

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S.L. 1997-266
SENATE BILL 262

AN ACT TO AUTHORIZE THE TOWN OF HUNTERSVILLE TO ENTER INTO AN
AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION.

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding any applicable provision of the General Statutes or any other public or local law, the Town of Huntersville is granted certain contract powers as follows:

- (1) The Town of Huntersville may, by agreement, provide that certain property described in the agreement as the "McGuire Nuclear Station Property" may not be involuntarily annexed by the Town prior to December 31, 2027, under the General Statutes as they now exist or may be subsequently amended. The Town of Huntersville shall not seek to repeal this act upon its approval by the General Assembly. Nothing in this act impairs the right of the General Assembly to annex any such property by special local act.
- (2) Any agreement entered into as provided in subdivision (1) of this section is specifically determined to be consistent with the public policy of the State of North Carolina.
- (3) Any agreement entered into as provided in subdivision (1) of this section is a continuing agreement and is binding on and enforceable against the current and future members of the Board of Commissioners of the Town of Huntersville during the full term of such agreement and any extension thereof.
- (4) The parties to any agreement entered into as provided in subdivision (1) of this section authorized by this section to modify, amend, and extend such agreement on mutual written consent, without the approval of the General Assembly, provided that any such modification or amendment does not materially alter the concept of the agreement.

Section 2. The Town of Huntersville may accept, as consideration for such agreement, "Payments in lieu of taxes".

Section 3. The agreement under Section 1 of this act shall apply to the McGuire Nuclear Station Property described as follows:

EXHIBIT A

Parcel 1: That certain tract of land containing 25.25 acres, more or less, beginning at a point in the easterly boundary of County Road No. 2134 and running thence N 88-52-58 E 653.8 feet to a point; thence S 7-19-56 E 237.1 feet to a point; thence S 77-32-50 E 1130.4 feet to a point; thence S 45-37-01 W 1310.6 feet to a point; thence N 30-20-20 W 1144.1 feet to a point; thence N 84-16-48 W 245.8 feet to a point in the easterly boundary of County Road No. 2134; thence with said Road N 4-25-22 W 372.1 feet to the point of Beginning and being shown as Tax Parcels Nos. 16, 17 and 18 on tax map recorded in Book 13 at page 13 of the Mecklenburg County Registry.

Parcel 2: That certain tract of land containing 1,239.0 acres, more or less and being more particularly described as BEGINNING at a point in the Catawba River, said point being located in the Mecklenburg/Lincoln County line and running thence from said beginning point in a generally easterly direction with the boundary of the Cowans Ford Hydroelectric Project (Lake Norman) a distance of 13,136 feet to a point; thence S 2-50-59 W 176.6 feet to a point; thence S 25-09-08 E 147.8 feet to a point; thence with the boundary of the Cowans Ford Hydroelectric Project (Lake Norman) a distance of 711.4 feet to a point; thence leaving the boundary of the Cowans Ford Hydroelectric Project S 11-37 E 47.9 feet to a point; thence S 4-55 W 85.1 feet to a point; thence S 25-41 W 63.9 feet to a point; thence N 74-37 W 29.5 feet to an iron pipe; thence N 80-24 W 13.1 feet to a stake; thence S 1-11 E-291.7 feet to an iron pin; thence S 5-50 W-151.3 feet to the centerline of road 2182; thence S 5-50 W-120.8 feet to an iron; thence S 11-22 W-241.7 feet to an iron pin; thence S 16-54 W-241.7 feet to an iron pin; thence S 22-26 W-241.7 feet to an iron pin; thence S 27-58 W-128.8 feet to an iron pin; thence N 61-15 E-489.9 feet to an iron pin; thence S 51-07 E-214.9 feet to an iron pipe; thence S 11-42 E-444.5 feet to an iron pin; thence S 12-54 E-40.2 feet to an iron pipe; thence S 12-14 E-173 feet to an iron pin; thence S 12-20 E-152.0 feet to an iron pipe; thence S 82-15 W-444.2 feet to an iron pipe; thence N 7-51 W-224.9 feet to an iron pipe; thence S 82-13 W-150.3 feet to an iron pipe; thence S 8-07 E-225.2 feet to an iron pipe; thence S 82-30 W-252.5 feet to an iron; thence crossing NC Hwy. 73; S 41-36 W-155.1 feet to an iron pipe; thence N 82-26 E-304.6 feet to a concrete monument; thence N 82-14 E-591.0 feet to an iron pipe; thence S 8-47 E-210.6 feet to an iron pipe; thence N 81-52 E-210.5 feet to an iron pin; thence S 12-37 E-527.1 feet to an iron pipe; thence N 67-05 E-99.0 feet to a stake; thence S 74-55 E 1082.5 feet to a stake; thence S 23-15 W-2128.0 feet to an iron pipe; thence S 87-51 W-341.6 feet to a stake; thence S 72-56 W-662.7 feet to a stake; thence N 13-47 W-363.2 feet to an iron pin; thence S 62-54 W-375.0 feet to an iron pin; thence S 59-08 W-797.9 feet to an iron pipe; thence S 17-17 W-1048.5 feet to an iron pin in an old road bed; thence following the old road bed S-81-46 E-232.6 feet to an iron pin; thence S 88-02 E-614.5 feet to the centerline of Cashion Road; thence with Cashion Road S 41-23 W-42.5 feet to an iron pin; thence S 58-52 W-317.6 feet to an iron pin; thence S 55-13 W-212.0 feet to an iron pin; thence S 52-39 W-136.4 feet to an iron pin; thence S 39-21 W-115.4 feet to an iron pin; thence S 27-28 W-374.7 feet to an iron pin; thence S 33-29 W-191.2 feet to an iron pipe in the centerline of road; thence leaving Cashion Road S 79-04 W-1003.2 feet to a bolt; thence S 52-29 E-499.0 feet to a hickory; thence S 24-27 W-369.0 feet to a hickory; thence N 88-34 W 2484.4 feet to a point; thence S 4-24 E 488.0 feet to a point; thence S 4-24 E 488.0 feet to an iron pipe;

thence S31-08 W 33.5 feet to an iron pipe; thence S 31-08 W 33.5 feet to an iron pipe; thence S 26-31-50 E 81.29 feet to a point; thence S 11-18-01 E 140.80 feet to a point; thence S 36-40-59 E 85.20 feet to a point; thence S 54-46-13 E 99.3 feet to a point; thence S 48-26-06 E 165.1 feet to a point; thence S 78-47-39 W 44.3 feet to a point; thence N 70-23-55 W 64.0 feet to a point; thence N 62-38-07 W 119.2 feet to a point; thence N 46-16-58 W 115.6 feet to a point; thence S 20-53-48 W 64.2 feet to a point; thence S 72-56-18 W 69.8 feet to a point; thence N 17-25-07 W 60.8 feet to a point; thence N 41-16-04 W 90.8 feet to a point; thence S 31-08 W 117.0 feet to a point; thence S 6-57-15 E 121.0 feet to a point; thence S 38-21-58 E 154.8 feet to a point; thence S 31-49-57 E 128.6 feet to a point; thence S 21-44-01 E 150.1 feet to a point; thence S 24-46-05 E 163.0 feet to a point; thence S 20-00-04 E 152.5 feet to a point; thence S 13-33-03 E 115.1 feet to a point; thence S 10-37-00 E 135.7 feet to a point; thence S 3-15-45 W 80.3 feet to a point; thence S 1-48-59 E 87.7 feet to a point; thence S 81-29-08 E 141.3 feet to a point; thence S 86-05-51 E 126.8 feet to a point; thence N 35-45-45 E 77.0 feet to a point; thence N 4-18-05 W 95.6 feet to a point; thence N 28-03-50 W 120.2 feet to a point; thence N 34-32-57 W 142.6 feet to a point; thence N 7-27-12 W 208.3 feet to a point; thence S 74-55-06 E 128.4 feet to a point; thence N 70-39-55 E 214.3 feet to a point; thence S 34-57-12 E 85.2 feet to a point; thence S 14-09-08 W 120.9 feet to a point; thence S 36-38-57 W 142.8 feet to a point; thence S 43-56-01 E 90.8 feet to a point; thence S 09-24-14 E 135.5 feet to a point; thence S 05-20-06 E 81.2 feet to a point; thence S 26-38-06 W 102.7 feet to a point; thence S 6-48-38 E 40.9 feet to a point; thence S 58-54-04 E 211.7 feet to a point; thence S 88-34 13 E 102.0 feet to a point; thence S 38-39-48 E 73.8 feet to a point; thence S 1-21-43 E 85.0 feet to a point; thence S 62-52-04 E 149.1 feet to a point; thence S 4-42-28 E 27.3 feet to a point; thence S 87-41-57 W 2089.2 feet to a point in the Catawba River (Mecklenburg/Lincoln County Line); thence with the Mecklenburg/Lincoln County line 12,055 feet to the point of BEGINNING.

Section 4. No portion of the McGuire Nuclear Station Property shall be subject to involuntary annexation, or designation as an urban tax district or otherwise subjected to the power of a municipal taxing authority by Huntersville or any other town or municipality or consolidated government during the term of the agreement referenced in Section 1 of this act.

Section 5. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 3rd day of July, 1997.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives