

2017-2018

**HOUSE
FINANCE –
ANNEXATION/
DEANNEXATION**

MINUTES



House Committee on Finance
Subcommittee on Annexation/Deannexation

Representative Destin Hall, Chair

Committee Clerks

Lynn Taylor

Stephen Wiley



HOUSE COMMITTEE ON FINANCE
SUBCOMMITTEE ON ANNEXATION/DEANNEXATION
2017-2018 SESSION

Clerks: Lynn Taylor and Stephen Wiley



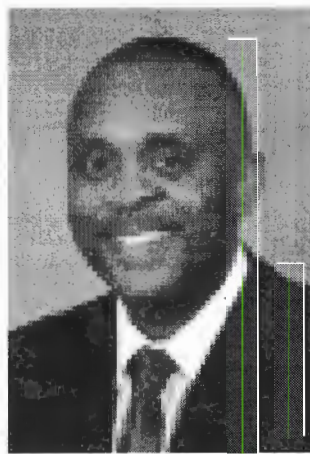
Destin Hall, Chairman



Jay Adams



Jeff Collins



Robert Reives



Bob Steinburg



HOUSE COMMITTEE ON FINANCE

Subcommittee on Annexation/Deannexation

2017-2018 SESSION

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2017-2018 Session

[illegible]



**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2017-2018 SESSION**

You are hereby notified that the **House Committee on Finance, Subcommittee on Annexation and Deannexation** will meet as follows:

DAY & DATE: Thursday, June 15, 2017

TIME: 8:30 AM

LOCATION: 544 LOB

The following bills will be considered:

| BILL NO. | SHORT TITLE | SPONSOR |
|-----------------|-------------------------------|---------------------|
| <u>HB 397</u> | Carolina Shores Deannexation. | Representative Iler |

Respectfully,

Rep. Destin Hall

I hereby certify this notice was filed by the committee assistant at the following offices at 2:54 PM on Wednesday, June 14, 2017.

____ Principal Clerk
____ Reading Clerk – House Chamber

Stephen Wiley (Committee Assistant)



**House Committee on Finance, Subcommittee on Annexation and
Deannexation**

**Thursday, June 15, 2017, 8:30 AM
544 Legislative Office Building**

Destin Hall, Chair

AGENDA

Welcome and Opening Remarks

Introduction of Pages

Bills

| BILL NO. | SHORT TITLE | SPONSOR |
|-----------------|-------------------------------|---------------------|
| HB 397 | Carolina Shores Deannexation. | Representative Iler |

Presentations

Other Business

Adjournment



House Committee on Finance, Subcommittee on Annexation and Deannexation
Thursday, June 15, 2017 at 8:30 AM
Room 544 of the Legislative Office Building

MINUTES

The House Committee on Finance, Subcommittee on Annexation and Deannexation met at 8:30 AM on June 15, 2017 in Room 544 of the Legislative Office Building. Representatives Brawley, Destin Hall, and Reives attended.

Representative William Brawley, Senior Chair, presided.

The following bills were considered:

HB 397 Car. Shores Deannex/New Hanover Dwntrn. Devpt. (Representative Iler)

Chairman Destin Hall gavels in

Recognition of Rep. Frank Iler to present on House Bill 397

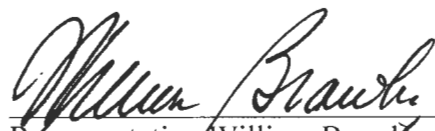
- Rep. Bob Steinburg moves for a favorable report of H397
 - o Motion carries

Rep. Bob Steinburg moves to add House Bill 262 to the agenda

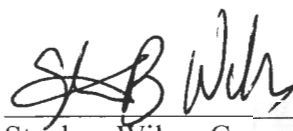
Recognition of Rep. Carl Ford to present on House Bill 262

- Rep. Robert Reives moves for a favorable report of H262
 - o Motion carries

The meeting adjourned at 8:45 AM.



Representative William Brawley, Senior Chair
Presiding



Stephen Wiley, Committee Clerk





HOUSE BILL 397: Carolina Shores Deannexation.

2017-2018 General Assembly

Committee: House Finance
Introduced by: Rep. Iler
Analysis of: First Edition

Date: June 15, 2017
Prepared by: Greg Roney
Committee Counsel

OVERVIEW: *House Bill 397 removes a small (0.04 acre) tract from the Town of Carolina Shores.*

CURRENT LAW: Under Section 1 of Article VII of the NC Constitution, the General Assembly is empowered to "provide for the organization and government and the fixing of boundaries of counties, cities and towns, and other governmental subdivisions, and, except as otherwise prohibited by this Constitution, may give such powers and duties to counties, cities and towns, and other governmental subdivisions as it may deem advisable." Pursuant to this Section, the General Assembly enacted Article 4A of Chapter 160A of the General Statutes, which governs municipal annexations. In addition, the General Assembly may annex property by local act. The General Assembly has not enacted any method for municipalities to *deannex* property; that power remains with the General Assembly.

BILL ANALYSIS: House Bill 397 removes a small (0.04 acre) tract from the Town of Carolina Shores.

EFFECTIVE DATE: House Bill 397 would be effective June 30, 2017 and apply for the tax year beginning July 1, 2017.

Giles Perry with the Legislative Analysis Division substantially contributed to this summary.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H

1

HOUSE BILL 397

Short Title: Carolina Shores Deannexation. (Local)

Sponsors: Representative Iler.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: State and Local Government I, if favorable, Finance

March 20, 2017

A BILL TO BE ENTITLED

AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE
LIMITS OF THE TOWN OF CAROLINA SHORES.

The General Assembly of North Carolina enacts:

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

For that certain parcel of land lying and being in Shallotte Township, Brunswick
County, North Carolina, identified on a plat created by Thomas & Hutton entitled
"DE-ANNEXATION EXHIBIT OF THE CHERYL G. BENNETT & L.E. BENNETT PARCEL
TOTALING 0.04 AC.±," dated 3/1/17, bounded on the North, South, East, and West by lands of
Cheryl G. Bennett, and being more particularly described as follows: BEGINNING at a point in
the Cheryl G. Bennett property line, said point have a NC Grid Coordinate value of N: 64,877.50,
E: 2,132,373.59, and runs thence with the existing Cheryl G. Bennett property line, 5 01' 38' 59"
W – 64.96' to a point; thence continuing with the Bennett property line, S 18' 28'50" W – 51.56' to
a point; thence with a proposed property line to be identified as the new Town Limit Line, N 71'
20' 40" W – 19.95' to a point, a new property corner having a NC Grid Coordinate value of N:
64,770.05, E: 2,132,336.48; thence with a proposed property line to be identified as the new Town
Limit Line, N 19' 03' 19" E – 113.68' to the BEGINNING, containing 0.04 Acres±.

SECTION 2. This act becomes effective June 30, 2017. Property in the territory
described in Section 1 of this act as of January 1, 2017, is no longer subject to municipal taxes for
taxes imposed for taxable years beginning on or after July 1, 2017.







HOUSE BILL 262: Kannapolis Deannexation.

2017-2018 General Assembly

| | | | |
|-----------------------|---|---------------------|-----------------------------------|
| Committee: | House State and Local Government I. If favorable, re-refer to Finance | Date: | March 28, 2017 |
| Introduced by: | Rep. Ford | Prepared by: | Billy R. Godwin Staff Attorney |
| Analysis of: | PCS to First Edition H262-CSBDx-14 | | |

OVERVIEW: *House Bill 262 (proposed committee substitute - PCS) would remove two tracts of land from the corporate limits of the City of Kannapolis. The bill would become effective June 30, 2017 and apply to tax years beginning July 1, 2017.*

The PCS makes a technical change to clarify that the City of Kannapolis may still collect any ad valorem taxes or special assessments on the property that were outstanding before the effective date of the deannexation.

[As introduced, this bill was identical to S261, as introduced by Sen. Brock, which is currently in Senate State and Local Government.]

CURRENT LAW: Under Section 1 of Article VII of the NC Constitution, the General Assembly is empowered to "provide for the organization and government and the fixing of boundaries of counties, cities and towns, and other governmental subdivisions, and, except as otherwise prohibited by this Constitution, may give such powers and duties to counties, cities and towns, and other governmental subdivisions as it may deem advisable." Pursuant to this Section, the General Assembly enacted Article 4A of Chapter 160A of the General Statutes which governs municipal annexations. In addition, the General Assembly may annex property by local act. However, the General Assembly has not enacted any method for municipalities to deannex property. Only the General Assembly may deannex property.

BILL ANALYSIS: The PCS would deannex two tracts of land from the corporate limits of the City of Kannapolis.

EFFECTIVE DATE: The bill would become effective June 30, 2017 and apply to tax years beginning July 1, 2017.

BACKGROUND: This bill has the support of the governing body of the City of Kannapolis.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H

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HOUSE BILL 262
PROPOSED COMMITTEE SUBSTITUTE H262-CSBDx-14 [v.1]
03/28/2017 03:43:57 PM

Short Title: Kannapolis Deannexation.

(Local)

Sponsors:

Referred to:

March 8, 2017

1 A BILL TO BE ENTITLED
2 AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE
3 LIMITS OF THE CITY OF KANNAPOLIS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** The following described property is removed from the corporate
6 limits of the City of Kannapolis:

7 Tract I:

8 BEGINNING at a point on the south side of the 60-ft. right-of-way for Cannon
9 Farm Road (SR 1197), said beginning point being the northwestern corner of Lot No. 4,
10 Cannon Country Club Estates, and runs thence with the dividing line between Lots Nos. 3 and
11 4 S. 05-03-08 W. (passing a 1/2" existing iron rod at 496.09 feet) a total distance of 543.22 feet
12 to a new iron post; thence N. 84-56-52 W. 113.93 feet to a new iron post in the boundary of the
13 property of Atlantic American Properties, Inc., (Kannapolis Country Club); thence N. 00-06-07
14 E. 41.34 feet to a 1/2" existing iron rod; thence continuing with the property of Atlantic
15 American Properties, Inc., N. 87-50-27 W. 26.67 feet to a 1/2" existing iron rod, a new corner
16 in the property of Billy Max James (Deed Book 667, page 529); thence a new line through Lot
17 No. 2 of Cannon Country Club Estates N. 03-37-37 E. 433.50 feet to a 1/2" existing iron rod on
18 the south side of the right-of-way for Cannon Farm Road; thence with said right-of-way N.
19 70-44-00 E. 170.00 feet to the point of BEGINNING.

20 Tract II:

21 BEGINNING at a new iron pin in the southern right-of-way line of Cannon Farm
22 Road (SR 1197), a common corner with Robert L. London and Leonard R. Beaver (588-692);
23 thence along the western line of Robert L. London and Leonard R. Beaver S. 06-13-02 W.
24 668.59 ft. to an established iron pin, the southwestern corner of Leonard R. Beaver; thence S.
25 82-59-46 W. 131.08 ft. to an established iron pin, the southeastern corner of Lot No. 3; thence
26 along the eastern line of Lot No. 3 N. 05-03-08 E. 633.23 ft. to a new iron pin in the southern
27 margin of Cannon Farm Road (SR 1197); thence along the southern margin of Cannon Farm
28 Road N. 70-44-00 E. 110.93 ft. to a computed point; thence N. 72-28-41 E. 44.07 ft. to the
29 point and place of BEGINNING and containing 2.012 acres, more or less, and being that
30 property as shown upon a survey by Mel G. Thompson, R.L.S., bearing the date of August 7,
31 1987, to which reference is hereby made.

32 **SECTION 2.** This act has no effect upon the validity of any liens of the City of
33 Kannapolis for ad valorem taxes or special assessments outstanding before the effective date of
34 this act. Such liens may be collected or foreclosed upon after the effective date of this act as
35 though the property were still within the corporate limits of the City of Kannapolis.
36



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

House Committee on Finance, Subcommittee on Annexation and Deannexation
Wednesday, June 21, 2017 at 8:30 AM
Room 544 of the Legislative Office Building

MINUTES

The House Committee on Finance, Subcommittee on Annexation and Deannexation met at 8:30 AM on June 21, 2017 in Room 544 of the Legislative Office Building. Representatives Adams, Brawley, Butler, Collins, and Destin Hall attended.

Representative William Brawley, Senior Chair, presided.

Chairman Destin Hall gavels in

The following bills were considered:

SB 6 Cornelius Annexation. (Senator Tarte)

Rep. John Bradford recognized to present on Senate Bill 6

- Rep. Jay Adams recognized for clarifying question on the bill
- Rep. Deb Butler recognized for comment
- Rep. Bradford moves for a favorable report to the full finance committee
 - o Motion passes

SB 105 Fairmont Vol. Annex.; Troutman Land Use Reg. (Senator Britt)

Rep. Rena Turner recognized to present on Senate Bill 105

- Rep. Collins recognized to present amendment
 - o Rep. Collins moves for a favorable report for the amendment to S255
 - § Motion passes
- Rep. Turner recognized to speak on the bill as amended
- Rep. Adams moves for a favorable report to the full finance committee
 - o Motion passes

SB 219 Indian Beach Annex/Morehead City Charter Chgs. (Senator Sanderson)

Sen. Norman Sanderson recognized to present on Senate Bill 219

- Rep. Jeff Collins moves for a favorable report to the full finance committee
 - o Motion passes

SB 260 Wake Forest Annexation. (Senators Barefoot, Alexander)

Sen. Chad Barefoot recognized to present on Senate Bill 260

- Rep. Collins moves for a favorable report to the full finance committee
 - o Motion passes

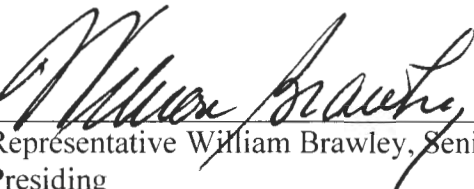
SB 266 Durham and Walkertown Annexations. (Senator McKissick)

Sen. Floyd McKissick recognized to present on Senate Bill 266

- Rep. Adams moves for a favorable report to the full finance committee
 - o Motion passes



The meeting adjourned at 8:50 AM.



Representative William Brawley, Senior Chair
Presiding



Stephen Wiley, Committee Clerk



**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2017-2018 SESSION**

You are hereby notified that the **House Committee on Finance, Subcommittee on Annexation and Deannexation** will meet as follows:

DAY & DATE: Wednesday, June 21, 2017
TIME: 8:30 AM
LOCATION: 544 LOB

The following bills will be considered:

| BILL NO. | SHORT TITLE | SPONSOR |
|-----------------|--|---------------------------------------|
| <u>HB 255</u> | Cornelius Annexation. | Representative Bradford |
| <u>SB 105</u> | Fairmont Vol. Annex.; Troutman Land Use Reg. | Senator Britt |
| <u>SB 219</u> | Indian Beach Annex/Morehead City Charter Chgs. | Senator Sanderson |
| <u>SB 260</u> | Wake Forest Annexation. | Senator Barefoot Senator Alexander |
| <u>SB 266</u> | Durham and Walkertown Annexations. | Senator McKissick |

Respectfully,

Destin Hall

I hereby certify this notice was filed by the committee assistant at the following offices at 1:55 PM on Tuesday, June 20, 2017.

____ Principal Clerk
____ Reading Clerk – House Chamber

Lynn Taylor (Committee Assistant)



**House Committee on Finance, Subcommittee on Annexation and
Deannexation**

**Wednesday, June 21, 2017, 8:30 AM
544 Legislative Office Building**

AGENDA

Welcome and Opening Remarks

Introduction of Pages

Bills

| BILL NO. | SHORT TITLE | SPONSOR |
|-----------------|---|---------------------------------------|
| HB 255 | Cornelius Annexation. | Representative Bradford |
| SB 105 | Fairmont Vol. Annex.; Troutman Land Use Reg. | Senator Britt |
| SB 219 | Indian Beach Annex/Morehead City Charter Chgs. | Senator Sanderson |
| SB 260 | Wake Forest Annexation. | Senator Barefoot Senator Alexander |
| SB 266 | Durham and Walkertown Annexations. | Senator McKissick |

Presentations

Other Business

Adjournment



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

S

D

SENATE BILL 6

State and Local Government Committee Substitute Adopted 3/7/17
PROPOSED HOUSE COMMITTEE SUBSTITUTE S6-PCS45448-BDx-28

Short Title: Cornelius Annexation.

(Local)

Sponsors:

Referred to:

January 26, 2017

A BILL TO BE ENTITLED
AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS
OF THE TOWN OF CORNELIUS.

The General Assembly of North Carolina enacts:

SECTION 1. The following described property, referenced by the Mecklenburg
County Tax Office Parcel Identification Number, is added to the corporate limits of the Town
of Cornelius:

| | | | |
|----------|----------|----------|-----------|
| 00513121 | 00541108 | 00502104 | 00513126 |
| 00541102 | 00502127 | 00513125 | 00541105 |
| 00502115 | 00513202 | 00507104 | 00502103 |
| 00502102 | 00541101 | 00533104 | 00502122 |
| 00511105 | 00533105 | 00504226 | 00507197 |
| 00533106 | 00504C99 | 00507166 | 00533124 |
| 00504225 | 00507118 | 00533102 | 00504C98 |
| 00507116 | 00502109 | 00504230 | 00507112 |
| 00502114 | 00504C96 | 00503214 | 00502113 |
| 00513122 | 00502111 | 00513117 | 00503201 |
| 00502112 | 00541107 | 00538386 | 00506102 |
| 00502105 | 00502117 | 00502106 | 00538385 |
| 00502125 | 00502129 | 00503288 | 00502108 |
| 00503211 | 00503209 | 00502118 | 00114509 |
| 00507115 | 00513124 | 00114522 | 00507114 |
| 00513107 | 00511106 | 00513205 | 00503208 |
| 00502116 | 00538387 | 00182123 | 00538388 |
| 00507119 | 00182124 | 00513106 | 00506101 |
| 00182122 | 00513120 | 00507117 | 00182121 |
| 00513105 | 00506110 | 00182120 | 00513129 |
| 00506111 | 00182125 | 00513119 | 00502124 |
| 00182119 | 00513118 | 00502126 | 00182118. |

SECTION 2. This act becomes effective June 30, 2017. Property in the territory
described by Section 1 of this act as of January 1, 2017, is subject to municipal taxes for taxes
imposed for taxable years beginning on or after July 1, 2017.



* S 6 - P C S 4 5 4 4 8 - B D X - 2 8 *



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H

2

HOUSE BILL 255*
Committee Substitute Favorable 3/29/17

Short Title: Cornelius Annexation.

(Local)

Sponsors:

Referred to:

March 7, 2017

A BILL TO BE ENTITLED
AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS
OF THE TOWN OF CORNELIUS.

The General Assembly of North Carolina enacts:

SECTION 1. The following described property, referenced by the Mecklenburg
County Tax Office Parcel Identification Number, is added to the corporate limits of the Town
of Cornelius:

| | | |
|----------|----------|----------|
| 00513121 | 00541108 | 00502104 |
| 00513126 | 00541102 | 00502127 |
| 00513125 | 00541105 | 00502115 |
| 00513202 | 00507104 | 00502103 |
| 00502102 | 00541101 | 00533104 |
| 00502122 | 00511105 | 00533105 |
| 00504226 | 00507197 | 00533106 |
| 00504C99 | 00507166 | 00533124 |
| 00504225 | 00507118 | 00533102 |
| 00504C98 | 00507116 | 00502109 |
| 00504230 | 00507112 | 00502114 |
| 00504C96 | 00503214 | 00502113 |
| 00513122 | 00503206 | 00502111 |
| 00513117 | 00503201 | 00502112 |
| 00541107 | 00538386 | 00506102 |
| 00502105 | 00503204 | 00502117 |
| 00502106 | 00538385 | 00502125 |
| 00502129 | 00503288 | 00502108 |
| 00503211 | 00503209 | 00502118 |
| 00114509 | 00507115 | 00513124 |
| 00114522 | 00507114 | 00513107 |
| 00511106 | 00507109 | 00513205 |
| 00503208 | 00542301 | 00502116 |
| 00538387 | 00507110 | 00182123 |
| 00538388 | 00507119 | 00182124 |
| 00513106 | 00506101 | 00182122 |
| 00513120 | 00507117 | 00182121 |
| 00513105 | 00506110 | 00182120 |
| 00513129 | 00506111 | 00182125 |



* H 2 5 5 - V - 2 *

1 00513119 00502124 00182119
2 00513118 00502126 00182118.
3 **SECTION 2.** This act becomes effective June 30, 2017. Property in the territory
4 described by Section 1 of this act as of January 1, 2017, is subject to municipal taxes for taxes
5 imposed for taxable years beginning on or after July 1, 2017.



HOUSE BILL 255: Cornelius Annexation.

2017-2018 General Assembly

Committee: House Finance
Introduced by: Rep. Bradford
Analysis of: Second Edition

Date: June 21, 2017
Prepared by: Greg Roney
Committee Counsel

OVERVIEW: *House Bill 255 would add certain properties to the corporate limits of the Town of Cornelius and would become effective June 30, 2017.*

CURRENT LAW: Annexation is a method by which municipalities alter their boundaries. The municipality must follow the statutorily prescribed steps in order to add an area into its boundaries. The municipality must provide, or contract to provide, basic services to the area. These services include police protection, fire protection, solid waste collection and the extension of water and sewer lines to the area.

North Carolina law sets forth four basic ways in which a municipality may annex an area.

- Voluntary Annexation. – The owners of all real property in an area contiguous to the municipality desiring to be annexed sign a petition requesting annexation.
- Voluntary Satellite Annexation. – The owners of all real property in the area desiring to be annexed sign a petition requesting annexation, if it otherwise meets the statutory requirements.
- Municipal-Initiated Annexation subject to a referendum. – The municipality initiates an annexation proceeding, pursuant to statutory requirements.
- Legislative Act. – The General Assembly has the authority to extend the boundaries of any municipality.

BILL ANALYSIS: House Bill 255 would annex the described property into the corporate limits of the Town of Cornelius.

EFFECTIVE DATE: House Bill 255 would be effective June 30, 2017. The property annexed as of January 1, 2017, would be subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2017.

Billy Godwin with the Legislative Analysis Division substantially contributed to this summary.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

S

3

SENATE BILL 105*

State and Local Government Committee Substitute Adopted 4/4/17
Finance Committee Substitute Adopted 5/9/17

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

(Local)

Sponsors:

Referred to:

February 20, 2017

A BILL TO BE ENTITLED

AN ACT (1) TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE
LIMITS OF THE TOWN OF FAIRMONT AND (2) TO TEMPORARILY EXTEND THE
TERRITORIAL JURISDICTION OF THE TOWN OF TROUTMAN.

The General Assembly of North Carolina enacts:

SECTION 1. The following described property is added to the corporate limits of
the Town of Fairmont:

Lying and being about 5 3/4 miles northwest of the center of Fairmont, NC, adjacent
to and on the southeast side of Interstate 95 and on the northeast and southwest side of SR
1003, Chicken Road and adjoining the lands of Elliotine Williams Floyd (1994/394) and James
P. Thompson (1742/482) on the northwest, James P. Thompson (1742/482 and 1205/839) on
the north and east, Florella Thompson Heirs (6-U/447) and Julius T. Singletary (12-Z/174) on
the east, Charles E. Jackson, Jr. (1876/259) on the southeast and the Run of Old Field Swamp
on the southwest and being more particularly described as follows: BEGINNING at a railroad
spike found in the center of SR 1003, Chicken Road, at its intersection with a ditch (if
extended) and Joe's Branch, the same being the south corner of the Winston P. Fox, Trustee,
193.93 acre tract shown in Map Book 35, Page 140, of which this is a part, also a corner of the
fifth tract of the Luther and Kenneth Barnes tracts, shown in Deed Book 914, Page 736, also
said railroad spike being a corner with Charles E. Jackson, Jr. (1876/259) and runs from said
railroad spike and with the various courses of the center of the Run of Joe's Branch, a
calculated tie line being South 45 degrees 37 minutes 36 seconds West 1293.36 feet more or
less to the intersection of the Run of Joe's Branch with the Run of Old Field Swamp; thence
with the various courses of the center of the Run of Old Field Swamp, a calculated course and
distance of North 41 degrees 26 minutes 30 seconds West 5166.64 feet more or less to a point
where the center of the Run of Old Field Swamp intersects the southeast right-of-way line at
Interstate 95; thence with the southeast right-of-way line of Interstate 95, the following (4)
calls, North 63 degrees 37 minutes 10 seconds East 219.07 feet to an existing concrete
right-of-way monument, North 74 degrees 39 minutes 47 seconds East 502.47 feet to an
existing concrete right-of-way monument, North 78 degrees 19 minutes 36 seconds East 486.33
feet to an existing concrete right-of-way monument and South 53 degrees 16 minutes 26
seconds East 338.42 feet to an existing concrete right-of-way monument; thence North 40
degrees 34 minutes 30 seconds East 50.38 feet to a mag nail set in the center of the pavement of
SR 1003, Chicken Road; thence North 39 degrees 46 degrees 58 minutes 49.81 feet to an
existing concrete right-of-way monument; thence with the right-of-way of Interstate 95 and SR
1003, Chicken Road, North 46 degrees 44 minutes 06 seconds West 373.26 feet to an existing



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

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

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

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

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

37 **SECTION 3.** Section 1 of this act becomes effective June 30, 2017. Property in the
38 territory described by Section 1 of this act as of January 1, 2017, is subject to municipal taxes
39 for taxes imposed for taxable years beginning on or after July 1, 2017. Except as otherwise
40 provided, the remainder of this act is effective when it becomes law.



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 105*

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

S105-ATMxr-21 [v.1]

Page 1 of 2

Amends Title [YES]
Third Edition

Date _____, 2017

Representative Collins

1 moves to amend the bill on page 1, lines 2-4, by rewriting the lines to read:

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

7
8 on page 1, line 6, by replacing the words "SECTION 1." with the words "SECTION 1.(a)";

9
10 on page 2, between lines 24 and 25, by inserting the following:

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

14
15 on page 2, lines 37-40, by rewriting the lines to read:

16 "SECTION 3.(a) The following described property, referenced by the Wake
17 County Tax Office Parcel Identification Number, is removed from the corporate limits of the
18 Town of Garner: 0791980587.

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

22 SECTION 4. Except as otherwise provided, this act is effective when it becomes
23 law."
24
25



* S 1 0 5 - A T M X R - 2 1 - V - 1 *

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 105*

S105-ATMxr-21 [v.1]

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

Page 2 of 2

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____



SENATE BILL 105: Fairmont Vol. Annex.; Troutman Land Use Reg.

2017-2018 General Assembly

Committee: House Finance
Introduced by: Sen. Britt
Analysis of: Third Edition

Date: June 21, 2017
Prepared by: Greg Roney
Committee Counsel

OVERVIEW: *Senate Bill 105 would annex two non-contiguous satellite tracts totaling 324 acres into the Town of Fairmont. The bill would also extend the territorial jurisdiction of the Town of Troutman in certain circumstances.*

CURRENT LAW: Under Section 1 of Article VII of the NC Constitution, the General Assembly is empowered to "provide for the organization and government and the fixing of boundaries of counties, cities and towns, and other governmental subdivisions, and, except as otherwise prohibited by this Constitution, may give such powers and duties to counties, cities and towns, and other governmental subdivisions as it may deem advisable." Pursuant to this Section, North Carolina law sets forth four basic ways in which a municipality may annex an area:

- Voluntary Annexation. – The owners of all real property in an area contiguous to the municipality desiring to be annexed sign a petition requesting annexation.
- Voluntary Satellite Annexation. – The owners of all real property in the area desiring to be annexed sign a petition requesting annexation, if it otherwise meets the statutory requirements.
- Municipal-Initiated Annexation subject to a referendum. – The municipality initiates annexation proceeding, pursuant to statutory requirements.
- Legislative Act. – The General Assembly has the authority to extend the boundaries of any municipality.

The statute granting municipalities extraterritorial regulatory authority, G.S. 160A-360, defines the area within which a city may apply extraterritorial land development regulations. The maximum size of a city's extraterritorial area, from its city limits, is determined by its population as follows:

- Populations of less than 10,000, up to one mile.
- Populations of 10,000-25,000, up to two miles.
- Populations of 25,000 or more, up to three miles.

BILL ANALYSIS: Senate Bill 105 would annex two non-contiguous satellite tracts to the Town of Fairmont totaling 324 acres: (1) The Fox Tract, 207.36 acres; and (2) The Barnes Tract, 116.64 acres.

Senate Bill 105 would also extend the jurisdiction of the Town of Troutman to be treated similarly to a city with a population of 25,000 or more, providing Troutman territorial jurisdiction over an area not to exceed three miles beyond its limits, if all of the following apply:

Karen Cochrane-Brown
Director



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Division
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Senate Bill 105

Page 2

- The land meets the standards of a noncontiguous area that may be annexed pursuant to G.S. 160A-58.1(b).
- Within 12 months of exercising jurisdiction over the land, the municipality annexes the land.
- The board of county commissioners has passed a resolution identifying the land over which the municipality will exercise jurisdiction.

EFFECTIVE DATE: Section 1 (Fairmont) would become effective June 30, 2017. Property in the territory described by Section 1 as of January 1, 2017, would be subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2017. Section 2 (Troutman) would be effective when law.

BACKGROUND: The Town of Fairmont reports: (1) The annexation is approved by the landowners, and is voluntary; (2) The two tracts, taken together, constitute approximately 20% of the current area of the Town; (3) The tracts are located approximately 4 miles from the current municipal boundary; (4) The Town Board unanimously approved the request for the annexation; and (5) the Town held a public hearing on the proposal, and has not received any written or verbal opposition.

Nicholas Giddings, Billy Godwin, and Giles Perry, all with the Legislative Analysis Division, substantially contributed to this summary.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

S

3

**SENATE BILL 219
State and Local Government Committee Substitute Adopted 4/25/17
Finance Committee Substitute Adopted 5/9/17**

Short Title: Indian Beach Annex/Morehead City Charter Chgs.

(Local)

Sponsors:

Referred to:

March 9, 2017

A BILL TO BE ENTITLED
AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS
OF THE TOWN OF INDIAN BEACH AND TO AMEND THE CHARTER OF THE
TOWN OF MOREHEAD CITY.

The General Assembly of North Carolina enacts:

SECTION 1. The following described property is added to the corporate limits of the Town of Indian Beach:

Beginning at a point in the Salter Path Road, said point being North 17°15'38" West 179.61 feet from the point where the center line of Hoffman Road intersects the southern margin of the right-of-way line of Salter Path Road, thence North 05°22'51" East 236.57 feet to a point; thence North 43°25'30" West 87.57 feet to an existing concrete monument; thence North 24°03'33" West 61.25 feet to a point; thence North 24°03'33" West 103.75 feet to a point; thence North 10°54'43" West 145.00 feet to a point; thence North 69°50'27" East 17.00 feet to a point; thence North 21°02'43" West 58.00 feet to a point; thence South 83°59'33" East 140.00 feet to a point; thence North 70°28'42" East 114.54 feet to a point; thence South 15°53'20" East 128.60 feet to a point in a bulkhead; thence along said bulkhead North 77°21'42" East 121.35 feet to a point; thence along the bulkhead South 19°50'58" East 88.99 feet to a point; thence North 89°08'29" East 56.11 feet to a point; thence South 05°21'34" West 121.84 feet to an existing concrete monument; thence South 05°40'32" West 125.11 feet to an existing concrete monument located in the existing municipal limit line of the Town of Indian Beach (see Annexation Ordinance recorded in Deed Book 1356, Page 473, Carteret County Registry); thence running with the existing municipal limits North 84°45'10" West 99.90 feet to an existing concrete monument; thence South 05°47'03" West 278.28 feet to a point in the Salter Path Road; thence along Salter Path Road North 84°53'10" West 199.91 feet to the point and place of BEGINNING, according to a plat of the same prepared by Charles A. Rawls and Associates, dated March 6, 1985, recorded in Book of Maps 22, Page 33, Carteret County Registry.

Being all of Phase I, Phase II, Phase III, and the "Bulkhead and Dock" areas of Mariner's Point Condominiums, as the same are shown on the As-Built Survey for Mariner's Point Partnership prepared by Charles A. Rawls and Associates recorded in Map Book 10J, Page 1A, Carteret County Registry.

SECTION 2. The property added to the corporate limits of the Town of Indian Beach by Section 1 of this act shall be in the Town's General Business District (B-1) zone for purposes of the Town's zoning ordinance.



1 **SECTION 3.** Notwithstanding any Town ordinance relating to nonconforming
2 structures or uses, all structures, existing on June 30, 2017, on the property added to the
3 corporate limits of the Town of Indian Beach by Section 1 of this act, shall be deemed
4 conforming to the Town's land use ordinances and may be repaired, restored, or rebuilt at any
5 time after June 30, 2017, regardless of the extent of any damage or destruction unless the Town
6 ordinance prohibiting repair, restoration, or rebuilding is required to maintain eligibility for
7 participation in the National Flood Insurance Program under the laws, rules, or regulations of
8 the United States or the State of North Carolina.

9 **SECTION 4.** Article 8 of the revised and consolidated Charter of the Town of
10 Morehead City, as enacted by Chapter 879 of the Session Laws of 1969, is repealed.

11 **SECTION 5.** Sections 1 through 3 of this act become effective June 30, 2017.
12 Property in the territory described by Section 1 of this act as of January 1, 2017, is subject to
13 municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2017. The
14 remainder of this act is effective when it becomes law.



SENATE BILL 219: Indian Beach Annex/Morehead City Charter Chgs.

2017-2018 General Assembly

Committee: House Finance
Introduced by: Sen. Sanderson
Analysis of: Third Edition

Date: June 21, 2017
Prepared by: Greg Roney
Committee Counsel

OVERVIEW: *Senate Bill 219 would add certain described territory to the corporate limits of the Town of Indian Beach and would amend the Charter of the Town of Morehead City to repeal a specific article dealing with the disposal of surplus real and personal property.*

CURRENT LAW: Under Section 1 of Article VII of the NC Constitution, the General Assembly is empowered to "provide for the organization and government and the fixing of boundaries of counties, cities and towns, and other governmental subdivisions, and, except as otherwise prohibited by this Constitution, may give such powers and duties to counties, cities and towns, and other governmental subdivisions as it may deem advisable."

Pursuant to this Section, North Carolina law sets forth four basic ways in which a municipality may annex an area:

- Voluntary Annexation. – The owners of all real property in an area contiguous to the municipality desiring to be annexed sign a petition requesting annexation.
- Voluntary Satellite Annexation. – The owners of all real property in the area desiring to be annexed sign a petition requesting annexation, if it otherwise meets the statutory requirements.
- Municipal-Initiated Annexation subject to a referendum. – The municipality initiates annexation proceeding, pursuant to statutory requirements.
- Legislative Act. – The General Assembly has the authority to extend the boundaries of any municipality.

Article 8 of the Charter of the Town of Morehead City provides the procedures the Town must follow when disposing of surplus real and personal property.

BILL ANALYSIS: Senate Bill 219 would annex Phase I, Phase II, and Phase III, and the "Bulkhead and Dock" areas of Mariner's Point Condominium to the corporate limits of the Town of Indian Beach and place them in the town's General Business District (B-1) zone. The annexed property would be deemed conforming to the Town's land use ordinances and any existing damages may be repaired, restored or rebuilt at any time after June 30, 2017 unless such actions are prohibited in order to maintain eligibility for participation in the National Flood Insurance Program.

Senate Bill 219 would also repeal Article 8 of the Charter of the Town of Morehead City regarding the disposal of surplus real and personal property at which time Article 12 of Chapter 160A of the General Statutes would then govern such disposal.

Karen Cochrane-Brown
Director



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EFFECTIVE DATE: Senate Bill 219 would make the annexation effective June 30, 2017. Annexed property as of January 1, 2017, would be subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2017. The remainder of this act would become effective when it becomes law.

Nicholas Giddings and Billy Godwin, both with the Legislative Analysis Division, substantially contributed to this summary.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

S

1

SENATE BILL 260

Short Title: Wake Forest Annexation. (Local)

Sponsors: Senators Barefoot and Alexander (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 15, 2017

1 A BILL TO BE ENTITLED
2 AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS
3 OF THE TOWN OF WAKE FOREST.
4 The General Assembly of North Carolina enacts:
5 **SECTION 1.** The following described property is added to the corporate limits of
6 the Town of Wake Forest:
7 The entire right-of-way of Capital Boulevard (US-1) from the Franklin County line
8 (north end) to the north bank of the Neuse River at the Neuse River Bridge (south end).
9 **SECTION 2.** This act becomes effective June 30, 2017. Property in the territory
10 described in Section 1 of this act as of January 1, 2017, is subject to municipal taxes for taxes
11 imposed for taxable years beginning on or after July 1, 2017.



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SENATE BILL 260: Wake Forest Annexation.

2017-2018 General Assembly

Committee: House Finance
Introduced by: Sens. Barefoot, Alexander
Analysis of: First Edition

Date: June 21, 2017
Prepared by: Greg Roney
Committee Counsel

OVERVIEW: *Senate Bill 260 would add certain described territory to the corporate limits of the Town of Wake Forest.*

CURRENT LAW: Under Section 1 of Article VII of the NC Constitution, the General Assembly is empowered to "provide for the organization and government and the fixing of boundaries of counties, cities and towns, and other governmental subdivisions, and, except as otherwise prohibited by this Constitution, may give such powers and duties to counties, cities and towns, and other governmental subdivisions as it may deem advisable."

Pursuant to this Section, North Carolina law sets forth four basic ways in which a municipality may annex an area:

- Voluntary Annexation. – The owners of all real property in an area contiguous to the municipality desiring to be annexed sign a petition requesting annexation.
- Voluntary Satellite Annexation. – The owners of all real property in the area desiring to be annexed sign a petition requesting annexation, if it otherwise meets the statutory requirements.
- Municipal-Initiated Annexation subject to a referendum. – The municipality initiates annexation proceeding, pursuant to statutory requirements.
- Legislative Act. – The General Assembly has the authority to extend the boundaries of any municipality.

BILL ANALYSIS: Senate Bill 260 would annex a specific right-of-way of Capital Boulevard (US-1) to the corporate limits of the Town of Wake Forest.

EFFECTIVE DATE: The act becomes effective June 30, 2017. Property in the annexed area as of January 1, 2017, is subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2017.

Brad Krehely, counsel to Senate State and Local Government, substantially contributed to this summary.

Karen Cochrane-Brown
Director



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GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

S

2

SENATE BILL 266
State and Local Government Committee Substitute Adopted 4/25/17

Short Title: Durham and Walkertown Annexations.

