

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF BOONE,
UNDER THE AUTHORITY GRANTED BY PART 3, ARTICLE 4A, CHAPTER 160A
OF THE GENERAL STATUTES OF NORTH CAROLINA

WHEREAS, all of the prerequisites to adoption of this ordinance prescribed in Part 3, Article 4A, Chapter 160A of the General Statutes of North Carolina, have been met; and

WHEREAS, the Boone Town Council has taken into full consideration the statements presented at the public hearing held on the 28th day of August, 1986, on the questions of this annexation; and

WHEREAS, the Boone Town Council has concluded and hereby declares that annexation of the area described herein is necessary to the orderly growth and development of the Town of Boone;

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

Section 1(a). The Highway 105 Tract. That from and after the 5th day of January, 1987, the effective date of this annexation, the following territory shall be annexed to and become a part of the Town of Boone, and the corporate limits of the Town of Boone shall on said 5th day of January, 1987, be extended to include said territory more particularly described by metes and bounds as follows:

The Highway 105 Tract

Being all that tract generally described as: Beginning on corner number eighty-seven of the present corporate limits of the Town of Boone as shown on plat of same recorded in Plat Book 9 at page 259; THENCE from the beginning and with a line parallel with the centerline of N.C. Highway 105 to a point due SOUTH (NCGS South) of the center of the intersection of N.C. 105 and U.S. 421 bypass; THENCE due North (NCGS North) to the center of said intersection; THENCE northwestward with the center of the U.S. 421 bypass for 550.00 feet; THENCE leaving said highway and with a line parallel with the centerline of N.C. Highway 105 to a point due South (NCGS South) of the southwest corner of the ASU Continuing Education Tract Annexation; THENCE due North to said southwest corner of the ASU Continuing Education Tract Annexation; THENCE Eastwardly and Southwardly with the present corporate limits of the Town of Boone to the BEGINNING.

Section 1(b). The East Boone Tract. That from and after the 31st day of March, 1987, the effective date of this annexation, the following territory shall be annexed to become a part of the Town of Boone, and the corporate limits of the Town of Boone shall on said 31st day of March, 1987, be extended to include said territory more particularly described by metes and bounds as follows:

The East Boone Tract

Being all of that tract generally described as: BEGINNING on the southeast corner of the Hunting Lane area annexation (1984), near the end of Hunting Lane; THENCE from the beginning and with a straight line passing ten feet north of the northern edge of Palmer Road, a street in "Blairmont" subdivision, to the H. Neal Blair eastern property boundary line; THENCE south with the eastern boundary line of the H. Neal Blair property to the northern boundary line of the Mollie Yates property; THENCE westward with the northern boundary of the Mollie Yates property line to the Mollie Yates northwest corner; THENCE south with the Mollie Yates western boundary line, crossing Deerfield Road (NCSR 1522), to the center of the East Fork of the New River; THENCE up an with the center of said East Fork of the New River to the center of the NCSR 1524 bridge over said stream; THENCE to and with the southeastern boundaries of the Kellwood Development to a point NCGS East of the center of the most eastern switchback in NCSR 1602; THENCE West (NCGS) to said center point; THENCE westward with the center of said NCSR 1602 to the center of U.S. Highway 321-221; THENCE northwardly with the center of said highway to the southern boundary of the present corporate limits of the Town of Boone as shown in Plat Book 9 at page 259; THENCE with the present corporate limits eastwardly, northwardly and northwestwardly to the Hunting Lane area annexation; THENCE northeastwardly with the line of the Hunting Lane annexation to the BEGINNING.

STATEMENT OF DETERMINATION IF THE PROPOSED AREA MEETS
GENERAL STATUTE REQUIREMENTS FOR ANNEXATION

Section 2. That the Boone Town Council does hereby specifically find and declare that the above described territory meets the requirements of G.S. 160A-48, in that:

The Town of Boone may annex the proposed areas only if it is determined that these areas meet the requirements listed in G.S. 160A-48. The determination is as follows:

"160A-48. Character of area(s) to be annexed.

- a) A municipal governing board may extend the municipal corporate limits to include any area, (1) which meets the general standard of subsection (b), and (2) every part of which meets the requirements of either subsection (c) or subsection (d)."

Both the Highway 105 tract and the East Boone Tract meet the requirements of G.S. 160A-48(b) as shown in paragraphs 1, 2 and 3 below:

"160-48(b) - The total area to be annexed must meet the following standards:

- 1) It must be adjacent or contiguous to the municipality's boundaries at the time the annexation proceeding is begun.
- 2) At least one-eighth of the aggregate external boundaries of the area must coincide with the municipal boundary.
- 3) No part of the area shall be included within the boundary of another incorporated municipality."