

**RESOLUTION NO. 2015-19**

**A RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE  
THE SUFFICIENCY OF A PETITION FOR AN ANNEXATION PURSUANT TO  
NCGS 160A-31, AS AMENDED**

WHEREAS, a petition was received on June 15, 2015, requesting the annexation of a contiguous area described in said Petition as the Pisgah Forest Outdoors, LLC, property (Tract D Revised), Transylvania County Property Identification Number 8597-45-4982 and located on U.S. Highway #276 at 11 Mama's Place, Pisgah Forest, NC, 28768.

Metes and Bounds Property Description:

LEGAL DESCRIPTION. Being all of Tract D (Revised) as shown on Plat File 16, Slide 396 and beginning on a 5/8 inch found rebar, the southwest property corner of Lot 2 of the Forest Gate Shopping Center as recorded in Plat File 4, Slide 410 in the Transylvania County Registry.

THENCE South 20 degrees 36 minutes 22 seconds West for a total distance of 50.35 feet (passing a 5/8 inch set rebar, 0.3 feet above grade, at 20.29 feet in the northern margin of the 60 foot right of way of U.S. Highway #276) to an unmarked point in the centerline of U.S. Highway 276;

THENCE North 73 degrees 04 minutes 53 seconds West for a distance of 212.31 feet along the centerline of U.S. Highway 276 to an unmarked point in the centerline of U.S. Highway 276, the southeast corner of Big Inc. as recorded in Document Book 591, Page 491 of the Transylvania County Registry and further shown on Plat File 7, Slide 369;

THENCE following the property line of Big Inc., paralleling more or less an existing barbed wire fence North 14 degrees 47 minutes 53 seconds East for a total distance of 181.70 feet (passing a set 5/8 inch rebar, 0.6 feet above grade, at 30.02 feet in the northern margin of the 60 foot right of way of U.S. Highway #276) to a leaning found concrete monument 0.4 feet above grade at the base of a wooden fence post at the angle point of the barbed wire fence;

THENCE following the property line of Big Inc. North 42 degrees 07 minutes 20 seconds East for a distance of 273.48 feet, paralleling more or less the barbed wire fence to a 1 inch found iron pipe 3.0 feet above grade, a corner of Marvin L. Scott and others as recorded in Document Book 107, Page 197 of the Transylvania County Registry and further shown on Plat File 7, Slide 369;

THENCE a new line South 69 degrees 23 minutes 38 seconds East for a total distance of 129.95 feet (passing a 5/8 inch set rebar, set at grade, at 99.96 feet in the western margin of a 30 foot wide right of way) to a set 5/8 inch rebar, 0.4 feet above grade, in the line of the Forest Gate Shopping Center as shown on Plat File 4, Slide 410;

THENCE with the line of the Forest Gate Shopping Center South 20 degrees 36 minutes 22 seconds West for a distance of 371.19 feet to a 5/8 inch found rebar the point and place of beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 1.94 acres more or less.

WHEREAS, said Petition has been received by the City Council of the City of Brevard, North Carolina; and

WHEREAS, NCGS 160A-31, as amended, provides that the sufficiency of the Petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Brevard 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 BREVARD, NORTH CAROLINA:

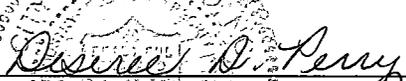
Section 1. The City Clerk is hereby directed to investigate the sufficiency of the above described Petition and to certify as soon as possible to the City Council the result of her investigation.

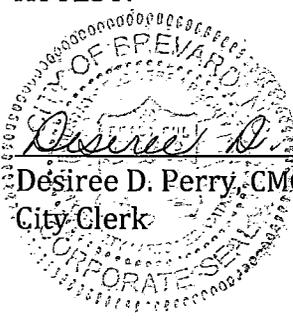
Section 2. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 17<sup>th</sup> day of August, 2015.

  
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Jimmy Harris  
Mayor

ATTEST:

  
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Desiree D. Perry, CMC, NCCMC  
City Clerk

  
CORPORATE SEAL