

ORDINANCE NO. 2018-01

**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. 2017-22 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 12, 2017, 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. 2018-02 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 Brevard City Hall at 7:00 o'clock, P.M. on the 19th day of February, 2018, after due notice by publication on the 5th of February, 2018; 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 Tore's Properties, LLC., as shown and being all of that property recorded in Deed Book 473, Pages 622-624 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 19th day of February, 2018.

Said property is more fully described as follows:

Location: 280 Osborne Road, Brevard, NC 28712. Transylvania County Tax Property Identification Number 8596-26-6331-000. (Exhibit A)

Metes and Bounds Property Description:

Beginning at an iron pin on the east side of Old Highway 64 (SR No. 1504) at the intersection with Osborne Road (SR No. 1556), thence crossing Old Highway 64 and running with the center line of Osborne Road the following seven calls: North 56 degrees 51 minutes 39 seconds West, 154.47 feet; North 57 degrees 25 minutes 29 seconds West, 113.43 feet; North 59 degrees 34 minutes 11 seconds West, 63.53 feet; North 62 degrees 12 minutes 27 seconds West, 47.63 feet; North 67 degrees 00 minutes 21 seconds West, 34.62 feet; North 72 degrees 38 minutes 00 seconds West, 34.84 feet; North 79 degrees 52 minutes 09 seconds West, 16.60 feet to an iron pin in the center of Osborne Road; thence leaving Osborne Road South 25 degrees 27 minutes 33 seconds West, 440.94 feet with the line of Carolyn Osborne Howie to an iron pin near a Private Asphalt Driveway; thence along with but not parallel to the said driveway, South 72 degrees 08 minutes 21 seconds East, 331.02 feet, crossing Old Highway 64 to an iron pin on the east side of the said highway; thence with the east side of the said highway, North 43 degrees 37 minutes 49 seconds East 326.76 feet to an iron pin; thence continuing with the east side of the said highway North 45 degrees 43 minutes 34 seconds East, 91.24 feet, to the Point of Beginning. Being 4.025 acres, more or less, as platted by E. Roger Raxter,

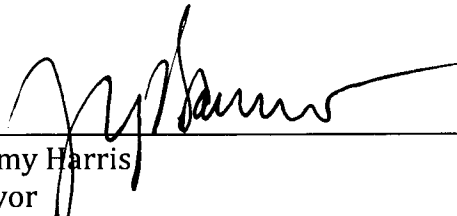
Drawing No. 17024B, dated November 9, 2017. The annexation plat being File _____, Slide _____, in the Transylvania County Registry.

Section 2. Upon and after the 19th day of February, 2018, 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 4. 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.

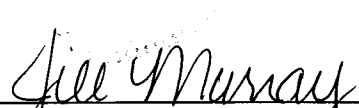
Section 5. Notice of adoption of this Ordinance shall be published once, following the effective date of annexation, in a newspaper have general circulation in the City of Brevard.

Adopted and approved the 19th day of February, 2018.




Jimmy Harris
Mayor

ATTEST:



Jill Murray
City Clerk

APPROVED AS TO FORM:



Michael K. Pratt
City Attorney

EXHIBIT A
Ordinance No. 2018-XX

