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NEDRA W. MOLES, Henderson COUNTY, NC

TOWN OF MILLS RIVER

→ 124 Town Center Drive, Mills River, NC 28759 Ordinance 00089

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
TOWN OF MILLS RIVER, NORTH CAROLINA**

WHEREAS, the Mills River Town Council has been petitioned under N.C.G.S. §160A-31 to annex the area described below; and

WHEREAS, the Mills River Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Mills River Town Hall at 7:15 PM on January 9, 2014 after due notice by publication in the Hendersonville Lightning on December 25, 2013 and recessed to March 13, 2014 at 7:15 PM; and,

WHEREAS, the Mills River Town Council finds that the petition meets the requirements of N.C.G.S. § 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Mills River, North Carolina that:

Section 1. By virtue of the authority granted by N.C.G.S. §160A-31, the following described territory is hereby annexed and made part of the Town of Mills River, North Carolina as of March 31, 2014 at 12:01 AM:

Starting at a point (existing #4 rebar) on the property owned by the City of Asheville (Asheville Airport) described in Deed Book 779 Page 008 Tract 1 at the Terminus of the 7th course and proceeding S05°58'38"W a distance of 633.01 feet to the Point of Beginning of this tract of land thence from this beginning point (1/2 in iron pipe) the following calls and distances: S29°12'35"W 61.13 feet, S81°52'43"E 13.68 feet, S05°57'45"W 975.31 feet, S06°45'49"W 1008.32 feet to an existing 3/4 in. iron pipe, thence S63°09'56"W 1062.26 feet, N86°01'05"W 1086.35 feet to a point on the east bank of the French Broad River thence following the river

bank the following calls and distances – N09°46'38"W 126.01 feet, N11°08'05"E 116.27 feet, N24°42'58"E 114.20 feet, N47°10'27"E 71.71 feet, N38°11'44"E 119.35 feet, N32°24'00"E 143.63 feet, N28°34'17"E 248.20 feet, N25°09'56"E 191.75 feet, N10°49'20"E 52.49 feet, N20°39'01"E 75.35 feet, N 22°23'49"E 107.71 feet, N20°32'03"E 217.03 feet, N 35°43'07"E 76.26 feet, N 46°53'21"E 73.87 feet, N47°33'46"E 143.21 feet, N52°14'25"E 58.63 feet, N45°50'10"E 87.01 feet, N68°58'59"E 86.01 feet, N73°07'19"E 113.88 feet, N53°56'20"E 138.55 feet, N 43°02'58"E 105.97 feet, N17°56'24"E 170.43 feet, N07°08'47"W 62.51 feet, N18°50'54"E 139.72 feet, N05°00'12"E 100.13 feet, N14°26'07"W 20.56 feet, thence leaving the east bank of the French Broad River and heading S81°44'04"E 400.87 feet, N81°10'36"E 187.87 feet, S76°56'42"E 47.89 feet and finally N 80°13'22"E 256.70 feet to the Point of Beginning. This boundary encompassing a total area of 80.12 acres as shown on a plat prepared by David H. Hill, PLS dated June 15, 2012 and recorded at Slide 8614 in the Henderson County Register of Deeds office.

Being also that property as shown on the survey plat prepared by David H. Hill dated June 15, 2012 and recorded at the Henderson County Register of Deeds as plat slide #8614.

The tracts bear the following Henderson County Geographic Information System PIN and acreage. PIN 9643019943 (80.53 acres, more or less)


Section 2. Upon and after March 31, 2014 at 12:01 AM, 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 Mills River and shall be entitled to the same privileges and benefits as other parts of the Town of Mills River. Said territory shall be subject to municipal taxes according to N.C.G.S. §160A-58.10.

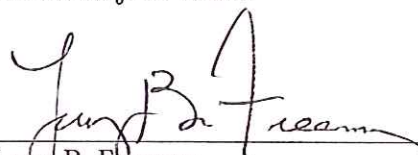
Section 3. Pursuant to N.C.G.S. §160A-360, all county land use regulation and enforcement of same shall continue for a period of sixty (60) days from the date of annexation or until the Town of Mills River enacts a land use ordinance regulating the annexed territory, whichever first occurs.

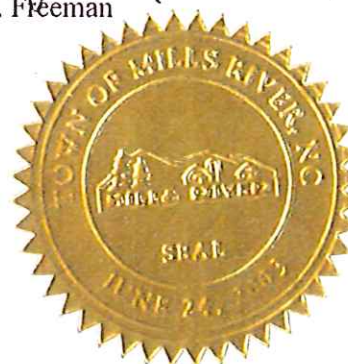
Section 4. The Mayor of the Town of Mills River shall cause to be recorded in the office of the Register of Deeds of Henderson County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Henderson County Board of Elections, as required by N.C.G.S. §163-288.1.

Adopted this 13th day of March, 2014.

ATTEST:


Susan L. Powell, MMC, NCCMC
Town Clerk


Larry B. Freeman
Mayor

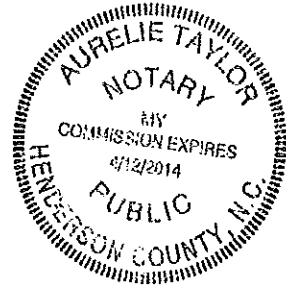


STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

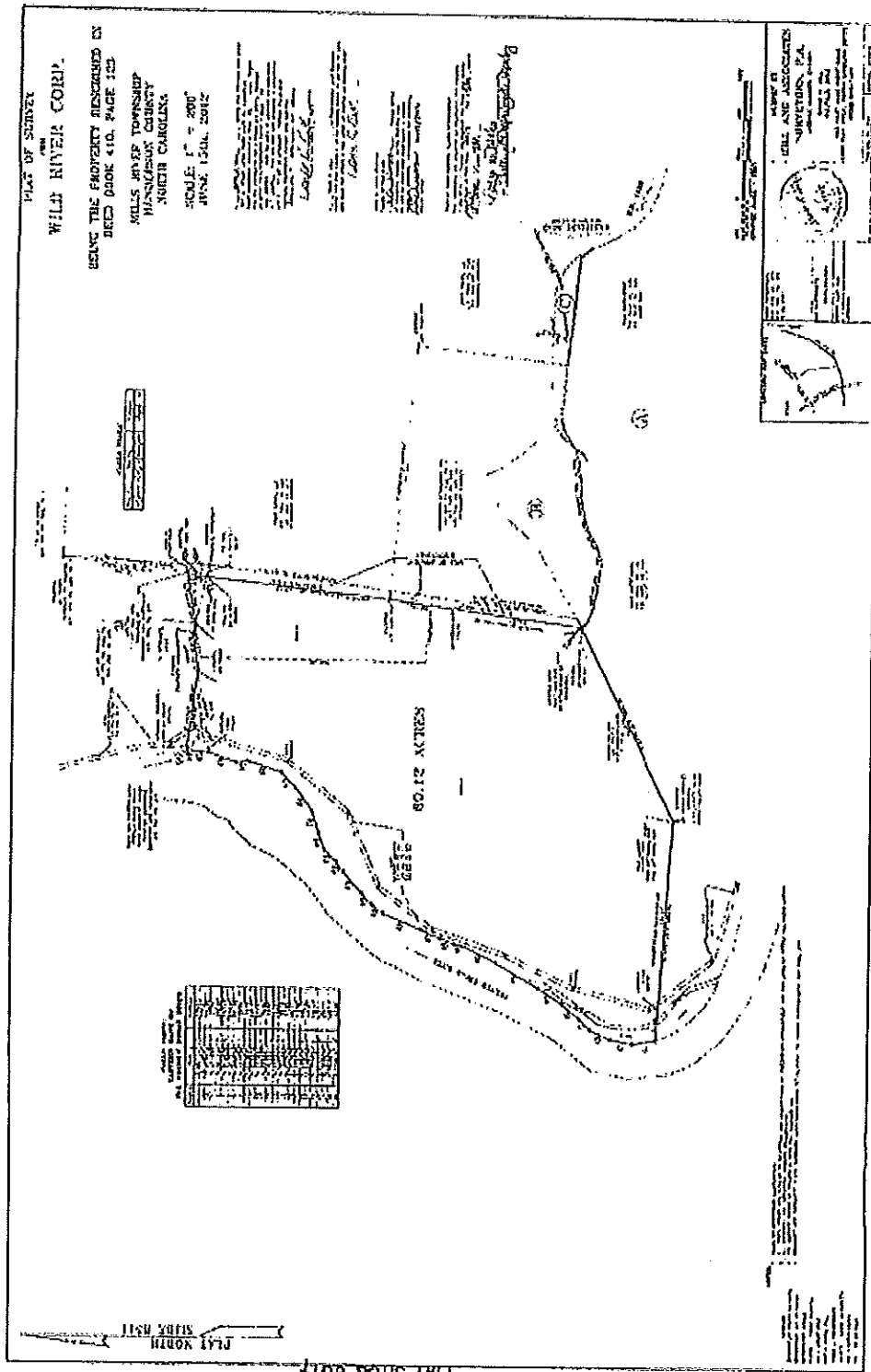
I, Aurelie Taylor, a Notary Public in Henderson County, State of North Carolina, do hereby certify that Larry B. Freeman in his capacity of Mayor of the Town of Mills River; and, Susan L. Powell, in her capacity of Town Clerk, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this the 13th day of March, 2014.

 (seal)
Aurelie Taylor



My commission expires: 4-12-14



This map is not a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations.