

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H.B. 143
Feb 21, 2013
HOUSE PRINCIPAL CLERK

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HOUSE DRH30069-LBx-65 (02/07)

Short Title: Eden Payment in Lieu of Taxes. (Local)

Sponsors: Representative Jones.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE CITY OF EDEN TO NEGOTIATE ANNEXATION
CONTRACTS.

The General Assembly of North Carolina enacts:

SECTION 1. The City of Eden may, by contract, provide that certain property described in the contract may not be annexed by the City under Article 4A of Chapter 160A of the General Statutes prior to December 31, 2038. Nothing in this act impairs the right of the General Assembly to annex any such property by specific local act.

SECTION 2. The City of Eden may accept, as consideration for such contract, "payments in lieu of taxes."

SECTION 3. Payments in lieu of taxes under this act shall be annually computed based upon the tax valuations of the properties subject to contracts under Section 1 of this act as determined by the Rockingham County Tax Department, with the formula for making the computation being stated in each contract.

SECTION 4. Contracts under Section 1 of this act apply only to the following described properties:

TRACT I

Being a tract of land 1357.79 acres, more or less, in Leaksville Township, Rockingham County, North Carolina, bounded by Meadow Road (NC State Road #770) and property owned by Spray Cotton Mills, Inc., on the South; Summit Road, property owned by Powell, Henry Raefield on the West; property owned by Herbert Hopper, Joe Scales, and the Virginia State line on the North; and, Main Street, property owned by Lawson, Lacy Hall, Herman Patterson, Slayton and Cedrick Willard on the East; and more specifically described as follows:

BEGINNING at an iron stake in the North Margin of the right of way of Eastern Street (State Road #1774) at the Southwest corner of property owned by W. Smart, said beginning point also being situate at the Easternmost corner of the property conveyed to Spray Cotton Mills, Inc., in Deed Book 694, Page 902, Rockingham County Public Registry; running thence from said beginning point the following calls along the East line of the Spray Cotton Mills property: North 23° 53' West 133.01 feet; North 37° 21' West 159.23 feet; North 23° 19' West 154.10 feet; and North 9° 52' West 394.73 feet to a point situated at the Northeast corner of the Spray Cotton Mills, Inc. property; thence with the North line of the Spray Cotton Mills, Inc. property, South 78° 53' West 792.12 feet and South 85° 26' West 1,281.15 feet to the Northwest corner of the Spray Cotton Mills, Inc. property; thence continuing with the Spray Cotton Mills, Inc. West line, South 0° 52' West 867.34 feet to a point; thence South 73° 15' West 415.79 feet to a point; thence South 16° 45' East 1300 feet to a point in the northern margin of Meadow Road (N.C.



1 State Road 770); thence with the northern margin of Meadow Road the following courses and
2 distances: South 73° 14' 40" West 2362.50 feet; South 74° 26' 10" West 186.96 feet; South 80°
3 5' 20" West 210.67 feet; South 84° 16' 30" West 646.55 feet; and, South 83° 53' West 336.01
4 feet to an iron in the North margin of the right of way of said Meadow Road; thence leaving the
5 North margin of the right of way of Meadow Road and turning in a northern direction, North 3°
6 37' 20" West 605.50 feet to an iron stake in the East line of Jarrett; thence continuing with
7 Jarrett's East line, North 4° 38' 50" East 470 feet to an iron; thence North 5° 58' 20" East 591
8 feet to an iron at the Northeast corner of property owned by Jarrett; thence with Jarrett's North
9 line, North 89° 22' 50" West 974.50 feet to an iron in the East margin of the right of way of
10 Summit Road, Jarrett's Northwest corner: thence with the East right of way line of Summit
11 Road North 10° 01' 20" West 239.45 feet and North 26° 45' 50" West 99.93 feet to a point in
12 the East margin of the right of way of Summit Road at Pulliam's Southwest corner; thence with
13 Pulliam's South line, North 63° 13' 10" East 300 feet to an iron stake at Pulliam's Southeast
14 corner; thence with Pulliam's East line, North 26° 46' West 129.71 feet to a point at the
15 Southwest corner of property conveyed to Northwestern Engineering Corporation in Book 694,
16 Page 772; thence with the South line of Northwestern Engineering Corporation, North 46° 15'
17 51" East 280 feet to a point; thence with Northwestern Engineering Corporation's East line,
18 North 38° 20' West 300 feet to a point in the South right of way of an unnamed street dedicated
19 in Book 685, Page 840, Rockingham County Public Registry; thence with the south right of
20 way line of said unnamed street and with the North line of Northwestern Engineering
21 Corporation, South 47° 6' 34" West 280 feet to the northwest corner of the Northwestern
22 Engineering Corporation; thence along the western line of Northwestern Engineering
23 Corporation, South 38° 33' East 224.32 feet to a point, corner with Pulliam, thence with the line
24 of Pulliam, South 51° 54' West 299.77 feet to a point in the eastern margin of Summit Road;
25 thence with the eastern margin of Summit Road, North 38° 22' West 199.30 feet to a point in
26 the southern margin of the unnamed street referred to above; thence continuing along the
27 eastern margin of Summit Road across said unnamed street, North 44° 10' West 60.01 feet to a
28 point; thence still with the eastern margin of Summit Road, North 47° 2' West 199.18 feet to a
29 point, corner with Powell; thence with the line of Powell, North 44° 38' 50" East 293.38 feet to
30 a point, the northwest corner of the property conveyed to Southeastern Warehousing
31 Distribution Center by deed recorded in the Rockingham County Registry in Book 685, Page
32 841; thence with the line of Southeastern Warehousing Distribution Center, South 46° 51' East
33 211.7 feet to a point in the northern margin of said unnamed street; thence with the northern
34 margin of said unnamed street, North 47° 6' 34" East 637.67 feet to a point, the southeast corner
35 of Southeastern Warehousing Distribution Center; thence North 43° 53' 26" West 397.68 feet
36 with the East line of the Southeastern Warehousing property to a point; thence North 88° 23'
37 10" West 442.49 feet with the North line of the Southeastern Warehousing property to a point
38 in the East line of property owned by Powell; thence with Powell's East line, North 8° 45' West
39 859.33 feet to an old set stone, corner with property formerly owned by W. B. Light; thence
40 with Light's East line, North 16° 30' 10" West 1230.19 feet to an iron & monument; thence
41 North 14° 50' 40" West 1082.81 feet to an iron & monument found, corner with Henry
42 Raefield; thence with Raefield's East line, North 16° 01' 50" West 336.06 feet to an iron stake;
43 thence turning in an easterly direction, North 80° 33' 30" East 317.69 feet to an iron stake;
44 North 80° 48' 10" East 267.03 feet to an iron stake; South 87° 59' East 265.93 feet to an iron;
45 thence North 2° 1' East 581.28 feet to an iron within the right of way line of N.C. State Road
46 #1715; thence a line within the right of way of N.C. State road #1715, South 87° 58' East
47 520.71 feet to a point and South 81° 3' East 203.10 feet to an iron; thence North 81° 47' East
48 508.30 feet to an iron, corner with Herbert Hopper; thence with Hopper's South line, South 40°
49 59' East 242.22 feet to an iron and North 77° 26' East 669.10 feet to an iron; thence continuing
50 with Hopper's South line, North 30° East 600.70 feet to an iron stake, Hopper's Southeast
51 corner and Joe Scales' Southwest corner; thence with Scales' South line North 80° 28' 10" East

1 657.76 feet to a post oak and North 73° 36' 40" East 1874.50 feet to an iron stake, corner with
2 Joe Scales; thence with Scales' East line, North 4° 58' 20" East 589.17 feet to a white oak;
3 thence North 64° 0' 40" East 544 feet to an iron stake; thence North 8° 5' 30" West 532 feet to
4 an iron stake, corner with Joe Scales in the North Carolina-Virginia State Line; thence with the
5 North Carolina-Virginia State Line, South 86° 39' 10" East 3,654.49 feet to an iron stake in said
6 State Line, corner with property owned by Cedrick and Maria P. Willard; thence with Willard's
7 West line, South 4° 27' East 1756.47 feet to an iron stake, Slayton's Northeast corner; thence
8 with Slayton's and Herman Patterson's North lines, South 85° 33' 20" West 497.30 feet to an
9 iron stake; thence South 3° 23' 30" West with Herman Patterson's West line, 1313.85 feet to an
10 iron stake; thence with Lacy Hall's West line, South 3° 0' 10" West 759.38 feet to an iron stake,
11 Lacy Hall's Southwest corner and Lawson's Northwest corner; thence with Lawson's West line
12 South 0° 25' 20" West 1,069.67 feet to an iron stake, Lawson's Southwest corner and Harris'
13 Northwest corner; thence with Harris' West line, South 4° 21' 10" East 267 feet to an iron stake
14 in the North right of way line of Findowrie street; thence with the Northern terminus line of
15 Main Street, South 85° 38' 50" West 63.16 feet to a point; thence continuing with the West right
16 of way line of Main Street, South 4° 21' 10" East 840.03 feet to an iron stake; thence leaving
17 the West right of way line of Main Street, South 85° 34' 40" West 300 feet to an iron stake and
18 South 4° 25' 20" East 150.23 feet to an iron stake; thence South 85° 34' 40" West 125 feet to a
19 point and South 4° 25' 20" East 400 feet to an iron stake at W. Smart's Northeast corner; thence
20 with Smart's North line, South 85° 34' 10" West 821 feet to an iron stake at Smart's Northwest
21 corner; thence with Smart's West line, South 4° 25' 20" East 350 feet to an iron stake in the
22 North right of way line of Eastern Street at the easternmost corner of property conveyed to
23 Spray Cotton Mills, Inc., in Book 694, Page 902, Rockingham County Public Registry, the
24 point and place of BEGINNING, containing 1357.79 acres, more or less, as shown on plat of
25 survey by Shanks and Wilmarth, Engineers & Surveyors, dated December 2, 1975, File No.
26 C-1034, and revised on May 20, 1976, and being the same property shown on Map Book 13,
27 Page 28, Rockingham County Public Registry.
28 SAVE AND EXCEPT THEREFROM the 5.175 acres conveyed by Miller Brewing Company
29 to Evans Warehouse, Inc. by deed recorded in Book 840, Page 2264, in the Rockingham
30 County Public Registry.

31 TRACT II

32 Being a tract of 7.489 acres, more or less, in Leaksville Township, Rockingham County, North
33 Carolina, and more specifically described as follows:

34 Commencing at an iron in the easterly margin of Summit Road, which iron is the Southwest
35 corner of Powell and the Northwest corner of Lot I as shown on map hereinafter referred to;
36 thence with the said margin of Summit Road South 47° 01' 51" East 199.18 ft. to an iron where
37 said Summit Road is intersected by the northerly margin of a 60 ft. wide unnamed street;
38 thence with said margin of said unnamed street North 47° 06' 34" East 300 ft. to a point, the
39 POINT OF BEGINNING; thence leaving the said unnamed street North 46° 54' 39" West
40 220.39 ft., more or less, to Powell's line; thence with Powell's line North 08° 45' West 589.63
41 feet to an iron; thence leaving Powell South 88° 23' 10" East 442.49 ft., to an iron; thence South
42 42° 53' 26" East 397.68 ft. to an iron in the northerly margin of the aforementioned unnamed
43 street; thence with the said margin of the said unnamed street, South 47° 06' 34" West 631.05 ft.
44 more or less to the point of beginning, containing 7.489 acres, more or less, and being a portion
45 of Lot 2 as shown on Plat of Survey for Homer E. Wright, Jr., dated September 20, 1972, by E.
46 L. Wilmarth, the said survey being recorded with a certain deed from W. P. Bickham, Trustee,
47 et als. to Thomas S. Harrington, Trustee, dated February 6, 1973, which deed was recorded in
48 the office of the Register of Deeds for Rockingham County.

49 **SECTION 5.** This act does not affect the validity of S.L. 2002-74 which restricted
50 certain annexations by the City of Eden through December 31, 2013.

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