

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 750*
Senate Finance Committee Substitute Adopted 7/17/97

Short Title: Charter of Forest Hills.

(Local)

Sponsors:

Referred to:

April 2, 1997

A BILL TO BE ENTITLED
AN ACT TO INCORPORATE THE VILLAGE OF FOREST HILLS, SUBJECT TO A
REFERENDUM.

The General Assembly of North Carolina enacts:

Section 1. A Charter for the Village of Forest Hills is enacted to read:

"CHARTER OF THE VILLAGE OF FOREST HILLS.

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

"Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Village of Forest Hills are a body corporate and politic under the name 'Village of Forest Hills'. Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed on cities by the general law of North Carolina.

"CHAPTER II.

"CORPORATE BOUNDARIES.

"Section 2.1. **Village Boundaries.** Until modified in accordance with law, the boundaries of the Village of Forest Hills are as follows:

BEGINNING at the point of intersection of the projection of a Northwest direction of a line extending along the Northeastern boundary of Lot 1. of the Forest Hills Subdivision

1 shown on Jackson County NC tax map 7559(17) with a Northeast projection of a line
2 extending along the North side of State Road 1330 (Dillard Farm Road),
3 -Thence Southeast to the easternmost corner of Lot 2, Forest Hills Subdivision,
4 -Thence turning and running in a south and southeasterly direction to the
5 southeasternmost corner of Lot 14, Forest Hills Subdivision identified as tax parcel 7559-
6 20-2275,
7 -Thence turning and running in a west and southwest direction with the southeast
8 boundaries of Lots 9, 10, 11, 12, 13, and 14 of the Forest Hills Subdivision identified as
9 Jackson County tax parcels 7559-10-6040, 7559-10-7085, 7559-10-9110, 7559-20-0134,
10 7559-20-1148 and 7559-20-2275 to the Southwesternmost corner of Lot 9, Forest Hills
11 Subdivision, identified as Jackson County tax parcel 7559-10-6040,
12 -Thence turning and running generally south with the east boundary of Lots 11, 12, 13,
13 14, 15, and 16 of the Forest Hills Subdivision identified on Jackson County tax map
14 7558(05) as parcels 7558-19-5980, 7558-19-5559, 7558-19-5421, 7558-19-5248, 7558-
15 19-5143, and 7558-18-5946 to the southernmost corner of Lot 16, Forest Hills
16 Subdivision identified on Jackson County tax map 7558(05) as parcel 7558-18-5946,
17 -Thence turning and running west and southwest with the southeast boundaries of Lots
18 16, 18, 20, and 23 of the Forest Hills Subdivision identified on the Jackson County tax
19 map 7558(05) as parcels 7558-18-5946, 7558-18-4910, 7558-18-2970, and 7558-18-1836
20 to the Southwesternmost corner of Lot 23 of the Forest Hills Subdivision identified on the
21 Jackson County tax map 7558(05) as parcel 7558-18-1836.
22 -Thence turning and running southeast with the Northeast boundary of Lot 26 and 27 of
23 the Forest Hills Subdivision identified on Jackson County tax map 7558(05) as parcel
24 7558-08-9784 and with the Northeast boundary of Lot 20 and Lot 22 of the Oak Forest
25 Subdivision identified on Jackson County tax map 7558(01) as parcels 7558-18-1641 and
26 7558-18-1443 to the southeasternmost corner of Lot 22 of the Oak Forest Subdivision
27 identified on Jackson County tax map 7558(01) as parcel 7558-18-1443,
28 -Thence turning and running generally southwest with the southeast boundaries of Lot 22
29 to the Southwesternmost corner of Lot 22 of the Oak Forest Subdivision identified on
30 Jackson County tax map 7558(01) as parcel 7558-18-1443,
31 -Thence turning and running southeast with the northeast boundary of Lot 15 Oak Forest
32 Subdivision to the easternmost corner of Lot 15, Oak Forest Subdivision identified on
33 Jackson County tax map 7558(01) as parcel 7558-18-1221,
34 -Thence turning and running generally south along the eastern boundary of Lot 15, Oak
35 Forest Subdivision identified on Jackson County tax map 7558(01) as parcel 7558-18-
36 1221,
37 -Thence turning and running generally west with the south boundary of Lot 15, Oak
38 Forest Subdivision as identified on Jackson County tax map as parcel 7558-18-1221,
39 -Thence turning and running generally southwest to the southernmost corner of Lot 14,
40 Oak Forest Subdivision identified on Jackson County tax map 7558(01) as parcel 7558-
41 08-9276,

- 1 -Thence turning and running generally northwest to the northwesternmost corner of Lot
2 14, Oak Forest Subdivision identified on Jackson County tax map 7558(01) as parcel
3 7558-08-9276,
- 4 -Thence turning and running generally southwest with the southeast boundaries of Lots
5 31, and 32, Forest Hills Subdivision and Lot 20 Forest Hills Estates Subdivision as
6 identified on Jackson County tax map 7558(05) as parcels 7558-08-7222, 7558-08-5173,
7 and 7558-07-2944 to the southeasternmost corner of Lot 20, Forest Hills Estates
8 Subdivision as identified on Jackson County tax map 7558(05) as parcel 7558-07-2944,
- 9 -Thence turning and running generally west with the southern boundary of Lot 20, Forest
10 Hills Estates Subdivision identified on Jackson County tax map 7558(05) and with the
11 southern boundaries of Lots 16, 11, and 9, Forest Hills Estates Subdivision as identified
12 on Jackson County tax map 7548(02) as parcels 7548-97-4329, 7548-87-8394, and 7548-
13 87-0413 to the southwesternmost corner of Lot 9, Forest Hills Subdivision as identified
14 on Jackson County tax map 7548(02) as parcel 7548-87-0413,
- 15 -Thence turning and running generally north with the west boundaries of Lots 9, 7, 5, and
16 4 of the Forest Hills Estates Subdivision identified on Jackson County tax map 7548(02)
17 as parcels 7548-87-0413, 7548-77-9820, 7548-78-8182, and 7548-78-9470 to the
18 northwesternmost corner of Lot 4, Forest Hills Estates Subdivision identified on Jackson
19 County tax map as parcel 7548-78-9470,
- 20 -Thence turning and running generally west with the southern boundaries of the parcels
21 identified on Jackson County tax map 7548(02) as parcel numbers 7548-78-6523, 7548-
22 78-5506, 7548-78-3569 to the southeasternmost corner of parcel 7548-78-3569 on
23 Jackson County tax map 7548(02),
- 24 -Thence turning and running south and southwest with the east and southeast boundaries
25 of parcel number 7548-78-2539 and 7548-68-9458 on Jackson County tax map 7548(02)
26 to the southernmost corner of parcel 7548-68-9458 on Jackson County tax map 7548(02),
- 27 -Thence turning and running generally west with the southern boundaries of parcels
28 7548-68-9458 and 7548-68-5586 on Jackson County tax map 7548(02) to the
29 southwesternmost corner of parcel 7548-68-5586 on Jackson County tax map 7548(02),
- 30 -Thence turning and running generally south with the eastern boundary of Lot 41 Dillard
31 Subdivision identified on Jackson County tax map 7548(02) as parcel number 7548-68-
32 2313 to the southernmost corner of Lot 41 Dillard Subdivision identified on Jackson
33 County tax map 7548(02) as parcel 7548-68-2313,
- 34 -Thence turning and running generally west with the southern boundaries of Lot 44, 45,
35 46, and 48 Dillard Subdivision as identified on Jackson County tax map 7548(02) as
36 parcels 7548-58-8172, 7548-58-5171, 7548-58-3123, and 7548-58-0251 to the
37 southwesternmost corner of Lot 48 Dillard Subdivision identified on Jackson County tax
38 map as parcel 7548-58-0251,
- 39 -Thence turning and running generally north with the western boundaries of Lot 48
40 Forest Hills, and Lot 57 Dillard Subdivision identified on Jackson County tax map
41 7548(02) as parcel 7548-58-0251, 7548-58-1742, and 7548-59-1077 to the
42 northwesternmost corner of Lot 57 Dillard Subdivision identified on Jackson County tax
43 map 7548(02) as parcel 7548-59-1077,

- 1 -Thence turning and running generally northeast with the northern boundaries of Lots 57,
2 58, 60, 62, Dillard Subdivision Lot 344 and 342 Forest Hills Subdivision and Lot 64
3 Dillard Subdivision identified on Jackson County tax map as parcels 7548-59-1077,
4 7548-59-6138, 7548-69-9241, 7548-69-2219, 7548-69-6483 and 7548-69-6892 to the
5 northeasternmost corner of Lot 64, Dillard Subdivision identified on Jackson County tax
6 map 7548(02) as parcel 7548-69-6892,
- 7 -Thence turning and running north with the western boundaries of Lot 67 Dillard
8 Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-79-1217 to
9 the northwesternmost corner of Lot 67 Dillard Subdivision identified on Jackson County
10 tax map 7548(02) as parcel 7548-79-1217,
- 11 -Thence turning and running generally northeast with the northern boundary of Lot 67
12 Dillard subdivision identified on Jackson County tax map 7548(02) as parcel 7548-79-
13 1217 to the northeasternmost corner of Lot 67 Dillard identified on Jackson County tax
14 map 7548(02) as parcel 7548-79-1217,
- 15 -Thence turning and running generally southeast with the eastern boundary of Lot 67
16 Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-79-
17 1217,
- 18 -Thence turning and running generally northeast along the northern boundary of Lot 70
19 Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-79-
20 7849 to the northeasternmost corner of Lot 70 Dillard Subdivision identified on Jackson
21 County tax map 7548(02) as parcel 7548-79-7849,
- 22 -Thence turning and running generally southeast with the eastern boundary of Lot 70
23 Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-79-
24 7849,
- 25 -Thence turning and running generally northeast with the boundaries of Lots 316, 306,
26 304, and 302 Forest Hills Subdivision identified on Jackson County tax map 7548(02) as
27 parcels 7548-89-2866 and two unnumbered parcels,
- 28 -Thence turning and running generally north with the western boundary of Lot 79 Dillard
29 Subdivision identified on Jackson County tax map 7549(02) as parcel 7549-80-7281 to
30 the northeasternmost corner of Lot 79 Dillard Subdivision identified on Jackson County
31 tax map 7549(02) as parcel 7549-80-7281,
- 32 -Thence turning and running generally southeast with the eastern boundary of Lot 79
33 Dillard Subdivision identified on Jackson County tax map 7549(02) as parcel 7549-80-
34 7281 to the northeasternmost corner of Lot 79 Dillard Subdivision identified on Jackson
35 County tax map 7549(02) as parcel 7549-80-7281,
- 36 -Thence turning and running generally northeast for approximately 400 feet with the
37 northern boundary of an unidentified parcel shown on Jackson County tax map 7548(02)
38 to the northwesternmost corner of Lot 84 Dillard Subdivision identified on Jackson
39 County tax map 7548(02) as parcel 7548-99-4947,
- 40 -Thence turning and running generally southeast with the northeast boundary of Lot 84,
41 Dillard Subdivision identified on Jackson County tax map 7548(02) as parcel 7548-99-
42 4947 to the northeasternmost corner of Lot 84, Dillard Subdivision identified on Jackson
43 County tax map 7548(02) as parcel 7548-99-4947,

1 -Thence turning and running generally northeast with the northwest boundary of parcel
2 7548-99-8653 on Jackson County tax map 7548(02) to the northernmost corner of parcel
3 7548-99-8653 identified on Jackson County tax map 7548(02),
4 -Thence turning and running generally southeast with the northeast boundary of parcel
5 7548-99-8653 identified on Jackson County tax map 7548(02) to the intersection of the
6 northern edge of State Road 1330, Dillard Farm Road, as shown on Jackson County tax
7 map 7548(02),
8 -Thence turning and running generally east with the north side of State Road 1330,
9 Dillard Farm Road, for approximately 210 ft to the southwesternmost corner of parcel
10 7558-09-3995 identified on Jackson County tax map 7558(05),
11 -Thence turning and running north with the western boundary of parcel 7558-09-3995 as
12 identified on Jackson County tax map 7558(02) to the northwesternmost corner of parcel
13 7558-09-3995 as identified on Jackson County tax map 7558(02),
14 -Thence turning and running northeast with the northern boundaries of parcels 7558-09-
15 3995 and 7558-09-7459 identified on Jackson County tax map 7558(05) to the
16 northeasternmost corner of parcel 7558-09-7459 identified on Jackson County tax map
17 7558(05),
18 -Thence turning and running generally southeast with the northeast boundary of parcel
19 7558-09-7459 identified on Jackson County tax map 7558(05) to the southeasternmost
20 corner of parcel 7558-09-7459 identified on Jackson County tax map 7558(05),
21 -Thence turning and running generally north and northwest with the western boundary of
22 parcel 7559-10-1074 identified on Jackson County tax map 7559(17) to the
23 northwesternmost corner of parcel 7559-10-1074 identified on Jackson County tax map
24 7559(17),
25 -Thence turning and running generally northeast with the northwest boundary of parcel
26 7559-10-1074 identified on Jackson County tax map 7559(17) to the northeasternmost
27 corner of parcel 7559-10-1074 identified on Jackson County tax map 7559(17),
28 -Thence turning and running generally southeast with the northeast boundary of parcel
29 7559-10-1074 identified on Jackson County tax map 7559(17) to the intersection with the
30 north side of State Road 1330, Dillard Farm Road,
31 -Thence turning and running generally northeast for approximately 1050 feet with the
32 north side of State Road 1330, Dillard Farm Road, identified on Jackson County tax map
33 7559(17) to the point of BEGINNING. All references to 'tax maps' refer to Jackson
34 County Tax Maps as of March 3, 1997.

35 "CHAPTER III.

36 "GOVERNING BODY.

37 "Section 3.1. **Structure of Governing Body; Number of Members.** The governing
38 body of the Village of Forest Hills is the Village Council, which has four members and
39 the Mayor.

40 "Section 3.2. **Manner of Electing Village Council.** The qualified voters of the
41 entire Village of Forest Hills shall elect the members of the Village Council.

42 "Section 3.3. **Term of Office for Village Council Members.** Members of the
43 Village Council are elected to four-year terms, except for the initial election in 1997 or

1 1998. In 1997 or 1998, two members of the Village Council shall be elected to four-year
2 terms, and two members of the Village Council shall be elected to two-year terms.
3 Thereafter, each member of the Village Council shall be elected for four-year terms.

4 "Section 3.4. **Selection of Mayor; Term of Office.** The Mayor is elected to a two-
5 year term. The qualified voters of the entire Village of Forest Hills shall elect a Mayor.
6 A Mayor shall be elected in 1997 or 1998 and biennially thereafter for a two-year term.

7 **"CHAPTER IV.**

8 **"ELECTIONS.**

9 "Section 4.1. **Conduct of Village Elections.** Village officers shall be elected on a
10 nonpartisan basis, and the results determined by the plurality method.

11 **"CHAPTER V.**

12 **"ADMINISTRATION.**

13 "Section 5.1. **Mayor-Council Plan.** The Village of Forest Hills operates under the
14 Mayor-Council Plan as provided by Part 3 of Article 7 of Chapter 160B of the General
15 Statutes. The Mayor shall vote only in those cases necessary to break a tie.

16 "Section 5.2. **Interim Mayor and Village Council.** Until members of the Village
17 Council are elected in 1997 in accordance with the Village Charter and the law of North
18 Carolina, Irene M. Hooper shall serve as interim Mayor; and Jean Adams, Lawrence G.
19 Kolenbrander, James W. Pearce, and Harold J. Williford shall serve as interim members
20 of the Village Council, with all powers and authority as if they had been duly elected."

21 Section 2. On or before November 4, 1997, the Jackson County Board of
22 Elections shall conduct a special election for the purpose of submission to the qualified
23 voters of the area described in Section 2.1 of the Charter of the Village of Forest Hills,
24 the question of whether or not such area shall be incorporated as the Village of Forest
25 Hills.

26 Section 3. In the election, the question on the ballot shall be:

27 **"[]FOR []AGAINST**

28 **INCORPORATION OF THE VILLAGE OF FOREST HILLS".**

29 Section 4. In the election, if a majority of the votes are cast "For the
30 incorporation of the Village of Forest Hills", this Charter becomes effective on the date
31 that the Jackson County Board of Elections certifies the results of the election.
32 Otherwise, Sections 1 through 3 of this act shall have no force and effect.

33 Section 5. If a majority of the voters approve an incorporation of the Village
34 of Forest Hills, the election of the Village Council and Mayor shall take place at an
35 election held on a date set by the Jackson County Board of Elections, but no later than
36 July 1, 1998. Initial terms shall expire at the time provided by general law as if the
37 election had taken place at the general election on the Tuesday after the first Monday in
38 November 1997.

39 Section 6. This act is effective when it becomes law.