

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 624

Rules and Operations of the Senate Committee Substitute Adopted 8/13/97
Third Edition Engrossed 8/18/97

Short Title: Sedalia Incorporated/Chadbourn Annexation.

(Local)

Sponsors:

Referred to: Finance.

April 1, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO INCORPORATE THE TOWN OF SEDALIA AND TO ANNEX A
3 DESCRIBED AREA TO THE TOWN OF CHADBOURN.

4 The General Assembly of North Carolina enacts:

5 Section 1. A Charter for the Town of Sedalia is enacted to read:

6 "CHARTER OF THE TOWN OF SEDALIA.

7 "CHAPTER I.

8 "INCORPORATION AND CORPORATE POWERS.

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

13 "CHAPTER II.

14 "CORPORATE BOUNDARIES.

15 "Sec. 2.1. **Town Boundaries.** Until modified in accordance with law, the boundaries
16 of the Town of Sedalia are as follows:

17 BEGINNING at a point, said point being in the south right-of-way line of Bethel Church
18 Road, said point being the northwest corner of Guilford County Tax Map ACL 18-1173,

1 Block 242, Lot 24; thence running along said right-of-way line in an easterly direction a
2 distance of approximately 1,500 feet to the northeast corner of Lot 7 on Guilford County
3 Tax Map ACL 18-1173, Block 242; thence along the eastern line of said Lot 7 a distance
4 of approximately 290 feet to a point, said point being in the northern line of Sedalia
5 Country Park Subdivision; thence in an easterly direction along the northern line of
6 Sedalia Country Park Subdivision and the southern property lines of Guilford County Tax
7 Map ACL 18-1173, Block 242, Lots 4, 15, and 52 and Block 207, Lot 8 a distance of
8 approximately 3340 feet to a point, said point being the northeast corner of Guilford
9 County Tax Map ACL 18-1173, Block 207, Lot 19; thence along the eastern lines of Lots
10 19 and 11 of said Block in a southerly direction a distance of approximately 1660 feet to
11 a point, said point being the northwest corner of College Heights Subdivision, said point
12 also being the southwest corner of said Block 207, Lot 12; thence in an easterly direction
13 along the northern line of College Heights Subdivision, as recorded in P.B. 34, Page 54 in
14 the Office of Guilford County Register of Deeds, a distance of approximately 1850 feet
15 to a point in the west right-of-way line of Sedalia Road; thence in an easterly direction a
16 distance of approximately 60 feet to a point in the east right-of-way line of Sedalia Road
17 at the southwest corner of Guilford County Tax Map ACL 18-1173, Block 207, Lot 17;
18 thence in an easterly direction along the southern lines of lots 17 and 2 of said block a
19 distance of approximately 970 feet to a point, said point being the southeast corner of said
20 Lot 2; thence South 84°41' East a distance of 839 feet to a point; thence South 65°46'
21 West a distance of 229 feet to a point; thence South 57°03' West a distance of 298 feet to
22 a point; thence South 38°22' West a distance of 248 feet to a point; thence South 13°19'
23 West a distance of 136 feet to a point; thence South 63°02' West a distance of 585 feet to
24 a point; thence South 28°14' East a distance of 443 feet to a point; thence South 04°47'
25 West a distance of 1,151 feet to a point, said point being a common corner with Stoney
26 Creek Golf Course; thence South 88°16' East along the western golf course line a
27 distance of 154 feet to a point; thence South 03°06' East a distance of 620 feet to a point;
28 thence South 70°34' West a distance of 234 feet to a point; thence South 30°53' East a
29 distance of 544 feet to a point; thence South 06°26' West a distance of 341 feet to a point;
30 thence South 49°11' West a distance of 630 feet to a point; thence South 36°48' East a
31 distance of 207 feet to a point; thence South 23°01' West a distance of 1705 feet to a
32 point, a common corner with Totten Subdivision; thence South 60°01' East with the
33 Totten Subdivision a distance of 339 feet to a point; thence North 32°12' East a distance
34 of 37 feet to a point; thence South 58°21' East a distance of 387 feet to a point; thence
35 South 36°44' West a distance of 382 feet to a point; thence South 50°12' East a distance
36 of 81 feet to a point; thence South 23°28' West a distance of approximately 170 feet to a
37 point on the north right-of-way line of Burlington Road; thence along said right-of-way
38 line in a westerly direction a distance of 124 feet to a point; thence in a southwesterly
39 direction, crossing Burlington Road, a distance of approximately 100 feet to the northeast
40 corner of Guilford County Tax Map ACL 18-1175, Block 209, Lot 42; thence in a
41 southwesterly direction along the eastern lines of Guilford County Tax Map ACL 18-
42 1175, Block 209, Lots 42, 41, and 40 a distance of approximately 580 feet to a point, said
43 point being the southeast corner of said Lot 40; thence in a northwesterly direction along

1 the southern lines of Guilford County Tax Map ACL 18-1175, Block 209, Lots 40, 10,
2 39, 35, 36, 37, 21 and 56 a distance of approximately 1860 feet to the western line of Lot
3 15 on said Block 209; thence in a southerly direction of distance of approximately 120
4 feet along the eastern line of said Lot 15 to the southeast corner of Lot 15; thence in a
5 westerly direction along the southern lines of Lots 15 and 32 of said Block 209 a distance
6 of approximately 690 feet to a point, said point being a common corner of Lots 32 and 63
7 of said Block 209, thence in a southerly direction along the western lines of Lots 63 and 4
8 of said Block 209 a distance of approximately 1100 feet to a point; thence in a westerly
9 direction along a portion of the western line of said Lot 4 a distance of approximately 190
10 feet to a point, said point being the northeast corner of Guilford County Tax Map ACL
11 18-1175, Block 209, Lot 64; thence in a southerly direction along the eastern line of Lot
12 64, and a projection of that line crossing Lot 4 of said block, a distance of approximately
13 460 feet to a point, said point being in the northern line of Guilford County Tax Map
14 ACL 18-1175, Block 209, Lot 51; thence in an easterly direction a distance of
15 approximately 480 feet along the northern line of said Lot 51 to a point, said point being
16 the northeast corner of said Lot 51; thence in a southerly direction along the eastern lines
17 of Lots 51, 48, and 61 of said Block 209 a distance of approximately 330 feet to a point,
18 said point being the southeast corner of said Lot 61; thence in a westerly direction a
19 distance of approximately 260 feet to a point, said point being the northeast corner of Lot
20 55 of said Block 209; thence in a southwesterly direction a distance of approximately 260
21 feet along the eastern line of said Lot 55 to a point; thence in a westerly direction along
22 the southern line of said Lot 55 and crossing Palmer Road, a distance of approximately
23 240 feet to a point in the west right-of-way line of Palmer Road; thence in a northerly
24 direction along said right-of-way line a distance of approximately 1900 feet to a point,
25 said point being the southeast corner of Guilford County Tax Map ACL 18-1175, Block
26 240, Lot 24; thence in a westerly direction along the southern line of said Lot 24 a
27 distance of approximately 1100 feet to a point in the eastern line of Lot 8 of said Block
28 240, thence along the common line of said Lots 8 and 24 in a northerly direction a
29 distance of approximately 460 feet to the northeast corner of said Lot 8; thence in a
30 westerly direction along the northern line of said Lot 8 a distance of approximately 1200
31 feet to a point, said point being the southwest corner of Lot 22 of said Block 240; thence
32 in a northerly direction along the common line of Lots 22 and 8 of said block a distance
33 of approximately 1060 feet to a point, said point being in the south right-of-way line of
34 Burlington Road; thence along said right-of-way line in a northwesterly direction a
35 distance of approximately 560 feet to a point in the west right-of-way line of Bloomfield
36 Road; thence in a southerly direction along said west right-of-way line a distance of
37 approximately 220 feet to a point; said point being the northeast corner of Guilford
38 County Tax Map ACL 18-1175, Block 240, Lot 21; thence in a westerly direction along
39 the northern line of said Lot 21 a distance of approximately 580 feet to the northwest
40 corner of said Lot 21; thence in a northerly direction along the western line of Block 241,
41 Lot 41 a distance of approximately 430 feet to the northwest corner of said Lot 41; thence
42 in an easterly direction along the northern line of said Lot 41 a distance of approximately
43 300 feet to a point in the south right-of-way line of Burlington Road; thence along said

1 right-of-way line in a northwesterly direction a distance of approximately 420 feet to a
2 point on the southern line of Guilford County Tax Map ACL 18-1175, Block 241, Lot 28;
3 thence in a westerly direction along the southern lines of Lots 28 and 10 of said Block
4 241 a distance of approximately 970 feet to the southwest corner of said Lot 10; thence in
5 a northerly direction along the western lines of Lots 10 and 25 of said Block 241 a
6 distance of approximately 450 feet to a point; thence in a northwesterly direction along
7 the southwestern line of Lot 24 of said Block 241 a distance of approximately 90 feet to a
8 point; thence in a northeasterly direction along the northwestern line of said Lot 24 a
9 distance of approximately 380 feet to a point, said point being in the south right-of-way
10 line of Burlington Road; thence in a southeasterly direction along said right-of-way line a
11 distance of approximately 230 feet to a point, said point being on a common property line
12 of Lots 25 and 24 of said block; thence in a northeasterly direction, crossing Burlington
13 Road, a distance of approximately 60 feet to the westernmost corner of Lot 26 of said
14 Block 241; thence following the northern line of said Lot 26 a distance of approximately
15 680 feet in a northeasterly direction to a point, said point being the southwest corner of
16 Imperial Estates Subdivision; thence in a northerly direction along the western line of
17 Imperial Estates Subdivision a distance of approximately 990 feet to a point; thence along
18 the northwestern line of said subdivision a distance of approximately 1,040 feet in a
19 northeasterly direction to the northwest corner of said subdivision; thence in a westerly
20 direction along the southern line of Guilford County Tax Map ACL 18-1173, Block 242,
21 Lot 46 a distance of approximately 50 feet to a point; thence along the southwestern lines
22 of Lots 46, 14 and 13 of said Block 242 in a northwesterly direction a distance of
23 approximately 600 feet to a point; thence along the southern line of said Lot 13 in a
24 westerly direction a distance of approximately 390 feet to a point, said point being the
25 southwest corner of Lot 13; thence in a northerly direction along the western lines of
26 Guilford County Tax Map ACL Map 18-1173, Block 242, Lots 13, 12, 11, 10, 35 and 30
27 a distance of approximately 1700 feet to a point, said point being the southeast corner of
28 Lot 23 of said Block 242; thence in a southwesterly direction along the south line of said
29 Lot 23 a distance of approximately 430 feet to the southwest corner of said Lot 23; thence
30 in a northerly direction along the western lines of Lots 23, 28 and 24 of said Block 242 a
31 distance of approximately 1140 to a point; thence in a westerly direction a distance of
32 approximately 100 feet along said Lot 24 to a point; thence in a northerly direction a
33 distance of approximately 140 feet along the western line of said Lot 24 to a point in the
34 south right-of-way line of Bethel Church Road, said point being the POINT OF
35 BEGINNING.

36 "Sec. 2.2. **Annexations.** (a) Article 4A of Chapter 160A of the General Statutes
37 does not apply to the Town of Sedalia until July 1, 2017.

38 (b) G.S. 160A-58.1(b)(2) shall not apply to the City of Greensboro as it relates to
39 the Town of Sedalia.

40 "CHAPTER III.
41 "GOVERNING BODY.

42 "Sec. 3.1. **Structure of Governing Body; Number of Members.** The governing
43 body of the Town of Sedalia is the Town Council, which has five members.

1 "Sec. 3.2. **Manner of Electing Council.** The qualified voters of the entire Town
2 elect the members of the Council.

3 "Sec. 3.3. **Term of Office of Council Members.** Members of the Council are
4 elected to four-year terms. In 1997 and quadrennially thereafter, three members of the
5 Council shall be elected for four-year terms. In 1999 and quadrennially thereafter, two
6 members of the Council shall be elected for four-year terms.

7 "Sec. 3.4. **Election of Mayor; Term of Office.** At the organizational meeting of the
8 Council following each election, the Council shall elect one of its members to serve as
9 Mayor. The Mayor serves as such at the pleasure of the Council.

10 **"CHAPTER IV.**

11 **"ELECTIONS.**

12 "Sec. 4.1. **Conduct of Town Elections.** Town officers shall be elected on a
13 nonpartisan basis. Elections shall be conducted in accordance with Chapter 163 of the
14 General Statutes.

15 "Sec. 4.2. **Determination of Election Results.** The results of election of officers
16 shall be determined by a plurality as provided in G.S. 163-292.

17 **"CHAPTER V.**

18 **"ADMINISTRATION.**

19 "Sec. 5.1. **Town to Operate Under Mayor-Council Plan.** The Town of Sedalia
20 operates under the Mayor-Council plan as provided in Part 3 of Article 7 of Chapter
21 160A of the General Statutes."

22 Section 2. (a) Until the organizational meeting of the Town Council of Sedalia
23 following the 1997 municipal election, Ruth Smith, Skip Corley, Myra Lynn, Henry
24 Blackmon, and Duane Bryant shall serve as members of the Town Council. Ruth Smith,
25 Henry Blackmon, and Duane Bryant serve until the organizational meeting after the 1997
26 election. Skip Corley and Myra Lynn serve until the organizational meeting after the
27 1999 election.

28 (b) Ruth Smith shall serve as Mayor until the organizational meeting of the
29 Town Council after the 1997 election, except that she shall serve at the pleasure of the
30 Town Council as if she had been chosen by them under Section 3.4 of the Charter.

31 (c) The initial meeting of the Town Council shall be called by the clerk to the
32 Guilford County Board of Commissioners.

33 Section 3. From and after the effective date of this act, the citizens and
34 property in the Town of Sedalia shall be subject to municipal taxes levied for the year
35 beginning July 1, 1997, and for that purpose the Village shall obtain from Guilford
36 County a record of property in the area herein incorporated which was listed for taxes as
37 of January 1, 1997; and the businesses in the town shall be liable for privilege license tax
38 from the effective date of the privilege license tax ordinance. The Town may adopt a
39 budget ordinance for fiscal year 1997-98 without following the timetable in the Local
40 Government Budget and Fiscal Control Act, but shall follow the sequence of actions in
41 the spirit of the act insofar as is practical. For fiscal year 1997-98, ad valorem taxes may
42 be paid at par or face amount within 90 days of adoption of the budget ordinance, and
43 thereafter in accordance with the schedule in G.S. 105-360 as if the taxes had been due

1 and payable on September 1, 1997. The Town of Sedalia is eligible to receive
2 distributions of State funds during fiscal year 1997-98.

3 Section 4. (a) The Guilford County Board of Elections shall establish a special
4 candidate filing period for the Town of Sedalia for the 1997 municipal election.

5 (b) The Guilford County Board of Elections may establish a special election date
6 for the 1997 municipal election for the Town of Sedalia.

7 Section 5. (a) The corporate limits of the Town of Chadbourn are extended to
8 include the following described area:

9 All that certain tract or parcel of land in Columbus County containing 2.08
10 acres, more or less, and being a portion carved out of the northwest corner of that larger
11 tract of land as more fully set forth in Deed Book 370, page 282, Tract #1, said tract of
12 land being 165 feet along NC Hwy. #410 and 550 feet in depth and being more particular
13 described as follows:

14 Beginning at a stake in the eastern edge of NC Hwy. #410, said beginning
15 point being the northwest corner of Lot #1 as more fully set forth on that plat entitled
16 "Property of Sanford Barnes", said map being dated September 22, 1948, and being
17 recorded in Plat Book 3, Page 164, Office of Register of Deeds of Columbus County,
18 reference to which is hereby made for a more particular description; thence from said
19 beginning point, south 165 feet along the eastern edge of NC Hwy. #410 to a stake, said
20 stake being the northwest corner of Lot #7 and also the southern edge of a twenty-foot
21 street located between Lot #6 and Lot #7 as set forth on a plat referred to above; thence
22 cast along the southern edge of said street and the northern boundary line of Lot #7 and
23 Lot #86 to a point located in the northern boundary line of Lot #86 to a stake, the
24 northeastern corner of those lands conveyed to James C. Greene by deed recorded in
25 Book 207, Page 484, Columbus County Registry; thence north 2° 00' east 165 feet to a
26 point located in the northern boundary line of Lot #87; thence north 89° 15' west 550 feet
27 along the northern boundary line of Lot #87 and Lot #1 to the point and place of
28 beginning.

29 (b) The corporate limits of the area annexed by subsection (a) of this section shall
30 be considered satellite corporate limits within the meaning of Part 4 of Article 4A of
31 Chapter 160A of the General Statutes. The corporate limits of the area annexed by
32 subsection (a) of this section are not external boundaries for the purposes of Part 2 or 3 of
33 Article 4A of Chapter 160A of the General Statutes until they are contiguous to the
34 primary corporate limits of the municipality.

35 (c) Real and personal property in the territory annexed pursuant to this section
36 is subject to municipal taxes as provided in G.S. 160A-58.10.

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