



Town of Mars Hill

MAYOR AND BOARD OF ALDERMEN

John L. Chandler
Mayor
Nicholas A. Honeycutt
Vice-Mayor
Robert W. Zink
Treasurer
Stuart L. Jolley
Clerk
Larry H. Davis
Secretary

MINUTES REGULAR MEETING Mars Hill Town Hall – Conference Room August 30, 2021 at 6:00 p.m.

The Town of Mars Hill Mayor and Board of Aldermen met in special session on Monday, August 30, 2021, at 6:00 p.m. in the Mars Hill Town Hall. This meeting was called to conduct the regular monthly business meeting for the month of September as the regular date coincides with the official Labor Day Holiday. The meeting was duly noticed and advertised in the Madison News-Record & Sentinel. (Attachment A)

MEMBERS PRESENT: Mayor John Chandler; Aldermen Larry Davis, Nicholas Honeycutt, Stuart Jolley, and Robert W. (Bob) Zink.

STAFF PRESENT: Nathan R. Bennett, Town Manager and Jamie Stokes, Town Attorney

OTHERS PRESENT: Barbara Shepard, Philip Shepard, Patricia Gregory, Joyce Ramsey, Peltee Leevla, Derrick Ballard, Arnold Dean, Jesse Gardner, Roger Cole, Lou Cole, Joy Anders, Clayton Willis, Bill Sewell, Susan Sewell, Andy Stowe, Angel Hilemon, James Heinel, and Miryam Rojas

Call to Order

The meeting was called to order by Mayor John Chandler. Mayor Chandler welcomed those in attendance.

Approval of the Agenda

Mayor Chandler asked the Board to review the proposed agenda for approval. Upon review of the agenda, Mayor Chandler called for a motion. **Alderman Bob Zink made a motion the agenda be approved as presented.** Alderman Nicholas Honeycutt seconded the motion. Upon a call for a vote on the motion by the Mayor, the agenda was approved unanimously. (Attachment B)

Approval of Minutes

Mayor Chandler then asked the Board to review the minutes of the regular meeting held on August 2, 2021. There being no modifications to the minutes, **Alderman Stuart Jolley made a motion that the minutes for August 2, 2021 be approved as presented by management.** Alderman Larry Davis seconded the motion. Upon a call for a vote on the motion by the Mayor, the minutes were approved unanimously.

Madison Heritage Arts Festival

Mayor Chandler then introduced Barbara Shephard with Madison Rotary to provide an update on the upcoming Madison Heritage Arts Festival. Ms. Shephard provided the Board an update on the progress made in preparation of the festival to be held on College Street on October, 2, 2021. She reported on the steps to address concerns with COVID and the precautions they plan to take for a safe event. The Board thanked her for their efforts and good wishes for a great event.

Old Business

Mayor Chandler then moved to address old business.

Request for Voluntary Annexation – Zeta Partners, LLC – Cascade Street, Mars Hill

Mayor Chandler recognized Mr. Bennett to provide a report on the investigation into the petition for voluntary annexation of real property located on Cascade Street, between the October Road parcel and Beth-Hanan subdivision, from the property owner, Jonathan Corbin representing the development company Zeta Partners, LLC. Mr. Bennett advised that the clerk investigation is complete and that the Clerk has provided the Certificate of Sufficiency. Staff has completed the investigation and determined this property meets the criteria for voluntary contiguous annexation. Pursuant to previous Board direction given on August 2, 2021, the public hearing notice for this voluntary annexation petition was published as required by law in the Madison News Record & Sentinel on August 11 and August 18, 2021. The next step is to hold the public hearing on the request for annexation.

PUBLIC HEARING – Mayor Chandler then convened the public hearing to hear comments from the general public concerning the request for voluntary annexation of the subject property located on Cascade Street and identified by Madison County PIN 9747-54-0192, pursuant to notice duly published to the public. There being no comments from the public, Mayor Chandler closed the public hearing.

ORDINANCE – Upon completing discussion of the matter, Mayor Chandler called for a motion. Alderman Zink made a motion to approve ***“An Ordinance to Extend the Corporate Limits of the Town of Mars Hill”*** pursuant to the petition for voluntary annexation of Cascade Street (Madison County PIN: 9747-54-0192 and Madison County Registry Deed Book 720 at Page 182) by the property owner of record, Zeta Partners, LLC, by Jonathan Corbin, as more fully set forth in the petition application. Alderman Jolley seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously. (Attachment C)

Request for Rezoning – Mars Hill Crossroads, LLC – 685 Crossroads Parkway, Mars Hill

Mayor Chandler recognized Mr. Bennett to provide a report on regarding the application requesting rezoning of real property located on Crossroads Parkway. Mr. Bennett provided the Board a summary of the application from Mars Hill Crossroads, LLC, and their representative Jesse Gardner, requesting that their property located at 685 Crossroads Parkway to be rezoned from Highway Business (C-2) to High Density Residential (R-4). This matter was before the Planning and Zoning Board on July 22, 2021, where it received a favorable report and recommended approval to the Mayor and Board of Aldermen. Mr. Bennett advised Mayor Chandler that the applicant representative, Mr. Jesse Gardner, was present and would provide the Board and public more information. (Attachment D)

PUBLIC HEARING

Mayor Chandler opened the public hearing for comments concerning the request to rezone property at 685 Crossroads Parkway and vicinity. Mayor Chandler recognized Mr. Jesse Gardner, engineering consultant with Civil Design Concepts for the applicant, to provide additional information regarding the request. Mr. Gardner provided the Board and members of the public a review of the current status of the subject property and the proposed residential development of same. Mr. Gardner advised that the listing

real estate broker stated at the Planning and Zoning Board meeting that the parcel has been on the market for many years as commercial real estate but there has been little interest in that type of use for the property. The broker indicated there has been substantial interest in the property for residential use. Mr. Gardner advised that his client is interested in this parcel and the adjacent two tracts (3 total parcels) for development as a single-family residential subdivision. The proposed subdivision is in the preliminary planning and design stage pending the decision on the rezoning request. Mr. Gardner advised that the preliminary design would take into consideration the topography of the property and develop lots along an access road following the ridge line to be accessed from Little Ivy Church Road. If the rezoning request is approved, the next step would be to prepare a final plat and seek Planning Board review and approval and also address any potential voluntary annexation of parcels or portions of parcels that may not already be within the municipal boundary. Alderman Zink confirmed with Mr. Gardner that he is not the developer but is the engineer retained by the developer.

There were several members of the public to speak before the Board with questions for Mr. Gardner regarding the proposed residential use of the property. The names of the speakers are identified where known; however, all speakers and attendees signed the attendance sheet and are listed above in the "Others Present" section of the minutes.

Mayor Chandler asked how many homes would potentially be constructed. Mr. Gardner advised the preliminary design would accommodate approximately 55 single family homes. The homes would range in 1,300 to 2,000 square feet in size. The density would be approximately two units per acre. Alderman Zink asked if the developer had considered an R-3 Medium Density Residential designation instead of the denser R-4 use. Mr. Gardner advised that the R-4 zone allows the homes to be clustered closer together and that with larger lots required by R-3 more grading is required. He stated most homebuyers desire less lawn and more natural landscape to minimize maintenance as rationale for the denser use allowed by R-4. Alderman Zink asked about using the existing access road that currently enters the property from Crossroads Parkway. Mr. Gardner advised in his preliminary concept plan the intent will be to access the subdivision from Little Ivy Church Road. He states they do not plan to utilize the existing entrance from Crossroads due to elevation and topography challenges, but the engineers and developer are willing to look into that issue in concert with code requirements from emergency and fire service access. Mr. Gardner advised the access road would meet required codes and would be a paved 20 foot street with adequate turnarounds. Mr. Gardner, responding to a question about vegetation removal and excessive grading, stated that they will minimize tree removal and will work to embrace the topography in their design.

Female speaker asked why they did not consider an access off Crossroads Parkway. Mr. Gardner restated the situation with elevation and topography challenges with an access from Crossroads. Two other speakers stated they were concerned with the amount of increased traffic near their property on Little Ivy Church Road. Aldermen Honeycutt stated he had concerns with a large increase in vehicle traffic with one entrance due to the small size of the DOT secondary road. Mr. Gardner advised in other residential subdivision projects he has not been required to have a second access unless it includes more than 100 homes. Mr. Gardner further explained that DOT and state building code requirements for traffic volume will be utilized to determine what is necessary to accommodate the number of homes

proposed. Responding to a question from the public, Mr. Gardner advised that all three of these parcels are currently under contract with the developer and will close pending a satisfactory completion of the due diligence effort.

Mr. Bennett advised that the only question for the Board at this point is the decision to rezone to residential use or not. He stated that if and when a subdivision application is submitted, then there will be additional opportunities to review the specific requirements for any subdivision at the Planning and Zoning Board and with the final review and approval of this Board after that occurs. Alderman Zink stated to those in attendance that the only matter before the Board tonight is to decide whether to rezone. Alderman Honeycutt stated his desire that Board proceed carefully and deliberately in considering any future subdivision application. Alderman Honeycutt asked for confirmation that before this project goes any further than the rezoning, that this project will come back before this Board for final approval of what will be constructed on this property. Mr. Bennett confirmed that this Board must make a review and final approval of any subdivision project after review by the Planning and Zoning Board.

Alderman Honeycutt asked if the owners of the properties subject to the rezoning request were present at the meeting. Mr. Clayton Willis was present and voiced support for the project and rezoning request. Ms. Joy Anders was present and stated she was neutral in this effort as she was approached in the summer to consider selling her property for this project with no prior intention of selling her property. Ms. Anders advised she placed the decision to approve in the hands of the Board and those in authority who will make the best decision for our community. Mr. Gardner confirmed the owners of Mars Hill Crossroad, LLC support this rezoning request.

Alderman Jolley asked Mr. Bennett to summarize the process from the Town's perspective from start to finish. Mr. Bennett gave a brief summary of the process to rezone property, subdivision development review and approval process and the opportunities for public comment and input during the process.

Following a lengthy question and answer session between Board members, Mr. Gardner, and multiple members of the general public and finding that there were no further public comments or questions regarding the subject rezoning question, Mayor Chandler closed the public hearing.

ACTION ON REZONING REQUEST

Upon completion of the public hearing and discussion by the Board, Mayor Chandler called for motion on the matter. **Alderman Davis made a motion to approve the application to re-zone 685 Crossroads Parkway and associated parcels [to wit subject parcels identified as Madison County PIN: 9757-56-0504 (Mars Hill Crossroads, LLC), 9757-45-7636 (Joy E. Anders Revocable Trust), and 9757-57-6496 (Thomas & Elaine Willis)] from Highway Business (C-2) to High Density Residential (R-4), finding that this amendment is consistent with the adopted comprehensive plan and recommendation of the Planning and Zoning Board.** Alderman Jolley seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously.

New Business

Mayor Chandler then moved to address new business.

Request for Voluntary Annexation – Vicinity of 365 Spring Drive – PIN: 9757-10-3606

Mayor Chandler recognized Mr. Bennett to review the petition request for voluntary annexation submitted by William and Lynne Brown of 365 Spring Drive (Attachment D). Mr. Bennett advised that Mr. and Mrs. Brown are requesting voluntary annexation of property they own directly behind their current residence located at 365 Spring Drive in the Springside subdivision. This property is not addressed by the county addressing office but is identified by Madison County Property Identification Number 9757-10-3606. Petition application includes a copy of the deed and a map. Mr. Bennett advised that at this time he recommends the Board take the request under consideration and to adopt resolutions directing the required clerk investigation and set a public hearing date. Upon completion of discussion of the petition and proposed resolutions, Mayor Chandler called for a motion. **Alderman Honeycutt made a motion to approve the resolutions titled “RESOLUTION – Directing Clerk Investigate a Petition for Annexation,” and “RESOLUTION – Fixing Date of Public Hearing on Questions of Annexation,” setting the public hearing for the Board’s next regular meeting on October 4, 2021 at 6:00 p.m.** Alderman Jolley seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously. (Attachment E and F)

RESOLUTION – Adopting the Buncombe Madison Regional Hazard Mitigation Plan

Mayor Chandler asked Mr. Bennett to present report concerning the Buncombe Madison Regional Hazard Mitigation Plan. Mr. Bennett advised the Board that the Federal Emergency Management Agency (FEMA) and N.C. Division of Emergency Management require every jurisdiction to have an adopted hazard mitigation plan in order to be eligible for federal flood insurance, disaster recovery funding, and other assistance from those agencies. Madison County and Buncombe County, together with each municipality within those counties, participate jointly in the development and implementation of a regional hazard mitigation plan to meet this requirement to identify and plan mitigation strategies for natural hazards. The proposed mitigation plan provides a comprehensive update to the plan created and adopted in 2013 by these jurisdictions. Upon completion of discussion of the subject plan, Mayor Chandler called for a motion. **Alderman Zink made a motion to approve the “RESOLUTION – Adopting the Buncombe Madison Regional Hazard Mitigation Plan.”** Alderman Honeycutt seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously. (Attachment G)

AMENDMENT – Asheville Regional Housing Consortium Joint Cooperative Agreement

Mayor Chandler then asked Mr. Bennett to provide information concerning the proposed amendment to the Asheville Regional Housing Consortium Joint Cooperative Agreement. Mr. Bennett reminded the Board that the Town is a participating jurisdiction in the Asheville Regional Housing Consortium, which consists of the counties of Buncombe, Henderson, Madison, and Transylvania and most of municipal units within those counties. The ARHC directs the allocation of HOME funds from the U.S. Department of Housing and Urban Development. The City of Asheville is designated as the lead entity with representatives from each of the other jurisdictions. Mr. Bennett advised that Ms. Karen Khiena is the representative for the Town on the Consortium. Mr. Bennett advised that the proposed amendment

to the existing cooperative agreement has been requested in order to update the agreement with required language from HUD to address the addition of new members of the consortium. Mr. Bennett advised that the Town Attorney has review the amendment and found it to be in order. Mr. Bennett recommended approval of the amendment to the agreement. Upon completion of discussion of the proposed amendment, Mayor Chandler called for a motion. **Alderman Honeycutt made a motion to approve the “AMENDMENT to the Asheville Regional Housing Consortium Joint Cooperative Agreement.”** Alderman Jolley seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously.

Town Manager Report – Nathan Bennett, Town Manager

Mayor Chandler then recognized Mr. Bennett to provide the Town Manager Report.

COVID-19 Response

Mr. Bennett provided the Board an update on the continuing Town response to the coronavirus and COVID-19 situation. The Town continues to be under the state and locally designated state of emergency in response to COVID-19. He advised there have been no issues related to COVID-19 with town operations. He reported on the recent increase in COVID-19 cases, particularly the new “Delta” variant and the current vaccination rate for Madison County. Mr. Bennett advised he continues to monitor conditions and will recommend changes as may become necessary. Mr. Bennett advised the Board that the Town has received the first distribution of the American Rescue Plan Act funding.

Mars Hill Downtown Wi-Fi Project - Agreement

Mr. Bennett gave an overview of the public Wi-Fi project for the downtown area of Town. The Town has received grant funding from the Appalachian Regional Commission to install a public wi-fi network between Town Hall and the post office along the North Main Street corridor to provide free internet service for public use. As reported at the last meeting, the Town has worked with the Land of Sky Regional Council to prepare a request for proposals (RFP) process that solicited proposals from prospective vendors to complete this project. The Town reviewed the proposals submitted and determined Skyrunner Internet to meet the scope of work requested. An agreement with Sky Runner Internet to implement this project consistent with their proposal and the RFP has been drafted. Mr. Bennett advised the Board that the agreement has been reviewed and approved by the Town Attorney and he recommends their approval of the agreement to move forward with the project. Upon completion of discussion, Mayor Chandler called for a motion. **Alderman Jolley made a motion to approve the agreement with Skyrunner Internet for implementation of the Town of Mars Hill Downtown Public Wi-Fi Project as presented by management.** Alderman Honeycutt seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously.

General Update

Mr. Bennett advised the Board that the Town’s independent auditor, Gould Killian CPAs, were onsite the week of August 16th and completed the fieldwork portion of their work. The audit should be complete and submitted to the NC Local Government Commission by October 31. Mr. Bennett also advised the Board that the Town was spared significant damage from the recent rains from Tropical Storm Fred.

Mr. Bennett advised the Board that he has contacted NCDOT to review the speed limits on NC 213 entering Town from Gabriel's Creek Road to the intersection of Athletic Street/Park Drive and the possible need for a crosswalk from Ammons Field House to the parking lot directly across from it. In conversations with Mars Hill University officials, they have noted the high speed of vehicles through this area and the danger to pedestrians crossing NC 213/Cascade Street to the Ammons Field House. Mr. Bennett advised that request was submitted last week, and a response is pending. Mr. Bennett also advised that the University has sent a letter to him inquiring about the possibility to install a sidewalk along Athletic Street from the intersection of NC 213/Cascade Street to the driveway entrance to the Wall/Ferguson parking lot. This would require the loss of approximately seven parking spaces and the University has indicated that they believe those spaces can be absorbed into other parking areas on campus. Mr. Bennett advised he has engaged the Town's engineering firm to investigate the requirements for a sidewalk as requested and is awaiting a proposal from the engineer and will provide that to the Board for additional discussion when available.

Mr. Bennett advised that NCDOT has advised him that the replacement of the bridge on Bailey Street in the vicinity of Chambers Gym has been scheduled for right-of-way acquisition for January 2022 and construction is scheduled for January 2023. He advised that NCDOT is still reviewing the question of full vs. partial closure and detour options. Mr. Bennett updated the Board on other items of interest to the Board.

Public Comment

Mayor Chandler then moved to public comment. Susan Sewell thanked the Board and administration for the installation of the radar speed signs on North Main Street. She states that they are working great and that she can tell a difference in the speed of vehicles along this area. Miryam Rojas spoke to the Board regarding the First Friday events she has organized with other downtown business owners. She stated these events are to encourage folks to come to downtown to the gazebo and enjoy music, games, and visit downtown businesses. She stated the August event was well attended and they are looking forward to the September event this Friday and invited everyone to come out.

There were no additional public comments.

Closed Session (Pursuant to N.C.G.S. 143-318.11)


Mayor Chandler then reported that there is a need for the Board to enter closed session to discuss legal matters with the Town Attorney. **Alderman Zink made a motion to enter closed session pursuant to N.C.G.S.143-318.11(3) and (5).** Alderman Davis seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously.

Upon completion of discussion of items subject to the closed session, Mayor Chandler called for a motion to end the closed session. **Alderman Zink made a motion to end the closed session and return to open session.** Alderman Davis seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously.

Adjourn


There being no further business before the Board, Mayor Chandler called for a motion to adjourn. **Alderman Zink made a motion to adjourn.** Alderman Honeycutt seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion to adjourn was unanimously approved.

Approved and authenticated this the 4th day of October, 2021.



John L. Chandler, Mayor

ATTEST:



Nathan R. Bennett,
Town Manager





Notice of Special Meeting of the
Town of Mars Hill
Mayor and Board of Aldermen
Scheduled for 30 August 2021

PLEASE TAKE NOTICE that the Mars Hill Mayor and Board of Aldermen shall, pursuant to NC Gen. Stat. 160A-71 and NC Gen. Stat. 143-318.12(b)(2), hold a special meeting at the following designated place and time:

Date of Meeting: Monday, 30 August 2021

Time of Meeting: 6:00 p.m.


Place of Meeting: Mars Hill Town Hall
Large Conference Room
280 North Main Street
Mars Hill, North Carolina

Purpose of Meeting: Conduct the regular business meeting agenda for the month of September 2021. The September regular meeting date coincides with the observance of the official Labor Day holiday requiring this rescheduled meeting pursuant to official action of the Board at their regular meeting on August 2, 2021. The Board will conduct a public hearing for the rezoning application from Mars Hill Crossroads, LLC, et al, of 685 Crossroads Parkway vicinity; Conduct a public hearing for the voluntary annexation request petition from Zeta Partners, LLC for Cascade Street; and Conduct other items of regular business as appropriate.

This the 5th day of August 2021.

/s/
John L. Chandler, Mayor

Posted as required by NC Gen. Stat. 153A-40(b) and NC Gen. Stat. 143-318.12(b)(2) on this 5th day of August, 2021 at 3:00 o'clock p.m.



Nathan R. Bennett, Town Manager

The News-Record & Sentinel

☞ Serving Madison County since 1901 ☜

AFFIDAVIT OF PUBLICATION

MADISON COUNTY

NORTH CAROLINA

PUBLIC NOTICE

The public will take notice that due to the Labor Day holiday, the Mayor & Board of Aldermen for the Town of Mars Hill, has re-scheduled the regular business meeting and required public hearings for the month of September to Monday, August 30, 2021 at 6:00 p.m. in the Mars Hill Town Hall.

All interested persons are encouraged to attend.

John Chandler, Mayor
Town of Mars Hill
August 11, 18, 2021
0004856016

Before the undersigned, a Notary Public, duly commissioned, qualified, and authorized by law to administer oaths, personally appeared said legal clerk, who, being first duly sworn, deposes and says: that he/she is the **Legal Clerk of The Asheville Citizen-Times**, engaged in publication of a newspaper known as **The News-Record & Sentinel**, published and issued in the Town of Marshall and entered as periodical class mail in the Town of Mars Hill, in Madison County, North Carolina; that he/she is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of which is attached here to, was published in **The News Record & Sentinel** on the following date(s) 08/11/21, 08/18/21. And that the said newspaper in which said notice, paper, document or legal advertisement was published, at the time of each and every publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina.

Signed this 18th of August, 2021 ,

Linda Tutt
Legal Clerk

Sworn to and subscribed before the 18th of August, 2021

Vicky Felty
Notary Public, State of Wisconsin, County of Brown

9/9/21
My Commission expires

VICKY FELTY
Notary Public
State of Wisconsin

ATTACHMENT B



Town of Mars Hill

MAYOR AND BOARD OF ALDERMEN

John L. Chandler
Mayor
Nicholas A. Honeycutt
Vice-Mayor
Robert W. Zink
Treasurer
Stuart L. Jolley
Clerk
Larry H. Davis
Secretary

AGENDA

REGULAR MEETING

Mars Hill Town Hall Conference Room

August 30, 2021 at 6:00 p.m.

1. Call to Order – *Mayor John L. Chandler*
2. Approval of Agenda
3. Approval of Minutes: August 2, 2021
4. Madison Heritage Arts Festival, Presented by Madison Rotary – Update – Barbara Shephard
5. Old Business
 - a. Request for Voluntary Annexation – Zeta Partners, LLC – Jonathan Corbin
Cascade Street, Mars Hill
 - i. **PUBLIC HEARING**
 - ii. **ORDINANCE** – An Ordinance to Extend the Corporate Limits of the Town of Mars Hill, North Carolina
 - b. Request for Rezoning – Mars Hill Crossroads, LLC – Jesse Gardner
685 Crossroads Parkway, Mars Hill
CURRENT ZONE: Highway Business (C-2)
REQUESTED ZONE: High Density Residential (R-4)
 - i. **PUBLIC HEARING**
6. New Business
 - a. Request for Voluntary Annexation – William & Lynne Brown
Vicinity of 365 Spring Drive, Mars Hill – Madison PIN: 9757-10-3606
 - i. **RESOLUTION** – Directing Clerk Investigate a Petition for Annexation
 - ii. **RESOLUTION** – Fixing Date of Public Hearing on Questions of Annexation
 - b. **RESOLUTION** – Buncombe – Madison Regional Hazard Mitigation Plan
 - c. **AMENDMENT** – Asheville Regional Housing Consortium Joint Cooperative Agreement
7. Town Manager Report – Nathan Bennett, Town Manager
 - a. COVID-19 Response Update
 - b. General Update
8. Public Comment
[Policy: Each speaker shall be limited to a maximum of three (3) minutes. The public comment period is not intended to require the Board of Aldermen or staff to answer any impromptu questions. The Board will not take action on an item presented during the public comment period. The Board may refer inquiries made during the public comment period to the Town Manager to address as appropriate. If necessary, the item may be placed on the agenda of a future meeting.]
9. Closed Session (*Pursuant to N.C.G.S. 143-318.11 – if needed*)
10. Adjourn

Mars Hill Town Hall

280 North Main Street • P.O. Box 368

Mars Hill, North Carolina 28754

Phone: (828) 689-2301 • Fax: (828) 689-3333

ORDINANCE # 259

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF MARS HILL, 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 this annexation was held at the Mars Hill Town Hall at 6:00 o'clock, a. m. on the 30th day of August, 2021 after due notice by publication on the 11th day of August, 2021; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Mars Hill, 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 part of the Town of Mars Hill as of the 30th day of August, 2021.

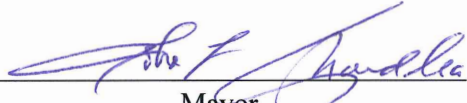
(Insert Metes and Bounds Description)

That real property as set forth and more fully described in Deed Book 720 at Page 182 in the Madison County Registry, Office of the Register of Deeds of Madison County, North Carolina, and further identified by Madison County Property Identification Number 9747-54-0192.

Section 2. Upon and after the 30th day of August, 2021, 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 Mars Hill and shall be entitled to the same privileges and benefits as other parts of the Town of Mars Hill. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.


Section 3. The Mayor of the Town of Mars Hill shall cause to be recorded in the Office of the Register of Deeds, Madison County, and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this Ordinance.

ADOPTED this the 30th day of August, 2021.



Mayor

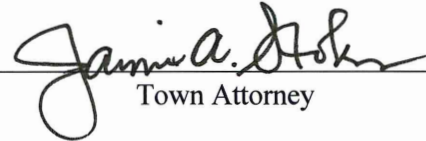
ATTEST:



Clerk



APPROVED AS TO FORM:



Town Attorney

STATE OF NORTH CAROLINA
COUNTY OF MADISON
TOWN OF MARS HILL

I, Stuart L. Jolley, Town Clerk of the Town of Mars Hill in the State of North Carolina, **DO HEREBY CERTIFY**, that:

1. The attached is a copy of an Ordinance to extend the Corporate Limits of the Town of Mars Hill, North Carolina.
2. The Ordinance was adopted on the 30th day of August, 2021, at a regularly scheduled meeting of the Mayor and Board of Aldermen of the Town of Mars Hill, North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the Corporate Seal of the Town of Mars Hill, North Carolina, this 30th day of August, 2021.



Stuart L. Jolley
TOWN CLERK

STATE OF NORTH CAROLINA
COUNTY OF MADISON

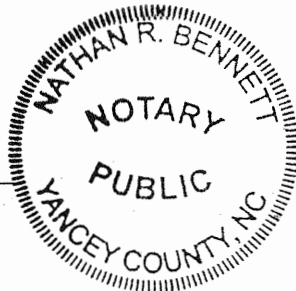
I, Nathan R. Bennett, a Notary Public of the aforesaid State and County, do hereby certify that Stuart L. Jolley, personally appeared before me this day and acknowledged the due execution of the foregoing certificate.

WITNESS my hand and Notarial Seal this 30th day of August, 2021.

Nathan R. Bennett
NOTARY PUBLIC

My Commission Expires:

November 19, 2022





This certifies that there are no delinquent ad valorem taxes, or other taxes which the Madison County Tax Collector is charged with collecting, that are a lien on:

Parcel Identification Number 9747-54-0192

This is not a certification that this Madison County Parcel Identification Number matches this deed description.

James M. Ledford
Tax Collector Staff Signature

05-12-21
Date

Filed: Madison County, NC
05/12/2021 04:12:10 PM
Mary Jane Wallin, Register of Deeds
Excise Tax: \$300.00

SPECIAL WARRANTY DEED

Excise Tax: \$ 300.00

Tax ID#: 9747-54-0192

Property Address: 10.91 Acres Cascade Street, Mars Hill, NC 28754

Mail to: John J. Miller III

Drawn by: Lancaster, Trotter & Poe, PLLC
4430 Park Road
Charlotte, NC 28209
(704) 525-1702

STATE OF NORTH CAROLINA
COUNTY OF MADISON

THIS INDENTURE Made this 11 day of MAY, 2021, between TD BANK, N.A., hereafter GRANTOR, and ZETA PARTNERS, LLC, hereafter GRANTEE. The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in MADISON County, North Carolina and more particularly described as follows:

See Exhibit "A" attached hereto and incorporated herein by reference.

Deed Reference: Book 714 Page 98

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to Grantee in fee simple.

And the Grantor covenants with the Grantee, the Grantor has done nothing to impair such title as Grantor received, and Grantor will

warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers by authority of its Board of Directors, the day and year first above written.

TD BANK, N.A.

By: [Signature]
Vice President

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

I, Elliot Bischoff a, Notary Public of the said County and State certify that Carol Farnsworth, personally came before me this day and acknowledged that (s)he is Vice -President of TD BANK, N.A., and that as Vice -President being authorized to do so, (s)he executed the foregoing on behalf of the corporation.

Witness my hand and official seal this 11 day of May, 2024.

[Signature]
Notary Public

My Commission expires: 17 September, 2024

(Notary Seal)

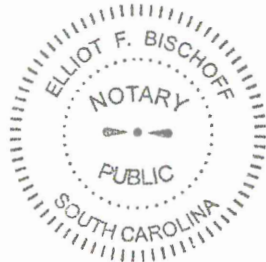


Exhibit A

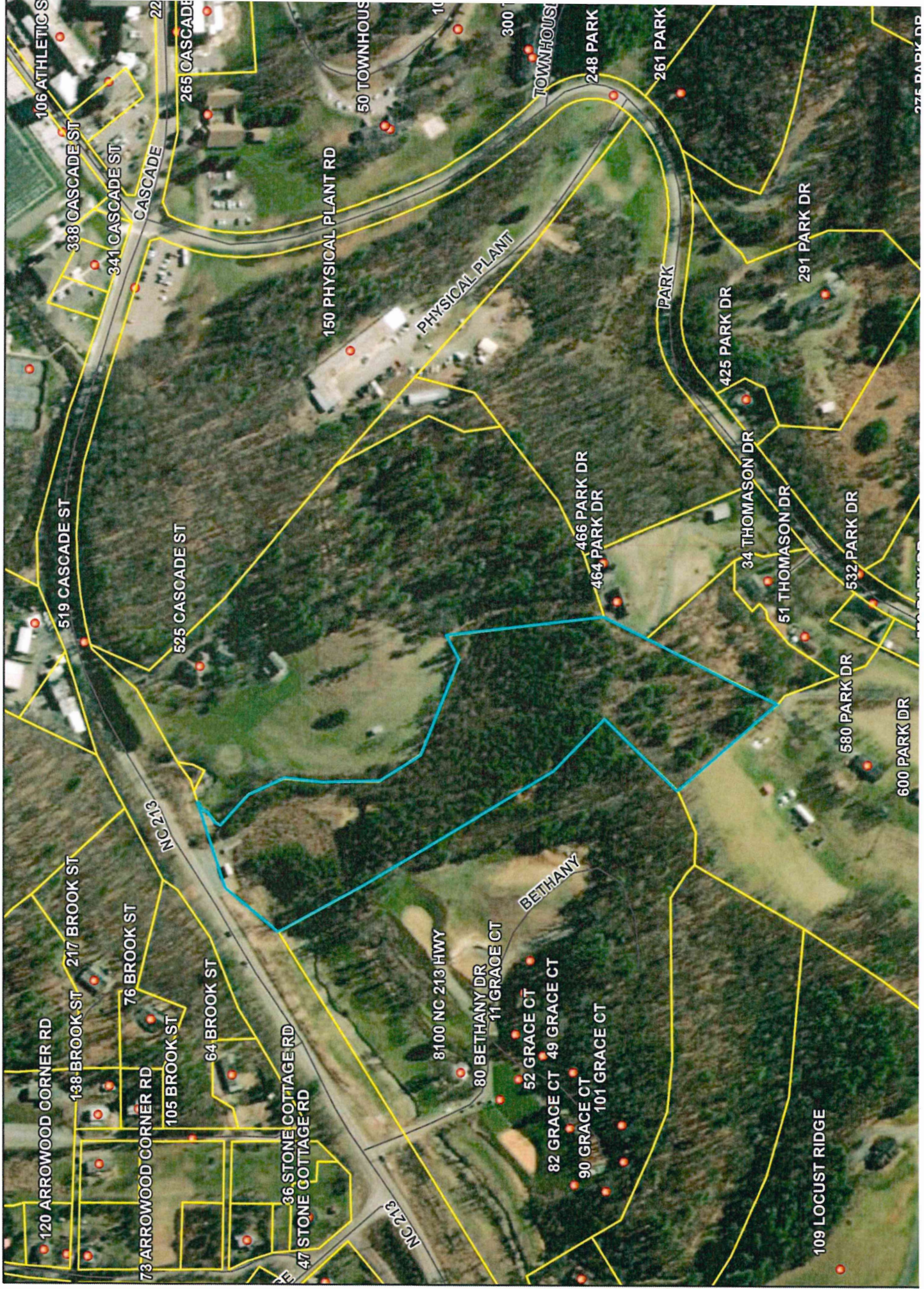
LYING AND BEING in No. 3 Township, Madison County, North Carolina adjoining the right of way of Highway 213 and being more particularly described as follows:

BEGINNING on an iron pipe set (no. 5 rebar) in the southeastern edge of the right of way of Highway 213 and in a common corner of property now or formerly owned by John O. Tilson as described in a deed recorded in the Madison County, North Carolina Registry in Deed Book 119, Page 435, said iron pipe is located N 58 07 59 E. 4.75 feet from a State Right of Way Monument, and run thence from the beginning point herein established and with the southeastern edge of the right of way of Highway 213, N 58 07 59 E 308.92 feet to an iron pipe set in the southeastern edge of said right of way of Highway 213 and in a common corner of property now or formerly owned by Simon E. Lipsky and wife, Carol K. Lipsky, as described in a deed recorded in the Madison County, North Carolina Registry in Deed Book 172, Page 725, which said iron pipe is located S 58 07 59 W 248.29 feet from a State Right of Way Monument; thence leaving the right of way of said Highway 213 and running with the line of said property now or formerly owned by Lipsky, S 28 53 56 E 21.86 feet to a point in the center of small branch; thence leaving said branch and continuing with the line of said property now or formerly owned by Lipsky as follows: S 50 15 00 E 21.83 feet to an existing 3/4 inch iron pipe with pinched top; S 50 15 00 E 81.45 feet to an existing 1/2 inch iron pipe with pinched top; S 26 03 00 E 96.07 feet to an existing 1/2 inch iron pipe with pinched top; S 02 50 00 W 92.83 feet to an existing 1/2 inch iron pipe with pinched top; S 03 02 00 E 141.96 feet to an existing 1/2 inch iron pipe with pinched top; S 35 30 00 E 120.79 feet to an existing 1/2 inch iron pipe with pinched top; S 69 48 00 E 255.60 feet to an existing 3/4 inch iron pipe with pinched top at dry spring; N 59 28 00 E 68.04 feet to an existing 3/4 inch iron pipe with pinched top 4 poles above said spring; thence continuing with the line of said property now or formerly owned by Lipsky, S 09 20 00 E 393.33 feet to an existing 3/4 inch iron pipe with pinched top in a common corner of property now or formerly owned by Arthur Thomason as described in a deed recorded in the Madison County, North Carolina Registry in Deed Book 93, Page 1, which said iron pipe is located S 69 43 09 W 159.87 feet from an existing 3/4 inch iron pipe with pinched top; thence running with the line of said property now or formerly owned by Thomason and with a fence, S 24 06 04 W 483.28 feet to an existing 3/4 inch iron water pipe in a common corner of property now or formerly owned by Harry H. Ledford as described in deed recorded in the Madison County, North Carolina Registry in Deed Book 124, Page 682, said iron water pipe being located at the terminus of the 4th call described in said deed recorded in said Registry in Deed Book 124, Page 682; thence running with the line of said property now or formerly owned by Ledford and with a fence, N 42 57 38 W 326.50 feet to an iron pipe set (No. 5 Rebar) in common corner of property now or formerly owned by John O. Tilson as described in said deed recorded in the Madison County, North Carolina Registry in Deed Book 119, Page 435; thence running with the line of said property now or formerly owned by Tilson and with a fence as follows: N 18 37 38 W 755.92 feet to a 36-inch dead white oak; N 32 04 49 W 317.37 feet crossing said small branch to the point of BEGINNING, containing 10.917 acres, more or less.

Save and except any releases, deeds of release or prior conveyances of record.

Said property is commonly known as 10.91 Acres Cascade Street Off Highway 213, Mars Hill, NC 28754.

ArcGIS Web Map





Town of Mars Hill

CERTIFICATE OF SUFFICIENCY

To the Board of Aldermen of the Town of Mars Hill, North Carolina:

I, Stuart L. Jolley, Town Clerk for the Town of Mars Hill, do hereby certify that I have investigated the petition of annexation attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with N.C.G.S. 160A-31, as amended.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Mars Hill, this the 30th day of August, 2021.


Town Clerk

(SEAL)



Town of Mars Hill

280 North Main Street • P.O. Box 368
Mars Hill, North Carolina 28754
Phone: (828) 689-2301 • Fax: (828) 689-3333
www.townofmarshill.org



ATTACHMENT D

Town of Mars Hill

John L. Chandler

Mayor

Nicholas A. Honeycutt

Vice-Mayor

Robert W. Zink

Treasurer

Stuart L. Jolley


Clerk

Larry H. Davis

Secretary

MEMORANDUM

TO: Mayor and Board of Aldermen

FROM: Nathan R. Bennett, 
Town Manager/Zoning Administrator

RE: **PLANNING AND ZONING BOARD REPORT**
Rezoning Application – 685 Crossroads Parkway, et al

DATE: August 26, 2021

Please be advised that on July 22, 2021, the Town of Mars Hill Planning and Zoning Board reviewed an application submitted by Mr. Jesse Gardner with Civil Design Concepts regarding the rezoning of properties in the vicinity of 685 Crossroads Parkway, Mars Hill, NC. The applicant requests the zoning district be rezoned from the current Highway Business District (C-2) to the requested High Density Residential District (R-4). The properties subject to this rezoning request are identified by Madison County Property Identification Numbers as follows: 9757-56-0504 (Mars Hill Crossroads, LLC), 9757-45-7636 (Joy E. Anders Revocable Trust), and 9757-57-6496 (Thomas & Elaine Willis). All three subject property owners agree with the requested change in zoning designation of their properties.

The Planning and Zoning Board found that the requested change in zoning district would be consistent with the Town of Mars Hill Land Use Plan and would be compatible with the existing character of the surrounding land uses. The Board found that adequate infrastructure is available to meet the needs of the proposed use. Further, the Board found that the change in zoning district would be in compliance with the criteria noted in the Mars Hill Zoning Ordinance and governing state statutes. The Planning and Zoning Board approved a motion to recommend approval to the Mayor and Board of Aldermen of the requested zoning district change to High Density Residential (R-4).

If you have any questions, please let me know. Thanks.

Mars Hill Town Hall
280 North Main Street • P.O. Box 368
Mars Hill, North Carolina 28754
Phone: (828) 689-2301 • Fax: (828) 689-3333
www.townofmarshill.org



TOWN OF MARS HILL
 ADMINISTRATION OFFICE
 280 N. MAIN STREET • PO BOX 368
 MARS HILL, NC 28754
 PHONE: (828) 689-2301 • FAX: (828) 689-3333

**APPLICATION TO AMEND
 ZONING ORDINANCE**

Please print or type

GENERAL INFORMATION

Applicant Name: Jesse Gardner			Date: 06/04/2021		
Address: 168 Patton Avenue		City: Asheville	State: NC	ZIP: 28801	
Phone: 828-252-5388		Fax:	E-mail address: jgardner@cdcgo.com		

LOCATION OF DEVELOPMENT / PROJECT

Project Name: 685 Crossroads - Mars Hill

Project Street Address: 685 Crossroads Parkway

Property Identification Number (PIN): 9757-56-0504; 9757-57-6496; 9757-45-7636 **Current Zoning District:** C-2/RA

Current Owner of Property (if different from Applicant): Mars Hill Crossroads, LLC; Thomas & Elaine Willis; Joy E Anders Trust

Current Owner Address: 3800 Howard Hughes Pkwy S1230; 219 Calvin Edney Rd; 445 Walnut Cove Rd **Phone:** _____

Legal Relationship of Applicant to Owner: None **Vacant Site:** YES NO

REQUESTED DEVELOPMENT

I (WE) HEREBY FILE THIS APPLICATION TO THE TOWN OF MARS HILL MAYOR AND BOARD OF ALDERMEN FOR THE REZONING OF THE PROPERTY DESCRIBED HEREIN.

Description of Property:

Pin #'s 9757-56-0504 (+- 16.77 Acres), 9757-57-6496 (+- 2.11 Acres), 9757-45-7636 (+- 5.21 Acres) Southeast of the intersection of Parkway View Road and Crossroads Parkway. See attached Rezoning bulletin for overall layout.

GENERAL REQUIREMENTS

Fronting 2517 **feet on the** East **side of** Crossroads Parkway

Beginning 102 **feet East** **from the** Southeast **corner of** Parkway View Road and Crossroads Parkway Intersection

Depth 825 **feet.**

Request the REZONING of said property to R4

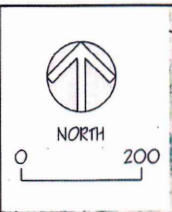
STATE REASON FOR REZONING

Residential Development

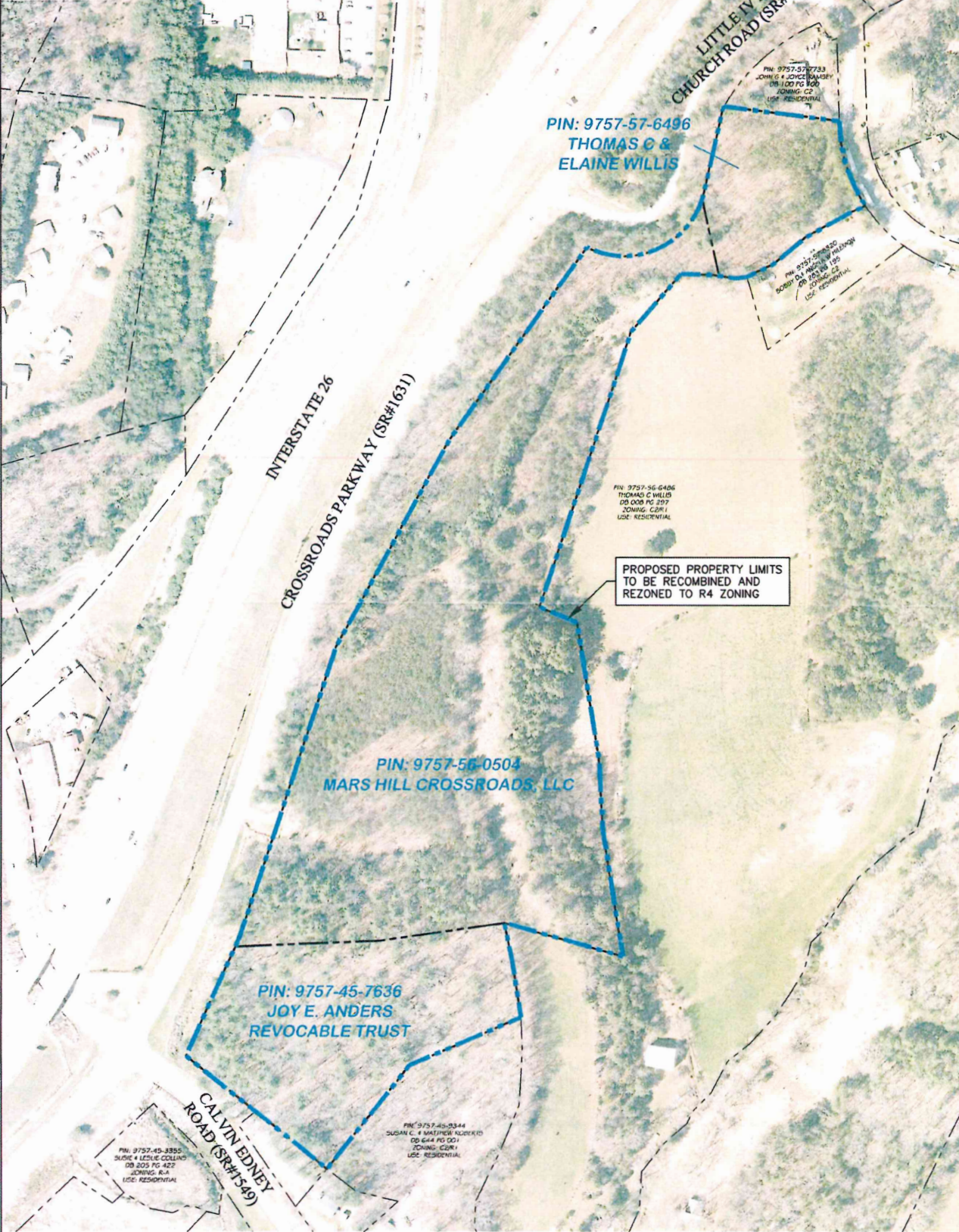
CERTIFICATION

I/We depose and say that all above statements and submitted materials are true to the best of my knowledge and belief.

SIGNATURE OF APPLICANT:  **DATE:** 6/4/22



SUMMARY	
PIN #	9757-57-6496 9757-56-0504 9757-45-7636
TOTAL ACRES:	±24.09



**685 CROSSROADS MARS HILL
REZONING BULLETIN
JUNE 2021**



Town of Mars Hill
Mayor and Board of Aldermen

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-58.1**

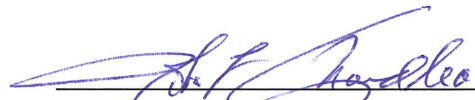
WHEREAS, a petition requesting annexation of an area described in said petition (Attached hereto as Exhibit 1) has been received on August 24, 2021 by the Town of Mars Hill Board of Aldermen; and

WHEREAS, G.S. 160A-58.2 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and


WHEREAS, the Board of Aldermen of the Town of Mars Hill deems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Mars Hill that the Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Board of Aldermen the result of the investigation.

ADOPTED this 30th day of August 2021, by the Mayor and Board of Aldermen for the Town of Mars Hill, North Carolina.


John L. Chandler, Mayor

Attest:


Stuart L. Jolley, Clerk





Town of Mars Hill
Mayor and Board of Aldermen

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTIONS OF ANNEXATION
PURSUANT TO N.C.G.S. 160A-58.2 AS AMENDED

WHEREAS, a petition requesting annexation of the non-contiguous area described herein has been received on August 24, 2021 by the Town of Mars Hill Board of Aldermen; and

WHEREAS, the Board of Aldermen has by Resolution directed the Town Clerk to investigate the sufficiency of said petition; and


WHEREAS, the certification by the Town Clerk as to the sufficiency of said petition has been made.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Mars Hill, North Carolina:

- Section 1. That a Public Hearing on the question of annexation of the contiguous area described herein will be held at the Mars Hill Town Hall, 6:00 o'clock P.M. on the 4th day of October, 2021.
- Section 2. The area proposed for annexation is described as follows:

(Insert metes and bounds description) - See Attached "Exhibit 1"
- Sections 3. Notice of said Public Hearing shall be published in The News Record-Sentinel, a newspaper having general circulation in the Town of Mars Hill, at least ten (10) days prior to the date of said Public Hearing.

ADOPTED this 30th day of August 2021, by the Mayor and Board of Aldermen for the Town of Mars Hill, North Carolina.


John L. Chandler, Mayor

Attest:


Stuart L. Jolley, Clerk



This certifies that there are no delinquent ad valorem taxes, or other taxes which the Madison County Tax Collector is charged with collecting, that are a lien on:

BOOK 613 PAGE 339 (8)

322157



Parcel Identification Number 9757-10-3606

This is not a certification that this Madison County Parcel Identification Number matches this deed description.

James M. Redford
Tax Collection Staff Signature

07-28-16
Date

Filed: Madison County, NC
07/28/2016 04:51:55 PM
Susan Rector, Register of Deeds
Excise Tax: \$70.00

NORTH CAROLINA SPECIAL WARRANTY DEED

EXCISE TAX: \$70.00

Tax Parcel Identifier No. 9757-10-3606

Mail after recording to: Law Offices of Richard J. Maita, P.A., Box #~~44~~ 96

This instrument was prepared by: Walter E. Daniels III, DANIELS LAW FIRM, P.C.
14 South Pack Square, Suite 502, Asheville, NC 28801

BRIEF DESCRIPTION FOR INDEX: 2.355 acres off East View Dr., Mars Hill, NC 28754

THIS DEED made this 6th day of July, 2016, by and between

GRANTOR	GRANTEE
Susan Kiser and Kathy Beck, as Trustees of and for Mars Hill United Methodist Church of the Blue Ridge District, Western North Carolina Conference, The United Methodist Church PO Box 427 Mars Hill, NC 28754	William E. Brown and Lynne A. Brown, husband and wife 365 Spring Dr. Mars Hill, NC 28754

W.E. Daniels III

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Madison County, North Carolina and more particularly described as follows:

See "Exhibit A" attached (legal description)
See also attached Exhibits B, C and D

The property herem conveyed does not include the primary residence of a Grantor

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And Grantor covenants with Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

2016 ad valorem taxes, easements, restrictions and rights of way of record or in use as such may cross or otherwise affect the premises, and the use provisions of any governmental ordinance affecting the above.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Thomas E Vanhook (SEAL)
Thomas E. Vanhook,
as Trustee for Mars Hill United Methodist Church

Kathy Beck (SEAL)
Kathy Beck,
as Trustee for Mars Hill United Methodist Church

SEAL-STAMP STATE OF NORTH CAROLINA
COUNTY OF MADISON

I, a Notary Public of the County and State aforesaid, certify that Thomas E. Vanhook and Kathy Beck, Trustees for Mars Hill United Methodist Church, Grantor, personally appeared before me this day in their capacity as Trustees for Mars Hill United Methodist Church and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 19th day of July, 2016.

Emily M Wheeler
Notary Public

My commission expires: August 25, 2018



I, Wiley Cooper, Pastor of Mars Hill United Methodist Church, Mars Hill, NC, pursuant to The Book of Discipline of The United Methodist Church, do hereby give my written consent to the conveyance to William E. Brown and Lynne A. Brown of that property commonly known as and further described in Exhibit A attached hereto.


Wiley Cooper, Pastor
Mars Hill United Methodist Church

SEAL-STAMP STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, a Notary Public of the County and State aforesaid, certify that Wiley Cooper, Pastor of Mars Hill United Methodist Church, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 19th day of July, 2016.


Notary Public

My commission expires. August 25, 2018



Exhibit A

Lying and being in No. 15 Township, Madison County, NC, adjoining the lands of McElroy's, J. Woodson Anderson, et al., BEGINNING on a bunch of thorn bushes on the North side of what is known as the Burnett Prong of the Big Branch, a prong near the residence of the said J. Woodson Anderson and in the line of the old Deaver tract, and running South 23 deg. 45 min. West 20 poles, 9 links to a line, O.P. Burnett corner; thence South 4 deg. 15 min. East 9 poles to a stake in the old field; thence up and with the top of the ridge, South 25.5 deg. West 28 poles, less 4 links to a stake; thence South 79 deg. West 4 poles, 15 links to a stake in Mrs. McElroy's line; thence South 61 deg. 15 min. East with Mrs. McElroy's line, 46 poles to a stake in the public road; thence North 23 deg. East with said road, 26 poles to a stake; thence North 10 deg. East 19 poles to a stake in said road; thence North 56 deg. West 18 poles to a line; thence North 31 deg. West 24 poles to a stake on the North bank of the branch first mentioned; thence with the North margin of the same, North 82 deg. West 4 poles to the BEGINNING, containing 13 acres more or less.

Being the same land conveyed by J. Woodson Anderson and wife, M.J. Anderson by deed dated August 29, 1906, to F. A. Clark, which deed is duly recorded in Book 21 at Page 167, in the Register of Deeds Office for Madison County, NC

And being the same real property described in a deed recorded in Deed Book 77 at Page 310 in the Office of the Register of Deeds, Madison County, NC.

THERE IS EXPRESSLY EXCEPTED, HOWEVER, from the above-described property, all prior conveyances of record. The property being conveyed by this Deed consists of the remaining 2.355 acres, more or less.

Prior conveyances of record include, but are not limited to the following Deed references shown in the Madison County Registry:

Deed Book 207 at Page 98; Deed Book 268 at Page 441.

(Note: The first paragraph of the legal description above contains several corrections, including adding "a stake in the old field" to the second call, adding "less" to the third call, and correcting the distance to "24 poles" in the ninth call. The second paragraph corrects the page number of the deed to Clark to "167". These corrections conform to the Deed found at Book 21 at Page 167, Madison County Registry.)

Resolution Regarding Sale of Properties (parsonage and separate piece of land) of Mars Hill United Methodist Church.

(Exhibit B)

A vote was held at a special Charge Conference of the members of the Mars Hill United Methodist Church at 12:00 p.m. on April 17, 2016 to sell the Mars Hill United Methodist Parsonage located at 745 Mountain View Road and the 2 acre parcel of land described in property card 3281 of the Tax Records of Madison County. Notice of the proposed action and the date and time of the meeting was given at least ten days prior to the meeting from the pulpit of the church during Sunday worship announcements and from emails to the congregation (see attached email from April 7 and reminder from April 14). The resolution was presented and then passed by a majority vote of the charge conference members present and voting.

Any contract, deed, bill of sale, or other necessary instrument may be executed by and on behalf of Mars Hill United Methodist Church by any two of the officers of its Board of Trustees, who thereupon shall be duly authorized to carry out the direction of the charge conference and any written instrument so executed shall be binding and effective as the action of Mars Hill United Methodist Church.

The meeting was duly adjourned at 12:30.



Signed by Jo Ann Croom, Administrative Chair and Acting Secretary

Exhibit C



Rev. Beth M. Crissman
District Superintendent
BLUE RIDGE DISTRICT

July 18, 2016

To: Board of Trustees, Mars Hill United Methodist Church

From: Beth Crissman

I am writing to provide my consent for the sale of the 2 acre vacant parcel of land known as Madison County PIN 9757-10-3606, as required by the 2012 *Book of Discipline*. The property is located off of East View Rd. near Mars Hill, NC in Madison County.

This consent must be affixed to or included in the instrument of sale. The sale is to be executed by and on behalf of the local church by any two of the officers of its Board of Trustees. This sale was approved by the Mars Hill United Methodist Church, as well as the Blue Ridge District Committee on Church Building and Location.

The two trustees who carry out this sale are duly authorized to carry out the direction of the charge conference and any written instrument so executed shall be binding and effective as the action of the local church. By my consent, any trust clause restricting the use of the property for the church is no longer binding and the church has the right to sell the property.

The consent of the pastor of Mars Hill United Methodist Church is required to be affixed to or included in the instrument of sale.

Thank you for your assistance in this matter.

In Christ's service,

Rev. Beth M. Crissman
District Superintendent

¶ 2540. Unincorporated Local Church Property—Sale, Transfer, Lease, or Mortgage—Any real property owned by or in which an unincorporated local church has any interest may be sold, transferred, leased for a term of thirty days or more (which shall include leases for less than thirty days if such a lease is consecutive with the same lessee), or mortgaged subject to the following procedure and conditions:

1. Notice of the proposed action and the date and time of the regular or special meeting of the charge conference at which it is to be considered shall be given at least ten days prior thereto from the pulpit of the church and in its weekly bulletin, newsletter or electronic notice, or other means if required or permitted by local law.

2. A resolution authorizing the proposed action shall be passed by a majority vote of the charge conference members (in a pastoral charge consisting of two or more local churches, the church local conference; see ¶ 2527) present and voting at a special meeting called to consider such action.

3. The written consent of the pastor of the local church and the district superintendent to the proposed action shall be necessary and shall be affixed to or included in the instrument

LOCAL CHURCH PROPERTY

¶ 2541

of sale, conveyance, transfer, lease, or mortgage. Prior to consenting to any proposed action required under this paragraph involving any United Methodist church property, the pastor, district superintendent, and the district board of church location and building shall ensure that: (a) a full investigation shall be made and an appropriate plan of action shall be developed for the future missional needs of the community; (b) the transfer or encumbrance shall conform to the *Discipline*; (c) the congregation, if no longer to continue as an organized local United Methodist Church, does not sell but may transfer title of its facilities to another United Methodist church or agency; and (d) the congregation, in case of relocation, first offers its property to a United Methodist congregation or agency at a price not to exceed fair market value. The district strategies or other missional strategies should include the ministries of both United Methodist congregations and the community where the existing facility is located. Certification by the district superintendent shall be conclusive evidence that the transfer or encumbrance conforms to the *Discipline*. The requirements of investigation and the development of a plan of action, however, shall not affect the merchantability of the title to the real estate or the legal effect of the instruments of sale or transfer.

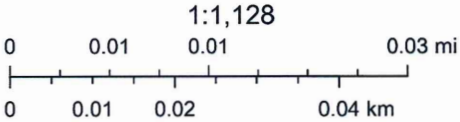
4. Unless the charge conference directs otherwise, any contract, deed, bill of sale, mortgage, or other necessary written instrument needed to implement any resolution authorizing action regarding local church property may be executed by and on behalf of the local church by any two officers of the board of trustees, who thereupon shall be duly authorized to carry out the direction of the charge conference; and any written instrument so executed shall be binding and effective as the action of the local church.

ArcGIS Web Map



8/24/2021, 9:51:12 AM

-  2019 Madison County Tax Parcels
-  Roads



NC CGIA, Maxar, Microsoft

Received
8-24-2021
Nat A Brown



Town of Mars Hill

PETITION REQUESTING A CONTIGUOUS ANNEXATION

DATE: June 16, 2021

TO: Board of Aldermen, Town of Mars Hill

1. We, the undersigned owners of real property, respectfully request that the area described in Paragraph 2 below be annexed to the Town of Mars Hill.
2. The area to be annexed is contiguous to the Town of Mars Hill and the boundaries of such territory are as follows:

(Insert Legal Metes and Bounds Description of Boundaries or attach Deed)
Attached Exhibit 1
3. A map, and/or survey plat is attached showing the area proposed for annexation in relation to the primary corporate limits of the Town.

	<u>PRINTED NAME</u>	<u>SIGNATURE</u>	<u>ADDRESS</u>
1.	William E. Brown	<i>William E. Brown</i>	365 Spring Drive, Mars Hill, NC
2.	Lynne A. Brown	<i>Lynne A. Brown</i>	365 Spring Drive, Mars Hill, NC
3.			
4.			
5.			



**Town of Mars Hill
Mayor and Board of Aldermen**

**RESOLUTION
ADOPTING THE BUNCOMBE MADISON
REGIONAL HAZARD MITIGATION PLAN**

WHEREAS, the Town of Mars Hill is vulnerable to an array of hazards that can cause loss of life and damages to public and private property; and

WHEREAS, the Town of Mars Hill desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of the Town of Mars Hill to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of the Mayor and Board of Aldermen for the Town of Mars Hill to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the Town of Mars Hill; and


WHEREAS, the Town of Mars Hill, in coordination with Buncombe and Madison Counties and the participating municipalities within those Counties, has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials; and

WHEREAS, the North Carolina Emergency Management and the Federal Emergency Management Agency have reviewed the Buncombe Madison Regional Hazard Mitigation Plan for legislative compliance and has approved the plan pending the completion of local adoption procedures.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen for the Town of Mars Hill, North Carolina as follows:

- Section 1. The Town of Mars Hill hereby adopts the Buncombe Madison Regional Hazard Mitigation Plan.
- Section 2. The Town of Mars Hill agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.
- Section 3. This resolution shall be effective upon adoption.

ADOPTED this 30th day of August 2021, by the Mayor and Board of Aldermen for the Town of Mars Hill, North Carolina.



John L. Chandler, Mayor

Attest:



Stuart L. Jolley, Clerk

