



2019005514

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

10-21-2019 01:10:59 PM

CINDY M OWNBEY
REGISTER OF DEEDS
BY: D REE MCCALL
DEPUTY REGISTER OF DEEDS

BK: DOC 898

PG: 161-163

ORDINANCE NO. 2019-20

**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 contiguous area described herein, and,

WHEREAS, the City Council has by Resolution No. 2019-04 directed the City Clerk to investigate the sufficiency of said petition; and,

WHEREAS, the Brevard Planning Board reviewed the Petition at their meeting held on February 19, 2019 and recommend approval of the voluntary contiguous annexation; 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. 2019-20 fixing a date of public hearing. By authority granted by G.S. 160A-31, 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 16th day of September, 2019, after due notice by publication on the 2nd of September, 2019 and

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 Felipe Flores Duenes, as shown and being all of that property recorded in Deed Book 861, Page 395 in the Transylvania County Registry 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 of the 16th day of September, 2019.

Said property is more fully described as follows:

Location: 961 Ecusta Road, Brevard, NC 28712. Transylvania County Tax Property Identification Number 8596-49-5834-000.

Metes and Bounds Property Description:

BEGINNING at an iron pipe found on the northeast margin of the right of way for Ecusta Road (a/k/a Vanderbilt Road), the southwestern adjoining corners of Lots 3 and 4 of the Carr Lumber Company subdivision, and running thence with the common boundary of Lots 3 and 4, North 54 degrees 33 minutes 08 seconds East 131.25 feet to the Galloway (Lot 23) line; thence running with the Galloway line South 60 degrees 05 minutes 52 seconds East 82.13 feet to an iron pipe found in the common corner of Lots 4 and 5; thence with the common boundary of Lots 4 and 5, South 55 degrees 21 minutes 08 seconds West 183.72 feet to the northeast edge of the pavement of Ecusta Road, within its right of way; thence with the northeast edge of Ecusta

Road, North 35 degrees 56 minutes 24 seconds West 72.08 feet; thence North 54 degrees 33 minutes 08 seconds East 18.82 feet to the point of Beginning.

As surveyed and platted by Carolina Mountain Land Surveying, said plat being entitled, "Annexation Plat of Lot 4 prepared for Felipe Flores Duenez," dated February 13, 2019, and recorded in Plat File 19, Slide 319 of the Transylvania County Registry.

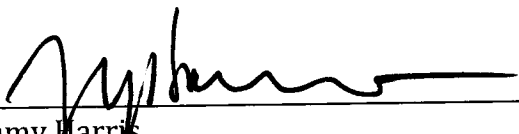
"Duenez" is sometimes spelled "Duenes" or "Duene" on documents related to this real estate.

Section 2. Upon and after the 16th day of September, 2019, 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-31.

Section 3. Pursuant to 160AA-29 it shall be the duty of the Mayor of the City of Brevard to cause an accurate map of the annexed territory as described in Section 1 hereof, together with a duly certified copy of this Ordinance, 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. Such a map shall also be delivered to the Transylvania County Board of Elections as required by G.S. 163.288.1.

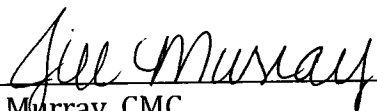
Section 4. Notice of adoption of this Ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Brevard.

Adopted and approved the 16th day of September, 2019.




Jimmy Harris
Mayor

ATTEST:



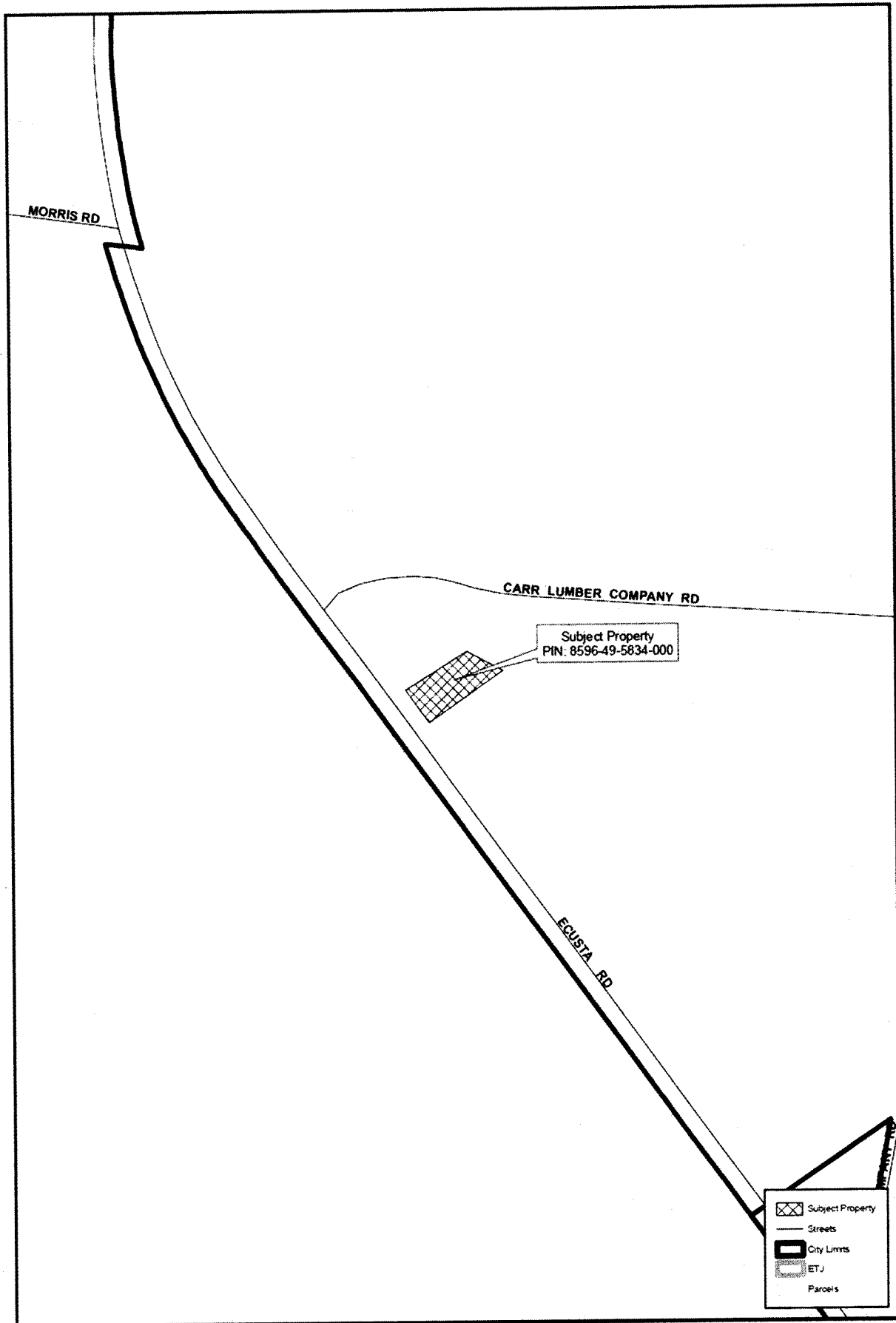
Jill Murray, CMC
City Clerk

APPROVED AS TO FORM:



Michael K. Pratt
City Attorney

EXHIBIT A



Contiguous Annexation
Felipe Flores & Maria Duenez
961 Ecusta Road
PIN: 8596-49-5834-000
Ord. No. 2019-XX

1 inch = 200 feet

This map may not be a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations and has not been reviewed for compliance with recording requirements for plats.