MEMO TO: **Mayor and City Council Members**

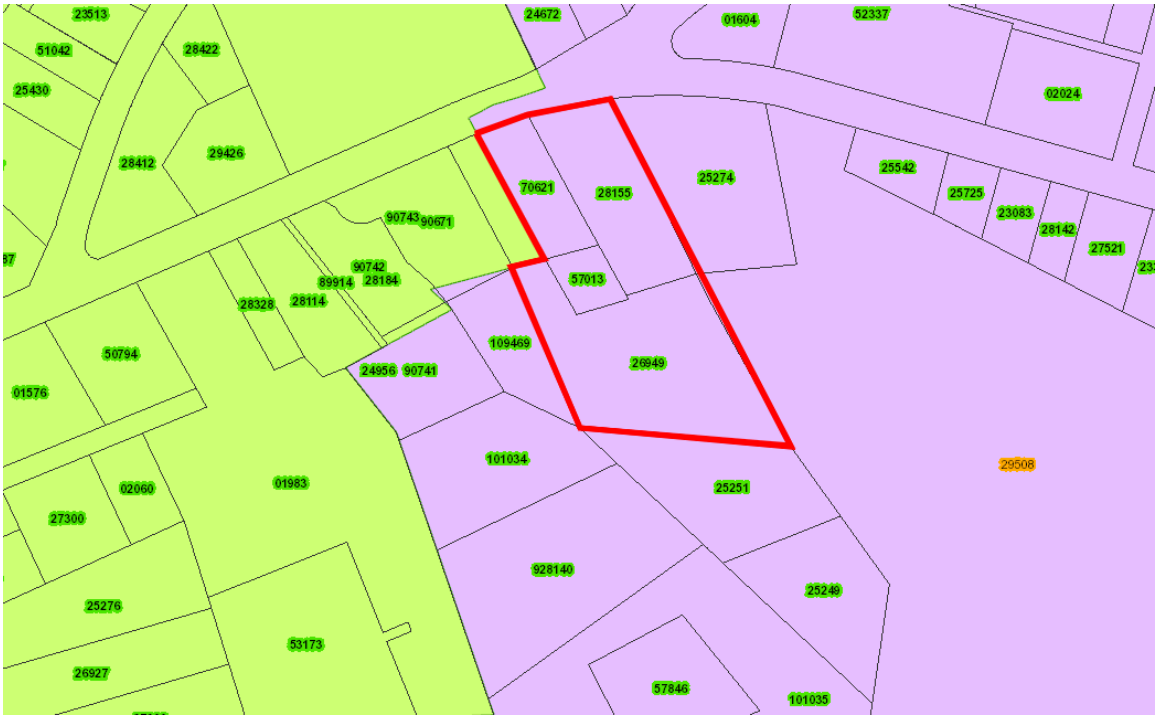
FROM: **Planning Department**

SUBJECT: **ANX-1-2026 - Petition from Five Fingers LLP for Contiguous Annexation concerning property located on East Main Street (Parcel IDs 70621, 57013, 28155, and 26949).**

