

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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**HOUSE BILL 671
Committee Substitute Favorable 5/2/13**

Short Title: Mills River/Deannexation.

(Local)

Sponsors:

Referred to:

April 10, 2013

A BILL TO BE ENTITLED

AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MILLS RIVER.

The General Assembly of North Carolina enacts:

SECTION 1. The following described property is removed from the corporate limits of the Town of Mills River:

Beginning at a point located in the centerline of the 30-foot wide right-of-way of Old Pole Bridge Road, said point of beginning being the southernmost corner of that .84 acre parcel or tract identified as the "Zumstein Overlap" on that plat of survey recorded in Plat Slide 4340, Henderson County Registry, and running thence from said beginning point, North 11 degrees 34 minutes 35 seconds West 24.28 feet to a 12-inch iron pin; running thence, North 11 degrees 23 minutes 30 seconds West 554.47 feet to an iron pin; running thence, North 16 degrees 24 minutes 26 seconds East 100.51 feet to a capped rebar; running thence, North 16 degrees 32 minutes 22 seconds East 300.72 feet to a 1/2-inch rebar; continuing thence, North 16 degrees 32 minutes 22 seconds East 37.06 feet to an iron pin; running thence, South 77 degrees 20 minutes 16 seconds East 33.13 feet to a 3/4-inch iron pin; running thence, North 74 degrees 37 minutes 44 seconds East 227.12 feet to a 1/2-inch rebar; running thence, North 74 degrees 38 minutes 05 seconds East 312.05 feet to a 1/2-inch rebar; running thence, North 74 degrees 33 minutes 05 seconds East 512.33 feet to a 3/4-inch iron pin; running thence, North 51 degrees 40 minutes 38 seconds East 114.38 feet to an oval 3/4-inch iron pin; running thence, North 45 degrees 29 minutes 16 seconds East 156.87 feet to a capped rebar; running thence, North 45 degrees 18 minutes 44 seconds East 201.35 feet to an iron pin set at a stump hole; running thence, North 26 degrees 35 minutes 53 seconds East 238.42 feet to a 3/4-inch iron pin in branch; running thence, North 25 degrees 52 minutes 46 seconds East 205.13 feet to a 3/4-inch iron pin in the road bed of the Old Pole Bridge Road; running thence with the road bed, North 17 degrees 27 minutes 38 seconds West 233.80 feet to an iron pin, North 23 degrees 39 minutes 22 seconds East 254.60 feet to an iron pin and North 20 degrees 44 minutes 02 seconds East 171.22 feet, running thence, South 80 degrees 05 minutes 40 seconds East 439.55 feet to a 13-inch black oak snag; running thence, South 89 degrees 40 minutes 07 seconds East (passing a capped rebar at 15.01 feet) a total distance of 190.90 feet to a point in a branch (said point in a branch being located North 89 degrees 40 minutes 07 seconds West 68.31 feet from a capped rebar); running thence, South 20 degrees 34 minutes 32 seconds East 769.53 feet to a fence corner at a 10-inch red oak on top of the ridge.

SECTION 2. Section 1 of this act shall have no effect upon the validity of any liens of the Town of Mills River for ad valorem taxes or special assessments outstanding before the effective date of this act. Such liens may be collected or foreclosed upon after the effective



1 date of this act as though the property were still within the corporate limits of the Town of
2 Mills River.

3 **SECTION 3.** The property area described in Section 1 of this act is located within
4 the Etowah-Horse Shoe Fire District. The taxpayers in the property area described in Section 1
5 of this act shall no longer be required to pay taxes upon their property to the Town of Mills
6 River after the effective date of this act. However, they shall continue to be required to pay
7 taxes upon their property levied by Henderson County, including taxes levied by the County to
8 finance, provide, or maintain the Etowah-Horse Shoe Fire District.

9 **SECTION 4.** Notwithstanding any other provisions of law, including the
10 provisions of Article 19 of Chapter 160A of the General Statutes, the area described in Section
11 1 of this act shall continue to be subject to the zoning ordinances of the Town of Mills River for
12 a maximum of 90 days after the effective date of this act to allow Henderson County an
13 opportunity to determine and apply a County zoning designation for the property. Upon the
14 expiration of the 90-day period, the Town of Mills River shall have no zoning or any other
15 authority over the property area described in Section 1 of this act.

16 **SECTION 5.** This act becomes effective June 30, 2013.