



**2015006367**

TRANSYLVANIA CO, NC FEE \$26.00  
PRESENTED & RECORDED:

12-11-2015 11:27:24 AM

CINDY M OWNBEY  
REGISTER OF DEEDS  
BY: BETH C LANDRETH  
ASSISTANT

**BK: DOC 749**

**PG: 80-82**

**ORDINANCE NO. 2015-31**

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS  
OF THE CITY OF BREVARD, NORTH CAROLINA**

WHEREAS, the Brevard City Council has been petitioned under G.S. 160A-31, as amended, to annex the area described herein, and,

WHEREAS, the City Council has by Resolution No. 2015-24 directed the City Clerk to investigate the sufficiency of said petition; and,

WHEREAS, the City Clerk has certified the sufficiency of said petition (relying on the opinion of the City Attorney) and the City Council adopted Resolution No. 2015-26 fixing a date of public hearing. A public hearing on the question of this annexation was held at the Brevard City Hall at 7:00 o'clock, P.M. on the 16<sup>th</sup> day of November, 2015, after due notice by publication on the 2<sup>nd</sup> of November, 2015;

WHEREAS, the City Council does hereby find as a fact that the petition meets the requirements of G.S. 160A-31, as amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA, THAT:

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, all of that property lying in Transylvania County, owned by Lastinger Properties, LLC, as shown and being all of that property conveyed to Lastinger Properties, LLC by a deed from The Bryson Development and Management Limited Partnership as recorded in Document Book 730 Page 412 of the Transylvania County Register of Deeds (Transylvania County Property Identification Number: 8597-47-3949) and that certain annexation plat provided by the Petitioners to be duly recorded upon annexation is hereby annexed and made a part of the City of Brevard as the 16<sup>th</sup> day of November, 2015.

Said property is more fully described as follows:

Location: Off of US Highway #276, 113 Mama's Place, Pisgah Forest, NC. Tax Property Identification Number 8597-47-3949

Metes and Bounds Property Description:

The following parcel of land is located off of Pisgah Highway (U.S. HWY 276) in the Brevard Township, Transylvania County, North Carolina. Being all of that property conveyed to Lastinger Properties, LLC by a deed from The Bryson Development and Management Limited Partnership on the 16<sup>th</sup> day of June 2015 as recorded in Document Book 730 Page 412 of the Transylvania County Register of Deeds and being more particularly described as follows:

BEGINNING AT A 5/8" REBAR, said rebar being a common corner of Document Book 730 Page 412, Document Book 721 Page 395, Document Book 721 Page 398 and United States of America Tract V-1 as shown in Plat File: 2 Slide: 262 of the Transylvania County Registry and located N 16°53'46" W a horizontal ground distance of 912.15 feet from a 5/8" rebar set with a "Kee" cap and having North Carolina State Plane Coordinates(2011) of Northing: 575682.339 feet and Easting: 894465.203 feet;

Thence with the common line of Document Book 730 Page 412 and United States of America Tract V-1 the following (9) courses and distances:

- (1) N 08°01'54" E a distance of 131.17 feet to an existing 2" iron pipe with cap;
- (2) N 52°53'34" W a distance of 341.44 feet to an existing 5/8" rebar with "Raxter" cap;
- (3) N 52°53'34" W a distance of 987.60 feet to an existing 2" iron bar;
- (4) N 30°47'50" E a distance of 938.07 feet to an existing 2" iron pipe with cap in a rock pile;
- (5) N 79°13'50" E a distance of 810.59 feet to an existing 2" iron pipe with cap in a rock pile;
- (6) N 38°50'06" E a distance of 1011.06 feet to an existing 4" steel rail;
- (7) S 76°03'55" E a distance of 225.00 feet to an existing 2" iron pipe with cap in a rock pile;
- (8) S 60°41'56" E a distance of 147.37 feet to an existing 2" iron pipe with cap;
- (9) S 09°23'51" E a distance of 477.17 feet to an existing 4" steel rail; said steel rail being a common corner of Document Book 730 Page 412, United States of America Tract V-1 and Deed Book 221 Page 462 of the Transylvania County Registry and located S 58°33'15" W a distance of 148.29 feet from an existing 5/8" rebar;

Thence leaving the aforementioned common line and with the common line of Document Book 730 Page 412 and Deed Book 221 Page 462 of the Transylvania County Registry the following (4) courses and distances:

- (1) S 27°40'58" W a distance of 642.12 feet to an existing 1" iron rod;
- (2) S 27°42'51" W a distance of 518.37 feet to an existing 5/8" iron pipe;
- (3) N 87°51'02" W a distance of 120.52 feet to an existing 1" axle;
- (4) S 27°09'27" W a distance of 159.89 feet to an existing 5/8" rebar in a branch; said rebar being a common corner of Document Book 730 Page 412, Deed Book 221 Page 462 and Deed Book 431 Page 479 of the Transylvania county Registry;

Thence leaving the aforementioned common line and with the common line of Document Book 730 Page 412 and Deed Book 431 Page 479 of the Transylvania County Registry S 27°10'09" W a distance of 439.08 feet to an existing concrete monument with a "Raxter" cap; said concrete monument being a common corner of Document Book 730 Page 412, Deed Book 221 Page 462 and Deed Book 363 Page 53 of the Transylvania County Registry; and located N 83°09'22" W a distance of 305.69 feet from an existing 1/2" rebar;

Thence leaving the aforementioned common line and with the common line of Document Book 730 Page 412 and Deed Book 363 Page 53 of the Transylvania County Registry the following (2) courses and distances:

- (1) S 27°10'42" W a distance of 420.04 feet to an existing 1 1/4" iron pipe;
- (2) S 23°14'13" E a distance of 130.46 feet to an existing 5/8" rebar; said rebar being a common corner of Document Book 730 Page 412, Deed Book 363 Page 53, Document Book 560 Page 344 and Document Book 721 Page 395 of the Transylvania County Registry; and located N 23°11'23" W a distance of 123.61 feet from an existing 5/8" rebar set with a "Raxter" cap;

Thence leaving the aforementioned common line and with the common line of Document Book 730 Page 412 and Document Book 721 Page 395 of the Transylvania County Registry S 82°14'09" W a distance of 222.19 feet TO THE TRUE POINT OF BEGINNING.

Being all of a tract of land containing 64.54 Acres, being the same more or less, according to a Plat of survey recorded in Plat File 16 Page 443 of the Transylvania County Register of Deeds by Kee Mapping and Surveying, PA (License # C-3039) on and between the dates of 01/26/15-02/06/15 and under the supervision of Nolan R Carmack, NC PLS (License # L-5076) and should be referenced for a more complete description.

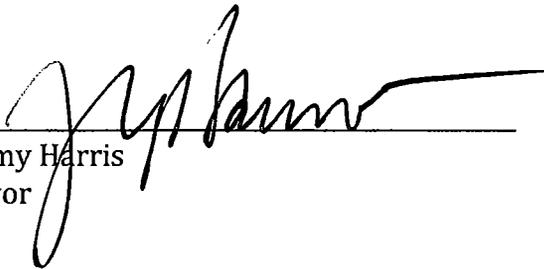
Section 2. Upon and after the 16<sup>th</sup> day of November, 2015, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Brevard and shall be entitled to the same privileges and

benefits as other parts of the City of Brevard. Said territory shall be subject to the municipal taxes according to G.S. 160A-58.10.

Section 3. Pursuant to G.S. 160A-29, the Mayor of the City of Brevard shall cause to be recorded in the office of the Register of Deeds of Transylvania County, North Carolina, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this Ordinance. Such a map shall also be delivered to the Transylvania County Board of Elections as required by G.S. 163.288.1.

Section 4. Notice of adoption of this Ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Brevard.

Adopted and approved the 16<sup>th</sup> day of November, 2015.

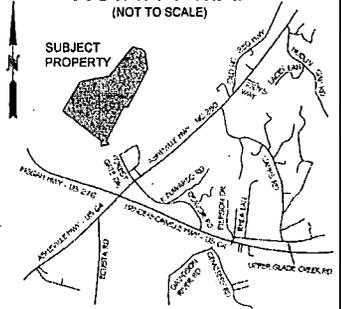
  
\_\_\_\_\_  
Jimmy Harris  
Mayor

  
  
\_\_\_\_\_  
Desiree D. Perry, NCCMC  
City CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Michael K. Pratt  
City Attorney

**VICINITY MAP**  
(NOT TO SCALE)

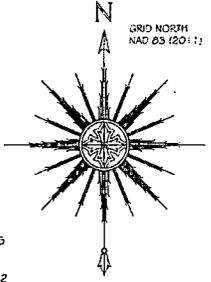


OWNER CERTIFICATION-ANNEXATION: I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAT OF ANNEXATION WITH MY (OUR) FREE CONSENT.

LASTINGER PROPERTIES, LLC  
 BY: *[Signature]* DATE: 9/1/2015  
 BY: *[Signature]* DATE: 9/1/2015

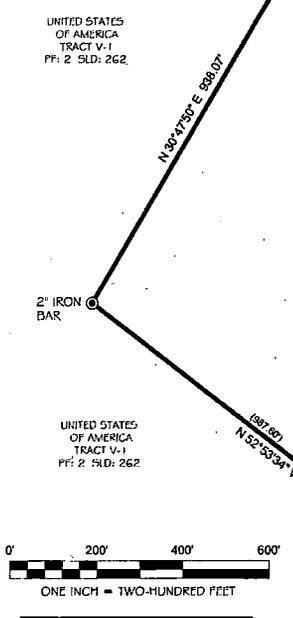
ANNEXATION: I HEREBY CERTIFY THAT THIS PLAT FOR ANNEXATION HAS FOLLOWED ALL REQUIREMENTS AND PROCEDURES AND A PUBLIC HEARING WAS HELD BY THE CITY OF BREWARD TO ANNEX THE PROPERTY DESCRIBED. THE CITY OF BREWARD ADOPTED ORDINANCE NUMBER 2015-21 TO ANNEX THE PROPERTY DESCRIBED HEREIN ON 11-16-2015 WITH THE EFFECTIVE DATE OF ANNEXATION ON 11-16-2015.

Daniel C. Kee, REVIEW OFFICER FOR TRANSYLVANIA COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED, MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
 REVIEW OFFICER: *[Signature]* DATE: 11/15/15



2015006368  
 TRANSYLVANIA CO. NO FEE \$21.00  
 12-11-2015 11:27:25 AM  
 CINDY M OWANBEY  
 BK: PF 16  
 PG: 601-601

*[Signature]*  
 CITY CLERK



TOTAL AREA: 64.54 ACRES  
 BEING ALL OF A TRACT OF LAND AS DESCRIBED IN DB: 730 PG: 412 OF THE TRANSYLVANIA COUNTY REGISTRY.

**CERTIFICATE OF SURVEY AND ACCURACY**  
 I, PHILLIP B. KEE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM DEED DESCRIPTION(S) RECORDED IN DB: 730 PG: 412 AND PLAT FILE: 16 PG: 443; THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION AS REFERENCED; THAT THE RATIO OF PRECISION AS CALCULATED DOES NOT EXCEED 1:10,000; THAT THE GPS PORTION OF THIS PROJECT WAS TO PERFORM A GRID TIE TO THE NC STATE PLANE COORDINATE SYSTEM AND INFORMATION USED IS SHOWN & NOTED HEREON; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.  
 I ALSO HEREBY CERTIFY THAT THIS PLAT IS OF ONE OF THE FOLLOWING: GS 47-30 F(11) C(1); THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

GPS METADATA  
 CLASS OF SURVEY: HORIZONTAL: A VERTICAL: C  
 FIELD PROCEDURE: OPUS  
 DATES: 01/28/15  
 DATUM: NAD83(2011) NAVD 88  
 EPOCH: 2010  
 GEOID: 12A  
 AVERAGE COMBINED FACTOR: .99977509  
 POSITIONAL ACCURACY: HORIZONTAL: .02' VERTICAL: .13'  
 UNITS: USFT  
 CORS USED: DH3874, DK7853, DC8228, DG5311  
 WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS 31ST DAY OF AUGUST 2015, A.D.

PHILLIP B. KEE  
 PHILLIP B. KEE, PLS L-4647

- LEGEND:**
- EXISTING IRON PIN (AS NOTED)
  - EXISTING 5/8" REBAR W/ KEE CAP (GPS CONTROL POINT)
  - CONCRETE MONUMENT
  - WELL
  - TRANSFORMER
  - NOT TO SCALE (NTS)
  - BOUNDARY LINE
  - TIE LINE ONLY
  - RIGHT-OF-WAY (R/W)
  - ADJOINING DEED LINES
  - FENCE LINE
  - GRAVEL ROADBED
  - SOIL ROADBED
  - STREAMS
  - REBAR
  - REBAR W/ CAP
  - IP
  - IPC
  - N.A.D.
  - STATE PLANE COORDINATES
  - DEED BOOK
  - PG.
  - PP: PLAT FILE
  - SLD: SLIDE
  - CC: CONTROL CORNER
  - CF: COMBINED FACTOR

- SURVEYOR'S NOTES:**
- ALL DISTANCES ARE GROUND MEASUREMENTS IN US SURVEY FEET UNLESS OTHERWISE NOTED.
  - AREAS CALCULATED BY THE COORDINATE METHOD.
  - PROPERTY SUBJECT TO A DUKE POWER UTILITY EASEMENT FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF BOTH ABOVE AND UNDERGROUND ELECTRICAL LINES PER DB: 235 PG: 636 IN ADDITION TO ALL RIGHT OF WAYS AND RESTRICTIONS THAT ARE RECORDED, UNRECORDED, WRITTEN AND UNWRITTEN.
  - TRANSYLVANIA COUNTY GIS WEBSITE USED TO IDENTIFY ADJOINING PROPERTY OWNERS.
  - THE PROFESSIONAL SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, RIGHT OF WAYS, ENCUMBRANCES, RESTRICTIVE COVENANTS, CORRECT OWNERSHIP OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. A NC LICENSED ATTORNEY SHOULD BE CONSULTED.
  - BY GRAPHIC DETERMINATION, NO PORTION OF THE SUBJECT PROPERTY APPEARS TO LIE WITHIN A SPECIAL FLOOD HAZARD AREA (SFHA) ZONE AS AS DETERMINED BY THE F.E.M.A. MAP # 3700859700 DATED 10/02/09.
  - UTILITIES WERE LOCATED BASED ON VISIBLE ABOVE GROUND STRUCTURES, THEREFORE THE LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE OR MAY BE PRESENT AND NOT SHOWN HEREON. CALL 1-800-632-4849 BEFORE DIGGING.
  - STREAMS WERE TAKEN FROM GIS SHAPFILES AND LIDAR DATA PROVIDED BY THE NC FLOOD MAPPING PROGRAM, EXCEPT FOR AREAS WHERE THEY ARE CROSSING ROADS AND BOUNDARY LINES. IN THESE AREAS STREAMS WERE SURVEYED.
  - PER LAND RECORDS, PROPERTY IS ZONED GENERAL RESIDENTIAL (R) REFER TO THE CITY OF BREWARD NC CODE OF ORDINANCES.

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N 08°01'54" E	284.15'
L2	N 08°01'54" E	131.17'
L3	S 76°03'55" E	225.00'
L4	S 60°41'56" E	147.37'
L5	S 38°33'19" W	148.29'
L6	N 87°51'02" W	123.52'
L7	S 27°09'22" W	158.89'
L8	N 83°09'22" W	305.69'
L9	S 23°41'13" E	130.49'
L10	N 23°11'23" W	123.61'
L11	N 34°48'32" W	181.04'
L12	S 82°14'09" W	222.19'

**GRID TIE INFORMATION**

**GPS #1**  
 5/8" RBC "KEE" (CC)  
 NAD 83 (2011) SPCS  
 EPOCH DATE: 2010  
 GEOID: 12A  
 N: 575682.339 FEET  
 E: 894465.203 FEET  
 Z: 2142.36 FEET  
 CF: 0.99977490

**GPS #2**  
 5/8" RBC "KEE" (CC)  
 NAD 83 (2011) SPCS  
 EPOCH DATE: 2010  
 GEOID: 12A  
 N: 575444.627 FEET  
 E: 894338.050 FEET  
 Z: 2134.30 FEET  
 CF: 0.99977528

**ANNEXATION PLAT FOR PILOT COVE CAMPGROUND ORDINANCE #:**

PARCEL IDENTIFICATION #: 8597-47-3949  
 SITE ADDRESS: 72 PISGAH HWY, PISGAH FOREST, NC 28768  
 CURRENT OWNERS LISTED AS: LASTINGER PROPERTIES, LLC  
 MAILING ADDRESS: 180A CROSS CREEK FARM ROAD, FLETCHER, NC 28732  
 DEED REFERENCE: DB: 730 PG: 412 / PLAT REFERENCE FILE: 16 SLIDE: 443  
 BREWARD TOWNSHIP, TRANSYLVANIA COUNTY, NORTH CAROLINA  
 SURVEY CREW: CB, JM, RW DRAWN BY: EC CHECKED BY: PBK  
 SURVEY DATE(S): 01/26/15-02/06/15 JOB #1508122

SHEET SIZE: 18"x24" SHEET #: 1 OF 1 SCALE: 1"=200'  
  
 P.O. Box 2566  
 Asheville, NC 28802  
 (828) 575-9021  
 www.keemap.com  
 License # C-3039

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Said property is more fully described as follows:

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Adopted and approved the 16<sup>th</sup> day of November, 2015.

  
\_\_\_\_\_  
Jimmy Harris  
Mayor

  
\_\_\_\_\_  
Desiree D. Perry, CMC, NCCMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael K. Pratt  
City Attorney