

ORDINANCE NO. 57-2015

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE CITY OF SHELBY, NORTH CAROLINA**

WHEREAS, North Carolina General Statute 160A-31 authorizes the City Council of the City of Shelby to annex contiguous property owned by the City of Shelby; and,

WHEREAS, the City Council of the City of Shelby, on October 19, 2015, adopted a Resolution of Intent to annex this; and,

WHEREAS, 4.657 acres of land near Poplar Springs Church Road abutting the Shelby-Cleveland County Regional Airport, described herein, is owned by the City of Shelby and is contiguous to the City's corporate limits; and,

WHEREAS, a public hearing on the question of this annexation was held at City Hall Council Chambers, 300 South Washington Street, Shelby, North Carolina on November 16, 2015 at 6:00 p.m. after due notice by publication on November 5, 2015; and,

WHEREAS, the City Council does hereby find as a fact that said Resolution stating the intent of the City of Shelby to annex contiguous property owned by the City of Shelby has been adopted and Approved on October 19, 2015 and all other requirements of GS 160A-58.1, as amended, have been satisfied; and,

WHEREAS, the City Council further finds that the Resolution of Intent is otherwise valid, and that the public health, safety, and welfare of the City and of the area proposed for annexation, will be best served by annexing the area described herein:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA:

Section 1. By virtue of the authority granted by GS 160A-58.2, as amended, the following described contiguous property is hereby annexed and made part of the City of Shelby as of November 16, 2015:

BEING ALL that certain tract of land consisting of approximately 4.657 acres located on Deed 1674 Page 2295 in the Register of Deed's Office in the Cleveland County Tax Assessor Building in Shelby, North Carolina.

BEGINNING at an existing rebar iron 424.77 feet S81-04-58E Northwest of a NCGS Control Monument "SHELPORT AZ" set with Grid Coordinates N: 557,171.65 E:1,222,539.34 and runs thence in a north westerly direction S62-26-24E, 355.06 feet to an existing rebar set on line and thence runs in a north westerly direction S62-26-24E 20.00 feet to a laid over concrete monument in branch and thence runs in a south westerly direction N34-33-41E for 498.30 feet to an existing rebar iron and thence runs in a south easterly direction N71-38-55W for 526.16 feet to an iron pin with grid coordinates N: 556,835.0991 E: 1,222,003.95 and thence runs in a north

easterly direction S16-02-55W for 418.81 feet to the point and place of BEGINNING and containing 4.657 +/- Acres, more or less.

The hereinbefore described tract contains 4.657 acres according to a map of a survey by Bankhead Surveying, PA entitled "Annexation Survey for The City of Shelby" dated September 30, 2015, to which said map reference is hereby made for a more particular description of the hereinbefore described tract.

Section 2. Upon and after November 16, 2015, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Shelby and shall be entitled to the same privileges and benefits as other parts of the City of Shelby. Said territory shall be subject to municipal taxes according to GS 16-A-58.10.

Section 3. The Mayor of the City of Shelby shall cause to be recorded in the office of the Register of Deeds of Cleveland County, and in the office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance. Such map shall also be delivered to the Cleveland County Board of Elections as required by GS 163-288.1.

Section 4. In accordance with Chapter 160A, Article 19 of the North Carolina General Statutes, as amended, the Shelby Unified Development Ordinance and Shelby Zoning Map (Appendix A of the Shelby City Code) is hereby amended to zone the 4.657 acres of land near Poplar Springs Church Road abutting the Shelby-Cleveland County Regional Airport as Light Industrial (LI). Said area of zoning as described in Section 1.

Adopted and approved this 16th day of November 2015.

O. Stanhope Anthony III
Mayor

ATTEST:

Bernadette A. Parduski, NC-CMC, IIMC-MMC
City Clerk

APPROVED AS TO FORM:

Robert W. Yelton
City Attorney