

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**SESSION LAW 2004-39
HOUSE BILL 224**

AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CITY OF KANNAPOLIS, TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE TOWN OF MOUNT PLEASANT, AND TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE TOWN OF MIDLAND.

The General Assembly of North Carolina enacts:

SECTION 1. The corporate limits of the City of Kannapolis are extended to include the following described area:

Lying and being in Number 3 Township, Cabarrus County, North Carolina on the West side of Shiloh Church Road adjoining the property of Roger D. Hudson, now or formerly (Book 367, page 49) and others and being more particularly described as follows:

BEGINNING at an existing 3/4" iron in the right-of-way of Shiloh Church Road, a corner of Hudson as noted above, said pin being S. 18-34-49 W. 1071.93 feet from an existing railroad spike in the intersection of Shiloh Church Road and Placid Road; thence with the right-of-way of Shiloh Church Road, S. 16-45-12 W. 544.96 feet to an existing iron pin (#5 rebar) on the north side of a 60 foot private right-of-way; thence with the north side of the 60 foot private right-of-way the following five (5) lines: 1) N. 84-03-27 W. 188.49 feet to a set iron pin (passing a set iron pin at 17.60 feet); 2) a curve bearing to the left S. 79-23-51 W. 102.95 feet with a radius of 180.00 feet and an arc length of 104.40 feet to a set iron pin; 3) S. 62-42-52 W. 210.68 feet to a set iron pin; 4) a curve bearing to the left S. 78-03-08 W. 63.48 feet with a radius of 120.00 feet and an arc length of 64.25 feet to a set iron pin; and 5) N. 86-39-49 W. 86.22 feet to an existing iron pin (#4 rebar), a corner of Mickey H. Kinley, now or formerly (Book 581, page 613 and Book 507, page 349); thence the following three lines with Kinley: 1) N. 11-04-59 W. 83.11 feet to an existing iron pin (#4 rebar); 2) S. 68-47-38 W. 103.69 feet to an existing iron pin (#4 rebar); and 3) S. 11-05-34 E. 38.59 feet to an existing iron pin on the north side of the 60 foot private right-of-way; thence continuing with the private right-of-way the following two lines: 1) N. 86-29-05 W. 60.02 feet to a set iron pin; and 2) S. 03-38-18 E. 148.85 feet to an existing 5/8" iron rod, a corner of Clifford C. Roten, Sr., now or formerly (Book 2413, page 246); thence the following three lines with Roten as follows: 1) N. 89-14-57 W. 10.00 feet to an existing iron pin; 2) N. 71-37-21 W. 278.66 feet to an existing iron pin (#4 rebar); and 3) S. 04-17-36 E. 185.00 feet to a set iron pin in the line of William D. Brumley, now or formerly (Book 616, page 94); thence the following five (5) lines with Brumley: 1) N. 76-27-30 W. 381.72 feet to a post; 2) N. 61-29-48 W. 234.44 feet to a post; 3) N. 39-38-36 W. 135.40 feet to a post; 4) N. 49-06-00 W. 319.10 feet to an existing 1/2" iron rod in stone pile; and 5) S. 00-55-58 W. 926.85 feet (passing an existing 1" iron rod at 862.10 feet) to a point, a corner of Brumley and Helms, as noted above, said point lying in the Rocky River; thence with the line of Helms and the Rocky River, the following six (6) lines: 1) N. 75-17-28 W. 252.10 feet to a point; 2) S. 73-31-21 W. 368.10 feet to a point; 3) S. 65-39-50 W. 523.05 feet to a point; 4) N. 75-08-12 W. 319.81 feet to a point; 5) N. 74-08-13 W. 425.60 feet to a point; and 6) N. 79-59-52 W. 337.20 feet to a point in the line of Rocky River, said point being on the border of Cabarrus County and Mecklenburg County, said point also being a corner of River Run Limited Partnership,

now or formerly (Book 6245, page 680 Mecklenburg County Registry); thence twenty eight (28) lines with the line of River Run Limited Partnership, Howard and Associates, and Rocky River as follows: 1) N. 18-47-28 W. 250.03 feet to a point; 2) N. 02-43-26 W. 312.05 feet to a point; 3) N. 10-28-53 E. 113.73 feet to a point; 4) N. 03-07-28 E. 92.98 feet to a point; 5) N. 00-25-03 E. 87.16 feet to a point; 6) N. 12-54-32 W. 72.35 feet to a point; 7) N. 16-54-27 W. 63.53 feet to a point; 8) N. 03-32-17 E. 52.59 feet to a point; 9) N. 19-31-24 E. 89.74 feet to a point; 10) N. 13-42-55 E. 84.75 feet to a point; 11) N. 25-13-19 W. 82.75 feet to a point; 12) N. 21-21-58 W. 94.32 feet to a point; 13) N. 21-55-45 E. 81.08 feet to a point; 14) N. 15-13-07 W. 75.32 feet to a point; 15) N. 03-59-20 W. 94.21 feet; and 16) N. 07-51-27 E. 83.50 feet to a point; 17) N. 02-57-31 W. 69.26 feet to a point; 18) N. 10-07-25 W. 78.45 feet to a point; 19) N. 11-31-18 E. 45.53 feet to a point; 20) N. 01-50-53 E. 133.23 feet to a point, a corner of Christopher Davis, now or formerly (Book 8035, page 100 Mecklenburg County Registry); 21) N. 00-56-24 E. 28.66 feet to a point; 22) N. 25-32-24 W. 151.20 feet to a point; 23) N. 24-18-31 W. 212.55 feet to a point; 24) N. 51-06-44 W. 70.12 feet to a point; 25) N. 32-38-00 W. 159.45 feet to a point; 26) N. 01-57-51 W. 35.47 feet to a point; 27) N. 59-40-44 W. 69.47 feet to a point and 28) N. 20-02-08 W. 261.69 feet to a point; thence leaving Rocky River and entering Mecklenburg County with the line of Davis, S. 78-01-45 W. 1,288.86 feet to an existing iron pin on the east side of Shearer Road; thence with the right-of-way of Shearer Road the following two lines: 1) N. 04-55-47 E. 15.68 feet to an existing iron pin; and 2) N. 04-56-41 E. 31.39 feet to a set iron pin a corner of Hubert M. Howard, now or formerly (Book 4567, page 166 Mecklenburg County Registry); thence with the line of Howard, N. 78-02-01 E. 1287.33 feet to a point in Rocky River on the County line, (passing an existing 1" iron pin at 1235.17 feet); thence continuing with the line of Howard and entering into Cabarrus County, N. 03-10-44 E. 161.14 feet (passing a set iron pin at 61.14 feet) to an existing 1" iron pipe, a corner of Sadie Graeber Barbee (Book 715, page 174); thence the following three lines with Barbee: 1) S. 64-51-03 E. 1,182.56 feet to an existing #4 rebar in stone pile; 2) N. 40-50-58 E. 2,007.16 feet to an existing iron pin; and 3) N. 27-40-35 W. 515.79 feet to an existing 2" pipe in the line of Pricilla H. Melchor, now or formerly (Book 2039, page 334); thence with the line of Melchor, N. 89-53-58 E. 738.13 feet to an existing 2" pipe in the line of Elizabeth B. Mabry, now or formerly (Book 303, page 60); thence the following two lines with Mabry: 1) S. 20-33-02 E. 430.36 feet to an existing iron pin; and 2) N. 87-47-29 E. 270.03 feet to a set iron pin a corner of Polaris Properties, LLC, now or formerly (Book 1729, page 17); thence the following three lines with Polaris: 1) S. 01-24-52 E. 177.66 feet to a set iron pin at a found nail; 2) S. 53-53-31 W. 87.84 feet to a set iron pin at a found nail; and 3) S. 01-24-52 E. 176.63 feet to a set iron pin in the line of Brett L. Fowler, now or formerly (Book 2631, page 108); thence with the line of Fowler the following six (6) lines: 1) S. 89-29-18 W. 94.09 feet to an existing iron pin; 2) S. 46-52-00 E. 123.80 feet to an existing iron pin; 3) S. 09-18-57 E. 48.00 feet to an existing iron pin; 4) S. 13-49-04 W. 155.55 feet to an existing iron pin; 5) S. 28-04-41 W. 195.49 feet to an existing iron pin; and 6) S. 08-29-26 E. 467.21 feet to a set iron pin in the line of Brett L. Fowler, now or formerly (Book 1621, page 251); thence with the line of Fowler the following three lines: 1) S. 79-17-23 W. 200.00 feet to a set iron pin at an existing axle; 2) S. 23-59-21 E. 657.91 feet to an existing 5/8" iron rod; and 3) N. 78-59-50 E. 319.12 feet to an existing 1" iron rod, a corner of James E. Davidson, III, now or formerly (Book 1836, page 156); thence with the line Davidson and John A. Davidson (Book 443, page 712) S. 00-13-04 E. 466.37 feet to an existing iron pin in the line of John L. Guthrie, now or formerly (Book 503, page 134); thence the following five (5) lines with Guthrie: 1) N. 77-01-52 W. 30.75 feet to an existing iron pin; 2) S. 00-13-08 E. 240.71 feet to an existing 1/2" iron rod; 3) S. 76-21-00 E. 597.71 feet to an existing iron pin (passing an existing 1/2" iron rod at 470.52 feet); 4) N. 36-22-40 E. 32.36 feet to an existing iron pin; and 5) S. 76-23-17 E. 41.02 feet to an existing 1/2" iron rod, a corner of Frank R. Freeze, now or formerly (Book 384, page 811 and Book 396, page 325); thence with the line of Freeze

and Hudson as noted above; S. 76-23-17 E. 617.98 feet to the point of BEGINNING, containing 258.106 acres more or less, as platted and surveyed by Marion L. Sandlin, Jr., PLS December 22, 1999.

SECTION 2. The corporate limits of the City of Kannapolis are extended to include the following described area:

BEGINNING at the southeastern corner of said property line along the Proposed Poplar Tent Road; Running thence with the southwesterly property line S 76-01-13W for a distance of 401.28 feet; Thence with the northwesterly property line N 20-13-42W for a distance of 334.17 feet; Thence along the northeasterly property line N 69-46-18 E for a distance of 331.20 feet; Thence along the proposed right-of-way of Poplar Tent Road in a southeasterly direction of S 32-07-08 E for a distance of 240.79 feet; Thence along the same right-of-way a radius of 885.00 feet in a southeasterly direction for a length of 143.52 feet at a bearing of S 27-28-23 E at a distance of 143.36 feet back to the point of beginning.

SECTION 3. The corporate limits of the City of Kannapolis are extended to include the following described area:

Commencing at North Carolina control monument "coline", having NAD 83 state plane grid coordinates of X = 1,474,626.92 feet and Y = 620,132.32 feet; thence a tie of South 81-21-29 West a ground distance of 296.95 feet to a p-k nail set in the centerline of State Highway 73, said p-k nail being the POINT OF BEGINNING thence two (2) new lines with the L.T. Lopper property (Deed Book 489, Page 596, Cabarrus County Registry); (1.) North 20-13-42 West, a distance of 580.64 feet to an iron pin set; (2.) North 76-01-13 East, a distance of 618.87 feet to an existing 1-1/2" iron pipe, said pipe being the Southwest corner of Ronald Gold Overcash property (Deed Book 1741, Page 215, Cabarrus County Registry); thence with said Overcash property North 76-01-13 East, a distance of 659.87 feet to an existing 1-1/2" iron pipe; thence South 00-11-39 West, a distance of 660.00 feet to an existing #4 rebar; thence South 75-58'33" West, a distance of 667.96 feet to a p-k nail set in the centerline of State Highway 73; thence with said centerline South 85-19-29 West, a distance of 391.12 feet to the beginning, containing 16.816 Acres more or less and being a portion of Deed Book 489, Page 596 recorded in the Cabarrus County Registry.

