

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1383*

Short Title: Meck Neck.

(Local)

Sponsors: Representatives Earle; Brawley (Cosponsors), Alexander, Black, Cunningham, Dickson, Easterling, Gulley, McMahan, Mitchell, Rayfield, Saunders, and C. Wilson.

Referred to: Local and Regional Government II, if favorable, Finance.

May 21, 1998

A BILL TO BE ENTITLED

AN ACT TO ANNEX THE MECK NECK AREA OF MECKLENBURG COUNTY TO IREDELL COUNTY.

The General Assembly of North Carolina enacts:

Section 1. (a) The boundary line between Mecklenburg County and Iredell County is hereby changed and relocated so as to divest Mecklenburg County of all the territory now and heretofore embraced in the bounds of Meck Neck as defined in subsection (b) of this section, and vest and include all of said territory in Iredell County, and the said territory shall become and be a part of Iredell County.

(b) "Meck Neck" is that area commonly known as the Meck Neck, and surrounding waters, being all that land in Mecklenburg County which is connected by land to Iredell County and not connected by land to Mecklenburg County, and the area of Lake Norman in Mecklenburg County extending out 300 feet from such land. Such area also includes the area of Lake Norman in Mecklenburg County beginning at a point 300 feet south of the southernmost point of the Meck Neck land area, running due west to the Lincoln-Mecklenburg County line, following that line to the Iredell-Mecklenburg-Lincoln corner, thence along the Iredell-Mecklenburg County line to a point 300 feet west of land, thence along a line 300 feet from land to the beginning point of description in this sentence.

1 Section 2. Courts. All civil and criminal cases now pending in the Superior
2 Court of Mecklenburg County, or in any other courts held in Mecklenburg County which
3 would have been properly triable in Iredell County, if the territory affected by this act had
4 been a part of Iredell County at the time the cause was instituted, or the right of action
5 therein accrued, or where the criminal offense charged was committed in the territory
6 affected by this act, shall upon motion of any defendant in any criminal case pending, or
7 upon motion of any party in a civil cause, be transferred to the Superior Court or other
8 proper court of Iredell County. Such motion for removal shall be made no later than the
9 first day of the session of court at which such case would be tried. It shall be the duty of
10 the Clerk of the Superior Court of Mecklenburg County to transmit the original papers in
11 all such cases removed, together with a proper record of all such causes removed, to the
12 Clerk of the Superior Court of Iredell County. All actions, causes or proceedings,
13 matters, and things pending before the Clerk of the Superior Court of Mecklenburg
14 County, which would have been within the jurisdiction of the Clerk of the Superior Court
15 of Iredell County, had the territory affected by this act been a part of Iredell County at the
16 time said cause, proceeding, matter, or thing was begun, or the right therein accrued, shall
17 upon motion of any party thereto or interested therein be transferred to Iredell County and
18 the jurisdiction of the Clerk of the Superior Court of Iredell County to be heard,
19 determined, or proceeded with before him in all respects as if the said cause, matter, or
20 proceeding had originally been begun in Iredell County. Upon such removal, it shall be
21 the duty of the Clerk of the Superior Court of Mecklenburg County from which the
22 removal is made to transmit to the Clerk of the Superior Court of the County of Iredell
23 the original papers in such cause, matter, or proceeding, together with the proper record
24 thereof.

25 Section 3. Taxes. All taxes levied by Mecklenburg County on the real and
26 personal property located in the territory described in subsection (b) of Section 1 of this
27 act, for the fiscal year beginning July 1, 1997, and for all prior years shall be collected
28 and retained by Mecklenburg County.

29 Section 4. Juries. The Jury Commission of Iredell County shall include
30 persons within the territory affected by this act on jury lists in Iredell County beginning
31 July 1, 1998, and no person resident in such area shall be included on jury lists in
32 Mecklenburg County after that date.

33 Section 5. Voter Registration. The Mecklenburg County Board of Elections
34 shall transfer to Iredell County all voter registrations for persons in the territory affected
35 by this act, and such persons shall be registered to vote in Iredell County as of July 1,
36 1998, without any action on the part of the voter. This act does not affect the boundaries
37 of any State House, State Senate, or Congressional district.

38 Section 6. (a) Iredell County shall pay to Mecklenburg County for fiscal year
39 1998-99 and the next nine succeeding fiscal years the annual sum of one hundred
40 thousand dollars (\$100,000), plus for the second through tenth fiscal years an additional
41 amount as defined by subsection (b) of this section.

42 (b) For each year, the additional amount is calculated by FIRST taking the
43 value of the property in the Meck Neck subject to ad valorem taxation minus the value of

1 property in the Meck Neck subject to ad valorem taxation as of January 1, 1998, then
2 DIVIDING that number by the value of the property in the Meck Neck subject to ad
3 valorem taxation minus the value of property in the Meck Neck subject to ad valorem
4 taxation as of January 1, 1998, then MULTIPLYING that number times one hundred
5 thousand dollars (\$100,000).

6 (c) Each payment required by this section shall be made on or before January
7 15 of each fiscal year.

8 Section 7. Iredell County shall pay, on behalf of residents of the Meck Neck,
9 all tuition charges which might have been imposed by the Iredell County Board of
10 Education on children living in the Meck Neck who attended schools operated by the
11 Iredell County Board of Education prior to July 1, 1998.

12 Section 8. Any child who was a resident of the area annexed by Section 1 of
13 this act on its date of ratification and who was a student in the Charlotte-Mecklenburg
14 school system during the 1997-98 school year, and the younger sibling of any such
15 person, may attend school in the Charlotte-Mecklenburg school system without necessity
16 of a release or payment of tuition. Such student, while attending the Charlotte-
17 Mecklenburg school system, shall be considered a resident of Mecklenburg County for
18 all public school purposes, including transportation, athletics, and funding formulas.
19 Notice must be given to both school systems by the parent or guardian in order to
20 exercise the privilege granted by this section.

21 Section 9. This act is effective when it becomes law, except that for the
22 purposes of ad valorem property tax situs, listing, and appraisal, the boundary changes in
23 this act are effective as of January 1, 1998, and apply to the 1998-99 tax year and all
24 subsequent tax years.