(Local)

Sponsors:

Referred to:

March 16, 2017

1 A BILL TO BE ENTITLED
2 AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS
3 OF THE CITY OF DURHAM BECAUSE THE PROPERTY IS COMPLETELY
4 SURROUNDED BY THE CITY'S CORPORATE LIMITS OR IS PARTIALLY
5 ANNEXED TO THE CITY'S CORPORATE LIMITS AND ANNEXATION WILL
6 ALLOW THE MORE EFFICIENT PROVISION OF EMERGENCY SERVICES TO THE
7 PROPERTY AND TO ADD CERTAIN DESCRIBED PROPERTY TO THE
8 CORPORATE LIMITS OF WALKERTOWN.
9 The General Assembly of North Carolina enacts:
10 **SECTION 1.** The following described property, referenced by the Durham County
11 Tax Office Parcel Identification Number, and any adjacent rights-of-way is added to the
12 corporate limits of the City of Durham:
13 132472 132475 132476 132477 132478 132479 132480
14 132481 132482 132483 132484 140154 141414 141415
15 141460 141461 141462 141463 141468 141470 141472
16 141486 141487 141488 141701 149595 149664 150240
17 150241 150298 150693 150731 150732 150792 150794
18 152743 152744 152746 152747 152750 152751 152758
19 152759 152760 152761 152762 152763 152766 152767
20 152768 152769 152770 152771 152772 152773 152774
21 152775 152778 152779 152780 152781 152782 152783
22 152784 152785 152786 152787 152788 152789 152790
23 152791 152792 152793 152794 152795 152796 152797
24 152798 152803 152804 152805 152807 154016 154018
25 157350 157514 157517 157763 157764 157766 157768
26 157770 157772 157774 157776 157779 157780 157782
27 157783 157787 157789 157790 157795 157798 157834
28 157835 157836 157838 157839 157841 157871 157872
29 157898 157900 157901 157969 158026 158089 158091
30 158093 158094 158097 159192 159193 159194 159195
31 159196 159199 159200 159201 159202 159203 159204
32 159205 159206 159209 159210 159223 159224 159225
33 159226 159232 159233 159247 159248 159249 159250
34 159251 159252 159253 159254 159255 159256 159257
35 159258 159259 159265 159267 159268 161198 161199
36 161200 161201 161202 161203 161204 161205 161206



| | | | | | | | |
|----|--------|--------|--------|---------|--------|--------|--------|
| 1 | 161207 | 161208 | 161209 | 161210 | 161241 | 161242 | 161245 |
| 2 | 161690 | 161691 | 161693 | 161694 | 161695 | 162699 | 162700 |
| 3 | 163906 | 164912 | 164925 | 164927 | 165180 | 165181 | 165182 |
| 4 | 165184 | 165188 | 165216 | 165217 | 165218 | 165219 | 165220 |
| 5 | 165222 | 165223 | 165224 | 165225 | 165226 | 165227 | 165228 |
| 6 | 165229 | 165230 | 165231 | 165233 | 165234 | 166185 | 166188 |
| 7 | 166189 | 166191 | 172365 | 172366 | 172381 | 172383 | 172384 |
| 8 | 172385 | 172386 | 172387 | 172395 | 172396 | 172397 | 172398 |
| 9 | 172399 | 172400 | 172401 | 172402 | 172403 | 172404 | 172405 |
| 10 | 172406 | 172407 | 172408 | 172409 | 172410 | 172412 | 172413 |
| 11 | 172414 | 172415 | 172416 | 172417 | 172418 | 172419 | 172420 |
| 12 | 172421 | 172422 | 172423 | 172424 | 172425 | 172426 | 172427 |
| 13 | 172428 | 172429 | 172430 | 172431 | 172432 | 172433 | 172434 |
| 14 | 172435 | 172436 | 172437 | 172438 | 172439 | 172440 | 172441 |
| 15 | 172442 | 172443 | 172444 | 172445 | 172446 | 172447 | 172448 |
| 16 | 172449 | 172450 | 172451 | 172452 | 172453 | 172454 | 172455 |
| 17 | 172456 | 172457 | 172458 | 172459 | 172460 | 172461 | 172462 |
| 18 | 172463 | 172464 | 172465 | 172466 | 172467 | 172468 | 172469 |
| 19 | 172470 | 172471 | 172472 | 172473 | 172474 | 172475 | 172476 |
| 20 | 172477 | 172478 | 172479 | 172480 | 172481 | 172482 | 172487 |
| 21 | 172488 | 172489 | 172490 | 172491 | 172492 | 172493 | 172494 |
| 22 | 172495 | 172496 | 172497 | 172498 | 172499 | 172500 | 172501 |
| 23 | 172502 | 172503 | 172504 | 173134 | 173138 | 173139 | 173140 |
| 24 | 173355 | 173357 | 173359 | 173361 | 173363 | 173365 | 173367 |
| 25 | 173369 | 173371 | 173373 | 173375 | 173378 | 173381 | 173386 |
| 26 | 173394 | 173404 | 173756 | 177609 | 177677 | 177679 | 177681 |
| 27 | 177682 | 177684 | 177686 | 177688 | 177689 | 177691 | 177693 |
| 28 | 177694 | 177695 | 177696 | 177697 | 177698 | 177699 | 177700 |
| 29 | 177701 | 177702 | 177703 | 177704 | 177705 | 177706 | 177707 |
| 30 | 177708 | 177709 | 177710 | 177711 | 177712 | 177713 | 178129 |
| 31 | 178130 | 178131 | 178132 | 178133 | 179545 | 179547 | 181037 |
| 32 | 181038 | 183413 | 183415 | 192363 | 193257 | 193258 | 193259 |
| 33 | 193261 | 193262 | 193263 | 193274 | 201479 | 201633 | 202916 |
| 34 | 202917 | 208032 | 208033 | 208034 | 208343 | 208521 | 211428 |
| 35 | 213378 | 213509 | 213557 | 213558 | 213560 | 213589 | 213601 |
| 36 | 216566 | 216567 | 216568 | 216583. | | | |

SECTION 2. The following described property, referenced by the Wake County Tax Office Parcel Identification Number, and any adjacent rights-of-way is added to the corporate limits of the City of Durham:

0769303887

0769302518

0769302802

0769309734

SECTION 3. The following described property, referenced by the Forsyth County Tax Office Parcel Identification Number, is added to the corporate limits of Walkertown:

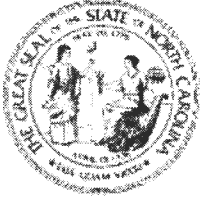
6857-37-9812.00, 6857-47-1902.00, 6857-38-5083.00, 6857-37-6606.00, 6857-37-7107.00,
 6857-47-3410.00, 6857-47-2063.00, 6857-36-6528.00, 6857-36-7452.00, 6857-36-6727.00,
 6857-36-2960.00, 6857-36-0911.00, 6857-37-2009.00, 6857-37-2378.00, 6857-37-3608.00,
 6857-37-1453.00, 6857-27-8427.00, 6857-27-5349.00, 6857-27-7270.00, 6857-26-9614.00,
 6857-36-0309.00, 6857-36-3402.00, 6857-36-3279.00, 6857-36-3162.00, 6857-36-1159.00,
 6857-25-8637.00, 6857-35-1422.00, 6857-35-4500.00, 6857-34-1035.00, 6857-25-6001.00,
 6857-26-5416.00, 6857-26-1438.00, 6857-26-5416.00.

SECTION 4. The following described property, referenced by the Forsyth County Tax Office Parcel Identification Number, is added to the corporate limits of Walkertown:

6858-70-9984.00, 6858-70-7963.00, 6858-70-7880.00, 6858-70-2870.00, 6858-70-0135.00,
6858-80-0791.00, 6858-80-0713.00, 6858-70-9760.00, 6858-70-9634.00, 6858-70-8780.00,
6858-70-8721.00, 6858-70-7751.00, 6858-70-6790.00, 6858-70-6637.00, 6858-70-5675.00,
6858-70-5630.00, 6858-70-5504.00, 6858-70-4570.00, 6858-70-4445.00, 6858-70-4410.00,
6858-70-3386.00, 6858-70-3332.00, 6858-70-3207.00, 6858-70-2261.00, 6858-70-2145.00,
6858-70-2049.00, 6858-70-2043.00, 6857-79-2957.00, 6857-79-2961.00, 6857-79-2876.00,
6857-79-2880.00, 6857-79-3458.00, 6857-79-4524.00, 6857-79-4654.00, 6857-79-4750.00,
6857-79-4756.00, 6857-79-4833.00, 6857-79-4839.00, 6857-79-4935.00, 6857-79-5911.00,
6857-79-5858.00, 6857-79-6808.00, 6857-79-6867.00, 6857-79-7816.00, 6857-79-7873.00,
6857-79-8811.00, 6857-79-6764.00, 6857-79-6634.00, 6857-79-6513.00, 6857-79-5481.00,
6857-79-9451.00, 6857-79-9554.00, 6857-79-9696.00, 6857-79-9898.00, 6858-80-0249.00,
6858-70-9143.00, 6857-79-8996.00, 6857-79-8958.00, 6858-70-8001.00, 6858-70-7001.00,
6858-70-7027.00, 6858-70-7161.00, 6858-70-7196.00, 6858-70-8220.00, 6858-70-8264.00,
6858-70-9209.00, 6858-70-9333.00, 6858-70-9378.00, 6858-80-0412.00, 6858-80-0445.00,
6858-80-0581.00, 6858-70-8572.00, 6858-70-8447.00, 6858-70-8403.00, 6858-70-7359.00,
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6858-70-5152.00, 6858-70-5036.00, 6858-70-4027.00, 6858-70-4133.00, 6858-70-4159.00,
6858-70-4284.00, 6858-70-5237.00, 6858-70-5372.00, 6858-70-6316.00, 6858-70-6441.00,
6858-70-6465.00, 6858-70-6590.00, 6858-70-7564.00, 6858-90-2901.00, 6857-99-0986.00,
6857-89-4787.00, 6857-89-4903.00, 6857-89-2869.00, 6857-89-7654.00, 6857-89-7736.00,
6857-89-6473.00, 6857-89-7489.00, 6858-80-4251.00, 6858-80-4128.00, 6858-80-4107.00,
6858-80-3177.00, 6858-80-3102.00, 6858-80-2170.00, 6858-80-2067.00, 6858-80-2044.00,
6857-89-2908.00, 6857-89-1995.00, 6857-89-1991.00, 6857-89-1888.00, 6857-89-1871.00,
6857-89-1778.00, 6857-89-1785.00, 6857-89-1782.00, 6857-89-3729.00, 6857-89-3823.00,
6857-89-3849.00, 6857-89-3963.00, 6857-89-3999.00, 6857-89-3986.00, 6858-80-4044.00,
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6858-61-0019.00, 6858-51-8041.00, 6858-60-1807.00, 6858-51-8041.00, 6858-50-4466.00,
6858-50-8389.00, 6858-60-2375.00, 6858-60-6316.00, 6857-69-6659.00, 6857-69-2712.00,
6857-59-8761.00, 6857-59-5836.00, 6857-59-2981.00, 6858-40-9092.00, 6857-49-8654.00,
6857-49-7554.00, 6857-49-6400.00, 6857-49-2167.00, 6857-48-4969.00, 6857-48-5885.00,
6857-48-9984.00, 6857-59-1288.00.

SECTION 5. This act becomes effective June 30, 2017. Property in the territory described in Sections 1, 2, 3, and 4 of this act as of January 1, 2017, is subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2017.





SENATE BILL 266: Durham and Walkertown Annexations.

2017-2018 General Assembly

Committee: House Finance
Introduced by: Sen. McKissick
Analysis of: Second Edition

Date: June 21, 2017
Prepared by: Greg Roney
Committee Counsel

OVERVIEW: *Senate Bill 266 would add certain properties to the corporate limits of the City of Durham and to the corporate limits of the Town of Walkertown. The property would become part of the municipal limits and subject to municipal property taxes for taxes imposed for taxable years beginning on or after July 1, 2017.*

CURRENT LAW: Annexation is a method by which municipalities alter their boundaries. The municipality must follow the statutorily prescribed steps in order to add an area into its boundaries. The municipality must provide, or contract to provide, basic services to the area. These services include police protection, fire protection, solid waste collection and the extension of water and sewer lines to the area.

North Carolina law sets forth four basic ways in which a municipality may annex an area.

- Voluntary Annexation. – All owners of any real property in an area contiguous to the municipality desiring to be annexed sign a petition requesting annexation.
- Voluntary Satellite Annexation. – All owners of any non-contiguous real property within 3 miles of the municipality desiring to be annexed sign a petition requesting annexation, if it otherwise meets the statutory requirements.
- Municipal-Initiated Annexation subject to a referendum. – The municipality initiates an annexation proceeding, pursuant to statutory requirements.
- Legislative Act. – The General Assembly has the authority to extend the boundaries of any municipality.

BILL ANALYSIS: Senate Bill 266 would annex the described property in Sections 1 and 2 of the bill, including 4 parcels located in Wake County, into the corporate limits of the City of Durham. The purpose of the annexation is to incorporate property that is completely surrounded by the city's corporate limits or is partially annexed to the City's corporate limits.

The bill would also annex the described property in Sections 3 and 4 of the bill into the Town of Walkertown.

EFFECTIVE DATE: Senate Bill 266 would be effective June 30, 2017. The property in the described area as of January 1, 2017, would be subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2017.

Cindy Avrette and Billy Godwin, both with the Legislative Analysis Division, substantially contributed to this summary.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578



Committee Sergeants at Arms

NAME OF COMMITTEE FINANCE SUBCOMM ANNEX & DEANNEX

DATE: 6-21-17 Room: 544

House Sgt-At Arms:

1. Name: REGGIE SILLS
2. Name: MARVIN LEE
3. Name: TERRY McCRAW
4. Name: THOMAS TERRY
5. Name:

Senate Sgt-At Arms:

1. Name:
2. Name:
3. Name:
4. Name:
5. Name:



**House Pages
Assignments
Wednesday, June 21, 2017
Session: 12:00 PM**

| Committee | Room | Time | Staff | Comments | Member |
|--|-------------|-------------|-----------------|-----------------|--------------------------|
| Finance Sub-Committee on Annexation and Deannexation | 544 | 8:30 AM | Noah Berg | | Rep. Speaker Tim Moore |
| | | | Ian Dollar | | Rep. Nelson Dollar |
| | | | Alexander Lycan | | Rep. Linda Hunt-Williams |
| | | | Kai Marshall | | Rep. Jon Hardister |
| | | | Emily Pate | | Rep. John Bell |



**House Pages
Assignments
Wednesday, June 21, 2017
Session: 12:00 PM**

| Committee | Room | Time | Staff | Comments | Member |
|--|-------------|-------------|-------------------|-----------------|------------------------------|
| Finance, Subcommittee on Annexation and Deannexation | 544 | 8:30 AM | Noah Berg | | Rep. Speaker Tim Moore |
| | | | Ian Dollar | | Rep. Nelson Dollar |
| | | | Alexander Lycan | | Rep. Linda Hunt- Williams |
| | | | Kai Marshall | | Rep. Jon Hardister |
| | | | Emily Pate | | Rep. John Bell |
| | | | | | |
| Finance | 544 | 9:00 AM | Kari Davis | | Rep. Nelson Dollar |
| | | | John Hinkle | | Rep. Larry Potts |
| | | | Audrey Meigs | | Rep. John Ager |
| | | | Evan Morris | | Rep. Verla Insko |
| | | | | | |
| Elections and Ethics | 643 | 9:30 AM | Margaret Deng | | Rep. Joe John |
| | | | Ross Doyle | | Rep. Donna White |
| | | | Jack Jackson | | Rep. David Lewis |
| | | | Courtney Lysiak | | Rep. John Faircloth |
| | | | | | |
| Education - K-12 | 1228/1327 | 10:00 AM | Reed Dixon | | Rep. John Bradford |
| | | | Allison Gallagher | | Rep. Greg Murphy, MD |
| | | | Sarah Wallace | | Rep. Cynthia Ball |
| | | | | | |
| Judiciary I | 415 | 10:00 AM | Reid Barber | | Rep. Speaker Tim Moore |
| | | | Lexy DeVaney | | Rep. Jon Hardister |
| | | | James Hodges | | Rep. Graig Meyer |
| | | | | | |



VISITOR REGISTRATION SHEET

2017 House Finance Subcomm on Annex/Deannexation June 21, 2017

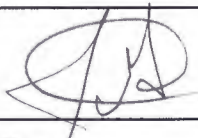

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

| | |
|---|---|
|  |  |
| Skye David | newframe |
| Mike Hager | HSS |
| Chip Baggett | none |
| Ethan Holland | NCDHHS |
| Penny Buff | SoG |
| Robert Barrier | NCDOT |
| Courtney Johnson | NP |
| | |
| | |
| | |
| | |



VISITOR REGISTRATION SHEET

2017 House Finance Subcomm on Annex/Deannexation June 21, 2017

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Bradford Sneed

DOJ

DAN Crawford

NCLCV

Lynda Elliott

NC Bd of Cosmetic Arts

Michelle Frazier

SML



House Committee on Finance, Subcommittee on Annexation and Deannexation
Thursday, May 31, 2018 at 8:25 AM
Room 544 of the Legislative Office Building

MINUTES

The House Committee on Finance, Subcommittee on Annexation and Deannexation met at 8:25 AM on May 31, 2018 in Room 544 of the Legislative Office Building. Representatives Adams, D. Hall, Saine, and Steinburg attended.

Representative Destin Hall, Chair, presided. He asked the committee to consider all the bills together. There would be a vote on them all at one time, unless any member had an objection. Seeing no objection, Chairman Hall asked staff to explain each bill and invited members to direct any questions they may have to staff.

The following bills were considered:

HB 930 Apex Annexation. (Representative Williams)

HB 930 would add 1.861 acres to the corporate limits of the Town of Apex in Wake County. This 1.861 acres is a portion of Laura Duncan Road (SR 1308). After discussion between Cary and Apex, the towns agreed that Apex should seek annexation. The act would become effective June 30, 2018.

HB 942 Kinston Deannexation Corrections. (Representative J. Bell)

HB 942 would deannex one parcel of land from the corporate limits of the City of Kinston that was omitted from the 56 parcels of land deannexed from the City in Section 2 of S.L.2017-85. HB 942 would also remove this parcel and the 56 parcels of land that were deannexed from the City in S.L. 2017-85 from the City's extraterritorial jurisdiction authority. This section would become effective June 30, 2018. The property deannexed would no longer be subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2018.

HB 946 Mooresville Deannexation. (Representative Fraley)

HB 946 would deannex a 2.33 acre tract of land from the corporate limits of the Town of Mooresville in Iredell County. The bill would preserve any property tax liens or special assessments of the Town of Mooresville on the deannexed property outstanding as of June 30, 2018 and becomes effective June 30, 2018.

HB 950 Carthage, Pollocksville Satellite Annexations. (Representatives McNeill, Boles)

HB 950 would add the towns of Carthage and Pollocksville to the group of municipalities exempted from the 10% area cap on voluntary satellite annexation.

HB 955 Eden/Thoroughbred Annexation Agreement. (Representative Bert Jones)

HB 955 authorizes the City of Eden, by contract, to provide that the described Thoroughbred Property may not be annexed by the City between January 31, 2018, and February 1, 2028, and that the City may accept, as consideration for the contract, payments in lieu of taxes. Provided

modification does not materially alter the concept of the agreement, the parties may extend the agreement by mutual written consent, without further action of the General Assembly, indefinitely.

HB 956 Eden/Duke Energy Annexation Agreement. (Representative Bert Jones)

HB 956 authorizes the City of Eden to agree by contract not to involuntarily annex one described tract, known as the Dan River Plant Property, Tract I, and to accept payment in lieu of taxes as part of that agreement.

HB 978 Hemby Bridge/Stallings Corporate Limits. (Representative Arp)

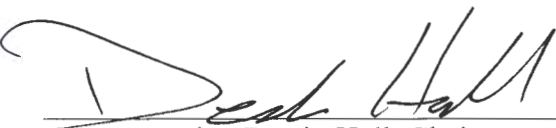
HB 978 would remove from the corporate limits of the Town of Hemby Bridge an 11.481 acre tract that is owned by the Town of Stallings and add that parcel to the corporate limits of the Town of Stallings. Both towns are located in Union County.

SB 566 Wrightsville Beach/Wilmington Deannex-Annex. (Senators Barringer, Tarte, Alexander)

SB 566 would move a tract from Wrightsville Beach to Wilmington and move a 0.72 acre tract from Wilmington to Wrightsville Beach.

Chairman Hall opened the floor for discussion or debate from the committee members. Chairman Hall recognized Representative Adams who asked if there was any opposition from local governments. Chairman Hall recognized Representative Saine. He explained calls were made to make sure there was no opposition to ensure a clear process today. He expected it to be a clean vote. Chairman Hall recognized Representative Steinburg for a motion to accept the bills as presented and move the bills to the full finance committee for consideration. The motion passed.

The meeting adjourned at 8:31 AM.



Representative Destin Hall, Chair
Presiding



Lynn Taylor, Committee Clerk

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2017-2018 SESSION**

You are hereby notified that the **House Committee on Finance, Subcommittee on Annexation and Deannexation** will meet as follows:

DAY & DATE: Thursday, May 31, 2018

TIME: 8:25 AM

LOCATION: 544 LOB

COMMENTS: Please be prompt so that your subcommittee chair can give a report to the full Finance Committee meeting at 8:30 AM.

The following bills will be considered:

| BILL NO. | SHORT TITLE | SPONSOR |
|-----------------|--|---------------------------|
| <u>HB 930</u> | Apex Annexation. | Representative Williams |
| <u>HB 942</u> | Kinston Deannexation Corrections. | Representative J. Bell |
| <u>HB 946</u> | Mooreville Deannexation. | Representative Fraley |
| <u>HB 950</u> | Carthage, Pollocksville Satellite Annexations. | Representative McNeill |
| <u>HB 955</u> | Eden/Thoroughbred Annexation Agreement. | Representative Boles |
| <u>HB 956</u> | Eden/Duke Energy Annexation Agreement. | Representative Bert Jones |
| <u>SB 566</u> | Wrightsville Beach/Wilmington Deannex-Annex. | Senator Barringer |
| | | Senator Tarte |
| | | Senator Alexander |

Respectfully,

Rep. Destin Hall

I hereby certify this notice was filed by the committee assistant at the following offices at 6:16 PM on Wednesday, May 30, 2018.

____ Principal Clerk
____ Reading Clerk – House Chamber

Lynn Taylor (Committee Assistant)



**House Committee on Finance, Subcommittee on Annexation and
Deannexation
Thursday, May 31, 2018, 8:25 AM
544 Legislative Office Building**

AGENDA

Welcome and Opening Remarks

Introduction of Pages

Bills

| BILL NO. | SHORT TITLE | SPONSOR |
|-----------------|--|---------------------------|
| HB 930 | Apex Annexation. | Representative Williams |
| HB 942 | Kinston Deannexation Corrections. | Representative J. Bell |
| HB 946 | Mooresville Deannexation. | Representative Fraley |
| HB 950 | Carthage, Pollocksville Satellite Annexations. | Representative McNeill |
| | | Representative Boles |
| HB 955 | Eden/Thoroughbred Annexation Agreement. | Representative Bert Jones |
| HB 956 | Eden/Duke Energy Annexation Agreement. | Representative Bert Jones |
| HB 978 | Hemby Bridge/Stallings Corporate Limits. | Representative Arp |
| SB 566 | Wrightsville Beach/Wilmington Deannex-Annex. | Senator Barringer |
| | | Senator Tarte |
| | | Senator Alexander |

Presentations

Other Business

Adjournment



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H

1

HOUSE BILL 930

Short Title: Apex Annexation. (Local)

Sponsors: Representative Williams.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: State and Local Government I, if favorable, Finance

May 17, 2018

1 A BILL TO BE ENTITLED
2 AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF
3 THE TOWN OF APEX.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** The following described property is added to the corporate limits of
6 the Town of Apex:

7 Lying and being in White Oak Township, Wake County, North Carolina, and
8 described as follows more fully to wit: BEGINNING at a point on the western right-of-way of
9 N.C.S.R. No. 1308 (Laura Duncan Road) at its intersection with the southern right-of-way of
10 CSX Railroad; thence the following ten courses and distances, North 19°53'48" West, 182.44 feet
11 to a point, North 69°35'06" East, 60.00 feet to a point, South 19°53'48" East, 185.49 feet to a
12 point, a curve in a clockwise direction having a radius of 960.95 feet, a length of 463.64 feet and
13 a chord of South 01°22'10" East, 459.15 feet to a point, South 12°27'09" West, 546.18 feet to a
14 point, a curve in a counterclockwise direction having a radius of 1258.25 feet, a length of 167.73
15 feet and a chord of South 08°38'01" West, 167.60 feet to a point, North 87°33'16" West, 60.05
16 feet to a point, a curve in a clockwise direction, having a radius of 1318.25 feet, a length of 178.21
17 feet and a chord of N 08°34'47" East, 178.07 feet to a point, North 12°27'09" East, 546.18 feet to
18 a point, a curve in a counterclockwise direction having a radius of 900.95 feet, a length of 432.26
19 feet and a chord of North 01°17'32" West, 428.13 feet to the point and place of BEGINNING,
20 containing 1.861 acres more or less. The above described tract of land being a 60-foot-wide strip
21 of which was a portion of the old N.C.S.R. No. 1308 road right-of-way based on N.C.D.O.T.
22 Project # 6.402152.

23 **SECTION 2.** This act becomes effective June 30, 2018. Property in the territory
24 described in Section 1 of this act as of January 1, 2018, is subject to municipal taxes for taxes
25 imposed for taxable years beginning on or after July 1, 2018.







HOUSE BILL 930: Apex Annexation.

2017-2018 General Assembly

Committee: House Finance
Introduced by: Rep. Williams
Analysis of: First Edition

Date: May 31, 2018
Prepared by: Nicholas Giddings
Staff Attorney

OVERVIEW: *House Bill 930 would add 1.861 acres to the corporate limits of the Town of Apex in Wake County. This 1.861 acres is a portion of Laura Duncan Road (SR 1308).*

CURRENT LAW: Annexation is a method by which municipalities alter their boundaries. The municipality must follow the statutorily prescribed steps in order to add an area into its boundaries. The municipality must provide, or contract to provide, basic services to the area. These services include police protection, fire protection, solid waste collection and the extension of water and sewer lines to the area.

North Carolina law sets forth four basic ways in which a municipality may annex an area:

- **Voluntary Annexation.** – The owners of all real property in an area contiguous to the municipality desiring to be annexed sign a petition requesting annexation.
- **Voluntary Satellite Annexation.** – The owners of all real property in the area desiring to be annexed sign a petition requesting annexation, if it otherwise meets the statutory requirements.
- **Municipal-Initiated Annexation subject to a referendum.** – The municipality initiates an annexation proceeding, pursuant to statutory requirements.
- **Legislative Act.** – The General Assembly has the authority to extend the boundaries of any municipality.

BILL ANALYSIS: House Bill 930 would add 1.861 acres to the corporate limits of the Town of Apex by legislative act. This 1.861 acres is a portion of Laura Duncan Road (SR 1308).

EFFECTIVE DATE: The act would become effective June 30, 2018. The property annexed would be subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2018.

BACKGROUND: The Apex Town Council voted unanimously on February 20, 2018, to request the General Assembly to annex this property (a portion of Laura Duncan Road) into the Apex corporate limits in order for the Town to be able to provide more efficient emergency services for accidents occurring on this portion of the road. Currently, this property lies between the Town of Cary on the east and the Town of Apex on the west requiring roadway accidents to be investigated by the Wake County Sheriff's Department. After discussion between Cary and Apex, the towns agreed that Apex should seek annexation.

Billy Godwin, counsel to House State and Local Government I, substantially contributed to this summary.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H

1

HOUSE BILL 942

Short Title: Kinston Deannexation Corrections. (Local)

Sponsors: Representative J. Bell.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: State and Local Government I, if favorable, Finance

May 17, 2018

A BILL TO BE ENTITLED

AN ACT REMOVING A CERTAIN DESCRIBED PARCEL FROM THE CORPORATE
LIMITS AND LAND-USE PLANNING JURISDICTION OF THE CITY OF KINSTON.

The General Assembly of North Carolina enacts:

SECTION 1.(a) The following described property, referenced by the Lenoir County
Tax Office Parcel Identification Number, is removed from the corporate limits of the City of
Kinston:

2153

SECTION 1.(b) This section has no effect upon the validity of any liens of the City
of Kinston for ad valorem taxes or special assessments outstanding before the effective date of
this section. Such liens may be collected or foreclosed upon after the effective date of this section
as though the property were still within the corporate limits of the City of Kinston.

