

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 260

Short Title: King/Tobaccoville.

(Local)

Sponsors: Senators Sands; Goldston, Ward, and Kaplan.

Referred to: Local Government and Regional Affairs.

March 25, 1991

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCORPORATE THE VILLAGE OF TOBACCOVILLE, SUBJECT TO  
3 A REFERENDUM, TO AMEND THE CHARTER OF THE CITY OF KING, AND  
4 TO AUTHORIZE ENTRY INTO AND RECORDATION OF AN AGREEMENT.

5 The General Assembly of North Carolina enacts:

6 PART I. TOBACCOVILLE

7 Section 1. A Charter for the Village of Tobaccoville is enacted to read:

8 "CHARTER FOR THE VILLAGE OF TOBACCOVILLE.

9 "CHAPTER I.

10 "INCORPORATION AND CORPORATE POWERS.

11 The inhabitants of the Village of Tobaccoville are a body corporate and politic under the  
12 name 'Village of Tobaccoville.' Under that name, they have all the powers, duties,  
13 rights, privileges, and immunities conferred and imposed upon cities by the general law  
14 of North Carolina.

15 "CHAPTER II.

16 "VILLAGE BOUNDARIES.

17 Until modified in accordance with law, the boundaries of the Village of Tobaccoville  
18 are as follows:

19 LEGAL DESCRIPTION FOR THE TOBACCOVILLE TOWN LIMITS

20 BEGINNING on an iron pin in the center of King-Tobaccoville Road (SR 1611), said  
21 iron pin lying distant South 31 deg. 45 min. 19 sec. West 1663.49 feet from North  
22 Carolina Geodetic Survey monument "King"; running thence perpendicular to the  
23 centerline of said King-Tobaccoville Road 30.0 feet to a point in the northwestern right-  
24 of-way line of said King-Tobaccoville Road; thence southwardly with the northwestern

1 right-of-way line of said King-Tobaccoville Road and 30.0 feet from the centerline to  
2 the northeast corner of Lot No. 123 of Forsyth County Tax Block 4728; thence,  
3 westwardly with the north line of said Lot No. 123, 489.02 feet to the northwest corner  
4 of the 1.619 acre tract currently zoned I-2 from said Lot No. 123 as is shown on sheet  
5 D1 of the Official Zoning Map of Forsyth County as is recorded in the office of the  
6 City-County Planning Board; thence, with said 1.619 acre tract, the two (2) following  
7 lines, namely: southwardly 72.3 feet; thence, eastwardly with the south line of said  
8 1.619 acre tract to a point lying 300 feet westwardly from the centerline of said King-  
9 Tobaccoville Road at its nearest point; thence, parallel with said King-Tobaccoville  
10 Road and 300 feet westwardly of its center to a point 300 feet northwardly of the center  
11 of Spainhour Mill Road at its nearest point; thence, parallel with said Spainhour Mill  
12 Road and 300 feet from its centerline to the eastern margin of Butner Road (SR 1607);  
13 thence, southwestwardly with the eastern margin of said Butner Road extended to a  
14 point in the southern margin of said Spainhour Mill Road; thence, eastwardly with the  
15 said southern margin of Spainhour Mill Road to a point in the southern line of Lot No.  
16 43C of Forsyth County Tax Block 4729; thence, southwardly to a point in the west line  
17 of Lot No. 39D of said Tax Block 4729, said point lying 300 feet southwardly from the  
18 center of said Spainhour Mill Road at its nearest point; thence, parallel with the  
19 centerline of said Spainhour Mill Road in an eastward direction to a point in the  
20 northwardly extension of the west line of Forsyth County Tax Block 4728A; thence,  
21 southwardly with the west line of said Tax Block 4728A to the southwest corner of said  
22 Tax Block 4728A; thence eastwardly to a corner of said Tax Block 4728A; thence,  
23 southwardly with said Tax Block 4728A to a corner of said Tax Block 4728A in the  
24 northern margin of Southern Railroad; thence, with the said northern margin of said  
25 Southern Railroad to the southeast corner of said Tax Block 4728A; thence, with the  
26 east line of said Tax Block 4728A to the northwest corner of Lot No. 16 of Forsyth  
27 County Tax Block 4723; thence, with the north line of said Lot No. 16 to the northeast  
28 corner of said Lot No. 16; thence with the east line of said Lot No. 16 to the northwest  
29 corner of Lot No. 15B of Forsyth County Tax Block 4723; thence, eastwardly with the  
30 north side of said Lot No. 15B to the eastern margin of Snyder Farm Road (SR1609);  
31 thence, northwardly with the eastern margin of said Snyder Farm Road to the southwest  
32 corner of Lot No. 8 of Tax Block 4728B; thence, eastwardly to a corner of said Tax  
33 Block 4728B; thence, northwardly with the east side of Tax Block 4728B to a point 300  
34 feet southwardly from the center of said Spainhour Mill Road at its nearest point;  
35 thence, eastwardly and parallel to the centerline of said Spainhour Mill Road and 300  
36 feet southwardly of said centerline to a point in the west line of Lot No. 16L of Forsyth  
37 County Tax Block 4728; thence, southward with the west line of said Lot No. 16L, 150  
38 feet; thence, parallel with the centerline of said Spainhour Mill Road to a point in the  
39 west line of Tax Lot No. 16K of said Tax Block 4728; thence, northwardly with the  
40 west line of said Tax Lot No. 16K to a point located 300 feet southward of the  
41 centerline of said Spainhour Mill Road at its nearest point; thence, eastward and parallel  
42 with the centerline of said Spainhour Mill Road to a point 300 feet westwardly of the  
43 centerline of King-Tobaccoville Road at its nearest point; thence, southwardly and  
44 parallel to the centerline of said King-Tobaccoville Road and 300 feet westwardly of

