

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF BOONE, NORTH CAROLINA:
Charles and Georgia Weaver

39029

WHEREAS, the Town Council has been petitioned under G.S. 160A-58.1, as amended, to annex the area described herein; and

WHEREAS, the Town Council 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 the Council Chambers at 6:30 p.m. on the 26th day of January, 1989; and

WHEREAS, the Town Council further finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three miles from the corporate limits of the Town,
- b. No point on the proposed satellite corporate limits is closer to another city than to the Town,
- c. The area described is so situated that the Town will be able to provide service on the same basis within the proposed satellite corporate limits that it provides within the primary corporate limits,
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation,
- e. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the Town; and

WHEREAS, the Town Council does hereby find as a fact that said petition has been signed by all the owners of real property in the area who are required by law to sign and all other requirements of G.S. 160A-58.1, as amended;

WHEREAS, the Town Council does hereby find as a fact that the petition is otherwise valid, and that the public health, safety and welfare of the Town and of the area proposed for annexation will be best served by annexing the area described herein;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Boone, North Carolina:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, as amended, the following described non-contiguous territory is hereby annexed and made part of the Town of Boone, as of the 26th day of January, 1989.

See Attached: Metes and Bounds Description
Frank L. Hayes
RLS No. L-1488

Section 2. Upon and after the 26th day of January, 1989 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 Boone and shall be entitled to the same privileges and benefits as other parts of the Town of Boone. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Boone shall cause to be recorded in the office of the Register of Deeds of Watauga County, and in the office of the Secretary of State in 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.

** Section 4. Notice of adoption of this ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the Town of Boone.

Adopted this 26th day of January, 1989.

Larry Keith
MAYOR

ATTEST
[Signature]
TOWN CLERK

APPROVED AS TO FORM:
David Paletta
TOWN ATTORNEY

** Optional

NORTH CAROLINA
WATAUGA COUNTY
Filed for registration on the 18th day of May
19 89 at 1:30 o'clock P.M., and registered in the
office of the Register of Deeds of Watauga County, North Carolina
on the 18th day of May 19 89
in Book 122 of Records
at page 637
Phyllis E. Foster
Register of Deeds

by: *[Signature]* Deputy

0122PG639

"SCHEDULE A"

BLUE RIDGE TOWNSHIP WATAUGA COUNTY NORTH CAROLINA

A 1.000 acre tract located on the south side of Kellwood Drive (NCSR 1636) approximately 100 feet west of the intersection of said road and Bamboo Road (NCSR.1524); and being a portion of the property described in Deed book 99 at Page 477 and the perimeter of said 1.000-acre tract being surveyed by me, Frank Lee Hayes, RLS No. L-1488 on June 22, 1988, and being more particularly described as:

✓ BEGINNING on a railroad spike in the center of Kellwood Drive, said spike being the eastern most corner of the Brinkley lot and located South 60 degrees 46 minutes 48 seconds East along the center of said road 208.49 feet from a railroad spike in the old line, the Brinkley northern most corner and also located South 56 degrees 26 minutes 45 seconds West 248.27 feet from a spike in the center of the Bamboo Road bridge over Goshen Creek; thence from the beginning and with the center of Kellwood Drive, South 60 degrees 46 minutes 48 seconds East 208.49 feet to a railroad spike; thence leaving the road and with a new line, South 23 degrees 26 minutes 18 seconds West 210.00 feet to a 5/8 inch rebar set; thence with the same, North 60 degrees 46 minutes 48 seconds West 208.49 feet to a 5/8 inch rebar, the Brinkley southern most corner; thence with the Brinkley line, North 23 degrees 26 minutes 18 seconds East 210.00 feet to the BEGINNING; being described using distances relative to the horizontal and bearings relative to a survey of Kellwood in Plat Book 9 at Page 4.

This conveyance is made subject to the following restrictions:

