

ORD 2022-1

An Ordinance for the Voluntary Extension of the Corporate Limits of the Town of
Laurel Park, Under the Authority of
North Carolina General Statutes 160A-31
Annexation by Petition

Whereas, Troy Alan McMurray and Edna Victoria McMurray have petitioned the Town of Laurel Park, North Carolina for Voluntary Annexation of 2.99 acres of property located on US Highway 64 and Windsor Drive, Henderson County PIN # 9559-70-4626, pursuant to North Carolina General Statutes 160A-58.1 ; and

Whereas, the Town Council has taken into full consideration the statements presented at the public hearing held on the 10th day of February 2022 on this question of voluntary annexation; and

Whereas, the Town Council has determined that the request for voluntary annexation is noncontiguous to the municipal boundaries of the Town of Laurel Park, and

Whereas, the Town Council has determined that the noncontiguous area proposed for annexation meets all the following standards as a matter of fact.

- (1) The nearest point on the proposed satellite corporate limits must be not more than three miles from the primary corporate limits of the Town of Laurel Park.
- (2) No point on the proposed satellite corporate limits may be closer to the primary corporate limits of another city than to the primary corporate limits of the Town of Laurel Park.
- (3) The area must be so situated that the Town of Laurel Park will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits.
- (4) If the area proposed for annexation, or any portion thereof, is not a subdivision as defined in G.S. 160A-376.

(5) The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed ten percent (10%) of the area within the primary corporate limits of the Town of Laurel Park.

(6) The area of the proposed satellite corporate limits is consistent with the Town of Laurel Parks 2016-2026 Comprehensive Plan.

Whereas, the Town Council has concluded and hereby declares that the annexation of the area described herein is necessary for the orderly growth and development of the Town of Laurel Park. The proposed annexation is consistent with the Laurel Park Comprehensive Land Use Plan, is reasonable, and is in the public interest.

Now, Therefore, Be It Ordained, by the Town Council of the Town of Laurel Park:

Section 1.

That from and after the 30th day of June 2022, the effective date of this annexation, the following territory shall be annexed to and become a part of the Town of Laurel Park, and the corporate limits of the Town of Laurel Park shall on said 30th day of June 2022, be extended to include said territory more particularly described by metes and bounds as follows:

BEGINNING at an iron pin in the center of the old Shaws Creek Road, said iron pin being the Southeast corner of the Mrs. L. R. Bamwell (now Carraker) tract, and runs thence with the Eastern boundary line of the said tract, North 20 degrees 16 min East 575 feet to an iron pin, the Northeast corner of said tract; thence South 69 degrees 42 min East 249.5 feet to an iron pin in the center of a road about 16 feet wide; thence with the center of said road, South 20 degrees 16 min West 490 feet to a stake (formerly at Spanish oak) on the North side of the old Shaws Creek Road; thence South 19 degrees 16 min West 41 feet to a stake across said road; thence North 81 degrees 30 min West 148.5 feet to an iron pin in the center of said old road and in the North line of a small tract conveyed to Carraker by Ross; thence with the center of said old road and with Carraker's line, North 79 degrees 24 min West 100 feet to the point of BEGINNING, containing 3.15 acres, and being the same land as described in a deed from Helen Schroader to Louis E. Post, recorded in Book 223 and Page 581, of the Records of Deeds for Henderson County, North Carolina. Also being the same land as described in a Deed from H.A. Corriher and wife, Marcelene S. Corriher to H. F. Drake and wife, dated June 1, 1949, and registered in the office of the Register of Deeds for Henderson County, North Carolina, in Book 287 at Page 248.

.AND BEING the same property conveyed to Edward Dwight McMurray by Deed recorded on July 23, 1973 in Deed Book 510 at Page 531, Henderson County Registry.

Edward McMurray passed on March 21, 2017, in Buncombe County, North Carolina, leaving a Last Will and Testament that is probated in Henderson County Clerk of Court's Office as File

17 E 402, which left the above described property to Tory Alan McMurrary and Edna Victoria McMurray.

Section 2.

Upon and after June 30, 2022, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Laurel Park and shall be entitled to the same privileges and benefits as other parts of the Town of Laurel Park.

Section 3.

The Mayor of Laurel Park shall cause to be recorded in the Office of the Register of Deeds of Henderson County and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of the ordinance. Such a map shall also be delivered to the Henderson County Board of Elections as required by G.S. 163-288.1.

Adopted this _____ day of February 2022.

J. Carey O'Cain

Mayor

I, Tamara Amin, Town Clerk of the Town of Laurel Park, North Carolina, being first duly sworn, do hereby certify the attached document is a true and original copy as adopted by the Town of Laurel Park Council at their meeting held on the 10th day of February 2022.

In witness whereof, I have hereunto set my hand and affixed the official Seal of the Town of Laurel Park, North Carolina, this 10th day of February 2022.

Tamara Amin, CMC, Town Clerk

(Seal)