

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 865\*  
Committee Substitute Favorable 4/23/97

Short Title: Sneads Ferry Incorporated.

(Local)

Sponsors:

Referred to:

April 7, 1997

A BILL TO BE ENTITLED  
AN ACT TO INCORPORATE THE TOWN OF SNEADS FERRY, SUBJECT TO A  
REFERENDUM, AND CONCERNING ZONING BY THE TOWN OF PELETIER.

The General Assembly of North Carolina enacts:

Section 1. A Charter for the Town of Sneads Ferry is enacted to read:

**"CHARTER OF THE TOWN OF SNEADS FERRY.**

**"CHAPTER I.**

**"INCORPORATION AND CORPORATE POWERS.**

"Section 1.1. **Incorporation and corporate powers.** The inhabitants of the Town of Sneads Ferry are a body corporate and politic under the name 'Town of Sneads Ferry'. Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed upon cities by the general law of North Carolina.

**"CHAPTER II.**

**"CORPORATE BOUNDARIES.**

"Section 2.1. **Town Boundaries.** Until modified in accordance with law, the boundaries of the Town of Sneads Ferry are as follows:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF N.C. HIGHWAY 210 AND THE WESTERNMOST SIDE LINE OF THE ONSLOW COUNTY WATER DEPARTMENT TANK LOT DESCRIBED IN DEED BOOK 567

1 AT PAGE 230 IN THE ONSLOW COUNTY REGISTER OF DEEDS, THENCE  
2 ALONG N.C. HIGHWAY 210 NORTH 26 DEGREES 28 MINUTES 00 SECONDS  
3 WEST 950.00' TO A POINT IN THE CENTERLINE OF SAID ROAD AND  
4 CENTERLINE OF EVERETT'S CREEK, THENCE ALONG THE CENTERLINE OF  
5 EVERETT'S CREEK (THE U.S.N.C. LINE) THE FOLLOWING COURSES AND  
6 DISTANCES: NORTH 43 DEGREES 32 MINUTES 00 SECONDS EAST 2000.00',  
7 NORTH 53 DEGREES 32 MINUTES 00 SECONDS EAST 3780.00', SOUTH 27  
8 DEGREES 28 MINUTES 00 SECONDS EAST 2900.00', NORTH 60 DEGREES 32  
9 MINUTES 00 SECONDS EAST 700.00', SOUTH 01 DEGREE 32 MINUTES 00  
10 SECONDS WEST 500.00', SOUTH 49 DEGREES 28 MINUTES 00 SECONDS EAST  
11 1400.00', NORTH 73 DEGREES 02 MINUTES 00 SECONDS EAST 2200.00', SOUTH  
12 49 DEGREES 58 MINUTES 00 SECONDS EAST 700.00', NORTH 40 DEGREES 02  
13 MINUTES 00 SECONDS EAST 2200.00' TO THE MOUTH OF EVERETT'S CREEK,  
14 THENCE NORTH 60 DEGREES 02 MINUTES 00 SECONDS EAST 5700.00' TO A  
15 POINT IN THE NEW RIVER, THENCE SOUTH 44 DEGREES 58 MINUTES 00  
16 SECONDS EAST (ALONG THE NEW RIVER AND PASSING ALONG 'PROPERTY  
17 POINT', 'FULCHER'S LANDING', AND 'HALL'S POINT') 14,400.00 TO A POINT IN  
18 THE NEW RIVER OFF OF 'HATCH'S ROCK', THENCE SOUTH 00 DEGREES 02  
19 MINUTES 00 SECONDS WEST (PASSING THROUGH THE INTRACOASTAL  
20 WATERWAY) 4000.00' TO A POINT OFF OF 'SWAN POINT', THENCE SOUTH 53  
21 DEGREES 02 MINUTES 00 SECONDS WEST 5900.00' TO A POINT IN  
22 'CHADWICK'S BAY', THENCE SOUTH 06 DEGREES 54 MINUTES 55 SECONDS  
23 EAST 1662.34' TO THE PROPERTY OF 'CHADWICK ACRES INCORPORATED'  
24 DESCRIBED IN PLAT BOOK 6 PAGE 88 OF THE ONSLOW COUNTY REGISTER  
25 OF DEEDS, THENCE ALONG AND WITH THE PROPERTY OF 'CHADWICK  
26 ACRES INCORPORATED' THE FOLLOWING COURSES AND DISTANCES:  
27 SOUTH 01 DEGREE 52 MINUTES 54 SECONDS WEST 684.00', SOUTH 70  
28 DEGREES 52 MINUTES 54 SECONDS WEST 1744.00', NORTH 36 DEGREES 47  
29 MINUTES 06 SECONDS WEST 900.50', SOUTH 80 DEGREES 32 MINUTES 54  
30 SECONDS WEST 3022.50' TO A POINT IN THE LINE OF 'GOLDEN ACRES  
31 INCORPORATED', THENCE ALONG AND WITH THE LINE OF 'GOLDEN ACRES  
32 INCORPORATED' THE FOLLOWING COURSES AND DISTANCES: NORTH 32  
33 DEGREES 27 MINUTES 06 SECONDS WEST 132.36', SOUTH 54 DEGREES 32  
34 MINUTES 54 SECONDS WEST 2340.00', SOUTH 00 DEGREES 44 MINUTES 22  
35 SECONDS WEST 441.94', SOUTH 44 DEGREES 02 MINUTES 54 SECONDS WEST  
36 780.00', SOUTH 14 DEGREES 02 MINUTES 54 SECONDS WEST 230.00', NORTH  
37 87 DEGREES 27 MINUTES 06 SECONDS WEST 760.00', SOUTH 20 DEGREES 02  
38 MINUTES 54 SECONDS WEST 1010.00', SOUTH 63 DEGREES 02 MINUTES 54  
39 SECONDS WEST 470.00'. SOUTH 17 DEGREES 27 MINUTES 06 SECONDS EAST  
40 500.00' TO THE CORNER OF 'GOLDEN ACRES INCORPORATED' AND THENCE  
41 ALONG THE SAME LINE, SOUTH 17 DEGREES 27 MINUTES 06 SECONDS EAST  
42 350.00' TO A POINT IN THE LINE OF 'THE TOWN OF NORTH TOPSAIL BEACH',  
43 SAID POINT ALSO BEING THE CENTER OF THE NAVIGABLE CANAL OF THE

