

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA
CITY OF BREVARD



PETITION REQUESTING A CONTIGUOUS ANNEXATION
(G.S. 160A-31)

Date: _____

To the City Council of the City of Brevard:

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the City of Brevard.
2. The area to be annexed is contiguous to the City of Brevard and the boundaries of such territory are as follows:

**(ATTACH A METES AND BOUNDS PROPERTY
DESCRIPTION AS "ATTACHMENT A")**

3. A map is attached showing the area proposed for annexation in relation to the primary corporate limits of the City of Brevard. (ATTACH MAP (include Tax Map PIN) AS "ATTACHMENT B")
4. 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.)

Name	Address	Do You Declare Vested Rights Yes or No	Signature
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____

Petition should be returned to: City Clerk, City of Brevard
95 West Main St., Brevard, NC 28712

Annexation Petition – Worksheet

Date Petition Received: _____

Petition Requesting:

Contiguous _____

Non-Contiguous _____

Property Identification Number (PIN):
Property Address:
Transylvania Register of Deeds Deed Reference (Book & Page):
PROVIDED: Property Survey [] Tax Map [] and, Metes & Bounds Description []
Waiver of Formalities received from owners? YES [] NO []
Annexation Plat (1 mylar, 5 paper) received with appropriate certificates. Date:

Property Owner: _____

Mailing Address: _____

Telephone: _____ Fax _____ Cell _____

Email: _____

Agent / Representative: _____

Mailing Address: _____

Telephone: _____ Fax _____ Cell _____

Email: _____

Petition forwarded to City Attorney for review for Certificate of Sufficiency: _____

Received call or email from Mike Pratt confirming sufficiency of Petition: _____

Petition forwarded to Planning Department for staff review and preparation for TRC and BPB review and recommendations: _____

Submitted staff report to City Manager for placement on Council Agenda: _____

Council directs Clerk to Investigate Sufficiency (GS 160A-31(c)): _____

Council accepts Clerk's Certificate of Sufficiency: _____

AND

Council directs Clerk to forward Petition to Planning Dept. for TRC and BPB review AND directs Clerk to call for Public Hearing at first available meeting following BPB recommendation: _____

TRC Mtg: _____

BPB Mtg: _____

Public Hearing date scheduled for: _____

Legal Notice Publication Dates: _____

{Must be published once at least 10 days prior to the date of the public hearing. GS 160A-31(c)}

During public hearing, comments are received either for or against, either verbally or in writing. If NO oppositions is offered during the public hearing, Council may elect to waive formalities and consider the matter the same night as public hearing. (If opposition is offered, Council will normally wait until the next regular meeting to consider the annexation.) Ordinance must be reduced to writing before Council will consider it.

Governing board shall have authority to make the annexation ordinance effective immediately or on any specified date within six months from the date of passage of the ordinance.

Annexation Ordinance (draft) prepared: _____

Prepare Ordinance to extend the Corporate Limits of the City of Brevard for Council's adoption. If metes and bounds property description is not included within the text of the ordinance, the metes and bounds description must be attached as "Attachment A" to the ordinance.

Upon adoption, advertise one time the ANNEXATION ORDINANCE in newspaper that property has been annexed. {Long held City of Brevard practice.}

Ordinance forwarded to T Times on: _____ Publication date: _____

TC Register of Deeds – Plat Recorded: _____

TC Register of Deeds – Ordinance Recorded: _____

TOTAL Plat and Ordinance Recording Costs: _____

Provide a full-size paper copy of the Annexation Plat, Ordinance and GIS Map to:

1. NC Secretary of State
2. Transylvania Tax Assessor's Office (mapping)
3. TC Board of Elections
4. City Clerk's Office retains one for record.

Mailed to the above on: _____

Provide a copy of the annexed property (via Annexation Plat, GIS, or Tax Mapping) and copy of Ordinance to:

1. Comporium Phone Company
2. Duke Energy
3. GDS
4. Sylvan Valley CATV

Mailed to the above on: _____

5. Planning Department
6. Public Services Department
7. Police Department

Provided to the above on: _____

APPLICANT – Provided INVOICE or letter to reimburse City's cost of recording on: _____

Recording costs reimbursed on: _____ Receipt No. _____

DATE

Applicant
Address
Brevard, NC 28712

Regarding: Petition Requesting Contiguous Annexation

Dear NAME:

I am writing in regard to your inquiry asking what you need to do to begin the process to request your property be annexed into the City of Brevard. (Name City Staff Member contacted...J Freeman, B. Burton, S. Lutz, J. Moore, and title...ie Mr. Brad Burton, Assistant Planning Director), contacted me and explained you two have briefly discussed the matter and he/she has advised me your property adjoins the City limit boundary, and therefore you would be seeking contiguous annexation consideration.

Enclosed is a Petition for Contiguous Annexation form to be signed by all who own the subject property. In addition to the Petition, you will need to provide a metes and bounds description of the subject property, a copy of the Deed, and an annexation plat that provides the following information:

An annexation plat shall contain the following information:

1. A survey of the property clearly showing parcel boundaries (annexation area), rights-of-way, easements and any other dedications;
2. Title Block with the following minimum information: (a) Title "Annexation Plat – Ordinance No. _____"; (b) Owner(s) name and address; (c) Transylvania Property Identification Number [PIN]; (d) Surveyed by; (e) Date; (f) Scale
3. Clearly shows the existing City of Brevard corporate limits and shows how and where the parcel is contiguous;
4. If the area to be annexed is separated from the municipal boundary, then the annexation area boundary shall be drawn to include to the center of the road or street right-of-way, center of creek or river, railroad right-of-way or other public service corporation, lands owned by the municipality or some other political subdivision or owned by the State of North Carolina. (GS 160A-31 (f))
5. Annexation plat to contain the following certificates (example of certifications are attached);
 - a. Certificate by Surveyor

- b. Owners Certification
 - c. Annexation (City Clerk)
 - d. Review Officer
6. Submit annexation plat/map on disk along with one (1) quality mylar drawing and five (5) paper copies.

You will submit the above to the City Clerk's office. Upon receipt, I will provide copies of the Petition and plat to the City Attorney and to the Brevard Planning Department. At the first available meeting, Council is advised of the Petition and directs the Clerk to investigate the sufficiency of the Petition. A Certificate of Sufficiency is soon thereafter presented to Council for adoption consideration by Resolution. Upon adoption, Council directs the Clerk to forward to Planning Department for staff, Technical Review Committee (TRC) and Brevard Planning Board (BPB) review and recommendation. Council further directs the Clerk to schedule a Public Hearing at the first available meeting following receipt of the Staff and Planning Board's recommendation.

Following the Public Hearing, if Council takes action to adopt the annexation, the annexation plat and ordinance must be recorded within the Transylvania County Register of Deed's Office. The cost of recording is the responsibility of the applicant. I confirm with the Register of Deed's office the dollar amount needed for recording, and will advise you of the amount. Upon receipt of the recording fees, the ordinance and plat will be properly signed by City officials and recorded. Following recording, the appropriate State and local offices will be notified of the annexation.

If you have any questions, or if I can be of further assistance, please feel free to contact me at your convenience.

Sincerely,

Desiree D. Perry
City Clerk

Enclosed:
Petition for Contiguous Annexation
Annexation Map / Plat Certifications

cc: Mr. Brad Burton