

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 16th day of April, 2001, after due notice by publication on the 4th day of April, 2001; 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, 2001.

BEGINNING on an iron pin set in the centerline of the Southern Railway main track, said iron pin being located North 55 degrees 31 minutes 49 seconds East 291.88 feet from U.S. Coast and Geodetic Monument Y-180, said iron pin being the 5th corner of Tract #1 of the Dewitt T. Tipton et ux property, Deed Book 228 at page 126 (see Deed Book 57, page 157 for description), a portion of which is included in this description, and runs thence from said beginning point, South 38 degrees 58 minutes 17 seconds East 67.99 feet to an iron pin set; thence North 84 degrees 26 minutes 32 seconds East 214.50 feet to an iron pin set in the old run of the Catawba River; thence with the old run of the Catawba River, South 02 degrees 49 minutes 47 seconds East 111.37 feet to an iron pin set; thence continuing with the old run of the Catawba River, South 06 degrees 19 minutes 13 seconds West 91.01 feet to an iron pin set in the northern right of way of I-40; thence with the edge of the said northern right of way for I-40 and with a curve to the left, said curve having a radius of 4,713.75 feet, a central angle of 01 degree 07 minutes 42 seconds and a chord bearing and distances of South 50 degrees 54 minutes 53 seconds West 92.83 feet to an iron pin set; thence continuing with the northern right of way for I-40, the following three (3) bearings and distances: South 50 degrees 21 minutes 26 seconds West 509.55 feet to a concrete right of way monument; South 89 degrees 01 minute 06 seconds West 96.07 feet to a concrete right of way monument; South 50 degrees 21 minutes 26 seconds West 107.71 feet to a point located North 50 degrees 21 minutes 26 seconds East 42.98 feet from a concrete right of way monument; thence leaving said northern right of way line for I-40 and running with the line of Arrowhead Corporation, North 23 degrees 51 minutes 49 seconds West (passing an existing iron pin at 0.65 feet) a total distance of 443.84 feet to an iron pin set in the centerline of the main track for Southern Railway, said iron pin being located North 63 degrees 41 minutes 59 seconds East 466.00 feet from an

existing iron pin in the centerline of said main track of Southern Railway, said iron pin being the 4th corner of Tract #1, Deed Book 228 page 126 (as described in Deed Book 57 at page 157); thence along and with the centerline of said main tract of Southern Railway, North 63 degrees 44 minutes 18 seconds East 637.00 feet to the BEGINNING, containing 7.09 acres, DMD, description furnished by R. L. Greene, Surveying & Mapping.

AND BEING all the remaining portion of the Dewitt T. Tipton et ux property lying North of Interstate 40, as described in that deed dated September 27, 1972 from A. J. Harris and wife, Margaret L. Harris to Dewitt T. Tipton and wife, Phoebe B. Tipton and recorded in Deed Book 228 at page 126 of the McDowell County, NC, Deed Registry.

Section 2. Upon and after the 30th day of June, 2001, 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 16th day of April, 2001.

Wayne S. Stafford
Mayor, Town of Old Fort

ATTEST:

Letha B. Hancock
Town Clerk, Town of Old Fort

North Carolina
County of McDowell

I, Benois M. Grindstaff, a Notary Public for said County and State, do hereby certify that Letha B. Hancock Town Clerk, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 17th day of April, 2001.

Benois M. Grindstaff
Notary Public

My commission expires 7-27, 2003.