

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

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**SENATE BILL 105
State and Local Government Committee Substitute Adopted 4/4/17
Finance Committee Substitute Adopted 5/9/17
PROPOSED HOUSE COMMITTEE SUBSTITUTE S105-PCS35313-TMxr-20**

Short Title: Fairmont Vol. Annex.; Troutman Land Use Reg. (Local)

Sponsors:

Referred to:

February 20, 2017

A BILL TO BE ENTITLED

1 AN ACT (1) TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE
2 LIMITS OF THE TOWN OF FAIRMONT, (2) TO TEMPORARILY EXTEND THE
3 TERRITORIAL JURISDICTION OF THE TOWN OF TROUTMAN, AND (3) TO
4 REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF
5 THE TOWN OF GARNER.
6

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.(a)** The following described property is added to the corporate limits
9 of the Town of Fairmont:

10 Lying and being about 5 3/4 miles northwest of the center of Fairmont, NC, adjacent
11 to and on the southeast side of Interstate 95 and on the northeast and southwest side of SR
12 1003, Chicken Road, and adjoining the lands of Elliotine Williams Floyd (1994/394) and James
13 P. Thompson (1742/482) on the northwest, James P. Thompson (1742/482 and 1205/839) on
14 the north and east, Florella Thompson Heirs (6-U/447) and Julius T. Singletary (12-Z/174) on
15 the east, Charles E. Jackson, Jr. (1876/259) on the southeast and the Run of Old Field Swamp
16 on the southwest and being more particularly described as follows: BEGINNING at a railroad
17 spike found in the center of SR 1003, Chicken Road, at its intersection with a ditch (if
18 extended) and Joe's Branch, the same being the south corner of the Winston P. Fox, Trustee,
19 193.93 acre tract shown in Map Book 35, Page 140, of which this is a part, also a corner of the
20 fifth tract of the Luther and Kenneth Barnes tracts, shown in Deed Book 914, Page 736, also
21 said railroad spike being a corner with Charles E. Jackson, Jr. (1876/259) and runs from said
22 railroad spike and with the various courses of the center of the Run of Joe's Branch, a
23 calculated tie line being South 45 degrees 37 minutes 36 seconds West 1293.36 feet more or
24 less to the intersection of the Run of Joe's Branch with the Run of Old Field Swamp; thence
25 with the various courses of the center of the Run of Old Field Swamp, a calculated course and
26 distance of North 41 degrees 26 minutes 30 seconds West 5166.64 feet more or less to a point
27 where the center of the Run of Old Field Swamp intersects the southeast right-of-way line at
28 Interstate 95; thence with the southeast right-of-way line of Interstate 95, the following (4)
29 calls, North 63 degrees 37 minutes 10 seconds East 219.07 feet to an existing concrete
30 right-of-way monument, North 74 degrees 39 minutes 47 seconds East 502.47 feet to an
31 existing concrete right-of-way monument, North 78 degrees 19 minutes 36 seconds East 486.33
32 feet to an existing concrete right-of-way monument and South 53 degrees 16 minutes 26
33 seconds East 338.42 feet to an existing concrete right-of-way monument; thence North 40
34 degrees 34 minutes 30 seconds East 50.38 feet to a mag nail set in the center of the pavement of



1 SR 1003, Chicken Road; thence North 39 degrees 46 degrees 58 minutes 49.81 feet to an
2 existing concrete right-of-way monument; thence with the right-of-way of Interstate 95 and SR
3 1003, Chicken Road, North 46 degrees 44 minutes 06 seconds West 373.26 feet to an existing
4 concrete right-of-way monument in the southeast right-of-way line of Interstate 95; thence with
5 the southeast right-of-way line of Interstate 95, North 35 degrees 54 minutes 41 seconds East
6 468.61 feet to an existing concrete right-of-way monument, a corner with Elliotine Williams
7 Floyd (1994/394); thence with said Floyd's line and a ditch South 47 degrees 57 minutes 03
8 seconds East 1226.55 feet to an iron pipe found; thence with said Floyd's line and to and with
9 the James P. Thompson tract (1742/482), North 47 degrees 50 minutes 00 seconds East
10 1831.50 feet to an existing iron pipe, a corner with said Thompson; thence continuing with said
11 Thompson's line South 37 degrees 55 minutes 00 seconds East 462.00 feet to an existing iron
12 rod in a ditch; thence continuing with said Thompson tract and a ditch, South 13 degrees 55
13 minutes 20 seconds East 312.84 feet to an existing iron pipe in said ditch; thence continuing
14 with said Thompson line South 69 degrees 17 minutes 54 seconds East 1014.06 feet to an
15 existing nail, a corner of said James P. Thompson in (1742/482) and James P. Thompson in
16 (1235/839); thence with said Thompson's line South 10 degrees 23 minutes 04 seconds East
17 1415.29 feet to an existing iron rod, a corner with said Thompson and Florella Thompson Heirs
18 (6-U/447); thence with the Thompson Heirs line South 10 degrees 23 minutes 06 seconds East
19 202.26 feet to an existing iron rod, a corner with said Thompson and Julius T. Singletary
20 (122/174); thence with Singletary's line South 10 degrees 23 minutes 08 seconds East 1461.75
21 feet to an existing iron pipe in a ditch, a corner with said Singletary and Charles E. Jackson, Jr.
22 (1876/259); thence with said ditch South 87 degrees 00 minutes 00 seconds West 186.12 feet to
23 an existing iron pipe in said ditch; thence continuing with said ditch South 82 degrees 14
24 minutes 23 seconds West 1107.38 feet to the beginning containing 324.0 acres more or less,
25 with 207.36 being the Winston P. Fox, Trustee, Map Book 35, Page 140 and 116.64 acres being
26 the Luther and Kenneth Barnes tracts, Deed Book 914, Page 736, Robeson County Registry.
27 Bearings referenced to NC Grid, NAD 83 from Map Book 35, Page 140.

28 **SECTION 1.(b)** This section becomes effective June 30, 2017. Property in the
29 territory described by Section 1(a) of this act as of January 1, 2017, is subject to municipal
30 taxes for taxes imposed for taxable years beginning on or after July 1, 2017.

31 **SECTION 2.(a)** A municipality shall be treated as a city of 25,000 or more in
32 population with respect to territorial jurisdiction granted pursuant to G.S. 160A-360 if all of the
33 following apply to the land over which the jurisdiction will be exercised:

- 34 (1) The land meets the standards of a noncontiguous area that may be annexed
35 pursuant to G.S. 160A-58.1(b).
- 36 (2) Within 12 months of exercising territorial jurisdiction over the land, the
37 municipality annexes the land pursuant to G.S. 160A-58.1.
- 38 (3) The board of county commissioners has passed a resolution identifying the
39 land over which the municipality will exercise territorial jurisdiction by
40 metes and bounds or courses and distances.

41 **SECTION 2.(b)** This section only applies to the Town of Troutman.

42 **SECTION 2.(c)** This section is effective when it becomes law.

43 **SECTION 3.(a)** The following described property, referenced by the Wake County
44 Tax Office Parcel Identification Number, is removed from the corporate limits of the Town of
45 Garner: 0791980587.

46 **SECTION 3.(b)** This section becomes effective June 30, 2017. Property in the
47 territory described in Section 3(a) of this act as of January 1, 2017, is no longer subject to
48 municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2017.

49 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes
50 law.