

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 299
HOUSE BILL 781

AN ACT TO AMEND CHAPTER 180 OF THE SESSION LAWS OF 1975
ENTITLED "CHARTER FOR THE CITY OF MORGANTON".

The General Assembly of North Carolina enacts:

Section 1. Subsection (b) of Section 2.22 of Chapter 180 of the Session Laws of 1975 is hereby amended by striking out the part of the proviso at the end of the first sentence, to wit: "provided, however, that no ordinance shall be finally adopted on the date it is introduced unless adopted by an affirmative vote equal to or greater than two thirds of all of the council members, not including any member excused from voting on the question (but including the mayor's vote in case of equal division)", and by substituting in lieu thereof the following: "provided, however, that no ordinance shall be finally adopted on the date it is introduced unless adopted by an affirmative vote equal to or greater than two thirds of all the council members, not including the mayor and any member excused from voting on the question (but including the mayor's vote in case of equal division)."

Sec. 2. Subsection (b) of Section 3.1 of Chapter 180 of the Session Laws of 1975 is hereby amended by deleting the word "November" the three times it appears in this subsection.

Sec. 3. The corporate limits of the City of Morganton shall be as follows:

Beginning at the point of intersection of the centerline of N.C. Highway 181 and the centerline of Catawba River and runs thence downstream in a Northerly and Easterly direction with the meanders of the centerline of the Catawba River to a point at the center of the intersection of the Catawba River and Hunting Creek; thence following the meanders of the centerline of Hunting Creek to a point in the center of Hunting Creek and Goose Creek; thence following Goose Creek to the point of intersection with the corporate limits boundary line of Morganton as fixed by the Charter of the said City, as amended by private laws, extra Session 1921, Chapter 91, Section I, and being that boundary line including all the territory situate 1 1/8 mile of the center of the courthouse, the same being hereinafter designated as a charter boundary line, same point being 200 feet Southeast from the center of Brookside Lane; thence in a Southeasterly direction with the charter boundary line to a point 200 feet North of the right-of-way of East Union Street (U.S. 64-70 Business); thence in an Easterly direction parallel with Union Street at a distance of 200 feet North of the right-of-way of Union Street to a point 200 feet East of the Eastern right-of-way of Fleming Drive extended to the Northeast across U.S. 64-70; thence the boundary turns South 34° 53' West and follows

the extension of the Eastern right-of-way and the Eastern right-of-way of Fleming Drive at a distance of 200 feet to a point in the center of East Prong Creek, turning at this point to the South and following the meanders of the centerline of East Prong Creek to a point said point being 1,791 feet North of the intersection of the centerline of East Prong Creek and Bethel Road; thence leaving the center of the creek and runs South $88^{\circ} 31' 22''$ East 880.08 feet; thence South $23^{\circ} 12' 59''$ East 350.2 feet; thence South $88^{\circ} 20' 17''$ east 140 feet; thence South $1^{\circ} 39' 31''$ West 180 feet; thence South $23^{\circ} 32' 18''$ East 395.78 feet; thence South $66^{\circ} 40' 37''$ West 150 feet; thence South $56^{\circ} 11' 48''$ West 40.68 feet; thence South $66^{\circ} 40' 21''$ West 158.84 feet; thence South $23^{\circ} 19' 27''$ East 100 feet; thence South $17^{\circ} 5' 52''$ East 100 feet; thence South $17^{\circ} 5' 52''$ East 174 feet; thence South $24^{\circ} 2' 4''$ West 55 feet; thence South $54^{\circ} 42' 47''$ East 85 feet; thence South $35^{\circ} 16' 49''$ West 160 feet; thence South $55^{\circ} 50' 42''$ West 42.73 feet; thence South $35^{\circ} 16' 42''$ West 150 feet; thence South $54^{\circ} 43' 10''$ East 128 feet; thence South $65^{\circ} 57' 39''$ East 89.5 feet; thence South $65^{\circ} 57' 43''$ East 296.88 feet; thence South $65^{\circ} 57' 11''$ East 40 feet; thence South $65^{\circ} 57' 43''$ East 100 feet; thence South $24^{\circ} 2' 52''$ West 149.89 feet; thence South $19^{\circ} 28' 48''$ East 85.13 feet; thence South $45^{\circ} 37' 27''$ West 149.94 feet; thence South $44^{\circ} 25' 40''$ East 283.97 feet; thence South $46^{\circ} 36' 13''$ East 96.27 feet; thence South $27^{\circ} 5' 42''$ West 211.8 feet to a point said point being in the centerline of Bethel Road (S.R. 1704); thence South $27^{\circ} 0' 2''$ West 1,375 feet to a stone monument; thence North $48^{\circ} 46'$ West 905 feet to a point in the center of East Prong Creek said point being 2,075 feet South of the intersection of East Prong Creek and Bethel Road; thence turning at this point to the South and following the meanders of the centerline of East Prong Creek to a point at the fork of East Prong Creek and an unnamed branch; thence the line turns in an Easterly direction and follows this unnamed branch as it meanders for a distance of 1,095 feet; thence the line turns in a Northeasterly direction and follows the Grace Hospital property line and a depression in the land to an iron pipe, the same being the common corner of the Wesley Parker Estate and Grace Hospital property, also being the common corner and beginning corner of Morganton Medical Center property; thence North $51^{\circ} 29'$ West 291.96 feet; thence North $51^{\circ} 52'$ West 197.56 feet; thence North $4^{\circ} 57'$ West 71.44 feet to a point in the centerline of Parker Road; thence with the centerline of Parker Road North $56^{\circ} 18' 30''$ East 404 feet; thence leaving the centerline of Parker Road South $52^{\circ} 6' 20''$ East 455.62 feet to a point in the Grace Hospital property line and depression in the land; thence in a Northeasterly direction and following the property line and depression in the land to a point 200 feet West of Parker Road (S.R. 1708); thence the line turns in a Southeasterly direction following 200 feet off the right-of-way of Parker Road for a distance of 1,050 feet; thence the line turns in a South Southwesterly direction following a property line 1,440 feet to a point in the Northern right-of-way of Interstate 40; thence in a Westerly direction following the Northern right-of-way boundary line of Interstate 40 to a point in the center of Henredon Branch; thence the boundary turns Northwest and follows the meanders of the centerline of Henredon Branch to the centerline of the Southern Railway; thence in a generally Westerly direction following the centerline of Southern Railway to the center of Silver Creek; thence in a Southerly and Westerly direction following the meanders of the centerline of Big Silver Creek for a distance of 4,885 feet

to a point in the center of the Duke Power Company transmission power line right-of-way; thence along the center of the power line right-of-way South $70^{\circ} 18'$ East 750.55 feet; thence South $34^{\circ} 45'$ East 342.64 feet; South $13^{\circ} 25'$ East 215.07 feet; thence South $56^{\circ} 35'$ East 689.53 feet to a point on the Western edge of a private road; thence following the Western edge of the private road South $15^{\circ} 30'$ East 385.19 feet; thence North $18^{\circ} 18'$ West 221.67 feet; thence South $15^{\circ} 30'$ East 221.9 feet; thence North $88^{\circ} 56'$ East 253 feet to a point on the Western edge of a private road; thence following the Western edge of the private road South $19^{\circ} 10'$ East 405 feet to a point on the Northern edge of the Interstate 40 right-of-way; thence in a Westerly direction along the Northern edge of the Interstate 40 right-of-way as follows: South $87^{\circ} 40'$ West 100 feet North $81^{\circ} 27'$ West 100 feet, North $70^{\circ} 25'$ West 100 feet, North $63^{\circ} 30'$ West 100 feet, North $56^{\circ} 45'$ West 100 feet North $60^{\circ} 25'$ West 100 feet, North $70^{\circ} 7'$ West 100 feet, North $80^{\circ} 37'$ West 100 feet, South $86^{\circ} 50'$ West 45 feet to a point; thence leaving the right-of-way of Interstate 40 North $2^{\circ} 55'$ East 158 feet to a point; thence South $88^{\circ} 14'$ West 432 feet to a point; thence North $02^{\circ} 55'$ East 50 feet to a point; thence South $89^{\circ} 22'$ West 241.74 feet to a point; thence South $2^{\circ} 55'$ West 75 feet to a point; thence South $26^{\circ} 45'$ East 172.79 feet to a point in the Northern edge of Interstate 40 right-of-way; thence along the Northern edge of Interstate 40 right-of-way North $87^{\circ} 5'$ West 69.05 feet; thence leaving the right-of-way of Interstate 40 North $26^{\circ} 45'$ West 168.03 feet; thence North $1^{\circ} 45'$ West 189.09 feet; thence South $88^{\circ} 22'$ West 967.4 feet; thence South $1^{\circ} 38'$ West; 371.39 feet to a point on the Northern edge of Interstate 40 right-of-way; thence following the Northern edge of the Interstate right-of-way in a Western direction as follows: North $85^{\circ} 44'$ West 410.25 feet, South $5^{\circ} 9'$ West 35.65 feet North $85^{\circ} 44'$ West 119.78 feet, North $87^{\circ} 50'$ West 429.45 feet, North $0^{\circ} 4'$ East 30 feet, South $89^{\circ} 19'$ West 154.14 feet, South $1^{\circ} 26'$ East 30 feet, South $86^{\circ} 34'$ West 410.73 feet, South $84^{\circ} 25'$ West 576.03 feet to a point at the intersection of the center of Silver Creek and Northern edge of Interstate 40 right-of-way; thence following the Northern right-of-way of Interstate 40 to the Southern right-of-way of S.R. 1150; thence following the Southern right-of-way of S.R. 1150 to a point in the center of Little Silver Creek where it intersects with the Southern right-of-way of S.R. 1150; thence following in a Northeasterly direction the meanders of the centerline of Little Silver Creek 1,926 feet to a point; thence leaving Little Silver Creek North 1° East 180 feet to a point; thence North $89^{\circ} 47'$ West 809.35 feet to a concrete monument; thence North $4^{\circ} 44'$ East 416.33 feet to a concrete monument; thence North $0^{\circ} 40'$ West 1,257 feet to a point 200 feet South of the center of the Southern Railway tracks; thence following and parallel to the center of the Southern Railway tracks at a distance of 200 feet North 77° East 1,602 feet; thence North $12^{\circ} 40'$ West 1,253 feet crossing the center of the Southern Railway tracks at 200 feet and the center of U.S. 70 at 253 feet 1,400 feet West of the center of its intersection with Elm Street; thence following and parallel to the center of U.S. 70 at a distance of 1,000 feet North $78^{\circ} 15'$ East 1,387 feet to a point 200 feet West of the center of Elm Street; thence North $0^{\circ} 30'$ West 1,025 feet to a point on the Eastern bank of the Catawba River; thence North $75^{\circ} 45'$ West 80 feet to a point in the center of the Catawba River; thence with the meanders of the centerline of the Catawba River as follows: North 5° East 180 feet; thence North $6^{\circ} 55'$ West 400 feet; thence North $2^{\circ} 15'$

East 313 feet in all 893 feet to a point in the center of the Catawba River; thence leaving the Catawba River South $89^{\circ} 10'$ East 630 feet to a point; thence North $88^{\circ} 40'$ East 1,953 feet to a point 200 feet East of Glendale Street; thence due South 786 feet following and parallel with the center of Glendale Street at a distance of 200 feet; thence $89^{\circ} 20'$ East 505 feet to a point; thence South $0^{\circ} 35'$ East 287 feet to a point; thence North $77^{\circ} 35'$ East 220 feet to a point; thence South $11^{\circ} 20'$ East 125 feet to a point; thence North $74^{\circ} 5'$ East 395 feet to a point; thence North $14^{\circ} 15'$ West 200 feet to a point; thence North $74^{\circ} 30'$ East 280 feet to a point in the center of an unnamed branch; thence with the center of the said unnamed branch as follows: North $26^{\circ} 30'$ East 104 feet; thence North $35^{\circ} 55'$ East 119 feet; thence North $43^{\circ} 10'$ East 126 feet; thence North $32^{\circ} 5'$ East 77 feet; thence North $0^{\circ} 15'$ East 258 feet in all 684 feet to a point in the center of the intersection of said unnamed branch and Catawba River; thence with the meanders of the centerline of the Catawba River to the point of the beginning.

Sec. 4. All laws and clauses of laws in conflict with this act are hereby repealed.

Sec. 5. This act shall become effective on and after the date of its ratification.

In the General Assembly read three times and ratified, this the 2nd day of May, 1977.