

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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**HOUSE BILL 224
Committee Substitute Favorable 7/17/03
Third Edition Engrossed 7/19/03
Senate Finance Committee Substitute Adopted 6/21/04
Fifth Edition Engrossed 6/24/04**

Short Title: Cabarrus Annexations.

(Local)

Sponsors:

Referred to:

March 5, 2003

A BILL TO BE ENTITLED

1
2 AN ACT TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CITY OF
3 KANNAPOLIS, TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE
4 TOWN OF MOUNT PLEASANT, AND TO ANNEX CERTAIN DESCRIBED
5 TERRITORY TO THE TOWN OF MIDLAND.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** The corporate limits of the City of Kannapolis are extended to
8 include the following described area:

9 Lying and being in Number 3 Township, Cabarrus County, North Carolina on the
10 West side of Shiloh Church Road adjoining the property of Roger D. Hudson, now or
11 formerly (Book 367, page 49) and others and being more particularly described as
12 follows:

13 BEGINNING at an existing 3/4" iron in the right-of-way of Shiloh Church Road, a
14 corner of Hudson as noted above, said pin being S. 18-34-49 W. 1071.93 feet from an
15 existing railroad spike in the intersection of Shiloh Church Road and Placid Road;
16 thence with the right-of-way of Shiloh Church Road, S. 16-45-12 W. 544.96 feet to an
17 existing iron pin (#5 rebar) on the north side of a 60 foot private right-of-way; thence
18 with the north side of the 60 foot private right-of-way the following five (5) lines: 1) N.
19 84-03-27 W. 188.49 feet to a set iron pin (passing a set iron pin at 17.60 feet); 2) a curve
20 bearing to the left S. 79-23-51 W. 102.95 feet with a radius of 180.00 feet and an arc
21 length of 104.40 feet to a set iron pin; 3) S. 62-42-52 W. 210.68 feet to a set iron pin; 4)
22 a curve bearing to the left S. 78-03-08 W. 63.48 feet with a radius of 120.00 feet and an
23 arc length of 64.25 feet to a set iron pin; and 5) N. 86-39-49 W. 86.22 feet to an existing
24 iron pin (#4 rebar), a corner of Mickey H. Kinley, now or formerly (Book 581, page 613
25 and Book 507, page 349); thence the following three lines with Kinley: 1) N. 11-04-59
26 W. 83.11 feet to an existing iron pin (#4 rebar); 2) S. 68-47-38 W. 103.69 feet to an

1 existing iron pin (#4 rebar); and 3) S. 11-05-34 E. 38.59 feet to an existing iron pin on
2 the north side of the 60 foot private right-of-way; thence continuing with the private
3 right-of-way the following two lines: 1) N. 86-29-05 W. 60.02 feet to a set iron pin; and
4 2) S. 03-38-18 E. 148.85 feet to an existing 5/8" iron rod, a corner of Clifford C. Roten,
5 Sr., now or formerly (Book 2413, page 246); thence the following three lines with
6 Roten as follows: 1) N. 89-14-57 W. 10.00 feet to an existing iron pin; 2) N. 71-37-21
7 W. 278.66 feet to an existing iron pin (#4 rebar); and 3) S. 04-17-36 E. 185.00 feet to a
8 set iron pin in the line of William D. Brumley, now or formerly (Book 616, page 94);
9 thence the following five (5) lines with Brumley: 1) N. 76-27-30 W. 381.72 feet to a
10 post; 2) N. 61-29-48 W. 234.44 feet to a post; 3) N. 39-38-36 W. 135.40 feet to a post;
11 4) N. 49-06-00 W. 319.10 feet to an existing 1/2" iron rod in stone pile; and 5) S.
12 00-55-58 W. 926.85 feet (passing an existing 1" iron rod at 862.10 feet) to a point, a
13 corner of Brumley and Helms, as noted above, said point lying in the Rocky River;
14 thence with the line of Helms and the Rocky River, the following six (6) lines: 1) N.
15 75-17-28 W. 252.10 feet to a point; 2) S. 73-31-21 W. 368.10 feet to a point; 3) S.
16 65-39-50 W. 523.05 feet to a point; 4) N. 75-08-12 W. 319.81 feet to a point; 5) N.
17 74-08-13 W. 425.60 feet to a point; and 6) N. 79-59-52 W. 337.20 feet to a point in the
18 line of Rocky River, said point being on the border of Cabarrus County and
19 Mecklenburg County, said point also being a corner of River Run Limited Partnership,
20 now or formerly (Book 6245, page 680 Mecklenburg County Registry); thence twenty
21 eight (28) lines with the line of River Run Limited Partnership, Howard and Associates,
22 and Rocky River as follows: 1) N. 18-47-28 W. 250.03 feet to a point; 2) N. 02-43-26
23 W. 312.05 feet to a point; 3) N. 10-28-53 E. 113.73 feet to a point; 4) N. 03-07-28 E.
24 92.98 feet to a point; 5) N. 00-25-03 E. 87.16 feet to a point; 6) N. 12-54-32 W. 72.35
25 feet to a point; 7) N. 16-54-27 W. 63.53 feet to a point; 8) N. 03-32-17 E. 52.59 feet to
26 a point; 9) N. 19-31-24 E. 89.74 feet to a point; 10) N. 13-42-55 E. 84.75 feet to a point;
27 11) N. 25-13-19 W. 82.75 feet to a point; 12) N. 21-21-58 W. 94.32 feet to a point; 13)
28 N. 21-55-45 E. 81.08 feet to a point; 14) N. 15-13-07 W. 75.32 feet to a point; 15) N.
29 03-59-20 W. 94.21 feet; and 16) N. 07-51-27 E. 83.50 feet to a point; 17) N. 02-57-31
30 W. 69.26 feet to a point; 18) N. 10-07-25 W. 78.45 feet to a point; 19) N. 11-31-18 E.
31 45.53 feet to a point; 20) N. 01-50-53 E. 133.23 feet to a point, a corner of Christopher
32 Davis, now or formerly (Book 8035, page 100 Mecklenburg County Registry); 21) N.
33 00-56-24 E. 28.66 feet to a point; 22) N. 25-32-24 W. 151.20 feet to a point; 23) N.
34 24-18-31 W. 212.55 feet to a point; 24) N. 51-06-44 W. 70.12 feet to a point; 25) N.
35 32-38-00 W. 159.45 feet to a point; 26) N. 01-57-51 W. 35.47 feet to a point; 27) N.
36 59-40-44 W. 69.47 feet to a point and 28) N. 20-02-08 W. 261.69 feet to a point; thence
37 leaving Rocky River and entering Mecklenburg County with the line of Davis, S.
38 78-01-45 W. 1,288.86 feet to an existing iron pin on the east side of Shearer Road;
39 thence with the right-of-way of Shearer Road the following two lines: 1) N. 04-55-47 E.
40 15.68 feet to an existing iron pin; and 2) N. 04-56-41 E. 31.39 feet to a set iron pin a
41 corner of Hubert M. Howard, now or formerly (Book 4567, page 166 Mecklenburg
42 County Registry); thence with the line of Howard, N. 78-02-01 E. 1287.33 feet to a
43 point in Rocky River on the County line, (passing an existing 1" iron pin at 1235.17
44 feet); thence continuing with the line of Howard and entering into Cabarrus County, N.

1 03-10-44 E. 161.14 feet (passing a set iron pin at 61.14 feet) to an existing 1" iron pipe,
2 a corner of Sadie Graeber Barbee (Book 715, page 174); thence the following three
3 lines with Barbee: 1) S. 64-51-03 E. 1,182.56 feet to an existing #4 rebar in stone pile;
4 2) N. 40-50-58 E. 2,007.16 feet to an existing iron pin; and 3) N. 27-40-35 W. 515.79
5 feet to an existing 2" pipe in the line of Pricilla H. Melchor, now or formerly (Book
6 2039, page 334); thence with the line of Melchor, N. 89-53-58 E. 738.13 feet to an
7 existing 2" pipe in the line of Elizabeth B. Mabry, now or formerly (Book 303, page
8 60); thence the following two lines with Mabry: 1) S. 20-33-02 E. 430.36 feet to an
9 existing iron pin; and 2) N. 87-47-29 E. 270.03 feet to a set iron pin a corner of Polaris
10 Properties, LLC, now or formerly (Book 1729, page 17); thence the following three
11 lines with Polaris: 1) S. 01-24-52 E. 177.66 feet to a set iron pin at a found nail; 2) S.
12 53-53-31 W. 87.84 feet to a set iron pin at a found nail; and 3) S. 01-24-52 E. 176.63
13 feet to a set iron pin in the line of Brett L. Fowler, now or formerly (Book 2631, page
14 108); thence with the line of Fowler the following six (6) lines: 1) S. 89-29-18 W. 94.09
15 feet to an existing iron pin; 2) S. 46-52-00 E. 123.80 feet to an existing iron pin; 3) S.
16 09-18-57 E. 48.00 feet to an existing iron pin; 4) S. 13-49-04 W. 155.55 feet to an
17 existing iron pin; 5) S. 28-04-41 W. 195.49 feet to an existing iron pin; and 6) S.
18 08-29-26 E. 467.21 feet to a set iron pin in the line of Brett L. Fowler, now or formerly
19 (Book 1621, page 251); thence with the line of Fowler the following three lines: 1) S.
20 79-17-23 W. 200.00 feet to a set iron pin at an existing axle; 2) S. 23-59-21 E. 657.91
21 feet to an existing 5/8" iron rod; and 3) N. 78-59-50 E. 319.12 feet to an existing 1" iron
22 rod, a corner of James E. Davidson, III, now or formerly (Book 1836, page 156); thence
23 with the line Davidson and John A. Davidson (Book 443, page 712) S. 00-13-04 E.
24 466.37 feet to an existing iron pin in the line of John L. Guthrie, now or formerly (Book
25 503, page 134); thence the following five (5) lines with Guthrie: 1) N. 77-01-52 W.
26 30.75 feet to an existing iron pin; 2) S. 00-13-08 E. 240.71 feet to an existing 1/2" iron
27 rod; 3) S. 76-21-00 E. 597.71 feet to an existing iron pin (passing an existing 1/2" iron
28 rod at 470.52 feet); 4) N. 36-22-40 E. 32.36 feet to an existing iron pin; and 5) S.
29 76-23-17 E. 41.02 feet to an existing 1/2" iron rod, a corner of Frank R. Freeze, now or
30 formerly (Book 384, page 811 and Book 396, page 325); thence with the line of Freeze
31 and Hudson as noted above; S. 76-23-17 E. 617.98 feet to the point of BEGINNING,
32 containing 258.106 acres more or less, as platted and surveyed by Marion L. Sandlin,
33 Jr., PLS December 22, 1999.

34 **SECTION 2.** The corporate limits of the City of Kannapolis are extended to
35 include the following described area:

36 BEGINNING at the southeastern corner of said property line along the Proposed
37 Poplar Tent Road; Running thence with the southwesterly property line S 76-01-13W
38 for a distance of 401.28 feet; Thence with the northwesterly property line N 20-13-42W
39 for a distance of 334.17 feet; Thence along the northeasterly property line N 69-46-18 E
40 for a distance of 331.20 feet; Thence along the proposed right-of-way of Poplar Tent
41 Road in a southeasterly direction of S 32-07-08 E for a distance of 240.79 feet; Thence
42 along the same right-of-way a radius of 885.00 feet in a southeasterly direction for a
43 length of 143.52 feet at a bearing of S 27-28-23 E at a distance of 143.36 feet back to
44 the point of beginning.

1 **SECTION 3.** The corporate limits of the City of Kannapolis are extended to
2 include the following described area:

3 Commencing at North Carolina control monument "coline", having NAD 83 state
4 plane grid coordinates of X = 1,474,626.92 feet and Y = 620,132.32 feet; thence a tie of
5 South 81-21-29 West a ground distance of 296.95 feet to a p-k nail set in the centerline
6 of State Highway 73, said p-k nail being the POINT OF BEGINNING thence two (2)
7 new lines with the L.T. Lopper property (Deed Book 489, Page 596, Cabarrus County
8 Registry); (1.) North 20-13-42 West, a distance of 580.64 feet to an iron pin set; (2.)
9 North 76-01-13 East, a distance of 618.87 feet to an existing 1-1/2" iron pipe, said pipe
10 being the Southwest corner of Ronald Gold Overcash property (Deed Book 1741, Page
11 215, Cabarrus County Registry); thence with said Overcash property North 76-01-13
12 East, a distance of 659.87 feet to an existing 1-1/2" iron pipe; thence South 00-11-39
13 West, a distance of 660.00 feet to an existing #4 rebar; thence South 75-58'33" West, a
14 distance of 667.96 feet to a p-k nail set in the centerline of State Highway 73; thence
15 with said centerline South 85-19-29 West, a distance of 391.12 feet to the beginning,
16 containing 16.816 Acres more or less and being a portion of Deed Book 489, Page 596
17 recorded in the Cabarrus County Registry.

18 **SECTION 4.** The corporate limits of the Town of Mount Pleasant are
19 extended to include the following described territory:

20 That certain tract or parcel of land situated, lying and being in the Township # 9,
21 Cabarrus County, and being more particularly described as follows:

22 BEGINNING at a point in the center of Hwy 200 said point being a southeast corner
23 of St. Marks Evangelical Church as recorded in Deed Book 0044, Page 509 of the
24 Cabarrus County Public Registry and runs thence with the line of St. Marks Evangelical
25 Church the following two (2) courses and distances: (1) North 35-57-43 East 964.23
26 feet to a point; (2) North 22-15-06 West 1773.00 to a point being a southeast corner of
27 Wachovia National Bank as described in Deed Book 4953, Page 200 of said Registry,
28 thence with the line of Wachovia National Bank the following seven (7) courses and
29 distances: (1) North 73-19-07 East 304.71 feet to a point; (2) North 46-43-24 East
30 1430.13 feet to a point; (3) North 42-29-30 West 729.10 feet to a point; (4) South
31 27-00-00 West 41.92 feet to a point; (5) North 45-43-00 West 2091.97 feet to a point;
32 (6) South 41-44-00 West 2532.75 feet to a point; (7) South 37-30-00 West 132.00 feet
33 to a point being a southeast corner of James Cook property as described in Deed Book
34 2211, Page 40 of said Registry, thence with the line of James Cook the following six (6)
35 courses and distances: (1) North 43-00-00 West 1258.13 feet to a point; (2) North
36 36-57-10 East 2683.61 feet to a point; (3) North 73-00-00 East 1023.00 feet to a point;
37 (4) North 77-00-00 East 1122.00 feet to a point; (5) South 65-00-00 East 189.75 feet to
38 a point; (6) North 02-00-00 East 182.46 feet to a point being the southwest corner of
39 Clyde Cline property (no deed reference), thence with the line of Clyde Cline property
40 the following three courses and distances: (1) South 55-40-26 East 317.60 feet to a
41 point; (2) South 72-38-26 East 956.44 feet to a point; (3) North 01-08-32 East 930.06
42 feet to a point, thence with another line of Clyde Cline property and continuing with the
43 line of Irvin Johnston (no deed reference) and continuing with the line of lots 32, 41-43,
44 45-58 Lake Shores Estates, Map 3 as recorded in Map Book 19, Page 24 the following

1 three courses and distances: (1) North 85-08-32 East 1080.75 feet to a point; (2) South
2 40-07-00 East 1203.46 feet to a point; (3) North 30-08-32 East 1493.25 feet to a point
3 being the southwest corner of Tony Furr property as described in Deed Book 4533,
4 Page 49 of said Registry. Thence with the line of Tony Furr and continuing with the line
5 of lots 26, 25 Lake Shore Estates, Map 2 as recorded in Map Book 19, Page 7 of said
6 Registry South 55-51-28 East 660.00 feet to a point being the northwest corner of lot 31
7 Lake Shores Estates, Section 1 as recorded in Map Book 18, Page 69 of said Registry.
8 Thence with the line of Lot 31 and continuing with the line of lots 32-49A and
9 continuing with the line of Doris Reinhardt property as described in Deed Book 3093,
10 Page 221 of said Registry the following two (2) courses and distances: (1) South
11 30-08-32 West 1765.50 feet to a point; (2) South 01-51-28 East 321.75 feet to a point
12 being a northeast corner of Betty Blume property as described in Deed Book 2518, Page
13 121 of said Registry, thence with the line of Betty Blume and continuing with the line of
14 John Kluttz (no deed reference) the following four (4) courses and distances: (1) South
15 88-08-32 West 2310.00 feet to a point; (2) North 87-02-47 West 164.82 feet to a point;
16 (3) South 10-06-10 East 510.17 feet to a point; (4) South 85-30-00 East 1303.50 to a
17 point being a southwest corner of Betty Blume property as described in Deed Book
18 2518, Page 121 of said Registry, thence with the line of Betty Blume property South
19 02-30-00 West 693.00 feet to a point being a northwest corner of Billy Krimminger
20 property as described in Deed Book 2890, Page 350 of said Registry, thence with the
21 line of Billy Krimminger property the following nine courses and distances: (1) South
22 22-48-15 West 757.37 feet to a point; (2) South 24-45-57 East 301.46 feet to a point; (3)
23 South 43-23-04 East 350.70 feet to a point; (4) South 54-57-49 202.33 feet to a point;
24 (5) South 32-37-06 East 200.47 feet to a point; (6) South 26-49-29 East 183.97 feet to a
25 point; (7) South 34-06-40 East 354.45 feet to a point; (8) South 48-44-12 East 898.52
26 feet to a point; (9) South 66-40-56 East 451.34 feet to a point being a northeast corner of
27 Bobby Krimminger property as described in Deed Book 2891, Page 01 of said Registry,
28 thence with the line of Bobby Krimminger property the following two courses and
29 distances: (1) South 52-42-39 West 939.55 feet to a point; (2) South 24-11-09 East
30 526.65 feet to a point being a northeast corner of Frank Widenhouse as described in
31 Deed Book 778, Page 287 of said Registry, thence with the line of Frank Widenhouse
32 property the following three (3) courses and distances: (1) South 48-03-51 West 202.62
33 feet to a point; (2) South 23-33-51 West 585.75 feet to a point; (3) South 48-26-09 East
34 218.63 feet to a point in the right-of-way of Mt. Pleasant Road, thence with the center of
35 Mt. Pleasant Road the following two (2) courses and distances: (1) South 36-03-51
36 West 1262.25 feet to a point; (2) South 23-33-51 West 330.00 feet to a point being the
37 northeast corner of Mary Wensil property as described in Deed Book 483, Page 548 of
38 said Registry, thence with the line of Mary Wensil North 65-56-09 West 453.75 feet to
39 a point being a northeast corner of Ben Layton property as described in Deed Book
40 0590, Page 40 of said Registry, thence with the line of Ben Layton property and
41 continuing with the line of Darrell Page property as described in Deed Book 0722, Page
42 85 of said Registry and Dennis Layton property as described in Deed Book 0773, Page
43 115 of said Registry the following three (3) courses and distances: (1) North 71-11-24
44 West 343.94 feet to a point; (2) North 69-30-06 West 492.97 feet to a point; (3) South

1 49-56-30 West 288.50 feet to a point being on line of Opal Stanton property as
2 described in Deed Book 2840, Page 64 of said Registry, thence with the line of Opal
3 Stanton property the following two (2) courses and distances: (1) North 40-03-30 West
4 200.00 feet to a point; (2) South 49-56-30 West 230.00 feet to a point in NC Hwy 200;
5 thence with the center of NC Hwy 200 the following two courses and distances: (1)
6 North 42-41-30 West 696.10 feet to a point; (2) North 52-51-01 West 135.00 feet to the
7 point or place of BEGINNING: containing 29,044,717 square feet or 666.7750 acres
8 more or less as shown on a annexation map by James Mauney & Associates, P.A. dated
9 May 3, 2004, and bearing file # F066.

10 Less and Excepting that parcel LYING and being in Township # 9, Cabarrus
11 County, retained by James Grady Cook and being more particularly described as
12 follows:

13 BEGINNING at a point in the center of Hwy 200 said point being a southeast corner
14 of St. Marks Evangelical Church as recorded in Deed Book 0044, Page 509 of the
15 Cabarrus County Public Registry and runs thence with the line of St. Marks Evangelical
16 Church the following two (2) courses and distances: (1) North 35-57-43 East 964.23
17 feet to a point; (2) North 22-15-06 West 1773.00 to a point being a southeast corner of
18 Wachovia National Bank as described in Deed Book 4953, Page 200 of said Registry,
19 thence with the line of Wachovia National Bank the following two (2) courses and
20 distances: (1) North 73-19-07 East 304.71 feet to a point; (2) North 46-43-24 East 110
21 feet to a new corner, thence with a new line the following three (3) courses and
22 distances: (1) South 27-55-04 East 1341.49 feet to a point; (2) South 15-09-08 West
23 451.92 feet to a point; (3) South 36-36-29 West 1200.00 feet to a point in the center of
24 Hwy 200, thence with the center of Hwy 200 North 52-51-01 West 60.00 feet to the
25 point or place of BEGINNING containing 839,470 square feet or 19.2716 acres more or
26 less as shown on a annexation map by James Mauney & Associates, P.A. dated May 3,
27 2004, and bearing file # F066.

28 **SECTION 5.** Notwithstanding the provisions of Article 19 of Chapter 160A
29 of the General Statutes, the County of Cabarrus or any municipality therein may
30 enforce, within its jurisdiction, any provision of the school adequacy review performed
31 under the Cabarrus County Subdivision Regulations, including approval of a method to
32 address any inadequacy that may be identified as part of that review.

33 **SECTION 6.** This act is effective when it becomes law.