

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 1217
Second Edition Engrossed 6/19/12

Short Title: Asheville/Woodfin Boundary Adjustments. (Local)

Sponsors: Representatives Fisher, Moffitt, and Keever (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Government.

May 31, 2012

A BILL TO BE ENTITLED

1 AN ACT TO ADJUST THE BOUNDARIES OF THE TOWN OF WOODFIN AND THE
2 CITY OF ASHEVILLE, AS REQUESTED BY THE GOVERNING BOARDS OF THOSE
3 MUNICIPALITIES, BY (1) ANNEXING INTO THE CITY OF ASHEVILLE CERTAIN
4 STATE-OWNED PROPERTY, (2) REMOVING CERTAIN STATE-OWNED
5 PROPERTY FROM THE TOWN OF WOODFIN AND ANNEXING IT INTO THE CITY
6 OF ASHEVILLE, (3) REMOVING CERTAIN STATE-OWNED AND PRIVATE
7 PROPERTY FROM THE CITY OF ASHEVILLE AND ANNEXING IT INTO THE
8 TOWN OF WOODFIN, AND (4) UPON PETITION OF THE OWNER AND WITH THE
9 CONCURRENCE OF THE TOWN OF WOODFIN, ALLOWING THE CITY OF
10 ASHEVILLE TO ANNEX CERTAIN PROPERTY IN THE TOWN OF WOODFIN
11 THAT, AS A RESULT OF THE OPERATION OF THIS ACT, IS SURROUNDED BY
12 THE CITY OF ASHEVILLE OR A COMBINATION OF THE CITY OF ASHEVILLE
13 AND UNINCORPORATED AREA, AND PROVIDING FOR THE CITY OF
14 ASHEVILLE AND THE TOWN OF WOODFIN TO ENTER INTO AGREEMENTS
15 REGARDING THE PROVISION OF MUNICIPAL SERVICES TO CERTAIN
16 PROPERTIES IN EACH OTHER'S JURISDICTION.
17

18 The General Assembly of North Carolina enacts:

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

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

- 28 (1) Those areas designated as "Proposed Annexation Area City of Asheville
29 (currently Town of Woodfin)" are removed from the Town of Woodfin and
30 annexed into the City of Asheville;
- 31 (2) Those areas designated as "Proposed Annexation Area City of Asheville
32 (currently Buncombe County)" are annexed into the City of Asheville; and
- 33 (3) The remaining unincorporated area situated at the intersection of U.S. 19-23,
34 Broadway Street, and Riverside Drive is annexed into the Town of Woodfin.



1 (4) All of that property described in a deed from W. T. Duckworth, et al. to the
2 State of North Carolina, recorded July 1, 1968, in Deed Book 983, page 247,
3 in the Buncombe County Registry, and shown on a plat recorded in Plat
4 Book 37, page 89, Buncombe County Registry is annexed into the City of
5 Asheville.

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

8 **SECTION 4.** Any property shown on Sheets 2, 3, or 4 of the Asheville/Woodfin
9 Boundary Survey as being part of the Town of Woodfin, and which by operation of this act is
10 no longer contiguous with the primary limits of the Town of Woodfin, may be annexed by the
11 City of Asheville pursuant to Part 1 of Article 4A of Chapter 160A of the General Statutes (or
12 successor statute) upon petition of the property owner as provided in that Part, but only if the
13 petition is accompanied by an ordinance of the Town of Woodfin consenting to such
14 annexation. The annexation may only become effective on June 30 of a calendar year and does
15 not extinguish tax liens of the Town of Woodfin. Nothing in this act shall be construed as
16 limiting the powers of the City of Asheville or the Town of Woodfin under Article 4A of
17 Chapter 160A of the General Statutes (or successor statute) with respect to any unincorporated
18 area.

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

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