



ORDINANCE

Amending the Zoning Map of the Town of Hillsborough

The Hillsborough Board of Commissioners ordains:

- Section 1.** An application has been made for the zoning map amendment of the property herein.
- Section 2.** The application has been referred to the town Planning Board for its recommendation and the Planning Board has provided the town board with a written recommendation addressing the consistency of the proposed rezoning amendment with the town's comprehensive plan and such other matters as the Planning Board deemed appropriate.
- Section 3.** The town board has, prior to acting on the application, adopted a statement describing the consistency of the proposed rezoning with the town's comprehensive plan and explaining why the action contemplated by the town board as reflected herein is in the public interest.
- Section 4.** The Official Zoning Map of the Town of Hillsborough is hereby amended to rezone 7.36 ac PIN 9875009537 and 9.07 ac PIN 9875104533 from ESU (Entryway Special Use) to GC (General Commercial).
- Section 5.** The legal description of the parcel areas to be zoned GC is as follows:

Tract I: PIN 9875-10-4533, Containing 9.07 acres and being described as follows: Beginning at a point in the right-of-way of U.S. Highway 70 By-Pass, the southeast corner of the property of Byrd's Food Stores, Inc. as shown on the survey hereinafter referred to and running thence along the right-of-way of U.S. Highway 70 By-Pass South 77° 28' 35" East 175.14 feet; thence South 77° 04' 45" East 731.91 feet; thence North 11° 26' 29" East 49.90 feet; thence South 01° 20' 12" West 100.02 feet; thence South 00° 18' 11" West 591.25 feet to the point and place of beginning, consisting of 16.43 acres, more or less, as shown on the plat of the survey by Alois Callemyn (L-2544), dated October 16, 1987, entitled- property surveyed for Joseph D. Gatewood and M. K. Gatewood." Together with all rights of water and pipeline as shown in Deed Book 132, Page 398 of the Orange County Registry. LESS AND EXCEPT the 7.36 acre tract described in Deed Book 1251, Page 326.

Tract II: PIN 9875-00-9537 Containing 7.36 acres and described as follows: Beginning at a point in the right-of- way of U.S. Highway 70 By-pass, the southeast corner of the property of Byrds Food Stores, Inc. as shown on the survey hereinafter referred to and running thence along the right-of- way of U. S. Highway 70 By-pass South 77° 26' 35" East 175.14 feet; thence South 77° 04' 45" East 260.00 feet; thence North 00° 37' 05" 754.37 feet; thence North 77° 50' 35" West 259.27 feet; thence North 78° 55' 00" West 174.28 feet; thence South 02° 39' 54" West 55.04 feet; thence South 01° 20' 12" West 100.02 feet; thence South 00° 18' 11" West 591.25 feet to the point and place of Beginning and being shown as Lot 1 on the survey entitled "Property Split/Property

Survey for Joseph D. Gatewood" by Alois Callemyn, Land Surveyor, dated October 16, 1987. Together with all rights of water and pipeline as shown in Deed Book 132, Page 398, Orange County Registry.

Section 6. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 7. This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 12th day of June in 2023.

Ayes:

Noes:

Absent or excused:

Sarah E. Kimrey, Town Clerk