SECTION 4. The corporate limits of the Town of Mount Pleasant are extended to include the following described territory:

That certain tract or parcel of land situated, lying and being in the Township # 9, Cabarrus County, and being more particularly described as follows:

BEGINNING at a point in the center of Hwy 200 said point being a southeast corner of St. Marks Evangelical Church as recorded in Deed Book 0044, Page 509 of the Cabarrus County Public Registry and runs thence with the line of St. Marks Evangelical Church the following two (2) courses and distances: (1) North 35-57-43 East 964.23 feet to a point; (2) North 22-15-06 West 1773.00 to a point being a southeast corner of Wachovia National Bank as described in Deed Book 4953, Page 200 of said Registry, thence with the line of Wachovia National Bank the following seven (7) courses and distances: (1) North 73-19-07 East 304.71 feet to a point; (2) North 46-43-24 East 1430.13 feet to a point; (3) North 42-29-30 West 729.10 feet to a point; (4) South 27-00-00 West 41.92 feet to a point; (5) North 45-43-00 West 2091.97 feet to a point; (6) South 41-44-00 West 2532.75 feet to a point; (7) South 37-30-00 West 132.00 feet to a point being a southeast corner of James Cook property as described in Deed Book 2211, Page 40 of said Registry, thence with the line of James Cook the following six (6) courses and distances: (1) North 43-00-00 West 1258.13 feet to a point; (2) North 36-57-10 East 2683.61 feet to a point; (3) North 73-00-00 East 1023.00 feet to a point; (4) North 77-00-00 East 1122.00 feet to a point; (5) South 65-00-00 East 189.75 feet to a point; (6) North 02-00-00 East 182.46 feet to a point being the southwest corner of Clyde Cline property (no deed reference), thence with the line of Clyde Cline property the following three courses and distances: (1) South 55-40-26 East 317.60 feet to a point; (2) South 72-38-26 East 956.44 feet to a point; (3) North 01-08-32 East 930.06

feet to a point, thence with another line of Clyde Cline property and continuing with the line of Irvin Johnston (no deed reference) and continuing with the line of lots 32, 41-43, 45-58 Lake Shores Estates, Map 3 as recorded in Map Book 19, Page 24 the following three courses and distances: (1) North 85-08-32 East 1080.75 feet to a point; (2) South 40-07-00 East 1203.46 feet to a point; (3) North 30-08-32 East 1493.25 feet to a point being the southwest corner of Tony Furr property as described in Deed Book 4533, Page 49 of said Registry. Thence with the line of Tony Furr and continuing with the line of lots 26, 25 Lake Shore Estates, Map 2 as recorded in Map Book 19, Page 7 of said Registry South 55-51-28 East 660.00 feet to a point being the northwest corner of lot 31 Lake Shores Estates, Section 1 as recorded in Map Book 18, Page 69 of said Registry. Thence with the line of Lot 31 and continuing with the line of lots 32-49A and continuing with the line of Doris Reinhardt property as described in Deed Book 3093, Page 221 of said Registry the following two (2) courses and distances: (1) South 30-08-32 West 1765.50 feet to a point; (2) South 01-51-28 East 321.75 feet to a point being a northeast corner of Betty Blume property as described in Deed Book 2518, Page 121 of said Registry, thence with the line of Betty Blume and continuing with the line of John Kluttz (no deed reference) the following four (4) courses and distances: (1) South 88-08-32 West 2310.00 feet to a point; (2) North 87-02-47 West 164.82 feet to a point; (3) South 10-06-10 East 510.17 feet to a point; (4) South 85-30-00 East 1303.50 to a point being a southwest corner of Betty Blume property as described in Deed Book 2518, Page 121 of said Registry, thence with the line of Betty Blume property South 02-30-00 West 693.00 feet to a point being a northwest corner of Billy Krimminger property as described in Deed Book 2890, Page 350 of said Registry, thence with the line of Billy Krimminger property the following nine courses and distances: (1) South 22-48-15 West 757.37 feet to a point; (2) South 24-45-57 East 301.46 feet to a point; (3) South 43-23-04 East 350.70 feet to a point; (4) South 54-57-49 202.33 feet to a point; (5) South 32-37-06 East 200.47 feet to a point; (6) South 26-49-29 East 183.97 feet to a point; (7) South 34-06-40 East 354.45 feet to a point; (8) South 48-44-12 East 898.52 feet to a point; (9) South 66-40-56 East 451.34 feet to a point being a northeast corner of Bobby Krimminger property as described in Deed Book 2891, Page 01 of said Registry, thence with the line of Bobby Krimminger property the following two courses and distances: (1) South 52-42-39 West 939.55 feet to a point; (2) South 24-11-09 East 526.65 feet to a point being a northeast corner of Frank Widenhouse as described in Deed Book 778, Page 287 of said Registry, thence with the line of Frank Widenhouse property the following three (3) courses and distances: (1) South 48-03-51 West 202.62 feet to a point; (2) South 23-33-51 West 585.75 feet to a point; (3) South 48-26-09 East 218.63 feet to a point in the right-of-way of Mt. Pleasant Road, thence with the center of Mt. Pleasant Road the following two (2) courses and distances: (1) South 36-03-51 West 1262.25 feet to a point; (2) South 23-33-51 West 330.00 feet to a point being the northeast corner of Mary Wensil property as described in Deed Book 483, Page 548 of said Registry, thence with the line of Mary Wensil North 65-56-09 West 453.75 feet to a point being a northeast corner of Ben Layton property as described in Deed Book 0590, Page 40 of said Registry, thence with the line of Ben Layton property and continuing with the line of Darrell Page property as described in Deed Book 0722, Page 85 of said Registry and Dennis Layton property as described in Deed Book 0773, Page 115 of said Registry the following three (3) courses and distances: (1) North 71-11-24 West 343.94 feet to a point; (2) North 69-30-06 West 492.97 feet to a point; (3) South 49-56-30 West 288.50 feet to a point being on line of Opal Stanton property as described in Deed Book 2840, Page 64 of said Registry, thence with the line of Opal Stanton property the following two (2) courses and distances: (1) North 40-03-30 West 200.00 feet to a point; (2) South 49-56-30 West 230.00 feet to a point in NC Hwy 200; thence with the center of NC Hwy 200 the following two courses and distances: (1) North 42-41-30 West 696.10 feet to a point; (2) North 52-51-01 West 135.00 feet to the point or place of BEGINNING: containing 29,044,717 square feet or 666.7750 acres

