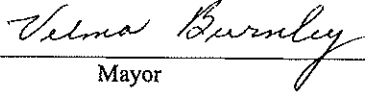


described in Section 1 above, together with a duly certified copy of this ordinance. Such map shall also be delivered to the Watauga County Board of Elections, as required by G.S. 163-288.1.

Adopted this the 31st day of July, 2003.



Mayor

ATTEST:



Town Clerk

(ORDINANCE TO BE TYPED IN BOOK 3, PAGES 213-214)

VOTE: Aye-All
 Nay-None

ADOPTION OF ORDINANCE - BLADE CORPORATION ANNEXATION

Planning Director John Spear said this is the final step in the annexation process. This 2.530-acre tract is also located off Bamboo Road. Planning Director Spear said the annexation will be effective December 31, 2003 and will be zoned in Spring, 2004. On a motion by Council member Wilcox, seconded by Council member Eggers, Council moved to adopt the following annexation ordinance:

Ordinance 03-09

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

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

WHEREAS, the 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 Council Chambers at 6:30 pm on July 31, 2003 after due notice by Watauga Democrat on July 16, 2003; and

WHEREAS, the Town Council finds that the petition meets the requirements of G.S. 160A-31;

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

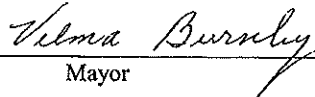
Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Boone as of December 31, 2003:

A 2.530 acre tract located on the east side of Bamboo Road (NCSR 1524) and the south side of Candy Street being a portion of that property described in Book of Records 234 at page 161 and being surveyed by me, Frank Lee Hayes PLS L-1488, on March 8, 1999 as: BEGINNING on a 5/8 inch rebar on the south side of Candy Street in the Trillium Residential Systems line;

THENCE from the beginning and with the Trillium Residential Systems lines the following six (6) courses: (1) South 14 degrees 50 minutes West 271.82 feet to a 5/8 inch rebar; (2) North 68 degrees 40 minutes West 132.54 feet to a 5/8 inch rebar; (3) North 81 degrees 28 minutes West 218.51 feet; (4) South 00 degrees 28 minutes East 65.89 feet to a 5/8 inch rebar; (5) South 12 degrees 18 minutes East 52.09 feet to a 5/8 inch rebar and (6) South 12 degrees 18 minutes East 40.00 feet to a point in the center of Goshen Creek; THENCE down and with the center of said creek North 78 degrees 38 minutes West 47.73 feet to point in the center of the Bamboo Road bridge over Goshen Creek; THENCE with the center of Bamboo Road the following four (4) courses: (1) North 09 degrees 38 minutes West 78.20 feet; (2) North 00 degrees 28 minutes West 71.38 feet; (3) North 06 degrees 04 minutes East 88.10 feet and (4) North 09 degrees 57 minutes East 172.28 feet to the intersection of center lines of Bamboo Road and Candy Street; THENCE with the center of Candy Street South 76 degrees 19 minutes East 170.44 feet and South 86 degrees 39 minutes East 20.560 feet; THENCE with the same South 82 degrees 59 minutes East 44.67 feet to the Trillium Residential Systems line; THENCE leaving Candy Street and with said line South 14 degrees 50 minutes West 20.00 feet to the Beginning; being described using horizontal distances and bearings relative to those cited in Book of Records 234 at page 161.

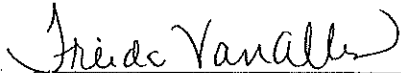
- Section 2. Upon and after December 31, 2003, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Boone and shall be entitled to the same privileges and benefits as other parts of the Town of Boone. Said 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 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 map shall also be delivered to the Watauga County Board of Elections, as required by G.S. 163-288.1.

Adopted this the 31st day of July, 2003.



 Mayor

ATTEST:



 Town Clerk

(ORDINANCE TO BE TYPED IN BOOK 3, PAGES 215-216)

VOTE: Aye-All
 Nay-None

ADOPTION OF ENCROACHMENT AGREEMENT - BOONE HOME FURNISHINGS

Public Services Director Blake Brown said this encroachment agreement was for the two bears underneath the awning at Boone Home Furnishings. Since these bears are located within the Town's sidewalks, an encroachment agreement is needed. Council member Eggers asked if these bears are a problem for pedestrians. Public Services Director Brown said no, but they can be difficult to push snow around. Town Attorney Sam Furguele pointed out some semantics with the agreement but that the Town Clerk could make amends. On a motion by Council member Eggers, seconded by