1 INTRACOASTAL WATER WAY, THENCE ALONG SAID CANAL (AND ALONG  
2 THE LINE OF 'THE TOWN OF NORTH TOPSAIL BEACH'), SOUTH 72 DEGREES  
3 32 MINUTES 54 SECONDS WEST (CROSSING OVER THE HIGH RISE BRIDGE  
4 ON N.C. HIGHWAY 210) 10,960.00' TO A POINT AT THE INTERSECTION OF THE  
5 CENTER OF THE NAVIGABLE CANAL AND THE CENTERLINE OF 'TURKEY  
6 CREEK SWAMP' ALSO KNOWN AS 'BRICK CHIMNEY CREEK' OR 'GREAT  
7 BRANCH', THENCE ALONG SAID SWAMP OR CREEK, NORTH 16 DEGREES 57  
8 MINUTES 06 SECONDS WEST (ALONG AND TAKING IN 'NORTH SHORE  
9 COUNTRY CLUB' PROPERTY) 9160.00' TO A POINT IN THE LINE OF THE 'R. A.  
10 JENKINS HEIRS' DESCRIBED IN PLAT BOOK 15 PAGE 34 OF THE ONSLOW  
11 COUNTY REGISTER OF DEEDS, THENCE ALONG THE LINE OF 'R. A. JENKINS  
12 HEIRS' NORTH 51 DEGREES 02 MINUTES 54 SECONDS EAST 2147.59' AND  
13 NORTH 20 DEGREES 02 MINUTES 00 SECONDS EAST 426.52' TO A POINT IN  
14 THE CENTERLINE OF SECONDARY ROAD 1518, THENCE ALONG THE  
15 APPROXIMATE CENTERLINE OF SECONDARY ROAD 1518 (KNOWN AS THE  
16 'OLD FOLKSTONE ROAD') THE FOLLOWING COURSES AND DISTANCES:  
17 NORTH 86 DEGREES 58 MINUTES 00 SECONDS WEST 4230.00', SOUTH 81  
18 DEGREES 32 MINUTES 00 SECONDS WEST 2530.00', NORTH 74 DEGREES 58  
19 MINUTES 00 SECONDS WEST 1204.91' TO A POINT IN THE CENTERLINE OF  
20 SAID ROAD BEING FIVE HUNDRED FEET PAST AND BEYOND SECONDARY  
21 ROAD 1528, THENCE ON A COURSE PARALLEL TO AND FIVE HUNDRED FEET  
22 PERPENDICULAR TO SECONDARY ROAD 1528 (KNOWN AS THE 'WINERY  
23 ROAD' OR 'HENDERSON LANE') THE FOLLOWING COURSES AND  
24 DISTANCES: NORTH 23 DEGREES 02 MINUTES 00 SECONDS EAST 795.71',  
25 NORTH 21 DEGREES 28 MINUTES 00 SECONDS WEST 862.42', NORTH 08  
26 DEGREES 28 MINUTES 00 SECONDS WEST 2123.61', NORTH 52 DEGREES 32  
27 MINUTES 00 SECONDS EAST 3791.76', NORTH 15 DEGREES 28 MINUTES 00  
28 SECONDS WEST 1983.27' TO A POINT IN THE CENTERLINE OF N.C. HIGHWAY  
29 172, SAID POINT BEING FIVE HUNDRED FEET WEST OF THE CENTERLINE  
30 INTERSECTION OF N.C. HIGHWAY 172 AND SECONDARY ROAD 1528,  
31 THENCE NORTH 43 DEGREES 12 MINUTES 48 SECONDS EAST (CROSSING  
32 OVER LAND OF 'INTERNATIONAL PAPER COMPANY' AND OTHERS 6795.65'  
33 TO A CORNER OF THE ONSLOW COUNTY WATER DEPARTMENT LOT  
34 (PREVIOUSLY DESCRIBED), THENCE ALONG SAID LOT, NORTH 58 DEGREES  
35 52 MINUTES 00 SECONDS EAST 250.00' TO THE POINT AND PLACE OF  
36 BEGINNING CONTAINING APPROXIMATELY 13,000 ACRES INCLUDING  
37 SOME AREAS BELOW AND BEYOND THE HIGH WATER MARK.

