

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE BILL 317
Finance Committee Substitute Adopted 5/14/03
House Committee Substitute Favorable 7/15/03
Fourth Edition Engrossed 7/17/03

Short Title: Cabarrus Annexation Moratorium.

(Local)

Sponsors:

Referred to:

March 6, 2003

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE FOR A TWO-YEAR MORATORIUM ON ANNEXATIONS
2 INTO THE COUNTY OF CABARRUS BY MUNICIPALITIES LOCATED
3 PRIMARILY OUTSIDE THE COUNTY AND TO ADD TERRITORY TO THE
4 ECONOMIC DEVELOPMENT ZONE WHERE THERE IS A MORATORIUM
5 ON ANNEXATION AND AFFECTING ELECTRONIC SIGNATURES AND
6 ELECTRONIC RECORDS FILED WITH VARIOUS COUNTY REGISTERS OF
7 DEEDS.
8

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** Except for an annexation agreement pursuant to Part 6 of
11 Article 4A of Chapter 160A, no municipality located primarily outside of Cabarrus
12 County may adopt any annexation ordinance, resolution of consideration, or resolution
13 of intent under Article 4A of Chapter 160A of the General Statutes as to the following
14 described territory in Cabarrus County:

- 15 (1) That territory located west of the Rocky River.
16 (2) That territory located south of Highway 24/27 and east of the Rocky
17 River.

18 **SECTION 2.** Section 1 of S.L. 2000-7 reads as rewritten:

19 **"Section 1.** No annexation ordinance shall be adopted under Part 2 or 3 of Article
20 4A of Chapter 160A of the General Statutes nor any incorporation act shall be enacted
21 by the General Assembly as to any or all of the following described territory prior to
22 June 30, 2010:

23 Tract 1:

24 Beginning at a nail and cap in the intersection of centerlines for US Highway #601
25 and NC State Road #1119 (Wallace Road), a corner of the Midland Industrial Park
26 (Deed recorded in the Cabarrus County Register of Deeds in Deed Book 1758 Page
27 235), said beginning point being located N33°-13'-32"E-3,864.92' from NCGS

1 Monument "Kiser"(Grid Coordinates: N536,271.92 feet; El,546,207.01 feet)
2 (Combined Grid Factor = 0.999851569); thence from the point of the beginning and
3 with the property line of Midland Industrial Park and the centerline of US Highway
4 #601 the following (4) courses and distances, (1) S33°-31'-36"W - 23.13' to a railroad
5 spike, (2) S32°-35'-59"W - 29.95' to a nail and cap, (3) S32°-44'-27"W - 574.41' to a
6 point, (4) S32°-58'-24"W - 1719.80' to a point in the centerline of US Highway #601,
7 the northeast corner of Corning Incorporated (Deed recorded in the Cabarrus County
8 Register of Deeds in Deed Book 1758 Page 240); thence with the Corning Incorporated
9 Property Line the following (9) courses and distances, (1) S32°-58'-24"W - 229.80' to a
10 nail and cap, (2) N66°-03'-45"W - 50.23' to a 5/8" rebar, (3) S32°-56'-23"W - 1,628.41'
11 to a concrete monument, (4) S32°-21'-17"W - 35.84' to a concrete monument, (5)
12 S32°-55'-31"W - 591.41' to a concrete monument, (6) S64°-25'-16"E - 49.59' to a 5/8"
13 rebar, (7) with the arc of a circular curve to the left, having a radius of 3,127.0' a
14 distance of 551.05', and a chord distance and bearing S27°-59'-25"W - 550.34' to a
15 point, (8) S21°-55'-46"W - 215.04' to a point, (9) S21°-35'-34"W - 369.74' to a point in
16 the centerline of US Highway #601, the northeast corner of the property owned by
17 Midland Industrial Park (Deed recorded in the Cabarrus County Register of Deeds in
18 Deed Book 1793 Page 22); thence with the centerline of US Highway #601 and the
19 property line of the Midland Industrial Park the following (2) courses and distances (1)
20 S21°-34'-23"W - 233.73' to a point, (2) S21°-27'-48"W - 700.05' to a point in the
21 centerline of US Highway #601; thence N71°-52'-10"W(passing irons at 50.22' and
22 436.37') for a total of 823.33' to an iron pin, said iron pin being the northeast corner of
23 the property owned by Midland Industrial Park (Deed recorded in Cabarrus County
24 Register of Deeds in Deed Book 1686 Page 313); thence with the property line of
25 Midland Industrial Park the following (6) courses and distances (1) S21°-33'-31"W -
26 17.42' to an iron pin, (2) S27°-16'-50"W - 1134.60' to iron pin, (3) N72°-14'-53"W -
27 154.76' to an iron pin, (4) N 52°-37'-30"W 1021.85' to a railroad iron, (5)
28 N45°-59'-15"W - 228.96' to an iron pin, (6) N36°-35'-34"E - 739.91' to a nail, said nail
29 being the southwest corner of the property owned by Midland Industrial Park (Deed
30 recorded in the Cabarrus County Register of Deeds in Deed Book 1793 Page 22); thence
31 with the property line of Midland Industrial Park N16°-09'-42"E - 1,126.41' to a 1 1/2"
32 OT Iron Pipe, said 1 1/2" OT Iron Pipe being the southwest corner of the property
33 owned by Corning Incorporated (Deed recorded in Cabarrus County Register of Deeds
34 in Deed Book 1758 Page 240); thence with the property line of Corning Incorporated
35 the following (8) courses and distances (1) N16°-32'-58"E - 1,166.94' to an iron pin, (2)
36 N06°-09'-53"E - 154.65' to an iron pin, (3) S78°-05'-55"E - 918.49' to an iron pin, (4)
37 N03°-11'-46"W - 606.49' to a concrete monument, (5) N03°-11'-50"W - 455.25' to a
38 concrete monument, (6) S75°-17'-59"E - 698.98' to concrete monument, (7)
39 N28°-19'-00"E - 839.70' to a concrete monument, (8) N28°-26'-05"E - 182.50' to an iron
40 pin, said iron pin being the southwest corner of the property owned by the BOC Group,
41 Inc. (Deed recorded in the Cabarrus County Register of Deeds in Deed Book 2476 Page
42 13); thence with the property line of The BOC Group, Inc. property the following (2)
43 courses and distances (1) N28°-43'-57"E - 21.15' to an iron pipe, (2) N30°-08'-05"E -
44 1,107.12' to an iron pin, said iron pin being the southwest corner of the property owned

1 by Midland Industrial Park (Deed recorded in the Cabarrus County Register of Deeds in
2 Deed Book 1758 Page 235; thence with the property line of Midland Industrial Park
3 N30°-08'-05"E - 498.50' to a railroad spike in the centerline of NC State Road #1119
4 (Wallace Road), said railroad spike being a point in the southern property line of
5 McGee Brothers, Inc., (Deed recorded in the Cabarrus County Register of Deeds in
6 Deed Book 2097 Page 237) thence with the McGee Brothers, Inc. Property line and the
7 centerline of Wallace Road S74°-55'-16"W - 28.98' to a nail and cap in the centerline of
8 Wallace Road, said nail and cap being the southeast corner of the property owned by
9 McGee Brothers, Inc. (Deed recorded in Cabarrus County Register of Deeds in Deed
10 Book 1845 Page 30) thence with the property line of McGee Brothers, Inc. the
11 following (2) courses and distances (1) S75°-55'-53"W - 116.87' to a nail and cap in the
12 centerline of Wallace Road, (2) N01°-59'-43"W - 580.41' to an iron, said iron being the
13 southwest corner of the property owned by McGee Brothers, Inc. (Deed recorded in
14 Cabarrus County Register of Deeds in Deed Book 1870 Page 281) thence with the
15 following (2) courses and distances (1) N01°-59'-43"W - 907.00' to an iron, (2)
16 N01°-59'-43"W - 569.70' to an iron, said iron being a corner in the southern property
17 line of the property owned by McGee Brothers, Inc. (Deed recorded in Cabarrus County
18 Register of Deeds in Deed Book 1870 Page 277) thence with the property line of
19 McGee Brothers, Inc. the following (4) courses and distances (1) S82°-37'-48"W -
20 537.64' to an iron pin, (2) N64°-33'-35"W - 261.87' to an iron Pipe, (3) N62°-37'-54"E -
21 332.08' to an iron pipe, (4) N49°-08'-49"W - 526.15' to a pk nail in the centerline of the
22 Norfolk Southern Railroad, said pk being located 930.00 feet west of Mile Post 369 as
23 measured along said Railroad centerline and being a corner of the property owned by
24 Midland Industrial Park (Deed recorded in the Cabarrus County Register of Deeds in
25 Deed Book 498 Page 7) thence with the property line of Midland Industrial Park the
26 following (6) courses and distances (1) N49°-08'-49"W - 169.61' to an iron pin, (2)
27 N32°E - 1254' to a stone, (3) N22°E 1683' to a large Black Oak, (4) S58°E - 511.5' to a
28 stone, (5) S30°W - 66' to a stone, (6) S33°E - 1864' to an iron stake, said iron stake
29 being a corner of the property owned by Midland Industrial Park (Deed recorded in the
30 Cabarrus County Register of Deeds in Deed Book 1877 Page 245) thence with the
31 property line of Midland Industrial Park the following (3) courses and distances (1)
32 N51°-38'E - 427.3' to an iron stake on the south bank of the north fork of Muddy Creek,
33 (2) S72°-28'E - 360.2' to an iron stake located 25" north from the channel of Muddy
34 Creek, (3) S21°-52'W - 272.8" to an axle on the bank of Muddy Creek, said axle being a
35 corner of the property owned by Midland Industrial Park (Deed recorded in the
36 Cabarrus County Register of Deeds in Deed Book 563 Page 52) thence with the
37 property line of Midland Industrial Park the following (3) courses and distances (1)
38 S73°-14'-10"E - 1245.10' to an iron pin, (2) S19°-31'-28"W - 247.88' to a pk nail in the
39 centerline of a paved drive, (3) N73°-15'-32"W - 637.28' to a point in the centerline of
40 Muddy Creek (passing an iron pin at 622.51'), said point being a corner of the property
41 owned by Midland Industrial Park (Deed recorded in the Cabarrus County Register of
42 Deeds in Deed Book 1877 Page 245) thence down the centerline of Muddy Creek and
43 the property line of Midland Industrial Park the following (11) courses and distances (1)
44 S07°-56'-54"E - 85.40' to a point, (2) S11°-54'-39"E - 54.25' to a point, (3)

