RESOLUTION NO. 2026-XX

A RESOLUTION DECLARING THE INTENT OF THE BREVARD CITY COUNCIL TO CONSIDER ANNEXING CITY-OWNED PROPERTY LOCATED ON AZALEA AVENUE AND OLD HENDERSONVILLE HIGHWAY AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION PURSUANT TO NCGS 160A-31, AS AMENDED

WHEREAS, North Carolina General Statute §160A-31 authorizes the City Council to initiate annexation of contiguous property owned by the municipality, provided that certain procedures are followed, including the adoption of a resolution declaring the City's intent to do so and the scheduling of a public hearing; and

WHEREAS, the City of Brevard owns three parcels located on Azalea Avenue and Old Hendersonville Highway, Brevard, NC 28712, consisting of 3.669 acres, more or less (Tax Property Identification Numbers: 8596-05-5538; 8596-05-8315; and 8596-05-6391); and

WHEREAS, the City Council desires to initiate the process required by State law in order to consider annexation of the parcels described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD THAT:

1. Intent Declared. It is the intent of the City Council to consider annexing the following described properties:

   TRACT 1 – PIN: 8596-05-5538-000
   BEGINNING at an iron pin near the eastern edge of Azalea Avenue in the line of Mills, and running thence with said line, N 70 deg. 11 min. E 98.01 ft.; thence S 25 deg. E 4.0 feet to an iron pin, corner of Green; thence with Green's line, N 67 deg. 29 min. E 99.54 ft. to an iron pin, corner of a 9.11 acre tract; thence with the line of said tract, N 25 deg. W 513.64 ft. to an iron pin in the line of Morris; thence with said line, S 64 deg. 07 min. W 141.30 ft. to an iron pin, corner of Hunnicut; thence with the line of Hunnicut, two calls as follows: S 25 deg. 46 min. E 101.71 ft. to an iron pin, and S 63 deg. 14 min. W 143.73 ft. to a stake at the edge of the pavement of Azalea Avenue; thence along said edge, S 25 deg. 29 min. E 377.25 ft. to a stake; thence N. 70 deg. 11 min. E 7.5 ft. to the point of BEGINNING. Containing 2.87 acres, more or less.

   Being all the property described in Deed Book 191, Page 536, Transylvania County.

   TOGETHER WITH AND SUBJECT TO those rights of way, easements and restrictive covenants as recorded in the Transylvania County, North Carolina Register's Office; reference to which is hereby made and incorporated herein.

   Being that property described in Deed Book 277, at Page 443 of the Transylvania County, NC Register's Office; reference to which is hereby made and incorporated for a more particular description of said property.

   TRACT 2 – PIN: 8596-05-8315-000
   Being all of Lot 1, 0.463 acres, more or less, as shown on a survey entitled Martha Lyday Dobbins et al dated November 9, 2009 and recorded in Plat File 13 at Slide 339, Transylvania County Registry.

   This conveyance is made subject to the rights-of-way of all roads which may presently traverse the property, to all road rights-of-way which may presently appear of record, to the rights-of-way of all utility lines which may presently traverse the property and to all rights-of-way for public utilities which may presently appear of record.

Tract 1 and Tract 2 being the same property described in a deed from Kirk Davis Hooper and wife, Sharon Vance Hooper to The City of Brevard, dated June 9, 2025, and recorded in the office of the Register of Deeds for Transylvania County in Deed Book 1152, Pages 647-649.

TRACT 3 – PIN: 8596-05-6391
Being all of the same land described in a deed from Gregory Cochran and wife, Martha Cochran, to Thomas Fulcher dated January 12, 1996, and recorded in the office of the Register of Deeds for Transylvania County in Deed Book 396, Page 801, said land being more particularly described in said deed as follows:

BEGINNING at an iron pipe found in the north margin of the right of way of Old US Highway 64, said iron pipe being located in the property line of a tract of land described in a deed to Miller recorded in Book 278, Page 450, Records of Deeds for Transylvania County, and runs thence leaving said margin of the right of way of said highway and along the property line of Miller, North 25 deg. 00 min. 00 sec. West 150.19 feet to an iron pipe found just south of a fence line in the property line of a tract of land described in a deed to Cain recorded in Book 277, Page 443, Records of Deeds for Transylvania County; thence leaving the property line of Miller and along the property line of Cain, North 68 deg. 10 min. 09 sec. East 99.96 feet to an iron pipe found in the property line of a tract of land conveyed to Lyday in a deed recorded in Book 222, Page 258, Records of Deeds for Transylvania County; thence leaving the property line of Cain and along the property line of Lyday, South 24 deg. 59 min. 29 sec. East 142.82 feet to an iron pipe found in the north margin of the right of way of Old US Highway 64; thence leaving the property line of Lyday and along said margin of the right of way of said highway, South 63 deg. 56 min. 25 sec. West 99.80 feet to the BEGINNING. Containing 0.336 acres, more or less, as surveyed and platted by Robert L. Haller, RLS, on October 31, 1990, and updated on January 8, 1996, designated as Drawing Number 95135.

This conveyance is made subject to the right of way of all roads which may presently traverse the property, to all road rights of way which may presently appear of record, to the rights of way of all utility lines which may presently traverse the property and to all rights of way for utility lines which may presently appear of record.

Tract 3 being the same property described in a deed from Patrick Brian Scott and wife, Amber Hooper Scott to The City of Brevard, dated June 9, 2025, and recorded in the office of the Register of Deeds for Transylvania County in Deed Book 1152, Pages 644-646.

2. Public Hearing Scheduled. A public hearing on the question of annexation will be held at Brevard City Hall at 5:30 P.M. on the 16th day of March, 2026, at which time all interested persons will be given an opportunity to be heard.

3. Notice Requirements. Notice of said public hearing shall be published in the Transylvania Times, a newspaper having general circulation in the City of Brevard, at least ten (10) days prior to the date of said public hearing.

4. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this, the 16th day of February, 2026.

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Maureen Copelof
Mayor

ATTEST:

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Denise Hodsdon, CMC, NCCMC
City Clerk