

## RESOLUTION NO. 2015-24

### 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 September 1, 2015, requesting the annexation of a contiguous area described in said Petition as the Lastinger Properties, LLC, property located off of US Highway #276, at a newly established address of 113 Mama's Place, Pisgah Forest, NC, 28768, consisting of 64.54 acres, be annexed into the City of Brevard. (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.

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

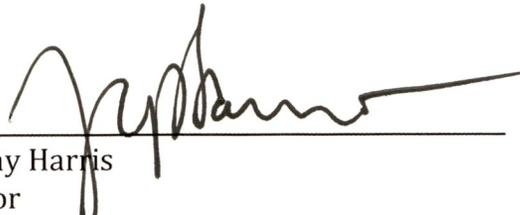
WHEREAS, the City Council of the City of Brevard deems it advisable to proceed in response to this request for annexation.

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

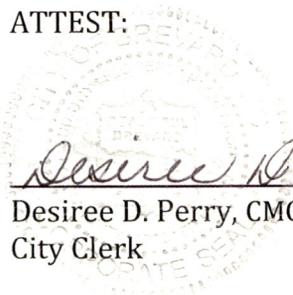
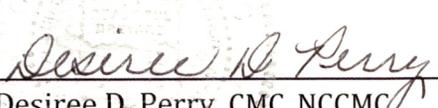
Section 1. The City Clerk is hereby directed to investigate the sufficiency of the above described Petition and to certify as soon as possible to the City Council the result of her investigation.

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

Adopted and approved this the 21<sup>st</sup> day of September, 2015.

  
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Jimmy Harris  
Mayor

ATTEST:

  
  
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Desiree D. Perry, CMC, NCCMC  
City Clerk