

ORDINANCE NO. 2021-04

**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. 2020-36 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 December 15, 2020 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. 2021-02 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 Multipurpose Chambers at the County Administration Building at 5:30 P.M. on the 15th day of February, 2021, after due notice by publication on the 1st day of February, 2021 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 George Lenze, as shown and being a part of that property described in the deed recorded in Document Book 842, Pages 71-73, 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 15th day of February, 2021.

Said property is more fully described as follows:

Location: West Probart Street, Brevard, NC 28712. Transylvania County Tax Property Identification Number 8586-13-9279-000.

Metes and Bounds Property Description:

Lying in Brevard Township, Transylvania County, N.C. on the south west side of the public road leading from Brevard to Camp Transylvania and near the western corporate limits of the Town of Brevard, and opposite the T. H. Hampton residence. BEGINNING on a small hickory on the east side of a small drain or branch, a corner of the R.W. Norton tract, said tree standing about east of the Norton house, runs North 14 deg. East 156 feet to a small white oak on the east side of said branch or drain, corner of Norton land; then North 26 deg. West, 123 feet to a stake in the center of the public road leading from Brevard to Camp Transylvania; then with the center of said road North 61 deg. East 100 feet; then North 73 deg. East 100 feet; then South 84 deg. 30' East 75 feet; then South 59 deg. East 200 feet to a stake; then South 58 deg. 30' East 66 feet to a stake in center of said road; then leaving the road, running South 12 deg. 30' West 373 feet with the Sadie North line, to a stake in a hollow; then South 80 deg. 30' West 196 feet to a stake in a low bog; then North 57 deg. West 148 1/2 feet to a stake; then South 44 deg. 15' West 112 feet to a stake, a corner of the Holmes tract; then North 49 deg. West 183 1/2 feet to a stake on west side of the small drain or branch above mentioned, in the Norton line, then with the Norton line North 57 deg. 30' East 174 feet to the Beginning. Containing five acres more or less.

Section 2. Upon and after the 15th day of February, 2021, 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

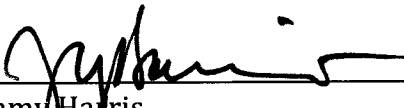
benefits as other parts of the City of Brevard. Said territory shall be subject to the municipal taxes according to G.S. 160A-31.

Also being all of that property described in a plat prepared by Spencer Surveying and Mapping labeled Annexation Map - Ordinance No. 2021-04, Lenze Real Estate, LLC., dated February 5, 2021, and recorded in Plat File ____, Slide ____, of the Transylvania County Registry.

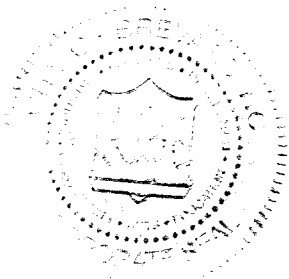
Section 3. Pursuant to 160AA-29 it shall be the duty of the Mayor of the City of Brevard to cause an accurate map of the annexed territory as described in Section 1 hereof, together with a duly certified copy of this Ordinance, to be recorded in the office of the Register of Deeds of Transylvania County, 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.

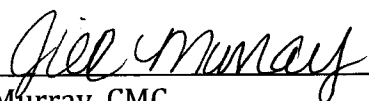
Adopted and approved the 22nd day of February, 2021.



Jimmy Harris
Mayor

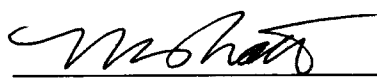


ATTEST:



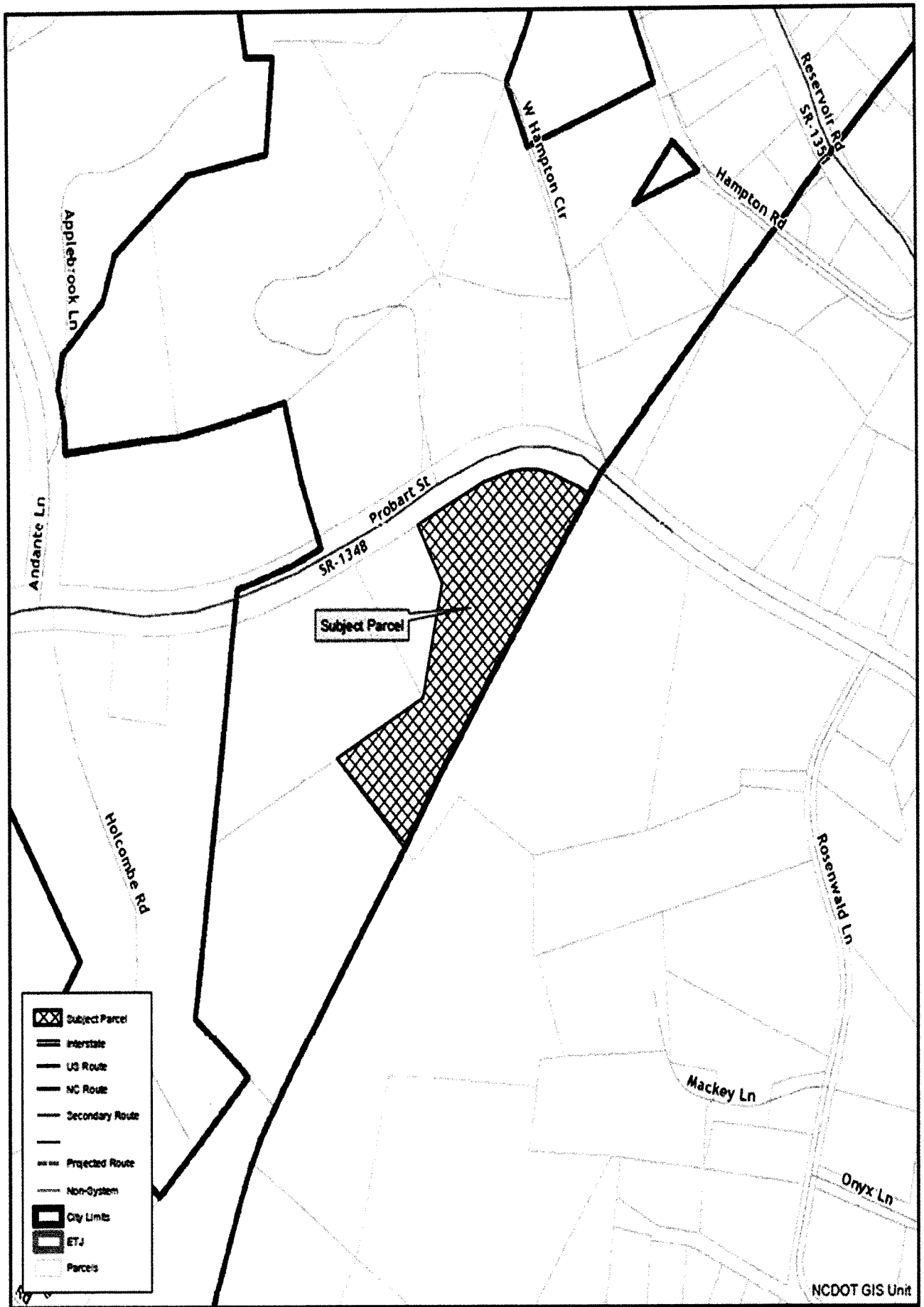
Jill Murray, CMC
City Clerk

APPROVED AS TO FORM:



Michael K. Pratt
City Attorney

EXHIBIT A



Contiguous Annexation Request
Lenze Real Estate LLC
West Probart Street
PIN: 8586-13-9279-000
Ord. No. 2021-04

1 inch = 200 feet

