

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 317
HOUSE BILL 645

AN ACT TO INCORPORATE THE TOWN OF ROBINWOOD IN GASTON
COUNTY, SUBJECT TO A REFERENDUM.

The General Assembly of North Carolina enacts:

Section 1. (a) The Board of Elections in Gaston County is hereby authorized and directed to call and conduct a special election on November 3, 1981, for the purpose of submitting to the qualified voters of the area hereinafter described as the proposed corporate limits of the Town of Robinwood, the question of whether or not such area shall be incorporated as a municipal corporation to be known as the Town of Robinwood. In conducting the election required to be held by this act, the Board of Elections of Gaston County shall follow the procedures contained in this act and the procedures contained in Chapter 163 of the General Statutes of North Carolina regarding municipal elections, where the same are not in conflict with this act.

(b) Not later than 20 days prior to the date on which the registration books are required to be closed, the Board of Elections in Gaston County shall cause to be published one or more times in a newspaper having general circulation in the Robinwood community, a notice stating the time, the polling place, and purpose of this special election; the names of the registrar and judges of election; and the dates, hours, and places of registration. The Board of Elections may, in its discretion, also cause such notice to be posted in such public place or places as the board may choose.

(c) In the special election, those voters who favor the incorporation of the Town of Robinwood as provided in this act shall vote a ballot upon which shall be printed the words: "FOR Incorporation of the Town of Robinwood", and those voters who are opposed to the incorporation of the Town of Robinwood as provided in this act shall vote a ballot upon which shall be printed the words "AGAINST Incorporation of the Town of Robinwood".

Sec. 2. If the majority of the votes cast in such special election shall be cast "AGAINST Incorporation of the Town of Robinwood" then the "Charter of the Town of Robinwood" as set forth in this act shall have no force and effect.

Sec. 3. If a majority of the votes cast in the special election shall be cast "FOR Incorporation of the Town of Robinwood", then the "Charter of the Town of Robinwood" as set forth in this act shall be in full force and effect from and after the date upon which a certificate of election shall have been issued by the Chairman of the Gaston County Board of Elections in accordance with the procedures of G.S. 163-301.

Sec. 4. If a majority of the votes cast in the special election shall be cast "FOR Incorporation of the Town of Robinwood", then notwithstanding the time

limitations contained in the Local Government Budget and Fiscal Control Act (Article 3 of G.S. Chapter 159), the governing body of the Town of Robinwood is authorized to consider and adopt a budget ordinance, including a property tax levy, as soon after the effective date of incorporation as is possible. The residents of the Town of Robinwood and the property located within the Town of Robinwood shall be liable for all municipal taxes imposed by the Town of Robinwood governing body for the fiscal year 1981-82, and each fiscal year thereafter. The town may obtain from Gaston County, and the county shall provide upon request a record of property within the corporate limits which was listed for taxation as of January 1, 1981.

Property taxes levied for the fiscal year 1981-82 by the Town of Robinwood as authorized by this section shall be due and collected as provided in G.S. 160A-58.10 in the case of taxes levied for part of the year following annexation.

Sec. 5. The following provisions of law shall constitute the Charter of the Town of Robinwood:

"ARTICLE I.

"The Charter of the Town of Robinwood.

"Incorporation and Corporate Powers.

"Section 1.1. Incorporation and General Powers. The inhabitants of the Town of Robinwood are a body corporate and politic under the name of the Town of Robinwood. Under that name they have all the powers, duties, rights, privileges and immunities conferred and imposed upon municipal corporations by the general law of North Carolina.

"ARTICLE II.

"Corporate Boundaries.

"Sec. 2.1. The corporate boundaries of the Town of Robinwood, until changed in accordance with law, shall be as set out on a map entitled 'Boundary Map of the Town of Robinwood'. The said map is maintained in the Office of the Town Clerk, as required by G.S. 160A-22. The initial corporate limits shall be as follows:

Beginning at a point, the intersection of the center lines of Union Road (N.C. 274) and Newport Road (Airport Road) and runs with the center of Newport Road (Airport Road - S.R. #2444) approximately 8,740 feet, more or less, to the northeast corner of Gaston Day School property; thence with the school pine and the west line of Woodleigh Sub S 18!-29E a distance of 1883.74 feet to an iron pin; thence continuing with Woodleigh's lines the following curves and distances: N 48-38-30 E a distance of 855.55 feet to an iron; thence S 49-33 E a distance of 1448.77 feet to an iron pin; thence N 43-09 E a distance of 464.15 feet to a concrete mon.; thence N 57-37 E a distance of 304.0 feet to a concrete mon.; thence N 31-17-30 E a distance of 366.3 feet to a concrete mon.; thence S 53-15-24 E a distance of 866.20 feet to an iron pin; thence N 44-58-36 E a distance of 853.97 feet to an iron pin; thence N 35-35-37 W a distance of 375.1 feet to an iron pin; thence N 51-09-48E a distance a 710.63 to a iron pin; thence N 49-44-15 W a distance of 1530.21 feet to a point on Woodleigh East property line and 200 feet in a Southeasterly direction from the center line of Newport Road (S.R. 2444); thence with a line 200.0 feet in a Southerly direction from and parallel to Newport Road a distance of 4,120 feet, more or less, to the center line of Southampton Road (S.R. 2445); thence

with the center line of Southampton Road in a westerly direction 7,540 feet, more or less, to a point in said road, said point being located 500.0 feet measured at right angles from Robinwood Road (S.R. 2461); thence with a line parallel and 500.0 feet in distance from said Robinwood Road 3,595 feet, more or less, to a point located 500.0 feet in distance from measured at right angles from Union Road (N.C. 274); thence with a line 500 feet from and parallel to Union Road a distance of 650 feet, more or less, to a point in the Northerly property line of Colonial Gas Company; thence with said Gas Company's Northerly property line in a Westerly direction 500 feet, more or less, to the center of Union Road; thence with the center of Union Road 6,170.0 feet, more or less, to the beginning.

"ARTICLE III.

"Governing Body.

"Sec. 3.1. Structure of Governing Body: Number of Members. The governing body of the Town of Robinwood is the Town Council, which has five members.

"Sec. 3.2. Manner of Election of Mayor and Council. The Mayor and Council shall be elected by the qualified voters of the entire town in 1981 and biennially thereafter for two-year terms.

"ARTICLE IV.

"Elections.

"Sec. 4.1. Conduct of Town Elections. Town officers shall be elected on a nonpartisan basis and the results determined by a plurality of the votes cast, as provided by G.S. 163-292.

"ARTICLE V.

"Administration.

"Sec. 5.1. Form of Government. The Town of Robinwood shall operate under the mayor-council form of government as provided in Part 3 of Article 7 of Chapter 160A of the General Statutes.

"ARTICLE VI.

"Interim Council.

"Sec. 6.1. Interim Council. Until the regular municipal election to be held in 1983, Wilson Boshamer is appointed as Mayor of the Town of Robinwood and John R. Thomas, J. K. Lewis, Edith B. Darwin, David Dickerson, and William L. Craige, Jr., are appointed as members of the council. The mayor and members of the council appointed by this section shall serve until their successors are elected and qualify."

Sec. 6. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 4th day of May, 1981.