

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 226  
HOUSE BILL 705

AN ACT TO PROVIDE FOR THE ANNEXATION AND CONSOLIDATION OF  
MORGANTON AND GLEN ALPINE, UPON A VOTE OF THE PEOPLE  
THEREIN.

The General Assembly of North Carolina enacts:

**Section 1.** (a) The Town Council of the Town of Glen Alpine and the City Council of the City of Morganton, North Carolina, are hereby authorized to call for a special election on the question of consolidating the Town of Glen Alpine, the City of Morganton, and the area lying between the two municipalities, into the City of Morganton, North Carolina, to form a single municipality, and a vote in favor of such consolidation shall constitute a vote for consolidation into the City of Morganton, and the City of Morganton shall assume the obligations of the Town of Glen Alpine. Such special election shall be conducted in the City of Morganton, the Town of Glen Alpine, and in the remainder of the described area, by the Board of Elections of Burke County.

(b) No new or special registration of voters shall be required for such special election. Registration books of the two municipalities shall be used in conducting the election in each respective municipality, and the registration books of Burke County shall be used in conducting the election in the remainder of the described area. The existing precincts and polling places shall be used in the two municipalities, and the Board of Elections of Burke County shall establish a polling place in the remainder of the described area.

(c) The Board of Elections of Burke County shall cause to be published at least once in each of the sixth, fifth, and fourth calendar weeks preceding the day of the special election, in the Morganton News Herald, a notice of the registration and special election. Such notice shall include the time and places of registration; the polling places; the date of challenge day; the date of the special election; a general description of the area within which the election is to be conducted; and a statement that those voters who are registered to vote in municipal elections in the Town of Glen Alpine and the City of Morganton, and those voters residing between the two municipalities in the area described herein who are then registered to vote in County or City elections shall not be required to register again in order to vote in the special election.

(d) For such special election, the Board of Elections of Burke County shall provide ballots which contain the words "FOR Consolidation of Glen Alpine, Morganton, and the area lying between the two municipalities" and "AGAINST Consolidation of Glen Alpine, Morganton, and the area lying between the two

municipalities", with the appropriate squares so that each voter may make his cross (X) mark to indicate his preference.

(e) Following such special election, the votes in each of the municipalities shall be canvassed separately, and the results thereof certified by the Board of Elections of Burke County. The votes in the remainder of the described area shall be canvassed and certified separately by the County Board of Elections. The Board of Elections shall meet on the day following the special election to determine and declare the results thereof.

**Sec. 2.** If a majority of the votes cast in the special election in the Town of Glen Alpine and the City of Morganton and the area lying in between shall be "FOR Consolidation of Glen Alpine, Morganton, and the area in between," consolidation shall become effective on the last day of the municipal fiscal year consolidation shall become effective on the last day of the municipal fiscal year of the City of Morganton after the date of certification of the results of said election, and the Town of Glen Alpine shall be abolished and cease to exist as of the above date.

**Sec. 3.** If a majority of the votes cast in the Town of Glen Alpine are cast "AGAINST Consolidation of Glen Alpine, Morganton, and the area in between", then consolidation shall not be effective.

**Sec. 4.** If a majority of the votes cast in the City of Morganton are "AGAINST Consolidation of Glen Alpine, Morganton, and the area in between", then consolidation shall not become effective.

**Sec. 5.** If a majority of the votes within the Town of Glen Alpine and the City of Morganton are "FOR Consolidation of the Town of Glen Alpine, City of Morganton, and the area lying in between", consolidation shall become effective unless the votes "AGAINST Consolidation of the Town of Glen Alpine, City of Morganton, and the area in between" cast by those voters residing in the area between the Town of Glen Alpine and the City of Morganton when added to and consolidated with the votes within the town of Glen Alpine and the City of Morganton "AGAINST Consolidation of the Town of Glen Alpine, and the City of Morganton, and the area in between," constitute a majority of all voters voting in all three areas, in which event said election shall fail, and consolidation will not be effective.

**Sec. 6.** In the event of a favorable vote for consolidation as provided in Section 5 herein, then:

(a) All property, real and personal and mixed, including the accounts receivable, belonging to the Town of Glen Alpine shall vest in, belong to, and be the property of the City of Morganton. The governing body of the Town of Glen Alpine is hereby authorized and directed to take such actions and to execute such documents that will carry into effect the provisions and intent of this section.

