 and LRK(Reid): 42905 in the Office of the Catawba County Tax Assessor.

Tract Two:

All that certain lot or parcel of land situated in Hickory Township, Catawba County, North Carolina and being more particularly described as follows:

BEGINNING at an iron pin located in the western line of Harry Barger and in the eastern line of Zelda Goodman near the barn, and running thence North 13 degrees 30 minutes East, a distance of 100 feet to an iron pin, a new corner; thence an new line, South 85 degrees 13 minutes West, a distance of 282 feet to an iron pin, another new corner; thence another new line, North 00 degrees 05 minutes East 54 feet to another new corner in the roadway; thence with the roadway, South 73 degrees 29 minutes West 450 feet to an iron pin, another new corner in the roadway; thence leaving the roadway, a new line, South 14 degrees 08 minutes West, a distance of 837 feet to an iron pin, another new corner, thence another new line, North 87 degrees 15 minutes East, a distance of 707.2 feet to an iron pin, a new corner in the Harry Barger line; thence with the western line of Harry Barger, North 13 degrees 30 minutes East, a distance of 800 feet, more or less, to an iron pin, an old corner, the point of the **BEGINNING**. Containing 13.82 acres, more or less, according to a plat of G. Sam Rowe, Sr., dated 02/08/80, and being a part of the first tract as described in Book 344 at Page 406 in the Catawba County Registry.

For partial chain of title, see those deeds recorded in Book 2884 at Page 1905 and Book 2010 at Page 1918 in the Catawba County Registry.

This parcel is shown as Parcel Identification Number (PIN): 3701 - 08 - 77 - 5545 and LRK(Reid): 42903 in the Office of the Catawba County Tax Assessor.

Tract Three:

Being all of that certain tract lying and being in Hickory Township, Catawba County, North Carolina, and more particularly described as follows:

BEGINNING at an iron stake set in the southern margin of the right of way for 16th Avenue Drive, S.E. (State Road Number 1173), the northeast corner of the property of Lois Deese, recorded in Plat Book 25 at

3886-1045

Page 14, Catawba County Registry, and thence in the right of way for said 16th Avenue Drive, S.E., for two (2) calls, North 79 degrees 00 minutes 56 seconds East 442.37 feet to a point; thence North 70 degrees 17 minutes 06 seconds East 194.35 feet to a point; thence to the southern edge of the right of way for 16th Avenue Drive, S.E., South 10 degrees 13 minutes 45 seconds West 31.65 feet to an iron stake in the line of Harry L. Jenkins (now or formerly); then with the line of Jenkins, South 10 degrees 13 minutes 45 seconds West 744.26 feet to an iron stake in the line of George A. Swanson and Harry R. Barger (now or formerly); thence with the line of Swanson and Barger for two (2) calls, South 85 degrees 31 minutes 30 seconds West 160.01 feet to a concrete monument; thence South 17 degrees 45 minutes West 251.37 feet to an iron pin, a corner of the property of Earl Goodman (now or formerly); thence with the line of Goodman, South 85 degrees 08 minutes 40 seconds West 281.64 feet to an iron stake, a corner of Goodman; thence continuing with the line of Goodman, North 07 degrees 56 minutes 54 seconds East 57.53 feet to an iron stake located in the old Brookford Road, a corner to Fred L. Goodman (now or formerly); thence with the line of Goodman for three (3) calls, North 03 degrees 06 minutes 40 seconds West 55.44 feet to an iron stake; thence North 14 degrees 03 minutes 22 seconds West 50.00 feet to an iron stake; thence North 35 degrees 31 minutes 14 seconds West 124.83 feet to an iron pin, a corner to Goodman and Bobby F. Morrison (now or formerly); thence with the line of Morrison for three (3) calls, North 59 degrees 16 minutes 55 seconds West 297.93 feet to an iron pin; thence North 59 degrees 18 minutes 55 seconds West 30.00 feet to an iron pin; thence North 18 degrees 06 minutes 06 seconds West 189.76 feet to an old stone corner, a corner to the Lois Deese property, as shown in Plat Book 25 at Page 14, Catawba County Registry; thence with the Deese property for two (2) calls, North 84 degrees 12 minutes 51 seconds East 407.28 feet to an iron pin; thence North 12 degrees 27 minutes 11 seconds East 244.04 feet to the point of BEGINNING and containing 13.589 acres, more or less, as shown on a survey dated September 16, 1996 by John C. Vaughn, R.L.S., and entitled "Property of Zelda B. Goodman Estate."

For partial chain of title, see those deeds recorded in Book 2884 at Page 1905 and Book 2010 at Page 1920 in the Office of the Register of Deeds for Catawba County, North Carolina.

This parcel is shown as Parcel Identification Number (PIN). 3701-08-78-9470 and LRK(Reid). 42901 in the Office of the Catawba County Tax Assessor.

Tract Four:

Being all of that certain tract lying and being in Hickory Township, Catawba County, North Carolina and being more particularly described as follows:

BEING all of Tract Three, as shown on that plat entitled "Property of Zelda H. Goodman" dated July 21, 1993 by Vaughn & Bradshaw Surveying Co., and being recorded in Plat Book 33 at Page 183 in the Office of

3886-1046

the Register of Deeds for Catawba County, North Carolina, and containing 77.20 acres, more or less, to which plat reference is hereby made for greater certainty of description.

For partial chain of title, see those deeds recorded in Book 2884 at Page 1905 and Book 2010 at Page 1920 in the Office of the Register of Deeds for Catawba County, North Carolina.

This parcel is shown as Parcel Identification Number (PIN): 3701 - 11 - 66 - 6796 and LRK(Reid): 42890 in the Office of the Catawba County Tax Assessor.

WEB

3886-1047

FILED ELECTRONICALLY
CATAWBA COUNTY NC
DONNA HICKS SPENCER

FILED Aug 01, 2024
AT 08:51:00 AM
BOOK 03886
START PAGE 1047
END PAGE 1052
INSTRUMENT # 13523
EXCISE TAX \$0.00
MR

NORTH CAROLINA NON-WARRANTY DEED

Excise Tax:	\$0.00
Parcel ID:	0042890, 0042901, 0042903, and 0042905
Mail/Box to:	Grantee
Prepared by:	Hamilton Stephens Steele & Martin, PLLC (GWS) 525 N. Tryon Street, Ste 1400, Charlotte, NC 28202 (*no title search performed*)
Brief description for the Index:	Approximately 126 acres near Catawba Valley Blvd, Catawba County, NC

THIS NON-WARRANTY DEED ("Deed") is made on the 30 day of July, 2024, by and between:

GRANTOR	GRANTEE
Blueberry Farms, LLC a North Carolina limited liability company	Blueberry Farm Hickory LLC, a North Carolina limited liability company
Mailing Address: 4455 NC Highway Newton, NC 28658	Mailing Address: 118 E. Kingston Ave., Ste 16 Charlotte, NC 28203

Grantor and Grantee includes the above parties and their respective heirs, successors, and assigns, whether singular, plural, masculine, feminine or neuter, as required by context.

FOR VALUABLE CONSIDERATION paid by Grantee, the receipt and legal sufficiency of which is acknowledged, Grantor by this Deed does hereby grant, bargain, sell and convey to Grantee, in fee simple, all of its right, title, and interest in and to that certain lot, parcel of land or condominium unit in Catawba County, North Carolina and more particularly described as follows (the "Property"): See attached Exhibit A.

All or a portion of the Property was acquired by Grantor by instrument recorded in Book _____, page _____.

All or a portion of the Property includes or does not include the primary residence of a Grantor.

A map showing the Property is recorded in Plat Book _____, page _____.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple. **Grantor makes no warranty of title to the Property.**

[signature and notarization on following page]

3886-1048

IN WITNESS WHEREOF, Grantor has duly executed this North Carolina Non-Warranty Deed, if an entity by its duly authorized representative.

Blueberry Farms, LLC

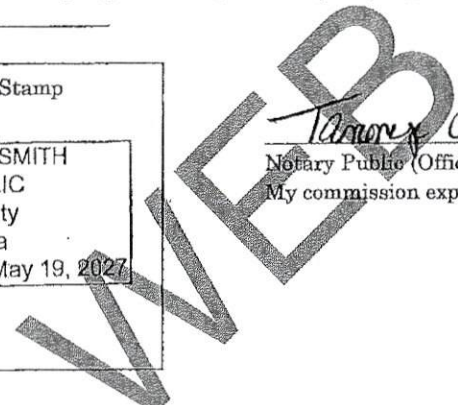
By: *Michael Dorsey*
Name: Michael Dorsey
Title: Manager

STATE OF North Carolina, COUNTY OF Catawba

I Tammye Essary-Smith, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 25 day of July 2024 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any):
Michael Dorsey

Affix Notary Seal/Stamp
TAMMYE ESSARY SMITH
NOTARY PUBLIC
Catawba County
North Carolina
My Commission Expires May 19, 2027

Tammye Essary-Smith
Notary Public (Official Signature)
My commission expires: 5/19/27



3886-1049

EXHIBIT A
LEGAL DESCRIPTION

BLUEBERRY FARMS, LLC, PARCEL I

Being Catawba County PID 370112755345, Property of Blueberry Farms LLC as recorded as Tract 1 of Deed Book 3497 Page 1092 of the Catawba County Public Registry.

BEGINNING at a found iron pipe at the northwestern corner of the City of Hickory property as recorded in Deed Book 895 Page 260 and Deed Book 1658 Page 743 of the Catawba County public registry thence with said property twelve (12) courses; 1.) S 34° 09' 36" W passing through a found iron pipe at 1411.38 feet for a total distance of 1435.17 feet to a point, 2.) S 08° 54' 36" W for a distance of 26.95 feet to a point, 3.) S 13° 59' 17" E for a distance of 72.25 feet to a point, 4.) S 40° 35' 29" W for a distance of 19.19 feet to a point, 5.) S 58° 08' 59" W for a distance of 10.60 feet to a point, 6.) S 28° 13' 55" E for a distance of 20.84 feet to a point, 7.) S 00° 19' 31" W for a distance of 32.62 feet to a point, 8.) S 39° 34' 41" E for a distance of 25.08 feet to a point, 9.) S 11° 58' 28" W for a distance of 20.30 feet to a point, 10.) S 07° 41' 35" E for a distance of 23.99 feet to a point, 11.) S 08° 47' 04" W for a distance of 98.83 feet to a point, 12.) S 58° 39' 07" W for a distance of 310.76 feet to a point in Henry Fork River and on the eastern boundary of the Donna Lee Wood and Hal Nelson Wood property as recorded in deed Book 1797 Page 105 and Deed Book 936 page 256 of the Catawba County public registry, thence with said River and said property two (2) courses; 1.) N 36° 18' 52" W for a distance of 332.49 feet to a point, 2.) N 32° 03' 53" W for a distance of 281.39 feet to a point on the southeastern line of the Cline Dairy Inc. property as recorded in Deed Book 336 Page 436 of the Catawba County public registry, thence with said property N 37° 24' 03" E for a distance of 1698.11 feet to a found iron pipe on the line of the Blueberry Farms LLC property as recorded as Tract 4 in deed Book 3497 Page 1092, thence with said line S 65° 13' 14" E a distance of 423.79 feet to the POINT OF BEGINNING, containing 920,778 SF or 21.138 acres of land, more or less.

BLUEBERRY FARMS, LLC, PARCEL II

Being Catawba County PID 370108775545, Property of Blueberry Farms LLC as recorded as Tract 2 of Deed Book 3497 Page 1092 of the Catawba County Public Registry.

Commencing at a point in the right of way of Catawba Valley Parkway, said point being N 12° 20' 07" E a distance of 31.35 feet from a found axle at the northwestern corner of the Clinton Tabernacle African Methodist Episcopal Zion Church property as recorded in Deed Book 2232 Page 164 of the Catawba County public registry, thence with said property S 12° 20' 07" W for a distance of 775.57 feet to a found angle iron on the northern line of the Kogent LLC property recorded as Parcel I in Deed Book 3731 Page 960 of the Catawba County public registry, thence with said property two (2) courses; 1.) S 87° 29' 29" W for a distance of 160.05 feet to a found monument, 2.) S 19° 52' 32" W for a distance of 250.81 feet to a found iron pipe at the POINT OF BEGINNING thence continuing with said Kogent LLC Parcel 1, S 14° 48' 31" W passing through a found iron rod at 55.30 feet for a total distance of 895.56 feet to a found iron rod at a corner of the Blueberry Farms LLC property recorded as Tract IV in Deed Book 3497 Page 1092

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of the Catawba County public registry, thence with said property two (2) courses; 1.) S 88° 46' 02" W for a distance of 704.48 feet to a point, 2.) N 15° 12' 03" E for a distance of 837.04 feet to a point on the southern line of the Futuro LLC property as recorded in Deed Book 2144 Page 1327 of the Catawba County public registry, thence with said property N 75° 16' 54" E for a distance of 457.37 feet to a found iron rod on the western line of another Blueberry Farms LLC property recorded as Tract III in Deed Book 3497 Page 1092 of the Catawba County public registry, thence with said property two (2) courses; 1.) S 09° 52' 27" W for a distance of 57.55 feet to a found iron rod, 2.) N 87° 12' 34" E for a distance of 281.58 feet to the POINT OF BEGINNING, containing 600,765 SF or 13.792 acres of land, more or less.

BLUEBERRY FARMS, LLC, PARCEL III

Being Catawba County PID 370108789470, Property of Blueberry Farms LLC as recorded as Tract 3 of Deed Book 3497 Page 1092 of the Catawba County Public Registry.

Beginning at a point in the right of way of Catawba Valley Parkway, said point being N 12° 20' 07" E a distance of 31.35 feet from a found axle at the northwestern corner of the Clinton Tabernacle African Methodist Episcopal Zion Church property as recorded in Deed Book 2232 Page 164 of the Catawba County public registry, thence with said property S 12° 20' 07" W for a distance of 775.57 feet to a found angle iron on the northern line of the Kogent LLC property recorded as Parcel I in Deed Book 3731 Page 960 of the Catawba County public registry, thence with said property two (2) courses; 1.) S 87° 29' 29" W for a distance of 160.05 feet to a found monument, 2.) S 19° 52' 32" W for a distance of 250.81 feet to a found iron pipe at the northeastern corner of the Blueberry Farms LLC property recorded as Tract II in Deed Book 3497 Page 1092 of the Catawba County public registry, thence with said property two (2) courses; 1.) S 87° 12' 34" W for a distance of 281.58 feet to a found iron rod, 2.) N 09° 52' 27" E for a distance of 57.55 feet to a found iron rod at a corner of the Futuro LLC property as recorded in Deed Book 2144 Page 1327 of the Catawba County public registry, thence with said property five (5) courses; 1.) N 00° 59' 26" W for a distance of 55.36 feet to a found iron rod, 2.) N 11° 55' 13" W passing through a found iron rod at 13.77 feet for a total distance of 50.02 feet to a set iron rod, 3.) N 33° 24' 44" W for a distance of 124.83 feet to a found iron rod, 4.) N 57° 09' 43" W passing through a found iron rod at 297.82 feet for a total distance of 327.66 feet to a set iron rod, 5.) N 15° 59' 17" W for a distance of 190.06 feet to a found stone at the southwestern corner of the Miki C Weaver property as recorded in Deed Book 3573 Page 517 as recorded in Catawba County public registry, thence with said property two (2) courses; 1.) N 86° 20' 57" E for a distance of 407.25 feet to a found iron rod, 2.) N 14° 33' 48" E for a distance of 243.49 feet to a set iron rod, thence within the right of way of Catawba Valley Parkway two (2) courses; 1.) N 81° 07' 28" E for a distance of 442.27 feet to a point, 2.) N 72° 23' 02" E for a distance of 194.40 feet to the POINT OF BEGINNING, containing 591,486 SF or 13.579 acres of land, more or less.

BLUEBERRY FARMS, LLC PARCEL IV

Being Catawba County PID 370111666796, Property of Blueberry Farms LLC as recorded as Tract 4 of Deed Book 3497 Page 1092 of the Catawba County Public Registry.

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Beginning at a set iron rod in the 50' future right of way of 3rd Street Place SE as shown on Plat Book 33 Page 183 of the Catawba County public registry, said point being at the northwestern corner of the Blueberry Farms LLC property recorded as Tract II in Deed Book 3497 Page 1092 of the Catawba County public registry, thence with said property two (2) courses; 1.) S 15° 12' 03" W for a distance of 837.04 feet to a point, 2.) N 88° 46' 02" E for a distance of 704.48 feet to a found iron rod on the western line of the Kogent LLC property recorded as Parcel I of Deed Book 3731 Page 960 of the Catawba County public registry, thence with said property two (2) courses; 1.) S 14° 48' 31" W passing through found iron rods at 101.93 feet and 166.04 feet for a total distance of 244.61 feet to a found stone, 2.) N 86° 08' 04" E for a distance of 1018.03 feet to a set iron rod at the southwestern corner of the Mike R Terry property as recorded in Deed Book 2995 Page 391 of the Catawba County public registry, thence with said property) N 86° 08' 04" E for a distance of 114.09 feet to a found axle at the northwestern corner of the John Lee Barger and Gilda Mae B Barger property as recorded in Deed Book 1037 Page 36 of the Catawba County public registry, thence with said property and the John Lee Barger and Gilda Mae B Barger property as recorded in Deed Book 1036 Page 473 of the Catawba County public registry S 25° 45' 16" W passing through found iron rods at 87.88 feet and 221.44 feet for a total distance of 1236.74 feet to a found iron pipe on the northern line of the City of Hickory property as recorded in Deed Book 895 page 260 and deed Book 1658 Page 743 of the Catawba County public registry thence with said property N 65° 07' 24" W passing through a found iron rod at 65.43 feet for a total distance of 247.92 feet to a found iron pipe at the northeastern corner of the Blueberry Farms LLC property recorded as Tract I in Deed Book 3497 Page 1092 of the Catawba County public registry, thence with said property N 65° 13' 14" W for a distance of 423.79 feet to a found iron pipe at the northeastern corner of the Clines Dairy Inc property recorded as Deed Book 336 Page 436 of the Catawba County public registry, thence with said property two (2) courses; 1.) N 65° 29' 18" W for a distance of 513.36 feet to a found stone, 2.) S 52° 46' 21" W for a distance of 765.31 feet to a found iron pipe at the northeastern corner of the Clines Dairy Inc property recorded as Deed Book 1222 Page 273 of the Catawba County public registry, thence with said property N 68° 19' 00" W for a distance of 1682.78 feet to a found iron pipe at the southeastern corner of the Carolina Solvents property as recorded in Deed Book 1852 page 1259 of the Catawba County public registry, thence with said property N 30° 22' 28" E for a distance of 436.94 feet to a found iron pipe at the southeastern corner of the City of Hickory property as recorded in deed Book 2098 page 1017, thence with said property N 29° 16' 08" E for a distance of 173.22 feet to a found iron pipe at the southwestern corner of the Frederico Adrian Depaz and Maria Roselbee Sanchez Munoz property as recorded in Deed Book 3449 Page 1200 of the Catawba County public registry, thence with said property two (2) courses; 1.) S 62° 40' 47" E for a distance of 174.11 feet to a found iron pipe, 2.) S 79° 05' 59" E for a distance of 119.92 feet to a found axle at the southwestern corner of the Rose Ann Evans property as recorded in Deed Book 3421 Page 1804 of the Catawba County public registry, thence with said property N 81° 24' 29" E for a distance of 541.76 feet to a found iron rod at the southwestern corner of the Henry Clay Evans and Rose Ann Evans property as recorded in Deed Book 1215 Page 47 of the Catawba County public registry, thence with said property N 76° 28' 20" E for a distance of 221.16 feet to a set iron rod at the southwestern corner of the Henry Clay Evans and Rose W Evans and Loretta Evans Carpenter property as recorded in Deed Book

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2510 Page 567 of the Catawba County public registry, thence with said property two (2) courses; 1.) N 85° 38' 36" E for a distance of 426.90 feet to a found iron pipe, 2.) N 24° 32' 39" W for a distance of 472.84 feet to a found iron pipe on the southern line of the Futuro LLC property as recorded in Deed Book 2144 Page 1327 of the Catawba County public registry, thence with said property three (3) courses; 1.) N 74° 17' 06" E for a distance of 282.18 feet to a found iron rod, 2 N 04° 49' 57" E for a distance of 214.80 feet to a set iron rod, 3.) N 75° 16' 54" E for a distance of 400.78 feet to the POINT OF BEGINNING, containing 3,362,399 SF or 77.190 acres of land, more or less.

WEB

RESOLUTION 24-____
RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION,
PURSUANT TO G.S. 160A-31 OR G.S. 160A-58.1, AS AMENDED

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council of the City of Hickory has, by Resolution, directed the clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the Clerk as to the sufficiency of said petition has been made.

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

Section 1: That a public hearing on the question of annexation of the area described herein will be held at 6:00 p.m. on October 15, 2024, in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

Section 2: The area proposed for annexation is described as follows:

Property of Blueberry Farm Hickory LLC, containing 151.218-acres more or less, located on Catawba Valley Boulevard SE between 3rd Street Place SE and 18th Avenue SE, and identified as PINs 3701-08-77-5545; 3701-08-78-9470; 3701-12-75-5345; 3701-11-66-6796; 3701-12-87-5316; 3701-12-87-7400; and 3701-08-87-5621.

Section 3: Notice of said public hearing shall be published in the Hickory Daily Record, a newspaper having general circulation in the City of Hickory, at least ten (10) days prior to the date of said public hearing.

Hank Guess
Mayor

Warren Wood, City Manager

Resolution No. 24-____
Blueberry Farm Hickory LLC
Voluntary Contiguous Annexation

RESOLUTION NO. 24-___

A RESOLUTION DETERMINING THE INTENT TO ANNEX INTO THE CORPORATE LIMITS OF THE CITY OF HICKORY CERTAIN PROPERTY OWNED BY BLUEBERRY FARM HICKORY LLC AND CALLING FOR A PUBLIC HEARING ON THE SAME

WHEREAS, Blueberry Farm Hickory LLC is the owner of certain real property as described herein, which property is located on Catawba Valley Boulevard SE between 3rd Street Place SE and 18th Avenue SE, and identified as PINs 3701-08-77-5545; 3701-08-78-9470; 3701-12-75-5345; 3701-11-66-6796; 3701-12-87-5316; 3701-12-87-7400; and 3701-08-87-5621, containing 151.218-acres more or less; and

WHEREAS, such property is currently located in the City's extra-territorial jurisdictional (ETJ); and

WHEREAS, it is in the best interest of the health, safety, and well-being of the residents of the City of Hickory to annex such property into the corporate limits of the City of Hickory as authorized by N.C.G.S. Section 160A-31; and

NOW, THEREFORE BE IT RESOLVED by the Hickory City Council, sitting in open session this 1st day of October, 2024, at a regularly scheduled meeting of the governing body of said Council, duly called and posted in accordance with the statutes of the State of North Carolina, as follows:

Section 1: That the Hickory City Council does determine that it is in the best interest of the health, safety, and well-being of the residents of the City of Hickory to annex the property described hereinafter into the corporate limits of the City of Hickory.

Section 2: That a public hearing on the question of annexation of the area described herein will be held at 6:00 p.m. on October 15, 2024, in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

Section 3: The same being that property reflected on map entitled Blueberry Farm Hickory, LLC, Voluntary Contiguous Annexation Map 1 City Boundary, subject property outlined in red; Blueberry Farm Hickory LLC Voluntary Contiguous Annexation Map 2, Current Zoning, subject property outlined in red; Blueberry Farm Hickory LLC Voluntary Contiguous Annexation, Map 3, Aerial Imagery subject property outlined in red.

**Resolution No. 24-___
Resolution Determining Need For Annexation Of Property Owned by
Blueberry Farm Hickory LLC and Directing Call For Public Hearing
October 2024**

Section 4: Notice of said public hearing shall be published in *The Hickory Daily Record*, a newspaper having general circulation in the City of Hickory, at least ten (10) days prior to the date of said public hearing.

Done this 1st day of October, 2024.

(SEAL)

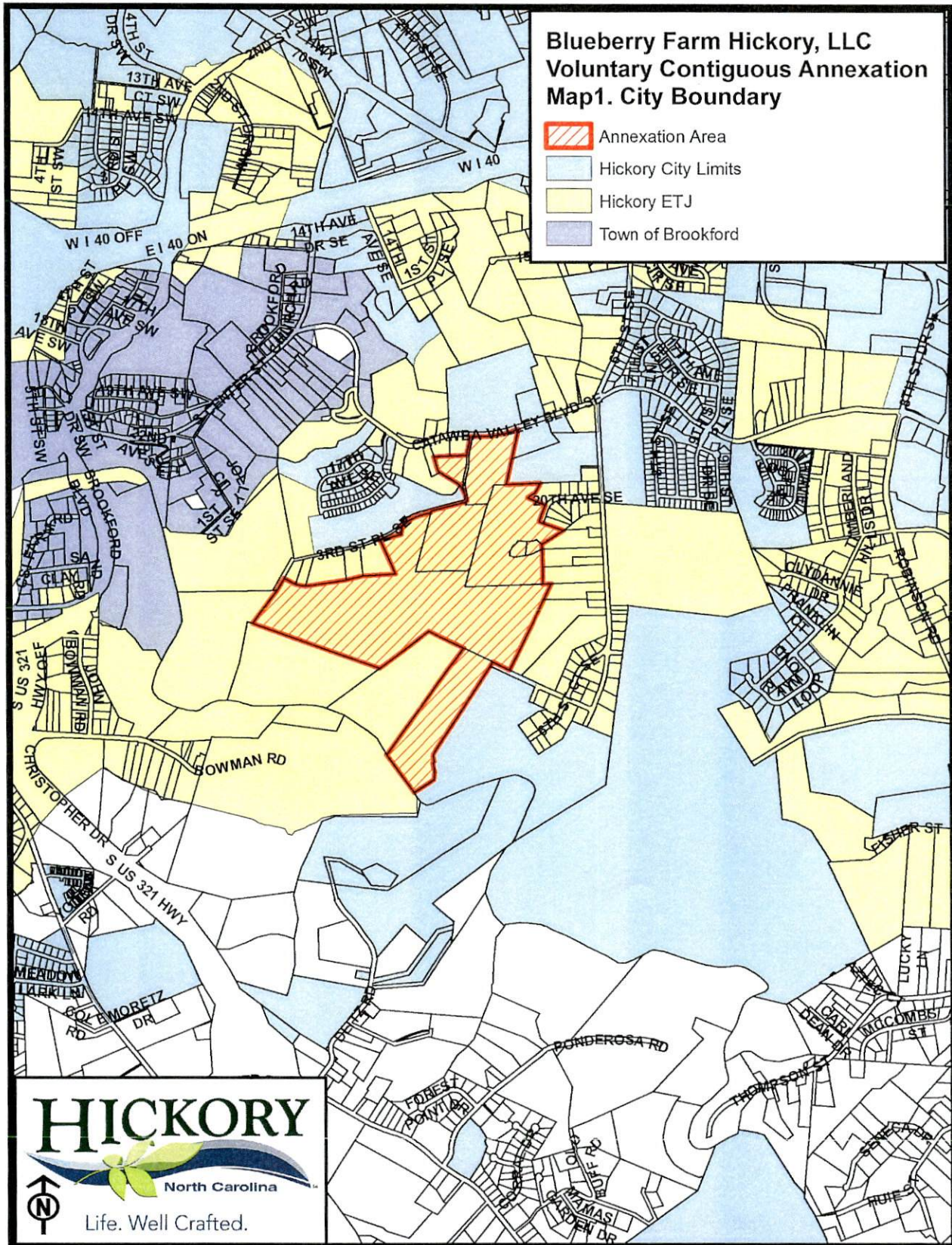
THE CITY OF HICKORY, A
North Carolina Municipal Corporation

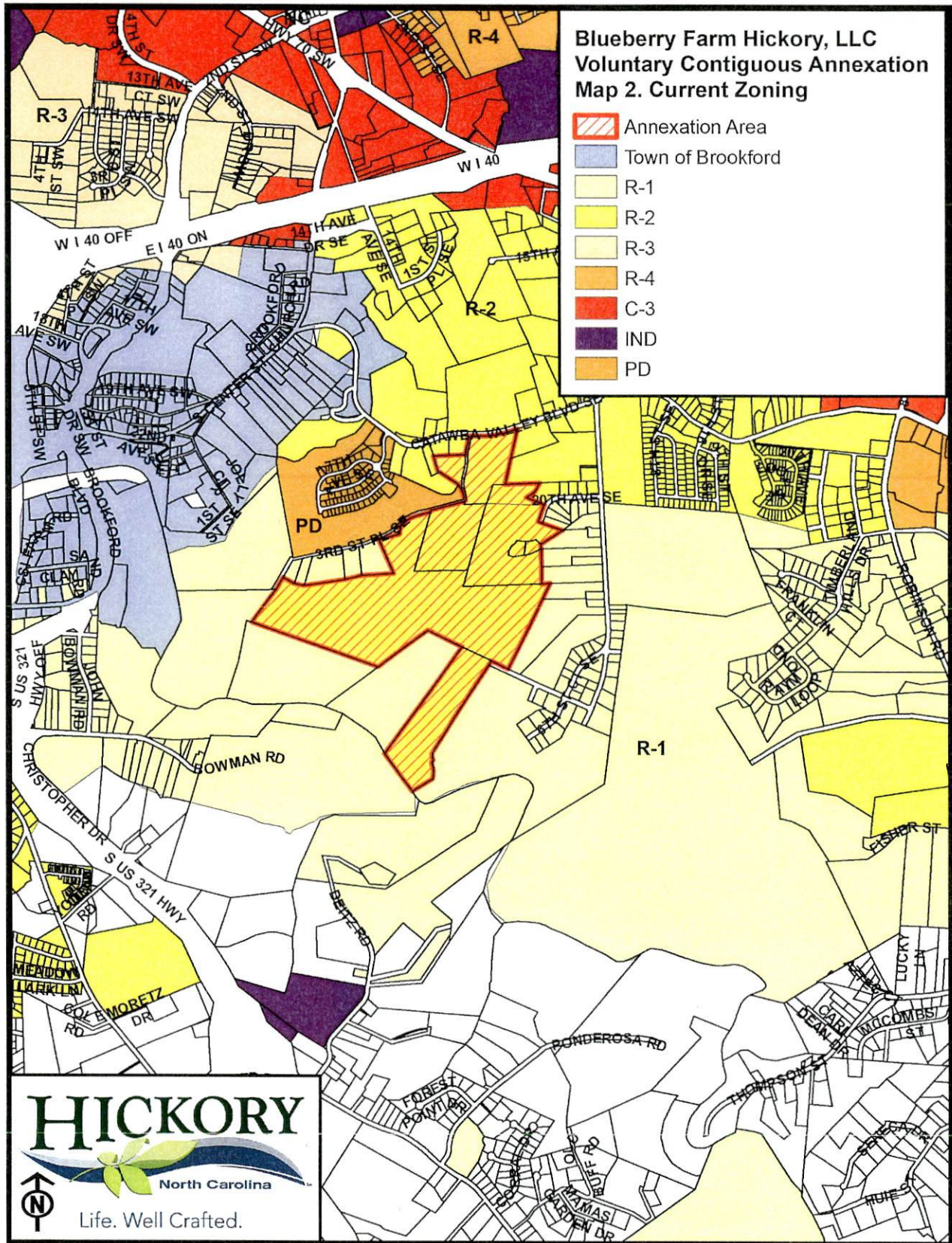
Attest:

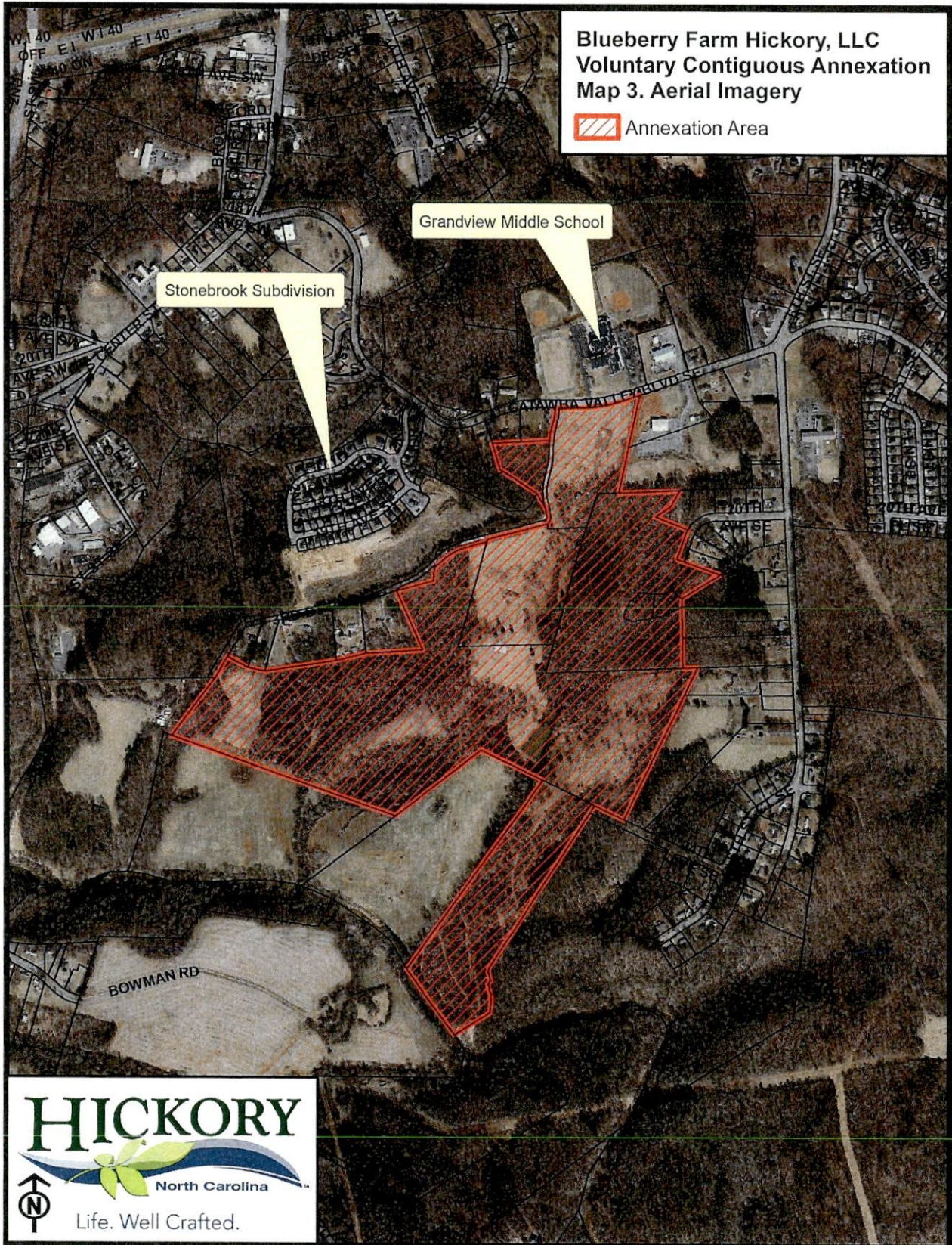
By: _____
Hank Guess, Mayor

Debbie D. Miller, City Clerk

Resolution No. 24-____
Resolution Determining Need For Annexation Of Property Owned by
Blueberry Farm Hickory LLC and Directing Call For Public Hearing
October 2024







VOLUNTARY CONTIGUOUS ANNEXATION ANALYSIS

APPLICANT: Blueberry Farm Hickory, LLC

AGENT: Adam Fiorenza – Managing Member

PROPERTY LOCATION: 432 Catawba Valley Blvd SE, 2115 3rd St Place SE and five other adjoining parcels

PINS: 370108789470, 370108775545, 370108875621, 370112877400, 370112875316, 370111666796, 370111666796

REQUESTED ACTION: The request is for a voluntary contiguous annexation.

WARD: If annexed, this property will be located in Ward 4 (Councilman Freeman).

ACREAGE: 151.218 acres

DEVELOPMENT POTENTIAL: The properties are currently located within the City of Hickory’s extraterritorial jurisdiction, and zoned R-2 Residential. The owners / developer intends to construct a residential subdivision containing 308 attached and detached single-family residences utilizing a conservation subdivision technique. This technique creates smaller building lots with preserved open space. The existing R-2 zoning permits residential density at a rate of four units per acre, which could result in the construction of 600+ dwellings. The density proposed by the developer is approximately 50% of what could potentially be constructed.

TAX VALUE: The current tax value of the properties is \$948,100. If annexed, the property would generate \$4,313 in additional tax revenues.

POPULATION INCREASES: The properties are vacant, but are planned to be developed for the location on 308 residential building lots. Upon completion, the residential development will add an additional 727 new residents. This estimate is based upon the U.S. Census Bureau’s residential household size estimate for single-family dwellings in the city, which is 2.36 persons per household.

SCHOOL DISTRICTS: The property is located within the jurisdictional area of the Hickory Public System, and located in the following school districts:

School Type	School District	Student Multiplier Per Dwelling	Number of Potential or Existing Dwelling Units	Potential Additional Students
Elementary	Longview / SW	0.20	308	62
Middle	Grandview	0.09	308	28
High	Hickory	0.10	308	31

**Note: The student multipliers above reflect estimates and are for single-family dwellings only.*

SURROUNDING ZONING AND LAND USE (See Maps 2 & 3):

- **North:** The properties are zoned R-2 Residential and Planned Development and occupied by Grandview Middle School and future residential building lots in the Stonebrook Development.
-
- **South:** The properties are zoned R-1 Residential and are vacant.
- **East:** The properties are zoned R-2 Residential and occupied by residences or vacant.
- **West:** The property is zoned Planned Development and are future residential building lots in the Stonebrook development.

UTILITY SERVICE: Water and sewer are both available. The developer has installed part of the system, and will be required to finish installation before home construction begins. All work on the system will be at the cost of the developer.

ACCESS: Access to and from the properties is from Catawba Valley Boulevard SE and 20th Avenue SE which are maintained by the North Carolina Department of Transportation. During construction of the proposed development, the developer will construct internal streets and connect to the above mentioned streets in accordance with City and NCDOT specifications.

DISTANCE FROM CITY LIMITS (See Map 1): The properties are contiguous to the property along their northern and eastern boundaries.

STAFF COMMENTS:

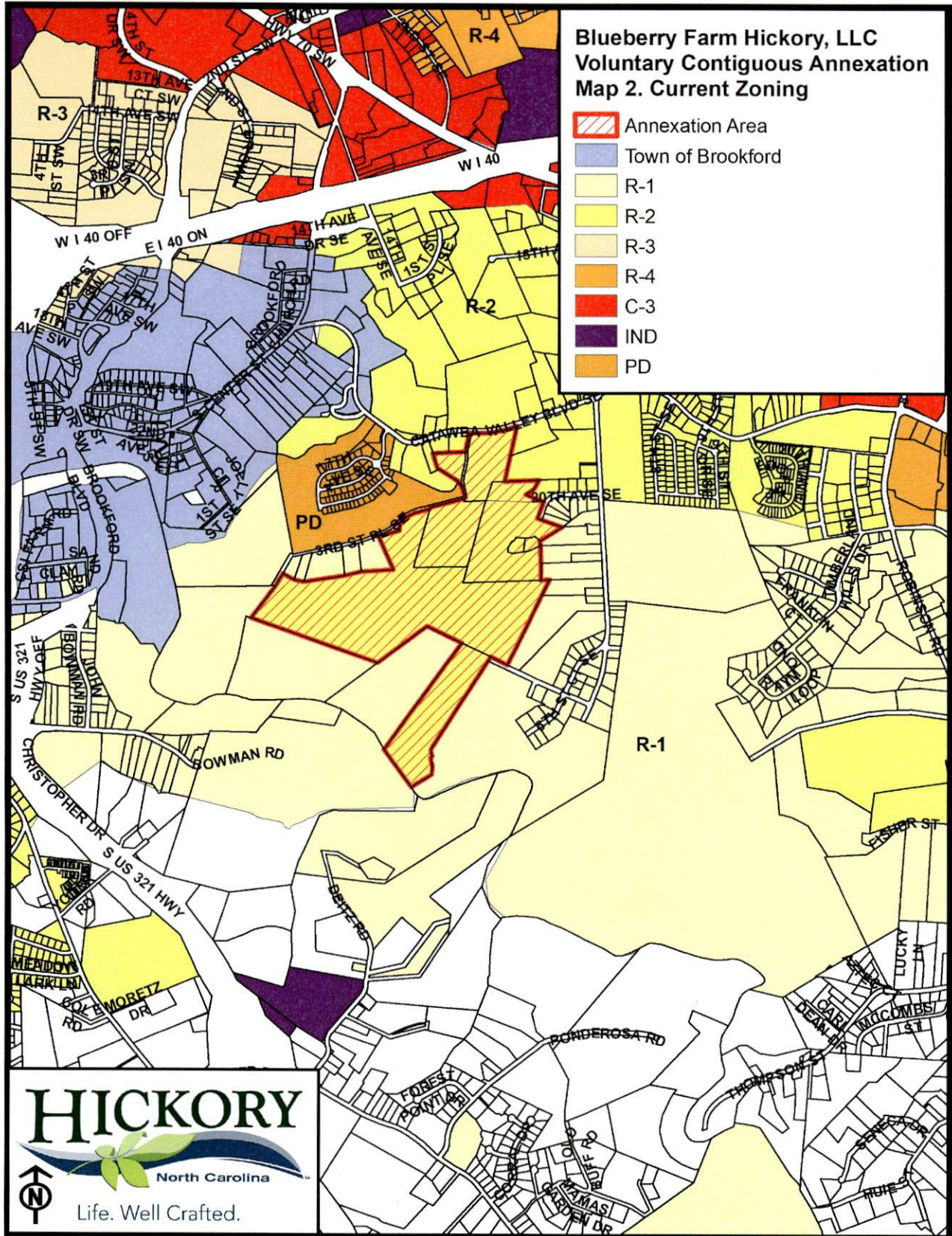
- **Fire:** The annexation of the properties, which are currently adjacent to HFD Station 7's response area, would not adversely affect the fire department's operations.
- **Police Department:** If annexed, the properties will be located in Charles PACT. The westernmost edge of the annexation area is approximately 350 yards of the Hickory Police Department's Firearms Range. The easternmost edge of the annexation area is approximately 1550 yards of the Hickory Police Department's Firearms Range. The level of future traffic on the roadways in and around the entrance to the annexation area will likely be significant. The level of future traffic on these surrounding roadways will likely also be more impacted if the projected numbers of homes are added to Stonebrook, which touches a portion of the annexation area.
- **Engineering:** No objections.
- **Planning:** No objections.
- **Public Services:** No objections.

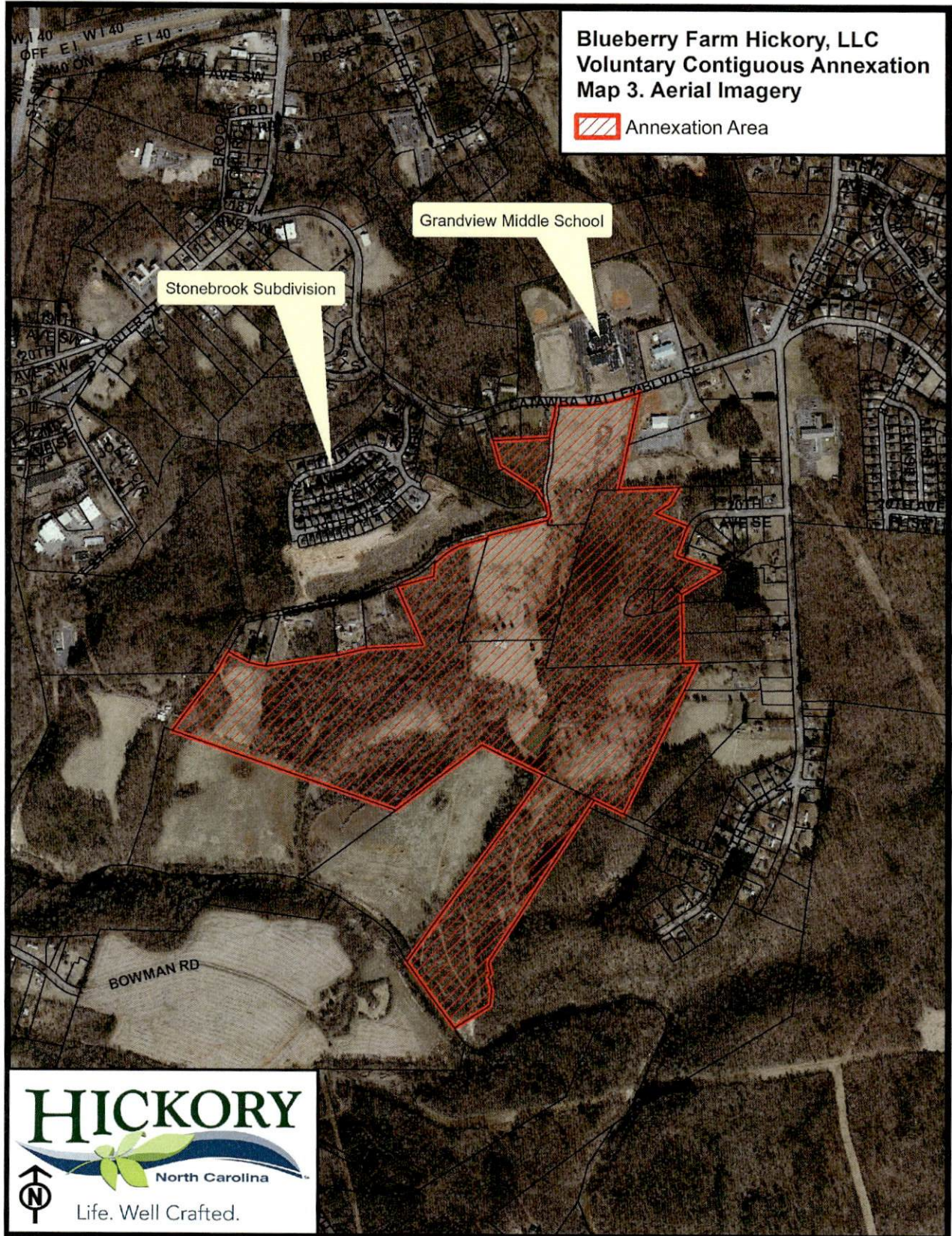
- Public Utilities Water and sewer are both available. The developer has installed part of the system, and will be required to finish installation before home construction begins. All work on the system will be at the cost of the developer.
-
- Legal: No objections.
- City Manager's Office: No objections.

STAFF RECOMMENDATION: Upon evaluation staff has found the following:

1. The voluntary satellite annexation petition complies with applicable statutes regarding the voluntary annexation of contiguous properties.
2. Adequate public services are available in sufficient quantities to properly serve the property, subject to the comments provided above.
3. The annexation of the property will not cause available public services to fall below acceptable levels.

Based upon the findings provided above, staff recommends City Council approve the voluntary satellite annexation petition.





COUNCIL AGENDA MEMOS

To: City Manager's Office

From: Office of Business Development, Planning Division

Contact Person: Cal Overby, Planning Manager

Date: September 19, 2024

Re: Voluntary satellite annexation of property owned by RFW, LLC.

REQUEST

Call for public hearing, to be held on October 15, 2024, for the consideration of the voluntary satellite annexation of 3.799 acres of property located at the eastern corner of the intersection of 21st Street Drive SE and 27th Street Drive SE. This property is identified as PIN 3722-14-32-1763.

BACKGROUND

The property is currently located within the City of Hickory's extraterritorial jurisdiction, and zoned Industrial (IND). This zoning designation provides opportunities for the development of manufacturing facilities, medical offices, professional office and limited retail uses. Unlike other city zoning districts, Industrial zoning does not have a prescribed maximum density. The owner of the property has indicated they intend to construct and operate a recreational vehicle storage facility.

The property owner desires to connect the property to city sewer service, which requires annexation.

ANALYSIS

The owner of the property is requesting annexation in order to gain access to city utilities. As previously noted, the property is planned to be developed as a storage facility for recreational vehicles.

Surrounding properties are zoned Industrial (IND), and are occupied by grandfathered non-conforming residences.

The current tax value of the property is \$134,500. If annexed, the property would generate \$612 in additional tax revenues. This value does not consider any new construction that is to occur.

Upon analysis, staff has determined the petition meets the statutory requirements for voluntary satellite annexation, and adequate public services are available.

RECOMMENDATION

Staff finds the petition to be in conformity with applicable statutes and recommends approval of the petition.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

Reviewed by:

Brian Frazier
Initiating Department Head

9/19/2024
Date

City Attorney, T. Swanson

Date

Rodney Miller
Asst. City Manager R. Miller

9/26/24
Date

R. Beasley
Asst. City Manager, R. Beasley

9/26/24
Date

Kari Dunlap
Finance Officer, K. Dunlap

9/23/24
Date

Cameron McHargue
Deputy Finance Officer,
Cameron McHargue

9-23-24
Date

Y. Fox
Asst. City Manager Y. Fox

9/26/24
Date

Recommended for approval and placement on _____ Council agenda (as
Consent, Public Hearing, Informational, Department Report, etc).

Warren Wood
City Manager, Warren Wood

9.26.24
Date

RESOLUTION NO. 24-____
RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED
UNDER G.S. 160A-31 AND/OR 160A-58.1, AS AMENDED

WHEREAS, a petition from RFW Properties, LLC requesting annexation of an area described in a petition was received on September 16, 2024 by the City Council of the City of Hickory; and

WHEREAS, G.S. 160A-31 and G.S. 160A-58.1 provide that the sufficiency of the petition shall be investigated by the Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Hickory deems it advisable to proceed in response to this request for annexation.

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

THAT, the Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the City Council the result of her investigation.

CERTIFICATE OF SUFFICIENCY

TO THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA:

I, Debbie D. Miller, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31 and/or G.S. 160A-58.1, as amended:

Property of RFW Properties, LLC, located at the eastern corner of the intersection of 21st Street Drive SE and 27th Street Drive SE, Hickory, containing 3.799-acres more or less, and identified as PIN 3722-14-32-1763.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory this 16th day of September 2024.



Debbie D. Miller

Debbie D. Miller, City Clerk

This instrument has been preaudited
in the manner required by the Local
Government Budget and Fiscal
Control Act.

Kari Dwyer

City of Hickory
Finance Officer

CITY OF HICKORY APPLICATION FOR VOLUNTARY ANNEXATION

DATE SUBMITTED: 8/30/2024

TO THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA:

I (We), the undersigned, do hereby respectfully make application and petition for voluntary annexation into the municipal limits of the City of Hickory.

1. The property be future voluntarily annexed is located on 21st Street Drive SE between 9th Avenue SE and 12th Avenue SE and is shown in more detail on the attached survey.

PIN NO. (S) : 372214321763

Physical (Street) Address: Currently unassigned

2. The property is owned by: (please print) RFW Properties, LLC
(Attach a copy of the most recent deed.)

Owner Information:

Name: RFW Properties, LLC

Address: 6720 Lakeview Terrace, Hickory, NC 28601

Phone Number: 828-515-4388

3. The petition is submitted by: Ronald Weber, President, RFW Properties, LLC
(If the Petition is submitted by someone other than the owner, the attached agent authorization must be signed, notarized and submitted from the owner(s) authorizing the agent to act on his behalf.)

Agent Information:

Name: Ronald Weber

Address: 6720 Lakeview Terrace, Hickory, NC 28601

Phone Number: 828-515-4388

4. If future annexation is approved by the Hickory City Council, the applicant agrees to enter into a legally binding annexation agreement that will authorize the City of Hickory to annex the property(s) once the City feels such an annexation is feasible.
5. If annexation is approved by the Hickory City Council, and if the property(s) is not currently zoned by the City of Hickory, the applicant would request that the property be placed into a Industrial zoning district.

6. WATER AND SEWER AVAILABILTY AND CONNECTIONS

We, the undersigned property owner(s), herby understand and agree we shall be responsible for all costs associated with providing for extensions and/or connections to the City of Hickory public utility system (water and sewer). This includes all design, permitting, construction, legal and applicable City of Hickory Tap Fees. Furthermore, we shall be responsible for obtaining any and all necessary easements and encroachment agreements needed to provide for such extensions or connections and provide those to the City of Hickory as appropriate.

The undersigned owner further acknowledges, they shall be responsible for any future utility extensions required to serve the property due to subdivision of the property.

7. APPLICANT'S AFFIDAVIT

We, the undersigned property owners(s), hereby certify that the information contained herein and submitted in support of this application is true and correct and the property owner's list and associated envelopes were obtained using the most recent Tax Office property information and are true, correct and complete.

Ronald Weber
Printed Name of Property Owner(s)

Ronald Weber
Signature of Property Owner(s)

6720 Lakeview Terrace, Hickory, NC 28601
Address of Property Owner(s)

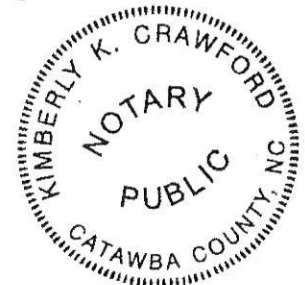
828-515-4388
Telephone Number of Property Owner(s)

State of North Carolina – County of Catawba

I, the undersigned Notary Public of the County and State aforesaid, certify that Ronald Weber personally came before me this day an acknowledged he is the President of RFW Properties, LLC, and that by authority duly given and as the act of such entity he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 30 day of August, 20 24.

My Commission Expires: 01/19/2026

Kimberly K Crawford
Notary Public





LIMITED LIABILITY COMPANY ANNUAL REPORT

NAME OF LIMITED LIABILITY COMPANY: RFW Properties LLC

SECRETARY OF STATE ID NUMBER: 2640304 STATE OF FORMATION: NC

REPORT FOR THE CALENDAR YEAR: 2024

Filing Office Use Only
E - Filed Annual Report
2640304
CA202409501933
4/4/2024 09:19
<input type="checkbox"/> Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Weber, Ronald F

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

6720 Lakeview Terrace

6720 Lakeview Terrace

Hickory, NC 28601-9489 Caldwell County

Hickory, NC 28601-9489

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Storage Space Rentals

2. PRINCIPAL OFFICE PHONE NUMBER: (828) 515-4388

3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

6720 Lakeview Terrace

6720 Lakeview Terrace

Hickory, NC 28601-9489

Hickory, NC 28601-9489

6. Select one of the following if applicable. (Optional see instructions)

The company is a veteran-owned small business

The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: Ronald Weber

NAME: Kimberly Weber

NAME: _____

TITLE: President

TITLE: Vice President

TITLE: _____

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

6720 Lakeview Ter.

6720 Lakeview Ter.

Hickory, NC 28601

Hickory, NC 28601

SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

Ronald Weber

4/4/2024

SIGNATURE

DATE

Form must be signed by a Company Official listed under Section C of This form.

Ronald Weber

President

Print or Type Name of Company Official

Print or Type Title of Company Official

This Annual Report has been filed electronically.

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525

3846-1774

follows:

SEE ATTACHED EXHIBIT A

Catawba County Parcel #372214321763 REID 57414

To have and to hold the aforesaid tract or parcel of land, together with all privileges and appurtenances thereunto belonging, to the said Grantee and her heirs and assigns in fee simple forever.

And the Grantors covenants that they are seized of said lands in fee and have the right to convey the same in fee simple, that the same are free and clear of all encumbrances and that they will warrant and defend the title herein conveyed against the lawful claims of all persons whomsoever.

In Testimony Whereof, said Grantor has hereunto set his hand and seal the day and year first above written.

ESTATE OF HERMAN EDGAR PHILLIPS

By: *Joshua Herman Phillips* (SEAL)
JOSHUA HERMAN PHILLIPS, EXECUTOR

NORTH CAROLINA
CATAWBA COUNTY

I, Darla M. Crowe, a Notary Public of the County and State aforesaid, do hereby certify that **JOSHUA HERMAN PHILLIPS, EXECUTOR OF THE ESTATE OF HERMAN EDGAR PHILLIPS**, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 15th day of December, 2023.

Darla M. Crowe
Darla M Crowe, Notary Public
My Commission Expires: 11/15/2028



3846-1775

Exhibit "A"

BEGINNING at a spike in the center of the Sweetwater Road, corner of B W Campbell, said point being at the intersection of Sweetwater Road with an unpaved county road, and also a corner of the 2.97 acre tract this day conveyed to Bobby K Seitz, and running thence along the center of the Sweetwater Road, South 37 deg 28 min East 484.16 feet to a spike in the center of said road, corner of Bobby Seitz and Claude Huffman; thence with Huffman North 74 deg 16 min East 161.48 feet to an iron corner of Claude Huffman in the line of Buford Huffman; thence with Buford Huffman, North 10 deg 56 min West 862.61 feet to an iron in the center of the power line, corner of Buford Huffman and Paul Russell; thence with Russell South 29 deg 29 min West 12 feet to an iron in the right of way line of the power line; thence continuing South 29 deg 29 min West 547.2 feet to an iron on the East side of the Sweetwater Road, corner of B W Campbell; thence continuing South 29 deg 29 min West 22.54 feet to the Beginning, containing 4.62 acres, more or less, as shown on a Survey and Plat made by Marion E Bolch, Surveyor, dated August 17, 1968, entitled "Property of Cromer Seitz Heirs".

LESS AND EXCEPTED FROM THE ABOVE DESCRIBED TRACT OF LAND IS THE FOLLOWING DESCRIBED PARCEL OF LAND:

BEGINNING at a corner in the center of the Sweetwater Road, this point being located South 37 deg 28 min East 329.16 feet from a spike in the center of said road located at the intersection of the center line of said road with the B. W. Campbell line at the intersection of an unpaved road; and runs thence from said beginning corner, South 37 deg 28 min East 155 feet to an iron spike in the center of said road at the point of intersection of the Claude Huffman line in the center of the road; thence with Huffman, North 74 deg 16 min East 161.48 feet to an iron corner of Claude Huffman in the Buford Huffman line after passing an iron at 30 feet, thence with Buford Huffman, North 10 deg 56 min West 155 feet to an iron, a new corner; thence a new line South 72 deg West 235 feet, more or less, to the point of BEGINNING, and being the Southern portion of the 4.62 acre tract described in Deed recorded in Book 915 page 392, Catawba County Registry.

RESOLUTION 24-____
RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION,
PURSUANT TO G.S. 160A-31 OR G.S. 160A-58.1, AS AMENDED

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council of the City of Hickory has, by Resolution, directed the Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the Clerk as to the sufficiency of said petition has been made.

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

Section 1: That a public hearing on the question of annexation of the area described herein will be held at 6:00 p.m. on October 15, 2024 in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

Section 2: The area proposed for annexation is described as follows:

Property of RFW Properties, LLC, located at the eastern corner of the intersection of 21st Street Drive SE and 27th Street Drive SE, Hickory, containing 3.799-acres more or less, and identified as PIN 3722-14-32-1763.

Section 3: Notice of said public hearing shall be published in *The Hickory Daily Record*, a newspaper having general circulation in the City of Hickory, at least ten (10) days prior to the date of said public hearing.

Hank Guess
Mayor

Warren Wood, City Manager

RESOLUTION NO. 24-___

A RESOLUTION DETERMINING THE INTENT TO ANNEX INTO THE CORPORATE LIMITS OF THE CITY OF HICKORY CERTAIN PROPERTY OF RFW PROPERTIES, LLC AND CALLING FOR A PUBLIC HEARING ON THE SAME

WHEREAS, RFW Properties, LLC is the owner of certain real property as described herein, which property is located at the eastern corner of the intersection of 21st Street Drive SE and 27th Street Drive SE, Hickory, containing 3.799-acres more or less, and identified as PIN 3722-14-32-1763.

WHEREAS, such property is currently located in the City's extra-territorial jurisdictional (ETJ); and

WHEREAS, it is in the best interest of the health, safety, and well-being of the residents of the City of Hickory to annex such property into the corporate limits of the City of Hickory as authorized by N.C.G.S. Section 160A-31; and

NOW, THEREFORE BE IT RESOLVED by the Hickory City Council, sitting in open session this 1st day of October 2024, at a regularly scheduled meeting of the governing body of said Council, duly called and posted in accordance with the statutes of the State of North Carolina, as follows:

Section 1: That the Hickory City Council does determine that it is in the best interest of the health, safety, and well-being of the residents of the City of Hickory to annex the property described hereinafter into the corporate limits of the City of Hickory.

Section 2: That a public hearing on the question of annexation of the area described herein will be held at 6:00 p.m. on October 15, 2024 in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

Section 3: The same being that property reflected on maps entitled RFW Properties, LLC, Voluntary Annexation Map 1, City Boundary, subject property outlined in red; RFW Properties, LLC, Voluntary Annexation Map 2, Zoning, subject property outlined in red; RFW Properties, LLC, Voluntary Annexation Map 3 Aerial Photography subject property outlined in red.

Section 4: Notice of said public hearing shall be published in *The Hickory Daily Record*, a newspaper having general circulation in the City of Hickory, at least ten (10) days prior to the date of said public hearing.

Done this 1st day of October 2024.

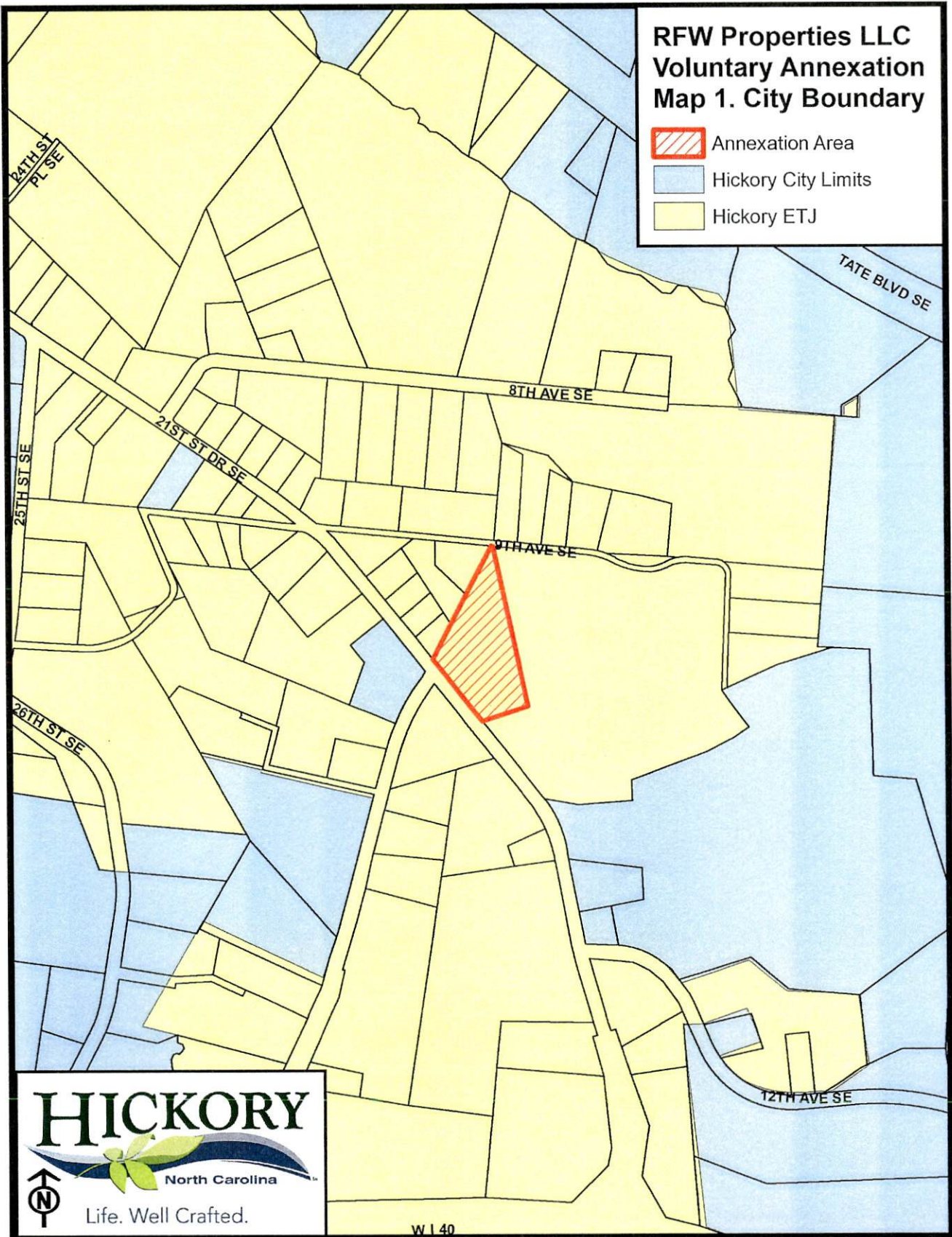
(SEAL)

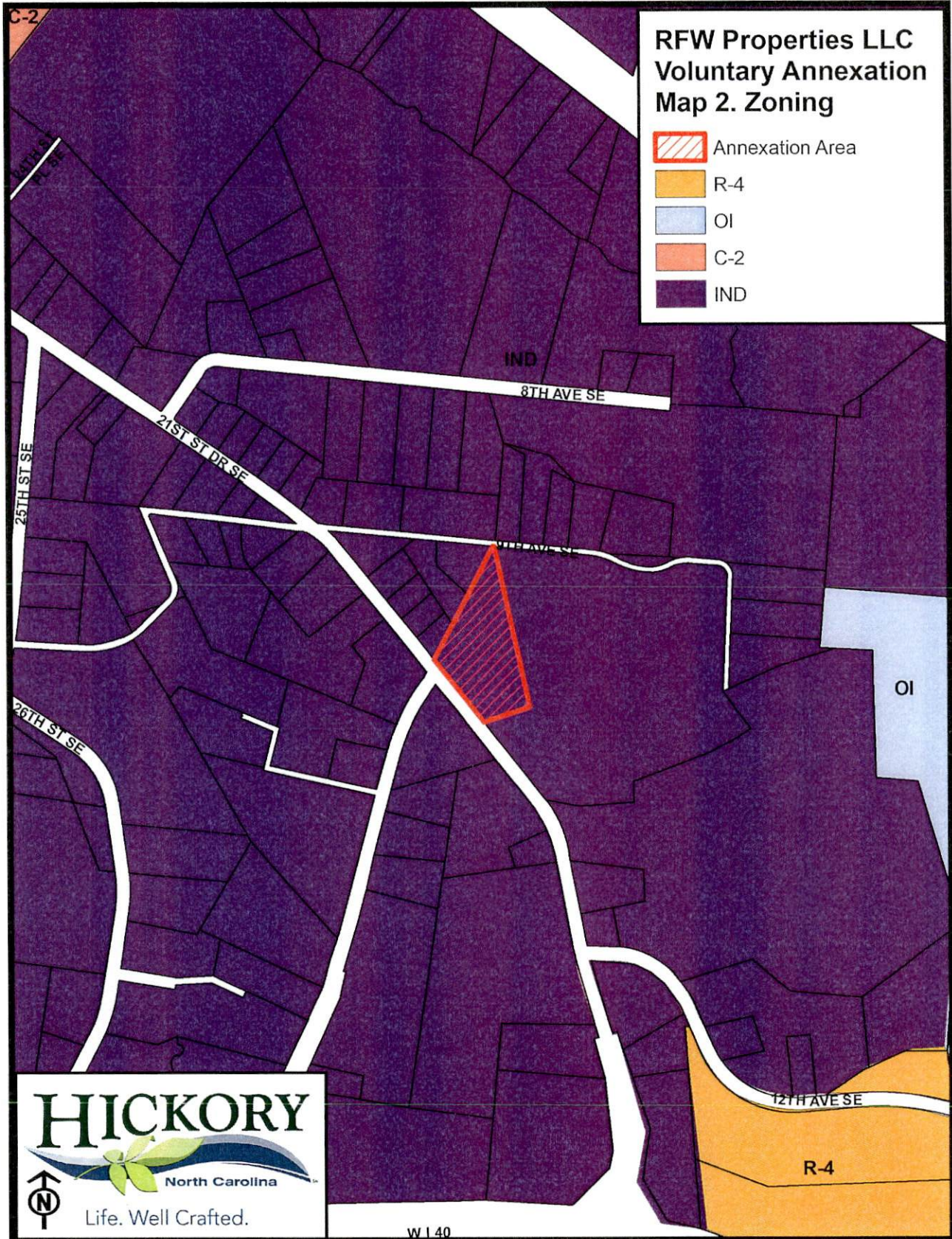
THE CITY OF HICKORY, A
North Carolina Municipal Corporation

Attest:

By: _____
Hank Guess, Mayor

Debbie D. Miller, City Clerk







VOLUNTARY SATELLITE ANNEXATION ANALYSIS

APPLICANT: RFW Properties, LLC

AGENT: Ron Weber

PROPERTY LOCATION: Intersection of 21st St. Dr. SE and 27th St. Dr. SE

PIN: 372214321763

REQUESTED ACTION: The request is for a voluntary satellite annexation.

WARD: If annexed, this property will be located in Ward 3 (Councilman Seaver).

ACREAGE: 3.799 acres

DEVELOPMENT POTENTIAL: The property is currently located within the City of Hickory's extraterritorial jurisdiction, and zoned Industrial (IND). This zoning designation provides opportunities for the development of manufacturing facilities, medical offices, professional office and limited retail uses. Unlike other city zoning districts, Industrial zoning does not have a prescribed maximum density. The owner of the property has indicated they intend to construct and operate a recreational vehicle storage facility.

TAX VALUE: The current tax value of the property is \$134,500.00. If annexed, the property would generate \$612.00 in additional tax revenues. These values are predevelopment.

POPULATION INCREASES: The property is vacant, and is intended to be used for non-residential purposes. Being such, increases in the City's population is not expected as a result of annexation.

SCHOOL DISTRICTS: The property is located within the jurisdictional area of the Catawba County Public System. Given the property is neither zoned for nor planned to be used for residential purposes, impacts on the school system are not anticipated.

SURROUNDING ZONING AND LAND USE (See Maps 2 & 3):

- **North:** The properties are zoned Industrial and occupied by grandfathered nonconforming residences.
- **South:** The property is zoned Industrial and occupied by grandfathered nonconforming residence.
- **East:** The property is zoned Industrial and occupied by grandfathered nonconforming manufactured home park.
- **West:** The properties are zoned Industrial and occupied by grandfathered nonconforming residences.

UTILITY SERVICE: Water and sewer are both available. The developer will be responsible for all cost associated with improvements necessary to establish services.

ACCESS: Access to is available from 21st Street Drive SE, which is maintained by the North Carolina Department of Transportation (SR 1468).

DISTANCE FROM CITY LIMITS (See Map 1): The property is located approximately 450 feet northwest of the current proper city boundary.

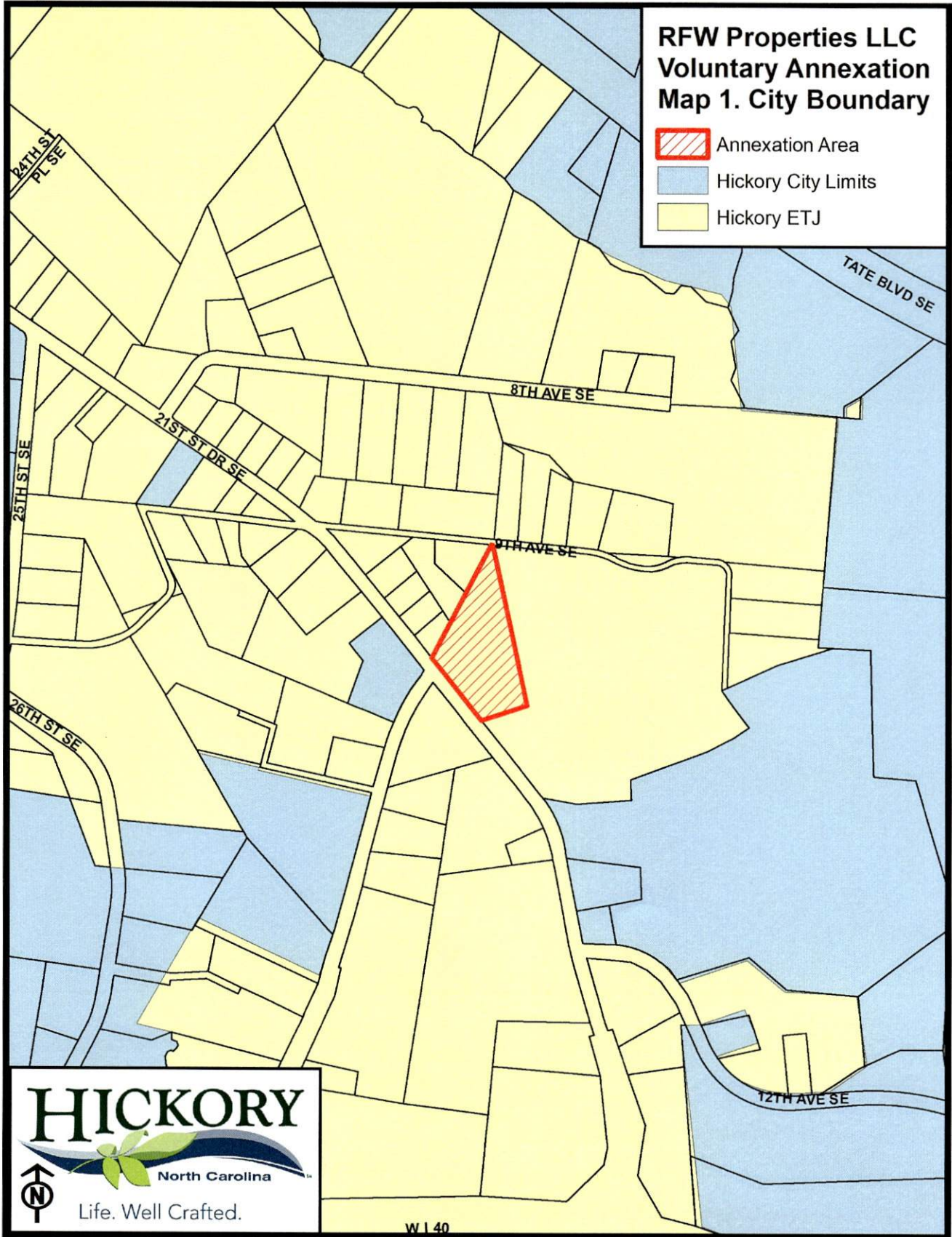
STAFF COMMENTS:

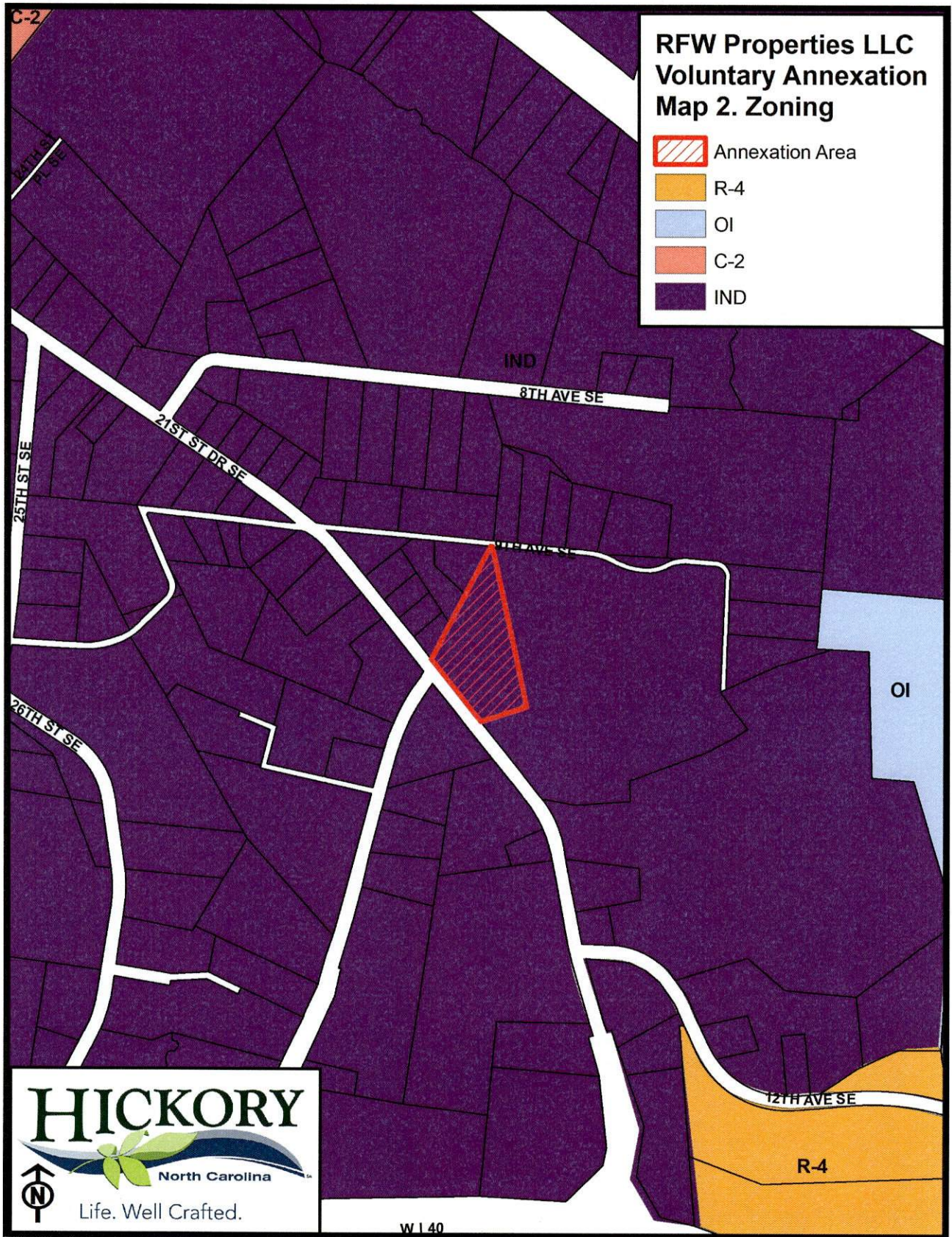
- Fire Department: Annexation of this property would not adversely affect the fire department's operations at this time. The property is currently adjacent to HFD Station 5's response area.
- Police Department: Annexation would not adversely affect the police department. The property, upon annexation, will be in Charles PACT.
- Engineering: No objections.
- Planning: No objections.
- Public Services: No objections.
- Public Utilities: Water and sewer are both available. The developer will be responsible for all cost associated with improvements necessary to establish services.
- Legal: No objections.
- City Manager's Office: No objections.

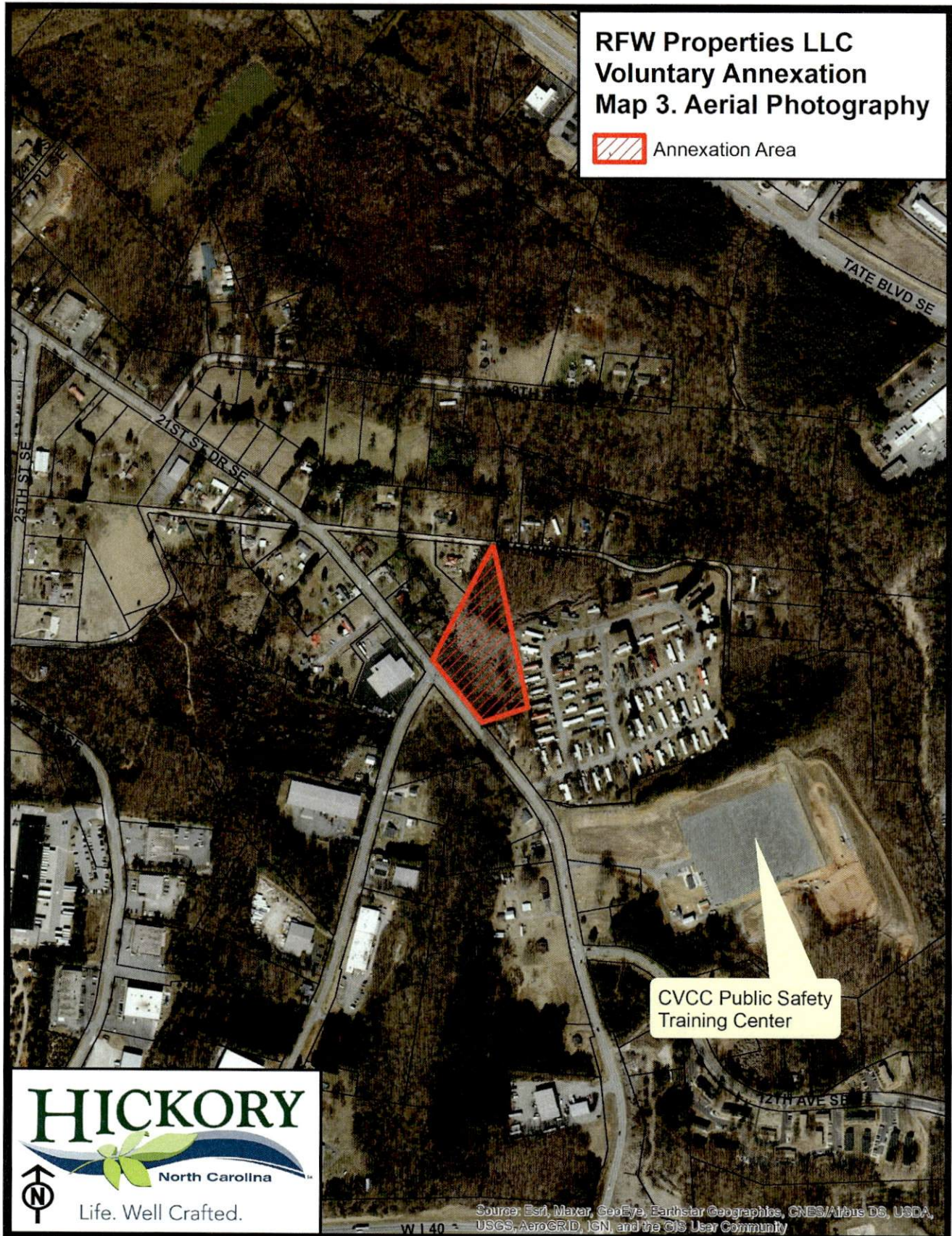
STAFF RECOMMENDATION: Upon evaluation staff has found the following:

1. The voluntary satellite annexation petition complies with applicable statutes regarding the voluntary annexation of satellite properties.
2. Adequate public services are available in sufficient quantities to properly serve the property, subject to the comments provided above.
3. The annexation of the property will not cause available public services to fall below acceptable levels.

Based upon the findings provided above, staff recommends City Council approve the voluntary satellite annexation petition.







COUNCIL AGENDA MEMOS

To: City Manager's Office

From: Yaidee Fox, Assistant City Manager

Contact Person: Yaidee Fox, Assistant City Manager

Date: September 19, 2024

Re: Approval of First Amendment to the Hickory-Catawba Wastewater Treatment Facility Expansion (ARPA) Agreement

REQUEST

Staff requests Council approval of the First Amendment to the Hickory-Catawba Wastewater Treatment Facility Expansion (ARPA) Agreement between Catawba County and City of Hickory.

BACKGROUND

The Public Utilities Department identifies areas within the City of Hickory water and sewer systems annually for inspections, conditions assessment and new service area. This practice has been established so that Staff for the Public Utilities Department may evaluate portions of the system annually to determine necessary repairs and improvements in manageable portions as well as serving new customers. With the continued growth in the Southeast Catawba County Corridor, plans for expansion of the wastewater need to be forecast and completed when needed.

The City of Hickory previously entered into an agreement with Catawba County on March 1, 2023, to expand the Hickory-Catawba Wastewater Treatment Facility from 1.5 million gallons per day to 3 million gallons per day to better manage the continued growth.

ANALYSIS

The City of Hickory and Catawba County agree to amend Section 3.1 of the Hickory-Catawba Wastewater Treatment Facility Expansion (ARPA) Agreement. The modified agreement allows Catawba County to reimburse the City of Hickory for costs incurred for the approved activities under this agreement in the amount of \$1,400,000.

RECOMMENDATION

Staff recommends Council approval of the First Amendment to the Hickory-Catawba Wastewater Treatment Facility Expansion (ARPA) Agreement between Catawba County and City of Hickory.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

Reviewed by:

[Signature]
Initiating Department Head

Date

[Signature]
Asst. City Manager Yaidee Fox

9/26/24
Date

[Signature]
Asst. City Manager Rodney Miller

9/26/24
Date

[Signature]
Asst. City Manager, R. Beasley

9/26/24
Date

[Signature]
Finance Officer, Kari Dunlap

9/23/24
Date

[Signature]
Deputy Finance Officer,
Cameron McHargue

9-23-24
Date

Recommended for approval and placement on _____ Council agenda (as
Consent, Public Hearing, Informational, Department Report, etc).

[Signature]
City Manager, W. Wood

9.26.24
Date

FIRST AMENDMENT

Hickory-Catawba Waste Water Treatment Facility Expansion (ARPA) Agreement

THIS FIRST AMENDMENT (hereafter “Amendment”) to the Hickory-Catawba Waste Water Treatment Facility Expansion (ARPA) Agreement dated March 1, 2023, (hereafter “Agreement”) between CATAWBA COUNTY (hereinafter “County”) and CITY OF HICKORY (hereinafter “Subrecipient”) (each a “Party” and collectively, the “Parties”) is made this the 23rd day of August 2024. Except as specifically amended herein, all terms and conditions of the Agreement shall remain in full force and effect, and are reaffirmed hereby.

By signing this Amendment, the Parties acknowledge that it is mutually understood, consented to, and agreed to amend the Agreement as follows:

1. Article III. Compensation Section 3.1., is hereby amended as follows:

Payment of Funds. County agrees to reimburse Subrecipient for costs actually incurred and paid by Subrecipient in accordance with the Approved Budget and for the performance of the Approved Activities under this Agreement in an amount not to exceed \$1,400,000.00 ("Total Agreement Funds"). The amount of Total Agreement Funds, however, is subject to adjustment by the County if a substantial change is made in the Approved Activities that affects this Agreement or if this Agreement is terminated prior to the expiration of the Agreement. Program funds shall not be expended prior to the Effective Date or following the earlier of the Expiration Date or the last day of the Agreement Term. Costs incurred shall only be as necessary and allowable to carry out the purposes and activities of the Approved Activities and may not exceed the maximum limits set in the Approved Budget. Expenses charged against the Total Agreement Funds shall be incurred in accordance with this Agreement. Further, the payment of funds to Subrecipient under the terms of this Agreement shall be contingent on the receipt of such funds by County from the State of North Carolina and ARP/CSLFRF and shall be subject to Subrecipient's continued eligibility to receive funds under the applicable provisions of state and federal laws. If the amount of funds that County receives from the ARP/CSLFRF is reduced, County may reduce the amount of funds awarded under this Agreement or terminate this Agreement. County also may deny payment for Subrecipient's expenditures for Approved Activities where invoices or other reports are not submitted by the deadlines specified in this Agreement or for failure of Subrecipient to comply with the terms and conditions of this Agreement.

2. Exhibit A: Subaward Data, is hereby amended as attached herein.
3. Exhibit C: Approved Budget, is hereby amended as attached herein.

{Signatures on following pages}

Attest:
(SEAL)



Dale R. Stiles
Dale R. Stiles, Clerk

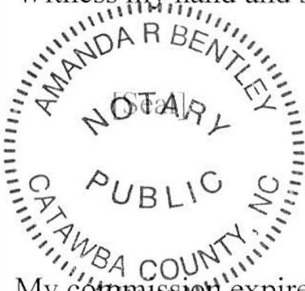
Catawba County,
A North Carolina Body Politic

By: Mary Furrado (Seal)
Mary Furrado
Catawba County Manager

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

I, Amanda R. Bentley a Notary Public of said county and state, certify that Dale R. Stiles personally came before me this day and acknowledged that she is County Clerk to the Catawba County Board of Commissioners, a body politic corporate in nature, and that by authority duly given and as the act of the body politic the foregoing instrument was signed in its name by its Manager, sealed with its body politic seal, and attested by herself as County Clerk.

Witness my hand and seal this 29 day of August, 2024.



Amanda R. Bentley
Notary Public

My commission expires: 9/28/2024

This document has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Mary Morrison
Mary Morrison
Catawba County Finance Director

Approved as to form on behalf of County of Catawba only:

Jodi Stewart
Jodi Stewart, County Attorney

City of Hickory,
A North Carolina Municipal Corporation

Attest:
(SEAL)

By: _____ (Seal)
Hank Guess, Mayor

Debbie Miller, Clerk

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

I, _____ a Notary Public of said county and state, certify that _____ personally came before me this day and acknowledged that she/he is Clerk to the _____ Board and that by authority duly given and as the act of the body politic the foregoing instrument was signed in its name by its Chair, sealed with its body politic seal, and attested by herself/himself as Clerk.

Witness my hand and seal this _____ day of _____, 2024.

[Seal]

Notary Public

My commission expires: _____

This document has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Han Swanson
Finance Director

Approved as to form:

Tim Swanson, Attorney

Exhibit A: Subaward Data

Subrecipient Name	City of Hickory
Subrecipient Unique Entity Identifier:	RJMSVMJ8NJR3
Federal Award Identification Number (FAIN):	SLFRP2831
Federal Award Date of Award to the Recipient by the Federal Agency:	May 27, 2021
Subaward Period of Performance Start Date:	January 1, 2023
Subaward Period of Performance End Date:	December 31, 2025
Amount of Federal Funds Obligated by this Action by the Pass-Through Entity to the Subrecipient:	\$1,400,000
Total Amount of Federal Funds Obligated to the Subrecipient by the Pass-Through Entity Including the Current Obligation:	\$1,400,000
Total Amount of the Federal Award Committed to the Subrecipient by the Pass-Through Entity:	\$1,400,000
Federal Award Project Description:	Hickory Catawba Wastewater Treatment Facility Expansion
Name of Federal Awarding Agency:	Department of Treasury
Name of Pass-Through Entity:	Catawba County, North Carolina
Contact Information for Catawba County Authorizing Official:	Mary Furtado, County Manager mfurtado@catawbacounty.nc.gov
Contact Information for Subrecipient Project Manager:	Warren Wood, City Manager wwood@cityofhickory.org
CFDA Number and Name:	21.027- Coronavirus State and Local Fiscal Recovery Funds
Identification of Whether Subaward is R&D:	Not R&D
Subrecipient Indirect Costs:	See Exhibit C -Approved Budget

Exhibit C: Approved Budget

The total budget for the Approved Activities is \$1,400,000.

COUNCIL AGENDA MEMOS

To: City Manager's Office

From: Yaidee Fox, Assistant City Manager

Contact Person: Yaidee Fox

Date: September 19, 2024

Re: Approval of Resolution for Construction Management at Risk Construction Delivery Method for the Catawba River Environmental and Education Center Project

REQUEST

Staff requests Council approval of the Resolution for Construction Management at Risk Construction Delivery Method for the Catawba River Environmental and Education Center project.

BACKGROUND

The City of Hickory is engaged in what is commonly known as the Catawba River Environmental and Education Center Project, which will consist of an environmental and education center to be constructed on three tracts or parcels of land owned by the City of Hickory consisting of 24.51 +/- acres, said tracts or parcels of land being situated in Burke County, North Carolina and being identified as PIN: 2783788894, 2783886713, and 2783785060.

The project will consist of the construction of a space for public and private events, indoor and outdoor classroom space, exhibit areas, gift shop, kitchen, area for café seating, parking lot, garden pavilion, water access and creek pavilion, and other amenities.

ANALYSIS

Staff has reviewed the advantages and disadvantages of using the Construction Management at Risk method for the Project in lieu of the delivery methods identified in G.S. 143-128(a1)(1) through G.S. 143128(a1)(3) and recommends using Construction Management at Risk Construction Delivery Method for the Catawba River Environmental and Education Center project.

Construction Management at Risk provides an opportunity for the contractor's involvement during the design process to provide the architect with feedback on constructability and other design issues, using prequalified subcontractors, and transparency of the overall bidding and construction process, including costs incurred by the Construction Manager.

RECOMMENDATION

Staff recommends City Council's approval of the Resolution for Construction Management at Risk Delivery Method for the Catawba River Environmental and Education Center.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

Reviewed by:

Yaidee Fox
Initiating Department Head

9-19-24
Date

Yaidee Fox
Asst. City Manager Yaidee Fox

9/26/24
Date

Rodney Miller
Asst. City Manager Rodney Miller

9/26/24
Date

R. Beasley
Asst. City Manager R. Beasley

9/26/24
Date

Kari Dunlap
Finance Officer, Kari Dunlap

9/23/24
Date

Cameron McHargue
Deputy Finance Officer,
Cameron McHargue

9-23-24
Date

Recommended for approval and placement on _____ Council agenda (as
Consent, Public Hearing, Informational, Department Report, etc).

W. Wood
City Manager, W. Wood
9.26.24
Date

RESOLUTION NO. 24-_____

A RESOLUTION OF THE CITY OF HICKORY APPROVING CONSTRUCTION MANAGEMENT AT RISK CONSTRUCTION DELIVERY METHOD FOR THE CATAWBA RIVER ENVIRONMENTAL AND EDUCATION CENTER PURSUANT TO THE PROVISIONS OF N.C.G.S. § 143-128.1

WHEREAS, the City of Hickory is engaged in what is commonly known as the Catawba River Environmental and Education Center Project, which will consist of an environmental and education center to be constructed on three tracts or parcels of land owned by the City of Hickory consisting of 24.51 +/- acres (the "Project"), said tracts or parcels of land being situated in Burke County, North Carolina and being identified as PIN: 2783788894, 2783886713, and 2783785060; and

WHEREAS, the Project will consist of the construction of a space for public and private events, indoor and outdoor classroom space, exhibit areas, gift shop, kitchen, area for café seating, parking lot, garden pavilion, water access and creek pavilion, and other amenities; and

WHEREAS, City Council has compared the advantages and disadvantages of using the Construction Management at Risk Construction Delivery method for the Project in lieu of the delivery methods identified in G.S. 143-128(a1)(1) through G. S. 143-128(a1)(3); and

WHEREAS, City Council finds that the Construction Management at Risk Construction Delivery method allows for selection of the most qualified contractor for the Project; and

WHEREAS, the Construction Management at Risk Construction Delivery method provides an opportunity for involvement of the contractor during the design process for the purpose of providing the architect with feedback on constructability and other design issues; and

WHEREAS, the Construction Management at Risk Construction Delivery method requires the Construction Manager to use prequalified subcontractors; and

WHEREAS, the Construction Management at Risk Construction Delivery method allows for transparency of the overall bidding and construction process, including the costs incurred by the Construction Manager; and

WHEREAS, City Council has concluded the Construction Management at Risk Construction Delivery method is in the overall best interest of the Project compared to the use of one of the delivery methods in G.S. 143-128(a1)(1) through G.S. 143-128(a1)(3).

NOW, THEREFORE, BE IT HEREBY RESOLVED, that City Council for the City of Hickory selects the Project for the Construction Management at Risk Construction Delivery method in accordance with G.S. 143-128.1.

Read, approved and adopted this the _____ day of _____, 2024.

THE CITY OF HICKORY, a
North Carolina Municipal Corporation

(SEAL)

ATTEST:

Hank Guess, Mayor

Debbie D. Miller, City Clerk

10

COUNCIL AGENDA MEMOS

To: City Manager's Office

From: Yaidee Fox, Assistant City Manager

Contact Person: Yaidee Fox, Assistant City Manager

Date: September 19, 2024

Re: Warranty Deed for State of North Carolina for the purposes of a State Park

REQUEST

Staff requests Council to approve the warranty deed to convey the properties located along Deitz Road and River Road, more particularly identified as a portion of 3701-16-84-4836 and all of 3701-15-73-4171, 3701-15-63-6164, and 3701-15-73-1634 to the State of North Carolina for the purposes of future development as additions to the North Carolina State Parks system.

BACKGROUND

On January 15, 2019, Hickory City Council adopted Resolution No. 19-01, authorizing the City Manager to execute a letter of intent and any other necessary real estate documents for a future conveyance of the City's properties to the State of North Carolina, working through the Foothills Conservancy.

The State of North Carolina is interested in the future development of these 128.95 +/- acres of properties located along Deitz Road and River Road, which are more particularly identified as a portion of 3701-16-84-4836 and all of 3701-15-73-4171, 3701-15-63-6164, and 3701-15-73-1634 into recreational and other opportunities for the public. The properties are identified in the attached General Warranty Deed.

The City of Hickory conveys the property in fee simple to the State of North Carolina as long as the State of North Carolina keeps the property predominately in its natural, scenic, or open condition and uses the entire property solely as an addition to the North Carolina State Parks system for public access and recreational purposes, and completes the construction of the amenities as defined in "Exhibit "C" – Reversionary Terms and Conditions," as defined within ten (10) years of the transfer of the property to the State of North Carolina.

North Carolina General Statute 160A-279 permits the City to convey property to nonprofit entities.

ANALYSIS

The City desires to clear up the title to its property by conveying identified areas to the State of North Carolina for future development into recreational and other opportunities for the public. The attached warranty deed properly conveys the 128.95 +/- acres, Dietz Road, to the State of North Carolina. The city will take appropriate steps to transfer said properties to the State of North Carolina.

RECOMMENDATION

Staff recommends that the Council approve the warranty deed from the City of Hickory to the State of North Carolina for the purposes of a State Park.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

Reviewed by:

Yaidee Fox
Initiating Department Head

9-19-24
Date

Yaidee Fox
Asst. City Manager Yaidee Fox

9/26/24
Date

Rodney Miller
Asst. City Manager Rodney Miller

9/26/24
Date

R. Beasley
Asst. City Manager, R. Beasley

9/26/24
Date

Kari Dunlap
Finance Officer, Kari Dunlap

9/23/24
Date

Cameron McHargue
Deputy Finance Officer,
Cameron McHargue

9-23-24
Date

Recommended for approval and placement on _____ Council agenda (as
Consent, Public Hearing, Informational, Department Report, etc).

W. Wood

City Manager, W. Wood

9.26.24
Date

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: **\$0.00**

PIN: Portion of 3701-16-84-4836 and all of 3701-15-73-4171, 3701-15-63-6164, and 3701-15-73-1634

Description: 128.95 +/- acres, Dietz Road, Hickory, NC; Plat Book _____, Page _____

Return to: **Young, Morphis, Bach & Taylor, LLP**
Jimmy R. Summerlin, Jr., P.O. Drawer 2428, Hickory, NC 28603

This instrument was prepared by: **Jimmy R. Summerlin, Jr., Attorney, Hickory, NC**

THIS DEED, made this the ____ day of _____, **2024**, by and between:

GRANTOR: CITY OF HICKORY,
A North Carolina Municipal Corporation,
whose address is **P.O. Box 398, Hickory, NC 28603,**
(herein collectively referred to as **Grantor**)

and

GRANTEE: STATE OF NORTH CAROLINA
whose address is **c/o State Property Office, 1321 Mail Service Center, Raleigh, NC 27699-1321,**
(herein referred to as **Grantee**).

W I T N E S S E T H:

That the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple determinable, subject to the reversionary interest reserved by Grantor herein, all that certain lot or parcel of land situated in Catawba County, North Carolina and being more particularly described as follows:

SEE EXHIBIT "A" attached hereto and incorporated herein.

Said property having been previously conveyed to Grantor by instrument(s) recorded in Book 895, Page 260; Book 2041, Page 1400; Book 2900, Page 178; and Book 2371, Page 885 of the Catawba County Registry.

A map of a portion of the property is recorded in Map/Plat Book _____, Page _____, of the Catawba County Registry.

The property conveyed by this instrument DOES NOT include the primary residence of the Grantor.

TO HAVE AND TO HOLD unto Grantee, together with all privileges and appurtenances thereunto belonging, in fee simple, subject to the Exceptions and Reservations hereinafter and hereinafter provided, if any. This conveyance is made subject to the following Exceptions and Reservations:

See EXHIBIT "B" attached hereto and incorporated herein.

And Grantor hereby warrants that Grantor is seized of the premises in fee and has the right to convey same in fee simple, that title is marketable and is free and clear of encumbrances other than as set forth herein, and that Grantor will forever warrant and defend the title against the lawful claims of all persons or entities whomsoever.

All references to Grantor and Grantee as used herein shall include the parties as well as their heirs, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by context.

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

CITY OF HICKORY

_____(SEAL)
Hank Guess, Mayor

ATTEST:

Debbie Miller, City Clerk

Approved as to form:

Timothy D. Swanson, City Attorney

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Kari Dunlap

City of Hickory
Finance Officer

<p>State of North Carolina</p> <p>County of Catawba</p> <p>I, the undersigned, a Notary Public for the County of _____, State of North Carolina, certify that Debbie Miller, personally came before me this day and acknowledged that she is City Clerk of the City of Hickory, a North Carolina municipal corporation, and that by authority duly given and as the act of the City Council of the City of Hickory, the foregoing instrument was signed in its name and by its Mayor, sealed with its corporate seal and attested by her as its City Clerk.</p> <p>Date: _____</p> <p>My Commission Expires: _____</p>	<p>(Official/Notarial Seal)</p> <p>_____ Signature of Notary Public</p> <p>_____ Typed/Printed Name of Notary</p>
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EXHIBIT A
(Legal Description)

BEING all of that certain 128.95 +/- acres parcel of property as shown, depicted and described on that certain Survey for State of North Carolina, Hickory Township – Catawba County, NC prepared by J. Douglas Suttles, PLS # L-3728, Suttles Surveying, P.A. recorded in Plat Book ____ at Page ____ of the Catawba County Registry, to which plat reference is hereby made for a more complete description. The aforementioned conveyed property being more fully described as set forth on the attached Exhibit A-1.

The aforementioned conveyed property specifically excludes that certain 22.20 +/- acres parcel of property retained by the Grantor as shown, depicted and described on that certain Survey for State of North Carolina, Hickory Township – Catawba County, NC prepared by J. Douglas Suttles, PLS # L-3728, Suttles Surveying, P.A. recorded in Plat Book ____ at Page ____ of the Catawba County Registry, to which plat reference is hereby made for a more complete description. The aforementioned retained property being more fully described as set forth on the attached Exhibit A-2.

EXHIBIT A-1
Conveyed Property

BEGINNING at a 7/8" rebar set with an aluminum cap near a 3' 120lb railroad rail driven in the ground, said rebar is also located at the end Lakeview Drive of the Hollywood Heights subdivision at the southern edge of a road leading to the river, said point having North Carolina Grid coordinates of N=714916.9867, E=1308644.7915, Elevation=997.516, a latitude of N 35°41'31.42197", a longitude of W 81°19'42.84481", a convergence angle of N 01°20'38" E, a scale factor of grid to ground of 1.00009797086488, a combined scale factor grid to ground of 1.00014064879734, a geoid of -105.37855, horizontal datum of North American Datum of 1983, realization of 2011 (NAD83/2011), vertical datum of North American Vertical datum of 1988 (NAVD88), a geoid of conterminous US 2018 (geoid18); thence leaving the BEGINNING corner and running along the Russel Dean Stinson property recorded in Deed Book 3790, Page 438, Course #1, a North Carolina grid bearing of S 32°28'46" E for a distance of 225.53' to an existing 1" iron pipe which is the SW corner of Lot #39 Block E of Plat Book 9, Page 24; thence continuing with the line of the Stinson property, and traversing along the line of the Stinson property, the Chasity Brooke Dobbins property recorded in Deed Book 2991, Page 423, and the National Trading Co., Inc. property recorded in Plat Book 9, Page 24, Course #2, with a deflection angle of 89°51'07" to the left or a grid bearing of N 57°40'07" E for a distance of 389.11' to an existing 1/2" iron pipe, the corner in the east line of Lot #25 of Block E of Hollywood Heights recorded in Plat Book 9, Page 24; thence continuing along the eastern line of the National Trading Co., Inc. property, Course #3, with a deflection angle of 33°08'19" to the left or a grid bearing of N 24°31'49" E for a distance of 257.26' to an existing 1/2" iron pipe at the common corner of the National Trading Co., Inc. property and the James Thigpen and wife, Destiny Thigpen property recorded in Deed Book 3782, Page 1549; thence leaving the National Trading Co., Inc. property and progressing along the Thigpen boundary, Course #4, with a deflection angle of 90°05'34" to the right or a grid bearing of S 65°22'37" E for a distance of 149.63' to an existing 3/4" iron pipe at the Southeast corner of the Thigpen property and the western edge of Hollywood Drive of the Hollywood Heights subdivision; thence traversing across the end of Hollywood Drive, Course #5, with a deflection angle of 00°00'57" to the right or a grid bearing of S 65°21'40" E for a distance of 59.72' to an existing 3/4" iron pipe on the east edge and end of Hollywood Drive; thence along the east edge of Hollywood Drive, Course #6, with a deflection angle of 89°49'10" to the left or a grid bearing of N 24°49'10" E for a distance of 44.89' to an existing 3/4" iron pipe at the southwest corner of the Ronald Scot Shuford property recorded in Deed Book 1945, Page 1293, Tract Two; thence along the southern boundary of the aforementioned Shuford property, Course #7, with a deflection angle of 89°53'07" to the right or a grid bearing of S 65°17'43" E for a distance of 358.85' to an existing 3/4" iron pipe at the southeast corner of the Shuford tract and a corner in the State of North Carolina property as recorded in Deed Book 3612, Page 931; thence leaving the Shuford boundary and traversing along the western edge of the State of North Carolina property, Course #8, with a deflection angle of 71°47'16" to the right or a grid bearing of S 06°29'32" W for a distance of 35.72' to an existing 3/4" iron pipe on the western boundary of the State of North Carolina property; thence continuing along the State of North Carolina's western boundary, Course #9, with a deflection angle of 02°46'01" to the left or a grid bearing of S 03°43'32" W for a distance of 589.02' to an existing 3/4" iron pipe in the western boundary of the State property; thence continuing along the State's western boundary, Course #10, with a deflection angle of 51°43'44" to the right or a grid bearing of S 55°27'15" W for a distance of 803.58' to a 5/8" rebar set with an aluminum cap at the edge of the gas line right-of-way where it crosses the western boundary of the State property; thence continuing along the State's western boundary and along the gas line right-of-way, Course #11, with a deflection angle of 00°00'00" to the left or a grid bearing of S 55°27'15" W for a distance of 71.02' to a 8" DuraNail set in the State's western boundary and the edge of the aforementioned gas line right-of-way; thence continuing along the State's western boundary and through the right-of-way of the gas line, Course #12, with a deflection angle of 00°00'00" to the right or a grid bearing of S 55°27'15" W for a distance of 166.40' to a 5/8" rebar set with an aluminum cap on the southern edge of the gas line right-of-way and in the western line of the State boundary; thence continuing along the State's western boundary, Course #13, with a deflection angle of 00°00'00" to the right or a grid bearing of S 55°27'16" W for a distance of 506.00' to a 5/8" rebar set with an aluminum cap in the centerline of a sewer line and accompanying 25' easement recorded in Deed Book 1150, Page 378 and in Deed Book 1167, Page 451; thence continuing along the western boundary of the State property, Course #14, with a deflection angle of 00°00'00" to the left or a grid bearing of S 55°27'14" W for a distance of 183.70' to a point in the center of the Henry Fork River; thence with the centerline of the Henry Fork River, Course #15, with a deflection angle of 157°14'15" to the right or a grid bearing of N 32°41'30" E for a distance of

239.23' to a point in the centerline of the Henry Fork River, a corner in the State's boundary; thence leaving the centerline of the river, a course to the west, Course #16, with a deflection angle of 159°35'29" to the left or a grid bearing of S 53°06'01" W for a distance of 88.27' to a 15" Sycamore tree that is currently dead and only about 6' of the trunk remains, said Sycamore is the common corner of the State property and a corner of the Dale Calloway and Joelle Moose property as recorded as the remaining portion of Deed Book 1995, Page 775; thence continuing the same course along the Calloway and Moose property, Course #17, with a deflection angle of 00°00'00" to the left or a grid bearing of S 53°06'01" W for a distance of 20.00' to a 5/8" rebar set with an aluminum cap on the western bank of the river as an offset to the Sycamore which will eventually succumb to the river; thence continuing along the Calloway and Moose boundary line, Course #18, with a deflection angle of 00°00'00" to the right or a grid bearing of S 53°06'01" W for a distance of 1173.55' to an existing 5/8" rebar, the northwestern corner of the aforementioned Calloway and Moose property; thence continuing along the Calloway and Moose boundary, Course #19, with a deflection angle of 102°40'46" to the left or a grid bearing of S 49°34'45" E for a distance of 364.38' to an existing 5/8" rebar with a plastic cap on the western edge of the driveway leading to the Dale Calloway residence; thence continuing with the western line of the Calloway and Moose property, Course #20, with a deflection angle of 56°30'21" to the right or a grid bearing of S 06°55'36" W for a distance of 42.17' to a 5/8" rebar set with an aluminum cap on the northern edge of a 60' easement illustrated on Plat Book 53, Page 54; thence continuing along the common boundary of Calloway and Moose across the 60' easement, Course #21, with a deflection angle of 00°00'00" to the right or a grid bearing of S 06°55'36" W for a distance of 64.86' to a 5/8" rebar set with an aluminum cap on the southern edge of the aforementioned 60' easement; thence continuing along the western boundary of the Calloway and Moose property, Course #22, with a deflection angle of 00°00'00" to the left or a grid bearing of S 06°55'36" W for a distance of 79.26' to a 5/8" rebar set with an aluminum cap in the western boundary of Calloway and the northern edge of a 45' right-of-way as illustrated in Plat Book 53, Page 54; thence continuing along the western boundary of Calloway and Moose and crossing the aforementioned 45' right-of-way, Course #23, with a deflection angle of 00°00'00" to the left or a grid bearing of S 06°55'36" W for a distance of 99.03' to a 3/4" existing iron pipe at the southwestern corner of the aforementioned Calloway and Moose property, a corner in the Dale Calloway, minor, Curtis Calloway, minor, James B. Trapp, Jr. Guardian recorded in Deed Book 1435, Page 787, Tract 3 property, and in the eastern edge of the aforementioned 45' right-of-way; thence leaving the Calloway and Moose property, and traversing along the eastern line of the 45' right-of-way and the western boundary of the Calloway and Calloway boundary, Course #24, with a deflection angle of 27°01'41" to the right or a grid bearing of S 33°57'17" W for a distance of 648.38' to an existing 3/4" iron pipe in the boundary of the Calloway and Calloway property and the outside edge of the 45' right-of-way; thence continuing along the Calloway and Calloway property and the 45' right-of-way, Course #25, with a deflection angle of 51°36'54" to the right or a grid bearing of S 85°34'11" W for a distance of 678.75' to a 5/8" rebar set at the edge of the 60' right-of-way for Dietz Road, in the common line of Calloway and Calloway, on the edge of the aforementioned 45' right-of-way, and a corner of the remaining portion of the Dale Calloway and Joelle Moose property recorded in Deed Book 1995, Page 775; thence along the Calloway and Moose boundary and the 60' right-of-way for Dietz Road, Course #26, with a deflection angle of 102°14'07" to the right or a grid bearing of N 07°48'18" E for a distance of 45.89' to a 5/8" rebar set with an aluminum cap in the Calloway boundary, on the 60' Dietz Road right-of-way and on the northern edge of the aforementioned 45' right-of-way; thence continuing along the Calloway and Moose boundary and the 60' right-of-way for Dietz Road, Course #27, with a deflection angle of 0°00'00" to a grid bearing of N 07°48'18" E for a distance of 29.88' to a 5/8" rebar set with an aluminum cap in the Calloway and Moose boundary, on the 60' Dietz Road right-of-way and on the southern edge of the aforementioned 60' easement illustrated in Plat Book 53, Page 54; thence continuing along the Calloway and Moose property, the 60' Dietz Road right-of-way and crossing the aforementioned 60' easement, Course #28, with a deflection angle of 00°00'00" to the left or a grid bearing of N 07°48'18" E for a distance of 64.01' to a 5/8" rebar set with an aluminum cap at the corner of the remaining Calloway and Moose property, at the 60' Dietz Road right-of-way, in the 60' easement as illustrated in Plat Book 53, Page 54 and in the boundary of the Scottie Dale Townsend and wife, Michelle Clay Townsend as recorded in Deed Book 3757, Page 275; thence running with the Townsend property and in the aforementioned 60' easement, Course #29, with a deflection angle of 69°36'16" to the right or a bearing of N 77°24'34" E for a distance of 430.00' to an existing 1/2" iron pipe in the 60' easement and a corner of the aforementioned Townsend property; thence continuing with the Townsend property

and the 60' easement, Course #30, with a deflection angle of 40°13'01" to the left or a bearing of N 37°11'32" E for a distance of 460.80' to an existing ½" iron pipe the southeastern corner of the Townsend property and on the 60' easement; thence leaving the 60' easement and continuing along the Townsend property, Course #31, with a deflection angle of 87°09'17" to the left or a bearing of N 49°57'45" W for a distance of 370.21' to an existing ¾" iron pipe at the northeast corner of the Townsend property and at the northeast corner of the Norman H. Fox property as recorded in Deed Book 439, Page 245; thence with the Fox property, Course #32, with a deflection angle of 85°11'40" to the left or a bearing of S 44°50'35" W for a distance of 547.73' to an existing rebar with a plastic survey cap stamped " the Survey Company – Property Corner"; thence continuing with the Fox property, Course #33, with a deflection angle of 00°00'00" to the right or a bearing of S 44°50'35" W for a distance of 40.12' to a MagNail set with a stainless steel washer in the hard surface of Dietz Road, said MagNail is the common corner of the Fox property and in the boundary of the Larry W. Sharpe and wife, Jeanette W. Sharpe property known as the remaining portion of Deed Book 963, Page 548; thence leaving the Fox boundary and traversing along the common boundary line of the aforementioned Sharpe property, Course #34, with a deflection angle of 146°21'15" to the right or a bearing of N 11°11'50" E for a distance of 19.49' to a MagNail set with a stainless steel washer in the hard surface of Dietz Road; thence continuing along the Sharpe property boundary, Course #35, with a deflection angle of 29°01'00" to the left or a bearing of N 17°49'10" W for a distance of 107.29' to a MagNail set in the hard surface of Dietz Road; thence continuing along the Sharpe boundary, Course #36, with a deflection angle of 11°13'00" to the left or a bearing of N 29°02'10" W for a distance of 118.93' to a MagNail set with a stainless steel washer in the hard surface of Dietz Road; thence continuing along the Sharpe boundary line, Course #37, with a deflection angle of 06°23'00" to the left or a bearing of N 35°25'10" W for a distance of 235.71' to a MagNail set with a stainless steel washer in the hard surface of Dietz Road; thence continuing with the Sharpe property boundary line, Course #38, with a deflection angle of 06°32'00" to the left or a bearing of N 41°57'10" W for a distance of 113.39' to a MagNail set with a stainless steel washer in the hard surface of Dietz Road, the northeast corner of the aforementioned Sharpe property and a corner in the eastern line of the Wayne L. Sharpe and L. William Sharpe property as recorded in Deed Book 1960, Page 578 as Tract Two; thence with the Wayne and William Sharpe property, Course #39, with a deflection angle of 02°11'00" to the right or a bearing of N 39°46'10" W for a distance of 201.00' to a 5/8" rebar set with an aluminum cap at the end of Dietz Road and north of the cul-de-sac; thence along a small gravel roadway and continuing with the Wayne and William Sharpe property, Course #40, with a deflection angle of 12°08'00" to the right or a bearing of N 27°38'10" W for a distance of 139.95' to a 5/8" rebar set with an aluminum cap in the small gravel roadway and in the Sharpe property boundary; thence continuing along the small gravel roadway and the Wayne and William Sharpe property, Course #41, with a deflection angle of 09°42'00" to the right or a bearing of N 17°56'10" W for a distance of 173.59' to a 5/8" rebar set with an aluminum cap in the small woods road and in the Wayne and William Sharpe boundary; thence continuing with the Sharpe boundary and the alignment of the small gravel road, Course #42, with a deflection angle of 00°00'00" to the right or a bearing of N 17°56'10" W for a distance of 4.78' to a 5/8" rebar set with an aluminum cap in the small woods road and the northeast corner of the Wayne and William Sharpe property; thence leaving the small woods road and running along the northern boundary of the Wayne and William Sharpe boundary, Course #43, with a deflection angle of 65°14'38" to the left or a bearing of N 83°10'48" W for a distance of 458.31' to a 5/8" rebar set in place of the 3rd corner of Deed Book 2371, Page 886, said rebar also being in the line of the Donna Wood Olson and Hal Nelson Wood property as recorded in Deed Book 99E, Page 333, thence with the Wood property boundary line, Course #44, with a deflection angle of 99°54'38" to the right or a bearing of N 16°43'50" E for a distance of 171.24' to a 5/8" rebar set with an aluminum cap in an existing Poplar stump, listed as the 4th corner of Deed Book 2371, Page 886 and the 6th corner of Deed Book 564, Page 467; thence continuing with the Wood property boundary, Course #45, with a deflection angle of 10°21'41" to the right or a bearing of N 27°05'31" E for a distance of 208.83' to a 5/8" rebar set with an aluminum cap in the Wood boundary line; thence with the Wood boundary line, Course #46, with a deflection angle of 02°37'49" to the left or a bearing of N 24°27'42" E for a distance of 429.00' to a 5/8" rebar with an aluminum cap in the Wood boundary line and in place of an Apple tree which is referenced as the 4th corner of Deed Book 546, Page 467; thence continuing with the Wood boundary, Course #47, with a deflection angle of 46°00'00" to the right or a bearing of N 70°27'42" E for a distance of 124.89' to a 5/8" rebar in the Wood boundary at the southern edge of the Piedmont Natural Gas right-of-way, (see Deed Book 1687, Page 905 and Deed Book 3333, Page

1542); thence continuing along the Wood boundary and crossing the Piedmont Natural Gas right-of-way, Course #48, with a deflection angle of 00°00'00" to the right or a bearing of N 70°27'42" E for a distance of 60.74' to a 5/8" rebar with an aluminum cap in the Wood boundary and in the Piedmont Natural Gas right-of-way; thence continuing along the Wood boundary line, Course #49, with a deflection angle of 18°30'00" to the right or a bearing of N 88°57'42" E for a distance of 107.24' to a 5/8" rebar set in the Wood boundary line and on the northern edge of the Piedmont Natural Gas right-of-way; thence continuing along the Wood boundary, Course #50, with a deflection angle of 0°00'00" to a bearing of N 88°57'42" E for a distance of 456.96' to a 5/8" rebar set in the Wood boundary line; thence continuing along the Wood boundary, Course #51, with a deflection angle of 00°00'00" to the right or a bearing of N 88°57'42" E for a distance of 498.48' to a 5/8" rebar set in the eastern boundary line of the Wood property; thence continuing to traverse along the eastern line of the Wood property, Course #52, with a deflection angle of 76°29'31" to the left or a bearing of N 12°28'11" E for a distance of 132.64' to a 5/8" rebar set at the bank of the Henry Fork River in the Wood eastern boundary line; thence continuing with the Wood boundary, Course #53, with a deflection angle of 00°00'00" to the right or a bearing of N 12°28'11" E for a distance of 58.27' to a point in the center of the Henry Fork River and a corner in the east line of the Wood property and being in a 25' sanitary sewer easement as recorded in Deed Book 1150, Page 378 and Deed Book 1167, Page 451; thence leaving the center of the river and running a new line through the City of Hickory property and the sanitary sewer easement, Course #54, with a deflection angle of 20°04'56" to the right or a bearing of N 32°33'07" E for a distance of 66.94' to the center of a sanitary sewer manhole lid, a new corner; thence a new line running through the city of Hickory property, Course #55, with a deflection angle of 23°48'19" to the right or a bearing of N 56°21'25" E for a distance of 356.67' to a 7/8" rebar set with an aluminum cap in the center of the aforementioned sanitary sewer line and east of a small woods road used to access the sewer line for maintenance; thence continuing through the City of Hickory property, a new line, Course #56, with a deflection angle of 31°22'56" to the left or a bearing of N 24°58'29" E for a distance of 141.27' to a 7/8" rebar east of the small woods road, a new corner; thence continuing a new line through the City of Hickory property, Course #57, with a deflection angle of 01°21'16" to the right or a bearing of N 26°19'45" E for a distance of 99.69' to a 7/8" rebar set with an aluminum cap, a new corner, on the east side of the woods road; thence continuing through the City of Hickory property, a new line, Course #58, with a deflection angle of 14°10'35" to the left or a bearing of N 12°09'10" E for a distance of 106.38' to a 7/8" rebar set with an aluminum cap, a new corner, east of the small woods road; thence continuing through the City of Hickory property, a new line, Course #59, with a deflection angle of 32°08'31" to the right or a bearing of N 44°17'40" E for a distance of 77.25' to a 7/8" rebar set with an aluminum cap, a new corner, east of the woods road; thence continuing through the City of Hickory property, a new line, Course #60, with a deflection angle of 04°48'47" to the right or a bearing of N 49°06'27" E for a distance of 173.91' to a 7/8" rebar set with an aluminum cap, a new corner, east of the woods road; thence continuing through the City of Hickory property, a new line, Course #61, with a deflection angle of 18°14'45" to the right or a bearing of N 67°21'12" E for a distance of 81.28' to a 7/8" rebar set with an aluminum cap, a new corner, east of the woods road; thence continuing through the City of Hickory property, a new line, Course #62, with a deflection angle of 28°00'27" to the right or a bearing of S 84°38'21" E for a distance of 118.56' to a 7/8" rebar set with an aluminum cap, a new corner, east of the woods road; thence continuing through the City of Hickory property, a new line, Course #63, with a deflection angle of 14°06'53" to the left or a bearing of N 81°14'46" E for a distance of 113.45' to a 7/8" rebar set with an aluminum cap, a new corner, east of the woods road; thence continuing through the City of the Hickory property, a new line, Course #64, with a deflection angle of 09°59'52" to the left or a bearing of N 71°14'54" E for a distance of 59.74' to a 7/8" rebar set with an aluminum cap, a new corner, east of the woods road; thence continuing though the City of Hickory property, a new line, Course #65, with a deflection angle of 02°39'27" to the left or a bearing of N 68°35'27" E for a distance of 83.22' to a 7/8" rebar set with an aluminum cap east of the woods road, a new corner; thence continuing a new line through the City property, Course #66, with a deflection angle of 07°39'12" to the right or a bearing of N 76°14'39" E for a distance of 70.48' to a 7/8" rebar set with an aluminum cap, a new corner, east of the woods road; thence continuing through the City of Hickory property, Course #67, with a deflection angle of 18°09'30" to the right or a bearing of S 85°35'52" E for a distance of 99.11' to a 7/8" rebar set with an aluminum cap, a new corner, east of the woods road; thence continuing to traverse through the City of Hickory property, Course #68, with a deflection angle of 22°56'03" to the right or a bearing of S 62°39'49" E for a distance of 164.91' to a 7/8"

rebar set with an aluminum cap, a new corner, east of the woods road; thence continuing through the City of Hickory property, a new line, Course #69, with a deflection angle of $56^{\circ}17'08''$ to the left or a bearing of $N 61^{\circ}03'03'' E$ for a distance of 60.35' to a 7/8" rebar set with an aluminum cap, a new corner; which is the point of BEGINNING, having an area of 128.950 Acres (5,617,074.0 square feet or 52.18 hectares).



8/28/2024

EXHIBIT A-2
Retained Property

BEGINNING at a 7/8" rebar set with an aluminum cap near a 3' tall, 120 lb railroad rail in the boundary of Deed Book 895, Page 260, Tract No. 1 and at the end of Lakeview Drive of the Hollywood Heights Subdivision and also being located between Lot 39 of Block E of Plat Book 9, Page 24 and Lot 35 of Block F of Plat Book 9, Page 24, said rebar having North Carolina state plane grid coordinates of N= 714,916.9867, E=1,308,644.7915, Elevation=997.52', a convergence angle of N 01°20'38" E, a scale factor of grid to ground=1.00009797086489, a combined scale factor of grid to ground=1.00014064879735, a latitude of N 35°41'31.42197", a longitude of W 81°19'42.84481", a geoid of -105.38, horizontal datum of North American Datum of 1983 with realization of 2011 (NAD83/2011), a vertical datum on North American Vertical Datum of 1988, (NAVD88), a geoid of Continental US18 (geoid18); thence a new line east of a small woods road, Course #1, a grid bearing of S 61°03'03" W a distance of 60.35' to a 7/8" rebar set with an aluminum cap on the east side of the aforementioned woods road; thence a new line and continuing along the east edge of the woods road and the top of the bank, Course #2, turning an interior angle of 123°42'52" to a bearing of N 62°39'49" W a distance of 164.91' to a 7/8" rebar set with an aluminum cap on the east side of the woods road and on the top of the bank; thence a new line and continuing with the woods road and the top of the bank, Course #3, turning an interior angle of 157°03'57" to a bearing of N 85°35'52" W a distance of 99.11' to a 7/8" rebar set with an aluminum cap on the top of the bank and the east side of the woods road; thence a new line and continuing with the east side of the woods road and the top of the bank, Course #4, turning an interior angle of 161°50'30" to a bearing of S 76°14'39" W a distance of 70.48' to a 7/8" rebar set with an aluminum cap on the east side of the woods road and the top of the bank; thence a new line and continuing with the woods road and the top of the bank, Course #5, turning an interior angle of 172°20'48" to a bearing of S 68°35'27" W a distance of 83.22' to a 7/8" rebar set on the east side of the woods road and the top of the bank; thence a new line and continuing along the east side of the woods road and the top of the bank, Course #6, turning an interior angle of 177°20'33" to a bearing of S 71°14'54" W a distance of 59.74' to a 7/8" rebar set with an aluminum cap on the east side of a woods road and the top of the bank; thence a new line and continuing along the east side of the woods road and the top of the bank, Course #7, turning an interior angle of 170°00'08" to a bearing of S 81°14'46" W a distance of 113.45' to a 7/8" rebar set with an aluminum cap on the east side of the woods road; thence a new line along the east side of the woods road, Course #8, turning an interior angle of 165°53'07" to a bearing of N 84°38'21" W a distance of 118.56' to a 7/8" rebar set with an aluminum cap on the east side of the woods road; thence a new line continuing along the east side of the woods road, Course #9, turning an interior angle of 151°59'33" to a bearing of S 67°21'12" W a distance of 81.28' to a 7/8" rebar set with an aluminum cap on the east side of the woods road; thence a new line continuing with the east side of the woods road, Course #10, turning an interior angle of 161°45'15" to a bearing of S 49°06'27" W a distance of 173.91' to a 7/8" rebar set with an aluminum cap on the east side of the woods road; thence a new line continuing with the east side of the woods road, Course #11, turning an interior angle of 175°11'13" to a bearing of S 44°17'40" W a distance of 77.25' to a 7/8" rebar set with an aluminum cap on the east side of the woods road; thence a new line on the east side of the woods road, Course #12, turning an interior angle of 147°51'29" to a bearing of S 12°09'10" W a distance of 106.38' to a 7/8" rebar set with an aluminum cap on the east side of the woods road; thence a new line continuing along the east side of the woods road, Course #13, turning an interior angle of 165°49'25" to a bearing of S 26°19'45" W a distance of 99.69' to a 7/8" rebar set with an aluminum cap on the east side of the woods road; thence continuing a new line

with the east side of the woods road, Course #14, turning an interior angle of $178^{\circ}38'44''$ to a bearing of $S 24^{\circ}58'29'' W$ a distance of 141.27' to a 7/8" rebar set with an aluminum cap on the east side of the woods road and in the center of the sewer line recorded in Deed Book 1150, Page 378 and Deed Book 1167, Page 451, said rebar being located $N 84^{\circ}11'13'' E$ a distance of 23.22' from an existing sewer manhole and $S 84^{\circ}11'13'' W$ a distance of 450.76' from an existing sewer manhole; thence a new line, Course #15, turning an interior angle of $148^{\circ}37'04''$ to a bearing of $S 56^{\circ}21'25'' W$ a distance of 356.67' to the center of an existing sewer manhole on the northeast bank of the Henry Fork River; thence a new line, Course #16, turning an interior angle of $156^{\circ}11'41''$ to a bearing of $S 32^{\circ}33'07'' W$ a distance of 66.94' to a point in the center of the Henry Fork River, said point is the common point of The City of Hickory property recorded in Deed Book 895, Page 260, Tract II and the Donna Wood Olsen and Hal Nelson Wood property as recorded in Deed Book 99E, Page 333; thence with the common line of the City of Hickory and Olson/Wood properties along the center of the Henry Fork River, Course #17, turning an interior angle of $76^{\circ}56'12''$ to a bearing of $N 44^{\circ}23'06'' W$ a distance of 61.66' to a point in the center of the Henry Fork River and the common line of the City of Hickory and Olson/Wood properties; thence continuing with the City and Olson/Wood properties along the centerline of the river, Course #18, turning an interior angle of $169^{\circ}25'19''$ to a bearing of $N 33^{\circ}48'24'' W$ a distance of 88.23' to a point in the common line of the City of Hickory property, the Olson/Wood property and the Blueberry Farms, LLC property recorded in Deed Book 3497, Page 1092, Tract One; thence leaving the river and running with the City and Blueberry Farms properties, Course #19, turning an interior angle of $87^{\circ}33'01''$ to a bearing of $N 58^{\circ}38'34'' E$ a distance of 53.76' to an existing T-post on the bank of the river and in the common line; thence continuing with the common line of the City and Blueberry Farms properties, Course #20, turning an interior angle of $180^{\circ}00'00''$ to a bearing of $N 58^{\circ}38'34'' E$ a distance of 170.18' to a 5/8" rebar set in the common line of the City and Blueberry Farms properties, said rebar being located $S 84^{\circ}56'31'' W$ a distance of 28.71' from the center of a sewer manhole; thence continuing with the common line of the City property and Blueberry Farms property, Course #21, turning an interior angle of $180^{\circ}00'00''$ to a bearing of $N 58^{\circ}38'34'' E$ a distance of 66.91' to a 5/8" rebar set with an aluminum cap on the west bank of a small creek; thence continuing the same common line with the City and Blueberry Farms properties, Course #22, turning an interior angle of $180^{\circ}00'00''$ to a bearing of $N 58^{\circ}38'34'' E$ a distance of 20.00' to a point in a small branch in the common line between the City and Blueberry Farms properties; thence with the center of the small branch, Course #23, turning an interior angle of $130^{\circ}07'57''$ to a bearing of $N 08^{\circ}46'31'' E$ a distance of 98.86' to a point in the small branch; thence continuing with the common line in the center of the small branch, Course #24, turning an interior angle of $163^{\circ}31'21''$ to a bearing of $N 07^{\circ}42'08'' W$ a distance of 24.00' to a point in the small branch; thence continuing with the common boundary line and the small branch, Course #25, turning an interior angle of $160^{\circ}19'57''$ to a bearing of $N 11^{\circ}57'55'' E$ a distance of 20.31' to a point in the small branch; thence continuing with the common line and small branch, Course #26, turning an interior angle of $128^{\circ}26'51''$ to a bearing of $N 39^{\circ}35'14'' W$ a distance of 25.09' to a point in the small branch; thence continuing with the common boundary line and the centerline of the small branch, Course #27, turning an interior angle of $140^{\circ}05'48''$ to a bearing of $N 00^{\circ}18'58'' E$ a distance of 32.63' to a point in the centerline of the small branch; thence continuing with the common boundary line and the small branch, Course #28, turning an interior angle of $151^{\circ}26'34''$ to a bearing of $N 28^{\circ}14'28'' W$ a distance of 20.85' to a point in the center of the small branch; thence continuing with the centerline of the small branch, Course

#29, turning an interior angle of $93^{\circ}37'06''$ to a bearing of $N 58^{\circ}08'26'' E$ a distance of 10.60' to a point in the small branch; thence continuing with the small branch and the common line, Course #30, turning an interior angle of $162^{\circ}26'30''$ to a bearing of $N 40^{\circ}34'56'' E$ a distance of 19.20' to a point in the centerline of the small branch; thence continuing with the common boundary and the small branch, Course #31, turning an interior angle of $125^{\circ}25'14''$ to a bearing of $N 13^{\circ}59'50'' W$ a distance of 72.28' to a point in the centerline of the small branch; thence continuing with the small branch and the common boundary line, Course #32, turning an interior angle of $157^{\circ}06'07''$ to a bearing of $N 08^{\circ}54'03'' E$ a distance of 26.96' to a point in the centerline of the small branch; thence leaving the small branch and running with the common boundary line, Course #33, turning an interior angle of $154^{\circ}45'00''$ to a bearing of $N 34^{\circ}09'03'' E$ a distance of 23.41' to an existing 1" iron pipe on the east bank of the small branch; thence continuing with the common boundary, Course #34, turning an interior angle of $179^{\circ}59'37''$ to a bearing of $N 34^{\circ}09'26'' E$ a distance of 1411.34' to an existing 1 1/2" iron pipe (disturbed), said iron pipe being a common corner of the aforementioned City of Hickory property, the Blueberry Farms, LLC property and Blueberry Farms, LLC property recorded in Deed Book 3497, Page 1092, Tract Four and being located $S 65^{\circ}13'52'' E$ a distance of 423.32' from an existing 2" iron pipe; thence with the City property and Tract Four of the Blueberry Farms property, Course #35, turning an interior angle of $99^{\circ}17'04''$ to a bearing of $S 65^{\circ}07'38'' E$ a distance of 248.45' to an existing 1 1/2" iron pipe in the City of Hickory property line and the common corner of the Blueberry Farms, Tract Four property and the John Lee Barger and Gilda Mae B. Barger property recorded in Deed Book 1036, Page 473 and being illustrated as Lot 4 of Plat Book 40, Page 24; thence with the City of Hickory property and the Barger property, Course #36, turning an interior angle of $178^{\circ}33'39''$ to a bearing of $S 63^{\circ}41'17'' E$ a distance of 168.41' to an existing 1 1/2" iron pipe in the City of Hickory boundary and a common corner of the Barger property and the Chad Edward Fisher property recorded in Deed Book 3466, Page 427; thence with the City of Hickory and Fisher properties, Course #37, turning an interior angle of $179^{\circ}33'43''$ to a bearing of $S 63^{\circ}15'01'' E$ a distance of 211.89' to an existing 3/4" solid iron rod in the center and end of Parkway Drive as illustrated in Plat Book 9, Page 24; thence running along Parkway Drive, a 60' unnamed street and the City of Hickory property, Course #38, turning an interior angle of $92^{\circ}02'51''$ to a bearing of $S 24^{\circ}42'08'' W$ a distance of 234.13' to an existing 3/4" pinched iron leaning slightly, said iron being the end of the unnamed street and a corner of the City of Hickory property; thence crossing the 60' unnamed street and running with the City of Hickory boundary, Course #39, turning an interior angle of $89^{\circ}56'37''$ to a bearing of $S 65^{\circ}21'15'' E$ a distance of 59.76' to an existing 1/2" iron pipe the southwest corner of Lot 1, Block F of Plat Book 9, Page 24 in the name of Darren Burton Canipe recorded in Deed Book 3559, Page 1701; thence with the City of Hickory property and Canipe property, Course #40, turning an interior angle of $180^{\circ}00'00''$ to a bearing of $S 65^{\circ}21'15'' E$ a distance of 200.12' to an existing 1/2" iron pipe, said iron pipe being the common corner of Lots 8, 16 and 17 of Block F of Plat Book 9, Page 24 and being a corner of the City of Hickory property and the Samantha Dawn Davis property recorded in Deed Book 3559, Page 1704; thence with the Davis and City of Hickory properties, while running with the Billy M. Roberts property recorded in Deed Book 3319, Page 1253, Course #41, turning an interior angle of $48^{\circ}41'21''$ to a bearing of $S 65^{\circ}57'25'' W$ a distance of 113.92' to an existing 1/2" existing iron pipe, said iron pipe is a common corner of the City of Hickory property and the common corner of Lots 23 and 24 of Block F of Plat Book 4, Page 20 and in the name of Cathey A. Abrecht recorded in Deed Book 1989, Page 1377; thence with the City of Hickory property, the Abrecht property and the

Carrie Holder property recorded in Deed Book 3601, Page 1281, Course #42, turning an interior angle of 171°30'02" to a bearing of S 57°27'27" W a distance of 299.65' to an existing ½" iron pipe, said iron pipe being the northwest corner of Lot 35, Block F of Plat Book 9, Page 24; thence with the Holder property and the City of Hickory property, Course #43, turning an interior angle of 90°03'47" to a bearing of S 32°28'46" E a distance of 234.18' to a 7/8" rebar set with aluminum cap, which is the point of BEGINNING; having an area of 966,880 square feet or 22.20 acres.



10/24/2023

EXHIBIT "B"

Exceptions and Reservations

This conveyance is made subject to the following Exceptions and Reservations:

AS TO ALL TRACTS:

- a. Matters as shown and depicted on that certain survey prepared by J. Douglas Suttles, PLS # L-3728 recorded in Plat Book _____, Page _____ of the Catawba County Registry.
- b. Any matters as would be shown and reflected by a complete physical inspection of the property.
- c. Any condition existing in, on, under, or about the property that would constitute a violation of any local, state, or federal law, rule, ordinance, or regulation concerning the storage, use, disposal, or otherwise of any environmental contaminate.
- d. Riparian rights associated with the Henry Fork River and any tributaries thereto.
- e. Portions of the property lie within the 100 year floodplain.
- f. Annexation into the City of Hickory, Book 3788, Page 350, Catawba County Registry.
- g. The reversionary terms and conditions as set forth on *Exhibit "C"* attached hereto and incorporated herein.

As to Catawba Co. PIN 3701-16-84-4836, REID 42933 (comprised of Tract 1 and Tract 2), as described in Deed Book 895, Page 260:

- a. Plat Book 9, Book 24.
- b. Right of way to Piedmont Natural Gas/Carolina Natural Gas, Book 574, Page 472, Book 1658, Page 743, Book 3333, Page 1542.
- c. City of Hickory sewer line as depicted on Suttles Survey – no easement recorded.
- d. 6th St Ct SE (Lakeview Drive) is state maintained only to the end of the pavement.

As to Catawba Co. PIN 3701-15-73-4171, REID 48123, as described in Deed Book 2041, Page 1400 and Deed Book 2264, Page 706:

- a. Plat Book 20, Page 279.
- b. Judgment/Easement to Piedmont Natural Gas/Carolina Natural Gas, Book 565, Page 70, Book 1687, Page 905, and Book 3333, Page 1542.
- c. Right of Ways to NCDOT, Book 2125, Page 1157 and Book 2125, Page 1160.
- d. Easements to Duke Power Company, Book 465, Page 110, Book 465, Page 60, and Book 2016, Page 733.
- e. Title to any portion of the premises lying within the right-of-way of Dietz Road.

As to Catawba Co. PIN 3701-15-63-6164, REID 48120, as described in Deed Book 2900, Page 178:

- a. Plat Book 24, Page 107.
- b. Easements to Duke Power Company, Book 1627, Page 13, 1627, Page 15, and Book 1643, Page 25.

As to Catawba Co. PIN 3701-15-73-1634, REID 48119, as described in Deed Book 2371, Page 885:

- a. Revocable License Agreement between City of Hickory and Ronnie and Joelle Calloway, Book 2369, Page 1431 for installation of a septic tank.
- b. Title to any portion of the premises lying within the right-of-way of Dietz Road.
- c. Rights of others to the continued use of the 60' easement and 45' right of way as shown on the Suttles Survey and as depicted on Plat Book 53, Page 54.
- d. Easements to Duke Power Company, Book 1627, Page 13, Book 1627, Page 15, and Book 1643, Page 25.
- e. Easements to Piedmont Natural Gas/Carolina Natural Gas, Book 574, Page 472, Book 1658, Page 743, Book 1687, Page 905, Book 3333, Page 1534, and Book 3333, Page 1542.

EXHIBIT "C"**Reversionary Terms and Conditions**

It is further understood that the Grantor conveys the property in fee simple to the Grantee so long as (a) the Grantee keeps the property predominately in its natural, scenic or open condition and uses the entire property solely as an addition to the North Carolina State Parks system for public access and recreational purposes, and (b) completes the construction of the Amenities, as defined below, within ten (10) years of the transfer of the property to Grantee.

Notwithstanding the foregoing, it is acknowledged that the Grantee intends to construct a parking lot, two boat launches, a trail bridge, a restroom building (collectively, the "Amenities"), and possible other structures ancillary to the use of the Amenities on the property and such construction, and subsequent uses, shall not be deemed or construed as violation of Grantee's requirement to keep the property predominantly in its natural, scenic, or open condition, but shall be deemed as ancillary to Grantee use of the property as part of the North Carolina State Parks system, and are expressly authorized and permitted.

If (i) the property is not kept in its natural, scenic or open condition or the Grantee ceases to use the entire property solely as an addition to the North Carolina State Parks system for public access and recreational purposes, or (ii) Grantee fails to complete construction of the Amenities, as defined above, within ten (10) years of the transfer of the property to Grantee, then title to the property shall automatically revert to the Grantor, and the Grantor shall have the immediate right to re-enter and terminate all right, title, and interest in the property held by the Grantee. The parties further agree that in the event of such reversion, the Grantor has the right to demand that the Grantee execute a deed of reconveyance to the Grantor, and the Grantee hereby agrees, subject to receipt of necessary approvals and in accordance with applicable law, to execute any such reconveyance necessary to effectuate the reversion.

The foregoing covenant shall run with title to the land and shall be enforceable by the Grantor's successors and assigns.

COUNCIL AGENDA MEMOS

To: City Manager's Office

From: D. Reed Baer, III Chief of Police

Contact Person: D. Reed Baer, III Chief of Police

Date: 09/19/2024

Re: JAG 2024 Grant

REQUEST: Hickory Police Department requests approval to apply for the 2024 Justice Assistance Grant in collaboration with Catawba County Sheriff's Office.

BACKGROUND: City of Hickory has received notification of approval to receive \$17,926 based grant through the Office of Justice Programs/Bureau of Justice Assistance (BJA) that utilizes Uniform Crime Reporting statistics of all law enforcement agencies to determine eligibility for direct federal grant awards. There is no match required. Catawba County Sheriff's Office has received notification of approval to receive \$11,664 based grant through the Office of Justice Programs/Bureau of Justice Assistance (BJA) that utilizes Uniform Crime Reporting statistics of all law enforcement agencies to determine eligibility for direct federal grant awards

ANALYSIS: Hickory Police Department will use the grant funds for annual licensing fee for two GrayKey forensic devices from Magnet Forensics in collaboration with Catawba County Sheriff's Office. The JAG legislation requires counties to remain a partner with the local jurisdictions receiving funds and must be a signatory on a required Memorandum of Understanding (MOU).

RECOMMENDATION: Hickory Police Department recommends approval to apply and partner with Catawba County Sheriff's Office for the 2024 Justice Assistance Grant in the amount of \$29,590.00 (Catawba County Sheriff's Office – 11,664 and Hickory Police - 17,926). Hickory Police and Catawba County Sheriff's Office will share the remaining expense of the annual licensing fee to use two GrayKey forensic devices from Magnet Forensics for the FY2025-2026 fiscal year.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

X

LIST THE EXPENDITURE CODE:

0495110 -521508 FY25-26

Reviewed by:

D. Reed Baer, III

Initiating Department Head

9/21/24

Date

Attorney, Tim Swanson

Date

Rodney Miller

Asst. City Manager Rodney Miller

9/26/24

Date

Paul Beasley

Asst. City Manager, R. Beasley

9/26/24

Date

Kari Dunlap

Finance Officer, Kari Dunlap

9/25/24

Date

Cameron McHargue

Deputy Finance Officer,
Cameron McHargue

9-26-24

Date

Yardee Fox

Asst. City Manager Yardee Fox

9/26/24

Date

Recommended for approval and placement on _____ Council agenda (as
Consent, Public Hearing, Informational, Department Report, etc).

W. Wood

City Manager, W. Wood

9.26.24

Date

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

Exhibit VIII.G.

Edward Byrne Memorial Justice Assistance Grant Program FY 2024 Local Solicitation

Certifications and Assurances by the Chief Executive of the Applicant Government

On behalf of the applicant unit of local government named below, in support of that locality's application for an award under the FY 2024 Edward Byrne Memorial Justice Assistance Grant ("JAG") Program, and further to 34 U.S.C. § 10153(a), I certify to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

1. I am the chief executive of the applicant unit of local government named below, and I have the authority to make the following representations on my own behalf as chief executive and on behalf of the applicant unit of local government. I understand that these representations will be relied upon as material in any OJP decision to make an award, under the application described above, to the applicant unit of local government.
2. I certify that no federal funds made available by the award (if any) that OJP makes based on the application described above will be used to supplant local funds but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.
3. I assure that the application described above (and any amendment to that application) was submitted for review to the governing body of the unit of local government (e.g., city council or county commission), or to an organization designated by that governing body, not less than 30 days before the date of this certification.
4. I assure that, before the date of this certification— (a) the application described above (and any amendment to that application) was made public; and (b) an opportunity to comment on that application (or amendment) was provided to citizens and to neighborhood or community-based organizations, to the extent applicable law or established procedure made such an opportunity available.
5. I assure that, for each fiscal year of the award (if any) that OJP makes based on the application described above, the applicant unit of local government will maintain and report such data, records, and information (programmatic and financial), as OJP may reasonably require.
6. I have carefully reviewed 34 U.S.C. § 10153(a)(5), and, with respect to the programs to be funded by the award (if any), I hereby make the certification required by section 10153(a)(5), as to each of the items specified therein.
7. If the applicant named below is not the unit of local government itself, I certify that it is an instrumentality of the unit of local government and is approved to serve as the applicant and recipient of FY 2024 JAG funding on behalf of the unit of local government.

Signature of Chief Executive of the Applicant Unit of
Local Government

Date of Certification

Printed Name of Chief Executive

Title of Chief Executive

Name of Applicant Unit of Local Government

*This instrument has been preaudited
in the manner required by the Local
Government Budget and Fiscal
Control Act.*

Kari Durlap

City of Hickory
Finance Officer

2024 North Carolina Local JAG Allocations

Listed below are all jurisdictions in the state that are eligible for FY 2024 JAG funding, as determined by the JAG formula. For additional details regarding the JAG formula and award calculation process, with examples, please refer to the JAG Technical report here: <https://bjs.ojp.gov/library/publications/justice-assistance-grant-jag-program-2022> and current JAG Frequently Asked Questions here: <https://bja.ojp.gov/program/jag/frequently-asked-questions>.

Finding your jurisdiction:

- (1) Disparate jurisdictions are listed in shaded groups below, in alphabetic order by county.
- (2) Direct allocations are listed alphabetically below the shaded, disparate groupings.
- (3) Counties that have an asterisk (*) under the "Direct Allocation" column did not submit the level of violent crime data to qualify for a direct award from BJA, but are in the disparate grouping indicated by the shaded area. The JAG legislation requires these counties to remain a partner with the local jurisdictions receiving funds and must be a signatory on the required Memorandum of Understanding (MOU). A sample MOU is provided online at: <https://www.bja.gov/Funding/JAGMOU.pdf>. Disparate jurisdictions do not need to abide by the listed individual allocations, which are provided for information only. Jurisdictions in a funding disparity are responsible for determining individual amounts within the Eligible Joint Allocation and for documenting individual allocations in the MOU.

State	Jurisdiction Name	Government Type	Direct Allocation	Joint Allocation
NC	ALAMANCE COUNTY	County	\$12,474	
NC	BURLINGTON CITY	Municipal	\$38,553	\$51,027
NC	BUNCOMBE COUNTY	County	\$13,310	
NC	ASHEVILLE CITY	Municipal	\$58,689	\$71,999
NC	CATAWBA COUNTY	County	\$11,664	
NC	HICKORY CITY	Municipal	\$17,926	\$29,590
NC	CRAVEN COUNTY	County	*	
NC	NEW BERN CITY	Municipal	\$12,524	\$12,524
NC	CUMBERLAND COUNTY	County	\$52,010	
NC	FAYETTEVILLE CITY	Municipal	\$152,764	\$204,774
NC	DURHAM COUNTY	County	*	
NC	DURHAM CITY	Municipal	\$165,017	\$165,017
NC	FORSYTH COUNTY	County	\$19,203	
NC	WINSTON-SALEM CITY	Municipal	\$221,226	\$240,429
NC	GASTON COUNTY	County	\$15,274	
NC	GASTONIA CITY	Municipal	\$52,329	\$67,603
NC	GUILFORD COUNTY	County	\$17,803	
NC	GREENSBORO CITY	Municipal	\$193,576	
NC	HIGH POINT CITY	Municipal	\$50,144	\$261,523
NC	IREDELL COUNTY	County	\$10,314	
NC	STATESVILLE CITY	Municipal	\$23,819	\$34,133
NC	LENOIR COUNTY	County	*	
NC	KINSTON CITY	Municipal	\$14,463	\$14,463
NC	MECKLENBURG COUNTY	County	*	
NC	CHARLOTTE CITY	Municipal	\$569,529	\$569,529
NC	NASH COUNTY	County	*	
NC	ROCKY MOUNT CITY	Municipal	\$39,634	\$39,634

NC	NEW HANOVER COUNTY	County	\$10,191	
NC	WILMINGTON CITY	Municipal	\$52,354	\$62,545
NC	PITT COUNTY	County	\$12,426	
NC	GREENVILLE CITY	Municipal	\$34,305	\$46,731
NC	ROWAN COUNTY	County	\$12,327	
NC	SALISBURY CITY	Municipal	\$22,297	\$34,624
NC	SCOTLAND COUNTY	County	*	
NC	LAURINBURG CITY	Municipal	\$19,203	\$19,203
NC	UNION COUNTY	County	\$13,948	
NC	MONROE CITY	Municipal	\$23,500	\$37,448
NC	VANCE COUNTY	County	\$10,756	
NC	HENDERSON CITY	Municipal	\$20,013	\$30,769
NC	WAKE COUNTY	County	\$17,557	
NC	RALEIGH CITY	Municipal	\$161,579	\$179,136
NC	WAYNE COUNTY	County	\$14,758	
NC	GOLDSBORO CITY	Municipal	\$26,987	\$41,745
NC	WILSON COUNTY	County	*	
NC	WILSON CITY	Municipal	\$19,964	\$19,964
NC	BRUNSWICK COUNTY	County	\$12,573	
NC	CARY CITY	Municipal	\$10,019	
NC	CHEROKEE TRIBAL	Tribal	\$10,706	
NC	CLEVELAND COUNTY	County	\$12,769	
NC	HARNETT COUNTY	County	\$18,466	
NC	HOKE COUNTY	County	\$10,952	
NC	JACKSONVILLE CITY	Municipal	\$18,491	
NC	JOHNSTON COUNTY	County	\$10,043	
NC	LUMBERTON CITY	Municipal	\$25,465	
NC	ONSLow COUNTY	County	\$14,218	
NC	RICHMOND COUNTY	County	\$16,379	
NC	ROBESON COUNTY	County	\$75,854	
NC	SAMPSON COUNTY	County	\$11,959	
NC	SHELBY CITY	Municipal	\$12,327	
	Local total		\$2,494,631	

OMB No. 1121-0329
Approval Expires 2/28/2027



U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Solicitation Title: BJA FY24 Edward Byrne Memorial Justice Assistance Grant (JAG)

Program—Local Solicitation

Assistance Listing Number 16.738

Grants.gov Opportunity Number: O-BJA-2024-172239

Solicitation Release Date: September 4, 2024

Step 1: Application Grants.gov Deadline: 8:59 p.m. Eastern Time on October 16, 2024

Step 2: Application JustGrants Deadline: 8:59 p.m. Eastern Time on October 22, 2024

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Synopsis

Program Description Overview

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) seeks applications for formula funding to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice or civil proceedings to states to support a range of program areas under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program—Local Solicitation.

With this solicitation, the Bureau of Justice Assistance (BJA) seeks to award Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds to eligible units of local government. (BJA will issue a separate solicitation for applications from states.)

For more information on the JAG Program, please refer to the [JAG Fact Sheet](#) and/or [JAG Frequently Asked Questions \(FAQs\)](#).

OJP is committed to advancing work that promotes civil rights and equity, increases access to justice, supports crime victims and individuals impacted by the justice system, strengthens community safety, protects the public from crime and evolving threats, and builds trust between law enforcement and the community.

This program furthers the DOJ's mission to uphold the rule of law, to keep our country safe, and to protect civil rights.

Funding Category

Competition ID	Competition Title (Category Name)	Expected Number of Awards	Dollar Amount for Award	Performance Start Date	Performance Duration (Months)
C-BJA-2024-00091-PROD	Category 1—Applicants with eligible allocation amounts of less than \$25,000	587	\$9,041,009	10/1/2023	24
C-BJA-2024-00092-PROD	Category 2—Applicants with eligible allocation amounts of \$25,000 or more	553	\$75,880,039	10/1/2023	48

Eligibility

- Special district governments
- City or township governments
- County governments
- Native American tribal governments (Federally recognized)

By law, for purposes of the JAG Program, the term “units of local government” includes a town, township, village, parish, city, county, borough, or other general-purpose political subdivision of a state, or it may be a federally recognized American Indian tribal government that performs law enforcement functions (as determined by the Secretary of the Interior). A unit of local government also may be any law enforcement district or judicial enforcement district established under applicable state law with authority to independently establish a budget and impose taxes; for example, in Louisiana, a unit of local government means a district attorney or parish sheriff.

The eligible allocations by state for the fiscal year (FY) 2024 JAG Program can be found at: <https://bja.ojp.gov/program/jag/overview>.

Eligible allocations under the JAG Program are posted annually on the JAG web page. See the [Allocation Determination and Units of Local Government Requirements Regarding Use of JAG Funds](#) section for more information. **Applicants with eligible allocation amounts of less than \$25,000 will apply to Category 1, and applicants with eligible allocation amounts of \$25,000 or more will apply to Category 2.**

Agency Contact Information

For assistance with the requirements of this solicitation, contact the OJP Response Center by phone at 800-851-3420, 301-240-6310 (TTY for hearing-impaired callers only), or email grants@ncjrs.gov. The OJP Response Center operates from 10:00 a.m. to 6:00 p.m. ET Monday–Friday and from 10:00 a.m. to 8:00 p.m. ET on the solicitation close date.

For procedures related to unforeseen technical issues beyond the control of the applicant that impact submission by the deadlines, see the “How To Apply” section, [Experiencing Unforeseen Technical Issues](#).

For assistance with submitting the [Application for Federal Assistance standard form \(SF-424\)](#) and a [Disclosure of Lobbying Activities \(SF-LLL\)](#) in Grants.gov, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, [Grants.gov Customer Support](#), or support@grants.gov. The Grants.gov Support Hotline is open 24 hours a day, 7 days a week, except on federal holidays.

For technical assistance with submitting the **full application** in JustGrants, contact the JustGrants Service Desk at 833-872-5175 or JustGrants.Support@usdoj.gov. The JustGrants Service Desk operates from 7:00 a.m. to 9:00 p.m. ET Monday–Friday and from 9:00 a.m. to 5:00 p.m. ET on Saturday, Sunday, and federal holidays.

Application Submission Information

Registration

Before submitting an application, an applicant must have a registration in the [System for Award Management \(SAM.gov\)](#).

Submission

Applications must be submitted to DOJ electronically through a two-step process that begins in [Grants.gov](#) and is completed in JustGrants. See the [Submission Dates and Time](#) section for the [Grants.gov](#) and JustGrants application deadlines.

Step 1: The applicant must register for this opportunity in Grants.gov at <https://grants.gov/register> and submit by the Grants.gov deadline the required [Application for Federal Assistance standard form \(SF-424\)](#) and a [Disclosure of Lobbying Activities \(SF-LLL\)](#). See the [Submission Dates and Time](#) section for application deadlines.

Step 2: The applicant must submit the **full application**, including attachments, in JustGrants at JustGrants.usdoj.gov by the JustGrants application deadline. See the [Submission Dates and Time](#) section for application deadlines.

Program Description

Program Description Overview

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) seeks applications for formula funding to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice or civil proceedings to states to support a range of program areas under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program—Local Solicitation. This program furthers the DOJ's mission to uphold the rule of law, to keep our country safe, and to protect civil rights.

With this solicitation, the Bureau of Justice Assistance (BJA) seeks to award Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds to eligible units of local government. (BJA will issue a separate solicitation for applications from states.)

For more information on the JAG Program, please refer to the [JAG Fact Sheet](#) and/or [JAG Frequently Asked Questions \(FAQs\)](#).

OJP is committed to advancing work that promotes civil rights and equity, increases access to justice, supports crime victims and individuals impacted by the justice system, strengthens community safety, protects the public from crime and evolving threats, and builds trust between law enforcement and the community.

Statutory Authority

The JAG Program is authorized by Title I of Public Law 90-351 (generally codified at [34 U.S.C. 10101-10726](#)), including subpart 1 of part E (codified at 34 U.S.C. 10151-10158); see also 28 U.S.C. 530C(a).

Specific Information

Statutory Formula

JAG awards are based on a statutory formula that is fully described within the [JAG Technical Report](#). Once each fiscal year's overall JAG Program funding level is determined, BJA works with the Bureau of Justice Statistics to begin a four-step grant award calculation process, which generally consists of the following:

1. Computing an initial JAG allocation for each state, based on its share of violent crime and population (weighted equally).
2. Reviewing the initial JAG allocation amount to determine whether the state allocation is less than the minimum award amount defined in the JAG legislation (0.25 percent of the total). If this is the case, the state is funded at the minimum level, and the funds required for this are deducted from the overall pool of JAG funds. Each of the remaining states receives the minimum award plus an additional amount based on its share of violent crime and population.
3. Dividing each state's final award amount (except for the territories and the District of Columbia) between the state and its units of local governments at rates of 60 and 40 percent, respectively.
4. Determining award allocations for the units of local government, which are based on their proportion of the state's 3-year violent crime average. If the "eligible award amount" for a particular unit of local government, as determined on this basis, is

\$10,000 or more, then the unit of local government is eligible to apply directly to OJP (under the JAG Local Solicitation) for a JAG award. If the “eligible award amount” for a particular unit of local government, as determined on this basis, is less than \$10,000, the funds are not made available for a direct award to that particular unit of local government but instead are added to the amount that is awarded to the state.

Allocation Determination and Units of Local Government Requirements Regarding Use of JAG Funds

Eligible allocations under JAG are posted annually on the [JAG web page](#).

According to the JAG Program statute, a “disparity” may exist between the funding eligibility of a county and its associated municipalities. See [34 U.S.C. § 10156\(d\)\(4\)](#). Units of local government identified by BJA as disparate must select a fiscal agent that will submit an application for the allocation that includes all disparate municipalities. A memorandum of understanding (MOU) that identifies which jurisdiction will serve as the applicant or fiscal agent for joint funds must be completed and signed by each participating jurisdiction’s authorized representative. Once an award is made, the fiscal agent will be responsible for distributing award funds to the other jurisdictions in the disparate group through subawards that include all appropriate award conditions. To verify eligibility, an applicant should visit the [JAG web page](#), click on their respective state, and note the following regarding the state’s allocation table:

1. Disparate units of local government are listed in shaded groups, in alphabetic order by county. Units of local government identified as disparate must select one unit of local government to submit an application on behalf of the disparate group.
2. Counties that have an asterisk (*) under the “Direct Allocation” column did not submit the level of violent crime data to qualify for a direct award from BJA but are in the disparate grouping indicated by the shaded area. The JAG legislation requires these counties to remain a partner with the local jurisdictions receiving funds and be a signatory on the required MOU.
3. Direct allocations are listed alphabetically below the shaded disparate groupings.

Please note that disparate jurisdictions do not need to abide by the listed individual allocations, which are provided for information only. Jurisdictions in a funding disparity are responsible for determining individual amounts within the Eligible Joint Allocation and documenting individual allocations in the MOU. See the [JAG FAQs](#) for more information. A [sample MOU](#) is also available.

Statutory Program Areas

In general, JAG funds awarded to a unit of local government under the FY 2024 program may be used to hire additional personnel and/or purchase equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice or civil proceedings, including for any one or more of the following program areas:

1. Law enforcement programs.
2. Prosecution and court programs.
3. Prevention and education programs.
4. Corrections and community corrections programs.
5. Drug treatment and enforcement programs.
6. Planning, evaluation, and technology improvement programs.

7. Crime victim and witness programs (other than compensation).
8. Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams.
9. Implementation of state crisis intervention court proceedings and related programs or initiatives, including but not limited to mental health courts, drug courts, veterans courts, and extreme risk protection order programs.

In connection with all of the above purposes, it should be noted that the JAG statute, at [34 U.S.C. § 10152](#), defines “criminal justice” as “activities pertaining to crime prevention, control, or reduction, or the enforcement of the criminal law, including, but not limited to, police efforts to prevent, control, or reduce crime or to apprehend criminals, including juveniles, activities of courts having criminal jurisdiction, and related agencies (including but not limited to prosecutorial and defender services, juvenile delinquency agencies and pretrial service or release agencies), activities of corrections, probation, or parole authorities and related agencies assisting in the rehabilitation, supervision, and care of criminal offenders, and programs relating to the prevention, control, or reduction of narcotic addiction and juvenile delinquency.”

BJA Areas of Emphasis

BJA recognizes that many state and local justice systems currently face challenging fiscal environments, and an important, cost-effective way to relieve those pressures is to share or leverage resources through cooperation among federal, state, and local criminal justice agencies and community-based public safety partners. Key areas of priority for BJA include: Prevention and Prosecution of Hate Crimes, Election Security, Enhancing Justice System Reform Strategies, Advancing Equity and Support for Underserved Communities, and Violent Crime Reduction.

BJA encourages recipients of FY 2024 JAG funds to coordinate with federal criminal justice agencies and other stakeholders, including communities most impacted by crime and violence, in addressing these challenges. Additional details on the BJA areas of emphasis can be found below.

Prevention and Prosecution of Hate Crimes

Hate crimes (sometimes called bias-motivated crimes) are criminal offenses motivated by some form of bias toward victims based on their perceived or actual race, color, ethnicity, religion, national origin, sexual orientation, gender, gender identity, or disability. Hate crimes have a devastating effect beyond the harm inflicted on any one victim. They reverberate through families, communities, and the entire nation as others fear that they too may be threatened, attacked, or forced from their homes because of what they look like, who they are, where they worship, whom they love, or whether they have a disability. As with most other crimes, hate crimes in the United States are primarily investigated under state law and prosecuted by local, state, and tribal authorities. However, reluctance from victims and witnesses to contact law enforcement about hate crime incidents may arise from perceptions of bias, distrust of law enforcement or the criminal justice system, or barriers such as language and concerns about immigration status. Hate crimes are chronically underreported to and under-identified by law enforcement. Tools such as the U.S. Bureau of Justice Statistics’ [National Crime Victimization Survey \(NCVS\)](#) and the Federal Bureau of Investigation’s (FBI’s) [Uniform Crime Reporting \(UCR\) program](#) and [FBI’s Crime Data Explorer \(CDE\)](#) shed some light on trends among those hate crimes reported to law enforcement or through NCVS. Although hate crimes are often

underreported, in recent years, there have been alarming spikes in hate crimes and threats of violence across the country, often fueled by online hate forums. In 2022, the most recently published data, hate crimes were at their highest recorded levels as reported to the FBI UCR program. In addition to those incidents reported through the UCR program, in 2023, jurisdictions from across the country reported increases in threats and attacks motivated by antisemitism or Islamophobia, target certain educational institutions such as Historically Black Colleges and Universities, or target individuals on the basis of their gender identity or sexual orientation.

During a [November 2023 United Against Hate Virtual Forum](#), Attorney General Merrick Garland addressed the recent spike in hate crimes, and reemphasized that, “Combating hate-fueled violence remains central to the Justice Department’s mission.” A critical part of that mission is equipping state, local, and tribal justice agencies with the tools and resources to address hate crimes. [Research from the National Institute of Justice](#) (NIJ) indicates that despite the known underreporting of hate crimes, many state and local law enforcement agencies do not have adequate tools to identify, investigate, and respond to hate crimes, and only 23 percent of law enforcement agencies that responded to the survey reported any hate crime investigations in 2018.

BJA encourages JAG recipients to utilize funding to promote change and accountability by supporting state, local, and tribal efforts to prevent hate crimes, build trust with communities to encourage reporting of hate-related criminal offenses and incidents, and promote efforts to fully investigate and prosecute hate crimes when they do occur. This includes ensuring those agencies that have not yet transitioned to the National Incident Based Reporting System (NIBRS) doing so expeditiously to ensure that national hate crime statistics are as accurate as possible. More information on BJA’s portfolio addressing hate crimes, including the [Emmett Till Cold Case Investigations](#) and [Matthew Shepard and James Byrd, Jr. Hate Crimes](#) Programs, can be found [Hate Crime | Bureau of Justice Assistance](#).

Election Security

In 2021, the Department launched a law enforcement task force to address the rise in threats against election workers, administrators, officials, and others associated with the electoral process. For more information regarding the Department’s efforts to combat threats against election workers, read the [Deputy Attorney General’s memo](#). The task force, announced by Attorney General Merrick B. Garland and launched by Deputy Attorney General Lisa O. Monaco in June 2021, has led DOJ’s efforts to address threats of violence against election workers, and to ensure that all election workers—whether elected, appointed, or volunteer—are able to do their jobs free from threats and intimidation. The task force engages with election-related stakeholders and state and local law enforcement to assess allegations and reports of threats against election workers, and it has investigated and prosecuted these matters where appropriate, in partnership with FBI Field Offices and U.S. Attorneys’ Offices throughout the country.

[On January 9, 2024, the Department provided updated information](#) pertaining to its efforts to “ensure that all qualified voters have the opportunity to cast their ballots and have their votes counted free of discrimination, intimidation, or criminal activity in the election process, and to ensure that our elections are secure and free from foreign malign influence and interference.”

The [broad criminal justice purposes supported by the JAG Program](#) permit JAG funds to be used to deter, detect, and protect against threats of violence against election workers,

administrators, officials, and others associated with the electoral process. BJA encourages state and local JAG applicants to utilize JAG funding to prevent and respond to violent threats of this kind.

Enhancing Justice System Reform Strategies

The justice system serves an important role in protecting communities and seeking justice for victims. For the justice system to serve that role effectively, it must be fair, open, and equitable; utilize evidence-based approaches; and promote restorative practices and rehabilitation. For far too long, however, the justice system has not lived up to its promise. Racial disparities and other inequities, as well as overly harsh sentences, have driven up incarceration rates, which can create mistrust in the justice system and divert resources away from other urgent community needs. To build strong, safe, and healthy communities, it is critical to address the underlying, entrenched issues of inequity and disparity in the criminal justice system so that all persons receive equal treatment under the law. Jurisdictions should carefully review the ways in which the structures and incentives within their own systems are driving correctional populations and racial disparities and realign operations and target resources toward community solutions.

On May 25, 2023, the Department released a series of 10 new reports and guidance documents as part of its ongoing efforts to implement [Executive Order 14704 on Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety](#). The announcement included commitments to update guidance prohibiting racial profiling by federal law enforcement agencies; develop methods to promote accreditation standards to encourage adoption of policies in the Executive Order by state, tribal, local, and territorial (STLT) law enforcement agencies; release a report on the Department's efforts to implement the First Step Act; and issue guidance on officer wellness, investigating in-custody deaths, and responses to individuals in crisis, among others.

The Office of Justice Programs is committed to advancing bold, effective justice reform solutions that deliver safety, equity, and justice for all. Justice system reform includes, but is not limited to, a wide range of investments in community safety and justice such as accountability of law enforcement to build and enhance community trust, alternatives to incarceration, ensuring the right to continuous and effective defense counsel, community supervision reforms, support for mental health and substance use treatment services, supporting community-driven programs and partnerships, and improving pretrial processes. Efforts to continue to address the backlog of court cases that grew dramatically during the pandemic would fall in this category. BJA also encourages state court leaders to access no-cost training and technical assistance (TTA) to support strategic planning, assessment of needs and strategies and new approaches to address rights protected under the sixth amendment to the U.S. Constitution, such as speedy trial, fair and impartial juries, the right to call and cross-examine witnesses, and the right to counsel. Visit <https://www.strengthenthesixth.org/> for more information.

Finally, BJA has launched a [Justice Reinvestment Initiative \(JRI\) website](#) which provides detailed information, including state snapshots, on how state leaders can work with experts to conduct agency-spanning data analysis; develop and implement data-driven, tailored solutions to address complicated criminal justice challenges; and maximize resources to achieve stronger and safer communities. BJA encourages JAG recipients to utilize funding for projects that promote all aspects of justice system reform.

Advancing Equity and Support for Underserved Communities

Consistent with the Presidential [Memorandum on Restoring the Department of Justice's Access-to-Justice Function and Reinvigorating the White House Legal Aid Interagency Roundtable](#) and [Executive Order 13985](#), Advancing Racial Equity and Support for Underserved Communities Through the federal government, the Department is committed to ensuring equal access to justice and identifying and reducing disparities that exist throughout the criminal and civil legal systems, as well as removing barriers to ensure equal opportunity for communities that have been historically underserved, marginalized, and adversely affected by inequality. This commitment is evidenced by the April 14, 2022, [Equity Action Plan](#) designed to increase equity, opportunity, and resources for the most vulnerable communities. BJA encourages JAG recipients to use funds to support efforts at the state, territory, local, and tribal levels to institute more effective and equitable criminal justice policies and practices, foster public trust, and enhance public safety and security by increasing engagement with community members and building partnerships with community organizations to develop a shared vision and approach to addressing crime. This includes support for strategies to ensure the protection of defendants' and incarcerated individuals' constitutional rights and safety, as well as efforts to address wrongful convictions and conviction integrity. This also includes supporting technological or personnel upgrades to provide more equitable access to justice, including language access resources, resources to better serve those with disabilities, rural communities, and indigent defense representation. Finally, this can include efforts to build partnerships between the criminal justice system and nonprofits to provide support for collaborative, community-driven and informed efforts, such as community-based diversion programs outside of the criminal justice system, increasing access to resources to support the right to counsel, and developing community-driven and informed prevention programs or responses to violent crime.

Violent Crime Reduction

In May 2021, the Department launched a [comprehensive violent crime reduction strategy](#) to protect American communities from violent crimes, including gun violence. On December 11, 2023, Attorney General Merrick B. Garland [announced](#) the release of the Justice Department's [Violent Crime Reduction Roadmap](#), a one-stop shop of federal resources to assist local jurisdictions in developing, implementing, and evaluating strategies to prevent, intervene in, and respond to violent crime. The Roadmap helps connect jurisdictions with the information and resources they need to meet the complex and evolving challenges to help reduce violent crime.

Additionally, on April 3, 2024, Attorney General Garland [delivered remarks](#) at a convening of grantees under OJP's [Community Based Violence Intervention and Prevention Initiative](#). He emphasized that the Department's approach to disrupting violent crime is "centered on our partnerships—both with the communities harmed by violent crime and with the law enforcement agencies that protect those communities. Our department-wide anti-violent crime strategy leverages the resources of our federal prosecutors, agents, investigators, grant programs, and criminal justice experts toward those ends. We are working closely with local and state law enforcement agencies, with officials across government, and with the communities most affected by this violence, and with the community organizations on the front lines—all toward one goal: the goal of making our communities safer."

BJA encourages JAG grantees to invest funds to tailor programs and responses to state and local crime issues through the use of data and analytics; coordinate with United States Attorneys Project Safe Neighborhoods grantees and community violence intervention strategies

in order to leverage funding for crime and violence reduction projects and coordinate their law enforcement activities with those of federal law enforcement agencies such as the FBI, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Drug Enforcement Administration, the United States Marshals Service, and the Department of Homeland Security; and form partnerships with federal, state, and local law enforcement and prosecutors to identify persons who use guns to commit a crime and who purchase or sell guns illegally. This includes ensuring that persons prohibited from purchasing firearms (see e.g., [18 U.S.C. § 922\(g\)](#)) are prevented from doing so by ensuring complete, accurate, and timely access to the [FBI's National Instant Criminal Background Check System \(NICS\)](#) and the timely submission of all necessary records into the FBI databases, which will help prevent illegal transfers of firearms to those who are prohibited from owning firearms under current law. BJA also encourages JAG grantees to invest in implementing programs that provide training, assistance, and resources to law enforcement agencies to mitigate the current crisis in law enforcement recruitment and retention; enhance community policing approaches; bolster the security of at-risk places of worship such as synagogues, churches, and mosques; provide security for election workers; enforce commonsense gun laws; and upgrade systems and/or purchase technology that support agency strategies to reduce violent crime and enhance their capacity to better address crime.

Additional Uses of JAG Funds

JAG funds awarded under this solicitation may also be used to:

- Support reentry projects with the goal of improving outcomes for incarcerated individuals returning to the community from prison or jail.
- Support public defense systems, including the hiring and retention of attorneys.
- Support projects related to preventing, detecting, seizing, and/or stopping the presence and use of contraband cellphones within correctional facilities. This includes the purchasing of managed access systems and other mitigation technologies (as permitted by applicable law).
- Purchase fentanyl and methamphetamine detection equipment, including handheld instruments and training for law enforcement safety, as well as opioid reversal agents.
- Purchase drug-detection canines to combat the rise of drug trafficking, including that of methamphetamines.
- Support efforts to seal and expunge criminal history information in accordance with state laws and policies.
- Support efforts to attract and retain an inclusive, diverse, expert, and accountable law enforcement workforce that reflects the community it serves.
- Support virtual reality de-escalation training.
- Purchase humane remote restraint devices that enable law enforcement to restrain an uncooperative subject without inflicting pain.
- Purchase gunfire detection technology.
- Support implementation of Rapid DNA at the booking station to include assisting with the initial costs associated with updating criminal history systems, integration with booking station systems, and purchasing new technologies associated with Rapid DNA at the booking station (Note: JAG funds may not be used for Rapid DNA testing of evidentiary material; see the "DNA Testing of Evidentiary Materials and Uploading DNA Profiles to a Database" section for more information on the topic).
- Purchase an Electronic Tracing System (eTrace)

- Purchase a NIBIN Enforcement Support System (NESS)

Additionally, JAG funds awarded under this solicitation may be used for any purpose indicated here: [Purposes for Which Funds Awarded Under the Edward Byrne Memorial Justice Assistance Grants \(JAG\) Program May Be Used](#).

Limitations on the Use of JAG funds

Administrative Costs

Up to 10 percent of a JAG award, including up to 10 percent of any earned interest, may be used for costs associated with administering the award, which can include indirect costs.

Supplanting

JAG funds may not be used to supplant state or local funds but must be used to increase the amount of such funds that would, in the absence of federal funds, be made available. See the JAG FAQs for examples of supplanting. Although supplanting is prohibited, BJA encourages the leveraging of federal funding.

Matching Funds

Absent specific federal statutory authority to do so, JAG award funds may not be used as a match for other federal awards.

Prohibited and Controlled Equipment and Associated Procedures under JAG

The JAG statute, at [34 U.S.C. § 10152\(d\)](#), specifically identifies a list of prohibited items. In addition, consistent with [Executive Order 14074](#), Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety of May 25, 2022, the use of OJP grant funds for the purchase or transfer of certain equipment has been designated as prohibited or controlled starting with FY 2023 OJP grant funds. Details and associated procedures for requesting prior approval, where applicable, can be found in the [JAG Prohibited and Controlled Equipment Guidance](#) and the [JAG FAQs](#).

Other Program Requirements

A unit of local government that applies for and receives an FY 2024 JAG award must note the following:

Trust Fund

Units of local government may draw down JAG funds either in advance or on a reimbursement basis. To draw down in advance, a trust fund must be established in which to deposit the funds. The trust fund must be in an interest-bearing account, unless one of the exceptions in 2 C.F.R. § 200.305(b)(8) apply. If subrecipients draw down JAG funds in advance, they also must establish a trust fund in which to deposit the funds. For additional information, see [2 C.F.R. § 200.305](#).

Certifications and Assurances by the Chief Executive of the Applicant Government (Which Incorporates the 30-Day Governing Body Review Requirement)

A JAG application is not complete, and a unit of local government may not access award funds, unless the chief executive of the applicant unit of local government (e.g., the mayor) properly executes, and the unit of local government submits, the “Certifications and Assurances by the Chief Executive of the Applicant Government.” The most up-to-date version of this certification can be found at: [FY24 JAG—Certifications and Assurances by the Chief Executive of the Applicant Government](#). Please note that this certification contains assurances that the governing

body notification and public comment requirements, which are required under the JAG statute (at 34 U.S.C. § 10153(a)(2)), have been satisfied. Please note that this certification contains assurances that the governing body notification and public comment requirements, which are required under the JAG statute (at 34 U.S.C. § 10153(a)(2)), have been satisfied.

Please note that only direct JAG award recipients must provide this certification to OJP and that prior to making any subawards (including subawards to disparate jurisdictions), the direct JAG award recipient must collect a completed certification from the proposed subrecipient. Any such certifications must be maintained by the direct JAG award recipient and made available to OJP upon request. OJP will not deny an application for a JAG award for failure to submit these “Certifications and Assurances by the Chief Executive of the Applicant Government” by the application deadline, but a unit of local government will not be able to access award funds (and its award will include a condition that withholds funds) until it submits these certifications and assurances properly executed by its respective chief executive (e.g., the mayor).

Minimum Requirements for Extreme Risk Protection Order Programs (ERPOs)

An extreme risk protection order (ERPO) empowers law enforcement, and in some states, family members, health care providers, and others to petition a court for a civil order that temporarily prevents a person from accessing firearms if they are found to be a danger to themselves. If grantees use their JAG funds to support ERPO programs, ERPO programs must include, at a minimum:

1. Pre-deprivation and post-deprivation due process rights that prevent any violation or infringement of the Constitution of the United States, including, but not limited to, the Bill of Rights and the substantive or procedural due process rights guaranteed under the 5th and 14th amendments to the Constitution of the United States, as applied to the States and as interpreted by State courts and United States courts (including the Supreme Court of the United States). Such programs must include at the appropriate phase to prevent any violation of constitutional rights, at minimum, notice, the right to an in-person hearing, an unbiased adjudicator, the right to know opposing evidence, the right to present evidence, and the right to confront adverse witnesses.
2. The right to be represented by counsel at no expense to the government.
3. Pre-deprivation and post-deprivation heightened evidentiary standards and proof which mean not less than the protections afforded to a similarly situated litigant in Federal court or promulgated by the State’s evidentiary body, and sufficient to ensure the full protections of the Constitution of the United States, including but not limited to the Bill of Rights and the substantive and procedural due process rights guaranteed under the 5th and 14th amendments to the Constitution of the United States, as applied to the States and as interpreted by State courts and United States courts (including the Supreme Court of the United States). The heightened evidentiary standards and proof under such programs must, at all appropriate phases to prevent any violation of any constitutional right, at minimum, prevent reliance upon evidence that is unsworn or unaffirmed, irrelevant, based on inadmissible hearsay, unreliable, vague, speculative, and lacking a foundation.
4. Penalties for abuse of the program.

Prior to the expenditure of FY24 JAG funds for an ERPO program, a [Certification of Compliance with Pub. L. No. 90-351, Title I, Sec. 501\(a\)\(1\)\(I\)\(iv\)](#) must be signed by a principal legal officer and submitted to BJA. See the [JAG FAQs](#) for additional information.

Body-worn Cameras (BWCs)

A JAG award recipient that proposes to use FY 2024 funds to purchase BWC equipment or implement or enhance BWC programs must provide to OJP a certification(s) that each direct recipient receiving the equipment or implementing the program has policies and procedures in place related to BWC equipment usage, data storage and access, privacy considerations, and training. The certification form related to BWC policies and procedures can be found at: [JAG—Body-Worn Camera \(BWC\) Policy Certification](#).

Further, before making any sub-awards (including sub-awards to disparate jurisdictions) for BWC-related expenses, the direct JAG award recipient must collect a completed BWC certification from the proposed subrecipient. Any such certifications must be maintained by the direct JAG award recipient and made available to OJP upon request. The [BJA BWC Toolkit](#) provides model BWC policies and best practices to assist criminal justice departments in implementing BWC programs.

Apart from the JAG Program, BJA provides funds under the [Body-worn Camera Policy and Implementation Program](#) (BWCPIP). BWCPIP allows jurisdictions to develop and implement policies and practices required for effective program adoption, and to address program factors including the purchase, deployment, and maintenance of camera systems and equipment; data storage and access; and privacy considerations. Interested JAG award recipients may wish to refer to the [BWC Partnership Program web page](#) for more information. JAG award recipients that are also BWC award recipients may not use JAG funds for any part of the 50 percent match required by the BWC Program.

Body Armor

Body armor purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the following requirements are met: The body armor must have been tested and found to comply with the latest applicable National Institute of Justice ballistic or stab standards <https://citech.org/compliance-testing-program/compliant-product-lists/>. In addition, body armor purchased must be made in the United States.

Body armor purchased with JAG funds must be “uniquely fitted vests,” which means protective (ballistic or stab-resistant) armor vests that conform to the individual wearer to provide the best possible fit and coverage through a combination of (1) correctly sized panels and carrier determined through appropriate measurement and (2) properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features. Note that the requirement that body armor be “uniquely fitted” does not necessarily require body armor that is individually manufactured based on the measurements of an individual wearer. In support of OJP’s efforts to improve officer safety, the American Society for Testing and Materials (ASTM) International has made available the Standard Practice for Body Armor Wearer Measurement and Fitting of Armor ([Active Standard ASTM E3003](#)) at no cost. The [Personal Armor Fit Assessment Checklist](#) is excerpted from ASTM E3003. A mandatory wear concept and issues paper and a model policy are available from the BVP Customer Support Center, which can be contacted at vests@usdoj.gov or toll free at 1–877–758–3787. Additional information and FAQs related to the mandatory wear policy and certifications can be found in the [JAG FAQs](#).

A JAG award recipient that proposes to purchase body armor with JAG funding must provide to OJP a certification(s) that it has a written “mandatory wear” policy in effect (see [34 U.S.C. § 10202\(c\)](#)). The certification form related to mandatory wear can be found at: [JAG Body Armor](#)

Mandatory Wear Policy Certification. Further, before making any sub-awards (including sub-awards to disparate jurisdictions) for body armor purchases, the direct JAG award recipient must collect a completed body armor certification from the proposed subrecipient. Any such certifications must be maintained by the direct JAG award recipient and made available to OJP upon request.

Apart from the JAG Program, BJA provides funds under the Patrick Leahy Bulletproof Vest Partnership (BVP) Program. The BVP Program provides funding to state and local law enforcement agencies for the purchase of ballistic-resistant and stab-resistant body armor. For more information on the BVP Program, including eligibility and an application, refer to the [BVP web page](#). JAG award recipients should note, however, that funds may not be used for any part of the 50 percent match required by the BVP Program.

Interoperable Communications

States (including any subrecipients) that are using JAG funds for emergency communications activities should comply with current SAFECOM Guidance, which is available at: <https://www.cisa.gov/safecom/funding>.

Additionally, emergency communications projects funded with JAG funds should support the Statewide Communication Interoperability Plan (SCIP) and be coordinated with the full-time statewide interoperability coordinator (SWIC) in the state of the project. As the central coordination point for a state's interoperability effort, the SWIC plays a critical role and can serve as a valuable resource. SWICs are responsible for the implementation of SCIP through coordination and collaboration with the emergency response community. CISA maintains a list of SWICs for each state and territory. Contact ecd@cisa.dhs.gov for more information. All communications equipment purchased with JAG funding should be identified during the quarterly performance measurement reporting.

DNA Testing of Evidentiary Materials and Uploading DNA Profiles to a Database

If JAG Program funds are to be used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System (CODIS), the national DNA database operated by the FBI, by a government DNA lab with access to CODIS. **JAG funds may not be used for Rapid DNA testing of evidentiary material (e.g., crime scene samples, sexual assault kits) because the FBI has not authorized results of this testing for upload to CODIS.** No DNA profiles generated with JAG funding may be entered into any other nongovernmental DNA database without prior written approval from BJA (exceptions include forensic genealogy). Additionally, award recipients utilizing JAG funds for forensic genealogy testing must adhere to the DOJ Interim Policy Forensic Genealogical DNA Analysis and Searching available at: <https://www.justice.gov/olp/page/file/1204386/download>. For more information about DNA testing as it pertains to JAG, please refer to the [JAG FAQs](#).

Entry of Records into State Repositories

As appropriate and to the extent consistent with law, a special condition will be imposed that would require the following: Any program or activity that receives federal financial assistance under JAG that is likely to generate court dispositions or other records relevant to NICS determinations, including any dispositions or records that involve any noncitizen or migrant who is undocumented in the United States (18 U.S.C. § 922(g)(5)(A)), must have a system in place to ensure that all such NICS-relevant dispositions or records are made available in a timely fashion.

National Incident-based Reporting System

In FY 2016, the FBI formally announced its intention to sunset the UCR program's traditional Summary Reporting System (SRS) and replace it with NIBRS by January 1, 2021. By statute, BJA JAG awards are calculated using summary part 1 violent crime data from the FBI's UCR program. Specifically, the formula allocations for JAG rely heavily on the ratio of "the average number of part 1 violent crimes of the UCR of the FBI reported by such State for the three most recent years reported by such State to the average annual number of such crimes reported by all States for such years" (34 U.S.C. 10156(a)(1)(B)). In preparation for the FBI's 2021 NIBRS compliance deadline, BJA imposed an administrative requirement for JAG award recipients that are not NIBRS compliant to dedicate 3 percent of their JAG award toward coming into full compliance with the FBI's NIBRS data submission requirement to both encourage and assist jurisdictions in working toward compliance and ensure they continue to have critical criminal justice funding available through JAG when SRS transitioned to NIBRS. A NIBRS set-aside is NOT required for FY 2024 awards; however, JAG recipients are encouraged to continue working toward and/or maintaining NIBRS compliance to ensure that JAG eligibility is not affected in future fiscal years. Local jurisdictions that are seeking NIBRS compliance certification should reach out directly to their respective state agency. Agencies with questions about the certification process may contact ucr-nibrs@fbi.gov. More information about NIBRS, including toolkits and updates from the FBI Criminal Justice Information Services team, can be found at: [NIBRS—FBI](#).

Solicitation Goals and Objectives

Goals

In general, the JAG Program is designed to provide states with additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice. Although the JAG Program provides assistance directly to states, through pass-through (and similar) requirements, the JAG Program also is designed to assist units of local government with respect to their criminal justice needs.

Objectives

The objectives are directly related to the JAG Program accountability measures described at: <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/jag-pmt-accountability-measures.pdf>.

For information about what the applicant needs to submit regarding Goals, Objectives, and Deliverables please see the "[How To Apply](#)" section on the [Application Goals, Objectives, Deliverables, and Timeline Web-Based Form](#).

Federal Award Information

Awards, Amounts and Durations

Anticipated Number of Awards: 1,140

Category 1: 587

Category 2: 553

Anticipated Maximum Dollar Amount per Award:

Category 1 anticipated maximum amount: Up to \$25,000

Category 2 anticipated maximum amount: Up to \$4,023,772

Period of Performance Start Date: October 1, 2023

Period of Performance Duration (Months):

Category 1: 24 months

Category 2: 48 months

Anticipated Total Amount To Be Awarded Under This Solicitation: \$84,921,048

Category 1—Eligible Allocation Amounts of Less than \$25,000: Units of local government that are listed on the JAG web page as eligible for an allocation amount of less than \$25,000 should apply under Category 1. This includes direct and joint (disparate) allocations. Category 1 awards of less than \$25,000 are 2 years in length. Extensions of up to 2 years can be requested for these awards via JustGrants no fewer than 30 days prior to the project period end date and will be automatically granted upon request.

Category 2—Eligible Allocation Amounts of \$25,000 or More: Units of local government that are listed on the JAG web page as eligible for an allocation amount of \$25,000 or more should apply under Category 2. This includes direct and joint (disparate) allocations. Category 2 awards of at least \$25,000 are 4 years in length. Extensions beyond this period may be made on a case-by-case basis at the discretion of BJA and must be requested via JustGrants no fewer than 30 days prior to the project period end date.

Competition ID	Competition Title (Category Name)	Expected Number of Awards	Dollar Amount for Award	Performance Start Date	Performance Duration (Months)
C-BJA-2024-00091-PROD	Category 1: Applicants with eligible allocation amounts of less than \$25,000	587	Up to \$25,000	10/1/2023	24
C-BJA-2024-00092-PROD	Category 2: Applicants with eligible allocation amounts of \$25,000 or more	553	Up to \$4,023,772	10/1/2023	48

Availability of Funds

This funding opportunity, and awards under this funding opportunity, are subject to the availability of funding and to any changes or additional requirements that may be imposed by the agency or by law. In addition, nothing in this solicitation is intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

The FY 2024 enacted budget represents the largest cut to base resources that the Department of Justice (DOJ) has faced in the last 10 years. Therefore, to mitigate significant budget shortfalls, the funding available for this solicitation has been reduced by 2.5%. The Department understands how critical our grants are to our state, local, and tribal partners, and does not take this action lightly.

The allocations by state for the FY 2024 JAG Program can be found at:

<https://bja.ojp.gov/program/jag/allocations>.

Type of Award

OJP expects to make awards under this funding opportunity as grants. See the “[Administrative, National Policy, and Other Legal Requirements](#)” section of the [Application Resource Guide](#) for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

Cost Sharing or Matching Requirement

This solicitation does not require a match.

Eligibility Information

For the purposes of this notice of funding opportunity, other units of local government include towns, boroughs, parishes, villages, or other general purpose political subdivisions of a State.

How To Apply

Application Resources

When preparing and submitting an application, the following resources may aid prospective applicants:

1. Grants.gov [“How to Apply for Grants”](#)
2. OJP [“How To Apply”](#) section in the [Application Resource Guide](#)
3. JustGrants [Application Submission Training](#)

This solicitation (notice of funding opportunity) incorporates guidance provided in the [OJP Grant Application Resource Guide](#) (Application Resource Guide), which provides additional information for applicants to prepare and submit applications to OJP for funding. **If this solicitation requires something different from any guidance provided in the [Application Resource Guide](#), the difference will be noted in this solicitation and the applicant is to follow the guidelines in this solicitation, rather than the guidance in the [Application Resource Guide](#) that is in conflict.**

How To Apply

Registration

Before submitting an application, all applicants must register with the System for Award Management (SAM.gov). An applicant must renew their registration every 12 months. If an applicant does not renew their SAM.gov registration, it will expire. An expired registration can delay or prevent application submission in Grants.gov and JustGrants. Applicants are encouraged to start the SAM.gov registration process at least 30 days prior to the application deadlines. Applicants who fail to begin the registration or renewal process at least 10 business days prior to the Grants.gov deadline may not complete the process in time and will not be considered for late submission.

Submission

Applications must be submitted to DOJ electronically through a two-step process that begins in Grants.gov and is completed in JustGrants.

Step 1: After registering with SAM.gov, the applicant must submit the **SF-424** and **SF-LLL** in Grants.gov at <https://www.grants.gov/register> by the Grants.gov deadline. **To leave time to address any technical issues that may arise, an applicant should submit the SF-424 and SF-LLL as early as possible and recommended not later than 48 hours before the Grants.gov deadline.** If an applicant fails to submit in Grants.gov by the deadline, they will be unable to apply in JustGrants. Applicants can confirm Grants.gov submission by verifying their application status shows as “submitted” or “agency tracking number assigned.”

Step 2: The applicant must then submit the **full application**, including attachments, in JustGrants at [JustGrants.usdoj.gov](https://www.justgrants.usdoj.gov) by the JustGrants deadline.

OJP recommends that applicants submit the complete application package in JustGrants at least 48 hours prior to the JustGrants deadline. Some of the required sections of the application will be entered directly into JustGrants, and other sections will require documents to be uploaded and attached. Therefore, applicants should allow enough time before the JustGrants deadline to prepare all the requirements of the application. Applicants may save their progress

in the system and add to or change the application as needed prior to hitting the “Submit” button at the end of the application in JustGrants.

An applicant will receive emails when successfully submitting in Grants.gov and JustGrants and should maintain all emails and other confirmations received from SAM.gov, Grants.gov, and JustGrants systems.

For additional information, see the “How To Apply” section in the [Application Resource Guide](#) and the [DOJ Application Submission Checklist](#).

Submission Dates and Time

The **SF-424 and the SF-LLL** must be submitted in Grants.gov by 8:59 p.m. Eastern on October 16, 2024.

The **full application** must be submitted in JustGrants by 8:59 p.m. Eastern on October 22, 2024.

To be considered timely, the **full application** must be submitted in JustGrants by the JustGrants application deadline. Failure to begin the SAM.gov, Grants.gov, or JustGrants registration and application process in sufficient time (i.e., waiting until the due dates identified in this solicitation for those systems to begin the application steps) is not an acceptable reason to request a technical waiver.

Experiencing Unforeseen Technical Issues Preventing Submission of an Application (Technical Waivers)

OJP will only consider requests to submit an application after the deadline when the applicant can document that a technical issue with a government system prevented submission of the application on time.

If an applicant misses a deadline due to unforeseen technical issues with SAM.gov, Grants.gov, or JustGrants, the applicant may request a waiver to submit an application after the deadline. However, the waiver request will not be considered unless it includes documentation of attempts to receive technical assistance to resolve the issue prior to the application deadline. A tracking number is the most typical documentation and is generated when the applicant contacts the applicable service desks to report technical difficulties. Tracking numbers are generated automatically when an applicant emails the applicable service desks, and for this reason, long call wait times for support do not relieve the applicant of the responsibility of getting a tracking number.

An applicant experiencing technical difficulties must contact the associated service desk indicated below to report the technical issue and receive a tracking number:

- SAM.gov: contact the [SAM.gov Help Desk \(Federal Service Desk\)](#), Monday–Friday from 8:00 a.m. to 8:00 p.m. ET at 866-606-8220.
- Grants.gov: contact the [Grants.gov Customer Support Hotline](#), 24 hours a day, 7 days a week, except on federal holidays, at 800-518-4726, 606-545-5035, or support@grants.gov.
- JustGrants: contact the JustGrants Service Desk at JustGrants.Support@usdoj.gov or 833-872-5175, Monday–Friday from 7:00 a.m. to 9:00 p.m. ET and Saturday, Sunday, and federal holidays from 9:00 a.m. to 5:00 p.m. ET.

If an applicant has technical issues with SAM.gov or Grants.gov, the applicant must contact the OJP Response Center at grants@ncjrs.gov within **24 hours of the Grants.gov deadline** to request approval to submit after the deadline.

If an applicant has technical issues with JustGrants that prevent application submission by the deadline, the applicant must contact the OJP Response Center at grants@ncjrs.gov within **24 hours of the JustGrants deadline** to request approval to submit after the deadline.

Waiver requests sent to the OJP Response Center must—

- describe the technical difficulties experienced (provide screenshots if applicable);
- include a timeline of the applicant's submission efforts (e.g., date and time the error occurred, date and time of actions taken to resolve the issue and resubmit; and date and time support representatives responded);
- include an attachment of the complete grant application and all the required documentation and materials;
- include the applicant's Unique Entity Identifier (UEI); and
- include any SAM.gov, Grants.gov, and JustGrants Service Desk tracking numbers documenting the technical issue.

OJP will review each waiver request and the required supporting documentation and notify the applicant whether the request for late submission has been approved or denied. An applicant that does not provide documentation of a technical issue (including all information listed above), or that does not submit a waiver request within the required time period, will be denied.

For more details on the waiver process, OJP encourages applicants to review the "Experiencing Unforeseen Technical Issues" section in the [Application Resource Guide](#).

Application and Submission Information

Content of the SF-424 in Grants.gov

The SF-424 must be submitted in Grants.gov. It is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. See the [Application Resource Guide](#) for additional information on completing the SF-424.

In Section 8F of the SF-424, please include the name and contact information of the individual **who will complete the application in JustGrants**. JustGrants will use this information (*email address*) to assign the application to this user in JustGrants.

Intergovernmental Review: This funding opportunity is subject to [Executive Order \(E.O.\) 12372](#). An applicant may find the names and addresses of State Single Points of Contact (SPOCs) at the following website: <https://www.whitehouse.gov/wp-content/uploads/2023/06/SPOC-list-as-of-2023.pdf>. If the applicant's State appears on the SPOC list, the applicant must contact its SPOC to find out about, and comply with, the State's process under E.O. 12372. On the SF-424, an applicant whose State appears on the SPOC list is to make the appropriate selection in response to question 19, once the applicant has complied with its State E.O. 12372 process. An applicant whose State does not appear on the SPOC list should answer question 19 by selecting "Program is subject to E.O. 12372 but has not been selected by the State for review."

Content of the JustGrants Application Submission

Entity and User Verification (First Time Applicant)

For first time JustGrants applicants, once the application is received from Grants.gov, DOJ will send an email (from DIAMD-NoReply@usdoj.gov) to the individual listed in Section 8F of the SF-424 with instructions on how to create a JustGrants account. This email should arrive within 24 hours after this individual receives confirmation from Grants.gov of their SF-424 and SF-LLL submissions. Register the Entity Administrator (the person who manages who can access JustGrants on behalf of the applicant), the Application Submitter, and Authorized Representative for the applicant with JustGrants as early as possible and (recommended) not later than 48-72 hours before the JustGrants deadline. Once registered in JustGrants, the Application Submitter will receive a link in an email to complete the rest of the application in JustGrants. Find additional information on JustGrants Application Submission in the [Application Resource Guide](#).

Standard Applicant Information

The “Standard Applicant Information” section of the JustGrants application is pre-populated with the SF-424 data submitted in Grants.gov. The applicant will need to review the Standard Applicant Information in JustGrants and make edits as needed. Within this section, the applicant will need to add ZIP codes for areas affected by the project; confirm their Authorized Representative; and verify and confirm the organization’s unique entity identifier, legal name, and address.

Proposal Abstract

A Proposal Abstract (no more than 400 words) summarizing the proposed project—including its purpose, primary activities, expected outcomes, the service area, intended beneficiaries, and subrecipients (if known)—must be completed in the JustGrants web-based form. This abstract should be in paragraph form without bullets or tables, written in the third person, and exclude personally identifiable information). Abstracts will be made publicly available on the OJP and USASpending.gov websites if the project is awarded. Examples of brief Proposal Abstracts are included below.

JAG Abstract Examples:

The city of [insert] will use JAG funds for overtime for increased patrols to bolster the security of at-risk nonprofit organizations such as synagogues, churches, mosques, and other places of worship.

The county of [insert] will use JAG funds to hire credible messengers as part of a community-based violence intervention initiative.

Disparate JAG Abstract Example:

The disparate jurisdictions of [insert] and [insert] will use JAG funds for technology improvements and equipment. Specifically, the county of [insert] will use JAG funds to replace its records management system to transition to NIBRS, and the city of [insert] will use JAG funds to purchase body worn cameras to promote public trust, accountability, and transparency.

Data Requested With Application

The following application elements should be submitted in the web-based forms in JustGrants.

[Financial Management and System of Internal Controls Questionnaire \(including Applicant Disclosure of High-Risk Status\)](#)

The Financial Management and System of Internal Controls Questionnaire helps OJP assess the financial management and internal control systems, and the associated potential risks of an applicant as part of the pre-award risk assessment process. Every OJP applicant (other than an individual applying in their personal capacity, not representing an applicant organization) is required to complete the web-based Questionnaire form in JustGrants. See the [Application Resource Guide: Financial Management and System of Internal Controls Questionnaire \(including Applicant Disclosure of High Risk Status\)](#) for additional guidance on how to complete the questionnaire.

[Proposal Narrative](#)

The Proposal Narrative should be submitted as an attachment in JustGrants. The attached document should be double-spaced, using a standard 12-point size font; have no less than 1-inch margins; and should not exceed 10 numbered pages.

Category 1—Eligible Allocation Amounts of Less than \$25,000

The proposal narrative for Category 1 applications must include a description of the project(s), including subawards, if applicable, to be funded with JAG funds over the 2-year grant period.

Category 2—Eligible Allocation Amounts of \$25,000 or More

The proposal narrative for Category 2 applications should include:

a. Description of the Issue

Identify the unit of local government's strategy/funding priorities for the FY 2024 JAG funds, the subaward process (if applicable, including disparates) and timeline, any progress or challenges, and a description of the programs to be funded over the 4-year grant period.

b. Project Design and Implementation

Describe the unit of local government's process, if any, for engaging stakeholders from across the justice continuum and how that input informs priorities. This should include a description of how local communities are engaged in the planning process, how state and local planning efforts are coordinated, and the challenges faced in coordination. The applicant should identify the stakeholders representing each program area who are participating in the strategic planning process, the gaps in the state's needed resources for criminal justice purposes, plans to improve the administration of the criminal justice system, and how JAG funds will be coordinated with state and related justice funds.

c. Capabilities and Competencies

Describe any additional strategic planning/coordination efforts in which the units of local government participate with other criminal justice entities within the local jurisdiction and/or state. Please provide an overview of any evidence-informed programs that have been implemented successfully and how those programs might inform implementation of strategic plan priorities.

d. Plan for Collecting the Data Required for This Solicitation's Performance Measures

The application should demonstrate the applicant's understanding of the performance data reporting requirements for this grant program and detail how the applicant will gather the required data should it receive funding.

Note: An applicant is **not** required to submit performance data with the application. Rather, performance measure information is included to provide notice that award recipients will be required to submit performance data as part of each award's reporting requirements.

OJP will require each award recipient to submit regular performance data that show the completed work's results. The performance data directly relate to the solicitation goals and objectives identified in the "[Goals and Objectives](#)" section. Applicants can visit [OJP's performance measurement page](#) at www.ojp.gov/performance for more information on performance measurement activities at OJP.

A list of performance measure questions for this program can be found at <https://bjapmt.ojp.gov/help/JAGDocs.html>. NOTE: BJA is in the process of reviewing and revising these performance measure questions. Any changes resulting from this review will be communicated to award recipients.

BJA will require award recipients to submit quarterly performance measure data in BJA's PMT located at <https://bjapmt.ojp.gov> and separately submit a semiannual, performance report in JustGrants. BJA will provide further guidance on the post-award submission process, if the applicant is selected for award.

[Note on Project Evaluations](#)

An applicant that proposes to use award funds through this solicitation to conduct project evaluations must follow the guidance in the "[Note on Project Evaluations](#)" section in the [OJP Grant Application Resource Guide](#).

[Budget and Associated Documentation](#)

[Funding Restrictions](#)

All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.

[Budget Worksheet and Budget Narrative \(Attachment\)](#)

The applicant will complete the budget worksheet attachment and submit it by uploading it as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information.

The budget narrative and budget worksheet (attachment) are critical elements, and applicants will be unable to successfully submit an application in JustGrants unless an attachment is uploaded in this section. If an applicant does not have a budget to submit at the time of application, an attachment must be uploaded noting as such, and BJA will add the appropriate special condition withholding funds for budget documentation. Please note that the budget narrative should include a full description of all costs, including administrative costs (if applicable).

For additional information about how to prepare a budget for federal funding, see the [“Application Resource Guide”](#) section on [Budget Preparation and Submission Information](#) and the technical steps to complete the budget form in JustGrants in the [Complete the Application in JustGrants: Budget](#) training.

[Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs](#)

OJP strongly encourages every applicant that proposes to use award funds for any conference-, meeting-, or training-related activity (or similar event) to review carefully—before submitting an application—the [Application Resource Guide](#) for information on prior approval, planning, and reporting of conference/meeting/training costs.

[Costs Associated With Language Assistance \(if applicable\)](#)

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. See the [Application Resource Guide](#) for information on costs associated with language assistance.

[Unmanned Aircraft Systems](#)

The use of BJA grant funds for unmanned aircraft systems (UAS), including unmanned aircraft vehicles (UAV), and all accompanying accessories to support UAS or UAV, is unallowable.

[Budget/Financial Attachments](#)

[Pre-Agreement \(Pre-Award\) Costs \(if applicable\)](#)

Pre-agreement costs are defined as costs requiring approval incurred by the applicant prior to the start date of the period of performance of the federal award. OJP does not typically approve pre-agreement costs. If a successful applicant, in anticipation of the Federal award, but before the start date of the period of performance, incurs costs which are necessary for efficient and timely performance of the funded project, those costs may not be charged to the award. See the “Costs Requiring Prior Approval” section in the [DOJ Grants Financial Guide Post-Award Requirements](#) for more information.

[Indirect Cost Rate Agreement \(if applicable\)](#)

Indirect costs are costs of an organization that are not readily assignable to a particular project but are necessary to the operation of the organization and the performance of the project. Examples of costs usually treated as indirect include those incurred for facility operation and maintenance, depreciation, and administrative salaries. The requirements for the development and submission of indirect cost proposals and cost allocation plans are listed in Appendices III–VII of 2 C.F.R. Part 200. A non-federal applicant should follow the guidelines applicable to its type of organization. If applicable, an applicant with a current federally approved indirect cost rate agreement will upload it as an attachment in JustGrants. See the [DOJ Financial Guide](#) for additional information on [Indirect Cost Rate Agreement](#).

This rule does not eliminate or alter the JAG-specific restriction in federal law that states charges for administrative costs may not exceed 10 percent of the award amount, regardless of the approved indirect cost rate.

[Consultant Rate \(if applicable\)](#)

Costs for consultant services require prior approval from OJP. If the proposed project expects to fund consultant services, compensation for individual consultant services is to be reasonable

and consistent with that paid for similar services in the marketplace. See the [DOJ Grants Financial Guide](#) for information on the consultant rates, which require prior approval from OJP.

[Limitation on Use of Award Funds for Employee Compensation for Awards Over \\$250,000; Waiver \(if applicable\)](#)

This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating the “Limitation on Use of Award Funds for Employee Compensation; Waiver” provision in the “Financial Information” section of the OJP Grant Application Resource Guide.

[Disclosure of Process Related to Executive Compensation \(if applicable\)](#)

This notice of funding opportunity expressly modifies the Application Resource Guide by not incorporating its “Disclosure of Process Related to Executive Compensation” provisions. Applicants to this funding opportunity are not required to provide this disclosure.

[Additional Application Components](#)

The applicant will attach the additional requested documentation in JustGrants.

[Memorandum of Understanding \(MOUs\) and Other Supportive Documents \(if applicable\)](#)

For disparate jurisdictions, an MOU that identifies which jurisdiction will serve as the applicant or fiscal agent for joint funds must be completed and signed by the authorized representative for each participating jurisdiction. See the Allocation Determination and Units of Local Government Requirements Regarding Use of JAG Funds section and the [JAG FAQs](#) for more information. A [sample MOU](#) is also available.

[Research and Evaluation Independence and Integrity Statement \(if applicable\)](#)

If an application proposes research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant will upload documentation of its research and evaluation independence and integrity as an attachment in JustGrants. For additional information, see the [Application Resource Guide](#).

[Certifications and Assurances by the Chief Executive of the Applicant Government Body Armor Mandatory Wear Policy Certification \(If applicable\)](#)

[Body-worn Camera Policies Certification \(If applicable\)](#)

[ERPO Certification \(if applicable\)](#)

[Disclosures and Assurances](#)

The applicant will address the following disclosures and assurances.

[Disclosure of Lobbying Activities](#)

The SF-LLL attachment that was completed and submitted in Grants.gov is attached to this section.

[Applicant Disclosure of Duplication in Cost Items](#)

To ensure funding coordination across grant making agencies, and to avoid unnecessary or inappropriate duplication among grant awards, the applicant will disclose if it has any pending applications for federal funding, including pending applications for subawards of federal funds. Complete the JustGrants web-based Applicant Disclosure of Duplication in Cost Items form. See the [Application Resource Guide](#) for additional information.

DOJ Certified Standard Assurances

Review and accept the DOJ Certified Standard Assurances in JustGrants. See the [Application Resource Guide](#) for additional information.

DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Law Enforcement and Community Policing

Review and accept in JustGrants the DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Law Enforcement and Community Policing. See the [Application Resource Guide for additional information](#).

Applicant Disclosure and Justification—DOJ High-Risk Grantees

If applicable, submit the DOJ High-Risk Disclosure and Justification as an attachment in JustGrants. A DOJ High-Risk Grantee is an award recipient that has received a DOJ High-Risk designation based on a documented history of unsatisfactory performance; financial instability; management system or other internal control deficiencies; noncompliance with award terms and conditions on prior awards or is otherwise not responsible. See the [Application Resource Guide](#) for additional information.

Application Review Information

Review Process

OJP reviews the application to make sure that the information presented is reasonable, understandable, measurable, achievable, and consistent with the solicitation. See the [OJP Grant Application Resource Guide](#) for information on the application review process for this solicitation.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by the applicant entity. Among other things to help assess whether an applicant with one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks whether the applicant entity is listed in SAM as excluded from receiving a federal award.

In addition, if OJP anticipates that an award will exceed \$250,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM.gov.

Important note on Responsibility/Qualification Data (formerly FAPIIS): An applicant, at its option, may review and comment on any information about itself that currently appears in SAM.gov and was entered by a federal awarding agency. OJP will consider such comments by the applicant, in addition to the other information in SAM.gov, in its assessment of the risk posed by the applicant.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General, who may consider not only BJA recommendations but also other factors as indicated in this section.

Federal Award Administration Information

Federal Award Notices

Generally, award notifications are made by the end of the current Federal fiscal year, September 30. See the [Application Resource Guide](#) for information on award notifications and instructions.

Evidence-Based Programs or Practices

OJP strongly encourages the use of data and evidence in policymaking and program development for criminal justice, juvenile justice, and crime victim services. For additional information and resources on evidence-based programs or practices (programs or practices that have been evaluated as effective), see the [Application Resource Guide](#).

Information Regarding Potential Evaluation of Programs and Activities

OJP may conduct or support an evaluation of the projects and activities funded under this solicitation. For additional information on what should be included in the application, see the [Application Resource Guide](#) section entitled “Information Regarding Potential Evaluation of Programs and Activities.”

Administrative, National Policy, and Other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions and all applicable requirements of federal statutes and regulations, including the applicable requirements referred to in the assurances and certifications executed in connection with award acceptance. For additional information on these legal requirements, see the “Administrative, National Policy, and Other Legal Requirements” section in the [Application Resource Guide](#).

Civil Rights Compliance

If a successful applicant accepts funding from OJP—as a recipient of OJP funding—that award recipient must comply with certain federal civil rights laws that prohibit it from discriminating on the basis of race, color, national origin, sex, religion, or disability in how the recipient delivers its program’s services or benefits and in its employment practices. The civil rights laws that may be applicable to the award include Title VI of the Civil Rights Act of 1964 (Title VI), the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), and Section 504 of the Rehabilitation Act of 1973. These and other federal civil rights laws are discussed in greater detail here: “[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements – FY 2024 Awards](#)” under the “Civil Rights Requirements” section, and additional resources are available from the [OJP Office for Civil Rights](#).

Part of complying with civil rights laws that prohibit national origin discrimination includes recipients taking reasonable steps to ensure that people who are limited in their English proficiency (LEP) because of their national origin have meaningful access to a recipient’s program and activity. An LEP person is one whose first language is not English and who has a limited ability to read, write, speak, or understand English. To help recipients meet this obligation to serve LEP persons, DOJ has published a number of resources, including a language access assessment and planning tool, which are available at <https://www.lep.gov/language-access-planning>. Additional resources are available at <https://www.ojp.gov/program/civil-rights-office/limited-english-proficient-lep>. If the award recipient proposes a program or activity that would deliver services or benefits to LEP

individuals, the recipient may use grant funds to support the costs of taking reasonable steps (e.g., interpretation or translation services) to provide meaningful access. Similarly, recipients are responsible for ensuring that their programs and activities are readily accessible to qualified individuals with disabilities. Applicants for OJP funding must allocate grant funds or explain how other available resources will be used to ensure meaningful and full access to their programs. For example, grant funds can be used to support American Sign Language (ASL) interpreter services for deaf or hard of hearing individuals or the purchase of adaptive equipment for individuals with mobility or cognitive disabilities. For resources, see <https://www.ada.gov/> or contact OJP.

Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities) must, as described in the Part 200 Uniform Requirements as set out at 2 C.F.R. 200.303, comply with standards for financial and program management. See the [Application Resource Guide](#) for additional information.

Information Technology Security Clauses

An application in response to this solicitation may require inclusion of information related to information technology security. See the [Application Resource Guide](#) for more information.

General Information About Post-Federal Award Reporting Requirements

In addition to the deliverables described in the “[Program Description](#)” section, all award recipients under this solicitation will be required to submit certain reports and data.

Required reports—Award recipients typically must submit quarterly financial reports, quarterly performance measurement reports, semiannual performance reports, final financial and performance reports, and (if applicable) an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

Specific reporting requirements by category are listed below:

Category 1—Eligible Allocation Amounts of Less Than \$25,000

Recipients must submit:

- Quarterly Federal Financial Reports (and one final Federal Financial Report after all funds have been obligated and expended) through OJP’s JustGrants system.
- Quarterly Performance Measurement Tool reports and a final Performance Measurement Tool report through BJA’s PMT. Please note that as soon as all project activity has concluded, that report may be marked as final.
- An annual performance report and final progress report through OJP’s JustGrants. If all project activity has concluded at the time the first annual performance report is submitted, that report may be marked as final.
- If applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions.

Category 2—Eligible Allocation Amounts of \$25,000 or More

Recipients must submit the following:

- Quarterly Federal Financial Reports (and one final Federal Financial Report after all funds have been obligated and expended) through OJP's JustGrants system.
- Quarterly Performance Measurement Tool reports and a final Performance Measurement Tool report (at any time once all project activity has concluded) through BJA's PMT.
- Semiannual performance reports and a final performance report (at any time once all project activity has concluded) through OJP's JustGrants.
- If applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions.

See the [Application Resource Guide](#) for additional information on specific post-award reporting requirements, including performance measure data.

Federal Awarding Agency Contact(s)

For OJP contact(s), contact information for Grants.gov, and contact information for JustGrants, see the solicitation Synopsis.

Other Information

Freedom of Information and Privacy Act (5 U.S.C. §§ 552 and 552a)

See the [Application Resource Guide](#) for information on the Freedom of Information and Privacy Act (5 U.S.C. §§ 552 and 552a).

Provide Feedback to OJP

See the [Application Resource Guide](#) for information on how to provide feedback to OJP.

Performance Measures

A list of performance measures can be found at: <https://bjapmt.ojp.gov/help/JAGDocs.html>

Application Checklist

BJA FY24 Edward Byrne Memorial Justice Assistance Grant Formula Program—Local Solicitation

This application checklist has been created as an aid in developing an application. For more information, reference [The OJP Application Submission Steps in the OJP Grant Application Resource Guide](#) and the [DOJ Application Submission Checklist](#).

Pre-Application

Before Registering in Grants.gov

- Confirm your entity’s registration in the [System for Award Management \(SAM.gov\)](#) is active through the solicitation period; submit a new or renewal registration in SAM.gov if needed (see [Application Resource Guide](#)).

Register in Grants.gov

- Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password (see [Application Resource Guide](#)).
- Acquire AOR confirmation from the E-Business Point of Contact (E-Biz POC) (see [Application Resource Guide](#)).

Find the Funding Opportunity

- Search for the funding opportunity in Grants.gov using the opportunity number, assistance listing number, or keyword(s).
- Select the correct Competition ID.
- Access the funding opportunity and application package (see Step 7 in the [Application Resource Guide](#)).
- Sign up for Grants.gov email [notifications](#) (optional) (see [Application Resource Guide](#)).
- Read [Important Notice: Applying for Grants in Grants.gov](#) (about [browser compatibility and special characters in file names](#)).
- Read OJP policy and guidance on conference approval, planning, and reporting available at <https://www.ojp.gov/funding/financialguidedoj/iii-postaward-requirements#6g3y8> (see [Application Resource Guide](#)).

Review the Overview of Post-Award Legal Requirements

- Review the [“Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements – FY 2024 Awards”](#) in the [OJP Funding Resource Center](#).

Review the Scope Requirement

- The federal amount requested is within the allowable limit. See <https://bj.a.ojp.gov/program/jag/allocations>.

Review Eligibility Requirement

- Review “Eligibility” in the Synopsis section and “Eligibility Information” section in the solicitation.

Application Step 1

After registering with SAM.gov, submit the SF-424 and SF-LLL in Grants.gov.

- In Section 8F of the SF-424, include the name and contact information of the individual **who will complete the application in JustGrants and the SF-LLL in Grants.gov.**

- Submit Intergovernmental Review (if applicable).

Within 48 hours after the SF-424 and SF-LLL submission in Grants.gov, receive four (4) Grants.gov email notifications:

- A submission receipt.
- A validation receipt.
- A grantor agency retrieval receipt.
- An agency tracking number assignment.

If no Grants.gov receipt and validation email is received, or if error notifications are received:

- Contact BJA or Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, [Grants.gov customer support](#), or support@grants.gov regarding technical difficulties (see [“Application Resource Guide” section on Experiencing Unforeseen Technical Issues](#)).

Within 24 hours after receipt of confirmation emails from Grants.gov, the individual in Section 8F of the SF-424 will receive an email from JustGrants with login instructions.

- Proceed to Application Step 2 and complete application in JustGrants.

Application Step 2

Submit the following information in JustGrants:

Application Components

- Entity and User Verification (First Time Applicant)
- Standard Applicant information (SF-424 information from Grants.gov)
- Proposal Abstract
- Data Requested with Application
- Proposal Narrative

Budget and Associated Documentation

- Budget Worksheet and Narrative (attachment)
- Financial Management and System of Internal Controls Questionnaire (see [Application Resource Guide](#))
- Indirect Cost Rate Agreement (if applicable) (see [Application Resource Guide](#))

Additional Application Components

- Research and Evaluation Independence and Integrity (see [Application Resource Guide](#))
- [FY24 JAG—Certifications and Assurances by the Chief Executive of the Applicant Government](#)
- [Memorandum of Understanding](#) (if applicable)
- [Body Armor Certification](#) (if applicable)
- [Body-Worn Camera Certification](#) (if applicable)
- [ERPO Certification](#) (if applicable)

Disclosures and Assurances

- [Disclosure of Lobbying Activities \(SF-LLL\)](#) (see [Application Resource Guide](#))
- Applicant Disclosure of Duplication in Cost Items (see [Application Resource Guide](#))
- DOJ Certified Standard Assurances (see [Application Resource Guide](#))

- DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Law Enforcement and Community Policing (see [Application Resource Guide](#))
- Applicant Disclosure and Justification—DOJ High-Risk Grantees (if applicable) (see [Application Resource Guide](#))

Review, Certify, and Submit Application in JustGrants

- Any validation errors will immediately display on screen after submission.
- Correct validation errors, if necessary, and then return to the “Certify and Submit” screen to submit the application. Access the [Application Submission Validation Errors Quick Reference Guide](#) for step-by-step instructions to resolve errors prior to submission.
- Once the application is submitted and validated, a confirmation message will appear at the top of the page. Users will also receive a notification in the “bell” alerts confirming submission.

If no JustGrants application submission confirmation email or validation is received, or if error notification is received—

- Contact the JustGrants Service Desk at 833-872-5175 or JustGrants.Support@usdoj.gov regarding technical difficulties. See the [Application Resource Guide](#) for additional information.

Standard Solicitation Resources

[Application Resource Guide](#) provides guidance to assist OJP grant applicants in preparing and submitting applications for OJP funding.

[DOJ Grants Financial Guide](#) serves as the primary reference manual to assist award recipients in fulfilling their fiduciary responsibility to safeguard grant funds and to ensure funds are used for the purposes for which they were awarded. It compiles a variety of laws, rules and regulations that affect the financial and administrative management of DOJ awards. This guide serves as a starting point for all award recipients and subrecipients of DOJ grants and cooperative agreements in ensuring the effective day-to-day management of awards.

[JustGrants Resources Website](#) is an entryway into information about JustGrants and the grants management system itself. Through this portal both award recipients and applicants can access training resource and user support options, find frequently asked questions, and sign up for the [JustGrants Update e-newsletter](#).

[JustGrants Application Submission Training page](#) offers helpful information and resources on the application process. This training page includes e-learning videos, reference guides, checklists, and other resources to help applicants complete an application.

[Weekly Training Webinars](#) are advertised here and provide opportunities for users to receive topic-specific training, direct technical assistance, and support on JustGrants system functionality.

JAG 2024

STATE OF NORTH CAROLINA

COUNTY OF CATAWBA COUNTY

KNOW ALL BY THESE PRESENT

**INTERLOCAL AGREEMENT
BETWEEN THE COUNTY OF CATAWBA AND CITY OF HICKORY**

2024 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

THIS AGREEMENT is made and entered into this 24th day of September 2024, by and between THE COUNTY of CATAWBA, acting by and through its Sheriff hereinafter referred to as COUNTY, and the CITY of HICKORY, acting by and through its City Manager, hereinafter referred to as CITY, both of Catawba County, State of North Carolina, collectively the parties and each a party, witnesseth:

WHEREAS, this Agreement is made under the authority of North Carolina General Statutes 153A-211, 160A-288; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, the City and the County are certified as a disparate jurisdiction by JAG definitions, and each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the COUNTY will receive a direct JAG allocation of \$11,664, but as a disparate jurisdiction will remain a partner with the CITY per JAG legislation; and

WHEREAS, the CITY will receive a direct JAG allocation of \$17,926; and

WHEREAS, the COUNTY and CITY desire to use the joint JAG allocation of \$29,590 to purchase Graykey Forensic Software for FY2025-2026 and share equally in any costs of services and/or equipment associated with the Graykey Forensic Software that exceed the joint JAG allocation.

NOW THEREFORE, the COUNTY and CITY agree as follows:

Section 1.

The CITY and COUNTY shall apply the joint JAG allocation of \$29,590 towards the purchase Graykey Forensic Software for FY2025-2026, which shall be used jointly by the Hickory Police Department and Catawba County Sheriff's Office. The parties estimate the costs of the Graykey Forensic Software for FY2025-2026 will exceed the JAG allocation. Therefore, the CITY and COUNTY agree to share equally in any costs of services and/or equipment associated with the Graykey Forensic Software that exceed \$29,590.

JAG 2024

Section 2.

Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which liability may be imposed by the North Carolina Tort claims Act.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by the North Carolina Tort claims Act.

Section 4.

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 5.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 6.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

CITY OF HICKORY, NORTH CAROLINA

COUNTY OF CATAWBA, NORTH CAROLINA

Warren Wood, City Manager

Don Brown, Catawba County Sheriff

ATTEST:

ATTEST:

JAG 2024

THIS INSTRUMENT has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act as amended.

Date: _____

Mary Morrison, Assistant Chief Finance Officer

Date: _____

Kari Dunlap, Finance Officer

APPROVED AS TO FORM:

Date: _____

Joshua Teague, Assistant County Attorney

Date: _____

Tim Swanson, City Attorney

BUDGET REVISION # 6

BE IT ORDAINED by the Governing Board of the City of Hickory that, pursuant to N.C. General Statutes 159.15 and 159.13.2, the following revision be made to the annual budget ordinance for the fiscal year ending June 30, 2025 and for the duration of the Project Ordinances noted herein.

SECTION 1. To amend the		Urgent Repair Program Fund	within the FY 2024-25 Budget Ordinance, the	
expenditures shall be amended as follows:				
	FUNCTIONAL AREA	INCREASE	DECREASE	
	Economic & Community Development	132,000		
	TOTAL	132,000		-
To provide funding for the above, the				
	Urgent Repair Program Fund	revenues will be amended as follows:		
	FUNCTIONAL AREA	INCREASE	DECREASE	
	Restricted Intergovernmental	132,000		
	TOTAL	132,000		-

SECTION 2. To amend the		General Fund	within the FY 2024-25 Budget Ordinance, the	
expenditures shall be amended as follows:				
	FUNCTIONAL AREA	INCREASE	DECREASE	
	Public Safety	95,833		
	TOTAL	95,833		-
To provide funding for the above, the				
	General Fund	revenues will be amended as follows:		
	FUNCTIONAL AREA	INCREASE	DECREASE	
	Other Financing Sources	95,833		
	TOTAL	95,833		-

SECTION 3. Copies of the budget revision shall be furnished to the Clerk of the Governing Board, and to the City Manager (Budget Officer) and the Finance Officer for their direction.

Adopted this ____ day of _____, 2024

Mayor

Clerk

COUNCIL AGENDA MEMOS

To: City Manager's Office
From: Kari Dunlap, Finance Officer
Contact Person: Camille Abernathy, Billing & Collections Manager
Date: August 29, 2024
Re: Curb and Gutter Assessments
 Petition # 24-01

REQUEST

To prepare an assessment roll for curb and gutter constructed along a portion of 525 9th Ave NW that was constructed in response to a petition from property owners.

BACKGROUND

The City Clerk received petition number 24-01 from the owners of property along 525 9th Ave NW to install curb and gutter along a portion of their street as per section 29-2 of the Hickory Code of Ordinances. The petition was a single-party petition. The City Council adopted a Resolution Directing that Street Improvement Project Be Undertaken. Construction of the curb and gutter was completed on August 2, 2024.

ANALYSIS

The attached preliminary assessment roll number 24-01 has been prepared based on the curb and gutter constructed along a portion of 525 9th Ave NW in response to a petition by property owners. The City Clerk, as shown on the included Certification, has mailed a copy of the adopted Preliminary Resolution, which called for a public hearing, to all affected property owners. The attached Resolution confirms the assessment roll.

RECOMMENDATION

Recommend holding a public hearing as set by a Preliminary Resolution to discuss all matters concerning Preliminary Assessment Roll # 24-01 that is for curb and gutter constructed along a portion of 525 9th Ave NW and to consider the attached Resolution confirming the assessment roll.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

Reviewed by:

Initiating Department Head

Rodney Miller

Asst. City Manager Rodney Miller

Date

9/26/24

Date

Asst. City Manager Yaidee Fox

R. Beasley

Asst. City Manager, R. Beasley

Date

9/26/24

Date

Finance Officer, Kari Dunlap

Kari Dunlap

Date

8/30/24

Deputy Finance Officer,

Cameron McHargue
Cameron McHargue

Date

8-30-24

Recommended for approval and placement on October 1, 2024 Council agenda (as Consent, Public Hearing, Informational, Department Report, etc).

City Manager, W. Wood

W. Wood

Date

**PRELIMINARY ASSESSMENT ROLL
CONCRETE CURB AND GUTTER**

DRAWN: August 28th, 2024

PETITION NUMBER: 24-01

LOCATION: 9th Ave. NW

DATE CONSTRUCTION BEGUN: July 19, 2024

DATE CONSTRUCTION COMPLETED: August 2, 2024

TOTAL LENGTH OF PROJECT: 133 l.f.

PROPERTY OWNERS TO BE ASSESSED FOR CURB AND GUTTER AT THE RATE OF: \$32.50 /l.f.
PLUS DRIVEWAYS AT THE RATE OF: \$65.25 /l.f.

NAME & ADDRESS	PARCEL TAX ID	TOTAL FRONTAGE (l.f.)	CURB AND GUTTER (l.f.)	DRIVEWAY (l.f.)	AMOUNT BILLED
M. Todd Hefner & Tammy S. Hefner 525 9th Ave. NW Hickory, NC 28601	370314441205	133	109	24	\$5,108.50
		0			\$0.00
		0			\$0.00
		0			\$0.00
		0			\$0.00
		0			\$0.00
		0			\$0.00
		0			\$0.00
		0			\$0.00
		0			\$0.00
		0			\$0.00
		0			\$0.00
		0			\$0.00
		0			\$0.00
		0			\$0.00
		0			\$0.00
TOTALS		133 l.f.	109 l.f.	24 l.f.	\$5,108.50

CERTIFICATION SHOWING THAT NOTIFICATION OF PUBLIC HEARING ON
PRELIMINARY RESOLUTIONS WERE MAILED TO OWNERS OF ALL PROPERTY
SUBJECT TO ASSESSMENT
PETITION NO. 24-01

TO THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL OF THE CITY
OF HICKORY:

I, Debbie D. Miller, City Clerk of the City of Hickory, North Carolina, do hereby
certify that notification of public hearing on Preliminary Resolution for Street Improvement
Project (curb and gutter) for 525 9th Avenue NW , was mailed by first class mail on
September 18, 2024, to all owners of property subject to assessment.

IN WITNESS WHEREOF, I hereunto set my hand and affixed the seal of the City
of Hickory, North Carolina, this the 18th day of September, 2024.



Debbie D. Miller, City Clerk



This instrument has been preaudited
in the manner required by the Local
Government Budget and Fiscal
Control Act.



City of Hickory
Finance Officer

RESOLUTION NO. 24-_____

RESOLUTION CONFIRMING AND LEVYING ASSESSMENT
STREET IMPROVEMENTS ON A
PORTION OF 525 9TH AVENUE NW, HICKORY
NO. 24-01

WHEREAS, the City Council of the City of Hickory has on this day held a public hearing, after due notice as required by law, on the Assessment Roll for the street improvements on a portion of 525 9th Avenue NW, Hickory; and

WHEREAS, the City Council has heard all those persons present who requested to be heard and has found the Assessment Roll to be proper and correct.

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

1. The Assessment Roll for the improvement of a portion of 525 9th Avenue NW, Hickory is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Hickory, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll.
3. The City Clerk is hereby directed to deliver to the Collector of Revenue the said Assessment Roll.
4. Assessments may be paid without interest at any time before expiration of 30 days from the date this notice is published.
5. The Collector of Revenue is hereby charged with the collection of the said assessments that are not paid within this time, in accordance with the procedure established by Chapter 160A, Sections 232 and 233 of the General Statutes of North Carolina.
6. The City Clerk is hereby further directed to publish once on the 5th day of October, 2024.

