

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

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**HOUSE BILL 343
Committee Substitute Favorable 4/9/15
PROPOSED SENATE COMMITTEE SUBSTITUTE H343-PCS40494-ST-79**

Short Title: Clayton/Wallace ETJ Areas.

(Local)

Sponsors:

Referred to:

March 25, 2015

A BILL TO BE ENTITLED

1 AN ACT EXTENDING THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF
2 CLAYTON AND DEFINING THE EXTRATERRITORIAL JURISDICTION AREA OF
3 THE TOWN OF WALLACE.
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** In addition to the authority provided in G.S. 160A-360, the Town of
7 Clayton may exercise the powers granted in Article 19 of Chapter 160A of the General Statutes
8 in the following areas:

9 First Tract:

10 BEING all of that certain tract or parcel of land designated as Tract 1 containing
11 5.879 acres, according to plat of survey entitled "Boundary survey for Novo Nordisk Biochem,
12 Inc., property of: John A. Wilson, Jr., (Tract 1) and George H. Coats, III, and wife, Duba M.
13 Coats (Tract 2-6), Clayton Township, Johnston County, North Carolina" dated May 17, 1995,
14 and updated November 17, 1995, prepared by Michael D. Goodfred, Registered Land
15 Surveyor, of Kenneth Close, Inc., Land Surveying, and recorded in Plat Book 46, Page 431,
16 Johnston County Registry, and being all of that certain tract or parcel of land conveyed to John
17 A. Wilson, Jr., by deed recorded in Book 1102, Page 840, Johnston County Registry.

18 TOGETHER with all right, title, and interest of Grantor in and to the rights-of-way
19 of Southern Railroad and N.C.S.R. 1901 (Powhatan Road).

20 Second Tract:

21 BEING all of Tract 2 consisting of 0.823 acres as shown on a plat captioned "Novo
22 Nordisk Biochem, Inc." prepared by Kenneth Close, Inc., which is recorded in Plat Book 46,
23 page 431, of the Johnston County Registry, said description therein, being incorporated herein
24 by reference, for a more complete and accurate description.

25 Third Tract:

26 BEING all of Tract 3 consisting of 3.557 acres as shown on a plat captioned "Novo
27 Nordisk Biochem, Inc." prepared by Kenneth Close, Inc., which is recorded in Plat Book 46,
28 page 431, of the Johnston County Registry, said description therein, being incorporated herein
29 by reference, for a more complete and accurate description.

30 Fourth Tract:

31 BEING all of Tract 4 consisting of 118.395 acres, including 6.045 acres of Tract 4
32 which is in the right-of-way of Southern Railroad, as shown on a plat captioned "Novo Nordisk
33 Biochem, Inc." prepared by Kenneth Close, Inc., which is recorded in Plat Book 46, page 431,
34 of the Johnston County Registry, said description therein, being incorporated herein by
35 reference, for a more complete and accurate description.



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1 Fifth Tract:

2 BEING all of Tract 5 consisting of 33.884 acres, including 5.547 acres of Tract 5
3 which is in the right-of-way of Southern Railroad, as shown on a plat captioned "Novo Nordisk
4 Biochem, Inc." prepared by Kenneth Close, Inc., which is recorded in Plat Book 46, page 431,
5 of the Johnston County Registry, said description therein, being incorporated herein by
6 reference, for a more complete and accurate description.

7 LESS AND EXCEPT all of Tract 5A located in Johnston County, North Carolina,
8 containing approximately 8.012 acres, as shown on that certain plat entitled "Property of
9 Johnston County Industrial Development Corporation," prepared by W. Stanton Massengill,
10 P.L.S., recorded in Plat Book 63, Page 331, Johnston County Registry, to which plat reference
11 is hereby made for a more particular description of same.

12 Sixth Tract:

13 BEING all of Tract 6 consisting of 55.387 acres, exclusive of railroad, as shown on
14 a plat captioned "Novo Nordisk Biochem, Inc." prepared by Kenneth Close, Inc., which is
15 recorded in Plat Book 46, page 431, of the Johnston County Registry, said description therein,
16 being incorporated herein by reference, for a more complete and accurate description. The
17 southernmost boundary of this tract runs along the northernmost right-of-way of Southern
18 Railroad.

