

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE TOWN OF LANDIS and
INCORPORATE BY ANNEXATION A CONTIGUOUS AREA INTO THE
TOWN OF LANDIS, NORTH CAROLINA**

Ordinance #ANNEX 2024-02-12

WHEREAS, a Petition signed by Steven R. & Katelin M. Legendre of 627 S Chapel St., Landis, NC 28088-1825, being the owners of the certain land areas located at 0 S Chapel St., Landis, NC 28088, further described as Rowan County Parcel ID 108 1090000002 and that portion of 108 1800001 lying outside the Town Limits of the Town and south of S Beaver Street, as shown on the map and description appearing in Attachment A attached hereto, was received by the Town of Landis on October 31, 2023; and,

WHEREAS, the owner Petitioned that said area be annexed into the corporate limits of the Town of Landis, North Carolina, as authorized by Part 1, Article 4A, Chapter 160A of the General Statutes of North Carolina; and,

WHEREAS, the Petition was presented to the Mayor and Board of Aldermen during the regular meeting of January 8, 2024; and,

WHEREAS, on January 8, 2024 the Mayor and Board of Aldermen directed, by Resolution duly adopted, the Town Clerk of the Town of Landis, North Carolina, to investigate the sufficiency of said Petition and to certify the results to the Mayor and Board of Aldermen; and,

WHEREAS, at the regular meeting of the Mayor and Board of Aldermen held on January 8, 2024, a Certificate of Sufficiency from the Town Clerk of the Town of Landis was presented to the Mayor and Board of Aldermen wherein the Town Clerk certified that upon due investigation found the above individuals who signed the aforementioned Petition constitute the owners of the land within the boundaries described in said Petition and, as hereinafter described, that said boundaries are contiguous to the present Town limit primary boundaries, and are eligible to be annexed pursuant to G.S. 160A-31, et seq. of the General Statutes of North Carolina; and,

WHEREAS, following the receipt by the Mayor and Board of Aldermen of the Town of Landis, North Carolina, of a Certificate of Sufficiency from the Town Clerk of the Town of Landis, said information and due consideration thereof by the Board, passed a motion to adopt a Resolution whereby a public hearing upon the question of such annexation was called to be had before the Mayor and Board of Aldermen of the Town of Landis at 6:00 p.m. on the 12th day of February 2024; and,

WHEREAS, the Town Clerk was duly authorized and did so cause notice of such public hearing to be published in the Salisbury Post, a newspaper having general circulation in the Town of Landis, North Carolina, at least ten (10) days prior to the date of such public hearing, such notice contained Rowan County property identification numbers of the areas proposed to be annexed as set forth in the Petition; and,

WHEREAS, it appears to the Mayor and Board of Aldermen from the publisher's Affidavit with clipping attached thereto, duly filed with the Town Clerk, that a notice of such public hearing as directed by the Mayor and Board of Aldermen was duly published in the Salisbury Post in its issue of the 30th of January and the 6th day of February, 2024, which date of publication was at least ten (10) days prior to the date set for such public hearing; and,

WHEREAS, a public hearing was held by the Mayor and Board of Aldermen of the Town of Landis on the 12th day of February 2024 at the stated time and place where the petitioners and any other residents of the Town of Landis were given an opportunity to appear and be heard on the question of the sufficiency of the Petition and the desirability of the annexation; and,

WHEREAS, the Mayor and Board of Aldermen, after due deliberation and consideration during the regular Mayor and Board of Aldermen meeting held on February 12, 2024, now finds that the Petition meets the requirements of G.S. 160A-31, et seq. of the General Statutes of North Carolina, that the Petition contained the signatures of the owners of the real property within the area proposed for annexation, that the Petitions are otherwise valid and that the public health, safety and welfare of the inhabitants of the Town and of the area proposed for annexation will be best served by the annexation through the expansion, now or in the future, of essential public services provided by the Town.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Mayor and Board of Aldermen of the Town of Landis, North Carolina, in regular meeting assembled the 12th day of February 2024, hereby adopts this ordinance as follows:

SECTION 1: That the area described in the Petition for contiguous annexation be and the same is hereby annexed to and is made a part of the corporate limits of the Town of Landis, North Carolina, the areas being described in Attachment "A" hereto.

SECTION 2: From and after the effective date of this Ordinance, the territory so annexed and the property therein located shall be subject to all debts, laws, ordinances and regulations in force in the Town of Landis, North Carolina, and shall be entitled to the privileges and benefits available to other parts of the municipality. The newly annexed territory shall be subject to municipal taxes levied as provided in Section 160A-58.10 of the General Statutes of North Carolina.

SECTION 3: It shall be the duty of the Mayor of the Town of Landis to cause an accurate map of such annexed territory, together with a copy of this Ordinance duly certified, to be recorded in the office of the Register of Deeds of Rowan County, North Carolina, and in the office of the Secretary of State of North Carolina.

SECTION 4: This Annexation shall become effective upon adoption.

Adopted this 12th day of February 2024.

s/ _____
Meredith Bare Smith, Mayor

s/ _____
Madison Stegall, Town Clerk

ATTACHMENT "A"

TRACTS 1 & 2:

Parcel #s: 108 1090000001 & 108 1090000002

(1.53 Acres, more or less, Intersection of Beaver (now Sloop Street) and Chapel Street, Town of Landis, China Grove Township, Rowan County) Map 108, Parcel 109) Lying in the Town of Landis, China Grove Township, Rowan County, North Carolina, on the east side of Chapel Street and the south side of Sloop Street, and more particularly described as follows: BEGINNING at a stake at the intersection of Beaver (now known as Sloop Street) and Chapel Streets; thence with Chapel Street, South 9-45 East, South 6-45 East, and South 7-30 West 946 feet to a stake, E. G. Mills' corner; thence with E. G. Mills' line, South 88-45 East 226 feet to a stake, E. G. Mills' line; thence North 1-45 East 996 feet to a stake on Beaver (now Sloop Street) Street; thence with Beaver (now Sloop Street) Street, South 80-15 West 315 feet to the BEGINNING, containing 5.3 acres, more or less.

LESS AND EXCEPT the following 1.25-acre tract (Map 108, Parcel 181001) deeded to Robert J. Phillips and wife, Gail M. Phillips, by Coy A. Little, single, on November 7, 1990, by deed in Deed Book 665, at Page 589. This property is lying in the Town of Landis, China Grove Township, on the east side of Chapel Street, and being more particularly described as follows: BEGINNING at a spike in the right-of-way line of Chapel Street, said spike being located S. 7-23 E. 384.5 feet from a spike in the right-of-way of Chapel Street at its intersection with Sloop Street; thence N. 82-37 E. 255.30 feet to a new iron pin; thence S. 1-27 W., passing an iron rod at 80.50 feet, a total distance of 232.76 feet to an iron pipe; thence S. 82-37 W., passing an iron rod at 164.55 feet, a total distance of 219.65 feet to a bolt in the face of a bridge curb in the right-of-way of Chapel Street; thence within the right-of-way of Chapel Street N. 7-23 W. 230.0 feet to the point and place of BEGINNING, containing 1.25 acres, and being that property shown upon a survey by Charles D. Brown, Registered Surveyor, entitled "Property of Robert J. Phillips" bearing the date of November 29, 1977, to which reference is hereby made.

LESS AND EXCEPT the following 2.52-acre tract (Map 108, Parcels 164, 165, 166 & 167) deeded to Scottish Real Estate, Inc. by Robert J. Phillips and wife, Gail M. Phillips; and Mary B. Phillips, widow; and Coy A. Little, single, on May 18, 1978 by deed in Deed Book 582, at Page 211. This property is lying in the Town of Landis, China Grove Township, Rowan County, N. C. on the east side of Chapel Street and the south side of Sloop Street, and being part of the old E. D. Mills property and more particularly described as follows: BEGINNING at a spike near the center line of Chapel Street at the old northwestern corner of E. D. Mills and runs thence N. 82-36-40 E. 315 feet with the southern edge of Sloop Street (unopened) to an iron stake, the old northeastern corner of E. D. Mills; thence S. 1-27 W. 389.05 feet (passing an iron stake on line at 269.57 feet) to an iron stake, a new corner; thence a new line S. 82-37 W. 255.30 feet to a spike, a new corner in Chapel Street in the old E. D. Mills' line; thence N. 7-23 W. 384.5 feet with the old line to the point of BEGINNING, containing 2.52 acres, more or less, as surveyed by Charles D. Brown on May 18, 1978. This conveyance is being made subject to the right-of-way of Chapel Street.

Location Maps from Rowan County GIS:

