

**AGENDA
REGULAR MEETING
CITY COUNCIL, CITY OF ASHEBORO
THURSDAY, SEPTEMBER 4, 2025, 6:00 PM**

1. Call to Order
2. Silent Prayer and Pledge of Allegiance
3. Public Comment Period
4. Consent Agenda Items

(a) Approval of the meeting minutes for the city council's regular meeting on July 10, 2025.

(b) Approval of the meeting minutes for the city council's special meeting on August 5, 2025.

(c) Approval of the minutes and general account of the closed session held during the special city council meeting on August 5, 2025.

(d) Approval of a resolution sealing the general account of the closed session held on August 5, 2025.

(e) Approval of the meeting minutes for the city council's regular meeting on August 7, 2025.

(f) Acknowledgement of the receipt from the Asheboro ABC Board of its meeting minutes for July 1, 2025, and August 5, 2025.

(g) Approval of an ordinance amending the General Fund to account for expenditures tied to roofing work at the Asheboro Public Library.

(h) Approval of the Community Development Division's request to schedule for the city council meeting on October 9, 2025, and to advertise, legislative hearings on the applications listed below.

(i) Case No. RZ-25-15: Request to rezone property located east of 223 Rich Avenue (Randolph County Parcel Identification Numbers 7750897210, 775089829, and a portion of 7750896108) from R7.5 Medium Density Residential and RA6 High Density Residential to RA6 (CZ) High-Density Residential Conditional Zoning for a multi-family development.

(ii) Case No. RZ-25-16: Request to rezone property located at 2753, 2761, and 2785 US 220 Business South (Randolph County Parcel Identification Numbers 7659598033 and 7659587873) from B2 General Commercial to B2 (CZ) General Commercial Conditional Zoning for Printing & Publishing, and Manufacturing, Processing, and Assembly.

(iii) Case No. RZ-25-17: Request to apply initial city zoning [R10 (CZ) Medium Density Residential Conditional Zoning for a Residential Planned Unit Development] to property located at the eastern terminus of Windsor Trail and the west side of Gold Hill Road, south of Randolph Tabernacle Road (Randolph County Parcel Identification Number 7762721029).

(i) Acknowledgement of the receipt of the monthly report detailing major subdivisions administratively approved. *(There have been none approved.)*

(j) Approval of a resolution expressing concurrence with amendments to the City of Asheboro Employee Policies and Procedures Manual that are designed to implement new criminal history record checks required under state law.

(k) Approval of a resolution awarding to Master Police Officer Leah M. Burnette, upon retirement from the Asheboro Police Department, her service side arm.

(l) Approval of a resolution amending the City of Asheboro Schedule of Fees to implement a change in the landfill leachate rate.

5. **Public Hearing:** Proposed allocation of \$10,000 to Downtown Asheboro Inc., a North Carolina non-profit corporation, for the PRESERVE Asheboro Grant Program.

(a) Assistant City Manager Trevor Nuttall will provide the initial testimony and provide details about the grant.

(b) Comments from the public will be invited.

(c) Council action on the requested allocation.

6. **Public Hearing:** Planning & Zoning Director Justin Luck will provide the initial testimony for a legislative hearing (Case No. RZ-25-14) on an application to rezone 129 E. Ward Street (Randolph County Parcel Identification Number 7751940043 and a portion of Randolph County Parcel Identification Number 7751848086) from B2 General Commercial to OA6 (CZ) Office-Apartment Conditional Zoning for a multi-family development.
7. City Engineer Michael Leonard, PE will report on two annexation petitions.
 - (a) Petition from JRE Asheboro, LLC requesting the satellite annexation of approximately 30.96 acres located on US Highway 64 East.
 - (i) Consideration of a resolution directing the city clerk to investigate the annexation petition.
 - (ii) Consideration of a resolution setting the date of a public hearing on the question of annexation.
 - (b) Petition from Ksquare Goldhill, LLC requesting the satellite annexation of approximately 74.495 acres located between Windsor Trail and Gold Hill Road.
 - (i) Consideration of a resolution directing the city clerk to investigate the annexation petition.
 - (ii) Consideration of a resolution setting the date of a public hearing on the question of annexation.
8. City Engineer Michael Leonard, PE will request authorization for the city manager to execute a letter of agreement with the North Carolina Department of Transportation, Division of Aviation for airport safety/maintenance projects at the Asheboro Regional Airport.
9. City Engineer Michael Leonard, PE will seek council direction on staff engagement with a petitioner seeking to close a portion of the Mark Avenue right-of-way.

Agenda

Page 4

September 4, 2025

10. City Attorney Jeff Sugg will discuss and request final council action on an ordinance amending Chapter 90 of the Code of Asheboro to address junked motor vehicles.
11. Assistant City Manager Trevor Nuttall will provide a plan development update for the Emergency Operations Center/Third Fire Station and request council authorization for the city attorney to prepare a temporary access easement modification related to construction of the project.
12. Assistant City Manager Trevor Nuttall will provide an update on recent activities to address issues that arise when people are homeless.
13. Mayor Smith will lead a discussion of upcoming events and items not on the agenda.
14. Adjournment.

RESOLUTION NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**Resolution Sealing the General Account of a
Closed Session Held on August 5, 2025**

WHEREAS, G.S. 143-318.10(e) provides, in pertinent part, that the “minutes or an account of a closed session conducted in compliance with G.S. 143-318.11 may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session;” and

WHEREAS, pursuant to G.S. 143-318.11(a)(3) and G.S. 143-318.11(a)(4), the city council, upon unanimous adoption of a properly made and seconded motion, went into closed session on August 5, 2025, to discuss (1) matters relating to the location or expansion of industries or other businesses in the area served by the city; and (2) consult with the city attorney about lawsuits involving Greensboro, Reidsville, the North Carolina Department of Environmental Quality, Indorama Ventures USA, LLC, Starpet Inc., Cape Fear River Watch, and Haw River Assembly; and

WHEREAS, the purposes for going into closed session on August 5, 2025, would be frustrated if the general account of the closed session were to be made available for public inspection at this time.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the general account of the closed session conducted on August 5, 2025, is hereby sealed and will remain sealed so long as public inspection of the records would frustrate the purposes of the closed session; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the city manager is hereby authorized to act as the council’s agent with the authority to unseal these records when the purposes of the closed session would no longer be frustrated by making the records available for public inspection or when the unsealing of this general account is otherwise required by law.

**[The remainder of this page has been intentionally left blank.
Signature blocks and the attestation are on the next page.]**

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on September 4, 2025.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

212

Minutes of the meeting of the Asheboro Alcoholic Beverage Control Board held on July 1, 2025

The Asheboro ABC Board met on Monday, July 1, 2025, at 5:30 PM, in the Board office, 700 South Fayetteville Street, Asheboro, NC. Present at the meeting were Chairman Steve Knight, Board Member Bob Morrison, and General Manager Amy Welch (GM). Board member Curtis Shipley was unable to attend. A quorum being present, the Chair called the meeting to order for the transaction of business and business transacted as follows:

The Chair inquired as to any known conflict of interest, appearance of a conflict of interest, or objections concerning agenda items before the Board; after Board member(s) voiced having no conflict, and there being no objection, the agenda was adopted.

Board Minutes from the June 3, 2025, meeting were reviewed and approved by the Board.

Steve Knight and the GM reviewed Board finances and reported all finances remain consistent (sales and expenses).

The GM spoke with the Asheboro City Attorney and discussed the updated ABC Law Enforcement Contract with the city. After reviewing details of the discussion with the Board, the GM presented the proposed ABC Law Enforcement Contract for the Board's consideration. Upon motion by Bob Morrison, the Board approved entering into the contract with the City of Asheboro. The contract will be presented to City Council at their July 10th meeting by the City Attorney. Board Member Morrison asked for an update to the underage campaign sales performed yearly by Asheboro PD. The GM will follow up Asheboro PD and report back to the Board at the August 5th, 2025 meeting.

The Board heard reports from the General Manager concerning the following issues:

1. Asheboro ABC sales statistics comparing:

- June 2025 sales with the previous month indicate:
 - An overall -13.4% change (all sales and tax collections)
- June 2025 sales with sales from the same month last year indicate:
 - Retail Sales -7.1%
 - Mixed Beverage Sales: +2.7%
 - Sales Tax Collections: -7.1%
 - Overall Collections: -5.8%
- June 2025 bottle sales with bottle sales from the same month last year indicate:
 - Retail Bottle Sales: -4.6%
 - Mixed Beverage Bottle Sales: +15.3%
 - Overall Bottle Sales: -3.0%

The next regular Asheboro ABC Board meeting will be held Tuesday, August 5, 2025 at 5:30 p.m.

There being no further business, the meeting was adjourned.

Prepared by Amy Welch, GM, and Approved by the Board A. Welch GM
O GM

Stephen R Knight
Kate Morrison

Minutes of the meeting of the Asheboro Alcoholic Beverage Control Board held on August 5, 2025

The Asheboro ABC Board met on Tuesday, August 5, 2025, at 5:30 PM, in the Board office, 700 South Fayetteville Street, Asheboro, NC. Present at the meeting were Chairman Steve Knight, Board Member Bob Morrison, Board Member Curtis Shipley, and General Manager (GM) Amy Welch. The Chair called the meeting to order for the transaction of business and business transacted as follows:

The Chair inquired as to any known conflict of interest, appearance of a conflict of interest, or objections concerning agenda items before the Board; after Board member(s) voiced having no conflict, and there being no objection, the agenda was adopted.

Board Minutes from the July 1, 2025, meeting were reviewed and approved by the Board.

Steve Knight and the GM reviewed Board finances for July and reported all finances remain consistent (sales and expenses).

Chairman Knight instructed the GM to accept applications for the 2025, 3rd and 4th Quarter grant monies until August 29, 2025.

The Board discussed obtaining a quote for a generator, to operate the store during power failures.

The Board heard reports from the General Manager concerning the following issues:

1. Asheboro ABC sales statistics comparing:
 - July 2025 sales with the previous month indicate:
 - An overall -3.2 % change (all sales and tax collections)
 - July 2025 sales with sales from the same month last year indicate:
 - Retail Sales -2.6%
 - Mixed Beverage Sales: +8.3%
 - Sales Tax Collections: -2.7%
 - Overall Collections: -1.15%
 - July 2025 bottle sales with bottle sales from the same month last year indicate:
 - Retail Bottle Sales: -4.0%
 - Mixed Beverage Bottles Sales: +25.7
 - Overall Bottle Sales: -1.7

The next regular Asheboro ABC Board meeting will be held Tuesday, August 26, 2025, (regular September meeting), at 5:30 p.m.

There being no further business, the meeting was adjourned.

Prepared by Amy Welch, GM, and Approved by the Board Aj Wald 8-26-25
GM

Stephen R Knight

authn for
Robert E Garrison

RESOLUTION NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA
RESOLUTION EXPRESSING CONCURRENCE WITH REVISIONS TO
THE CITY OF ASHEBORO EMPLOYEE POLICIES AND
PROCEDURES MANUAL

WHEREAS, the City of Asheboro Employee Policies and Procedures Manual (formerly known as the City of Asheboro Personnel Policies and Procedures Manual and sometimes referenced in this Resolution as the “Manual”) was originally promulgated by the city manager and approved by resolution of the Asheboro City Council on March 4, 2004; and

WHEREAS, in consultation with the human resources director, the city manager periodically updates the Manual to conform to the most recent legislative actions taken by the General Assembly of North Carolina; and

WHEREAS, Session Law 2025-16 has been enacted by the General Assembly of North Carolina to establish a criminal history record check requirement for applicants offered a position for city and county employment working with children; and

WHEREAS, with regard to cities and as a consequence of the enactment of Session Law 2025-16, effective October 1, 2025, a new subsection (b) in Section 160A-164.2 provides as follows:

Notwithstanding the provisions of subsection (a) of this section, if the position being filled requires an applicant for employment to work with children in any capacity, the council shall require the applicant, if offered the position, be subject to a criminal history record check conducted by the State Bureau of Investigation in accordance with G.S. 143B-1209.26. The city must extend a conditional offer of the position pending the results of a criminal history record check required by this section; and

WHEREAS, city staff members have prepared revisions to Article II (Recruitment and Employment), Section 3 (Conditional Offer of Employment) of the City of Asheboro Employee Policies and Procedures Manual to conform city policies to the above-cited legislative enactments; and

WHEREAS, the revised Section 3 in Article II of the Manual is attached to this Resolution as EXHIBIT 1, which is hereby incorporated into this instrument by reference as if copied fully herein; and

WHEREAS, the Asheboro City Council has concluded that, in addition to conforming to a legislative enactment, the attached text amendments are supportive of the governing board's goal to facilitate excellence in the provision of municipal services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the city council hereby concurs with the entirety of the text amendments found in EXHIBIT 1 and authorizes, with an effective date of October 1, 2025, the updating of the City of Asheboro Employee Policies and Procedures Manual to incorporate into the Manual the text amendments found in the attached exhibit; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that all articles, sections, and provisions contained within the Manual that are not clearly and unmistakably addressed by the text amendments in the attached exhibit are unaffected by this Resolution and remain, without alteration, in full force and effect.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on September 4, 2025.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

EXHIBIT 1

ARTICLE II. RECRUITMENT AND EMPLOYMENT

SECTION 3. CONDITIONAL OFFER OF EMPLOYMENT

When a department head notifies the human resources department of the selection of an applicant as the candidate initially identified as best suited for an open position of employment, the human resources department will contact the selected applicant and extend a written conditional offer of employment. This written conditional offer of employment will advise the selected candidate that the granting of employment with the city is contingent upon the successful completion of a pre-employment drug screen, physical, and background check that includes a criminal history record check, verification of information contained within the individual's application materials, and, if the position sought by the applicant requires the ability to operate a motor vehicle, a review of the applicant's driving history. In addition to the items listed in the immediately preceding sentence, this offer of employment may also be conditioned on the completion, to the satisfaction of the city, of any other examinations, tests, or reviews that are mandated by the applicable federal, state, and local laws, ordinances, and administrative regulations for the occupation/job sought by the applicant.

In compliance with G.S. 160A-164.2(b), if the position being filled requires an applicant for employment to work with children in any capacity, the applicant selected to receive a written conditional offer of employment shall be subject to a criminal history record check conducted by the State Bureau of Investigation in accordance with G.S. 143B-1209.26. For purposes of clarification and not limitation, if the open position of employment falls within the scope of G.S. 160A-164.2(b), the written conditional offer of employment shall unequivocally state the conditional offer of the position is dependent on the results and the evaluation of the prescribed criminal history record check.

When an inquiry of criminal history record information indicates that an individual has one or more pending criminal charges and/or has been convicted of or accepted responsibility for one or more felonious or misdemeanor criminal offenses, such information will not serve as an automatic disqualifier that mandates the withdrawal of a conditional offer of employment. Any pending criminal charge(s) and/or past criminal conduct will be subjected to an individualized review of the entirety of the available information before a decision is made as to whether to withdraw a conditional offer of employment. At a minimum, this review will take into account

the type of crime(s) of which the individual has been charged or was convicted/accepted responsibility, the frequency of violations and/or any pattern of offenses, the time that has elapsed since the date(s) of any conviction(s)/disposition(s), the applicant's age at the time of any conviction(s)/disposition(s), and the impact, if any, of the past criminal conduct or pending charges of criminal conduct on the ability of the applicant to perform the essential job functions of the position for which he or she has applied in a manner consistent with the maintenance of the public trust and confidence that is essential to the city's effective delivery of municipal services.

With regard to the pre-employment drug screen and the physical examination, a health care provider performing a medical examination shall be instructed to not report family medical history. The relevant inquiry in this employment-related medical exam is not what the candidate's health may be in the future, but rather what the candidate's present ability is to perform the essential functions of the job. If the selected candidate tests positive for drugs and/or is found to be unable to perform an essential function of the job for which the individual has been selected, the conditional offer of employment will be withdrawn.

Applicants for employment who refuse to comply with or are unable to fully satisfy the conditions attached to a conditional offer of employment, including without limitation fully cooperating with and completing ~~the mandated physical exam and drug screening~~, are automatically disqualified from final appointment to the position for which they have applied any mandated physical exam, drug screening, and fingerprinting process, are automatically disqualified from final appointment to the position for which they have applied.

Tests required or administered by the city shall be those measuring the skills actually required to perform the essential functions of the job for which an individual has applied.

RESOLUTION NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION AWARDING TO LEAH MARIE BURNETTE
HER SERVICE SIDE ARM UPON RETIREMENT FROM
THE ASHEBORO POLICE DEPARTMENT

WHEREAS, after rendering honorable and valuable service to the City of Asheboro and its citizens throughout the course of her career with the Asheboro Police Department (this career with the city began on May 4, 2015), Asheboro Master Police Officer Leah Marie Burnette began her retirement from employment with the city on September 1, 2025; and

WHEREAS, pursuant to and in accordance with Section 17F-20 of the North Carolina General Statutes, the Asheboro City Council wishes to recognize and honor Leah Marie Burnette for her dedicated service to the city by awarding to Ms. Burnette, at a minimal monetary cost, the service side arm that she carried at the time of her retirement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that, effective September 1, 2025, in consideration of the combination of her dedicated service to the City of Asheboro and the payment to the city of \$1.00, Leah Marie Burnette is to be awarded ownership of her city-issued service side arm (a Glock model 45 9mm with serial no. BLKC008 and three magazines) upon a determination by the police department command staff that Ms. Burnette is eligible under the applicable federal and state laws to receive, own, or possess a firearm.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on September 4, 2025.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

RESOLUTION NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

Resolution Amending the City of Asheboro Schedule of Fees

WHEREAS, the City of Asheboro has an established schedule of fees that is amended from time to time by the city council; and

WHEREAS, the city's professional staff has recommended amending the landfill leachate rate found in the Utility Billing and Collection section of the schedule of fees; and

WHEREAS, the city council concurs with this recommendation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the landfill leachate rate is established in the Utility Billing and Collection section of the City of Asheboro Schedule of Fees at the rate of \$0.03 per gallon, which is equivalent to \$0.2244 per 1 cubic foot; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the effective date of the above-described rate change shall be October 1, 2025.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting on September 4, 2025.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

Leachate Rate Amendment

During the 2023/2024 Budget Year the City of Asheboro spent \$107,045.19 to convey and treat Landfill Leachate. Great Oak Landfill discharged a total of 6,074,888 gals of leachate during that budget year. They paid \$10,644.68 to the City of Asheboro for Leachate disposal.

During the 2024/2025 Budget Year the City of Asheboro spent \$155,828.89 to convey and treat Landfill Leachate. Great Oak Landfill discharged a total of 7,915,274 gals of leachate during that budget year. They paid \$14,852.31 to the City of Asheboro for Leachate disposal.

Chemicals and Maintenance costs continue to rise each budget year. The proposed rate allows for inclusion of unaccounted for maintenance and repairs to lift stations caused by the highly corrosive nature of Leachate. The 2025/2026 anticipated revenue at \$0.03 per gallon is \$237,458.22 based on 2024/2025 leachate discharge gallons.



RZ-25-14

Application to rezone 129 E. Ward Street (Randolph County Parcel Identification Number 7751940043 and a portion of Randolph County Parcel Identification Number 7751848086) from B2 General Commercial to OA6 (CZ) Office-Apartment Conditional Zoning for a multi-family development.

1. Request	
Applicant: Clayton Terry Tucker	Property Owner: Clayton Terry Tucker
Zoning <i>Existing:</i> B2 General Commercial <i>Proposed:</i> OA6 (CZ) Office-Apartment Conditional Zoning <i>History:</i> None	
Required Notice <i>Mailed Notice by Applicant:</i> 7-16-25 <i>Mailed Notice by Staff:</i> 8-21-25 <i>Published Notice:</i> 8-14-25 & 8-21-25 <i>Posted Notice:</i> 8-15-25	

2. Site Information	
Location	129 E. Ward St.
PIN	7751940043 and Portion of 7751848086
Size	1.06 acres +/-
Jurisdiction	Corporate Limits
Current Land Use	Vacant Parking Lot
Overlay Districts	Tier 2: Center City Planning Area
Infrastructure	City utilities are available
Transportation <i>Street Classification:</i> Local Street <i>Maintenance:</i> City Maintained <i>Other Notes:</i> A signalized intersection of North Fayetteville Street and East Ward Street is approximately 300 feet west of the subject property.	
Surrounding Land Use <i>North:</i> Commercial (Shopping Center) <i>South:</i> Commercial/Office <i>East:</i> Commercial/Office <i>West:</i> Commercial	

3. Staff Analysis
1) The proposed use is a multi-family development with 12 dwellings located in six (6) two-family structures. 2) OA6 District Statement of Intent: The OA6 District is intended to produce moderate intensity office and residential development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designated OA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged. 3) Relevant Zoning Ordinance Definitions:

Dwelling/Residence Unit: A room or group of rooms forming a single independent habitable unit used for, or intended to be used for living, sleeping, sanitation, cooking, and eating purposes by one family only; for owner occupancy or for rental, lease, or other occupancy.

- 4) The property is located within Tier 2 of the Center City Planning Area (Central Fringe Planning Area). Requirements distinguishing Tier 2 include placement of buildings within ten feet of the front setback of other buildings in the same block, and density is regulated by limitations on the amount of impervious (up to 70% allowable) and building height of up to 35 feet.
- 5) Fiber cement siding is proposed as the primary building material.
- 6) The applicant has indicated that the existing sign will be removed, and existing outdoor lighting will be replaced with lighting in compliance with current city requirements.
- 7) The amount of built-upon area will decrease slightly (from 55.1% to 54.8%) as part of the proposed development.
- 8) The site plan identifies 31 off-street parking spaces, more than the minimum requirement of 26 spaces. In addition, some on-street parking is available on East Ward Street.
- 9) The site plan shows a recreation area consisting of a passive picnic area.

4. Modifications to Ordinance Regulations

- 1) (+) Sidewalk along E. Ward St. (Typically only required when 8'6" exists between back of curb and front property line, which is lacking on this property, and applicant proposes an alternative placement inside the property parallel to the street).
- 2) (+) 10' Rear and Side Buffer around proposed buildings
- 3) (+) Additional parking spaces exceeding ordinance requirements.
- 4) (-) Building setbacks exceed the typical maximum by approximately 10 feet.

5. Summary of Proposed Zoning Conditions (subject to change prior to final report)

- A) The approved use shall be Dwelling, Multiple Family with no more than 12 units.
- B) All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan. Prior to the issuance of a Zoning Compliance Permit, the owner shall provide city staff with written acceptance of any zoning district conditions discussed and accepted during the public hearing.
- C) The sidewalk as shown on the site plan, shall be extended along the entire frontage of East Ward Street, and shall be built to City of Asheboro standards.
- D) No outdoor recreational vehicle parking or storage shall be permitted on the property.
- E) Prior to the issuance of a zoning compliance permit, a site plan and building elevations demonstrating compliance with all applicable zoning regulations, city policies, and conditions, as well as the applicable permit fee, shall be submitted.
- F) Pole mounted and/or wall mounted outdoor lighting shall comply with city ordinances and information on such lighting shall be provided to staff for review and approval prior to installation of this outdoor lighting.
- G) The owner(s) of the Zoning Lot shall properly execute and deliver to the Zoning Administrator for recordation in the office of the Randolph County Register of Deeds a Memorandum of Land Use Restrictions prepared by the City Attorney for the purpose of placing notice of the conditions attached to this Conditional Zoning in the chain of title for the Zoning Lot.

6. Land Development Plan Consistency and Reasonableness	
Proposed Land Use Map	Town Activity Center
Growth Strategy Map	Primary Growth
Small Area Map	Central
LDP Goals/Policies Supporting Request • Checklist Item 1: Rezoning is compliant with the Proposed Land Use Map. • Checklist Item 3: The property on which the rezoning district is proposed fits the description of the Zoning Ordinance. • Checklist Item 5: The proposed rezoning is compliant with the objectives of the Growth Strategy Map. • Checklist Item 6: Existing infrastructure is adequate to support the desired zone. • Checklist Item 8: The request is an adaptive reuse of a vacant or unused lot, or is an infill lot. • Checklist Items 12-14: 12.) Property is located outside of watershed; 13.) The property is located outside of Special Hazard Flood Area; 14.) Rezoning is not located on steep slopes of greater than 20%.	
LDP Goals/Policies Not Supporting Request • None	

7. Recommendations and City Council Action Items	
Staff Recommendation	Approve, attaching conditions as summarized
Planning Board Recommendation	Approve subject to completion of pending site plan items, attaching conditions as summarized (<i>site plan items have been completed since planning board meeting</i>)
Planning Board Plan Consistency and Reasonableness Statement	The zoning map amendment is consistent with Asheboro Land Development Plan and complies with the City Activity Center designation on the proposed land use map encouraging a mix of commercial, office, institutional, and residential land uses connected by sidewalks. The request also complies with the zoning district statement of intent, is located in the primary growth strategy area, and would reuse underutilized land served by existing city utilities close to the downtown area. The zoning map amendment is reasonable given the size and physical conditions of the property, providing housing opportunities close to employment and services, the reuse of property afforded to the property owner, and the amenities to be provided to future residents of development and the surrounding community, such as a sidewalk.
City Council Action Items	1) Adopt Plan Consistency and Reasonableness Statement 2) a) Approve or deny zoning map amendment RZ-25-14; rezone from B2 General Commercial to OA6 (CZ) Conditional Zoning District to allow a multi-family dwelling development. b) Attach zoning conditions as summarized or with modification.

LEGEND OF PLANTING SYMBOLS
No Scale

LANDSCAPING NOTE

- TREES AND SHRUBS ARE SHOWN FOR ILLUSTRATION PURPOSES ONLY. FINAL SELECTION OF TREES, SHRUBS & GROUND COVERING WILL BE PERFORMED IN CONSULTATION WITH A QUALIFIED LANDSCAPER TO INSTALL ACCORDING TO CMA REQUIREMENTS.
- FRONT YARD LANDSCAPING ALONG WARD STREET SHALL BE MINIMUM 14 SHRUBS & TREES.

TYPE "A" SCREEN

10.0



NOTES

Total Area = 44,120± sf = 1.013 Ac. (Area obtained from unrecorded recombination map prepared by Survey Carolina, Asheboro, NC Job#: 12096 dtd. April 25, 2025)

Deed References:

PIN	Plat Bk.	Deed Bk. & Page
7751848088	168-27	2716 1447
7751848043	168-24	2716 1441 (Portion of)

(Properties will be combined in Final Plat)

Exist. Zoning - B2 - Zoning Requested: C2-OAB

Total Number of Units: 12 (8 ea. Duplex Units - Over/Under Style)

Units/Acre: 11.8

Impervious Surface: ±1.06 Ac.

Heated S.F. of the selected floor plan = 908±

Proposed: % Impervious Surface: ±54.8% (23,878 sf of 44,120 sf Tot.)

Parking Spaces Required: 2 sp./2-bdrm. unit = 24

Overflow: 1 sp./10 sp. Req'd = 2.4 (Used 7)

Total required = 28

Total Parking Provided = 31 + 2 Indep. = 33

Common Area = 6,000± sf (To include Picnic Tables)

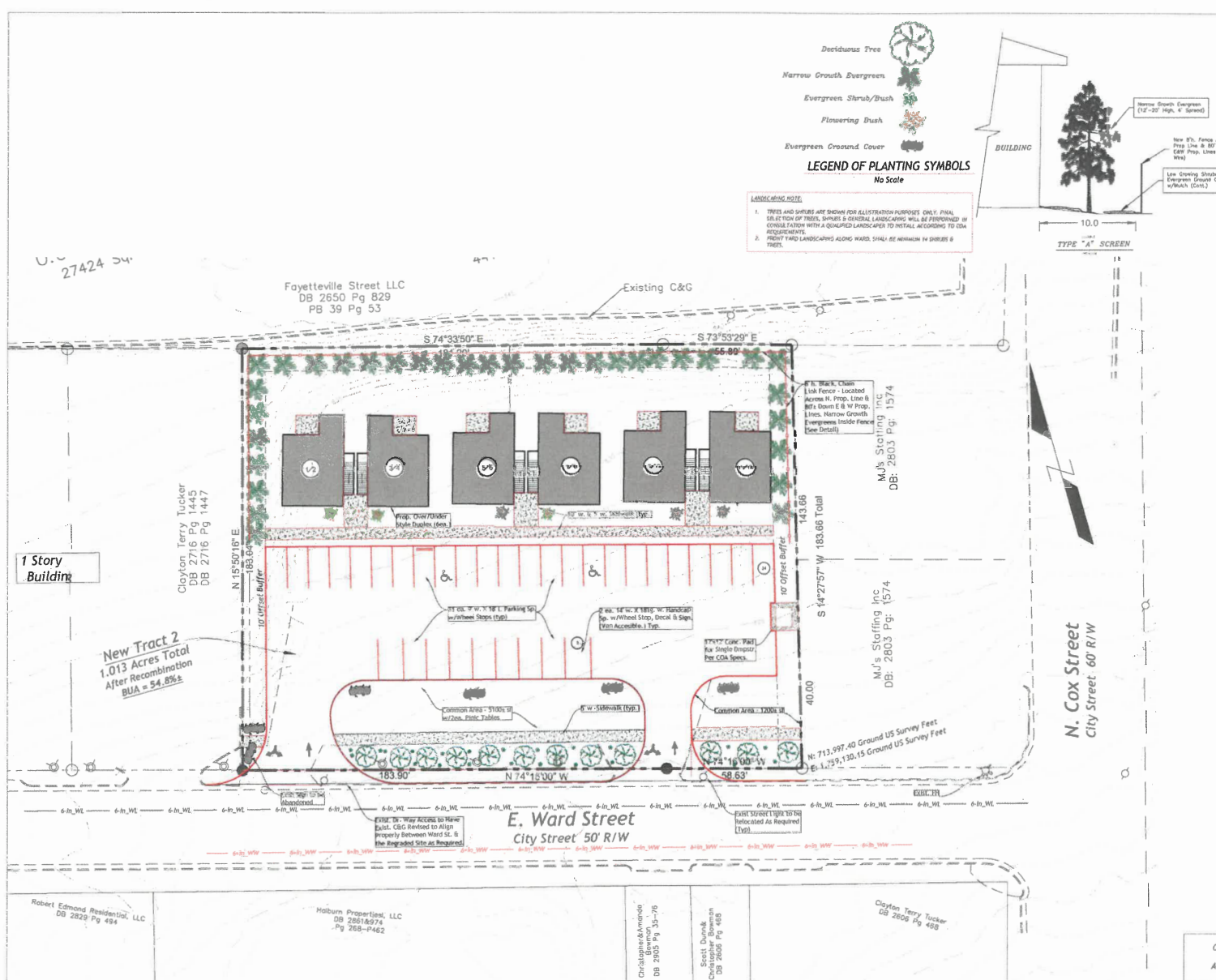
Utility Locations Shown are Approximate

Recreation Vehicle Parking on-site will be **Prohibited**

On-Site lighting will be specified to meet the requirements of Chapter 6 of the COA Ordinance.

Solid waste pickup/disposal will be by COA.

An SCM should not be required as the current BUA (24,318± sf) is more than the proposed BUA (23,878± sf) of the project plan. ("C" factors are assumed to be equal for the before & after runoff coefficients)



REVISIONS			SYM.	DATE	DESCRIPTION
BY	DATE	DESCRIPTION			
MM	8/16/25	Chg'd Plat No. Added SF of heated living space/unit			

HIRAM J. ARZIANO, PE
CONSULTING, CIVIL ENGINEER
PO Box 278, Asheboro, NC 27204 (336) 493-4450
hmarziano@tciaadbc.com

PRELIMINARY SITE PLAN
Scale: 1"= 20'

Rezoning Map
HOMES ON WARD
CITY OF ASHEBORO
RANDOLPH CO. - N. C.

Scale: NOTED	Sheet No.: 1
Date: MAY 10, 2025	
Drawn: HJM	
Checked: ---	
Job No.: TT-20	Of: 1 Version: 1

ELEVATION NOTES:

1. GRADE ELEVATIONS SHOWN DO NOT NECESSARILY REFER TO THIS OR ANY OTHER LOT. THEY ARE FOR VISUAL PURPOSES ONLY AND MAY VARY. BUILDER IS RESPONSIBLE FOR ADAPTING THIS PLAN TO SUIT THE EXISTING TOPOGRAPHY OF THE SITE.
2. ROOF VENTILATION TO BE DETERMINED BY BUILDER PER CODE.
3. GUTTER AND DOWNSPOUTS NOT SHOWN FOR CLARITY OF DRAWING, LOCATION TO BE DETERMINED BY BUILDER.
4. ASPHALT SHINGLE ROOF, HARDIE PLANK SIDING, ALL EXPOSED WOOD TO BE TREATED.

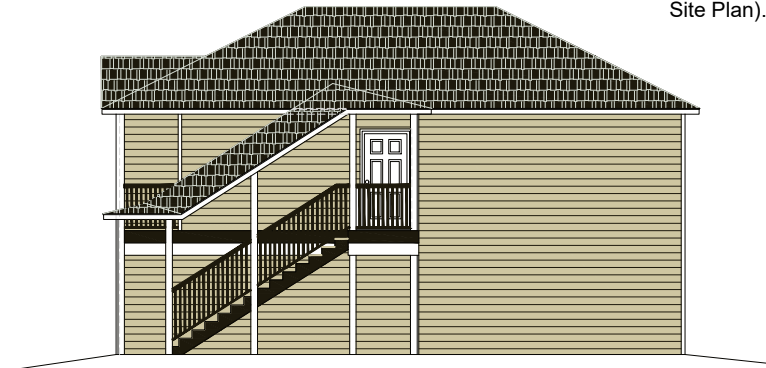


Front Elevation

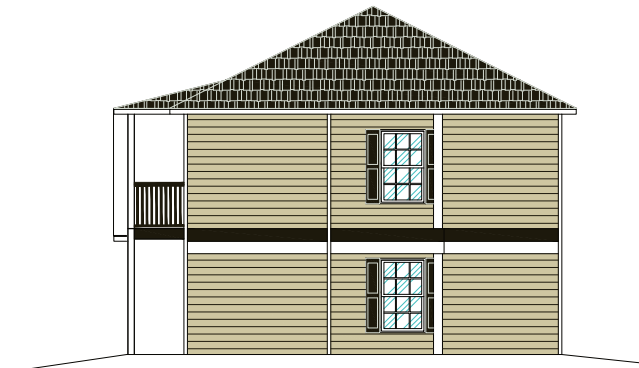


Side 1 Elevation

Home Style: Duplex (Over & Under).
Layout: Building(s) will be "mirrored" for each adjoining duplex (See Preliminary Site Plan).



Side 2 Elevation



Rear Elevation

Elevations & Floor Plans (Shts. 1-7)

HOMES ON WARD

By: Terry Tucker

Terry Tucker
Duplex Plans

Elevation All

Drawn By:

Date: 7/16/2025

Scale:
1/4" = 1'

Sheet No.

1 of 7

ELEVATION NOTES:

1. GRADE ELEVATIONS SHOWN DO NOT NECESSARILY REFER TO THIS OR ANY OTHER LOT. THEY ARE FOR VISUAL PURPOSES ONLY AND MAY VARY. BUILDER IS RESPONSIBLE FOR ADAPTING THIS PLAN TO SUIT THE EXISTING TOPOGRAPHY OF THE SITE.
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3. GUTTER AND DOWNSPOUTS NOT SHOWN FOR CLARITY OF DRAWING, LOCATION TO BE DETERMINED BY BUILDER.
4. ASPHALT SHINGLE ROOF, HARDIE PLANK SIDING, ALL EXPOSED WOOD TO BE TREATED.



Front Elevation

Terry Tucker
Duplex Plans

Elevation Front

Drawn By:

Date: 7/16/2025

Scale:

1/2" = 1'

Sheet No.

2 of 7

ELEVATION NOTES:

1. GRADE ELEVATIONS SHOWN DO NOT NECESSARILY REFER TO THIS OR ANY OTHER LOT. THEY ARE FOR VISUAL PURPOSES ONLY AND MAY VARY. BUILDER IS RESPONSIBLE FOR ADAPTING THIS PLAN TO SUIT THE EXISTING TOPOGRAPHY OF THE SITE.
2. ROOF VENTILATION TO BE DETERMINED BY BUILDER PER CODE.
3. GUTTER AND DOWNSPOUTS NOT SHOWN FOR CLARITY OF DRAWING, LOCATION TO BE DETERMINED BY BUILDER.
4. ASPHALT SHINGLE ROOF, HARDIE PLANK SIDING, ALL EXPOSED WOOD TO BE TREATED.



Terry Tucker
Duplex Plans

Elevation Rear

Drawn By:

Date: 7/16/2025

Scale:

1/2"=1'

Sheet No.

3 of 7

ELEVATION NOTES:

1. GRADE ELEVATIONS SHOWN DO NOT NECESSARILY REFER TO THIS OR ANY OTHER LOT. THEY ARE FOR VISUAL PURPOSES ONLY AND MAY VARY. BUILDER IS RESPONSIBLE FOR ADAPTING THIS PLAN TO SUIT THE EXISTING TOPOGRAPHY OF THE SITE.
2. ROOF VENTILATION TO BE DETERMINED BY BUILDER PER CODE.
3. GUTTER AND DOWNSPOUTS NOT SHOWN FOR CLARITY OF DRAWING, LOCATION TO BE DETERMINED BY BUILDER.
4. ASPHALT SHINGLE ROOF, HARDIE PLANK SIDING, ALL EXPOSED WOOD TO BE TREATED.



Terry Tucker
Duplex Plans

Elevation
Side 1

Drawn By:

Date: 5/15/2025

Scale:
1/2" = 1'

Sheet No.
4 of 7

ELEVATION NOTES:

1. GRADE ELEVATIONS SHOWN DO NOT NECESSARILY REFER TO THIS OR ANY OTHER LOT. THEY ARE FOR VISUAL PURPOSES ONLY AND MAY VARY. BUILDER IS RESPONSIBLE FOR ADAPTING THIS PLAN TO SUIT THE EXISTING TOPOGRAPHY OF THE SITE.
2. ROOF VENTILATION TO BE DETERMINED BY BUILDER PER CODE.
3. GUTTER AND DOWNSPOUTS NOT SHOWN FOR CLARITY OF DRAWING, LOCATION TO BE DETERMINED BY BUILDER.
4. ASPHALT SHINGLE ROOF, HARDIE PLANK SIDING, ALL EXPOSED WOOD TO BE TREATED.



Side 2 Elevation

Terry Tucker
Duplex Plans

Elevation
Side 2

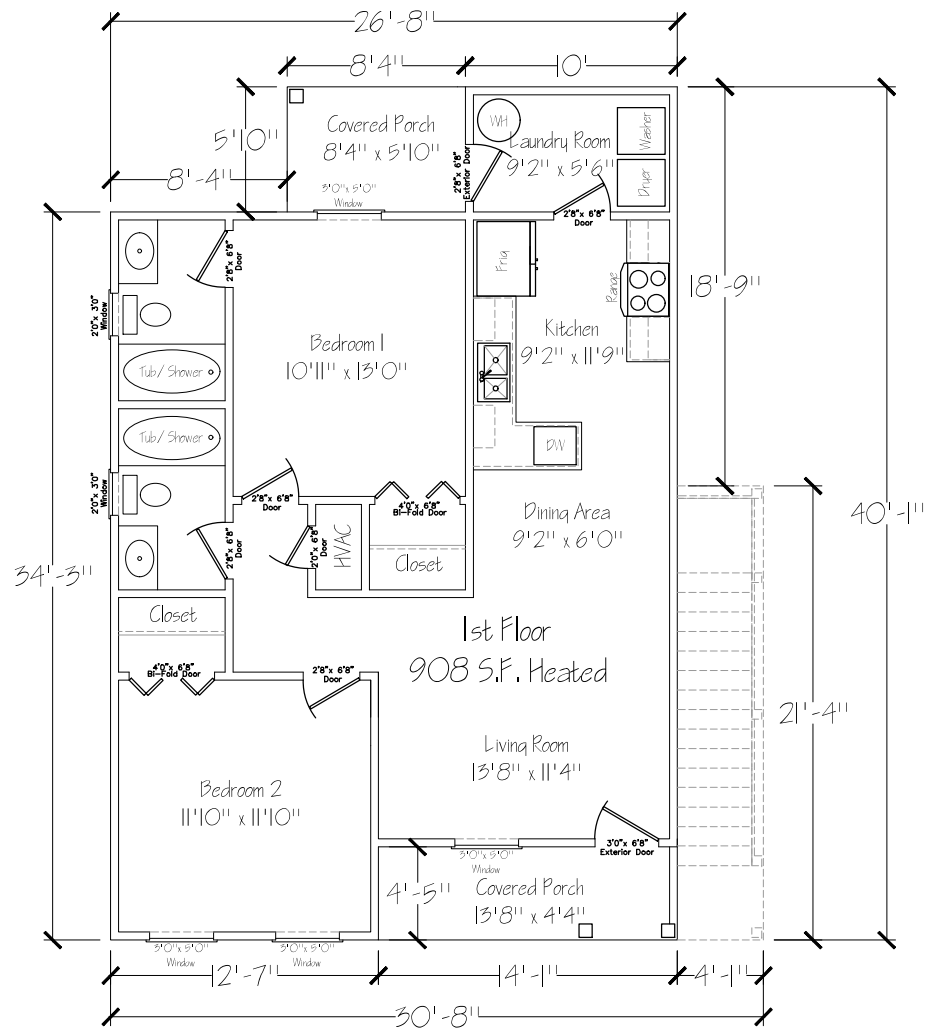
Drawn By:

Date: 7/16/2025

Scale:
1/2" = 1'

Sheet No.

5 of 7



Terry Tucker
Duplex Plans

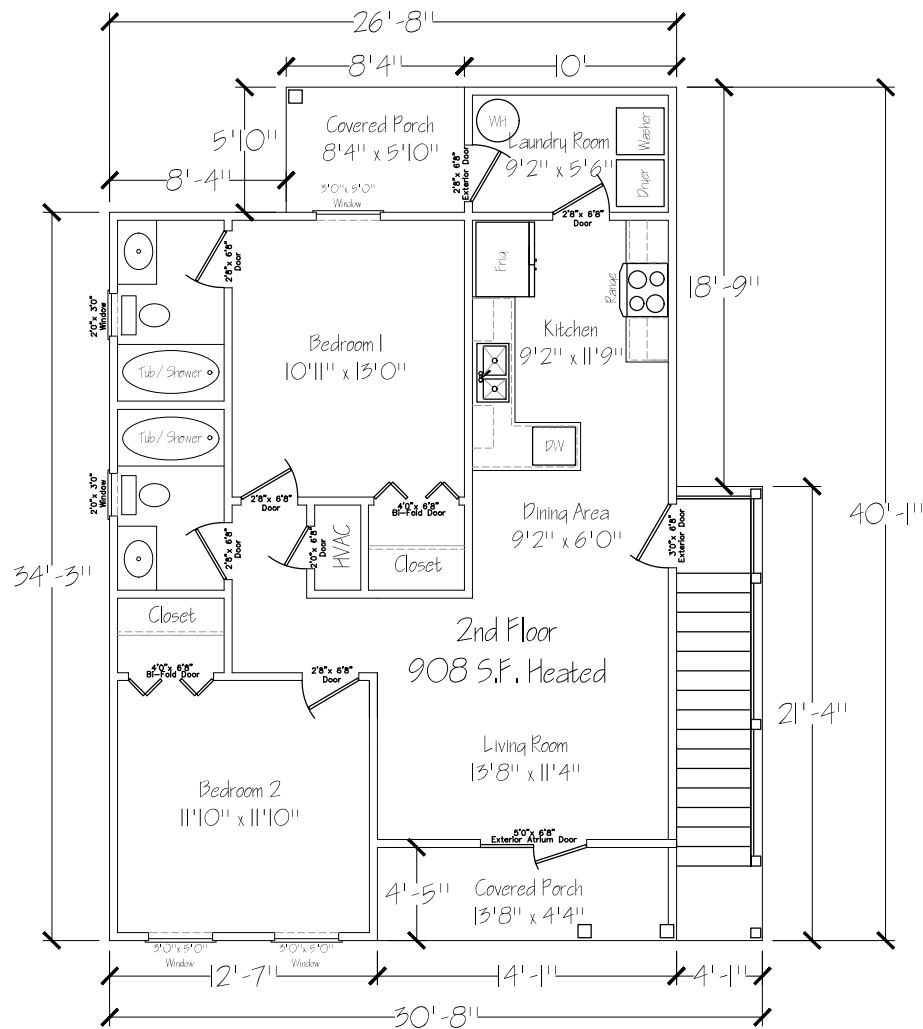
1st Floor
Floorplan

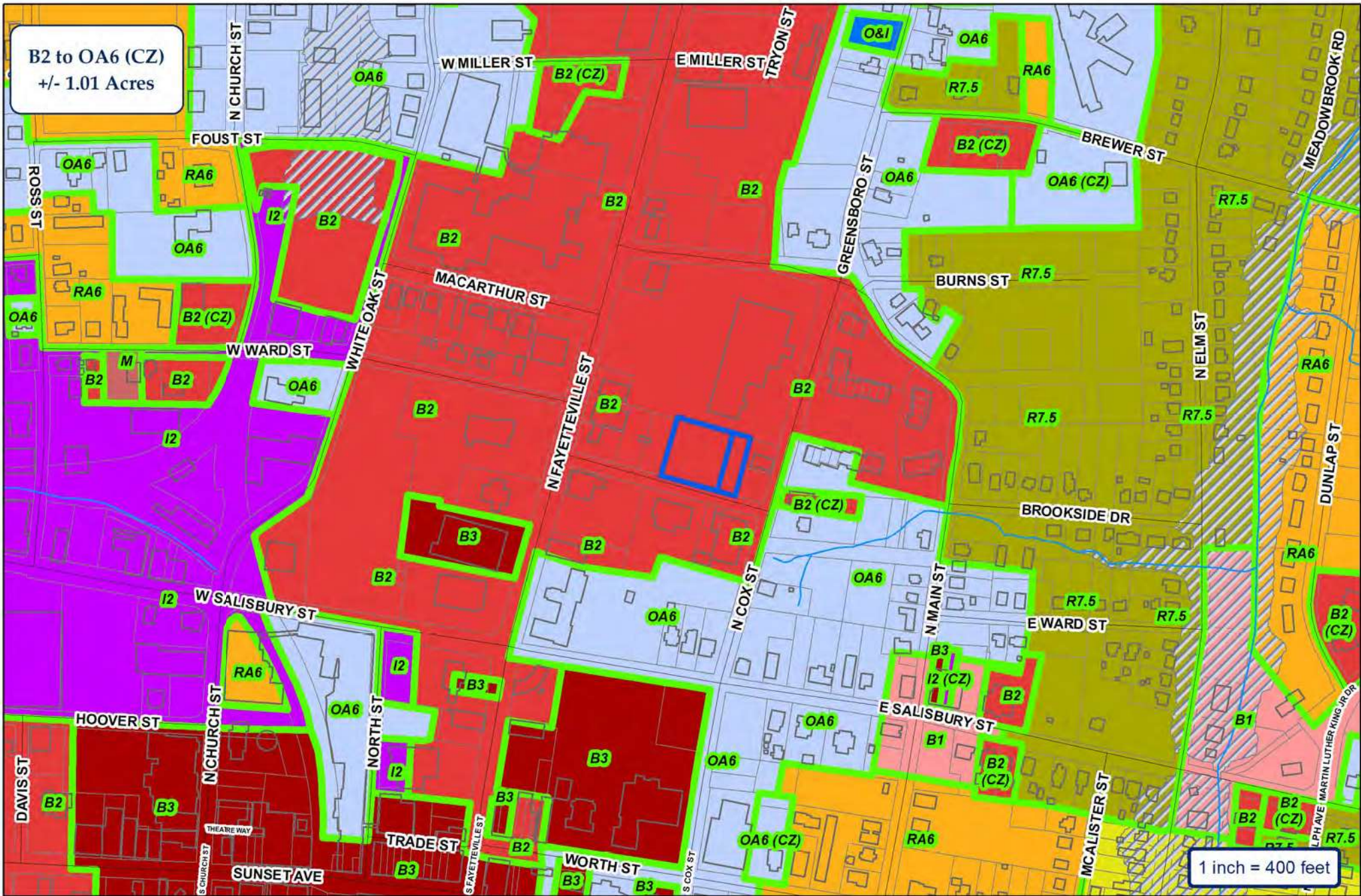
Drawn By:

Date: 7/16/2025

Scale:
3/8" = 1'

Sheet No.
6 of 7

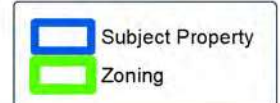




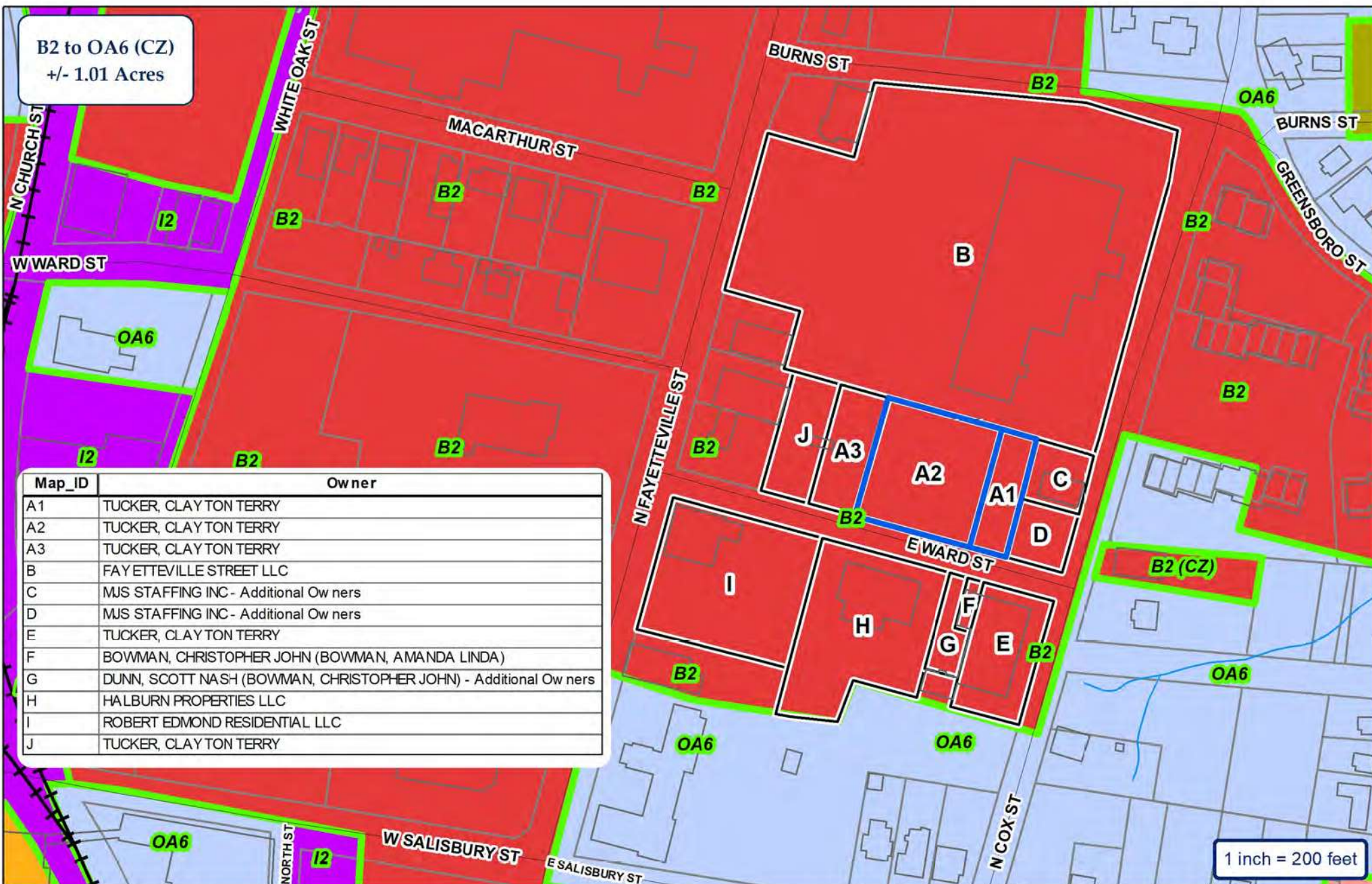
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-25-14

Parcels: 7751940043 & 7751848086 (pt.)



B2 to OA6 (CZ)
+/- 1.01 Acres



Map_ID	Owner
A1	TUCKER, CLAYTON TERRY
A2	TUCKER, CLAYTON TERRY
A3	TUCKER, CLAYTON TERRY
B	FAYETTEVILLE STREET LLC
C	MJS STAFFING INC - Additional Owners
D	MJS STAFFING INC - Additional Owners
E	TUCKER, CLAYTON TERRY
F	BOWMAN, CHRISTOPHER JOHN (BOWMAN, AMANDA LINDA)
G	DUNN, SCOTT NASH (BOWMAN, CHRISTOPHER JOHN) - Additional Owners
H	HALBURN PROPERTIES LLC
I	ROBERT EDMOND RESIDENTIAL LLC
J	TUCKER, CLAYTON TERRY

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-25-14

Parcels: 7751940043 & 7751848086 (pt.)

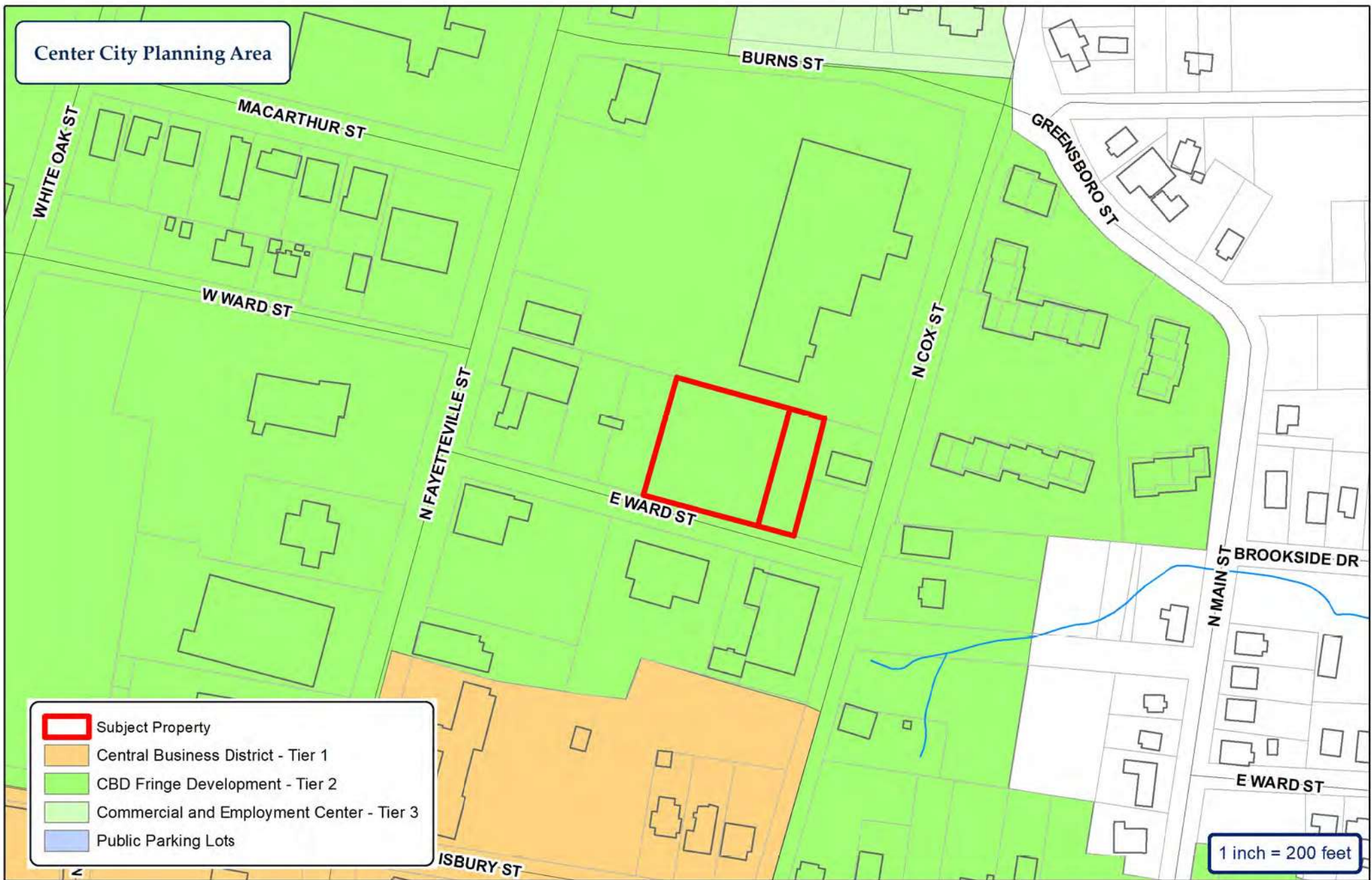


ETJ

- Subject Property
- Adjoining Properties
- City Zoning



Center City Planning Area



ETJ

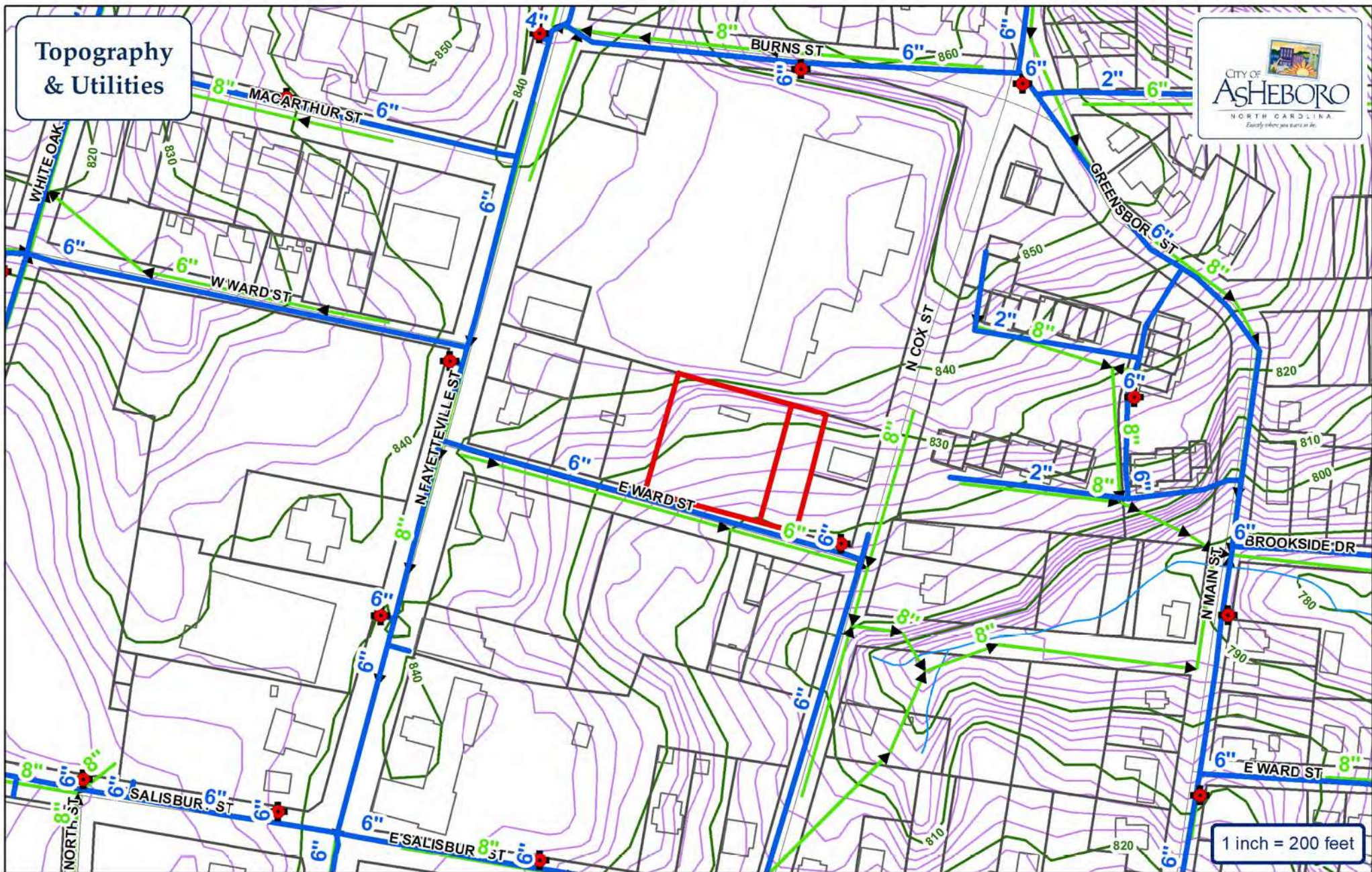
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-25-14

Parcels: 7751940043 & 7751848086 (pt.)



Topography & Utilities

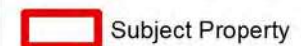


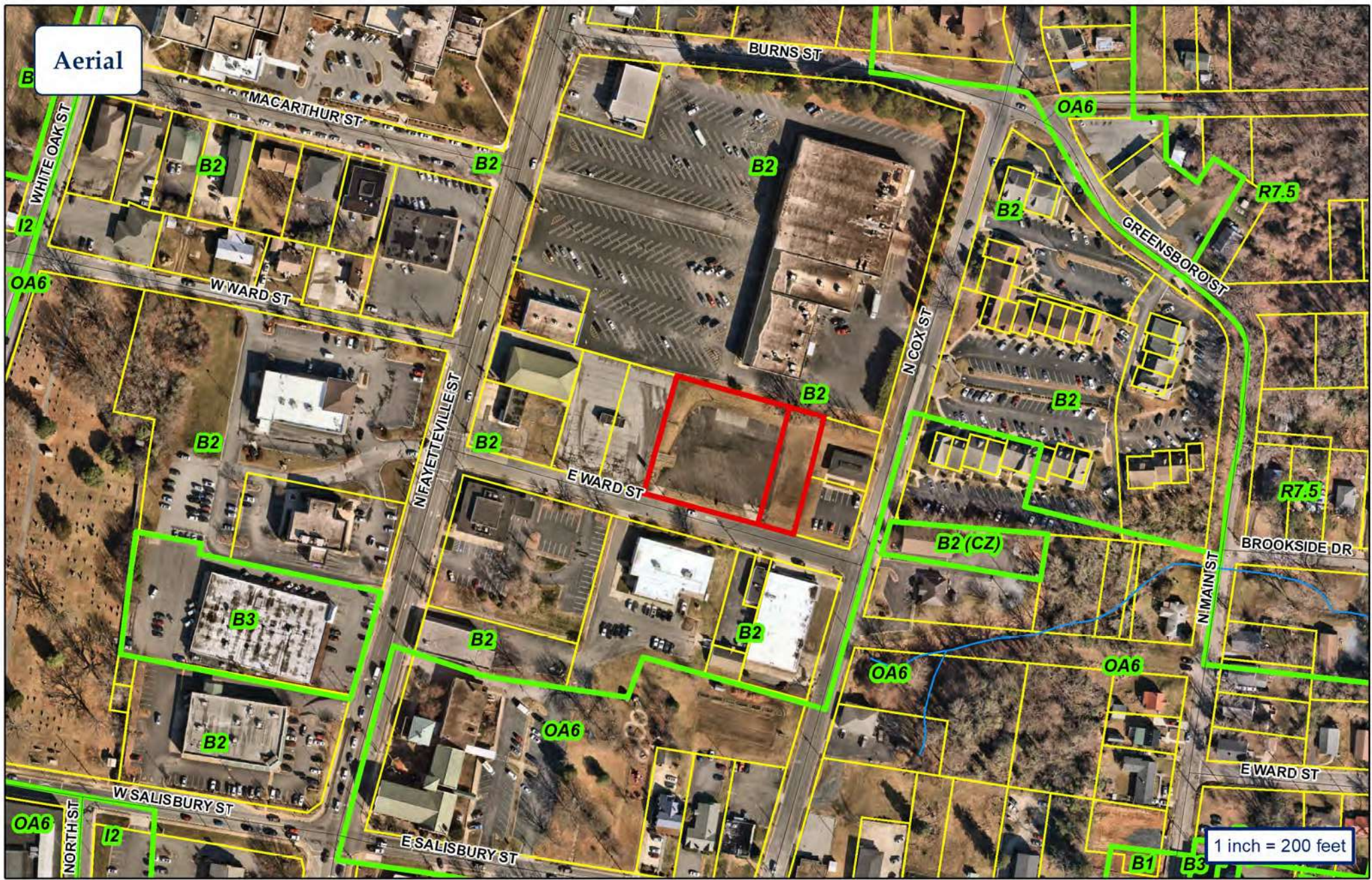
-  Water Main
-  Sewer Main
-  Force Main
-  Fire Hydrant
-  Pump Station
-  Watershed

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-25-14

Parcels: 7751940043 & 7751848086 (pt.)





Aerial

B
WHITE OAK ST
I2

B2

B2

B2

OA6

R7.5

OA6

W WARD ST

B2

B2

B2

B2

R7.5

E WARD ST

B2(CZ)

BROOKSIDE DR

B3

B2

B2

OA6

OA6

N MAIN ST

E WARD ST

OA6

W SALISBURY ST

E SALISBURY ST

1 inch = 200 feet

B1

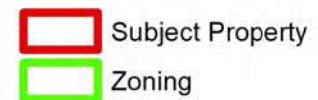
B3



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-25-14

Parcels: 7751940043 & 7751848086 (pt.)



APPLICANT INFORMATION

Applicant Clayton Terry Tucker Applicant's Phone # 336-625-1040

Applicant's Address 465 Lewallen Rd.

Asheboro, NC 27205

Applicant email address [REDACTED]

PROPERTY INFORMATION

Property Owner's Name Clayton Terry Tucker

Location of Property 129 E. Ward St Property Size (ac. or s.f.) 1.013±

Randolph County Property Identification Number (PIN#) see attached

Current Zoning District B2 Requested Zoning District CZ-OA6

Date Property Title Acquired 8-26-2020 Deed Book _____ Page _____

Subdivision N/A Section _____ Lot # _____

Plat Book _____ Page _____

CONDITIONAL ZONING DISTRICT INFORMATION (Attach additional sheets if necessary)

1. Application is hereby made to the City of Asheboro for a Conditional Zoning District for the following purpose:

Providing 6 duplex units for rental
to the citizens of Asheboro.

