

ORDINANCE NO. 2022-57
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. 2022-23 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 August 23, 2022 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. 2022-25 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 City Council Chambers at 5:30 P.M. on the 19th day of September, 2022, after due notice by publication on the 12th day of September, 2022; 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 Roger Holcombe and Linda Holcombe Petit, as shown and being a part of that property described in the deed recorded in Document Book 553, Pages 207-209, in the Transylvania County Register of Deeds and that certain 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 19th day of September, 2022.

Said property is more fully described as follows:

Beginning at a set 5/8" rebar 0.4' above grade, set rebar having NC Grid coordinates of N:563268.05' and E:881575.27 and having a NC grid tie S 40 degrees 16' 00" W a distance of 1502.31' from NCGS Monument Burl (NAD 83/2001), said monument having NC Grid coordinates of N:564414.39' and E:882546.28', said 5/8" set rebar being at the top of a cut bank off of Probart Street and set rebar also standing 7.3' southwest of an existing utility pole;

thence S 05 degrees 35' 30" W a distance of 239.13' to a set 5/8" rebar 0.4' above grade;

thence N 80 degrees 17' 48" W a distance of 23.92' to a calculated point (CP) in the existing line of the city limits for the City of Brevard;

thence N 07 degrees 16' 50" E a distance of 234.13' to a calculated point (CP) in the existing line of the city limits for the City of Brevard;

thence N 84 degrees 18' 23" E a distance of 17.30' to a set 5/8" rebar which is the point and place of beginning;

having an area of 4824.3 square feet, 0.111 acres


Section 2. Upon and after the 19th day of September, 2022, 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 Carolina Mountain Surveying for Roger Earl Holcombe and Linda Holcombe Petit dated June 24, 2022 and recorded in Plat File _____, Slide _____, of the Transylvania County Registry.

Section 3. Pursuant to 160A-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.

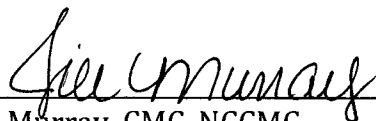
Adopted and approved the 19th day of September, 2022.



Maureen Copelof
Mayor




ATTEST:



Jill Murray, CMC, NCCMC
City Clerk

APPROVED AS TO FORM:



Mack McKeller
City Attorney