1 said centerline to a point in the north line of Lot No. 3 of Forsyth County Tax Block  
2 4725; thence, westwardly with the north line of said Lot No. 3 to the northwest corner  
3 of said Lot No. 3; thence, southwardly with the west line of said Lot No. 3 to the center  
4 of Southern Railroad; thence, southeastwardly with the center of Southern Railroad to a  
5 point 300 feet westwardly of the centerline of said King-Tobaccoville Road at its  
6 nearest point; thence, southwardly and parallel to the centerline of said King-  
7 Tobaccoville Road to a point 300 feet northwardly from the center of Rolling Hill Road  
8 (SR 1612) at its nearest point; thence, westwardly and parallel to the centerline of said  
9 Rolling Hill Road to a point in the northern extension of the western line of Lot No. 7B  
10 of Forsyth County Tax Block 4723; thence, southeastwardly and falling in with the  
11 western line of said Lot No. 7B to a point in the northern margin of said Rolling Hill  
12 Road; thence, southwardly and perpendicular to said Rolling Hill Road to a point in the  
13 southern margin of said Road; thence, eastwardly with the southern margin of said  
14 Rolling Hill Road to a point in the western line of Lot No. 5C of Forsyth County Tax  
15 Block 4726; thence, southwardly to the southwest corner of said Lot No. 5C; thence,  
16 eastwardly with the south line of said Lot No. 5C and continuing to the eastern corner of  
17 Lot No. 5H of Forsyth County Tax Block 4723; thence, southwardly with the east line  
18 of said Lot No. 5H to a point 300 feet northwardly of the center of Tobaccoville Road  
19 (SR 1620) at its nearest point; thence, westwardly and parallel with the centerline of  
20 said Tobaccoville Road to a point 300 feet northward of a point in the centerline of said  
21 Tobaccoville Road located 1200 feet eastwardly of the intersection of the centerline of  
22 said Tobaccoville Road and the centerline of Flip Newsom Road (SR 1613); thence,  
23 perpendicular to the centerline of said Tobaccoville Road in a northwestwardly  
24 direction, 300 feet; thence, parallel with the centerline of said Tobaccoville Road to a  
25 point in the western line of Tax Lot No. 6E of Forsyth County Tax Block 4723; thence,  
26 southeastwardly with the west side of said Tax Lot No. 6E to a point 300 feet  
27 northwardly of the centerline of said Tobaccoville Road at its nearest point; thence,  
28 westwardly and parallel with the centerline of said Tobaccoville Road to a point 300  
29 feet eastwardly of the center of Flip Newsom Road (SR 1613) at its nearest point;  
30 thence northwardly and parallel with the center of said Flip Newsom Road to a point in  
31 the northeast line of Lot No. 33 of Forsyth County Tax Block 4724; thence,  
32 southwestwardly to the northwest corner of Lot No. 10A of Forsyth County Tax Block  
33 4723; thence, southwardly with the west line of said Lot No. 10A to a point 300 feet  
34 northwardly of the center of said Tobaccoville Road at its nearest point; thence,  
35 southwestwardly and parallel with the centerline of said Tobaccoville Road to a point  
36 300 feet northwardly of the center of Ridge Road (SR 1614) at its nearest point; thence,  
37 westwardly and parallel to the centerline of said Ridge Road to a point in the east line  
38 of Lot No. 12 of said Tax Block 4723; thence, northwardly with the east line of said Lot  
39 No. 12, 750 feet; thence westwardly and perpendicular to the east line of said Lot No.  
40 12, 300 feet; thence southwardly and parallel with the east line of said Lot No. 12 to a  
41 point 300 feet northwardly of the center of said Ridge Road at its nearest point; thence,  
42 westwardly and parallel to the centerline of said Ridge Road to a point in the east line of  
43 Lot No. 29 of said Tax Block 4723; thence, northwardly with the east line of said Lot  
44 No. 29 150 feet; thence, westwardly and parallel with the centerline of said Ridge Road

1 to the western line of said Lot No. 29; thence, southwardly with the west line of said Lot  
2 No. 29 to a point 300 feet northwardly of the center of said Ridge Road at its nearest  
3 point; thence, westwardly and parallel to the centerline of said Ridge Road to a point in  
4 the east line of Lot No. 26H of said Tax Block 4723; thence, northwardly to the  
5 northernmost corner of Lot No. 26C of said Tax Block 4723; thence, northwardly to the  
6 northernmost corner of Lot No. 26T of said Tax Block 4723; thence, northwardly to the  
7 northeast corner of Lot No. 102F of said Tax Block 4723; thence, northwardly to the  
8 northeast corner of Lot No. 102N of said Tax Block 4723; thence, northwardly to the  
9 northeast corner of Lot No. 102B of said Tax Block 4723; thence, westwardly with the  
10 north line of said Lot No. 102B to a point in the southward extension of the eastern line  
11 of Lot No. 102D of said Tax Block 4723; thence, northwardly falling in with the eastern  
12 lines of Lot No. 102D and Lot No. 26L of said Tax Block 4723 to the northeast corner  
13 of said Lot No. 26L; thence, westwardly with the north line of said Lot No. 26L to the  
14 northwest corner of Lot No. 26L in the east line of Lot No. 25 of the said Tax Block  
15 4723; thence, southwardly with the east line of said Lot No. 25 to the southeast corner  
16 of said Lot No. 25; thence, westwardly with the south line of said Lot No. 25 to the  
17 northwest corner of Lot No. 23K of Forsyth County Tax Block 4740; thence,  
18 southwardly with the western line of said Lot No. 23K to the southwest corner of said  
19 Lot No. 23K; thence, eastwardly to the southeast corner of Lot No. 23N of said Tax  
20 Block 4740; thence, southwardly with the west line of Lot No. 23F of said Tax Block  
21 4740 to the northern margin of said Ridge Road; thence, crossing said Ridge Road on a  
22 line perpendicular to its centerline to a point 300 feet southwardly of the centerline of  
23 said Ridge Road at its nearest point; thence, eastwardly and parallel with the centerline  
24 of said Ridge Road to a point 300 feet westwardly of the centerline of said Tobacoville  
25 Road at its nearest point; thence, southwardly and parallel with the centerline of said  
26 Tobacoville Road to a point in the northern margin of Boiling Springs Road (SR  
27 1616); thence, eastwardly with the northern margin of said Boiling Springs Road to a  
28 point in the center of said Tobacoville Road; thence, eastwardly and perpendicular  
29 with the centerline of said Tobacoville Road at the last said point, 300 feet; thence,  
30 northwardly and parallel with the centerline of said Tobacoville Road to a point 300  
31 feet southwardly from the centerline of Kenleigh Forest Road at its nearest point;  
32 thence, parallel with the centerline of said Kenleigh Forest Road, eastwardly and  
33 southwardly to a point in the southern line of Lot No. 62J of Forsyth County Tax Block  
34 4740; thence, eastwardly with the southern line of said Lot No. 62J extended to a point  
35 300 feet eastwardly of the centerline of said Kenleigh Forest Road at its nearest point;  
36 thence, northwardly and parallel with the centerline of said Kenleigh Forest Road to a  
37 point 300 feet eastwardly of the centerline of Tabernacle Road (SR 1622) at its nearest  
38 point; thence, northwardly and parallel with the centerline of said Tabernacle Road to a  
39 point 300 feet eastwardly of the centerline of said Tobacoville Road at its nearest  
40 point; thence, northwardly and parallel with the centerline of said Tobacoville Road to  
41 a point 300 feet southwardly of the centerline of Reid Road (SR 1623) at its nearest  
42 point; thence, eastwardly and parallel to the centerline of said Reid Road to a point in  
43 the east line of said Tax Block 4740; thence, northwardly with the east line of said Tax  
44 Block 4740 to a point 300 feet northwardly of the centerline of said Reid Road at its

1 nearest point; thence, westwardly and parallel with the centerline of said Reid Road to a  
2 point 300 feet eastwardly of the centerline of said Tobaccoville Road at its nearest  
3 point; thence, northwardly and parallel with the centerline of said Tobaccoville Road to  
4 a point 300 feet from a point in the centerline of said Tobaccoville Road lying 850 feet  
5 westward of the intersection of the centerline of said Tobaccoville Road and the  
6 centerline of Bethania-Tobaccoville Road; thence, southward on a line perpendicular to  
7 the centerline of said Tobaccoville Road 300 feet; thence, eastward on a line parallel  
8 with said Tobaccoville Road to a point in the east line of Tax Lot No. 8A of Tax Block  
9 4742; thence, northwardly with the east side of said Tax Lot No. 8A to a point 300 feet  
10 from the centerline of said Tobaccoville Road at its nearest point; thence, eastward and  
11 parallel with said Tobaccoville Road to a point 300 feet westwardly of the centerline of  
12 Bethania-Tobaccoville Road at its nearest point; thence, southwardly and parallel with  
13 the centerline of said Bethania-Tobaccoville Road to a point 300 feet northwardly of the  
14 western extension of the centerline of Worrell Drive (SR 3920); thence, westwardly and  
15 parallel with the northern line of Lot No. 12A of Forsyth County Tax Block 4742 to a  
16 point in the east line of Lot No. 8A of said Tax Block 4742; thence, southwardly with  
17 the east line of said Lot No. 8A to a point 300 feet southwardly of the western extension  
18 of the centerline of said Worrell Drive; thence eastwardly and parallel with the  
19 centerline of said Worrell Drive and its westward extension to a point 300 feet  
20 southwestwardly of the centerline of said Bethania-Tobaccoville Road at its nearest  
21 point; thence, southeastwardly and parallel with the centerline of said Bethania-  
22 Tobaccoville Road to a point in the northwestern line of Lot No. 14A of said Tax Block  
23 4742; thence, southwestwardly with the northwestern line of said Lot No. 14A extended  
24 to a point in the northeastern extension of the northwestern line of Lot No. 13A of said  
25 Tax Block 4742; thence, southwestwardly and falling in with the northwestern line of  
26 said Lot No. 13A to the westernmost corner of said Lot No. 13A; thence, with the  
27 southwestern line of said Lot No. 13A to the southernmost corner of said Lot No. 13A;  
28 thence, northeastwardly with the southeastern lines of said Lot No. 13A and Lot No.  
29 13B of said Tax Block 4742 to an eastern corner of said Lot No. 13B; thence,  
30 northeastwardly and parallel with the eastern portion of the centerline of said Worrell  
31 Drive to a point 300 feet southwestwardly of the centerline of said Bethania-  
32 Tobaccoville Road at its nearest point; thence, southwardly and parallel with the  
33 centerline of said Bethania-Tobaccoville Road to a point on the line perpendicular to the  
34 centerline of said Bethania-Tobaccoville Road at its intersection with the centerline of  
35 Griffin Road (SR 1898); thence, northeastwardly to the intersection of the north margin  
36 of said Bethania-Tobaccoville Road and the north margin of said Griffin Road; thence,  
37 eastwardly with the northern margin of said Griffin Road to a point 300 feet  
38 northeastwardly of the centerline of said Bethania-Tobaccoville Road at its nearest  
39 point; thence, northwardly and parallel with the centerline of said Bethania-  
40 Tobaccoville Road to a point in the eastern line of Lot No. 31 of Tax Block 4725;  
41 thence, northwardly with the east line of said Lot No. 31, 350 feet; thence, westward on  
42 a line perpendicular to the eastern line of said Lot No. 31 to the western line of said Lot  
43 No. 31; thence, southward with the western line of said Lot No. 31 to a point 300 feet  
44 northeast of the centerline of said Bethania-Tobaccoville Road at its nearest point;

1   thence, northwardly and parallel with the centerline of said Bethania-Tobaccoville Road  
2   to a point in the eastern line of Lot No. 18 of said Tax Block 4725; thence northwardly  
3   with the eastern line of said Lot No. 18 and falling in with the eastern line of Forsyth  
4   County Tax Block 4755 to a point 300 feet southwardly of the centerline of said  
5   Tobaccoville Road at its nearest point; thence, eastwardly and parallel with the  
6   centerline of said Tobaccoville Road to a point 500 feet westwardly of the centerline of  
7   Stroupe Road (SR 1633) at its nearest point; thence, southwardly on a line perpendicular  
8   to said Tobaccoville Road to a point 397.25 feet northward of the southern line of Lot  
9   No. 614 of Tax Block 4725; thence, eastward and parallel with the southern line of said  
10   Lot No. 614 to the northwest corner of Lot No. 615 of said Tax Block 4725; thence,  
11   eastward with the north line of said Lot No. 615 to a point 300 feet westwardly of the  
12   centerline of said Stroupe Road (SR 1633) at its nearest point; thence, parallel with the  
13   centerline of said Stroupe Road, southwardly and eastwardly, to a point in the eastern  
14   line of Lot No. 43X of Tax Block 4725; thence, northward with the east side of said Lot  
15   No. 43X extended to the north side of said Stroupe Road in the southern line of Lot No.  
16   420 of Tax Block 4725; thence, westwardly with the north line of said Stroupe Road to  
17   the eastern line of Lot No. 42K of said Tax Block 4725; thence, northwardly with the  
18   east line of said Lot No. 42K to a point 300 feet northwardly of the centerline of said  
19   Stroupe Road at its nearest point; thence, westwardly and parallel with the centerline of  
20   said Stroupe Road to a point in the west line of said Lot No. 42K; thence, northwardly  
21   and falling in with the east line of Forsyth County Tax Block 4725A to the southern line  
22   of Lot No. 117B of said Tax Block 4725; thence, eastwardly to the southeastern corner  
23   of Lot No. 119B of said Tax Block 4725; thence, northwardly and falling in with the  
24   west line of Lot No. 41C of said Tax Block 4725 to a point 300 feet southwardly of the  
25   centerline of said Tobaccoville Road at its nearest point; thence, eastwardly and parallel  
26   with the centerline of said Tobaccoville Road to a point in the eastern margin of U. S.  
27   Highway No. 52; thence, northwestwardly with the eastern margin of said U. S.  
28   Highway No. 52 to a point 300 feet northwardly of the centerline of Tobaccoville Road  
29   at its nearest point; thence, westwardly and parallel with the centerline of said  
30   Tobaccoville Road to a point in the centerline of the track of Southern Railway; thence,  
31   eastwardly with the centerline of said Southern Railway to the eastern margin of said U.  
32   S. Highway No. 52; thence, northwestwardly with the eastern right-of-way line of said  
33   U. S. Highway No. 52 to the southern right-of-way line of Moore-RJR Drive (North  
34   Carolina Department of Transportation Project No. 8.1620801); thence eastwardly with  
35   the said southern right-of-way line of Moore-RJR Drive to the eastern terminus of said  
36   Project No. 8.1620801; thence, northwardly with the eastern terminus of said Project  
37   No. 8.1620801 to the southern edge of pavement of said Moore-RJR Drive; thence,  
38   westwardly with the said southern edge of pavement to the western terminus of said  
39   Project No. 8.1620801; thence, southwardly with the said western terminus of said  
40   Project No. 8.1620801 to the common corner of said Moore-RJR Drive at Ramp "D" of  
41   said Project No. 8.1620801 and the property of RJR designated as Block 4727, Lot  
42   128B of the Forsyth County Tax Records (" RJR Property" ); thence, continuing  
43   southwardly along the extension of last said line 50 feet to a point; thence, eastwardly  
44   and southwardly parallel to and at all points 50 feet from the common boundary line of

1 the RJR Property and said Ramp "D" and the western right-of-way line of said U. S.  
2 Highway No. 52 to a point 50 feet northwardly of the northern right-of-way line of  
3 Southern Railway at its nearest point; thence, westwardly parallel to and at all points 50  
4 feet from the common line of the RJR Property and the northern right-of-way line of  
5 said Southern Railway to a point 50 feet eastwardly from the eastern right-of-way line  
6 of said King-Tobaccoville Road at its nearest point; thence, northwardly parallel to and  
7 at all points 50 feet from the common line of said RJR Property and the said eastern  
8 right-of-way line of said King-Tobaccoville Road to a point on a line perpendicular to  
9 the said eastern right-of-way line of said King-Tobaccoville Road, which line also runs  
10 through the point and place of beginning; thence, along said perpendicular line to the  
11 point and place of beginning.

12 **"CHAPTER III.**

13 **"INVOLUNTARY ANNEXATION EXCLUSION AREA.**

14 "Sec. 3.1. The Village of Tobaccoville shall not, for a period of 40 years from the  
15 earlier of the incorporation of the Village of Tobaccoville or the effective date of the  
16 Amendment to the City of King Charter enacted during the 1991 Session of the General  
17 Assembly, involuntarily annex any property owned by R.J. Reynolds Tobacco  
18 Company, a New Jersey corporation ('Reynolds'), as of February 11, 1991, in the area  
19 that is bounded on the east by U.S. Highway 52, on the west by King-Tobaccoville  
20 Road, and on the south by a right-of-way of Southern Railway, less and except that area  
21 proposed to be included in the Village of Tobaccoville upon incorporation and that area  
22 proposed to be annexed by the City of King, as more particularly described in the  
23 Agreement referred to in Chapter 4 below and incorporated herein and described there  
24 as the 'Industrial Opportunity Area,' and as more particularly shown on the map  
25 attached to the Agreement as Exhibit E.

26 "Sec. 3.2. The Village of Tobaccoville shall not, for a period of 10 years from the  
27 effective date of this Charter, annex any property lying west of King-Tobaccoville Road  
28 and east of Butner Road between Spainhour Mill Road and the Forsyth County/Stokes  
29 County line, except for certain properties marked 'excluded' on Exhibit F to the  
30 Agreement by and among the City of King, Reynolds, and the Steering Committee for  
31 the Incorporation of the Village of Tobaccoville (the 'Agreement').

32 **"CHAPTER IV.**

33 **"AUTHORITY TO ENTER INTO AGREEMENT.**

34 "Sec. 4.1. This act specifically authorizes the Village of Tobaccoville to enter into  
35 and to affirm and ratify an Agreement by and among the City of King, R.J. Reynolds  
36 Tobacco Company and the Steering Committee for the Incorporation of Tobaccoville  
37 dated February 11, 1991. A copy of the Agreement is incorporated herein by reference.  
38 This act further authorizes the Village of Tobaccoville and the parties to the Agreement  
39 to modify and amend the Agreement, upon mutual consent of the parties, without the  
40 ratification of this legislature.

41 **"CHAPTER V.**

42 **"GOVERNING BODY.**

1 "Sec. 5.1. **Structure of the Governing Body and Number of Members.** The  
2 governing body of the Village of Tobaccoville shall be the Mayor and the Village  
3 Council. The Village Council shall have four members.

4 "Sec. 5.2. **Manner of Electing Council.** The qualified voters of the entire Village  
5 shall elect members of the Village Council.

6 "Sec. 5.3. **The Term of Office of Council Members.** In 1991, four members of the  
7 Council shall be elected. The two persons receiving the highest number of votes shall  
8 be elected for four-year terms, and the two persons receiving the next highest number of  
9 votes shall be elected for two-year terms. In 1993 and biennially thereafter, two  
10 members of the Council shall be elected for four-year terms.

11 "Sec. 5.4. **Selection of Mayor and Term of Office.** The qualified voters of the  
12 entire Village shall elect the Mayor. A Mayor shall be selected in 1991 and every two  
13 years thereafter for a two-year term.

14 The Mayor of Tobaccoville shall have the same voting rights and privileges and  
15 shall be subject to the same voting limitations and requirements as are Council members  
16 under the general law. In determining a quorum, the Mayor shall be treated as a  
17 member of the Council. The Mayor, after participating with Council members in a vote  
18 that results in a tie, may not vote a second time to break that tie.

## 19 "CHAPTER VI.

### 20 "ELECTIONS.

21 "Sec. 6.1. **Type of Election.** The Village officers shall be elected on a nonpartisan  
22 basis and the results determined by the plurality method as provided by G.S. 163-292.

23 "Sec. 6.2. **Date of Election.** Elections shall be conducted in accordance with  
24 Chapter 163 of the General Statutes, with the first election of Village officers on  
25 November 5, 1991.

## 26 "CHAPTER VII.

### 27 "ADMINISTRATION.

28 "Sec. 7.1. **Mayor-Council Form of Government.** (a) The Village of  
29 Tobaccoville shall operate under the mayor-council plan as provided in Part 3 of Article  
30 7 of Chapter 160A of the General Statutes and any other charter provision not in  
31 conflict therewith.

32 (b) The Village Council may appoint such officers and employees as may be  
33 necessary, none of whom need be a resident of the Village at the time of appointment.  
34 Such employees or officers shall serve at the pleasure of the Village Council. The  
35 Village Council shall fix all salaries, prescribe bonds, and require such oaths as they  
36 may deem necessary.

37 (c) The Village Council shall choose a Village Clerk. The Village Clerk shall  
38 keep the records of the Village Council and perform other duties as may be required by  
39 law or the Village Council.

40 (d) The Council may assign additional functions or duties to offices, departments,  
41 or agencies. Where the positions are not incompatible, the Council may combine in one  
42 person the powers and duties of two or more offices created or authorized by this  
43 Charter.

44 "Sec. 7.2. **Transitional Government.**



1 Until the Mayor and members of the Village Council are elected in 1991 in  
2 accordance with the Village Charter and the law of North Carolina, officers of the  
3 Tobaccoville Incorporation Steering Committee shall serve as the interim governing  
4 body. Terry Shore, the Chairman of the Steering Committee, shall be the interim Mayor  
5 and the following members of the committee shall serve as interim Council members  
6 until the results of the 1991 election are certified and the newly-elected successors take  
7 office: Ken Bradstock, Kay G. Long, Beth White, and Greg Horton. Vacancies in the  
8 interim Council shall be filled by appointment made by the remaining members. A  
9 vacancy in the office of interim Mayor shall be filled by appointment made by the  
10 interim governing board.

