ORDINANCE NO. 2025-XX

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF BREVARD, NORTH CAROLINA

WHEREAS, the Brevard City Council has been petitioned under G.S. 160A-31, as amended, to annex the non-contiguous area described herein; and,

WHEREAS, the City Council has by Resolution No. 2025-18 directed the City Clerk to investigate the sufficiency of said petition; and,

WHEREAS, the Brevard Planning Board reviewed the Petition at their meeting held on March 25, 2025 and recommended approval of the voluntary contiguous annexation; and,

WHEREAS, the City Clerk has certified the sufficiency of said petition (relying on the opinion of the City Attorney) and the City Council adopted Resolution No. 2025-25 fixing a date of public hearing. By authority granted by G.S. 160A-31, a public hearing on the question of this annexation was held at the City Council Chambers at 5:30 P.M. on the 5th day of May, 2025, after due notice by publication on the 21st day of April, 2025; and

WHEREAS, the City Council does hereby find as a fact that the petition meets the requirements of G.S. 160A-31, as amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA, THAT:

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, all of that property lying in Transylvania County, owned by John Valenti and MTS Properties LLC, as shown and being that property described in the deed recorded in Document Book 671, Pages 244-246; Book 1109, Page 111-113; and Book 1109, Pages 160-162, in the Transylvania County Register of Deeds and that certain plat provided by the Petitioners to be duly recorded upon annexation is hereby annexed and made a part of the City of Brevard as of the 19th day of May, 2025.

Said property is more fully described as follows:

Location: Between Reservoir Road and Hampton Road, Brevard, NC 28712. Transylvania County Tax Property Identification Numbers: 8586-24-3036-000; 8586-24-3061-000; 8586-23-3984-000; and 8586-24-2193-000

Property Description:

Beginning at a found rebar with a plastic ID cap 0.1' below grade and having North Carolina NAD 83/2011 grid coordinates of North: 563933.72 East: 882529.34; said rebar standing N 88°15'59" W a distance of 287.74' from NCGS BURL AZ MK which has North Carolina NAD 83/2011 grid coordinates of North: 563925.02 East: 882816.94;

thence S 53°56'47" W a distance of 82.25' to a ½" iron pipe;

thence S 53°45'51" W a distance of 74.75' to a ½" iron pipe;

thence N 41°40'29" W a distance of 103.15' to a ½" rebar;

thence N 28°27'17" W a distance of 49.43' to a ¾" iron pipe;

thence N 28°17'47" W a distance of 48.93' to a 1½" leaning iron pipe;

thence N 22°23'09" W a distance of 98.94' to an axle;

thence N 67°29'48" E a distance of 157.61' to a 1½" leaning iron pipe;

thence S 33°41’55” E a distance of 98.10’ to a ¾” iron pipe;

thence S 29°17’29” E a distance of 44.39’ to a ½” iron pipe;

thence S 30°55’47” E a distance of 39.32’ to a rebar with a plastic cap;

thence S 28°49’39” E a distance of 78.46’ to a rebar with a plastic cap; which is the place of beginning.

Section 2. Upon and after the 19th day of May, 2025 the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Brevard and shall be entitled to the same privileges and benefits as other parts of the City of Brevard. Said territory shall be subject to the municipal taxes according to G.S. 160A-31.

Also being all of that property described in a plat prepared by Michael A. Pfoutz Sr., PLS for John Valenti and MTS Properties LLC, dated November 12, 2024 and recorded in Plat File _____, Slide _____, of the Transylvania County Registry.

Section 3. Pursuant to 160A-29 it shall be the duty of the Mayor of the City of Brevard to cause an accurate map of the annexed territory as described in Section 1 hereof, together with a duly certified copy of this Ordinance, to be recorded in the office of the Register of Deeds of Transylvania County, North Carolina, and in the office of the Secretary of State at Raleigh, North Carolina. Such a map shall also be delivered to the Transylvania County Board of Elections as required by G.S. 163.288.1.

Section 4. Notice of adoption of this Ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Brevard.

Adopted and approved this the 19th day of May, 2025.

_____
Maureen Copelof
Mayor

ATTEST:

_____
Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

_____
Mack McKeller
City Attorney