

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
BOARD OF COMMISSIONERS

**PUBLIC HEARING TO CONSIDER
ANNEXATION OF PROPERTIES INTO CANE CREEK
WATER AND SEWER DISTRICT
4 November 2019 at 5:30 o'clock p.m.**

ATTACHMENT(S):

Proposed Board Resolution

List of properties proposed to be annexed (listed on insets of map 1)

Maps (2)

SUMMARY:

A public hearing has been scheduled on 4 November 2019 in the above matter. Notice of hearing was published in the *Hendersonville Lightning* on October 23, 2019, and was mailed to the property owners who would be affected on October 2, 2019.

This proposal would add to the Cane Creek District the properties listed in the attachment to this Request. These properties adjoin the existing system boundary, and are already provided sanitary sewer service by it. Their inclusion in the District would allow their direct service by Metropolitan Sewerage District of Buncombe County upon its merger with the Cane Creek Water and Sewer District.

At the conclusion of the public hearing, the Board may choose to take action, delay action to a subsequent meeting, or take no action.

If the Board chooses to so annex the properties, a resolution, pursuant to N.C. Gen. Stat. §162A-87.1, is attached.

**Henderson County
North Carolina**

Before the Board of Commissioners

**Resolution to Extend the Limits of the Cane Creek Water and Sewer District of
Henderson County**

BOARD OF COMMISSIONERS ENACTMENT 2019-_____

WHEREAS, the Henderson County Board of Commissioners has, under N.C. Gen. Stat. §162A-87.1, taken the prerequisite steps necessary to accomplish the extension of the District boundaries of the Cane Creek Water and Sewer District of Henderson County (the "CCWSD") to include the area described herein; and

WHEREAS, a public hearing on the question of this extension of District boundaries was held in the Meeting Room of the Henderson County Administration Building located at 1 Historic Courthouse Square, Hendersonville, NC, at 5:30 p.m. on the 4th day of November, 2019, after due notice by publication on the 23rd day of October, 2019, and mailed notice to the affected properties sent October 2, 2019; and

WHEREAS, the Henderson County Board of Commissioners does hereby find as a fact that the area to be included within the CCWSD boundaries meets the requirements of N.C. Gen. Stat. §162A-87. 1(a)(1), (a)(2), and (a)(3) and specifically finds as follows:

(1) That the area to be annexed is contiguous to the district, with at least one-eighth of the aggregate external boundary of the area coincident with the existing boundary of the district;

(2) That the residents of the territory to be annexed will benefit from the annexation; and

(3) That it is economically feasible to provide the proposed service or services in the annexed district without unreasonable or burdensome annual tax levies.

NOW, THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners as follows:

Section 1. Pursuant to N.C. Gen. Stat. §162A-87.1, the boundaries of the CCWSD are, effective July 1, 2020, hereby extended to include the properties listed on the attached Exhibit A.

Section 2. Upon and after July 1, 2020, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the CCWSD, and shall be entitled to the same privileges and benefits as other parts of the CCWSD.

Section 3. Since as of the date hereof there is pending the prospective inclusion and merger of the entirety of the CCWSD into the Metropolitan Sewerage District of Buncombe County (the "MSD") pursuant to the provisions of Session Law 2019-127, it is the intention of the Board of Commissioners that the properties listed in Exhibit A be included to be included and merged CCWSD/MSD district.

Section 4. In addition, the Board of Commissioners note the existence of other areas, shown on the attached map, Exhibit B, which, to the extent that they are not included in the CCWSD, may in the foreseeable future have need of inclusion within the merged CCSWD/MSD district, and specifically notes the same for future reference and, as needed, to advocate for the same.

ADOPTED THIS the 4th day of November, 2019.

