

Ordinance # _____

**AN ORDINANCE TO AMEND ORDINANCE #20-0565, WHICH EXTENDED THE
CORPORATE LIMITS OF THE CITY OF HENDERSONVILLE, NORTH CAROLINA
AS A CONTIGUOUS ANNEXATION**

Original Adoption date: 8-06-2020

Effective date: 8-06-2020

Amendment date: 3-04-2021

WHEREAS, the City Council of the City of Hendersonville, North Carolina, was petitioned under G.S. 160A-31 by Jeff Justus to annex certain territory into the primary municipal limits for the City of Hendersonville; and

WHEREAS, the City Clerk certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Hendersonville, NC, at 5:45 p.m. on August 6, 2020, after due notice by publication on July 19, 2020 and July 26, 2020; and

WHEREAS, Ordinance #20-0565, *An Ordinance to Extend the Corporate Limits of the City of Hendersonville, North Carolina as a Contiguous Annexation*, was adopted on August 6, 2020, at the close of the public hearing, with an effective date of August 6, 2020, hereinafter “**Annexation Ordinance**”; and

WHEREAS, the **Annexation Ordinance** was recorded in Book 3565 at page 181 of the Henderson County Registry on September 21, 2020; and

WHEREAS, the City Council for the City of Hendersonville wish to amend the **Annexation Ordinance** to attach a survey depicting the legal description of the territory annexed by the **Annexation Ordinance** was based, the survey to become part and parcel of the **Annexation Ordinance**;

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

Section 1. The ***Annexation Ordinance*** is hereby amended to include the survey depicting the legal description of the territory annexed by the City pursuant to the ***Annexation Ordinance***, the survey being that survey prepared by Stacey Kent Rhodes, surveyor, bearing a job number of 19-095, dated January 2, 2020, attached hereto and incorporated herein by reference, hereinafter “***Survey***.”

Section 2. The ***Survey*** shall be attached to the ***Annexation Ordinance*** as Exhibit B, and shall be deemed incorporated by reference into the ***Annexation Ordinance*** for all intents and purposes.

Section 3. Except as modified by this amendment, the ***Annexation Ordinance*** shall remain in full force and effect as of August 6, 2020, and the same is hereby ratified.

Section 4. The Mayor of the City of Hendersonville shall cause the ***Annexation Ordinance*** appended by the ***Survey*** (as Exhibit B) to be re-recorded and this Ordinance To Amend Ordinance #20-0565, Which Extended The Corporate Limits Of The City Of Hendersonville, North Carolina As A Contiguous Annexation, hereinafter “***Amendment***,” to be recorded in the office of the Register of Deeds of Henderson County, and in the office of the Secretary of State at Raleigh, North Carolina. Both the appended ***Annexation Ordinance*** and this ***Amendment*** shall be delivered to the 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, Amy H. Knight, 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; Angela L. Reece, in her capacity of City Clerk; and Angela S. Beeker, in her capacity as City Attorney, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this _____ day of _____, 2021.

My commission expires: _____ (Official Seal)

Amy H. Knight, Notary Public