38  
39 The following area is expressly excluded from the corporate limits:  
40 Commencing at an existing cap & nail in the centerline intersection of N.C.S.R. 1557 and  
41 N.C.S.R. 1649, thence leaving said centerline intersection and along the centerline of  
42 N.C.S.R. 1649 in an eastern direction 1,335.79 feet to a point in said centerline, thence  
43 leaving said centerline North 09 degrees 14 minutes 00 seconds East 50.00 feet to a point

1 in the northern right-of-way line of N.C.S.R. 1649 and in the centerline of Oak Lane,  
2 thence leaving said northern right-of-way line and along the centerline of Oak Lane,  
3 being a private dirt 20' ingress & egress easement the following courses and distances:  
4 North 27 degrees 39 minutes 00 seconds East 87.72 feet, North 25 degrees 39 minutes 00  
5 seconds East 65.70 feet to a point in said centerline and being The True Point of  
6 Beginning: thence from the above described true point of beginning and leaving said  
7 centerline North 40 degrees 31 minutes 32 seconds West 209.78 feet to a point, thence  
8 North 59 degrees 24 minutes 04 seconds East 82.39 feet to a point, thence North 10  
9 degrees 04 minutes 41 seconds West 170.05 feet to a point in the approximate mean high  
10 water line of Fanny's Creek, thence along said approximate mean high water line the  
11 following courses and distances: North 04 degrees 31 minutes 49 seconds East 366.96  
12 feet, North 17 degrees 11 minutes 52 seconds East 122.50, North 07 degrees 58 minutes  
13 58 seconds West 172.00 feet to a point in the approximate mean high water line of New  
14 River, thence leaving the approximate mean high water line of Fanny's Creek and along  
15 the approximate mean high water line of New River the following courses and distances:  
16 South 55 degrees 41 minutes 03 seconds East 290.00 feet, South 63 degrees 37 minutes  
17 02 seconds East 93.37 feet, South 82 degrees 07 minutes 42 seconds East 97.85 feet,  
18 South 87 degrees 03 minutes 08 seconds East 22.40 feet, North 66 degrees 32 minutes 38  
19 seconds East 27.60 feet, South 81 degrees 42 minutes 11 seconds East 51.40 feet, South  
20 21 degrees 44 minutes 34 seconds East 73.11 feet, South 46 degrees 57 minutes 29  
21 seconds East 54.42 feet, South 69 degrees 13 minutes 56 seconds East 80.51 feet, North  
22 80 degrees 46 minutes 04 seconds East 60.00 feet, South 68 degrees 13 minutes 56  
23 seconds East 210.00 feet, South 32 degrees 13 minutes 56 seconds East 60.00 feet and  
24 South 49 degrees 16 minutes 04 seconds West 32.00 feet to a point in the approximate  
25 mean high water line of Wheeler's Creek, thence leaving the approximate mean high  
26 water line of New River and along the approximate mean high water line of Wheeler's  
27 Creek the following courses and distances: North 77 degrees 43 minutes 56 seconds  
28 West 130.00 feet, North 60 degrees 43 minutes 56 seconds West 70.00 feet, North 87  
29 degrees 43 minutes 56 seconds West 25.00 feet, South 60 degrees 46 minutes 04 seconds  
30 West 30.00 feet, South 24 degrees 55 minutes 34 seconds West 124.84 feet and South 24  
31 degrees 36 minutes 55 seconds West 179.53 feet to a point, thence leaving said  
32 approximate mean high water line North 69 degrees 08 minutes 03 seconds West 330.06  
33 feet to a point in the eastern margin of Oak Lane, thence along said eastern margin the  
34 following courses and distances: South 25 degrees 16 minutes 57 seconds West 61.67  
35 feet, South 27 degrees 12 minutes 09 seconds West 150.38 feet, South 18 degrees 49  
36 minutes 43 seconds West 128.87 feet, South 21 degrees 40 minutes 18 seconds West  
37 88.93 feet and South 25 degrees 38 minutes 41 seconds West 39.95 feet to a point, thence  
38 leaving said eastern margin North 40 degrees 31 minutes 32 seconds West 10.92 feet to a  
39 point in the centerline of said Oak Lane and being the point and place of beginning.  
40 Containing 9.12 acres as calculated by Charles Francis Riggs, R.L.S. L-2981 on  
41 September 5, 1995 from a composite of maps and deeds and not from an actual field  
42 survey as shown on a map entitled "Composite for Stevens Point Property Owners  
43 Association as recorded in Map Book 32, Page 222 of the Onslow County Registry.

1 Together, along and with the above described tract are the private, dirt 20' ingress and  
2 egress easements known as Oak Lane and Fanny's Creek Lane as shown on Map Book  
3 32, Page 222 of the Onslow County Registry.

4 Also excepting the incorporated areas of the Town of Chadwick Acres, as described in  
5 Chapter 1014, Session Laws of 1961.

6 **"CHAPTER III.**  
7 **"GOVERNING BODY.**

8 "Section 3.1. **Structure of governing body; number of members.** The governing  
9 body of the Town of Sneads Ferry is the Town Council, which has six members.

10 "Section 3.2. **Manner of electing board.** The qualified voters of the entire Town  
11 elect the members of the Council.

12 "Section 3.3. **Term of office of Council members.** In 1997, the three persons  
13 receiving the highest numbers of votes are elected to four-year terms, and the three  
14 persons receiving the next highest numbers of votes are elected to two-year terms. In  
15 1999 and biennially thereafter, three members are elected for four-year terms.

16 "Section 3.4. **Selection of Mayor; term of office.** The qualified voters of the entire  
17 Town elect the Mayor. A mayor shall be elected in 1997 and biennially thereafter for a  
18 two-year term. The Mayor may vote on all issues before the Council.

19 "Section 3.5. Neither the Mayor nor the members of the Town Council shall receive  
20 any salary from the town.

21 **"CHAPTER IV.**  
22 **"ELECTIONS.**

23 "Section 4.1. **Conduct of Town elections.** The Town Council shall be elected on a  
24 nonpartisan basis and the results determined by the plurality method as provided by G.S.  
25 163-292.

26 **"CHAPTER V.**  
27 **"ADMINISTRATION.**

28 "Section 5.1. **Mayor-Council plan.** The Town of Sneads Ferry operates under the  
29 Mayor-Council plan as provided by Part 3 of Article 7 of Chapter 160A of the General  
30 Statutes."

31 Section 2. (a) The Onslow County Board of Elections shall establish a special  
32 candidate filing period for the 1997 municipal election.

33 (b) G.S. 160A-63 shall not apply to the Town until after the organizational  
34 meeting following the 1997 municipal election.

35 Section 3. From and after July 1, 1997, the citizens and property in the Town  
36 of Sneads Ferry shall be subject to municipal taxes levied for the year beginning July 1,  
37 1997, and for that purpose the Town shall obtain from Onslow County a record of  
38 property in the area herein incorporated which was listed for taxes as of January 1, 1997,  
39 and the businesses in the Town shall be liable for privilege license tax from the effective  
40 date of the privilege license tax ordinance. The Town may adopt a budget ordinance for  
41 fiscal year 1997-98 without following the timetable in the Local Government Budget and  
42 Fiscal Control Act. For fiscal year 1997-98, ad valorem taxes may be paid at par or face  
43 amount within 90 days of adoption of the budget ordinance, and thereafter in accordance

1 with the schedule in G.S. 105-360 as if taxes had been due and payable on September 1,  
2 1997.

3 Section 4. (a) The Onslow County Board of Elections shall conduct an  
4 election on a date set by it, to be not less than 60 nor more than 120 days after the date  
5 this act becomes law, for the purpose of submission to the qualified voters of the area  
6 described in Section 2.1 of the Charter of Sneads Ferry, the question of whether or not  
7 such area shall be incorporated as Sneads Ferry. Registration for the election shall be  
8 conducted in accordance with G.S. 163-288.2.

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

10 **"[ ] FOR [ ] AGAINST**  
11 **Incorporation of Sneads Ferry."**

12 Section 5. (a) In such election, if a majority of the votes cast are not cast "FOR  
13 Incorporation of Sneads Ferry", then Sections 1 through 3 of this act shall have no force  
14 and effect.

15 (b) In such election, if a majority of the votes cast shall be cast "FOR  
16 Incorporation of Sneads Ferry" then Sections 1 through 3 of this act shall become  
17 effective on the date that the Onslow County Board of Elections determines the result of  
18 the election.

19 Section 6. (a) G.S. 160A-360(f) reads as rewritten:

20 "(f) When a city annexes, or a new city is incorporated in, or a city extends its  
21 jurisdiction to include, an area that is currently being regulated by the county, the county  
22 regulations and powers of enforcement shall remain in effect until (i) the city has adopted  
23 such regulations, or (ii) a period of ~~60 days~~ nine months has elapsed following the  
24 annexation, extension or incorporation, whichever is sooner. During this period the city  
25 may hold hearings and take any other measures that may be required in order to adopt its  
26 regulations for the area."

27 (b) This section applies to the Town of Peletier only, and is effective from  
28 and after November 4, 1996.

29 Section 7. This act is effective when it becomes law.