

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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SENATE DRS55441-LMx-143 (04/10)

Short Title: Incorporate Midway.

(Local)

Sponsors: Senator Bingham.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO INCORPORATE THE TOWN OF MIDWAY.

The General Assembly of North Carolina enacts:

SECTION 1. A Charter for the Town of Midway is enacted to read:

"CHARTER OF THE TOWN OF MIDWAY.

"ARTICLE I. INCORPORATION AND CORPORATE POWERS.

"Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town of Midway are a body corporate and politic under the name 'Town of Midway'. The Town of Midway has all the powers, duties, rights, privileges, and immunities conferred and imposed on cities by the general laws of North Carolina.

"ARTICLE II. CORPORATE BOUNDARIES.

"Section 2.1. **Town Boundaries.** Until modified in accordance with law, the boundaries of the Town of Midway are as follows:

Beginning at a point in the centerline intersection of Secondary Road # 1509 (Follansbee Road) and running thence in an easterly direction following the Forsyth County/Davidson County line to the southwest corner of PIN#6842-03-10-0045; thence in an easterly and northerly direction along the western boundary and in an easterly direction along the northern boundary of PIN#6842-03-10-0045; thence in an easterly direction along the northern boundary of PIN#6842-03-10-2004; thence in an easterly direction along the northern boundary of PIN#6842-03-10-4023; thence in an easterly direction across Secondary Road #3022 (Briarcreek Drive); thence in an easterly direction along the northern boundary of the following 3 parcels, (1) PIN#6841-01-19-7907, (2) PIN#6841-01-19-8699, (3) PIN#6841-01-29-1926; thence in an easterly direction across Secondary Road # 1975 (Hayes Road); thence in an easterly direction along the northern boundary of the following 3 parcels, (1) PIN#6841-01-29-6811, (2) PIN#6841-01-29-8897, (3) PIN#6841-01-29-9888; thence in a northerly direction along the western boundary and in an easterly direction along the

1 northern boundary of PIN#6842-03-302304; thence in an easterly direction along the
2 northern boundary of the following 8 parcels, (1) PIN#6842-03-30-3899, (2)
3 PIN#6842-03-30-4898, (3) PIN#6842-03-30-6827, (4) PIN#6842-03-30-7817, (5)
4 PIN#6842-03-30-7886, (6) PIN#6842-03-30-8886, (7) PIN# 6842-03-30-9896, (8)
5 FIIM#6842-U3-4U-U8ys; thence in an easterly direction along the northern boundary of
6 PIN#6842-03-40-2846 to the southwest corner of PIN#6842-03-41-3070; thence in a
7 northerly direction along the western boundary and in an easterly direction along the
8 northern boundary of PIN#6842-03-41-3070 to the centerline of Secondary Road #1706
9 (Old Lexington Road); thence continuing on from the centerline intersection of Old
10 Lexington Road in a southerly direction along the eastern boundary of the following 10
11 parcels, (1) PIN#6842-03-40-4932, (2) PIN#6842-03-40-4769, (3)
12 PIN#6842-03-40-5576, (4) PIN#6842-03-40-9411, (5) PIN#6842-03-40-7215, (6)
13 PIN#6842-03-40-7143, (7) PIN#6842-03-40-7074, (8) PIN#6841-01-49-8923, (9)
14 PIN#6841-01-49-8865, (10) PIN#6841-01-49-8793 to the centerline intersection of
15 Secondary Road #1711 (Gumtree Road); thence continuing on from the centerline
16 intersection of Gumtree Road in a westerly direction along the southern boundary of the
17 following 3 parcels, (1) PIN#6841-01-49-8793, (2) PIN#6841-01-49-6962, (3)
18 PIN#6841-01-49-6651 to the centerline intersection of Secondary Road #2962
19 (Ridgeview Drive); thence continuing on from the centerline intersection of Ridgeview
20 Drive in a southerly direction along the eastern boundary of the following 7 parcels, (1)
21 PIN#6841-01-49-5277, (2) PIN#6841-01-49-5140, (3) PIN#6841 -01 48-5977, (4)
22 PIN#6841-01-48-5 894, (5) PIN#6841-01-48-6722, (6) PIN#6841-01-48-6631, (7)
23 PIN#6841-01-48-6560; to the northeast corner of PIN#6841-01-48-8108; thence in a
24 southerly direction along the eastern boundary of PIN#6841-01-48-8108 to the northern
25 boundary of PIN#6841-01-47-8793; thence in an easterly and southerly direction along
26 the northern and eastern boundary of PIN#6841-01-47-8793 to the northern boundary of
27 PIN#6841-01-46-8 846; thence in an easterly, southerly and westerly direction along the
28 boundary Of PIN#6841-01-46-8846 to the northeast corner of PIN#6841-01-46-9114;
29 thence in a southerly direction along the eastern boundary of PIN#6841-01-46-9114 to
30 the northern boundary of PIN#6841-02-55-2265; thence in an easterly direction along
31 the northern boundary of the following 3 parcels, (1) PIN#6841-02-55-2265, (2)
32 PIN#6841-02-55-5263, (3) PIN#6841-02-55-6253; thence in an easterly direction across
33 Secondary Road #2917 (Laura Drive); thence in an easterly direction along the northern
34 boundary and in a southerly direction along the eastern boundary of
35 PIN#6841-02-55-8267; thence in a southerly direction along the eastern boundary
36 of PIN#6841-02-55-8168 and PIN#6841-02-55-8069; thence in a southerly direction
37 along the eastern boundary of PIN#6841-04-54-8865 to the northwest corner of
38 PIN#6841-04-64-0811; thence in an easterly direction along the northern boundary of
39 the following 7 parcels, (1) PIN#6841-0464-0811, (2) PIN#6841-04-64-1821, (3)
40 PIN#6841-04-64-2831, (4) PIN#6841-04-64-3 841, (5) PIN#6841-04-64-6800, (6)
41 PIN#6841-04-64-8704, (7) PIN#6841-04-74-0789 to the centerline' intersection of
42 Secondary Road #1776 (Old Thomasville Road); thence continuing on from the
43 centerline intersection of Old Thomasville Road in a southerly direction along the
44 eastern boundary of PIN#6841-04-74-0789 and PIN#6841-04-74-2509 to the centerline

1 intersection of Secondary Road # 1719 (Tom Livengood Road); thence continuing on
2 from the centerline intersection of Tom Livengood Road in a southwesterly direction
3 along the eastern boundary of the following 10 parcels, (1) PIN#6841-04-74-2355, (2)
4 PIN#6841-04-74-2117, (3) PIN#6841-04-74-1049, (4) PIN#6841-04-74-1025, (5)
5 PIN#6841-04-73-0979,(6) PIN#6841-04-73-0912, (7) PIN#6841-04-63-9739, (8)
6 PIN#6841-04-63-8656, (9) PIN#6841-04-63-7561, (10) PIN#6841-04-63-5289; thence
7 across Secondary Road (Brookdale Drive) and continuing on from the centerline
8 intersection of Tom Livengood Road in a southwesterly direction along the eastern
9 boundary of the following 18 parcels, (1) PIN#6841-04-63-5037, (2) PIN#6841-04-62-5
10 83 7, (3) PIN#6841-04-62-5735, (4) PIN#6841-04-62-5 623, (5) PIN#6841-04-62-5501,
11 (6) PIN#6841-04-62-4400, (7) PIN#6841-04-52-823 0, (8) PIN#6841-04-61-3700, (9)
12 PIN#6841-04-61-2589, (10) PIN#6841-04-61-2456, (11) PIN#6841-04-61-2324, (12)
13 PIN#6841-04-61-2201, (13) PIN#6841-04-52-8230, (14) PIN#6841-04-50-7908, (15)
14 PIN#6841-04-50-5992, (16) PIN#6841-04-50-4876, (17) PIN#6841-04-50-3 862, (18)
15 PIN#6841-04-50-1777 to the centerline intersection of Secondary Road # 1715
16 (Norman Shoaf Road); thence continuing on from the centerline intersection of Norman
17 Shoaf Road in a southeasterly direction along the western boundary of
18 PIN#6841-04-50-63 83; thence continuing on from the center line intersection of
19 Norman Shoaf Road in a southeasterly direction intersecting PIN#6840-02-79-0248 and
20 continuing in an easterly direction along the southern boundary of PIN#6
21 840-02-790248 to the northwest comer of PIN#6840-02-77-5742; thence in a southerly,
22 westerly, and easterly direction along the western and southern boundary of
23 PIN#6840-02-77-5742 to the western comer of PIN#6840-02-77-5455; thence in a
24 easterly direction along the northern boundary of PIN#6840-02-77-5455; thence in a
25 southerly direction along the eastern boundary of PIN#6840-02-77-7311; thence in a
26 southerly direction along the eastern boundary of PIN#6840-02-76-7881 to the
27 centerline intersection of Secondary Road #1720 (Spry Road); thence continuing on
28 from the centerline intersection of Spry Road in a westerly direction along the northern
29 boundary of PIN#6840-02-76-9255; thence in a southerly direction along the western
30 boundary of PIN#6840-02-76-9255; thence in a southerly direction along the western
31 boundary of PIN#6840-02-75-9770; thence in a southerly direction along the western
32 boundary of PIN#6840-02-85-8453 to the northeast corner of PIN#6840-04-64-8862;
33 thence in a westerly direction along the northern boundary of PIN#6840-04-64-8862 to
34 the centerline intersection of Secondary Road # 1715 (Norman Shoaf Road); thence
35 continuing on from the centerline intersection of Norman Shoaf Road in a southerly
36 direction along the western boundary of PIN#6840-04-64-8862 and
37 PIN#6840-04-64-6336 to the centerline intersection of Secondary Road # 1802
38 (Midway School Road); thence continuing on from the centerline intersection of
39 Midway School Road in a westerly direction along the southern boundary of the
40 following 16 parcels, (1) PIN#6840-04-64-2222, (2) PIN#6840-04-64-0223, (3)
41 PIN#6840-04-54-8188, (4) PIN#6840-04-54-7111, (5) PIN#6840-04-54-5038, (6)
42 PIN#6840-04-54-2564, (7) PIN#6840-04-54-1150, (8) PIN#6840-03-44-8062, (9)
43 PIN#6840-03-43-5929, (10) PIN#6840-03-43-4765, (11) PIN#6840-03-43-2782, (12)
44 PIN#6840-03-43-1648, (13) PIN#6840-03-43-0622, (14) PIN#6840-03-33-9549, (15)

1 PIN#6840-03-33-8556, (16) PIN# 6840-03-33-7552; thence in a westerly direction
2 across Secondary Road # 1945 (Gardner Court); thence continuing on from the
3 centerline intersection of Midway School Road in a westerly direction along the
4 southern boundary of the following 10 parcels, (1) PIN#6840-03-33-4454, (2)
5 PIN#6840-03-33-4454, (3) PIN#6840-03-33-3258, (4) PIN#6840-03-33-2244, (5)
6 PIN#6840-03-33-1251, (6) PIN#6840-03-33-0473, (7) PIN#6840-03-23-9075, (8)
7 PIN#6840-03-23-9018, (9) PIN#6840-03-23-7072, (10) PIN#6840-03-23-4099; thence
8 in a westerly direction across PIN#6840-03-22-0626; thence in a westerly direction
9 across Secondary Road # 18 03 (Ralph Craver Road); thence in a westerly direction
10 across PIN#6840-03-22-0626; thence continuing on from the centerline intersection of
11 Midway School Road in a westerly direction along the southern boundary of the
12 following 7 parcels, (1) PIN#6840-03-13-8251, (2) PIN#6840-03-13-6851, (3)
13 PIN#6840-03-13-5553, (4) PIN#6840-03-13-4662, (5) PIN#6840-03-13-6851, (6)
14 PIN#6840-03-14-2040, (7) PIN#684003-14-1037 to the northeast corner of
15 PIN#6840-03-03-6652; thence in a southerly, westerly, and northerly direction along the
16 eastern, southern, and western boundary of PIN#6840-03-03-6652 to the southeast
17 corner of PIN#6840-03-03-2805; thence in a westerly and northerly direction along the
18 southern and western boundary of PIN#6840-03-03-2805 to the southeast corner of
19 PIN#6830-04-93-9938; thence in a westerly direction along the southern boundary of
20 PIN#6830-04-93-9938; thence in a westerly direction along the southern boundary of
21 PIN#6830-04-93-6968 to the centerline intersection of Secondary Road #2932 (Old US
22 Hwy 52); thence continuing on from the centerline intersection of Old US Hwy 52 in a
23 southerly direction along the eastern boundary of the following 10 parcels, (1) PIN#683
24 0-04-94-3101, (2) PIN#6830-04-94-2062, (3) PIN#6830-04-93-2940, (4)
25 PIN#6830-04-93-2735, (5) PIN#6830-04-93-1645, (6) PIN#6830-04-93-1515, (7)
26 PIN#6830-04-83-8240, (8) PIN#6830-04-82-8747, (9) PIN#6830-04-82-7695, (10)
27 PIN#6830-04-82-7590; thence in a southerly direction across Secondary Road # 1523
28 (Ralph Miller Road); thence continuing on from the centerline intersection of Old US
29 Hwy 52 in a southerly direction along the eastern boundary of PIN#6830-04-81-3918;
30 thence in a westerly direction along the southern boundary of PIN#6830-04-81-3918;
31 thence in a westerly direction along the southern boundary of the following 12 parcels,
32 (1) PIN#6830-04-81-0812, (2) PIN#6830-04-81-3918, (3) PIN#6830-04-72-6182, (4)
33 PIN#6830-04-72-4305, (5) PIN#6830-04-72-0268, (6) PIN#6830-04-62-9264, (7)
34 PIN#683 0-04-62-8149, (8) PIN#6830-04-62-7149, (9) PIN#6830-04-62-6126, (10)
35 PIN#6830-04-62-3192, (11) PIN#6830-04-62-0134, (12) PIN#683 0-04-52-7075;
36 thence in a northerly direction along the western boundary of the following 6 parcels,
37 (1) PIN#6830-04-52-7075, (2) PIN#6830-04-52-8118, (3) PIN#6830-04-52-7267, (4)
38 PIN#6830-04-.52-7359, (5) PIN#6830-04-52-6499, (6) PIN#6830-04-52-6682; thence
39 in a westerly direction across Secondary Road (Old Oak Court) to the southwest corner
40 of PIN#6830-04-53-6120; thence in a northerly direction along the western boundary of
41 the following 4 parcels, (1) PIN#6830-04-53-6120, (2) PIN#6830-04-53-8234, (3)
42 PIN#683 0-04-53 7556, (4) PIN#6830-04-53-7813; thence in an easterly direction along
43 the northern boundary of the following 3 parcels, (1) PIN#6830-04-53-9934, (2)
44 PIN#6830-04-63-1833, (3) PIN#6830-04-63-4616; thence in an easterly and northerly

1 direction along the northern and western boundary of PIN#6830-04-73-4213; thence in
2 an easterly direction along the northern boundary of PIN#6830-04-73-4213 and
3 PIN#6830-04-74-6129 to the southeast corner of PIN#6830-04-74-2712; thence in a
4 northerly, easterly, and westerly direction along the eastern and northern boundary of
5 PIN#6830-04-74-2712 to the northeast corner of PIN#6830-02-65-9329; thence to the
6 centerline intersection of Secondary Road # 15 06 (Eller Road); thence continuing on
7 from the centerline intersection of Eller Road in a westerly direction along the southern
8 boundary of PIN#6830-02-66-7211 and PIN#6830-02-66-1859; thence in a westerly
9 direction across US Hwy 52; thence continuing on from the centerline intersection of
10 Eller Road in a westerly direction along the southern boundary of
11 PIN#6830-01-46-8112; thence in a westerly direction across Secondary Road #1507
12 (David Smith Road); thence continuing on from the centerline intersection of Eller Road
13 in a westerly direction along the southern boundary of the following 6 parcels, (1)
14 PIN#6830-01-45-3888, (2) PIN#6830-01-45-2913, (3) PIN#6830-01-45-1903, (4)
15 PIN#6830-01-45-0914, (5) PIN#6830-01-35-9914, (6) PIN#6830-01-35-8916; thence
16 continuing on from the centerline intersection of Eller Road in a westerly direction
17 across PIN#6830-03-34-1105; thence continuing on from the centerline intersection of
18 Eller Road in a westerly direction along the southern boundary of the following 5
19 parcels, (1) PIN#6830-01-35-2729, (2) PIN#6830-01-3 5-0880, (3)
20 PIN#6830-01-25-8894, (4) PIN#6830-01-26-6274, (5) PIN#6830-01-26-0321; thence
21 continuing on from the centerline intersection of Eller Road in a westerly direction
22 across PIN#6830-01-16-7699; thence continuing on from the centerline intersection of
23 Eller Road in a westerly direction along the southern boundary of PIN#6830-01-16-3314
24 and PIN#6830-01-16-2324; thence continuing on from the centerline intersection of
25 Eller Road in a westerly direction across Secondary Road #3229 (Woodfield Drive);
26 thence continuing on from the centerline intersection of Eller Road in a westerly
27 direction along the southern boundary and in a northerly direction along the western
28 boundary of PIN#6830-01-16-0327; thence in a northerly direction along the western
29 boundary of the following 4 parcels, (1) PIN#6830-01-16-0524, (2) PIN#683
30 0-01-16-0634, (3) PIN#6830-01-16-0735, (4) PIN#6830-01-16-0835; thence in a
31 northerly direction across Secondary Road #323 0 (Woodwind Drive); thence in a
32 northerly direction along the western boundary of the following 2 parcels, (1) PIN#683
33 0-01-07-9199, (2). PIN#683 0-01-17-0404; thence in a northerly direction across
34 Secondary Road #3225 (Meadolee Lane); thence in a northerly direction along the
35 western boundary of PIN#6830-01-17-0708; thence in a northerly and easterly direction
36 along the western and northern boundary of PIN#6830-01-18-2180 to the southwest
37 corner of PIN#6830-01-18-6453; thence in a northerly and easterly direction along the
38 western and northern boundary of PIN#6830-01-18-6453 to the northwest corner of
39 PIN#6830-01-18-8356; thence in an easterly direction along the northern boundary of
40 the following 2 parcels, (1) PIN#6830-01-18-8356, (2) PIN#6830-01-18-9356; thence in
41 an easterly direction across Secondary Road #3202 (Laurel Court); thence in an easterly
42 direction along the northern boundary of the following 24 parcels, (1)
43 PIN#6830-01-28-1306, (2) PIN#6830-01-28-2306, (3) PIN#6830-01-28-3314, (4)
44 PIN#6830-01-28-4313, (5) PIN#6830-01-28-5313, (6) PIN#6830-01-28-6312, (7)

1 PIN#6830-01-28-7312, (8) PIN#6830-01-28-8311, (9) PIN#6830-01-28-9311, (10)
2 PIN#6830-01-3 8-0301, (II) PIN#6830-01-38-1310, (12) PIN#6830-01-38-2310, (13)
3 PIN#6830-01-38-3219, (14) PIN#6830-01-38-4219, (15) PIN#6830-01-38-5219, (16)
4 PIN#6830-01-38-6331, (17) PIN#6830-01-38-73 80, (18) PIN#6830-01-3 8-9269, (19)
5 PIN#6830-01-48-1227, (20) PIN#6830-01-48-2217,(21) PIN#6830-01-48-3217,(22)
6 PIN#6830-01-48-4320, (23) PIN#6830-01-48-5320, (24) PIN#6830-01-48-6331; thence
7 to the centerline intersection of Secondary Road #1507 (David Smith Road); thence
8 continuing on from the centerline Intersection of David Smith Road in a northerly
9 direction along the western boundary of the following 6 parcels, (1) PIN#6830-01-48-83
10 87, (2) PIN#6830-02-58-1504, (3) PIN#6830-01-48-9824, (4) PIN#6830-01 -49-9027,
11 (5) PIN#6830-01-49-9324, (6) PIN#6830-01-49-9028; thence in a northerly direction
12 across Secondary Road #1583 (Pin Oak Drive); thence continuing on from the
13 centerline intersection of David Smith Road in a northerly direction along the western
14 boundary of the following 3 parcels, (1) PIN#6831-04-50-2112, (2)
15 PIN#6831-04-50-2475, (3) PIN#6831-04-50-2762 to the centerline intersection of
16 Secondary Road #1508 (Hickory Tree Road); thence continuing on from the centerline
17 intersection of Hickory Tree Road m a Northwesterly direction along the northeast
18 boundary of PIN#6831-03-40-8970; thence Continuing on from the centerline
19 intersection of Hickory Tree Road to the centerline intersection of Secondary Road #
20 1511 (Hartman Road); thence continuing on from the centerline intersection of Hartman
21 Road in a westerly direction along the southern boundary of the following 8 parcels, (1)
22 PIN#6831-03-31-3765, (2) PIN#6831-03-21-9893, (3) PIN#6831-03-21-7878, (4)
23 PIN#6831-03-21-6970, (5) PIN#6831-03-20-1695, (6) PIN#6831-03-21-0993, (7)
24 PIN#6831-03-22-6885, (8) PIN#6831-03-11-8939; thence continuing on from the
25 centerline intersection of Hartman Road in a southerly direction to the northeast corner
26 of PIN#6831-03-11-7756; thence in a southerly direction along the eastern boundary of
27 PIN#6831-03-11-7756; thence in a southerly direction along the eastern boundary of
28 PIN#6831-03-11-7655; thence in a southerly direction along the eastern boundary and
29 in a westerly direction along the southern boundary of PIN#6831-03-11-7542 to the
30 centerline intersection of Secondary Road (Midpines Drive); thence continuing on from
31 the centerline intersection of Midpines Drive in a southerly direction along the eastern
32 boundary of the following 3 parcels, (1) PIN#6831-03-11-5411, (2) PIN#6831-03-11-
33 5300, (3) PIN#6831-03-11-4197; thence across Secondary Road (Sinkland Drive);
34 thence continuing on from the centerline intersection of Midpines Drive in a southerly
35 direction along the eastern boundary and in a westerly direction along the southern
36 boundary of PIN#6831-0310-5913; thence in a westerly direction along the southern
37 boundary of the following 3 parcels, (1) PIN#6831-03-10-3983, (2).
38 PIN#6831-03-10-2943, (3) PIN#6831-03-10-0993; thence in a westerly direction along
39 the southern boundary and in a northerly direction along the western boundary of
40 PIN#6831-03-00-9915; thence across Sinkland Drive to the southeast comer of
41 PIN#6831-03-01-6275; thence in a westerly direction along the southern boundary of
42 PIN#6831-03-01-6275 to the centerline intersection of Secondary Road #1505 (Payne
43 Road); thence continuing on from the centerline intersection of Payne Road in a
44 northerly direction along the western boundary of the following 5 parcels, (1)

1 PIN#6831-03-01-6275, (2) PIN#6831-03-01-7418, (3) PIN#6831-03-01-7614, (4)
2 PIN#6831-03-01-7726, (5) PIN#6831-03-02-7030 to the centerline intersection of
3 Secondary Road # 1511 (Hartman Road); thence continuing on from the centerline
4 intersection of Hartman Road in a westerly direction along the southern boundary of
5 PIN#6831-03-02-6411 to the centerline intersection of Secondary Road #15 10 (North
6 Payne Road); thence continuing on from the centerline intersection of North Payne
7 Road in a northerly direction along the western boundary of the following 6 parcels, (1)
8 PIN#6831-03-02-6411, (2) PIN#6831-03-13-1651, (3) PIN#6831-03-03-6348, (4)
9 PIN#6831-03-13-1651, (5) PIN#6831-03-04-8802, (6) PIN#6831-03-04-8901; thence
10 across Secondary Road (Havenwood Drive); thence continuing on from the centerline
11 intersection of North Payne Road in a northerly direction along the western boundary of
12 the following 4 parcels, (1) PIN#6831-01-05-8017, (2) PIN#6831-01-05-8117, (3)
13 PIN#6831-01-05-8227, (4) PIN#6831-01-05-8336; thence across Secondary Road (Cale
14 Bradley Court); thence continuing on from the centerline intersection of North Payne
15 Road in a northerly direction along the western boundary of the following 6 parcels, (1)
16 PIN#6831-01-05-8541, (2) PIN#6831-01-05-8641, (3) PIN#6831-01-05-8741, (4)
17 PIN#6831-01-05-8851, (5) PIN#6831-01-05-8951, (6) PIN#6831-01-06-8073; thence in
18 an easterly direction along the northern boundary of PIN#6831-01-06-8073; thence
19 across Secondary Road #1508 (Hickory Tree Road) to the southern comer of
20 PIN#6831-01-06-9382; thence in a northerly direction along the eastern boundary
21 of PIN#6831-01-06-9382; thence in a northerly and easterly direction along the southern
22 and eastern boundary of PIN#6831-01-17-4633 to the southwest comer of
23 PIN#6831-01-48-3804; thence in an easterly direction along the southern boundary of
24 PIN#6831-01-48-3804 to the centerline intersection of US Hwy 52; thence continuing
25 on from the centerline intersection of US Hwy 52 in a northerly direction along the
26 western boundary of the following 7 parcels, (1) PIN#6831-01-48-3804, (2)
27 PIN#6831-01-49-3076, (3) PIN#6831-01-38-1662, (4) PIN#6831-01-49-2319, (5)
28 PIN#6831-01-49-1574, (6) PIN#6831-01-49-1626, (7) PIN#6831-01-49-0891 to the
29 centerline intersection of Secondary Road #1509 (Follansbee Road), which is the
30 beginning.

31
32 All references to the PIN # herein are references to Davidson county tax map system as
33 of April 11, 2005. A copy shall be maintained in the records of the Town of Midway.

34 "Section 2.2. **Annexation.** (a) The Town of Midway shall not extend its boundaries
35 into Forsyth County by annexation pursuant to Article 4A of Chapter 160A of the
36 General Statutes.

37 (b) The Town of Midway shall not extend its boundaries into Davidson County
38 by annexation to the west of Line B or to the north of Line C as shown on the map dated
39 March 24, 2005, entitled "Proposed Midway Incorporation," as prepared by the City of
40 Winston-Salem, unless the annexation is undertaken pursuant to an annexation
41 agreement between the Town of Midway and the City of Winston-Salem.

42 "ARTICLE III. GOVERNING BODY.

1 "Section 3.1. **Structure of Governing Body; Number of Members.** The governing
2 body of the Town of Midway is the Mayor and Town Council, which shall have five
3 members.

4 "Section 3.2. **Temporary Officers.** Until the organizational meeting after the initial
5 election in 2007 provided for by Section 4.1 of this Charter, Norman Wilkes is hereby
6 appointed Mayor and Larry Jenkins, Betty Nifong, Steve Stokes, Barbara Temple, and
7 Carl Tuttle are appointed Council Members of the Town of Midway, and they shall
8 possess and exercise the powers granted to the governing body until their successors are
9 elected or appointed and qualified pursuant to this Charter. If any person named in this
10 section is unable to serve, the remaining temporary officers shall, by majority vote,
11 appoint a person to serve until the initial municipal election is held in 2007.

12 "Section 3.3. **Manner of Electing Town Council; Term of Office.** The qualified
13 voters of the entire Town shall elect the members of the Town Council and, except as
14 provided in this section, they shall serve four-year terms. In 2007, the two candidates
15 receiving the highest numbers of votes shall be elected to four-year terms and the three
16 candidates receiving the next highest numbers of votes shall be elected to two-year
17 terms. In 2009, and quadrennially thereafter, three members shall be elected to four-year
18 terms. In 2011, and quadrennially thereafter, two members shall be elected to four-year
19 terms.

20 "Section 3.4. **Manner of Electing Mayor; Term of Office; Duties.** The qualified
21 voters of the entire Town shall elect the Mayor. In 2007, and quadrennially thereafter,
22 the Mayor shall be elected for a term of four years. The Mayor shall be the official head
23 of Town government and shall preside at all meetings of the Council, shall have the
24 right to vote only when there is an equal division on any question or matter before the
25 Council, and shall exercise the powers and duties conferred by law or as directed by the
26 Council.

27 "ARTICLE IV. ELECTIONS.

28 "Section 4.1. **Conduct of Town Elections.** Elections shall be conducted on a
29 nonpartisan basis and results determined by a plurality as provided in G.S. 163-292.

30 "ARTICLE V. ADMINISTRATION.

31 "Section 5.1. **Town to Operate Under Mayor-Council Plan.** The Town shall
32 operate under the Mayor-Council form of government as provided in Part 3 of Article 7
33 of Chapter 160A of the General Statutes.

34 "Section 5.2. **Town Attorney.** The Council shall appoint a Town Attorney licensed
35 to practice law in North Carolina. It shall be the duty of the Town Attorney to represent
36 the Town, advise Town officials, and perform other duties as required by law or as
37 directed by the Town Council. The Town Attorney shall serve at the pleasure of the
38 Town Council.

39 "Section 5.3. **Town Clerk.** The Council shall appoint a Town Clerk who shall
40 perform duties as required by law or as directed by the Town Council. The Town Clerk
41 shall serve at the pleasure of the Council.

42 "ARTICLE VI. TAXES AND BUDGET ORDINANCE.

43 "Section 6.1. **Commencement of Tax Collection.** From and after the effective date
44 of this act, the citizens and property in the Town of Midway shall be subject to

1 municipal taxes levied for the year beginning July 1, 2006, and for that purpose the
2 Town shall obtain from Davidson County a record of property in the area herein
3 incorporated which was listed for property taxes as of January 1, 2006.

4 "Section 6.2. **Budget.** The Town may adopt a budget ordinance for fiscal year
5 2006-2007 without following the timetable in the Local Government Budget and Fiscal
6 Control Act, but shall follow the sequence of actions in the spirit of the act insofar as is
7 practical. For fiscal year 2006-2007, ad valorem taxes may be paid at par or face
8 amount within 90 days of adoption of the budget ordinance and thereafter in accordance
9 with the schedule in G.S. 105-360. If the effective date of the incorporation is prior to
10 July 1, 2006, the Town may adopt a budget ordinance for fiscal year 2005-2006 without
11 following the timetable in the Local Government Budget and Fiscal Control Act, but
12 shall follow the sequence of actions in the spirit of the act insofar as practical. No ad
13 valorem taxes may be levied for the 2005-2006 fiscal year.

14 "Section 6.3. **Ad Valorem Taxes.** The Town Council shall not increase the ad
15 valorem tax rate more than \$0.10/\$100.00 valuation in each fiscal year without the vote
16 or consent of a majority of the qualified voters of the Town of Midway. The election on
17 the question of increasing the ad valorem tax rate shall be conducted in accordance with
18 G.S. 160A-209."

19 **SECTION 2.** This act is effective when it becomes law.