

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2002-74
SENATE BILL 1346**

**AN ACT TO ALLOW THE CITY OF EDEN TO NEGOTIATE ANNEXATION
CONTRACTS.**

The General Assembly of North Carolina enacts:

SECTION 1. The City of Eden may, by contract, provide that certain property described in the contract may not be annexed by the City under Part 2 or 3 of Article 4A of Chapter 160A of the General Statutes prior to December 31, 2013. Nothing in this act impairs the right of the General Assembly to annex any such property by specific local act.

SECTION 2. The City of Eden may accept, as consideration for such contract, "Payments in lieu of taxes".

SECTION 3. Payments in lieu of taxes under this act shall be annually computed based upon the tax valuations of the properties subject to contracts under Section 1 of this act as determined by the Rockingham County Tax Department, with the formula for making the computation being stated in each contract.

SECTION 4. Contracts under Section 1 of this act apply only to the following described properties:

DUKE POWER

Tract 1

Beginning at a concrete monument set in the westerly line of S. R. # 1779 (Edgewood Road) and running thence from said beginning point, S 36 deg. 45 min. E 80.6 feet to a stake, thence N 69 deg. 26 min. E 826.6 feet to an iron rod found; thence N 20 deg. 32 min. W 239.7 feet to an iron rod; thence N 69 deg. 28 min. E 97.1 feet to an iron rod found; thence N 20 deg. 39 min. W 180.0 feet to an iron rod found; thence N 69 deg. 18 min. E 54.7 feet to a concrete monument found; thence N 20 deg. 30 min. W 240.4 feet to an iron rod; thence N 69 deg. 30 min. E 87.0 feet to an iron rod found; thence N 20 deg. 35 min. W 180.1 feet to an iron rod found; thence N 69 deg. 27 min. E 515.5 feet to an iron rod and iron pipe found in the westerly boundary of the property of Fieldcrest Mills, Inc.; thence with said property line S 10 deg. 19 min. E 1390.2 feet to a concrete monument found in the southwesterly corner of the property of Fieldcrest Mills, Inc.; thence with the southerly line of Fieldcrest Mills, Inc., N 79 deg. 03 min. E 161.9 feet to a concrete monument found; thence S 80 deg. 53 min. E 1126.3 feet to an iron rod found in the centerline of the CNW Railroad spur track; thence with the centerline of said Spur track the following courses and distances: S 4 deg. 02 min. E 100.0 feet to a point; S 0 deg. 02 min. E 99.9 feet to a point; S 4 deg. 04 min. W 100.0 feet to a point; S 7 deg. 43 min. W 100.0 feet to a point; S 11 deg. 45 min. W 100.0 feet to a point; S 15 deg. 57 min. W 100.0 feet to a point; S 20 deg. 00 min. W 100.0 feet to a point; S 24 deg. 15 min. W 100.0 feet to a point; S 28 deg. 05 min. W 100.0 feet to a point; S 31 deg. 33 min. W 72.0 feet to a spike found; thence N 88 deg. 54 min. E 623.1 feet to an iron rod found; thence S 18 deg. 36 min. E 367.2 feet to an iron pipe found; thence S 6 deg. 02 min. W 74.9 feet to an iron pipe found; thence S 24 deg. 38 min. E 141.5 feet to a point in the northerly bank of the Dan River; thence with the Dan River the following courses and distances: S 66 deg. 35 min. W 48.8 feet; S 54 deg. 44 min. W 77.0 feet; S

61 deg. 37 min. W 108.8 feet; S 55 deg. 43 min. W 74.6 feet; S 53 deg. 05 min. W 203.1 feet; S 32 deg. 02 min. W 281.5 feet; S 27 deg. 20 min. W 140.7 feet; S 27 deg. 58 min. W 436.3 feet; S 29 deg. 28 min. W 142.1 feet; S 26 deg. 31 min. W 236.2 feet; S 41 deg. 30 min. W 204.0 feet; S 52 deg. 38 min. W 266.5 feet; S 58 deg. 31 min. W 263.2 feet; S 63 deg. 40 min. W 317.8 feet; S 57 deg. 38 min. W 75.4 feet; S 65 deg. 46 min. W 312.0 feet; S 71 deg. 46 min. W 148.1 feet; S 75 deg. 07 min. W 232.9 feet; S 76 deg. 21 min. W 205.8 feet; N 6 deg. 55 min. W 64.0 feet; S 68 deg. 04 min. W 235.4 feet; S 17 deg. 07 min. E 61.4 feet; S 66 deg. 21 min. W 108.2 feet; S 67 deg. 33 min. W 318.2 feet; S 68 deg. 11 min. W 220.3 feet; S 70 deg. 06 min. W 139.5 feet; S 78 deg. 35 min. W 234.8 feet; S 65 deg. 10 min. W 88.2 feet to a point in the southeasterly margin of the property of Fieldcrest Mills, Inc.; thence with the property line of Fieldcrest Mills, Inc.; N 18 deg. 51 min. W 176.4 feet to an iron rod set; thence S 56 deg. 26 min. W 96.7 feet to an iron pipe found; thence N 19 deg. 06 min. W 1090.1 feet to a concrete monument found; thence N 82 deg. 22 min. E 247.0 feet to a point in the westerly bank of a pond; thence with the westerly bank of said pond, eight courses and distances as follows: (1) N 46 deg. 33 min. W 98.7 feet; (2) N 32 deg. 44 min. W 86.0 feet; (3) N 47 deg. 00 min. W 82.7 feet; (4) N 84 deg. 22 min. W 45.6 feet; (5) N 39 deg. 52 min. W 147.9 feet; (6) N 18 deg. 33 min. W 89.6 feet; (7) N 7 deg. 38 min. E 206.9 feet; (8) N 36 deg. 54 min. E 60.4 feet at an intersection of the said pond and Moir Branch; thence with the centerline of Moir Branch the following courses and distances: (1) N 22 deg. 07 min. W 200.2 feet; (2) N 25 deg. 40 min. W 40.5 feet; (3) N 45 deg. 48 min. W 58.0 feet; (4) N 11 deg. 08 min. W 47.0 feet; (5) S 79 deg. 32 min. E 37.3 feet; (6) N 4 deg. 09 min. E 25.0 feet; (7) N 6 deg. 39 min. W 132.1 feet; (8) N 5 deg. 28 min. E 193.7 feet; (9) N 7 deg. 04 min. W 76.1 feet; (10) S 30 deg. 57 min. W 48.8 feet; (11) S 73 deg. 25 min. W 18.4 feet; (12) N 15 deg. 37 min. W 44.9 feet; (13) N 3 deg. 35 min. E 122.1 feet; (14) N 3 deg. 20 min. W 34.8 feet; (15) N 14 deg. 01 min. W 129.2 feet; (16) N 50 deg. 22 min. W 61.7 feet; (17) N 22 deg. 47 min. W 85.8 feet; (18) N 34 deg. 56 min. W 29.7 feet; (19) N 4 deg. 25 min. E 177.2 feet; (20) N 16 deg. 48 min. E 54.7 feet; (21) N 30 deg. 16 min. E 28.2 feet; (22) N 18 deg. 14 min. W 25.5 feet; (23) N 13 deg. 26 min. W 47.0 feet; (24) N 4 deg. 41 min. E 115.3 feet; (25) S 89 deg. 12 min. E 26.5 feet; (26) N 41 deg. 02 min. E 26.5 feet; (27) N 9 deg. 00 min. W 94.8 feet; (28) N 1 deg. 43 min. W 62.0 feet; (29) N 40 deg. 28 min. E 15.7 feet; (30) N 22 deg. 50 min. E 46.8 feet; (31) N 11 deg. 42 min. E 37.1 feet; (32) S 82 deg. 45 min. E 40.0 feet; (33) N 16 deg. 55 min. E 45.3 feet; (34) N 21 deg. 40 min. E 37.9 feet; (35) N 6 deg. 31 min. E 114.3 feet to a point in the southerly line of the property of Fieldcrest Mills, Inc.; thence with the southerly line of said property N 63 deg. 10 min. E 308.3 feet to an iron pipe found; thence N 63 deg. 14 min. E 523.5 feet to an iron pipe found; thence N 63 deg. 07 min. E 132.1 feet to an iron pipe found; N 63 deg. 20 min. E 171.2 feet to an iron pipe found; thence N 63 deg. 13 min. E 357.6 feet to the point of beginning, containing 371.48 acres.

Tract 2

Beginning at a point on the west bank of Miry Branch at the confluence of Miry Branch and Dan River, thence with the west branch of Miry Branch the following courses and distances: S 33 deg. 39 min. W 85.4 feet; S 57 deg. 48 min. W 80.0 feet; S 30 deg. 56 min. W 51.1 feet; S 14 deg. 24 min. E 36.7 feet; S 43 deg. 41 min. E 74.3 feet; S 1 deg. 31 min. W 72.2 feet; S 6 deg. 51 min. W 117.5 feet; S 5 deg. 17 min. W 37.8 feet; S 45 deg. 12 min. W 74.0 feet; S 41 deg. 15 min. W 117.0 feet; S 31 deg. 11 min. W 36.9 feet; S 15 deg. 35 min. E 72.8 feet; S 31 deg. 08 min. W 52.5 feet; S 24 deg. 33 min. E 44.3 feet; S 24 deg. 09 min. W 94.6 feet; S 7 deg. 15 min. W 35.1 feet; S 36 deg. 54 min. E 71.5 feet to an iron rod; thence S 72 deg. 11 min. W 395.3 feet to a concrete monument found; thence N 2 deg. 25 min. E 917.1 feet to the southerly line of said river; thence with the southerly bank of Dan River three calls as follows: N 70 deg. 00

min. E 336.4 feet; N 69 deg. 52 min. E 115.1 feet; N 79 deg. 21 min. E 154.5 feet to the point of beginning, containing 9.08 acres.

Miller Brewing Company

TRACT I

Being a tract of land 1357.79 acres, more or less, in Leaksville Township, Rockingham County, North Carolina, bounded by Meadow Road (NC State Road #770) and property owned by Spray Cotton Mills, Inc., on the South; Summit Road, property owned by Powell, Henry Raefield on the West; property owned by Herbert Hopper, Joe Scales, and the Virginia State Line on the North; and, Main Street, property owned by Lawson, Lacy Hall, Herman Patterson, Slayton and Cedrick Willard on the East; and more specifically described as follows:

BEGINNING at an iron stake in the North Margin of the right of way of Eastern Street (State Road #1774) at the Southwest corner of property owned by W. Smart, said beginning point also being situate at the Easternmost corner of property conveyed to Spray Cotton Mills, Inc., in Deed Book 694, Page 902, Rockingham County Public Registry; running thence from said beginning point the following calls along the East line of the Spray Cotton Mills property: North 23 deg. 53 min. West 133.01 feet; North 37 deg. 21 min. West 159.23 feet; North 23 deg. 19 min. West 154.10 feet; and North 9 deg. 52 min. West 394.73 feet to a point situated at the Northeast corner of the Spray Cotton Mills, Inc. property; thence with the North line of the Spray Cotton Mills, Inc. property, South 78 deg. 53 min. West 792.12 feet and South 85 deg. 26 min. West 1,281.15 feet to the Northwest corner of the Spray Cotton Mills, Inc. property; thence continuing with the Spray Cotton Mills, Inc. West line, South 0 deg. 52 min. West 867.34 feet to a point; thence South 73 deg. 15 min. West 415.79 feet to a point; thence South 16 deg. 45 min. East 1300 feet to a point in the northern margin of Meadow Road (N.C. State Road 770); thence with the northern margin of Meadow Road the following courses and distances: South 73 deg. 14 min. 40 sec. West 2362.50 feet; South 74 deg. 26 min. 10 sec. West 186.96 feet; South 80 deg. 5 min. 20 sec. West 210.67 feet; South 84 deg. 16 min. 30 sec. West 646.55 feet; and, South 83 deg. 53 min. West 336.01 feet to an iron in the North margin of the right of way of said Meadow Road; thence leaving the North margin of the right of way of Meadow Road and turning in a northern direction, North 3 deg. 37 min. 20 sec. West 605.50 feet to an iron stake in the East line of Jarrett; thence continuing with Jarrett's East line, North 4 deg. 38 min. 50 sec. East 470 feet to an iron; thence North 5 deg. 58 min. 20 sec. East 591 feet to an iron at the Northeast corner of property owned by Jarrett; thence with Jarrett's North line, North 89 deg. 22 min. 50 sec. West 974.50 feet to an iron in the East margin of the right of way of Summit Road, Jarrett's Northwest corner; thence with the East right of way line of Summit Road, North 10 deg. 01 min. 20 sec. West 239.45 feet and North 26 deg. 45 min. 50 sec. West 99.93 feet to a point in the East margin of the right of way of Summit Road at Pulliam's Southwest corner; thence with Pulliam's South line, North 63 deg. 13 min. 10 sec. East 300 feet to an iron stake at Pulliam's Southeast corner; thence with Pulliam's East line, North 26 deg. 46 min. West 129.71 feet to a point at the Southwest corner of property conveyed to Northwestern Engineering Corporation in Book 694, Page 772; thence with the South line of Northwestern Engineering Corporation, North 46 deg. 15 min. 51 sec. East 280 feet to a point; thence with Northwestern Engineering Corporation's East line, North 38 deg. 20 min. West 300 feet to a point in the South right of way of an unnamed street dedicated in Book 685, Page 840, Rockingham County Public Registry; thence with the South right of way line of said unnamed street and with the North line of Northwestern Engineering Corporation, South 47 deg. 6 min. 34 sec. West 280 feet to the northwest corner of the Northwestern Engineering Corporation; thence along the western line of Northwestern Engineering Corporation,

South 38 deg. 33 min. East 224.32 feet to a point, corner with Pulliam, thence with the line of Pulliam, South 51 deg. 54 min. West 299.77 feet to a point in the eastern margin of Summit Road; thence with the eastern margin of Summit Road, North 38 deg. 22 min. West 199.30 feet to a point in the southern margin of the unnamed street referred to above; thence continuing along the eastern margin of Summit Road across said unnamed street, North 44 deg. 10 min. West 60.01 feet to a point; thence still with the eastern margin of Summit Road, North 47 deg. 2 min. West 199.18 feet to a point, corner with Powell; thence with the line of Powell, North 44 deg. 38 min. 50 sec. East 293.38 feet to a point, the northwest corner of the property conveyed to Southeastern Warehousing Distribution Center by deed recorded in the Rockingham County Registry in Book 685, Page 841; thence with the line of Southeastern Warehousing Distribution Center, South 46 deg. 51 min. East 211.7 feet to a point in the northern margin of said unnamed street; thence with the northern margin of said unnamed street, North 47 deg. 6 min. 34 sec. East 637.67 feet to a point, the southeast corner of Southeastern Warehousing Distribution Center; thence North 43 deg. 53 min. 26 sec. West 397.68 feet with the East line of the Southeastern Warehousing property to a point; thence North 88 deg. 23 min. 10 sec. West 442.49 feet with the North line of the Southeastern Warehousing property to a point in the East line of property owned by Powell; thence with Powell's East line, North 8 deg. 45 min. West 859.33 feet to an old set stone, corner with property formerly owned by W. B. Light; thence with Light's East line, North 16 deg. 30 min. 10 sec. West 1230.19 feet to an iron & monument; thence North 14 deg. 50 min. 40 sec. West 1082.81 feet to an iron & monument found, corner with Henry Raefield; thence with Raefield's East line, North 16 deg. 01 min. 50 sec. West 336.06 feet to an iron stake; thence turning in an easterly direction, North 80 deg. 33 min. 30 sec. East 317.69 feet to an iron stake; North 80 deg. 48 min. 10 sec. East 267.03 feet to an iron stake; South 87 deg. 59 min. East 265.93 feet to an iron; thence North 2 deg. 1 min. East 581.28 feet to an iron within the right of way line of N.C. State Road #1715; thence a line within the right of way of N.C. State Road #1715, South 87 deg. 58 min. East 520.71 feet to a point and South 81 deg. 3 min. East 203.10 feet to an iron; thence North 81 deg. 47 min. East 508.30 feet to an iron, corner with Herbert Hopper; thence with Hopper's South line, South 40 deg. 59 min. East 242.22 feet to an iron and North 77 deg. 26 min. East 669.10 feet to an iron; thence continuing with Hopper's South line, North 30 deg. East 600.70 feet to an iron stake, Hopper's Southeast corner and Joe Scales' Southwest corner; thence with Scales' South line, North 80 deg. 28 min. 10 sec. East 657.76 feet to a post oak and North 73 deg. 36 min. 40 sec. East 1874.50 feet to an iron stake, corner with Joe Scales; thence with Scales' East line, North 4 deg. 58 min. 20 sec. East 589.17 feet to a white oak; thence North 64 deg. 0 min. 40 sec. East 544 feet to an iron stake; thence North 8 deg. 5 min. 30 sec. West 532 feet to an iron stake, corner with Joe Scales in the North Carolina-Virginia State Line; thence with the North Carolina - Virginia State Line, South 86 deg. 39 min. 10 sec. East 3654.49 feet to an iron stake in said State Line, corner with property owned by Cedrick and Maria P. Willard; thence with Willard's West line, South 4 deg. 27 min. East 1756.47 feet to an iron stake, Slayton's Northeast corner; thence with Slayton and Herman Patterson's North lines, South 85 deg. 33 min. 20 sec. West 497.30 feet to an iron stake; thence South 3 deg. 23 min. 30 sec. West with Herman Patterson's West line, 1313.85 feet to an iron stake; thence with Lacy Hall's West line, South 3 deg. 0 min. 10 sec. West 759.38 feet to an iron stake, Lacy Hall's Southwest corner and Lawson's Northwest corner; thence with Lawson's West line, South 0 deg. 25 min. 20 sec. West 1069.67 feet to an iron stake, Lawson's Southwest corner and Harris' Northwest corner; thence with Harris' West line, South 4 deg. 21 min. 10 sec. East 267 feet to an iron stake in the North right of way line of Findowrie street; thence with the Northern terminus line of Main Street, South 85 deg. 38 min. 50 sec. West 63.16 feet to a point; thence continuing with the West right of way line of Main Street, South 4 deg. 21 min. 10 sec. East 840.03 feet to an iron stake; thence leaving the West right of way line of Main Street, South 85 deg. 34 min. 40 sec. West 300 feet to an iron stake and South 4 deg. 25 min. 20 sec.

East 150.23 feet to an iron stake; thence South 85 deg. 34 min. 40 sec. West 125 feet to a point and South 4 deg. 25 min. 20 sec. East 400 feet to an iron stake at W. Smart's Northeast corner; thence with Smart's North line, South 85 deg. 34 min. 10 sec. West 821 feet to an iron stake at Smart's Northwest corner; thence with Smart's West line, South 4 deg. 25 min. 20 sec. East 350 feet to an iron stake in the North right of way line of Eastern Street at the easternmost corner of property conveyed to Spray Cotton Mills, Inc., in Book 694, Page 902, Rockingham County Public Registry, the point and place of BEGINNING, containing 1357.79 acres, more or less, as shown on plat of survey by Shanks and Wilmarth, Engineers & Surveyors, dated December 2, 1975, File No. C-1034, and revised on May 20, 1976, and being the same property shown on Map Book 13, Page 28, Rockingham County Public Registry.

SAVE AND EXCEPT THEREFROM the 5.175 acres conveyed by Miller Brewing Company to Evans Warehouse, Inc. by deed recorded in Book 840, Page 2264, in the Rockingham County Public Registry.

TRACT II

Being a tract of 7.489 acres, more or less, in Leaksville Township, Rockingham County, North Carolina, and more specifically described as follows:

Commencing at an iron in the easterly margin of Summit Road, which iron is the Southwest corner of Powell and the Northwest corner of Lot I as shown on map hereinafter referred to; thence with the said margin of Summit Road South 47 deg. 01 min. 51 sec. East 199.18 ft. to an iron where said Summit Road is intersected by the northerly margin of a 60 ft. wide unnamed street; thence with said margin of said unnamed street North 47 deg. 06 min. 34 sec. East 300 ft. to a point, the POINT OF BEGINNING; thence leaving the said unnamed street North 46 deg. 54 min. 39 sec. West 220.39 ft., more or less, to Powell's line; thence with Powell's line North 08 deg. 45 min. West 589.63 feet to an iron; thence leaving Powell South 88 deg. 23 min. 10 sec. East 442.49 ft. to an iron; thence South 42 deg. 53 min. 26 sec. East 397.68 ft. to an iron in the northerly margin of the aforementioned unnamed street; thence with the said margin of the said unnamed street, South 47 deg. 06 min. 34 sec. West 631.05 ft. more or less to the point of beginning, containing 7.489 acres, more or less, and being a portion of Lot 2 as shown on Plat of Survey for Homer E. Wright, Jr., dated September 20, 1972, by E. L. Wilmarth, the said survey being recorded with a certain deed from W. P. Bickham, Trustee, et als. to Thomas S. Harrington, Trustee, dated February 6, 1973, which deed was recorded in the office of the Register of Deeds for Rockingham County.

SECTION 5. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 14th day of August, 2002.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives