



MEMORANDUM

TO: Mayor and Members of the City Council

FROM: Reginald Goodson, City Manager
April Onley, City Clerk

DATE: March 18, 2026

REF: Consideration – Adoption of a Resolution Directing the City Attorney to Investigate the Sufficiency of a Petition for Voluntary Annexation – Tax Block TM P123 / Tax Lots 42C (=/-11.42 AC)

BACKGROUND:

A petition for Voluntary Annexation (attached) has been received from Phillip Harrington on behalf of 3N1 Inc., for property located at The Sanctuary at Tooley Harbor (at the end of Sailor's Way and Pleasant Drive). The petition involves one tract of land totaling roughly 11.4 acres.

ANALYSIS:

The voluntary annexation process first requires that the City Council consider an ordinance directing the City Attorney to investigate the sufficiency of the Petition. Once this is done, the City Clerk will bring a certification back to the City Council for further consideration and action through a call for a public hearing and then a public hearing.

STAFF RECOMMENDATION:

By motion, adopt the attached resolution directing the City Attorney to investigate the sufficiency of the Petition for Voluntary Annexation for +/-11.42 acres received from Phillip Harrington as a representative of 3N1, Inc.



**RESOLUTION #2026-03-03
DIRECTING THE CITY CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G. S. 160A-31
3N1, INC.
+/- 11.4 ACRES – THE SANCTUARY AT TOOLEY HARBOR
TAX BLOCK TM P123
TAX LOT 42C**

WHEREAS, a petition requesting annexation of an area described in said petition has been received on March 23, 2026, by the City Council; and

WHEREAS, G. S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk and City Attorney before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Elizabeth City deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Elizabeth City:

THAT the City Clerk and City Attorney are hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of her investigation.

ADOPTED, this the 23rd day of March 2026.

E. Kirk Rivers
Mayor

April Onley, NCCMC
City Clerk



ANNEXATION PETITION – CONTIGUOUS PROPERTY

TO: The City of Elizabeth City
ATTN: City Clerk
P. O. Box 347
Elizabeth City, NC 27907

RE: Petition Requesting Annexation

Pursuant to the provisions of Sections 160A-31 of the NC General Statutes, we the undersigned owners of real property described below do hereby request that said property

Located at: The Sanctuary at Tooley Harbor (end of Sailors Way & Pleasant Dr.)

Tax Block(s) TM P123

Tax Lot(s) 42C (+/-11.42 AC)

be annexed into the City of Elizabeth City.

We certify: that the property is contiguous to the present City limits; that a legal description (metes and bounds) is attached as Exhibit A and a map of said property is attached and denoted as Exhibit B. Exhibit B shall conform to the City of Elizabeth City Mapping and Documentation Policy for voluntary annexation petitions. (The policy is attached.)

Upon certification of the petition, petitioner will provide one digital file and 10 copies (11" x 17") of a map and an electronic legal description (in a format accessible by Word).

All individuals whose names appear on the deed to the property or otherwise have an ownership interest shall sign.

[Signatures on following page(s)]

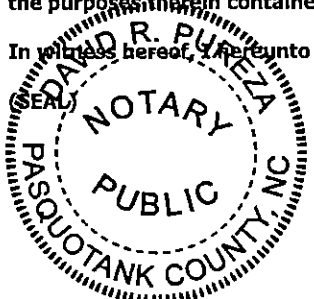
1) 3NI, INC., by PHILIP W. HARRINGTON, President Philip W. Harrington
Printed Name Signature

State of N.C.

County of PASQUOTANK

On this, the 9th day of MARCH, ^{DRD}~~2015~~ 2026, before me, the undersigned notary public, personally appeared Phillip W. Harrington, President of 3NI, INC., known to me (or satisfactorily proven) to be the person whose name is subscribed above, and acknowledged that he/she executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.



David R. Puleza, Notary Public
Printed Name: DAVID R. PULEZA
COMMISSION EXPIRES: 12/15/2021

2) _____
Printed Name Signature

State of _____

County of _____

On this, the _____ day of _____, 2015, before me, the undersigned notary public, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed above, and acknowledged that he/she executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.

(SEAL) _____, Notary Public
Printed Name: _____

3) _____
Printed Name Signature

State of _____

County of _____

On this, the _____ day of _____, 2015, before me, the undersigned notary public, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed above, and acknowledged that he/she executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.

(SEAL) _____, Notary Public
Printed Name: _____

4) _____
Printed Name Signature

State of _____

County of _____

On this, the _____ day of _____, 2015, before me, the undersigned notary public, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed above, and acknowledged that he/she executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.

(SEAL) _____, Notary Public

Printed Name: _____

5) _____
Printed Name Signature

State of _____

County of _____

On this, the _____ day of _____, 2015, before me, the undersigned notary public, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed above, and acknowledged that he/she executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.

(SEAL) _____, Notary Public

Printed Name: _____

6) _____
Printed Name Signature

State of _____

County of _____

On this, the _____ day of _____, 2015, before me, the undersigned notary public, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed above, and acknowledged that he/she executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.

(SEAL) _____, Notary Public

Printed Name: _____

7) _____
Printed Name Signature

State of _____

County of _____

On this, the _____ day of _____, 2015, before me, the undersigned notary public, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed above, and acknowledged that he/she executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.

(SEAL) _____, Notary Public

Printed Name: _____

8) _____
Printed Name Signature

State of _____

County of _____

On this, the _____ day of _____, 2015, before me, the undersigned notary public, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed above, and acknowledged that he/she executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.

(SEAL) _____, Notary Public

Printed Name: _____

9) _____
Printed Name Signature

State of _____

County of _____

On this, the _____ day of _____, 2015, before me, the undersigned notary public, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed above, and acknowledged that he/she executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.

(SEAL) _____, Notary Public

Printed Name: _____

10) _____
Printed Name Signature

State of _____

County of _____

On this, the _____ day of _____, 2015, before me, the undersigned notary public, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed above, and acknowledged that he/she executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.

(SEAL) _____, Notary Public

Printed Name: _____

Date received by City Clerk _____ BY: _____

ATTACHMENT: Mapping Requirements

To: Developers and/or Developer's Surveyor

Reference: Annexation Petition & Mapping Requirements

1. Provide copy of recent tax map of subject property;
2. Provide list of all tax lot & block numbers of area to be annexed;
3. Show all tax lot and block lot info for subject property and all adjoining property;
4. Title Block:
 - a. Voluntary Annexation to the City of Elizabeth City
 - b. Petitioned by: 3N1 Inc. (current owners)
 - c. Nixonton Township Name, Pasquotank County, North Carolina
 - d. Ordinance No: _____, Effective Date _____
 - e. Plat prepared by: _____ (give your company info, field work date and platting date)
5. Above or near title block, this statement shall be placed:

This plat was prepared for the City of Elizabeth City and is to be used for annexation purposes only; not to be used for conveyance or transfer.
6. Show previous annexation info adjoining subject property, i.e. cite ordinance number and effective date of annexations, where they adjoin subject property (example: A corporate limits of the City of Elizabeth City as per Ordinance No 07-01-1, effective date 3-01-07); Non-contiguous annexation should be entitled: Satellite annexation to the City of Elizabeth City

EXHIBIT A

Being all of "PARCEL A", containing 11.4 acres, as described and delineated on that plat entitled in part, "Exempt Subdivision For Page Development Company, LLC", dated January 27, 2004, prepared by Scott L. Temple, professional land surveyor, recorded in Map Book 36, Page 16, in the Pasquotank County Public Registry, which plat is incorporated herein by reference.

There is also hereby conveyed with general warranty a nonexclusive and perpetual easement for pedestrian and vehicular access, as well as for the installation and maintenance of overhead and underground utility lines, over, across and along the entire length and width of the street known as Asbury Drive, from its intersection with River Road (State Road 1169) to the above described property, and over, across and along the entire length and width of the street known as Breezewood Drive, which connects to Asbury Drive and to the property described above.

There is also hereby conveyed without warranty such easements and riparian rights to, over and across the canal described on the above referenced plat, for purposes of the construction of improvements such as docks, bulkheads, and piers on the property above described, and for navigation by boat or other vessel for the above described property through, over and across such canal to the Pasquotank River.

SURVEYOR'S CERTIFICATE

I, SCOTT L. TEMPLE, P.E., CERTIFY THAT THIS PLAN WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN O.S. 47-30, P. 27, 28) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED BY BROKEN LINES AND GREEN FROM INFORMATION FOUND IN O.S. 332, PAGE 322.) THAT THE RATIO OF PROPORTION AS CALCULATED IS 1:10,000; THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH O.S. 47-30 AS AMENDED, IN WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 27 DAY OF FEBRUARY, A.D. 2004.

I FURTHER CERTIFY THAT THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

Scott L. Temple
P.E.



RECORDING OFFICER'S CERTIFICATE

STATE OF NORTH CAROLINA, COUNTY OF PASQUOTANK
I, *Robert C. Blount*, RECORDING OFFICER OF PASQUOTANK COUNTY, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS ATTACHED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Robert C. Blount
RECORDING OFFICER

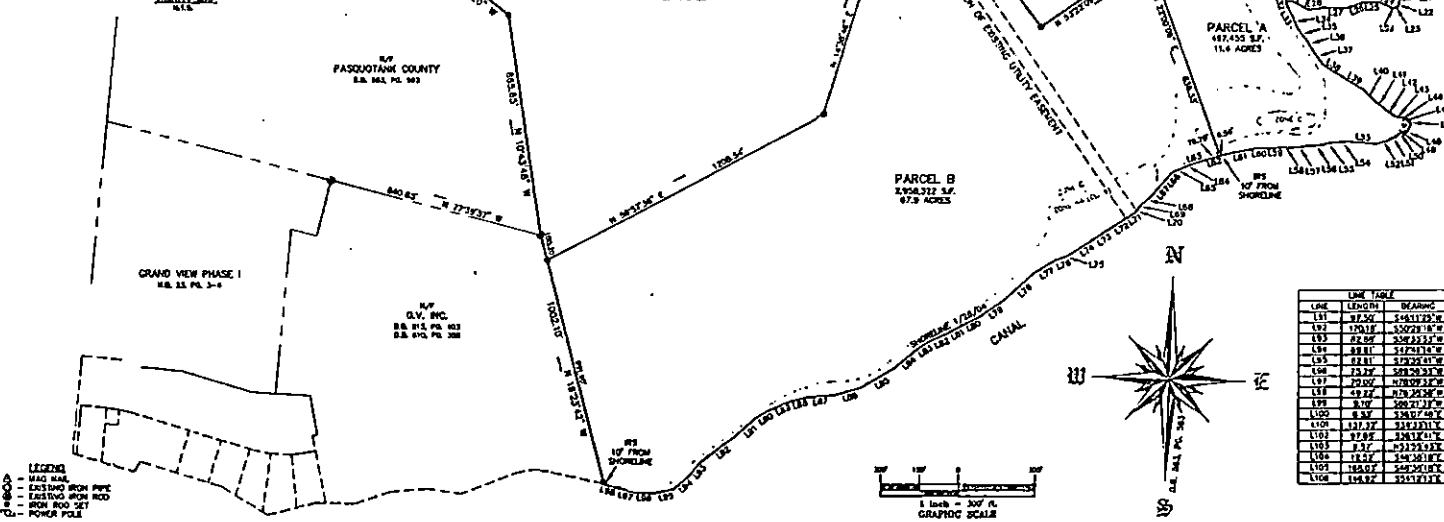
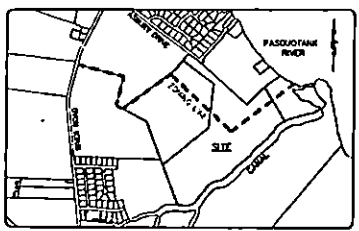
OFFICE OF THE REGISTER OF DEEDS
PASQUOTANK COUNTY, NORTH CAROLINA
Filed for registration on the 27th day of February, 2004.
Book 11118, Page 16 and 17 as required by law Book 11118, Page 16

CURVE TABLE

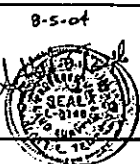
CURVE	RADIUS	CHORD	ARC LENGTH	CHORD BEHIND	CHORD AHEAD
01	23.00	23.00	0.00	0.00	0.00
02	23.00	23.00	0.00	0.00	0.00
03	23.00	23.00	0.00	0.00	0.00
04	23.00	23.00	0.00	0.00	0.00

LINE TABLE

LINE	LENGTH	BEARING
L1	241.07	N 55° 31' 27" E
L2	153.75	N 113° 31' 27" E
L3	181.25	S 45° 31' 27" E
L4	231.07	N 00° 15' 27" E
L5	165.17	N 00° 00' 00" E
L6	88.87	S 72° 35' 27" E
L7	273.07	N 113° 31' 27" E
L8	201.17	S 72° 35' 27" E
L9	208.27	S 01° 26' 00" W
L10	200.07	S 45° 31' 27" E
L11	223.07	N 00° 00' 00" E
L12	24.07	S 00° 00' 00" E
L13	147.17	N 113° 31' 27" E
L14	151.17	S 72° 35' 27" E
L15	155.17	S 55° 31' 27" E
L16	121.07	S 00° 00' 00" E
L17	223.07	N 00° 00' 00" E
L18	16.07	N 00° 00' 00" E
L19	113.07	S 72° 35' 27" E
L20	8.07	S 00° 00' 00" E
L21	24.17	S 00° 00' 00" E
L22	15.17	S 113° 31' 27" E
L23	10.17	S 00° 00' 00" E
L24	26.17	N 00° 00' 00" W
L25	18.17	S 00° 00' 00" W
L26	25.17	S 00° 00' 00" W
L27	19.17	S 00° 00' 00" W
L28	26.17	S 00° 00' 00" W
L29	31.17	S 00° 00' 00" W
L30	17.17	S 00° 00' 00" W
L31	25.17	N 65° 31' 27" W
L32	11.17	N 00° 00' 00" W
L33	17.17	S 25° 31' 27" E
L34	26.17	S 25° 31' 27" E
L35	28.17	S 00° 00' 00" E
L36	31.17	S 00° 00' 00" E
L37	21.17	S 00° 00' 00" E
L38	27.17	S 00° 00' 00" E
L39	28.17	S 00° 00' 00" E
L40	31.17	S 00° 00' 00" E
L41	27.17	S 00° 00' 00" E
L42	28.17	S 00° 00' 00" E
L43	27.17	S 00° 00' 00" E
L44	28.17	S 00° 00' 00" E
L45	27.17	S 00° 00' 00" E
L46	18.07	S 25° 31' 27" E
L47	27.17	S 25° 31' 27" E
L48	18.07	S 00° 00' 00" E
L49	16.17	N 00° 00' 00" W
L50	28.17	S 00° 00' 00" W
L51	13.17	S 00° 00' 00" W
L52	27.17	S 00° 00' 00" W
L53	27.17	S 00° 00' 00" W
L54	27.17	S 00° 00' 00" W
L55	27.17	S 00° 00' 00" W
L56	27.17	S 00° 00' 00" W
L57	27.17	S 00° 00' 00" W
L58	27.17	S 00° 00' 00" W
L59	27.17	S 00° 00' 00" W
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L67	27.17	S 00° 00' 00" W
L68	27.17	S 00° 00' 00" W
L69	27.17	S 00° 00' 00" W
L70	27.17	S 00° 00' 00" W
L71	27.17	S 00° 00' 00" W
L72	27.17	S 00° 00' 00" W
L73	27.17	S 00° 00' 00" W
L74	27.17	S 00° 00' 00" W
L75	27.17	S 00° 00' 00" W
L76	27.17	S 00° 00' 00" W
L77	27.17	S 00° 00' 00" W
L78	27.17	S 00° 00' 00" W
L79	27.17	S 00° 00' 00" W
L80	27.17	S 00° 00' 00" W
L81	27.17	S 00° 00' 00" W
L82	27.17	S 00° 00' 00" W
L83	27.17	S 00° 00' 00" W
L84	27.17	S 00° 00' 00" W
L85	27.17	S 00° 00' 00" W
L86	27.17	S 00° 00' 00" W
L87	27.17	S 00° 00' 00" W
L88	27.17	S 00° 00' 00" W
L89	27.17	S 00° 00' 00" W
L90	27.17	S 00° 00' 00" W



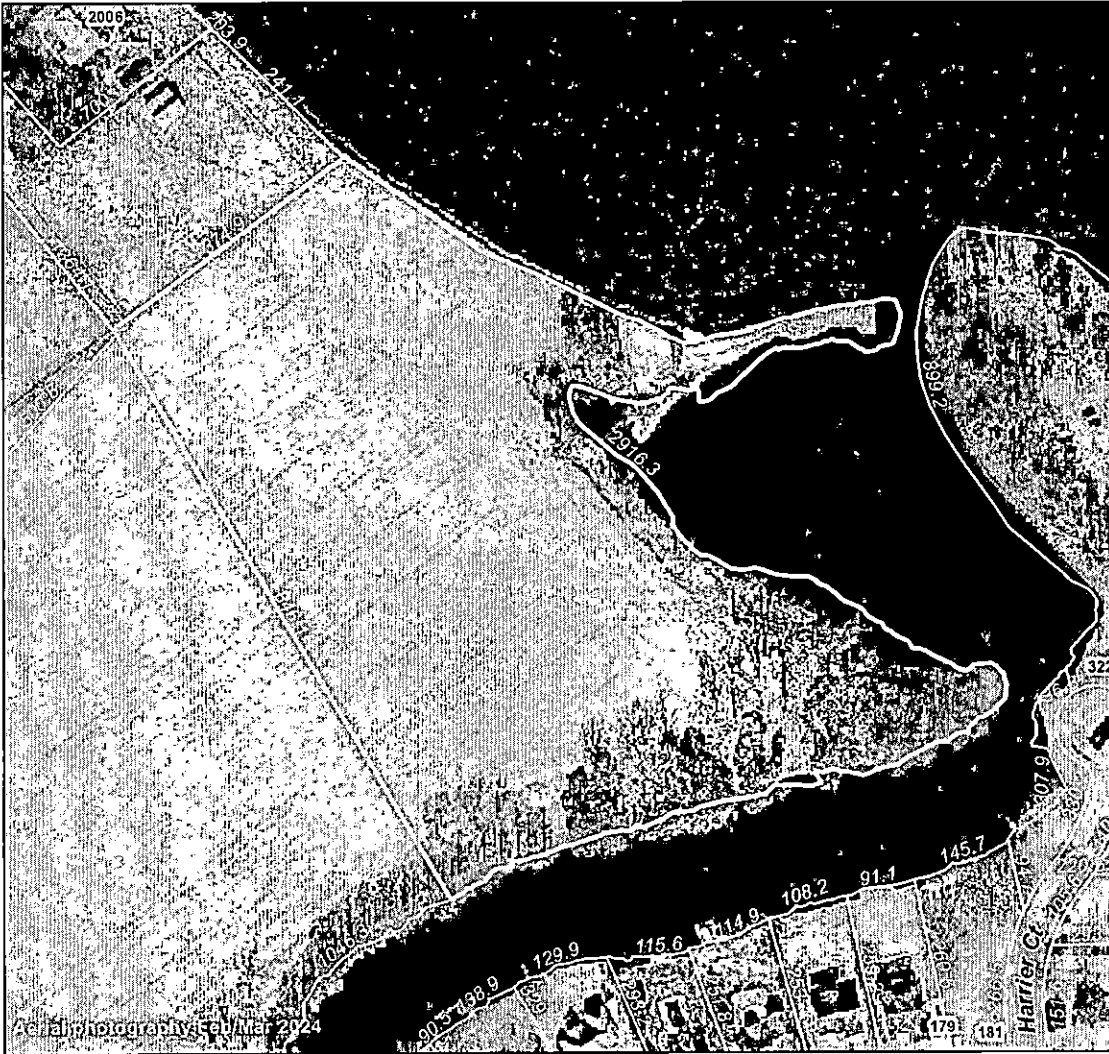
- NOTES**
- CURRENT OWNER: JAMES HOWARD, HEAVY ALDON AND JANICE STANTON WINKLER, TRUSTEE
 - TOTAL AREA = 0.245,778 AC. (150,778 square feet)
 - SUBJECT REFERENCES: O.S. 332, P. 322; O.S. 104, P. 10; O.S. 380, P. 3; O.S. 436, P. 220 AND PLAT PREPARED BY S. CLAU WILLIAMS, TRUSTEE "HENRY WINKLER" DATED 7/10/03
 - PROPERTY IS LOCATED IN A PLURAL ZONE C, B AND AN (C) B ZONE (370145 0007 B (REVISED 1/5/03))
 - THIS PROPERTY IS SUBJECT TO ANY EASEMENTS THAT A MORE THOROUGH TITLE SEARCH MAY UNCOVER.
 - THIS SURVEY IS BASED ON EXISTING FIELD MONUMENTATION AND RECORDED INFORMATION.
 - NO MONUMENTS FOUND WITHIN FOOT OF SUBJECT PROPERTY.
 - ALL IMPROVEMENTS ON PROPERTY WERE NOT LOCATED.



SCALE: 1"=300'
DATE: 1/27/04
DRAWN: CUM
SURVEYED BY: SLT
PROJECT NO: 2002-008
CADD FILE: 006.dwg
SHEET: 1 OF 1

EXEMPT SUBDIVISION FOR
PAGE DEVELOPMENT COMPANY, L.L.C.
PARCELS 39-1A, 42 AND 42A
TAX MAP P-123
NIXONTON TOWNSHIP PASQUOTANK COUNTY NORTH CAROLINA

EXHIBIT B



Pasquotank County, NC

Parcel ID: 892304907882

Map: P123-42C

LOT: 0

00000 RIVER RD (REAR)
3 IN 1 INC

P O BOX 710
ELIZABETH CITY NC 27907

Deed Book:	886
Deed Page:	452
Date:	20051116
	MB36/16
Land Value:	412000
Ag Value:	0
Bldg Value:	0
Total Value:	412000
Taxed Acres:	11.4



Date: 4/26/2025

PASQUOTANK
COUNTY NC

Property Ownership/
Lines as of January 1, 2025

NOT A SURVEY

This map was created from historic maps, recorded deeds and surveys.
It CAN NOT be used to convey land, settle land disputes or build fences.

Pasquotank County Property Card

as of January 1, 2024

PIN: 892304907882 PID: 0062101

MAP: P123-42C

Deed Book: 886 / Deed Page: 452 / Date: 20051116

**Location: 00000 RIVER RD
(REAR)**

**Prior
Evaluation
Year: 2014**

**Current
Evaluation
Year: 2022**

**3 IN 1 INC
P O BOX 710

ELIZABETH CITY, NC 27907**

Land	\$577600	\$412000
Use		
Land	\$0	\$0
Building	\$0	\$0
Total	\$577600	\$412000
Assessed	\$577600	\$412000

Acct: 0098564

**Previous County Tax (.0077): \$4447.52
New county rate (.0062) (for 2022):
\$2554.4**

[Click here to send us a new/better picture](#)

Notes 20211209

Land

Waterfront	2 acres	@ \$247500/acre	\$198000
Other	4 acre	@ \$86500/acre	\$138400
Undeveloped	5.4 acre	@ \$35000/acre	\$75600

Total Acres: 11.4 Total Land Value: \$412000



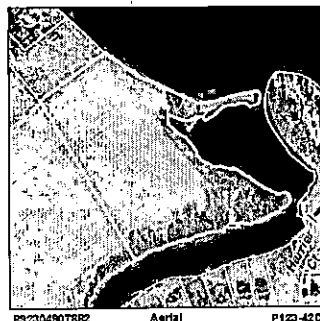
Sales Data

Date	Type	Price	Source	Owner
20051116	Land	1250000	Stamps	

Deed	Assessment
886/452	45600

AFFIDAVITS (If applicable)

OWNER	Address	Sale Price	Date
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Tax Ownership Book (for research only)
Old Tax Map (for research only)

OUTBUILDING DATA

Type	Qty	Year	Size1	Size2	Grd Cnd	Value
		0	0	0	0	\$00
		0	0	0	0	\$00
		0	0	0	0	\$00
		0	0	0	0	\$00
		0	0	0	0	\$00
		0	0	0	0	\$00
		0	0	0	0	\$00
		0	0	0	0	\$00
Total Outbuilding Value						\$00

PASQUOTANK COUNTY
Deed number 05-2142
Transfer tax \$ 12500.00
GN
Pasquotank County Assessor's Office

Issued Nov 18 2005
\$2,500.00
State of Pasquotank
North Carolina County
Real Estate Excise Tax

FILED in Pasquotank County, NC
on Nov 18 2005 at 12:24:23 PM
by: Delle J. Summerour
REGISTER OF DEEDS

Space Above This Line For Recording Data

NORTH CAROLINA GENERAL WARRANTY DEED

Prepared by W. Brock Mitchell, Attorney
Return to David R. Pureza, Attorney

Excise Tax: \$2,500.00
Transfer Tax: \$12,500.00

Tax Parcel: 892 304907 882

State of North Carolina, County of Pasquotank

THIS GENERAL WARRANTY DEED made this 7th day of November, 2005, by and between James Howard Winslow and wife, Billie R. Winslow, Henry Alden Winslow and wife, Elaine J. Winslow, Janice Stanton Winslow, Trustee of the Don Kenneth Winslow Revocable Trust, Janice Stanton Winslow, Trustee of the Don Kenneth Winslow QTIP Marital Trust, and Janice Stanton Winslow, Trustee of the Don Kenneth Winslow Family Trust (hereinafter collectively referred to as "Grantor"), and 3 N 1, Inc., a North Carolina corporation, whose mailing address is 301 South Road Street, Elizabeth City, North Carolina 27909 (hereinafter referred to as "Grantee"):

WITNESSETH:

That the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has given, granted, bargained, sold, and conveyed, and by these presents does hereby give, grant, bargain, sell, and convey unto said Grantee, Grantee's heirs, successors, administrators and assigns, all of that certain piece, parcel, or tract of land situate, lying and being in Nixonton Township, Pasquotank County, State of North Carolina, and being more particularly described as follows:

See Exhibit A attached.

Billie R. Winslow, and Elaine Winslow have executed this Deed solely for the purpose of releasing their statutory marital interests.

Being also a portion of the same property conveyed to G.H. Winslow, Jr., as life tenant and the children of G.H. Winslow, Jr., (James Howard Winslow, Henry Alden Winslow, and Don Kenneth Winslow) as remaindermen, by deed recorded in Deed Book 101, Page 6, of the Pasquotank County Public Registry. The said G.H. Winslow, Jr., is deceased. Same also being a portion of the property conveyed to James Howard Winslow, Henry Alden Winslow, and Don Kenneth Winslow, by deeds recorded in Deed Book 379, Page 484, Deed Book 390, Page 3,

and Deed Book 436, Page 220, in the Pasquotank County Public Registry. The said Don Kenneth Winslow died in 1997 and the exemplified copy of his Will is filed in Estate File 97-E-228, Pasquotank County Clerk's Office. The said Will of Don Kenneth Winslow devised the property described below to the Don Kenneth Winslow Revocable Trust dated April 22, 1997, which trust agreement is unrecorded. The Don Kenneth Winslow Revocable Trust Agreement provides that assets of the trust are to be distributed between the Don Kenneth Winslow QTIP Marital Trust and the Don Kenneth Winslow Family Trust. The Trustees of all three trusts are Grantors herein for the purpose of conveying all right, title and interest of the three trusts in and to the above described property.

TO HAVE AND TO HOLD the above described lands and premises, together with all appurtenances thereunto belonging, or in any way appertaining, unto the Grantee, Grantee's heirs, successors, administrators, and assigns forever.

AND THE SAID GRANTOR COVENANTS to and with said Grantee, Grantee's heirs, successors, administrators, and assigns, that Grantor is lawfully seized in fee simple of said lands and premises, and have full right and power to convey the same to the Grantee in fee simple, and that said lands and premises are free from any and all encumbrances, except as set forth herein, and that the Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, with the exception of the following: Ad valorem taxes for the year 2005 and subsequent years, easements and restrictions of record, and any local, county, state, or federal laws, ordinances, or regulations relating to zoning, environment, subdivision, occupancy, use, construction, or development of the subject property.

IN WITNESS WHEREOF, the Grantor has duly executed and sealed this document, this the day and year first above written.

James Howard Winslow (SEAL)
James Howard Winslow

Billie R. Winslow (SEAL)
Billie R. Winslow

Henry Alden Winslow (SEAL)
Henry Alden Winslow

Elaine J. Winslow (SEAL)
Elaine J. Winslow

Janice S. Winslow, Trustee (SEAL)
Janice Stanton Winslow, Trustee of the Don
Kenneth Winslow Revocable Trust

Janice S. Winslow, Trustee (SEAL)
Janice Stanton Winslow, Trustee of the Don
Kenneth Winslow QTIP Marital Trust

Janice Stanton Winslow, Trustee of the Don (SEAL)
Janice Stanton Winslow, Trustee of the Don
Kenneth Winslow Family Trust

State of NORTH CAROLINA, County of PASQUOTANK

I, a Notary Public, of the County of Perquimans, and State aforesaid, certify that James Howard Winslow and wife, Billie R. Winslow, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and seal this 14 day of November, 2005.

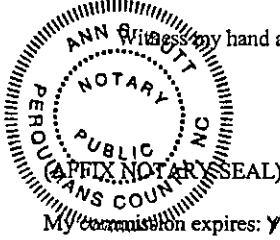


Ann S. Butt
Notary Public

State of NORTH CAROLINA, County of PASQUOTANK

I, a Notary Public, of the County of Perquimans, and State aforesaid, certify that Henry Alden Winslow and wife, Elaine Winslow, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

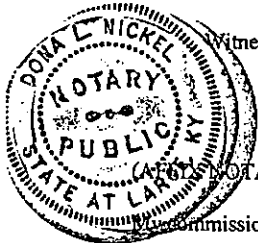
Witness my hand and seal this 14 day of November, 2005.



Ann S. Butt
Notary Public

State of Kentucky, County of Jessamine

I, a Notary Public, of the County of Jessamine, and State aforesaid, certify that **Janice Stanton Winslow, Trustee of the Don Kenneth Winslow Revocable Trust, Janice Stanton Winslow, Trustee of the Don Kenneth Winslow QTIP Marital Trust, and Janice Stanton Winslow as trustee of the Don Kenneth Winslow Family Trust**, personally appeared before me this day and acknowledged the execution of the foregoing instrument.



Witness my hand and seal this 10th day of November, 2005.

Notary Public Dona L. Nickel

(NOTARY SEAL)

Commission expires: October 25, 2007

§ 160A-31. Annexation by petition.

(a) The governing board of any municipality may annex by ordinance any area contiguous to its boundaries upon presentation to the governing board of a petition signed by the owners of all the real property located within such area. The petition shall be signed by each owner of real property in the area and shall contain the address of each such owner.

(b) The petition shall be prepared in substantially the following form:

DATE:

To the _____ (name of governing board) of the (City or Town) of _____

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the (City or Town) of _____
2. The area to be annexed is contiguous to the (City or Town) of _____ and the boundaries of such territory are as follows:

(b1) Notwithstanding the provisions of subsections (a) and (b) of this section, if fifty-one percent (51%) of the households in an area petitioning for annexation pursuant to this section have incomes that are two hundred percent (200%) or less than the most recently published United States Census Bureau poverty thresholds, the governing board of any municipality shall annex by ordinance any area the population of which is no more than ten percent (10%) of that of the municipality and one-eighth of the aggregate external boundaries of which are contiguous to its boundaries, upon presentation to the governing board of a petition signed by the owners of at least seventy-five percent (75%) of the parcels of real property in that area. A municipality shall not be required to adopt more than one ordinance under this subsection within a 36-month period.

(b2) The petition under subsection (b1) of this section shall be prepared in substantially the following form:

DATE:

To the _____ (name of governing board) of the (City or Town) of _____

1. We the undersigned owners of real property believe that the area described in paragraph 2 below meets the requirements of G.S. 160A-31(b1) and respectfully request that the area described in paragraph 2 below be annexed to the (City or Town) of _____
2. The area to be annexed is contiguous to the (City or Town) of _____, and the boundaries of such territory are as follows:

(c) Upon receipt of the petition, the municipal governing board shall cause the clerk of the municipality to investigate the sufficiency thereof and to certify the result of the investigation. For petitions received under subsection (b1) or (j) of this section, the clerk shall receive the evidence provided under subsection (l) of this section before certifying the sufficiency of the petition. Upon receipt of the certification, the municipal governing board shall fix a date for a public hearing on the question of annexation, and shall cause notice of the public hearing to be published once in a newspaper having general circulation in the municipality at least 10 days prior to the date of the public hearing; provided, if there be no such paper, the governing board shall have notices posted in three or more public places within the area to be annexed and three or more public places within the municipality.

(d) At the public hearing persons resident or owning property in the area described in the petition and persons resident or owning property in the municipality shall be given an opportunity to be heard. The governing board shall then determine whether the petition meets the requirements of this section. Upon a finding that the petition that was not submitted under subsection (b1) or (j) of this section meets the requirements of this section, the governing board shall have authority to pass an ordinance annexing the territory described in the petition. The

governing board shall have authority to make the annexing ordinance effective immediately or on the June 30 after the date of the passage of the ordinance or the June 30 of the following year after the date of passage of the ordinance.

(d1) Upon a finding that a petition submitted under subsection (j) of this section meets the requirements of this section, the governing body shall have the authority to adopt an annexation ordinance for the area with an effective date no later than 24 months after the adoption of the ordinance.

(d2) Upon a finding that a petition submitted under subsection (j) of this section meets the requirements of this section, the governing body shall have the authority to adopt an annexation ordinance for the area with an effective date no later than 24 months after the adoption of the ordinance.

(1) If the Local Government Commission certifies the estimate, the municipality is not required to annex the area and no petition to annex the area may be submitted under subsection (b1) of this section for 36 months following the certification. During the 36-month period, the municipality shall make ongoing, annual good faith efforts to secure Community Development Block Grants or other grant funding for extending water and sewer service to all parcels in the areas covered by the petition. If sufficient funding is secured so that the estimated capital cost to the municipality for extending water and sewer service, less the funds secured, would result in an annual debt service payment cost to the municipality of less than five percent (5%) of the municipality's annual water and sewer systems revenue for the most recent fiscal year, then the governing body shall within 30 days adopt an annexation ordinance for the area with an effective date no later than 24 months after the adoption of the ordinance.

(2) If the Local Government Commission notifies the governing board that the estimates are not reasonable based on established governmental accounting principles and that a reasonable estimate of the annual debt service payment is less than five percent (5%) of the municipality's annual water and sewer systems revenue for the most recent fiscal year, then the governing body shall within 30 days of the notification adopt an annexation ordinance for the area with an effective date no later than 24 months after the adoption of the ordinance.

(d3) Municipal services shall be provided to an area annexed under subsections (b1) and (j) of this section in accordance with the requirements of Part 7 of this Article.

(e) From and after the effective date of the annexation ordinance, the territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in such municipality and shall be entitled to the same privileges and benefits as other parts of such municipality. Real and personal property in the newly annexed territory on the January 1 immediately preceding the beginning of the fiscal year in which the annexation becomes effective is subject to municipal taxes as provided in G.S. 160A-58.10. If the effective date of annexation falls between June 1 and June 30, and the effective date of the privilege license tax ordinance of the annexing municipality is June 1, then businesses in the area to be annexed shall be liable for taxes imposed in such ordinance from and after the effective date of annexation.

(f) For purposes of this section, an area shall be deemed "contiguous" if, at the time the petition is submitted, such area 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.

In describing the area to be annexed in the annexation ordinance, the municipal governing board may include within the description any territory described in this subsection which separates the municipal boundary from the area petitioning for annexation.

(g) The governing board may initiate annexation of contiguous property owned by the municipality by adopting a resolution stating its intent to annex the property, in lieu of filing a petition. The resolution shall contain an adequate description of the property, state that the property is contiguous to the municipal boundaries and fix a date for a public hearing on the question of annexation. Notice of the public hearing shall be published as provided in subsection (c) of this section. The governing board may hold the public hearing and adopt the annexation ordinance as provided in subsection (d) of this section.

(h) A city council which receives a petition for annexation under this section may by ordinance require that the petitioners file a signed statement declaring whether or not vested rights with respect to the properties subject to the petition have been established under G.S. 160D-108 or G.S. 160D-108.1. If the statement declares that such rights have been established, the city may require petitioners to provide proof of such rights. A statement which declares that no vested rights have been established under G.S. 160D-108 or G.S. 160D-108.1 shall be binding on the landowner and any such vested right shall be terminated.

(i) A municipality has no authority to adopt a resolution or petition itself under this Part for annexation of property it does not own or have any legal interest in. For the purpose of this subsection, a municipality has no legal interest in a State-maintained street unless it owns the underlying fee and not just an easement.

(j) Using the procedures under this section, the governing board of any municipality may annex by ordinance any distressed area contiguous to its boundaries upon presentation to the governing board of a petition signed by at least one adult resident of at least two-thirds of the resident households located within such area. For purposes of this subsection, a "distressed area" is defined as an area in which at least fifty-one percent (51%) of the households in the area petitioning to be annexed have incomes that are two hundred percent (200%) or less than the most recently published United States Census Bureau poverty thresholds. The municipality may require reasonable proof that the petitioner in fact resides at the address indicated.

(k) The petition under subsection (j) of this section shall be prepared in substantially the following form:

DATE:

To the _____ (name of governing board) of the (City or Town) of _____

1. We the undersigned residents of real property believe that the area described in paragraph 2 below meets the requirements of G.S. 160A-31(j) and respectfully request that the area described in paragraph 2 below be annexed to the (City or Town) of _____

2. The area to be annexed is contiguous to the (City or Town) of _____, and the boundaries of such territory are as follows:

(l) For purposes of determining whether the percentage of households in the area petitioning for annexation meets the poverty thresholds under subsections (b1) and (j) of this section, the petitioners shall submit to the municipal governing board any reasonable evidence that demonstrates the area in fact meets the income requirements of that subsection. The evidence presented may include data from the most recent federal decennial census, other official census documents, signed affidavits by at least one adult resident of the household attesting to the household size and income level, or any other documentation verifying the incomes for a majority of the households within the petitioning area. Petitioners may select to submit name, address, and social security number to the clerk, who shall in turn submit the information to the Department of Revenue. Such information shall be kept confidential and is not a public record.

The Department shall provide the municipality with a summary report of income for households in the petitioning area. Information for the report shall be gleaned from income tax returns, but the report submitted to the municipality shall not identify individuals or households. (1947, c. 725, s. 8; 1959, c. 713; 1973, c. 426, s. 74; 1975, c. 576, s. 2; 1977, c. 517, s. 4; 1987, c. 562, s. 1; 1989 (Reg. Sess., 1990), c. 996, s. 3; 2011-57, s. 3; 2011-396, s. 10; 2022-62, s. 44.)

**Process for Voluntary Contiguous Annexation Into the City of Elizabeth City
Pursuant to NCGS Chapter 160A, Article 4A, Part 1
NCGS § 160A-31 and NCGS §160A-31.1**

