MEMO TO: Mayor and City Council Members

FROM: Planning Staff

SUBJECT: Consideration of Resolution Directing the Clerk to Investigate a Petition Received Under NCGS 160A-31 concerning property located at 2350 N. Aspen (Parcel ID 21600)

DATE: August 6, 2026

Background & Overview:

Petitioner / Property Owner: Judy Jones

Location / Address: 2350 N. Aspen Street, Lincolnton, NC 28092

Parcel Identification Number (PIN): 21600

Acreage: 6.022

The subject property is contiguous to the primary corporate city limits of Lincolnton, satisfying the territorial requirements under NCGS § 160A-31. Purpose of the Requested Action

The property owner has submitted a formal, signed Request for Voluntary Contiguous Annexation requesting that the parcel be incorporated into the City limits.

Under North Carolina General Statute § 160A-31, before the City Council can take further action on the merits of an annexation request, the City Council must first adopt a resolution directing the City Clerk to investigate the sufficiency of the petition (verifying ownership signatures, metes and bounds descriptions, and contiguous mapping criteria).

Next Steps:

1. Set a public hearing date for the next City Council meeting on September 3, 2026.
2. Prior to the public hearing, the Clerk/Planning Department will advertise it at least 10 days in advance.
3. At the September 3, 2026, public hearing, the Planning Department, on behalf of the City Clerk, will present the completed Certificate of Sufficiency stating that the petition meets the standards for a contiguous area as specified in NCGS 160A-31.
4. Allow any interested parties to be heard on the desirability of the annexation.
5. If the Council finds that the annexation is in the public interest, it may adopt an ordinance annexing the property. From and after the effective date of the annexation ordinance, the territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in such municipality and shall be entitled to the

same privileges and benefits as other parts of such municipality. Real and personal property in the newly annexed territory on January 1 immediately preceding the beginning of the fiscal year in which the annexation becomes effective is subject to municipal taxes as provided in G.S. 160A-58.10.

RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31

WHEREAS, a petition requesting the annexation of contiguous real property described as Parcel ID 21600 located on N. Aspen Street has been received by the City Council of the City of Lincolnton; and

WHEREAS, N.C.G.S. § 160A-31 provides that an investigation as to the sufficiency of the petition shall be conducted by the City Clerk before further annexation proceedings can take place;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincolnton, North Carolina, that:

1. The City Clerk is hereby directed to investigate the sufficiency of the above-described annexation petition for Parcel ID 21600 and to certify in writing the results of the investigation to the City Council as required by law.

2. This Resolution shall become effective immediately upon its adoption.

Adopted this ____ day of _____, 2026.

_____
Ed Hatley, Mayor

ATTEST:

_____
Daphne Ingram, Clerk

Staff Recommendation

Staff recommends that the City Council adopt the proposed resolution directing the City Clerk to investigate the petition, set a timeline for certification of sufficiency, and subsequently schedule a public hearing for the upcoming regular meeting cycle.

Motion:

Motion to approve the Resolution Directing the City Clerk to Investigate the Petition and set the public hearing for September 3, 2026.

Or

Motion to deny