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RETURN TO: DEBORAH POWERS
AT THE TIME OF RECORDING

ORDINANCE CAIRNS ANNEXATION 2020-01

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SEVEN DEVILS, NORTH CAROLINA

WHEREAS, the Town Council of Seven Devils, North Carolina has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Town Council of Seven Devils, North Carolina 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 5:00pm on January 14, 2020, after a due notice by Watauga Democrat on Sunday, December 29, 2019; and

WHEREAS, the Town Council of Seven Devils, North Carolina finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town of Seven Devils;

b. No point on the proposed satellite corporate limits is closer to another municipality than to the Town of Seven Devils;

c. The area described is so situated that the Town of Seven Devils will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;

d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;

e. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the Town of Seven Devils; and

WHEREAS, the Town Council of Seven Devils, North Carolina further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Town Council of Seven Devils, North Carolina further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town of Seven Devils and of the area proposed for annexation will be best served by annexing the area described;

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

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the Town of Seven Devils, North Carolina, as of January 14, 2020.

Watauga County, NC
PIN# 1878 43 8799 000

Recorded in Deed Book 158 – Page 422 of Watauga County, NC
Fully described as:

A 0.806 acre tract, being a portion of Tweetsie Railroad, Inc. property recorded in Deed Book _____, Page _____, located on the south side of N. C. Highway 105 approximately 550 feet west of the intersection of said highway with N.C.S.R. 1594, being bound by said highway, Tweetsie Railroad, Inc. property and the property of Mae Fox, as shown on a map by Walter H. Burkett, a registered land surveyor, as taken from plat #68059 & described as follows:

BEGINNING at an iron set on the south side of N. C. Highway 105, said iron set being in the right-of-way line of Highway 105, and on the Mae Fox property line, and being located South 83° 24' West 653.55 feet from an iron set at a marked locust tree, the beginning corner of the Tweetsie Railroad, Inc. property; thence from the beginning North 42° 24' West 55.22 feet to a point in the center of Highway 105; thence with the center of said Highway North 72° 43' East 189.00 feet to a point; thence South 42° 24' East 55.22 feet to a point on the southern right-of-way line of Highway 105; thence South 42° 24' East 150.00 feet to a point in the Mae Fox line; thence with the Mae Fox line South 72° 43' West 189.00 feet to an iron set; thence North 42° 24' West 150.00 feet to the beginning, containing 0.806 of an acre, and being subject to the right-of-way easement for N. C. Highway 105 affecting 0.217 of an acre and being the same as computations 475333 made October 8, 1975 by David K. Stern, RLS No. 1-1301 from information on plat #68059 prepared December 5, 1968 by Walter H. Burkett, RLS No. 1-1269.

This conveyance is made subject to the following reservation: Grantor reserves for itself, its successors and assigns the right to obtain and use water from a certain well located on the tract herein conveyed, together with the right to construct and maintain a water pipeline from said well on the tract conveyed to the 1.23 acres tract owned by the Grantor which lies to the East of and adjoins the tract conveyed, and for that purpose Grantor shall have the right of ingress and egress from its property to said well, said water line-right-of-way shall be located within ten feet of the western and southern boundary lines of the above described property.

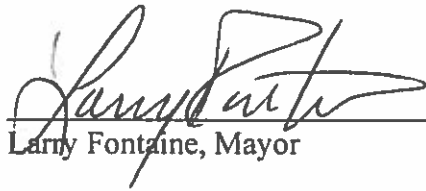
INFORMATION
RECORDED

Section 2. Upon and after January 14, 2020, 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 Seven Devils and shall be entitled to the same privileges and benefits as other parts of the Town

of Seven Devils, North Carolina. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.


Section 3. The Mayor of the Town of Seven Devils, North Carolina 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. 163-288.1.




Larry Fontaine, Mayor

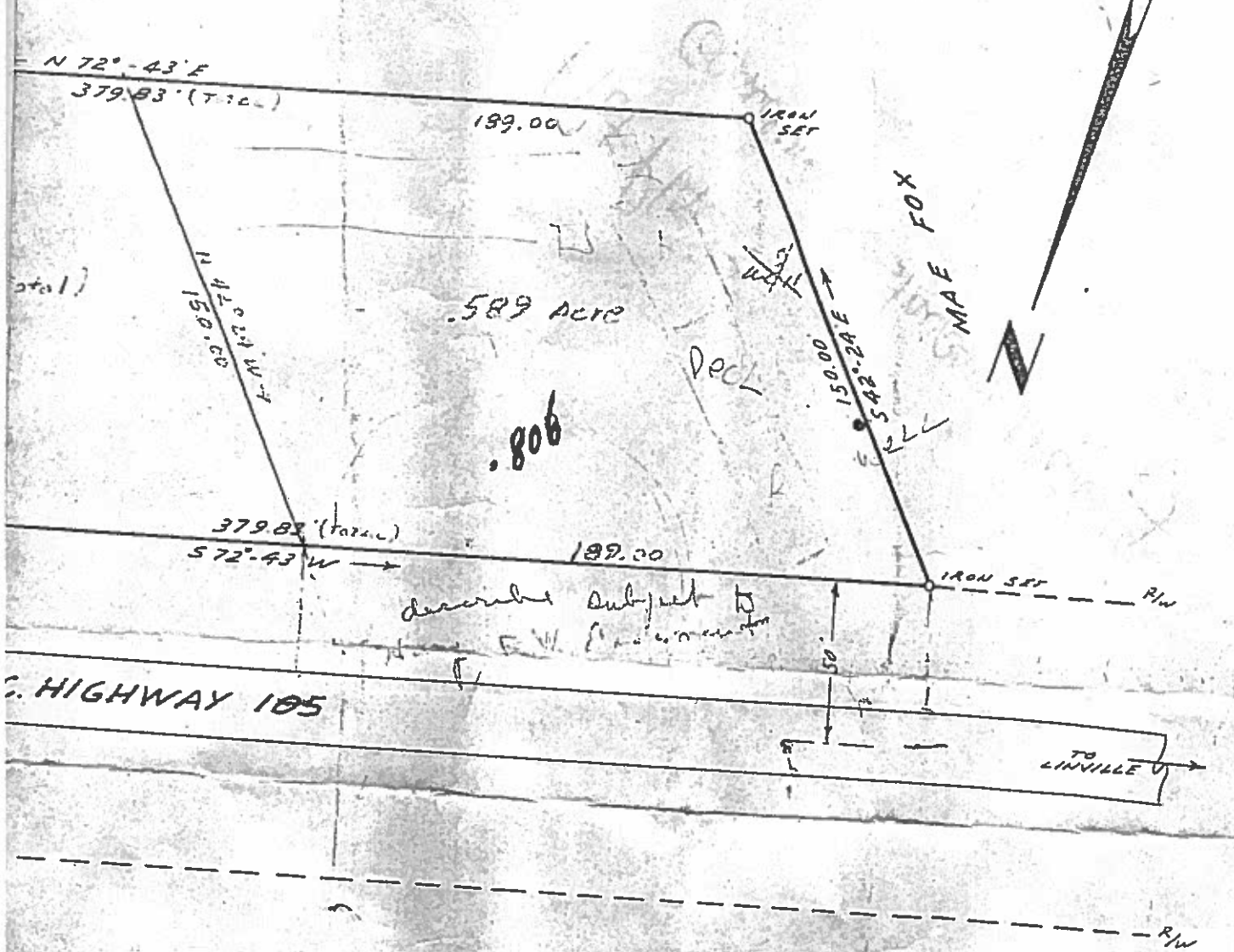
ATTEST:

APPROVED AS TO FORM:


Hillary Gropp, Town Clerk


Rob Angle, Town Attorney

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.



PROPERTY OF

R. C. BOWNNESS

Gregory + Debra Cairns
Rt 1 Box 273
Banner Elk, NC

WATAUGA TWP.

DEC. 5, 1968

WALTER H. BURKETT

WATAUGA CO., N.C.

SCALE 1" = 20'

BOONE, N.C.

RTN
DATED