

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 5th, 2026, 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 9567-07-6259, 9579-06-7975, 9579-06-5791, 9579-06-8507, -579-06-8507, 9579-06-8308, and 9579-06-8117 described in the plat recorded in Book 2023- ____ [to be inserted at recording of the plat] of the Henderson County Registry, said PINs 9567-07-6259, 9579-06-7975, 9579-06-5791, 9579-06-8507, -579-06-8507, 9579-06-8308, and 9579-06-8117 being described by metes and bounds as follows:

LYING AND BEING IN HENDERSONVILLE TOWNSHIP, HENDERSON COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1-A

New legal description:

BEGINNING AT A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE SOUTHWEST CORNER OF LOT 89, PLAT BOOK 2 PAGE 156;
THENCE WITH THE EASTERN LINES OF PLAT BOOK 2021 PAGE 13157 THE FOLLOWING 4 CALLS & WITH THE WESTERN LINES OF LOTS 89 TO 124, PLAT BOOK 2 PAGE 156, N 00°02'11" E, A DISTANCE OF 7.99' TO AN EXISTING ANGLE IRON;
THENCE N 00°02'11" E, A DISTANCE OF 78.25' TO AN EXISTING #5 IRON REBAR;
THENCE N 00°18'23" E, A DISTANCE OF 590.02' TO AN EXISTING ½" IRON PIPE (PINCHED-TOP);
THENCE N 00°11'58" E, A DISTANCE OF 223.37' TO AN EXISTING PLANTED STONE (9"x6");
THENCE WITH THE LINE OF ANGELA M. LAMB & BARBED WIRE FENCE LINE, S 85°39'59" E, A DISTANCE OF 148.11' TO AN EXISTING #6 IRON REBAR (BENT);
THENCE S 86°44'47" E, A DISTANCE OF 38.61' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE NORTHEAST CORNER OF LOT 124, PLAT BOOK 2 PAGE 156 AND IN THE WESTERN MARGIN OF THE 30' RIGHT OF WAY FOR THE

PLATTED LAFOLETTE STREET (NORTHERN SECTION OF RIGHT OF WAY NOT CURRENTLY IN USE AS A ROADWAY);

THENCE WITH THE WESTERN MARGIN OF SAID 30' RIGHT OF WAY & THE EASTERN LINES OF SAID LOTS 124 TO 89, S 00°45'42" E, A DISTANCE OF 911.98' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP BEING THE SOUTHEAST CORNER OF LOT 89;

THENCE WITH SEAN GIVENS LINE AND NORTHERN LINE OF LOT 88, N 82°45'42" W, A DISTANCE OF 203.86' TO THE POINT OF BEGINNING, HAVING AN AREA OF 4.04 ACRES, BEING LOTS 89-124, PB 2 PG 156, DB 4053 PG 669, TRACT 1 AS SHOWN ON SURVEY FOR TECHO FUNDING, LLC BY RONALD J. CUTSHALL, PLS 4563.

TRACT 1-B

New legal description:

BEGINNING AT A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE NORTHWEST CORNER OF LOT 48 OF PLAT BOOK 2 PAGE 156 & BEING IN THE EASTERN MARGIN OF THE 30' RIGHT OF WAY FOR THE PLATTED LAFOLETTE STREET OF PLAT BOOK 2 PAGE 156, SAID POINT BEARS S 74°38'35" E 31.23' FROM THE NORTHEAST CORNER OF TRACT 1-A BEING THE NORTHEAST CORNER OF LOT 124 OF PLAT BOOK 2 PAGE 156;

THENCE WITH THE SOUTH MARGIN OF THE SOUTHERN MARGIN OF THE VARIABLE WIDTH RIGHT OF WAY FOR THE PLATTED ALLEN STREET OF PLAT BOOK 2 PAGE 156, S 84°45'42" E, A DISTANCE OF 170.12' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE NORTHEAST CORNER OF LOT 43 OF PLAT BOOK 2 PAGE 156 & BEING IN THE WESTERN MARGIN OF THE 20' RIGHT OF WAY FOR THE PLATTED AMAZING GRACE LANE OF PLAT BOOK 2 PAGE 156;