(b) All judgments, liens, rights of liens, and causes of action of any nature in favor of the Town of Glen Alpine, shall vest in and inure to the benefit of the City of Morganton.

(c) All taxes, assessments, water or sewage charges, and other charges of fees owing the Town of Glen Alpine shall be owed to and collected by the City of Morganton.

(d) All actions, suits, and proceedings pending against, or having been instituted by, the Town of Glen Alpine, shall not be abated by this act, or by the consolidation herein provided for, that all such actions, suits, and proceedings shall be continued and completed in the same manner as if consolidation had not occurred, and the City of Morganton shall be a party to all such actions, suits, and proceedings in the place and stead of the Town of Glen Alpine, and shall pay or cause to be paid any judgments rendered against the Town of Glen Alpine in any such actions, suits, or proceedings. No new process need be served in such action, suit, or proceeding.

(e) All obligations of the Town of Glen Alpine, including outstanding indebtedness, shall be assumed by the City of Morganton. All such obligations and outstanding indebtedness are hereby constituted obligations and indebtedness of the City of Morganton, and the full faith and credit of the City of Morganton shall be deemed to be pledged for the punctual payment of the principal and the interest on all general obligations, bonds, and bond anticipation notes of the Town of Glen Alpine, and all the taxable property in the City of Morganton, as well as that formerly located within the Town of Glen Alpine, shall be and remain subject to taxation of such payment.

(f) All ordinances of the Town of Glen Alpine shall continue in full force and effect in the area to which they apply, as ordinances of the City of Morganton until repealed or amended by the governing body of the City of Morganton.

(g) All franchises heretofore granted by the Town of Glen Alpine which are still in force shall continue as valid franchises of the City of Morganton for the purposes granted within the area formerly comprising the Town of Glen Alpine, but shall not hereby be constituted valid franchises for any other portion of the corporate limits of the City of Morganton.

(h) All boards and commissions appointed by the City of Morganton shall have jurisdiction over similar functions, exercised by the boards and commissions appointed by the Town of Glen Alpine.

(i) The Town of Glen Alpine is hereby abolished as of the date of consolidation.

(j) The code of ordinances of the City of Morganton in effect as of the date of consolidation is herein specified and hereby given effect within that portion of the corporate limits of the City of Morganton which was formerly unincorporated.

**Sec. 7.** In the event of consolidation pursuant to this act, the City of Morganton shall immediately upon the effective date of consolidation, provide all city services being presently provided in the City of Morganton to the citizens in the Town of Glen Alpine and the area lying in between, with the exception of sewage facilities. The City of Morganton shall, in addition, immediately initiate engineering studies as soon as reasonably feasible to provide sewage service to the residents of the Town of Glen Alpine, and the area lying between the City of Morganton and the Town of Glen Alpine, and shall within two years from date of consolidation have under contract facilities to provide said areas sewage services on substantially the same basis as said services are presently provided within the corporate limits of the City of Morganton.

**Sec. 8.** The area herein referred to as lying between the Town of Glen Alpine and the City of Morganton is bounded and described as follows:

BEGINNING at the intersection of the northern right-of-way margin of Interstate 40 and the southern right-of-way margin of SR #1150, and runs thence with the north right-of-way margin of Interstate 40 to a point 200 feet West of the right-of-way of SR #1149 (also known as the Conley Road); thence in a northerly direction with a line 200 feet West to the right-of-way of SR #1149 to a point 200 feet West of where the right-of-way of SR #1149 intersects with the boundary of the Town of Glen Alpine; thence with the easternmost boundary of the Town of Glen Alpine, until said eastern boundary intersects at a point 200 feet West of SR #1147 (also known as Water Mill Road); thence in a northerly direction 200 feet West of SR #1147 until it intersects with the center of Catawba River; thence in an easterly direction with Catawba River to a point where the center of Catawba River intersects with the present city limits of the City of Morganton at a point approximately 1000 feet North of Coulter Street; thence following the Western limits of the City of Morganton as it meanders to the beginning.

**Sec. 9.** From and after the effective date of annexation of the above described area, the citizens and property therein shall be subject to the provisions of G.S. 160-452(e).

**Sec. 10.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 17th day of April, 1973.