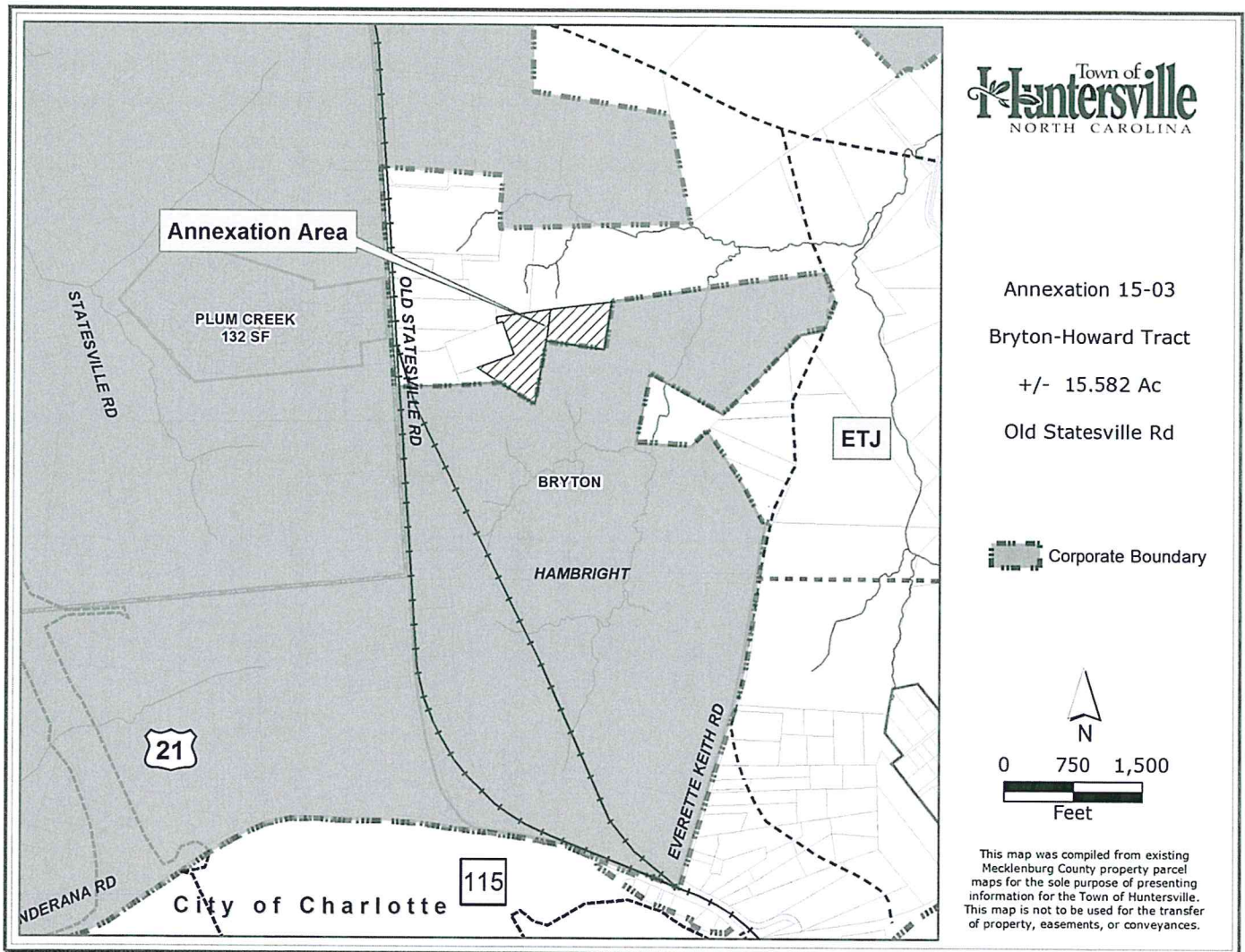


## Contiguous Annexation Petition # 15-03 Bryton – Howard Tract Annexation

### EXPLANATION OF THE REQUEST

ANNEX #15-03 is for the contiguous annexation into the Town of Huntersville of 15.582-acres consisting of two (2) parcels (PIN # 019-111-17 & 18), known as the Bryton – Howard Tract.

### LOCATION



### BACKGROUND

Gwendolyn Howard has filed a petition with the Town of Huntersville to consider voluntary contiguous annexation pursuant to North Carolina General Statutes Section 160A-31. The proposed area to be annexed is 15.582-acres.

All statutory requirements for annexation have been met:

- A petition requesting annexation was received on June 30, 2015 (Attachment A).
- The Town Clerk certified the sufficiency of the petition on August 11, 2015 (Attachment B)
- The Board of Commissioners adopted a Resolution of Intent on August 17, 2015 to annex said property and set the date for the public hearing to be held on September 21, 2015 (see Attachment C).

- Notice of the public hearing was placed in a newspaper of general circulation. The notice appeared in the Charlotte Observer on September 6, 2015. (Attachment C)
- The Towns of Cornelius, Davidson and Huntersville, as well as the City of Charlotte, have an agreement with one another to provide a standard 60-day notice period when any annexation is proposed within their jurisdictions. The Towns of Cornelius and Davidson have signed a letter agreeing to waive the full 60-day notice period so that the Town of Huntersville may proceed expeditiously with the annexation petition (see Attachments G & H). The property is not required to have a waiver from City of Charlotte, per the 2014 Annexation Agreement.

#### **STAFF RECOMMENDATION**

Since all statutory requirements have been met in full, staff recommends that the Board of Commissioners approve the petition with Mayor's signature on the associated ordinance. If the Final Action of this annexation takes place on September 21, 2015, the voluntary contiguous annexation would also become effective on September 21, 2015.

#### **ATTACHMENTS**

- A – Contiguous Annexation Petition
- B – Site Survey—A full size site survey is available at the Planning Department
- C - Certificate of Sufficiency
- D – Resolution of Intent to Annex
- E - Contiguous Annexation Ordinance
- F - Public Hearing Ad
- G – Town of Cornelius 60-day Notice
- H – Town of Davidson 60-day Notice

Copy



PETITION REQUESTING ANNEXATION

To the Board of Commissioners of the Town of Huntersville:

- 1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.
- 2. The area to be annexed is contiguous ~~(non-contiguous)~~ [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:

(a) a metes and bounds description of the parcel(s) identified in paragraph 1, and

(b) a plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.

- 3. The petitioner ~~(does)~~ (does not) [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows:

\_\_\_\_\_  
\_\_\_\_\_

- 4. This petition may be one of multiple petitions of all owners within the described area and, if so, shall be considered as a single petition. If petitioner is the owner of a portion of described area, a brief description of that portion (for example, lot number on a recorded plat or tax parcel number), as of the date of this petition, is as follows:

Tax Parcel #01911117

✓ 9.28 ac (Powers)

3772 / 520 (7/18/1975)

Gwendolyn Ann J. Parks Howard

Property Owner(s)

12030 Old Statesville Road, Huntersville, NC 28078

Address of Property Owner(s)

N/A

Telephone Number

N/A

E-mail address

*Gwendolyn Ann J. Parks Howard*

Signature of Property Owner

Date

*June 30, 2015*



Copy

PETITION REQUESTING ANNEXATION

To the Board of Commissioners of the Town of Huntersville:

- 1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.
- 2. The area to be annexed is (contiguous) (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:

(a) a metes and bounds description of the parcel(s) identified in paragraph 1, and

(b) a plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.

- 3. The petitioner (does) (does not) [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows:

\_\_\_\_\_  
\_\_\_\_\_

- 4. This petition may be one of multiple petitions of all owners within the described area and, if so, shall be considered as a single petition. If petitioner is the owner of a portion of described area, a brief description of that portion (for example, lot number on a recorded plat or tax parcel number), as of the date of this petition, is as follows:

Tax Parcel #01911118

6.29 ac (POLARIS)

9732/957 (6/12/1998)

Gwendolyn J. Howard

Property Owner(s)

12030 Old Statesville Road, Huntersville, NC 28078

Address of Property Owner(s)

N/A

Telephone Number

N/A

E-mail address

*Gwendolyn J. Howard*

Signature of Property Owner

*June 30, 2015*

Date

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE DESCRIBED PROPERTY BEING ANNEXED.

TAX ID# 019-11-17  
 DB 09722 PG 837  
 DB 3772 PG 830  
 DB 4788 PG 151  
 TRACT 2

OWNER(S) \_\_\_\_\_ DATE \_\_\_\_\_ 2015

THIS PLAT REPRESENTS ONE AREA BEING ANNEXED TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR REZONING.

RENEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_ 2015

TOWN OF HINTERSVILLE  
 ATTEST: TOWN CLERK

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE DESCRIBED PROPERTY BEING ANNEXED.

TAX ID# 019-11-17  
 DB 09722 PG 837  
 DB 3772 PG 830  
 DB 4788 PG 151  
 TRACT 2

OWNER(S) \_\_\_\_\_ DATE \_\_\_\_\_ 2015

THIS PLAT REPRESENTS ONE AREA BEING ANNEXED TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR REZONING.

RENEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_ 2015

TOWN OF HINTERSVILLE  
 ATTEST: TOWN CLERK

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE DESCRIBED PROPERTY BEING ANNEXED.

TAX ID# 019-11-17  
 DB 09722 PG 837  
 DB 3772 PG 830  
 DB 4788 PG 151  
 TRACT 2

OWNER(S) \_\_\_\_\_ DATE \_\_\_\_\_ 2015

THIS PLAT REPRESENTS ONE AREA BEING ANNEXED TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR REZONING.

RENEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_ 2015

TOWN OF HINTERSVILLE  
 ATTEST: TOWN CLERK

- SURVEY INFORMATION & SCALE STANDARDS:**
- THIS SURVEY IS OF AN EXISTING PARCEL OF LAND.
  - THIS PLAT IS OF TAX MAP 019-11-17 & 18
  - ZONING: NR
  - ACREAGE OF THIS PLAT: 15.582 ACRES
  - TOTAL NUMBER OF LOTS ON THIS PLAT: 2
  - ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
  - NORTH ARROW REFERENCE TIED TO NC GRID.
  - THIS SURVEY IS NOT AN ACT/ASIN LAND TITLE SURVEY.
  - CHORDS AND CURVES ARE CALCULATED AS SHOWN ON PLAT IN ACCORDANCE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
  - AREA COMPUTED BY COORDINATE METHOD.
  - DASHED LINES INDICATE LINES NOT SURVEYED.
  - #S REBAR SET AT ALL PROPERTY CORNERS, UNLESS DENOTED OTHERWISE.
  - THIS PROPERTY LIES WITHIN THE CLARKE WATERSHED (STREAM WATERSHED).
  - THIS PROPERTY DOES NOT LIE WITHIN A REGULATED DRINKING WATERSHED.
  - MAINTENANCE OF ALL ACCESS EASEMENTS AS SHOWN ON PLAT IS THE RESPONSIBILITY OF THE PROPERTY OWNER OR ASSORE.

**Line Table**

Line #	Length	Direction
L1	16.70'	S107°54'W
L2	85.85'	S11°03'06"W
L3	70.31'	S89°24'53"W

DEVELOPMENT SOLUTIONS BRY, LLC.  
 AREA SUBDIVISION ADDRESS: 12058 STATESVILLE RD. TRACT 1, NR ZONED: NR  
 TAX ID# 019-11-08

DEVELOPMENT SOLUTIONS BRY, LLC.  
 AREA SUBDIVISION ADDRESS: 12058 STATESVILLE RD. TRACT 1, NR ZONED: NR  
 TAX ID# 019-11-08

DEVELOPMENT SOLUTIONS BRY, LLC.  
 AREA SUBDIVISION ADDRESS: 12058 STATESVILLE RD. TRACT 1, NR ZONED: NR  
 TAX ID# 019-11-08

DEVELOPMENT SOLUTIONS BRY, LLC.  
 AREA SUBDIVISION ADDRESS: 12058 STATESVILLE RD. TRACT 1, NR ZONED: NR  
 TAX ID# 019-11-08

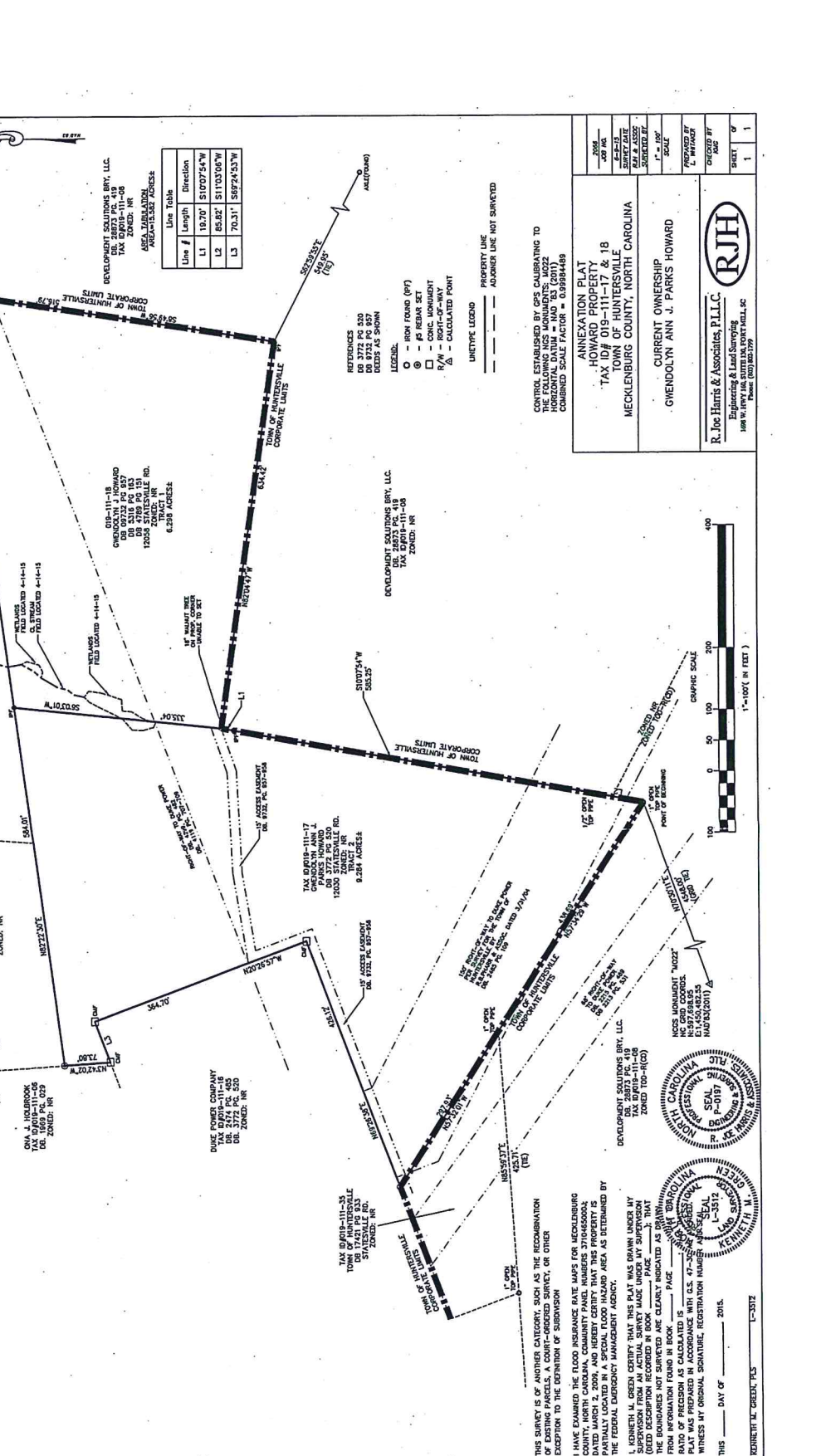
DEVELOPMENT SOLUTIONS BRY, LLC.  
 AREA SUBDIVISION ADDRESS: 12058 STATESVILLE RD. TRACT 1, NR ZONED: NR  
 TAX ID# 019-11-08

DEVELOPMENT SOLUTIONS BRY, LLC.  
 AREA SUBDIVISION ADDRESS: 12058 STATESVILLE RD. TRACT 1, NR ZONED: NR  
 TAX ID# 019-11-08

DEVELOPMENT SOLUTIONS BRY, LLC.  
 AREA SUBDIVISION ADDRESS: 12058 STATESVILLE RD. TRACT 1, NR ZONED: NR  
 TAX ID# 019-11-08

DEVELOPMENT SOLUTIONS BRY, LLC.  
 AREA SUBDIVISION ADDRESS: 12058 STATESVILLE RD. TRACT 1, NR ZONED: NR  
 TAX ID# 019-11-08

DEVELOPMENT SOLUTIONS BRY, LLC.  
 AREA SUBDIVISION ADDRESS: 12058 STATESVILLE RD. TRACT 1, NR ZONED: NR  
 TAX ID# 019-11-08



CONTROL ESTABLISHED BY GPS CALIBRATING TO THE FOLLOWING MONUMENTS: MOZZ MONUMENT, MONUMENT AND MONUMENT. COMBINED SCALE FACTOR: 0.99999489

LEGEND:  
 ○ - IRON TANG (PT)  
 □ - CONC. MONUMENT  
 R/W - RIGHT-OF-WAY  
 △ - CALCULATED POINT

UNITYPE LEGEND:  
 --- PROPERTY LINE  
 --- ADJACENT LINE NOT SURVEYED

ANNEXATION PLAT  
 HOWARD PROPERTY  
 TOWN OF HINTERSVILLE  
 MECKLENBURG COUNTY, NORTH CAROLINA

CURRENT OWNERSHIP  
 GWENDOLYN ANN J. PARKS HOWARD

R. Joe Harris & Associates, PLLC  
 Engineering & Land Surveying  
 1408 W. IRYE RD. SUITE 104, FAYETTEVILLE, NC  
 PHONE: (703) 251-1779

THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION

I HAVE EXAMINED THE FLOOD INSURANCE RATE MAPS FOR MECKLENBURG COUNTY, NORTH CAROLINA, COMMUNITY PANEL NUMBERS 3710465000A DATED JANUARY 2, 2009, AND HEREBY CERTIFY THAT THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

I, GWENDOLYN ANN J. PARKS HOWARD, SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. THE BOUNDARIES HEREON ARE CLEARLY MARKED AS SHOWN ON PLAT. THE RATIO OF PRECISION AS CALCULATED IS \_\_\_\_\_ PAGE \_\_\_\_\_ THAT THE BOUNDARIES HEREON ARE CLEARLY MARKED AS SHOWN ON PLAT. THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-28 AND IS WITNESSED BY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL OF THE SURVEYOR.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2015.

GWENDOLYN ANN J. PARKS HOWARD L-3514



GRAPHIC SCALE  
 1" = 100' (IN TEXT)

ANNEXATION PLAT  
 HOWARD PROPERTY  
 TOWN OF HINTERSVILLE  
 MECKLENBURG COUNTY, NORTH CAROLINA

CURRENT OWNERSHIP  
 GWENDOLYN ANN J. PARKS HOWARD

R. Joe Harris & Associates, PLLC  
 Engineering & Land Surveying  
 1408 W. IRYE RD. SUITE 104, FAYETTEVILLE, NC  
 PHONE: (703) 251-1779

THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION

I HAVE EXAMINED THE FLOOD INSURANCE RATE MAPS FOR MECKLENBURG COUNTY, NORTH CAROLINA, COMMUNITY PANEL NUMBERS 3710465000A DATED JANUARY 2, 2009, AND HEREBY CERTIFY THAT THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

I, GWENDOLYN ANN J. PARKS HOWARD, SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. THE BOUNDARIES HEREON ARE CLEARLY MARKED AS SHOWN ON PLAT. THE RATIO OF PRECISION AS CALCULATED IS \_\_\_\_\_ PAGE \_\_\_\_\_ THAT THE BOUNDARIES HEREON ARE CLEARLY MARKED AS SHOWN ON PLAT. THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-28 AND IS WITNESSED BY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL OF THE SURVEYOR.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2015.

GWENDOLYN ANN J. PARKS HOWARD L-3514



GRAPHIC SCALE  
 1" = 100' (IN TEXT)

ANNEXATION PLAT  
 HOWARD PROPERTY  
 TOWN OF HINTERSVILLE  
 MECKLENBURG COUNTY, NORTH CAROLINA

CURRENT OWNERSHIP  
 GWENDOLYN ANN J. PARKS HOWARD

R. Joe Harris & Associates, PLLC  
 Engineering & Land Surveying  
 1408 W. IRYE RD. SUITE 104, FAYETTEVILLE, NC  
 PHONE: (703) 251-1779

THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION

I HAVE EXAMINED THE FLOOD INSURANCE RATE MAPS FOR MECKLENBURG COUNTY, NORTH CAROLINA, COMMUNITY PANEL NUMBERS 3710465000A DATED JANUARY 2, 2009, AND HEREBY CERTIFY THAT THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

I, GWENDOLYN ANN J. PARKS HOWARD, SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. THE BOUNDARIES HEREON ARE CLEARLY MARKED AS SHOWN ON PLAT. THE RATIO OF PRECISION AS CALCULATED IS \_\_\_\_\_ PAGE \_\_\_\_\_ THAT THE BOUNDARIES HEREON ARE CLEARLY MARKED AS SHOWN ON PLAT. THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-28 AND IS WITNESSED BY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL OF THE SURVEYOR.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2015.

GWENDOLYN ANN J. PARKS HOWARD L-3514



GRAPHIC SCALE  
 1" = 100' (IN TEXT)

**CERTIFICATE OF SUFFICIENCY OF PETITION**  
**Bryton – Howard Tract**

To: The Board of Commissioners of the Town of Huntersville, North Carolina.

I, JANET PIERSON, Town Clerk, do hereby certify that I have investigated the Petition for Bryton – Howard Tract for contiguous annexation of certain property, and have found as a fact that said Petition is signed by all the owners of real property lying in the area described therein, in accordance with North Carolina General Statutes 160A-31, *et seq.* The undersigned therefore certifies that the Petition is sufficient for the voluntary annexation of a contiguous area pursuant to Section 160A-31 of the General Statutes of North Carolina.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the seal of the Town of Huntersville, this 11<sup>th</sup> day of August, 2015.

  
Janet Pierson, Town Clerk

(TOWN SEAL)



**RESOLUTION FIXING DATE OF PUBLIC HEARING  
ON QUESTION OF ANNEXATION PURSUANT TO N.C.G.S. 160A-31**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Board of Commissioners has directed the Town Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the Town Clerk as to the sufficiency of said petition has been made;

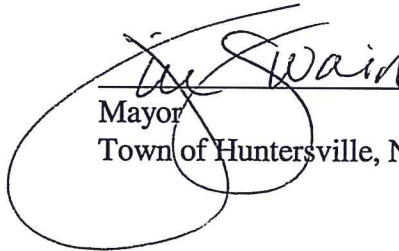
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Huntersville, North Carolina:

Section 1. That a public hearing on the question of annexation of the area described herein which is contiguous to the primary town limits of the Town of Huntersville will be held at the Town Hall at 6:30 p.m. on the 21st day of September, 2015.

Section 2. The area proposed for annexation is described as follows:

(Metes and bounds description attached hereto as Exhibit A.)

Section 3. Notice of said public hearing shall be published in the Charlotte Observer, a newspaper having a general circulation in the Town of Huntersville, at least ten (10) days prior to the date of said public hearing.

  
\_\_\_\_\_  
Mayor  
Town of Huntersville, North Carolina

ATTEST:

  
\_\_\_\_\_  
Town Clerk

LEGAL DESCRIPTION

BEING A PARCEL OF LAND LOCATED IN THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA, TAX ID# 019-111-17 & 019-11-18 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1" OPEN TOP PIPE SOUND ON THE COMMON CORNER OF THE PROPERTY OWNED BY GWENDOLYN ANN I. PARKS HOWARD (HEREINAFTER REFERRED TO AS THE SUBJECT PROPERTY) AS RECORDED IN DB 3772, PAGE 520 IN THE MECKLENBURG COUNTY REGISTER OF DEEDS AND THE PROPERTY OWNED BY DEVELOPMENT SOLUTIONS BRL, LLC. AS RECORDED IN DB 28873 PG 419 IN AFORESAID REGISTRY, SAID 1" OPEN TOP PIPE ALSO BEING LOCATED N70°30'11"E A DISTANCE OF 4548.00' FROM NCGS MONUMENT "MO22", SAID MONUMENT HAVING NC GRID COORDINATES N:597,698, 95 FT. AND E:1,450,482.55 FT. THENCE FROM SAID POINT OF BEGINNING THE FOLLOWING TWO (2) CALLS: 1) N57°34'29"W A DISTANCE OF 438.69' TO AN OPEN TOP PIPE FOUND; 2) N57°32'01"W A DISTANCE OF 297.93' TO A US REBAR SET ON THE COMMON LINE OF THE SUBJECT PROPERTY AND THE PROPERTY OWNED BY DUKE POWER COMPANY AS RECORDED IN DB 2\*74, PG 485 IN AFORESAID REGISTRY. THENCE ALONG SAID COMMON LINE THE FOLLOWING THREE (3) CALLS: 1) N69°26'38"E A DISTANCE OF 426.12' TO A CONCRETE MONUMENT SOUND, 2) N20°26'57"W A DISTANCE OF 364.70' TO A CONCRETE MONUMENT SOUND, 3) S69°24'53"W A DISTANCE OF 70.31' TO A CONCRETE MONUMENT FOUND ON THE COMMON LINE OF THE SUBJECT PROPERTY AND THE PROPERTY OWNED BY ONA J. HOLBROOK AS RECORDED IN DB 1969, PG 29 IN AFORESAID REGISTRY. THENCE ALONG SAID COMMON LINE N03°42'02"W A DISTANCE OF 73.80' TO A #5 REBAR SET. THENCE LEADING SAID COMMON LINE AND ALONG THE COMMON LINE OF THE SUBJECT PROPERTY AND THE PROPERTY OWNED BY GARY LANE NORRIS AS RECORDED IN DB 4552, PG 918 IN AFORESAID REGISTRY N82°22'30"E A DISTANCE OF 584.01' TO AN IRON FOUND, SAID IRON BEING ON THE COMMON LINE OF THE SUBJECT PROPERTY AND THE PROPERTY OWNED BY WILSON D. JOHNSTON AS RECORDED IN DB 4654, PG 6 IN AFORESAID REGISTRY. THENCE CONTINUING ALONG SAID COMMON LINE N82°22'14"E A DISTANCE OF 678.41' TO A 3/4" OPEN TOP PIPE SOUND ON THE COMMON LINE OF THE SUBJECT PROPERTY AND THE PROPERTY OWNED BY DEVELOPMENT SOLUTIONS BRL, LLC. AS RECORDED IN DB 28873 PG 419 IN AFORESAID REGISTRY. THENCE ALONG SAID COMMON LINE THE FOLLOWING FIVE (5) CALLS: 1) S08°49'56"W A DISTANCE OF 516.79' TO AN IRON PIN SOUND; 2) N82°04'47"W A DISTANCE OF 634.42' TO A CATCH RATED POINT AT AN 18" WALNUT TREE; 3) S10°07'54"W A DISTANCE OF 19.70' TO AN IRON SOUND; 4) S10°07'54"W A DISTANCE OF 585.25' TO A 1/2" OPEN TOP PIPE FOUND, 5) S11°03'06"W A DISTANCE OF 85.82' TO THE POINT AND PLACE OF BEGINNING, CONTAINING 15.582 ACRES, MORE OR LESS.

AN ORDINANCE TO ANNEX CERTAIN CONTIGUOUS AREAS  
TO THE TOWN OF HUNTERSVILLE, NORTH CAROLINA

**ANNEXATION ORDINANCE 2015-03**  
(Bryton – Howard Tract)

---

WHEREAS, the Board of Commissioners has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the Board of Commissioners has by resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at Huntersville Town Hall at 6:30 p.m. on the 21st day of September 2015, after due notice by publication in The Charlotte Observer in the September 6, 2015; and

WHEREAS, the Board of Commissioners does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended, namely (i) the area described herein meets all of the standards set out in G.S. 160A-31; (ii) the petition bears the signatures of all of the owners of real property within the area proposed for annexation; (iii) the petition is otherwise valid; (iv) the public health, safety, and welfare of the inhabitants of the city and of the area proposed for annexation will be best served by the annexation;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina;

**Section 1.** By virtue of the authority granted by G.S. 160A-31, as amended, the following described territory is hereby annexed and made part of the Town of Huntersville as of the 21st day of September, 2015:

*See Exhibit A attached hereto for a metes and bounds description of the subject tract*

**Section 2.** Upon the effective date, 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 Huntersville and shall be entitled to the same privileges and benefits as other parts of the Town of Huntersville. Said territory shall be subject to municipal taxes according to G.S. 160A-31(e).

**Section 3.** The Mayor of the Town of Huntersville shall cause to be recorded in the office of the Register of Deeds of Mecklenburg 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 hereof, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Adopted this 21st of September 2015.

Mayor:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Attorney



**Search Results:**

05 ▾ Per Page

Go Back ◀ Page 1 of 1 ▶

Notice Type : Public Hearing

Posting Date : 9/6/2015

Printer Friendly

NOTICE OF PUBLIC HEARING ON REQUEST FOR ANNEXATION Take notice that the Board of Commissioners of the Town of Huntersville has called a public hearing at 6:30 p.m. on the September 21, 2015, at the Town Hall, on the question of annexing the following described territory, requested by petition filed pursuant to NCGS 160A-31, as amended, to annex to the Town of Huntersville certain contiguous property. The property subject to the Petition consists of approximately 15.582 acres, known as Bryton-Howard Tract, and is located at 12030 & 12059 Old Statesville Road, and described as follows: BEING A PARCEL OF LAND LOCATED IN THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA, TAX ID# 019-111-17 & 019-111-18 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 1" OPEN TOP PIPE FOUND ON THE COMMON CORNER OF THE PROPERTY OWNED BY GWENDOLYN ANN J. PARKS HOWARD (HEREINAFTER REFERRED TO AS THE SUBJECT PROPERTY) AS RECORDED IN DB 3772, PAGE 520 IN THE MECKLENBURG COUNTY REGISTER OF DEEDS AND THE PROPERTY OWNED BY DEVELOPMENT SOLUTIONS BRY, LLC. AS RECORDED IN DB 28873 PG 419 IN AFORESAID REGISTRY, SAID 1" OPEN TOP PIPE ALSO BEING LOCATED N70°30'11"E A DISTANCE OF 4548.00' FROM NCGS MONUMENT "MO22", SAID MONUMENT HAVING NC GRID COORDINATES N:597,698.95 FT. AND E:1,450,482.55 FT. THENCE FROM SAID POINT OF BEGINNING THE FOLLOWING TWO (2) CALLS: 1) N57°34'29"W A DISTANCE OF 438.69' TO A 1" OPEN TOP PIPE FOUND; 2) N57°32'01"W A DISTANCE OF 297.93' TO A #5 REBAR SET ON THE COMMON LINE OF THE SUBJECT PROPERTY AND THE PROPERTY OWNED BY DUKE POWER COMPANY AS RECORDED IN DB 2474, PG 485 IN AFORESAID REGISTRY. THENCE ALONG SAID COMMON LINE THE FOLLOWING THREE (3) CALLS: 1) N69°26'38"E A DISTANCE OF 426.12' TO A CONCRETE MONUMENT FOUND; 2) N20°26'57"W A DISTANCE OF 364.70' TO A CONCRETE MONUMENT FOUND; 3) S69°24'53"W A DISTANCE OF 70.31' TO A CONCRETE MONUMENT FOUND ON THE COMMON LINE OF THE SUBJECT PROPERTY AND THE PROPERTY OWNED BY ONA J. HOLBROOK AS RECORDED IN DB 1969, PG 29 IN AFORESAID REGISTRY. THENCE ALONG SAID COMMON LINE N03°42'02"W A DISTANCE OF 73.80' TO A #5 REBAR SET. THENCE LEAVING SAID COMMON LINE AND ALONG THE COMMON LINE OF THE SUBJECT PROPERTY AND THE PROPERTY OWNED BY GARY LANE NORRIS AS RECORDED IN DB 4552, PG 918 IN AFORESAID REGISTRY N82°22'30"E A DISTANCE OF 584.01' TO AN IRON FOUND, SAID IRON BEING ON THE COMMON LINE OF THE SUBJECT PROPERTY AND THE PROPERTY OWNED BY WILSON D. JOHNSTON AS RECORDED IN DB 4654, PG 6 IN AFORESAID REGISTRY. THENCE CONTINUING ALONG SAID COMMON LINE N82°22'14"E A DISTANCE OF 678.41' TO A 3/4" OPEN TOP PIPE FOUND ON THE COMMON LINE OF THE SUBJECT PROPERTY AND THE PROPERTY OWNED BY DEVELOPMENT SOLUTIONS BRY, LLC. AS RECORDED IN DB 28873 PG 419 IN AFORESAID REGISTRY. THENCE ALONG SAID COMMON LINE THE FOLLOWING FIVE (5) CALLS: 1) S08°49'56"W A DISTANCE OF 516.79' TO AN IRON PIN FOUND; 2) N82°04'47"W A DISTANCE OF 634.42' TO A CALCULATED POINT AT AN 18" WALNUT TREE; 3) S10°07'54"W A DISTANCE OF 19.70' TO AN IRON FOUND; 4) S10°07'54"W A DISTANCE OF 585.25' TO A 1/2" OPEN TOP PIPE FOUND; 5) S11°03'06"W A DISTANCE OF 85.82' TO THE POINT AND PLACE OF BEGINNING, CONTAINING 15.582 ACRES, MORE OR LESS. LP1945785

01 ▾ Per Page

Go Back ◀ Page 1 of 1 ▶

**LEGALNOTICE.ORG**

*Information without boundaries*

© 2003-2014 Legal Notice Registry Corporation ("LNRC") (solely with regard to the content provided by LNRC).



## WAIVER OF NOTICE

Pursuant to the provisions of that Annexation Agreement or Sphere of Influence Agreement by and between the Town of Cornelius and the Town of Huntersville, dated August 1, 1984, as amended, and on behalf of the Town of Cornelius, the undersigned does hereby waive the sixty (60) day notice requirement under said Agreement for the proposed annexation by the Town of Huntersville of Bryton-Howard Tract ("Subject Property") whose boundary is shown by a heavy, dark line on Exhibit A, attached hereto.

This 24<sup>th</sup> day of August, 2015.

Town of Cornelius

By: Anthony Robert  
Mayor, Manager, or Authorized Official

RE: Bryton-Howard Tract Annexation



## WAIVER OF NOTICE

Pursuant to the provisions of that Annexation Agreement or Sphere of Influence Agreement by and between the Town of Davidson and the Town of Huntersville, dated August 1, 1984, as amended, and on behalf of the Town of Davidson, the undersigned does hereby waive the sixty (60) day notice requirement under said Agreement for the proposed annexation by the Town of Huntersville of Bryton-Howard Tract ("Subject Property") whose boundary is shown by a heavy, dark line on Exhibit A, attached hereto.

This 24 day of August, 2015.

Town of Davidson

By:   
Mayor, Manager, or Authorized Official

RE: Bryton-Howard Tract Annexation