

**CITY OF CLAREMONT
ORDINANCE 44-26
AN ORDINANCE TO ADOPT THE DEVELOPMENT AGREEMENT BY AND
BETWEEN THE CITY OF CLAREMONT AND LEGACY HOME BUILDERS NORTH
CAROLINA, LLC**

WHEREAS, N.C.G.S. 160D-1001 through 160D-1012 (the “Act”), authorizes municipalities to enter into development agreements with developers under the terms and conditions stated in the statutes, and

WHEREAS, the City of Claremont (“City”) and Legacy Home Builders North Carolina, LLC (“Developer”) have negotiated an agreement in accord with and under the authority of the cited statutes, and

WHEREAS, a public hearing was held on the 4th day of May, 2026 as set forth in N.C.G.S. 160D-1003, providing public review of the Development Agreement, as defined below; and

WHEREAS, the City finds that the Development Agreement is consistent with the Act, the City’s adopted policy guidance, and the Current Regulations, as defined in the Development Agreement, and is reasonable and in the public interest for the reasons set forth in the Development Agreement;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Claremont, North Carolina, that:

Section 1. Pursuant to the authority granted to the City by Article 10 of Chapter 160D of the North Carolina General Statutes, the City hereby adopts the Development Agreement by and among the City and the Developer, attached hereto (the “Development Agreement”), and authorizes the Manager to execute the Development Agreement.

(See Attached Metes and Bounds Description)

Section 2. This ordinance is effective upon recording in the public land records of the Catawba County Register of Deeds.

ADOPTED this 4th day of May, 2026.

Shawn R. Brown

Shawn R. Brown, Mayor

ATTEST:

Wendy L. Helms
Wendy L. Helms, City Clerk

APPROVED AS TO FORM:

Robert M. Grant Jr.
Robert M. Grant Jr., City Attorney

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

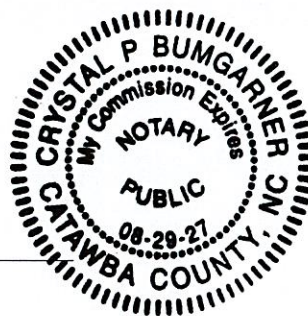
I, Crystal P. Bumgarner a Notary Public of the County and State aforesaid, certify that Shawn R. Brown, came before me this day and acknowledged the due execution of the foregoing instrument for the purposes herein expressed.

Witness my hand and official stamp or seal, this 4th day of May, 2026

Crystal P. Bumgarner
Notary Public

Crystal P. Bumgarner
Printed Name of Notary Public

My commission expires: Aug 29, 2027



STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

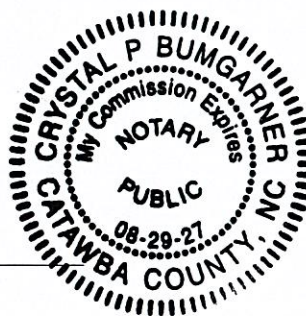
I, Crystal P. Bumgarner a Notary Public of the County and State aforesaid, certify that Wendy L. Helms, came before me this day and acknowledged the due execution of the foregoing instrument for the purposes herein expressed.

Witness my hand and official stamp or seal, this 4th day of May, 2026

Crystal P. Bumgarner
Notary Public

Crystal P. Bumgarner
Printed Name of Notary Public

My commission expires: Aug 29, 2027



STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

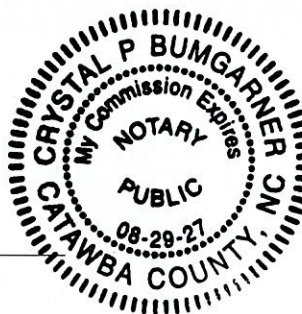
I, Crystal P. Bumgarner a Notary Public of the County and State aforesaid, certify that Robert M. Grant, Jr., came before me this day and acknowledged the due execution of the foregoing instrument for the purposes herein expressed.

Witness my hand and official stamp or seal, this 4th day of May, 2026

Crystal P. Bumgarner
Notary Public

Crystal P. Bumgarner
Printed Name of Notary Public

My commission expires: Aug 29, 2027



Metes & Bounds

Parcel ID: 375116943351

TRACT I: Being all of a 43.996 acre tract in Newton Township, Catawba County, North Carolina and being more particularly described as follows: BEGINNING at a new iron located in the northwestern margin of Shangri La Lane (SR 2424) and in the northeastern property line of Robert E. Smith (Deed 1787/246), said new iron being located N53°18'10"W 60.00 feet from an existing 7/8" pipe located in the southeastern margin of Shangri La Ln; thence from said beginning and with the northeastern property line of Robert E. Smith, N53°18'10"W 439.55 feet to an existing 1/2" rebar; thence with the northeastern property line of Wayne Simanovich, et al. (Deed 3923/963), N53°19'51"W 393.67 feet to an existing 1" pipe; thence with the common property lines with John M. Self (Deed 3474/683), the following two (2) calls and distances: (1) N03°47'41"E passing through a reference iron at a distance of 811.83 feet, a total distance of 821.83 feet to a 32" post oak, and (2) N55°22'00"W passing through a reference iron at a distance of 10.00 feet, a total distance of 363.12 feet to an existing 7/8" pipe; thence with the common property lines with MHBPC, Inc. (Deeds 1504/155, 1541/162, and 1541/165), the following three (3) calls and distances: (1) N04°27'17"E 444.81 feet to an existing 5/8" rod, (2) N70°09'47"E 435.63 feet to an existing 7/8" pipe, and (3) N32°29'07"E 181.66 feet to a calculated point in the centerline of the creek, said calculated point being located S32°35'38"W 80.00 feet from an existing 5/8" rebar located in the southeastern property line of Ethan Allen Operations, Inc. (Deed 3724/1573), said existing 5/8" rebar being located S32°31'10"W 956.84 feet from an existing mag nail in the intersection of Kelly Boulevard and Penny Road; thence with the centerline of the creek and with the southwestern property lines of Exeter 2973 Kelly, LLC (Deed 3433/458), the following eleven (11) calls and distances: (1) S41°05'39"E 58.85 feet to a calculated point, (2) S13°55'35"E 41.38 feet to a calculated point, (3) S24°38'10"E 98.57 feet to a calculated point, (4) S21°07'22"E 137.03 feet to a calculated point, (5) S29°38'37"E 68.28 feet to a calculated point, (6) S27°09'42"E 87.00 feet to a calculated point, (7) S52°37'03"E 159.04 feet to a calculated point, (8) S43°25'56"E 114.08 feet to a calculated point, (9) S70°04'47"E 83.97 feet to a calculated point, (10) S16°10'26"E 18.75 feet to a calculated point, and (11) S78°36'41"E 41.24 feet to a calculated point, said calculated point being located S40°43'57"W 33.22 feet from an existing 1/2" rebar in the southeastern property line of Exeter 2973 Kelly, LLC; thence with the centerline of the creek and with the southwestern property lines of Southeastern Freight Lines, Inc. (Deed 2165/1726), the following nine (9) calls and distances: (1) S35°24'12"E 82.00 feet to a calculated point, (2) S44°15'52"E 55.06 feet to a calculated point, (3) S61°35'17"E 45.80 feet to a calculated point, (4) S24°07'48"E 64.94 feet to a calculated point, (5) S44°44'57"E 79.46 feet to a calculated point, (6) S50°51'34"E 83.37 feet to a calculated point, (7) S03°37'19"E 22.75 feet to a calculated point, (8) S39°16'16"E 63.38 feet to a calculated point, and (9) S37°45'38"E 92.35 feet to a calculated point, said calculated point being located S43°09'12"W 143.13 feet from and existing 1/2" rebar located in the southeastern property line of Southeastern Freight Lines, Inc.; thence with the centerline of the creek and with the southwestern property lines of the City of Claremont (Deed 3266/569), the following eight (8) calls and distances: (1) S57°18'41"E 26.37 feet to a calculated point, (2) S52°49'12"E 19.86 feet to a calculated point, (3) S26°40'41"E 98.32 feet to a calculated point, (4) S50°14'46"E 39.29 feet to a calculated point, (5) S58°46'25"E 29.75 feet to a calculated point, (6) S60°03'56"E 24.45 feet to a calculated point, (7) S37°56'43"E 13.13 feet to a calculated point, and (8) S37°54'01"E 2.68 feet to a calculated point in the northwestern margin of Shangri La Lane;

thence with the northwestern margin of Shangri La Lane, the following three (3) calls and distances: (1) S34°27'50"W 122.28 feet to a new iron, (2) S33°24'37"W 158.53 feet to a new iron, and (3) S36°47'17"W 926.78 feet to a new iron, the point and place of BEGINNING, containing 43.996 acres by coordinate computation as shown on survey plat entitled: Boundary Survey for: Legacy Home Builders North Carolina LLC, dated 10/08/2025 by Bunton Surveying and Mapping, P.A., as certified by Derek R. Bunton, PLS-4808.

Parcel ID: 375116838104

TRACT II: Being all of a 5.752 acre tract in Newton Township, Catawba County, North Carolina and being more particularly described as follows: BEGINNING at a calculated point in the centerline of Keisler Dairy Road (SR 1731), said existing calculated point being the southeastern corner of Bailie Joy (Deed 3856/1149); thence leaving Keisler Dairy Road and with the common property lines with Bailie Joy, the following three (3) calls and distances: (1) N19°40'36"E 29.49 feet to an existing 1/2" rebar, said existing 1/2" rebar being located S75°42'36"E 2,377.22 feet from an existing mag nail in the intersection of Keisler Dairy Road and Clareview Drive, (2) N19°40'36"E 218.80 feet to an existing 1/2" rebar, and (3) N63°53'11"W 174.94 feet to an existing 1/2" rebar; thence with the eastern property lines of Michelle E. Beckham (Deed 3910/1822), the following two (2) calls and distances: (1) N19°39'39"E 156.48 feet to an existing 2" rod, and (2) N03°25'16"E 159.72 feet to an existing 2" rod; thence with the eastern property line of John M. Self (Deed 3474/683), N03°54'19"E 421.87 feet to an existing 1" pipe; thence with the southwestern property line of Michael Dale Frazier, et al. (Deed 3894/712), S53°19'51"E 393.67 feet to an existing 1/2" rebar; thence with the northwestern property line of Robert E. Smith (Deed 1787/246), S36°45'00"W 175.32 feet to an existing 1/2" rebar; thence with the western property line of Nathan E. McGee (Deed 1251/638), S07°19'58"E 424.17 feet to an existing 3/4" rebar; thence with the western property line of Jeffrey Green (Deed 3724/1155), S21°11'16"W passing through an existing 3/4" rebar at a distance of 313.46 feet, a total distance of 343.71 feet to a calculated point in the centerline of Keisler Dairy Road, thence with the centerline of Keisler Dairy Road, N63°40'40"W 176.50 feet to a calculated point, the point and place of BEGINNING, containing 5.752 acres by coordinate computation as shown on survey plat entitled: Boundary Survey for: Legacy Home Builders North Carolina LLC, dated 10/08/2025 by Bunton Surveying and Mapping, P.A., as certified by Derek R. Bunton, PLS-4808.

Metes & Bounds

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Please note that this document is provided for informational purposes only, is general in nature, and is not intended to and should not be relied upon or construed as an offer of terms on behalf of the City of Claremont.

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