HENDERSON COUNTY BOARD OF COMMISSIONERS

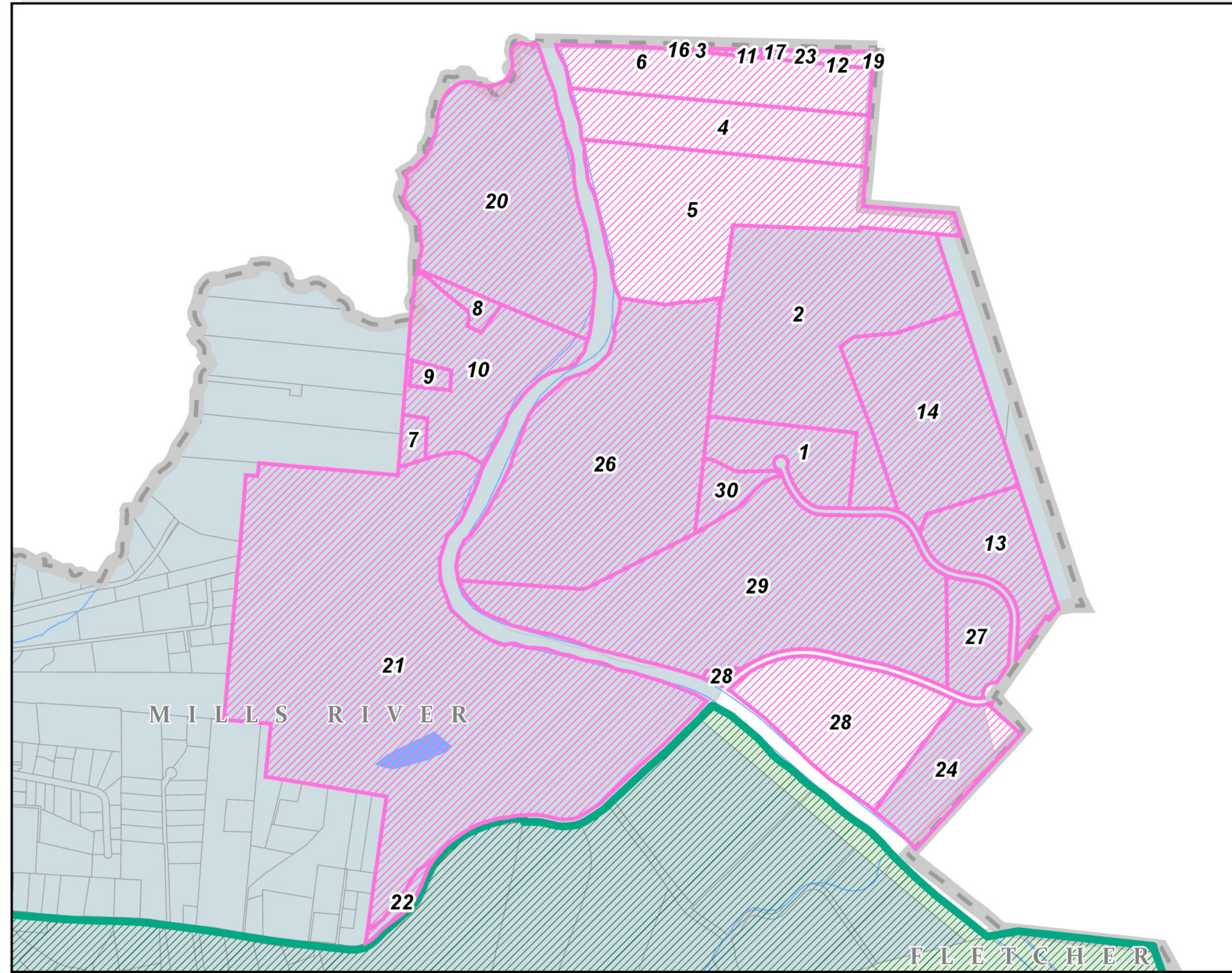
By: _____
GRADY HAWKINS, Chairman

Attest:

TERESA WILSON, Clerk to the Board of Commissioners

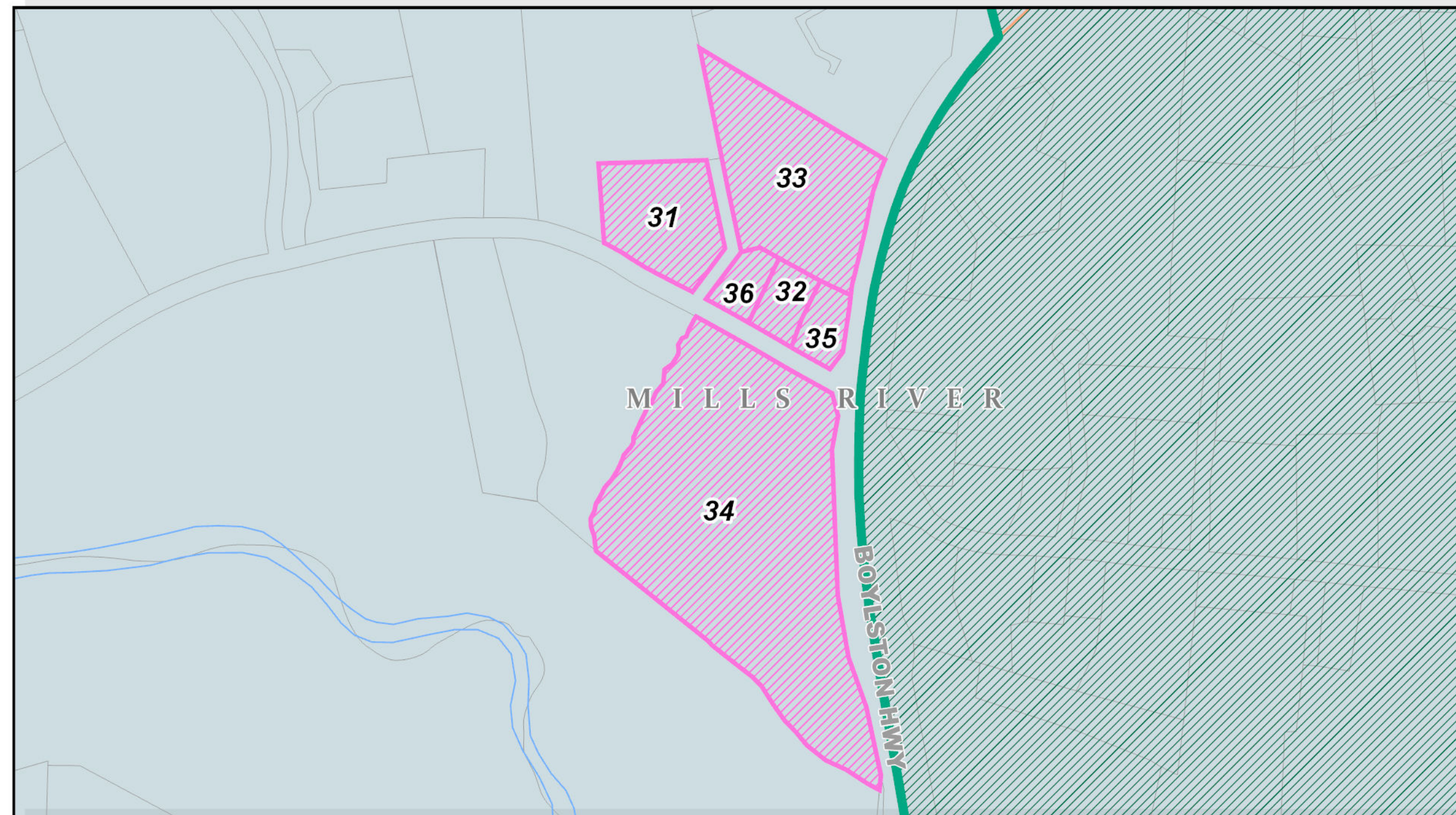
Cane Creek Water and Sewer District Expansion - September 2019

Inset 1:

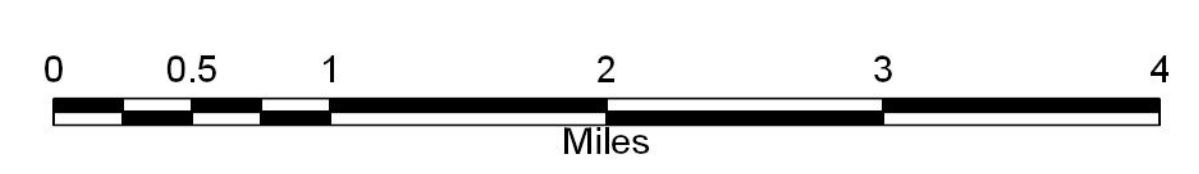
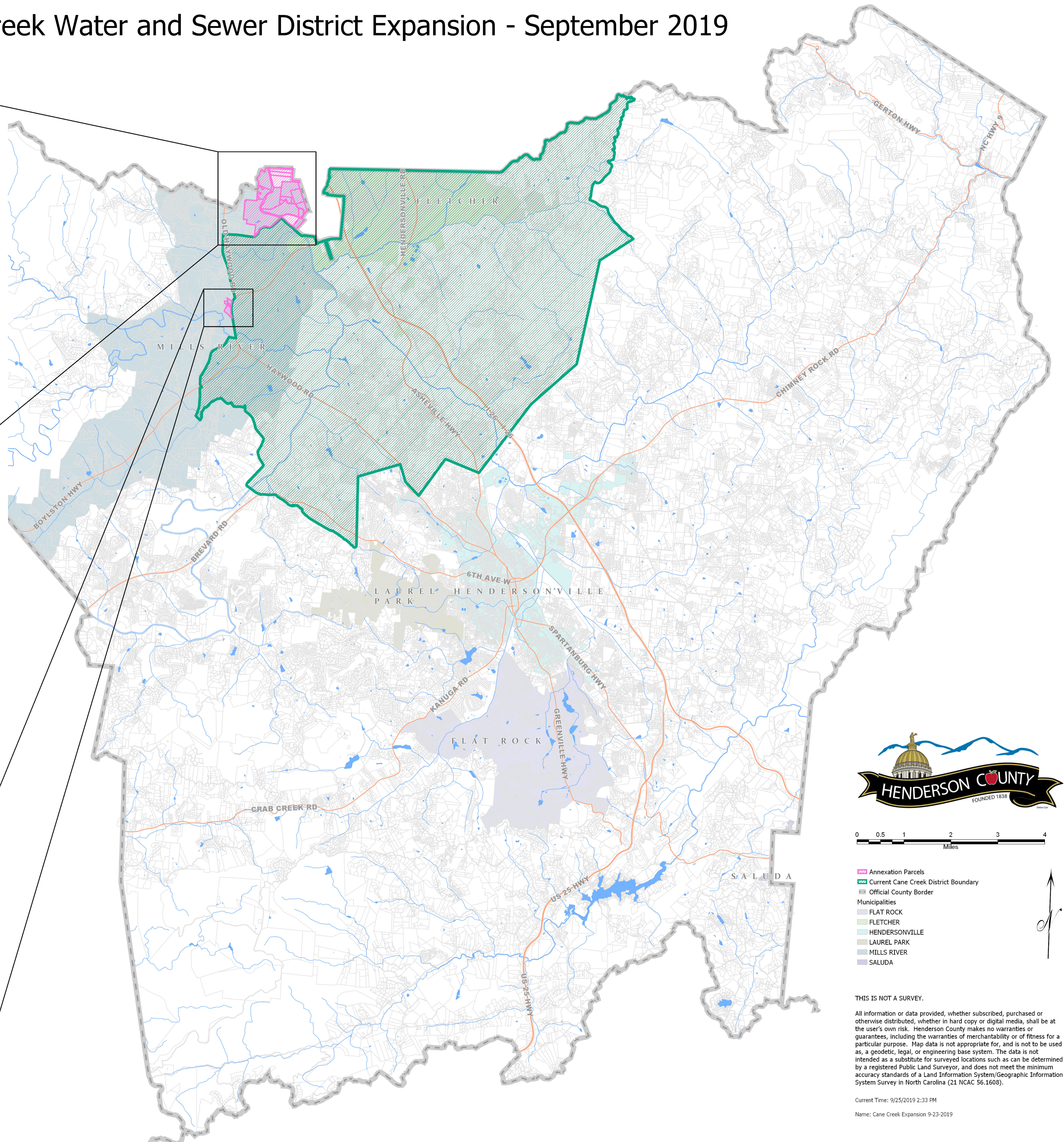


Map_ID	PIN	Physical Address	Listed Owner
1	9643215936	0 NO ADDRESS ASSIGNED	BRIGHTSTAR ASSOC, INC
2	9643237097	0 NO ADDRESS ASSIGNED	BRITE STARS LLC NC LL COMPANY
3	9643157412	0 NO ADDRESS ASSIGNED	CALVERT, JENNIFER NICOLE
4	9643149766	0 NO ADDRESS ASSIGNED	CITY OF ASHEVILLE
5	9643149129	0 NO ADDRESS ASSIGNED	CITY OF ASHEVILLE
6	9643159128	260 PINNER RD	CITY OF ASHEVILLE
7	9633922192	116 OLD BISHOP FARM RD	COLE, ANDREW J.; COLE, ELIZABETH J.
8	9633937370	0 NO ADDRESS ASSIGNED	COLE, KENNETH L; COLE, MARILYN F
9	9633924647	120 OLD BISHOP FARM RD	COLE, KENNETH L; COLE, MARILYN F
10	9633928743	0 NO ADDRESS ASSIGNED	COLE, KENNETH L; COLE, MARILYN F
11	9643251349	0 NO ADDRESS ASSIGNED	DORSEY, PHILIP S.; DORSEY, ANGELEIGH ELLIOTT
12	9643258309	31 BRAN RICK LN	EATON, JEFFREY; EATON, ELIZABETH ROACH
13	9643412191	486 FERNCLIFF PARK DR	GF LINAMAR LLC
14	9643327335	490 FERNCLIFF PARK DR	GF LINAMAR LLC
15	9643159480	0 NO ADDRESS ASSIGNED	GOOLEY, PHILLIP E; SCHMIDT, JANE MARY
16	9643155462	0 NO ADDRESS ASSIGNED	HALL, WILLIAM S; HALL, BONNIE H
17	9643252388	25 BRAN RICK LN	HARRIS, MELISSA L
18	9643254337	27 BRAN RICK LN	JONES, SANDRA PATRICE TRUSTEE; SANDRA PATRICE JONES LIVING TRUST
19	9643350355	35 BRAN RICK LN	KACHMAN, DAVID O; KACHMAN, MARTHA C
20	9633948237	0 NO ADDRESS ASSIGNED	KILLIAN, KATRINA BROWN; et al
21	9632997712	455 RESEARCH DR	N C S U MOUNTAIN HORICULTURAL CROPS
22	9632981141	0 NO ADDRESS ASSIGNED	NC
23	9643255387	29 BRAN RICK LN	RICHARDS, DAVID MICHAEL; RICHARDS, MIRNA EVELYN
24	9642397277	701 OLD FANNING BRIDGE RD	RIVETER PROPERTY HOLDINGS LLC
25	9643158431	0 NO ADDRESS ASSIGNED	SMITH, ALANNA LILLIAN; NOE, SPENSER KENT
26	9643019943	0 NO ADDRESS ASSIGNED	WILD RIVER CORP
27	9643401435	0 NO ADDRESS ASSIGNED	WILD RIVER CORP
28	9642299794	741 OLD FANNING BRIDGE RD	WILD RIVER CORP
29	9643202830	515 A FERNCLIFF PARK DR	WILD RIVER CORP A NC CORPORATION
30	9643119679	599 FERNCLIFF PARK DR	WILD RIVER CORP A NC CORPORATION

Inset 2:



Map_ID	PIN	Physical Address	Listed Owner
31	9632506351	30 CARLAND CIR	EARLY DAWN PROPERTIES LLC
32	9632600037	0 NO ADDRESS ASSIGNED	HIGHWAY 280 LLC
33	9632600463	0 NO ADDRESS ASSIGNED	HIGHWAY 280 LLC
34	9631599551	3338 BOYLSTON HWY	INGLES MARKETS INC
35	9632601043	46 N MILLS RIVER RD	REECE, JUDSON DALE; REECE, ELIZABETH R.
36	9632509111	88 N MILLS RIVER RD	VADAH INVESTMENTS



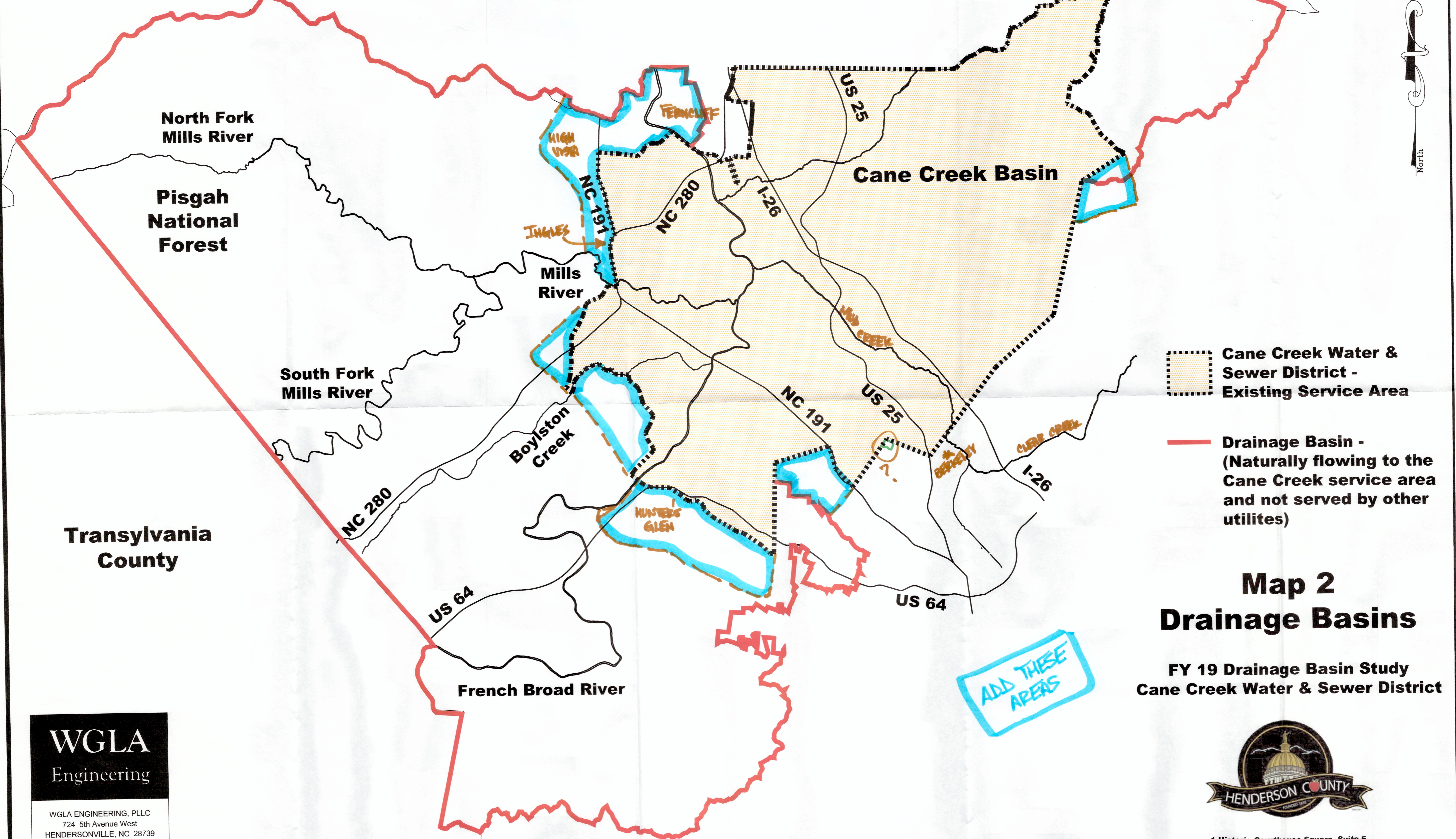
- Annexation Parcels
- Current Cane Creek District Boundary
- Official County Border
- Municipalities
- FLAT ROCK
- FLETCHER
- HENDERSONVILLE
- LAUREL PARK
- MILLS RIVER
- SALUDA

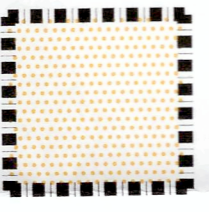

THIS IS NOT A SURVEY.

All information or data provided, whether subscribed, purchased or otherwise distributed, whether in hard copy or digital media, shall be at the user's own risk. Henderson County makes no warranties or guarantees, including the warranties of merchantability or of fitness for a particular purpose. Map data is not appropriate for, and is not to be used as, a geodetic, legal, or engineering base system. The data is not intended as a substitute for surveyed locations such as can be determined by a registered Public Land Surveyor, and does not meet the minimum accuracy standards of a Land Information System/Geographic Information System Survey in North Carolina (21 NCAC 56.1608).

EXHIBIT B

Buncombe County



-  Cane Creek Water & Sewer District - Existing Service Area
-  Drainage Basin - (Naturally flowing to the Cane Creek service area and not served by other utilities)

Map 2 Drainage Basins

FY 19 Drainage Basin Study
Cane Creek Water & Sewer District

ADD THESE AREAS



1 Historic Courthouse Square, Suite 6
Hendersonville, NC 28792

WGLA
Engineering

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