

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1346

Short Title: Elizabethtown Annexation Agreement.

(Local)

Sponsors: Representatives Nye; and Bowen.

Referred to: Local and Regional Government II.

May 27, 1992

A BILL TO BE ENTITLED

AN ACT TO ANNEX A DESCRIBED AREA TO THE TOWN OF ELIZABETHTOWN, AND CONDITIONALLY FORBID ITS ANNEXATION PRIOR TO THE EFFECTIVE DATE OF THE LEGISLATIVE ANNEXATION.

The General Assembly of North Carolina enacts:

Section 1. Effective June 30, 1997, the corporate limits of the Town of Elizabethtown are extended to include the following described territory:

BEGINNING at the point marked by an old iron shaft at the end of Line No. (7) of the description contained in "Sec. 2 Corporate Limits" (Ordinance of May 24, 1978), Town of Elizabethtown, N.C., said point being at or near the Northern Right-of-Way line of N.C. Highway 87; thence a new line and with the Northern Right-of-Way line of N.C. Highway 87, North 77 degrees 14 minutes 20 seconds West 704.60 feet to a point marked by an old concrete monument, the Westernmost corner of lands of WestPoint Pepperell, Inc., as recorded in Deed Book 187, Page 372; thence with the Northwest property line of WestPoint Pepperell, Inc., North 43 degrees 12 minutes 45 seconds East 2499.99 feet to a point marked by a concrete marker; thence continuing with said line of WestPoint Pepperell, Inc., North 43 degrees 57 minutes 40 seconds East 1067.74 feet to a point on the edge of Cape Fear River; thence with the edge of Cape Fear River, South 64 degrees 35 minutes 12 seconds East 621.31 feet to a point; thence continuing with the edge of Cape Fear River, South 86 degrees 50 minutes 40 seconds East 563.22 feet to a point; thence continuing with the edge of Cape Fear River, North 77 degrees 07 minutes 26 seconds East 281.33 feet to a point; thence continuing with the edge of Cape Fear River, North 86 degrees 47 minutes 06 seconds East 595.56 feet to a point; thence continuing with the edge of Cape Fear River, South 78 degrees 34 minutes 10 seconds

1 East 350.37 feet to a point, the Northeastern corner of lands of WestPoint Pepperell,
2 Inc.; thence with the Southeastern line of land of WestPoint Pepperell, Inc., South 46
3 degrees 05 minutes 28 seconds West 3541.74 feet to a point in said line; thence a new
4 line, South 50 degrees 23 minutes 16 seconds East to and with the center of an existing
5 soil roadway, through lands of Johnson, 589.91 feet to a point in the line between lands
6 of Johnson and Cross; thence continuing the same course through lands of Cross, South
7 50 degrees 23 minutes 16 seconds East 510.38 feet to a point marked by an iron; thence
8 North 45 degrees 58 minutes 00 seconds East 208.78 feet to a point marked by an iron,
9 a Western corner of the lands of Hanna; thence with the Hanna Southwestern line,
10 South 48 degrees 29 minutes 00 seconds East 51.00 feet to a point marked by an iron in
11 Line No. (14) of aforesaid Town Ordinance; thence with said Line No. (14) reversed,
12 South 45 degrees 58 minutes 00 seconds West 518.33 feet to a point at the end of Line
13 No. (13); thence with Line No. (13) reversed, North 49 degrees 07 minutes 12 seconds
14 West 1149.43 feet to a point marked by an iron at the end of Line No. (12); thence with
15 Line No. (12) reversed, North 45 degrees 48 minutes 00 seconds East 228.84 feet to a
16 point at the end of Line No. (11); thence with Line No. (11) reversed, North 46 degrees
17 20 minutes 11 seconds West 658.91 feet to a point at the end of Line No. (10); thence
18 with Line No. (10) reversed, South 43 degrees 44 minutes 21 seconds West 528.89 feet
19 to a point at the end of Line No. (9); thence with Line No. (9) reversed, North 77
20 degrees 12 minutes 22 seconds West 519.31 feet to a point at the end of Line No. (8);
21 thence with Line No. (8), reversed, South 43 degrees 49 minutes 40 seconds West
22 231.72 feet to the point of beginning, containing 145.41 acres, more or less, according
23 to a survey of same made in August 1991 by Lloyd R. Walker, Registered Land
24 Surveyor.

25 Sec. 2. None of the territory described in Section 1 of this act may be
26 annexed in any proceeding under Article 4A of Chapter 160A of the General Statutes or
27 under any city charter, unless either Cogentrix Eastern Carolina Corporation or West
28 Point - Pepperell, Inc. is in breach of numbered paragraph 2 of their agreement with the
29 Town of Elizabethtown dated December 6, 1991, as that agreement exists or may be
30 modified by the parties prior to the ratification of this act. All of the terms and
31 conditions of that agreement are given legal binding effect.

32 Sec. 3. This act is effective upon ratification. The area annexed by Section 1
33 of this act shall be subject to taxation as provided by G.S. 160A-58.10 as of the
34 effective date of this act.