



MEMORANDUM

TO: Mayor and City Councilors

FROM: Rich Olson, City Manager
Vivian White, City Clerk

DATE: January 6, 2016

REF: Consideration – Adoption of Resolution Calling for a Public Hearing on the Question of a Requested Annexation

BACKGROUND:

During the City Council meeting held on November 23, 2015, the City Council accepted the Certificate of Sufficiency regarding a Petition for Annexation received from Jacques S. Pagels, Trustee of the Ralph O. Davis Testamentary Trust and Elizabeth L. Stallings, Trustee of the Ralph O. Davis Testamentary Trust, et al. Also during that meeting, this matter was referred to the first City Council meeting in January 2016 for adoption a resolution calling for a public hearing to be held on this matter.

ANALYSIS:

The resolution has been prepared and is attached for your reference. This resolution includes a metes and bounds description for the two parcels being considered as follows: Tax Blocks P90-29C (14.193 acres of the total 28.435 acres) and P90-29-1 (1.829 acres).

STAFF RECOMMENDATION:

By motion, adopt the attached Resolution calling for a Public Hearing to be held on January 25, 2016 at 7:30 p.m. in City Council Chambers of the Municipal Administration Building and instruct the City Clerk to advertise the Public Hearing as required by state statute.

/vdw

RESOLUTION #2016-01-_____
FIXING PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S. 160A-31

For property contiguous to the corporate limits of Elizabeth City identified as Tax Blocks P90-29C (14.193 acres of the 28.435 acre parcel) and P90-29-1 (1.829 acres) owned by Jacque S. Pagels, Trustee of the Ralph O. Davis Testamentary Trust and Elizabeth L. Stallings, Trustee of the Ralph O. Davis Testamentary Trust, et al.

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City, North Carolina:

SECTION 1. That a public hearing on the question of annexation of the area described herein will be held at the Municipal Administration Building in the City Council Chambers at 7:30 p.m. on the 25th day of January 2016.

SECTION 2. The area proposed for annexation is described as follows:

BEGINNING at a point marked by an iron rod set situated on the Northwestern margin of Millbrook Circle (60' R/W), which iron rod set is further situated South 36° 25' 44" West a distance of 9,015.93 feet and South 77° 47' 53" West a distance of 741.88 feet from NCGS Monument "Bible" (NC Grid – NAD'83 N940922.46', E2819828.15'); running thence from said point of beginning South 57° 27' 08" East a distance of 723.71 feet to a calculated point, cornering; running thence South 27° 03' 49" West a distance of 542.06 feet to a point marked by an iron rod set, cornering; running thence South 60° 38' 24" East a distance of 305.90 feet to a calculated point situated on the Western margin of Body Road (SR 1139; 60' R/W), cornering; running thence along a curve in the Western margin of Body Road having a Length of 269.12 feet, a Radius of 2,910.45 feet, a Delta of 5° 17' 53", a Tangent of 134.66 feet, a Chord of 269.03 feet and a Direction of South 32° 41' 01" West to a point marked by an iron rod set, cornering; running thence North 63° 05' 24" West a distance of 999.74 feet to point marked by an iron rod set, cornering; running thence North 27° 06' 15" East a distance of 345.30 feet to a calculated point, cornering; running thence North 27° 02' 18" East a distance of 301.04 feet to a calculated point, cornering; running thence North 27° 11' 01" East a distance of 190.77 feet to a calculated point situated within the 60 foot right of way of Millbrook Circle, cornering; running thence North

26° 34' 17" East a distance of 56.79 feet to a point marked by an iron rod set situated on the Northwestern margin of Millbrook Circle, being the POINT AND PLACE OF BEGINNING, containing 16.022 acres.

Being the same lots or parcels of land shown and delineated as "618,240 SF. TO BE REZONED 14.193 ACRES TO BE REZONED" and "79,690 SF. TO BE REZONED 1.829 ACRES TO BE REZONED" on that certain plat prepared by Paul J. Toti, P.L.S., under date of October 20, 2015, entitled in part "Voluntary Annexation to Elizabeth City and Rezoning Plat Petitioned by Masuki Inc."

SECTION 3. Notice of said public hearing shall be published in The Daily Advance, a newspaper having general circulation in the City of Elizabeth City, at least ten (10) days prior to the date of said public hearing.

ADOPTED, this 11th day of January, 2016.

Joseph W. Peel
Mayor

Vivian D. White, CMC/NCCMC
City Clerk