2. In what manner will the proposed amendment carry out the intent of the Land Development Plan?

This project will protect & promote public health as generally outlined in Chap. 2 art. 2D(1) of the Zoning Ordinance by creating needed housing within the City.

For questions (3) and (4), if either of these questions apply, please state a reason. If you believe these do not apply, please check "does not apply".

3. Are there alleged errors in this Ordinance that would be corrected by the proposed amendment? If so, give a detailed explanation of such error and detailed reasons how the proposed amendment will correct the errors.

Does not apply ☒

4. What are the changed or changing conditions, if any, in the jurisdiction of the City of Asheboro generally, which would make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare?

Does not apply ☒

5. Are there any other circumstances, factors, or reasons that the applicant offers in support of the proposed amendment?

The City's growth shows the need for additional housing. This development is near downtown.

APPLICATION SIGNATURES

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for a Conditional Zoning District rests with the applicant.

No application for a Conditional Zoning District will be advertised for public hearing until the Planning and Zoning Department has received all required materials. If all required materials are not received prior to the specified deadlines, hearings for the case may be delayed.

Per Section 4.05 of the zoning ordinance, it is intended that property will be reclassified to a Conditional Zoning District only in the event of firm plans to develop the property. Accordingly, subject to any specific durational limits imposed by the ordinance applying conditional zoning to the Zoning Lot, if no action has been taken to obtain a Zoning Compliance Permit in conformance with the conditional zoning ordinance within 36 months of the City Council's approval of conditional zoning for the Zoning Lot, the Community Development Director or his or her designee shall initiate appropriate action to rezone the Zoning Lot to a general zoning classification that is consistent with the adopted comprehensive plan.

Applicant Signature

*Printed Name of Authorized Signatory (if
different from Applicant)*

*Position/Relationship of Authorized
Signatory to Applicant*

Owner Signature (if different than Applicant)

Owner Address

Telephone Number

*Printed Name of Authorized Signatory (if
different from Owner)*

*Position/Relationship of Authorized
Signatory to Owner*

STAFF USE		
Received by: <u>JE</u>	Date: <u>7-9-25</u>	Case Number: <u>R2-25-14</u>

**CITY OF ASHEBORO
NOTICE OF CONDITIONAL ZONING DISTRICT HEARING**

This is to notify you that I (we) Clayton Terry have filed an application with the City of Asheboro for a Conditional Zoning District for the property located at 129 E. Ward St. for the purpose of providing
6 duplex units for housing to the citizens of
Asheboro for rental.

On August 4th, 2025, at 6:00 PM, the Planning Board will review the Conditional Zoning District request and forward its recommendation to City Council. As part of this process, you and others will have an opportunity to speak concerning the request and offer input.

On Thursday, August 7th, 2025, at 6:00 pm the City Council will hold a public hearing on the Conditional Zoning District request. As part of this process, you and others again will have an opportunity to speak concerning the request and offer input.

The meetings will be held in the City Council Chambers, 146 North Church Street, Asheboro, NC. The Council, after considering the information/testimony presented during the public hearing and reviewing the report of the Planning and Zoning Department and recommendation of the Planning Board, will take action on the application. Such action may include approval of the request, referral back to the Planning Board, denial of the request, or approval of a modified version of the request on the basis of the Council's determination that such action is reasonably necessary to promote the public health, safety, or general welfare and to achieve the purposes of the adopted Land Development Plan. The meeting is open to the public and your participation is encouraged. If you have any questions, please contact the Planning and Zoning Department at 336-626-1201 Ext. 2392. In addition, you may contact me (or my representative) Hiram Marziano at 336-625-1090.

NOTES

Total Area = 44,120± sf = 1.013 Ac.(Area obtained from unrecorded recombination map prepared by Survey Carolina, Asheboro, NC)

Deed References:

Applicant indicated that one of the Parcel ID numbers originally included in the application is not included. 7-28-25 Noted by John Evans

PIN	Plat Bk.	Deek Bk. & Page
7751848086	166-27	2716 1447
7751940043	166-24	2716 1441

(Properties will be combined in Final Plat)

Exist. Zoning - B2 -- Zoning Requested: CZ-OA6

Total Number of Units: 12 (6 ea. Duplex Units - Over/Under Style)

Units/Acre: 11.8

Impervious Surface: ±1.06 Ac.

% Impervious Surface: ±54.8% (23,878 sf of 44,120 sf Tot.)

Parking Spaces Required: 2 sp./2-bdrm. unit = 24

Overflow: 1 sp./10 sp. Req'd.= 2.4 (Used 7)

Total required = 26

Total Parking Provided = 31 + 2 hdcp. = 33

Utility Locations Shown are Approximate

Recreation Vehicle Parking on-site is Prohibited

On-Site lighting will be specified to meet the requirements of Chapt. 6 of the COA Ordinance.

Solid waste pickup/disposal will be by COA.

An SCM should not be required as the current BUA (24,318± sf) is less than proposed BUA (23,878± sf) of the project plan. ("C" factors are assumed to be equal for the before & after runoff coefficient)

BK 2716 PG 1441 (2)

This document presented and filed:

08/26/2020 03:48:13 PM

DEED

Fee \$26.00 Excise Tax: \$132.00



20104269

Randolph County North Carolina
Krista M. Lowe, Register of Deeds

✓ MAIL TO: Plu Ben Morgan

THIS IS NOT THE PRIMARY RESIDENCE OF THE GRANTORS.

PREPARED BY (SSE/mlb) Ivey & Eggleston, Attorney at Law, 111 Worth Street, Asheboro, NC 27203

Parcel ID _____

REVENUE: \$ 132.⁰⁰

NORTH CAROLINA
RANDOLPH COUNTY

)
) WARRANTY DEED

THIS DEED, made this 26th day of August, 2020, by and between

GRANTORS: **LESLIE O. FOWLER, JR. and wife,**
MARYLIN S. FOWLER
1563 Bluebird Ln.,
Asheboro, NC 27205

GRANTEE: **CLAYTON TERRY TUCKER, an unmarried man**
465 Lewallen Rd.,
Asheboro, NC 27205

WITNESSETH, that the GRANTORS, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, to them paid by the GRANTEE, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain, sell and convey unto GRANTEE and his heirs, all that certain tract of land, situate, lying and being in Asheboro Township, Randolph County, North Carolina, and more particularly described as follows:

BEING ALL of that 0.241 acres lying North of East Ward Street and being more particularly described on a plat entitled "Survey for: Terry Tucker" recorded in Plat Book 166, Page 24 Randolph County Registry.

For back reference see deed recorded in Book 1159, Page 452, Randolph County Registry.

This deed is prepared from information supplied by the parties hereto, and no title examination was requested of or performed by Ivey & Eggleston, Attorneys.

TO HAVE AND TO HOLD the aforesaid tract of land and all privileges and appurtenances thereto belonging to the GRANTEE, his heirs and assigns, to their only use and behoof forever.

And the GRANTORS, for themselves, their heirs, executors and administrators, covenant with the GRANTEE, his heirs and assigns, that they are seized of said premises in fee, and have the right to convey the same in fee simple; that the same are free and clear from all encumbrances, and that they will warrant and defend the said title to the same against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the said GRANTORS by these presents have hereunto set their hands and seals, the day and year first above written.

Leslie O. Fowler, Jr. (SEAL)
LESLIE O. FOWLER, JR.

Marylin S. Fowler (SEAL)
MARYLIN S. FOWLER

NORTH CAROLINA

RANDOLPH COUNTY

I, S. Scott Eggleston, a Notary Public for county and state aforesaid do hereby certify that LESLIE O. FOWLER, JR. and wife, MARYLIN S. FOWLER, personally appeared before me this day and acknowledged the due execution of the foregoing deed.

WITNESS my hand and notarial seal, this 26 day of Aug., 2020.

My Commission Expires: 05/25/2022

S. Scott Eggleston
Notary Public



This document presented and filed:
08/26/2020 03:53:31 PMDEED
Fee \$26.00 Excise Tax: \$200.00

20104272

Randolph County North Carolina
Krista M. Lowe, Register of DeedsMAIL TO: P/O IVEY ✓

THIS IS NOT THE PRIMARY RESIDENCE OF THE GRANTORS.

PREPARED BY (SSE/mlb) Ivey & Eggleston, Attorney at Law, 111 Worth Street, Asheboro, NC 27203

Parcel ID _____

REVENUE: \$ 200.00NORTH CAROLINA
RANDOLPH COUNTY) WARRANTY DEEDTHIS DEED, made this 26 day of August, 2020, by and betweenGRANTORS: MARYLIN S. FOWLER, Trustee of the
C. REITZEL SMITH FAMILY TRUST
PO Box 5471
Asheboro, NC 27204GRANTEE: CLAYTON TERRY TUCKER, an unmarried man
465 Lewallen Rd.
Asheboro, NC 27205

WITNESSETH, that the GRANTORS, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, to them paid by the GRANTEE, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain, sell and convey unto GRANTEES and their heirs, all that certain tract of land, situate, lying and being in Asheboro Township, Randolph County, North Carolina, and more particularly described as follows:

Being all that 1.085 acres lying North of E. Ward Street and being more particularly described on plat entitled "Survey For: Terry Tucker", recorded in Plat Book 166, Page 27, Randolph County Registry.

For back reference see deed recorded in Book 701, Page 15, Randolph County Registry. Also see estate file no. 96E467 and estate file no. 1E877 in the Randolph County Clerk of Superior Court office, Randolph County, North Carolina.

This deed is prepared from information supplied by the parties hereto, and no title examination was requested of or performed by Ivey & Eggleston, Attorneys.

TO HAVE AND TO HOLD the aforesaid tract of land and all privileges and appurtenances thereto belonging to the GRANTEES, their heirs and assigns, to their only use and behoof forever.

And the GRANTORS, for themselves, their heirs, executors and administrators, covenant with the GRANTEES, their heirs and assigns, that they are seized of said premises in fee, and have the right to convey the same in fee simple; that the same are free and clear from all encumbrances, and that they will warrant and defend the said title to the same against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the said GRANTORS by these presents have hereunto set their hands and seals, the day and year first above written.

Marilyn S. Fowler (SEAL)
 MARYLIN S. FOWLER, Trustee of
 the C. REITZEL SMITH FAMILY TRUST

NORTH CAROLINA

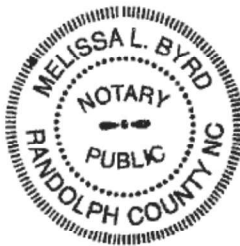
RANDOLPH COUNTY

I, Melissa L. Byrd, a Notary Public for county and state aforesaid do hereby certify that MARYLIN S. FOWLER, Trustee of the C. REITZEL SMITH FAMILY TRUST, personally appeared before me this day and acknowledged the due execution of the foregoing deed.

WITNESS my hand and notarial seal, this 26 day of August, 2020.

My Commission Expires: 11-23-2024

[Signature]
 Notary Public



This document presented and filed:

08/26/2020 03:53:30 PM

DEED

Fee \$26.00 Excise Tax: \$118.00



20104271

Randolph County North Carolina
Krista M. Lowe, Register of Deeds

MAIL TO:

THIS IS NOT THE PRIMARY RESIDENCE OF THE GRANTORS.

PREPARED BY (SSE/mlb) Ivey & Eggleston, Attorney at Law, 111 Worth Street, Asheboro, NC 27203

Parcel ID _____

REVENUE: \$ 118.00NORTH CAROLINA
RANDOLPH COUNTY

}

WARRANTY DEEDTHIS DEED, made this 26 day of August, 2020, by and between

GRANTORS: MARYLIN S. FOWLER, Trustee of the
C. REITZEL SMITH FAMILY TRUST
PO Box 5471
Asheboro, NC 27204

GRANTEE: CLAYTON TERRY TUCKER, an unmarried man
465 Lewallen Rd.
Asheboro, NC 27205

WITNESSETH, that the GRANTORS, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, to them paid by the GRANTEE, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain, sell and convey unto GRANTEES and their heirs, all that certain tract of land, situate, lying and being in Asheboro Township, Randolph County, North Carolina, and more particularly described as follows:

Being all that 0.316 acres lying North of E. Ward Street and being more particularly described on plat entitled "Survey For: Terry Tucker", recorded in Plat Book 166, Page 26, Randolph County Registry.

For back reference see deed recorded in Book 701, Page 15, Randolph County Registry. Also see estate file no. 96E467 and estate file no. 1E877 in the Randolph County Clerk of Superior Court office, Randolph County, North Carolina.

This deed is prepared from information supplied by the parties hereto, and no title examination was requested of or performed by Ivey & Eggleston, Attorneys.

TO HAVE AND TO HOLD the aforesaid tract of land and all privileges and appurtenances thereto belonging to the GRANTEES, their heirs and assigns, to their only use and behoof forever.

And the GRANTORS, for themselves, their heirs, executors and administrators, covenant with the GRANTEES, their heirs and assigns, that they are seized of said premises in fee, and have the right to convey the same in fee simple; that the same are free and clear from all encumbrances, and that they will warrant and defend the said title to the same against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the said GRANTORS by these presents have hereunto set their hands and seals, the day and year first above written.

Marylin S. Fowler (SEAL)
MARYLIN S. FOWLER, Trustee of
the C. REITZEL SMITH FAMILY TRUST

NORTH CAROLINA

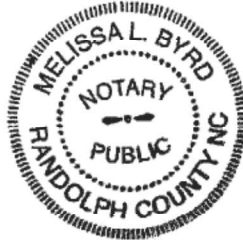
RANDOLPH COUNTY

I, Melissa L. Byrd, a Notary Public for county and state aforesaid do hereby certify that **MARYLIN S. FOWLER, Trustee of the C. REITZEL SMITH FAMILY TRUST**, personally appeared before me this day and acknowledged the due execution of the foregoing deed.

WITNESS my hand and notarial seal, this 26 day of August, 2020.

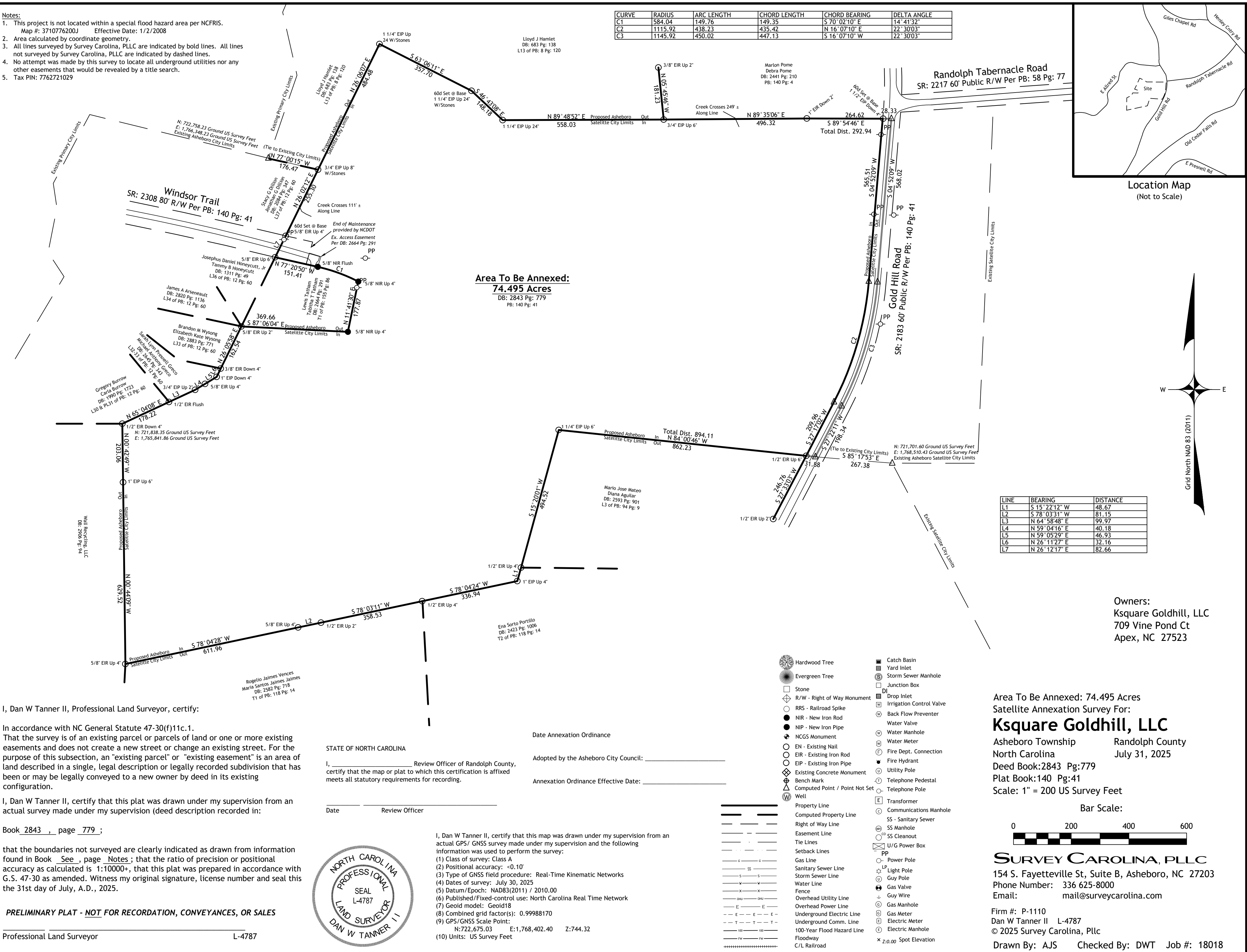
My Commission Expires: 11.23.2024

Melissa L. Byrd
 Notary Public



- Notes:
- This project is not located within a special flood hazard area per NCFRIS.
Map #: 3710776200J Effective Date: 1/2/2008
 - Area calculated by coordinate geometry.
 - All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.
 - No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
 - Tax PIN: 7762721029

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	584.04	149.76	149.35	S 70° 02'10" E	14° 41'32"
C2	1115.92	438.23	435.42	N 16° 07'10" E	22° 30'03"
C3	1145.92	450.02	447.13	S 16° 07'10" W	22° 30'03"



I, Dan W Tanner II, Professional Land Surveyor, certify:

In accordance with NC General Statute 47-30(f)11c.1.
That the survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street. For the purpose of this subsection, an "existing parcel" or "existing easement" is an area of land described in a single, legal description or legally recorded subdivision that has been or may be legally conveyed to a new owner by deed in its existing configuration.

I, Dan W Tanner II, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in:

Book 2843 , page 779 ;

that the boundaries not surveyed are clearly indicated as drawn from information found in Book __See__, page __Notes__; that the ratio of precision or positional accuracy as calculated is 1:10000+, that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this the 31st day of July, A.D., 2025.

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

Professional Land Surveyor

L-4787



STATE OF NORTH CAROLINA

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

Date _____ Review Officer _____

Date Annexation Ordinance

Adopted by the Asheboro City Council: _____

Annexation Ordinance Effective Date: _____

I, Dan W Tanner II, certify that this map was drawn under my supervision from an actual GPS/ GNSS survey made under my supervision and the following information was used to perform the survey:

- (1) Class of survey: Class A
- (2) Positional accuracy: <0.10'
- (3) Type of GNSS field procedure: Real-Time Kinematic Networks
- (4) Dates of survey: July 30, 2025
- (5) Datum/Epoch: NAD83(2011) / 2010.00
- (6) Published/Fixed-control use: North Carolina Real Time Network
- (7) Geoid model: Geoid18
- (8) Combined grid factor(s): 0.99988170
- (9) GPS/GNSS Scale Point:
N:722,675.03 E:1,768,402.40 Z:744.32
- (10) Units: US Survey Feet

**LETTER OF AGREEMENT FOR
AIRPORT SAFETY/MAINTENANCE PROJECTS**

THIS AGREEMENT is made, this _____ day of _____, 20____ by the
(Airport Owner) _____
as owner and operator (hereinafter referred to as “Sponsor”) of the
(Official Airport Name) _____
(hereinafter referred to as “Airport,”) and the North Carolina Department of Transportation (Division
of Aviation), an agency of the State of North Carolina (hereinafter referred to as “Department”), for
the purposes of future and as-yet unspecified safety or maintenance services to be performed by said
Department in accordance with the terms, conditions and provisions hereof.

WITNESSETH

WHEREAS, the Sponsor is primarily responsible for maintaining the facilities of the Airport to
protect and preserve the safety of flight operations at, from and to the Airport; and

WHEREAS, and the Department shares the interest of the Sponsor in the prompt and adequate
maintenance and repair of the paved surfaces of the Airport which support aircraft movements on the
Airport; and

WHEREAS, the Sponsor and the Department may, from time to time, mutually determine that
certain paved surfaces and adjacent areas on the airport have aged and deteriorated and/or that other
infrastructure is in need of maintenance or repair, and that the Sponsor could benefit from the
assistance of the Department in accomplishing such maintenance and repair; and

WHEREAS, pursuant to Article 7 of North Carolina General Statute 63, the Department is
authorized to undertake safety improvements of aircraft movement areas, on publicly owned and
operated airports in North Carolina; and

WHEREAS, the Sponsor and the Department agree that upon the request by the sponsor and the
acceptance by the Department, certain needed improvements at the Airport may be undertaken by the
Department in conformance with the provision of North Carolina General Statute 63; and

WHEREAS, the Department requires a Commitment and Release of Liability statement to be on file
in its offices, in order to be able provide and oversee such maintenance and repair at the Airport;

NOW THEREFORE, the Sponsor does hereby commit to the following measures:

1. This Letter of Agreement supersedes all prior agreements between the Department and Sponsor
with respect to the subject matter of this Letter of Agreement.

2. Upon the Sponsor's approval, the Department, using NCDOT state forces and/or private contractor(s) under a Purchase Order Contract, may perform the requested maintenance and repair to the Airport. This work may include, but not be limited to; Joint and Crack Sealing, Pavement Repairs and Patching, Surface Treatments, Maintenance Overlays, Electrical, Grading, Drainage Improvements, Pavement Markings, or other infrastructure maintenance.
3. The Sponsor will receive notification from the Department of the Department's willingness to perform (or pay to have performed) any item or items of work approved by the Sponsor and a proposed schedule for performing the work and the force or contractor the Department proposes to perform the work.
4. If the schedule and the force or contractor proposed by the Department for performing the work is acceptable to the Sponsor, the Sponsor shall authorize the Department (or its contractors) to enter upon the property of the Airport during the scheduled time to perform the work.
5. If the schedule and the force or contractor proposed by the Department for performing the work is unacceptable to the Sponsor, the Sponsor shall inform the Department of the reasons for its objections and the Sponsor and the Department will engage in dialogue with the intent of determining if an alternative schedule or force or contractor is acceptable to both the Sponsor and the Department. If the Sponsor and the Department cannot reach agreement through the process described in paragraph 4 then the Department will withdraw its offer to perform the requested work.
6. The Sponsor hereby represents to the Department that the title to the pavement and adjacent areas of the Airport is vested in the Sponsor.
7. The Sponsor agrees to provide a duly authorized representative who will be present and/or available at all times the work is in progress (including nights and weekends, as applicable) to monitor project operations and assist the Department's representative.
8. The Sponsor agrees to provide a duly qualified operator who will monitor the airport's UNICOM radio transceiver at all times the work is in progress (including nights and weekends, as applicable) and will issue airport advisories as necessary on the UNICOM radio transceiver.
9. The Sponsor agrees, when needed, to formally close any runway, taxiway, or apron at all times when the work is in progress on that pavement area and to take appropriate steps to prohibit use of such areas by aircraft and/or ground vehicles while the work is being performed or the subject pavement areas are in an unsafe or uncured condition due to the conduct of the work.
10. The Sponsor agrees to issue and keep current the necessary Notices to Airmen (NOTAMS) through the Federal Aviation Administration (FAA) until all work is completed and the Department's representative notifies the Sponsor's representative that the affected areas may be returned to service.

11. The Sponsor agrees that the Department may, in its sole discretion, determine the design, scope of work, materials to be used, and methods of accomplishing the authorized work. The Department covenants that any and all such work as it performs or has performed at the Airport pursuant to this agreement will meet or exceed all relevant State of North Carolina and Federal Aviation Administration specifications for the type of pavement concerned and the type of maintenance or repair that is being performed.

12. To the maximum extent allowed by law, the Sponsor shall indemnify and hold harmless the Department and its officers and employees from all suits, actions, or claims of any character because of injury or damage received or sustained by any person, persons, or property resulting from work performed under this Commitment. This indemnity does not extend to causes of action arising from the negligence of the Department, its officers and employees or any of Department's contractors who performed the work.

13. Should Sponsor fail to comply with any material duty required of it under this Agreement the Department shall give written notice to the sponsor of the details of its non-compliance and provide a reasonable period in which the Sponsor can cure its non-compliance. Upon the expiration of said cure period without the Sponsor having come into compliance, the Sponsor agrees that, at its sole and unlimited discretion, the Department shall have the right to immediately stop all work being performed at the Airport and release the work area to the jurisdiction of the Sponsor.

14. The Sponsor understands that for the Department to perform maintenance or safety services, the Airport and Sponsor must be in good standing on all State and Federal Grant Requirements and Assurances before any project shall be performed under this Commitment.

15. Subject to the provisions of paragraph 13 above, this Commitment will expire on December 31, 2028. Subject to the provisions of paragraph 13 above, this Commitment may be terminated by either the Department or the Sponsor by providing written notification of termination. The effective date of termination pursuant to this paragraph shall be the date of receipt of the notice of written termination by the non-terminating party.

NC Division of Aviation

BY: _____

DATE: _____

Becca Gallas, P.E.
Aviation Director

WITNESS WHEREOF, the Sponsor has executed this Commitment on the date first written on Page 1 of this document.

FOR THE LOCAL AIRPORT SPONSORING AGENCY

Signed: _____

Title: _____

Official Sponsor: _____

Attest: _____

SEAL OF THE SPONSOR

A digital copy of this LETTER OF AGREEMENT in adopted form should be emailed to the Statewide Program Manager and your Airport Project Manager. General telephone number is: (919) 814-0550.

Statewide Program Manager – Raj Kondapalli, P.E. rkondapalli@ncdot.gov
Airport Project Manager (NW) – Caleb Whitby, P.E. cwhitby@ncdot.gov
Airport Project Manager (NE) – Robin Peele, P.E. rdpeelee@ncdot.gov
Airport Project Manager (SW) – Emily Ferreira. eaferreira@ncdot.gov
Airport Project Manager (SE) – Tommy Mann, P.E. tmann@ncdot.gov

Resolution of the Sponsor

A motion was made by (Name and title) _____
and seconded by (Name and Title) _____
for the adoption of the following resolution, upon being put to a vote it was duly adopted:

THAT WHEREAS (Airport Owner) _____
(hereinafter referred to as "Sponsor") the North Carolina Department of Transportation (hereinafter referred to as "Department") requires a Commitment and Release of Liability statement to be on file, in order to provide and oversee maintenance and safety improvements on the operational surfaces of the (Official Airport Name) _____ ;
in accordance with the provisions of North Carolina General Statute 63.

