

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1346
Committee Substitute Favorable 6/2/92

Short Title: Elizabethtown Annexation Agreement.

(Local)

Sponsors:

Referred to:

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. The corporate limits of the Town of Elizabethtown are extended as
of June 30, 1997, 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 West Point
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

1 continuing with the edge of Cape Fear River, South 78 degrees 34 minutes 10 seconds
2 East 350.37 feet to a point, the Northeastern corner of lands of WestPoint Pepperell,
3 Inc.; thence with the Southeastern line of land of WestPoint Pepperell, Inc., South 46
4 degrees 05 minutes 28 seconds West 3541.74 feet to a point in said line; thence a new
5 line, South 50 degrees 23 minutes 16 seconds East to and with the center of an existing
6 soil roadway, through lands of Johnson, 589.91 feet to a point in the line between lands
7 of Johnson and Cross; thence continuing the same course through lands of Cross, South
8 50 degrees 23 minutes 16 seconds East 510.38 feet to a point marked by an iron; thence
9 North 45 degrees 58 minutes 00 seconds East 208.78 feet to a point marked by an iron,
10 a Western corner of the lands of Hanna; thence with the Hanna Southwestern line,
11 South 48 degrees 29 minutes 00 seconds East 51.00 feet to a point marked by an iron in
12 Line No. (14) of aforesaid Town Ordinance; thence with said Line No. (14) reversed,
13 South 45 degrees 58 minutes 00 seconds West 518.33 feet to a point at the end of Line
14 No. (13); thence with Line No. (13) reversed, North 49 degrees 07 minutes 12 seconds
15 West 1149.43 feet to a point marked by an iron at the end of Line No. (12); thence with
16 Line No. (12) reversed, North 45 degrees 48 minutes 00 seconds East 228.84 feet to a
17 point at the end of Line No. (11); thence with Line No. (11) reversed, North 46 degrees
18 20 minutes 11 seconds West 658.91 feet to a point at the end of Line No. (10); thence
19 with Line No. (10) reversed, South 43 degrees 44 minutes 21 seconds West 528.89 feet
20 to a point at the end of Line No. (9); thence with Line No. (9) reversed, North 77
21 degrees 12 minutes 22 seconds West 519.31 feet to a point at the end of Line No. (8);
22 thence with Line No. (8), reversed, South 43 degrees 49 minutes 40 seconds West
23 231.72 feet to the point of beginning, containing 145.41 acres, more or less, according
24 to a survey of same made in August 1991 by Lloyd R. Walker, Registered Land
25 Surveyor.

26 Sec. 2. None of the real property in Bladen County leased or owned by
27 Cogentrix Eastern Carolina Corporation as of the effective date of this act may be
28 annexed in any proceeding under Article 4A of Chapter 160A of the General Statutes or
29 under any city charter unless Cogentrix Eastern Carolina Corporation is in breach of
30 numbered paragraph 2 of its agreement with the Town of Elizabethtown dated as of
31 December 6, 1991, as that agreement exists or may be modified by the parties prior to
32 the ratification of this act. All terms and conditions of that agreement are given legal
33 binding effect.

34 Sec. 3. None of the real property in Bladen County leased or owned by West
35 Point - Pepperell, Inc., as of the effective date of this act may be annexed in any
36 proceeding under Article 4A of Chapter 160A of the General Statutes or under any city
37 charter unless West Point Pepperell, Inc., is in breach of numbered paragraph 2 of its
38 agreement with the Town of Elizabethtown dated as of December 6, 1991, as that
39 agreement exists or may be modified by the parties prior to the ratification of this act.
40 All terms and conditions of that agreement are given legal binding effect.

41 Sec. 4. This act is effective upon ratification. As of June 30, 1997, the area
42 annexed by Section 1 of this act shall be subject to taxation as provided by G.S. 160A-
43 58-10.