

Annexation Ordinance No: _____
AX 22-007: Next Chapter Neighborhoods, Eastern
side of Gillespie Street, South of Ivan Drive

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

WHEREAS, the City Council has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the City of Fayetteville has investigated the sufficiency of the petition; and

WHEREAS, the City of Fayetteville has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at City Hall Council Chambers at 7:00 PM on August 22, 2022, after due notice by publication; and

WHEREAS, the City Council further finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the primary corporate limits of the City of Fayetteville;
- b. No point on the proposed satellite corporate limits is closer to the primary corporate limits of another municipality than to the primary corporate limits of the City of Fayetteville;
- c. The area described is so situated that the City of Fayetteville will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376 and as interpreted by the City's Legal Department, will be fragmented by this proposed annexation;
- e. The area within the proposed satellite corporate limits, when added to the area within all other satellite Corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the City of Fayetteville;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Fayetteville North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous property owned by Fayetteville Memorial Cemetery Corporation and Draughon Holdings, LLC is hereby annexed and made part of the City of Fayetteville, North Carolina as of August 22, 2022:

Name of Annex Area: Next Chapter Neighborhoods, Eastern side of Gillespie, South of Ivan Dr.
Name of Owner(s): Fayetteville Memorial Cemetery Corporation and Draughon Holdings, LLC
PIN: 0435-15-6869/REID: 0435156869000 & 0435-15-5175/REID: 0435155175000
Size: 50.12 +/- Acres

TRACT ONE

Lying and being in Pearces Mill Township, Cumberland County, North Carolina, about 0.3 miles east of the City of Fayetteville, bounded on the west by the US 301 (Gillespie Street), on the north by Ivan Drive, (S.R. 2231), on the east by American Dream Property Management Company, LLC and to the south by Phoenix Global Support, LLC, and Draughon Holdings LLC and being more particularly described as follows;

BEGINNING at a point located in the southeastern right of way of Ivan Dr., said corner being the northeast corner of the 70.16 acre Fayetteville Memorial Cemetery Corporation Property as shown as Tract I in Deed Book 10974 Page 695 of the Cumberland County Registry;

And running thence with the western line of the Fayetteville Memorial Cemetery Corporation, S 09°47'02" E 1481.15' to feet to a point located in the northern line of Tract 5 as shown in deed to American Dream Property Management Company, LLC as recorded in Deed Book 11054 Page 407;

Thence with the northern line of said Tract Five, S 77°25'21" W a distance of 120.28' feet to an existing concrete monument located at the northeast corner of Lot 2 as shown on plat entitled "Exempt Subdivision for Rogers and Breece Inc.," as recorded in Plat Book 146 Page 111,

Thence with the northern line of the above Lot 2, S 77° 16'00" W a distance of 757.78 to an existing concrete monument located at the northeast corner of Lot I as

shown on plat entitled "Exempt Subdivision for Rogers and Breece Inc.," as recorded in Plat Book 146 Page 111;

Thence with the northern line of Lot 1, S 77°23' 104" W a distance of 212.85' to an existing re-bar located at the northeast corner of the area shown as "Reserved Ingress, Regress and Utility Easement" as shown on plat entitled "Airport Commerce Park" as recorded in Plat Book 97 Page 153;

Thence with the northern line of the above Reserved Ingress, Regress and Utility Easement, S 77°58' 131" W a distance of 317.58' to an existing rebar located at the northeast corner of Lot 6 as shown on plat entitled " Airport Commerce Park" as recorded in Plat Book 97 Page 153;

Thence with a new line N 17°00'106" W a distance of 977.51' to an existing concrete monument located at the southeast corner of the Commercial Warehouse Leasing, LLC and Bearskin Holdings, LLC tract as shown in Deed Book 10974 Page 488;

Thence with the eastern line of said tract, N 02°52'139" E a distance of 507.16' to a point located in the southern right of way margin of Ivan Drive, (S.R. 2231); Thence running along the southern right of way of Ivan Drive N 76°48'148" E a distance of 1421.00' to feet to the point of beginning, containing 49.75 acres.

TRACT TWO

Lying and being in Pearces Mill Township, Cumberland County, North Carolina, About 0.3 miles east of the City of Fayetteville and being more particularly described as follows;

Beginning at an existing re-bar located at the northeast corner of the area shown as "Reserved Ingress, Regress and Utility Easement" as shown on plat entitled " Airport Commerce Park" as recorded in Plat Book 97 Page 153; Thence with the northern line of the above Reserved Ingress, Regress and Utility Easement, S 77° 58'31" W a distance of 317.58' to an existing rebar located at the northeast corner of Lot 6;

Thence with Lot 6, S 49°05' 9 41" E 139.68 feet to an existing re-bar located in the western right of way margin of Bridgewood Drive; said drive having a sixty foot right of way;

Thence with the western right of way margin of Bridgewood Drive with a curve having a radius of 545.05 feet and length of 260.13 feet with a chord bearing and distance of N 54° 37' 35" E 257.67 feet to an existing re-bar located at the northern end of Bridgewood Drive;

Thence leaving said right of way, N 21⁰42⁵04" W 9.55 feet to the point of beginning and containing 0.37 Acres.

The above parcel being shown as Reserved Ingress, Regress and Utility Easement on plat entitled "Airport Commerce Park" as recorded in Plat Book 97 Page 153; LESS and EXCEPT that area of Bridgewood Drive as shown on plat nettled "Revision of Bridgewood Drive Right of Way Dedication Map" as recorded in Plat Book 138 Page 120 of the Cumberland County, North Carolina Registry.

Section 2. Upon and after August 22, 2022, the above-described area and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Fayetteville, North Carolina and shall be entitled to the same privileges and benefits as other parts of the City of Fayetteville, North Carolina. Said area shall be subject to municipal taxes according to G.S. 160A-58.10.

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

Adopted this ____ day of _____, 20____.

Mitch Colvin, Mayor

ATTEST

Pamela Megill, City Clerk