

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 1100
HOUSE BILL 1864

AN ACT TO INCORPORATE THE RURAL HALL SANITARY DISTRICT INTO A
MUNICIPALITY TO BE KNOWN AS THE TOWN OF RURAL HALL.

The General Assembly of North Carolina enacts:

Section 1. The inhabitants in the area hereinafter described are hereby constituted a body politic and corporate under the name of the "Town of Rural Hall", and are hereby vested with all the powers, rights, privileges, immunities, and authority granted by the Constitution and general laws of this State.

Sec. 2. The corporate boundaries of the Town of Rural Hall shall be: BEGINNING at an iron stake at the point of intersection of the western right-of-way line of N. C. Highway No. 66 (Broad Street) with the southern right-of-way line of Wall Street and running thence with the south right-of-way line of Wall Street N 87° - 00' W 450.0 Ft. to an iron stake; thence S 0° - 48' E 291.30 Ft. to an iron stake in the north line of W. O. Cox; thence with the said Cox N 86° - 40' W 1201.84 Ft. to an iron stake in the eastern right-of-way line of the Southern Railway Co., the said right-of-way line being 50.0 Ft. from the center of the tract; thence along the eastern right-of-way line of the Southern Railway Co. the following courses and distances: N 3° - 07' W 87.08 Ft. to a stake; N 7° - 45' W 100.00 Ft. to a stake; N 14° - 50' W 103.51 Ft. to an iron stake in the southern right-of-way line of Wall Street; thence crossing Wall Street N 22° - 30' W 67.60 Ft. to an iron stake in the northern right-of-way line of Wall Street; thence along the northern right-of-way line of Wall Street S 87° - 00' E 735.0 Ft. to an iron stake 400.0 Ft. west of the western right-of-way line of Pilot View Street; thence parallel with and 400.0 Ft. west of the western right-of-way line of Pilot View Street N 3° - 00' E 660 Ft. to an iron stake in the southern right-of-way line of North Street; thence with the southern right-of-way line of North Street N 88° - 30' W 310.0 Ft. to an iron stake 150.0 Ft. west of the western right-of-way line of Payne Street; thence parallel with and 150.0 Ft. west of the western right-of-way line of Payne Street N 2° - 00' E 550.0 Ft. to an iron stake at the northwestern corner of Lot No. 33 of Rural Terrace, the said iron stake being 150.0 Ft. north of the northern right-of-way line of Cook Street; thence parallel with and 150.0 Ft. north of the northern right-of-way line of Cook Street S 88° - 30' E 460.0 Ft. to a stake 450.0 Ft. W of the center of N. C. Highway No. 66 (Broad Street) the said 450.0 Ft. being measured at right angles to the said Highway; thence parallel with and 450.0 Ft. west of the center of N. C. Highway No. 66 (Broad Street) N 16° - 00' W 1870.0 Ft. to a stake in Mrs. John McCuiston's north line; thence with the said McCuiston's north line S 86° - 30' W 190.0 Ft. to a stake at the center of Paso Street; thence with the center of Paso Street the following courses and distances: S 39° - 25' W

165.0 Ft. to a stake; S 33° - 59' W 214.33 Ft. to a stake; S 28° - 57' W 128.53 Ft. to a stake; S 15° - 49' W 125.92 Ft. to a stake; thence along the rear line of Lots 32 thru 38 inclusive of Rural Estates, the following courses and distances: N 71° - 49' W 236.64 Ft. to an iron stake; N 82° - 27' W 200.00 Ft. to an iron stake; S 80° - 43' W 488.02 Ft. to a stake in the center of the Southern Railway Co. track; thence with the center of the Southern Railway Co track the following courses and distances: N 9° - 27' E 1033.77 Ft. to a stake; N 8° - 30' E 100.0 Ft. to a stake; N 5° - 30' E 100.0 Ft. to a stake; N 1° - 21' W 100.0 Ft. to a stake; N 2° - 43' W 100.0 Ft. to a stake; N 7° - 10' W 111.19 Ft. to a stake; thence along the northern line of Lot No. 49 of Rural Estates and along the northern right-of-way line of Park Street N 83° - 20' E 882.84 Ft. to an iron stake in the western right-of-way line of Church Street; thence with the western right-of-way line of Church Street the following courses and distances: N 6° - 00' W 500.0 Ft. to a stake; N 8° - 30' W 260.0 Ft. to an iron stake in the southern right-of-way line of Maple Street; thence along the southern right-of-way line of Maple Street and the said line projected across the Southern Railway Co. track S 82° - 45' W 1240.0 Ft. to a stake in the center of Grassy Creek; thence down the center of Grassy Creek S 4° - 27' W 40.0 Ft. to a stake; thence N 85° - 33' W 340.0 Ft. to an iron stake; thence S 2° - 55' W 515.20 Ft. to an iron stake; thence S 88° - 35' E 98.78 Ft. to an iron stake; thence S 1° -33' W 878.63 Ft. to an iron stake; thence S 3° - 05' W 233.90 Ft. to an iron stake; thence N 89° - 27' E 100.2 Ft. to an iron stake; thence S 59° - 54' E 150.0 Ft. to an iron stake; thence S 39° - 31' E 190.0 Ft. to an iron stake; thence N 0° - 30' E 228.0 Ft. to an iron stake; thence N 89° - 41' E 253.0 Ft. to an iron stake in the western right-of-way line of the Southern Railway Co.; thence with the western right-of-way line of the Southern Railway Co. S 9° - 27' W 318.40 Ft. to an iron stake; thence S 89° - 41' W 180.0 Ft. to an iron stake; thence S 0° - 26' E 177.0 Ft. to an iron stake; thence S 88° - 21' W 10.0 Ft. to an iron stake; thence S 1° - 05' W 94.2 Ft. to an iron stake at the southeastern corner of Lot No. 34 of Section 3, Falconbridge Subdivision; thence S 89° -40' W 508.7 Ft. to an iron stake; thence S 1° -38' W 1111.0 Ft. to an iron stake; thence S 1° -27' E 277.0 Ft. to an iron stake at the southeastern corner of Lot No. 19 of Section 2, Falconbridge Subdivision; thence N 82° -05' W 604.5 ft. to an iron stake; thence N 18° -43' W 30.0 Ft. to an iron stake; thence S 71° -07' W 200.0 Ft. to an iron stake in the eastern right-of-way line of N. C. Highway No. 65, the said stake being at the southwestern corner of Lot No. 11 of Section 2, Falconbridge Subdivision; thence N 0° -12' E 802.40 Ft. to an iron stake; thence N 88° -37' W 276.6 Ft. to an iron stake in the eastern right-of-way line of N. C. Highway No. 65; thence along the eastern right-of-way line of N. C. Highway No. 65 the following courses and distances: N 14° -10' W 99.6 Ft. to a stake; N 9° -45' W 100.0 Ft. to a stake; N 4° -41' W 100.0 Ft. to a stake; N 3° -36' E 100.0 Ft. to a stake; N 6° -18' E 100.0 Ft. to a stake; N 11° -04' E 100.0 Ft. to an iron stake; thence S 75° -12' E 200.0 Ft. to an iron stake; thence N 14°-50' E 541.7 Ft. to an iron stake, the said stake being at the northwestern corner of Lot No. 10 of Section 1, Falconbridge Subdivision; thence S 89° -38' E 424.9 Ft. to an iron stake; thence N 2° -22' E 295.8 Ft. to an iron stake; thence N 3°-02' E 361.54 Ft. to an iron stake; thence N 2°-54' E 15.50 Ft. to an iron stake; thence N 59°-46' W 58.60 Ft. to an iron stake; thence N 36°-02' W 344.35 Ft. to an iron stake; thence N 0°-27' E 117.65 Ft. to an iron stake;

thence N 12°-18' W 363.0 Ft. to an iron stake; thence N 1°-28' E 458.52 Ft. to an iron stake; thence N 86°-34' W 167.70 Ft. to an iron stake; thence N 4°-10' E 489.75 Ft. to an iron stake in the eastern right-of-way line of N. C. Highway No. 65; thence with the eastern right-of-way line of N. C. Highway No. 65 N 46°-02' E 340.0 Ft. to an iron stake; thence N 2°-42' E along the western property line of Brady Furniture Co. and others 2817.0 Ft. to the center of the A & Y Railroad (Southern Railway Co.) track; thence N 44°-40' E 500.0 Ft. to an iron stake; thence S 45°-20' E parallel with and 500.0 Ft. northeast of the center of the A & Y Railroad (Southern Railway Co.) track 2270.0 Ft. to an iron stake in the east line of W. P. Plunkett, Sr.; thence with the said Plunkett's east line S 5°-00' E 275.0 Ft. to the center of the A & Y Railroad (Southern Railway Co.) track; thence with the center of the A & Y Railroad (Southern Railway Co.) track as it curves in a northeasterly direction an arc distance of 140.0 Ft. to the point of tangency of the said curve; thence still with the center of the A & Y Railroad (Southern Railway Co.) track N 52°-50' E. 470.3 Ft.; thence S 45°-20' E 1400.0 Ft. to a stake; thence S 38°-40' W 80.0 Ft. to an iron stake in the north side of College Street; thence crossing College Street and along the line between E. R. Bodenheimer and Elon Bodenheimer S 18°-20' W 210.0 Ft. to an iron stake; thence still with the line between E. R. Bodenheimer and Elon Bodenheimer S 83°-00' E 100.0 Ft. to an iron stake; thence crossing through the lands of E. R. Bodenheimer S 45'-00' W 600.0 Ft. to an iron stake in the center of a spring branch where said branch crosses E. R. Bodenheimer's west line; thence with E. R. Bodenheimer's west line S 1°-45' W 220.0 Ft. to an iron stake at the intersection of Summit Street and Academy Street; thence still with E. R. Bodenheimer's line S 44°-00' E 560.0 Ft. to an iron stake; thence S 6°-00' E 760.0 Ft. to an iron stake; thence S 50°-30' E 300.0 Ft. to an iron stake; thence S 72°-15' E 420.0 Ft. to an iron stake; thence N 84°-34' E 600.0 Ft. to an iron stake at the northeast corner of Lot No. 10 of the subdivision of the Everette Kiger farm; thence along the east line of the said Lot No. 10 S 5° -26' E 202.95 Ft. to an iron stake in the northern right-of-way line of Academy Street; thence N 89° -15' E 185.0 Ft. to an iron stake in the northern right-of-way line of Academy Street, the said stake being in the original line between the Everette Kiger and Norman Kiger farms; thence along the said original line, crossing Academy Street and Simmons Road, S 6° - 31' W 930.0 Ft. to an iron stake at Dewey V. Harris's southeast corner; thence along the said Harris's southwestern line N 52° - 52' W 203.9 Ft. to an iron stake; thence still with the said Harris's southwestern line N 34° - 53' W 277.57 Ft. to an iron stake at the said Harris's northwest corner in Earl T. Kiger's line; thence crossing Earl T. Kiger's lot N 89° - 15' W 225.0 Ft. to an iron stake corner between Earl T. Kiger and Kemper L. Kiger in Milton G. Kiger's line; thence along the line between Milton G. Kiger and Earl T. Kiger S 8° -00' E 390.98 Ft. to an iron stake at the southeast corner of Lot No. 5 of the Milton G. Kiger subdivision; thence along the line of Lot Nos. 5, 7, 10 and 13 of the Milton G. Kiger Subdivision and crossing Foster Street, S 78 - 15' W 790.0 Ft. to an iron stake 450.0 Ft. east of the center of N. C. Highway No. 66 (Broad Street), the said 450.0 Ft. being measured at right angles to the said Highway; thence parallel with and 450.0 Ft. east of the center of N. C. Highway No. 66 (Broad Street) S 16° -00' E 2300.0 Ft. to an iron stake in the southern right-of-way line of Holmes Street; thence along the southern right-of-way line of

Holmes Street S 88° -00' E. 640.0 Ft. to an iron stake 230.0 Ft. east of the center of Stultz Street; thence parallel with and 230.0 Ft. east of the center of Stultz Street S 1° - 00' W 490.0 Ft. to an iron stake in the southern right-of-way line of Wall Street; thence with the southern right-of-way line of Wall Street N 88° - 00' W 220.0 Ft. to an iron stake; thence S 1° - 00' W 320.0 Ft. to an iron stake at the southeast corner of the Professional and Commercial Center property; thence along the south line of the said property N 87° - 15' W 786.0 Ft. to the western right-of-way line of N. C. Highway No. 66 (Broad Street); thence along the western right-of-way line of N. C. Highway No. 66 (Broad Street) N 1° - 15' W 270.0 Ft. to the point of the BEGINNING and containing 522.0 Acres more or less.

Sec. 3. The Town shall operate under the mayor-council form of government. The council shall consist of five members to be elected to staggered terms as hereinafter provided. Beginning with the regular municipal election to be held in 1975, the three candidates receiving the highest number of votes shall be elected for terms of four years and the two candidates receiving the next highest number of votes shall be elected for terms of two years. Thereafter, as the terms of the members expire, their successors shall be elected for terms of four years. The mayor shall be elected for a term of two years by the council from its membership.

Sec. 4. The elections for municipal officers in the Town of Rural Hall shall be nonpartisan and decided by a simple plurality. No primary election shall be held. The elections shall be held and conducted by the Forsyth County Board of Elections, and except as otherwise provided herein, shall be held and conducted in accordance with Articles 23 and 24 of Chapter 163 of the General Statutes.

Sec. 5. A regular municipal election shall be held on Tuesday after the first Monday in November, 1975, and every two years thereafter for the election of the Town Councilmen. Vacancies occurring for any reason in the council shall be filled for the unexpired term by appointment by the remaining members of the council. A vacancy in the office of mayor shall be filled for the unexpired term by appointment by the council.

Sec. 6. The initial members of the Town Council shall be those three persons presently serving as the Board of Commissioners of the Rural Hall Sanitary District and two additional persons who shall be appointed by the three persons presently serving on the Board of the Rural Hall Sanitary District. They shall serve until their successors are elected and qualified pursuant to this act. They shall appoint one of their members as mayor, who shall serve until his successor is appointed under this act.

Sec. 7. On June 1, 1974, at 12:00 noon, the Rural Hall Sanitary District shall cease to exist as a body politic and corporate, and the Town of Rural Hall shall simultaneously be incorporated, and at that time all of the District's assets and liabilities shall be transferred to the Town of Rural Hall as provided in G.S. 130-156.3.

Sec. 8. The Rural Hall Sanitary District shall take all actions necessary to effect this transfer of the assets and liabilities of the District to the Town of Rural Hall by June 1, 1974.

Sec. 9. From and after June 1, 1974, the citizens and property in the Town of Rural Hall shall be subject to municipal taxes levied for the fiscal year beginning July 1, 1974, and the Town shall obtain from the County a record of property in the area herein

incorporated which was listed for taxes as of January 1, 1974, and the businesses in the Town shall be liable for privilege licensee tax from the date of the privilege license tax ordinance.

Sec. 10. The Forsyth County Board of Elections shall call and conduct a special election on Tuesday after the first Monday in May, 1974, to submit to the qualified voters in the area described in Section 2 of this act, the question whether such area shall be incorporated as a municipal corporation known as the Town of Rural Hall.

If the County Board of Elections deems it necessary, a new registration of voters within the area may be held. The registration books for this special election shall remain open through Friday preceding the election. The election shall be conducted in accordance with the applicable provisions of Articles 23 and 24 of Chapter 163 of the General Statutes and the provisions of this act.

The Board of Elections shall, at least 20 days before the registration period closes, cause public notice of the election to be posted at several public places in the area to be incorporated, and such notice shall state the date of the election, the polling places, the hours the polls will be open, the names of the registrars and judges of elections, the date, places and hours of registration, and the purpose of the election. The same notice shall be published once a week for two weeks, beginning 20 days before the registration closes, in a newspaper having general circulation in the Rural Hall Sanitary District.

In the special election, the form of the ballot shall be that set out in G.S. 130-156.3. If a majority of those voting favor incorporation of the Town of Rural Hall, then Sections 1 through 9 of this act shall be in full force and effect. If a majority of those voting vote against incorporation of the Town of Rural Hall, then this act shall have no force and effect.

Sec. 11. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 2nd day of April, 1974.