

JUL 2 8 16 AM '99

012090

ORDINANCE #99-17:

MRS. JUDITH M. ADAMS
REGISTER OF DEEDS
MOORE COUNTY, N.C.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST, UNDER THE AUTHORITY GRANTED BY CHAPTER 160A, ARTICLE 4A, PART 3 OF THE GENERAL STATUTES OF NORTH CAROLINA AS IT PERTAINS TO THE AREA MORE COMMONLY KNOWN AS "LINDEN ROAD SOUTH".

THAT WHEREAS, all of the prerequisites to adoption of this ordinance prescribed in Chapter 160A, Article 4A, Part 3 of the General Statutes of North Carolina, have been met; and

WHEREAS, the Village Council has taken into full consideration the statements presented at the public hearing held on April 19th, 1999 on the question of this annexation; and

WHEREAS, the Village Council has concluded and hereby declares that annexation of the area described herein is necessary to the orderly growth and development of the Village of Pinehurst;

NOW, THEREFORE, BE IT ORDAINED by the Village Council of the Village of Pinehurst, North Carolina in regular session assembled this 21st day of June, 1999 that:

SECTION 1. From and after the effective date of this annexation, the following territory shall be annexed to and become a part of the Village of Pinehurst, and the corporate limits of the Village of Pinehurst shall be extended to include said territory (Linden Road South) more particularly described by metes and bounds as follows:

A certain tract or parcel of land, adjoining the Corporate Limits of the Village of Pinehurst, and being in Sandhills Township, Moore County, North Carolina, lying on the northeast side of State Road No. 1115 (Linden Road), adjoining the Horse's Creek development on the southwest, Resorts of Pinehurst, Inc. on the north, Garrison and Garner on the east, Williams and Breslin on the south, and Garrett on the southwest, and being described as follows:

BEGINNING at a concrete monument in the northeasterly right of way of State Road No. 1115 (Linden Road—60 foot wide right of way), the northwest corner of lot No. 1 of the Horse's Creek Estates development as shown on plat recorded in Plat Cabinet 1 at slide 74-B, in the Moore County Registry, said beginning corner also being a southwesterly and beginning corner of the resorts of Pinehurst, Inc. tract 7-A, as described in Deed Book 523 at page 469 in the Moore County Registry; running thence from said beginning as the northeasterly right of way line of State Road No. 1115 as it curves to the left in a northwesterly direction having a radius of 1107.70 feet an arc distance of 321.62 feet (chord = N27-50W 320.49 feet to the Village of Pinehurst Corporate limits line; thence as said line, leaving the road S89-50-50E 2382.49 feet to an existing corner of the Pinehurst Corporate Limits, and another corner of the aforesaid Resorts of Pinehurst, Inc. tract 7-A; thence as lines of said tract the following courses: S42-46-27E 119.08 feet, S4-01-58E 308.63 feet (with Garrison and Garner), S30-05-55E 163.93 feet (with Garner --518/885), S67-23-06W 33.30 feet (with Williams—429/45), S22-46-48W 84.77 feet (with Williams—429/45), S65-40-06W 89.21 feet, (with Williams—429/45, and with Breslin—467/140), S77-59-30W 109.52 feet (with Breslin—467/140), N59-23-06W 112.84 feet, (with Breslin—467/140), S5-23-54E 328.87 feet (with Breslin—467/140), S49-33-38W 607.13 feet (with Breslin—467/140), N28-08-47W 1264.11 feet (with Garrett—495/319), S87-55-46W 122.68 feet (with Garrett—495/319), and S87-55-46W 920.31 feet (with lot 1, "Horse's Creek Estates—PC1/s1 74-B), to the beginning, containing 33.46 acres more or less (as computed by the coordinate method), and being a part of the Resorts of Pinehurst, Inc. tract 7-A, as recorded in Deed Book 523 at page 469, in the Moore County Registry.

NOTE: Description prepared from deeds, maps of record and not from actual survey.

\$14.00 pd.

MAIL TO: *Jour of Pinehurst*
PO Box 5589
Pinehurst NC 28374

SECTION 2. The Village Council hereby finds and declares that the above described territory meets the requirements of G.S. 160A-48, in that:

1. The area proposed for annexation meets the requirements of subsection (c)(5).
2. The study area is adjacent and contiguous to the municipality's boundaries.
3. The area adjacent to the existing corporate limits is 2700 linear feet, thus complying with the one eighth requirement.
4. No part of the study area is included within the boundary of another incorporated municipality.
5. Study area consists of one tract of land that is used as a commercial use (part of Lake Pinehurst).

SECTION 3. It is the purpose and intent of the Village of Pinehurst to provide services to the area being annexed under this ordinance, as set forth in the report of plans for services approved by the Village Council on March 3rd, 1999 and filed in the office of the Clerk for public inspection on March 3, 1999.

1. Upon annexation, the Village of Pinehurst Police Department will provide police protection to the subject area at the same level of service as is currently provided in the corporate limits of the Village of Pinehurst.
2. The area is now in the service district of the Village of Pinehurst Fire Department. Upon annexation, the Village of Pinehurst Fire Department will provide fire protection to the subject area at the same level of service as is currently provided in the corporate limits of the Village of Pinehurst.
3. Upon annexation, the Village of Pinehurst Sanitation Department will provide solid waste collection to the subject area at the same level of service as is currently provided in the corporate limits of the Village of Pinehurst.
4. Services provided by the Village, namely Police Protection, Fire Protection, Sanitation, and Street Maintenance, are funded through the General Fund.

SECTION 4. The Village of Pinehurst does not provide water or sewer services. Any extension of major trunk water mains or sewer outfall lines will be in accordance with MOWASA's Extension Policy, a copy of which is in the Village Clerk's Office. The timetable will be determined by MOWASA.

SECTION 5. From and after the effective date of this annexation, the territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Village of Pinehurst, and shall be entitled to the same privileges and benefits as other parts of the Village.

SECTION 6. The newly annexed territory described above shall be subject to Village taxes according to G.S. 160A-58.10.

SECTION 7. The Mayor of the Village of Pinehurst shall cause an accurate map of the annexed territory described in Section 1 hereof, together with a duly certified copy of this ordinance, to be recorded in the office of the register of deeds of Moore County, and in the office of the Secretary of State in Raleigh. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

SECTION 8. This ordinance shall become effective on December 1, 1999.

As to qualified tracts of agricultural and, horticultural land and forestland, the annexation will become effective on the last day of the month in which the tract or part thereof becomes ineligible for present-use classification under G.S. 105-227.4 or no longer meets the requirements of G.S. 160A-49(f)(2).

SECTION 9. Notice of adoption of this ordinance shall be published once in a newspaper having general circulation in the Village of Pinehurst.

Adopted this 21st day of June, 1999.

(Municipal Seal)



VILLAGE OF PINEHURST
VILLAGE COUNCIL

Attest:

By:

Virginia F. Fallon
Virginia F. Fallon, Mayor

Mary H. McGraw
Mary H. McGraw, Village Clerk

June 29, 1999

Approved as to form:

I, Mary H. McGraw, Village Clerk of Pinehurst, North Carolina, do hereby certify that this is a true and accurate copy of the Ordinance (99-17) adopted by the village Council at their regular meeting of June 21, 1999.

John B. Clayton
John B. Clayton, Village Attorney

WITNESS MY HAND AND OFFICIAL SEAL OF THE Village of Pinehurst, this 29th day of June, 1999.

Mary H. McGraw
Mary H. McGraw, Village Clerk



North Carolina -- Moore County

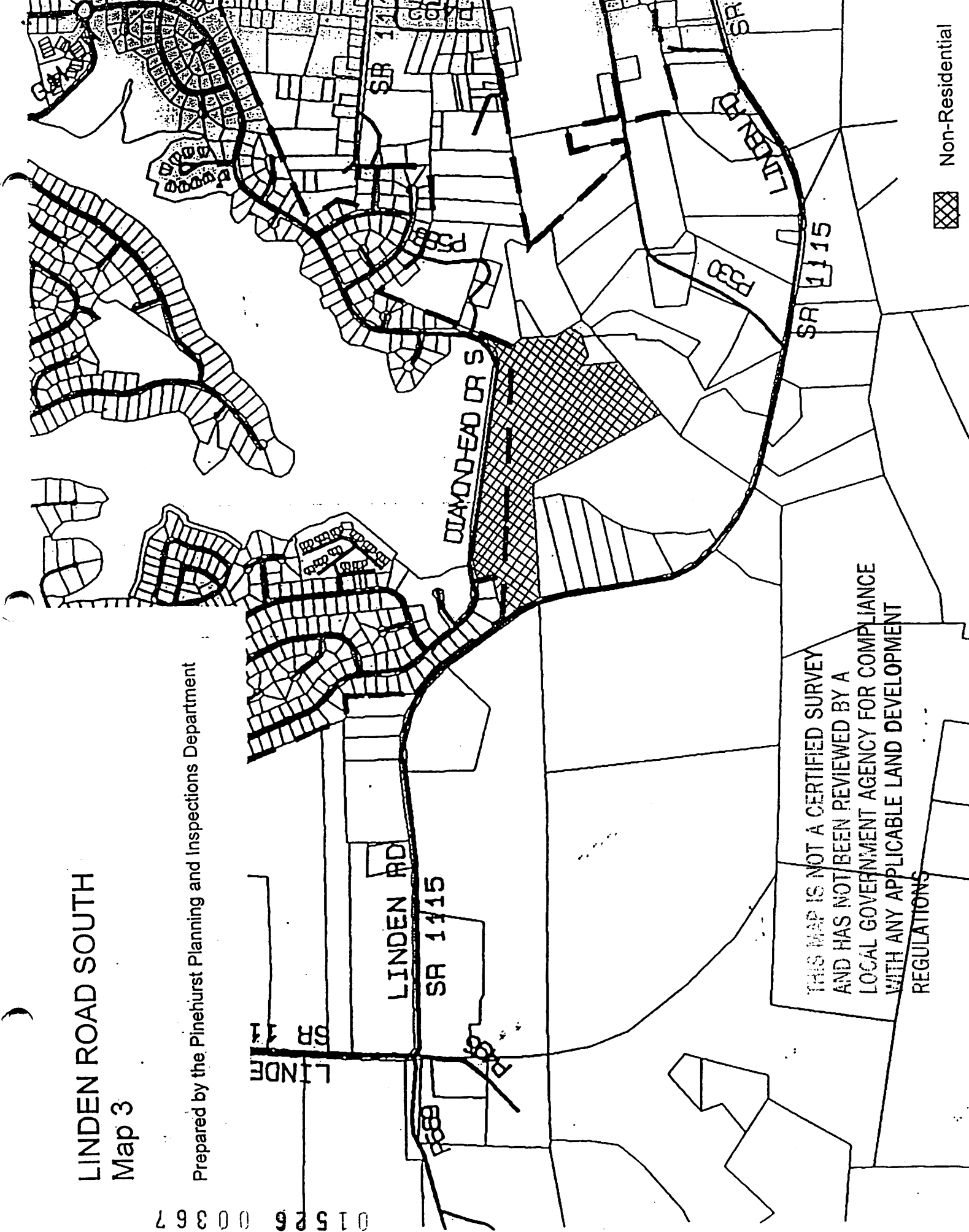
The foregoing attached copy of the ordinance of the Village of Pinehurst has been certified by Mary H. McGraw. This 2nd day of July, 1999.

Judith M. Adams, Register of Deeds

By: Julie A. Loring
Deputy

LINDEN ROAD SOUTH Map 3

Prepared by the Pinehurst Planning and Inspections Department



THIS MAP IS NOT A CERTIFIED SURVEY
AND HAS NOT BEEN REVIEWED BY A
LOCAL GOVERNMENT AGENCY FOR COMPLIANCE
WITH ANY APPLICABLE LAND DEVELOPMENT
REGULATIONS

Non-Residential