

Ordinance #____ - ____

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

WHEREAS, The City of Hendersonville has been petitioned by the Economic Investment Fund of Henderson County 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 City Hall, Hendersonville, NC at 5:45 pm, on the 6th day of May 2021, after due notice by publication as provided by law on April 21st and April 28th, 2021; 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 proposed satellite corporate limits are less than three miles from the primary corporate limits of Hendersonville. The map distance is 6,283 feet.
- b. No point on the proposed satellite corporate limit is closer to the primary corporate limits of another city than to the primary corporate limits of Hendersonville.
- c. The area described is so situated that the City of Hendersonville will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits.
- d. The area proposed for annexation is not a subdivision as defined in NCGS 160A-376.

- e. The area within the proposed satellite corporate limits, when added to the areas within all other satellite corporate limits does not exceed 10 percent (10%) of the area within the primary corporate limits of the City of Hendersonville.

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 sixth day of May 2021.

Being all of that real property shown on that plat recorded on Plat Slide _____ [to be filled in upon recording] of the Henderson County Registry, and being described by metes and bounds as follows:

Beginning at a Point in the Northern Margin of pavement for Crest Road, S.R. 1803 and in the centerline of Bat Fork Creek.

Point also stands N 49°00'13"E 93.82' from an existing MagHub with N.A.D. 83/2011 coordinates N- 577656.793' E- 982715.379';

Thence with the centerline of Bat Fork Creek the following 24 courses;

N 06°48'07" E a distance of 6.97';

Thence N 08°36'19" W a distance of 35.78';

Thence N 01°46'15" W a distance of 54.53';

Thence N 17°52'49" W a distance of 28.71';

Thence N 07°39'07" W a distance of 34.17';

Thence N 15°03'54" W a distance of 23.99';

Thence N 00°02'47" E a distance of 28.47';

Thence N 21°29'09" W a distance of 49.33';

Thence N 09°58'43" E a distance of 18.47';

Thence N 45°37'46" E a distance of 11.56';

Thence N 00°12'24" E a distance of 24.04';

Thence N 17°52'54" W a distance of 24.72';

Thence N 06°15'21" E a distance of 20.89';

Thence N 12°55'42" W a distance of 26.27';

Thence N 07°31'11" E a distance of 130.93';

Thence N 06°59'55" W a distance of 27.47';

Thence N 11°09'39" W a distance of 38.55';

Thence N 12°38'58" E a distance of 35.87';

Thence N 08°28'36" W a distance of 30.15';

Thence N 21°37'00" W a distance of 17.36';

Thence S 69°51'41" W a distance of 17.15';
 Thence N 63°30'55" W a distance of 21.17';
 Thence N 35°27'19" W a distance of 51.70';
 Thence N 13°15'14" W a distance of 16.35' to a point in the centerline of Bat Fork Creek which stands S 55°19'05"E 16.71' from an existing Capped Rebar;
 Thence leaving the centerline of Bat Fork Creek S 84°07'47" E passing a #4 Rebar set online at 21.17, common corner of Lot 1 and Open Space slide 13013 and a #4 Rebar set online at 26.91' and an existing 1/2" Iron Pipe online at 189.56', a distance of 248.72;
 Thence N 14°38'37" W a distance of 361.32 #4 Rebar set, which stands S17°14'37"E 9.63' from an existing #5 Rebar;
 Thence N 08°15'35" E passing a #4 Rebar set online at 355.69', a distance of 383.21 to a point in the centerline of Dunn Creek;
 Thence with the centerline of Dunn Creek the following 16 courses N 53°47'57" E a distance of 22.04';
 Thence N 49°53'23" E a distance of 28.33';
 Thence N 50°49'44" E a distance of 25.79';
 Thence N 59°45'10" E a distance of 32.06';
 Thence N 78°56'59" E a distance of 22.89';
 Thence N 59°45'34" E a distance of 25.79';
 Thence N 29°47'06" E a distance of 14.58';
 Thence N 44°32'54" E a distance of 27.68';
 Thence N 51°23'01" E a distance of 22.78';
 Thence N 70°48'26" E a distance of 24.53';
 Thence N 62°34'17" E a distance of 31.58';
 Thence N 81°04'48" E a distance of 23.40';
 Thence S 78°45'41" E a distance of 24.00';
 Thence N 81°46'42" E a distance of 26.36';
 Thence S 66°58'34" E a distance of 14.74';
 Thence S 83°40'09" E a distance of 69.31' to a point in centerline of Dunn creek in the Western margin of the 60' Right of Way for Commercial Boulevard, S.R. 1970, which stands S 11°17'07"E 131.02' from an existing 1" Iron Pipe the common corner of Lot 5 and Lot 10 in the Western margin of Commercial Boulevard, Appleland Business Park, Slide 1652 and Slide 1927. Also the Southeastern corner of said Lot 10;

2: Upon and after the sixth day of May 2021, 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:
Hendersonville

Barbara G. Volk, Mayor, City of

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 _____, 2020.

My commission expires:

Amy H. Knight