

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at the City Operations Center located at 305 William St. Hendersonville NC, 28792 at 5:45 p.m. March 2nd, 2023, or as soon thereafter as it may be heard.

Section 2. The area proposed for annexation is described as follows:

Being all of that real property consisting of PINs 9579-48-2415 and 9579-48-6832 described in the plat recorded in Book 2023- ____ [to be inserted at recording of the plat] of the Henderson County Registry, said PINs 9579-48-2415 and 9579-48-6832 being described by metes and bounds as follows:

BEGINNING at a 1" crimped top pipe being a corner on the northern property line of Bon Worth Francis Road, LLC (hereinafter "BWFR") as described in Deed Book 1267, Page 107; said pipe having "NAD 83 (2011)" coordinates of N: 598,493.05 feet and E: 974,463.91 feet and lying a grid bearing and distance of North 68°26'59" West 1168.52 feet from NCGS CORS Station "NCHE" (with coordinates of N: 598,063.83 feet and E: 975,550.74 feet); thence from said POINT OF BEGINNING with the BWFR line South 01°07'30" East 57.19 feet to 3/4" open top pipe; thence South 81°07'51" West 234.84 feet to a 5/8" rebar lying in the eastern limit of the right-of-way of Francis Road (S.R. 1517); thence leaving the BWFR line with the right-of-way of Francis Road the following 4 (four) calls:

- 1) On a curve to the left having a radius of 184.43 feet, an arc length of 44.97 feet, a chord bearing of North 00°48'44" West, and a chord distance of 44.86 feet to a 1" open top pipe;
- 2) On a curve to the left having a radius of 184.43 feet, an arc length of 36.32 feet, a chord bearing of North 13°26'23" West, and a chord distance of 36.26 feet to a 5/8" rebar with "EHA" cap;
- 3) On a curve to the left having a radius of 332.37 feet, an arc length of 64.35 feet, a chord bearing of North 24°37'42" West, and a chord distance of 64.25 feet to a 5/8" rebar with "EHA" cap;
- 4) North 30°10'30" West 103.92 feet to a 5/8" rebar with "EHA" cap;

Thence leaving Francis Road with the existing City limits also being the southernmost line of Cedar Bluffs Limited Partnership (hereinafter "CBLP") as described in Deed Book 1006, Page 141 on a bearing of North 76°05'56" East 215.70 feet to a 1" open top pipe; thence continuing with the existing City limits also being the eastern CBLP line North 05°22'49" East (passing a 1" square iron at 399.58 feet; and passing a 5/8" rebar with "EHA" cap at 627.93 feet) a total distance of 657.94 feet to an

unmarked point in the center of the creek known as Allen Branch, said point also lying on the southern line of Wal-Mart Real Estate Business Trust (hereinafter "Walmart") as described in Deed Book 1085, Page 91; thence leaving the CBLP line with the existing City limits also being the center of Allen Branch and the southern Walmart line, the following 32 (thirty two) calls:

- 1) South 77°56'58" East 24.45 feet to an unmarked point;
- 2) South 82°02'13" East 21.98 feet to an unmarked point;
- 3) North 88°06'05" East 48.93 feet to an unmarked point;
- 4) South 82°28'37" East 64.97 feet to an unmarked point;
- 5) South 58°50'20" East 11.90 feet to an unmarked point;
- 6) South 76°43'27" East 16.95 feet to an unmarked point;
- 7) South 61°28'08" East 26.29 feet to an unmarked point;
- 8) South 79°03'33" East 16.10 feet to an unmarked point;
- 9) South 61°29'15" East 50.12 feet to an unmarked point;
- 10) South 66°59'05" East 29.12 feet to an unmarked point;
- 11) South 48°56'44" East 9.77 feet to an unmarked point;
- 12) South 69°45'29" East 37.15 feet to an unmarked point;
- 13) South 74°01'28" East 23.15 feet to an unmarked point;
- 14) South 64°37'46" East 9.50 feet to an unmarked point;
- 15) South 51°12'36" East 9.91 feet to an unmarked point;
- 16) South 59°06'54" East 16.14 feet to an unmarked point;
- 17) South 51°54'17" East 22.27 feet to an unmarked point;
- 18) South 69°09'16" East 14.47 feet to an unmarked point;
- 19) North 88°04'25" East 18.65 feet to an unmarked point;
- 20) South 75°31'01" East 12.91 feet to an unmarked point;
- 21) South 44°16'47" East 19.76 feet to an unmarked point;
- 22) South 47°21'26" East 31.56 feet to an unmarked point;
- 23) South 54°24'42" East 25.85 feet to an unmarked point;
- 24) South 69°58'01" East 18.46 feet to an unmarked point;
- 25) South 83°11'00" East 34.15 feet to an unmarked point;
- 26) South 34°28'04" East 7.59 feet to an unmarked point;
- 27) South 54°16'23" East 40.45 feet to an unmarked point;
- 28) South 34°54'26" East 34.80 feet to an unmarked point;
- 29) South 43°34'08" East 18.45 feet to an unmarked point;
- 30) South 59°25'04" East 25.78 feet to an unmarked point;
- 31) South 39°09'59" East 35.96 feet to an unmarked point;
- 32) South 44°44'37" East 13.66 feet to an unmarked point;

Thence leaving the center of Allen Branch with the property lines of Walmart and Robert D. Williams as described in Deed Book 597, Page 321, Deed Book 700, Page 37, and Deed Book 188, Page 178 on a bearing of South 14°06'49" West (passing a 5/8" rebar at 28.17 feet) a total distance of 581.02 feet (the last 120.74' more or less running with existing City limits) to a 1" square iron at the northeastern corner of the BWFR property; thence leaving the Williams line with the northern BWFR line North 84°36'57" West 498.45 feet to the POINT AND PLACE OF BEGINNING, containing 12.76 acres, more or less.

Re: Petition for Contiguous Annexation

Petitioners: John Hammond, as Trustee of The Hammond Family Trust (228 Mastermind Lane), John and Betty Hammond (102 Francis Road)

File No. C23-02-ANX

Section 3. Notice of the public hearing shall be published once in The Hendersonville Times-News, a newspaper having general circulation in the City of Hendersonville, at least 10 days prior to the date of the public hearing.

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