



# Town of Mars Hill

## MAYOR AND BOARD OF ALDERMEN

**John L. Chandler**  
*Mayor*  
**Nicholas A. Honeycutt**  
*Vice-Mayor*  
**Robert W. Zink**  
*Treasurer*  
**Stuart L. Jolley**  
*Clerk*  
**Larry H. Davis**  
*Secretary*

### MINUTES REGULAR MEETING Mars Hill Town Hall – Conference Room November 7, 2022 at 6:00 p.m.

The Town of Mars Hill Mayor and Board of Aldermen met in regular session on Monday, November 7, 2022, at 6:00 p.m. in the Mars Hill Town Hall.

**MEMBERS PRESENT:** Mayor John Chandler; Aldermen Larry Davis, Nicholas Honeycutt, Stuart Jolley, and Robert W. (Bob) Zink.

**STAFF PRESENT:** Nathan R. Bennett, Town Manager; Larry Leake, for Town Attorney

**OTHERS PRESENT:** Abbas Rakhshani, Susan Sewell, Bill Sewell, Ryan Bell, and Brad Guth

#### Call to Order

The meeting was called to order by Mayor John Chandler. Mayor Chandler welcomed those in attendance.

#### Approval of the Agenda

Mayor Chandler asked the Board to review the proposed agenda for approval. Upon review of the agenda, Mayor Chandler called for a motion. **Alderman Larry Davis made a motion that the agenda be approved as presented.** Alderman Stuart Jolley seconded the motion. Upon a call for a vote on the motion by the Mayor, the agenda was approved unanimously. (Attachment A)

#### Approval of Minutes

Mayor Chandler then asked the Board to review the minutes of the regular meeting held on October 3, 2022. There being no modifications to the minutes, **Alderman Nicholas Honeycutt made a motion that the minutes for October 3, 2022, be approved as presented by management.** Alderman Bob Zink seconded the motion. Upon a call for a vote on the motion by the Mayor, the minutes were approved unanimously.

#### Old Business

Mayor Chandler then moved to address old business.

#### Abbas Rakhshani – 34 N. Main Street

Mayor Chandler recognized Mr. Abbas Rakhshani to discuss his request for the Board's reconsideration of a balcony on the back of his building located at 34 North Main Street. The Board previously considered this request from Mr. Rakhshani at a meeting on June 10, 2022, at which time the request for an easement into town-owned Short Street property was denied. Mr. Rakhshani is back before the Board asking for reconsideration of the matter to allow him to construct a balcony. Mr. Rakhshani states that he believes balconies on buildings will

improve the appearance of downtown. He states he does not want to be confrontational with this request and is asking what requirements or parameters could satisfy the Boards concerns that would allow this construction. Mayor Chandler then asked Mr. Larry Leake, counsel for the Town, to provide Mr. Rakhshani the Town's position on the matter. The Board took no action and referenced their previous position to deny Mr. Rakhshani's request taken at the June 10, 2022 meeting. Mr. Rakhshani thanked the Board for the opportunity to speak before the Board.

### New Business

Mayor Chandler then moved to address new business.

### REZONING REQUEST – 44 Roy Edwards Lane – Maggie Howard, LLC

Mayor Chandler then recognized Town Manager Nathan Bennett to present the Board information concerning an application requesting rezoning of 44 Roy Edwards Lane from Ms. Suzetta Wolfe, representative of the property owner Maggie Howard, LLC. The property was recently voluntarily annexed into the town limits at the request of the owner, and now the owner is requesting to rezone the property from R-1 – Rural Residential and Agricultural District, to C-2 – Commercial Highway Business. Mr. Bennett advised that the Town previously had the property zoned C-2 as part of the Extra-Territorial Jurisdiction (ETJ) of the Town, but when the ETJ was terminated a couple of years ago, the zoning designation reverted to R-1 under the Madison County zoning regulation. This owner request will bring the property back to C-2 where it had been for many previous years. Mr. Bennett advised that the Planning and Zoning Board reviewed the rezoning application at their meeting on October 25, 2022 and voted unanimously to recommend approval of the request to the Mayor and Board of Aldermen. The Planning and Zoning Board Report is incorporated by reference. Mr. Bennett advised the action at this time is for the Board to hold the required public hearing to receive input from the public which has been noticed and published for this meeting. (Attachment B)

### PUBLIC HEARING

Mayor Chandler opened the public hearing to receive comments on the rezoning application for 44 Roy Edwards Lane. Mr. Bennett advised that he had received two phone calls from neighboring property owners, those being Tina Jones, owner of TJ's Market, and Fred Williams, owner of the former Osaka restaurant. Both of individuation voiced concerns of water runoff from the subject property if it were commercially developed. Mr. Bennett advised that he explained to them that he is not aware of any pending commercial project for the property at this time, but should it be developed in any fashion, that the owner/developer would be required to submit a site plan and engineer drawings to address storm water and other issues for approval by the Town and other agencies. Mr. Bennett advised that both of these property owners were satisfied with that information.

There being no other public comments, Mayor Chandler closed the public hearing.

### ACTION ON REZONING REQUEST – 44 Roy Edwards Lane

Upon completion of the public hearing and general analysis and discussion of the applicable statutes concerning the matter by the Board, Mayor Chandler called for a motion. **Alderman Davis made a motion to approve the application to rezone 44 Roy Edwards Lane, Mars Hill, from the current Rural Residential and Agricultural District (R-1) to Highway Business District (C-2), finding specifically that the action is consistent with the Town land-use plan and the recommendation of the Town Planning and Zoning Board and is reasonable upon consideration of the factors listed in NCGS 160D-605(b) as applicable.** Alderman Jolley seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously.

### **Christmas Lighting Contest**

Mayor Chandler then recognized Mr. Bennett to provide information on the Town-sponsored Christmas Lighting Contest. Mr. Bennett presented the details of the proposed community holiday lighting and decoration contest, together with a business/commercial category and a residential category, and the requirement to be located inside the town limits to be eligible to win. There will be three cash prizes awarded in each category as follows: 1<sup>st</sup> place=\$500, 2<sup>nd</sup> place=\$300, and 3<sup>rd</sup> place=\$200. Decorations must be up by December 8<sup>th</sup> and a committee will travel all areas of Town with award winners announced by town social media and newsletter by December 16<sup>th</sup>. Upon completion of discussion by the Board, **Mayor Chandler made a motion to authorize the Mars Hill Christmas Lighting Contest as presented.** Alderman Jolley seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously.

### **Financial Report – FY 2022 – 1<sup>st</sup> Quarter**

Mr. Bennett gave an overview of the Financial Report for the 1<sup>st</sup> quarter of the FY 2022-23 fiscal year. The percentage of budget is at 25% complete. He advised that all line items are consistent with expectations for this point in the fiscal year and there are no concerns to note. Upon completion of discussion of the financial report, Mayor Chandler called for a motion. **Alderman Zink made a motion to approve the Financial Report as presented.** Alderman Honeycutt seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously. (Attachment C)

### **Town Manager Report – Nathan Bennett, Town Manager**

Mayor Chandler then recognized Mr. Bennett to provide the Town Manager Report.

### **General Update**

Mr. Bennett advised the Board that the annual audit process is complete and that he has received the draft audit for review. At this time, all looks good in the report and a final and formal audit report will be presented to the Board by the auditor at the December 2022 Board meeting.

Mr. Bennett then advised the Board that the Town will be conducting a prescribed burn on a portion of the Smith Farm at Bailey Mountain Park on Forest Street, on Tuesday, November 8. The Town is partnering with the NC Forest Service, Southern Blue Ridge Prescribed Burn Council, Mountain Valleys Resource Conservation & Development Council, Mars Hill Fire Department, and the Madison County Soil & Water Conservation District to conduct this operation to assist in the effective management of the property to remove invasive plants.

Mr. Bennett informed the Board of upcoming special events including, the Christmas Parade and the December First Friday event, both scheduled for December 7. Mr. Bennett provided the Board with a general update of Town operations and other items of interest to the Board.

### **Public Comment**

Mayor Chandler then moved to public comment. Mayor Chandler recognized Susan Sewell who spoke about the intense interest in pickleball in the community. She stated they use an app called Team Reach, to schedule use among users, and there are over 40 participants so far. She also thanked Mr. Bennett for his support and effort to resurface the existing tennis courts to accommodate pickleball court markings and adding benches and signage at the facility. She is very thankful for the Town's support in this endeavor. Mayor Chandler then recognized Ryan Bell who spoke about First Friday events and thanked the Board for supporting these events. He advised that he First Friday organizers are pursuing additional supporting funding from other entities and would appreciate the Town providing a letter of support when appropriate. Mr. Bell also advised that the Friends of Bailey Mountain are collecting artwork (including paintings, photography, poetry, etc.) as part of a fundraiser for projects at the

Bailey Mountain Park and Farm Center. The exhibit will be in June 2023 at the MHU Weizenblatt Gallery. Mayor Chandler thanked Mr. Bell for his comments and the efforts of those involved in the First Friday events. Mayor Chandler stated that these events have been well received and appreciated by the community.

There being no further public comments, Mayor Chandler moved to the next agenda item.

**Closed Session (Pursuant to N.C.G.S. 143-318.11)**

Mayor Chandler advised the Board that there are items to address in closed session. Mayor Chandler called for a motion to enter closed session to consider items relating to personnel and consultation with legal counsel.

**Alderman Zink made a motion to enter into closed session pursuant to N.C.G.S. 143-318.11(a)(3)(5) & (6) to discuss personnel and consultation with legal counsel for legal matters.** Alderman Davis seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion to enter closed session was unanimously approved.

***CLOSED SESSION***

Upon completion of discussion of the items subject to the closed session, Mayor Chandler called for a motion to end the closed session. **Alderman Zink made a motion to end the closed session and return to open session.** Alderman Jolley seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion to return to open session was unanimously approved.

**Open Session**

Upon return to open session, Mayor Chandler stated there was a motion from the Board regarding discussion from the closed session. **Alderman Zink made a motion to approve the employment of Tyler Burleson as full-time firefighter as recommended by Mr. Bennett and Fire Chief Nathan Waldrup.** Alderman Davis seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion to was unanimously approved. **Alderman Zink then made a motion that the Town of Mars Hill enter into an OFFER TO PURCHASE AND CONTRACT with Jason Parks, and wife Sheila Parks, to purchase real property located at 55 AND 63 Mountain View Road, Mars Hill, NC, subject to the purchase price of \$263,500.00, and to the special conditions enumerated in the purchase contract and addendum.** Alderman Jolley seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion was unanimously approved.

**Adjourn**

There being no further business before the Board, Mayor Chandler called for a motion to adjourn. **Alderman Jolley made a motion to adjourn.** Alderman Zink seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion to adjourn was unanimously approved.

Approved and authenticated this the 5<sup>th</sup> day of December, 2022.

ATTEST:

*Nathan R. Bennett*

Nathan R. Bennett,  
Town Manager



*John L. Chandler*  
John L. Chandler, Mayor





ATTACHMENT A

# Town of Mars Hill

MAYOR AND BOARD OF ALDERMEN

John L. Chandler

*Mayor*

Nicholas A. Honeycutt

*Vice-Mayor*

Robert W. Zink

*Treasurer*

Stuart L. Jolley

*Clerk*

Larry H. Davis

*Secretary*

## AGENDA

### REGULAR MEETING

*Mars Hill Town Hall Conference Room*

*November 7, 2022 at 6:00 p.m.*

1. Call to Order – *Mayor John L. Chandler*
2. Approval of Agenda
3. Approval of Minutes: October 3, 2022 Regular Meeting
4. Old Business
  - a. Abbas Rakhshani – 34 N. Main Street
5. New Business
  - a. **REZONING REQUEST** – 66 Roy Edwards Lane – Maggie Howard, LLC – Suzetta Wolfe
    - i. **PUBLIC HEARING**
    - ii. **ACTION ITEM** – Rezone from R-1 to C-2
  - b. Christmas Lighting Contest
  - c. Financial Report – FY 2023 – 1<sup>st</sup> Quarter
6. Town Manager Report – Nathan Bennett, Town Manager
  - a. General Update
7. Public Comment

[Policy: Each speaker shall be limited to a maximum of three (3) minutes. The public comment period is not intended to require the Board of Aldermen or staff to answer any impromptu questions. The Board will not take action on an item presented during the public comment period. The Board may refer inquiries made during the public comment period to the Town Manager to address as appropriate. If necessary, the item may be placed on the agenda of a future meeting.]
8. Closed Session (*Pursuant to N.C.G.S. 143-318.11 – if needed*)
9. Adjourn

## Mars Hill Town Hall

280 North Main Street • P.O. Box 368

Mars Hill, North Carolina 28754

Phone: (828) 689-2301 • Fax: (828) 689-3333

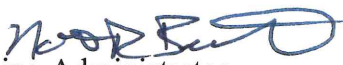


# Town of Mars Hill

John L. Chandler  
*Mayor*  
Nicholas A. Honeycutt  
*Vice-Mayor*  
Robert W. Zink  
*Treasurer*  
Stuart L. Jolley  
*Clerk*  
Larry H. Davis  
*Secretary*

## MEMORANDUM

**TO:** Mayor and Board of Aldermen

**FROM:** Nathan R. Bennett,   
Town Manager/Zoning Administrator

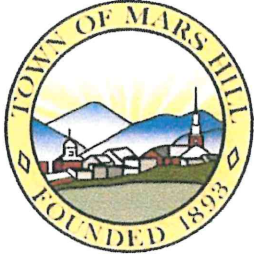
**RE:** **PLANNING AND ZONING BOARD REPORT**  
**Rezoning Application – 44 Roy Edwards Lane, Mars Hill**

**DATE:** October 28, 2022

Please be advised that on October 25, 2022, the Town of Mars Hill Planning and Zoning Board reviewed an application submitted by Ms. Suzetta Wolke, the managing member of Maggie Howard, LLC, regarding the rezoning of properties owned by the applicant in the vicinity of 44 Roy Edwards Lane, Mars Hill, NC. The applicant requests the zoning district be rezoned from the current Rural Residential & Agricultural District (R-1) to the requested Highway Business District (C-2). The properties subject to this rezoning request are identified by Madison County Property Identification Numbers as follows: 9757-02-9970 and 9757-12-2807. The applicant is the owner of all subject properties and agrees with the requested change in zoning designation of their properties.

The Planning and Zoning Board found that the requested change in zoning district would be consistent with the Town of Mars Hill Land Use Plan and would be compatible with the existing character of the surrounding land uses. The Board found that adequate infrastructure is available to meet the needs of the proposed use. Further, the Board found that the change in zoning district would be in compliance with the criteria noted in the Mars Hill Zoning Ordinance and governing state statutes. The Planning and Zoning Board approved a motion to provide this written report recommending approval to the Mayor and Board of Aldermen of the requested zoning district change to Highway Business (C-2).

If you have any questions, please advise.



**TOWN OF MARS HILL**  
 ADMINISTRATION OFFICE  
 280 N. MAIN STREET • PO BOX 368  
 MARS HILL, NC 28754  
 PHONE: (828) 689-2301 • FAX: (828) 689-3333

## APPLICATION TO AMEND ZONING ORDINANCE

Please print or type

### GENERAL INFORMATION

<b>Applicant Name:</b> Maggie Howard, LLC/Suzetta Wolfe-Managing Member			<b>Date:</b> 8/15/2022
<b>Address:</b> 2113 Churchill Drive	<b>City:</b> Greensboro	<b>State:</b> NC	<b>ZIP:</b> 27410
<b>Phone:</b> (336)324-3381	<b>Fax:</b>	<b>E-mail address:</b> suziewolfe98@gmail.com	

### LOCATION OF DEVELOPMENT / PROJECT

**Project Name:** \_\_\_\_\_

**Project Street Address:** 44 Roy Edwards Lane, Mars Hill NC 28754 and 0 Roy Edwards Lane, Mars Hill, NC 28754 (Combined Deed Attached)

**Property Identification Number (PIN):** 9757-02-9970/9757-12-2807 **Current Zoning District:** RA

**Current Owner of Property (if different from Applicant):** \_\_\_\_\_

**Current Owner Address:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Legal Relationship of Applicant to Owner:** \_\_\_\_\_ **Vacant Site:**  YES  NO  
M2M-Rental

### REQUESTED DEVELOPMENT

I (WE) HEREBY FILE THIS APPLICATION TO THE TOWN OF MARS HILL MAYOR AND BOARD OF ALDERMEN FOR THE REZONING OF THE PROPERTY DESCRIBED HEREIN.

**Description of Property:**

See Attached Exhibit "A"

### GENERAL REQUIREMENTS

**Fronting** \_\_\_\_\_ **feet on the** \_\_\_\_\_ **side of** \_\_\_\_\_

**Beginning** \_\_\_\_\_ **feet** \_\_\_\_\_ **from the** \_\_\_\_\_ **corner of** \_\_\_\_\_

**Depth** \_\_\_\_\_ **feet.**

**Request the REZONING of said property to** C2-Commercial \_\_\_\_\_

### STATE REASON FOR REZONING

Property lies Primarily within the Town of Mars Hill Zoning Map for "Highway Business" C2-Zoning Code and is surrounded by "Highway Business" Zoning. See attached Magnified Version of the Town of Mars Hill Zoning Map.

### CERTIFICATION

I/We depose and say that all above statements and submitted materials are true to the best of my knowledge and belief.

**SIGNATURE OF APPLICANT:** Suzetta Wolfe - mgr. member **DATE:** 8/15/2022

**BOUNDARY SURVEY**

**MAGGIE HOWARD, LLC**  
 44 ROY EDWARDS LANE  
 MARS HILL, TN 37055

SCALE: 1" = 50'  
 DEED REFERENCE: PG 71, PG 232  
 DEED REFERENCE: PG 223, PG 240  
 SURVEY BY: SM DATE: 11/20/21  
 DRAWING NO: W201703023

MADOU SUMMIT ASSOCIATES  
 810 ENGLISH HOLE DRIVE  
 PHONE: (615) 358-4779  
 E: madou@madousummit.com

**DEED/OWNER:**  
 MAGGIE HOWARD, LLC  
 44 ROY EDWARDS LANE  
 MARS HILL, TN 37055

PG 724, 728 (1) 0004 JACKSON  
 10/01/2021 12:13:12 PM  
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 File #21 00 DocType PLAT  
 TR: 50 00  
 Key: John Vahen, Register of Deeds

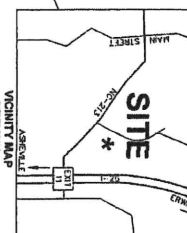
MARS HILL COMMONS LLC  
 PG 927-1-1-0023  
 PG 7759 TRACT A

ROBINSON FAULT LAND COMPANY  
 PG 927-0-2000  
 PG 223/177

R-1000  
 L-1-HIGH  
 C-1-RES

THOMAS & ELANE  
 PG 879-1-1-222  
 PG 244/099

PG 927-1-1-0043  
 PG 229/248



- NOTES:**
1. THIS SURVEY WAS MADE TO RESOLVE A DISCREPANCY OR INCONSISTENCY IN THE RECORDS OF RECORDS FOR THE SUBJECT PROPERTY. THE SURVEY WAS MADE TO CORRECT THE DISCREPANCY AND TO ESTABLISH THE BOUNDARY OF THE PROPERTY.
  2. THE SURVEY WAS MADE TO CORRECT THE DISCREPANCY AND TO ESTABLISH THE BOUNDARY OF THE PROPERTY.
  3. THE SURVEY WAS MADE TO CORRECT THE DISCREPANCY AND TO ESTABLISH THE BOUNDARY OF THE PROPERTY.
  4. ALL DISTANCES ARE HORIZONTAL UNLESS NOTED OTHERWISE.
  5. ALL DISTANCES ARE REFERENCED TO PG 7/7/20, BASED ON THE SURVEY OF THE SUBJECT PROPERTY.
  6. THE SURVEY WAS MADE TO CORRECT THE DISCREPANCY AND TO ESTABLISH THE BOUNDARY OF THE PROPERTY.
  7. THE SURVEY WAS MADE TO CORRECT THE DISCREPANCY AND TO ESTABLISH THE BOUNDARY OF THE PROPERTY.
  8. THE SURVEY WAS MADE TO CORRECT THE DISCREPANCY AND TO ESTABLISH THE BOUNDARY OF THE PROPERTY.

**LEGEND:**

○	COMPUTED POINT
○	SET IN NEMA/C&G
●	FOUND IR BEAM (UNLESS NOTED)
●	FOUND "P" PILE
▲	FOUND PK. NAIL
□	FOUND ORIGIN CROSS IN CONCRETE
■	FOUND CONCRETE 8" X 8" SQUARE
○	MANHOLE
○	UTILITY POLE
□	ELECTRIC TRANSFORMER
□	ELECTRIC POST/PILE
○	WATER WELLS
○	PIKE MARKER
○	COMPUTED WITH PILE
○	CONCRETE NOT FOUND
○	CONCRETE FOUND
○	COMPUTED PLASTIC PIPE

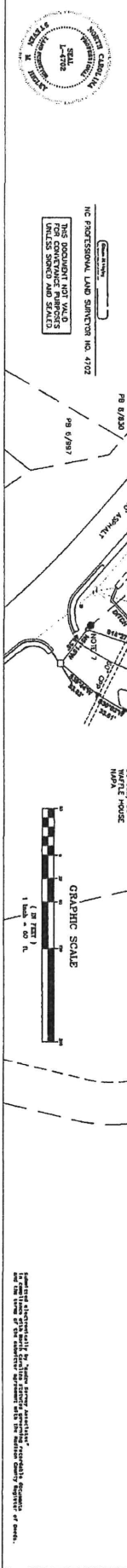
**I-26 & US 19/23**



NC PROFESSIONAL LAND SURVEYOR NO. 4702  
 MAGGIE HOWARD, LLC  
 44 ROY EDWARDS LANE  
 MARS HILL, TN 37055

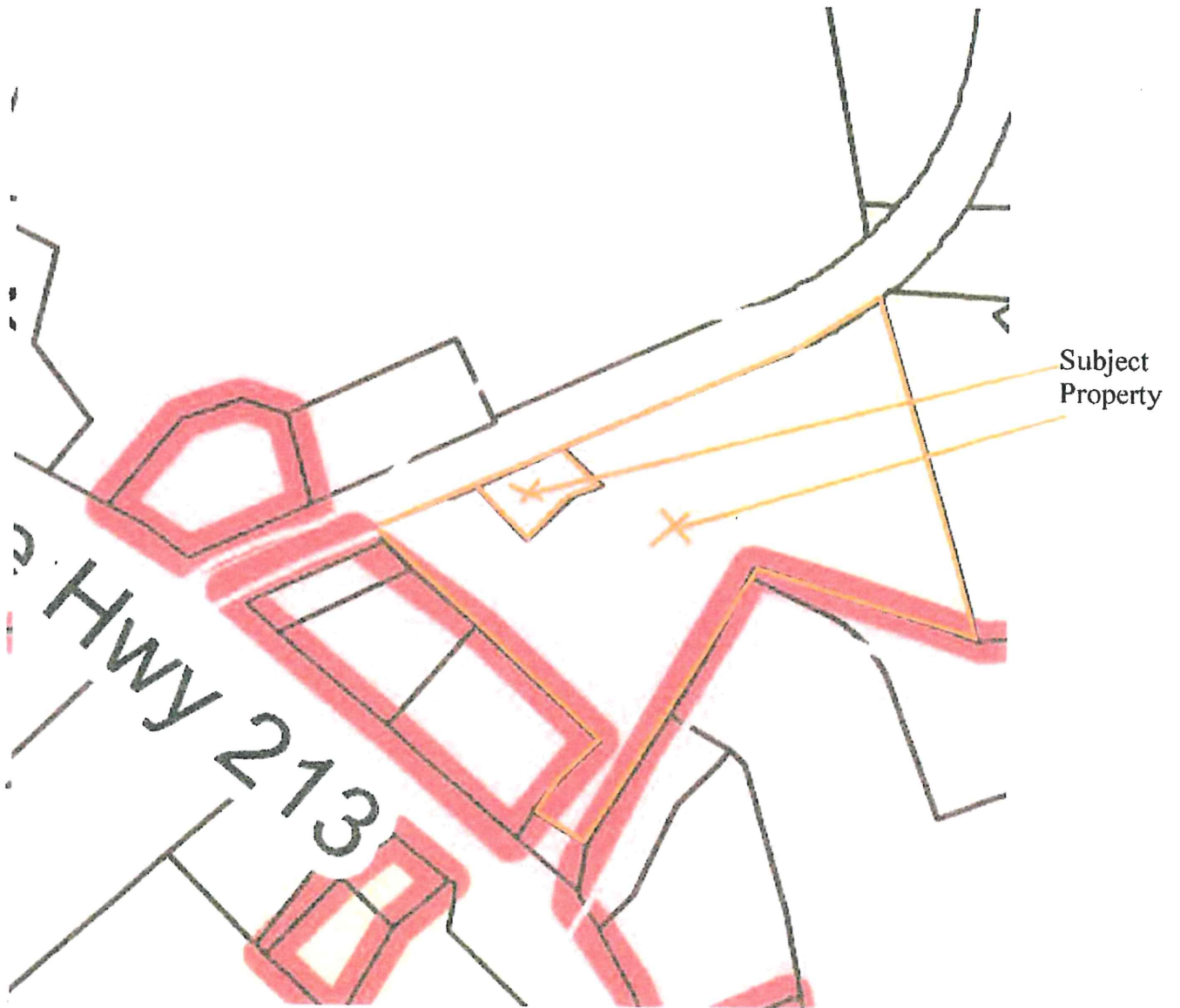


REPORT OF SURVEY AND ASSOCIATED INFORMATION  
 THE SURVEY WAS MADE TO CORRECT A DISCREPANCY IN THE RECORDS OF RECORDS FOR THE SUBJECT PROPERTY. THE SURVEY WAS MADE TO CORRECT THE DISCREPANCY AND TO ESTABLISH THE BOUNDARY OF THE PROPERTY. THE SURVEY WAS MADE TO CORRECT THE DISCREPANCY AND TO ESTABLISH THE BOUNDARY OF THE PROPERTY.





Magnified Version showing Town of Mars Hill "Highway Business" commercial zoning area surrounding subject property





BK 747 PG 118 - 121 (4) DOC# 346141  
This Document eRecorded: 04/01/2022 11:33:38 AM  
Fee: \$26.00 DocType: DEED Tax: \$0.00  
Madison County, North Carolina  
Mary Jane Wallin, Register of Deeds

**NORTH CAROLINA GENERAL WARRANTY DEED**  
**\*\*Combination Deed\*\***

Excise Tax: \$0.00

Parcel Identifier No. 9757-02-9970 (Lot 1) & 9757-12-2807 (Lot 2) Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
By: \_\_\_\_\_

Mail/Box to: Musial Law Firm, PLLC, PO Box 2464, Weaverville, NC 28787

This instrument was prepared by: Christopher Musial, Esq. **\*\*No Title Examination Performed by Preparer\*\***

Brief description for the Index: Lots 1 and 2 as shown in Plat Book 9 at Page 738, Madison County Registry

THIS DEED made this 31<sup>st</sup> day of March, 2022, by and between

GRANTOR

**Maggie Howard, LLC,**  
**a North Carolina Limited Liability Company**

**Mailing address:**  
2113 Churchill Drive  
Greensboro, NC 27410

GRANTEE

**Maggie Howard, LLC,**  
**a North Carolina Limited Liability Company**

**Mailing address:**  
2113 Churchill Drive  
Greensboro, NC 27410

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the No. 3 Township, Madison County, North Carolina and more particularly described as follows:

**See Attached Exhibit "A"**

*This instrument was prepared by Christopher Musial, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the County Tax Collector upon disbursement of closing proceeds.*

NC Bar Assoc submitted electronically by "Musial Law Firm PLLC"  
Printed by Ag in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Madison County Register of Deeds.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 70 at Page 525, Book 164 at Page 93, Book 223 at Page 480, and Book 260 at Page 76, Madison County Registry.

All or a portion of the property herein conveyed \_\_\_\_\_ includes or  x  does not include the primary residence of a Grantor.

A map showing a portion of above-described property is recorded in Plat Book 9, at Page 738.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

**Easements, restrictions, rights of way of record, and ad valorem taxes not yet due and payable.**

**SIGNATURE AND NOTARY PAGE FOLLOWS**

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

*Suzetta Bragg Wolfe*

(SEAL)  
**SUZETTA BRAGG WOLFE,**  
Member/Manager for Maggie Howard, LLC

State of North Carolina, County of Buncombe

I, the undersigned Notary Public of the County of Buncombe and State aforesaid, certify that **SUZETTA BRAGG WOLFE, Member/Manager for Maggie Howard, LLC** personally appeared before me, the said named to me known and known to me to be the persons described in and who executed the foregoing instrument, and they acknowledged that they executed the same, and being duly sworn by me, made oath that the statements in the foregoing instrument are true.

Witness my hand and Notarial stamp or seal this 31<sup>st</sup> day of March, 2022.

*Chr R Musical*  
\_\_\_\_\_  
Notary Public's Signature

Christopher R Musical  
\_\_\_\_\_  
Notary Public's Typed or Printed Name

My commission expires: 3/6/2025

(Affix Seal)

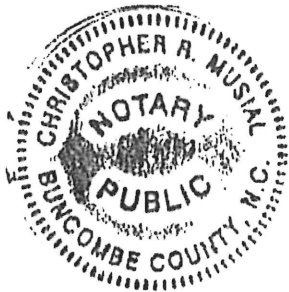


Exhibit "A"

FIRST TRACT: Being all of Lot 1 as the same is shown in **Plat Book 9 at Page 738**, Madison County Registry, reference to same being hereby made for a more particular description of said Lot.

*Parcel Identification Numbers: 9757-02-9970 (Lot 1)*

\*\*\*\*\*

SECOND TRACT: Being all of Lot 2 as the same is shown in **Plat Book 9 at Page 738**, Madison County Registry, reference to same being hereby made for a more particular description of said Lot.

*Parcel Identification Number: 9757-12-2807*

\*\*\*\*\*

**THE PURPOSE OF THIS DEED** is to combine these two above-described tracts into one lot, with one parcel identification number as shown on that plat prepared by Kudzu Survey Associates and as recorded in Plat Book 9 at Page 738, Madison County Registry; reference to same being hereby made for a more particular description of the combined property totaling 6.154 acres, more or less.

**ATTACHMENT C**

Town of Mars Hill			
Mars Hill, North Carolina			
<b>FINANCIAL STATEMENT</b>			
30-Sep-22			
<b>SECTION I: General &amp; Powell Bill Funds</b>	<b>Budget</b>	<b>Actual</b>	
<b>A. REVENUES ANTICIPATED</b>			
Property Tax (Current Year/\$.47 per \$100)	\$ 685,820.00	\$ 61,937.00	
Property Tax (Prior Years)	\$ 5,500.00	\$ 3,380.00	
Payment in Lieu of Taxes	\$ 8,000.00	\$ 24,419.00	
Tax Penalties and Interest	\$ 2,000.00	\$ 1,173.00	
Ad Valorem Vehicle Tax	\$ 55,000.00	\$ 19,282.00	
Municipal Parking Fee	\$ 6,000.00	\$ 9,560.00	
Interest Earned/Investments	\$ 1,000.00	\$ 23,998.00	
Rents and Concessions	\$ -	\$ -	
Utilities Revenue	\$ 1,500.00	\$ 224.00	
Miscellaneous Revenue	\$ 5,000.00	\$ 1,467.00	
Utilities Franchise Tax	\$ 125,000.00	\$ 33,475.00	
Excise Tax - Beer & Wine	\$ 8,000.00	\$ -	
Powell Bill Street Allocation	\$ 60,000.00	\$ 32,291.00	
Local Option Sales Tax	\$ 500,000.00	\$ 215,200.00	
Fed. Gov. Grants - ARPA Funds	\$ -	\$ 321,977.00	
State Government Grant	\$ -	\$ -	
Court Costs, Fees, Etc.	\$ 100.00	\$ 108.00	
Parking Violation Penalties	\$ 3,000.00	\$ 1,230.00	
Zoning Permits	\$ 500.00	\$ 450.00	
Inspection/Fire Codes Fee/Fines	\$ -	\$ -	
Street Department Revenue	\$ -	\$ -	
Police Department Revenue/Donation	\$ 100.00	\$ 919.00	
Recreation Department Revenues	\$ 20,000.00	\$ 8,811.00	
Fire Department Revenues	\$ 2,000.00	\$ 420.00	
Tax Refunds	\$ 10,000.00	\$ -	
Special Fire District Tax	\$ 750,000.00	\$ 1,197.00	
Appropriated Fund Balance, General	\$ 385,977.00	\$ 33,170.00	
Appropriated Fund Balance, Powell Bill	\$ 110,000.00	\$ -	
Other Fin. Sources/Uses-Transfer In	\$ -		
<b>TOTAL ANTICIPATED REVENUES</b>	<b>\$ 2,744,497.00</b>	<b>\$ 794,688.00</b>	
<b>B. EXPENDITURES AUTHORIZED</b>			
1. Governing Body	\$ 86,000.00	\$ 34,762.00	
2. Administration	\$ 285,400.00	\$ 77,282.00	
3. Elections	\$ -	\$ -	
4. Tax Collections	\$ 3,000.00	\$ 631.00	
5. Public Buildings	\$ 33,000.00	\$ 10,648.00	
<b>(Continued to Page 2)</b>			



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6. Police Department		\$	620,200.00	\$	170,349.00
7. Fire Department		\$	747,563.00	\$	173,599.00
Fireman's Relief Fund		\$	-	\$	-
8. Street Department		\$	324,500.00	\$	135,381.00
9. Powell Bill Expenditures		\$	165,000.00	\$	-
10. Sanitation Department		\$	191,600.00	\$	45,726.00
11. Recreation Department		\$	268,234.00	\$	62,038.00
12. Library		\$	20,000.00	\$	8,915.00
13. Debt Service		\$	-	\$	-
14. Other Financial Sources/Uses Trans. Out				\$	8,718.00
Incentive for Covid Vaccine		\$	-	\$	-
<b>TOTAL EXPENDITURES AUTHORIZED</b>		<b>\$</b>	<b>2,744,497.00</b>	<b>\$</b>	<b>728,049.00</b>
<b>SECTION II: Water &amp; Sewer</b>					
<b>A. Revenues Anticipated</b>					
Interest Earned/Investments		\$	500.00	\$	9,954.00
Interest Earned/Enterprise Fund		\$	500.00	\$	8,540.00
Miscellaneous		\$	5,000.00	\$	1,171.00
State Government Grants		\$	-	\$	-
Water & Sewer Charges		\$	1,068,300.00	\$	265,213.00
Water Bill Penalties		\$	-	\$	5,117.00
Sewer Taps		\$	25,000.00	\$	10,500.00
Water Taps		\$	25,000.00	\$	28,500.00
Sale of Fixed Assets		\$	-	\$	-
Approp. Fund Balance/Water & Sewer		\$	40,000.00	\$	-
Approp. Fund Balance/Enterprise		\$	-	\$	-
Other Fin. Sources/Uses		\$	-	\$	-
<b>TOTAL ANTICIPATED REVENUES</b>		<b>\$</b>	<b>1,164,300.00</b>	<b>\$</b>	<b>328,995.00</b>
<b>B. Expenditures Authorized</b>					
Debt Service		\$	113,100.00	\$	27,558.00
Administration/Engineering/Billing		\$	266,200.00	\$	91,579.00
Operations		\$	785,000.00	\$	155,658.00
<b>TOTAL EXPENDITURES AUTHORIZED</b>		<b>\$</b>	<b>1,164,300.00</b>	<b>\$</b>	<b>274,795.00</b>
<b>SECTION III: CAPITAL PROJECTS GENERAL FUND RECREATION</b>					
<b>A. Revenue Anticipated</b>					
State Government Grant		\$	268,536.00	\$	-
Local Funds		\$	47,618.00	\$	-
Other Financing Sources/Uses-Transfer In				\$	11,218.00
<b>TOTAL ANTICIPATED REVENUES</b>		<b>\$</b>	<b>316,154.00</b>	<b>\$</b>	<b>11,218.00</b>
<b>B. Expenditures Authorized</b>					
Logal/Adm/Professional		\$	37,100.00	\$	8,735.00
Contracted Services		\$	265,766.00	\$	-
Contingency		\$	13,288.00	\$	-
<b>TOTAL EXPENDITURES AUTHORIZED</b>		<b>\$</b>	<b>316,154.00</b>	<b>\$</b>	<b>8,735.00</b>