SECTION 1.(c) This section becomes effective June 30, 2018. Property in the
territory described in this section as of January 1, 2018, is no longer subject to municipal taxes
for taxes imposed for taxable years beginning on or after July 1, 2018.

SECTION 2. The property described in Section 1 of this act and the property
described in Section 2 of S.L. 2017-85 shall not be subject to the extraterritorial jurisdiction of
the City of Kinston as provided for in G.S. 160A-360.

SECTION 3. Except as otherwise provided, this act is effective when it becomes
law.







HOUSE BILL 942: Kinston Deannexation Corrections.

2017-2018 General Assembly

Committee: House Finance
Introduced by: Rep. J. Bell
Analysis of: First Edition

Date: May 31, 2018
Prepared by: Nicholas Giddings
Staff Attorney

OVERVIEW: *House Bill 942 would deannex one parcel of land from the corporate limits of the City of Kinston that was omitted from the 56 parcels of land deannexed from the City in Section 2 of S.L. 2017-85. House Bill 942 would also remove this parcel and the 56 parcels of land that were deannexed from the City in S.L. 2017-85 from the City's extraterritorial jurisdiction authority.*

Section 1 – Deannexation:

CURRENT LAW: Under Section 1 of Article VII of the NC Constitution, the General Assembly is empowered to "provide for the organization and government and the fixing of boundaries of counties, cities, and towns, and other governmental subdivisions, and, except as otherwise prohibited by this Constitution, may give such powers and duties to counties, cities and towns, and other governmental subdivisions as it may deem advisable." Pursuant to this Section, the General Assembly enacted Article 4A of Chapter 160A of the General Statutes, which governs municipal annexations. In addition, the General Assembly may annex property by local act. The General Assembly has not enacted any method for municipalities to *deannex* property; that power remains with the General Assembly.

BILL ANALYSIS: Section 2 of S.L. 2017-85 deannexed 56 parcels of land from the corporate limits of the City of Kinston in Lenoir County. One parcel of land (2153) was omitted from the list of property described in Section 2 of S.L. 2017-85.

Section 1 of House Bill 942 would deannex the one parcel of land omitted from S.L. 2017-85 from the corporate limits of the City of Kinston in Lenoir County. The City would maintain the ability to collect on any property tax liens or special assessments on the deannexed parcel outstanding as of June 30, 2018.

EFFECTIVE DATE: This section would become effective June 30, 2018. The property deannexed would no longer be subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2018.

Section 2 – Extraterritorial Jurisdiction:

CURRENT LAW: Except under certain circumstances, the General Statutes allow municipalities to regulate land-use within an area one-mile beyond their municipal boundaries, commonly referred to as extraterritorial jurisdiction (ETJ). Land use regulation may take the form of zoning, subdivision regulation, minimum housing codes, and regulations governing open spaces and community appearance. With the approval of the county commissioners, a city with a population of more than 10,000 but less than 25,000 may extend its extraterritorial land-use planning jurisdiction to two miles beyond its corporate limits; a city with a population of 25,000 or more may extend its extraterritorial land-use planning jurisdiction to three miles beyond its corporate limits.¹

¹ G.S. 160A-360(a)

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

House Bill 942

Page 2

Once a city exercises its ETJ authority, the county in which the area lies has the duty to appoint an individual residing in that area to serve on the city's planning board and board of adjustment.

BILL ANALYSIS: Section 2 would eliminate the authority for the City of Kinston to exercise ETJ authority on the following:

- The 56 parcels of land deannexed from the corporate limits of the City of Kinston in Section 2 of S.L. 2017-85.
- The parcel deannexed in Section 1 of this bill.

EFFECTIVE DATE: This section would become effective when it becomes law.

Jessica Sammons, counsel to House State and Local Government I, substantially contributed to this summary.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H

1

HOUSE BILL 946

Short Title: Mooresville Deannexation. (Local)

Sponsors: Representative Fraley.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: State and Local Government I, if favorable, Finance

May 17, 2018

1 A BILL TO BE ENTITLED
2 AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE
3 LIMITS OF THE TOWN OF MOORESVILLE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** The following described property is removed from the corporate limits
6 of the Town of Mooresville:

7 BEGINNING at a point North 33 deg. 02 min. 08 sec. West 368.45 feet from Main
8 Street; thence South 37 deg. 55 min. 44 sec. East 191.47 feet to an existing rebar; with the existing
9 line of Marilyn K. North (Book 933 Page 692, Iredell County Registry); thence continuing with
10 the line of Marilyn K. North South 34 deg. 29 min. 23 sec. East 134.91 feet, a new corner with
11 Marilyn K. North; thence South 55 deg. 21 min. 09 sec. West 270.34 feet to an existing iron, a
12 new corner with Carolyn Kerr Compton et.al. (Book 1490 Page 2578, Iredell County Registry);
13 thence with the line of Carolyn Kerr Compton et.al. North 51 deg. 02 min. 41 sec. West 331.79
14 feet to a point in a line with David L. Caldwell (Book 650 Page 525, Iredell County Registry);
15 thence North 54 deg. 03 min. 35 sec. East 353.50 feet to the point and place of BEGINNING
16 according to a survey prepared by Donald Ray Allen, R.L.S., dated April 27, 2004, and
17 containing 2.33 acres, more or less, and including to the centerline all streets closed pursuant to
18 that certain Street Closing Order adopted by the Town Board of Commissioners of the Town of
19 Mooresville on October 3, 2016, recorded in Book 2452, Page 200, Iredell County Registry. For
20 back title for this property see Deed Book 2209, Page 1258, and Deed Book 1146, Page 1999,
21 Iredell County Registry. This property has Iredell County Tax Pin Number 4667-95-3487.

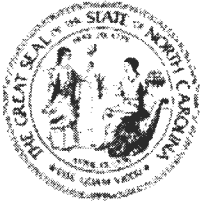
22 **SECTION 2.** This act has no effect upon the validity of any liens of the Town of
23 Mooresville for ad valorem taxes or special assessments outstanding before the effective date of
24 this act. Such liens may be collected or foreclosed upon after the effective date of this act as
25 though the property were still within the corporate limits of the Town of Mooresville.

26 **SECTION 3.** This act becomes effective June 30, 2018. Property in the territory
27 described in Section 1 of this act as of January 1, 2018, is no longer subject to municipal taxes
28 for taxes imposed for taxable years beginning on or after July 1, 2018.



* H 9 4 6 - V - 1 *





HOUSE BILL 946: Mooresville Deannexation.

2017-2018 General Assembly

Committee: House Finance
Introduced by: Rep. Fraley
Analysis of: First Edition

Date: May 31, 2018
Prepared by: Greg Roney
Staff Attorney

OVERVIEW: *House Bill 946 would remove a 2.33 acre tract of land from the corporate limits of the Town of Mooresville.*

CURRENT LAW: Under Section 1 of Article VII of the NC Constitution, the General Assembly is empowered to "provide for the organization and government and the fixing of boundaries of counties, cities, and towns, and other governmental subdivisions, and, except as otherwise prohibited by this Constitution, may give such powers and duties to counties, cities and towns, and other governmental subdivisions as it may deem advisable." Pursuant to this Section, the General Assembly enacted Article 4A of Chapter 160A of the General Statutes which governs municipal annexations. In addition, the General Assembly may annex property by local act. The General Assembly has not enacted any method for municipalities to *deannex* property; that power remains with the General Assembly.

BILL ANALYSIS:

Section 1 of House Bill 946 would deannex a 2.33 acre tract of land from the corporate limits of the Town of Mooresville in Iredell County.

Section 2 of the bill would preserve any property tax liens or special assessments of the Town of Mooresville on the deannexed property outstanding as of June 30, 2018.

EFFECTIVE DATE: The bill would become effective June 30, 2018, and apply to tax years beginning July 1, 2018.

Jessica Sammons with the Legislative Analysis Division substantially contributed to this summary.

Karen Cochran-Brown
Director

H946-SMTM-74(e1)-v-2

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H

2

HOUSE BILL 950
Committee Substitute Favorable 5/23/18

Short Title: Carthage, Pollocksville Satellite Annexations.

(Local)

Sponsors:

Referred to:

May 17, 2018

A BILL TO BE ENTITLED
AN ACT REMOVING THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF
CARTHAGE AND POLLOCKSVILLE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160A-58.1 reads as rewritten:

"§ 160A-58.1. Petition for annexation; standards.

...
(b) A noncontiguous area proposed for annexation must meet all of the following standards:

(5) The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed ten percent (10%) of the area within the primary corporate limits of the annexing city.

This subdivision does not apply to the Cities of Belmont, Claremont, Concord, Conover, Durham, Elizabeth City, Gastonia, Greenville, Hickory, Kannapolis, Locust, Marion, Mount Airy, Mount Holly, New Bern, Newton, Oxford, Randleman, Roanoke Rapids, Rockingham, Sanford, Salisbury, Southport, Statesville, and Washington and the Towns of Ahoskie, Angier, Apex, Ayden, Benson, Bladenboro, Bridgeton, Burgaw, Calabash, Carthage, Catawba, Clayton, Columbia, Columbus, Cramerton, Creswell, Dallas, Dobson, Four Oaks, Franklin, Fuquay-Varina, Garner, Godwin, Granite Quarry, Green Level, Grimesland, Harrisburg, Holly Ridge, Holly Springs, Hookerton, Hope Mills, Huntersville, Jamestown, Kenansville, Kenly, Knightdale, Landis, Leland, Lillington, Louisburg, Maggie Valley, Maiden, Mayodan, Maysville, Middlesex, Midland, Mocksville, Morrisville, Mount Pleasant, Nashville, Oak Island, Ocean Isle Beach, Pembroke, Pine Level, Pollocksville, Princeton, Ranlo, Richlands, Rolesville, Rutherfordton, Shallotte, Siler City, Smithfield, Spencer, Spring Lake, Stem, Stovall, Surf City, Swansboro, Taylorsville, Troutman, Troy, Wallace, Warsaw, Watha, Waynesville, Weldon, Wendell, Wilson's Mills, Windsor, Yadkinville, and Zebulon."

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



* H 9 5 0 - V - 2 *





HOUSE BILL 950: Carthage, Pollocksville Satellite Annexations.

2017-2018 General Assembly

Committee: House Finance
Introduced by: Reps. McNeill, Boles
Analysis of: Second Edition

Date: May 31, 2018
Prepared by: Greg Roney
Staff Attorney

OVERVIEW: *House Bill 950 would exempt Carthage and Pollocksville from the 10% area cap on voluntary satellite annexations.*

CURRENT LAW: G.S. 160A-58.1 governs voluntary municipal annexation of noncontiguous property, also known as voluntary satellite annexation.

If all property owners in a satellite area petition a municipality for voluntary annexation of the noncontiguous property, the municipality may annex the property, if the following 5 requirements are met:

1. The nearest point on the proposed satellite corporate limits must be not more than 3 miles from the primary corporate limits of the annexing city.
2. No point on the proposed satellite corporate limits may be closer to the primary corporate limits of another city than to the primary corporate limits of the annexing city.
3. The area must be so situated that the annexing city will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits.
4. If the area proposed for annexation, or any portion thereof, is a subdivision as defined in G.S. 160A-376, all of the subdivision must be included.
5. *The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed 10% of the area within the primary corporate limits of the annexing city.*

BILL ANALYSIS: House Bill 950 would add the towns of Carthage and Pollocksville to the group of municipalities exempted from the 10% area cap on voluntary satellite annexation.

EFFECTIVE DATE: House Bill 950 would be effective when it becomes law.

BACKGROUND: The General Assembly has exempted 105 other municipalities from G.S. 160A-58.1(b)(5), as set out in the statute. Two municipalities are also exempt from G.S. 160A-58.1(b)(5), but are not listed in the statute: the Town of Mooresville (S.L. 1997-219) and the City of Mebane (S.L. 2017-82).

Jessica Sammons with the Legislative Analysis Division substantially contributed to this summary.

Karen Cochrane-Brown
Director

H950-SMTM-75(e2)-v-1

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H

1

HOUSE BILL 955

Short Title: Eden/Thoroughbred Annexation Agreement. (Local)

Sponsors: Representative Bert Jones.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: State and Local Government I, if favorable, Finance

May 17, 2018

A BILL TO BE ENTITLED
AN ACT AUTHORIZING THE CITY OF EDEN TO ENTER INTO AN ANNEXATION
AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding any applicable provision of the General Statutes or any other public or local law, the City of Eden is granted certain contract powers as follows:

- (1) The City of Eden may, by agreement, provide that certain property, described in Section 3 of this act as "Thoroughbred Property," may not be involuntarily annexed by the City during the period beginning January 31, 2018, and ending February 1, 2028, under the General Statutes as they now exist or may be subsequently amended, except as provided in the agreement. The City of Eden shall not seek to repeal this act upon its approval by the General Assembly.
- (2) Any agreement entered into as provided in subdivision (1) of this section is specifically determined to be proprietary and commercial in nature and is specifically determined to be consistent with the public policy of the State of North Carolina.
- (3) Any agreement entered into as provided in subdivision (1) of this section is a continuing agreement and is binding on and enforceable against the current and future members of the City Council of the City of Eden during the full term of the agreement and any extension thereof.
- (4) The parties to any agreement entered into as provided in subdivision (1) of this section shall be authorized by this act to further modify, amend, and extend the agreement on mutual written consent, without the approval of the General Assembly, provided that any modification or amendment does not materially alter the concept of the agreement.

