

MEMORANDUM

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

FROM: Kevin Rothrock, Planning Director

SUBJECT: Muscari Annexation (Ord. 2016-26)

DATE: November 9, 2016

Mr. and Mrs. John Muscari submitted a petition of voluntary annexation for Council consideration in October, 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 (2016-26) which includes a deed description of the property and specifics about utility connections and responsibilities. The property is partially in the Town limits and partially in the ETJ.

If approved as presented, the annexation will become effective November 30, 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. 2016-26**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 November 9, 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 November 30, 2016:

Being all of Lot 5, Blowing Rock Improvement Company shown on plat thereof recorded in Plat Book 3 at Page 30, Watauga County Register of Deeds, to which plat reference is hereby made.

This conveyance is made subject to Declaration of Restrictions recorded in Book of Records 124 at Page 119, Watauga County Register of Deeds.

Section 2. Upon and after November 30, 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.

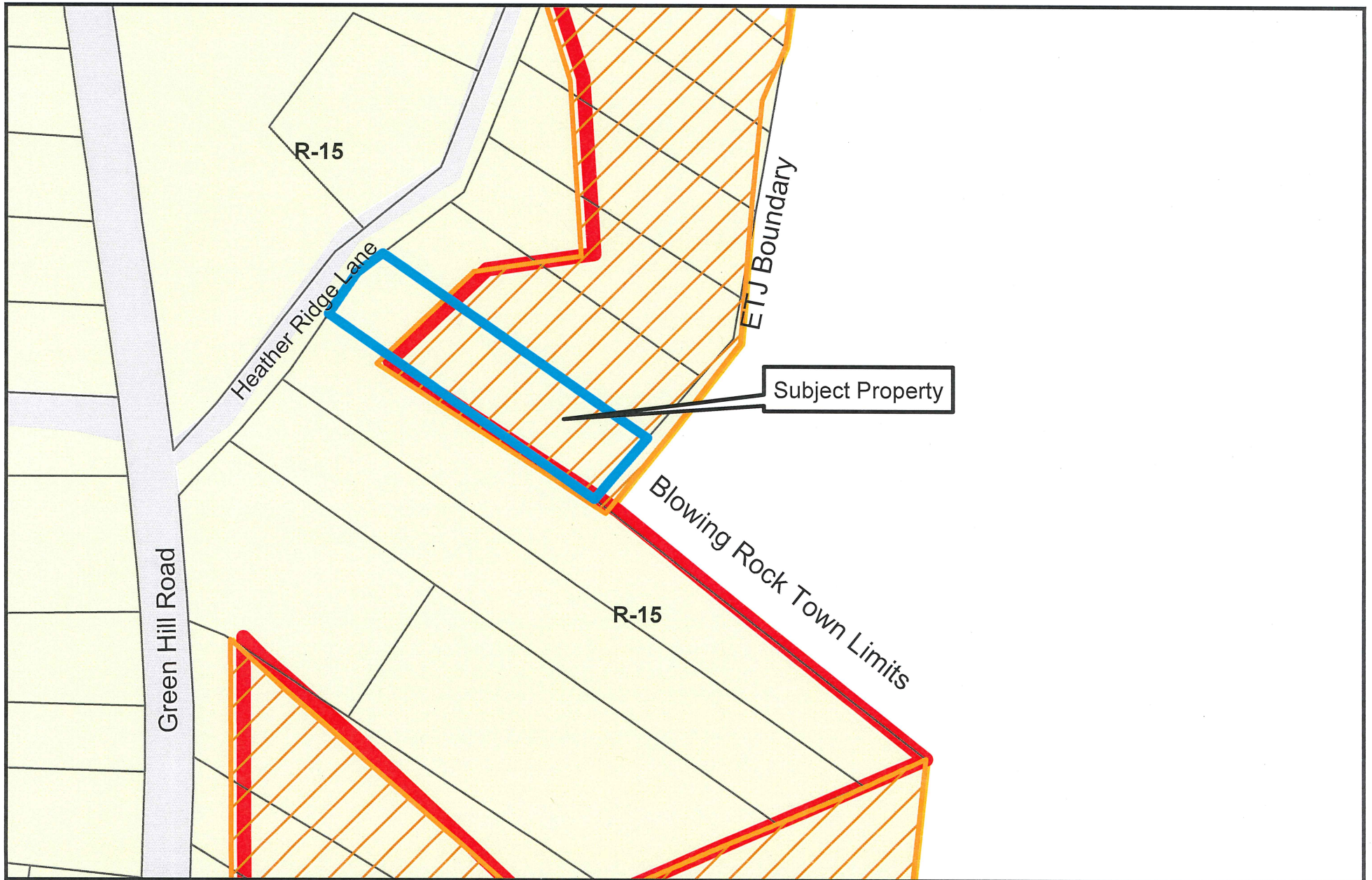
Section 4. The Mayor of the Town of Blowing Rock shall cause to be recorded in the office of the Register of Deeds of Watauga County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified 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

Muscari Annexation - 156 Heather Ridge Lane



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