ADOPTED THIS 1st day of October, 2024.

(SEAL)

Hank Guess, Mayor

ATTEST:

Debbie D. Miller, City Clerk

COUNCIL AGENDA MEMOS

To: City Manager's Office
From: Steve Miller, Public Works Director
Contact Person: Steve Miller
Date: October 1, 2024
Re: Conduct a Public Hearing for Street Closing Petition – Petitioner RGS Property LLC for an unnamed alley located between 1st Street SW and 2nd Street SW

REQUEST

Staff request Council conduct a Public Hearing to consider closing an unnamed alley located between 1st Street SW and 2nd Street SW, as petitioned by RGS Property LLC.

BACKGROUND

The City Clerk received a petition from RGS Property, LLC owner of the properties abutting an unnamed alley located between 1st Street SW and 2nd Street SW. The petition requests the City to close the unnamed alley per NCGS § 160A-299.

ANALYSIS

The City Clerk received a petition from RGS Property LLC to close an unnamed alley located between 1st Street SW and 2nd Street SW. The unnamed alley is bound on the north, south, east and west by the property owned by the Petitioner RGS Property LLC. The signature on the petition represents all the owner(s) of the property abutting this portion of the right-of-way. The petition fee of \$930 has been paid.

A memo was sent to various departments for their input on the street closing. No public water or sewer is located in the street to be closed.

RECOMMENDATION

Staff recommends Council conduct the public hearing to consider closing an unnamed alley located between 1st Street SW and 2nd Street SW, as petitioned by RGS Property LLC.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

Reviewed by:

Initiating Department Head

Asst. City Manager Rodney Miller

Finance Officer, Kari Dunlap

Date

Date

Date

9/26/24

9/23/24

Asst. City Manager, Y. Fox

Asst. City Manager, R. Beasley

Deputy Finance Officer,
Cameron McHargue

Date

Date

Date

9/26/24

9/26/24

9-23-24

Recommended for approval and placement on _____ Council agenda (as
Consent, Public Hearing, Informational, Department Report, etc).

City Manager, W. Wood

Date

W. Wood

9.26.24

STATE OF NORTH CAROLINA

COUNTY OF CATAWBA

PETITION TO CLOSE AN ALLEY/UNOPENED ROAD

BETWEEN 1ST AVE SW AND 2ND AVE SW

**TO: The Honorable Mayor and City Council
of the City of Hickory**

The undersigned, **RGS Property, LLC**, with a mailing address of 117 1st Ave SW Hickory, NC 28602, respectfully petitions the City Council of the City of Hickory as follows:

1. Petitioner is the owner of all tracts of property abutting and surrounding the alley located between 1st Street SW and 2nd Street SW.
2. That said portion of roadway is no longer necessary for public use or for access to any tract of property not owned by Petitioner herein and that the Petitioner herein requests to close said unopened portion of alley as described in Exhibit "A" and said Legal Description of the alley is attached hereto as Exhibit "B", both of which are incorporated herein by reference.
3. That the property located and abutting said portion of the alley/roadway to be closed is identified as Catawba County Tax Parcels 3702-07-58-7987; 3702-07-58-8976; 3702-07-58-8874 and 3702-07-58-7873, being owned by the Petitioner herein and is the only owner entitled to have a copy of the proposed resolution sent to them by registered or certified mail set forth in North Carolina General Statute §160A-299.
4. That the closing of said portion of this street/alley is not contrary to the public interest and will not cause hardships or inconvenience to any property owner and there is no individual or corporation owning property in the vicinity of said street that will be deprived of reasonable means of ingress or egress to their property by the closing of the same and that this Petitioner hereto desires that the same be closed.

RECEIVED
BY: D.M. Miller
DATE: 8-15-2024

- 5. That the City of Hickory acting through its Mayor and City Council is authorized by the North Carolina General Statute §160A-296 et. Seq. to close said unopened road/alley between 1st Street SW and 2nd Street SW as described above.

WHEREFORE, the undersigned Petition requests the Mayor and the City Council of the City of Hickory to declare their intent to close the alley/road between 1st Street SW and 2nd Street SW as described above, and to give Notice of Hearing to be held to consider such closing in accordance with the provisions of North Carolina General Statute §160A-299 by publishing Notice of said hearing once a week for four (4) consecutive weeks in the Hickory Daily Record, a newspaper in published in Hickory, Catawba County, North Carolina, and by posting, in at least two locations, a Notice of Closing and Public Hearing prominently along the alley/road to be closed between 1st Street SW and 2nd Street SW.

Respectfully submitted this 15th day of August, 2024.

PETITIONER:

RGS PROPERTIES, LLC

By: Robyn G. St. Clair

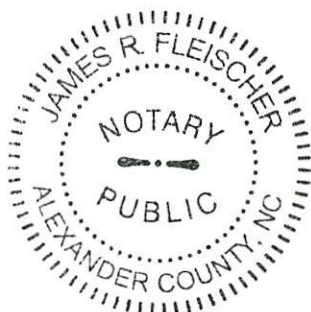
Robyn G. St. Clair, President

STATE OF NORTH CAROLINA

COUNTY OF CATAWBA

I, James R. Fleischer, a Notary Public for Alexander County, North Carolina, do hereby certify that Robyn G. St. Clair, President of RGS Properties, LLC, a North Carolina Limited Liability Company, personally came before me this day and acknowledged the due execution on the foregoing instrument in the capacity indicated on behalf of the company.

WITNESS my hand and Notarial Seal, this 15th day of August, 2024.



James R. Fleischer
 Notary Public
 My Commission Expires: 11/20/2027

EXHIBIT "B"

Beginning at a Mag Nail set found in the southwestern corner of the Property of RGS Property, LLC (PIN: 370207587873) and being described in Deed Book 3775, Page 1967 and following alongside a 40' Right of Way (being commonly known as 2nd Street SW) N 02°50'09" E 123.00 feet to a ¾" rebar found and being the POINT OF BEGINNING, thence S 86°26'19" E 104.20' to a calculated point, thence S 02°58'57" W 121.50' to a mag nail set found, thence with 2nd Avenue SW to the south, S 87°20'43" W 12.11' to a calculated point, thence with the property of RGS Property, LLC to the east (PIN: 370207588874) and being described in Deed Book 3708, Page 182, N 02°55'04" E 105.41' to a ¾" pipe found, thence N 24°51'35" E 21.51' to a ½" pipe found, thence with the property of RGS property to the south (PIN: 370207588874) and being described in Deed Book 3708, Page 182, S 86°54'35" E 59.49' to a 1" flat bar found, thence with a 60 foot right of way (commonly known as 1st Street SW) N 03°04'14" E 17.15' to a calculated point, thence with the property of RGS Property, LLC to the north (PIN: 370207588976) and being described in Deed Book 3770, Page 1386, N 86°54'35" W 83.20' to a calculated point, thence continuing on N 86°26'19" W 100.57' to a calculated point, thence with a 40' right of way (commonly known as 2nd Street SW) to the west, S 02°50'09" W 20.00' to the POINT OF BEGINNING, and being a unopened alley as shown on Plat Book 88, Page 114, Catawba County Registry of Deeds.

Approval Certificate for Recombination of Land Plat

I certify that to the best of my ability, I have determined that the plot shown hereon is exempt from the City of Hickory Subdivision Regulations. This plot involves the combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the City of Hickory.

C.A. Director of Planning or Designee
 Date 8-1-2024

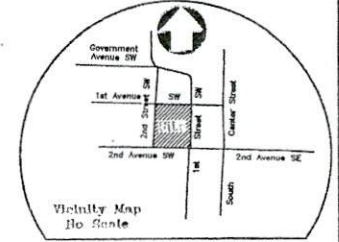
Watershed Notation
 The parcels of land shown on this plat ARE located within a Watershed Area

NC Grid Marker
 Municipal NAD 83
 n---729,561.49
 e---1,308,227.17
 Combined Factor:
 0.99985723

Review Officer Certificate

State of North Carolina
 County of Catawba

I, Cal D. ..., Review Officer of Catawba County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.
 Date 8-1-2024
 Review Officer Cal D. ...



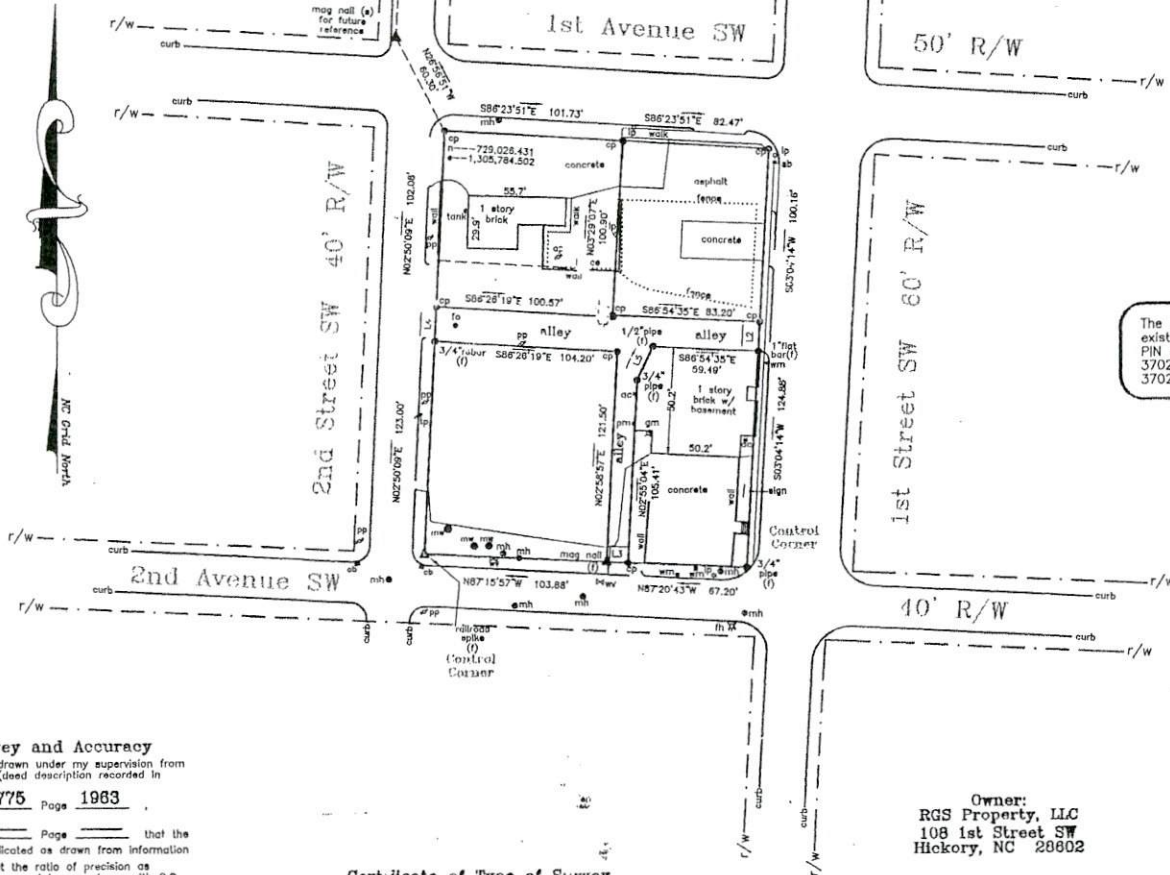
Flood Plain Notation

The surveyed parcels of land as shown on this plot are ARE NOT located in a 100-year flood plain
 Zone: X
 FEMA Panel Number: 3710370200J
 Effective Date: 09-05-07

Legend:

- = 1/2" Rebar (s)
- = Iron Found (f)
- = Calculated Point (cp)
- ▲ = Mag Nail
- nts = Not to Scale
- r/w = Right of Way
- ac = Air Conditioning Unit
- ap = Antenna Pole
- au = Aerial Utilities
- cb = Catch Basin
- fo = Fiber Optic
- gm = Gas Meter
- lp = Light Pole
- mh = Sewer Manhole
- mw = Monitor Well
- pm = Power Meter
- pp = Power Pole
- tp = Telephone Pedestal
- wm = Water Meter
- wv = Water Valve

Line	Bearing	Distance
L1	N03°29'03"E	1.10'
L2	S03°04'14"W	12.15'
L3	N87°20'43"W	12.11'
L4	N02°50'09"E	20.00'
L5	N24°51'35"E	21.51'



Notes:

Current tax records are used to identify adjoining property owners.

The property shown hereon is subject to all easements, right of ways, restrictions, and agreements not shown hereon.

There were North Carolina horizontal control markers found to exist within 2000' of the surveyed property.

Total Area: 1.028 Acres (44,760 sf) (area computed by the coordinate method)

Broken lines represent property lines which are not actually surveyed. These dashed lines were taken from deeds or other sources.

The surveyed property is zoned C-1 (Hickory) 1/2" rebar were set at all new property corners.

The surveyed property IS NOT located in a 1/2 mile close proximity to an agricultural district.

The purpose of this plat is to abandon the existing alleys and to combine the following PIN numbers into one parcel: 370207558874, 370207587873, 270207587987, and 370207588976.

Exempt Recombination Plat for RGS Property, LLC

- Address: 108 1st Street SW-- Hickory, NC 28602
- Address: 211 2nd Avenue SW-- Hickory, NC 28602
- Address: 117 1st Avenue SW-- Hickory, NC 28602
- Address: 1st Avenue SW-- Hickory, NC 28602

Hickory Township Catawba County North Carolina

Scale: 1"=50' Drawn By: tes File: 1023285

- Deed Reference: Book 3784 Page 864
- Deed Reference: Book 3775 Page 1963
- Deed Reference: Book 3770 Page 1388

- Pin Number: 3702-07-58-8874
- Pin Number: 3702-07-58-7873
- Pin Number: 3702-07-58-7987
- Pin Number: 3702-07-58-8976

Plot Reference: Book 4 Page 8

- Tax Map Number: 5H Block 08 Lot 03
- Tax Map Number: 5H Block 08 Lot 04
- Tax Map Number: 5H Block 08 Lot 01
- Tax Map Number: 5H Block 08 Lot 02
- Survey Py: gg/dd/bs Date of Survey: 10-31-23
- Drawing Number: 1138-5854

Donald S. Miller - Surveying
 3815 22nd Street NE-- Hickory, NC 28601
 Phone: (828) 322-4013

Surveyors Certificate of Survey and Accuracy

I, Donald S. Miller, certify that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in

Book 3764, Page 884; Book 3775, Page 1963

Book 3770, Page 1388; that the boundaries not surveyed by me are clearly indicated as drawn from information found in Book 3770, Page 1388; that the ratio of precision as calculated is 1:10,000+; that this plot was prepared in accordance with G.S. 47-30 as amended.

Witness my original signature, registration number and seal this

17th day of November, A.D., 2023.

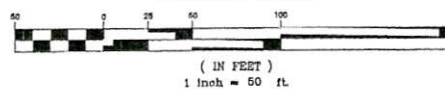
Certificate of Type of Survey

This survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision

Donald S. Miller
 Surveyor



GRAPHIC SCALE



88-114 Exhibit "A"

FILED Aug 01, 2024 04:37 pm
 CATAWBA COUNTY NC
 BOOK 00888
 DONNA HICKS SPENCER
 PAGE 0114
 REGISTER OF DEEDS
 INST # 13598

Donald S. Miller
 Professional Land Surveyor
 License- L-1257





1in=60ft

Parcel: 370207587987, 117 1ST AVE SW HICKORY, 28602

Owners: RGS PROPERTY LLC,

Owner Address: 108 1ST ST SW

Values - Building(s): \$41,700, Land: \$31,400, Total: \$73,100

 To be closed
 RGS Property LLC

This map/report product was prepared from the Catawba County, NC Geospatial Information Services. Catawba County has made substantial efforts to ensure the accuracy of location and labeling information contained on this map or data on this report. Catawba County promotes and recommends the independent verification of any data contained on this map/report product by the user. The County of Catawba, its employees, agents, and personnel, disclaim, and shall not be held liable for any and all damages, loss or liability, whether direct, indirect or consequential which arises or may arise from this map/report product or the use thereof by any person or entity.

Parcel Report - Catawba County NC

Parcel Information:

Parcel ID: **370207587987**
Parcel Address: 117 1ST AVE SW
City: HICKORY, 28602
LRK(REID): 5489
Deed Book/Page: 3770/1386
Subdivision: CITY OF HICKORY
Lots/Block: /
Last Valid Sale:
Plat Book/Page:
Legal:
Calculated Acreage: .240
Tax Map: 005H 08001
Township: HICKORY
State Road #:

Owner Information:

Owner: RGS PROPERTY LLC
Owner2:
Address: 108 1ST ST SW
Address2:
City: HICKORY
State/Zip: NC 28602-3051
Update owner mailing address

School Information:

School District: HICKORY
Elementary School: JENKINS
Middle School: GRANDVIEW
High School: HICKORY
School Map

Tax/Value Information: Tax Rates
City Tax District: HICKORY
County Fire District: All in City
Building(s) Value: \$41,700
Land Value: \$31,400
Assessed Total Value: \$73,100
Year Built/Remodeled: 1935/
Tax Revaluation 2023: Info, COMPER
You can contact the Real Property division of the
Tax Office at: 828.465.8436
Current Tax Bill

Zoning Information:

Zoning District: HICKORY
Zoning1: C-1
Zoning2:
Zoning3:
Zoning Overlay:
Small Area:
Split Zoning Districts: /
Zoning Agency Phone Numbers

Miscellaneous:

Current: If available, Building Permits for this parcel.
Before 12/4/23: Building Permit Address Search for this parcel.

If available, Building Permits for this parcel. Septic links are not permits.
Septic Final Permits prior to 08/2018, contact Environmental Health.

Building Details
WaterShed:
Voter Precinct: P15/ Voting Map
Parcel Report Data Descriptions

Firm Panel Date: 2007-09-05
Firm Panel #: 3710370200J
2010 Census Block: 2004
2010 Census Tract: 010501
Agricultural District:

List all Owners Deed History Report Assessment Report

Parcel Report - Catawba County NC

Parcel Information:

Parcel ID: **370207588976**
Parcel Address: 1ST AVE SW
City: HICKORY, 28602
LRK(REID): 5490
Deed Book/Page: 3770/1386
Subdivision: CITY OF HICKORY
Lots/Block: /
Last Valid Sale:
Plat Book/Page:
Legal:
Calculated Acreage: .180
Tax Map: 005H 08002
Township: HICKORY
State Road #:

Owner Information:

Owner: RGS PROPERTY LLC
Owner2:
Address: 108 1ST ST SW
Address2:
City: HICKORY
State/Zip: NC 28602-3051
Update owner mailing address

School Information:

School District: HICKORY
Elementary School: JENKINS
Middle School: GRANDVIEW
High School: HICKORY

Tax/Value Information: Tax Rates
City Tax District: HICKORY
County Fire District: All in City
Building(s) Value: \$1,000
Land Value: \$23,500
Assessed Total Value: \$24,500
Year Built/Remodeled: /
Tax Revaluation 2023: Info, COMPER
You can contact the Real Property division of the
Tax Office at: 828.465.8436
Current Tax Bill

Zoning Information:

Zoning District: HICKORY
Zoning1: C-1
Zoning2:
Zoning3:
Zoning Overlay:
Small Area:
Split Zoning Districts: /
Zoning Agency Phone Numbers

Miscellaneous:

Current: If available, Building Permits for this parcel.
Before 12/4/23: Building Permit Address Search for this parcel.

If available, Building Permits for this parcel. Septic links are not permits.
Septic Final Permits prior to 08/2018, contact Environmental Health.

Building Details
WaterShed:
Voter Precinct: P15
Parcel Report Data Descriptions

Firm Panel Date: 2007-09-05
Firm Panel #: 3710370200J
2010 Census Block: 2004
2010 Census Tract: 010501
Agricultural District:

List all Owners Deed History Report Assessment Report

Parcel Report - Catawba County NC

Parcel Information:

Parcel ID: **370207587873**
Parcel Address: 211 2ND AVE SW
City: HICKORY, 28602
LRK(REID): 5492
Deed Book/Page: 3775/1963
Subdivision: CITY OF HICKORY
Lots/Block: 13-16/ A
Last Valid Sale: \$40,000 on 2022-10-20
Plat Book/Page: UNRE/UNRE
Legal:
Calculated Acreage: .290
Tax Map: 005H 08004
Township: HICKORY
State Road #: 2231

Owner Information:

Owner: RGS PROPERTY LLC
Owner2:
Address: 108 1ST ST SW
Address2:
City: HICKORY
State/Zip: NC 28602-3051
Update owner mailing address

School Information:

School District: HICKORY
Elementary School: JENKINS
Middle School: GRANDVIEW
High School: HICKORY
School Map

Tax/Value Information: Tax Rates
City Tax District: HICKORY
County Fire District: All in City
Building(s) Value: \$0
Land Value: \$37,900
Assessed Total Value: \$37,900
Year Built/Remodeled: /
Tax Revaluation 2023: Info, COMPER
You can contact the Real Property division of the
Tax Office at: 828.465.8436
Current Tax Bill

Zoning Information:

Zoning District: HICKORY
Zoning1: C-1
Zoning2:
Zoning3:
Zoning Overlay:
Small Area:
Split Zoning Districts: /
Zoning Agency Phone Numbers

Miscellaneous:

Current: If available, Building Permits for this parcel.
Before 12/4/23: Building Permit Address Search for this parcel.

If available, Building Permits for this parcel. Septic links are not permits.
Septic Final Permits prior to 08/2018, contact Environmental Health.

Building Details

WaterShed:

Voter Precinct: P15/ Voting Map

Parcel Report Data Descriptions

List all Owners

Deed History Report

Assessment Report

Firm Panel Date: 2007-09-05
Firm Panel #: 3710370200J
2010 Census Block: 2004
2010 Census Tract: 010501
Agricultural District:

Parcel Report - Catawba County NC

Parcel Information:

Parcel ID: **370207588874**
Parcel Address: 108 1ST ST SW
City: HICKORY, 28602
LRK(REID): 5491
Deed Book/Page: 3764/0864
Subdivision: CITY OF HICKORY
Lots/Block: 4-8/ A
Last Valid Sale: \$175,000 on 2021-12-03
Plat Book/Page: UNRE/UNRE
Legal:
Calculated Acreage: .200
Tax Map: 005H 08003
Township: HICKORY
State Road #:

Owner Information:

Owner: RGS PROPERTY LLC
Owner2:
Address: 108 1ST ST SW
Address2:
City: HICKORY
State/Zip: NC 28602-3051
Update owner mailing address

School Information:

School District: HICKORY
Elementary School: JENKINS
Middle School: GRANDVIEW
High School: HICKORY
School Map

Tax/Value Information: Tax Rates
City Tax District: HICKORY
County Fire District: All in City
Building(s) Value: \$169,900
Land Value: \$26,100
Assessed Total Value: \$196,000
Year Built/Remodeled: 1935/
Tax Revaluation 2023: Info, COMPER
You can contact the Real Property division of the
Tax Office at: 828.465.8436
Current Tax Bill

Zoning Information:

Zoning District: HICKORY
Zoning1: C-1
Zoning2:
Zoning3:
Zoning Overlay:
Small Area:
Split Zoning Districts: /
Zoning Agency Phone Numbers

Miscellaneous:

Current: If available, Building Permits for this parcel.
Before 12/4/23: Building Permit Address Search for this parcel.

If available, Building Permits for this parcel. Septic links are not permits.
Septic Final Permits prior to 08/2018, contact Environmental Health.

Building Details

WaterShed:

Voter Precinct: P15/ Voting Map

Parcel Report Data Descriptions

Firm Panel Date: 2007-09-05

Firm Panel #: 3710370200J

2010 Census Block: 2004

2010 Census Tract: 010501

Agricultural District:

List all Owners

Deed History Report

Assessment Report

Prepared by/Return to: City of Hickory, Legal Department
City Attorney Timothy Swanson
P.O. Box 398
Hickory, NC 28603

RESOLUTION NO. 24-
RESOLUTION AND ORDER

WHEREAS, RGS Property LLC own properties adjoining the following described area, in the City of Hickory, County of Catawba, which is further described as follows:

An unnamed alley located between 1st Street SW and 2nd Street SW

Lying and being situate in the City of Hickory, Hickory Township, Catawba County, North Carolina, and being more particularly described as follows:

Beginning at a Mag Nail set found in the southwestern corner of the Property of RGS Property, LLC (PIN: 370207587873) and being described in Deed Book 3775, Page 1967 and following alongside a 40' Right of Way (being commonly known as 2nd Street SW) N 02°50'09" E 123.00 feet to a ¾" rebar found and being the POINT OF BEGINNING, thence S 86°26' 19" E 104.20' to a calculated point, thence S 02°58'57" W 121.50' to a mag nail set found, thence with 2nd Avenue SW to the south, S 87°20'43" W 12.11' to a calculated point, thence with the property of RGS Property, LLC to the east (PIN: 370207588874) and being described in Deed Book 3708, Page 182, N 02°55'04" E 105.41' to a ¾" pipe found, thence N 24°51'35" E 21.51' to a ½" pipe found, thence with the property of RGS property to the south (PIN: 370207588874) and being described in Deed Book 3708, Page 182, S 86°54'35" E 59.49' to a 1" flat bar found, thence with a 60 foot right of way (commonly known as 1st Street SW) N 03°04'14" E 17.15' to a calculated point, thence with the property of RGS Property, LLC to the north (PIN: 370207588976)

and being described in Deed Book 3770, Page 1386, N 86°54'35" W 83.20' to a calculated point, thence continuing on with the property of RGS Property, LLC to the north (PIN: 370207587987) and being described in Deed Book 3770, Page 1386, N 86°26'19" W 100.57' to a calculated point, thence with a 40' right of way (commonly known as 2nd Street SW) to the west, S 02°50'09" W 20.00' to the POINT OF BEGINNING, and being a unopened alley as shown on Plat Book 88, Page 114, Catawba County Registry of Deeds.

WHEREAS, following the filing of said petition with the City Council, a notice of public hearing upon the question of closing and abandoning said area for public roadway purposes was advertised in *The Hickory Daily Record* in the issues of September 7, September 14, September 21, and September 28, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA:

THAT, the above-described area be and the same is hereby ordered to be closed and abandoned for roadway or street purposes, in accordance with the provisions of Chapter 160A, Section 299, of the General Statutes of North Carolina, and the Charter of the City of Hickory;

BE IT FURTHER RESOLVED, that the City of Hickory reserves the right, title and interest in any utility improvement or easement within the above-described street or roadway to be closed, pursuant to the provisions of 160A, Section 299, of the General Statutes of North Carolina; and

RESOLVED, FURTHER, that all rights, title and interest of the City of Hickory in and to the area covered by said street shall vest in the respective owners of the land adjoining said area, all in accordance with the provision of the abovementioned section of the General Statutes of North Carolina.

BY ORDER OF THE HICKORY CITY COUNCIL.

ADOPTED ON THIS 1ST DAY OF OCTOBER, 2024.

THE CITY OF HICKORY,
A North Carolina Municipal Corporation

By: _____
Hank Guess, Mayor

Date: _____

Attest:

(SEAL)

Debbie D. Miller, City Clerk

This instrument has been preaudited
in the manner required by the Local
Government Budget and Fiscal
Control Act.



City of Hickory
Finance Officer

CERTIFICATION OF RESOLUTION AND ORDER CLOSING STREET

NORTH CAROLINA
CATAWBA COUNTY
CITY OF HICKORY

I, Debbie D. Miller, City Clerk of the City of Hickory, North Carolina, do hereby certify that the attached Resolution and Street Closing Order was adopted at a regular meeting of the City Council held on October 1, 2024, and that said Resolution and Street Closing Order is in full force and effect.

City Clerk

NORTH CAROLINA
CATAWBA COUNTY

I, _____, a Notary Public in and for said County and State, do hereby certify that Debbie D. Miller, City Clerk for the City of Hickory, personally appeared before me this date and acknowledged the due execution of the foregoing certificate for the purposes therein expressed.

Witness my hand and notarial seal, this ____ day of _____, 2024.

Notary Public

My Commission Expires: _____

RESOLUTION NO. 24-_____

RESOLUTION OF THE CITY OF HICKORY CITY COUNCIL REGARDING THE ABOLISHMENT OF THE CITY OF HICKORY PUBLIC HOUSING AUTHORITY AND THE TRANSFER TO THE WESTERN PIEDMONT COUNCIL OF GOVERNMENTS

WHEREAS, the United States Department of Housing and Urban Development (“HUD”) provides funds for the provision of affordable housing through its public housing programs; and

WHEREAS, the City of Hickory Public Housing Authority (“PHA”) was created to administer said funds and manage all associated assets with the public housing program; and

WHEREAS, HUD issued reports in 2012 and 2015 detailing a lack of adequate housing authority board oversight and administration and the City continues to receive complaints about the PHA; and

WHEREAS, HUD encourages the consolidation of public housing authorities to provide better administration of HUD programs and funds; and

WHEREAS, a regional public housing authority provides greater economic and housing mobility for program clients; and

WHEREAS, the Western Piedmont Council of Governments (“WPCOG”) has been designated as a regional public housing authority since January 1, 1978 pursuant to Chapter 157 of the North Carolina General Statutes; and

WHEREAS, N.C.G.S. §§ 160A-475 and 157-4.1A authorizes the City of Hickory to delegate by resolution any powers to the WPCOG, including the transfer of its public housing authority.

NOW, THEREFORE BE IT RESOLVED:

1. The City of Hickory, effective July 1, 2025, hereby abolishes the City of Hickory Public Housing Authority pursuant to Chapter 157 of the North Carolina General Statutes.
2. The City of Hickory authorizes the WPCOG to exercise all appropriate powers related to a public housing authority within the jurisdiction of the City.
3. The PHA itself, and any person or organization administering the programming and/or assets of the PHA, is directed to transfer all funds, files, titles, equipment and other assets to the WPCOG in a cooperative manner.
4. The Mayor and City Manager are authorized to execute any necessary documents to implement this transfer to the WPCOG.

5. The City of Hickory requests that HUD approve this transfer with an effective date of July 1, 2025.

Read, approved and adopted this _____ day of _____, 2024.

THE CITY OF HICKORY, a
North Carolina Municipal Corporation

(SEAL)

ATTEST:

Hank Guess, Mayor

Debbie D. Miller, City Clerk

Approved as to form this 26th day of SEPTEMBER, 2024.



Timothy D. Swanson, City Attorney

This instrument has been preaudited
in the manner required by the Local
Government Budget and Fiscal
Control Act.



City of Hickory
Finance Officer

RESOLUTION NO. 24-_____

RESOLUTION OF THE CITY OF HICKORY CITY COUNCIL INCREASING
COMMISSIONERS APPOINTED TO CITY OF HICKORY PUBLIC HOUSING AUTHORITY

WHEREAS, N.C. Gen. Stat. § 157-5(a) and (c) provide a public housing authority shall consist of not less than five (5) nor more than eleven (11) commissioners appointed by the mayor and that council may at any time by resolution or ordinance increase or decrease the membership of an authority, within the limitations prescribed; and

WHEREAS, N.C. Gen. Stat. § 157-5(a) provides that the mayor shall appoint the person directly assisted by the authority and that if the commissioner directly assisted by the public housing authority ceases to receive such assistance, the commissioner's office shall be abolished and another person who is directly assisted by the public housing authority shall be appointed by the mayor; and

WHEREAS, the City of Hickory heretofore adopted a resolution organizing and constituting the City of Hickory Public Housing Authority (the "Authority") under and by virtue of Chapter 157 of the North Carolina General Statutes and, by resolutions dated, June 21, 1966, June 5, 1984, and July 19, 2016, increased the number of commissioners on the Authority to nine (9), one of whom was to be a tenant of the Authority; and

WHEREAS, the City Council has determined that two additional commissioners should be appointed such that the Authority shall, upon adoption of this resolution, consist of eleven (11) commissioners; and

WHEREAS, because the Authority no longer owns real property and no longer has tenants, City Council has determined that one (1) of the eleven (11) commissioners appointed to the Authority shall be a person who is directly assisted by the Authority in accordance with N.G. Gen. Stat. § 157-5.

NOW, THEREFORE BE IT RESOLVED:

1. The Authority shall consist of eleven (11) commissioners appointed by the Mayor as provided in N.C. Gen. Stat. § 157-5(a), one of whom shall be a person who is directly assisted by the Authority. The term, duties, and authorities of the two (2) additional commissioners shall be the same as the other nine (9) commissioners previously established and appointed.
2. This resolution shall be effective upon adoption.

Read, approved and adopted this _____ day of _____, 2024.

THE CITY OF HICKORY, a
North Carolina Municipal Corporation

(SEAL)

ATTEST:

Hank Guess, Mayor

Debbie D. Miller, City Clerk