THENCE WITH SAID MARGIN OF RIGHT OF WAY, S 00°45'27" E, A DISTANCE OF 544.22' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP;

THENCE WITH THE LINE OF KRISTIE GILLIAM, S 89°14'18" W, A DISTANCE OF 169.15' TO A CALCULATED POINT FALLING INSIDE A DWELLING MOSTLY ON THE PROPERTY OF KRISTIE GILLIAM;

THENCE WITH EASTERN MARGIN OF SAID LAFOLETTE STREET THE FOLLOWING 2 CALLS, N 00°21'58" W, A DISTANCE OF 38.18' TO NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP;

THENCE N 00°47'26" W, A DISTANCE OF 523.82' TO THE POINT OF BEGINNING, HAVING AN AREA OF 2.15 ACRES, BEING LOTS 43-66 PB 2 PG 156, DB 4053 PG 669 TRACT 1 AS SHOWN ON SURVEY FOR TECHO FUNDING, LLC BY RONALD J. CUTSHALL, PLS 4563.

TRACT 1-C

New legal description:

BEGINNING AT A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE NORTHWEST CORNER OF LOT 31 & BEING IN THE EASTERN MARGIN OF THE 20'

RIGHT OF WAY FOR THE PLATTED AMAZING GRACE LANE OF PLAT BOOK 2 PAGE 156;

THENCE WITH SAID LOT 31, N 89°14'18" E, A DISTANCE OF 164.57' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP;

THENCE WITH THE LINE OF HOME DEPOT USA, INC, S 00°45'42" E, A DISTANCE OF 146.14' TO AN EXISTING #5 IRON REBAR, CORNER TO SIGNAL RIDGE, LP;

THENCE WITH LINE OF SIGNAL RIDGE, LP, S 00°45'42" E, A DISTANCE OF 78.86' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE SOUTHEAST CORNER OF LOT 23;

THENCE S 89°14'18" W, A DISTANCE OF 164.58' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE SOUTHWEST CORNER OF LOT 23;

THENCE N 00°45'27" W, A DISTANCE OF 225.00' TO THE POINT OF BEGINNING, HAVING AN AREA OF 0.85 ACRES, BEING LOTS 23-31 PB 2 PG 156, DB 4053 PG 669 TRACT 1, AS SHOWN ON SURVEY FOR TECO FUNDING, LLC BY RONALD J. CUTSHALL, PLS 4563.

TRACT 2

New legal description:

BEGINNING AT A CALCULATED POINT, BEING THE NORTHWEST CORNER OF LOT 18 & BEING IN THE EASTERN MARGIN OF THE 20' RIGHT OF WAY FOR THE PLATTED AMAZING GRACE LANE OF PLAT BOOK 2 PAGE 156;

THENCE WITH SAID LOT 18, N 89°14'18" E, A DISTANCE OF 164.59' TO A CALCULATED POINT,

THENCE WITH LINE OF SIGNAL RIDGE, LP, S 00°45'42" E, A DISTANCE OF 250.00' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE SOUTHEAST CORNER OF LOT 9 PLAT BOOK 2 PAGE 156;

THENCE WITH SAID LOT 9, S 89°14'18" W, A DISTANCE OF 164.61' TO A CALCULATED POINT;

THENCE N 00°45'27" W, PASSING A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP AT 2.98' FOR A TOTAL DISTANCE OF 250.00' TO THE POINT OF BEGINNING, HAVING AN AREA OF 0.94 ACRES, HAVING AN AREA OF 0.85 ACRES, BEING LOTS 9-18 PB 2 PG 156, DB 4053 PG 669 TRACT 1, AS SHOWN ON SURVEY FOR TECO FUNDING, LLC BY RONALD J. CUTSHALL, PLS 4563.

TRACT 3

New legal description:

BEGINNING AT A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE NORTHWEST CORNER OF LOT 42 & BEING IN THE EASTERN MARGIN OF THE 20' RIGHT OF WAY FOR THE PLATTED AMAZING GRACE LANE & SOUTHERN MARGIN OF

THE VARIABLE WIDTH RIGHT OF WAY FOR THE PLATTED ALLEN STREET OF PLAT BOOK 2 PAGE 156;

THENCE WITH SAID SOUTHERN MARGIN, S 84°45'42" E, A DISTANCE OF 165.45' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE NORTHEAST CORNER OF LOT 37 OF PLAT BOOK 2 PAGE 156;

THENCE WITH THE LINE OF HOME DEPOT USA, INC, S 00°45'42" E, A DISTANCE OF 242.97' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE SOUTHEAST CORNER OF LOT 32;

THENCE WITH LOT 32, S 89°14'18" W, A DISTANCE OF 164.57' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP;

THENCE N 00°45'27" W, A DISTANCE OF 260.26' TO THE POINT OF BEGINNING, HAVING AN AREA OF 0.95 ACRES, BEING LOTS 32-36 PB 2 PG 156, DB 4053 PG 669 TRACT 1, AS SHOWN ON SURVEY FOR TECHO FUNDING, LLC BY RONALD J. CUTSHALL, PLS 4563.

TRACT 4

New legal description:

BEGINNING AT A CALCULATED POINT, BEING THE NORTHWEST CORNER OF LOT 8 & BEING IN THE EASTERN MARGIN OF THE 20' RIGHT OF WAY FOR AMAZING GRACE LANE OF PLAT BOOK 2 PAGE 156;

THENCE WITH SAID LOT 8, N 89°14'18" E, A DISTANCE OF 164.61' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP;

THENCE WITH THE LINE OF SIGNAL HILL, LP THE FOLLOWING 2 CALLS, S 00°45'42" E, A DISTANCE OF 175.35' TO AN EXISTING ½" IRON PIPE;

THENCE S 00°45'47" E, A DISTANCE OF 33.99' TO A CALCULATED POINT, BEING IN THE PAVING OF SIGNAL HILL ROAD (SR 1508) & BEING THE SOUTHEAST CORNER OF LOT 1;

THENCE N 83°22'29" W, A DISTANCE OF 166.00' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP BEING IN THE SAID EASTERN RIGHT OF WAY FOR AMAZING GRACE LANE;

THENCE WITH SAID RIGHT OF WAY, N 00°45'27" W, A DISTANCE OF 187.99' TO THE POINT OF BEGINNING,

HAVING AN AREA OF 0.75 ACRES, BEING LOTS 1-8 PB 2 PG 156, DB 4053 PG 669 TRACT 1, AS SHOWN ON SURVEY FOR TECHO FUNDING, LLC BY RONALD J. CUTSHALL, PLS 4563.

TRACT 5

New legal description:

BEGINNING AT AN EXISTING #6 IRON REBAR (BENT) IN THE NORTHERN LINE OF LOT 124, PLAT BOOK 2 PAGE 156,

THENCE WITH THE LINE OF ANGELA M. LAMB FOR THE FOLLOWING 2 CALLS, N 01°46'19" E, A DISTANCE OF 398.52' TO AN EXISTING #5 IRON REBAR, MARKING A STREAMBANK MAINTENACE EASEMENT (PLAT BOOK 2018 SLIDE 11488);
THENCE N 01°44'57" E, A DISTANCE OF 146.69' TO A CALCULATED POINT IN OR NEAR CHERRY BRANCH, IN THE SOUTHERN LINE OF PLAT CABINET C SLIDE 285A;
THENCE WITH THE SOUTHERN LINES OF LOTS 12, 13, & 14 OF PLAT CABINET C SLIDE 285A & GENERALLY WITH CHERRY BRANCH THE FOLLOWING 8 CALLS, N 89°38'11" E, A DISTANCE OF 24.20' TO A CALCULATED POINT;
THENCE S 08°11'47" W, A DISTANCE OF 79.56' TO A CALCULATED POINT;
THENCE S 65°51'16" E, A DISTANCE OF 29.66' TO A CALCULATED POINT;
THENCE S 65°45'06" E, A DISTANCE OF 279.64' TO A CALCULATED POINT;
THENCE S 14°11'04" W, A DISTANCE OF 34.36' TO A CALCULATED POINT;
THENCE S 58°59'08" E, A DISTANCE OF 69.64' TO A CALCULATED POINT MARKING A CORNER OF A STREAMBANK MAINTENACE EASEMENT (PLAT BOOK 2018 SLIDE 11488);
THENCE WITH SAID EASEMENT THE FOLLOWING 2 CALLS, S 58°59'08" E, A DISTANCE OF 28.65' TO A CALCULATED POINT;
THENCE S 58°59'08" E, A DISTANCE OF 36.57' TO A CALCULATED POINT;
THENCE WITH THE LINE OF CAROLINA VILLAGE, LLC , S 00°57'33" E, A DISTANCE OF 45.91' , CROSSING A PUBLIC SEWER LINE AND 30' SEWER EASEMENT, TO AN EXISTING #5 IRON REBAR;
THENCE S 00°57'33" E, A DISTANCE OF 56.45' TO AN EXISTING 2" ANGLE IRON, CORNER OF HIGHLAND INVESTORS LIMITED PARTERSHIP;
THENCE WITH THE LINE OF HOME DEPOT USA, INC., S 00°44'07" E, A DISTANCE OF 57.23' TO A CALCULATED POINT, MARKING THE SOUTHERN POINT OF SAID DRAINAGE EASEMENT;
THENCE S 00°44'07" E, A DISTANCE OF 101.07' TO AN EXISTING 1" IRON PIPE, IN THE NORTHERN MARGIN OF A PLATTED RIGHT OF WAY FOR ALLEN STREET, PLAT BOOK 2 PAGE 156,
THENCE WITH SAID MARGIN OF RIGHT OF WAY, N 86°44'47" W, A DISTANCE OF 384.68' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE NORTHEAST CORNER OF LOT 124, PLAT BOOK 2 PAGE 156;
THENCE N 86°42'21" W, A DISTANCE OF 38.60' TO THE POINT OF BEGINNING, HAVING AN AREA OF 3.67 ACRES, BEING DEED BOOK 4053 PAGE 669 TRACT 5, AS SHOWN ON SURVEY FOR TECHO FUNDING, LLC BY RONALD J. CUTSHALL, PLS 4563. SEE PLAT BOOK 2018 SLIDE 11488 FOR STREAMBANK MAINTENACE EASEMENTS & PLAT BOOK 1999 SLIDE 3086 FOR PERMANENT DRAINAGE EASEMENT ENCUMBERING THIS TRACT.

TRACT 6

New legal description:

BEGINNING AT A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE NORTHWEST CORNER OF LOT 22 & BEING IN THE EASTERN MARGIN OF THE 20' RIGHT OF WAY FOR AMAZING GRACE LANE OF PLAT BOOK 2 PAGE 156;
THENCE WITH LINE OF LOT 22, N 89°14'18" E, A DISTANCE OF 164.58' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP;
THENCE WITH LINE OF SIGNAL RIDGE, LP, S 00°45'42" E, A DISTANCE OF 100.00' TO A CALCULATED POINT, BEING THE SOUTHEAST CORNER OF LOT 19;
THENCE S 89°14'18" W, A DISTANCE OF 164.59' TO A CALCULATED POINT, BEING THE SOUTHWEST CORNER OF LOT 19;
THENCE WITH SAID RIGHT OF WAY LINE, N 00°49'20" W, A DISTANCE OF 7.02' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP;
THENCE N 00°45'09" W, A DISTANCE OF 92.98' TO THE POINT OF BEGINNING,
HAVING AN AREA OF 0.38 ACRES, BEING LOTS 19-22 PB 2 PG 156, DB 4053 PG 669 TRACT 1, AS SHOWN ON SURVEY FOR TECO FUNDING, LLC BY RONALD J. CUTSHALL, PLS 4563.

Re: Petition for Contiguous Annexation
Petitioners: John Kinnaird and Herta G Suess Trust
File No. 25-97-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

Daniel Heyman, Deputy City Clerk

Approved as to form:

Angela S. Beeker, City Attorney