SECTION 2. The City of Eden may accept payments in lieu of taxes as consideration for the agreement authorized by Section 1 of this act. Payments in lieu of taxes under this act shall be annually computed based upon the tax valuations of the property subject to the agreement under Section 1 of this act as determined by the Rockingham County Tax Department, with the formula for making the computation being stated in the agreement.

SECTION 3. The agreement authorized by Section 1 of this act shall apply to the Thoroughbred Property described as follows:

LYING AND BEING in Rockingham County and BEING the 26.3273 acres including a one story concrete block warehouse as shown on survey entitled "Parkdale America, LL" Subdivision, Survey for Parkdale America, LLC & A.C. Furniture, Inc., by Tanner and



1 McCannaughey, P.A., Professional Surveyors, dated March 3, 2005, and revised April 11, 2005,
2 as recorded in Map Book 56, Page 72, Rockingham County Registry. LYING AND BEING in
3 Rockingham County and BEING the 41.6195 acres per plat of survey for Parkdale America, LLC
4 by Tanner and McConnaughey, P.A., P.S., dated January 3, 2006, revised January 24, 2006, as
5 recorded in Map Book 58, Page 25, Rockingham County Registry. Being the same property
6 described in Deed Book 787, Page 790 Rockingham County Registry.

7 **SECTION 4.** This act is effective when it becomes law.



HOUSE BILL 955: Eden/Thoroughbred Annexation Agreement.

2017-2018 General Assembly

Committee: House Finance
Introduced by: Rep. Bert Jones
Analysis of: First Edition

Date: May 31, 2018
Prepared by: Greg Roney
Staff Attorney

OVERVIEW: *House Bill 955 authorizes the City of Eden to agree by contract not to involuntarily annex one described tract, known as the Thoroughbred Property, and to accept payment in lieu of taxes as part of that agreement.*

CURRENT LAW: Annexation is a method by which municipalities alter their boundaries. The municipality must follow the statutorily prescribed steps in order to add an area into its boundaries. The municipality must provide, or contract to provide, basic services to the area. These services include police protection, fire protection, solid waste collection and the extension of water and sewer lines to the area.

North Carolina law sets forth four basic ways in which a municipality may annex an area:

- Voluntary Annexation. – The owners of all real property in an area contiguous to the municipality desiring to be annexed sign a petition requesting annexation.
- Voluntary Satellite Annexation. – The owners of all real property in the area desiring to be annexed sign a petition requesting annexation, if it otherwise meets the statutory requirements. Part 4 of Article 4A of Chapter 160A.
- Legislative Act. – The General Assembly has the authority to extend the boundaries of any municipality.
- Municipal-Initiated Annexation. – The municipality initiates an annexation proceeding, pursuant to statutory requirements. Part 7 of Article 4A of Chapter 160A.

Since 2012, municipal-initiated annexation has required approval by vote of only the residents living in the proposed annexation area. Only if a majority of the votes cast in the referendum in the proposed annexation area approve of the annexation may the annexation become effective. G.S. 160A-58.64.

S.L. 1993-418, S.L. 2002-74, and S.L. 2013-219 authorized the City of Eden, by contract, to provide that certain property described in the contract would not be annexed by the City prior to December 31, 2013, and that the City could accept, as consideration for the contract, payments in lieu of taxes.

BILL ANALYSIS: House Bill 955 authorizes the City of Eden, by contract, to provide that the described Thoroughbred Property may not be annexed by the City between January 31, 2018, and February 1, 2028, and that the City may accept, as consideration for the contract, payments in lieu of taxes. Provided modification does not materially alter the concept of the agreement, the parties may extend the agreement by mutual written consent, without further action of the General Assembly, indefinitely.

The bill specifies that the payments in lieu of annexation are to be computed annually, based upon tax evaluations and a formula stated in the agreement.

Karen Cochrane-Brown
Director

H955-SMTM-76(e1)-v-1

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

House Bill 955

Page 2

The bill also states that the City of Eden will not seek to repeal the local act, if enacted.

EFFECTIVE DATE: House Bill 955 would be effective when it becomes law.

BACKGROUND: Other prior legislation authorizing *payment in lieu of taxes* annexation agreements: City of Eden S.L. 1993-418, S.L. 2002-74, and S.L. 2013-219; City of Washington S.L. 1993-713; Town of Stanley S.L. 1993-713; City of Belmont S.L. 1997-105; City of Hendersonville S.L. 1997-188; Town of Laurel Park S.L. 1997-188; Town of Huntersville S.L. 1997-426; Town of Huntersville S.L. 2000-100; Town of Weldon S.L. 2001-425; City of Eden S.L. 2002-74; City of Eden S.L. 2003-316; Town of Navassa S.L. 2007-314; Town of Robbins S.L. 2009-294.

Erika Churchill with the Legislative Analysis Division substantially contributed to this summary.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H

1

HOUSE BILL 956

Short Title: Eden/Duke Energy Annexation Agreement. (Local)

Sponsors: Representative Bert Jones.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: State and Local Government I, if favorable, Finance

May 17, 2018

1 A BILL TO BE ENTITLED
2 AN ACT AUTHORIZING THE CITY OF EDEN TO ENTER INTO AN ANNEXATION
3 AGREEMENT WITH DUKE ENERGY FOR PAYMENTS IN LIEU OF ANNEXATION.
4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Notwithstanding any applicable provision of the General Statutes or
6 any other public or local law, the City of Eden is granted certain contract powers as follows:

- 7 (1) The City of Eden may, by agreement, provide that certain property, described
8 in Section 3 of this act as the "Dan River Plant Property," may not be
9 involuntarily annexed by the City during the period beginning January 31,
10 2019, and ending December 31, 2023, under the General Statutes as they now
11 exist or may be subsequently amended, except as provided in the agreement.
12 The City of Eden shall not seek to repeal this act upon its approval by the
13 General Assembly.
14 (2) Any agreement entered into as provided in subdivision (1) of this section is
15 specifically determined to be proprietary and commercial in nature and is
16 specifically determined to be consistent with the public policy of the State of
17 North Carolina.
18 (3) Any agreement entered into as provided in subdivision (1) of this section is a
19 continuing agreement and is binding on and enforceable against the current
20 and future members of the City Council of the City of Eden during the full
21 term of the agreement and any extension thereof.
22 (4) The parties to the agreement entered into as provided in subdivision (1) of this
23 section are authorized by this section to further modify, amend, and extend
24 the agreement on mutual written consent, without the approval of the General
25 Assembly, provided that any modification or amendment does not materially
26 alter the concept of the agreement.

27 **SECTION 2.** The City of Eden may accept, as consideration for the agreement
28 authorized in Section 1 of this act, payments in lieu of taxes in the amount of one million dollars
29 (\$1,000,000), which shall be made by Duke Energy in annual payments in the amount of two
30 hundred thousand dollars (\$200,000) for five successive and consecutive calendar years.

31 **SECTION 3.** The agreement under Section 1 of this act shall apply to the Dan River
32 Plant Property described as follows:
33 Tract 1

34 Beginning at a concrete monument set in the westerly line of S. R. # 1779 (Edgewood
35 Road) and running thence from said beginning point, S 360° 45' E 80.6 feet to a stake, thence N



69° 26' E 826.6 feet to an iron rod found; thence N 20° 32' W 239.1 feet to an iron rod; thence N 69° 28' E 97.1 feet to an iron rod found; thence N 20° 39' W 180.0 feet to an iron rod found; thence N 69° 18' E 54.7 feet to a concrete monument found; thence N 20° 30' W 240.4 feet to an iron rod; thence N 69° 30' E 87.0 feet to an iron rod found; thence N 20° 35' W 180.1 feet to an iron rod found; thence N 69° 27' E 515.5 feet to an iron rod and iron pipe found in the westerly boundary of the property of Fieldcrest Mills, Inc.; thence with said property line S 10° 19' E 1390.2 feet to a concrete monument found in the southwesterly corner of the property of Fieldcrest Mills, Inc.; thence with the southerly line of Fieldcrest Mills, Inc., N 79° 03' E 161.9 feet to a concrete monument found; thence S 80° 53' E 1126.3 feet to an iron rod found in the centerline of the CNW Railroad Spur Track; thence with the centerline of said Spur track the following courses and distances: S 4° 02' E 100.0 feet to a point; S 0° 02' E 99.9 feet to a point; S 4° 04' W 100.0 feet to a point; S 7° 43' W 100.0 feet to a point; S 11° 45' W 100.0 feet to a point; S 15° 57' W 100.0 feet to a point; S 20° 00' W 100.0 feet to a point; S 24° 15' W 100.0 feet to a point; S 28° 05' W 100.0 feet to a point; S 31° 33' W 72.0 feet to a spike found; thence N 88° 54' E 623.1 feet to an iron rod found; thence S 18° 36' E 367.2 feet to an iron pipe found; thence S 6° 02' W 74.9 feet to an iron pipe found; thence S 24° 38' E 141.5 feet to a point in the northerly bank of the Dan River; thence with the Dan River the following courses and distances: S 66° 35' W 48.8 feet; S 54° 44' W 77.0 feet; S 61° 37' W 108.8 feet; S 55° 43' W 74.6 feet; S 53° 05' W 203.1 feet; S 32° 02' W 281.5 feet; S 27° 20' W 140.7 feet; S 27° 58' W 436.3 feet; S 29° 28' W 142.1 feet; S 26° 31' W 236.2 feet; S 41° 30' W 204.0 feet; S 52° 38' W 266.5 feet; S 58° 31' W 263.2 feet; S 63° 40' W 317.8 feet; S 57° 38' W 75.4 feet; S 65° 46' W 312.0 feet; S 71° 46' W 148.1 feet; S 75° 07' W 232.9 feet; S 76° 21' W 205.8 feet; N 6° 55' W 64.0 feet; S 68° 04' W 235.4 feet; S 17° 07' E 61.4 feet; S 66° 21' W 108.2 feet; S 67° 33' W 318.2 feet; S 68° 11' W 220.3 feet; S 70° 06' W 139.5 feet; S 78° 35' W 234.8 feet; S 65° 10' W 88.2 feet to a point in the southeasterly margin of the property of Fieldcrest Mills, Inc.; thence with the property line of Fieldcrest Mills, Inc.; N 18° 51' W 176.4 feet to an iron rod set; thence S 56° 26' W 96.7 feet to an iron pipe found; thence N 19° 06' W 1090.1 feet to a concrete monument found; thence N 82° 22' E 247.0 feet to a point in the westerly bank of a pond; thence with the westerly bank of said pond, eight courses and distances as follows: (1) N 46° 33' W 98.7 feet; (2) N 32° 44' W 86.0 feet; (3) N 47° 00' W 82.7 feet; (4) N 84° 22' W 45.6 feet; (5) N 39° 52' W 147.9 feet; (6) N 18° 33' W 89.6 feet; (7) N 7° 38' E 206.9 feet; (8) N 36° 54' E 60.4 feet at an intersection of the said pond and Moir Branch; thence with the centerline of Moir Branch the following courses and distances: (1) N 22° 07' W 200.2 feet; (2) N 25° 40' W 40.5 feet; (3) N 45° 48' W 58.0 feet; (4) N 11° 08' W 47.0 feet; (5) S 79° 32' E 37.3 feet; (6) N 4° 09' E 25.0 feet; (7) N 6° 39' W 132.1 feet; (8) N 5° 25' E 193.7 feet; (9) N 7° 04' W 76.1 feet; (10) S 30° 57' W 48.8 feet; (11) S 73° 25' W 18.4 feet; (12) N 15° 37' W 44.9 feet; (13) N 3° 35' E 122.1 feet; (14) N 30° 20' W 34.8 feet; (15) N 14° 01' W 129.2 feet; (16) N 50° 22' W 61.7 feet; (17) N 22° 47' W 85.8 feet; (18) N 34° 56' W 29.7 feet; (19) N 4° 25' E 177.2 feet; (20) N 16° 48' E 54.7 feet; (21) N 30° 16' E 28.2 feet; (22) N 18° 14' W 25.5 feet; (23) N 13° 26' W 47.0 feet; (24) N 4° 41' E 115.3 feet; (25) S 89° 12' E 26.5 feet; (26) N 41° 02' E 26.5 feet; (27) N 9° 00' W 94.8 feet; (28) N 1° 43' W 62.0 feet; (29) N 40° 18' E 15.7 feet; (30) N 22° 50' E 46.8 feet; (31) N 11° 42' E 37.1 feet; (32) S 82° 45' E 40.0 feet; (33) N 16° 55' E 45.3 feet; (34) N 21° 40' E 37.9 feet; (35) N 6° 31' E 114.3 feet to a point in the southerly line of the property of Fieldcrest Mills, Inc.; thence with the southerly line of said property N 63° 10' E 308.3 feet to an iron pipe found; thence N 63° 14' E 523.5 feet to an iron pipe found; thence N 63° 07' E 132.1 feet to an iron pipe found; N 63° 20' E 171.2 feet to an iron pipe found; thence N 63° 13' E 357.6 feet to the point of Beginning, containing 371.48 acres.

Tract 2

Beginning at a point on the west bank of Miry Branch at the confluence of Miry Branch and Dan River; thence with the west branch of Miry Branch the following courses and distances: S 33° 39' W 85.4 feet; S 57° 48' W 80.0 feet; S 30° 56' W 51.1 feet; S 14° 24' E 36.7 feet; S 43° 41' E 74.3 feet; S 1° 31' W 72.2 feet; S 6° 51' W 117.5 feet; S 5° 17' W 37.8 feet; S

1 45° 12' W 74.0 feet; S 41° 15' W 117.0 feet; S 31° 11' W 36.9 feet; S 15° 35' E 72.8 feet; S 31°
2 08' W 52.5 feet; S 24° 33' E 44.3 feet; S 24° 09' W 94.5 feet; S 7° 15' W 35.1 feet; S 36° 54' E
3 71.5 feet to an iron rod; thence S 72° 11' W 395.3 feet to a concrete monument found; thence N
4 2° 25' E 917.1 feet to the southerly line of said river; thence with the southerly bank of Dan River
5 three calls as follows: N 70° 00' E 336.4 feet; N 69° 52' E 115.1 feet; N 79° 21' E 154.5 feet to
6 the point of Beginning, containing 9.08 acres.

7 **SECTION 4.** This act is effective when it becomes law.





HOUSE BILL 956: Eden/Duke Energy Annexation Agreement.

2017-2018 General Assembly

Committee: House Finance
Introduced by: Rep. Bert Jones
Analysis of: First Edition

Date: May 31, 2018
Prepared by: Greg Roney
Staff Attorney

OVERVIEW: *House Bill 956 authorizes the City of Eden to agree by contract not to involuntarily annex one described tract, known as the Dan River Plant Property, Tract I, and to accept payment in lieu of taxes as part of that agreement.*

CURRENT LAW: Annexation is a method by which municipalities alter their boundaries. The municipality must follow the statutorily prescribed steps in order to add an area into its boundaries. The municipality must provide, or contract to provide, basic services to the area. These services include police protection, fire protection, solid waste collection and the extension of water and sewer lines to the area.

North Carolina law sets forth four basic ways in which a municipality may annex an area:

- Voluntary Annexation. – The owners of all real property in an area contiguous to the municipality desiring to be annexed sign a petition requesting annexation.
- Voluntary Satellite Annexation. – The owners of all real property in the area desiring to be annexed sign a petition requesting annexation, if it otherwise meets the statutory requirements. Part 4 of Article 4A of Chapter 160A.
- Legislative Act. – The General Assembly has the authority to extend the boundaries of any municipality.
- Municipal-Initiated Annexation. – The municipality initiates an annexation proceeding, pursuant to statutory requirements. Part 7 of Article 4A of Chapter 160A.

Since 2012, municipal-initiated annexation has required approval by vote of only the residents living in the proposed annexation area. Only if a majority of the votes cast in the referendum in the proposed annexation area approve of the annexation may the annexation become effective. G.S. 160A-58.64.

S.L. 1993-418, S.L. 2002-74, and S.L. 2013-219 authorized the City of Eden, by contract, to provide that certain property described in the contract would not be annexed by the City prior to December 31, 2013, and that the City could accept, as consideration for the contract, payments in lieu of taxes.

BILL ANALYSIS: House Bill 956 authorizes the City of Eden, by contract, to provide that the described Thoroughbred Property may not be annexed by the City between January 31, 2019, and December 31, 2023, and that the City may accept, as consideration for the contract, payments in lieu of taxes. Provided modification does not materially alter the concept of the agreement, the parties may extend the agreement on mutual written consent, without further action of the General Assembly, indefinitely.

The bill specifies that the City of Eden will accept one million dollars as payment in lieu of taxes for the five year period of the agreement. Duke Energy must make annual payments of \$200,000 during the course of the agreement.

Karen Cochrane-Brown
Director

H956-SMTM-77(e1)-v-1

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

House Bill 956

Page 2

The bill also states that the City of Eden will not seek to repeal the local act, if enacted.

EFFECTIVE DATE: House Bill 956 would be effective when it becomes law.

BACKGROUND: Other prior legislation authorizing *payment in lieu of taxes* annexation agreements: City of Eden S.L. 1993-418, S.L. 2002-74, and S.L. 2013-219; City of Washington S.L. 1993-713; Town of Stanley S.L. 1993-713; City of Belmont S.L. 1997-105; City of Hendersonville S.L. 1997-188; Town of Laurel Park S.L. 1997-188; Town of Huntersville S.L. 1997-426; Town of Huntersville S.L. 2000-100; Town of Weldon S.L. 2001-425; City of Eden S.L. 2002-74; City of Eden S.L. 2003-316; Town of Navassa S.L. 2007-314; Town of Robbins S.L. 2009-294.

Erika Churchill with the Legislative Analysis Division substantially contributed to this summary.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

H

2

**HOUSE BILL 978
Committee Substitute Favorable 5/30/18**

Short Title: Hemby Bridge/Stallings Corporate Limits.

(Local)

Sponsors:

Referred to:

May 23, 2018

A BILL TO BE ENTITLED
AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE
LIMITS OF THE TOWN OF HEMBY BRIDGE AND ADDING THAT PROPERTY TO
THE CORPORATE LIMITS OF THE TOWN OF STALLINGS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) The following described property is removed from the corporate limits of the Town of Hemby Bridge:

That certain parcel or tract of land identified as Tract 2 – 496,763 sq ft – 11.481 AC Total on that certain Final Plat of FairHaven Phase 1, Map 5 recorded in Plat Cabinet J, File 951, in the Union County, North Carolina Office of the Register of Deeds and being more particularly described as follows: BEGINNING at a point on the right-of-way line of Stevens Mill Road at the southwesterly corner of Manuel J. & Kitty Hicks property as recorded in DB 4466, PG 292 and having tax parcel number 07-057-005B. Thence with the westerly property line S 36°15'40" W a distance of 21.63' to a point. Thence S 40°21'57" W 93.32' to a point. Thence S 42°17'26" W 328.88' to a point. Thence S 42°00'59" W 314.45' to a point. Within the Tract property the following eleven (11) calls: 1) S 43°32'19" E a distance of 185.04' to a point; 2) S 40°49'36" E a distance of 373.18' to a point; 3) S 54°36'26" E a distance of 115.23' to a point; 4) S 72°27'46" E a distance of 47.45' to a point; 5) S 43°07'26" E a distance of 414.12' to a point; 6) N 49°49'34" E a distance of 298.01' to a found stone; 7) N 45°34'53" W a distance of 589.68' to a found #6 rebar; 8) N 01°17'45" W a distance of 298.29' to a point; 9) N 43°09'50" E a distance of 160.28' to a point; 10) N 42°43'47" W a distance of 169.64' to a point; 11) N 16°16'36" E a distance of 284.38' to a point of the BEGINNING.

SECTION 1.(b) This section has no effect upon the validity of any liens of the Town of Hemby Bridge for ad valorem taxes or special assessments outstanding before the effective date of this section. Such liens may be collected or foreclosed upon after the effective date of this section as though the property were still within the corporate limits of the Town of Hemby Bridge.

SECTION 1.(c) This section becomes effective June 30, 2018. Property in the territory described in subsection (a) of this section as of January 1, 2018, is no longer subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2018.

SECTION 2.(a) The property described in Section 1(a) of this act is added to the corporate limits of the Town of Stallings.

SECTION 2.(b) This section becomes effective June 30, 2018. Property in the territory described in subsection (a) of this section as of January 1, 2018, is subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2018.



1 **SECTION 3.** Except as otherwise provided, this act is effective when it becomes
2 law.



HOUSE BILL 978: Hemby Bridge/Stallings Corporate Limits.

2017-2018 General Assembly

Committee: House Finance
Introduced by: Rep. Arp
Analysis of: Second Edition

Date: May 30, 2018
Prepared by: Trina Griffin
Committee Co-Counsel

OVERVIEW: *House Bill 978 would remove from the corporate limits of the Town of Hemby Bridge an 11.481 acre tract that is owned by the Town of Stallings and add that parcel to the corporate limits of the Town of Stallings. Both towns are located in Union County.*

CURRENT LAW: Under Section 1 of Article VII of the NC Constitution, the General Assembly is empowered to "provide for the organization and government and the fixing of boundaries of counties, cities and towns, and other governmental subdivisions, and, except as otherwise prohibited by this Constitution, may give such powers and duties to counties, cities and towns, and other governmental subdivisions as it may deem advisable."

BILL ANALYSIS: Section 1 of House Bill 978 would, by legislative act, remove an 11.481 acre tract from the corporate limits of the Town of Hemby Bridge. Section 2 of the bill would, by legislative act, add this 11.481 acre tract to the corporate limits of the Town of Stallings.

EFFECTIVE DATE: The bill would become effective June 30, 2018, and apply to tax years beginning July 1, 2018.

BACKGROUND: The 11.481 acre tract is owned by the Town of Stallings.

Billy R. Godwin, counsel to House State and Local Government I, substantially contributed to this summary.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

S

3

SENATE BILL 566*
Judiciary Committee Substitute Adopted 4/19/17
House Committee Substitute Favorable 5/23/18

Short Title: Wrightsville Beach/Wilmington Deannex-Annex.

(Public)

Sponsors:

Referred to:

April 3, 2017

A BILL TO BE ENTITLED

AN ACT TO REMOVE DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF
THE TOWN OF WRIGHTSVILLE BEACH AND TO ANNEX THAT PROPERTY TO
THE CORPORATE LIMITS OF THE CITY OF WILMINGTON AND TO REMOVE
DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF
WILMINGTON AND TO ANNEX THAT PROPERTY TO THE CORPORATE LIMITS
OF THE TOWN OF WRIGHTSVILLE BEACH.

The General Assembly of North Carolina enacts:

SECTION 1.(a) The following described property is removed from the corporate
limits of the Town of Wrightsville Beach and added to the corporate limits of the City of
Wilmington:

All of that certain tract or parcel of land being situate in New Hanover County, North
Carolina, and more particularly described as all of Lot 1 according to the map recorded in Map
Book 40, at page 194 of the New Hanover County Registry.

SECTION 1.(b) This section becomes effective June 30, 2018. Property in the
territory described in this section as of January 1, 2018, is no longer subject to municipal taxes
for taxes imposed for taxable years beginning on or after July 1, 2018, by the Town of
Wrightsville Beach. Property in the territory described by this section as of January 1, 2018, is
subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2018,
by the City of Wilmington.

SECTION 2.(a) The following described property is removed from the corporate
limits of the City of Wilmington and added to the corporate limits of the Town of Wrightsville
Beach:

All of that certain parcel of real property located in the City of Wilmington, New
Hanover County, North Carolina, containing 0.72 acres more or less, more particularly described
as follows:

Commencing at an existing iron rod control point located in the southern right-of-way
line of Wrightsville Avenue, a 100' wide public right-of-way, said point of BEGINNING located
in the northeast corner of the tract of land described in the Deed recorded in Deed Book 6063, at
Page 2703, said point being located the following two courses and distances from NCGS
Monument "Pilgrim" located at N 173498.7430, E 2355050.5180: South 48°58'42" East 354.63
feet to a control point in the southern right-of-way line of Wrightsville Avenue; South 88°03'39"
East 637.99 feet along said southern boundary of Wrightsville Avenue, the point of
BEGINNING; running thence from said point of BEGINNING, South 25°14'23" West 231.91
feet along and with the boundary of that certain tract of land conveyed by and described in the



1 deed recorded in Deed Book 6063, at Page 2703 to an iron pipe found in a corner of said
2 boundary; thence leaving said boundary North 88°03'38" West 102.08 feet to an iron pipe set;
3 thence North 01°56'21" East 213.00 feet to a point in the southern right-of-way line of
4 Wrightsville Avenue; thence along and with said right-of-way line of Wrightsville Avenue, South
5 88°03'39" East 193.81 feet to the place and point of BEGINNING.

6 **SECTION 2.(b)** This section becomes effective June 30, 2018. Property in the
7 territory described in this section as of January 1, 2018, is no longer subject to municipal taxes
8 for taxes imposed for taxable years beginning on or after July 1, 2018, by the City of Wilmington.
9 Property in the territory described by this section as of January 1, 2018, is subject to municipal
10 taxes for taxes imposed for taxable years beginning on or after July 1, 2018, by the Town of
11 Wrightsville Beach.

12 **SECTION 3.** Except as otherwise provided, this act is effective when it becomes
13 law.



SENATE BILL 566: Wrightsville Beach/Wilmington Deannex-Annex.

2017-2018 General Assembly

| | | | |
|-----------------------|-----------------------------------|---------------------|----------------|
| Committee: | House Finance | Date: | May 31, 2018 |
| Introduced by: | Sens. Barringer, Tarte, Alexander | Prepared by: | Greg Roney |
| Analysis of: | Third Edition | | Staff Attorney |

OVERVIEW: *Senate Bill 566 would swap property between Wrightsville Beach and Wilmington.*

CURRENT LAW: Under Section 1 of Article VII of the NC Constitution, the General Assembly is empowered to "provide for the organization and government and the fixing of boundaries of counties, cities, and towns, and other governmental subdivisions, and, except as otherwise prohibited by this Constitution, may give such powers and duties to counties, cities and towns, and other governmental subdivisions as it may deem advisable." Pursuant to this Section, the General Assembly enacted Article 4A of Chapter 160A of the General Statutes which governs municipal annexations. In addition, the General Assembly may annex property by local act. The General Assembly has not enacted any method for municipalities to deannex property; that power remains with the General Assembly.

BILL ANALYSIS: Senate Bill 566 would move a tract from Wrightsville Beach to Wilmington and move a 0.72 acre tract from Wilmington and to Wrightsville Beach.

EFFECTIVE DATE: Senate Bill 566 would be effective when it becomes law and authorizes the receiving municipality to impose property tax during the taxable year beginning July 1, 2018.

Karen Cochrane-Brown
Director

S566-SMTM-78(e3)-v-1

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919-733-2578

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