

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 2656*
Committee Substitute Favorable 6/7/06

Short Title: Dortches/Morganton Deannexation.

(Local)

Sponsors:

Referred to:

May 25, 2006

A BILL TO BE ENTITLED

1 AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE
2 CORPORATE LIMITS OF THE TOWN OF DORTCHES AND OTHER
3 DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF
4 MORGANTON.
5

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** The following described property is removed from the
8 corporate limits of the Town of Dortches:

9 Commencing at a magnetic nail located at the intersection of the centerlines
10 of Benvenue Road (NC 43) and South Browntown Road (SR 1527); thence S
11 52°41'51"E 517.69 feet to an existing iron axle on the northern right-of-way of
12 Benvenue Road, the southwest corner of Falls Road Baptist Church property, Tract A,
13 Map Book 16 Page 391; thence along the common line between Falls Road Baptist
14 Church and James E. Wells, Deed Book 1857 Page 805, N 04°41'26"E 172.85 feet to an
15 iron pipe; thence along the common line between Falls Road Baptist Church and Janet
16 D. Beabout, Deed Book 1674 Page 245, N 04°53'16"E 205.66 feet to an angle iron
17 found; thence along the common line between Falls Road Baptist Church and property
18 now or formerly owned by Sally L. Stancil, et al, N 05°00'54"E 466.60 feet to an iron
19 pipe set, the POINT OF BEGINNING; thence continuing along the same line N
20 05°00'54"E 506.25 feet to an existing iron axle found, the northwest corner of Tract A,
21 Map Book 16 Page 391; thence along the common line between the church and James
22 R. Byrd and Cheryl D. Byrd, tenants in common, recorded in Deed Book 1900 Page
23 392, S 85°16'40"E 268.71 feet to an iron pipe set; thence along the existing
24 jurisdictional boundary between the City of Rocky Mount and the town of Dortches a
25 curve being concave to the right and having a radius of 7,900 feet and a chord bearing
26 and distance of S 32°54'31"W 574.36 feet to the point of beginning and containing 1.61
27 acres and being a portion of Tract A, Map Book 16 Page 391, Stony Creek Township,
28 Nash County Registry, as shown on map by Mack Gay Associates, P.A. November 7,
29 2005, Project Number P050335.

1 **SECTION 2.** Section 1 of this act shall have no effect upon the validity of
2 any liens of the Town of Dortches for ad valorem taxes or special assessments
3 outstanding before the effective date of this act. Such liens may be collected or
4 foreclosed upon after the effective date of this act as though the property was still within
5 the corporate limits of the Town of Dortches.

6 **SECTION 3.** The following described property is removed from the
7 corporate limits of the City of Morganton:

8 BEGINNING on a stake in the Morganton Dyeing and Finishing Corp. line,
9 said point being North 88° West 110 feet from the northeast corner of said tract of land
10 described in Book 142, Page 168, of the Burke County Registry; and runs thence North
11 88° West 165 feet to a stake in Morganton Dyeing & Finishing Corp. line; thence South
12 0° 30' East 476 feet to a stake alongside margin of Rural Paved Road #1949; thence with
13 margin of said road North 87° 30' East 200 feet to a stake along margin of said road;
14 thence a new line North 4° 15' West 462 feet to the BEGINNING corner in the
15 Morganton Dyeing & Finishing Corp. line.

16 And being a tract of land located approximately 1.4 miles from the primary
17 corporate limits of the City of Morganton and further described in the Warranty Deed
18 recorded in Book 943, at Page 733 of the Burke County Registry and no other tract
19 whatsoever.

20 **SECTION 4.** Section 3 of this act shall have no effect upon the validity of
21 any liens of the City of Morganton for ad valorem taxes or special assessments
22 outstanding before the effective date of this act. Such liens may be collected or
23 foreclosed upon after the effective date of this act as though the property was still within
24 the corporate limits of the City of Morganton.

25 **SECTION 5.** The property described in Section 3 of this act shall revert to
26 the Residential Transition zoning classification under the zoning ordinances of the City
27 of Morganton until such time as the city reclassifies the property to another
28 classification under the procedures required by such zoning ordinances.

29 **SECTION 6.** This act becomes effective June 30, 2006.