11 The first Council meeting will be the organizational meeting.

12 "Sec. 7.3. **Taxes and Budget.** From and after July 1, 1991, the citizens and  
13 property in the Village of Tobaccoville shall be subject to municipal taxes levied for the  
14 year beginning July 1, 1991, and for that purpose, the Village shall obtain from Forsyth  
15 County a record of property in the area herein incorporated which was listed for taxes as  
16 of January 1, 1991, and the businesses in the Village shall be liable for privilege license  
17 tax from the effective date of the privilege license tax ordinance.

18 The Village may adopt a budget ordinance for fiscal year 1990-91 without following  
19 the timetable in the local Government Budget and Fiscal Control Act, but shall follow  
20 the sequence of actions in the spirit of the act insofar as is practical. No property taxes  
21 may be levied for the calendar year beginning January 1, 1990, through June 30, 1991.

22 The Village may adopt a budget ordinance for fiscal year 1991-92 without following  
23 the timetable in the Local Government Budget and Fiscal Control Act, but shall follow  
24 the sequence of actions in the spirit of the act insofar as is practical.

25 The Village of Tobaccoville will be eligible to receive distributions of State funds  
26 during fiscal year 1991-92 as if it had been incorporated with an effective date of June  
27 30, 1991."

28 Sec. 2. (a) The Forsyth County Board of Elections shall conduct an election  
29 on a date set by it, to be not less than 60 nor more than 120 days after the date of  
30 ratification of this Charter, for the purpose of submission to the qualified voters of the  
31 area described in Chapter II of the CHARTER FOR THE VILLAGE OF  
32 TOBACCOVILLE, the question of whether or not such area shall be incorporated as  
33 Tobaccoville. Registration for the election shall be conducted in accordance with G.S.  
34 163-288.2.

35 (b) In the election, the questions on the ballot shall be:

36 1.  **FOR** incorporation of Tobaccoville

37  **AGAINST** incorporation of Tobaccoville

38 2. If incorporation is approved, the name of the incorporated area shall be

39  City of Tobaccoville

40  Town of Tobaccoville

41  Village of Tobaccoville

42 (c) In such election, if a majority of the votes cast are not cast **FOR**  
43 incorporation of Tobaccoville, this Charter shall have no force and effect.

1 (d) In such election, if a majority of the votes are cast **FOR** incorporation of  
2 Tobaccoville, this Charter shall become effective on the date that the Forsyth County  
3 Board of Elections determines the result of the election and the Village of Tobaccoville  
4 shall have that name which receives the highest number of votes in question 2 with all  
5 provisions of this Charter being deemed modified to reflect such name.

6 **PART II. KING**

7 Sec. 3. Article II of the Charter of the City of King, being Chapter 351,  
8 Session Laws of 1983, as amended, is rewritten to read:

9 **"ARTICLE II.**

10 **"CORPORATE BOUNDARIES.**

11 "Sec. 2.1. Until changed in accordance with law, the boundaries of the City of King  
12 consist of the area within the corporate limits on June 30, 1991, and also the following:

13 **(AREA 'A')**

14 BEGINNING on a concrete right-of-way monument located on the Southwest right-of-  
15 way line of US Highway #52, said monument being a present corner of the City of King  
16 boundary and said monument being located South 37 degrees 46 minutes 09 seconds  
17 East 994.51 feet from a North Carolina Grid monument in the North Carolina Grid  
18 System entitled 'King', having the grid system coordinate of x=1, 597, 446.35 and  
19 y=916,217.01, thence with the present boundary line of the City of King the following  
20 eleven (11) courses and distances: crossing said Highway North 75 degrees 20 minutes  
21 32 seconds East 320.36 feet to a point in the Northeast right-of-way of US Highway  
22 #52; thence along the said right-of-way the following seven (7) courses and distances:  
23 North 38 degrees 04 minutes 43 seconds West 73.46 feet to a point; thence along a  
24 spiral chord to the right North 36 degrees 46 minutes 30 seconds West 191.72 feet to a  
25 point; thence South 55 degrees 55 minutes 16 seconds West 30.00 feet to a point; thence  
26 a curve to the right North 25 degrees 19 minutes 44 seconds West a chord distance of  
27 409.03 feet with a radius of 1344.39 feet to a point; thence along the spiral chord to the  
28 right, North 13 degrees 53 minutes 25 seconds West 193.81 feet to a point; thence North  
29 12 degrees 34 minutes 44 seconds West 80.38 feet to a point; thence along a spiral  
30 chord to the left North 13 degrees 39 minutes 55 seconds West 59.02 feet to a point;  
31 thence South 88 degrees 38 minutes 29 seconds East 61.87 feet to an existing iron stake  
32 and continuing along the same course 249.56 feet for a total distance of 311.43 feet to  
33 an existing iron stake, thence North 01 degrees 23 minutes 21 seconds East 188.49 feet  
34 to a point; thence South 88 degrees 42 minutes 18 seconds East 676.94 feet to an  
35 existing iron; thence South 88 degrees 30 minutes 09 seconds East 790.93 feet to a  
36 point; thence South 89 degrees 13 minutes 09 seconds East 155.59 feet to a point;  
37 thence South 1 degree 37 minutes 46 seconds West 535.37 feet to a point; thence South  
38 00 degrees 32 minutes 36 seconds West 558.11 feet to a point; thence North 87 degrees  
39 36 minutes 03 seconds West 498.30 feet to a point; thence South 3 degrees 56 minutes  
40 35 seconds West 1162.28 feet to a point on the Northeast right-of-way line of US  
41 Highway #52; thence along said right-of-way the following courses and distances;  
42 South 38 degrees 05 minutes 51 seconds East 145.53 feet to a concrete right-of-way  
43 monument; North 51 degrees 39 minutes 09 seconds East 9.87 feet to a concrete right-  
44 of-way monument; South 38 degrees 05 minutes 11 seconds East 203.20 feet to

