

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H.B. 109
Feb 15, 2017
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10051-LMx-5A* (11/17)

Short Title: Fayetteville Annexation.

(Local)

Sponsors: Representatives Floyd, W. Richardson, and Lucas (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF
THE CITY OF FAYETTEVILLE.

The General Assembly of North Carolina enacts:

SECTION 1. The following described property is added to the corporate limits of the
City of Fayetteville:

BEGINNING at the northwest corner of Lot 11 in Block E of plat entitled A.D.
McKenzie Lands Shaws Heights 90 Lots as recorded in Plat Book 12, Page 11, Cumberland
County Registry, and running thence with the northern line of Lot 11, same line also being the
current City of Fayetteville boundary, N 84° 34' 24" E 118.46 feet to a point; thence crossing
Bonnie Doone Road (now known as Shaw Road) in a northerly direction and continuing along the
eastern line of Lot 1 of plat entitled Property of Brooks Peele as recorded in Plat Book 14, Page 9,
Cumberland County Registry and also being the City of Fayetteville boundary, N 05° 25' 36" W
359.84 feet to the northeast corner of Lot 1; thence with the northern line of Lot 1 also being the
City of Fayetteville boundary, S 84° 34' 24" W 75.40 feet to the northwest corner of Lot 1; thence
with the City of Fayetteville boundary N 03° 51' 52" E 3065.72 feet to a point; thence with the
City of Fayetteville boundary S 54° 34' 24" W 94.00 feet to a point; thence with the City of
Fayetteville boundary N 26° 26' 36" W 867.90 feet to a concrete monument in the northeastern
most corner of the plat entitled Property of Public Works Commission as recorded in Plat Book
17, Page 34 of the Cumberland County Registry and also being in the boundary with the Fort
Bragg Military Reservation; thence with the boundary of the Fort Bragg Military Reservation N
52° 05' 24" E 2376.04 feet to a point in the western right-of-way of the CSX railway; thence with
the CSX railway right-of-way S 34° 23' 36" E 713.51 feet to a point; thence N 65° 38' 00" E
3659.45 feet to a point in the Fort Bragg Military Reservation boundary; thence continuing with
the said boundary S 35° 43' 41" E 548.87 feet to a point; a point; thence S 35° 39' 28" E 199.85
feet to a point; thence with the Fort Bragg Military Reservation boundary N 66° 09' 58" E 46.93
feet to the northwest corner of Lot 525 as shown on the plat entitled Addition of Lots 525, 529, &
530 Section Nine Tiffany Pines recorded in Plat Book 63, Page 23 of the Cumberland County
Registry; thence continuing along the City of Fayetteville boundary and crossing Graystone Road
with the western lines of Lots 525, 527, 528, and a portion of 529, S 44° 17' 41" E 495.30 feet to a
point; thence along the southern line of lots 529-530 of the aforementioned plat and continuing
thence with the southern lines of Lots 531-537 as shown in that plat entitled Revision Tiffany
Pines Section Nine as recorded in Plat Book 56 Page 24 of the Cumberland County Registry and
continuing thence S 71° 47' 00" E 809.56 feet to the southeastern corner of Lot 537; thence along
the southern line of Lot 538 and a portion of Lot 539, N 54° 04' 22" E 240.32 feet to a point;



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1 thence continuing with the southern line of Lot 539 and Lots 540-541, N 38° 48' 43" E 206.90 feet
2 to the southeastern corner of Lot 541; thence along the southern City of Fayetteville property line
3 as described in Deed Book 5008 Page 11, Cumberland County Registry, S 50° 25' 17" E 129.96
4 feet to a point; thence along the southwestern line of the City of Fayetteville property as described
5 in Deed Book 5008 Page 16, S 43° 59' 09" W 223.16 feet to a point; thence along the southern line
6 of the aforesaid property, S 72° 34' 17" E 130.00 feet to an intersecting corner in the western line
7 of Lot 128 as shown on plat entitled Addition to Section One Tiffany Pines and recorded in Plat
8 Book 46, Page 2, Cumberland County Registry; thence S 20° 09' 01" W 34.98 feet to the
9 southwestern corner of Lot 128; thence along the western line of Lots 30-32 as shown in that plat
10 entitled Tiffany Pines Section One and recorded in Plat Book 41 Page 43, Cumberland County
11 Registry, with the following courses and distances: S 25° 10' 01" W 95.02 feet to the southwest
12 corner of Lot 30; thence S 23° 58' 01" W 95.00 feet to the northwestern corner of Lot 32; thence S
13 24° 34' 01" W 64.44 feet to a point; thence S 02° 29' 01" W 99.35 feet to a the southwest corner of
14 Lot 32; thence S 04° 25' 50" W 57.64 feet to a point of tangency in the northern line of Lot 44;
15 thence with the northern line of Lot 44, S 64° 08' 01" W 64.66 feet to the northwestern corner of
16 said lot; thence along the western line of the same lot, S 26° 03' 55" E 50.00 feet to an iron pipe in
17 the northeastern corner of the Barnhill Contracting Company property as shown on that plat
18 entitled Property of Cumberland Paving Company n/k/a Barnhill Contracting Company as
19 recorded in Plat Book 133, Page 129, Cumberland County Registry; thence along the northern line
20 of the same property for the following courses and distances: S 65° 34' 24" W 661.28 feet to an
21 iron pipe; thence S 40° 59' 00" E 15.96 feet to an existing steel post; thence S 10° 45' 15" W
22 641.24 feet to an existing concrete monument; thence S 41° 22' 42" W 328.82 feet to an iron pipe;
23 thence S 56° 41' 38" W 366.81 feet to an iron pipe; thence S 54° 25' 39" W 148.89 feet to an
24 existing iron stake; thence along the eastern line of Lot 45 as shown in that plat entitled
25 Northpoint Village and recorded in Plat Book 42, Page 57, Cumberland County Registry, N 34°
26 55' 41" W 135.00 feet to the northeastern corner of Lot 45; thence along the southern margin of
27 Shaw Road, an 80 foot right-of-way, N 55° 04' 19" E 25.00 feet to a point; thence crossing Shaw
28 Road and continuing thence N 34° 55' 41" W 210.00 feet to the northeastern corner of Lot 40;
29 thence N 23° 51' 41" W 9.99 feet to a point in the southeastern line of Lot 30; thence N 39° 00'
30 19" E 127.59 feet to a point on the eastern line of Lot 29; thence N 35° 53' 19" E 70.00 feet to a
31 point in the eastern line of Lot 29; thence N 26° 27' 41" W 175.58 feet to the northeastern corner
32 of Lot 28; thence along the northern line of Lots 28,27,15,14,and 13, N 64° 04' 41" W 411.21 feet
33 to the northernmost corner of Lot 13; thence along the northwestern line of Lots 9-13, S 55° 04'
34 19" W 390.93 feet to a point in the western line of Lot 9; thence S 25° 57' 19" W 228.94 feet to the
35 southwestern corner of Lot 8 said point also being in the northern right-of-way margin of Meharry
36 Drive; thence with the northern margin of Meharry Drive, a 60 foot right-of-way, having a curve
37 to the left, a radius of 560.52 feet, an arc length of 60.05 feet, a chord bearing of N 68° 25' 31" W,
38 and a chord length of 60.02 feet to a point; thence crossing the right-of-way of Meharry Drive, S
39 25° 56' 19" W 191.47 feet to the southwestern corner of Lot 7, also being the northernmost most
40 corner of Lot 149 as shown on that plat entitled University Estates Section 3 and recorded in Plat
41 Book 38, Page 65, Cumberland County Registry; thence N 87° 48' 41" W 131.25 feet to the
42 northernmost corner of Lot 148; thence S 70° 34' 19" W 141.83 to a point in the northern line of
43 Lot 146; thence S 54° 44' 19" W 649.03 feet to westernmost corner of Lot 141; thence S 29° 45'
44 12" E 701.76 feet to the northwestern corner of a lot conveyed to James W. McNeill and wife
45 Dagmar, Deed Book 3318 Page 456, Cumberland County Registry, thence along the southern
46 margin of Shaw Road having a curve to the right and a radius of 1671.48 feet, an arc length of
47 98.99 feet, a chord bearing of N 69° 14' 31" E, and a chord length of 98.98 feet to a point of
48 tangency; thence following a curve to the right having a radius of 25.00 feet, an arc length of

1 38.46 feet, a chord bearing S 68° 22' 58" E, and a chord length of 34.78 feet to a point; thence
2 along the western margin of Edmeston Drive S 24° 18' 39" E 41.33 feet to a point; thence
3 following a curve to the left having a radius of 569.41 feet, an arc length of 105.26 feet, a chord
4 bearing S 29° 36' 24" E, and a chord length of 105.11 feet to the northernmost corner of Lot 12 of
5 that plat entitled University Estate Section I and recorded in Plat Book 37, Page 7, Cumberland
6 County Registry; thence along the northwestern line of Lots 11 and 12, S 55° 05' 24" W 235.00
7 feet to the westernmost corner of Lot 11; thence N 34° 58' 29" W 44.24 feet to the northernmost
8 corner of the Colonial Pipeline Company property described in Deed Book 1035, Page 269,
9 Cumberland County Registry; thence along the northwestern of the aforementioned property, S
10 68° 18' 55" W 200.78 feet to the northernmost corner of the Motiva Enterprises, LLC property as
11 described in Deed Book 4974, Page 550, Cumberland County Registry; thence along the
12 northwestern line of the aforementioned property S 67° 21' 18" W 195.85 feet to a point in the
13 CSX railroad right-of-way; thence following the CSX railroad right-of-way N 34° 43' 36" W
14 587.95 feet to a point; thence crossing the CSX railroad right-of-way S 57° 44' 02" W 228.76 feet
15 to a point in the western right-of-way of Murchison Road, also known as NC Highway 210; thence
16 following the western margin of Murchison Road, S 31° 41' 07" E 338.05 feet to the northern
17 margin of Shaw Road, also known as SR 1437; thence following the northern margin of Shaw
18 Road S 43° 44' 24" W 190.23 feet to a point; thence N 46° 26' 15" W 10.45 feet to a point; thence
19 S 43° 44' 24" W 440.49 feet to a point; thence crossing the right-of-way of Shaw Road in a
20 southeasterly direction S 46° 15' 36" E 718.94 feet to the northeastern corner of Lot 32, Plat Book
21 29, Page 4, Cumberland County Registry; thence along the American Mobile Home Supply
22 property as shown on that plat entitled Survey for American Mobile Home Supply and recorded in
23 Plat Book 100, Page 71, Cumberland County Registry S 43° 34' 30" W 355.93 feet to the
24 westernmost corner; thence S 46° 27' 58" E 277.62 feet to the southeastern corner ; thence S 32°
25 13' 00" E 142.70 feet to a point of tangency; thence a following a curve to the left having a radius
26 of 20.00 feet, an arc length of 31.33 feet, a chord bearing S 77° 04' 31" E, and a chord length of
27 28.22 feet to a point in the northern margin of Hogan Street (formerly Alpine Street); thence S 31°
28 59' 33" W 112.28 feet to a point of tangency in the southern margin of Hogan Street, also being
29 the northern line of Lot 58 as shown on that plat entitled Madonna Estates Section One as
30 recorded in Plat Book 36 Page 15, Cumberland County Registry; thence following a curve to the
31 right, having a radius of 257.40 feet, an arc length of 127.43 feet, a chord bearing S 76° 53' 34" W,
32 and a chord length of 126.13 feet to a point; thence N 87° 01' 27" W 89.45 feet to a point of
33 tangency; thence following a curve to the left having a radius of 384.14 feet, an arc length of
34 262.34 feet, a chord bearing S 74° 43' 16" W and a chord length of 257.28 feet to the northwestern
35 corner of Lot 81 as shown on aforesaid plat and continuing thence along the western line of lots
36 81-92 with the following bearings and distances: S 32° 14' 36" E 136.53 feet to the southwestern
37 corner of Lot 81; thence N 57° 15' 21" E 5.00 feet to a the northwestern corner of Lot 82; thence S
38 32° 44' 36" E 130.00 feet to the southwestern corner of Lot 82; thence S 57° 15' 28" W 5.00 feet
39 to a point in the northwestern right-of-way of Prosser Court; thence S 32° 44' 36" E 464.84 feet to
40 the southwest corner of Lot 85; thence S 35° 21' 24" W 210.82 feet to the southwest corner of Lot
41 88; thence S 50° 53' 24" W 93.41 feet to the southwest corner of Lot 89; thence S 17° 18' 24" W
42 136.41 feet to a point of tangency in the northern right-of-way of Utopia Court; thence following a
43 curve to the left having a radius of 305.97 feet, an arc length of 43.74 feet, a chord bearing N 76°
44 55' 03" W, and a chord length of 43.70 feet to a point in the northern margin of Utopia Court;
45 thence crossing Utopia Court and continuing thence S 08° 56' 24" W 185.43 feet to the
46 southwestern corner of Lot 91; thence N 79° 27' 36" W 66.98 feet to the northwestern corner of
47 Lot 92; thence S 16° 29' 24" W 150.00 feet to a point in the northern margin of Alpine Street, said
48 point also being the southwestern corner of Lot 92; thence S 73° 30' 36" E 42.92 feet to a point;

1 thence crossing Alpine Street and continuing thence S 16° 29' 24" W 194.23 feet to the
2 southwestern corner of Lot 62; thence following the southwestern line of the Public Works
3 Commission property as shown on Plat Book 98, Page 147, Cumberland County Registry, N 74°
4 01' 37" W 759.64 feet to a concrete monument; thence N 58° 25' 48" W 534.75 feet to an iron
5 stake in the eastern line of Lot 100 as shown in that plat entitled Julie Heights Subdivision Section
6 Four as recoded in Plat Book 32, Page 25 of the Cumberland County Registry and continuing
7 thence S 43° 48' 24" W 627.89 feet to the southernmost corner of Lot 92 Julie Heights Section
8 Four of the aforementioned plat; thence N 83° 11' 36" W 459.96 feet to a concrete monument;
9 thence N 46° 09' 53" W 310.99 feet to a concrete monument; thence N 87° 29' 36" W 399.80 feet
10 to a concrete monument; thence N 58° 10' 36" W 350.10 feet to a concrete monument; thence N
11 23° 26' 04" W 398.18 feet to the POINT OF BEGINNING, and containing approximately 637.23
12 acres more or less. This description is intended to cover all of the non-annexed parcels that are
13 currently surrounded by the City of Fayetteville and Fort Bragg Military Reservation boundaries
14 within the area described above.

15 Less and excepting Area I and Area II, which were annexed by the City of Fayetteville
16 in Ordinance No. 77-10-201, adopted on October 24, 1977, and Ordinance No. 2013-06-543,
17 adopted on June 10, 2013, respectively, and are more particularly described as follows:

18 Area I

19 BEGINNING at a point in the northern margin of Shaw Road, a 60 foot right-of-way at
20 its intersection with the western margin of Gregory Street a 50 foot right-of-way, running thence
21 for a first call, with the northern margin of Shaw Road, South 44 degrees West 254.40 feet to a
22 point; thence North 35 degrees 10 minutes West 883.60 feet to a point in the southern margin of
23 Tammy Street, a 50 foot right-of-way; thence with the southern margin of Tammy Street, North 54
24 degrees 50 minutes East 250 feet to a point in the western margin of Gregory Street; thence with
25 the western margin of Gregory Street South 35 degrees 10 minutes East 418 feet to a point: thence
26 with the southern line of Lot 10 of Shaw Heights subdivision as shown in Plat Book 12, Page 11,
27 Cumberland County Registry, South 49 degrees 22 minutes West 125.6 feet to a point; thence
28 with the eastern line of Lot 2 of said Shaw Heights subdivision South 35 degrees 10 minutes East
29 253.90 feet to a point; thence North 49 degrees 22 minutes East 125.6 feet to the western margin
30 of Gregory Street, thence with said street margin South 35 degrees 10 minutes East 176 feet to the
31 BEGINNING, and containing 4.13 acres more or less, and being all of Lots Nos. 2, 10, 11 and a
32 portion of Lot No. 1, of the Shaw Heights Subdivision as shown in Plat Book 12, Page 11,
33 recorded in the Cumberland County Registry; conveyed to Albert O. McCauley and Kenneth F.
34 McDonald by deeds recorded in Book 2148, Page 93, Book 2377, Page 747, and Book 2491, Page
35 282, Cumberland County Registry.

36 Area II

37 BEGINNING at a point in the Eastern right-of-way margin of Holland Street, said
38 point also being the northwest corner of Lot 19, Block "A", as shown on a plat entitled,
39 "DIVISION OF LOTS 17 & 18, BLOCK "A" OF SHAW'S HEIGHTS," duly recorded in Book of
40 Plats 94, Page 163, Cumberland County Registry, and continuing thence North 54 degrees 42
41 minutes 40 seconds East 95.06 feet to a point; thence North 54 degrees 43 minutes 36 seconds
42 East 20.00 feet to a point; thence North 54 degrees 43 minutes 36 seconds East 80.00 feet to a
43 point; thence South 35 degrees 10 minutes 00 seconds East 484.987 feet to a point; thence South
44 50 degrees 11 minutes 26 seconds West 100.33 feet to a point; thence South 49 degrees 08
45 minutes 00 seconds 95.53 feet to a point; thence North 35 degrees 10 minutes 00 seconds West
46 502.19 feet to the POINT AND PLACE OF BEGINNING, and containing 2.21 Acres more or
47 less.

48 The total size of the area annexed in this Section, excepting Areas I and II, is 630.89
49 acres, more or less.

50 **SECTION 2.** This act becomes effective December 31, 2018.