19 **SECTION 2.(a)** Section 1 of Chapter 580 of the Session Laws of 1995 reads as
20 rewritten:

21 "Section 1. The Charter of the Town of Wallace, being Chapter 94 of the 1987 Session
22 Laws, is amended by adding a new section to read:

23 "Section 1.4. **Extraterritorial jurisdiction.** In addition to any areas where the Town of
24 Wallace exercises territorial jurisdiction under Article 19 of Chapter 160A of the General
25 Statutes, the town shall have territorial jurisdiction under that Article in the following described
26 area:

27 In Duplin County, beginning at a point on the existing extraterritorial jurisdiction boundary
28 line one-half mile south of the center line of NC Highway 41, and continuing from that point in
29 an easterly direction along a route one-half mile south of the center line of NC Highway 41 to a
30 point one-half mile east of the Interstate 40 eastern right-of-way boundary line; continuing
31 from that point in a northwesterly direction along a route one-half mile east of the Interstate 40
32 eastern right-of-way boundary line to a point one-half mile north of the center line of NC
33 Highway 11; continuing from that point in a southwesterly direction along a route one-half mile
34 north of the center line of NC Highway 11 to a point where it intersects with the existing
35 extraterritorial jurisdiction boundary line; and including all of the area located within the
36 described boundary. Excluded from that described extraterritorial jurisdiction area is
37 the following described territory: where the previously described line is intersected at a
38 point located at North 88°45'53" East a distance of 361.54 feet to a point in the center of
39 the pavement of S.R. No. 1944 (Rivenbark Town Road); and South 31°03'31" West a
40 distance of 116.65 feet from a nail in the center of the intersection of NC Hwy 11 and
41 S.R. No. 1944 (Rivenbark Town Road); Running thence from the point of beginning
42 South 31°03'31" West a distance of 671.27 feet to a point; continuing from that point
43 South 32°42'54" West a distance of 362.97 feet to a point; continuing South 71°46'03"
44 East a distance of 241.26 feet to a point; continuing South 32°16'17" West a distance of
45 221.27 feet to a point; continuing South 38°36'00" East a distance of 525.83 feet to a
46 point; continuing North 29°32'30" East a distance of 107.38 feet to a point; continuing
47 South 68°52'40" East a distance of 327.38 feet to a point; continuing South 29°46'48"
48 West a distance of 500.66 feet to an iron rod with NC Grid coordinates (NAD 1983) of
49 North = 372,432.573 feet and East = 2,312,937.885 feet; continuing South 43°26'06" East
50 a distance of 2162.19 feet to a point; continuing South 42°46'07" East a distance of
51 1755.49 feet to a point; continuing North 73°29'06" East a distance of 343.33 feet to a

1 point; continuing South 16°30'54" East a distance of 105.64 feet to a point; continuing
2 South 33°02'26" East a distance of 73.67 feet to a point; continuing South 11°45'56"
3 East a distance of 271.34 feet to a point; continuing South 17°30'31" East a distance of
4 118.02 feet to a point; continuing South 56°50'02" East a distance of 64.99 feet to a
5 point; continuing South 42°51'48" East a distance of 89.74 feet to a point in the center
6 line of NC Highway 41; continuing along the center line of NC Highway 41 South
7 33°01'41" West a distance of 623.97 feet to a point; continuing South 60°43'52" East a
8 distance of 785.16 feet to a point; continuing South 19°54'10" West a distance of
9 258.24 feet to a point; continuing South 65°09'27" East a distance of 1816.52 feet to a
10 point. ""

11 **SECTION 2.(b)** Relinquishment of authority by the Town of Wallace shall be
12 effective when this act becomes law. Upon relinquishment of the jurisdiction over an area that
13 Wallace is regulating under Article 19 of Chapter 160A of the General Statutes, the city
14 regulations and powers of enforcement shall remain in effect until (i) Duplin County has
15 adopted the regulation or (ii) a period of 120 days has elapsed following the effective date of
16 this act, whichever is sooner. During this period, Duplin County may hold hearings and take
17 other measures that may be required in order to adopt county regulations for the area.

18 **SECTION 3.** This act is effective when it becomes law.