1 concrete right-of-way monument; South 51 degrees 55 minutes 16 seconds West 10.00  
2 feet to a concrete right-of-way monument; South 38 degrees 05 minutes 29 seconds East  
3 697.59 feet to a concrete right-of-way monument; North 51 degrees 55 minutes 17  
4 seconds East 29.85 feet to a concrete right-of-way monument; thence South 38 degrees  
5 04 minutes 24 seconds East 602.27 feet to a concrete right-of-way monument; South 51  
6 degrees 47 minutes 21 seconds West 29.78 feet to a concrete right-of-way monument;  
7 South 38 degrees 04 minutes 15 seconds East 311.75 feet to a concrete right-of-way  
8 monument; South 58 degrees 00 minutes 40 seconds East 382.26 feet to a concrete  
9 right-of-way monument; South 75 degrees 02 minutes 27 seconds East 191.13 feet to a  
10 concrete right-of-way monument; South 75 degrees 02 minutes 40 seconds East 227.63  
11 feet to a concrete right-of-way monument; South 54 degrees 11 minutes 57 seconds East  
12 207.43 feet to a concrete right-of-way monument; South 39 degrees 36 minutes 20  
13 seconds East 122.61 feet to a concrete right-of-way monument; South 28 degrees 11  
14 minutes 36 seconds East 166.35 feet to a concrete right-of-way monument; South 84  
15 degrees 33 minutes 55 seconds East 66.63 feet to a concrete right-of-way monument;  
16 South 75 degrees 50 minutes 15 seconds East 158.32 feet to a concrete right-of-way  
17 monument; North 69 degrees 19 minutes 30 seconds East 279.64 feet to a concrete  
18 right-of-way monument; North 38 degrees 38 minutes 40 seconds East 248.78 feet to a  
19 concrete right-of-way monument; thence North 89 degrees 11 minutes 17 seconds East  
20 43.13 feet to a point at the East edge of pavement of the Moore-RJR Drive (SR #1634);  
21 thence along the East and South edge of pavement a curve to the right, said curve  
22 having a radius of 492.10 feet, a delta angle of 76 degrees 07 minutes 45 seconds and a  
23 chord bearing and chord distance of South 47 degrees 55 minutes 47 seconds West  
24 606.81 feet to a point; thence continuing with said South edge of pavement South 85  
25 degrees 59 minutes 39 seconds West 879.35 feet, crossing said Highway #52 to a point;  
26 thence along said South edge of pavement South 85 degrees 28 minutes 45 seconds  
27 West 458.31 feet to a point; thence continuing along South edge of pavement South 86  
28 degrees 55 minutes 19 seconds West 462.50 feet to a point in the West line of the  
29 Department of Transportation's property (State Highway Project No. 8.1620801)  
30 described in deed from R.J. Reynolds Tobacco Company to the Department of  
31 Transportation in Book 1453, Page 0683, Forsyth County Register of Deeds; thence  
32 along the right-of-way lines of Moore-RJR Drive and US Highway #52 the following  
33 thirteen (13) courses and distances; North 00 degrees 01 minutes 53 seconds West  
34 145.11 feet to a concrete monument; South 86 degrees 12 minutes 51 seconds East  
35 147.64 feet to a concrete right-of-way monument; North 86 degrees 00 minutes 02  
36 seconds East 214.02 feet to a concrete monument; North 7 degrees 37 minutes 33  
37 seconds West 293.68 feet to a concrete right-of-way monument; North 11 degrees 15  
38 minutes 49 seconds West 371.72 feet to a concrete right-of-way monument; North 26  
39 degrees 26 minutes 56 seconds West 194.47 feet to a concrete right-of-way monument;  
40 North 38 degrees 03 minutes 03 seconds West 656.79 feet to a point; North 38 degrees  
41 03 minutes 04 seconds West 662.68 feet to a point; South 48 degrees 00 minutes 02  
42 seconds West 20.05 feet to a point; North 38 degrees 07 minutes 32 seconds West  
43 462.02 feet to a point; North 38 degrees 07 minutes 17 seconds West 146.23 feet to a  
44 point; North 53 degrees 39 minutes 28 seconds East 20.05 feet to a point; North 38

1 degrees 09 minutes 03 seconds West 471.24 feet to a point; thence North 87 degrees 00  
2 minutes 48 seconds West 667.61 feet to a point; North 1 degree 37 minutes 58 seconds  
3 East 100.02 feet to a point; North 5 degrees 55 minutes 01 second East 611.43 feet to a  
4 point; thence North 49 degrees 56 minutes 11 second East 10.17 feet to the point of  
5 BEGINNING. Containing 106.1186 acres, more or less.

6

7 All Bearings are oriented to the North Carolina Grid System.

8

**(AREA 'B')**

9 BEGINNING on an existing iron stake West of the King-Tobaccoville Road, said iron  
10 being a present boundary corner for the City of King and being located South 38  
11 degrees 38 minutes 58 seconds East 290.28 feet from NCGS monument entitled 'King',  
12 said grid monument coordinates being x=1,597,446.35, y=916,217.01; thence with said  
13 City of King's boundary, crossing the King-Tobaccoville Road, South 00 degrees 30  
14 minutes 08 seconds East 272.67 feet to an existing iron stake on the East right-of-way  
15 line; thence with said right-of-way line a curve to the right, said curve having a radius of  
16 2914.93 feet, a bearing of South 32 degrees 14 minutes 06 seconds West 395.08 feet to  
17 a point; thence continuing along said right-of-way North 53 degrees 52 minutes 45  
18 seconds West 20.00 feet to a point; thence continuing with said right-of-way South 36  
19 degrees 07 minutes 15 seconds West 755.64 feet to a point at the back of curb of the  
20 Northern entrance to the Reynolds Tobacco Company; thence crossing said King-  
21 Tobaccoville Road North 53 degrees 52 minutes 45 seconds West 60.00 feet to a point;  
22 thence parallel with the center line of said highway, being along the right-of-way,  
23 Southwestwardly to a point, the Southeastern corner of Lot #202B, Block 4728, Forsyth  
24 County Tax Map; thence with the North line of Lot #123 and the South line of Lot  
25 #202B, Forsyth County Tax Block 4728, Westwardly to the Southwest corner of Said  
26 Lot #202B, said point being a corner of Lot #12R, Forsyth County Tax Block 4728;  
27 thence with the West line of Lots #202B, 202A and 201 and being with the East line of  
28 Lot #12R, Northwardly to a point in the South line of Forsyth County Tax Block 4728C  
29 (said Block 4728C is Coventry Forest Subdivision); thence with the South line of Tax  
30 Block 4728C Westwardly to a point, the Southwest corner of Tax Block 4728C; thence  
31 with the Western lines of Tax Block 4728C Northwardly to a point the Northwest  
32 corner of Tax Block 4728C; thence with the North line of Tax Block 4728C and with  
33 the South lines of Lot 27, Tax Map #83, Stokes County Tax Maps, Map #83B, Stokes  
34 County Tax Maps, Lot #26, Tax Map #83, Stokes County Tax Maps, Eastwardly to a  
35 point, the Southeast corner of Lot #26; thence with the East line of Lot #26 and the  
36 West line of Lot #25, Stokes County Tax Maps, Northwardly to a point in the South  
37 right-of-way line of Newsome Road (SR 1222), said point being in the present boundary  
38 line of the City of King; thence with the present boundary line of the City of King  
39 Eastwardly along the South right-of-way line of Newsome Road (SR 1222) to the  
40 Northeast corner of Lot #25, Tax Map #83; thence Southwardly with the East boundary  
41 of Lot #25, Stokes County Tax Map #83, and being along the City of King's present  
42 boundary to the Southwest corner of Lot #24, Tax Map #83, Stokes County Tax Maps;  
43 thence with the South lines of Lot #24 and Lot #24A, Stokes County Tax Map #83 and

1 being along the present boundary of the City of King South 85 degrees 59 minutes 56  
2 seconds East 958.15 feet to the point of BEGINNING.

3  
4 Any and all bearing are oriented to North Carolina Grid.

5 (AREA 'C')

6 BEGINNING at a point where the North right-of-way line of Ingram Road (SR 1108)  
7 intersects the Northeast right-of-way line of US Highway #52; thence with the North  
8 right-of-way line of said Ingram Road (SR 1108) Eastwardly to the intersection of said  
9 right-of-way line and the West right-of-way line of the King-Tobacoville Road (SR  
10 1112); thence Northwardly along the West right-of-way line of the said King-  
11 Tobacoville Road (SR 1112) to a point where the West right-of-way line intersects the  
12 South right-of-way line of Meadowbrook Drive; thence Westwardly along the South  
13 right-of-way line of Meadowbrook Drive (SR 1105) to a point where the South right-of-  
14 way line of Meadowbrook Drive intersects the center line of US Highway #52; thence  
15 Northwestwardly with the center line of US Highway #52 to a point, a corner of the  
16 present boundary of the City of King, said point lying due South of the Southwestern  
17 corner of Meadowbrook Estates Subdivision Plat referenced as Stokes County Tax Map  
18 72-A as per the description of the City of King's Boundaries; thence due South to the  
19 intersection of the Southwest right-of-way line of US Highway #52; thence with said  
20 right-of-way line of US Highway #52 Southeastwardly to the Northernmost corner of  
21 Lot #36 and the Easternmost corner of Lot #38 as shown on the Stokes County Tax Map  
22 #83; thence Eastwardly crossing said highway to a point on the Northeast right-of-way  
23 line, said point being shown as the Southernmost corner of Lot #42 and also shown as a  
24 corner of Lot #44 Stokes County Tax Map #83; thence along said Northeast right-of-  
25 way line of said highway Southeastwardly to the point of BEGINNING.

26  
27 SAVE AND EXCEPT from this description any and all land that was described in the  
28 original boundary of the City of King or of any subsequent annexation.

29 "Sec. 2.2. The City of King is expressly authorized, pursuant to Section 4 of the act  
30 ratifying this charter amendment, to enter into the Agreement by and among the City of  
31 King, R.J. Reynolds Tobacco Company, a New Jersey corporation ('Reynolds') and  
32 the Steering Committee for the Incorporation of the Village of Tobacoville (the  
33 'Agreement').

34 "Sec. 2.3. The City of King shall not, for a period of 40 years from the earlier of the  
35 incorporation of the Village of Tobacoville or the effective date of this charter  
36 amendment, involuntarily annex any property owned by Reynolds as of February 11,  
37 1991, in the area that is bounded on the east by U.S. Highway 52, on the West by King-  
38 Tobacoville Road, and on the South by a right-of-way of Southern Railway, less and  
39 except that area proposed to be included in the Village of Tobacoville upon  
40 incorporation and that area proposed to be annexed by the City of King, as more  
41 particularly described in the Agreement as the 'Industrial Opportunity Area' and as more  
42 particularly shown on the map attached to the Agreement as Exhibit E.

43 "Sec. 2.4. The City of King shall not, for a period of 10 years from the effective  
44 date of this charter amendment, involuntarily annex any property lying west of King-