NOW THEREFORE, BE IT AND IS HEREBY RESOLVED, that the
(Title of Airport Official) _____
of the Sponsor be and is hereby authorized and empowered to enter into a Commitment and Release of Liability with the Department, thereby binding the Sponsor to fulfillment of its obligation as incurred under this resolution and its commitment to the Department.

I, (Name and title of Public Notary) _____ ,
of the (Name of Sponsoring Agency) _____ ,
do hereby certify that the above is a true and correct copy of the minutes of
(Name of Authorizing Board of the Sponsoring Agency) _____ ,
held on (Date of Meeting) _____ .

WITNESS my hand and the official seal of the Sponsor.

This the day of (month, day, year) _____ .

Signed: _____

NOTARY SEAL

ORDINANCE NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**ORDINANCE AMENDING CHAPTER 90 OF THE
CODE OF ASHEBORO**

WHEREAS, Chapter 90 of the Code of Asheboro contains regulations pertaining to abandoned, nuisance, and junked motor vehicles; and

WHEREAS, the Asheboro City Council finds that the regulation of abandoned and junked motor vehicles is necessary to protect the health and safety of the residents of the city and to promote and enhance community, neighborhood, and city appearance; and

WHEREAS, in furtherance of the effective regulation of abandoned and junked motor vehicles, the Asheboro City Council has concluded that Chapter 90 of the Code of Asheboro should be updated.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro as follows:

Section 1. Section 90.03 of the Code of Asheboro is hereby rewritten to provide as stated below.

§ 90.03 DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONED VEHICLE

As authorized and defined in G.S. § 160A-303, an abandoned motor vehicle is one that:

- (1) Is left upon a public street or highway in violation of a law or ordinance prohibiting parking; or
- (2) Is left on a public street or highway for longer than seven days; or
- (3) Is left on property owned or operated by the city for longer than 24 hours.

AUTHORIZING OFFICIAL

~~Any~~ An authorizing official is any sworn law enforcement officer operating under the command and control of the city Police Department or any of the Planning and Community Development Department's Code Enforcement Officers, respectively.

JUNKED MOTOR VEHICLE

As authorized and defined in ~~G.S. § 160A-303.2~~ the term, ~~junked motor vehicle~~ G.S. § 160A-303.2, the term “junked motor vehicle” means a vehicle that does not display a current license plate lawfully upon that vehicle and that:

- (1) Is partially dismantled or wrecked; or
- (2) Cannot be self-propelled or moved in the manner in which it originally was intended to move; or
- (3) Is more than five years old and appears to be worth less than ~~\$100~~ \$500.

MOTOR VEHICLE or VEHICLE

~~All~~ The terms “motor vehicle” or “vehicle” mean all machines designed or intended to travel over land by self-propulsion or while attached to any self-propelled vehicle.

NUISANCE VEHICLE

A The term “nuisance vehicle” means a vehicle on public or private property that does not display a current license plate lawfully upon that vehicle and that is determined and declared to be a health or safety hazard, a public nuisance, and unlawful, including a vehicle found to be any of the following:

- (1) A breeding ground or harbor for mosquitoes, other insects, rats, snakes or other pests;
- (2) A point of heavy growth of weeds or other noxious vegetation over eight inches in height;
- (3) A point of collection of pools or ponds of water;
- (4) A point of concentration of quantities of gasoline, oil or other flammable or explosive materials as evidenced by odor;
- (5) One which has areas of confinement which cannot be operated from the inside, such as tanks, hoods, and the like;
- (6) So situated or located that there is a danger of it falling or turning over (i.e. on jacks, blocks or other supports);
- (7) One which is a point of collection of garbage, food waste, animal waste, or any other rotten or putrescible matter of any kind;
- (8) So offensive to the sight as to damage the community, neighborhood, or area appearance; or

- (9) Any other vehicle specifically declared a health and safety hazard and a public nuisance by the City Council.

Section 2. Section 90.06 of the Code of Asheboro is hereby rewritten to provide as stated below.

**§ 90.06 JUNKED MOTOR VEHICLE REGULATED;
REMOVAL AUTHORIZED**

- (A) ~~Subject to the provisions of division (E) below, it shall be unlawful for the registered owner or person entitled to the possession of a junked motor vehicle, or for the owner, lessee, or occupant of the real property upon which a junked motor vehicle is located to leave or allow the vehicle to remain on the property after the vehicle has been ordered removed.~~
- (B) ~~It shall be unlawful to have more than one junked motor vehicle, as defined herein, on the premises of public or private property. Single, permitted junked motor vehicle must strictly comply with the location and concealment requirements of this section.~~
- (C) ~~It shall be unlawful for any owner, person entitled to the possession of a junked motor vehicle, or for the owner, lessee, or occupant of the real property upon which a junked motor vehicle is located to fail to comply with the locational requirements or the concealment requirements of this section.~~
- (D) ~~Subject to the provisions of division (E) below, upon investigation, the proper authorizing official, may order the removal of a junked motor vehicle as in this chapter after finding in writing that the aesthetic benefits of removing the vehicle outweigh the burdens imposed on the private property owner. Such finding shall be based on a balancing of the monetary loss of the apparent owner against the corresponding gain to the public by promoting or enhancing community, neighborhood or area appearance. The following among other relevant factors may be considered:~~
- ~~(1) Protection of property values;~~
 - ~~(2) Promotion of tourism and other economic development opportunities;~~
 - ~~(3) Indirect protection of public health and safety;~~
 - ~~(4) Preservation of the character and integrity of the community; and~~
 - ~~(5) Promotion of the comfort, happiness and emotional stability of area residents.~~
- (E) ~~Permitted concealment or enclosure of junked motor vehicle:~~

(1) ~~One junked motor vehicle, in its entirety, can be located in the rear yard as defined by the city's zoning ordinance if the junked motor vehicle is entirely concealed from public view from a public street and from abutting premises by an acceptable covering or screening. The proper authorizing official has the authority to determine whether any junked motor vehicle is adequately concealed as required by this provision. The covering or screening must remain in good repair and must not be allowed to deteriorate. The covering or screening must be compatible with the objectives stated in § 90.01.~~

(2) ~~More than one junked motor vehicle. Any other junked motor vehicle must be kept in a garage or building structure that provides a complete enclosure so that the junked motor vehicle cannot be seen from a public street or abutting property. A garage or building structure means either a lawful, nonconforming use or a garage or building structure erected pursuant to the lawful issuance of a building permit and which has been constructed in accordance with all zoning and building code regulations.~~

(A) Section 160A-303.2 of the North Carolina General Statutes authorizes the city to regulate and to prohibit junked motor vehicles on public grounds and on private property. Pursuant to that authority, the city council finds that such regulation, restraint, or prohibition is necessary and desirable to promote or enhance the following:

- (1) The quality of urban attractiveness and the aesthetic appearance of the city;
- (2) The protection of property values throughout the city;
- (3) The preservation of the livability and the attractiveness of neighborhoods;
- (4) The promotion of tourism, conventions and other opportunities for economic development for the city; and
- (5) The attractiveness of the city's roadways which present the primary, public visibility to visitors and to passersby of the city.

(B) The city may contract with private towing operators to remove, store, and dispose of junked motor vehicles in compliance with all state and local laws. Any junked motor vehicle, which has been ordered removed under the authority granted by this section, may be removed to a storage facility utilized by the tow truck operator or towing business contracting to perform such services for the city. The towing operator is responsible for collecting towing and storage fees. All provisions of Article 7A in Chapter 20 of the North Carolina General Statutes shall apply.

- (C) It shall be unlawful to have more than one junked motor vehicle, as defined in this chapter, on the premises of public or private property.
- (D) It shall be unlawful for the registered owner or person entitled to the possession of a junked motor vehicle to leave or allow the vehicle to remain on the property after the vehicle has been ordered removed.
- (E) It shall be unlawful for the owner, lessee, or occupant of the real property upon which a junked motor vehicle is located to leave or allow the vehicle to remain on the property after the vehicle has been ordered removed.
- (F) It shall be unlawful for any owner, person entitled to the possession of a junked motor vehicle, or for the owner, lessee, or occupant of the real property upon which a junked motor vehicle is located to fail to comply with the locational requirements or the concealment requirements of this section.
- (G) The locational and concealment requirements of this section are determined on the basis of whether a single junked motor vehicle or more than one junked motor vehicle is located on a zoning lot. The terms "zoning lot," "rear yard," and "side yard" shall have the meanings prescribed for these terms by the City of Asheboro Zoning Ordinance, as amended from time to time.
- (1) On a lawfully used zoning lot, one junked motor vehicle, in its entirety, can be located in the rear yard, or in a side yard if a lot such as a corner lot has no rear yard; provided, however, the vehicle must be entirely concealed from public view from a public street and from abutting premises by means of an acceptable covering. Such covering shall be kept in good repair and shall not be allowed to deteriorate. The code enforcement officer is authorized to determine whether any junked motor vehicle is adequately concealed by an acceptable covering as required by this provision.
- (2) If a lawfully used zoning lot has one junked motor vehicle concealed in compliance with the immediately preceding division, any other junked motor vehicle(s) must be kept in a garage or building structure that provides a complete enclosure so that the junked motor vehicle(s) cannot be seen from a public street or abutting property. A "garage or building structure" means a garage or building structure that has been constructed or erected in compliance with all applicable zoning and building code regulations.
- (H) Subject to the provisions of this section, and upon investigation, a city code enforcement officer may order the removal of a junked motor vehicle as defined in this chapter after finding in writing that the benefits, including without limitation the aesthetic benefits, of removing the vehicle outweigh the burdens

imposed on the private property owner. Such a finding shall be based on a balancing of the monetary loss of the apparent owner against the corresponding benefit to the public by ordering the removal of the junked motor vehicle. The following factors, among other relevant factors, may be considered:

- (1) Protection of property values;
- (2) Promotion of tourism and other economic development opportunities;
- (3) Indirect protection of public health and safety;
- (4) Preservation of the character and integrity of the community; and
- (5) Promotion of the comfort, happiness and emotional stability of area residents.

(I) In applying the specific criteria in the definition of a "junked motor vehicle" and determining whether a vehicle constitutes a "junked motor vehicle," the city code enforcement officer shall take into consideration, by way of illustration and not limitation, evidence of the stationary character of the vehicle; whether there is evidence of active vehicle maintenance efforts; whether the tires, wheels, and other essential parts of the vehicle are present for the operation of the vehicle; whether the vehicle has flat tires; evidence of the removal of parts; the condition of the exterior of the vehicle, or any other specific evidence that would support a finding that the vehicle violates this section. If such a determination is made, the code enforcement officer shall document the basis for the determination in writing.

(J) A pre-towing notice is required before a junked motor vehicle is removed.

- (1) The junked motor vehicle shall be towed only after the notice required by this division has been given to the registered owner or to the person entitled to possession of the vehicle as well as to the owner, lessee, or occupant of the real property upon which the vehicle is located. If the names and mailing addresses of the registered owner or person entitled to possession of the vehicle, or the owner, lessee or occupant of the real property upon which the vehicle is located can be ascertained in the exercise of reasonable diligence, the notice shall be sent by first class mail. Additionally, notice of the violation of this section is to be provided by posting a notice of violation on the junked motor vehicle. This notice shall be affixed to the windshield or some other conspicuous place on the junked motor vehicle. The pre-towing notice shall state that the junked motor vehicle will be removed by the city on a specified date, no sooner than seven days after the notice of violation is affixed to the motor vehicle, unless the vehicle is brought into compliance by the owner or legal possessor prior to that time.

- (2) If the owner or person entitled to possession of the vehicle wishes to appeal the code enforcement officer's determination that the vehicle is both a junked motor vehicle and the benefits of removing the vehicle outweigh the burdens placed on the property owner, the person wishing to appeal the code enforcement officer's decision may submit a written request to do so to the city code enforcement officer before a seven business day appeal period has expired. This 7-day appeal period begins when written notice has been placed on the junked motor vehicle. Such an appeal shall be heard by the city manager within 30 business days of the receipt of the written appeal request, and further proceedings to remove the vehicle shall be stayed until the appeal is heard and decided.
- (K) This section of the Code of Asheboro has been adopted to implement the regulatory authority granted by Section 160A-303.2 of the North Carolina General Statutes. Notwithstanding any other provision found in Chapter 90 of the Code of Asheboro, in the event of a conflict between the provisions in this section pertaining to junked motor vehicles and any other provisions in Chapter 90, the provisions found in this section shall control.
- (1) This section of the Code of Asheboro shall not be construed to require the removal or disposal of a motor vehicle kept or stored at a bona fide "automobile graveyard" or "junkyard" as defined in Section 136-143 of the North Carolina General Statutes.
- (2) The removal or disposal of any motor vehicle that is used on a regular basis for business or personal use is prohibited.
- (L) A violation of this section is punishable as a misdemeanor.

Section 3. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed.

Section 4. This Ordinance received two favorable votes during regular Asheboro City Council meetings held on August 7, 2025, and September 4, 2025. The provisions of this Ordinance shall be in full force and effect on and after September 15, 2025.

**[The remainder of this page has been intentionally left blank.
The signature blocks and city seal are on the next page.]**

The Asheboro City Council granted final approval of this Ordinance in open session during a regular meeting on September 4, 2025.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk