

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 234
HOUSE BILL 695

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

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 Haw River", 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 Haw River shall be:

BEGINNING at a monument located 200 feet east of the center of Secondary Road No. 1928 and 400 feet north of the center of U. S. Route No. 70, and running thence in an easterly direction along a line parallel with and 400 feet north of the center of U.S. Route No. 70 approximately 3,590 feet to a monument in the center of Back Creek; thence down the center of Back Creek, as it meanders in a southerly direction, approximately 2,360 feet to the center of the Southern Railway Company bridge crossing said creek; thence westerly along the center of the main track of the Southern Railway Company 8,640 feet to a monument; thence South $2^{\circ} 35'$ West 1,000 feet to a monument; thence westerly, along a line parallel with and 1,000 feet south of the center of the Southern Railway Company main track, a distance of approximately 4,030 feet to a monument 300 feet southeast of the center of N.C. Route No. 49; thence parallel with and 300 feet southeast of the center of N.C. Route No. 49 S South $47^{\circ} 20'$ West 620 feet to a monument; thence South $0^{\circ} 40'$ East approximately 400 feet to a monument 230 feet south of the center of Secondary Road No. 1942; thence parallel with and 230 feet south of Secondary Road No. 1942 South $89^{\circ} 20'$ West approximately 520 feet to a monument 300 feet southeast of the center of N.C. Route No. 49; thence North $23^{\circ} 40'$ West 2,154.5 feet to a monument; thence south $84^{\circ} 30'$ West 58.4 feet to a monument in Hanover Road; thence South $85^{\circ} 00'$ West 149 feet to a monument in Hanover Road; thence South $42^{\circ} 45'$ West 108.5 feet to a monument in Hanover Road; thence South $52^{\circ} 15'$ West 208 feet to a monument in Hanover Road; thence North $12^{\circ} 45'$ West 359.5 feet to a monument; thence North $1^{\circ} 45'$ East 385.0 feet to a monument; thence North $84^{\circ} 00'$ West 31 feet to a monument; thence North $4^{\circ} 45'$ East 617.0 feet to a monument in U.S. Route No. 70; thence North $23^{\circ} 40'$ West 12.0 feet to a monument in the center of U.S. Route No. 70; thence North $72^{\circ} 00'$ West 442.4 feet to a monument in the center of U.S. Route No. 70; thence North $0^{\circ} 16'$ East 588.25 feet to a monument; thence North $73^{\circ} 22'$ East 301.6 feet to a monument; thence North $85^{\circ} 47'$ East 305.7 feet to a monument; thence South $6^{\circ} 47'$ West 177.2 feet to a monument; thence South

7° 18' East 111.8 feet to a monument; thence South 28° 25' East 75.7 feet to a monument; thence North 23° 50' East 293.6 feet to a monument near the western edge of Quarry Street; thence North 73° 50' East approximately 600 feet crossing said Quarry Street to the center of Cemetery Street; thence along the center of Cemetery Street, South 85° 08' East 1001.73 feet to a point in the center of Cemetery Street; thence North 4° 34' East 20 feet to an iron stake, a corner between P. C. Beatty's property and the City of Burlington property; thence along a line between the said Beatty's property and City of Burlington property, North 4° 34' East 289.51 feet to an iron stake, a corner with P.C. Beatty in the City of Burlington property line; thence along a line between the City of Burlington and P. C. Beatty, North 71° 23' East 544.5 feet to an iron stake; thence along a line between the City of Burlington and Mrs. K. B. Williamson's property, North 19° 22' West 70 feet to a point in the Haw River Sanitary District; thence with the Haw River Sanitary District along a line parallel with and 700 feet North of the center of Boundary Street, North 73° 50' East approximately 4617 feet to a monument in the center of Roma Road; thence with the center of Roma Road North 17° 35' West 290.0 feet to a monument corner with the lands of Matthew O. Dawson; thence South 71° 03' West 230.0 feet to a monument; thence along a line parallel with and 230 feet west of the center of Roma Road North 17° 35' West approximately 800 feet to a monument in the center of Hopedale Road; thence North 4° 35' West 230 feet to a monument; thence along a line parallel with and 230 feet north of the center of Hopedale Road North 35° 25' East approximately 1,180 feet to a monument; thence North 14° 12' 10" East approximately 360 feet to a monument in the center of Sherri Drive; thence along the center of Sherri Drive South 77° 47' East 250 feet to a monument 230 feet from the center of Keck Road; thence along a line 230 feet west of and parallel with the center of Keck Road the following courses and distances: North 2° 40' East 687.0 feet to a monument; North 2° 38' East 604 feet to a monument; North 4° 29' East approximately 1,359 feet to a monument in the center of Center Street; thence North 3° 25' West 550 feet to a monument; thence along a line parallel with and 550 feet north of Center Street North 86° 35' East approximately 1,000 feet to a monument 230 feet east of the center of N.C. Route No. 49; thence along a line parallel with and 230 feet east of the center of N.C. Route No. 49 the following courses and distances: South 3° 25' East 2,097 feet to a monument; South 3° 22' East 1,663.25 feet to a monument; thence South 62° 45' East approximately 370 feet to a monument in the center of Secondary Road No. 1927, the said monument is further identified as being 720 feet from the center of Secondary Road No. 1928 as measured along the center of the said Road No. 1927; thence South 2° 00' East approximately 720 feet to a monument 170 feet northeast of the center of Secondary Road No. 1925; thence parallel with and 170 feet northeast of the center of Secondary Road No. 1925 South 31° 00' East approximately 690 feet to a monument 170 feet north of the center of Secondary Road No. 1742; thence parallel with and 170 feet north of the center of Secondary Road No. 1742 South 84° 30' East 610 feet to a monument; thence South 15° 30' West approximately 1,420 feet to the point of the BEGINNING and containing 1,016.5 Acres more or less, the same being 1.59 square miles.

Sec. 3. The Town shall operate under the mayor-council form of government. The council shall consist of five members to be elected as hereinafter provided, and the mayor shall be elected by the council from its membership. The councilmen shall be elected for a term of two years by the voters of the Town and the mayor shall be appointed for a term of two years.

Sec. 4. The elections for municipal officers in the Town of Haw River shall be nonpartisan and decided by a simple plurality. No primary election shall be held. The elections shall be held and conducted by the Alamance 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, 1973, 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 persons presently serving as the Board of Commissioners of the Haw River 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, 1973, at 12:00 Noon, the Haw River Sanitary District shall cease to exist as a body politic and corporate, and the Town of Haw River shall simultaneously be incorporated, and at that time all of the District's assets and liabilities shall be transferred to the Town of Haw River as provided in G.S. 130-156.3.

Sec. 8. The Haw River Sanitary District shall take all actions necessary to effect this transfer of the assets and liabilities of the District to the Town of Haw River by April 1, 1973.

Sec. 9. From and after June 1, 1973, the citizens and property in the Town of Haw River shall be subject to municipal taxes levied for the fiscal year beginning July 1, 1973, 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, 1973, 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 Alamance County Board of Elections shall call and conduct a special election on Tuesday after the third Monday in May, 1973, 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 Haw River.

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 Haw River 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 Haw River, 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 Haw River, then this act shall have no force and effect.

Sec. 11. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 18th day of April, 1973.