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DATE 3-16-06 BY SO

Haywood County--Register of Deeds
Amy R. Murray, Register of Deeds
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EXTRA-TERRITORIAL JURISDICTION

Town of Canton

***

Name of area: **ROUGH CREEK WATERSHED**

Date ordinance adopted: 09-15-1987

Notarization.

STATE OF NORTH CAROLINA
COUNTY OF HAYWOOD

I, DeAna C. Flynn, a Notary Public for Haywood County, North Carolina, hereby certify that Al Matthews, Town Clerk of the Town of Canton, appeared before me and swore that this is a true and correct copy of an **ETJ Ordinance for the NEW CLYDE HIGHWAY** adopted on April 14, 1998 by the Town of Canton.

Al Matthews, Town Clerk, Town of Canton

This the 15 day of March, 2006.

DeAna C. Flynn
Notary Public

My commission expires: 7-11-2006

DEANA C. FLYNN NOTARY PUBLIC HAYWOOD COUNTY (SEAL)

ORDINANCE ESTABLISHING EXTRATERRITORIAL JURISDICTION BOUNDARIES

WHEREAS, the 1971 General Assembly of the State of North Carolina revised the enabling acts granting authority to municipalities to adopt, administer, and enforce zoning and subdivision regulation ordinances, building codes, and minimum housing standards and other related measures; and

WHEREAS, G.S. 160A-360 provides that the delegated municipal powers conferred by Article 19 of Chapter 160A may be exercised within the extraterritorial jurisdiction surrounding a municipality within an area defined by geographical features identifiable on the ground, but extending not more than one (1) mile beyond its corporate limits, provided that such powers are exercised by the municipality within its corporate limits; and

WHEREAS, the 1983 General Assembly of the State of North Carolina modified G.S. 160A-58.4 with respect to extraterritorial powers outside satellite corporate limits in the Town of Canton to enable the Town to consider satellite corporate limits as a part of the town's corporate limits for the purposes of extraterritorial land use regulations pursuant to G.S. 160A-360, but not for purposes of abatement of public health nuisances pursuant to G.S. 160A-193; and

WHEREAS, G.S. 160A-360 further provides that any municipality wishing to exercise extraterritorial jurisdiction of powers conferred under Article 19, Chapter 160A shall adopt, and may amend from time to time, an ordinance specifying the areas to be included; and

WHEREAS, the area is to be based upon existing or projected urban development and areas of critical concern to the municipality evidenced by the officially adopted plans for its development, and is to be defined, to the extent feasible, in terms of geographical features identifiable on the ground, and that the municipality may, in its discretion, exclude from such extraterritorial jurisdiction areas separated from the town by barriers to urban growth and areas whose projected development will have little impact upon the town; and

WHEREAS, G.S. 160A-360 further requires that the boundaries specified in the ordinance shall at all times be drawn on a map, set forth in a written description, or shown by a combination of these techniques, and maintained in the same manner as required by G.S. 160A-22 for the delineation of the corporate limits, further provided that said delineation shall be recorded in the office of the Register of Deeds; and

WHEREAS, the Town Board of Aldermen of the Town of Canton deems it to be in the public interest and beneficial to the public health, safety, and welfare to exercise certain powers

authorized by Article 19, Chapter 160A in the extraterritorial jurisdiction surrounding the municipality.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF ALDERMEN OF THE TOWN OF CANTON:

AN ORDINANCE ESTABLISHING EXTRATERRITORIAL JURISDICTION FOR MUNICIPAL REGULATORY POWERS CONFERRED BY ARTICLE 19 OF CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA

Section 1. Said boundaries are delineated on the face of a map entitled, "Extraterritorial Jurisdiction Boundary Map of the Town of Canton" which is attached hereto and is hereby adopted by reference and is further described as follows:

BEGINNING at a point, said point being at the intersection of the northwest corner of parcel 8361 on Haywood County Tax Sheet 8760 and the Buncombe and Haywood County boundary; thence following the western boundary of said parcel 8361 in a generally southerly direction 4,140' more or less to a point, said point being at the intersection of said boundary with the northwestern boundary of parcel 7519 on Haywood County Tax Sheet 8669; thence following said northwestern boundary in a southwesterly direction 840' more or less to a point, said point being at the westernmost corner of said parcel 7519, said point also being at the intersection of the common boundary line of said parcel 7519 and parcel 4889 on Haywood County Tax Sheet 8669 and the southeastern boundary of parcel 3042 on Haywood County Tax Sheet 8760; thence following said common boundary line of parcels 7519 and 4889 in a southeasterly direction 1,920' more or less to a point, said point being at the southernmost corner of said parcel 7519, said point also being the westernmost corner of parcel 1584 on Haywood County Tax Sheet 8669; thence following in a straight line 400' more or less in a southeasterly direction to a point, said point being at the northeastern corner of parcel 5162 on Haywood County Tax Sheet 8669; thence following the eastern boundary of said parcel 5162 in a southerly direction 720' more or less to a point, said point being at the intersection of the eastern boundary of said parcel 5162 and the northern boundary of the margin of State Road 1622; thence following in a straight line forming a 90° angle to said margin boundary in a southerly direction to a point, said point being at the intersection of said line and the southern boundary of the margin of State Road 1622; thence following the southern boundary of said margin in a westerly direction 400' more or less to a point, said point being at the intersection of the southern boundary of said margin and the eastern boundary of parcel 4569 on Haywood County Tax Sheet 8669; thence following the eastern boundary of said parcel 4569 in a southerly direction 320' to a point, said point being at the southeastern corner of said parcel 4569; thence following the southern boundary of said parcel 4569 in a southwesterly direction 275' to a point, said point being at the southernmost corner of said parcel 4569; thence following in a northwesterly direction the southwestern boundary of said parcel 4569 230' to a

point, said point being at the intersection of the westernmost corner of said parcel 8043 and the southeastern boundary of parcel 5370 on Haywood County Tax Sheet 8658; thence following the southeastern, southern, and western boundaries of said parcel 5370 first in a southwesterly, then westerly, then northerly direction 5,620' more or less to a point, said point being at the intersection of the western boundary of said parcel 5370 and the easternmost corner of parcel 3128 on Haywood County Tax Sheet 8658; thence following the northeastern boundary of said parcel 3128 in a northwesterly direction 1,850' more or less to a point, said point being at the intersection of the northeastern boundary of said parcel 3128 and the centerline of Thickety Creek; thence following the centerline of Thickety Creek in a southwesterly direction 1,840' more or less to a point, said point being at the second intersection of the centerline of Thickety Creek and an interior lot line as shown on Haywood County Tax Sheets 8658 and 8659; thence following said interior lot line in a generally northerly direction 3,480' more or less to a point, said point being at the intersection of said interior lot line and the common boundary line of Crabtree Township and Beaverdam Township; thence following said common boundary line in a southwesterly direction 1,400' more or less to a point, said point being at the intersection of said common boundary line and the southwestern corner of parcel 1431 on Haywood County Tax Sheet 8659; thence following the western boundary of said parcel 1431 and parcel 4040 on Haywood County Tax Sheet 8659 in a northerly direction 1,880' more or less to a point, said point being at the intersection of the western boundary of said parcel 4040 and the southern boundary of parcel 0646 on Haywood County Tax Sheet 8659; thence following the southern boundary of said parcel 0646 and parcel 8106 on Haywood County Tax Sheet 8659 in a westerly direction 320' more or less to a point, said point being at the southwestern corner of said parcel 8106; thence following the western boundary of the following parcels on Haywood County Tax Sheet 8659: 8106, 4289, and 6397 in a northerly direction 3,960' more or less to a point, said point being at the intersection of the western boundary of said parcel 6397 and the southern boundary of parcel 5499 on Haywood County Tax Sheet 8659; thence following the southern boundary of said parcel 5499 in a westerly direction 185' more or less to a point, said point being at the southwestern corner of said parcel 5499; thence following the western boundary of said parcel 5499 and parcel 8553 on Haywood County Tax Sheet 8659 in a northerly direction 1,540' more or less to a point, said point being at the intersection of the western boundary of said parcel 8553 and the centerline of Jo Ab Branch; thence following the centerline of Jo Ab Branch in a northeasterly direction 6,100' more or less to a point, said point being at the intersection of the centerline of Jo Ab Branch and the western boundary of parcel 9732 on Haywood County Tax Sheet 8659; thence following the western boundary of said parcel 9732 in a northerly direction 610' more or less to a point, said point being at the intersection of the western boundary of said parcel 9732 and the common boundary of Haywood County and Buncombe County; thence following in a straight line in a northeasterly direction 770'

point, said point being at the intersection of said southwestern boundary and the southern margin of State Road 1613; thence following the southern margin of said road in a southwesterly direction 420' to a point, said point being at the intersection of said margin and the southwestern boundary of parcel 7912 on Haywood County Tax Sheet 8669; thence following the southwestern boundary of said parcel 7912 in a southeasterly direction 1,590' more or less to a point, said point being at the southernmost corner of said parcel 7912, said point also being at the eastern-most corner of parcel 4244 on Haywood County Tax Sheet 8669; thence following in a southwesterly direction 3,440' more or less the eastern boundary of the following parcels, all located on Haywood County Tax Sheet 8669: 4244, 5833, 6190, 7902, and 9614 to a point, said point being at the southeastern corner of said parcel 9614; thence following in a westerly direction 45' more or less the southern boundary of said parcel 9614 to a point, said point being at the intersection of the southern boundary of said parcel 9614 and the northeast corner of parcel 6310 on Haywood County Tax Sheet 8669; thence following the eastern boundary of said parcel 6310 in a southerly and southwesterly direction 745' more or less to a point, said point being at the intersection of the eastern boundary of said parcel 6310 and the northern boundary of the right-of-way of State Road 1621; thence following in a straight line 70' more or less and crossing said right-of-way to a point, said point being at the intersection of the southern boundary of said right-of-way and the centerline of Beaverdam Creek; thence following in the centerline of Beaverdam Creek in a southerly direction 6,080' more or less to a point, said point being at the intersection of the centerline of Beaverdam Creek and the centerline of Rough Creek; thence following the center-line of Rough Creek in a northwesterly direction 2,160' more or less to a point, said point being at the intersection of the centerline of Rough Creek and the western boundary of parcel 7766 on Haywood County Tax Sheet 8668; thence following in a southerly direction the western boundary of the following parcels on Haywood County Tax Sheet 8668: 7766, 8208, 8121, 7020, 8887, 0753, 0576, and 0342, 1,996' more or less to a point, said point being at the intersection of the western boundary of said parcel 0342 and the northern boundary of parcel 6105 on Haywood County Tax sheet 8668; thence following the northern boundary of said parcel 6105 in a westerly direction 420' more or less to a point, said point being at the northwestern corner of said parcel 6105; thence following the western boundary of said parcel 6105 in a southerly direction 220' more or less to a point, said point being at the southwestern corner of said parcel 6105; thence following in a straight line a southwesterly direction 10' more or less to a point, said point being at the intersection of the centerlines of Rice Cove Creek and an unnamed creek, as shown on Haywood County Tax Sheet 8668; thence following the centerline of said unnamed creek in a westerly direction 2,360' more or less to a point, said point being at the intersection of the centerline of said unnamed creek and the easternmost corner of parcel 8043 on Haywood County Tax Sheet 8658; thence following the southern boundary of said parcel 8043 in a westerly direction 993' to a

more or less to a point, said point being in the centerline of Willow Creek at the origin of said creek; thence following the centerline of Willow Creek in a northeasterly direction 4,980' more or less to a point, said point being at the intersection of the centerline of Willow Creek and the northeastern boundary of lot 1 on Buncombe County Tax Map 10 in Sandy Mush Township; thence following the northeastern boundary of said lot 1 in a southeasterly and then southerly direction 1,560' more or less to a point, said point being at the intersection of the northeastern boundary of said lot 1 and the northwestern boundary of lot 3 on Buncombe County Tax Map 10 in Sandy Mush Township; thence following the northwestern, northern and eastern boundaries of said lot 3 in a generally easterly direction and then a southerly direction 2,665' more or less to a point, said point being at the intersection of the eastern boundary of said lot 3 and the northern boundary of lot 2 on Buncombe County Tax Map 10 in Sandy Mush Township; thence following the northern and eastern boundaries of said lot 2 in a generally easterly and then southerly direction 4,315' more or less to a point, said point being at the intersection of the eastern boundary of said lot 2 and the common boundary of Haywood County and Buncombe County; thence following said common boundary in a generally northeasterly direction 1,720' more or less to point of BEGINNING.

This is a general description and should not be construed to be an engineering accurate description.

Section 2. The official copy of this ordinance and map shall be on record in the office of the town clerk for public inspection during normal business hours. The town clerk shall cause a certified copy of this ordinance and map and any subsequent amendments to be recorded in the offices of the Register of Deeds of the County of Haywood. The town clerk shall cause signs, signposts, or similar readily identifiable markers to be installed at points of intersection of the above described boundary with all roads, streets, and highways.

Section 3. All ordinances or parts of ordinances of the Town of Canton which are in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This ordinance shall have full force and effect from and after September 15, 1987 (effective date of this ordinance).

C. W. Harding, Mayor

TOWN OF CANTON CORPORATE SEAL HAYWOOD COUNTY

Town Clerk