

ORDINANCE 83-11
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 Town Council of the Town of Boone has taken into full consideration the statements presented at the public hearing held on the 28th day of July, 1983, on the question of this annexation; and

WHEREAS, The Town Council of the Town of Boone 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 Town Council of the Town of Boone.

Section 1. That from and after the 8th day of August, 1983, 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 8th day of August, 1983, be extended to include said territory more particularly described by metes and bounds as follows:

HUNTING LANE AREA

BEGINNING on monument #35 of the present Town of Boone Corporate Limits as shown on a plat of same recorded in Plat Book 9, Page 259, said monument having NCGS Coordinates N=903,682.05, and E=1,216,196.41; thence from the beginning and with the boundary of the present corporate limits, N48-14-50W, 300.00 feet; thence with new lines, N50-27-55E, 142.23 feet; thence S53-40-05E crossing Dale Street, 605.23 feet; thence N30-54-30E, 1551.08 feet; thence N66-14-20E crossing South Fork of the New River, 689.97 feet; thence S45-00-00E, 537.40 feet; thence S75-15-25E, 785.88 feet; thence S61-41-55E, 295.30 feet; thence S60-26-55W, 1307.62 feet to corner #42 of the present corporate limits; thence with the boundaries of said corporate limits, N30-25-55W, 179.91 feet; thence S50-44-05W, 120.94 feet; thence S33-43-55E, 31.67 feet; thence S50-40-30W, 1181.12 feet; thence S42-47-30W, 168.25 feet; thence N55-58-50W, 203.89 feet; thence N52-52-10W, 878.01 feet to the BEGINNING, containing 65.254 acres.

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

1. The territory is contiguous, as defined by G.S. 160A-53, to the Town Limits of the Town of Boone at the time the annexation proceedings were initiated.

The purpose of inclusion of Tax Map Parcel 127-130 in the annexed territory is that it constitutes a necessary land connection between two areas developed for urban purposes, namely the Trivette Subdivision and

2. 34.12% (12.5% required) of the aggregate external boundaries of the territory coincide with the present Town Limits. According to the survey by Frank Lee Hayes, RLS No. L1488, 3063.78 feet of the total external boundary of 8978.49 feet coincides with the present Town Limits.

3. No part of the territory is included within the boundary of another incorporated municipality. The closest incorporated municipality to Boone is Blowing Rock, which lies approximately eight miles from Boone and the subject territory.

4. The territory meets the requirements of G.S. 160A-48 (c) (3) which requires that at least 60% of the total number of lots and tracts in the territory at the time of annexation be used for residential, commercial, industrial, institutional or governmental purposes and the area be subdivided into lots and tracts such that 60% of the total residential and vacant acreage consists of lots and tracts five acres or less in size as follows:

a. 67.3% (60% required) of the total number of lots and tracts in the territory (excluding tax map parcel 197-130) are used for residential, commercial, industrial, institutional or governmental purposes:

Total number of lots or tracts 55

Total number of vacant lots or tracts 18

Total number of lots or tracts used for residential, commercial, industrial, institutional or governmental purposes 37

b. The territory (excluding Tax Map Parcel 197-130) is subdivided into lots and tracts such that 100% (60% required) of the total residential and vacant acreage consist of lots or tracts five (5) acres or less in size:

Total Acreage 65.35 acres

Total Residential and Vacant Acreage 25.85 acres

Total Residential and Vacant Acreage in Lots

five acres or less 25.85 acres

Tax Map Parcel 197-130 contains a total of 59.68 acres. The portion of Tax Map Parcel 197-130 included in the territory annexed consists of 17.14 acres and meets the requirements of both G.S. 160A-48 (d) (1) and (2), of which compliance of only one of the two is required. G.S. 160A-48 (d) (1) requires that said parcel lie between the municipal boundary and an area developed for urban purposes so that the area to be developed for urban purposes is either not adjacent to the municipal boundary or cannot be served by the municipality without extending services and/or water and sewer lines through said sparsely developed area; and G.S. 160A-48 (d) (2) requires that said parcel is adjacent, on at least sixty percent (60%) of its external boundary, to any combination of the municipal boundary and the boundary of an area developed for urban purposes as set forth in G.S. 160A-48 (c) (3).

The purpose of inclusion of Tax Map Parcel 197-130 in the annexed territory is that it constitutes a necessary land connection between two areas developed for urban purposes, namely the Trivette Subdivision and

the Hunting Hills Subdivision. Water and sewer lines have already been constructed through this parcel necessary to serve the Hunting Hills Subdivision.

For Tax Map Parcel 197-130 contained in the territory:

Total External Boundary 6,351 feet

Total Contiguous Boundary 4,444 feet

Total Contiguous Percent 69.9% (60% required)

Section 3. That it is the purpose and intent of the Town of Boone, to provide services to the area being annexed under this ordinance, as set forth in the report of plans for services approved by the Town Council of the Town of Boone on the 13th day of July, 1983, and filed in the office of the Clerk for public inspection.

Section 4. That the Town Council of the Town of Boone does hereby specifically find and declare that no new construction of any major trunk water mains and sewer outfalls will be required to extend the basic water and sewer system of the municipality into the annexed territory; that all major trunk water mains and sewer outfalls necessary to serve the basic water and sewer needs of the annexed territory are presently in place; that all construction costs for extending the major trunk water mains and sewer outfalls necessary to serve the basic water and sewer needs of the annexed territory have been paid; and, therefore, on the effective date of the annexation, no additional funds need be appropriated by the Town of Boone to finance the construction of water and sewer facilities.

Section 5. That from and after the effective date of this annexation, the territory annexed 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.

Section 6. That the newly annexed territory described hereinabove shall be subject to Town taxes according to G.S. 160A-58.10.

Section 7. That the Mayor of the Town of Boone shall cause an accurate map of the annexed territory described in Section 1 hereof, together with a duly certified copy of this ordinance, 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.

Adopted this 4th day of August, 1983.

Mayor

ATTEST;

Clerk

ORDINANCE 83-12
 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 Town Council of the Town of Boone has taken into full consideration the statements presented at the public hearing held on the 28th day of July, 1983, on the question of this annexation; and

WHEREAS, the Town Council of the Town of Boone 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 Town Council of the Town of Boone.

Section 1. That from and after the 8th day of August, 1983, 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 8th day of August, 1983, be extended to include said territory more particularly described by metes and bounds as follows:

FOREST HILL DRIVE AREA

BEGINNING on monument #16 of the present Town of Boone Corporate Limits as shown on plat of same recorded in Plat Book 9, Page 259, said monument having NCGS coordinates N=907,202.06 and E=1,216,646.37; thence from the beginning and with a new line, N56-19-20W, 794.12 feet to monument #18 of the present corporate limits; thence with the lines of said present corporate limits, S88-45-35E, 240.90 feet; thence S43-59-40E, 604.67 feet to the BEGINNING, containing 1.177 acres.

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

1. The territory is contiguous, as defined by G.S. 160A-53, to the Town Limits of the Town of Boone at the time the annexation proceedings were initiated.
2. 51.57% (12.5% required) of the aggregate external boundaries of the territory coincide with the present Town Limits. According to the survey by Frank Lee Hayes, RLS No. L1488, 845.57 feet of the total external boundary of 1639.69 feet coincides with the present Town Limits.