

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 1313\*  
Second Edition Engrossed 6/6/96  
Finance Committee Substitute Adopted 6/12/96

Short Title: Castle Hayne Incorporation.

(Local)

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Sponsors:

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Referred to:

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May 27, 1996

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCORPORATE THE TOWN OF CASTLE HAYNE, SUBJECT TO A  
3 REFERENDUM.

4 The General Assembly of North Carolina enacts:

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

6 "CHARTER OF THE TOWN OF CASTLE HAYNE.

7 "CHAPTER I.

8 "INCORPORATION AND CORPORATE POWERS.

9 "Sec. 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town of  
10 Castle Hayne are a body corporate and politic under the name 'Town of Castle Hayne'.  
11 Under that name they have all the powers, duties, rights, privileges, and immunities  
12 conferred and imposed upon 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 Castle Hayne are as follows:

17 Lying and being in New Hanover County and beginning at the center of the Northeast  
18 Cape Fear River in the northeasternmost point where Island Creek intersects the river and

1 is the boundary of Pender County to the East, following said Island Creek southward  
2 under Holly Shelter Road, continuing South approximately 1 mile where Island Creek  
3 departs from the New Hanover/Pender line running West and South to where Island  
4 Creek meets Sidbury Road. From the South right-of-way boundary of Sidbury Road and  
5 running at a West by West-South Westward direction along said Sidbury Road to where  
6 it intersects with Blue Clay Road, thence South by Southwest on Blue Clay Road South  
7 right-of-way to where Blue Clay Road intersects with Seaboard Railroad Track, from that  
8 point an abrupt change to a Northern direction along the East boundary of said Seaboard  
9 Coastline Railroad right-of-way to where it meets Hermitage Road, turning West along  
10 the South side of Hermitage Road to US 117 and State Road 133 crossing said US 117  
11 and State 133 to the Northern boundary of General Electric Company property, running  
12 Westward along the Northern boundary of General Electric Company property to the  
13 N.E. Cape Fear River continuing North by Northwest to the Northwest point of New  
14 Hanover County and Brunswick County where they meet at center of N.E. Cape Fear  
15 Channel. All of said boundaries are those relating to the Cape Fear 2 voting district and  
16 stated as such on the maps of New Hanover County.

17 Save and except from the above description the following described property:

18 All that certain lot of land lying and being in Cape Fear Township, New Hanover  
19 County, State of North Carolina, bounded and described as follows:

20 BEGINNING at the intersection of the properties of Ideal Basic Industries., Inc, and  
21 Superior Stone Company with the north right-of-way line of Ideal Basic Industries, Inc.'s  
22 125 foot wide railroad access. Said point of beginning being located North 07°16'05"  
23 West, 145.07 feet from a concrete monument marked "Ideal Cement Company No. 29";  
24 thence northerly, from the Point of Beginning, along the western line of the property  
25 conveyed to Ideal Cement Company by P. R. Smith, said deed dated and recorded May  
26 17, 1961, in Book 688, Page 19, Register of Deeds, New Hanover County, North  
27 Carolina, North 07° 10' 05" West, 1446.30 feet to an old pipe; thence North 07° 14' 05"  
28 West 559.5 feet to an old monument; thence North 07°15'40" West, 993.85 feet, crossing  
29 an old monument at 782.70 feet to a point, said point being in a meander line running  
30 along the south bank of the Northeast Cape Fear River and offset 25 feet, more or less,  
31 southerly from the south bank of said river; thence continuing northeasterly 25 feet, more  
32 or less, to the said south bank; thence northeasterly along the south bank of the river 2750  
33 feet, more or less to a point, said point lying north of a monument which is offset 33 feet,  
34 more or less, from said south bank; the courses and distances of the offset meander line  
35 of the south bank of said Northeast Cape Fear River being as follows: North 60° 45' 50"  
36 East, 577.62 feet; North 55° 38' 50" East, 512.90 feet; North 52° 14' 50" East, 319.88  
37 feet; North 65° 20' 50" East, 402.95 feet; North 54° 22' 20" East, 244.10 feet; North 72°  
38 27' 20" East, 312.30 feet; North 82° 41' 50" East, 377.43 feet to said monument which is  
39 offset 33 feet, more or less from the South bank of the Northeast Cape Fear River; thence  
40 from said monument South, 2256.55 feet to a monument on the north right-of-way line of  
41 Ideal Basic Industries, Inc.'s 125 feet wide railroad access; thence Southerly along said  
42 north right-of-way line, South 46° 04' 05" West, 2479.06 feet to a monument marking the  
43 point of curvature of a 01° 45' 15" curve to the right; thence on said 01° 45' 15" curve to

1 the right an arc distance of 334.50 feet (chord bearing South 49° 00' 05" West 334.33  
2 feet) to the Point of Beginning, containing 150 acres, more or less.

3 All that certain tract, parcel, or lot of land in New Hanover County, North Carolina,  
4 bounded and described as follows, to-wit:

5 Beginning at an old concrete monument marked "Ideal Cement #40" in the southern  
6 right of way line of the New Holly Shelter Road (S.R. #1002) (100.0 feet right of way),  
7 said point being North 72 deg. 10 min. East 1739.0 feet from the center of twin culverts  
8 under said New Holly Shelter Road through which flow the waters of Sturgeon Creek,  
9 said culverts being 976.8 feet from the centerline of Blue Clay Road (S.R. #1318) (60.0  
10 feet right of way) at its intersection with said New Holly Shelter Road, said beginning  
11 point being almost directly opposite the centerline of the paved road to Martin Marietta  
12 and Diamond Shamrock; running thence from said beginning point South 7 deg. 08 min.  
13 East, passing over an old concrete monument marked "Ideal Cement #51", 973.7 feet to  
14 an old stone, marked "FGH"; running thence South 70 deg. 48 min. East, passing over an  
15 old concrete monument marked "Ideal Cement #50", 3192.38 feet to an old stone marked  
16 "FGH and MAC"; running thence South 26 deg. 27 min. West 1099.54 feet to an old  
17 concrete monument marked "Ideal Cement #49"; running thence South 58 deg. 57 min.  
18 West, passing over an old concrete monument marked "Ideal Cement #48", 1188.6 feet to  
19 an old iron pipe; running thence South 40 deg. 56 min. West 362.8 feet to an old stone  
20 marked "MAC"; running thence South 5 deg. 44 min. East 926.0 feet to an old stone  
21 marked "MAC"; running thence South 26 deg. 41 min. West 560.4 feet to an old stone  
22 marked "MAC"; running thence North 48 deg. 58 min. West 791.6 feet to an old stone  
23 marked "MAC"; running thence North 86 deg. 45 min. West 198.82 feet to an old stone  
24 marked "MAC"; running thence North 53 deg. 18 min. West 148.3 feet to an old stone  
25 marked "FGH and MAC"; running thence, the same course continued, North 53 deg. 18  
26 min. West 1751.8 feet to an old stone marked "FGH"; running thence North 75 deg. 24  
27 min. West 690.05 feet to an old stone marked "FGH" on the eastern side of Eason  
28 Branch; running thence South 89 deg. 35 min. West 307.9 feet to an iron pipe; running  
29 thence North 89 deg. 38 min. West 279.9 feet to an old iron pipe at the southeastern  
30 corner of Lot 18, Section 1, Highland Dunes as recorded in Map Book 12 at Page 26 of  
31 the New Hanover County Registry; running thence, along the southeastern line of said  
32 Section 1, Highland Dunes, North 0 deg. 26 min. East 72.4 feet, North 30 deg. 25 min.  
33 East 370.65 feet and North 75 deg. 30 min. East 64.9 feet to an old pipe at the  
34 southwestern corner of Lot 19, Section 2, Highland Dunes as recorded in Map Book 13 at  
35 Page 13 of the New Hanover County Registry; running thence, along the southern line of  
36 said Section 2, Highland Dunes, North 82 deg. 28 min. East 175.22 feet, North 79 deg. 38  
37 min. East 60.79 feet and North 74 deg. 42 min. East 158.16 feet to an old pipe at the  
38 southeastern corner of Lot 42, Section 2, Highland Dunes; running thence, along the  
39 eastern line of Section 2 and Section 3, Highland Dunes, North 24 deg. 25 min. West  
40 50.05 feet and North 8 deg. 33 min. West 1862.29 feet to an old pipe at the northeastern  
41 corner of Lot 47, Section 3, Highland Dunes as recorded in Map Book 15 at Page 9 of the  
42 New Hanover County Registry; running thence, parallel with aforementioned New Holly  
43 Shelter Road, North 72 deg. 10 min. East 542.32 feet to a point in a pond; running thence

1 North 17 deg. 50 min. West 432.22 feet to an iron pipe in the southern right of way line  
2 of said New Holly Shelter Road (50.0 feet from the centerline thereof); running thence,  
3 along the southern right of way line of said New Holly Shelter Road, North 72 deg. 10  
4 min. East 1701.92 feet to the point of beginning, containing 330.4 acres of land, more or  
5 less, the same being a portion of the formerly Frank G. Harris tract of land, the same also  
6 being a portion of that certain tract of land conveyed by S & G Prestress Company to  
7 Wilmington Prestress, Inc. by deed dated August 17, 1979, recorded in Book 1155 at  
8 Page 1165 of the New Hanover County Registry.

9  
10 Beginning at an iron pipe on or near the high-water mark on the south side of Northeast  
11 Cape Fear River; said iron pipe is located south 69 degrees 40 minutes west 950 feet,  
12 more or less, along edge of said river from the northeast corner of property owned by  
13 Martin Marietta Corporation and the northwest corner of property owned by Diamond  
14 Shamrock Corporation.

15  
16 Thence from said iron pipe, the beginning point, south 32 degrees 15 minutes 17 seconds  
17 east 382.25 feet to an iron rod set near edge of flooded quarry pit; thence the following  
18 bearings and distances along or near the edge of said flooded quarry pit:

19  
20 North 61 degrees 59 minutes 31 seconds East 413.58 feet to an iron rod North 65 degrees  
21 24 minutes 53 seconds East 262.35 feet to an iron rod South 50 degrees 50 minutes 03  
22 seconds East 132.28 feet to an iron rod South 07 degrees 39 minutes 39 seconds East  
23 371.21 feet to an iron rod South 03 degrees 56 minutes 24 seconds West 106.53 feet to an  
24 iron rod South 12 degrees 02 minutes 30 seconds East 481.27 feet to an iron rod South 07  
25 degrees 12 minutes 23 seconds East 476.18 feet to an iron rod South 75 degrees 10  
26 minutes 11 seconds West 985.75 feet to an iron rod South 12 degrees 02 minutes 13  
27 seconds East 826.84 feet to an iron rod South 18 degrees 47 minutes 29 seconds West  
28 228.64 feet to an iron rod South 65 degrees 34 minutes 25 seconds West 210.95 feet to  
29 an iron rod South 32 degrees 36 minutes 32 seconds West 169.30 feet to an iron rod  
30 South 41 degrees 01 minutes 24 seconds West 171.84 feet to an iron rod South 12  
31 degrees 27 minutes 21 seconds West 150.67 feet to an iron rod South 51 degrees 46  
32 minutes 55 seconds West 288.78 feet to an iron rod South 72 degrees 08 minutes 27  
33 seconds West 238.32 feet to an iron rod North 18 degrees 36 minutes 59 seconds West  
34 288.32 feet to an iron rod North 12 degrees 51 minutes 20 seconds West 321.19 feet to an  
35 iron rod North 08 degrees 08 minutes 26 seconds West 445.55 feet to an iron rod North  
36 10 degrees 53 minutes 57 seconds West 184.94 feet to an iron rod North 00 degrees 54  
37 minutes 30 seconds West 233.49 feet to an iron rod North 23 degrees 48 minutes 38  
38 seconds West 244.00 feet to an iron rod North 62 degrees 38 minutes 09 seconds West  
39 269.78 feet to an iron rod North 58 degrees 19 minutes 49 seconds West 346.61 feet to an  
40 iron rod

41  
42 Thence leaving the edge of flooded quarry pit, north 60 degrees 00 minutes 00 seconds  
43 West 685 feet, more or less, to a point on edge of the south side of said Northeast Cape

1 Fear River; thence along edge of said river in a northeasterly direction 2,480 feet, more or  
2 less, to the point of beginning; containing 126.9 acres more or less.

3 BEGINNING at a point in the common eastern line of Martin-Marietta and the  
4 western line of Occidental Chemical Corporation, said point located north 07 degrees 16  
5 minutes 05 seconds west 1139.30 feet as measured with said common line from the  
6 southeastern corner of Occidental Chemical Corporation in the northern line of the Ideal  
7 Cement 135-foot railroad right of way; running thence from said Beginning with said  
8 common line north 7 degrees 16 minutes 05 seconds west 307.06 feet to a point; thence  
9 north 7 degrees 14 minutes 05 seconds west 559.15 feet to a point; thence north 7 degrees  
10 15 minutes 40 seconds west 782.70 feet to a point; thence north 7 degrees 15 minutes 40  
11 seconds west 211.15 feet to a point designated Point "A" for reference hereinafter; thence  
12 continuing north 7 degrees 15 minutes 40 seconds west 25 feet to a point at the southern  
13 edge of the Northeast Cape Fear River; thence with said edge of river westward 990 feet  
14 more or less to the northernmost corner of the tract conveyed to Diamond Shamrock  
15 (now Occidental Chemical Corporation) by Martin-Marietta by deed recorded in Book  
16 1213, Page 929, New Hanover County Registry (said corner located south 71 degrees 10  
17 minutes 56 seconds west 981.02 feet from the point designated Point "A" hereinabove);  
18 thence with the boundary line of said Tract (Deed Book 1213, Page 929) the following  
19 courses: South 30 degrees 40 minutes 56 seconds east 382.25 feet to a point; thence  
20 north 63 degrees 33 minutes 52 seconds east 413.58 feet to a point; thence north 66  
21 degrees 59 minutes 14 seconds east 262.35 feet to a point; thence south 49 degrees 15  
22 minutes 12 seconds east 132.28 feet to a point; thence south 6 degrees 05 minutes 18  
23 seconds east 371.21 feet to a point; thence south 5 degrees 30 minutes 45 seconds west  
24 106.53 feet to a point; thence south 10 degrees 28 minutes 09 seconds east 481.27 feet to  
25 a point; and south 5 degrees 38 minutes 02 seconds east 476.18 feet to a point, said point  
26 being the easternmost corner of said tract (Deed Book 1213, Page 929); thence with a  
27 new line north 76 degrees 44 minutes 32 seconds east 95.59 feet to the Point of  
28 BEGINNING, containing 10.39 acres.

29 BEGINNING at a point in the southeastern line of the tract conveyed to Diamond  
30 Shamrock (now Occidental Chemical Corporation) by Martin-Marietta by deed recorded  
31 in Deed Book 1213, Page 929, New Hanover County Registry, said point located from  
32 the easternmost corner of said tract by courses of \*south 76 degrees 44 minutes 32  
33 seconds west 985.75 feet and \*south 10 degrees 27 minutes 52 seconds east 826.84 feet  
34 as measured with the boundary line of said tract; running thence from said Beginning  
35 with the boundary line of said tract (Deed Book 1213, Page 929) the following courses:  
36 South 20 degrees 21 minutes 50 seconds west 228.64 feet to a point; thence south 67  
37 degrees 08 minutes 46 seconds west 210.95 feet to a point; thence south 34 degrees 10  
38 minutes 53 seconds west 169.30 feet to a point; thence south 42 degrees 35 minutes 42  
39 seconds west 171.84 feet to a point; thence south 14 degrees 01 minute 42 seconds west  
40 150.67 feet to a point; thence south 53 degrees 21 minutes 16 seconds west 288.78 feet to  
41 a point; thence south 73 degrees 42 minutes 48 seconds west 238.32 feet to the  
42 southwesternmost corner of above said tract (Deed Book 1213, Page 929); thence south  
43 26 degrees 54 minutes 27 seconds east 236.33 feet to a point; thence north 48 degrees 50

1 minutes 05 seconds east 997.22 feet to a point; thence north 22 degrees 12 minutes 18  
2 seconds east 396.23 feet to a point; thence north 10 degrees 27 minutes 52 seconds west  
3 138.00 feet to the Point of BEGINNING, containing 4.93 acres.

4 BEGINNING at the southwesternmost corner of the tract conveyed to Diamond  
5 Shamrock (now Occidental Chemical Corporation), by Martin-Marietta by deed recorded  
6 in Deed Book 1213, Page 929, New Hanover County Registry; running thence from said  
7 Beginning with the boundary line of said tract (Deed Book 1213, Page 929) the following  
8 courses: North 17 degrees 02 minutes 38 seconds west 288.32 feet to a point; thence  
9 north 11 degrees 16 minutes 59 seconds west 321.19 feet to a point; thence north 6  
10 degrees 34 minutes 05 seconds west 445.55 feet to a point; thence north 9 degrees 19  
11 minutes 36 seconds west 184.94 feet to a point; thence north 0 degrees 39 minutes 51  
12 seconds east 233.49 feet to a point; thence north 22 degrees 14 minutes 17 seconds west  
13 244.00 feet to a point; thence north 61 degrees 03 minutes 48 seconds west 269.78 feet to  
14 a point; thence north 56 degrees 45 minutes 28 seconds west 346.61 feet to a point;  
15 thence north 58 degrees 15 minutes 49 seconds west 70.72 feet to a point; thence north 58  
16 degrees 25 minutes 39 seconds west 600.00 feet to a point designated as Point "B" for  
17 reference hereinafter; thence continuing \*north 58 degrees 25 minutes 39 seconds west  
18 15.0 feet to a point in the southern edge of the Northeast Cape Fear River, said point  
19 being the westernmost corner of said tract conveyed to Diamond Shamrock (now  
20 Occidental Chemical Corporation) by Martin-Marietta by deed recorded in Book 1213,  
21 Page 929, New Hanover County Registry; thence with said edge of the Northeast Cape  
22 Fear River southwestward 1,965 feet more or less to a point, said point being located  
23 north 21 degrees 59 minutes 16 seconds west 15.0 feet from a point designated "C" that is  
24 located south 43 degrees 47 minutes 06 seconds west 1964.21 feet from the point  
25 designated "B" hereinabove; \*thence south 21 degrees 59 minutes 16 seconds east 15.0  
26 feet to the point designated "C"; thence continuing south 21 degrees 59 minutes 16  
27 seconds east 497.53 feet to a point; thence south 24 degrees 56 minutes 20 seconds east  
28 1396.90 feet to a point; thence south 11 degrees 32 minutes 49 seconds east 382.24 feet  
29 to a point; thence north 78 degrees 27 minutes 11 seconds east 401.27 feet to a point;  
30 thence north 80 degrees 54 minutes 16 seconds east 1240.21 feet to a point in the  
31 northern line of the Ideal Cement 135-foot railroad right of way; thence with said  
32 northern line north 52 degrees 44 minutes 20 seconds east 300.00 feet; thence leaving  
33 said railroad north 25 degrees 08 minutes 13 seconds east 430.98 feet; thence north 05  
34 degrees 00 minutes 37 seconds west 115.09 feet; thence north 26 degrees 54 minutes 27  
35 seconds west 236.33 feet to the Point of BEGINNING, containing 152.83 acres.

36 An area, 60 feet in width, running from State Highway 1002 across the property of Ideal  
37 Basic Industries, Inc., to the property of Diamond Shamrock Corporation, located in Cape  
38 Fear Township, New Hanover County, North Carolina, located 30 feet on each side of the  
39 following described center line:

40  
41 Beginning at a point on the north right-of-way line of the State Highway 1002, leading  
42 from Castle Hayne to Hampstead, said point being 30 feet perpendicularly distant  
43 easterly from Ideal's west property line; thence from said point of beginning run northerly

1 parallel and 30 feet distant from said Ideal's west property line to the center line of the  
2 Old Holly Shelter Road; thence continuing on a straight projection from the last given  
3 course by the south boundary line of the tract of land deeded to Diamond Shamrock by  
4 Ideal by deed dated March 19, 1969.

5 Except that the following described property is included within the corporate limits:

6 BEGINNING at a point in the northern line of Occidental Chemical Company's  
7 330.3-acre Frank G. Harris Tract, said point located from the centerline intersection of  
8 Holly Shelter Road (S.R. 1002) and Diamond Shamrock Road (S.R. 2023) by courses of  
9 south 7 degrees 08 minutes east 1024.58 feet with an eastern line of said Harris Tract and  
10 south 70 degrees 48 minutes east 212.00 feet with said northern line of said Harris Tract;  
11 running thence from said Beginning with said northern line south 70 degrees 48 minutes  
12 east 500.00 feet to a point; thence south 16 degrees 22 minutes 41 seconds west 507.81  
13 feet to a point; thence north 70 degrees 48 minutes west 1025.00 feet to a point; thence  
14 north 19 degrees 12 minutes east 187.20 feet to a point; thence south 70 degrees 48  
15 minutes east 500.00 feet to a point; thence north 19 degrees 12 minutes east 320.00 feet  
16 to the Point of BEGINNING, containing 8.118 acres and being part of Occidental  
17 Chemical Company's 330.3-acre Frank G. Harris Tract.