more or less as shown on a annexation map by James Mauney & Associates, P.A. dated May 3, 2004, and bearing file # F066.

Less and Excepting that parcel LYING and being in Township # 9, Cabarrus County, retained by James Grady Cook and being more particularly described as follows:

BEGINNING at a point in the center of Hwy 200 said point being a southeast corner of St. Marks Evangelical Church as recorded in Deed Book 0044, Page 509 of the Cabarrus County Public Registry and runs thence with the line of St. Marks Evangelical Church the following two (2) courses and distances: (1) North 35-57-43 East 964.23 feet to a point; (2) North 22-15-06 West 1773.00 to a point being a southeast corner of Wachovia National Bank as described in Deed Book 4953, Page 200 of said Registry, thence with the line of Wachovia National Bank the following two (2) courses and distances: (1) North 73-19-07 East 304.71 feet to a point; (2) North 46-43-24 East 110 feet to a new corner, thence with a new line the following three (3) courses and distances: (1) South 27-55-04 East 1341.49 feet to a point; (2) South 15-09-08 West 451.92 feet to a point; (3) South 36-36-29 West 1200.00 feet to a point in the center of Hwy 200, thence with the center of Hwy 200 North 52-51-01 West 60.00 feet to the point or place of BEGINNING containing 839,470 square feet or 19.2716 acres more or less as shown on a annexation map by James Mauney & Associates, P.A. dated May 3, 2004, and bearing file # F066.

SECTION 5. Notwithstanding the provisions of Article 19 of Chapter 160A of the General Statutes, the County of Cabarrus or any municipality therein may enforce, within its jurisdiction, any provision of the school adequacy review performed under the Cabarrus County Subdivision Regulations, including approval of a method to address any inadequacy that may be identified as part of that review.

SECTION 6. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 30th day of June, 2004.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ Richard T. Morgan
Speaker of the House of Representatives