

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 286
Committee Substitute Favorable 3/19/97

Short Title: Dortches/Rocky Mount Boundaries.

(Local)

Sponsors:

Referred to:

February 20, 1997

1 **A BILL TO BE ENTITLED**
2 **AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE**
3 **CORPORATE LIMITS OF THE TOWN OF DORTCHES AND TO ADD THE**
4 **PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT.**

5 The General Assembly of North Carolina enacts:

6 Section 1. The following described property is removed from the corporate
7 limits of the Town of Dortches and is added to the corporate limits of the City of Rocky
8 Mount:

9
10 **THARRINGTON TRACT**

11 Beginning at a point in the center line of Halifax Road (N.C.S.R. 1527) 675
12 feet northerly from the intersection of the center line of Halifax Road with the center line
13 of Hunters Hill Road (N.C.S.R. 1604) corner of the property of W.M. Daniels in Tract
14 No. 7 of the John Eason Farm shown on map of survey hereinafter referred to; thence N.
15 9° 59' E. along said center line 102.40 feet to a point, a corner of said Tract 7; thence S.
16 80° 01' E. 339.40 feet to an iron, a corner between said Tract 7 and the Property of Morris
17 J. Hurt; thence N. 9° 59' E. 185.08 feet to an iron, common corner between the Property
18 of Morris J. Hurt, Guy Bunn and said Tract 7; thence S. 77° 30' E. 69.57 feet to an iron, a
19 corner; thence N. 52° 50' E. 75 feet to an iron; thence N. 58° 30' E. 173 feet to an iron;

1 thence N. 38° 30' E. 63 feet to an iron; thence N. 16° 00' E. 407 feet to an iron, a corner
2 between Tract 7 and the land of Guy Bunn; thence S. 82° 16' E. 782 feet to an iron axle
3 found in the line of Guy Bunn, a corner; thence S. 7° 40' W. 1328.50 feet to an iron, a
4 corner with Guy Bunn property; thence N. 82° 20' W. 115.5 feet to a point, a corner with
5 the Guy Bunn property; thence S. 6° 34' W. 243.1 feet to a point in the center line of
6 N.C.S.R. 1604, a corner; thence N. 75° 40' W. 133 feet to a point in said center line;
7 thence N. 78° 41'; W. 108.70 feet to a point in said center line, corner between the Eason
8 Property and said Tract 7; thence N. 10° 27' E. 428.60 feet to an iron, a corner; thence N.
9 79° 30' W. 209.22 feet to an axle, a corner between the Eason Property and said Tract 7;
10 thence N. 10° 50' E. 122.60 feet to a red oak, a corner between the Eason Property and
11 said Tract 7; thence N. 75° 08' W. 637.22 feet to an iron; thence N. 78° 36' W. 130 feet to
12 an iron, corner of the W. M. Daniels Property; thence N. 78° 13' W. 185 feet to a point in
13 the center line of N.C.S.R. 1527, the point of beginning, containing 26.6 acres, more or
14 less, and being all of Tract No. 7 as shown on map of a survey of L. D. Harper entitled
15 "Map of John Eason Farm, Nash County, North Carolina," dated March 27, 1918, and
16 recorded in Book 247, Page 143, Nash County Registry, less and except from the
17 aforesaid Tract 7 those lands described in Deeds recorded in Book 871, Page 513, Book
18 886, Page 71, and Book 902, Page 276, Nash County Registry; and being the property
19 conveyed by Deed of February 24, 1981, from Minnie M. Tharrington, widow, by
20 attorney-in-fact, et als, to Richard Y. Tharrington, recorded in Book 1080, Page 120,
21 Nash County Registry.

22 The aforesaid description was taken from map entitled "Property of Richard Y.
23 Tharrington," dated September 18, 1981, prepared by McIntyre Surveying, Nashville,
24 N.C.

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BOSEMAN TRACT

27 Beginning at a point in the center of a culvert across Kirby Creek and in the
28 center of the County Road; thence with the center of said road N. 2° 30' W. 191 feet to a
29 point in a slight bend in said road; thence, continuing with the center of said road, N. 2°
30 15' E. 1900 feet to a point where the center of said road intersects with the center of the
31 old Hilliardston and Rocky Mount Road; thence, with the center of said old Hilliardston
32 and Rocky Mount, N. 67° W. 158 feet; thence, continuing with the center of said road N.
33 58° W. 2388 feet to a point, iron axle on the side of said road, Mrs. Brake's corner; thence
34 S. 4° 10' W. 1390 feet to a gum on Kirby Creek; thence, down Kirby Creek with its
35 various courses and meanders to the beginning, containing 85.8 acres, by survey made by
36 W.F. Beal, C.E., in January, 1933, and being all that part of the tract of land which was
37 conveyed to J.J. Woodruff by Jacob Battle, Commissioner, by deed recorded in Book 83,
38 Page 345, Nash County Registry, which lies west of the center line of the County Road
39 running through said land. The graveyard, with the right of way thereto is excepted from
40 this deed. And, being the same, identical property conveyed to E. L. Boseman by deed
41 dated January 5, 1934 and recorded in Book 376 at Page 274 of the Nash County Public
42 Registry, to which deed reference is hereby made for a more full and perfect description
43 of said property.

1 The above described tract or parcel of land is the same identical property
2 shown on that certain forest type map entitled "BOSEMAN TRACT, STONEY CREEK
3 TWP., NASH COUNTY, N.C.," dated August 30, 1990 and prepared by J.W. Baum,
4 consulting forester of Nashville, North Carolina, a copy of which map is attached hereto
5 and incorporated herein and made a part hereof by this reference for a more full and
6 perfect description of said property.

7 8 **COLEY TRACT**

9 BEGINNING at an iron stake said iron stake being the Northeast corner of Lot
10 No. 13 Block C of Hunters Point as recorded in Plat Book 13 at Page 145 and being the
11 Southeast corner of the herein described tract; thence from said Beginning point along the
12 North line of Lot No. 13, Block C North 78 deg. 01' 42"W. 154.9 feet to an iron stake in
13 the East right of way line of Sportsman's Trail; thence S. 72 deg. 11' 54"W. 71.56 feet to
14 an iron stake in the West right of way line of Sportsman's Trail, the Northeast corner of
15 Lot No. 3, Block D; thence with the North line of Lot No. 3 N. 57 deg. 00' 00"W. 106.93
16 feet an iron stake; thence with the North line of Lot No. 2, Block D, N. 70 deg. 00' 00"W.
17 100.0 feet to an iron stake; thence with the North line of Lot 1, Block D, N. 78 deg. 00'
18 00"W. 110.0 feet to an iron stake in W. D. Woodruff's East line; thence with Woodruff's
19 East line N. 6 deg. 12' 00" East 2473.88 feet to an iron stake at Kirby Creek; thence along
20 Kirby Creek the following nine courses and distances: N. 57 deg. 24' E. 61.35 feet, N. 86
21 deg. 09' E. 56.0 feet, N. 39 deg. 39' E. 54.0 feet, S. 39 deg. 51' E. 74.0 feet, S. 84 deg. 21'
22 E. 95.0 feet, N. 33 deg. 09' E. 95.0 feet, S. 86 deg. 21' E. 55.0 feet, S. 51 deg. 21' E. 111.0
23 feet, N. 46 deg. 39' E. 58.0 feet to an axle; thence with the West line of the William W.
24 Ricks Estate South 5 deg. 58' W. 2628.08 feet to an iron stake the point of BEGINNING,
25 containing approximately 30.45 acres, more or less, and being contiguous with the
26 Hunter's Point Subdivision as recorded in Plat Book 13, at Page 145. This being a part of
27 the land described in Deed Book 1015, at Page 49.

28 Being the identical tract or parcel of land conveyed to Herman H. Fryar, Jr. and
29 John T. Coley, III, recorded in Book 1218, Page 613, Nash Registry.

