

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 696

Short Title: Waxhaw Annexations.

(Local)

Sponsors: Senators Plyler and Purcell.

Referred to: Finance.

April 1, 1999

A BILL TO BE ENTITLED

**AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE
LIMITS OF THE TOWN OF WAXHAW AND EXEMPTING THAT PROPERTY
FROM THE CEILING ON SATELLITE ANNEXATIONS.**

The General Assembly of North Carolina enacts:

Section 1. The following described property is added to the corporate limits of the Town of Waxhaw:

TRACT 1

LYING AND BEING in Sandy Ridge Township, Union County, North Carolina and being more particularly described as follows:

To find the point or place of **BEGINNING**, commence at a point located at the intersection of the centerline of N.C. Highway #16 and the centerline of the sixty-foot (60') right-of-way of Cuthbertson Road (S.R. No. 1321) and proceed North 63-55-05 East a distance of 4193.55 feet to a railroad spike located on the centerline of the aforesaid right-of-way of Cuthbertson Road, said railroad spike also being located on a northern boundary line of that property owned by Rosly Pfister (now or formerly) as described in that document recorded in Book 251 at Page 267 of the Union County Public

1 Registry, said railroad spike being the point or place of BEGINNING; running thence
2 from the point or place of BEGINNING along a portion of the aforesaid northern
3 boundary line of that property owned by Rosly Pfister South 69-30-00 West, passing a
4 3/4-inch iron rod located on the western margin of the aforesaid right-of-way of
5 Cuthbertson Road at a distance of 48.12 feet, a total distance of 809.62 feet to a 5/8-inch
6 iron rod in old stone pile located at a corner of that property owned by George E. Holland
7 and wife Joanne R. Holland (now or formerly); running thence along a northern boundary
8 line of that property owned by George E. Holland and wife, Joanne R. Holland South 70-
9 31-30 West a distance of 303.62 feet to an old 27-inch diameter beech on east bank of the
10 West Fork of Twelve Mile Creek, said beech also being located at a corner of that
11 property owned by Mrs. W. J. Lewis (now or formerly) as described in that document
12 recorded in Book 98 at Page 242, aforesaid registry; running thence along the boundary
13 of the aforesaid property owned by Mrs. W. J. Lewis North 04-13-50 West a distance of
14 159.68 feet to a point located in the creek channel of the aforesaid West Fork of Twelve
15 Mile Creek; running thence within the aforesaid creek channel of the West Fork of
16 Twelve Mile Creek and along the aforesaid boundary of that property owned by Mrs. W.
17 J. Lewis the following eleven (11) courses and distances:

18 (1) North 18-41-10 East a distance of 307.71 feet to a point;
19 (2) North 27-05-20 West a distance of 141.60 feet to a point;
20 (3) North 19-32-00 West a distance of 164.90 feet to a point;
21 (4) North 07-42-30 West a distance of 166.13 feet to a point;
22 (5) North 08-27-00 East a distance of 114.94 feet to a point;
23 (6) North 24-26-40 West a distance of 289.60 feet to a point;
24 (7) North 41-49-20 West a distance of 250.93 feet to a point;
25 (8) North 46-18-40 West a distance of 200.33 feet to a point;
26 (9) North 21-22-40 West a distance of 242.32 feet to a point;
27 (10) North 37-21-30 West a distance of 661.79 feet to a point;
28 (11) North 58-07-10 West a distance of 137.41 feet to a point; thence leaving the
29 aforesaid creek channel of the West Fork of Twelve Mile Creek and continuing along the
30 aforesaid boundary of that property owned by Mrs. W. J. Lewis the following four (4)
31 courses and distances: (1) North 84-59-00 West a distance of 59.23 feet to a 1-inch iron
32 rod (formerly a P.O. stump); (2) South 87-25-40 West a distance of 705.80 feet to a 3/4-
33 inch iron in old stone pile; (3) North 19-24-00 West a distance of 413.43 feet to a 1-inch
34 iron rod in stone pile (North 47 West a distance of 36 feet from spring); and (4) North 58-
35 17-30 East a distance of 774.01 feet to a 3/4-inch iron in mouth of spring branch, said
36 point also being located in the creek channel of Big Branch; running thence within the
37 aforesaid creek channel of Big Branch and continuing along the aforesaid boundary of
38 that property owned by Mrs. W. J. Lewis the following four (4) courses and distances:
39 (1) South 46-10-30 East a distance of 84.16 feet to a point; (2) South 77-41-50 East a
40 distance of 168.53 feet to a point; (3) North 64-31-50 East a distance of 134.22 feet to a
41 point; and (4) North 27-06-50 East a distance of 95.57 feet to a point located in the
42 aforesaid creek channel of the West Fork of Twelve Mile Creek; running thence within
43 the aforesaid creek channel of the West Fork of Twelve Mile Creek and continuing along

1 the aforesaid boundary of that property owned by Mrs. W. J. Lewis the following seven
2 (7) courses and distances:
3 (1) North 81-42-30 West a distance of 83.00 feet to a point;
4 (2) North 41-30-10 West a distance of 135.63 feet to a point;
5 (3) North 76-16-10 West a distance of 49.21 feet to a point;
6 (4) North 16-47-40 East a distance of 57.07 feet to a point;
7 (5) North 67-43-30 East a distance of 135.16 feet to a point;
8 (6) North 59-29-20 East a distance of 268.53 feet to a point; and
9 (7) North 82-57-50 East a distance of 117.06 feet to a 1/2-inch iron rod in large rock
10 outcropping in creek; thence leaving the aforesaid creek channel of the West Fork of
11 Twelve Mile Creek and continuing along the aforesaid boundary of that property owned
12 by Mrs. W. J. Lewis the following four (4) courses and distances: (1) South 70-13-00
13 East a distance of 520.85 feet to a 3/4-inch iron rod in stone pile; (2) North 12-21-20 East
14 a distance of 454.27 feet to a 3/4-inch iron rod in stone pile (1-foot northwest of a white
15 maple); (3) North 62-06-30 East a distance of 322.50 feet to a 3/4-inch iron rod with
16 stones on bank on south side of drain; and (4) North 51-36-00 East a distance of 72.75
17 feet to the highest point on northernmost rock of rock outcropping in creek, said point
18 being located within the aforesaid creek channel of the West Fork of Twelve Mile Creek;
19 thence running within the aforesaid creek channel of the West Fork of Twelve Mile
20 Creek and continuing along the aforesaid boundary of that property owned by Mrs. W. J.
21 Lewis the following three (3) courses and distances: (1) North 11-55-00 West a distance
22 of 361.95 feet to a 5/8-inch iron rod in creek; (2) North 07-20-00 West a distance of
23 350.47 feet to a 5/8-inch iron rod in creek; and (3) North 11-10-00 East a distance of
24 250.36 feet to a 5/8-inch iron rod in creek; thence leaving the aforesaid creek channel of
25 the West Fork of Twelve Mile Creek and continuing along the aforesaid boundary of that
26 property owned by Mrs. W. J. Lewis North 02-39-00 West a distance of 268.20 feet to a
27 3/4-inch iron rod in stone pile in old road bed; running thence South 65-50-40 East a
28 distance of 1554.55 feet to a 5/8-inch iron rod in old stone pile at fence corner, all or a
29 part of which line adjoins a boundary of that property owned by W. J. Lewis Heirs (now
30 or formerly) as described in that document recorded in Book 109 at Page 631, aforesaid
31 Registry (Correction Deed referring to that document recorded in Book 105 at Page 20,
32 aforesaid Registry) and as shown on plat recorded in Plat Book 3 at Page 9, aforesaid
33 Registry; thence continuing along the aforesaid boundary of that property owned by W. J.
34 Lewis Heirs the following two (2) courses and distances: (1) South 18-31-30 West a
35 distance of 1929.96 feet to an old 3/4-inch square shaft in stone pile at fence corner; and
36 (2) South 86-30-00 East, passing a 3/4-inch iron rod with stones located on the western
37 margin of the aforesaid right-of-way of Cuthbertson Road at a distance of 891.88 feet, a
38 total distance of 922.37 feet to a railroad spike located on the centerline of the aforesaid
39 right-of-way of Cuthbertson Road; thence continuing along a portion of the aforesaid
40 boundary of that property owned by W. J. Lewis Heirs and a boundary line of that
41 property owned by James A. Mullis and wife, Nancy F. Mullis (now or formerly) as
42 shown on that plat recorded in Plat Book 3 at Page 9, aforesaid Registry the following
43 four (4) courses and distances: (1) South 86-30-00 East, passing a 1/2-inch iron rod

1 located on the eastern margin of the aforesaid right-of-way of Cuthbertson Road at a
2 distance of 30.49 feet, a total distance of 1669.81 feet to an old 3/4-inch square shaft; (2)
3 North 25-23-30 West a distance of 305.26 feet to an old 3/4-inch square shaft; (3) North
4 35-27-30 East a distance of 180.09 feet to an old 1-inch strap iron; and (4) North 37-15-
5 00 East a distance of 145.48 feet to an old 1-1/2-inch diameter iron pipe located at a
6 southern corner of that property owned by William E. Farmer and wife, Barbara L.
7 Farmer (now or formerly) as described in that document recorded in Book 363 at Page
8 525, aforesaid Registry; running thence along a southeastern boundary line of the
9 aforesaid property owned by William E. Farmer and wife, Barbara L. Farmer and along
10 the southeastern boundary line of those properties owned by (1) Frank Forest (now or
11 formerly) as described in that document recorded in Book 363 at Page 598, aforesaid
12 Registry, (2) Lyle Dean (now or formerly), (3) Lyle Dean and wife, Winnie Mae D. Dean
13 (now or formerly) as described in that document recorded in Book 214 at Page 583,
14 aforesaid Registry, and (4) Samuel B. Boatright and wife, Velma S. Boatright as
15 described in that document recorded in Book 137 at Page 491, aforesaid Registry North
16 35-33-40 East a distance of 1510.41 feet to a 3/4-inch iron rod in old stone pile by a dead
17 black jack, said iron rod also being located at a western corner of that property owned by
18 Carole E. Bookhart (now or formerly) as described in that document recorded in Will
19 Book 13-E at Page 227 of the Office of the Clerk of Superior Court of Union County;
20 running thence along the boundary of the aforesaid property owned by Carole E.
21 Bookhart the following three (3) courses and distances: (1) South 66-39-10 East a
22 distance of 348.59 feet to a 3/4-inch iron rod in old stone pile on west edge of old road;
23 (2) South 07-29-40 East a distance of 827.67 feet to a 3/4-inch iron rod by an old stone in
24 fork of road (formerly a pine stump); (3) South 42-55-30 East a distance of 1006.06 feet
25 to a 3/4-inch iron rod in stone pile located at the northwesternmost corner of that property
26 known as a "church lot"(no deed found); running thence along the boundary of the
27 aforesaid "church lot"the following three (3) courses and distances: (1) South 02-42-30
28 East a distance of 387.88 feet to a 3/4-inch iron rod (formerly a stone); (2) North 89-33-
29 40 East a distance of 505.87 feet to a 3/4-inch iron rod in old stone pile; and (3) North 28-
30 24-20 West a distance of 141.52 feet to a 3/4-inch iron rod in old stone pile located on a
31 boundary line of the aforesaid property owned by Carole E. Bookhart; running thence
32 along the aforesaid boundary of that property owned by Carole E. Bookhart the following
33 three (3) courses and distances: (1) South 88-36-10 East a distance of 536.81 feet to a
34 3/4-inch iron rod in old stone pile; (2) South 27-03-40 West a distance of 127.80 feet to a
35 3/4-inch iron rod in old stone pile; and (3) South 04-36-30 East a distance of 418.91 feet
36 to a 3/4-inch iron rod on north bank (formerly a stone) of the East Fork of Twelve Mile
37 Creek, said iron rod also being located at a corner of that property owned by Harry H.
38 Williams (now or formerly) as described in that document recorded in Book 414 at Page
39 917, aforesaid Registry; running thence within the aforesaid creek channel of the East
40 Fork of Twelve Mile Creek and along the aforesaid boundary of that property owned by
41 Harry H. Williams and along the boundary of those properties owned by (1) Jack T.
42 Hamilton and wife, Paula B. Hamilton (now or formerly) as described in that document
43 recorded in Book 299 at Page 648 (Tract I), aforesaid Registry, and (2) William Carl

1 Bennett as described in that document recorded in Book 253 at Page 408, aforesaid
2 Registry the following fifteen (15) courses and distances:
3 (1) South 80-35-50 West a distance of 603.74 feet to a point;
4 (2) South 20-09-50 West a distance of 97.68 feet to a point;
5 (3) South 22-32-50 East a distance of 346.19 feet to a point;
6 (4) South 09-34-10 East a distance of 179.36 feet to a point;
7 (5) South 36-52-00 West a distance of 85.82 feet to an old 1-inch iron shaft located at a
8 western corner of that property owned by Harry Hood Williams (now or formerly) as
9 described in that document recorded in Book 213 at Page 567, aforesaid Registry;
10 (6) South 54-38-20 West a distance of 373.52 feet to a point;
11 (7) South 73-42-00 West a distance of 109.41 feet to a point;
12 (8) South 84-49-00 West a distance of 202.57 feet to a point;
13 (9) North 80-39-40 West a distance of 136.33 feet to a point;
14 (10) North 38-25-30 West a distance of 140.71 feet to a point;
15 (11) North 25-26-30 West a distance of 191.44 feet to a point;
16 (12) South 81-57-30 West a distance of 72.48 feet to a point;
17 (13) South 27-30-20 West a distance of 217.04 feet to a point;
18 (14) South 37-49-20 West a distance of 827.69 feet to a point;
19 and (15) South 37-49-20 West a distance of 114.60 feet to a point located at a corner of
20 that property owned by Mrs. Bleeka Boatright (now or formerly) as described in that
21 document recorded in Book 100 at Page 519, aforesaid Registry; thence running along
22 the boundary of the aforesaid property owned by Mrs. Bleeka Boatright the following
23 five (5) courses and distances: (1) North 47-48-50 West a distance of 33.87 feet to a 3/4-
24 inch iron rod on north bank (formerly a stone) of the East Fork of Twelve Mile Creek; (2)
25 North 47-48-50 West a distance of 1282.39 feet to the highest point of two old Negro
26 head rocks; (3) North 48-06-10 West a distance of 392.62 feet to the highest point of two
27 old Negro head rocks; (4) South 43-59-30 West a distance of 543.38 feet to a 3/4-inch
28 iron rod in stone pile (formerly a P.O. stump); (5) South 69-30-00 West a distance of
29 1553.68 feet to an axle (set) located at a corner of that property owned by Rosly Pfister
30 (now or formerly) as described in that document recorded in Book 251 at Page 267,
31 aforesaid Registry; running thence along a portion of a boundary line of that property
32 owned by Rosly Pfister South 69-30-00 West, passing a 3/4-inch iron rod located on the
33 eastern margin of the aforesaid right-of-way of Cuthbertson Road at a distance of 333.14
34 feet, a total distance of 381.26 feet to a railroad spike located in the centerline of the
35 right-of-way of Cuthbertson Road, said railroad spike being located at the point or place
36 of BEGINNING and containing 462.828 acres as shown on that certain survey entitled
37 "Map Showing Boundary Survey for Cuthbertson Road Joint Venture" dated September
38 3, 1976, last revised October 15, 1990, and prepared by William A. Soiset, Registered
39 Land Surveyor, RLS-1415, reference to which survey is hereby made for a more
40 particular description.

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TRACT 2

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1 LYING AND BEING in Sandy Ridge Township, Union County, North Carolina and
2 being more particularly described as follows:

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4 To find the point or place of BEGINNING, commence at that point located at the
5 intersection of the centerline of the right-of-way of N.C. Highway #16 and the centerline
6 of the sixty-(60) foot right-of-way of Cuthbertson Road (S.R. No. 1321) and proceed
7 North 63-55-05 East a distance of 4193.55 feet to a railroad spike located on the
8 centerline of the aforesaid right-of-way of Cuthbertson Road, said railroad spike also
9 being located on a boundary line of that property owned by Harry DeLaney (now or
10 formerly) as described in that document recorded in Book 430 at Page 836 of the Union
11 County Public Registry; thence leaving the centerline of the aforesaid right-of-way of
12 Cuthbertson Road and continuing along the aforesaid boundary line of that property
13 owned by Harry DeLaney North 69-30-00 East, passing a 3/4 inch iron rod located on the
14 eastern margin of the aforesaid right-of-way of Cuthbertson Road at a distance of 48.12
15 feet, a total distance of 381.26 feet to an axle (set), said axle (set) being the point or place
16 of BEGINNING; running thence from said Beginning Point along the aforesaid boundary
17 line of that property owned by Harry DeLaney the following four (4) courses and
18 distances: (1) North 69-30-00 East a distance of 1553.68 feet to a 3/4-inch rod in stone
19 pile (found); (2) North 43-59-30 East a distance of 543.38 feet to the highest point of two
20 old Negro head rocks; (3) South 48-06-10 East a distance of 392.62 feet to the highest
21 point of two old Negro head rocks; and (4) South 47-48-50 East, passing a 3/4-inch iron
22 rod on North Bank (found) at a distance of 1282.39 feet, a total distance of 1316.26 feet
23 to a point located in the centerline of the East Fork of Twelve Mile Creek, said point also
24 being located on the boundary of that property owned by William Carl Bennett (now or
25 formerly) as described in that document recorded in Book 253 at Page 408, aforesaid
26 Registry; running thence along the centerline of the aforesaid East Fork of Twelve Mile
27 Creek and along the boundary of the aforesaid property owned by William Carl Bennett
28 and the boundaries of Lots 22 and 21 of Eastfield Plantation as shown on that plat
29 recorded in Plat Cabinet B at File 5A, aforesaid Registry the following seventeen (17)
30 courses and distances:

- 31 (1) South 45-24-00 West a distance of 400.00 feet to a point;
32 (2) South 41-11-00 West a distance of 400.00 feet to a point;
33 (3) South 47-14-00 West a distance of 356.00 feet to a point;
34 (4) south 51-09-15 West a distance of 365.00 feet to a point;
35 (5) South 43-18-20 West a distance of 191.65 feet to a point;
36 (6) South 54-39-00 West a distance of 40.00 feet to a point;
37 (7) South 77-42-30 West a distance of 61.41 feet to a point;
38 (8) North 81-23-00 West a distance of 194.34 feet to a point;
39 (9) North 61-57-00 West a distance of 47.28 feet to a stone outcropping at west end of
40 remains of old dam;
41 (10) North 5-03-00 West a distance of 205.97 feet to a point;
42 (11) North 61-26-15 East a distance of 106.00 feet to a point;
43 (12) North 18-41-45 West a distance of 77.00 feet to a point;

1 (13) South 73-42-15 West a distance of 222.00 feet to a point;
2 (14) North 87-24-45 West a distance of 235.00 feet to a point;
3 (15) North 73-50-45 West a distance of 152.00 feet to a point;
4 (16) South 73-29-15 West a distance of 107.00 feet to a point;
5 and (17) South 45-29-15 West a distance of 75.43 feet to a point located on the boundary
6 of that property owned by Rosly Pfister (now or formerly) as described in that document
7 recorded in Book 251 at Page 267, aforesaid Registry; running thence along the aforesaid
8 boundary of that property owned by Rosly Pfister the following five (5) courses and
9 distances: (1) North 68-41-00 West a distance of 54.36 feet to a P.K. nail (set) in fissure
10 in large rock; (2) North 68-41-00 West a distance of 696.83 feet to a hole (set) in large
11 stone; (3) North 11-00-00 West a distance of 530.00 feet to a 3/4-inch iron rod (set); (4)
12 North 4-02-00 East a distance of 165.00 feet to a 3/4-inch iron rod (set); and (5) North
13 17-00-00 West a distance of 202.81 feet to an axle (set), said axle being located at the
14 point or place of BEGINNING and containing 95.339 acres (total) as shown on that
15 certain survey entitled "Map Showing a Boundary Survey for Cuthbertson Road Joint
16 Venture" dated November 2, 1990, revised November 30, 1990, and prepared by William
17 A. Soiset, RLS-1415, reference to which survey is hereby made for a more particular
18 description.

19 Section 2. The property described in Section 1 of this act shall not be included
20 in any calculations made under G.S. 160A-58.1(b)(5).

21 Section 3. This act is effective when it becomes law.