

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 514
SENATE BILL 385

AN ACT TO INCORPORATE THE VILLAGE OF MARVIN IN UNION COUNTY.

The General Assembly of North Carolina enacts:

Section 1. The following provisions of law shall constitute the Charter of the Village of Marvin in Union County:

"THE CHARTER OF THE VILLAGE OF MARVIN.

"Chapter I.

"Incorporation and Corporate Powers.

"Section 1.1. Incorporation and Corporate Powers. The inhabitants of the Village of Marvin, which area is described in Section 2.1 below are a body corporate and politic under the name 'Village of Marvin'.

Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed upon cities by the general law of North Carolina.

"Chapter II.

"Corporate Boundaries.

"ARTICLE I.

"Village Boundaries.

"Sec. 2.1. Village Boundaries. Until modified in accordance with law, the boundaries of the Village of Marvin are as follows:

BEGINNING at a point in the North Carolina-South Carolina State Line in the center line of Six Mile Creek, said point also being corner of the Union County-Mecklenburg County line, thence in a northeasterly direction with the meanderings of Six Mile Creek to a point in the center line of Six Mile Creek, said point being a northeast corner of the J. S. Kerr property, thence with the J. S. Kerr property as shown in Deed Book 224 page 404. S 31° 45' E 1192 ft to an iron stake thence continuing with the J. S. Kerr property N 46° 30' E 850 ft to an iron stake, thence S 15° E 1123 ft to an iron stake being a corner of J. S. Kerr and Roger R. Regelbrugge, thence with the Roger R. Regelbrugge property as described in Deed Book 338 page 241, S 14° 49' E 861.75 ft to a point common corner of the Guilmont Development Co. property and the J. L. Crist, Jr. property, thence S 17° 02' 50" E 1178.53 ft to a point, a corner of the Sam W. Craver property, thence with Sam W. Craver property as described in Deed Book 337 page 771 S 34° 23' E 2239 ft to a corner of Allen D. Carter, thence with the Allen D. Carter line as described in Deed Book 216 page 624 S 34° 23' E 362.6 ft to an iron pin on the south side of NCSR No. 1316 common corner of Allen D. Carter and Harry F. Short thence with Allen D. Carter line as described in Deed Book 244 page 799 and the S. R. Yarborough line as described in Deed Book 336 page 376 S 32° 52' W 716.L ft to a 30"

hickory, common corner of S. R. Yarbrough and William C. and Linda W. James thence with the William C. James line as described in Deed Book 322 page 106 S 2° 12' 20" W 1267 ft to an iron by 30" pine in the line of Cecile Reese Stephenson and William H. Stephenson thence with the Cecile Reese Stephenson and William H. Stephenson line as described in Deed Book 192 Page 587 S 86° 25' E 160 ft to an iron, thence continuing with the said Cecile Reese and William H. Stephenson line S 19° 22' E 1534.6 ft to an iron and stones in a post oak stump thence continuing with the said Cecile Reese and William H. Stephenson line S 64° 38" E 783 ft to a point in the center line of NCSR No. 1309 (Crane Road) then in a southerly direction with the center line of NCSR No. 1309 (Crane Road) to a point in the center line of the intersection of said road and NCSR 1307 (Waxhaw-Marvin Road and Bonds Grove Church Road) thence continuing with NCSR No. 1307 in a northeasterly direction with the center line of NCSR 1307 to a point in the center line of the road at the James Q. Wray, Jr. and Hugh L. Miller corner, thence with the James Q. Wray, Jr. line as described in Deed Book 281 page 399 S 73° 23' 20" E 808.91 ft to an old iron, a common corner of Hugh L. Miller and Joe S. Houston, thence continuing with the James Q. Wray, Jr. line S 74° 31' E 1557.91 ft to an old iron, thence continuing with the James Q. Wray, Jr. line S 7° 10' 50" W 545.78 ft to an old iron thence continuing with the said James Q. Wray, Jr. line S 86° 28' 10" E 648.57 ft to stones, a common corner of Thomas E. Cook and E. W. Dunning (now or formerly) thence continuing with the James Q. Wray, Jr. line S 86° 42' 40" E 557.98 ft to an old iron. James Q. Wray, Jr. corner as shown on a plat of Vahalla Farms Subdivision (section two) as recorded in Plat Cabinet A, File No. 118-A thence with the northern line of said plat S 87° 41' 30" E 753.13 ft to an old iron pipe, thence continuing with said plat S 88° 20' 15" E 337.06 to an Ash Tree, thence continuing with said plat 20° 49' 20" E 555.17 ft to a stone thence continuing with said plat S 2° 49.40' E 472.21 ft to an old iron pipe, a corner of Erlene S. Brandon, thence with the Erlene S. Brandon line S 3° 15' W 180 ft more or less to a point in the center line of NCSR No. 1360 (Grey Byrum Rd.) thence with the center line of NCSR 1306 in a westerly direction to a point in the center of the intersection with NCSR 1301 (Waxhaw-Marvin Road) thence with the center line of NCSR No. 1301 in a northwesterly direction to a point in the center line of the road, said point or place being described in Deed Book 301 page 324, also the southeasterly corner of Tract 17 of Providence Road Estates, as shown on a plat therefore recorded in Plat Cabinet No. A, File No. 87A, Union County Public Registry, and runs thence from said point with the center line of Marvin-Waxhaw Road and following courses and distances: (1) S. 19-22 E 100.0 ft to a point; (2) S 27-36-13 E. 100.0 ft to a point; (3) S 31-59-37 E 100.0 ft to a point (4) S 33-35-32 E. 100.0 ft to a point; (5) S 34-04 E 100.0 ft to a point (6) S 35-03-36 E 100.0 ft to a point (7) S 37-16-18 E 100.0 ft to a point (8) S 41-07-39 E 100.0 ft to a point (9) 43-34-55 E 100.0 ft to a point; and (10) 44-53-59 E 206.74 ft to a point in said center line of said road; thence with the line of Haywood S 11- 39-32 W 659.34 ft to an old iron; thence with the line of Hartis S 12-04-18 W 523.48 ft to an old iron; thence with the line of Spencer S 12-03-24 W 757.26 ft to an old iron; thence with the line of C. L. Haywood S 12-09-21 W 1695.35 ft to an old iron; thence with the line of the Charlotte Rifle & Pistol Club S 86-17-38 W 3310.59 ft to an old iron located on the North Carolina- South Carolina State

Line thence in a northwesterly direction with said North Carolina-South Carolina State Line to the BEGINNING.

"Chapter III.

"Governing Body.

"Sec. 3.1. Structure of Governing Body; Number of Members.

The governing body of the Village of Marvin is the Village Council, which has four members, and the Mayor.

"Sec. 3.2. Manner of Electing Village Council. The Village has one electoral district and this district is represented by members of the Council which will be elected at large. The qualified voters of the entire Village elect the members of the Council. To be eligible for election to the Council and for service on the Council, a person must reside in the district.

"Sec. 3.3. Term of Office of Town Council. Members of the Council are elected to two-year terms.

"Sec. 3.4. Manner of Electing Mayor; Term of Office. The qualified voters of the entire village elect the Mayor. He is elected to a two-year term of office.

"Chapter IV.

"Elections.

"Sec. 4.1. Conduct of Village Elections. Village Officers shall be elected on a nonpartisan basis and the results determined by a plurality as provided in North Carolina General Statutes 163-292.

"Chapter V.

"Administration.

"Sec. 5.1. Village to Operate Under Mayor-Council Plan. The Village of Marvin operates under the Mayor-Council plan as provided in General Statutes Chapter 160A, Article 7, Part 3.

"Chapter VI.

"Finance.

"Sec. 6.1. Taxation. The territory within the corporate limits and its citizens and property, shall be subject to municipal taxes levied by the Village when taxes are deemed necessary."

Sec. 2. The Union County Tax Supervisor shall provide upon request, a record of property within the corporate limits, which property was listed for taxation as of January 1, 1984.

Sec. 3. Interim budget. The Village Council may adopt a budget ordinance for the 1984-85 fiscal year, following their qualifications for office, without having to comply with the budget preparation and adoption timetable set out in the Local Government Budget and Fiscal Control Act. If the initial budget is adopted after November 1, 1984, then taxes may be paid at par on face amounts within 90 days of adoption of the budget, and thereafter according to the schedule in G.S. 105-360 as if the taxes had been due on September 1, 1984.

Sec. 4. Special election for approval. (a) If a petition signed by forty percent (40%) of the registered voters within the proposed corporate limits of the Village of Marvin petition the Union County Board of Commissioners on or before November 1,

1983, to hold an election on incorporation of the Village of Marvin, the Board of Elections of Union County is hereby authorized and directed to call and conduct a special election on a date to be set by the Union County Board of Commissioners not earlier than the day of the 1984 primary under G.S. 163-1(b) but not later than the date of the 1984 general election under G.S. 163-1(c) for the purpose of submitting to the qualified voters of the area heretofore described as the proposed corporate limits of the Village of Marvin, the question of whether or not such area shall be incorporated as a municipal corporation known as the Village of Marvin. The Union County Board of Commissioners shall act on or before December 1, 1983, to set the date. In conducting the election required to be held by this act, the Board of Elections of Union County shall follow the procedures contained in G.S. 163-288.2, in this act, and the procedures contained in Chapter 163 of the General Statutes regarding municipal elections, where the same are not in conflict with this act.

(b) In the special election, the form of the ballot shall be:

"@ FOR Incorporation of the Village of Marvin. @ AGAINST Incorporation of the Village of Marvin."

Sec. 5. If the majority of the votes cast in the special election shall not be cast "FOR Incorporation of the Village of Marvin", or if no election is held because a valid petition under Section 4 of this act is not submitted, then the Charter of the Village of Marvin, as set forth in Sections 1 through 3 of this act, shall have no force and effect.

Sec. 6. If a majority of the votes cast in the special election shall be cast "FOR Incorporation of the Village of Marvin", then the Charter of the Village of Marvin, as set forth in Sections 1 through 3 of 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 Union County Board of Elections in accordance with the procedures of G.S. 163-301.

Sec. 7. At the same time as the referendum held under Section 4 of this act, but only if such a referendum is held, the Union County Board of Elections shall hold an election for the initial Mayor and Village Council, to serve until the 1985 municipal election; provided, that if the majority of votes shall not be cast "FOR Incorporation of the Village of Marvin", the election of officers is null and void. The Union County Board of Elections shall adopt a special schedule of candidate filing for the election, after consulting with the State Board of Elections.

Sec. 8. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 13th day of June, 1983.