

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

**SESSION LAW 2012-119
HOUSE BILL 1217**

AN ACT TO ADJUST THE BOUNDARIES OF THE TOWN OF WOODFIN AND THE CITY OF ASHEVILLE, AS REQUESTED BY THE GOVERNING BOARDS OF THOSE MUNICIPALITIES, BY (1) ANNEXING INTO THE CITY OF ASHEVILLE CERTAIN STATE-OWNED PROPERTY, (2) REMOVING CERTAIN STATE-OWNED PROPERTY FROM THE TOWN OF WOODFIN AND ANNEXING IT INTO THE CITY OF ASHEVILLE, (3) REMOVING CERTAIN STATE-OWNED AND PRIVATE PROPERTY FROM THE CITY OF ASHEVILLE AND ANNEXING IT INTO THE TOWN OF WOODFIN, AND (4) UPON PETITION OF THE OWNER AND WITH THE CONCURRENCE OF THE TOWN OF WOODFIN, ALLOWING THE CITY OF ASHEVILLE TO ANNEX CERTAIN PROPERTY IN THE TOWN OF WOODFIN THAT, AS A RESULT OF THE OPERATION OF THIS ACT, IS SURROUNDED BY THE CITY OF ASHEVILLE OR A COMBINATION OF THE CITY OF ASHEVILLE AND UNINCORPORATED AREA, AND PROVIDING FOR THE CITY OF ASHEVILLE AND THE TOWN OF WOODFIN TO ENTER INTO AGREEMENTS REGARDING THE PROVISION OF MUNICIPAL SERVICES TO CERTAIN PROPERTIES IN EACH OTHER'S JURISDICTION.

The General Assembly of North Carolina enacts:

SECTION 1. All of that property shown on Sheet 1 of 6 of the "Survey for Asheville/Woodfin Boundary Adjustments and Annexations," recorded in Plat Book 132 at Pages 166 through 171 in the Buncombe County Registry (herein Asheville/Woodfin Boundary Survey) and designated as "Proposed Annexation Area Town of Woodfin (currently City of Asheville)" is hereby removed from the City of Asheville and annexed into the Town of Woodfin.

SECTION 2. The corporate limits of the City of Asheville and the Town of Woodfin are hereby adjusted and reestablished as shown on Sheets 2, 3, 4, 5, and 6 of the Asheville/Woodfin Boundary Survey such that:

- (1) Those areas designated as "Proposed Annexation Area City of Asheville (currently Town of Woodfin)" are removed from the Town of Woodfin and annexed into the City of Asheville;
- (2) Those areas designated as "Proposed Annexation Area City of Asheville (currently Buncombe County)" are annexed into the City of Asheville; and
- (3) The remaining unincorporated area situated at the intersection of U.S. 19-23, Broadway Street, and Riverside Drive is annexed into the Town of Woodfin.
- (4) All of that property described in a deed from W. T. Duckworth, et al. to the State of North Carolina, recorded July 1, 1968, in Deed Book 983, page 247, in the Buncombe County Registry, and shown on a plat recorded in Plat Book 37, page 89, Buncombe County Registry is annexed into the City of Asheville.

SECTION 3. Except as adjusted herein, the boundaries of the City of Asheville and the Town of Woodfin are unchanged.

SECTION 4. Any property shown on Sheets 2, 3, or 4 of the Asheville/Woodfin Boundary Survey as being part of the Town of Woodfin, and which by operation of this act is no longer contiguous with the primary limits of the Town of Woodfin, may be annexed by the City of Asheville pursuant to Part 1 of Article 4A of Chapter 160A of the General Statutes (or successor statute) upon petition of the property owner as provided in that Part, but only if the petition is accompanied by an ordinance of the Town of Woodfin consenting to such



annexation. The annexation may only become effective on June 30 of a calendar year and does not extinguish tax liens of the Town of Woodfin. Nothing in this act shall be construed as limiting the powers of the City of Asheville or the Town of Woodfin under Article 4A of Chapter 160A of the General Statutes (or successor statute) with respect to any unincorporated area.

SECTION 5. In order to provide efficient delivery of services, the Town of Woodfin, the City of Asheville, and Buncombe County are hereby authorized to enter into intergovernmental agreements regarding delivery of municipal services to those parts of the Town of Woodfin made noncontiguous by operation of this act, and to unincorporated areas of Buncombe County that are completely surrounded by the City of Asheville or a combination of the City of Asheville and the Town of Woodfin by operation of this act.

SECTION 6. This act becomes effective June 30, 2012.

In the General Assembly read three times and ratified this the 28th day of June, 2012.

s/ Walter H. Dalton
President of the Senate

s/ Thom Tillis
Speaker of the House of Representatives