Spruce Pine Town Council Meeting
Town Hall
11050 S. Highway 226
Spruce Pine, NC 28777
Monday, October 26, 2026
5:30 PM

AGENDA

I. CALL TO ORDER – MAYOR BETH HOLMES

A. Roll Call
B. Notification and Posting of the Agenda
C. Pledge of Allegiance (Councilman Peight)
D. Invocation (Mayor Pro-Tempor Rocky Buchanan)
E. Approval of Minutes (October 12)

II. PUBLIC COMMENT

Public comments are limited to 3 minutes. This time is provided to share general thoughts with the Town Council. Individuals who desire to make a public comment must complete the sign-in sheet made available at each meeting, state your name and address and speak at the lecture (unless physically unable).

III. PRESENTATIONS

A. Spruce Pine Planning Board Zoning Recommendations: Daniel Stines

IV. PUBLIC HEARING(S)

A. **Ordinance 2026.014**: Contiguous Voluntary Annexation Petition and Zoning Map Amendment Application for PIN #0890-00-74-5236 (7.659-acre parcel located off Hwy 19E); requested zoning: C-3 (Highway Business District).
B. **Ordinance 2026.015**: Non-Contiguous Voluntary Annexation Petition and Zoning Map Amendment Application for PIN #0880-11-57-2292 & 0880-11-57-2292 (0.445-acre parcel located off Roan Road); requested zoning: C-2 (Neighborhood Shopping District).
C. **Ordinance 2026.016**: Ordinance to order the permanent closure of Thompson Street.
D. **Ordinance 2026.017**: Ordinance to order the permanent closure of a portion of Diamond Street.
E. **Ordinance 2026.018**: Ordinance to order the permanent closure of a portion of a portion of Peterson Street.

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AGENDA

V. ACTION ITEMS

A. **Ordinance 2026.014**: Discussion and consider the Contiguous Voluntary Annexation Petition and Zoning Map Amendment Application for PIN #0890-00-74-5236 (7.659-acre parcel located off Hwy 19E); requested zoning: C-3 (Highway Business District).

B. **Ordinance 2026.015**: Discussion and consider the Non-Contiguous Voluntary Annexation Petition and Zoning Map Amendment Application for PIN #0880-11-57-2292 & 0880-11-57-2292 (0.445-acre parcel located off Roan Road); requested zoning: C-2 (Neighborhood Shopping District).

C. **Ordinance 2026.016**: Discussion and consider an Ordinance to order the permanent closure of Thompson Street.

D. **Ordinance 2026.017**: Discussion and consider an Ordinance to order the permanent closure of a portion of Diamond Street.

E. **Ordinance 2026.018**: Discussion and consider an Ordinance to order the permanent closure of a portion of Peterson Street.

F. **Ordinance 2026.019:** Discussion and consider an Ordinance to correct the property description for voluntary annexation of non-contiguous property.

G. **Notice of Award:** Discussion and consider to grant the Town Manager with assistance from the Town Attorney to enter into a contract with Phillips Grading LLC for the site/civil work for the Spruce Pine Public Services Facility

H. **Contract Ratification:** Discussion and consider ratifying a services agreement and license agreement with Flock Safety for use of Flock Safety Camera Systems.

VI. MANAGER'S REPORT

VII. MAYOR/COUNCIL REQUESTS OR COMMENT

VIII. ADJOURNMENT

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MINUTES

I. CALL TO ORDER – MAYOR BETH HOLMES:

A. Roll Call: Mayor Holmes called the meeting to order at 5:33 pm. Mayor Holmes requested a roll call. Marie Murphy, Acting Clerk, conducted roll call for council members Peight, Buchanan, McKinney, Taylor, and Mayor Holmes. All Council members were present.

B. Notification and Posting of the Agenda: Proper notification and posting of the agenda were acknowledged.

C. Pledge of Allegiance: Councilwoman Taylor led the Pledge of Allegiance.

D. Invocation: Mayor Holmes led the Invocation.

E. Approval of Minutes (September 28, 2026 Reg)
The council reviewed the Regular Minutes as presented. Councilwoman Taylor made the motion to approve the regular minutes. Councilman McKinney seconded the motion. Motion approved and passed 5/0.

II. PUBLIC COMMENT

Public comments are limited to 3 minutes. This time is provided to share general thoughts with the Town Council. Individuals who desire to make a public comment must complete the sign-in sheet made available at each meeting and speak at the lecture (unless physically unable).

No public comment was made.

III. OLD BUSINESS

A. Ratification: Purchase Contract – Yancey Timber Resources LLC, TimberJack, LLC and Phillips Timber Resources, LLC.
Please see Exhibit A, attached hereto, which Mayor Holmes read aloud. Mayor Holmes requested additional information from Mr. Stines, Town Manager, regarding how the purchase would move forward. Mr. Stines reviewed grant opportunities and provided insight into the brownfield redevelopment process. He explained that the Town had entered into the agreement with its eyes wide open, noting that although several parcels might require additional work, such as remediation, several others had been residential properties and might not require as much work. However, a final determination could be made only after further testing.
Mayor Holmes requested additional questions or comments. Councilman Buchanan mentioned previous activities on the property, including lumber operations, possible buried tires, and potential contamination from the hospital.

Councilwoman Taylor made the motion to approve the ratification. Councilman Peight seconded the motion. Motion approved and passed 4/1.

IV. ACTION ITEMS

A. Ordinance 2026.013 – Budget Amendment: An ordinance to amend the FY27 Town of Spruce Pine General Fund Expense and Revenue Accounts.

Brian Hobson, Finance Director, reviews the Budget Amendments, see Exhibit B. Councilman Peight made the motion to approve the amendments. Councilwoman Taylor seconded the motion. Motion approved and passed 4/1.

B. Resolution 2026.025 – A resolution amending the Town of Spruce Pine fee schedule to establish a commercial fire permit fee for new construction.

Councilman Peight made the motion to approve the amendment. Councilman McKinney seconded the motion. Motion approved and passed 5/0.

V. MANAGER'S REPORT

A. Mr. Stines shared some history regarding the CSX depot. He shared that the Town has attempted to work with the railroad for many decades, across administrations, including by the current Town staff. Though the result remained that the depot would be demolished by CSX, they have donated the caboose. CSX will clean up and paint the caboose.
B. Beaver Creek Water Project is inching forward with FEMA funding.
C. Mr. Stines discussed delayed water bills and the extension of due dates and late-fee dates to accommodate delays caused by the Postal Service and back-end technology issues. Administrative staff are actively evaluating payment software that could alleviate these issues.

VI. MAYOR/COUNCIL REQUESTS OR COMMENT

A. Mayor Holmes promotes the Outdoor Recreation Economies Conference happening next week.
B. Mayor Holmes asked about the Christmas Parade and how the Council would participate. Manager Stines stated that a professional float from Cline Floats would be rented for this year's parade. He commended Parks and Recreation Director James Adams for maintaining the planning timeline and facilitating

collaboration among the organizations involved. A tree-lighting ceremony would follow the parade.

C. Mayor Holmes reminds of the COG banquet this Friday.

D. Councilwoman Taylor commends the ribbon cutting and the community for their support of the Unseen Pass grand opening.

VII. ADJOURNMENT

Mayor Holmes requests a motion to adjourn. Councilman Peight motioned to adjourn. Councilman Taylor seconded the motion. The meeting adjourned at 6:07pm.

EXHIBIT A

Early this year, Yancey Timber Resources LLC, TimberJack, LLC and Phillips Timber Recourses, LLC approached the Town considering selling several of its property parcels in the downtown area. At the March 23, 2026 Town Council meeting, the agenda for the meeting identified the owners and the property parcel PINs. Pursuant to NCGS 143-318.11(5) the Town Council went into closed session to establish or to instruct the Town's staff concerning the position to be taken by the Town Council in negotiating the price and other material terms of a contract or proposed contract for the acquisition. In closed session, the Town Council provided its authorization for the Town Manager to negotiate and enter a purchase contract for one or all the property parcels up to the authority provided by the Town Council. In open session after returning from closed session, the Town Council memorialized this authorization for the Town Manager to enter the purchase contract up to the stated authority noted in closed session by motion, seconded and unanimous vote, 5-0.

Pursuant to said authority, the Town Manager negotiated the purchase price and, on behalf of the Town, entered the Purchase Contract (Effective Date 9-2-26) for acquisition of the following properties owned by Yancey Timber Resources LLC, TimberJack, LLC and Phillips Timber Recourses, LLC for the purchase price of $1,000,000.00: 1) 0890-18-21-9671; 2) 0890-17-21-4690; 3) 0890-18-21-5269; 4) 0890-18-21-7194; 5) 0890-18-21-5836; 6) 0890-17-21-3082; 7) 0890-18-21-6153; and 8) 0890-18-31-3909. The executed Purchase Contract is included in your packet. This Purchase Contract was entered on the Town's behalf under the authority given to the Town Manager from the March 23, 2026 meeting. In addition to this authority, the Town Council further desires to ratify the action taken by the Town Manager and, to the extend otherwise required, further approve this Purchase Contract."

Spruce Pine Town Council Meeting
Town Hall
11050 S. Highway 226
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MINUTES

EXHIBIT B

TOWN OF SPRUCE PINE, NORTH CAROLINA
BUDGET AMENDMENT ORDINANCE #BA-2026-002

WHEREAS, the Town Council of the Town of Spruce Pine desires to secure real property located within the corporate limits for future town development and public municipal infrastructure; and

WHEREAS, the purchase of land constitutes a capital expenditure requiring a modification of the legal municipal appropriation structure; and

WHEREAS, North Carolina General Statute § 159-15 mandates that the legal budget ordinance may only be amended by an official vote of the governing board; and

WHEREAS, North Carolina General Statute § 160A-11 and **G.S. § 160A-240.1** vest the corporate powers to acquire, hold, and purchase real property for public purposes exclusively in the elected Town Council.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Spruce Pine, North Carolina, that the Fiscal Year 2026–2027 Budget Ordinance is hereby amended as follows:

Section 1: To amend the **General Fund** appropriations for the specific acquisition of real property for future town development, the expenditures are to be increased as follows:

Account Number	Account Description	Current Budget	Increase	Amended Budget
10-500-81	Land Purchase / Capital Outlay	$0.00	**$1,200,000.00**	$1,200,000.00
Total Changes			**$1,200,000.00**	

Section 2: To finance this increase in expenditures, the following General Fund revenues/fund balances will be appropriated:

Account Number	Account Description	Current Budget	Increase	Amended Budget

10-399-00	Fund Balance Appropriated (General Fund)	$542,350.16	**$1,200,000.00**	$1,742,350.16
Total Changes			**$1,200,000.00**	

Note: The "Current Budget" for account 10-399-00 reflects the balance immediately following the previous $50,000 appropriation.

Section 3: This amendment specifically authorizes funds for the acquisition of the following real property parcels, identified by Mitchell County PIN/PID numbers:

- 0890-18-21-9671
- 0890-17-21-4690
- 0890-18-21-5269
- 0890-18-21-7194
- 0890-18-21-5836
- 0890-17-21-3082
- 0890-18-21-6153
- 0890-18-31-3909

Section 4: This ordinance shall become effective upon adoption.

Adopted this **12th day of October, 2026**.

Town of Spruce Pine, North Carolina

By: _____
Elizabeth Holmes, Mayor

Attest:

Marie Murphy, Acting Town Clerk

Spruce Pine Town Council Meeting
Town Hall
11050 S. Highway 226
Spruce Pine, NC 28777
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MINUTES

TOWN OF SPRUCE PINE, NORTH CAROLINA
BUDGET AMENDMENT ORDINANCE #BA-2026-001

BE IT ORDAINED by the Town Council of the Town of Spruce Pine, North Carolina, that the Fiscal Year 2026–2027 Budget Ordinance is hereby amended as follows:

Section 1: To amend the **General Fund** appropriations for overages related to building and grounds upkeep within the Parks and Recreation division, the expenditures are to be increased as follows:

Account Number	Account Description	Current Budget	Increase	Amended Budget
10-620-16	Parks & Rec – Buildings & Grounds Maintenance	$40,000.00	**$50,000.00**	$90,000.00
Total Changes			**$50,000.00**	

Section 2: To finance this increase in expenditures, the following General Fund revenues/fund balances will be appropriated:

Account Number	Account Description	Current Budget	Increase	Amended Budget
10-399-00	Fund Balance Appropriated (General Fund)	$492,350.16	**$50,000.00**	$542,350.16
Total Changes			**$50,000.00**	

Section 3: This ordinance shall become effective upon adoption.

Adopted this **12th day of October, 2026**.

Town of Spruce Pine, North Carolina

By: _____
Elizabeth Holmes, Mayor

Attest:

Marie Murphy, Acting Town Clerk

Spruce Pine Town Council Meeting
Town Hall
11050 S. Highway 226
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MINUTES

ATTEST:

Marie Murphy, Acting Town Clerk

Beth Holmes, Mayor

Rocky Buchanan, Mayor Pro Tem

Larry McKinney, Council Member

Wayne Peight, Council Member

Tessa Taylor, Council Member

TOWN OF SPRUCE PINE
ORDINANCE #2026.014

ORDINANCE TO VOLUNTARILY ANNEX CONTIGUOUS PROPERTY INTO THE TOWN OF SPRUCE PINE AND AMEND THE ZONING MAP FOR INITIAL ZONING

NOW COMES the Town of Spruce Pine ("Town"), at a duly called meeting of its Council on October 26, 2026, with a quorum established, and hereby considers this Ordinance to Voluntarily Annex Contiguous Property into the Town of Spruce Pine and Amend the Zoning Map for Initial Zoning.

WHEREAS, on or about September 3, 2026, the Property's owner, Town of Spruce Pine ("Owner"), presented a signed Petition for Voluntary Annexation ("Petition") and a Zoning Map Amendment Application ("Application") to the Town for the real property described in Book 681 Page 164, PIN No.: 0890-00-74-5236 (the "Property");

WHEREAS, the Property is all of Tract 1, 7.659 acres, as shown on plat recorded in Plat Book 5, at Page 339 of the Mitchell County Register of Deeds, said plat attached hereto Exhibit A ("Property Map");

WHEREAS, on review, the Town Clerk certified the Petition, and said Petition was not received pursuant to the conditions described in N.C.G.S. § 160A-31(b1) or (j);

WHEREAS, in the Application, the Owner requested the initial zoning designation for the Property to be C-3 – Highway Business District;

WHEREAS, pursuant to N.C.G.S. § 160D-604(b) and Article IV, Section 41 of the Town's Zoning Ordinance, the Town's Planning Board ("Board") met on September 23, 2026 and reviewed and discussed the Owner's Application. The Board voted unanimously to recommend that the Application be approved to initially zone the Property to C-3 – Business Highway District and prepared its written recommendation;

WHEREAS, pursuant to N.C.G.S. §§ 160A-31, 160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on September 30, 2026, the Town caused to be posted the notice of the legislative hearing concerning the Petition and on September 30, 2026 and October 7, 2026, the Town caused to be posted the notice of the legislative hearing concerning the Application in the Mitchell News-Journal;

WHEREAS, pursuant to N.C.G.S. § 160D-602(a), on or about September 30, 2026, the Town caused to be mail, by certified mail, a notice of the legislative hearing concerning the Property's proposed initial zoning and rezoning, said notice being mailed to the Owner of the Property and the owners of all parcels of land abutting the Property;

WHEREAS, pursuant to N.C.G.S. § 160D-602(c), on or about September 30, 2026, the Town prominently posted a notice of the legislative hearing concerning the Property's proposed initial zoning and rezoning on the Property or on an adjacent public street or highway right-of-way;

WHEREAS, pursuant to N.C.G.S. §§ 160A-31, -160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on October 26, 2026, the Town held a legislative hearing with respect to the Petition and Application; and

WHEREAS, prior to its decision, the Council was presented a copy of the Town's 2023 Comprehensive Land Use Plan ("Plan") for its review and consideration.

NOW, THEREFORE, BE IT RESOLVED AS TO THE PETITON:

1. That the Council hereby finds and determines:

   A. That the Petition bears the signature of all the owners of the Property proposed for annexation;

   B. The Petition is otherwise valid; and

   C. The public health, safety and welfare of the inhabitants of the Town and of the area proposed for annexation will be best served by the annexation;

2. That, having made its findings and determinations, the Petition is hereby approved by a vote of the Council of _ - _, and the Property is hereby annexed into the Town and shall be effective as of the date when this Ordinance is executed by the Mayor;

3. That, from and after the effective date of this Ordinance, the Property and its owners shall be subject to all the Town's debts, laws, ordinances and regulations in force and shall be entitled to the same privileges and benefits as other parts of the Town. Real and personal property in the newly annexed Property shall be subject to municipal taxes as provided in N.C.G.S. § 160A-58.10; and

DRAFT

4. That this Ordinance shall be recorded in the Mitchell County Registry and shall be filed with the North Carolina Secretary of State and the Boundary and Annexation Survey of the United States Bureau of the Census.

BE IT FURTHER RESOLVED AS TO THE APPLICATION:

1. Plan Consistency Statement. Pursuant to N.C.G.S. § 160D-602(a), having reviewed the Board's written recommendation and the Plan, the Application for the Property is not inconsistent with the Plan;

2. Statement of Reasonableness. Pursuant to N.C.G.S. § 160D-602(a),the Council finds that: _____; and

3. That the Application is hereby approved and the Town of Spruce Pine Zoning Map is hereby amended to initially zone the Property to C-3 Highway Business District.

BE IT FURTHER RESOLVED, this Ordinance shall be effective upon its adoption.

THIS 26th day October 2026.

TOWN OF SPRUCE PINE

_____
Elizabeth Holmes
Mayor

Attest:

_____
Marsha Hoilman
Town Clerk

DRAFT

EXHIBIT A

Property Map

DRAFT

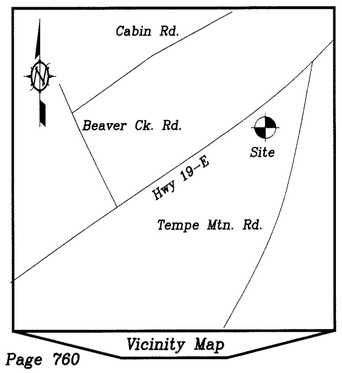
Exhibit A

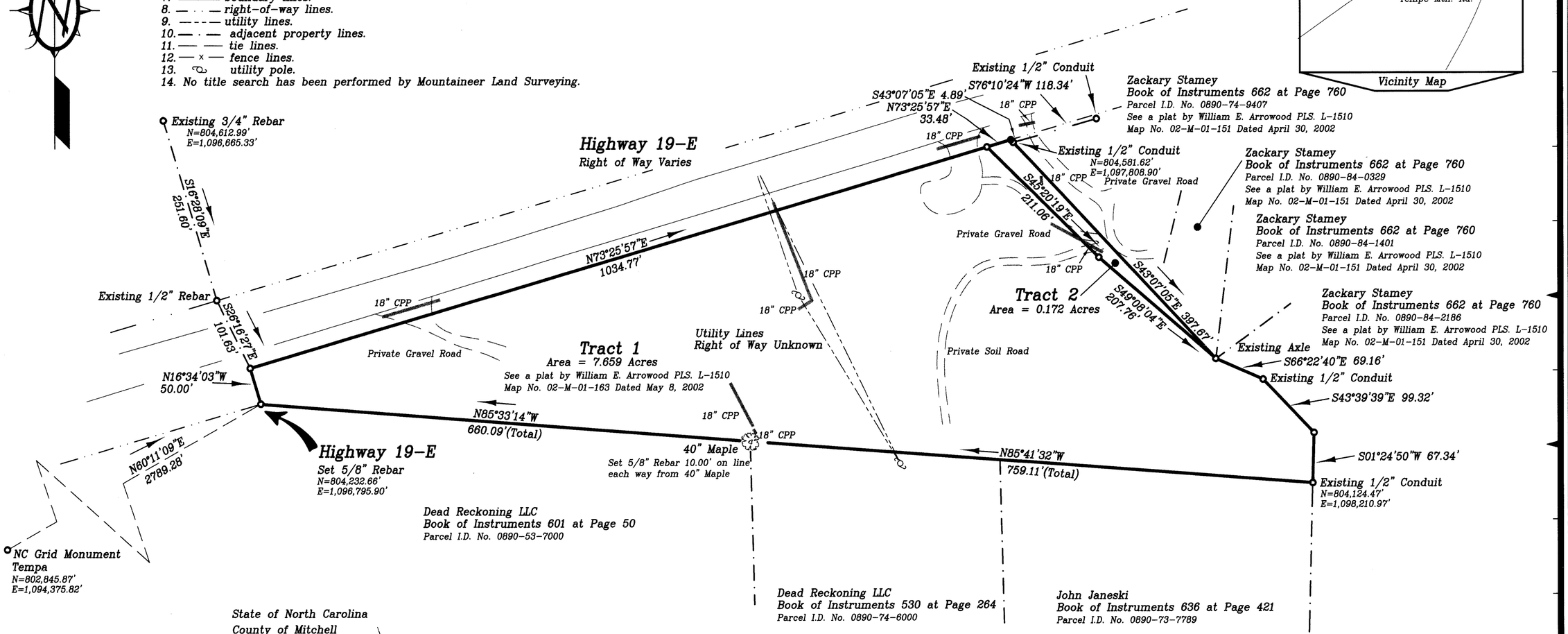
Notes:

1. The precision of the unadjusted traverse is not less than 1:10,773.
2. Bearings are relative to NC Grid NAD 83/2011 distances are horizontal measurements, and the area has been calculated by the coordinate geometry method.
3. This property is not located in a flood hazardous area.
4. There are no recoverable NCGS monuments within 2,000 feet of this property.
5. ○ denotes a 5/8" rebar set unless otherwise noted.
6. ● denotes a calculated point.
7. ——— boundary lines.
8. — · · — right-of-way lines.
9. – – – – utility lines.
10. — · — adjacent property lines.
11. —— —— tie lines.
12. — × — fence lines.
13. ᘐ utility pole.
14. No title search has been performed by Mountaineer Land Surveying.

2025001171
MITCHELL CO, NC FEE $21.00
PRESENTED & RECORDED:
07-09-2025 11:54:40 AM
KATHY LAWS
REGISTER OF DEEDS
BY: PAM PITMAN
ASST

BK: P 5
PG: 339-339





State of North Carolina
County of Mitchell

I, Matthew Ward, Review Officer of Mitchell County, certify that the map or plat to which this certification is affixed meet all statutory requirements for recording.

7/9/25 Matthew Ward
Date Review Officer

NORTH CAROLINA PROFESSIONAL SEAL ★★ L-4413 LAND SURVEYOR MARVIN J. NUNLEY

SURVEYOR'S CERTIFICATE

I, Marvin J. Nunley, certify that this map was drawn under my supervision from an actual survey made under my supervision, that the error of closure as calculated by latitude and departure is not more than 1:10,773, that the boundaries not surveyed are clearly indicated with their source, and that this map was prepared in accordance with G. S. 47-30(F)(11)(A) as amended and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600).
This survey is of an existing parcel of land within the area of a county or municipality that has an ordinance that regulates parcels of land. Witness my original signature, registration number and seal this 8th day of May, A.D., 2025

Marvin J. Nunley P.L.S., L-4413
NC Business License No. C-2721

Scale is 1"=100' (1:1200)

0 100' 200' 300' 400'

This is a boundary survey of that property recorded in Book of Instruments 335 at page 361 as conveyed to Luke Stamey (Grantee) for

Town of Spruce Pine

Grassy Creek Township
Mitchell County-North Carolina
May 8, 2025

Mountaineer Land Surveying, P.A.
29 Summit Avenue-Spruce Pine-North Carolina-28777 (828) 765-5646
(828) 652-3220

Job No. 25-095

CERTIFICATE OF SUFFICIENCY
VOLUNTARY ANNEXATION
(Contiguous Annexation)

Property Owner: **Town of Spruce Pine**
Deed Reference: **Book 681 Page 164, PIN No.: 0890-00-74-5236**
Parcel Size: **7.659 Acres**

To the Town Council for the Town of Spruce Pine, North Carolina:

I, MARSHA HOILMAN, pursuant to N.C.G.S. § 160A-31(c), do hereby certify that I have investigated the Petition for Voluntary Annexation ("Petition") from the Town of Spruce Pine ("Petitioner") for the real property described in the Petition and more specifically described in Book 681 Page 164 of the Mitchell County Registry ("Property"), and hereby certify and make the following findings:

1. The executed Petition is attached as Exhibit A.

2. The Petition includes a deed reference to Book 681 Page 164 of the Mitchell County Attached to the Petition is a recorded plat, Book 5 Page 339 of the Mitchell County Registry, showing the proposed Property for annexation. The plat is attached as Exhibit B.

3. The Petition includes Petitioner's name and address, and Petitioner is the sole owner of the proposed Property for annexation.

4. The Petition includes Petitioner's signature.

5. The proposed Property for annexation is contiguous to the Town's primary corporate limits.

6. The Petition is not being submitted for the annexation of property pursuant to N.C.G.S. § 160A-31(b1) or (j).

7. The Petition includes Petitioner's name and address, and Petitioner is the sole owner of the proposed Property for annexation.

8. The Petition includes Petitioner's signature.

9. The Petitioner declared that it does not have vested rights in the area proposed for annexation.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Spruce Pine, this 26th day of October 2026.

Marsha Hoilman
Town of Spruce Pine, Town Clerk

(Seal)

EXHIBIT A
(Executed Petition)

Petition for Voluntary Annexation
Annexation Data Sheet

Town of Spruce Pine
P.O. Box 189
11050 S. 226 HWY
Spruce Pine, NC 28777

COMPLETED BY TOWN CLERK
Submittal Date: 9/3/2026
Fee Paid: Exempt
Petition Number: 2026-004

PETITON FOR VOLUNTARY ANNEXATION

1. We, the undersigned owners of real property, respectfully request that the area described herein ("Property") be annexed to the Town of Spruce Pine, North Carolina.

2. The Property to be annexed is ☑ contiguous or ☐ non-contiguous to the Town of Spruce Pine. The term "contiguous" means, if, at the time this Petition is submitted, the Property either abuts directly on the municipal boundary or is separated from the municipal boundary by the width of a street or street right-of-way, a creek or river, or the right-of-way of a railroad or other public service corporation, lands owned by the municipality or some other political subdivision, or lands owned by the State of North Carolina. A connecting corridor consisting solely of a street or street right-of-way may not be used to establish contiguity.

   If the Property is non-contiguous to the Town of Spruce Pine, how many miles is the area from the Town of Spruce Pine's current limits: _____

3. The Property and Property Owner(s) information is as follows:

Property Owner(s) and Mailing Address for Property	Phone Number and Email Address	Deed Book and Page and Property PIN
Town of Spruce Pine 11050 226 HWY South Spruce Pine, NC 28777	828-765-3000 dstines@sprucepine-nc.gov	BK: 681 PGS: 164-166

4. If the metes and bounds description for the Property to the annexed is different than what is described in the Property's deed, attach to this Petition a written metes and bounds description of the area to the annexed.

5. Zoning vested rights ☑ are not claimed, ☐ have been established under G.S. §§ 160D-108 and/or 160D-108.1 as follows [describe and attach the order and approved site plan]:

Note: With my signature, I (we) specifically acknowledge that any zoning vested rights must be identified in this Petition. I (we) further acknowledge that failure to declare such rights on this Petition shall result in termination of vest rights previously acquired for the Property.

Total Acreage to be annexed: 7.659 Acres
Tax Value for Property: 164,100
Population in Property: 6
Proposed Zoning District: C-3 (Highway Business Commercial)
Current Use of Property: ☐ Residential ☐ Commercial ☑ Vacant
Reason for Annexation: ☑ Receive Town Services ☐ Other (please specify): Is owned by Town

The applicant must also submit a Zoning Map Amendment Application with this Petition to begin the process in establishing a zoning designation for the Property if annexed.

If the Petition is deemed sufficient, and prior to a public hearing on the annexation, the applicant is required to submit a Plat in a recordable format to the Town Clerk. For more information, see the Petition for Voluntary Annexation General Information form.

If the applicant's deed for the Property has a reference to an existing recorded plat for the Property to be annexed, provide the following information:

Plat Book: 5 Page Number: 339

SIGNATURES

All Property Owners must sign the Petition. For married Property Owners, both spouses must sign the Petition. If the Property is held as a life estate, all life tenants and the remainder interests must sign the Petition. By signing this Petition, I (we) certified that all information provided is true and accurate.

_____ Date: _____
Print: _____

_____ Date: _____
Print: _____

Date: _____

Print: _____

Date: _____

Print: _____

Date: _____

Print: _____

If the Property is owned by an LLC:

Name of LLC: _____

By: _____ Date: _____

Title: _____

Print: _____

If the property is owned by a Corporation:

Name of Corporation: _____

By: _____ Date: _____

Title: _____

Print: _____

If the property is owned by a Trust:

Name of Trust: _____

By: _____ Date: _____

Trustee

Print: _____

If the property is owned by a business association other than an LLC or Corporation or Trust:

Name of Entity: Town of Spruce Pine

By: Daniel C Stines Date: 9/03/2026

Title: Town Manager

Print: Daniel Stines

CERTIFICATE OF SUFFICIENCY (to be completed by Town Clerk)

I, Marsha Hoilman, Town Clerk, do hereby certify that I have examined this Petition and found it sufficient, pursuant to North Carolina law, for the Spruce Pine Town Council to establish a public hearing regarding this annexation.

Town Clerk

Date: 9/03/2026

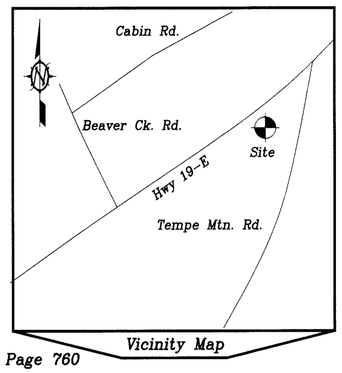
Exhibit B
(Plat)

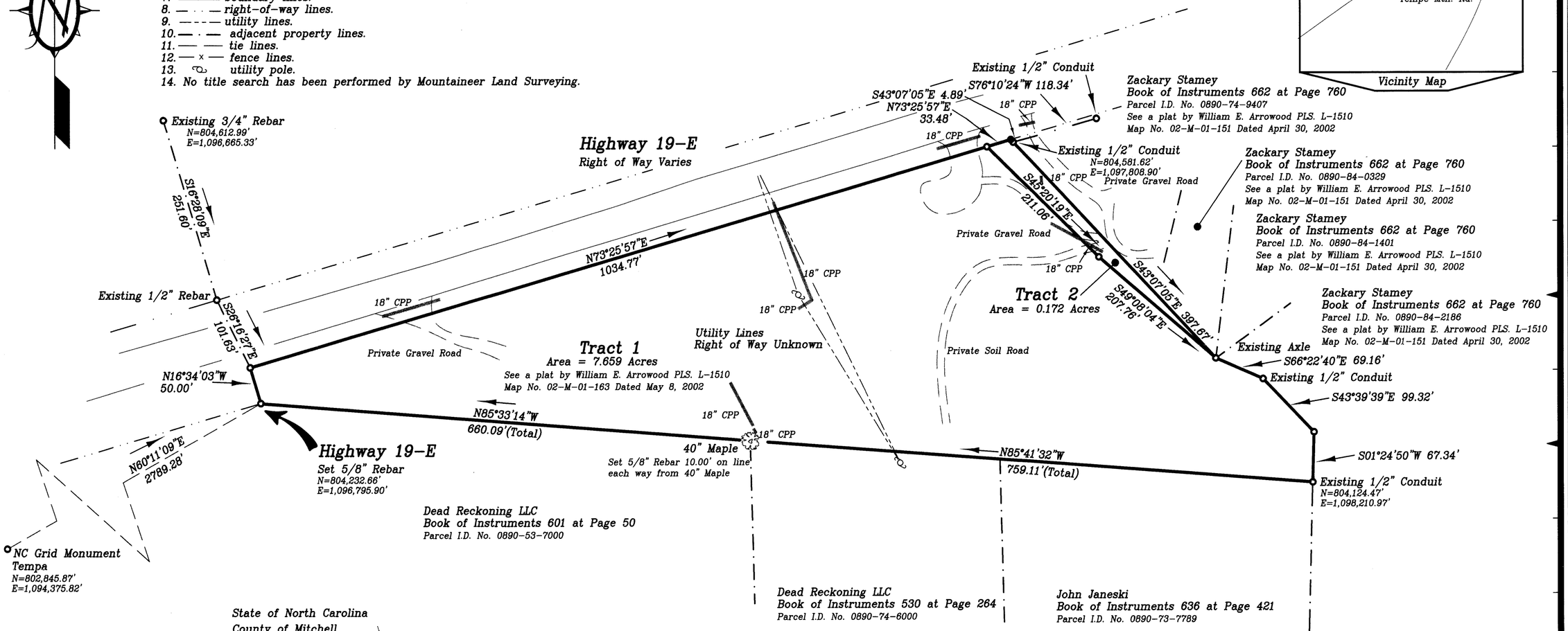
Notes:

1. The precision of the unadjusted traverse is not less than 1:10,773.
2. Bearings are relative to NC Grid NAD 83/2011 distances are horizontal measurements, and the area has been calculated by the coordinate geometry method.
3. This property is not located in a flood hazardous area.
4. There are no recoverable NCGS monuments within 2,000 feet of this property.
5. ○ denotes a 5/8" rebar set unless otherwise noted.
6. ● denotes a calculated point.
7. ——— boundary lines.
8. — · · — right-of-way lines.
9. – – – – utility lines.
10. — · — adjacent property lines.
11. —— —— tie lines.
12. — × — fence lines.
13. ᘐ utility pole.
14. No title search has been performed by Mountaineer Land Surveying.

2025001171
MITCHELL CO, NC FEE $21.00
PRESENTED & RECORDED:
07-09-2025 11:54:40 AM
KATHY LAWS
REGISTER OF DEEDS
BY: PAM PITMAN
ASST

BK: P 5
PG: 339-339





State of North Carolina
County of Mitchell

I, Matthew Ward, Review Officer of Mitchell County, certify that the map or plat to which this certification is affixed meet all statutory requirements for recording.

7/9/25 Matthew Ward
Date Review Officer

NORTH CAROLINA PROFESSIONAL SEAL ★★ L-4413 LAND SURVEYOR MARVIN J. NUNLEY

SURVEYOR'S CERTIFICATE

I, Marvin J. Nunley, certify that this map was drawn under my supervision from an actual survey made under my supervision, that the error of closure as calculated by latitude and departure is not more than 1:10,773, that the boundaries not surveyed are clearly indicated with their source, and that this map was prepared in accordance with G. S. 47-30(F)(11)(A) as amended and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600).
This survey is of an existing parcel of land within the area of a county or municipality that has an ordinance that regulates parcels of land. Witness my original signature, registration number and seal this 8th day of May, A.D., 2025

Marvin J. Nunley P.L.S., L-4413
NC Business License No. C-2721

Scale is 1"=100' (1:1200)

0 100' 200' 300' 400'

This is a boundary survey of that property recorded in Book of Instruments 335 at page 361 as conveyed to Luke Stamey (Grantee) for

Town of Spruce Pine

Grassy Creek Township
Mitchell County-North Carolina
May 8, 2025

Mountaineer Land Surveying, P.A.
29 Summit Avenue-Spruce Pine-North Carolina-28777 (828) 765-5646
(828) 652-3220

Job No. 25-095

TOWN OF SPRUCE PINE
ORDINANCE #2026.015

ORDINANCE TO VOLUNTARILY ANNEX NON-CONTIGUOUS PROPERTY INTO THE TOWN OF SPRUCE PINE AND AMEND THE ZONING MAP FOR INITIAL ZONING DESIGNATION

NOW COMES the Town Council ("Council") for the Town of Spruce Pine ("Town"), at a duly called meeting on October 26, 2026 with a quorum established, and hereby considers this Ordinance to Voluntarily Annex Non-Contiguous Property into the Town of Spruce Pine and Amend the Zoning Map for Initial Zoning Designation.

WHEREAS, on or about August 25, 2026, the Property's owner, James Burleson ("Owner"), presented a signed Petition for Voluntary Annexation ("Petition") and a Zoning Map Amendment Application ("Application") to the Town for the real property described in Book 681 Page 864, PIN #0880-11-57-1291 and Book 682 Page 162, PIN #0880-11-57-2292 (the "Property");

WHEREAS, the approximate 0.445-parcel is identified in the Property Map attached as Exhibit A;

WHEREAS, on review, the Town Clerk certified the following:

A. The nearest point on the proposed satellite corporate limits for the Property is no more than three (3) miles from the Town's primary corporate limits;

B. No point on the proposed satellite corporate limits for the Property is closer to the primary corporate limits of any municipality other than the Town;

DRAFT

C. The proposed satellite area for the Property is so situated that the Town will be able to provide the same services as are provided within the Town's primary corporate limits;

D. To the extent that the proposed satellite area for the Property contains any portion of a subdivision, all other tracts within the entire subdivision are included with the satellite corporate limits (or are presently being considered for inclusion within the satellite corporate limits contemporaneously with this Petition).

WHEREAS, in the Application, the Owner requested the initial zoning designation for the Property to be C-2 – Neighborhood Shopping District;

WHEREAS, pursuant to N.C.G.S. § 160D-604(b) and Article IV, Section 41 of the Town's Zoning Ordinance, the Town's Planning Board ("Board") met on September 23, 2026 and reviewed and discussed the Owner's Application. The Board voted unanimously to recommend approving the Application to initially zone the Property as C-2 – Neighborhood Shopping District and prepared its written recommendation for the Council;

WHEREAS, pursuant to N.C.G.S. §§ 160A-58.2, -160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on September 30, 2026 and October 7, 2026, the Town caused to be posted the notice of the legislative hearing concerning the Petition and Application in the Mitchell News-Journal;

WHEREAS, pursuant to N.C.G.S. § 160D-602(a), on or about September 30, 2026, the Town caused to be mail, by certified mail, a notice of the legislative hearing concerning the Property's proposed initial zoning, said notice being mailed to the Owner of the Property and the owners of all parcels of land abutting the Property;

WHEREAS, pursuant to N.C.G.S. § 160D-602(c), on or about September 30, 2026, the Town prominently posted a notice of the legislative hearing concerning the Property's proposed initial zoning on the Property or on an adjacent public street or highway right-of-way;

WHEREAS, pursuant to N.C.G.S. §§ 160A-58.2, -81, -160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on October 26, 2026, the Town held a legislative hearing with respect to the Petition and Application; and

WHEREAS, prior to its decision, the Council was presented a copy of the Town's 2023 Comprehensive Land Use Plan ("Plan") for its review and consideration.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS AS TO THE PETITON:

1. That the Council hereby finds and determines:

   A. That the Property described in the Petition meets all the standards set forth in N.C.G.S. § 160A-58.1;
   B. That the Petition bears the signature of all the owners of the Property proposed for annexation;

DRAFT

C. The Petition is otherwise valid; and

D. The public health, safety and welfare of the inhabitants of the Town and of the area proposed for annexation will be best served by the annexation;

2. That, having made its findings and determinations, the Petition is hereby approved by a vote of the Council of _____, and the Property is hereby annexed into the Town and shall be effective as of the date when this Ordinance is executed by the Mayor;

3. That, from and after the effective date of this Ordinance, the Property and its owners shall be subject to all the Town's debts, laws, ordinances and regulations in force and shall be entitled to the same privileges and benefits as other parts of the Town. Real and personal property in the newly annexed Property shall be subject to municipal taxes as provided in N.C.G.S. § 160A-58.10; and

4. That this Ordinance shall be recorded in the Mitchell County Registry and shall be filed with the North Carolina Secretary of State and the Boundary and Annexation Survey of the United States Bureau of the Census.

BE IT FURTHER RESOLVED AS FOLLOWS AS TO THE APPLICATION:

1. Plan Consistency Statement. Pursuant to N.C.G.S. § 160D-605(a), having reviewed the Board's written recommendation and the Plan, the Application for the Property is not inconsistent with the Plan;

2. Statement of Reasonableness. Pursuant to N.C.G.S. § 160D-605(b) the Council finds that: the zoning request is reasonable because the area is already being used as commercial property; most of the property adjoining the area is being used as commercial properties and the property is located on a major road corridor; the area has the potential of commercial growth; and it is with the public and Town's public interest; and

3. That the Application is hereby approved and the Town of Spruce Pine Zoning Map is hereby amended to initially zone the Property C-2 – Neighborhood Shopping District.

BE IT FURTHER RESOLVED that this Ordinance shall be effective immediately.

THIS 26th day of October 2026.

DRAFT

TOWN OF SPRUCE PINE

_____
Elizabeth Holmes
Mayor

Attest: _____
Marsha Hoilman
Town Clerk

DRAFT

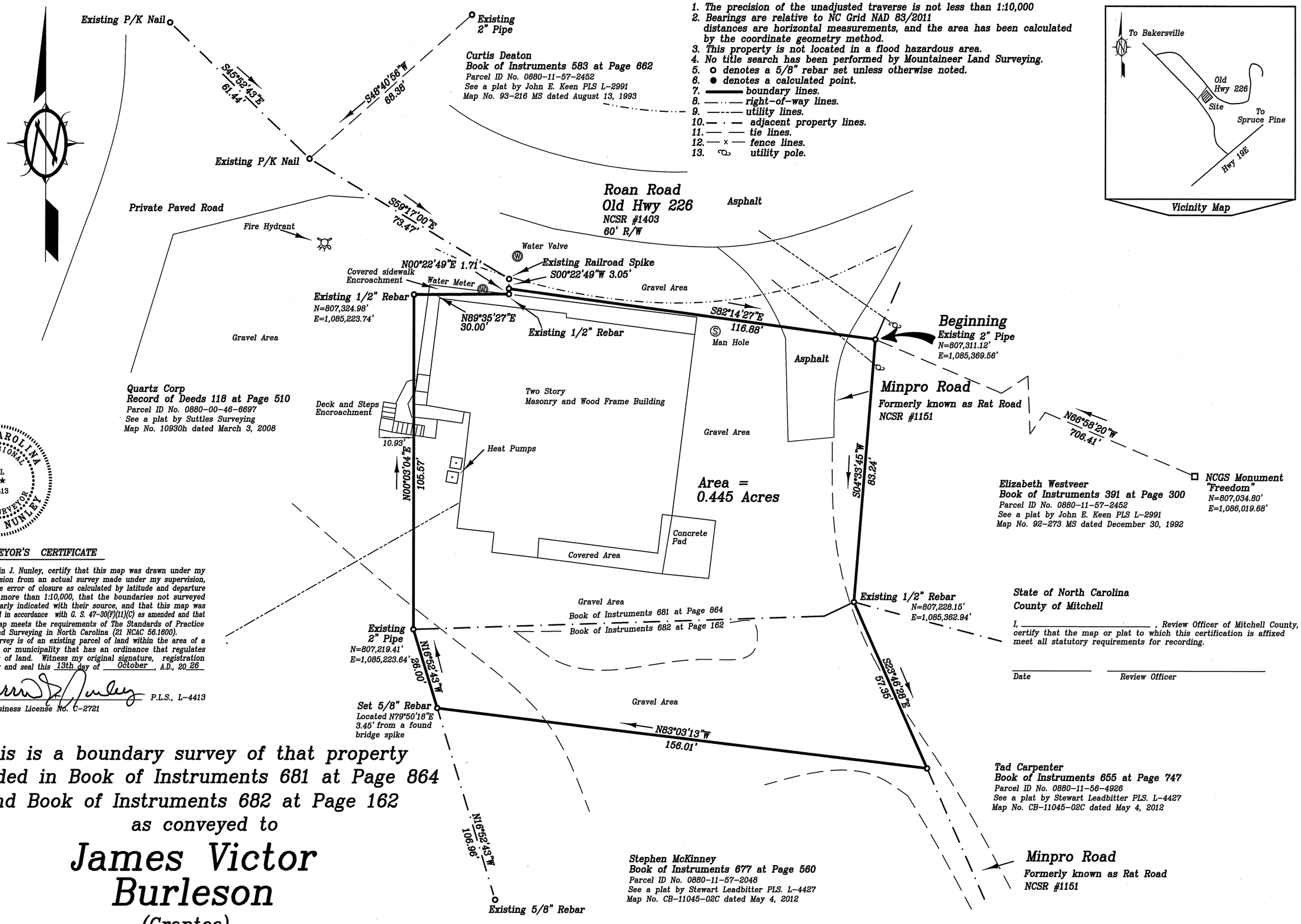
EXHIBIT A

(Property Map)

Notes:

1. The precision of the unadjusted traverse is not less than 1:10,000
2. Bearings are relative to NC Grid NAD 83/2011 distances are horizontal measurements, and the area has been calculated by the coordinate geometry method.
3. This property is not located in a flood hazardous area.
4. No title search has been performed by Mountaineer Land Surveying.
5. ○ denotes a 5/8" rebar set unless otherwise noted.
6. ● denotes a calculated point.
7. ▬▬ boundary lines.
8. —·—·— right-of-way lines.
9. —··—··— utility lines.
10. — · — adjacent property lines.
11. — — tie lines.
12. —×— fence lines.
13. utility pole.

Vicinity Map



NORTH CAROLINA PROFESSIONAL SEAL ★ ★ L-4413 LAND SURVEYOR MARVIN J. NUNLEY

SURVEYOR'S CERTIFICATE

I, Marvin J. Nunley, certify that this map was drawn under my supervision from an actual survey made under my supervision, that the error of closure as calculated by latitude and departure is not more than 1:10,000, that the boundaries not surveyed are clearly indicated with their source, and that this map was prepared in accordance with G. S. 47-30(F)(11)(C) as amended and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600).
This survey is of an existing parcel of land within the area of a county or municipality that has an ordinance that regulates parcels of land. Witness my original signature, registration number and seal this 13th day of October, A.D., 20 26

Marvin J. Nunley P.L.S., L-4413
NC Business License No. C-2721

State of North Carolina
County of Mitchell

I, _____, Review Officer of Mitchell County, certify that the map or plat to which this certification is affixed meet all statutory requirements for recording.

Date _____ Review Officer _____

This is a boundary survey of that property recorded in Book of Instruments 681 at Page 864 and Book of Instruments 682 at Page 162 as conveyed to

James Victor Burleson

(Grantee)

Grassy Creek Township
Mitchell County–North Carolina
October 13, 2026

Scale is 1"=20' (1:240)
0 20' 40' 60' 80'

Mountaineer Land Surveying, P.A.
29 Summit Avenue–Spruce Pine–North Carolina–28777 (828) 765-5646
(828) 652-3220

Job No. 26-231

CERTIFICATE OF SUFFICIENCY
VOLUNTARY ANNEXATION
(Satellite Annexation)

Property Owner: **James Burleson, 1703 Roan Rd., Spruce Pine, NC 28777**
Deed Reference: **Book 681 Page 864, PIN No.: 0880-11-57-1291**
Book 682 Page 162, PIN No.: 0880-11-57-2292
Parcel Size: **0.445 Acres**

To the Town Council for the Town of Spruce Pine, North Carolina:

I, MARSHA HOILMAN, pursuant to N.C.G.S. § 160A-58.2, do hereby certify that I have investigated the Petition for Voluntary Annexation ("Petition") from James Burleson ("Petitioner") for the real property described in the Petition and more specifically described in Book 681 Page 864 of the Mitchell County Registry ("Property"), and hereby certify and make the following findings:

1. The executed Petition is attached as Exhibit A.

2. The Petition includes a deed reference to Book 681 Page 864 and Book 682 Page 162 of the Mitchell County Registry with the Property Map attached as Exhibit B.

3. The Petition includes Petitioner's name and address, and Petitioner is the sole owner of the proposed Property for annexation.

4. The Petition includes Petitioner's signature.

5. The nearest point on the proposed satellite corporate limits for the proposed Property is no more than three (3) miles from the Town's primary corporate limits.

6. No point on the proposed satellite corporate limits for the proposed Property is closer to the primary corporate limits of any municipality other than the Town.

7. The proposed satellite area for the proposed Property is so situated that the Town will be able to provide the same services as are provided within the Town's primary corporate limits.

8. To the extent that the proposed satellite area for the proposed Property contains any portion of a subdivision, all other tracts within the entire subdivision are included with the satellite

corporate limits (or are presently being considered for inclusion within the satellite corporate limits contemporaneously with this Petition).

9. The Petitioner declared that it does not have vested rights in the area proposed for annexation.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Spruce Pine, this 26th day of October 2026.

Marsha Hoilman
Town of Spruce Pine, Town Clerk

(Seal)

EXHIBIT A
(Executed Petition)

Petition for Voluntary Annexation
Annexation Data Sheet

Town of Spruce Pine
P.O. Box 189
11050 S. 226 HWY
Spruce Pine, NC 28777

COMPLETED BY TOWN CLERK
Submittal Date: August 25, 2026
Fee Paid: $250.00
Petition Number: 003 - 2026

Paid in full

PETITON FOR VOLUNTARY ANNEXATION

1. We, the undersigned owners of real property, respectfully request that the area described herein ("Property") be annexed to the Town of Spruce Pine, North Carolina.

2. The Property to be annexed is ☐ contiguous or ☒ non-contiguous to the Town of Spruce Pine. The term "contiguous" means, if, at the time this Petition is submitted, the Property either abuts directly on the municipal boundary or is separated from the municipal boundary by the width of a street or street right-of-way, a creek or river, or the right-of-way of a railroad or other public service corporation, lands owned by the municipality or some other political subdivision, or lands owned by the State of North Carolina. A connecting corridor consisting solely of a street or street right-of-way may not be used to establish contiguity.

   If the Property is non-contiguous to the Town of Spruce Pine, how many miles is the area from the Town of Spruce Pine's current limits: .14 miles

3. The Property and Property Owner(s) information is as follows:

Property Owner(s) and Mailing Address for Property	Phone Number and Email Address	Deed Book and Page and Property PIN
James Victor Burleson 1703 Roan Rd Spruce Pine NC 28777	828-467-2160 burleyridgellc@yahoo.com	Deed: 681 864 PIN #: 0880-11-51-1291

4. If the metes and bounds description for the Property to the annexed is different than what is described in the Property's deed, attach to this Petition a written metes and bounds description of the area to the annexed.

5. Zoning vested rights ☐ are not claimed, ☐ have been established under G.S. §§ 160D-108 and/or 160D-108.1 as follows [describe and attach the order and approved site plan]:

_____

_____

_____

_____

Note: With my signature, I (we) specifically acknowledge that any zoning vested rights must be identified in this Petition. I (we) further acknowledge that failure to declare such rights on this Petition shall result in termination of vest rights previously acquired for the Property.

Total Acreage to be annexed: .33

Tax Value for Property: $166,000

Population in Property: 5

Proposed Zoning District: _____

Current Use of Property: ☒ Residential ☐ Commercial ☐ Vacant

Reason for Annexation: ☒ Receive Town Services ☐ Other (please specify): _____

_____

_____

The applicant must also submit a Zoning Map Amendment Application with this Petition to begin the process in establishing a zoning designation for the Property if annexed.

If the Petition is deemed sufficient, and prior to a public hearing on the annexation, the applicant is required to submit a Plat in a recordable format to the Town Clerk. For more information, see the Petition for Voluntary Annexation General Information form.

If the applicant's deed for the Property has a reference to an existing recorded plat for the Property to be annexed, provide the following information:

Plat Book: _____ Page Number: _____

SIGNATURES

All Property Owners must sign the Petition. For married Property Owners, both spouses must sign the Petition. If the Property is held as a life estate, all life tenants and the remainder interests must sign the Petition. By signing this Petition, I (we) certified that all information provided is true and accurate.

James V Burleson Date: 1-11-2026

Print: James Victor Burleson

Heather R Burleson Date: 1-11-2026

Print: Heather R Burleson

_____ Date: _____
Print: _____

_____ Date: _____
Print: _____

_____ Date: _____
Print: _____

If the Property is owned by an LLC:

Name of LLC: _____

By: _____ Date: _____
Title: _____
Print: _____

If the property is owned by a Corporation:

Name of Corporation: _____

By: _____ Date: _____
Title: _____
Print: _____

If the property is owned by a Trust:

Name of Trust: _____

By: _____ Date: _____
Trustee
Print: _____

If the property is owned by a business association other than an LLC or Corporation or Trust:

Name of Entity: _____

By: _____ Date: _____
Title: _____
Print: _____

CERTIFICATE OF SUFFICIENCY (to be completed by Town Clerk)

I Marsha Hollman, Town Clerk, do hereby certify that I have examined this Petition and found it sufficient, pursuant to North Carolina law, for the Spruce Pine Town Council to establish a public hearing regarding this annexation.

Marsha Holman
Town Clerk

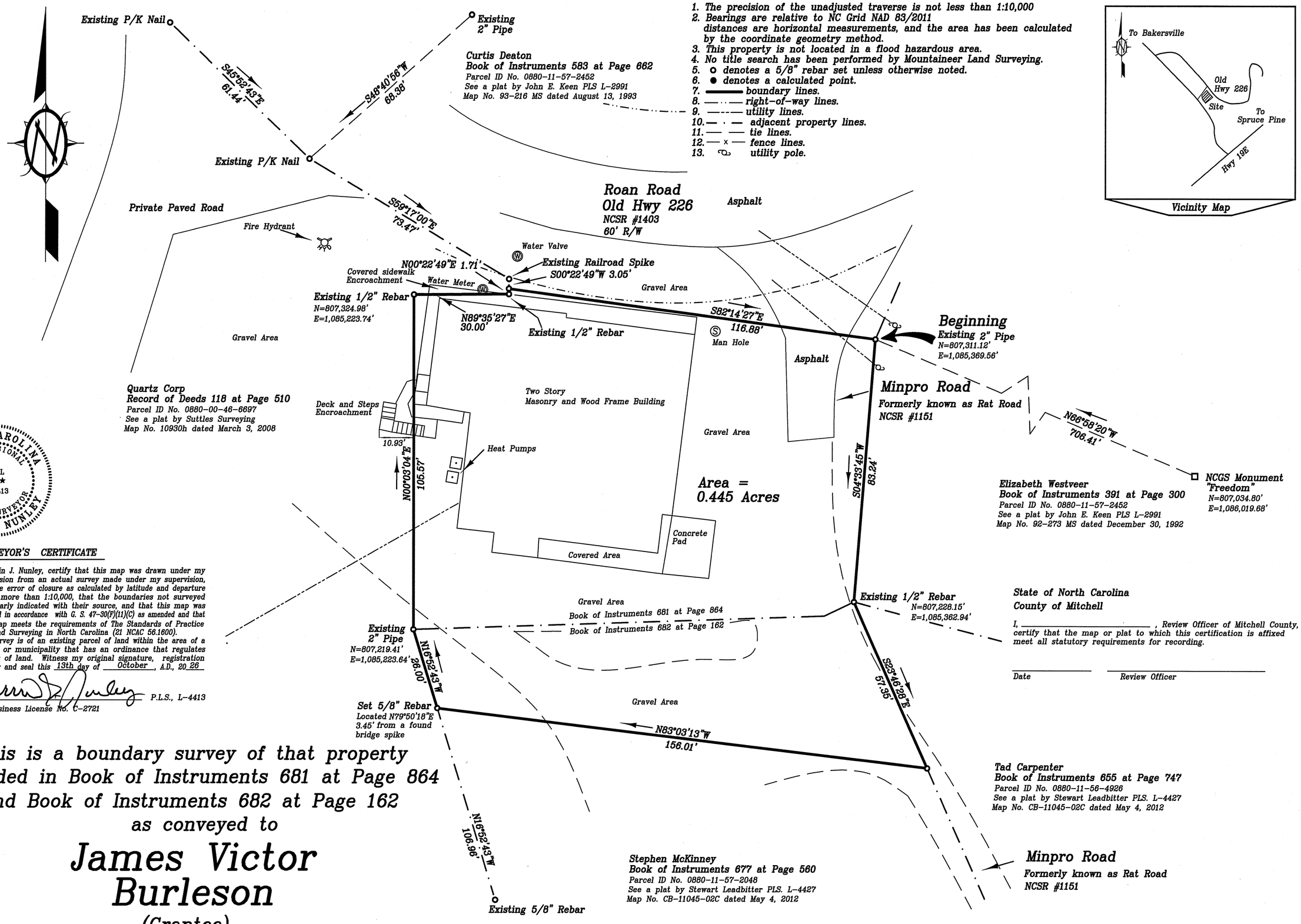
Date: 9/21/26

Exhibit B
(Property Map)

Notes:

1. The precision of the unadjusted traverse is not less than 1:10,000
2. Bearings are relative to NC Grid NAD 83/2011 distances are horizontal measurements, and the area has been calculated by the coordinate geometry method.
3. This property is not located in a flood hazardous area.
4. No title search has been performed by Mountaineer Land Surveying.
5. ○ denotes a 5/8" rebar set unless otherwise noted.
6. ● denotes a calculated point.
7. ▬▬ boundary lines.
8. —·—·— right-of-way lines.
9. —··—··— utility lines.
10. — · — adjacent property lines.
11. — — tie lines.
12. —×— fence lines.
13. utility pole.

Vicinity Map



NORTH CAROLINA PROFESSIONAL SEAL ★ ★ L-4413 LAND SURVEYOR MARVIN J. NUNLEY

SURVEYOR'S CERTIFICATE

I, Marvin J. Nunley, certify that this map was drawn under my supervision from an actual survey made under my supervision, that the error of closure as calculated by latitude and departure is not more than 1:10,000, that the boundaries not surveyed are clearly indicated with their source, and that this map was prepared in accordance with G. S. 47-30(F)(11)(C) as amended and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600).
This survey is of an existing parcel of land within the area of a county or municipality that has an ordinance that regulates parcels of land. Witness my original signature, registration number and seal this 13th day of October, A.D., 20 26

Marvin J. Nunley P.L.S., L-4413
NC Business License No. C-2721

State of North Carolina
County of Mitchell

I, _____, Review Officer of Mitchell County, certify that the map or plat to which this certification is affixed meet all statutory requirements for recording.

Date _____ Review Officer _____

This is a boundary survey of that property recorded in Book of Instruments 681 at Page 864 and Book of Instruments 682 at Page 162 as conveyed to

James Victor Burleson

(Grantee)

Grassy Creek Township
Mitchell County–North Carolina
October 13, 2026

Scale is 1"=20' (1:240)
0 20' 40' 60' 80'

Mountaineer Land Surveying, P.A.
29 Summit Avenue–Spruce Pine–North Carolina–28777 (828) 765-5646
(828) 652-3220

Job No. 26-231

10:15 5G+



Vic,
Just following up on the needed survey once more. Our attorney needs this to draft the ordinance.

Yes, sir, they came out and done the survey. I am waiting on them to send me the final copy. I will touch base with him again today and see when they're gonna have it done. I told him I needed it by the 21st.



Today 10:12 AM

Hey Vic. Got your survey in. One final question, you do intend to annex/zone the small parcel (David Sillman piece)that is behind your main parcel as well? This wasn't noted on your application but it is reflected in your plat. Thanks

Delivered



Yes, sir, I want to include both of them

iMessage

Spruce Pine Planning Board
Town Hall
11050 S. Highway 226
Spruce Pine, NC 29777

To: Spruce Pine Town Council
From: Spruce Pine Planning Board
Date: September 28, 2026
Re: Written Recommendation Related to Action Items Presented at the September 23, 2026 Planning Board Meeting.

Mayor and Members of Town Council;

This is formal notice that the Spruce Pine Planning Board conducted an Advisory Meeting where the following zoning requests where made:

- Parcel Number 0880-11-57-1291(.33 acre) zoning request conditional upon voluntary annexation approval. Zoning designation request: Neighborhood Shopping District (C-2).
- Parcel Number 0890-00-74-5236 (7.659 acre) zoning request conditional upon voluntary annexation approval. Zoning designation request: Highway Business District (C-3).

Pursuant to NCGS 160D-604, members of the Planning Board took into consideration the information presented and provided by staff and the applicant and plan consistency with the 2023 Comprehensive Land Use Plan ("Plan"). The Planning Board found the requests to be consistent with the Plan and existing land uses. Each application was presented and voted on separately. The recommendation was unanimous to zone (conditional upon voluntary annexation approval) each respective parcel to the requested zone districts as presented.

Respectfully,

Ken Borders, Spruce Pine Planning Board Chair

22 Oct 24
Date

Paxton Media Group
201 South 4th Street
Paducah, KY 42003

134MNJ
TOWN OF SPRUCE PINE
PO BOX# 189
SPRUCE PINE, NC 28777
(828)765-3000

Class Liner Ad #71565281 Summary:

Slug Line: PUBLIC NOT-2 Parcel Amendment
Size: 1.00 x 6.02

Publication Cost	$62.50
Adjustments	$10.00
Net Cost	$72.50
Prepaid Amount	$0.00
Amount Due	$72.50

Order Detail:

Publication	Start	Stop	Insertions	Cost	Adjustments	Total
134MNJE1 The Mitchell News	9/16/26	9/16/26	1	62.50	0.00	62.50
134MNJW1 The Mitchell News Website	9/16/26	9/16/26	1	0.00	0.00	0.00
$10 ADJUSTMENT					10.00	10.00

PUBLIC NOTICE

Town of Spruce Pine

Notice is hereby given that multiple zoning map **amendment** applications were filed with the **Spruce Pine Town Council** ("Council") requesting the rezoning for the following land parcels:
(1) Parcel # 0890-00-74-5236 an 8.31 acre parcel from no zone classification to C-3 Highway Business Commercial.
(2) Parcel # 0880-11-57-1291 an .33 acre parcel from no zone classification to C-2 Neighborhood Shopping District.

The public hearing regarding the Petitions will be held before the Council on **Monday September 28, 2026 at 5:30pm** at 11050 S. Hwy 226, Spruce Pine, NC 28777 (Spruce Pine Town Hall).

All residents and/or property owners are invited to the public hearing to voice their interest and/or objections to the Applications.

If any resident and/or property owners submit a written statement to the Town Clerk regarding the Applications, such statements must be submitted to the Town Clerk at least two (2) days prior to the proposed vote by Council (set for September 28, 2026). The Clerk shall deliver such written statements to the Council.

September 16, 2026

Paxton Media Group
201 South 4th Street
Paducah, KY 42003

134MNJ
TOWN OF SPRUCE PINE
PO BOX# 189
SPRUCE PINE, NC 28777
(828)765-3000

Class Liner Ad #71565297 Summary:

Slug Line: PUBLIC NOT-2 Parcel Annexation
Size: 1.00 x 3.58

Publication Cost	$37.50
Adjustments	$10.00
Net Cost	$47.50
Prepaid Amount	$0.00
Amount Due	$47.50

Order Detail:

Publication	Start	Stop	Insertions	Cost	Adjustments	Total
134MNJE1 The Mitchell News	9/16/26	9/16/26	1	37.50	0.00	37.50
134MNJW1 The Mitchell News Website	9/16/26	9/16/26	1	0.00	0.00	0.00
$10 ADJUSTMENT					10.00	10.00

PUBLIC NOTICE

Town of Spruce Pine

Notice is hereby given that a Petition was filed with the **Spruce Pine Town Council** ("Council") for Voluntary **Annexation** into the Town of Spruce Pine's corporate limits for the following parcel(s):
(1) 0890-00-74- 5236 (8.31 acres).
(2) 0880-11-57-1291 (.33 acres).

The public hearing regarding the Petitions will be held before the Council on **Monday, September 28, 2026 at 5:30pm** at 11050 S. Hwy 226, Spruce Pine, NC 28777 (Spruce Pine Town Hall).

All residents and/or property owners are invited to voice their interest and/or objections. All comments must be made in person.

September 16, 2026

Paxton Media Group
201 South 4th Street
Paducah, KY 42003

134MNJ
TOWN OF SPRUCE PINE
PO BOX# 189
SPRUCE PINE, NC 28777
(828)765-3000

Class Liner Ad #71576698 Summary:

Slug Line: NOT- ANNEXATION 2 PARCELS
Size: 1.00 x 3.80

Publication Cost	$40.00
Adjustments	$10.00
Net Cost	$50.00
Prepaid Amount	$0.00
Amount Due	$50.00

Order Detail:

Publication	Start	Stop	Insertions	Cost	Adjustments	Total
134MNJE1 The Mitchell News	9/30/26	9/30/26	1	40.00	0.00	40.00
134MNJW1 The Mitchell News Website	9/30/26	9/30/26	1	0.00	0.00	0.00
$10 ADJUSTMENT					10.00	10.00

PUBLIC NOTICE

Town of Spruce Pine

Notice is hereby given that a Petition was filed with the Spruce Pine Town Council ("Council") for Voluntary **Annexation into the Town of Spruce Pine's corporate limits for the following parcel: (1) 0890-00-74-5236, 7.659 acres (2) 0880-11-57-1291, .33 acres.**

The public hearing regarding the Petitions will be held before the Council on Monday, October 26, 2026 at 5:30pm at 11050 S. Hwy 226, Spruce Pine, NC 28777 (Spruce Pine Town Hall).

All residents and/or property owners are invited to voice their interest and/or objections. All comments must be made in person.

September 30, 2026

Paxton Media Group
201 South 4th Street
Paducah, KY 42003

134MNJ
TOWN OF SPRUCE PINE
PO BOX# 189
SPRUCE PINE, NC 28777
(828)765-3000

Class Liner Ad #71576655 Summary:

Slug Line: NOT- ZONE AMEND 2 PARCELS
Size: 1.00 x 5.91

Publication Cost	$120.00
Adjustments	$10.00
Net Cost	$130.00
Prepaid Amount	$0.00
Amount Due	$130.00

Order Detail:

Publication	Start	Stop	Insertions	Cost	Adjustments	Total
134MNJE1 The Mitchell News	9/30/26	10/7/26	2	120.00	0.00	120.00
134MNJW1 The Mitchell News Website	9/30/26	10/7/26	2	0.00	0.00	0.00
$10 ADJUSTMENT					10.00	10.00

PUBLIC NOTICE

Town of Spruce Pine

Notice is hereby given that multiple **zoning map amendment applications** were filed with the Spruce Pine Town Council ("Council") requesting the rezoning for the following land parcels:

(1) Parcel # 0890-00-74-5236 an 7.659 acre parcel from no zone classification to C-3 Highway Business Commercial.

(2) Parcel # 0880-11-57-1291 an .33 acre parcel from no zone classification to C-2 Neighborhood Shopping District.

The public hearing regarding the Petitions will be held before the Council on Monday October 26, 2026 at 5:30pm at 11050 S. Hwy 226, Spruce Pine, NC 28777 (Spruce Pine Town Hall).

All residents and/or property owners are invited to the public hearing to voice their interest and/or objections to the Applications.

If any resident and/or property owners submit a written statement to the Town Clerk regarding the Applications, such statements must be submitted to the Town Clerk at least two (2) days prior to the proposed vote by Council (set for October 26, 2026). The Clerk shall deliver such written statements to the Council.

September 30, 2026 &
October 7, 2026

TOWN OF SPRUCE PINE
ORDINANCE #2026.016

ORDER TO CLOSE THOMPSON STREET

NOW COMES the Town Council ("Council") for the Town of Spruce Pine ("Town"), at a duly called meeting on October 26, 2026, with a quorum established, and hereby considers this Order to Close Thompson Street.

WHEREAS, Thompson Street is a paved municipal street approximately two hundred fifty (250) feet in length and thirty (30) feet in width running along a north to south direction intersecting with Cabin Road to the north and U.S. 19E to the south between the real property described in DB 665 P 782 (PIN 0890-00-84-4990) to the west and DB 545 P 721 (PIN 0898-00-84-7934) to the east;

WHEREAS, Thompson Street is not under the authority and control of the North Carolina Department of Transportation;

WHEREAS, based on information and belief, the Town is unable to find any record of expressly accepting the dedication of Thompson Street as a municipal street; however, it is listed on the Town's Powell Bill as a municipal street and the Town receives state funds for its maintenance;

WHEREAS, the Town currently owns and maintains a water utility line ("Utility Line") running parallel to Thompson Street and connecting to other water utility lines running along Cabin Road and U.S. 19E, said Utility Line existing immediately off the pavement (or within the pavement) to the east of Thompson Street;

WHEREAS, at its meeting on August 10, 2026, the Council adopted Resolution 2026.016 expressing its intent to close Thompson Street (a signed copy of said Resolution is incorporated herein and attached hereto as Exhibit A) and at its meeting on September 14, 2026, the Council

Draft

adopted Resolution 2026.022 reaffirming Resolution 2026.016 to close Thompson Street (a signed copy of said Resolution is incorporated herein and attached hereto as Exhibit B) (collectively "Resolutions");

WHEREAS, the Council directed that the Resolutions be advertised in the following manner: by publication in The Mitchell News Journal for four (4) successive weeks (September 28, 2026 – October 19, 2026) preceding the public hearing before the Town Council on October 26, 2026; by mailing copies of the Resolutions to all persons owning property adjoining Thompson Street; and by prominently posting a notice of closing and notice of public hearing in at least two (2) places along Thompson Street;

WHEREAS, the Town held a Public Hearing on the matter on October 26, 2026;

WHEREAS, it appears to the Council's satisfaction that no property owner in the vicinity of Thompson Street would thereby be deprived of reasonable means of ingress and egress to his/her property.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED AS FOLLOWS:

1. That Thompson Street is hereby permanently closed;

2. Pursuant to N.C.G.S. § 160A-299(f), the Town hereby reserves unto itself right, title and interest to its existing Utility Line and a fifteen (15) foot easement to the east of the centerline of Thompson Street for the entire length of the street for purposes of ingress and egress by the Town to access and maintain its Utility Line and for any and all other public purposes;

3. Pursuant to N.C.G.S. § 160A-299(c), subject to the aforementioned easement and rights reserved by the Town, all right, title, and interest in the right-of-way shall be conclusively presumed to be vested in those persons owning lots or parcels of land adjacent to Thompson Street, and the title of such adjoining landowners, for the width of the abutting land owned by them, shall extend to the centerline of the closed portion of Thompson Street; and

4. That a certified copy of this Resolution shall be recorded in the Mitchell County Registry.

Draft

THIS the 26th day of October 2026.

TOWN OF SPRUCE PINE

_____
Elizabeth Holmes
Mayor

Attest: _____
Marsha Hoilman
Town Clerk

STATE OF NORTH CAROLINA
COUNTY OF MITCHELL

I, MARSHA HOILMAN, Town Clerk of the Town of Spruce Pine, North Carolina, do hereby certify that the attached is a true and correct copy of Resolution #2026.016 – Order to Close Thompson Street, adopted on the 26th day of October 2026.

WITNESS my hand and seal this 26th day of October 2026.

_____(SEAL)
Martha Hoilman
Town Clerk

Draft

Exhibit A

RESOLUTION 2026.016

Resolution by the Town Council of its Intent to Permanently Close Thompson Street

NOW COMES the Town Council ("Council") for the Town of Spruce Pine ("Town"), at a duly called and properly noticed meeting on August 10, 2026, with a quorum established, and hereby adopts this Resolution as follows:

WHEREAS, Thompson Street is a paved street approximately two hundred fifty (250) feet in length and thirty (30) feet in width running along a north and south direction intersecting with Cabin Road to the north and U.S. 19E to the south between the real property described in DB 665 P 782 (PIN 0890-00-84-4990) to the west and DB 545 P 721 (PIN 0898-00-84-7934) to the east;

WHEREAS, based on information and belief, the Town is unable to find a record of expressly accepting the dedication of Thompson Street as a municipal street; however, it is listed on the Town's Powell Bill as a municipal street receiving state funds for its maintenance;

WHEREAS, due to the partial collapse of a private culvert pipe running underneath Thompson Street and the adjacent real properties, Thompson Street has been temporarily closed;

WHEREAS, pursuant to N.C.G.S. § 160A-299(a), based on an initial review, it appears that permanently closing Thompson Street would not be contrary to the public interest and that no individual owning real property in the vicinity of Thompson Street would be deprived of reasonable means of ingress and egress to his/her real property;

WHEREAS, the Council desires to call for a public hearing on the question of permanently closing Thompson Street.

NOW, THEREFORE, BE IT RESOLVED by the Council the following:

1. That the Resolution of the Council's intention to close Thompson Street is hereby adopted;

2. That the Town Manager cause a copy of this Resolution to be advertised in the Mitchell-News Journal once a week for four consecutive weeks starting the week of August 17, 2026;

3. That the Town Manager cause a copy of this Resolution to be mailed by registered or certified mail to all owners of real property adjoining Thompson Street;

4. That the Town Manager cause a notice of the public hearing to close Thompson Street be prominently posted in at least two places along Thompson Street; and

5. That the public hearing be scheduled at the Council's regular meeting to be held on Monday, September 14, 2026.

Exhibit A

BE IT HEREBY RESOLVED AND ADOPTED, this 10th day of August 2026.

TOWN OF SPRUCE PINE

Elizabeth Holmes, Mayor

Attest:

Marsha Hoilman, Town Clerk

Exhibit B

RESOLUTION 2026.022

Reaffirming Resolutions 2026.015 and 2026.016 to Permanently Close a Portion of Diamond Street and Thompson Street

NOW COMES the Town Council ("Council") for the Town of Spruce Pine ("Town"), at a duly called and properly noticed meeting on September 14, 2026, with a quorum established, and hereby adopts this Resolution as follows:

WHEREAS, at its meeting on August 10, 2026, the Council adopted Resolutions 2026.015 and 2026.016 (the "Resolutions") of its intent to permanently close a portion of Diamond Street and Thompson Street;

WHEREAS, the Resolutions contained a timeline for advertising the public hearing to be held on September 14, 2026;

WHEREAS, for various scheduling reasons, the Team was unable to advertise for the public hearing as required in the Resolutions; and

WHEREAS, the Council desires to reaffirm its approval of the Resolutions and call for a public hearing on the question of permanently closing a portion of Diamond Street and Thompson Street on October 26, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Council the following:

1. That this Resolution be adopted;

2. That the Town Manager cause a copy of the Resolutions and this Resolution to be advertised in the Mitchell-News Journal once a week for four consecutive weeks starting the week of **September 28, 2026** through the week of **October 19, 2026**;

3. That the Town Manager cause a copy of the Resolutions and this Resolution to be mailed by registered or certified mail to all owners of real property adjoining Diamond Street and Thompson Street;

4. That the Town Manager cause a notice of the public hearing to close a portion of Diamond Street and Thompson Street be prominently posted in at least two places along Diamond Street and Thompson Street; and

5. That the public hearing be scheduled for the Resolutions at the Council's regular meeting to be held on Monday, October 26, 2026.

Exhibit B

WHEREAS, the following real properties border the Unopened Section of Peterson Street: 1) Parcel Nos.: 0890-17-01-4741; and 0890-17-01-5687, both bordering the northern side of the Unopened Section of Peterson Street; and 2) Parcel Nos.: 0890-17-01-6445 and 0890-17-01-4594, both bordering the southern side of the Unopened Section of Peterson Street;

WHEREAS, pursuant to N.C.G.S. § 160A-299(a), based on an initial review, it appears that closing the Unopened Section of Peterson Street would not be contrary to the public interest and that no individual owning real property in the vicinity of the Unopened Section of Peterson Street would be deprived of reasonable means of ingress and egress to his/her real property;

WHEREAS, the Council desires to call for a public hearing on the question of permanently closing the Unopened Section of Peterson Street.

NOW, THEREFORE, BE IT RESOLVED by the Council the following:

1. That the Resolution of the Council's intention to close the Unopened Section of Peterson Street is hereby adopted;

2. That the Town Manager cause a copy of this Resolution to be advertised in the Mitchell-News Journal once a week for four consecutive weeks starting the week of **September 28, 2026** through the week of **October 19, 2026**;

3. That the Town Manager cause a copy of this Resolution to be mailed by registered or certified mail to all owners of real property adjoining the Unopened Section of Peterson Street;

4. That the Town Manager cause a notice of the public hearing to close the Unopened Section of Peterson Street be prominently posted in at least two places along the Unopened Section of Peterson Street; and

5. That the public hearing be scheduled for the Resolutions at the Council's regular meeting to be held on Monday, October 26, 2026.

BE IT HEREBY RESOLVED AND ADOPTED, this 14th day of September 2026.

TOWN OF SPRUCE PINE

Elizabeth Holmes, Mayor

Attest:

Marsha Hoilman, Town Clerk

TOWN OF SPRUCE PINE
ORDINANCE #2026.017

ORDER TO CLOSE THE UNOPENED PORTION OF DIAMOND STREET

NOW COMES the Town Council ("Council") for the Town of Spruce Pine ("Town"), at a duly called meeting on October 26, 2026, with a quorum established, and hereby considers this Order to Close Thompson Street.

WHEREAS, the September 15, 1916 plat entitled "Map of Lands of Spruce Pine Land Company, Spruce Pine, N.C.," recorded in Plat Book 1 Page 34 of the Mitchell County Registry ("Plat") is incorporated hereto by reference;

WHEREAS, the Plat shows Diamond Street as a continuous street intersecting with Walnut Avenue to the north (the "Walnut Intersection") and Oak Ave to the south (the "Oak Intersection") and also shows Diamond Street interesting with Hazel Avenue on its eastern side approximately two hundred feet north of the Walnut Intersection (the "Hazel Intersection");

WHEREAS, the Town has continually controlled and maintained that portion of Diamond Street from the Walnut Intersection south to the Hazel Intersection as a municipal street and the Town includes that portion of Diamand Street on its annual Powell Bill certification as a municipal street;

WHEREAS, based on information and belief, the Town has never expressly or implicitly accepted a dedication for the unopened portion of Diamond Street from the Hazel Intersection south to the Oak Intersection (approximately two hundred feet in length and forty feet in width) (the "Unopened Portion of Diamond Street"), is not listed on the Town's annual Powell Bill certification as a municipal street and, based on information and belief, the Town has never controlled or maintained it;

Draft

WHEREAS, the following real properties border the Unopened Portion of Diamond Street: 1) Parcel No.: 0890-17-12-8137, bordering the western side of the Unopened Section of Diamond Street; and 2) Parcel Nos.: 0890-17-12-9095 and 0890-17-22-0106, both bordering the eastern side of the Unopened Section of Diamond Street

WHEREAS, no part of the Unopened Portion of Diamond Street is under the authority and control of the North Carolina Department of Transportation, and the Town does not have any utilities existing within the Unopened Portion of Diamond Street;

WHEREAS, at its meeting on August 10, 2026, the Council adopted Resolution 2026.015 of its intent to close the Unopened Portion of Diamond Street (a signed copy of said Resolution is incorporated herein and attached hereto as Exhibit A) and at its meeting on September 14, 2026, the Council adopted Resolution 2026.022 reaffirming Resolution 2026.016 to close the Unopened Portion of Diamond Street (a signed copy of said Resolution is incorporated herein and attached hereto as Exhibit B) (collectively "Resolutions");

WHEREAS, the Council directed that the Resolutions be advertised in the following manner: by publication in The Mitchell News Journal for four (4) successive weeks (September 28, 2026 – October 19, 2026) preceding the public hearing before the Town Council on October 26, 2026; by mailing copies of the Resolutions to all persons owning property adjoining Diamond Street; and by prominently posting a notice of closing and notice of public hearing in at least two (2) places along Diamond Street;

WHEREAS, the Town held a Public Hearing on the matter on October 26, 2026;

WHEREAS, it appears to the satisfaction of Council that no individual property owners in the vicinity of the Unopened Portion of Diamond Street would thereby be deprived of reasonable means of ingress and egress to his/her property.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED AS FOLLOWS:

1. That the Unopened Portion of Diamond Street is hereby permanently closed;

2. Pursuant to N.C.G.S. § 160A-299(c), all right, title, and interest in the right-of-way shall be conclusively presumed to be vested in those persons owning lots or parcels of land adjacent to the Unopened Portion of Diamond Street, and the title of such adjoining landowners, for the width of the abutting land owned by them, shall extend to the centerline of the Unopened Portion of Diamond Street; and

3. That a certified copy of this Resolution shall be recorded in the Mitchell County Registry.

Draft

THIS the 26th day of October 2026.

TOWN OF SPRUCE PINE

_____
Elizabeth Holmes
Mayor

Attest: _____
Marsha Hoilman
Town Clerk

STATE OF NORTH CAROLINA
COUNTY OF MITCHELL

I, MARSHA HOILMAN, Town Clerk of the Town of Spruce Pine, North Carolina, do hereby certify that the attached is a true and correct copy of Resolution #2026.016 – Order to Close the Unopened Portion of Diamond Street, adopted on the 26th day of October 2026.

WITNESS my hand and seal this 26th day of October 2026.

_____(SEAL)
Martha Hoilman
Town Clerk

Draft

Exhibit A

RESOLUTION 2026.015

Resolution by the Town Council of its Intent to Permanently Close that Portion of Diamond Street Between Oak Avenue and Hazel Avenue

NOW COMES the Town Council ("Council") for the Town of Spruce Pine ("Town"), at a duly called and properly noticed meeting on August 10, 2026, with a quorum established, and hereby adopts this Resolution as follows:

WHEREAS, the September 15, 1916 plat entitled "Map of Lands of Spruce Pine Land Company, Spruce Pine, N.C.," recorded in Plat Book 1 Page 34 of the Mitchell County Registry ("Plat") is incorporated hereto by reference;

WHEREAS, the Plat shows Diamond Street as a continuous street intersecting with Walnut Avenue to the north (the "Walnut Intersection") and Oak Ave to the south (the "Oak Intersection") and also shows Diamond Street intersecting with Hazel Avenue on its eastern side approximately two hundred feet north of the Walnut Intersection (the "Hazel Intersection");

WHEREAS, for over twenty years, the Town has continually controlled and maintained that portion of Diamond Street from the Walnut Intersection south to the Hazel Intersection as a public street and the Town has received state funds for its continued operation and maintenance;

WHEREAS, based on information and belief, the Town has never expressly or implicitly accepted a dedication for the unopened portion of Diamond Street from the Hazel Intersection south to the Oak Intersection (approximately two hundred feet in length and forty feet in width) (the "Unopened Diamond Street");

WHEREAS, pursuant to N.C.G.S. § 160A-299(a), based on an initial review, it appears that closing Unopened Diamond Street would not be contrary to the public interest and that no individual owning real property in the vicinity of Unopened Diamond Street would be deprived of reasonable means of ingress and egress to his/her real property;

WHEREAS, the Council desires to call for a public hearing on the question of permanently closing Unopened Diamond Street.

NOW, THEREFORE, BE IT RESOLVED by the Council the following:

1. That the Resolution of the Council's intention to close Unopened Diamond Street is hereby adopted;

2. That the Town Manager cause a copy of this Resolution to be advertised in the Mitchell-News Journal once a week for four consecutive weeks starting the week of August 17, 2026;

3. That the Town Manager cause a copy of this Resolution to be mailed by registered or certified mail to all owners of real property adjoining Diamond Street;

Exhibit A

4. That the Town Manager cause a notice of the public hearing to close Unopened Diamond Street be prominently posted in at least two places along Diamond Street; and

5. That the public hearing be scheduled at the Council's regular meeting to be held on Monday, September 14, 2026.

BE IT HEREBY RESOLVED AND ADOPTED, this 10th day of August 2026.

TOWN OF SPRUCE PINE

Elizabeth Holmes, Mayor

Attest:

Marsha Hoilman, Town Clerk

Exhibit B

RESOLUTION 2026.022

Reaffirming Resolutions 2026.015 and 2026.016 to Permanently Close a Portion of Diamond Street and Thompson Street

NOW COMES the Town Council ("Council") for the Town of Spruce Pine ("Town"), at a duly called and properly noticed meeting on September 14, 2026, with a quorum established, and hereby adopts this Resolution as follows:

WHEREAS, at its meeting on August 10, 2026, the Council adopted Resolutions 2026.015 and 2026.016 (the "Resolutions") of its intent to permanently close a portion of Diamond Street and Thompson Street;

WHEREAS, the Resolutions contained a timeline for advertising the public hearing to be held on September 14, 2026;

WHEREAS, for various scheduling reasons, the Team was unable to advertise for the public hearing as required in the Resolutions; and

WHEREAS, the Council desires to reaffirm its approval of the Resolutions and call for a public hearing on the question of permanently closing a portion of Diamond Street and Thompson Street on October 26, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Council the following:

1. That this Resolution be adopted;

2. That the Town Manager cause a copy of the Resolutions and this Resolution to be advertised in the Mitchell-News Journal once a week for four consecutive weeks starting the week of **September 28, 2026** through the week of **October 19, 2026**;

3. That the Town Manager cause a copy of the Resolutions and this Resolution to be mailed by registered or certified mail to all owners of real property adjoining Diamond Street and Thompson Street;

4. That the Town Manager cause a notice of the public hearing to close a portion of Diamond Street and Thompson Street be prominently posted in at least two places along Diamond Street and Thompson Street; and

5. That the public hearing be scheduled for the Resolutions at the Council's regular meeting to be held on Monday, October 26, 2026.

Exhibit B

WHEREAS, the following real properties border the Unopened Section of Peterson Street: 1) Parcel Nos.: 0890-17-01-4741; and 0890-17-01-5687, both bordering the northern side of the Unopened Section of Peterson Street; and 2) Parcel Nos.: 0890-17-01-6445 and 0890-17-01-4594, both bordering the southern side of the Unopened Section of Peterson Street;

WHEREAS, pursuant to N.C.G.S. § 160A-299(a), based on an initial review, it appears that closing the Unopened Section of Peterson Street would not be contrary to the public interest and that no individual owning real property in the vicinity of the Unopened Section of Peterson Street would be deprived of reasonable means of ingress and egress to his/her real property;

WHEREAS, the Council desires to call for a public hearing on the question of permanently closing the Unopened Section of Peterson Street.

NOW, THEREFORE, BE IT RESOLVED by the Council the following:

1. That the Resolution of the Council's intention to close the Unopened Section of Peterson Street is hereby adopted;

2. That the Town Manager cause a copy of this Resolution to be advertised in the Mitchell-News Journal once a week for four consecutive weeks starting the week of **September 28, 2026** through the week of **October 19, 2026**;

3. That the Town Manager cause a copy of this Resolution to be mailed by registered or certified mail to all owners of real property adjoining the Unopened Section of Peterson Street;

4. That the Town Manager cause a notice of the public hearing to close the Unopened Section of Peterson Street be prominently posted in at least two places along the Unopened Section of Peterson Street; and

5. That the public hearing be scheduled for the Resolutions at the Council's regular meeting to be held on Monday, October 26, 2026.

BE IT HEREBY RESOLVED AND ADOPTED, this 14th day of September 2026.

TOWN OF SPRUCE PINE

Elizabeth Holmes, Mayor

Attest:

Marsha Hoilman, Town Clerk

TOWN OF SPRUCE PINE
ORDINANCE #2026.018

ORDER TO CLOSE THE UNOPENED PORTION OF PETERSON STREET

NOW COMES the Town Council ("Council") for the Town of Spruce Pine ("Town"), at a duly called meeting on October 26, 2026, with a quorum established, and hereby considers this Order to Close the Unopened Portion of Peterson Street.

WHEREAS, the "Map of South Spruce Pine," as developed by Adams-Greene Brothers Land Company, surveyed by David H.S. Tappan, September 25, 1918, which map is of record in the Office of the Mitchell County Register of Deeds in Plat Book 1 Page 40 ("Map") is incorporated hereto by reference;

WHEREAS, the Map shows Peterson Street traversing in a west to east direction beginning, at its western end, at its intersection with "County Road," and traversing in an easterly direction for approximately 1,375 feet and then ending (the "Historic Peterson Street");

WHEREAS, Peterson Street, as it currently exists, is a paved municipal street starting at its intersection with Highland Avenue and traversing approximately three hundred seventy-five (375) feet in length and forty feet (40) feet in width in an easterly direction ending at its intersection with Hilltop Lane;

WHEREAS, Peterson Street is listed on the Town's annul Powell Bill certification as a municipal street and the Town has continually controlled and maintained it for many years;

WHEREAS, East Peterson Street, as it currently exists, is a paved municipal street starting at its intersection with Summit Avenue and traversing approximately five hundred forty-five (545) feet in length and forty feet (40) feet in width traversing in an eastly direction then turning north

Draft

and traversing approximately one hundred fifty-five (155) feet in a northly direction ending at its intersection with Tappan Street;

WHEREAS, East Peterson Street is listed on the Town's annul Powell Bill certification as a Town street and the Town has continually controlled and maintained it for many years;

WHEREAS, the Mitchell County GIS and Town GIS tax maps show an unopened street on the eastern side of the Peterson Street and Hilltop Lane intersection traversing approximately three hundred sixty-six (366) feet in length and forty feet (40) feet in width in an easterly direction ending at an intersection with Summit Avenue (the "Unopened Portion of Peterson Street");

WHEREAS, the following real properties border the Unopened Portion of Peterson Street: 1) Parcel Nos.: 0890-17-01-4741; and 0890-17-01-5687, both bordering the northern side of the Unopened Section of Peterson Street; and 2) Parcel Nos.: 0890-17-01-6445 and 0890-17-01-4594, both bordering the southern side of the Unopened Section of Peterson Street;

WHEREAS, in reviewing the Map, the Unopened Portion of Peterson Street was intended to be part of Historic Peterson Street and would have connected present day Peterson Street with present day East Peterson Street;

WHEREAS, based on information and belief, the Town has never expressly or implicitly accepted a dedication for the Unopened Portion of Peterson Street and it is not listed on the Town's annual Powell Bill certification as a municipal street and, based on the information and belief, the Town has never controlled and maintained it;

WHEREAS, no part of the Unopened Portion of Peterson Street is under the authority and control of the North Carolina Department of Transportation, and the Town does not have any utilities existing within the Unopened Portion of Peterson Street;

WHEREAS, at its meeting on August 10, 2026, the Council adopted Resolution 2026.023 of its intent to close the Unopened Portion of Peterson Street ("Resolution") (a signed copy of said Resolution is incorporated herein and attached hereto as Exhibit A);

WHEREAS, the Council directed that the Resolution be advertised in the following manner: by publication in The Mitchell News Journal for four (4) successive weeks (September 28, 2026 – October 19, 2026) preceding the public hearing before the Town Council on October 26, 2026; by mailing copies of the Resolution to all persons owning property adjoining the Unopened Portion of Peterson Street; and by prominently posting a notice of closing and notice of public hearing in at least two (2) places along the Unopened Portion of Peterson Street;

WHEREAS, the Town held a Public Hearing on the matter on October 26, 2026;

WHEREAS, it appears to the Council's satisfaction that no property owner in the vicinity of the Unopened Portion of Peterson Street would thereby be deprived of reasonable means of ingress and egress to his/her property.

Draft

NOW, THEREFORE, BE IT RESOLVED AND ORDERED AS FOLLOWS:

1. That the Unopened Portion of Peterson Street is hereby permanently closed;

2. Pursuant to N.C.G.S. § 160A-299(c), all right, title, and interest in the right-of-way shall be conclusively presumed to be vested in those persons owning lots or parcels of land adjacent to the Unopened Portion of Peterson Street, and the title of such adjoining landowners, for the width of the abutting land owned by them, shall extend to the centerline of the Unopened Portion of Peterson Street; and

3. That a certified copy of this Resolution shall be recorded in the Mitchell County Registry.

THIS the 26th day of October 2026.

TOWN OF SPRUCE PINE

_____
Elizabeth Holmes
Mayor

Attest: _____
Marsha Hoilman
Town Clerk

STATE OF NORTH CAROLINA
COUNTY OF MITCHELL

I, MARSHA HOILMAN, Town Clerk of the Town of Spruce Pine, North Carolina, do hereby certify that the attached is a true and correct copy of Resolution #2026.018 – Order to Close the Unopened Portion of Peterson Street, adopted on the 26th day of October 2026.

WITNESS my hand and seal this 26th day of October 2026.

_____(SEAL)
Martha Hoilman
Town Clerk

Draft

Exhibit A

RESOLUTION 2026.023

Resolution by the Town Council of its Intent to Permanently Close the Unopened Section of Peterson Street

NOW COMES the Town Council ("Council") for the Town of Spruce Pine ("Town"), at a duly called and properly noticed meeting on September 14, 2026, with a quorum established, and hereby adopts this Resolution as follows:

WHEREAS, the "Map of South Spruce Pine," as developed by Adams-Greene Brothers Land Company, surveyed by David H.S. Tappan, September 25, 1918, which map is of record in the Office of the Mitchell County Register of Deeds in Plat Book 1 Page 40 ("Map") is incorporated hereto by reference;

WHEREAS, the Map shows Peterson Street traversing in a west to east direction beginning, at its western end, at its intersection with "County Road," and traversing in an easterly direction for approximately 1,375 feet and then ending (the "Historic Peterson Street");

WHEREAS, Peterson Street, as it currently exists, is a paved Town street starting at its intersection with Highland Ave. and traversing approximately three hundred seventy-five (375) feet in length and forty feet (40) feet in width in an easterly direction ending at its intersection with Hilltop Lane;

WHEREAS, Peterson Street is listed on the Town's annul Powell Bill certification as a Town street and, for many years, the Town has continually controlled and maintained it;

WHEREAS, East Peterson Street, as it currently exists, is a paved Town Street starting at its intersection with Summit Ave. and traversing approximately five hundred forty-five (545) feet in length and forty feet (40) feet in width traversing in an eastly direction then turning north and traversing approximately one hundred fifty-five (155) feet in a northly direction ending at its intersection with Tappan Street;

WHEREAS, East Peterson Street is listed on the Town's annul Powell Bill certification as a Town street and, for many years, the Town has continually controlled and maintained it;

WHEREAS, the Mitchell County GIS and Town GIS tax maps show an unopened street on the eastern side of the Peterson Street and Hilltop Lane intersection traversing approximately three hundred sixty-six (366) feet in length and forty feet (40) feet in width in an easterly direction ending at an intersection with Summit Ave. (the "Unopened Section of Peterson Street");

WHEREAS, in reviewing the Map, the Unopened Section of Peterson Street was intended to be part of the Historic Peterson Street and would have connected present day Peterson Street with present day East Peterson Street;

WHEREAS, based on information and belief, the Town has never expressly or implicitly accepted a dedication for the Unopened Section of Peterson Street and it is not listed on the Town's annul Powell Bill certification as a Town street and, based on the information and belief, the Town has never controlled and maintained it, or has not done so within anyone memory or understanding;

Exhibit A

BE IT HEREBY RESOLVED AND ADOPTED, this 10th day of August 2026.

TOWN OF SPRUCE PINE

Elizabeth Holmes, Mayor

Attest: Marsha Hoilman

Marsha Hoilman, Town Clerk

TOWN OF SPRUCE PINE
ORDINANCE #2026.019

ORDINANCE TO CORRECT THE PROPERTY DESCRIPTION FOR VOLUNTARY ANNEXATION OF NON-CONTIGUOUS PROPERTY

NOW COMES the Town Council ("Council") for the Town of Spruce Pine ("Town"), at a duly called meeting on October 26, 2026 with a quorum established, and hereby considers this Ordinance to Correct the Property Description for Voluntary Annexation of Non-Contiguous Property.

WHEREAS, on July 13, 2026, the Council adopted Ordinance #2026.011 to voluntarily annex the real property owned by Brandi Correll ("Owner") described in Book 678 Page 913, PIN #0789-00-49-2437 (the "Property");

WHEREAS, prior to the adoption of Ordinance #2026.011, Owner conveyed to Parkway Fire & Rescue, Inc. ("Parkway") a 0.257-acre parcel from the Property, said conveyance described in Book 687 Page 64 and Plat Book 6 Page 1 of the Mitchell County Registry (the "Parkway Parcel");

WHEREAS, the description of the Property in Ordinance #2026.011 inadvertently included the Parkway Parcel with the annexation; and

WHEREAS, the Town desires to correct the record to show that the annexation applied to the Property less the Parkway Parcel.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the real property subject to voluntary annexation pursuant to Ordinance #2026.011 is solely the Property described in Book 678 Page 913 except for the 0.257-acre

DRAFT

Parkway Parcel conveyed by Owner to Parkway and described in Book 687 Page 64 and Plat Book 6 Page 1 of the Mitchell County Registry;

2. The Property Map for the Property (showing the Property less the Parkway Parcel) is attached hereto as Exhibit A and is recorded in Plat Book 6 Page 44 of the Mitchell County Registry; and

3. That this Ordinance be recorded in the Mitchell County Registry and filed with the Mitchell County Tax Office and the Mitchell County GIS and Town GIS be updated to show the correction.

BE IT FURTHER RESOLVED that this Ordinance shall be effective immediately.

THIS 26th day of October 2026.

TOWN OF SPRUCE PINE

_____

Elizabeth Holmes
Mayor

Attest: _____

Marsha Hoilman
Town Clerk

DRAFT

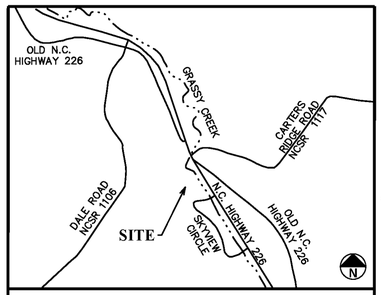
EXHIBIT A

(Property Map)

DRAFT

Docusign Envelope ID: BC6E9689-5F06-86BD-828E-0872DC282320

Exhibit A



VICINITY MAP (NOT TO SCALE)

AVERAGE COMBINED FACTOR 0.99981289 SEE NOTE #1

NC GRID (NAD 83)(2011)

NOTES:

1. BASIS OF THE BEARINGS AND COORDINATES IS THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, REFERENCED TO THE NATIONAL SPATIAL REFERENCE SYSTEM (NSRS), NORTH AMERICAN DATUM (NAD 83/2011) BASED ON DIFFERENTIAL GNSS OBSERVATIONS PERFORMED ON MAY 28, 2026; TIED TO THE NORTH CAROLINA GNSS REAL-TIME NETWORK; AND EXPRESSED IN U.S. SURVEY FEET. ALL DISTANCES ARE NC GRID MEASUREMENTS IN U.S. SURVEY FEET (UNLESS OTHERWISE NOTED). TO OBTAIN GROUND MEASUREMENTS THE GRID DISTANCE SHOULD BE DIVIDED BY THE AVERAGE COMBINED FACTOR SHOWN HEREON.

2. AREAS CALCULATED BY THE COORDINATE METHOD BASED UPON GRID MEASUREMENTS.

3. DEED REFERENCE: DEED BOOK 678, PAGE 913

4. PLAT REFERENCE: MAP DRAWING No. 08-M-01-153 BY ARROWOOD SURVEYING, P.A. (UNRECORDED MAP)

5. PIN #: 0798-00-49-2437

6. THE PROPERTY SHOWN HERON IS SUBJECT TO ALL RIGHT OF WAYS, EASEMENTS, RESTRICTIONS AND AGREEMENTS OF RECORD.

7. THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, WHICH MAY REVEAL ADDITIONAL CONVEYANCES, EASEMENTS, RIGHTS-OF-WAY, ABANDONMENTS, OR RESTRICTIONS NOT SHOWN AND IS NOT AN ALTA/NSPS LAND TITLE SURVEY.

8. ALL PROPERTY OWNERSHIPS WERE TAKEN FROM CURRENT COUNTY GEOGRAPHIC INFORMATION SYSTEM WEBSITE AND/OR RECORDED PLATS ONLY.

9. BY GRAPHIC DETERMINATION THE SUBJECT PROPERTY LIES IN MULTIPLE FLOOD ZONES AS SHOWN ON THIS MAP, INFORMATION IS BASED UPON FEMA COMMUNITY PANEL #0798, CID #370161, SUFFIX J, MAP #37100798OOJ, EFFECTIVE FEBRUARY 4, 2009.

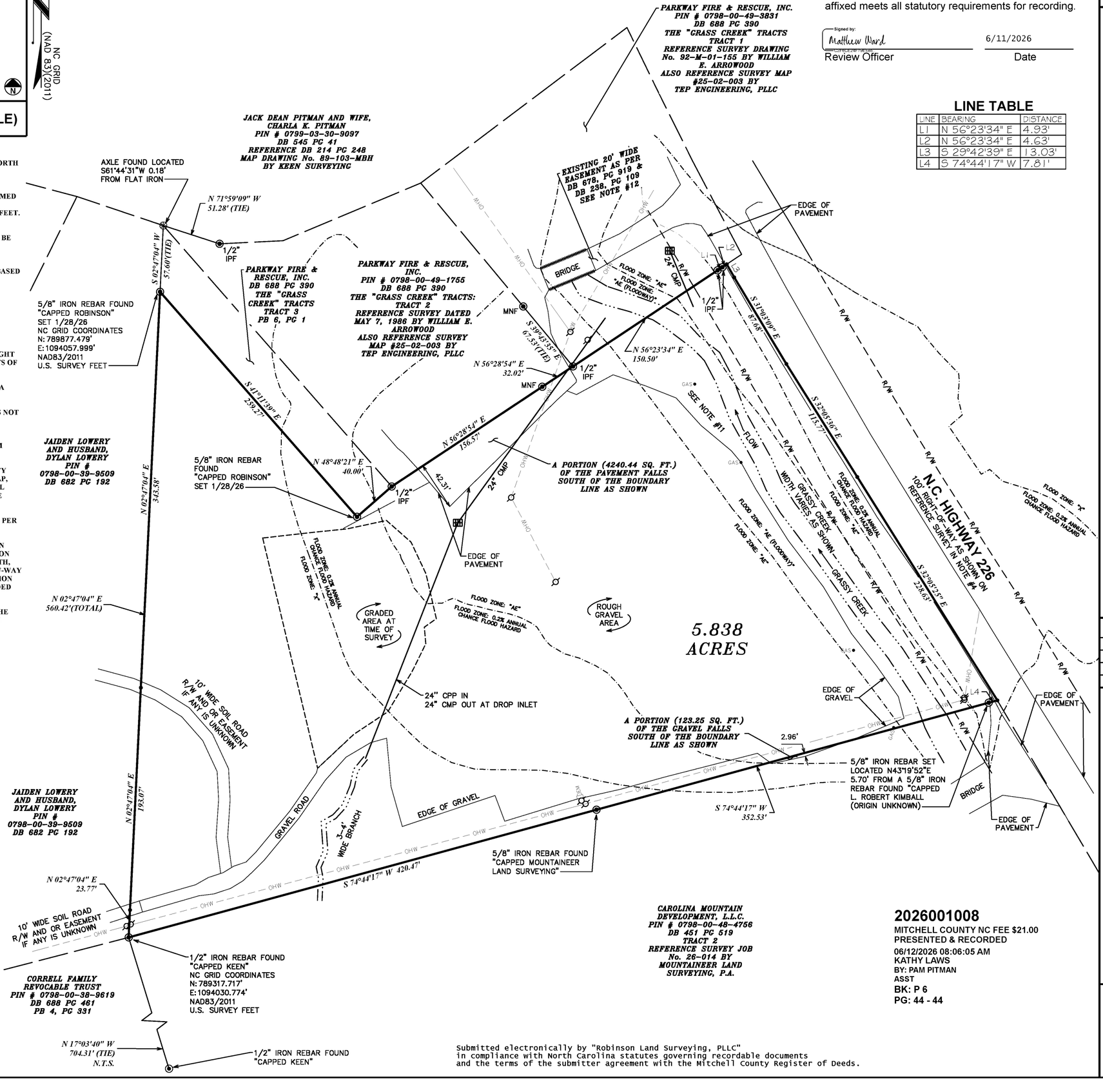
10. NO NCGS MONUMENT LOCATED WITHIN 2000 FEET AS PER NCGS.NC.GOV/GEODETICMONUMENTS/.

11. NATURAL GAS LINE MARKERS OBSERVED AND SHOWN HEREON. NO RIGHT-OF-WAY OR EASEMENT INFORMATION FOR SAID LINE WAS PROVIDED TO THE SURVEYOR. WIDTH, LOCATION, AND EXTENT OF ANY ASSOCIATED RIGHT-OF-WAY AND/OR EASEMENT ARE UNKNOWN. A TITLE EXAMINATION AND/OR UTILITY COMPANY RECORDS ARE RECOMMENDED FOR FURTHER INFORMATION.

12. UNABLE TO DETERMINE THE EXACT LOCATION OF THE EXISTING EASEMENT DESCRIBED IN DEED BOOK 678, ON PAGE 919 DUE TO A VAGUE DESCRIPTION AND LACK OF PHYSICAL EVIDENCE.

LEGEND

	BOUNDARY LINE
	TIE LINE
	ADJOINERS PROPERTY LINE (NOT SURVEYED)
	FLOOD ZONE LINE APPROXIMATE SEE NOTE #9
	EXTENTS OF GRADED AREA AT TIME OF SURVEY
OHW	OVERHEAD WIRE
R/W	RIGHT-OF-WAY
	EDGE OF WATER
	GUARDRAIL
	EDGE OF PAVEMENT (UNLESS OTHERWISE NOTED)
DEM	ELECTRICAL METER
GAS	GAS LINE MARKER
	UTILITY POLE
	DROP INLET
IRS	5/8" IRON REBAR (SET)
IRF	5/8" IRON REBAR (FOUND) UNLESS OTHERWISE NOTED
IPF	IRON PIPE (FOUND)
MNF	MAG NAIL (FOUND)
	AXLE (FOUND)
	CALCULATED/COMPUTED POINT
PB	PLAT BOOK
DB	DEED BOOK
PG	PAGE
R/W	RIGHT-OF-WAY
CMP	CORRUGATED METAL PIPE
CPP	CORRUGATED PLASTIC PIPE
NCSR	NORTH CAROLINA SECONDARY ROAD
N.T.S.	NOT TO SCALE
GNSS	GLOBAL NAVIGATION SATELLITE SYSTEM
NSRS	NATIONAL SPATIAL REFERENCE SYSTEM
NCGS	NORTH CAROLINA GEODETIC SURVEY
SQ. FT.	SQUARE FOOT



STATE OF NORTH CAROLINA
COUNTY OF MITCHELL

I, Matthew Ward, Review Officer of Mitchell County , certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Signed by: Matthew Ward — Review Officer — 6/11/2026 — Date

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 56°23'34" E	4.93'
L2	N 56°23'34" E	4.63'
L3	S 29°42'39" E	13.03'
L4	S 74°44'17" W	7.81'

ROBINSON LAND SURVEYING, PLLC
17 AMETHYST STREET
SPRUCE PINE, NC 28777
(828) 520-1241
N.C. LICENSE # P-3311

I, Trevor J. Robinson, certify that this plat was drawn under my supervision from an actual survey performed under my supervision (deed description recorded in Book 678, Page 913.); that the boundaries not surveyed are clearly indicated as drawn from information referenced and noted; that the positional accuracy as calculated is less than 0.10'; that the Global Positioning System (GPS) survey and the following information was used to perform the GPS (GNSS if dual constellations are used) survey:
Class of survey: Class B (Suburban)
Positional accuracy: Less Than 0.10' Feet (Horizontal)
Type of GPS field procedure: Real-Time Kinematic
Dates of survey: May 28th-June 8th, 2026
Datum/Epoch:
Horizontal Datum is NAD 83/2011
Vertical Datum is NAVD88
Epoch 2010.00
Published/Fixed-control use:NC GNSS CORS & RTN
Geoid model: GEOID18
Average Combined Factor: 0.99981289
Units: U.S. Survey Feet
That this plat was prepared in accordance with G.S. 47-30 as amended. That this plat meets the requirement of G.S. 47-30 section F-11-c1. Witness my signature, license number and seal this the 11th day of June, A.D., 2026.

NORTH CAROLINA PROFESSIONAL SEAL L-5578 LAND SURVEYOR TREVOR J. ROBINSON

Signed by: Trevor J. Robinson
456A9DA1856E46B...

TREVOR J. ROBINSON
NORTH CAROLINA PLS # L-5578

REV	DATE	ISSUED FOR	INITIALS
0	06/10/2026	PRELIMINARY	TJR
1	06/11/2026	G.S. 47-30 F-11-c1	TJR

BOUNDARY RETRACEMENT SURVEY PREPARED FOR:

BRANDI ALLIS CORRELL

OWNERS OF RECORD AS PER DB 678, PG 913: JAMES A. CORRELL AND WIFE, BRANDI ALLIS CORRELL

GRASSY CREEK TOWNSHIP, MITCHELL COUNTY, NORTH CAROLINA

JUNE 11, 2026

2026001008
MITCHELL COUNTY NC FEE $21.00
PRESENTED & RECORDED
06/12/2026 08:06:05 AM
KATHY LAWS
BY: PAM PITMAN
ASST
BK: P 6
PG: 44 - 44

0' 60' 120'
SCALE: 1 INCH = 60 FEET
ORIGINAL MAP SIZE 18" X 24"

MAP NUMBER: 26-05-051

Submitted electronically by "Robinson Land Surveying, PLLC" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Mitchell County Register of Deeds.

WithersRavenel
Our People. Your Success.

10/09/2026

Daniel Stines, Town Manager
Town of Spruce Pine
11050 S 226 Hwy
Spruce Pine, NC 28777

RE: Public Works Facility – Recommendation to Award

The above-mentioned project was initially advertised for bids in accordance with the Contract Documents and applicable North Carolina public bidding requirements. At the bid opening, were received and publicly opened on October 8, 2026 at 1:30 at the Town of Spruce Pine Town Hall, located at 11050 S 226 Hwy Spruce Pine, NC 28777. A total of three bids were received.

WithersRavenel (Design & Engineering Consultant) has reviewed the bids received following advertisement for mathematical accuracy, completeness, acknowledgment of addenda, required bid bond, contractor licensing information, and general conformance with the bidding requirements. A certified bid tabulation for the bid opening is enclosed for reference.

Based on our review, Phillips Grading, Inc. submitted the lowest responsive bid and appears to be a responsible bidder qualified to perform the work.

Accordingly, WithersRavenel recommends that the Town of Spruce Pine, subject to approval by its governing body and legal counsel, award the construction contract for the Public Works Facility to Phillips Grading, Inc. in the amount of one million one hundred seventy-three thousand nine hundred ninety-nine dollars ($1,173,999.00).

WithersRavenel
Shannon Healy, PE
Project Manager

Attachments:
1. Certified Bid Tabulation

Town of Spruce Pine
Public Works Facility

Bid Summary

Bid Date: October 8, 2026 1:30pm Bid Location: Town of Spruce Pine Town Hall

	Bidders	N.C. License #	Bid Bond	Bid Forms	Add 1	Add 2	Lump Sum Base Price	Allowance Excavation and removal of non-rippable rock beyone 2,600 CY	Allowance Excavation and remove and replace unsuitable soils	Allowance Geotechnical Engineering	Lump Sump base and allowances
1.	Grindstaff & Son Grading		☐	☐	☐	☐	$702,950.00	$130,000.00	$39,000.00	$5,000.00	$876,950.00
2.	T.P. Howard's Plumbing Co.	83225	☑	☑	☑	☑	$2,071,000.00	$130,000.00	$39,000.00	$5,000.00	$2,245,000.00
3.	Phillips Grading, Inc.	68418	☑	☑	☑	☑	$999,999.00	$130,000.00	$39,000.00	$5,000.00	$1,173,999.00
4.			☐	☐	☐	☐					
5.			☐	☐	☐	☐					
6.			☐	☐	☐	☐					
7.			☐	☐	☐	☐					
8.			☐	☐	☐	☐					
9.			☐	☐	☐	☐					
10.			☐	☐	☐	☐					
11.			☐	☐	☐	☐					
12.			☐	☐	☐	☐					

Apparent Low Bidder: Grindstaff & Son Grading (non-certified bid package)

Bids Opened & Read By: *Curtis M. Blazier*
Curt Blazier, PE
WithersRavenel

NORTH CAROLINA PROFESSIONAL SEAL 033840 ENGINEER CURTIS M. BLAZIER

NOTICE OF AWARD

Project # 25-1259 (Eng.)

To: Phillips Grading, Inc.
7548 US-19E
Spruce Pine, NC 28777

From: Town of Spruce Pine
PO Box 189
Spruce Pine, NC 28777

Project: Public Works Facility

Contract Amount: $1,173,999.00

You are hereby notified that Town of Spruce Pine has accepted your Bid dated October 8, 2026 for the above named project in response to its Advertisement for Bids.

Please submit a copy of Certificates of Insurance in the amounts designated in the contract and Power of Attorney; include the liability insurance Endorsement that insures the City and any subcontractors you may use. The City will only accept the Performance Bond and Payment Bond executed on the City forms provided. Also submit the E-verify Affidavit, and any other items required by the contract for review. The Contractor's Safety Information Checklist and handbook is currently being reviewed. Please submit all information within ten (10) calendar days of this notice.

Failure to comply within the time specified will entitle Owner to consider you in default, annul this Notice of Award, declare your Bid security forfeited, and award the Work covered by the Advertisement to Bids to another, to re-advertise the Work, or otherwise dispose thereof as the Town of Spruce Pine sees fit.

Dated this _____day of _____, 20___

By: _____

Date: _____

Title: Town Manager

ACCEPTANCE OF NOTICE BY CONTRACTOR

Receipt of this Notice of Award is hereby acknowledged.

By: _____ Date: _____

Title: _____

Flock Safety + NC - Spruce Pine PD

Flock Safety
3284 Northside Parkway NW, Suite 150
Atlanta, GA 30327

MAIN CONTACT:
Peter Norberg
peter.norberg@flocksafety.com
+15084047388

Quote Number: Q-214814
Expiration Date: 08/06/2026

flock safety

ORDER FORM

Customer:	NC - Spruce Pine PD	Initial Term:	36 Months
Legal Entity Name:	NC - Spruce Pine PD	Renewal Term:	36 Months
Accounts Payable Email:	bhobson@sprucepine-nc.gov	Payment Terms:	Net 30
Address:	193 Valley Rd Spruce Pine, North Carolina 28777	Billing Frequency:	
		Retention Period:	30 Days

Hardware and Software Products

Recurring amounts over subscription term

Item	Cost	Quantity	
Flock Safety Platform			
Flock Safety LPR Products			
Flock Safety LPR, fka Falcon	Included	3	Included

Professional Services and One Time Purchases

Item	Cost	Quantity	Total
One Time Fees			
Flock Safety Professional Services			
Professional Services - Standard Implementation Fee	$650.00	3	$1,950.00

Subtotal Year 1:	$10,950.00
Annual Recurring Subtotal:	$9,000.00
Estimated Tax:	$1,954.13
Contract Total:	$28,950.00

*Taxes shown above are provided as an estimate. Actual taxes are the responsibility of the Customer. This Agreement will automatically renew for successive renewal terms of the greater of one year or the length set forth on the Order Form (each, a "**Renewal Term**") unless either Party gives the other Party notice of non-renewal at least thirty (30) days prior to the end of the then-current term.*

The Term for Flock Hardware shall commence upon first installation and validation, except that the Term for any Flock Hardware that requires self-installation shall commence upon execution of the Agreement. In the event a Customer purchases more than one type of Flock Hardware, the earliest Term start date shall control. In the event a Customer purchases software only, the Term shall commence upon execution of the Agreement.

If Customer is located in any of the state(s) listed at https://www.flocksafety.com/legal/state-required-provisions, the applicable state-required terms set forth therein are incorporated into the Agreement.

Discounts

Discounts Applied	Amount (USD)
Flock Safety Platform	$0.00
Flock Safety Add-ons	$0.00
Flock Safety Professional Services	$0.00

Product and Services Description

Flock Safety Platform Items	Product Description
Flock Safety LPR, fka Falcon	Law enforcement grade infrastructure-free (solar power + LTE) license plate recognition camera with Vehicle Fingerprint ™ technology (proprietary machine learning software) and real-time alerts for unlimited users.
Flock Safety Platform - Essentials	An integrated public safety platform that detects, centralizes and decodes actionable evidence to increase safety, improve efficiency, and connect the community.
Professional Services - Standard Implementation Fee	One-time Professional Services engagement. Includes site and safety assessment, camera setup and testing, and shipping and handling in accordance with the Flock Safety Standard Implementation Service Brief.

FlockOS Features & Description

FlockOS Features	Description
Community Network Access	The ability to request direct access to feeds from privately owned Flock Safety LPR cameras located in neighborhoods, schools, and businesses in your community, significantly increasing actionable evidence that clears cases.
Unlimited Users	Unlimited users for FlockOS
State Network (License Plate Lookup Only)	Allows agencies to look up license plates on all cameras opted into the Flock Safety network within your state.
Nationwide Network (License Plate Lookup Only)	With the vast Flock Safety sharing network, law enforcement agencies no longer have to rely on just their devices alone. Agencies can leverage a nationwide system boasting 10 billion additional plate reads per month to amplify the potential to collect vital evidence in otherwise dead-end investigations.
Law Enforcement Network Access	The ability to request direct access to evidence detection devices from Law Enforcement agencies outside of your jurisdiction.
Time & Location Based Search	Search full, partial, and temporary plates by time at particular device locations
License Plate Lookup	Look up specific license plate location history captured on Flock devices
Vehicle Fingerprint Search	Search footage using Vehicle Fingerprint™ technology. Access vehicle type, make, color, license plate state, missing / covered plates, and other unique features like bumper stickers, decals, and roof racks.
Insights & Analytics	Reporting tool to help administrators manage their LPR program with device performance data, user and network audits, plate read reports, hot list alert reports, event logs, and outcome reports.
Real-Time NCIC Alerts on Flock ALPR Cameras	Receive automated alerts when vehicles entered into established databases for missing and wanted persons are detected, including the FBI's National Crime Information Center (NCIC) and National Center for Missing & Exploited Children (NCMEC) databases.
Unlimited Custom Hot Lists	Create a list of vehicles of interest and receive real-time alerts when they’re detected by your Flock LPR cameras.

By executing this Order Form, Customer represents and warrants that it has read and agrees all of the terms and conditions contained in the Terms of Service located at https://www.flocksafety.com/terms-and-conditions.

The Parties have executed this Agreement as of the dates set forth below.

FLOCK GROUP, INC.	**Customer: NC - Spruce Pine PD**
By: _____	By: _____
Name: _____	Name: _____
Title: _____	Title: _____
Date: _____	Date: _____
	PO Number: _____

Docusign Envelope ID: F52648D2-0840-42CC-857C-2836F249BF0D

flock safety

LICENSE AGREEMENT
FOR THE USE OF LICENSOR PROPERTY

This LICENSE AGREEMENT FOR THE USE OF LICENSOR PROPERTY ("**Agreement**") is made and entered into by and between Flock Group Inc, a Delaware Corporation ("**Flock**") and _____ ("**Licensor**"). Licensor and Flock are at times collectively referred to hereinafter as the "**Parties**" or individually as the "**Party**."

WHEREAS, Flock offers certain software and hardware solutions to customers, including police departments (collectively, the "**Flock Services**");

WHEREAS, Flock has requested use of certain Licensor Property (defined below) to install, maintain and operate Flock Hardware (defined below) to use the Flock Services solely for the awareness, prevention, and prosecution of crime, bona fide investigations by police departments, and archiving for evidence gathering;

WHEREAS, Flock owns and is responsible for the Flock Hardware. Licensor shall instruct Flock on any request to move Flock Hardware and shall not move or otherwise access any Flock Hardware without prior written permission of Flock.

NOW THEREFORE, IN RECOGNITION OF MUTUAL CONSIDERATION, THE ABOVE PARTIES AGREE TO THE FOLLOWING:

SECTION 1. DEFINITIONS

(a) "***Effective Date***" means the latest date on which this Agreement is signed by both Parties.

(b) "***Flock Hardware***" means the Flock cameras, drones, poles, clamps, solar panels, installation components, and any other devices or physical elements owned by Flock.

(c) "***Licensor Property***" means the mutually agreed-upon property owned by Licensor where Flock is permitted to install Flock Hardware as more specifically set forth on Exhibit A attached hereto.

SECTION 2. GRANT

(a) **License to Use Licensor Property**. Licensor hereby grants Flock a non-exclusive license to use and occupy limited space on certain designated Licensor Property in order to install Flock Hardware.

(b) **Access**. Licensor grants Flock any and all rights required for Flock to physically access the installed Flock Hardware, including access rights for maintenance, repairs, and any other reasonably required adjustment needed for Flock Services. When the Flock Hardware includes drone technology, Licensor also grants the specific law enforcement agency or customer for whom the Flock Hardware

is installed ("**Authorized Customer**") the right to physically access the installed Flock Hardware for emergency landing beside the dock, manual battery swaps, or to guide Flock employees, agents, or subcontractors to the leased equipment for any required repair or maintenance. Licensor acknowledges that Authorized Customer personnel may require independent access to the Licensor Property for these purposes.

SECTION 3. TERM AND TERMINATION

(a) **Term of Agreement**. The term of this Agreement shall be for twelve (12) months commencing on the Effective Date and ending at midnight on the last day of the term (the "**Term**"). Unless either Party provides written notice to the other Party prior to expiration of the Term or Renewal Term that the notifying Party will not renew the Agreement, the Term will automatically renew for additional one (1) year periods (each a "**Renewal Term**"), upon the same terms and conditions set forth in this Agreement.

(b) **Termination for Cause**. This Agreement may be terminated before the expiration of the Term or Renewal Term on written notice by either Party, if either Party breaches any material provision of this Agreement and such breach is not cured by breaching Party within thirty (30) days after receipt of written notice of such breach.

(c) **Effect of Termination.** Within thirty (30) days after such expiration or earlier termination, Flock shall remove the Flock Cameras and any debris, and restore the Licensor Property to its original condition, reasonable wear and tear excepted.

SECTION 4. FEES. Flock shall be responsible for paying all costs associated with Licensor review, processing and inspection as part of all permit applications filed for the installation, modification, maintenance and removal of the Flock Hardware. The Parties agree that no fees will be assessed for the license and permission herein granted to Flock. Flock agrees that the Licensor's permission and grant of a license hereunder and Flock's ability to construct and obligation to thereafter maintain Flock's Services on the Licensor Property serve as consideration to support this Agreement.

SECTION 5. CONSTRUCTION, MAINTENANCE AND REPAIR ACTIVITIES

(a) **Maintenance and Repair of Flock Hardware**. Flock shall keep and maintain all Flock Hardware installed on Licensor Property in good condition and repair throughout the Term, normal wear and tear and casualty excepted. Flock shall have the right to conduct testing and maintenance activities, and repair and replace damaged or malfunctioning Flock Hardware at any time during the Term.

(b) **Maintenance and Repair of Licensor Property**. Licensor shall maintain and keep the Licensor Property in good condition in accordance with Licensor's standard maintenance requirements. Such maintenance shall be at Licensor's sole cost and expense, except to the extent this Agreement provides otherwise.

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SECTION 6. INTERFERENCE WITH OTHER FACILITIES PROHIBITED; RELOCATION

(a) **Interference Prohibited**. Flock shall not impede, obstruct or otherwise interfere with the installation, existence and operation of any other facility on the Licensor Property.

(b) **Relocations at Flock's Request**. In the event Flock desires to relocate any Flock Hardware from one area of Licensor Property to another, Flock shall advise Licensor, and any relocation shall be at Flock's sole cost and expense. Licensor will use reasonable efforts to accommodate Flock by making another reasonably equivalent Licensor Property available for use in accordance with and subject to the terms and conditions of this Agreement.

SECTION 7. INDEMNITY AND RISK OF LOSS

(a) **Indemnification**. Flock agrees to indemnify, defend, and hold harmless Licensor from and against any and all claims, demands, causes of action, suits, proceedings, losses, liabilities, fines, charges, penalties, administrative and judicial proceedings and orders, judgments, awards, decrees, settlements, damage or injury of any kind (collectively, "**Claims**") to the extent caused by Flock's activities undertaken pursuant to this Agreement, except to the extent arising from or caused by the gross negligence or willful misconduct of Licensor.

(b) **Risk of Loss.** Flock acknowledges and agrees that Flock bears all risks of loss, damage, relocation, or replacement of its Flock Hardware and materials installed on Licensor Property pursuant to this Agreement from any cause, and Licensor shall not be liable for any cost of replacement or of repair to damaged Flock Hardware, including, without limitation, damage caused by the Licensor's removal of the Flock Hardware.

SECTION 8. INSURANCE REQUIREMENTS. Flock will maintain commercial general liability policies with policy limits reasonably commensurate with the magnitude of Flock's business risk. Certificates of Insurance can be provided upon request.

SECTION 9. NOTICES. Notices required by this Agreement may be given by overnight courier or certified mail, postage prepaid. Either Party shall have the right, by giving written notice to the other, to change the address at which its notices are to be received. Until any such change is made, notices shall be delivered to the address set forth under the signature blocks for this Agreement.

SECTION 10. GOVERNING LAW, VENUE. This Agreement shall be governed by the laws of the State in which the Flock Hardware is installed. The Parties hereto agree that the venue would be proper in the chosen courts of the State of which the Licensor is located.

SECTION 11. MISCELLANEOUS PROVISIONS. None of the material provisions of this Agreement may be waived or modified except expressly in writing signed by the Flock and Licensor. This Agreement and all of the covenants herein will run with the land; therefore, the conditions set forth herein will inure to and bind each Party's successors and assigns. Any Party may waive any default of another at any time, without affecting or impairing any right arising from any subsequent or other default. If any provision of this Agreement is found to be unenforceable or invalid, that provision will be limited or

eliminated to the minimum extent necessary so that this Agreement will otherwise remain in full force and effect. This Agreement, together with its attached exhibits, embodies the complete agreement of the Parties, superseding all oral or written previous and contemporary agreements between the Parties and relating to this Agreement. Parties are not responsible or liable for any delays or failures in performance from any cause beyond their control, including, but not limited to acts of God, changes to law or regulations, embargoes, war, terrorist acts, acts or omissions of third-Party technology providers, riots, fires, earthquakes, floods, power blackouts, strikes, supply chain shortages of equipment or supplies, weather conditions or acts of hackers, internet service providers or any other third Party acts or omissions. The relationship between Licensor and Flock is at all times solely that of licensor and licensee, not that of partners or joint venturers. This Agreement may be executed in multiple counterparts, each of which is an original. Regardless of the number of counterparts, they constitute only one agreement. In making proof of this agreement, it is not necessary to produce or account for more counterparts than are necessary to show execution by or on behalf of all Parties. This Agreement is for the sole and exclusive benefit of the parties hereto, and nothing in this Agreement, express or implied, is intended to confer or will be construed as conferring upon any other person any rights, remedies or any other type or types of benefits. This Agreement may not be sold, assigned, or sublicensed by either Party without the prior approval of the non-assigning Party.

IN WITNESS WHEREOF, Flock and the Licensor have caused this Agreement to be signed on the date set forth below and be effective on the last date specified below.

FLOCK GROUP INC

Signed by:
By: _____
1024FAF1F68A40F...

Name: Dan Haley

Title: Chief Legal Officer

Date: _____

Address for Notices:
1170 HOWELL MILL ROAD, NW
SUITE 210
ATLANTA, GA 30318
ATTN: LEGAL DEPT.
EMAIL: legal@flocksafety.com

LICENSOR

By _____

Name _____

Title: _____

Date: _____

Address for Notices:

_____

_____

Docusign Envelope ID: F52648D2-0840-42CC-857C-2836F249BF0D

flock safety

Exhibit A

Flock Safety

Location needs cleared
Not location to be installed.

Exhibit A — Location Details

Locations (1)

Location Name: P#004 Hwy 226 @ Martha Dr
Lat/Long: 35.90339983770203, -82.07443086794329

Map Overview



Street View Snapshot

