

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

ANNEXATION ORDINANCE 2016-02

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WHEREAS, the Board of Commissioners has been petitioned under G.S. 160A-58, as amended, to annex the area described herein; and

WHEREAS, the Board of Commissioners has by Resolution of Intent to Annex adopted by the Board of Commissioners on the 15th day of August, 2016, pursuant to N.C.G.S.160A-58.7; 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 19th day of September, 2016, after due notice by publication in The Charlotte Observer on September 7th; and

WHEREAS, the Board of Commissioners does hereby find as a fact that said petition meets the requirements of G.S. 160A-58, as amended, namely (i) the area described herein meets all of the standards set out in G.S. 160A-58; (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;

WHEREAS, the Board of Commissioners does hereby find as a fact that:

1. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the primary corporate limits of the Town of Huntersville;
2. The entire subdivision is included in the proposed annexation;
3. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits of the Town of Huntersville, will not exceed ten (10) percent of the area within the primary corporate limits of the Town of Huntersville; and
4. The area to be annexed is so situated that the Town will be able to provide the same service within the proposed satellite corporate limits that it provides within the primary corporate limits of the Town.

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-58, as amended, the following described territory is hereby annexed and made part of the Town of Huntersville as of the 19th day of September, 2016:

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

**Section 2.** Upon and after the 19th day of September 2016, 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-58.10.

**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 19st day of September, 2016. Mayor: \_\_\_\_\_

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_

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Town Clerk

Town Attorney

Exhibit A:

BEGINNING AT A FOUND IRON PIPE ON THE EASTERLY RIGHT OF WAY OF ASBURY CHAPEL ROAD (HAVING AN APPARENT 60' FOOT RIGHT OF WAY WIDTH) AND BEING THE COMMON CORNER OF RANDALL POINDEXTER AND SELAH C. POINDEXTER AS RECORDED IN DEED BOOK 6173 AT PAGE 744 IN THE MECKLENBURG COUNTY REGISTRY; THENCE N 68°40'44" E A DISTANCE OF 220.02' FEET TO A FOUND PINCH PIPE; THENCE N 63°10'37" E A DISTANCE OF 734.15' FEET TO A FOUND IRON PIN AT A STONE; THENCE N 03°11'17" E A DISTANCE OF 350.87' FEET TO A FOUND IRON ROD, SAID IRON ROD BEING IN THE LINE OF SEAN M. SULLIVAN AS RECORDED IN DEED BOOK 15311 AT PAGE 380 IN SAID REGISTRY; THENCE N 03°10'05" E A DISTANCE OF 522.12' FEET (PASSING OVER A FOUND IRON ROD AT 484.38' FEET) TO A SET MAGNETIC NAIL IN THE CENTERLINE OF SAID ASBURY CHAPEL ROAD; THENCE WITH THE CENTERLINE OF SAID ROAD FOR THE

NEXT SEVEN (7) CALLS N 62°18'23" E A DISTANCE OF 94.20' FEET TO A SET MAGNETIC NAIL; THENCE N 60°27'23" E A DISTANCE OF 100.00' FEET TO A SET MAGNETIC NAIL; THENCE N 58°21'23" E A DISTANCE OF 100.00' FEET TO A SET MAGNETIC NAIL; THENCE N 55°36'23" E A DISTANCE OF 100.00' FEET TO A SET MAGNETIC NAIL; THENCE N 53°04'53" E A DISTANCE OF 100.00' FEET TO A SET MAGNETIC NAIL; THENCE N 47°56'23" E A DISTANCE OF 100.00' FEET TO A SET MAGNETIC NAIL; THENCE N 40°40'53" E A DISTANCE OF 47.66' FEET TO A SET MAGNETIC NAIL; THENCE LEAVING SAID ROAD S 39°11'13" E A DISTANCE OF 1080.65' FEET TO A FOUND IRON PIPE, SAID IRON PIPE BEING ALONG THE SOUTHWESTERLY LINE OF ASBURY UNITED METHODIST CHURCH AS RECORDED IN DEED BOOK 3590 AT PAGE 86 IN SAID REGISTRY; THENCE N 55°55'22" E A DISTANCE OF 124.89' FEET TO A FOUND IRON STAKE; THENCE N 55°44'43" E A DISTANCE OF 898.25' FEET (PASSING OVER A FOUND ANGLE IRON AT 755.71' FEET, AND 813.67' FEET) TO A FOUND STONE; THENCE S 16°57'22" E A DISTANCE OF 565.64' FEET TO A FOUND ½" IRON PIPE ON CREEK BANK, SAID PIPE BEING THE COMMON CORNER OF JW HOMES, LLC AS DESCRIBED IN MAP BOOK 57 AT PAGE 988 AND DANNY R. BUFFKIN AS RECORDED IN DEED BOOK 10962 AT PAGE 568 IN SAID REGISTRY; THENCE S 02°12'55" W A DISTANCE OF 242.07' FEET TO A FOUND ½" IRON PIPE; THENCE S 45°11'39" W A DISTANCE OF 309.97' FEET TO A FOUND ½" IRON PIPE; THENCE S 15°16'10" W A DISTANCE OF 413.86' FEET TO A FOUND ½" IRON PIPE AT A STONE, SAID PIPE BEING IN THE LINE OF CORY W. WASMUS AND AMANDA WASMUS AS RECORDED IN DEED BOOK

27123 AT PAGE 705 IN SAID REGISTRY; THENCE S 73°01'59" W A DISTANCE OF 1482.45' FEET (PASSING OVER A FOUND ½" IRON PIPE AT 136.79' FEET, AND 681.40' FEET, AND 1102.50' FEET) TO A FOUND 1.5" IRON PIPE, SAID PIPE BEING THE COMMON CORNER OF REBECCA B. ALLISON AS RECORDED IN DEED

BOOK 24891 AT PAGE 744 AND MATTHEW G. BODINE AND CHRISTINA P. BODINE AS RECORDED IN DEED BOOK 13352 PAGE 801 AS RECORDED IN SAID REGISTRY; THENCE N 42°19'43" W A DISTANCE OF 763.27' FEET (PASSING OVER A FOUND IRON PIPE AT 194.93' FEET) TO A FOUND ¾" IRON PIPE; THENCE S 02°35'37" W A DISTANCE OF 236.31' FEET TO A FOUND CONCRETE MONUMENT, SAID MONUMENT BEING IN THE LINE OF GLEN ARCHER AND PATRICIA ARCHER AS RECORDED IN DEED BOOK 12495 AT PAGE 273 IN SAID REGISTRY; THENCE S 76°38'09" W A DISTANCE OF 752.57' FEET TO A FOUND IRON ROD ON THE EASTERLY RIGHT OF WAY OF SAID ASBURY CHAPEL ROAD; THENCE N 20°20'07" W A DISTANCE OF 45.36' FEET TO A FOUND IRON ROD, SAID IRON ROD BEING THE COMMON CORNER OF JOSEPH ALONZO YOST AND CAMI YOST AS RECORDED IN DEED BOOK 12495 PAGE 273 IN SAID REGISTRY; THENCE N 76°38'15" E A DISTANCE OF 405.06' FEET TO A FOUND IRON ROD; THENCE N 20°32'26" W A DISTANCE OF 101.73' FEET TO A FOUND IRON ROD; THENCE S 76°19'49" W A DISTANCE OF 155.51' FEET TO A FOUND IRON ROD; THENCE N 80°57'40" W A DISTANCE OF 77.12' FEET TO A FOUND IRON ROD; THENCE S 67°01'12" W A DISTANCE OF 180.97' FEET TO A FOUND IRON ROD ON THE RIGHT OF WAY OF SAID ASBURY CHAPEL ROAD; THENCE N 21°19'28" W A DISTANCE OF 168.23' FEET TO THE PLACE AND; POINT OF BEGINNING, HAVING AN AREA OF 3316624.24 SQUARE FEET, 76.139 ACRES.