ORDINANCE #

AN ORDINANCE ANNEXING THAT PROPERTY OF GIVENS HIGHLAND FARMS, LLC, ON THAT PLAT RECORDED IN PLAT BOOK 0095 AT PAGE 0120 INTO THE TOWN OF BLACK MOUNTAIN

WHEREAS, Givens Highland Farms, LLC has requested that the Town of Black Mountain annex that property owned by Givens Highland Farms, LLC and described as that 2.5-acre tract of land shown on that plat recorded in Plat Book 0095 at Page 0120, Buncombe County Registry; and

WHEREAS, Givens Highland Farms, LLC owns all of the property proposed to be annexed and submitted an application in their name and signed by them, so that such application and petition is signed by or on behalf of all the property owners as required by N.C.G.S. 160A-31 et seq; and

WHEREAS, the Town Clerk has investigated the annexing petition and has certified that he found as a fact that the petition was signed by all owners of the property lying within the area to be annexed; and

WHEREAS, Givens Highland Farms, LLC has asserted that there are no vested rights that they wish to retain after annexation; and

WHEREAS, a public hearing was held by the Town Council of the Town of Black Mountain after proper notice was given to the public and the parties; and

WHEREAS, the Town of Black Mountain will benefit from annexation of the proposed area to be annexed in that its annexation will allow the Town to regulate development and ensure a use of such property that is beneficial to the area where it is located and not detrimental to the properties surrounding it.

NOW, THEREFORE, BE IT ORDAINED by the Town Council for the Town of Black Mountain, North Carolina, that the property described in Exhibit A as being all of that 2.5-acre parcel of land shown on that plat recorded in Plat Book 0095 at Page 0120, Buncombe County Registry and is hereby annexed and made a part of the corporate limits of the Town of Black Mountain, North Carolina.

This ordinance shall become effective on the 9th day of March 2026, if confirmed by the Town Council at its regular meeting in March 2026. In the absence of a majority vote of the Council to confirm this ordinance at that meeting, it shall become void and have no force or effect.

I move the adoption of the foregoing ordinance.

_____
_____
Council Member

READ, APPROVED AND ADOPTED, by a vote of _____ to _____ on this the 9th day of March 2026.

_____
C. Michael Sobol, Mayor

ATTEST:

_____
Wesley M. Barker, Town Clerk

Approved as to form:

_____
Craig Justus, Town Attorney

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY TO BE ANNEXED

BEGINNING at an iron pin found in the Northeast corner of property described in Deed Book 784, Page 403, Buncombe County Registry; thence North 89 deg. 20' 30" West 84.01 feet to an iron pin; thence North 85 deg. 32' 16" West 70.85 feet to an iron pin; thence North 83 deg. 57' 36" West 110.29 feet to an iron pin; thence North 84 deg. 54' 11" West 109.92 feet to an iron pin; thence North 84 deg. 53' 46" West 144.85 feet to an iron pin; thence North 84 deg. 51' 04" West 215.50 feet to an iron pin; thence North 84 deg. 51' 04" West 15 feet to a point in the Eastern edge of Tabernacle Road; thence running with said road, North 6 deg. 58' 17" East 170.26 feet to a point; thence leaving said road and running south 85 deg. 04' 54" East 12 feet to an iron pin; thence South 85 deg. 04' 54" East 763.92 feet to an iron pin; thence South 15 deg. 42' 53" West 170.26 feet to the point of BEGINNING, containing 3.00 acres, more or less, as shown on a survey for Jack Wheeler dated June 25, 1993, prepared by Michell E Effler, R.L.S., and being all of that property described in Book 2079 at Page 853, Buncombe County Registry, and being that property shown on the tax maps for Buncombe County as PIN #0609-46-7498-00000.