30 31 **BRAKE TRACT 1**

32 BEGINNING a point in State Road No. 1527, a corner with D.L. Melton and
33 Tract 5 as shown on the map hereinafter referred to; thence with the D. L. Melton line, S.
34 84° 44' E. 1947.39 feet to an iron found in the J. I. Brake line; thence with the Brake line,
35 S. 7° 01' W. 437 feet to a stake, a corner for Tracts 5 and 6; thence with the dividing line
36 between Tracts 5 and 6, N. 84° 00' W. 1636.28 feet to a stake in the line of Lot B; thence
37 along the dividing line between Lot B and Tract 5, N. 5° 09' W. 132.86 feet to a stake;
38 thence S. 84° 51' W. 217.8 feet to a point in the center of State Road No. 1527; thence
39 along the center of State Road No. 1527, N. 5° 09' W. 330 feet to the beginning,
40 containing 18.00 Acres.

41 The above-described parcel of land is designated as Lot or Tract 5 of the
42 Division of C. N. Vick Estate according to map thereof by William B. McIntyre, C. E.,
43 dated January 29, 1970, and recorded in Map Book 9, Page 63, Nash County Registry.

1 The above described property was conveyed to the Grantor by Deed recorded
2 in Book 877, Page 559, Nash County Registry.

3 4 **BRAKE TRACT 2**

5 BEGINNING at a point in the center of State Road No. 1527, a corner for Lots
6 D and E as shown on the map herein after referred to; thence along the center of State
7 Road No. 1527, S. 27° 17' W. 234 feet to a point, a corner for Lot E, and the cemetery
8 (Eason) lot; thence along the cemetery lot line and continuing along the Bunn line, S. 80°
9 34' E. 230 feet to a stake in the Bunn line, a corner for Lot E and Tract 7; thence along
10 the dividing line between Lot E and Tract 7, N. 27° 42' E. 163.5 feet to a stake, a corner
11 for Lots D and E in the line of Tract 7; thence along the dividing line between Lots D and
12 E, N. 62° 43' W. 220.12 feet to the beginning, containing 1.0 Acre.

13 The above-described parcel of land is designated as Lot or Tract E of the
14 Division of the C. N. Vick Estate according to map thereof by William B. McIntyre, C.
15 E., dated January 29, 1970, and recorded in Map Book 9, Page 63, Nash County Registry.

16 The above described real property was conveyed to Grantor by deed recorded
17 in Book 877, Page 556, Nash County Registry.

18 19 **BRAKE TRACT 3**

20 Being the land which John I. Brake inherited from his Grandfather, B. C.
21 Brake, and his Mother Tempie B. Brake, the said two Tracts containing approximately
22 162 Acres, and bounded on the North by lands R. H. May, Joanna Williams and G. W.
23 Winters and the old road from Rocky Mount to Red Oak, on the East by E. L. Boseman,
24 on the south by the Bunn Land and the West by the lands of C. N. Vick and J. B. Vick.
25 See also deeds to John I. Brake recorded in Book 477, Page 507, Book 488, Page 466,
26 Book 515, Page 499, and Book 573, Page 380, all of the Nash County Public Registry.

27 The above described property was devised by Annie V. Brake by Will of John
28 I. Brake recorded in the office of the Clerk of Superior Court of Nash County.

29 There is expressly accepted from the above described Tract 3 the following
30 Lots or parcels of land:

31 1. That lot or parcel of land conveyed to Joseph T. Fuller and wife, Barbara
32 W. Fuller, recorded in Book 969, Page 305, Nash County Registry, to which reference is
33 hereby made.

34 2. That lot or parcel of land conveyed to Jack J. Leonard and wife, Sherry P.
35 Leonard, recorded in Book 1003, Page 532, Nash County Registry, to which reference is
36 hereby made.

37 3. That lot or parcel of land conveyed to Daniel A. Williams and wife, Cynthia
38 L. Williams, recorded in Book 1005, Page 458, Nash County Registry, to which reference
39 is hereby made.

40 4. That lot or parcel of land conveyed to Dunbar Hilliard and wife, Arbutus
41 Hilliard, recorded in Book 1026, Page 537, Nash County Registry, which reference is
42 hereby made.

1 Section 2. This act shall have no effect upon the validity of any liens of the
2 Town of Dortches for ad valorem taxes or special assessments outstanding before the
3 effective date of this act. Such liens may be collected or foreclosed upon after the
4 effective date of this act as though the property was still within the corporate limits of the
5 Town of Dortches.

6 Section 3. This act becomes effective June 30, 1997.