DATE: **August 6, 2026**

BACKGROUND

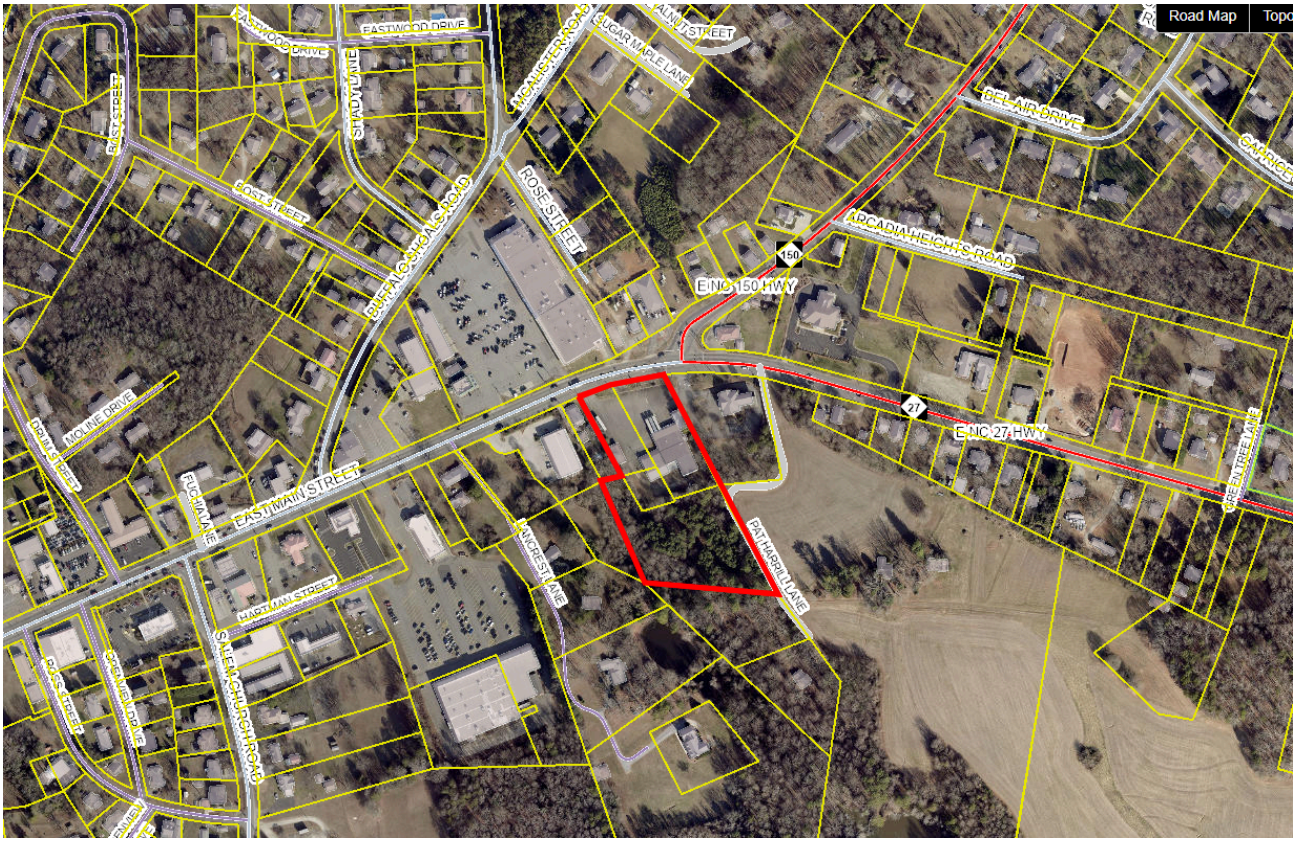
Five Fingers LLP is seeking a contiguous annexation for approximately 5.589 acres of land situated on East Main Street, identified as Parcel IDs 70621, 57013, 28155, and 26949. This property is directly adjacent to the existing city limits, as illustrated on the map below.



City limits in green
ETJ in purple



Street view



Aerial showing location

Staff Evaluation & Statutory Findings

- **Contiguity:** The subject property directly abuts the existing municipal corporate boundary along its eastern property line, satisfying the contiguous requirement.
- **Sufficiency of Petition:** The City Clerk examined the petition and certified that it is signed by 100% of the resident property owners within the area requested for annexation.
- **Zoning & Land Use:** The property lies within the city's Extra-Territorial Jurisdiction (ETJ) and is consistent with the adopted Comprehensive Land Use Plan designation for commercial transition.
- **Reason for Request:** The applicant seeks annexation to connect to municipal water and sanitary sewer infrastructure.

Municipal Services Plan

- **Police Protection:** The City Police Department will extend regular patrol and emergency response services upon the effective date.
- **Fire Protection:** The City Fire Department will provide fire suppression and rescue services; the site is calculated to be within acceptable response time zones.
- **Solid Waste Collection:** The City does not provide solid waste services to businesses outside of the Central Business District. A private solid waste provider would be required.
- **Water and Sewer:** City water and wastewater mains are located adjacent to the site in East Main Street. Extension of service lines will be completed at the developer's sole expense in accordance with utility specifications.
- **Streets and Maintenance:** Maintenance of frontage public streets will be assumed by the North Carolina Department of Transportation. Sidewalks would be maintained by the City of Lincolnton.

Voting District

If annexed, the property will be added to Ward I. However, the property is presently zoned General Business and will be developed for a commercial use.

Projected Costs To The City With Annexation

If the City annexes the property as requested, the City's cost should be minimal for the following reasons:

- the site is adjacent to city limits, so the additional cost to the city for provision of police and fire protection should be minimal,
- the developer will be responsible for the costs of extending city water and sewer to the site,
- the City will not be providing trash pickup.

Conclusions

Based on the information we have gathered, costs to the City should be minimal if this property is annexed. When fully developed, anticipated property tax revenues will be significantly more than the existing value of the primarily vacant property.

Staff Recommendation

Staff recommends that the City Council adopt the Ordinance to Extend Corporate Limits of The City of Lincolnton at the conclusion of the scheduled public hearing, with the effective date set as August 6, 2026.

Motions

Motion to approve the Ordinance to Extend Corporate Limits of The City of Lincolnton

Or

Motion to deny

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF LINCOLNTON

WHEREAS, the City Council has received a petition signed by all-100% of the owners of record of the real property area described below, requesting annexation pursuant to NCGS § 160A-31; and

WHEREAS, the City Clerk has certified the sufficiency of said petition; and

WHEREAS, a public hearing was held after due published notice on the 6th day of August, 2026;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lincolnton:

Section 1. The following described territory is hereby annexed and added to the corporate limits of the City of Lincolnton:

EXISTING LEGAL DESCRIPTION:

Parcel 28155: TRACT I: Situate, lying and being on the South side of State Highway Nos. 27 and 150, about three (3) miles East of the City of Lincolnton, being bounded on the North by said Highway; on the East by Harrill lands; on the South by the lands of K. B. Finger; and on the West by the lands of Jerry Hartman, and being more fully described, by metes and bounds, in accordance with an actual survey as made by Hoke S. Heavner, Registered Surveyor, dated October 19, 1970, as follows: BEGINNING at a point in the center of State Highway Nos. 27 and 150, 6 corner with Harrill lands, and runs South 28 deg. East 285 feet to a stake in K. B. Finger's line; thence, with Finger's line, South 76 deg. West 155.5 feet to a stake, a corner with Jerry Hartmon lands; thence, with the Hartman line, North 29 deg. 30 min. West 285 feet to a point in the center of State Highway Nos. 27 and 150; thence, following the center of said Highway North 72 deg. East 160 feet to the point of BEGINNING. TRACT 2: BEGINNING at an old iron stake, southeast corner of other property of Thomas L. Finger and wife, and runs thence with the west edge of a driveway S 16-36-10 E 143.44 feet to an iron stake, new corner; thence two new lines with other property of Kenneth B. Finger, S 76-42-30 W 133.37

feet to an iron stake and N 25-10 W 145 feet to an old iron stake; thence with other property of Thomas L. Finger and wife, N 76-13-30 E 154.93 feet to the BEGINNING, containing 0.47 of an ACRE, more or less, and being carved out of the homeplace lands of Kenneth B. Finger and wife, Helen R. Finger, as surveyed by William J. Cash, Jr., February 4, 1978.

Parcel 70621: All that certain piece, parcel or lot of land, situate, lying and being in Ironton Township, Lincoln County, North Carolina, bounded on the North by State Highway No.27 and 150; on the East by lands of Mrs. Lillie Davis; on the South by lands of Mrs. Lillie Davis, and on the West by lands of Shidal, and being more particularly described in accordance with a survey as made by Hoke S. Heavner, Surveyor, on the 13th day of July, 1951, as follows: BEGINNING at an iron stake, corner of Kenneth Finger and Shidal's line, and runs thence a new line in Lillie Davis lands, North 65 deg. 45 min. East 100 feet to an iron stake, or new corner in Lillie Davis lands; thence continuing with the lands of Lillie Davis, North 29 deg. 15 min. West 283 feet, passing an iron stake in the edge of Highway No. 27 and 150 to a point in the center of said Highway; thence with the center of said Highway, South 65 deg. 45 min. West 100 feet to a point in the center of said Highway; thence with Shidal's line, South 29 deg. 15 min. East (iron stake on edge of road) 283 feet to the point of BEGINNING.

Parcel 57013: BEGINNING at an iron stake, southwest corner of property owned by Thomas Lee Finger and wife, Kay C. Finger by Deed Book 662, Page 313, and runs thence with their line, North 76 deg. 16 min. 36 sec. East 95.50 feet to a stake; thence continuing with other property of Thomas L. Finger r, South 25 deg. 10 min. 00 sec. East 145.0 feet to an iron stake; thence two lines with other property retained by Kenneth B. Finger, South 76 deg. 42 min. 30 sec. West 100.19 feet to an iron stake, and North 23 deg. 23 min. 32 sec. West 143.4 feet to the BEGINNING, containing 0.318 of an ACRE, more or less, and being carved out of property described in deeds of record in Book 278, Page 85, and Book 309, Page 141, Lincoln County Public Registry, as surveyed and platted by Gene Ross, Registered Surveyor, May 16, 1991.

Parcel 26949: TRACT I: BEGINNING at a Rebar found at the Southwest corner of Lynn Finger Wilmoth property (Lincoln County Estate File 17 E 226), said corner being located North 61 deg. 53 min. 33 sec. East 142.37 feet from the center of 12-foot easement known as Lancrest Lane and runs thence North 55 deg. 10 min. 49 sec. East 152.47 feet with property of Zale Associates, LLC (Deed Book 2374, Page 342) to an old iron; thence with existing property of Five Fingers, LLLP North 71 deg. 52 min. 58 sec. East 62.88 feet to an old iron, thence South 27 deg. 46 min. 36 sec. East 145 feet to a rebar set; thence North 72 deg. 15 min. 57 sec. East 232.76 feet to an iron pipe found, corner of property of Geraldine H. Sain (Deed Book 661, Page 708); thence with Sain South 27 deg. 28 min. 52 sec, East 353.03 feet to an iron pipe, corner of property of Shirley Ruth Harrill (Deed Book 537, Page 218); thence with Harrill North 86 deg. 02 min. 47 sec. West 396.26 feet to an iron pin found under a tree; thence with Lot 1 (Plat Book 17, Page 368) North 61 deg. 16 min. 12 sec. West feet to a rebar set; thence with Lynn Finder Wilmoth referenced above North 33 deg. 07 min. 18 sec. West 183.45 feet to an

axle found in Wilmoth line; thence North 48 deg. 19 min. 36 sec. West 23.23 feet to the Point and Place of Beginning, containing 3.059 acres, more or less, in accordance with a plat and survey prepared by Gene Ross, entitled Minor Subdivision Helen R. Finger Estate and recorded in Plat Book 17, Page 368, Lincoln County Public Registry. TRACT II: BEING all that certain tract or parcel of land situated in Ironton Township, Lincoln County, North Carolina, and more particularly described as follows: TRACT ONE: Being a small strip of land adjacent to the East line of the present lot owned by C. E. Shytle and described as follows: BEGINNING at a stone, an old corner, being the old Northeast corner of lot of C. E. Shytle in the old sand clay road, now N. C. State Highway No. 27 and No. 150, and runs thence with Shytle's old line South 29-1/2 deg. East 283 feet to Shytle's old Southeast corner; thence, a new line North 72 deg. East 10 feet to an iron stake, a new corner; thence, another new line with Mrs. J.P. Davis' other lands North 29-1/2 deg. West 283 feet to a stake in said Highway, a new corner; thence, with said Highway South 73 deg. West 10 feet to the BEGINNING. TRACT TWO: BEGINNING at a stake on Sand Clay Road (now paved road), Highway No. 27, Mrs. Lillie Davis' corner and runs with road South 65-3/4 deg. West 100 feet to a stake, corner of Lot No. 5; thence South 29-1/4 deg. East 272 feet to a stake in an old line; thence North 72 deg. East 100 feet to Mrs. Lillie Davis' line; thence with her line North 29-1/4 deg. West 283 feet to the BEGINNING, being Lots Nos. 1, 2, 3 and 4 of the subdivision of a part of the lands of Mrs. Lillie Davis.

Section 2. From and after the effective date of this ordinance, the annexed territory and its citizens shall be subject to all debts, laws, ordinances, and regulations of the municipality and shall be entitled to the same privileges and benefits as other parts of the municipality.

Section 3. This ordinance shall be effective on the 6th day of August, 2026.

_____
Ed Hatley, Mayor

ATTEST:

_____
Daphne Ingram, Clerk