

MEMORANDUM

TO: Mayor J.B. Lawrence and Blowing Rock Town Council

FROM: Kevin Rothrock, Planning Director

SUBJECT: Bishop Annexation (Ord. 2016-25)

DATE: October 11, 2016

Ms. Jessica Bishop submitted a petition of voluntary annexation for Council consideration in September, which initiated the annexation process. Tonight's public hearing is the second and final step of the voluntary annexation process. Enclosed is an annexation ordinance (2016-25) which includes a metes and bounds description of the property boundary and specifics about utility connections and responsibilities. If approved as presented, the annexation will become effective October 31, 2016. The boundary map will be recorded with the Watauga County Register of Deeds and the office of the North Carolina Secretary of State. A copy of the map will also be delivered to the Watauga County Board of Elections.

ORDINANCE NO. 2016-25**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF BLOWING ROCK, NORTH CAROLINA**

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

WHEREAS, the Board of Commissioners 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 Town Hall at 6:00 PM on October 11, 2016, after due notice by publication and posting; and

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

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Blowing Rock, 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 Blowing Rock as of October 31, 2016:

That portion of the 0.342 acre lot described in Book of Records 1314 at page 194 which is not currently located in the Town of Blowing Rock corporate limits being more particularly describe as: BEGINNING on an existing $\frac{3}{4}$ inch pipe near a rock wall, being corner of Innes Investments and Maurice Lind, said pipe being located South 30 degrees 11 minutes 20 seconds East 50.78 feet from an existing $\frac{3}{4}$ inch pipe the Innes Investments and Maurice Lind corner on the southeast side of Green Hill Road; THENCE from the beginning and with the Innes Investments and Maurice Ling line North 30 degrees 11 minutes 20 seconds West to the present Town of Blowing Rock corporate limits line located between monuments 78 and 79 (plat book 10 page 95); THENCE with said corporate limits line North 17 degrees 17 minutes 45 seconds East (plat book 10 page 95) to monument 78 on the southeast side of Green Hill Road (plat book 10 page 96); THENCE with the same South 87 degrees 42 minutes 15 seconds East (plat book 10 page 95) to the Innes Investments and GGB Blowing Rock LLC property line, said point being located along said line South 21 degrees 01 minutes 15 seconds West from a common corner, existing axle on the southeast side of Green Hill Road; THENCE along the Innes Investments and GGB Blowing Rock LLC property line South 21 degrees 01 minutes 15 seconds West to a 2 inch metal stake near a rock wall; THENCE with the same South 67 degrees 18 minutes 05 seconds East 136.83 feet to an existing $\frac{1}{2}$ inch pipe in the Rebecca Rhodes line; THENCE with said line South 37 degrees 00 minutes 00 seconds West 99.04 feet to a 5/8 inch rebar, a Maurice Lind corner; THENCE with the Lind line North 66 degrees 53 minutes 30 seconds West 113.98 feet to the BEGINNING.

Section 2. Upon and after October 31, 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 Blowing Rock and shall be entitled to the same privileges and benefits as other parts of the Town of Blowing Rock. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. Town Services and Utility Agreement.

The primary purpose of the annexation petition is to request Town sewer service. The current Town policy regarding any new extension of public utilities requires that such property be located within the Town's corporate limits, contiguous or satellite. In addition, the voluntary annexation process requires that the cost of extending water and/or sewer lines be borne by the petitioner. The following terms will describe the responsibilities of both the petitioner and Town with respect to the provision of municipal services and public utilities.

The agreements, conditions and obligations of Petitioner set forth herein shall run with and be appurtenant to the title of the territory described in Exhibit A and be binding upon Petitioner's successors in title:

- A. The subject property has been connected to Town water for many years and the owner had previously paid double water rates. Once annexed, the Petitioner shall pay standard water rates. Petitioner shall be responsible for all costs associated with public sewer to serve the subject property. Specifically, the petitioner is responsible for all costs associated with connecting to the Town sewer system, consistent with the Town Code. The petitioner is also responsible for all applicable sewer availability fees.
- B. All other municipal services will be provided subject to NC General Statutes concerning annexation, including but not limited to garbage and recycling collection.
- C. The subject property, once annexed, will not be subject to the Blowing Rock Fire District tax nor the Watauga County solid waste fee.

Section 4. The Mayor of the Town of Blowing Rock 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 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 a map shall also be delivered to the Watauga County Board of Elections, as required by G.S. 163-188.1.

Adopted this the ____ day of _____, 2016

J.B. Lawrence, Mayor

ATTEST: _____
Hilari H. Hubner, Town Clerk

CERTIFICATE OF SUFFICIENCY

To the Board of Commissioners of the Town of Blowing Rock, North Carolina:

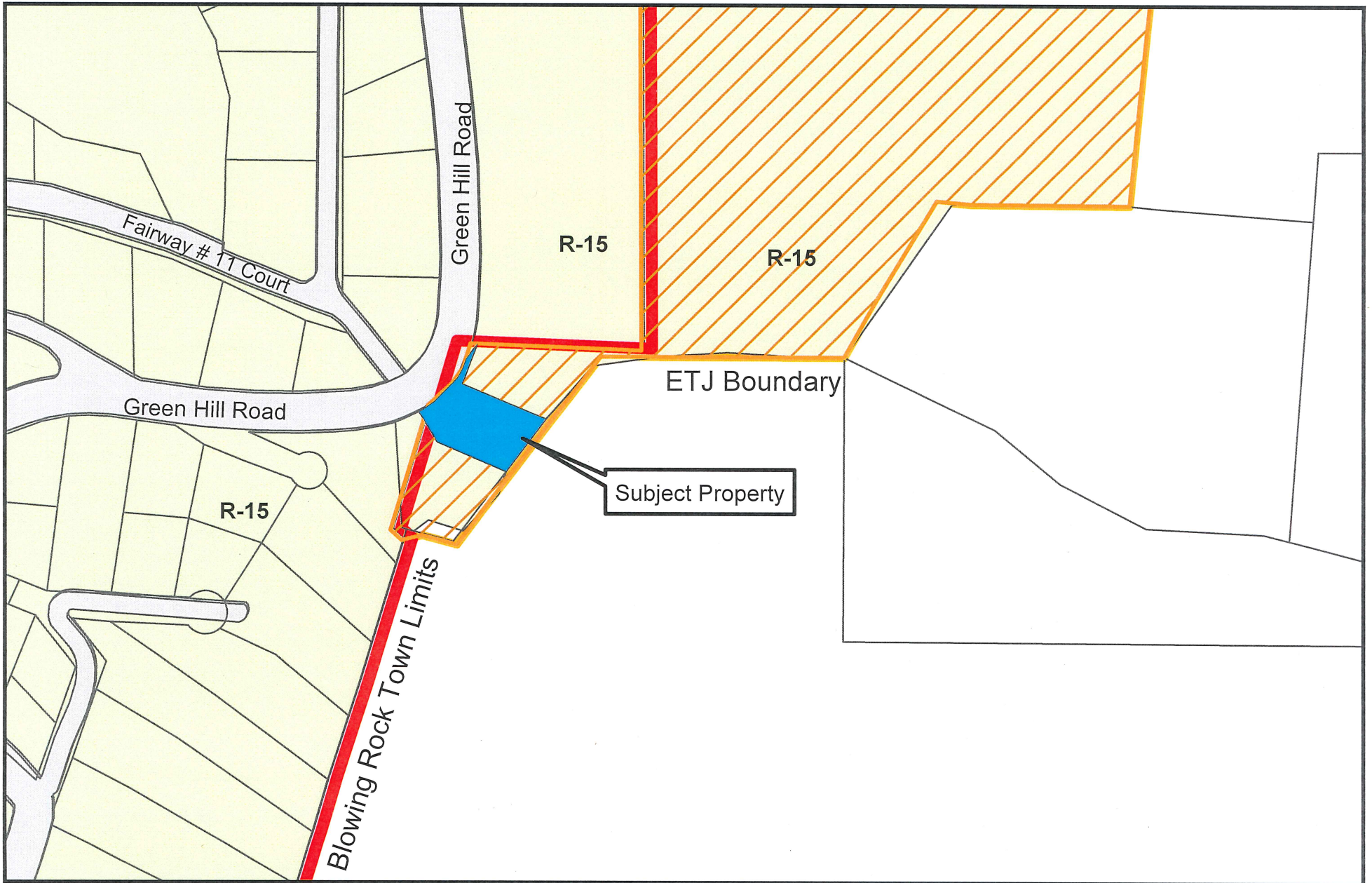
I, Hilari H. Hubner, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Blowing Rock, this the 3 day of October, 2016.

Hilari H. Hubner
Hilari H. Hubner, Town Clerk



Bishop Annexation - 1264 Green Hill Road



This map is not a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations.

Hilari H. Hubner, Town Clerk

