

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF  
THE TOWN OF OLD FORT, NORTH CAROLINA

WHEREAS, the Board of Aldermen has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the Board of Aldermen has by resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of annexation was held at Town Hall on the 17th day of June, 1996, after due notice by publication on the 5th day of June, 1996; and

WHEREAS, the Board of Aldermen does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended.

NOW, THEREFORE BE IT ORDAINED by the Board of Aldermen of the Town of Old Fort, North Carolina:

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the following described territory is hereby annexed and made a part of the Town of Old Fort as of the 30th day of June, 1996.

**BEING THE SAME IDENTICAL PROPERTY DESCRIBED** in Deed Book 470, at Page 685 of the McDowell County Deed Registry, hereby incorporated by reference as if fully set out and to which reference is hereby made and being more fully described as follows:

**BEGINNING** on an iron pin set, said iron pin set being located, North 20 degrees 18 minutes 00 seconds East 55.03 feet from an existing iron pin, said existing iron pin being the fourth (4th) corner of that property which is described in Deed Book 203, at Page 638, to which reference is hereby made; runs thence, North 55 degrees 26 minutes 24 seconds East 110.00 feet to a point; runs thence, North 38 degrees 36 minutes 00 seconds West 98.12 feet to a point; runs thence, South 50 degrees 30 minutes 00 seconds West 85.38 feet to an iron pin set on the Northern bank of Moffitt Creek; runs thence, South 23 degrees 18 minutes 15 seconds East with the Northern bank of Moffitt Creek 92.30 feet to the point of the **BEGINNING**, containing **0.21 acres, more or less**.

**AND BEING** that same property as described in and conveyed by that certain deed dated February 28, 1985, from Bobby Oaks and wife, Louise Oaks to William Harold Martin and wife, Kathleen Bridges Martin, and which is recorded in the McDowell County Registry in Deed Book 339, at Page 645.

Section 2. Upon and after the 30th day of June, 1996, 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 Old Fort and shall be entitled to the same privileges and benefits as other parts of the Town of Old Fort. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Old Fort shall cause to be recorded in the office of the Register of Deeds of McDowell 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 McDowell County Board of Elections.

Adopted this 17th day of June, 1996.

Wayne S. Stafford  
Mayor

ATTEST:

Iretta B. Hancock  
Town Clerk

STATE OF NORTH CAROLINA

COUNTY OF MCDOWELL

I, Renee M. Grindstaff, a Notary Public do hereby certify that Wayne S. Stafford and Iretta B. Hancock personally appeared before me this day and acknowledged that she is Clerk of the Town of Old Fort, a municipal corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal and attested by her as its Clerk.

Witness my hand and notarial seal this 18<sup>th</sup> day of June, 1996.

My Commission Expires:

7-12-98

Renee M. Grindstaff  
Notary Public

Filed:  
19<sup>th</sup> day of March, 1996  
@ 10:39 AM/PM  
Patricia A. Reel  
Register of Deeds  
McDowell County, N.C.

Excise Tax \$ 10.<sup>00</sup>

Recording Time, Book and Page

Tax Lot No. \_\_\_\_\_ Parcel Identifier No. \_\_\_\_\_  
Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
by \_\_\_\_\_

MAIL after recording to: GRANTEE @ P.O. Box 818 Old Fort, NC 28762  
NOTITLE EXAM MADE  
This instrument prepared by H. RUSSELL NEIGHBORS, JR., 8 S. Main St., Marion, NC 28752 /ans

BRIEF DESCRIPTION FOR INDEX: OLD FORT TOWNSHIP

**NORTH CAROLINA GENERAL WARRANTY DEED**

**THIS DEED made this the 18TH day of MARCH, 1996, by and between**

GRANTOR	*	GRANTEE
BILLY SANDERS and wife, WILMA SANDERS	* * * * * * * * * *	TROY M. PACK and wife, RUBY L. PACK

Enter in appropriate block for each party: name, address, and if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by content.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in FEE SIMPLE, all that certain lot or parcel of land situated in the City of N/A, OLD FORT Township, McDowell County, North Carolina and more particularly described as follows:

**BEING THE SAME IDENTICAL PROPERTY DESCRIBED** in Deed Book 470, at Page 685 of the McDowell County Deed Registry, hereby incorporated by reference as if fully set out and to which reference is hereby made and being more fully described as follows:

**BEGINNING** on an iron pin set, said iron pin set being located, North 20 degrees 18 minutes 00 seconds East 55.03 feet from an existing iron pin, said existing iron pin being the fourth (4th) corner of that property which is described in Deed Book 203, at Page 638, to which reference is hereby made; runs thence, North 55 degrees 26 minutes 24 seconds East 110.00 feet to a point; runs thence, North 38 degrees 36 minutes 00 seconds West 98.12 feet to a point; runs thence, South 50 degrees 30 minutes 00 seconds West 85.38 feet to an iron pin set on the Northern bank of Moffitt Creek; runs thence, South 23 degrees 18 minutes 15 seconds East with the Northern bank of Moffitt Creek 92.30 feet to the point of the **BEGINNING, containing 0.21 acres, more or less.**

**AND BEING** that same property as described in and conveyed by that certain deed dated February 28, 1985, from Bobby Oaks and wife, Louise Oaks to William Harold Martin and wife, Kathleen Bridges Martin, and which is recorded in the McDowell County Registry in Deed Book 339, at Page 645.

**END**

The property hereinabove described as acquired Grantor by instrument recorded in Deed Book \_\_\_\_\_, at Page \_\_\_\_\_ of the McDowell County Deed Registry.

A map showing the above described property is recorded in Map Book \_\_\_\_\_, at Page \_\_\_\_\_ of the McDowell County Deed Registry.

**TO HAVE AND TO HOLD** the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in FEE SIMPLE.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in Fee Simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

1. Subject to all public, private and utility easements of record.
2. Subject to 1996 ad valorem taxes not yet due and payable and subsequent years.
3. This instrument was prepared by H. Russell Neighbors, Jr. without review or examination of title to the herein above described property and no opinions or representations are being made either expressed or implied by said attorney.

**IN WITNESS WHEREOF**, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

\_\_\_\_\_  
(Corporate Name) Billy Sanders (SEAL)  
**BILLY SANDERS**

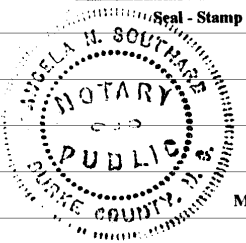
By: \_\_\_\_\_  
President Wilma Sanders (SEAL)  
**WILMA SANDERS**

Attest: \_\_\_\_\_ (SEAL)  
Secretary \_\_\_\_\_ (SEAL)

(CORPORATE SEAL) \_\_\_\_\_ (SEAL)

\_\_\_\_\_ (SEAL)

\_\_\_\_\_ (SEAL)



Seal - Stamp STATE OF NORTH CAROLINA, MCDOWELL COUNTY  
I, a Notary Public for the forenamed County and State, do hereby certify that **BILLY SANDERS and wife, WILMA SANDERS** personally appeared before me this day and acknowledged the execution of the foregoing instrument.  
WITNESS my hand and official stamp or seal, this the 18th day of MARCH 1996.

My commission expires: 11-1-2000 Angela N. Southard  
Notary Public

The foregoing Certificate(s) of ANGELA N. SOUTHARD, NOTARY PUBLIC

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

BY: PATRICIA A. REEL REGISTER OF DEEDS FOR MCDOWELL COUNTY  
Jane B. Childers DEPUTY/ASSISTANT-REGISTER OF DEEDS