

Ordinance #____-____

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

Re: Petition for Contiguous Annexation
Petitioners: Appalachian Dew, LLC (Samuel R. Henderson, Vice President)
File No. C22-21-ANX

WHEREAS, The City of Hendersonville has been petitioned by Samuel R. Henderson of Appalachian Dew, LLC. 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 5th day of May, 2022, after due notice by publication as provided by law on April 24th, 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:

- 1: By virtue of the authority granted by N.C.G.S. 160A-58.2, as amended, the following described contiguous area is hereby annexed and made part of the City of Hendersonville as of the fifth day of May 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 shown on that plat recorded on Deed Book 3868; pages 411-412, and shown on Plat Slide 10786 of the Henderson County Registry, and being described by metes and bounds as follows:

Situated in the City of Hendersonville, Henderson County, North Carolina and being more particularly described as follows:

Commencing at an existing iron pin on the eastern margin of Old Spartanburg Road and being the northwest corner of Lot 1 as shown on Plat Slide 10786 as recorded in the Register of Deeds for Henderson County, North Carolina and running with the northern line of Lot 1 N58-03-07E for a distance of 191.68 feet to the Point of Beginning being the northwest corner of Lot 4 as shown on Plat Slide 10786, thence running N58-03-07E for a distance of 210.85 feet to an existing bedrail; thence running S36-45-28E for a distance of 168.69 feet to a point; thence running S36-16-28E for a distance of 47.89 feet to an existing iron pin; thence running with an unnamed private gravel road S50-41-48W for a distance of 245.62 feet to an existing iron pin; thence running N28-28-41W for a distance of 247.75 feet with the boundary of the City of Hendersonville to an existing iron pin being the Point of Beginning.

Said property contains 1.21 Acres more or Less

- 2: Upon and after the fifth day of May 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; 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 _____, 20_____.

My commission expires:
