RECEIVED 9/17/2024

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA
CITY OF BREVARD

PETITION REQUESTING A CONTIGUOUS ANNEXATION
(G.S. 160A-31)

Date: 9/13/2024

To the City Council of the City of Brevard:

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the City of Brevard.

2. The area to be annexed is contiguous to the City of Brevard and the boundaries of such territory are as follows:

   Transylvania County Property Identification Number(s): 8585-36-0021-000, 8585-35-0899-000, 8585-35-1747-000 - 8585-35-1676-000

   Street Address: Lots: TR-2A, TR-2B, TR-2C, + TR-2D

   (ATTACH A METES AND BOUNDS PROPERTY DESCRIPTION AS "ATTACHMENT A")

3. A map is attached showing the area proposed for annexation in relation to the primary corporate limits of the City of Brevard. (ATTACH MAP AS "ATTACHMENT B", including the Tax Map PIN)

4. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

   Property Owner(s): Do you declare vested rights? Yes X No___
   (Vested rights are rights belonging completely and unconditionally to a person which cannot be impaired or taken away by another party.)

Property Owners Contact Information (If there are more than three property owners, provide their names, contact information and signatures upon a separate and attached sheet.)

a. Name _____
Address _____
_____
Telephone _____ Email _____

Signature _____

b. Name _____
Address _____
_____
Telephone _____ Email _____

Signature _____

c. Name _____
Address _____
_____
Telephone _____ Email _____

Signature _____

Property Ownership by Corporation or LLC: (If there are more than three principals or managing members then provide their names, contact information and signatures upon a separate and attached sheet.)

a. Name Mills Ave Properties LLC
Address 86 W. Morgan St
Brevard, NC 28712
Telephone 828 553 3565 Email Benjamin.t.keystone@gmail.com

By: Ben Stone
Type or Print Name and Title (President / Managing Member)

Signature _____

b. Name _____
Address _____
_____
Telephone _____Email_____

By: _____
Type or Print Name and Title (President / Managing Member)

Signature _____

c. Name _____
Address _____
_____
Telephone _____Email_____

By: _____
Type or Print Name and Title (President / Managing Member)

Signature _____

* * * * * * * * * * *

AGENT:
Name: _____
Address: _____
_____
Telephone:_____Email_____

Petition along with a copy of the property Deed, Metes and Bounds description (Attachment A), Map / Survey (Attachment B) and cash/credit or check in the amount of $500 made payable to the City of Brevard is to be returned to:

Denise Hodsdon, City Clerk
City of Brevard
95 West Main St., Brevard, NC 28712

2022002961
TRANSYLVANIA CO, NC FEE $26.00
STATE OF NC REAL ESTATE EXTX
$628.00
PRESENTED & RECORDED:
05-06-2022 11:24:12 AM
BETH C LANDRETH
REGISTER OF DEEDS
BY: ANTJE OWEN
DEPUTY REGISTER OF DEEDS
BK: DOC 1035
PG: 743-745

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: $628.00 Return after recording to: Donald E. Jordan
Brief description for the Index: Tracts 2A, 2B, 2C & 2D, Brevard Township
This Deed was prepared by: Donald E. Jordan, Attorney at Law
This property does not include the primary residence of Grantor

5-6-22

This DEED is made this 4th day of May, 2022, by and between:

GRANTOR:	**THOMAS WEAVER and LINDA M. WEAVER, Husband and Wife**
Grantor's Address:	83 Buena Vista Drive, Brevard, NC 28712
GRANTEE:	**MILLS AVE PROPERTIES, LLC, a North Carolina limited liability company**
Grantee's Address:	86 West Morgan Street, Brevard, NC 28712

The designation Grantor and Grantee in this Deed shall include the parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

The Grantor, for a valuable consideration paid by the Grantee (the receipt of which is acknowledged) grants, bargains, sells and conveys to the Grantee in fee simple, all of the lot or parcel of land located in Brevard Township, Transylvania County, North Carolina, and as is described in the attached Exhibit A. This is a portion of the same property acquired by Grantor by Deeds recorded in Document Book 255, Page 215 and Document Book 255, Page 218, Transylvania County Registry. This conveyance is made subject to easements and rights of way of record, to any covenants of record, and to real property taxes for the current year.

THIS CONVEYANCE IS MADE FOR THE GRANTEE TO HAVE AND TO HOLD the Property and all privileges and appurtenances belonging to the Property in fee simple.

The Grantor covenants with the Grantee that Grantor is seized of the Property in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons, subject only to the stated exceptions.

Grantor is signing this Deed as of the date specified above.

Thomas Weaver

Linda M. Weaver

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

I, Donald E. Jordan, a Notary Public of the specified County and State, certify that Thomas Weaver and Linda M. Weaver personally appeared before me this day and acknowledged the voluntary execution of this Deed.

Witness my signature and official stamp or seal, this 4th day of May, 2022.

My commission expires: August 30, 2024

Notary Public

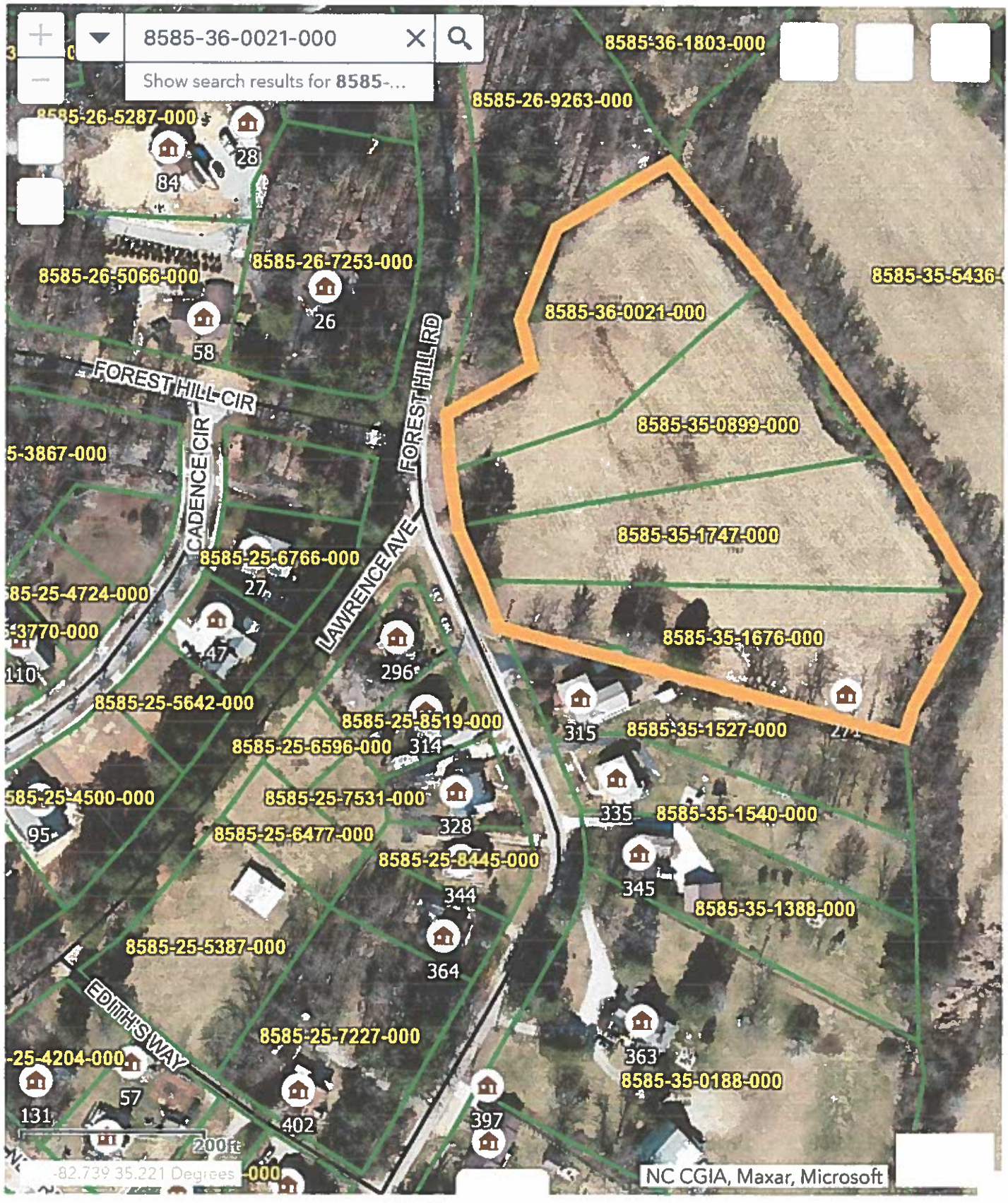
DONALD E. JORDAN
NOTARY
PUBLIC
TRANSYLVANIA COUNTY, N.C.

EXHIBIT A - LEGAL DESCRIPTION

All of Tracts 2A, 2B, 2C and 2D as shown on the plat of survey, dated April 27, 2022, prepared by Carolina Mountain Surveying, for Thomas and Linda M. Weaver, recorded in Plat File 22, Slide 158, Records of Plats for Transylvania County, in the office of the Register of Deeds, Transylvania County, North Carolina.

Together with and subject to all rights of way, easements and restrictions of record.

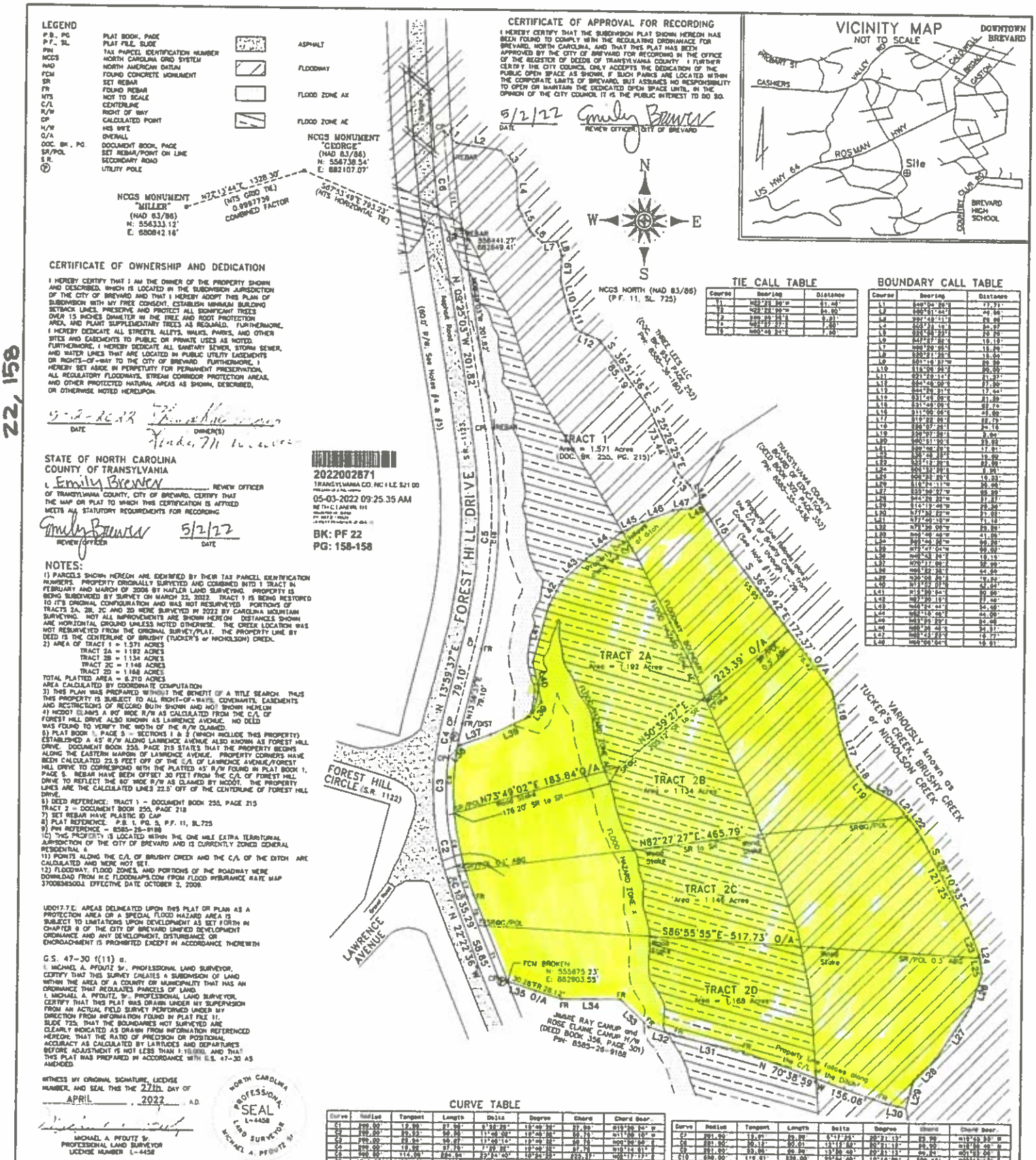
Tax Administration Portal



All rights reserved

Plat file 22, Slide 158

22, 158



Course	Bearing	Distance
L1	N02°28'06"W	61.46'
L2	N28°24'46"W	84.80'
L3	N55°49'15"E	5.21'
L4	N55°49'15"E	7.80'
L5	N55°49'15"E	7.80'

Course	Bearing	Distance
L6	N55°49'15"E	7.80'
L7	N55°49'15"E	7.80'
L8	N55°49'15"E	7.80'
L9	N55°49'15"E	7.80'
L10	N55°49'15"E	7.80'
L11	N55°49'15"E	7.80'
L12	N55°49'15"E	7.80'
L13	N55°49'15"E	7.80'
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L15	N55°49'15"E	7.80'
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L90	N55°49'15"E	7.80'
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L93	N55°49'15"E	7.80'
L94	N55°49'15"E	7.80'
L95	N55°49'15"E	7.80'
L96	N55°49'15"E	7.80'
L97	N55°49'15"E	7.80'
L98	N55°49'15"E	7.80'
L99	N55°49'15"E	7.80'
L100	N55°49'15"E	7.80'
L101	N55°49'15"E	7.80'
L102	N55°49'15"E	7.80'
L103	N55°49'15"E	7.80'
L104	N55°49'15"E	7.80'
L105	N55°49'15"E	7.80'
L106	N55°49'15"E	7.80'
L107	N55°49'15"E	7.80'
L108	N55°49'15"E	7.80'
L109	N55°49'15"E	7.80'
L110	N55°49'15"E	7.80'
L111	N55°49'15"E	7.80'
L112	N55°49'15"E	7.80'
L113	N55°49'15"E	7.80'
L114	N55°49'15"E	7.80'
L115	N55°49'15"E	7.80'
L116	N55°49'15"E	7.80'
L117	N55°49'15"E	7.80'
L118	N55°49'15"E	7.80'
L119	N55°49'15"E	7.80'
L120	N55°49'15"E	7.80'
L121	N55°49'15"E	7.80'
L122	N55°49'15"E	7.80'
L123	N55°49'15"E	7.80'
L124	N55°49'15"E	7.80'
L125	N55°49'15"E	7.80'
L126	N55°49'15"E	7.80'
L127	N55°49'15"E	7.80'
L128	N55°49'15"E	7.80'
L129	N55°49'15"E	7.80'
L130	N55°49'15"E	7.80'
L131	N55°49'15"E	7.80'
L132	N55°49'15"E	7.80'
L133	N55°49'15"E	7.80'
L134	N55°49'15"E	7.80'
L135	N55°49'15"E	7.80'
L136	N55°49'15"E	7.80'
L137	N55°49'15"E	7.80'
L138	N55°49'15"E	7.80'
L139	N55°49'15"E	7.80'
L140	N55°49'15"E	7.80'

Curve	Radius	Tangent	Length	Delta	Degree	Chord	Chord Bear.
C1	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C2	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C3	200.00'	28.94'	56.87'	13°48'16"	28°38'52"	56.70'	N09°38'58"E
C4	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C5	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C6	200.00'	114.00'	220.00'	63°01'50"	28°38'52"	209.00'	N13°59'39"E
C7	1210.00'	33.16'	66.31'	3°08'20"	4°43'46"	66.30'	N00°17'17"E

Curve	Radius	Tangent	Length	Delta	Degree	Chord	Chord Bear.
C8	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C9	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C10	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
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C55	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
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C70	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C71	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C72	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C73	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C74	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C75	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C76	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C77	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C78	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C79	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C80	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C81	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C82	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C83	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C84	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C85	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C86	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C87	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C88	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C89	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C90	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C91	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C92	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C93	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C94	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C95	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C96	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C97	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C98	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C99	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C100	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C101	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C102	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C103	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C104	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C105	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C106	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C107	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C108	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C109	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C110	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C111	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C112	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C113	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C114	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C115	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C116	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C117	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C118	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C119	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C120	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C121	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C122	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C123	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C124	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C125	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C126	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C127	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C128	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C129	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C130	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C131	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C132	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C133	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C134	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C135	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C136	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C137	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C138	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C139	200.00'	19.99'	39.98'	11°26'52"	28°38'52"	39.91'	N16°43'39"E
C140

CITY ANNEXATION LEGAL DESCRIPTION
FOR TRACTS 2A-2D ON FOREST HILL ROAD
PLAT FILE 22, SLIDE 158

Beginning at a broken concrete monument having North Carolina NAD 83/86 grid coordinates of North: 555675.23 East: 882903.55; said monument standing S 36°49’51” E a distance of 1,328.41 from NCGS MONUMNET GEORGE which has North Carolina NAD 83/86 grid coordinates of North: 556738.54 East: 882107.07 and 6.2’ away from an existing utility pole in the right of way for Forest Hill Road;

thence N 72°35'30" W a distance of 9.48’ to a calculated point on the old 45’ right of way;

thence N 22°22'36" W a distance of 58.85’ to a calculated point on the old 45’ right of way;

thence N 22°22'36" W a distance of 30.91’ to a calculated point on the old 45’ right of way;

thence with a curve turning to the right with an arc length of 27.95’, with a radius of 289.00’, with a chord bearing of N 19°36'24" W, with a chord length of 27.93’, to a calculated point on the old 45’ right of way;

thence with a compound curve turning to the right with an arc length of 58.85’, with a radius of 289.00’, with a chord bearing of N 11°00'10" W, with a chord length of 58.75’, to a calculated point on the old 45’ right of way;

thence with a compound curve turning to the right with an arc length of 58.87’, with a radius of 289.00’, with a chord bearing of N 00°39'58" E, with a chord length of 58.76’, to a calculated point on the old 45’ right of way;

thence leaving the old right of way N 42°42'28" E a distance of 18.15’ to a point in the center of a ditch;

thence down and with the center of a ditch N 70°17'08" E a distance of 32.99’ to a point in the center of the ditch;

thence N 65°22'33" E a distance of 44.58’ to a point in the center of a ditch;

thence N 39°05'26" E a distance of 19.33’ to a point in the center of a ditch;

thence N 13°02'07" W a distance of 42.04’ to a point in the center of a ditch;

thence N 15°38'54" E a distance of 60.58’ to a point in the center of a ditch;

thence N 27°30'15" E a distance of 27.48’ to a point in the center of a ditch;

thence N 46°24'44" E a distance of 34.48’ to a point in the center of a ditch;

thence N 52°18'45" E a distance of 44.06’ to a point in the center of a ditch;

thence N 63°35'23" E a distance of 24.90’ to a point in the center of a ditch;

thence N 68°35'48" E a distance of 34.51’ to a point in the center of a ditch;

thence N 82°42'23" E a distance of 18.77’ to a point in the center of a ditch;

thence N 59°06'04" E a distance of 10.91’ to a point where the ditch meets the center of Brushy Creek;

thence down and with the center of Brushy Creek S 31°45'09" E a distance of 62.74’ to a point in the center of Brushy Creek;

thence S 36°59'42" E a distance of 95.95’ to a point in the center of Brushy Creek;

thence S 36°59'42" E a distance of 76.42’ to a point in the center of Brushy Creek;

thence S 11°00'05" E a distance of 45.80’ to a point in the center of Brushy Creek;

thence S 19°22'35" E a distance of 32.79’ to a point in the center of Brushy Creek;

thence S 38°07'26" E a distance of 24.16’ to a point in the center of Brushy Creek;

thence S 58°35'26" E a distance of 37.39’ to a point in the center of Brushy Creek;

thence S 38°46'28" E a distance of 17.91’ to a point in the center of Brushy Creek;

thence S 38°46'28" E a distance of 15.80’ to a point in the center of Brushy Creek;

thence S 28°10'33" E a distance of 121.25’ to a point in the center of Brushy Creek;

thence S 22°12'32" E a distance of 22.95’ to a point in the center of Brushy Creek;

thence S 09°32'28" E a distance of 3.35’ to a point in the center of Brushy Creek;

thence S 09°32'28" E a distance of 16.33’ to a point in the center of Brushy Creek;

thence S 18°24'11" W a distance of 35.66’ to a point in the center of Brushy Creek;

thence S 33°58'27" W a distance of 65.28’ to a point in the center of Brushy Creek;

thence S 44°26'22" W a distance of 31.27’ to a point in the center of Brushy Creek;

thence S 14°19'46" W a distance of 29.38’ to a point in the center of Brushy Creek;

thence leaving the center of Brushy Creek N 77°32'22" W a distance of 21.02’ to a point in the center of a ditch;

thence N 70°38'59" W a distance of 156.06’ to a point in the center of a ditch;

thence N 77°40'10" W a distance of 71.18’ to a 5/8” rebar;

thence N 72°39'09" W a distance of 29.26’ to a 5/8” rebar;

thence N 46°48'46" W a distance of 41.05’ to a 5/8” rebar;

thence S 89°46'32" W a distance of 60.26’ to 5/8” rebar;

thence N 72°47'04" W a distance of 28.12’ to a 5/8” rebar;

thence N 72°50'41" W a distance of 30.42’ to a broken concrete monument;

which is the place and point of beginning and containing Tracts 2A, 2B, 2C and 2D as shown on Plat File 22, Slide 158, and having an area of 4.640 acres

CITY OF BREVARD
CASH RECEIPT

Receipt No:	686981
Date:	10/17/2024
Time:	11:15:44AM

Received From:
MILLS AVE PROP

Received:	500.00

For

ZONING ADMIN	500.00
CITY ANNEX FOREST HILL-S	

Check	500.00
1090	
RECEIVED BY	WINDOW