

Ordinance #\_\_\_\_-\_\_\_\_

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO  
EXTEND THE CORPORATE LIMITS OF THE CITY AS A SATELLITE ANNEXATION**

Re: Petition for Satellite Annexation  
Petitioners: Lyndon and Lynn Hill  
File No. C24-35-ANX

**WHEREAS**, The City of Hendersonville has been petitioned by Lyndon and Lynn Hill pursuant to North Carolina General Statutes (NCGS) 160A-58.1, as amended, to annex the area described herein below; and,

**WHEREAS**, the City Clerk has investigated and certified the sufficiency of said petition; and,

**WHEREAS**, a public hearing on the question of this annexation was held at the City Operations Center at 305 Williams Street, Hendersonville, NC at 5:45 pm, on the 1<sup>st</sup> day of August 2024, after due notice by publication as provided by law on July 21, 2024; and

**WHEREAS**, the City Council further finds the areas described therein meets the standards of N.C. G.S. 160A-58.1(b), to wit;

- a) All of The Petition includes a metes and bounds description of the area proposed for annexation and has attached a map showing the proposed satellite area.
- b) The nearest point on the proposed satellite corporate limit is approximately 2400' from the primary corporate limits of the City of Hendersonville, which is less than 3 miles.
- c) The Petition includes the names and addresses and signatures of all owners of real property lying in the area described therein, except those not required to sign by G.S.160A-58.1 (a).

- d) No point on the proposed satellite corporate limits is closer to the primary corporate limits of another city than to the primary corporate limits of Hendersonville (Village of Flat Rock approximately 3300').
- e) The area is situated so the City will be able to provide the same services within the proposed corporate limits that is provided within the primary corporate limits.
- f) The area proposed for annexation is not subject to subdivision regulation as described N.C.G.S. § 160D-802
- g) The total area within the proposed satellite corporate limits, when added to the area within all the other satellite corporate limits of the City, does not exceed ten (10%) of the area within the primary corporate limits of the City.
- h) The area for annexation meets all other requirements defined in NC 160A-58.54 regarding the character of the area to be annexed.

**WHEREAS**, the City further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

**WHEREAS**, the City further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City and of the area proposed for annexation will be best served by annexing the area described;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Hendersonville, North Carolina:

- 1: By virtue of the authority granted by N.C.G.S. 160A-58.2, as amended, the following described noncontiguous area is hereby annexed and made part of the City of Hendersonville as of the first day of August 2024.

Being all of that real property consisting of PIN 9577-99-0735 described in the plat recorded in Book 2024- \_\_\_\_ [to be inserted at recording of the plat] of the Henderson County Registry, said PIN 9577-99-0735 being described by metes and bounds as follows:

Situated in the City of Hendersonville, Henderson County, North Carolina and being more particularly described as follows:

Beginning at a Point standing North 52 degrees 22 minutes 19 seconds East 54.56 feet from an existing Aluminum Cap Right of Way Monument in the Southeastern margin for the Right of Way for Upward Road, S.R. 1783. Also standing North 49 degrees 08 minutes 37 seconds East 0.24 feet from an Existing #5 Rebar. Point stands approximately 2400 feet Northwest of Hendersonville City limits Northeast corner of Deed Book 958, Page 611 and approximately 3300 feet Northwest of Hendersonville City Limits in Eastern Limits of the Village of Flat Rock the Western corner of Deed Book 1383, Page 132.

thence N 52°22'19" E a distance of 120.08' to an Existing Aluminum Cap Right of Way Monument;

thence S 36°05'01" E a distance of 65.11' to an Existing Aluminum Cap Right of Way Monument;

thence N 32°00'33" E a distance of 92.76' to a #5 Rebar set;

thence S 55°01'42" E passing a #5 Rebar set online at 10.02 feet a total distance of 217.69' to a #5 Rebar set;  
thence S 36°50'25" W passing a #5 Rebar set online at 42.66 feet a distance of 217.45' to an Existing 1/2" Iron Pipe;  
thence N 49°08'37" W passing an Existing 1/2" Iron Pipe online at 36.76 feet a total distance of 304.90' to the Point and Place of Beginning;  
having an area of 1.20 Acres.

Being Book of Record 4165, Page 586, Tract 1.

- 2: Upon and after the first day of August 2024, 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 Hendersonville and shall be entitled to the same privileges and benefits as other parts of the City of Hendersonville. Said territory shall be subject to municipal taxes according to NCGS 160A-58.10, as amended.
3. The Mayor of the City of Hendersonville shall cause to be recorded in the office of the Register of Deeds of Henderson County and at the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1, above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Henderson County Board of Elections, as required by G. S. 163-288.1.

Adopted by the City Council of the City of Hendersonville, North Carolina on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Attest:

\_\_\_\_\_  
Barbara G. Volk, Mayor, City of Hendersonville

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

Approved as to form:

\_\_\_\_\_  
Angela S. Beeker, City Attorney

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

I, \_\_\_\_\_, a Notary Public in Henderson County, State of North Carolina, do hereby certify that Barbara G. Volk in her capacity of Mayor of the City of Hendersonville; Jill Murray, in her capacity of City Clerk personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My commission expires:

\_\_\_\_\_