

**ORDINANCE NO. 2020-03**

**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. 2019-25 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 November 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. 2020-02 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 17<sup>th</sup> day of February, 2020, after due notice by publication on the 3<sup>rd</sup> of February, 2020 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 the Transylvania County Historical Society, Inc., as shown and being all of that property recorded in Deed Book 296, Page 635, 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 17<sup>th</sup> day of February, 2020.

Said property is more fully described as follows:

Location: 2753 Asheville Highway, Pisgah Forest, NC 28768 Transylvania County  
Tax Property Identification Number 8597-56-4170-000.

Metes and Bounds Property Description:

BEGINNING at an iron pin located at the northern edge of the right of way of N.C. Highway 280, at the common southernmost corner of the subject property and the easternmost corner of the property of National Retail Properties, LP, as described in that deed recorded in Book 562, page 409 of the Transylvania County Registry, and running with the National Retail Properties line N 36 degrees 13 minutes 25 seconds W 145.43 feet to an iron pin; thence continuing with the National Retail Properties line N 54 degrees 10 minutes 25 seconds W 78.39 feet to an iron pin at the corner of the property owned by Belk's Department Store of Brevard, NC, Inc., as described in that deed recorded in Book 351, page 178 of the Transylvania County Registry; thence with the Belk's line three calls as follows: N 16 degrees 35 minutes 7 seconds E 133.15 feet to an iron pin; N 4 degrees 28 minutes 15 seconds W 78.99 feet to an iron pin; N 26 degrees 51 minutes 3 seconds E 114.04 feet to an iron pin at the southern corner in the line of the Khadijahs, Inc., property described in the deed recorded in Book 134, page 1 of the Transylvania County Registry; thence with the Khadijahs line N 53 degrees 20 minutes 6 seconds E 151.99 feet to an iron pin in the western corner of the property owned by Patricia Ann Mann, et al., described in a deed recorded at Book 634 page 87 of the Transylvania County Registry; thence with the Mann line S 51 degrees 54 minutes 53 seconds E 433.54 feet to an iron pin at the northern edge of the right of way for

N.C. Highway 280; thence running with the northern edge of the right of way of the highway, S 53 degrees 25 minutes 7 seconds W 494.41 feet to the point of BEGINNING.

As described and platted in that certain plat of record in File 9, Slide 543, in the Transylvania County Registry.

Being all of the same property described in a deed from Thelma Bryson, et al, to Charles M. Morgan Co., dated June 9, 1987, and recorded in Book 296, page 74, Records of Deeds for Transylvania County, North Carolina.

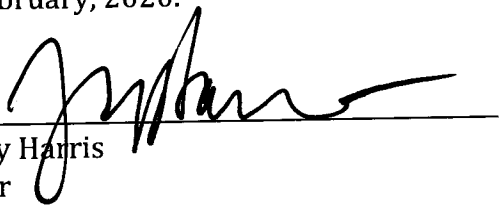
Also being all of that property described in a plat prepared by Cole Surveying and Design, PA labeled Annexation Map of the Property Of Transylvania County Historical Society, Inc., dated February 13, 2020, and recorded in Plat File \_\_\_\_, Slide \_\_\_\_, of the Transylvania County Registry.

Section 2. Upon and after the 17<sup>th</sup> day of February, 2020, 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.

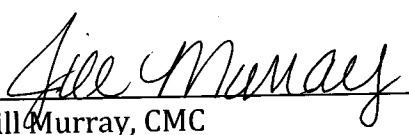
Section 3. Pursuant to 160AA-29 it shall be the duty of the Mayor of the City of Brevard to cause an accurate map of the annexed territory as described in Section 1 hereof, together with a duly certified copy of this Ordinance, to be recorded in the office of the Register of Deeds of Transylvania County, 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 17<sup>th</sup> day of February, 2020.

