



ORDINANCE 2016-08

TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF DAVIDSON TO INCLUDE NARROW PASSAGE

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 Meeting Room at 6:00 p.m. on May 10, 2016 after due notice in the Charlotte Observer on Sunday, April 24, 2016; 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 Davidson, 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 Davidson as of June 30, 2016:*

(See page 3 and page 4 for Metes and Bounds Description)

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

Section 3. The Mayor of the Town of Davidson shall cause to be recorded in the office of the Register of Deeds of Mecklenburg 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 Mecklenburg Board of Elections, as required by G.S. 163-288.1.



Adopted this 14th day of June, 2016.

Mayor

ATTEST:

APPROVED AS TO FORM:

Clerk

Town Attorney

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**EXHIBIT A TO NOW WARRANTY DEED
AND DEED OF TRUST**

Legal Description

Parcel 00309201

Beginning at a 1" iron pipe found located N 23°07'48" W 521.78' ground distance 521.70' grid distance combined factor = 0.99984991 from NCGS Monument "M006" N 631931.991 E 1468423.913 NAD 83 corner of Stephens K. & Carolyn S. Lawson Deed Book (DB) 4969 Page 135 Now or Formerly (N/F) on the line of Mack D. Woods DB 17747 Page 185 N/F which is the point of beginning; thence N 15°55'04" W a Distance of 31.83' to a #4 Rebar a corner of Mack D. Woods DB 17747 Page 185 & William Terry & Lynda Gail Robbins DB 4999 Page 393 N/F; Thence N 14°21'42" W a Distance Of 125.98' to a bent #4 Rebar found; a corner of Lynda Gail Robbins DB 4999 Page 393 N/F & Nicholas Adams Haley & Wilson M. Sadler DB 3082 Page 287 N/F; Thence N 14°34'59" W a Distance Of 160.62 to a #4 rebar found a corner of Nicholas Adams Haley & Wilson M. Sadler DB 3082 Page 287 N/F & Bradley D. & Michelle A. Martin DB 13632 Page 46 N/F; Thence N14°25'58" W a Distance Of 101.03' #4 rebar found a corner of Bradley D. & Michelle A. Martin DB 13632 Page 46 N/F & Edward B. Bost DB 15671 Page 99 N/F; Thence N 14°33'37" W a Distance Of 100.95 to a #4 rebar found a corner of Edward B. Bost DB 15671 Page 99 N/F & Carl J. & Jewell A. Snead N/F DB 8276 Page 17; Thence N 14°35'05" W a Distance Of 201.34' to a #4 rebar found corner of James M. Shelton Jr & Alma M. Shelton N/F DB 3762 Page 108 N/F & Hansel L. Moore Jr. & Jaycelyn T. Moore DB 3762 Page 110 N/F; thence N 14°41'08" W a Distance Of 100.97' to a #4 bent rebar found a corner of Hansel L. Moore Jr. & Jaycelyn T. Moore DB 3762 Page 110 N/F & Carlene L. & Larry F. Davis DB 13591 Page 367 N/F; Thence S 14°34'18" E a Distance of 168.24' thence with the Carlene L. & Larry F. Davis line DB 13591 Page 367 N/F N70°31'43" W a distance of 9.54' to a #4 tall rebar found; thence continuing with the Davis line S 52°01'26" W a distance of 454.35' to a 1" iron pipe found corner with Hal Puryear III & Terry R. Garmon DB 4037 Page 890 N/F; thence continuing with Hal Puryear III & Terry R. Garmon line 3 courses as follows the a distance of S 51°28'54" W 162.60' to a 2" iron pipe found; thence N 51°37'25" W a distance of 456.94' to a 42" pine tree; thence S 81°57'13" W a distance of 806.54' to a #6 rebar found a corner of the Robert E. & Charlotte T. Miller DB 4541 Page 222 N/F; thence with the Miller property S 28°10'16" W a distance of 613.00' to the center west branch rocky river passing a #5 rebar set at 576.10' a corner with the Richard Alan Thompson & Leslie Carole Thompson DB 7071 Page 396 N/F property; thence with the Thompson property 4 courses S 30°39'04" E a distance of 305.41' the center west branch rocky river; thence S 32°48'54" E a distance of 176.64' the center west branch rocky river; thence S 17°55'34" E a distance of 289.23' the center west branch rocky river; thence S 02°43'54" E a distance of 76.13' the center west branch rocky river on the northern margin of the 100' Right of way of East Rocky River Road point being located N 02°43'51" W a distance of 55.19' from a nail set in the center line of the road; thence S 67°05'22" E a distance of 632.14' along the margin to a #5 rebar set corner of the Stephens K. & Carolyn S. Lawson Deed Book (DB) 4969 Page 135 N/F; thence N 57°46'17" E a distance of 1494.03' to a 1" iron pipe found the point and place of beginning. Containing 56.81 acres as shown on a survey by Environmental Design dated July 6, 2005. Thomas E. Montgomery, PLS L-2593. Revised of December 22, 2015

Parcel 00725101

Beginning at #5 rebar set on the southern margin of the 100' Right of East Rocky River located S 68°49'45" W a distance of 143.73' from a #5 rebar set on the northern margin of the 100' right of way of East Rocky River; thence with the River Run Property Owners Assoc. Inc. DB 10368 Page 919 N/F S 58°39'45" W a distance of 333.12' to a #5 rebar found a corner of the River Run LP property DB 6030 page 503 N/F; thence with 2 courses of the River Run LP property N 50°36'57" W a distance of 189.71' to a #5 rebar set; thence N 02°43'41" W a distance of 240.20' to no corner found or set on the southern margin of the 100' right of way of East Rocky River point being located S 02°43'51" E a distance of 55.90 from a point set in the center line of the road; thence with the southern margin of the 100' right of way of East Rocky Road S 67°05'22" E a distance of 480.49' to a #5 rebar found which is the point and place of beginning, Containing 1.88 acres as show on a survey by

Environmental Design dated July 6, 2005. Thomas E. Montgomery, PLS L-2593.

Parcel 00309214

Beginning at a point in the center of Shearer Road; thence along the center of Shearer Road N 10°07'52" W a distance of 100.54'; of beginning, as show on a survey by Environmental Design dated July thence S 79°54'39" W a distance of 271.38' along the property of Carl J. & Jewell A. Snead N/F DB 8276 Page 17 a #4 rebar found; thence S 14°33'37" E a distance of 100.95' rebar found ; thence N 79°53'16" E a distance of 263.39' along the property of Bradley D. & Michelle A. Martin DB 13632 Page 46 N/F passing a #4 rebar found at 233.54 to a point in the center of Shearer Road; which is the point beginning having an area of 0.62 acre on a survey by Environmental Design dated July 6, 2005. Thomas E. Montgomery, PLS L-2593. Revised December 21, 2015

3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)