### 18 "CHAPTER III.

#### 19 "GOVERNING BODY.

20 "Sec. 3.1. **Structure of Governing Body; Number of Members.** The governing  
21 body of the Town of Castle Hayne is the Town Council and the Mayor. The Town  
22 Council has six members.

23 "Sec. 3.2. **Manner of Electing Board.** The qualified voters of the entire Town elect  
24 the members of the Council.

25 "Sec. 3.3. **Term of Office of Council Members.** In 1997, six members of the  
26 Council shall be elected. The three persons receiving the highest numbers of votes are  
27 elected for four-year terms, and the three persons receiving the next highest numbers of  
28 votes shall be elected for two-year terms. In 1999 and biennially thereafter, three  
29 members of the Council shall be elected for four-year terms.

30 "Sec. 3.4. **Selection of Mayor; Term of Office.** The qualified voters of the entire  
31 Town elect the Mayor. A Mayor shall be elected in 1997 and quadrennially thereafter for  
32 a four-year term. The Mayor has the same voting rights and privileges and is subject to  
33 the same voting limitations and requirements as are Council members under the general  
34 law. In determining a quorum, a majority vote of the Council or in being excused from  
35 voting, the Mayor is treated as a member of the Council.

### 36 "CHAPTER IV.

#### 37 "ELECTIONS.

38 "Sec. 4.1. **Conduct of Town Elections.** The Town Council shall be elected on a  
39 nonpartisan basis and the results determined by the plurality method as provided by G.S.  
40 163-292.

### 41 "CHAPTER V.

#### 42 "ADMINISTRATION.

1 "Sec. 5.1. **Mayor-Council Plan.** The Town of Castle Hayne operates under the  
2 Mayor-Council plan as provided by Part 3 of Article 7 of Chapter 160A of the General  
3 Statutes."

4 Sec. 2. Until members of the Town Council are elected in 1997 in accordance  
5 with the Town Charter and the laws of North Carolina, Larry E. Lawrence, Jerry L.  
6 Kelly, Thomas A. Radewicz, Ernest J. Puskas, James Bordeaux, and Mary Charlene Pete  
7 shall serve as members of the Town Council and John E. Dyer shall serve as Mayor.  
8 Vacancies in the interim Council shall be filled by appointment made by the remaining  
9 members. A vacancy in the office of interim Mayor is filled by appointment made by the  
10 interim governing board.

11 Sec. 3. From and after January 1, 1996, the citizens and property in the Town  
12 of Castle Hayne shall be subject to municipal taxes levied for the year beginning January  
13 1, 1996, and for that purpose the Town shall obtain from New Hanover County a record  
14 of property in the area herein incorporated which was listed for taxes as of January 1,  
15 1996, and the businesses in the Town shall be liable for privilege license tax from the  
16 effective date of the privilege license tax ordinance. For fiscal year 1996-97, ad valorem  
17 taxes may be paid at par or face amount within 90 days of adoption of the budget  
18 ordinance, and thereafter in accordance with the schedule in G.S. 105-360 as if the taxes  
19 had been due and payable on September 1, 1996.

20 The Town may adopt a budget ordinance for fiscal year 1996-97 without  
21 following the timetable in the Local Government Budget and Fiscal Control Act.

22 Sec. 4. (a) The New Hanover County Board of Elections shall conduct an  
23 election on a date set by it, to be not less than 60 nor more than 180 days after the date of  
24 ratification of this act, for the purpose of submission to the qualified voters of the area  
25 described in Section 2.1 of the Charter of Castle Hayne, the question of whether or not  
26 such area shall be incorporated as Castle Hayne. Registration for the election shall be  
27 conducted in accordance with G.S. 163-288.

28 (b) In the election, the question on the ballot shall be:

29 **"[ ] FOR [ ] AGAINST**  
30 **INCORPORATION OF CASTLE HAYNE".**

31 Sec. 5. In such election, if a majority of the votes cast are not cast "FOR  
32 Incorporation of Castle Hayne", then Sections 1 through 3 of this act shall have no force  
33 and effect.

34 Sec. 6. In such election, if a majority of the votes cast shall be cast "FOR  
35 Incorporation of Castle Hayne", then Sections 1 through 3 of this act shall become  
36 effective on the date that the New Hanover County Board of Elections determines the  
37 result of the election.

38 Sec. 7. This act is effective upon ratification.