

ORDINANCE NO. 2021-05

**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. 2020-37 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. 2021-03 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 Richard Libby, as shown and being a part of that property described in the deed recorded in Document Book 899, Pages 202-204, 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: 335 Forest Hill Road, Brevard, NC 28712. Transylvania County Tax Property Identification Number 8585-35-1540-000.

Metes and Bounds Property Description:

BEING all of that 0.672 acre parcel of property as shown on a survey titled "Richard Libby and wife, Leslie Libby" prepared and platted by Kevin D. Goldsmith, PLS and recorded in Plat File 19, Slide 328, and Transylvania County Registry.

This conveyance is made subject to all roads rights-of-way of all roads which may presently traverse the property, to all road rights of way which may presently appear of record, to the rights-of-way of all utility lines which may presently traverse the property to all rights of way for public utilities which may presently appear of record.

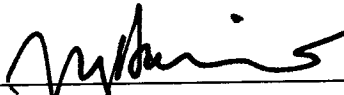
Section 2. Upon and after the 15th day of February, 2021, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Brevard and shall be entitled to the same privileges and benefits as other parts of the City of 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 Kevin D. Goldsmith P.L.S. labeled Annexation Map – Ordinance No. 2021-05, Richard Libby and wife Leslie Libby dated October 3, 2019, and recorded in Plat File ____, Slide ____, of the Transylvania County Registry.

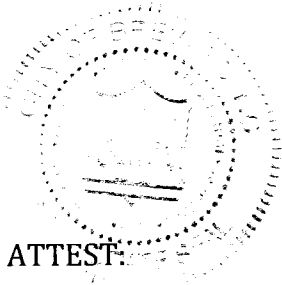
Section 3. Pursuant to 160AA-29 it shall be the duty of the Mayor of the City of Brevard to cause an accurate map of the annexed territory as described in Section 1 hereof, together with a duly certified copy of this Ordinance, to be recorded in the office of the Register of Deeds of Transylvania County,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



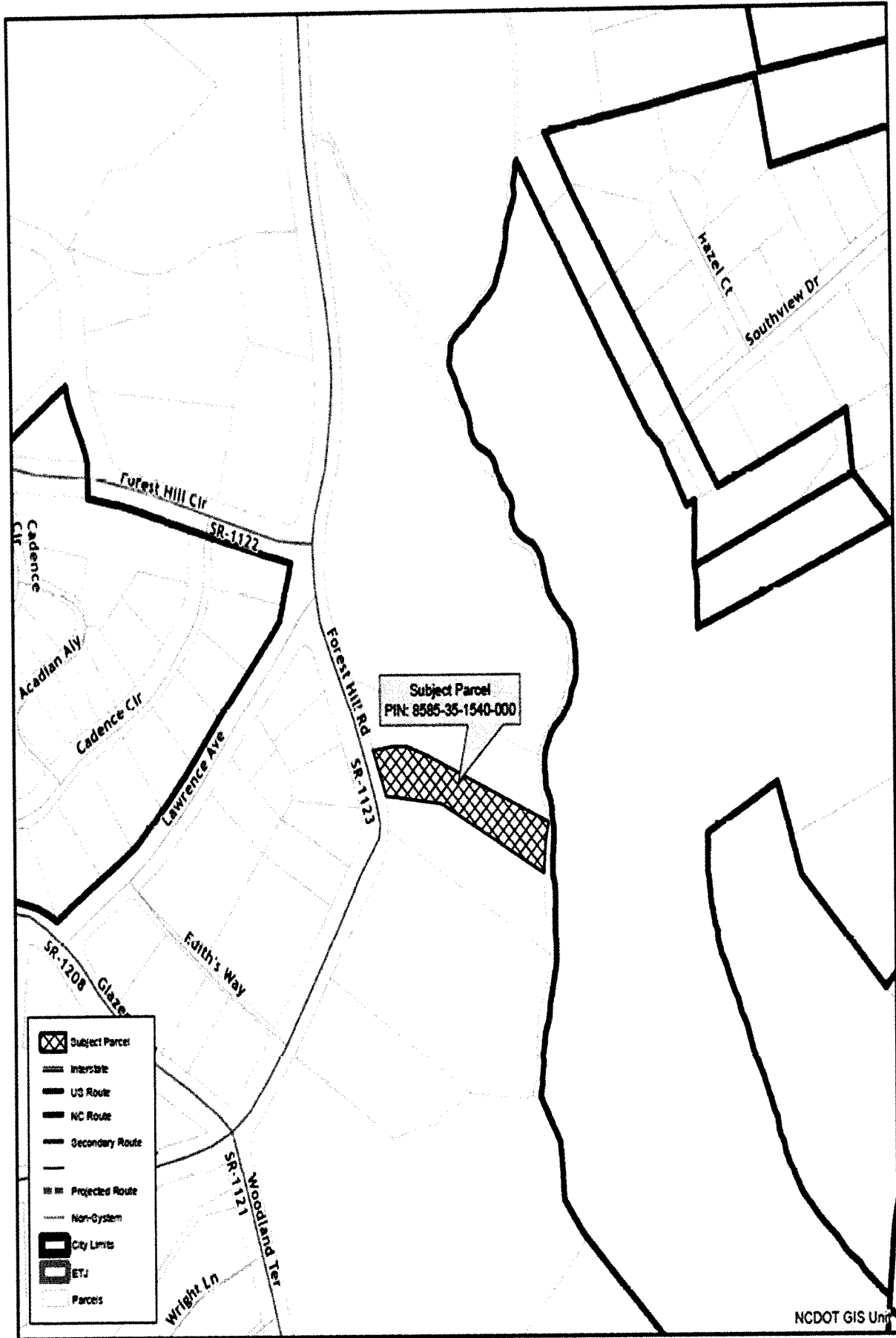
Jill Murray, CMC
City Clerk

APPROVED AS TO FORM:



Michael K. Pratt
City Attorney

EXHIBIT A



Contiguous Annexation Request
Richard and Leslie Libby
335 Forest Hill Road
PIN: 8585-35-1540-000
Ord. No. 2021-05

1 inch = 250 feet