1 S19°-40'-09"E - 59.15' to a point, (4) S38°-30'-32"E - 105.00' to a point, (5)
2 S01°-50'-11"W - 67.10' to a point, (6) S07°-27'-46"E - 133.88' to a point, (7)
3 S01°-14'-09"E - 97.95' to a point, (8) S25°-18'-49"W - 129.28' to a point, (9)
4 S08°-39'-17"W - 60.00' to a point, (10) S11°-23'- 11"W - 187.54' to a point, (11)
5 S39°-54'-47"E - 75.37' to a pk nail in the centerline of the Norfolk Southern Railway
6 track and the centerline of Muddy Creek, said pk nail being a corner of the property
7 owned by Midland Industrial Park (Deed recorded in the Cabarrus County Register of
8 Deeds in Deed Book 531 Page 338) thence down the centerline of Muddy Creek and
9 with the property line of the Midland Industrial Park to the intersection of the centerline
10 of US Highway #601; thence with the centerline of US Highway #601 to the point of
11 beginning, containing 608.63 acres plus or minus.

12 Tract 2:

13 Lying and being in Number Ten (10) Township, Cabarrus County, North Carolina,
14 and adjoining the property of Homer J. Wallace, Marvin Widenhouse and Edward F.
15 Wallace, and being a part of the J.F. Wallace Estate, and described as follows:

16 BEGINNING at an iron stake near the south edge of a County Road leading to U.S.
17 Highway No. 601, a corner of Homer J. Wallace in the line of Edward F. Wallace (said
18 iron stake being S. 80-40 W. 197.0 feet from an iron stake, a corner of R.A. Brooks,
19 Homer J. Wallace and Edward F. Wallace), and running thence with the line of Homer
20 J. Wallace, N. 0-26 W. 2090.4 feet to an iron stake; thence S. 77-43 W. 42.0 feet to a
21 stone, an old corner of Marvin Widenhouse; thence with the line of Marvin
22 Widenhouse, S. 84-29 W. 365.3 feet to an iron stake, a new corner; thence a new line, S.
23 0-26 E. (passing an iron stake at 2077.3 feet) 2112.3 feet to an iron stake in the south
24 edge of the County Road and in the line of Edward F. Wallace; thence with his line, N.
25 80-40 E. 407.0 feet to the BEGINNING, containing 19.45 acres, more or less, but
26 EXCEPTING OUT OF SAID TRACT, a three (3) acre tract conveyed in 1985 from the
27 Grantor to Loni Garmon Marshall and husband Robert Alan Marshall."

28 **SECTION 2.1.** Section 4 of S.L. 2002-115 reads as rewritten:

29 "**SECTION 4.** Sections 1 through 3 of this act applies to documents filed with the
30 Cabarrus County and Mecklenburg Cabarrus, Durham, Harnett, Mecklenburg, Moore,
31 New Hanover, and Randolph County Registers of Deeds only."

32 **SECTION 3.** Section 1 of this act is effective when it becomes law and
33 expires June 30, 2005. The remainder of this act is effective when it becomes law.