  
\_\_\_\_\_  
Jimmy Harris  
Mayor

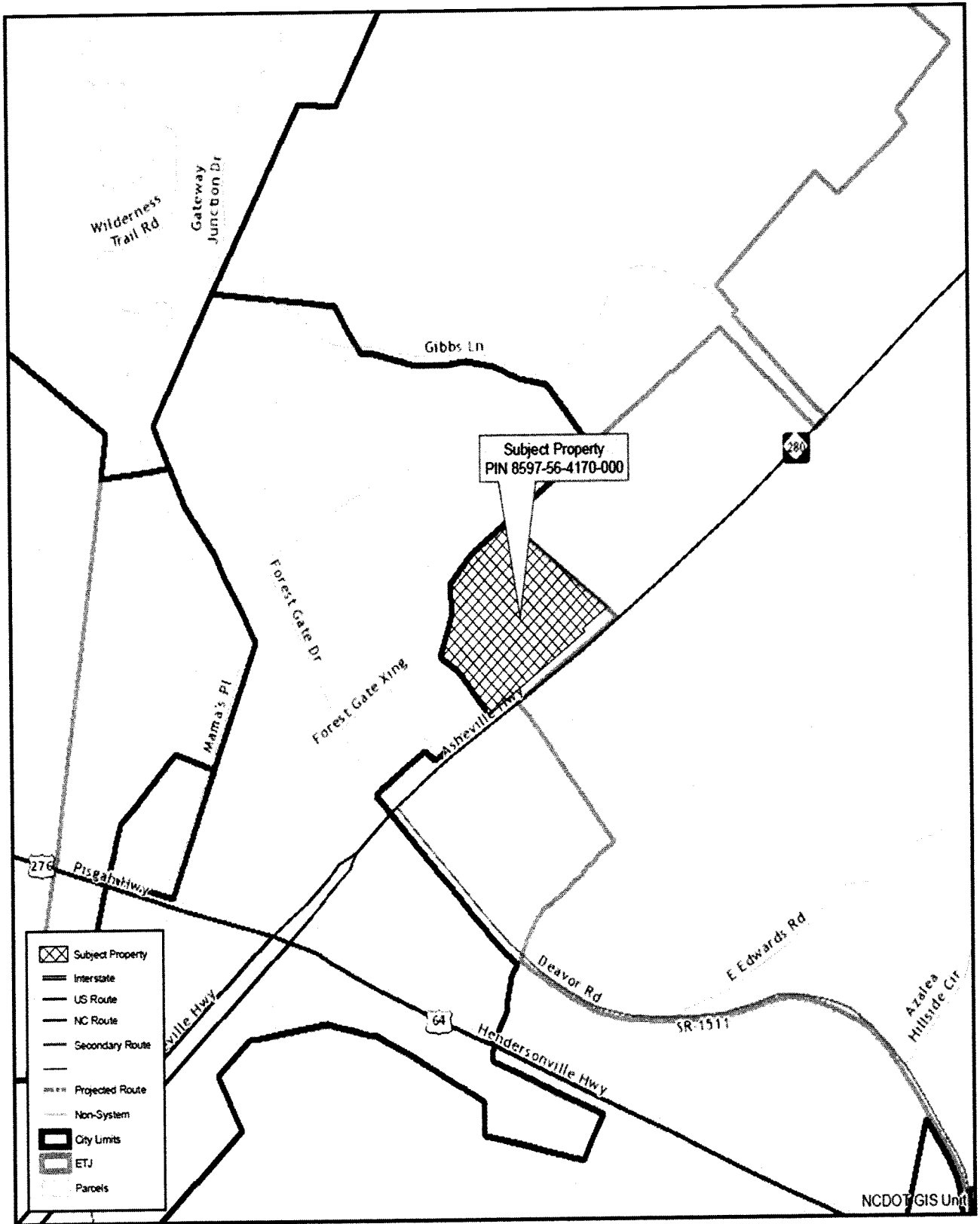
  
ATTEST:

  
\_\_\_\_\_  
Jill Murray, CMC  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Michael K. Pratt  
City Attorney

### EXHIBIT A



Contiguous Annexation Request!  
Transylvania Historical Society!  
2753 Asheville Highway  
PIN: 8597-56-4170-000  
Ord. No. 2020-XX

1 inch = 400 feet