

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

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

IN RE: Parcel Number: 9577-18-7316. Erkwood Drive- Kilpatrick (File# C22-38-ANX)

**WHEREAS**, The City of Hendersonville has been petitioned by Cameron and Kina Kilpatrick pursuant to North Carolina General Statutes (NCGS) 160A-31, 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 305 Williams Street (City Operations Center), Hendersonville, NC at 5:45 pm, on the 7<sup>th</sup> day of July 2022, after due notice by publication as provided by law on June 19<sup>th</sup>, 2022; and

**WHEREAS**, the City Council further finds the areas described therein meets the standards of N.C. G.S. 160A-31.

**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 that:

- 1: By virtue of the authority granted by N.C.G.S. 160A-31, as amended, the following described contiguous area is hereby annexed and made part of the City of Hendersonville as of the 7<sup>th</sup> day of July 2022.

Being all of that real property shown on that annexation plat recorded in Plat Book 2022 at Page \_\_\_\_\_ of the Henderson County Registry, and being also all of that real property described in deed of record in Deed Book 3875, page 309 of the Henderson County Registry, and being described by metes and bounds as follows:

Beginning at a Point in the South Margin of Erkwood Drive, Point being the southeast corner of the property conveyed to Rick and Carol Huhn by Deed Book 1325, Pg. 382, and running thence from said beginning point North 38-38-31 W 63.90 feet to a Point as recorded and described in Deed Book 3112, Pg. 112 to the Department of Transportation as a Permanent Utility Easement; running thence N 38-38-31 W 348.14 feet to an Existing 1" Iron Pipe; thence running N 15-09-03 E 23.01 feet to an Existing 3" Iron Pipe located at the Southwest corner of the Friebus and Kilpatrick property as recorded at D.B. 788, Pg. 731 and a point in the Boundary of the City of Hendersonville; running thence with Friebus and Kilpatrick Line and with the Boundary of the City of Hendersonville the following two calls, N 87-21-39 E 290.74 feet to an Existing ½" Iron Stake; thence N 43-26-07 E 35.74 feet to a Point located at the Northwest corner of the Flat Rock Centre LLC property as recorded at D.B. 3285, Pg. 382, Plat Slide 4193 and a point in the Boundary of the City of Hendersonville, and thence running with the Boundary of the City of Hendersonville the following five calls, S 76-34-36 E 98.91 feet to a Point; thence S 87-11-44 W 10.78 feet to a Point; thence S 19-29-51 E 23.54 feet to an Existing 1" Iron Pipe located at the Northwest corner of the Sherman Business Park property recorded at D.B. 3285, Pg. 380 and Plat Slide 4193; thence running S 18-44-33 E 43.46 feet to a Point as recorded and described in in D.B. 3112, Pg. 112 to the Department of Transportation as a Permanent Utility Easement; running thence with the same line, S-18-44-33 E 19.85 feet to a point located in the Boundary of the City of Hendersonville, said Point being located S 71-40-39 W 60.94 feet from an Existing Right of Way Monument; running thence S 71-43-18 W 14.15 feet to a Point; thence S 49-28-04 W 58.84 feet to a Point; thence S 38-23-43 W 55.60 to an Existing Right of Way Monument; thence S 36-17-41 W 92.98 feet to an Existing Right of Way Monument; thence S 34-00-10 E 27.47 feet to a Point; thence S 53-08-23 E 19.95 feet to a Point in the Southern Margin of Erkwood Drive; thence S 31-25-42 W 29.02' to a Point and thence S 38-46-12 W 73.17 feet to the Point of Beginning

- 2: Upon and after the seventh day of July 2022, 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

\_\_\_\_\_  
Angela L. Reece, 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, and Angela L. Reece, 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 \_\_\_\_\_, 2022.

My commission expires: \_\_\_\_\_

\_\_\_\_\_